

Audit and Finance Committee Meeting Transcript – 05/27/2020

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[9:33:43 AM]

I'm Alison Alter, chair of the audit and finance and I would like to call this meeting to order. It's 9:33. We have a full dais this morning of our committee members. Our first item of business is to approve the minutes of the audit and finance committee from April 15th. >> Pool: I'll move to approve. >> Alter: Thank you. Councilmember Pool moves to approve. Seconded by -- seconded by Mayor Adler. All those in favor raise your hand? It is unanimous on the dais, assuming that councilmember Tovo is voting aye as well. Let us know if you're not.

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That passes. The second item of business is our fiscal year 2019 single audit report by Deloitte and Touche. The city's external auditor. This is for the specific grants that we get. It is not the same thing as the audit at our last meeting. So I'm going to invite the controller's office or Align Hart to speak to us on this. >> Good morning, councilmembers, I'm Diana Thomas, the city controller [echo]. I'm here with Brooke Rogers and [indiscernible] From Deloitte and Touche, the city's external auditor, to present the results of the fiscal year 2019 single audit. I want to say thank you to Deloitte, the city staff as well as those departments whose grants were audited for this report and for the mayor and council for your continued support of the

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city's goal of excellence in all aspects of financial management. The single audit was issued on May 8, 2020 about seven weeks in advance of the due date of June 30th. And at this point I will turn the presentation over to Blake Rogers and Reed Simmer from Deloitte. Following their presentation I will provide a brief response from city management to the findings. And Rosie Truelove and I are here to answer any questions you have with regard to the single audit and the city's action plan related to the findings. Blake, whenever you're ready. >> Thank you, Diana and good morning to the members of the audit and finance committee. My name is Blake Rogers. I've met a few of you in the past. I'm a partner with Deloitte for the audit services that we provide for the city of Austin. You may recall that Rehem had presented our results of the financial statements during our previous meeting in April, so the purpose of

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our communication today is to inform you of the results of three different compliance audits for fiscal year 9 which we completed and issued our reports on May 8th, 2020. As we walk through this we'll have three different audit items here. We'll have the single audit for federal programs, the single audit for state programs, and the passenger facility charge audit. On the second page of our presentation titled single audit report federal and state programs, you'll see the results of our compliance audits of the city, state and federal programs. For federal awards, the city is required to have an annual audit because it expends greater than \$750,000 in federal awards. And similarly the state of Texas requires the city to have an annual compliance audit because it expended greater than \$750,000 in state awards as well.

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In both cases in our reports we issued unmodified opinions, clean opinions, that's the one you want, on May 8th, 2020. On the next page of our presentation with the green heading federal programs, you'll see the total amount of federal awards that the city expended in fiscal year '19 of just north of \$59 million. And in addition below that figure you will see the three federal programs that we were required to audit this year and the amounts of expenditures of those three federal programs. On the next page for our state programs you will see the total amount that the city expended for fiscal year '19, which is 3.8 million roughly. And the two different programs that we were required to audit for the state single audit as well. Both of these reports on the next page titled findings and [indiscernible] Costs related to federal and state

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Edwards, for both of these -- awards, for both of these reports we only had one finding this year for fiscal year '19 that we considered to be non-compliant with the grant requirements and a significant

deficiency in controls. And significant deficiency is a term that's defined on the very last page of our presentation, but suffice it to say that it's less significant than a material weakness, but enough that we thought it merited the attention of this body. This finding related to the amounts approved for housing development assistance, specifically the amount that was approved up here to exceed the grant requirements maximum per unit subsidy allowed by approximately \$29,130. So that is the one finding that we had there listed and the details of that finding can be found in our issued report. As well as management's response to that finding. Lastly for our presentation on the next page, for

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passenger facility charges, we also completed our audit of the passenger return charges as required by the FAA. The city collects the passenger facility charge as a rate approved by the Faire and that amount must be used for allowable purposes. The FAA requires that we do a compliance audit around that. For this report we had an unmodified clean opinion and had no findings for fiscal year '19. So with that I will conclude our portion of the presentation, ask for any questions from the audit and finance committee beforehand it back to Diana and her team. >> Colleagues, does anyone have any questions? Thank you. I don't think we have any questions at this time. I believe we just need -- do we need to vote or just hear the -- >> There's no vote to be taken. This is Diana Thomas.

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>> Alter: Okay. And then we just need to hear your response? >> Yes. So if you could advance the slide. It's got an image of the cover for the single audit report on the front. And then moving to slide 11, this is the finding that Blake mentioned with regard to the \$29,130 with regard to the maximum per unit subsidy. And then if you move to the last slide you can see the city's response. Nhcd staff will ensure that the proposed subsidy per unit does not exceed the amount required under the federal housing administration. They've already put in place a process for verifying that this amount is accurately calculated and utilized going forward.

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And at this point if there are any questions from councilmembers with regard to the single audit itself I'm happy to answer. And with regard to this finding Rosie would be happy to answer. >> Alter: Thank you. Colleagues, does anyone have any questions for the controller or Ms. Truelove? Okay. Thank you. So I believe we just need to hear this, we don't have to make any motions. Is that correct, Ms. Thomas? >> Yes. Yes, that is correct. >> Alter: Great. Well, thank you to you and Mr. Rogers for being here with us this morning. We will now move on to item 3, which is our community policing audit. And before we do,

I just want to note that we have several different mechanisms that we have put in motion to take a closer look at the police department, the community policing audit is

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just sort of -- is just one piece of that. We have our ongoing evaluation of the sexual assault response system, which we're hopeful to have an update shortly and we have the audit set in motion by the December resolution, the external audit, as well as the review of the training process. Today's audit is focusing on the community policing and was part of a process that was set in motion many months ago when we set the audit plan back with the last fiscal year's setting of the audit plan. So thank you. Ms. Stokes, I will let you get us started, please. >> Great. For this, Maria was in charge and Andrew was the audit manager. Marie is going to present to us today. I think Andrew is on the line. You may have questions for

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him as well. And I believe I also saw briefly APD available to answer questions after the presentation. Maria? >> Thank you. I'm just waiting for a moment for the slides to come up. Great. Thank you so much. Thank you, corrie. Good morning, committee members. My name is Maria and I was the auditor in charge for this project. Next slide, please. The objective of this audit was to determine if the Austin police department's community policing efforts since 2016 have been effective. Community policing involves police departments building

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relationships with the community to identify and solve public safety issues and to make communities safer. While the concept of community policing has existed in Austin for many years, this audit focuses on the effectiveness of APD's efforts since 2016. We have three findings. Next slide, please. Our first finding was that APD has taken steps to improve its community policing effort since 2016 and has seen some positive effects. But more time is needed to determine if APD's efforts has been effective. Next slide. In 2016 APD hired the matrix consulting group to assess its community policing efforts. As a result of this review, matrix gave APD over 60 recommendations. Since then APD has implemented many of them. For example, APD revised its mission statement to be more aligned with community

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policing. APD also developed a community policing policy and added community policing principles to its training programs and job descriptions. APD also started several new community policing programs to help officers identify and address community concerns. When we reviewed how these efforts have affected APD's relationship with the community, though, we found mixed results. Next slide, please. One way we tried to understand how things had changed overtime was to represent are cade two surveys matrix conducted as part of their work in 2016. One survey was for APPD employees and the other for Austin community members. We compared the results of the 2016 surveys to the results of our surveys in 2019 to try to determine how perceptions had changed. Next slide. Our APD employee survey was sent out to all APD employee in fall 2019.

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We received the response rate of about 17% and the makeup of the population who responded to our survey was similar to the population who responded in 2016. When we compare results between the two years, we found results for some questions went up, some went down and some stayed the same. The results of the survey are included in our report, but as an example, more respondents in 2019 agreed APD does a good job planning services to the community. But fewer respondents agreed that APD has the support of the community. Next slide, please. We also conducted a survey of the Austin community in fall 2019. The survey was available in English, Spanish and Vietnamese. To increase our reach we sent the survey out to the city's community registry, generated press coverage and also utilized various social media channels. Many respondents to our survey self-identified as white, while other

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populations were underrepresented compared to their population in Austin. Unfortunately matrix did not ask for demographics in the 2016 survey so we were not able to confirm whether the makeup of the population who responded in 2019 was similar to that in 2016. Despite this limitation we compared the results of our community surveys to the results of the 2016 survey and also found mixed results. For example, respondents in 2019 rated their individual experiences with APD staff higher, but they also rated professionalism of APD officers lower. Next slide, please. We also found mixed results when we reviewed APD's performance measures. While crime rates generally decreased between 2016 and 2018, resident satisfaction with police services also decreased. This decrease in resident satisfaction may indicate APD continues to face challenges building a positive relationship with

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the community. Community policing involves issues of culture, trust and confidence both within APD and between weekend and the public. Recent issues including a recent racism investigation, suggest there are deeply rooted challenges that APD must face to create a department-wide culture that is fair, impartial and procedurally just, which APD states it is aiming for in its community policing policy. While APD's community policing effort since 2016 do appear to have helped establish a foundation to support community policing goals, in order for the department to produce the change that they and the community want, APD must first address these issues. Next slide, please. Our second finding was that APD's ability to improve community policing outcomes may be limited because of the issues with the way it measures performance. Next slide. There are several ways we identified APD would I am proven the way it measures results. First, APD could improve how

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it uses data for making decisions and improving its efforts. APD does collect data on several performance measures related to community listing, including measures on perception of safety in the community and community trust in the police. But APD does not have an established process for using the data to understand and improve its community policing efforts. A more established process could help APD make better decisions such as how to better allocate resources. APD also does not have measures to assess the changes they have made to support community policing. For example, APD made changes to how they train cadets in response to the matrix recommendations, but does not have measures to determine if these changes have achieved desired results. Additionally APD needs a better process for documenting successful and unsuccessful strategies. While successful strategies may be shared informally across the department, a system to document what is working and what is not

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would help APD leaders learn from previous experiences and prioritize impactful practices moving forward. APD could also make its performance measurement process more transparent. For example, there was not a single place for the public to view data on APD's community policing measures and efforts. Next slide, please. Our third finding was while APD has reported an increase in the amount of time officers have to engage in the community, it appears that officers may not be able to use this time for community engagement activities. Community engagement activities are important for community policing. And include activities such as participating in community events, building relationships with local business owners, and increasing presence and visibility in neighborhoods. In 2016 matrix recommended APD increase the amount of time officers have for community engagement to at least 35%. Next slide, please.

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The time officers have available for community engagement is the time when they are not responding to calls. APD calls this time uncommitted time. The time officers are responding to calls is considered committed and the time officers are not responding to calls is considered unadmitted. APD reported an increase in uncommitted time citywide from 22% in 2016 to 27% in 2018. During this available uncommitted time, officers may be able to do community engagement. However, we found the uncommitted time does not accurately represent the time officers can spend on community engagement activities for two main reasons. Next slide, please. First, uncommitted time is not generally available as a single block of time during an officer's shift. Instead it is broken up into small blocks of time between calls. Since officers appear to be going from one call to another, the blocks of time between calls can be very short. Sometimes less than five

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minutes. And it is not likely usable for community engagement. Second, officers have many responsibilities to complete during their unsubmitted time. Officers are expected to check email, write reports and read policy updates in addition to other tasks and community engagement. So it's not likely that is much time left for community engagement during their uncommitted time. Because of these issues with this measure, it was unclear if officers had more engagement time available in 2019 than they did in 2016. Many patrol officers who responded to our survey of APD employees indicated they do not have adequate time to engage with residents because of high call volume and issues with understaffing. APD managers said similar things during interviews. To increase community engagement time, APD is working to add staff aren't management said they have directed patrol officers to spend a few extra minutes on calls to engage with

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community members. These steps may be helpful, but they do not guarantee that officers have more time to engage with the community outside of responding to calls. Next slide, please. We issued two recommendations based on these findings. APD agreed with our recommendation. That concludes our presentation and we are happy to take any questions. >> Thank you, Ms. Strauss. If the committee doesn't object I might let APD respond before we move into the q&a. After we hear from APD. >> Mayor and councilmembers, this is chief gay. I hope you're doing well. >> Alter: Morning, chief gay. >> I also have on the line with me lieutenant Gaslin, our community engagement coordinator, who has taken the lead in this particular

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project. And I do believe that the audit has shown that APD has made great strides in setting a great foundation for our community policing efforts. We'll answer specific questions, but I do -- we concur with the audit. We have agreed with their recommendations and do believe that we'll be able to make the necessary changes specifically with performance measures. We're very excited that within the next month to six weeks we hope to have a chief data officer hired with our department which would allow us to have a subject matter expert that can really help us to dive into our data and present it and come up with the effective performance measures that we can develop the necessary strategies. Thank you.

[9:56:08 AM]

>> Alter: Colleagues, do you have questions for the auditor or for chief gay? >> Mayor Adler: There was a council resolution that passed and listed certain measurement criteria and I think it was mentioned in the audit. Some of them were being used. I think, chief, it would be helpful if you could just go back to that resolution and just indicate which ones are being used and which ones you don't think are able to be used so that I can answer that question for constituents. If that's something you can do. >> We could definitely go through and provide you with a document and provide you that information. Is that okay to get back with you on that? >> Mayor Adler: Absolutely. You would just be going through the resolutions and say we're keeping track of this one or this one we can't, whatever, just to differentiate. >> Absolutely. And I do believe that most of those we are, but I will

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provide you with written documentation, absolutely. >> Mayor Adler: Thanks, chief. >> Alter: Mayor, do you know which resolution or which relative time period? >> Mayor Adler: I don't have the number. It was mentioned in the audit. Do you have that? >> Alter: The 2018 one? >> It was the one regarding the staffing resolution for APD. >> Okay. >> Alter: I see it in the audit. Thank you. >> Tovo: Chair, this is Kathie tovo, can you hear me? >> Alter: Go ahead, councilmember tovo. Councilmember tovo, did you want to speak? >> Tovo: Yes, I'm sorry. To ask the mayor to clarify was it the 2016 matrix study or was it the later staffing resolution? >> Mayor Adler: It was a

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resolution that listed measurement criteria to assess whether or not community policing was in fact having the desired result to measure outcomes as opposed to occupants, which I think goes to some of the questions that the audit has raised to make sure that we're getting data that actually addresses whether or not community policing is resulting in changes in particular performance or metrics that were [indiscernible]. >> Alter: It's linked I believe in page five of the audit, the 2018 council resolution was one that I believe I was a co-sponsor of that had to do with the staffing. >> Tovo: Thank you. I was

trying to determine because the subject has come up and been the source of council action several times, you know, over the past decade. I just wanted to understand

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whether it was a more recent effort or the earlier one that led to the matrix report. Thank you. That clarifies for me that it's the more recent one that you're referring to, mayor. >> Mayor Adler: Yes, more recent. [Background noise]. >> Alter: Councilmember pool. Councilmember tovo, did you have other questions? >> Tovo: I do, but I'll let -- I really just had that follow-up question for the mayor. So I'll wait my turn on the others. Thank you. >> Alter: Okay. So councilmember pool and then councilmember Flannigan. >> Pool: Thanks. I was curious on the uncommitted time because that's the downtime between calls and it's hard to get a coherent block of time in order to accomplish anything really big along the lines of community policing. Has -- has the police department considered actually putting together the uncommitted time into a larger block to be more

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effective for the work on the street in the community? Basically have you looked at attacking the community policing issue and the lack of time you have for it from a different angle? >> Yes, ma'am. As it was mentioned before is that -- and I agree, the blocks of time may be small. Some of the challenges that we have with community policing is that as it was stated in the report, we do expect for our officers to build relationships with every contact. So it is hard to, but we're trying to measure that in a 30-minute call of a burglary to a resident, our expectation is during that call is that officer will ask additional questions, ask if there are additional

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issues and problems in the area in order to build these additional relationships and find out additional information beyond just what they were called there for. So those are the things that we're trying to roll into every particular call, but as mentioned before, in between the calls and actually stopping, talking to additional business owners, that's where we have due to the -- not only the staffing levels, but due to -- I know you are aware that we have a high vacancy rate currently and it limits our opportunities to build that block a lot bit. But we are definitely looking for ways to be more intentional about how we could continue to build those relationships with the time that we do have. >> Pool: I guess what I'd say is it seems like the additional expanded time talking to a resident on a

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call seems like that would be more related to the call and not in my mind what I think of as community policing. Community policing for me is actually being in the community, walking around talking with folks when you're not on a specific callout. That you actually are there in order to have those conversations, say play basketball with kids in a basketball court, that sort of thing, which is why a more extend period of time and actually specifically assigning that time in a day would seem to reach that kind of impact that I think all of us want. But if your definition of community policing is asking additional questions of someone in a callout, then I think we have differing definitions and expectations of community policing which could be why those of us in civilians who long supported community policing continue to be disappointed, I guess,

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or curious as to why we don't have a higher rate of community policing and so it sounds like you have a different definition. >> I want to make sure that I'm clear that community policing is all encompassing from when you're on a call and not on a call. We believe that community policing should be interwoven into an officer's activity definitely. Building relationships with a community can be building baseball as you mentioned, doing coffee with a cup, doing other activities, stopping the walking to residents, but we also expect for our officers to employ that same level of care when they're on their calls. We know that when you're burglarized is that we know that that is the number one topic, but taking a couple extra sentences or a couple minutes to ask them how they are doing and so the empathy

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and the care. I think that's building that relationship so when you do see that individual that is walking down the street that you took a call from down a week ago, that gives you an opportunity to say hello, to stop and feel those relationships on a continued basis. So I want to make sure that community policing is interwoven in everything we do but activities are very, very important and that is why when matrix came in they said that community policing would be effective and that's to include the activities that you're talking about an officer really needs 35 to 45% of their time to devote. And right now even though we're at a 28% is that the officer's time is we're running from call to call. And that is twofold. One being the vacancy rate

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and also is that currently we're not at the staffing levels that was recommended by matrix. But through the support of council y'all have given us a plan for your strategy to get to that particular level where

hopefully we'll be at least be at the lowest level of that 35%. >> Pool: Okay. I'll let the question go, but I'll point to the paragraph on page one of the highlights where it says that it one possible reason why community polices efforts have been mixed is that the efforts for [reading]... Deeply rooted challenges in the department-wide culture to be fair, impartial and procedurally just. And I think that if we spend more time with folks in their community, in they're neighborhood on the street when it is not necessarily

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attached to a callout then those relationships would be more likely to be solidified and then if there is some predictability and some different tenure of the officers assigned, I know they get moved around a lot, district reps I've probably had a dozen or more in the nearly six years that I've been district 7 councilmember and it's hard to keep track of who it is. It really hard to build relationships when the personnel keep changing. So if there were a way for you all to both have that be with the assignment, like coffee with a cop or cookies with a cop, that is good, but it's still not getting to that depth of knowledge. And if there could be more predictability about the faces people would see on the beat I think that would go farther in increasing the confidence and trust in the force, which is really what we need in order it to

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address some of the deep-seated concerns that the community has raised about fairness and differences in culture, if that makes sense. >> Thank you. I don't disagree. We will continue our efforts to build those relationships and get out there outside of calls and that is our expectation. So thank you. >> Yeah, that's great, that's great. It would take of course having bigger chunks of time and not just the intersystem between callouts. Thanks. >> Alter: Councilmember Flannigan. >> Flannigan: Thank you. I think that's a lot more to dig into this and how we define it and trying to understand the difference between what community agreement looks like through the community program through the drs, versus our

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expectations on the entirety of the force and I don't pretend to be an expert in policing, so I don't have answers. I just have questions. But I think it's an interesting conversation to tee up if not in this venue, but another venue. To say that are community policing accomplished because of general APD engagement with the public? Meaning if you had twice as many drs you could actually cover more events and do more things and it's about developing trust in the badge individually and community policing can or is it about each individual officer's relationship with the part of the city they're

responsibility for, which then to me brings up a lot of questions about the area in which an individual officer is tasked to protect or patrol or whatever and is it even reasonable to expect each individual officer to develop a level of trust with the community. We're not assigning officers

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to one street. These regions are large and it's a big ask to say an officer needs to go play basketball with kids. That can be a fine component, but I feel like the questions are bigger and more institutional. And not necessarily to be answered today, but there's a lot to dig into that. To the mayor's point, we want to have metrics based on outcomes, but we don't even have metrics based on activities. We have uncommitted time, but we haven't broken down uncommitted time or do we have the tools to track uncommitted time. There's just a lot of density in this conversation and I don't want to be in airplays where I'm using anecdotal experience to drive my decisions as a policy maker, but to -- but I don't want to ignore -- I've done the rideouts, I've seen how long it took an

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officer to be distracted from writing up calls and to write reports. I've seen an officer just sitting in central booking. So there's a lot of factors in play in terms of how much time officers have and I think we have conversations about efficiency study on other public safety departments. It's not that level of scrutiny that I'm interested in on APD, but there's something to just the experience I had in a ride along to say wow, this is much more complicated in terms of allocating time and much more complicated in terms of tracking it. We all want to have a measure of community policing but we all have different questions of it. So I don't have a question of you, chief gay, but I'm laying out my thoughts generally on where we are. But I think there's a lot of work to be done here. >> Thank you, their. >> Alter: Councilmember tovo, but want me to come back to you before I ask questions? >> Tovo: Thanks, I do have some questions. Can you hear me now?

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>> You have your computer and phone on at the same time. >> How is this? >> Tovo: I had the phone muted, but computer was still echoing. So I have a couple of questions. I guess the first is for the auditor. Could you please help me understand how you factored in the district representative into the measurement of community policing because in our area sometimes our-- I've forgotten the name of them, the community meetings you've referred to throughout, there's a discussion in the audit -- let me back up. There's a discussion in the audit about how some of the community meetings are well attended in other areas or other times they may not be. And I think it really varies in the district that cover my council district, but on the other hand my constituents and my office is in-- we're probably once every

other week directing somebody to be in touch with their district representative. So while people may not

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necessarily go to a community meeting, one of the organized district-wide police district-wide meetings, they may be in touch with their district representative be it email or via phone to talk about security issues or other kinds of concerns. So my request question is for the auditor, how that factored into your consideration of community policing time. And then I have a few others. >> In looking at the community engagement time our understanding is the time the district representatives spend in the community is included in that, but that there have been some challenges with tracking that time so I think APD could speak more specifically to how that time is included in that measure that they have currently. >> Tovo: Thank you. I think that would be important. Chief gay, if you could address that too. There are obviously times

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where APD -- have role model days at different elementaries and there's always a very strong attendance from the police department and so those clearly I would assume are being factored into community engagement and community policing times. But when district representatives are answering phone calls or answering emails how does that get factored into that equation? >> The current measurement as the auditor has pointed out definitely needs to be more robust, the community engagement time, specifically the way we currently measured it is from a patrol aspect. To be honest, probably 100% of a Dr's time is really community engagement. That is what they're there for. So it is not specifically captured in a way that we would like it to be captured. To be reflective of our time

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spent with drs. So that is an answer to say that is one of the recommendations that we need to have better metrics. >> Tovo:eah, I think that's really critical because I think a lot of the community policing work, I agree and appreciate your approach that every interaction with a police officer is an opportunity to embed and integrate those community policing perspectives, but on the other hand we do need to recognize the very specific, designated officers within the police department who are doing community policing 100% of their time just to underscore that, a lot of the contact my constituents have with police is through -- in terms of community policing is through those district representatives. Tovo I think that's the last question for the moment.

[10:15:45 AM]

No, I do with one last question for you, councilmember tovo gay. Just to pick up on a point that councilmember pool was referencing, have you ever considered or has the police department ever considered having a system where, say, the first hour or the last hour an officer's shift was spent not responding to calls? I too have done ridearounds and walkarounds and they're moving from one call to one call to one call very, very quickly. So has it ever been discussed to have that be a scheduling, built into the schedule where they are not responding to calls for an hour at the beginning or the end of this shift or some other period of their shift and just available to do those uncommitted times? To do that uncommitted time. And by the way, let me say to the auditor that was really interesting. We've talked about uncommitted time friendly in the time I've been on council, but never quite in the way that you've

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described it that I can recall, which is looking at the total block of uncommitted time doesn't help us understand how that may be staggered throughout a shift. And may not be usable as one block of time may be. Thanks to the city officer if you and chief gay can respond to that. >> We have looked at different ways to do that. I believe that you might have familiar with operation blue wave, which is exactly how you're describing it. We had our shifts that would take an hour, two hour block at the beginning of their shifts and go out in particular areas that they are having certain challenges with to specifically walk the neighborhoods and talk to the community members and gather additional information. We did do that for a few periods. I did know that there were

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some positive impacts to that as well as some potential negatives. We have been working to enhance that particular program, working with the office of police oversight. Due to the covid that has sort of put a stop on a particular program, but that is something -- just like you described is something that you do believe and we did receive some very positive impacts of that particular program. >> I'm sure that you have described that to us in the past, but where could I learn more about operation blue wave. I see it referenced in the audit, but unless I'm missing it in the full audit I'm not seeing a description of it. >> I'd be glad to send it to the committee. It will be in draft form

[10:18:46 AM]

because we are still working on resigning it with the input from the equity office and the opo. >> Well, chief gay, does it address some of what you -- what you've summarized? You said there was some

benefits to it and some challenges. Does the report go into what some of those are. >> It does not, but I'd be glad to add that into the correspondence when I send it. >> Tovo: Thank you so much. >> No problem. >> Chief gay. I have several questions that I think are probably best answered by you. First, you know, the audit pretty much says that the data that we're using isn't working. So I want to have you say a little bit more because I think there was more in your answer than what we heard in the audit because there's a way to read the audit as

[10:19:46 AM]

simply saying, you know, go to this data analysis and now you will take three months to do data analysis to say what we already know, which is that the codes are broken. But I heard your response seem a little bit meetier in terms of what -- meatier in terms of what you're doing and I would like to hear more about what you're actually going to do to get us to a better place by August. >> One is that as we have seen through many of our reports, I would use the racial profiling report as an example. That is something that we have pushed out for many years and it wasn't until the innovation office and the equity office and opo actually did a higher level of analysis which pointed to that we needed to do a deeper analysis. We have a very limited staff in our research and planning, but we're hoping to bring a subject matter

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expert on board, which is the chief data officer that is an expert in not only the data, but how can we interpret and are we collecting the right data to give us the right outcomes. So historically we've pulled the data that we need to specifically understand that and find out what do we need to capture in order to provide us with better outcomes and strategies. So I know that's not a great answer, but we're hoping to bring someone in that has a different lens. We're also working more with the equity office and opo that provides us a different lens than just a police lens who we are looking at reducing crime and what this crime looks like, but we're also trying to dive into our

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data for how are we going to better address community policing, how are we going to better address proportionality that we have, but to do that we have to, one, collect the right data and we have to then analyze that data to come up with the right strategies. So that was the sort of answer that I pushed. We're hoping that with help from outside of our agency and hiring the right person that we'll be able to come up with better measurements. >> Alter: Well, I certainly hope you're successful with that and I think that was a stronger answer in my mind than what we saw in the manager's response in the audit. So I hope that you will -- you will move on that. Like councilmember pool and tovo I am interested

in seeing if we can get blocks of time for community policing. I did want to follow up on the point that councilmember

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tovo is raising about the district representatives and to suggest that there are some real opportunities for strengthening that engagement, utilizing our council offices. So I find that our district representative is extremely responsive when we reach out and we want them to be part of something that we are doing, but it doesn't work the other way when they're trying to do an event whether it's a coffee or whether it's a neighborhood meeting. And we actually have connections out into the community to get people to show up. And we've tried on a couple of occasions to try to spin that around and off ourselves as partners, but I would imagine that across the city with all 11 of us that we could be engaged more to help jumpstart and move that engagement to be at a different level because we're all doing different

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types of engagement. And again, when we invite or the neighbors invite the district reps that I'm working with are always very responsive, but we might find out the day before that there's a public engagement meeting going on, which we can't help advertise or we can't do anything. And so I think there's some really low hanging fruit there that could be leveraged there to make us more partners in this process. And that may work differently in different parts of the city, but I think it strongly improves things. The other area that I wanted to ask about was how do directed patrols play into community policing? How do you think about that? >> I think it all depends on what the directed patrol might specifically be for? But I do think that that Cocke used as community policing, but directed patrols are going to fit more in when we capture our

[10:24:55 AM]

community engagement time than more our committed time because those are specific directions that we're giving that particular officer to do. Whether it be one time a shift or several. In hearing what councilmember tovo said, there might be opportunities for us to do some type of directed patrols specific to community engagement and to capture it -- these activities and give a bigger block of time. We'll definitely have to look at that. >> Alter: Okay. So I was asking this from a different perspective, though, because I have folks who are working with us, we're requesting directed patrols. Our district requesting direct patrols, but then no one is ever showing up and that is eroding the trust that the community has in police because they're being told that the direct patrols are going to show up and they never show up and

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the issue that is being -- that they're trying to get addressed doesn't get resolved, but it is creating tension between the community and their trust in the police. And what we've found is there's no mechanism in tracking those direct patrol requests. There's no mechanism to make sure that there's accountability that they get done even if someone has gone out and reached out to their rep and asked for it to happen. And this has been happening a lot in my district. And it's eroding the relationships that are there where somebody's reaction was that the police could be helpful for a particular challenge. You know, if there's some increased property crime or there's speeding or whatever it is. Those patrols are never showing up and then we have no way to track them. So I think as part of this data process I think we need to think about that level of accountability as well

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because for some parts of town that direct patrol is the reaction that they need to be able to see that the police are actually showing up when there's an issue because they're not there very often. >> So to answer, we do have a robust tracking mechanism for directed patrols. They're placed into a database. And those are tracked. And the officers are required to document when they do the directed patrols. Lieutenant Gaslin is on the line as well and she is -- she oversees all the district representatives. She could probably give you a little bit more insight into how that is tracked and then what are the requirements that are put on the individual areas and officers. Lieutenant Gaslin, did you have anything to add to that? >> Just to condition occur with what you said is there is a tracking system and I would have to check with all the drs to see how they're tracking. I know the admin, the

[10:28:01 AM]

directed patrol, where they went, what they observed and they keep track of it. I can follow up with the admins and the Dr sergeants to figure out -- make sure the process is consistent city-wide and standardized. >> Alter: So I don't think that there's the loop being closed where if you request the patrol it's actually happening so somebody might have to write down if they did the patrol, but there's a piece of it that's not happening. And maybe we can follow up specifically with my office to address the issues that we're experiencing because we've had several of these situations and I think it's addressable, but for the community policing issues in my district, that is a symptom of not working as they might. So maybe we can address that, but our impression is that there was definitely, you know, that the system may exist, but it's not being utilized to track it

[10:29:02 AM]

and we might be able to provide you some additional information because we're hearing regularly from constituents that those patrols are not showing up. >> Well, if you have your office send me the information I can track it down to see exactly. If it's between two and four P.M. The officer will be there between two and four P.M. But send me the information and I'll look into it. >> Alter: >> Alter: Great. Thank you. I just do want to acknowledge the challenge that we face, thinking about the number of officers and the ability to spend the time on community policing. If we go back to the staffing plan that we have, you know, there were a couple of particular issues that we wanted to address with the staffing plan. One was, you know, increasing resources for the sex crimes unit. Another was this community

[10:30:02 AM]

policing. And I know that we haven't finished out the plan yet, but can you help me understand how the additional officers are being deployed either, you know, within the district program or within the community policing effort? >> So we have a staffing methodology where we look at our -- there's several metrics in there to where we look at where the officers are needed, citywide, based on call load, response times, and a few other metrics. -- That is how the officers, when we are provided new officers, we plug in that methodology and the new officers get pushed out into the city. In reference to the 30 officers that we came up with a plan, five of those have been detectives, and we have -- we placed them where the greatest need is. Currently it has been sex crimes, to where we put several of those new detectives in sex crimes to

[10:31:06 AM]

bolster our response in that particular area. >> Alter: Thank you. Colleagues, does anyone else have any other comments or questions at this time? So I will entertain a motion to approve the audit. Mayor Adler makes a motion. Do I have a second? I can't see any other councilmembers right now. >> Looks like councilmember pool was seconding. >> Pool: Yeah. >> Alter: Okay. Seconded by councilmember pool. Before we vote, I just want to say I appreciate the work of the auditor's office on this. I just want to make it really clear, this is one of many different ways that council is working with A.P.D. To improve and be more responsive to our community. It was focused on a particular aspect that we wanted to look into. All of these different pieces, though, fit together, and

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hopefully moving on all of these fronts, we will be able to move in a direction, you know, moving forward. As we think about the budget, you know, we obviously don't know yet whether we're going to be able to increase staffing for A.P.D., given the covid implications. But if we do, I think that this audit does suggest that we should think about prioritizing additional district reps, you know, as part of that discussion. So I guess we'll take a vote. All those in favor -- and I can't see people, so -- oh, now I can. Okay. If we can all raise our hands. Okay. It's unanimous on the dais. Thank you very much. Thank you, Ms. Strauss, thank you, chief gay, for joining us

[10:33:08 AM]

this morning. That will bring us to item 4, the revised audit plan. Auditor, would you like to walk us through this? Thank you. >> Sure. "City auditor. The revised audit plan, I think the best way to walk through it, we have that document -- it was in a backup, as well as an email. There's really basically two reasons why we are proposing revisions to the plan. One will not come as a surprise to anybody. Coronavirus has impacted across the country, the work we are doing in order to try to do the most valuable work, directed on the highest risk areas of the city, but it also affects our ability to go on-site or have in-person interviews. So to the extend we needed to pull different documents or we were looking at a topic that maybe isn't as relevant now as it was before, we're proposing some adjustments. Then the second thing, not

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specific to the coronavirus, but related, though, is that we have three senior audit vacancies, so senior auditors have left two,, two of them have left for other city departments, because of those vacancies and with the hiring freeze, we really don't have the resources to accomplish the plan that we initially laid out. So the sections on the audit plan, I think the first section in the revised audit plan, the first section is really just things that we've already completed or will be completed soon. Policing is on that list. The second section is things that are already underway. So, really, one of the largest projects we have that's underway is our redistricting efforts. Those required by charter every ten years, that our office lead an effort to adjust

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[indiscernible]. That has very specific timelines that happen between now and this fall. I think actually we're doing a briefing with y'all at a council work session, some point in June. I don't remember the date at this point. So that's coming. The other work that's underway, you can see that listed there. The -- on the back page, there are things that we plan to be starting soon, so definitely before the end of the fiscal year. And then we've added a risk assessment. So risk assessment is really just an auditor's way of saying

let's figure out if there are new audit topics emerging because of the coronavirus or because of the city's response to coronavirus. Are there things that we need to be looking at, you know, whether that's funding that the city has authorized, grant requirements, cyber security risks, there's all sort of things that may come up there. We're not specifically identifying those but we do want to do some work to identify those for our next plan. Then the last section is the things that we are holding off

[10:36:14 AM]

of. So one of the audits, I'm starting from the bottom, but parking management is one where parking, parking revenue, all sorts of things related to parking changed drastically, not surprisingly, the last few months. The police data audit is one where, as you heard from chief gay earlier, they have actually hired somebody and they're starting to do some work in that area so I wanted to give a little type to get their feet under them before we do that audit. The last one, the fire and ems allocation, we're basically holding on that and that is because city management has -- I forgot what it was called -- rfqs, request for qualifications statement maybe, out, it was posted in April. I think it closes in the next week. I'm trying to identify a consultant who god look at response times, resource utilization, facility locations, all sort of things tied to the topic that we have on our audit. So those are the updates at this point, and we are -- I'm

[10:37:17 AM]

certainly open to answer any questions you might have. >> Alter: Any questions? Councilmember pool?
>> Pool: Thanks. Cory, thanks for this update, and in particular, I'm happy to see the continued movement from the city on understanding how we've responded to the virus, doing that risk assessment, and I think that that will help us -- it underscores our need for resilience in the community and at the city, and I think that that will go a long way to helping us be prepared for another spike, a different kind of virus, some other kind of major dislocating event that we don't have any control over that we'll be able to respond even better. I think we've responded really brilliantly to covid-19. Unfortunate that we had to. But it will also build in our abilities to respond even more

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jointly to future dislocations. So thank you so much for that and for the work everybody's doing in that regard. >> Alter: Again, Ms. Stokes, did you need us to accept this or just wanted to report it to us, or what would you be most comfortable with? >> I think acceptance would be great, but the way that the code reads for a revision, it's not really required. But certainly I always like for you guide to be okay with the plan that we're laying out. >> Pool: I'm happy to make the motion, unless somebody else wants to. >> Alter: Okay. To councilmember pool makes a motion to accept. Do we have a second to accept the

revised audit plan? Councilmember Flannigan. All those in favor? Unanimous on the dais. Thank you, Ms. Stokes, for that update. Now, I'm going to skip to -- I

[10:39:20 AM]

think it would make sense to go to item 6 next before we do municipal civil service, and then we'll do that presentation right before we break for executive session, if that makes sense. Okay. So let's move to item 6, which is the financial policies update. And I understand that if we are agreeable to the financial policy update, that the motion would be to recommend including those in the proposed budget. So, Mr. Van eenoo, would you like to speak with us on item six, please. >> Sure. I'm going to share my screen really quickly. I sent these materials out early this morning to you via email, so you may have them there as well, and we'll get them posted at backup. >> Ed, I have a presentation here. I don't think you're on the right call to be able to share the screen. You're only on a phone link. >> Okay. >> I have a -- >> Okay.

[10:40:21 AM]

Great. I'll get that -- >> I have a presentation, it's called proposed changes to financial policies? Is that it? I also have another one that says financial policies in all caps. >> One of those slides should say presentation -- >> Yes. That's the one, I believe. I'll put it up. But, yeah, they won't be able to see it. You're on a different call. I'll put this one up. >> Okay. >> Just let me know when it's up, then. >> Okay. It is up. >> All right. If we could just move right off to the second slide. We only have two financial policies for your consideration this morning, councilmembers. The first is a cleanup item related to changes in state law

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that move the property tax revenue cap from 8% down to three and a half percent. Our current policy states that our ad valorem tax shouldn't exceed 8%. We should change that to say it will generally not exceed 3.5%, but the new state law as we're experiencing this year does include provisions to add the ad valorem tax rate to go back to 8% during periods of a disaster declaration. So the recommended language that we have, in order to sync it with backup to state law, to say it shall not receive the voter approval rate in state law. 3.5% rate, or in disaster declaration, it moves to 8%. We are still covered. So that would be our first recommended change. If we could move to the next slide. This has to do with our reserve policies. And this is something that we

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started discussing well before the economic crisis we're experiencing now from the result of covid-19. This is a policy change that we started discussing even in anticipation of the state lowering the revenue cap to 3.5%. Knowing that, with the property tax cap of only 3.5%, we would be much more susceptible as a city to economic fluctuations that impact our sales tax revenues, so we started having conversations with our city treasury office, with our cfo, Elaine hart. We also brought in our financial advisors, psm, to talk about how to make these policies more robust. In short, the policy we're discussing will provide over time increasing from the current 12% level that we've been maintaining to 14% of operating expenditures. The way we would recommend getting there would be to

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increase our emergency reserve from 6% to 8%, and that's a reserve that we have tapped into for the first time ever. We tapped into it this year, related to our covid-19 response. And I'd really have you look at that reserve as being the funding we have in reserves to serve as a bridge from the time we need to incur expenditures to the time we can tap into FEMA reimbursements, which is what we're currently using the emergency reserve for. The second reserve we have is for budget stabilization. We currently have been keeping that at right around 6%, so 6% emergency reserve and 6% in the stabilization reserve, then as part of our annual budget process, if we're above the 12% total, we draw that down to fund one-time items. We essentially have the same process, but that additional 6% would be over and above the 8% emergency reserve. And during periods when the

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stable citation reserve is less than 6%, we would want to limit that to only uses for economic stability. So if we are in the middle of an economic down turn and saw our sales taxes dropping, we'd be able to tap into our stability reserve in order to help keep our budget balanced. But then during periods when our stabilization reserve has fallen to greater than 6%, in other words, our total reserves are less than 14%, we would be back in the situation of looking to that to respond to one-time priorities or capital items. So, in short, essentially proposing to increase our reserves up to 14%. I will say we're not going to get there in fiscal year 2021, and that's okay. The policy doesn't require us to be at 14%. It simply takes the limits on what we can do with the reserves when we're low 14%. Again, over time as our economy

[10:45:26 AM]

recovers and our budget situation gets back a little bit more to normal, we would expect to see that reserve grow from its current levels upwards of 14%. This will just give us that additional economic

stability during tough economic times and give us more in our emergency reserves, should there ever be another disaster like we're experiencing now. So that's what we would propose as councilmember Alter mentioned, we would seek the committee to recommend including the policy changes in the fiscal year 2021 budget for consideration by the full council as part of our budget adoption process. If we can move on to the last slide. That's all I have for you today. >> Alter: Thank you, Mr. Van eenoo. Colleagues, any questions for Mr. Van eenoo, or comments? Okay. So, Mr. Van eenoo, I just want

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to -- you may be speaking about this at another council meeting. I've been struck as we have been navigating covid how important our financial policies have been for putting us in a relatively strong position to navigate this crisis, and I just wanted to invite you to speak really briefly to that because I think it's really important that we do our best to remain adherent to our policies and take steps like this to further strengthen them. >> Sure. And I appreciate you reminding me of that. It is something that we talked about back on April 7th when I made my first subject presentation to the city council about what was happening to our budget, what we were projecting to see happening to sales taxes

[10:47:32 AM]

and enterprise revenues. And we talked about then that we entered the crisis in a very strong financial -- very strong financial position. And to a large extent, due to the robust financial policies that have been developed and have been approved by council over the years. So, for example, one of those policies says that we need to maintain a general fund reserve of 12%, 6% for emergencies and 6% for budget stabilizations. And not only have we adhered to that policy, but we're actually exceeding that policy level by over \$25 million. You know, we entered the covid-19 crisis with nearly \$150 million in our general fund reserves. That has given us all the liquidity we need to manage through this. We're incurring significant additional expenditures right now related to covid-19, and we are not experiencing any liquidity issues, and to a large extent due

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to those policies. Other cities aren't as fortunate, they're having to issue tax participation notes, other action to meet payroll and basic functions of the city. That's just one example of how our policies really serve us well. I will say, too, that they're a large part of our aaa bond rating by all three credit agencies, which is really important to us. We're the only large Texas city that still maintains a aaa rating by all three agencies. There are a small handful of cities across the country that are in that area, but that's how remain attain the lowest possible interest rates when we do things like bond [indiscernible] And

have to pay interest, it's critical to us, it's critical to our taxpayers to keep our interest rates down, and it has

[10:49:33 AM]

been a big part of maintaining that rating, not only the strongly policies that we have in place, but council's discipline and it's adhering to those polls. >> Alter: Thank you, Mr. Van eenoo. I think it's also, you know, important that some of our conservative estimates of our revenue had dropped from our forecasted budget and where we are are not quite as great as they might otherwise be because we have stronger months than have been budgeted for. I just think it's important that we acknowledge the good place that we are at, relatively speaking, and acknowledge the importance of our aaa rating for the fiscal soundness of the city. So thank you. I will entertain a motion to -- a motion on this item. Councilmember Flannigan? And the motion is -- councilmember pool seconds, and

[10:50:34 AM]

the motion will be, as Mr. Van eenoo said, to include these policies -- to recommend including these policies in the proposed budget for the full council to consider as part of the budget process. Great. All those in favor? It's the full dais, mayor Adler had to step off for a little bit, so he was not seen voting on this item. Thank you, Mr. Van eenoo. >> Pool: Chair? Earlier in our meeting -- -- >> Tovo: Earlier in our meeting, you took a vote for the agenda items. I don't think you saw my hand up. I know you accounted for me voting in the affirmative, and I just wanted to verify that, yes, I was voting in the affirmative. >> Alter: Thank you. I think somebody else verified they had seen you because I was on the wrong seen to see you all.

[10:51:35 AM]

Thank you, though. So I want to quickly talk about item 8, which is future items, and then we'll move to the municipal civil service presentation quickly and move into executive session, and then we will come back as needed. I will definitely come back and we may need three of us to be there if we decide to take any further motion that requires a vote, which will depend on our discussion. So for item 8, future items, I just want to flag that we're going to have a really important discussion on the 3rd about the work that's been underway to improve the position of our pensions, and that's all that much more important in light of the impact on the market from covid, and that will be devoted conversation to that. And then the municipal civil service interviews, we need to schedule a date and we'll need to figure out whether that needs to be before the 11th so that those appointments can be made as

[10:52:35 AM]

soon as possible and not have to wait the additional -- the additional six weeks. That will depend in part on how many people we decide to interview when we go into executive session at this point in time. So I will call up item 5, which is municipal civil service, the clerk's office, do you want to get us started on that, please? >>

[10:53:56 AM]

Monika, it's up. >> Thank you. I have a bit of a delay on my screen as well. So we went to this process just last year, so a lot of this may be repeated information. You may be familiar with it, and I will be brief and you can ask questions as we come up. I can't see the presentation, so I'm just going to start with slide one, for the recruitment of process of commissioners. Stephanie hall is available to answer some of the process questions while we kind of go through the presentation itself. So -- okay. So can I continue? It says we're in executive session right now. Do I need to call in on the other line? >> I think the screen just didn't catch up with us. We're still in live session. Go ahead. I think we switched over now. >> Alter: Yeah. We actually had to get out of this call into another one,

[10:54:57 AM]

so...so just present the stuff that's supposed to be in open session right now. >> Perfect. Okay. So today we'll talk about the background of the mcs, the roll of the commission and review the process. The next point on background is that the mcs commission, the municipal civil service commission was established November of 2012, following voter approval. It's in the city charter and it created five commission members. In 2013 it was established as a two-one city board, which [indiscernible] Finance committee to review the application to make recommendations for the appointment, and it includes current city employees from being appointed. The next slide on the role, as the commission hears the appeals, they make the final decisions on cases of discharges, promotions, and disciplinary actions which include suspensions and probations. Employees can appeal those decisions up to the commission. They have two meetings per month.

[10:55:59 AM]

They generally last an entire day. Special-called meetings may be scheduled to accommodate the need to have employee appeals heard. They also review proposed rules and potential rule changes from the H.R. Director and recommend rules to council for its option. The next slide on members and terms. We have one vacancy, a commissioner resigned this past year, so we have two current appointments,

Pamela Lancaster is the current chair. Her term expired on May 8th. She's in a holdover position right now and she is seeking reappointment, but her -- her position on the commission is up for reappointment or to be filled by another party. And then we also have that one vacancy. And you can see on this chart where the other commissioners, when their terms expire and when they were appointed. So the next step is the appointment process.

[10:57:00 AM]

Stephanie, I don't know if you would like to discuss this slide or if you would just like me to continue. >> I think you're doing great. Go for it. >> (Laughing) Thanks. Okay. So the process is, the audit and finance reviews the applications, the city clerk gets those, determines who's eligible, meets all the criteria, sends U.T. To you. The review can include interviews or written applications only, so you will be able to see all the applications in executive session, and we'll discuss that in a minute. Appointments are subject to the approval by a majority vote of council, and the council should designate the commission chair annually at the time the commissioners are appointed. That is an item that will come up to council as we move forward in this process. So the next step, as we go to executive session, we can review applicants and secretary candidates for either appointment or interview. Once, if we move forward with interviews, the city clerk will

[10:58:00 AM]

contact the applicants to schedule the interviews. As councilmember Alter discussed, generally this is done by a special called meeting where we know have those interviews. Makes the appointment recommendation to the full council, then the council appoints the commissioners as well as the chair. Any questions about the process or the role of the commission before we head into executive session and review the applications? >> Alter: Councilmember pool. >> Pool: Thanks. Could you put the slide back up on the commissioners and the terms? [Indiscernible] Is this part of the backup? Or is this new to us? >> I believe this is part of the backup. If not, we can get you all copies. >> Alter: The presentation is in the backup. >> Pool: It is? Okay.

[10:59:00 AM]

Very good. Thanks so much. >> Alter: Okay. Thank you. So if there are no further questions for our speaker, we're going to go into closed session, and depending on what we decide, either I'll just come out or we'll need at least three of us to come out to vote. With doing this, the webex, you should have received, you may not have received it until this morning, another link to go into executive session, just from a logistics standpoint. So the committee will go into closed session to take up one item, pursuant to 551.074 of the government code, the committee will discuss personnel matters related to item 7, the

members of the civil service commission, interview and discuss identified applicants. I think we're just going to be discussing, but is there any objection to going into executive session on the items? I'm now hearing none, the

[11:00:01 AM]

committee will know go into executive session. I will see you on the other side of this quickly so we can move through this material. Thank you.

(In Executive Session)

[11:35:47 AM]

[Alter] We will start over again. We are back Audit and Finance. We are out of closed session. In closed session we took up and discussed personnel matters related to item 7. It is now 11:36 a.m. we are going to return to item 5 about the appointment of members of Municipal Civil Service Commission. And what we as a Committee have decided what we would like to do, our motion is to re-appoint Pamela Lancaster to the Municipal Civil Service and to set interviews for a date to be decided with the following Interviewees: Haseeb Abdullah, Caitlin Brown, Ericka Kane and Daniel Riegel and it's staff can finalize a date for those interviews preferably so we can make an appointment before the June 11th Council Meetings.

[11:36:45 AM]

So that we address the vacancy, sooner rather than later would be great. and Vice-Chair Pool is going to work on the other logistics before that meeting. So if I can have a motion. It's seconded by Council Member Flannigan. All those in favor raise your hand. Unanimous on the dias with Mayor Adler off. And with that at 11:37 a.m. and I will adjourn this Committee. Thank you everyone for being here. (Others) Thanks. Bye everyone. Bye.

[11:37:35 AM]