

Audit and Finance Committee Meeting Transcript (AFC)

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[9:34:31 AM]

>> Alter: My name is Alison alter, mayor pro tem and chairman of the audit and finance committee. It is 9:34 A.M. On February 23 and we're joined virtually by councilmember tovo and on the dais councilmember Fuentes, councilmember pool and councilmember Kelly. I want to welcome councilmember Fuentes for her first official meeting and thank the mayor for serving on this committee. We're looking forward to a great year on this committee. We are going to start today with public communications. And then we will do the minutes and we will do the follow-up audits. The board and commission items and then the briefing. So I believe that we have one speaker on the line, Steve Jacobs.

[9:35:34 AM]

>> For item 2. All right. All right.

>> Alter: Mr. Jacobs, you can go ahead if you are on line. You have three minutes.

>> I do not see the number that I was informed of on the line, but I will unmute the numbers I -- unmute all the numbers I have but I don't think they are on there now. Steven Jacobs, correct?

>> Alter: Yes.

>> This is the av tech at city hall. Is Steven Jacobs on the line? Chair, I don't think they are on right now.

>> Steve is not on the line. Do you know --

>> Alter: We'll check back in then. I will text him and see what's going on, but we can

[9:36:36 AM]

go ahead then and see if we have a motion to approve the minutes. Made by councilmember Kelly, seconded by councilmember pool. All those in favor? Unanimous on the dais. Thank you. So we are going to first take up the follow-up audits, and we will start with the -- hold on. Did we -- sorry. My notes got out of order here. Double-sided.

[9:37:37 AM]

Okay. So what we're going to do today we haven't done in a little while so I want to take a moment to pause to explain or if that's what Ms. Stokes is going to do. So we are going to be looking at a series of follow-up projects and we'll take each in turn so we can have whatever conversation we want to have. But I want to explain the purpose of these follow-up projects. Audits are not of value if the recommendations are not implemented. And so this kind of follow-up work is one mechanism we have to revisit topics that were audited a few years ago and make sure that those recommendations are on track so that we have an opportunity to reset if we need to. These are done periodically at the initiative of the auditor's office or they can also be by the initiative of a council request to the auditor to take a look at these particular projects.

[9:38:37 AM]

The three that we are going to look at take particular issue areas. Some of them have results and recommendations for more than one audited, as you will have noticed over time we do take up topics sometimes in series like we've done a lot of stuff on homelessness, we've done a lot of stuff on cyber security, on police issues, et cetera. And so that's the case I think for the traffic one in this particular case. We will start with item number 2, and let me just -- I will check when we're done with the presentation for Mr. Jacobs online because this is the item he wanted to speak to, but I will let Ms. Stokes get us started.

>> That was an amazing introduction. I appreciate that. And we have neha Sharma was the manager, Mike sim the lead. He is going to be doing the presentation today. This is following up on workforce development recommendations that we had I think in 2017, but Mike

[9:39:39 AM]

sim will tell you more.

>> Awesome. So good morning, council. My name is -- actually, is my presentation up?

>> It's coming.

>> This is the av tech. Coming right up.

>> Thank you. Awesome. Thanks, y'all. So good morning. My name is Mike sim and I was the lead auditor on this project. And the objective of this project was to follow up on the recommendations we made to the city manager, which economic development department, and ten public health in our 2017 workforce development audit. Next slide, please.

[9:40:42 AM]

So we issued three findings in the 2017 [inaudible]. We found the city did not have a comprehensive workforce development plan, did not have sufficient data to determine the effectiveness of workforce development programs and did notice prioritize contracts to meet city goals or the needs of local employers. To address these findings we issued one recommendation to the city manager, recommendations to the city manager and [inaudible] And one recommendation to Austin public health. Next slide, please. So through our work on this follow-up project, the city has implemented two

[inaudible], the remaining four recommendations --

>> Pool: So av, Susie, chair. Is there something we can do about the connection because our speaker is fading in and out.

>> I understand. I noticed it too. I will look into it and -- yes, ma'am.

[9:41:46 AM]

Sir, if you want to go ahead with your presentation, I'll work on what's causing this stutter and whatnot.

>> So just as I was saying, city management implemented the recommendations in the department by naming the economic development department as the citywide lead. And to address the issues with data quality, we also recommended that Austin public health enhance their contract monitoring process. Austin public health implemented this recommendation by creating a tool that tracks and defines performance measures and by training contractors on how to use this tool. And they also used backup documentation to verify the accuracy of reported program outcomes. Next slide, please. So four remaining recommendations from the

[inaudible] Similarly to Austin public health, we recommended that the Austin

[9:42:47 AM]

[inaudible] Department enhance their monitoring workforce development contract. While the economic development department has taken steps [inaudible] Still does not meet city standards. We issued three recommendations to the city manager. These involve creating citywide workforce development goals, ensuring

[inaudible] Perform and measures that accurately measure program impacts. The economic development department took some steps to address these recommendations after the audit and in 2021 they began drafting three-year workforce strategy. This strategy includes steps that will address these recommendations. Next slide, please. And we also had one additional observation in this project. So in the 2017 audit, we noted some issues with the information contractors provided the city in their performance audit. Contractors were reporting information on people they

[9:43:47 AM]

serve outside of Travis county. The results was incomplete information on outcomes such as whether [inaudible]

>> Alter: Now we're really losing him in and out.

>> I think it's something on their end. I can't find anything on this end, but I do apologize for the inconvenience.

>> Pool: Could we maybe go to sort of the final conclusions and then move to the next one because this is being less than efficient. For everybody. Auditor?

>> I think we can wrap up here then. So this is our additional observation is that this issue still hasn't been addressed. Departments noted that this is because contractors require additional funding. You can head to the next slide. That should wrap up the presentation. If you all can hear me, I can take any questions you have. Otherwise move on.

>> Alter: Thank you, Mike. We've got to love technology sometimes and sometimes we don't like it so much, so

[9:44:48 AM]

thank you. So is there anyone from any of the departments that wanted to speak on this item?

>> [Inaudible]

>> Alter: Likes like.

>> Fuentes: November I can't is on.

>> Good morning.

>> Alter: Did you want to speak briefly to the audit follow up.

>> We concur and are making

[9:45:52 AM]

significant progress towards addressing the findings.

>> Alter: Thank you. At the risk of having another technical issue, may we see if Mr. Jacobs is on the line and tell me how he unmutes because I think he was on the line before.

>> This is Steve Jacobs. Am I on the line now?

>> Alter: You are. We can hear you.

>> Oh, good. Thank you. So distracting to watch the video since there was a 10 or 15-second lag. Tell me what I should do.

>> Alter: You have three minutes to provide your communications.

>> So -- and I provided an exhibit for Ms. Guerrero. Can we show it? It's a photograph of the final graduate from our 2014 cohort of nursing students that was mentioned in the audit report.

[9:46:53 AM]

It -- my comments today deal not with the central thrust of the recommendations and the follow-up, but with a footnote but an important footnote to the report which was zeroing in on the specific expenditures, some federal funds to support a special group of students in the nursing program at ACC who otherwise would not have had an opportunity to go into nursing. It was expensive because capital idea had to contract for the full cost of the nursing program. There was no contribution by ACC, no subsidy. This is [inaudible], one of 18 students in that group who otherwise would have had to have dropped out. If funding enabled us to hire two instructors at ACC and to proceed with their education. Very proud. Number one, it was 100%

[9:47:53 AM]

graduation. All graduated. Two, as you can see, he significantly diversifies the workforce as did the cohort as a whole in terms of him being a guy and being black. The cohort was majority of color. Included folks from all ethnic, racial backgrounds. There was an evaluation third party by an economist who weighed the cost benefits which was not covered by the audit, which found because of the increase in earnings of these folks as well as the permanent expansion of the ACC program in 950% return on investment to the city's dollars. This is significant because we would like to ask the city council support in being able to do this again but true ACC. By request for a resolution

[9:48:54 AM]

or other expression of the council's interest in seeing the community college double the nursing program. It's much more cost effective means than what we normally would have to do in other circumstances. Recently you approved funding from the arpa that will enable us to transfer 30 students to continue their studies. We would have liked them to have continued at ACC, but ACC was not in a position to expand so we are contracting with concordia to complete their education. So I will stop there and see what questions you have. Thank you.

>> Alter: Thank you, Mr. Jacobs. I don't know if you heard, I think it was not the last meeting but the prior meeting when we passed the arpa. I did ask staff if we could be working with ACC to have that expanded. My office can work with economic development to determine whether a resolution is necessary to

[9:49:54 AM]

follow that up or what would be appropriate for the city to encourage ACC to double the nursing program. I think it fits very much with the workforce program but we need to have those conversations with staff to figure out what's needed and if we don't need a resolution to encourage that beyond the direction already given, I think that would be appropriate, but we can certainly do that. Thank you for all that you do, Mr. Jacobs. On this follow-up, I want to just comment that, you know, the pandemic has really highlighted how important a surviving and supportive workforce is to the overall health of our community and economy and some of the workforce areas and skills that we have targeted, we would have been well served if we had had more people who were able to carry out

[9:50:54 AM]

those professions, particularly the health work that we have targeted. I believe that the city can and should take an active role in developing our workforce and I'm pleased to see staff moving in the right direction. I do want to note that the Austin metro area community workforce plan is from 2017 and it

had a goal of helping 10,000 economically disadvantaged individuals secure middle skill jobs by 2021. Now in 2022 we are operating in a significantly different environment with impacts of covid-19 and a rapidly evolving economy, I believe it may be time for us to revisit that plan, our goals and our strategies and it would be useful to get more of an update from EdD about the timing of when your workforce strategy will be in place so we can understand what next steps we may need to take. So I don't know if you want

[9:51:55 AM]

to speak briefly to that and then councilmember tovo had her hand up and I want to acknowledge councilmember harper-madison who has joined us as well.

>> Yes, we are in the midst of developing this three-year strategy and we hope to have that finalized by the -- two four of this year. Am I on mute? Can you hear me?

>> Alter: We heard you.

>> Okay, sorry.

>> Alter: I may want to follow up on that, but councilmember tovo, go ahead.

>> Tovo: Thank you, chair. The amendment is passed, but I just wanted to express my support for what Mr. Jacobs encouraged and would look forward to hearing the

[9:52:55 AM]

results, chair, of your conversations with EdD, and I agree that it would be great to see ACC expand the nursing program and to the extent the city needs to express enthusiasm for that, I am on board with doing that so just let me now how I can assist.

>> Alter: Thank you. And I believe councilmember tovo, you were involved in the 2017 plan launch as well. I wanted to acknowledge that. Anyone else have any comments? Councilmember Fuentes.

>> Fuentes: I guess my question is for EdD and just trying to get a better sense of the delay in the implementation of the recommendations that were first presented in 2017. I see that in the backup the 2017 workforce development audit issued six recommendations with implementation due state of may of 2018. So if you could elaborate as to the delay in implementing all of the recommendations, any obstacles or challenges

[9:53:55 AM]

that we should be aware of, and then, of course, certainly if you could speak to now that we're in 2022, amidst a pandemic, any, you know, insight there that we should be aware of of the pandemic and how we should anticipate any effects on the full implementation of the recommendations.

>> Yes, we are in transition of our team. We had some transition within our workforce development staff that is responsible for these contracts. And now that we are permanently staffed, we again post-pandemic as mentioned earlier things have changed. That's why we're doing a relook and a three-year strategy to address those different needs around health care. And so by y4 of -- q4 of

[9:54:58 AM]

this year we'll have a -- how we're addressing workforce development for the city of Austin.

>> Fuentes: How can we -- because, you know, certainly I know in this type of work with city governance, there is certainly always transitions happening, taking place. We as a city were combating the issue of how many vacancies that we have across not only our public safety sector but across multiple departments. It is affecting the city of Austin as an institution. So how will we build out a plan that takes -- that factors in that there will likely be transitions happening every few years with staff moving on to jobs that may offer more competitive pay or knowing we are in an affordability crisis and it might be challenging to have staff be able to live and work in Austin. I guess my question is is it a way -- are you all

[9:55:59 AM]

considering as you do this q4 update a plan that factors in those ebbs and flows? What re did you did you know Dan cyst do we have in place to make sure not only our recommendation are carried out regardless who is in or out on or team.

>> Yes, we are definitely addressing that area. But also during the last two years staff did a great job of cross-collaboration to address covid and arpa. Right now standard operating procedures and I've challenged my hr coordinator to fill our positions at least as many as we can by August of this year.

[9:57:01 AM]

So we are now have basically wrapped arpa and covid within our work plan and so once we are fully staffed, we expect to again move forward on addressing all of the workforce concerns. But definitely cross training as well as standard sops.

>> Fuentes: Thank you, I appreciate that. Colleagues, I know this is a conversation that many of us are working through and have been bubbling up in the meetings we've been having, but I think it is important for us to have much to the effect we had a staffing plan that council supported last week led by councilmember Kelly, a staffing plan on ems, fire and police, I think we as a council should be in a conversation about the vacancies that we're seeing across the city of Austin. Thank you so much, director, for your comments.

>> Thank you.

>> Alter: Thank you. And I just want to clarify when we talk about the

[9:58:02 AM]

workforce plan, certainly it's an issue for the leadership of that plan that we should prepare for. But this is usually -- this plan is usually conceived of as outside of the city. Just I think you understood that with your questions and I just want to clarify for folks watching since we're having ongoing conversations that -- we're continuing conversations we've had that other people may not be engaged in. Councilmember harper-madison, did you have a question? I know you've been working on workforce issues.

>> Harper-madison: I don't necessarily have a question, in fact, I appreciate councilmember Fuentes for raising some of the questions that I otherwise would have had. Thank you, I appreciate you recognizing.

>> Alter: Thank you. Great. Do we need to accept these or take any action on these? No? Okay. So we will now move to -- thank you, staff, for

[9:59:02 AM]

joining us and look forward to the continued conversations and would appreciate any efforts to speed that up. I do believe that it was indicated in the follow-up that it will be much sooner and would much prefer a faster time frame on that. So thank you. We will move now to the street cuts follow-up project.

>> I'll introduce you. Excellent. Olga managed this project and Henry was the lead auditor on this. Olga is going to do the presentation.

>> Good morning. Waiting for the slides to -- thank you.

>> Alter: Olga, can I test if we can hear you?

>> Yes. Make sure I put it up here.

[10:00:16 AM]

Excellent. So this is another audit in the series of the followups we were doing this year. Can you go to the next slide, please. For the audit of the utilities street cuts that was originally conducted in 2017, the original reason for the audit was that the stakeholders had so many concerns with temporary -- temporary patches and the permanent patches, the backlog and the quality of the patches. Go to the next slide, please. We had two findings in this audit. One was about the large backlog for the permanent patches and the other one was the insufficient data for the managing of older patches. And we issued four recommendations. Next slide, please. All good news here, all four

[10:01:17 AM]

were implemented. Three were to public works, one was to Austin water, and I'll go no a little more detail in the next slide. For the recommendation to public works on eliminating the backlog, internal and external resources were used and the backlog went down significantly from about 3,000 to under 1,000. Covid negatively impacted the trend a little bit, but the process around it was much improved. The next recommendation was by policy and procedures which were also updated by the department and put in place. Some of the monthly targets were established. And tool was like a gis tool and connection between the public works and Austin water data bases was established to help manage the process. And the next slide. Last recommendation for

[10:02:19 AM]

public works was about cost effectiveness based on the better data that was established with gis tool and the connection of the system. So now we have a financial review and this recommendation is considered implemented as well. One recommendation to Austin water was about the temporary patches, and the Austin water is now using additional quality control and quality assurance processes and quality has been improved significantly to where we can say that all recommendations are implemented. And that completes my presentation.

>> Alter: Thank you. I see Mr. Mendoza is in the room. Did you want to speak to this briefly?

>> Good morning, committee members. Richard Mendoza, public works director. I just want to share with you appreciation to the

[10:03:21 AM]

Austin water department. Our staff were able to work and coordinate a lot closer than we had in the past. And shared our sense of urgency to get this critical component of our -- or short coming in our streets solved. And I want to thank the audit department, finance department as well. Our goal going forward is to maintain no more than 90-day backlog, so keep that backlog down. Under about -- under

800 actually, we're just a little bit over 800. We ticked up due to covid, but that's our plan going forward and we look forward to continue ING this level of service for the communities.

-- Level of service.

>> When will that 800 --

>> I'm sorry?

>> Alter: When will the remaining backlog be resolved?

>> We'll always have a backlog, councilmember. We generate around 200 to 300 each month either for new utility taps or for

[10:04:23 AM]

emergency repairs. But our goal and our plan is to maintain that backlog less than 90 days. That was recommended in the original report. So we're about there now. We've got resources in place. We've augmented some of our crews, all meant some of our capacity and not let the backlog grow out of control again.

>> Alter: Thank you. Appreciate you have fulfilled the recommendations. Does anyone have questions? Thank you. Our next item is the traffic safety follow-up audit, that is item 6 and this brings together I think three different audits.

>> It does, and Kate Murdoch is on the line. She will be making the presentation today. Patrick Johnson was the manager. He's here in the room. So I think it's coming up now and Kate, the floor is

[10:05:25 AM]

yours.

>> Thank you, corrie. Good morning, councilmembers. My name is Kate Murdoch and I'll be presenting this report related to traffic safety. Next slide. Next slide, please. We looked at the status of recommendations for the transportation effectiveness, traffic enforcement and traffic safety design and education and it's spanning from 2016 to 2019. We conducted these audits to respond to concerns about Austin's growing transportation challenges and concerns about traffic safety and the rise of severe and fatal crashes. Next slide. We found seven of the eight recommendations we issued had been implemented and one recommendation is no longer applicable due to a change in state law. Next slide. We issued three recommendations in the transportation effectiveness

[10:06:25 AM]

audit. The first two addressed issues with transportation planning system. We recommended the city and the Austin transportation department develop better ways to communicate and coordinate with internal and external partners and this has been implemented in several ways. For example the city collaborated with the regional partners in developing the Austin strategic mobility plan including end indicates to ensure ongoing priority. We also recommended the department work with partners to close resource gaps. Voters approved mobility bonds in 2016, 2018, and 202 amounting to about 1.3 billion in funding for infrastructure and traffic safety projects. And the Austin strategic mobility plan and creation of the corridor program office will help to guide the use of these funds. The third recommendation in this audit was related to traffic safety. We found the city had not fully utilized crash information to approve traffic safety and did not seek coordinated efforts to

[10:07:26 AM]

expand crash data analysis in order to better target engineering, enforcement and education efforts. The transportation department has worked with the Austin police department and municipal court to improve crash data. One example of this is how the departments work together to change the way injury crashes resulting from a driver's failure to yield are documented. This initiative is ongoing and both departments continue to work together to ensure police officers receive the necessary training in this area. Next slide. In the traffic enforcement audit we made a recommendation related to the city's use of red light cameras. In 2019 a Texas bill was passed which banned local authorities from using red light cameras so this recommendation is no longer applicable. Next slide, please. We had three findings and four recommendations in the traffic safety design and education audit. We recommended that the severity of crashes be considered when making traffic safety improvement

[10:08:26 AM]

decisions. The department created a cost scale which enables staff to more easily compare the severity of crashes at locations across the city and better able to prioritize projects based on this information. They also recommended the department work with partners such as the Austin police department to improve the collection and quality of data. In addition to changing the way failure to yield with bodily injury crashes are documented, the department is working with a consultant to gather data on the volume of pedestrian and bicycle traffic to better determine what types of safety improvements are needed and where. Also the department's crash data base is now updated daily and severe and fatal injury crashes are each checked by staff to ensure the crash is accurately identified and located. To better document traffic safety improvement decisions, the department developed a prioritization process to guide how 2018 vision zero bond funds are spent. This will help staff determine when, where and what type of traffic safety

[10:09:29 AM]

treatments to install. Locations receiving safety treatments have seen a reduction in crashes. Finally we recommended the department expand education efforts to better target dangerous behaviors that most often result in crashes. Excuse me. They created the vision zero communication plan with tailored messaging to specifically address the most dangerous behaviors. Fatal -- the fatal four driving behaviors are speeding, distracted driving, impaired driving, failure to yield. These messages are promoted across multiple social media platforms and the department uses various metrics to gauge how well they are reaching residents. Next, please. Despite the city's many efforts and successes to improve traffic safety in Austin, traffic fatalities increased by 26% in 2021. While there are many factors contributing to this trend in Austin and nationwide, data collected by the vision

[10:10:30 AM]

zero program shows speeding is a primary contributing factor in one quarter of fatal traffic crashes. Management from both the transportation and police departments said the city is falling short on enforcement efforts. This was attributed primarily to staffing constraints. Our analysis is shown on this slide found the number of speeding citations has fallen significantly since 2018. This is one of many factors for the city to consider in how to best address traffic safety concerns moving forward. In addition, the vision zero program's equity analysis save for all suggests systemic changes are needed to ensure traffic enforcement is equitable. Next slide. This concludes our presentation and we welcome your questions. Thank you.

>> Alter: Thank you. Mr. Spillar, did you want to address the follow-up?

>> Madame chair and

[10:11:31 AM]

committee members, thank you very much for this. You know, I look at this audit as an opportunity to have had fresh eyes on our program and I think it was successful in pointing out areas where we need to do strengthen our capabilities. Clearly our speeding and other personal behaviors that lead to fatalities and crashes are a concern and we continue to work with our partners at the police department. You may also know that we are talking with Travis county to expand the pool of registered officers that we can draw on to do qualified traffic enforcement. The behaviors that are most of need of enforcement are not just municipal issues, they are statewide and state laws as well as county ordinances. And so we think increased focus on targeted enforcement where data shows that we know that people are

[10:12:33 AM]

speeding can result in better outcomes all around.

>> Alter: Thank you, Mr. Spillar. Councilmember pool.

>> And I also have staff I believe watching that may be able to answer the hard, technical questions.

>> Alter: Thank you. Councilmember pool and then councilmember Kelly.

>> Pool: Thanks, director spillar, I appreciate the response and I know that we all are not happy about the increase in injuries and deaths from traffic, but also recognizing there are folks out there who are driving who probably aren't paying attention at the level that they really should. So I was wondering, what -- in the category of how the city can help remind people that speed kills, do we have enough of those speed detection -- that speed detection equipment that is next to the speed limit sign that says 30 miles per hour and then you can track how

[10:13:34 AM]

fast you are going so you can be specifically reminded to slow down? I know they are expensive, but is that something we might be able to step up their presence around the city? Would that be helpful maybe?

>> Sure. I will let Lewis Leff who just joined us respond to that, but yes, we are deploying those as well.

>> Thank you for the question. Transportation and safety officer is Austin transportation. We do use those dynamic display devices on a regular basis. We've used those on more collector streets. Recently we've installed 14 of those devices at high priority vision zero locations, places we've seen crashes occur actively. We're trying to understand the impact of those types of devices on driver behavior, see what the speeds are and if they are going to be coming down consistently. Typically those devices are

[10:14:34 AM]

very effective up front and then we see that kind of effectiveness level off, but they continue to be effective with the highest end speeders which is really what we're after. If we can get the majority of egregious speeders come down closer to speed limits, we'll see that play out over time. We just installed those a few weeks ago and looking forward to the valuing impact of those over the next six to 12 months and hopefully get some more on the ground.

>> Pool: You will be moving them around the city, those 14 speed detectors or do they stay stationary or how do you deploy those?

>> They will be in place at least six months. We'll have continued conversations with colleagues at APD. We'll monitor the crashes at those locations and see if they continue to be problematic. At that point

we'll determine whether they've served their purpose at that location or we can rotate to other locations. We just went through a competitive bid process to

[10:15:37 AM]

see if we can increase the procurement of those and we'll be monitoring and reporting back in next six to 12 months.

>> Pool: The last issue I wanted to toss out to you director spillar and just to explore part of the conversation we had a couple years ago with the reimagining public safety was shift traffic enforcement away from officers armed to those who are not, and I recognize there are safety concerns for whoever those enforcement people may be, but have we gotten any further down the road of thinking in terms of having more of a non-uniformed, non-sworn officer cadre available to help with ticketing or enforcement so that we could maybe instead of looking for a police officer to help us and we have a staffing issue there, we might be able to look more civilian non-sworn support for that enforcement?

>> Councilmember, let me give a brief answer and then

[10:16:38 AM]

I'll turn it over to our APD and to Lewis as representatives. We are looking at activities where we can shift effort off of APD. Not necessarily speeding because we think that still requires an officer to respond because of the safety related issues there. But certainly in terms of abandoned vehicles and some of the more mundane activities perhaps in terms of enforcement, if we can take those off the plate of sworn officers, then that opens up space within their of these others. Would you all like to speak to any of that?

>> Pool: And I wondered if there might be some statutory requirements you have to be a sworn officer in order to carry out certain responsibilities.

>> Yes, ma'am, and that exactly is the issue, but that's opened up a discussion of what can we take off -- legitimately off the plate.

>> Pool: Mr. Leff or Mr. Dale?

>> I'll add something quick.

[10:17:41 AM]

We are limited in a lot of ways by state law. There are a lot of places we've seen be very effective in traffic safety efforts using the automated enforcement particularly around speed. We don't have that ability under current state law. That would be part of legislative agenda actions we would like to see happen. I think the state law is pretty clear that moving violations like speeding would be done by a sworn police officer. So we've got some challenges with our current state law, but I'll hand it over to the assistant chief and he can speak more on that.

>> Yeah, absolutely everybody is absolutely correct, we would have to deal with state law in order to change that, to put it in a civilian type of format. But we have worked with everybody, with Lewis as well as transportation as well as code to see what could be done for, like, abandoned vehicles or something like that that doesn't necessarily require an uniformed officer come out. So far we're just looking at

[10:18:44 AM]

the programs available, so that's part of the the whole thing.

>> If I could add one other thing, councilmember pool, I just discovered something cool in my car. My car has an in-vehicle gps mapping system and you can turn on a function that tells you when you are five miles over the speed limit. I encourage everyone to do that. It's made me much more aware. Many people don't speed purposely, but just keeping up with traffic and having that extra reminder, oops, you are five miles over the speed limit is very effective making me aware of what the speed limits are. I would encourage everyone to put one of their own speed nannies in the car. That's what I call it. It comes on when I hit five miles over the speed limit.

>> Pool: I'm glad you brought that up. I'm recalling that yes, in fact it shows a speed and turns it red when you have gone over. And yeah, it's helpful to

[10:19:44 AM]

have that there and it also puts the responsibility on the individual so that we all learn better habits, which I think is really an important aspect of this rather than enforcing everybody to proper behavior, it really is much more sustainable if we all take that responsibility.

>> That really is our goal is to educate and have people willingly drive the correct speeds or safe speeds, right? Not no necessarily give tickets, that's not the intent, it's to educate and give people -- get people to do the right thing.

>> Alter: On that note, I think you need to make sure they update the speed limits that we changed where we reduced them. Those are not uploaded into gis so for many people it's telling them five miles more than they can do. So it would be great if -- I don't know that process, but I think that's on the back end something you guys can work -- work with gis or whoever you need to work with on that.

>> Thank you.

>> Alter: I've noticed that in my car it's not

[10:20:46 AM]

matching anymore.

>> It does take time to update and some of the older systems you have to go into the dealership to update your system.

>> Alter: Councilmember Kelly.

>> Kelly: Thank you director and your team for this important work you are doing. You had mentioned earlier working with Travis county about increasing the city of Austin's ability to have more officers available for traffic enforcement. I know that I'm aware of that program because year team briefed me and I'm guessing my colleagues are, but would you talk about that so the pickup is aware of what might be coming down the pipeline?

>> Yes. So we use transportation dollars to pay police officers over time to help enforce traffic laws late at night when fatalities are the highest. And they are typically looking for red light running, drunk driving and speeding. Those will be the three most significant activities that lead to serious crashes and fatalities. And so we've done that for

[10:21:46 AM]

several years, but as the staffing shortages have hit all of our departments, we've been unable to fill many of those critical enforcement time periods that we need. And so we've previously only used Austin police department staff, sworn officers that sign up for those overtime opportunities late at night. And so what we're trying to do is expand this to partner with the sheriff's department who has jurisdiction throughout Travis county, and then the constables potentially who could also do enforcement. Now, when we partner with the sheriff hopefully and with constable, they can only enforce state laws because they are not city of Austin officers. But in fact the behaviors we're trying to improve on are state regulated laws, not just municipal issues.

[10:22:46 AM]

>> Thank you for that clarification and expanding. Could you talk about when something like that might couple before council or when we can expect it?

>> Lewis, an update on timing.

>> We are briefing all of council. We've set up the meetings and hopefully in the next couple of weeks we'll have completed everybody's offices for the briefings. Next steps would be reach out to Travis county staff and APD has been helping to set up some of those conversations with the sheriff's office and constables and we've had on and off conversations for a while now to see what a program like this might Louisiana. Our next step is finish the council briefs, go back to Travis county staff working with both their peace officers and their budget and planning folks. And then start to craft an outline what that agreement might look like, make sure your policy board is briefed as well and come back to

[10:23:49 AM]

city council to discuss what this interlocal agreement might look like and what we're trying to achieve. As director spillar said, we've got a critical need particularly overnight and weekends related to speeding and impairment on the roadways. Find a way to address that lack of proactive traffic enforcement that's happening right now. APD has been brainstorming with us and facilitating those conversations with our Travis county partners and hopefully we'll see something come forward in the next couple of months.

>> And I don't want to leave anyone with the impression that traffic laws are not being enforced now. They are in fact and both the sheriff and the constable I see them occasionally on the side of the road giving tickets as I do APD and also dps I've seen them on the bigger state roads. We've reached out to them and asked for equal help. All those agencies have the same challenges I think the city of Austin does in terms of staffing and prioritizing where those resources go.

[10:24:50 AM]

>> Kelly: Thank you very much.

>> Alter: Councilmember tovo and then councilmember Fuentes.

>> Tovo: Thank you. Yeah, I wanted to talk about the potential Ila as well. As I understand, director spillar, what you are saying, these are additional patrols that are really part of the vision zero effort and were being funded through the transportation department. Is that correct?

>> Yes, ma'am. What we're actually doing is paying the overtime costs for those.

>> Tovo: But these are additional to the regular -- to the regular force that we have out on the streets.

>> Yes. There's staff from win those departments working overtime during shifts we have a need to staff normally.

>> Tovo: I think the idea of working with the Travis county sheriff's department is a really good one. My office has been briefed and we expressed our support for that program. And I would -- I appreciate,

[10:25:53 AM]

Mr. Leff, the schedule you outlined for decision making, but my guess is that, you know, there will be certainly questions -- questions councilmembers have, I know in our briefing some of those questions arose and you had good responses to what kind of training and protocols they would use. But I would really suggest, director spillar, that you consider speeding up the time table on this and potentially even going to council asking city manager to have a work session briefing about this potential so that we can - we can all learn -- the councilmembers who haven't yet had a briefing can hear about it and potentially we can fast track this. I think it seems like a very good -- it seems like a good idea. It fills a need and, you know, if there's a step we can take sooner to keep our streets safer, I would say let's escalate the timetable on that.

>> Thank you for that encouragement.

>> Tovo: Is that a possibility, is that something you would need

[10:26:53 AM]

council action to alter that time frame on or is that something you could take back to the manager, if my colleagues agree, and ask whether we can proceed or a timetable?

>> Yes, ma'am. John that we need council action to encourage us, just hearing the encouragement from you and I see several other heads shaking yes, we'll take that as encouragement to go do that.

>> Tovo: That sounds great. I wanted to give a shout out to the transportation department and vision zero staff especially for the work they did recently to encourage safer driving through artistic impression. In district 9 we have two murals part of the vision zero. The vision zero plan. There's also a mural in councilmember's district and there's a nice video you released tying toes -- tying those together and how we

[10:27:53 AM]

can think about ways to be safer on the streets, but I think the murals are a different kind of convenient crew and different kind of way to encourage people to take responsibility for making sure they are not distracted, they are not on their phone texting, not doing other things that make the streets unsafe for everybody around them. Thanks again for your work.

>> And thank you fo

>> Thank you for mentioning that, councilmember tovo. That's what we want people to do is talk about safety and speeding and talk about that we need to really stop at stop signs and things like that.

>> Thank you for flagging that. If someone would send me a link I would love to take a look at that video and love to talk about getting a mural in south Austin and help bring that message to our south austinites. Also, I guess my comment, I haven't had my briefing yet. I know it's scheduled for later this week. What I would be curious to learn more about is exactly

[10:28:56 AM]

what the state law says, like what the parameters are and what the peace officers are needed to do when it comes to traffic enforcement. Also a list of what are those types of activities that we would have that we could potentially bring others to assist with. You mentioned vehicle abatements as one, but we would love to learn more about what else that we should be reconsidering in the spirit of reimagining. And also just wanted to thank you, director spillar, for confirming that traffic enforcement is happening. We want to be sure that the community understands that that is taking place. And that this conversation that we're having is for additional services that the city of Austin has always conducted. It's just a matter of the staffing shortages is what we're having to figure out here. And the last thing for the briefing I have later this week, if we can also have more information about how other cities handle traffic enforcement and perhaps

[10:29:59 AM]

there's some innovative strategies out there that we can pull from, any types of models that we can look at from other cities or other countries, I would be interested in learning more about. Thank you.

>> Okay. So that's probably better handled than a one on one so we'll make sure that we're available to provide information. One of the things that our zero department does or division does very well is coordinate with other cities and it would be a good idea no matter where it comes from, we are more than happy to borrow and reuse so we don't have to have the credit for good ideas. Lewis, you had something?

>> I wanted to build on something you had too. Council members, good questions, we'll be prepared for those at the briefing, but for the sake of this discussion we are certainly looking at research that understands where and how enforcement is done to be most effective. There is a great study out of a city, North Carolina, that showed you can really have a positive impact on some of the other goals that we've got from in the spirit of reimagine public safety

[10:30:59 AM]

to reduce the racial disparities and traffic stops by focusing on the behaviors that are going to create safe certify streets for everybody. So that's why we continue to talk about speeding and impairment on

our freeways, on our major arterials. We'll see a difference in the outcomes I think across the board in a lot of our policy goals and we can really focus on the behaviors and make the streets safer for everybody. So we'll continue this conversation. I just wanted to point that out as well.

>> Alter: Councilmember harper-madison, if we could be quick, we've got to keep moving on.

>> Harper-madison: Absolutely, chair. I appreciate you recognizing me. I want to say quickly as we're having these conversations with our legislative liaison, you guys are probably having meetings as well. I just had one recently. Just thinking through to councilmember Fuentes' point about what is it exactly that we should be asking to get done at the legislative level, I'd really appreciate having that information. So I also look forward to my briefing and wonder if this is an item that we should

[10:31:59 AM]

bring forward with the committee that I chair, the public safety committee. So I look forward to following up.

>> Alter: Thank you. I want to come back to traffic enforcement but I first want to -- we do these follow-up audits and the hope is that the work of the team is helpful and helping us improve and it's a partnership with the committees. I want to really highlight some of the good work done as a result of the investigations and what happened related to that. So you developed ways to better communicate, coordinate with internal and external partners by creating the strategic Austin mobility plan which I think is a really well done document that has a lot of clarity and really is helping to guide our transportation improvements over the next 20 years. You launched the data and performance hub, the

[10:33:01 AM]

mobility management center and created the project connect office. You've also optimized the traffic signal timing and I think, you know, all of those are developments that come from these conversations and some of the issues that have been surfaced as well obviously of the planning and the hard work of your department. So I want to acknowledge that. Councilmember pool mentioned earlier how do we reimagine this area. A couple of years ago I launched the mobility officers project. Can you speak a little bit about where that is at this point? Because it is one of the ways that we are trying to take some of the tasks off of our officers that can be undertaken by other folks and we're able to pay for it with park money.

>> And so -- thank you, madam chair. When I alluded to that in response to councilmember pool's question about where are we in terms of having non-sworn officers do some

[10:34:01 AM]

of these activities, I think that's really where the conversation has expanded is as we add or as we move towards mobility officers and towards working through the process to actually create the positions, define them through what's required and so forth. Is to continue to work with APD and other enforcement to see what legitimately we can take off the plate that gets back to better outcomes. I think councilmember harper-madison mentioned where do we need to continue to work. I think one of the areas of interest is how do we increase the use of these mobility officers or non-sworn officers in terms of managing special events to free up officers during those significant times when 'often overtime is required of those officers eating into their Patti and doing other things. So we continue to work on that.

[10:35:03 AM]

It is a steep climb to work on that, only because there's so many hurdles we've got to undue and figure out how to get around any state law or just staffing and administrative issues. So we continue to work on that. We appreciate your support on that. I can get you more detailed information about where we are on that. Is there anything, Lewis, do you and Jim -- that's really through our parking division so where I'll bring that back to you.

>> Alter: Thank you. I would appreciate an update but I'm excited about the possibilities of being able to take some of those things off the plate. I want to talk about traffic enforcement. So I had originally been the one to request the 2019 audit on traffic enforcement when I first came to office. I noticed a huge drop in traffic enforcement in 2017 which is not on the chart. And in looking back at this we did some degreing and

[10:36:06 AM]

discovered that 2017 was a spike and if you go to 2015 we have more enforcement now than in 2015. So I would like to really dig into those numbers with your office and try to understand what's happening. I know there was a period of time in there when we had dedicated funding I think from the state that was only paid for enforcement so APD couldn't spend the money on anything else. It had to be done on enforcement. But there's stuff in the data about what is the enforcement or appropriate level that is misleading looking at -- I didn't know in 2017 that I should have looked back to 2016 and 2015 and now looking at this I'm like, well, we might actually have had a bubble there and what is the right level of enforcement. I am in favor of enforcement and I know there are speeding issues, but if we're trying to understand what is keeping us from doing the enforcement, there is a bigger, more

[10:37:07 AM]

complicated story that I don't know that we have really gotten a handle on. So I would like to ask for your staff to take a look back at that couple of years before that and help me understand why we see the spike and choose changing. I think it's easy to blame staffing issues and I think there are changes done as well that have nothing to do with staffing and there are challenges there that if we want to step up enforcement and we want to do it in focused ways that are also equitable that we need to be really looking at. So we can continue that conversation unless you have anything you want to -- you want to add to that?

>> No, I was going to offer to APD anything you want to add to that, but certainly, council member, I hear you and we will work with our partners at APD to try to better understand that.

>> Alter: Great, thank you. Chief mason, did you want to say anything?

>> That's it.

>> No, I'm sorriment.

[10:38:08 AM]

>> We'll work with them to get the information for you.

>> Great, thank you.

>> Alter: Thank you. If there are no more questions, thank you, Mr. Spillar for being here, obviously we're very interested in addressing these mobility issues. The -- so we don't have to vote on any of these. The next item will be the joint sustainability bylaw changes from the clerk's office.

>> Good morning, Stephanie hall with the city clerk's office. I'm here to present some amendments from the joint sustainability committee. This was in response to a resolution that was passed last September. They are updating the member so I'll quickly go over the pieces that they're editing.

[10:39:08 AM]

Editing article 2, purpose and duties, and edit to include the Austin climate equity plan, staff recommends. Edit article three, membership. This is an edit to increase the membership from 13 to 18. This is part of the resolution and to increase the membership to expand membership representation in response to that resolution, so there's a couple of edits, to improve racial diversity, identification, that the mayor will nominate five individuals to serve on the joint committee and council will consider racial diversity when making those. Staff recommends. Article 7, edit the meeting frequency. The board shall meet monthly. The committee had been meeting monthly, I believe. This is just to codify that, to solidify

that in their bylaws. Staff recommends. An additional edit to meetings as well. F, this is the number required to retain quorum.

[10:40:09 AM]

The quorum number increases to 10. This is a staff recommendation as well. And then there's a couple other edits made to the bylaws that staff does not recommend. Article 7 as well in meetings, there is an edit to the wording requirements needed for action based on attendance. This is to kind of rephrase that there a little bit and their proposed amendment is no action is required by a vote of two-thirds of the members present. As standard practice we don't recommend any changes to the standard bylaw template so staff does not recommend this. The proposed amendment doesn't align with the standard bylaws and is a little bit out of step with city code. Our recommendation would be to maintain what the current template says and just update the numbers to reflect the increase in membership. The same is the case with article eight committees. They have proposed editing of the words the joint sustainability committee may have committees. This adjustment just isn't

[10:41:10 AM]

necessary at this time. That would be something that we would propose if they are wanting to add committees so we just don't recommend that change. Edit article 8 work groups. They are proposing the edit to read staff support is not guaranteed for working groups. We do not recommend this because the standard template says that staff is not provided for working groups and that is something outlined in city sewed Cody so we don't maintain that. That is all the proposed amendments that we have. I am here for questions. There may be the staff liaison and the chair on the line as well.

>> Did you want for the chair to speak.

>> Hi, Ms. Hall, thanks for being here today. On the requirement, the shall language,, the monthly meetings, is that standard across all the ordinances for all the committees or is

[10:42:11 AM]

it more like shall have at least 12 meetings? What do we do if they don't have monthly meetings and then they're in violation of this.

>> It is pretty standard, most say monthly or quarterly. I believe that's what they had in prior.

>> So this is typical language across the board.

>> They are allowed to have one a quarter and we ask liaisons to keep in touch with us if this becomes a pattern. But for one non-monthly meeting there simply isn't an issue.

>> That's great. That's all I had a question about. Thanks, chair.

>> Alter: Thank you. Is Ms. White on the line?

[10:43:12 AM]

>> I'm here, can you hear me?

>> Alter: Yes. Did you want to speak to this item?

>> I appreciate opportunity. I'm the chair of the joint sustainability committee and we do appreciate you taking up these changes as you'll remember the addition of additional members to the joint sustainability committee is something that was discussed and included in the resolution that you carried, mayor pro tem, for the adoption of the Austin climate equity plan, so that is definitely important to the work connecting the plan. I do just want to call attention to that item and some possible difficulty that it could provide that we discussed as a committee, namely that adding additional seats, but not

[10:44:13 AM]

having them filled would make a hardship in terms of us making quorum and therefore being able to meet. So we are just requesting that hopefully the council and mayor can work together in order for the increase in membership and actual appointees to fill those slots be put forward, hopefully at the same meeting so that we don't run up against that challenge. I also wanted to speak to a couple of the items that are not being recommended by staff. I think that the one really that is maybe most worthy of conversation is the one about how many votes it takes to pass an item. I'm looking at our current bylaws and this is why we

[10:45:14 AM]

are suggesting a change is our current bylaws don't appear to have conformed to the standard for other boards and commissions either so we do not know if there was only one standard that we should be recommending that we move towards since ours are already a bit odd, and just to read it, it says if only a quorum is present -- this is the current bylaws in the joint sustainability committee. It says if only a quorum is present meeting, a board action that's adopted by affirmative vote of two-thirds of the quorum, 14-member board equals six votes, if more than a quorum is present at a meeting a board action must be adopted by antiform active vote of the numbers necessary to provide a quorum. So I

don't know why ours are different from other boards and commissions. The other commissions that I have -- that I serve on they just require a vote of the

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quorum in order to pass. So we were just trying to make it a little bit simpler because our bylaws oddly seem to state that the threshold for passing something depends on how many people actually show up to a meeting. So I think it would be preferable for us to simplify that and have just one threshold if the best way to go is to make that the same as other boards and commissions which just states that it's a quorum. I think folks would be fine with that. And I'd be happy to answer any questions.

>> Alter: Thank you. Council member Fuentes, is your hand up?

>> No.

>> Alter: Councilmember pool.

>> Pool: Thank you for those comments and I think that it should track with the flesh hold we have on owe threshold should hold on those and that the majority

[10:47:15 AM]

present should be able to pass any action. I know today we are not actually making changes for adopting this. We'll be talking about it and recommending for the full council, but I think that's a -- I think that would be useful for we could get change from the language from staff to track how the quorum and the action for the vote, affirmative vote, is handled in other instances so that this is not handled differently than others, unless there was some reason why we did that. I don't remember.

>> I could perhaps a little bit by sharing? The reason this is different and there are a few boards and commissions that do fall under this as well is the number of membership. So this is a specificity in city code that when there are more than 14 members things start to change. And it's a little bit nuanced and confusing so before we did this we ran it by legal. But it does change when the membership is higher and if a quorum is actually present then it allows the

[10:48:16 AM]

two-thirds. But the moment that you exceed quorum it reverts back to needing a quorum to have an affirmative vote. And it is a little bit tricky and we've had this issue as well with a couple of other boards and commissions. But it is not solely to this committee. There are a few other that have this that have higher membership.

>> Pool: So I think I need to sit with that a little bit and work out the math and implications and the impacts, which I think probably the folks on the committee have been wrestling with. So that's good. And I don't yet know what agenda this will be on for the council.

>> I don't either. As soon as we can get it on.

>> Pool: But we'll have a little bit of time.

>> Yeah. And I thought I had the code with the actual city code with me that addresses this. I only have what the template have and that has kind of absorbed that in there. And this is the template specific flow boards and commissions that have attendance over 14.

>> Alter: Can you repeat what it should be if it's

[10:49:17 AM]

over 14?

>> The recommendation for the template in the bylaws. I don't have the actual code right in front of me at the moment but I can pull that. But if only a quorum is present at a meeting a board action is adopted by an affirmative vote of two-thirds of the members actually present and then it breaks down 18 member board the quorum would be 10, two-thirds would be seven. If more than a quorum is present, and that's where it gets tricky. If more than a quorum is presently meeting a board action must be adopted by an affirmative vote of the number of members necessary to provide a quorum as if the full membership is present. In this case it would be 18 and 10 is on quorum. So really that reduction to seven only applies for only a quorum is in attendance.

>> Alter: Wow. That's tricky.

>> Yes. And it does only apply to a handful of boards and commissions.

>> I understand that we're not the only ones, but I

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think that especially with the virtual meetings, this becomes really difficult because if somebody drops off the line and we still have a quorum, but we just don't maybe realize that we have now crossed some threshold it just becomes a bit tricky that you're counting the votes correctly. So obviously it's your decision to make, but it is our request that we just have one threshold to stick with so that it can be a bit easier. Thank you.

>> This is Caroline Webster with the law department and I wanted you to know the section that we're talking about in city code is 216c. Question do read that if exactly a quorum is present, not less than or more. And then you get these other

[10:51:19 AM]

options.

>> Pool: That's slightly different than what I'm hearing in this language, is that right? Yeah, okay. I think we need staff to come back and talk about that before it goes to council. Going back to article 3 on membership, the additional five members, are they all being nominated by the mayor? When are they coming from? It says here the new language the mayor will nominate five members. When is making those appointments? Am I reading this properly. That's 3a.

>> That's what we understand is the additional five members would be appointed by the mayor.

>> Pool: And I was curious if Ms. White could give

[10:52:20 AM]

insight on why we would be assigning that to the mayor and not maybe one of the council committees that works on environment and public health why the selection of the mayor?

>> Thank you. We definitely had some conversation about that and I don't think that it was our first choice necessarily to have one individual making all the appointments but we ended up making that recommendation because we couldn't come up with another better option. I think if there was a council committee that was focused on the climate plan, then that would have been the obvious choice, but since that doesn't exist to our knowledge, we felt like the mayor was kind of the default choice and we were

[10:53:22 AM]

told that that has sometimes been how it works if there are appointments to be made and there's not enough for council members. I think all of would have preferred to spread that responsibility around a bit more but we were working under the assumption that even if the mayor were to select those names that they would still need to be approved by the full council. So in a way everybody would have a say in that.

>> What we need here is if if the mayor makes the nominations it accrues to the council to approve that and you find out about them on the day the approval is made so there really is no participation that's south Austin active in that setting and I speak with some experience on that with being on the dais for a few

[10:54:23 AM]

years. So in this instance I'd like to confer with the chair of this committee and maybe my colleagues on this committee. This could be something that the audit and finance committee would take on given our role in oversight of the boards and commissions. We do things like recommend and review our appointment, our civil service commissioners and that is a process that's pretty formalize and does end up with the council members having a little bit of time to look at the packet of people who are nominated Andrew Rivera recommended. Imu that may not also be the most ex-pe did dish bayway to approach this. I'd like to flag this to give it more thought. And I see that my colleague, councilmember tovo, has raised her hand so she may have some thoughts on this too. Councilmember tovo.

>> Thanks, council member. I appreciate you raising

[10:55:24 AM]

this issue and we did have a committee that was a little bit -- that was tied closely to this issue in the past and no longer have that council committee, but I appreciate your flagging this issue and I would like to suggest the public health committee. I think many of the issues that the joint sustainability committee is dealing with does fall within the realm of public health, so whether it ends up being the public health committee or audit and finance, I like the approach of having a council committee arrive at those nominations. Versus just assigning it to one member of the council.

>> Yes. I would also be supportive of public health committee, would also still like us to consider an environmental justice committee as well, but we can continue the conversation on that. I know we just got a memo

[10:56:25 AM]

back on the implementation of the limit equity plan. One thing I did want to share is because right now as it's written the mayor -- as it's proposed the mayor would be appointing and we all know how long it could take to appoint five additional new members. Understanding the urgency of this topic and of the climate crisis that we're in. I am supportive of what the joint sustainability committee's recommendations are to have that number as the necessary number for quorum and for a vote. So I wanted to share my support for the joint sustainability committee's recommendations.

>> Alter: Councilmember Kelly. Realize I just wanted to say that I too echo what you're saying, councilmember pool. I think that's a really great way to go about doing this. It is tough to get the right people in the right places, but I think that it should be part of the committee here that takes care of that. Thank you.

>> So what I would suggest is that perhaps we don't

[10:57:26 AM]

take action today in terms of our committee. We figure out what -- we need to work on maybe councilmember pool as vice-chair you can work with the clerk to provide us a couple of options for the voting piece that you can circulate with us before our next meeting. In the meantime since we have the chair of public health, perhaps they can begin a process. I don't think there's a question about appointing these people so we can begin the process of seeking folks who want to propose in some way if that would feel comfortable to councilmember tovo with an eye of being closer to the point of being able to do both things at once. Perhaps in April or May. We also could pass it now we could also pass it and the meeting after our March meeting and have it not go into effect depending on what's decided on the vote piece for another month to

[10:58:26 AM]

give us time for those steps to be taken.

>> Chair, I have one more thing to add if that's okay. It did occur to me that the boards are a bit larger. There is a section in city code, 214, to have the mayor appoint any additional membership. So I think that's probably why it was put there and probably recommended to them that they put it in there. Just something to be aware of that there is that reference in city code that the mayor appoints any additional membership. And Caroline might have something to tag on.

>> Alter: Ms. Webster.

>> I do. The only thing I'm just going to point out, there's a difference between appoint and nominate the bylaws have used the words nominate and city code also uses the words nominate. And Stephanie mentioned in 214 the mayor says when there's a board of more than 11 members that the 2 Hun board covered by two-1, the mayor appoints the additional members but membership is approved by the entire council.

[10:59:27 AM]

Now, I will mention there's nothing in there that limits how the mayor gets those nominees. There's nothing that says he can't receive some advice or input from another entity. So just to point that out. >>

>> Councilmember pool? Question need to move forward.

>> Pool: I'll wrap this up by saying I'll work on it, and Stephanie, you and my team will. And kaiba, I appreciate your input as well. We'll get this rounded out and figured out quickly. Thanks.

>> Alter: Thank you for being with us, Ms. White. Before we do the tourism commission is there somebody on the line from public communication that we didn't get before? Mr. Tim green?

>> I'm on the line.

>> Sorry to have made you wait. Please go ahead.

>> Okay, I have the floor?

>> Yes, you do. Sorry, yes.

[11:00:27 AM]

>> Great. Thank you, thank you, ladies and gentlemen for hearing me today. Fox scientific is a contractor for the city of Austin and I hope I'm in the right place to kind of voice my concern. We're the contractor on ga-210-00-0003 contract. It's for laboratory supplies and equipment. And specifically for I think the forensics department. So there were 96 part numbers on this contract and there's an estimated allocation on this of --

>> Alter: Mr. Green, can you pause for one second? Councilmember tovo, did you want to say something?

>> Tovo: I'm sorry to interrupt. I'm just wondering if the individual who is here to speak might he P --

>> In the wrong meeting.

>> I wonder if it's an item that's on our 3-3-22 agenda. I wouldn't ordinarily interrupt you, but I want to make sure that we don't

[11:01:28 AM]

violate the no solicitation.

>> I don't believe it's a solicitation at all.

>> Alter: This is the audit and finance committee. Were you trying to raise an issue about an existing contract and how it was being implemented?

>> Absolutely I am.

>> Alter: As opposed to something on the other agenda?

>> Yes. This thing has estimated allocation of \$476,000. To date there's only been 11,000 used with us. We have a four year request that's only partially responsive and it still Beggs to answer what's been spent on the rest of the allocation on this contract. We're the contractor and it was grossly overstated in the formal bid process. I'm not really sure who to talk to to get some answers on this, but this is not

really fair to the city and it's not really fair to the contractors that have to go through this. So I want to make the count aware that this is odd and it may be worth looking

[11:02:29 AM]

into. But there's a massive disparity between the actual spend and the allocation on this particular contract and where did the original supply list come from on this contract? So there are several things that are really, really suspicious that prompted me to bring this up to this level and I would leave it in your hands with a final question of should the unused allocation of this contract go -- is it going to something else or can you guys recoup that money and refocus that in something that's productive for the city? I really don't have a huge complaint, but it's just extremely odd to have this big of a disparity on the contract where \$476,000 is allocated and we're really not using that or at least we're not getting answers on where that's getting used. So that's really all I have to say. If anybody has any questions I'll answer it. If not I'll drop off the phone.

>> Alter: Please stay on for a second. Councilmember tovo.

>> Tovo: I don't have any questions. I wanted to apologize for interrupting you. I wanted to make some sure that you were again not

[11:03:29 AM]

going to stand in potential violation of a no solicitation contract for a contract that's forthcoming. Based on your conversation here today I think you sent an email last week about this issue and I don't know that we have a representative from the city manager's office but I would ask if we do I would ask the city manager just to send out a response that provides some answers to the questions you raised in your email last week and here today on why the disparity between the contract, the approved contract amount and the allocation and what was actually spent.

>> Yes, thank you. I think that would be a great next step. Thank you, Mr. Green, for joining us and again I apologize for having made you wait so long. I was not aware you were still on the line. Thank you.

>> Thank you, ladies and gentlemen. Have a good day. Thank you.

>> Alter: You too. So the next item we're going to take up really quickly is the tourism commission.

[11:04:29 AM]

>> Hi, Stephanie hall with the city clerk's office again. This one is a first for me. But we are here to discuss the tourism commission and their failure to convene for a period of six months. This is a

requirement that is in city code. 2145 failure to meet. I can read that or just skip it. At the time we sent the notice to the committee on January 11th, the tourism commission had not met since May 10th of 2021. It's my understanding that they did actually meet last week. I apologize, but unfortunately I do not have a clear understanding of why the commission failed to meet so I would have to defer to staff department on that. But the liaison might be on the line and perhaps the chair, but we will certainly work with staff to prevent this from happening again. I'm here for any questions.

>> Alter: Go ahead, councilmember pool.

>> Pool: I would just point out we've been wrestling with a pandemic. People have difficulty in coming to meetings even when

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they are online. I'm grateful to know that attempts to have the meetings have finally been successful. I do know there were attempts to have meetings last year. I would say we do not have an issue in front of us anymore. I'm grateful to the city clerk's office alerted us to what was happening and that the tourism commission members were able to figure out how to achieve the quorum and get back on track to having their meetings because it's important work that they do. So I would just close by saying thanks to the alerts and I think everybody is well aware of what was going on and what they needed to do and they're back on track. And I hope that that continues and we'll be keeping a close eye out to make sure that that does continue.

>> So Ms. Webster, now that they're meeting do we need

[11:06:32 AM]

to take action today? Because the code does require certain action of notification, which is why we were notified, etcetera.

>> Yes, that's correct. So the code unfortunately doesn't go into a lot of detail. It triggers the notice from the clerk's office once that threshold has been met where they haven't been able to meet or haven't convened a meeting for that six-month time period. And it doesn't go into what happens if they start to meet again. As far as we're concerned you all can really make any recommendation you want. You have to make -- I would suggest that you still make a recommendation because that's what the code requires. But your recommendations certainly could be, for example, recommendation to the full council that says that they continue on a trial basis for the next six months or that your recommendation just that they continue. And that you don't have to add any conditions to that. I mean, any recommendation

[11:07:33 AM]

that you want to make you can make essentially. I would recommend that you move forward and do make a recommendation just because that's what the code says is required.

>> Alter: Thank you. Ms. Mcghee is the chair. Is there anything -- I assume we're going to make a motion to continue, but is there anything you want to add at this point since you took the time to join us this morning?

>> Yes, thank you. Yes, it has been an extremely difficult year for many of the commissioners. Many of us are very close to the industry and make up the tourism industry, which has taken a really hard hit during this pandemic. I think many of us having dealing with shifting sands, feeling instability and we would think we were in one spot and then a new wave would come of I am effective communications and that would change -- infections and that would change things again. Looking back on the our records we also had a lot of

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instances where our previous chair canceled meetings for a lack of agenda or we had a lack of quorum. There was a lot of changing back and forth about how we were to have meetings. We went from a very stable regular meeting time to are we having virtual, hybrid. What are the rules? What is the new time? Trying to set new meeting times and those times shifting. That has been very problematic for us. And we actually did try to meet in January, for example, and then when we arrived under one set of rules it was communicated when we arrived that we have met the rules correctly. So there has been attempts to me but we seem to have fallen foul of changes in rules, so I think there's been a little miscommunication here and

[11:09:36 AM]

there but in the meeting that we had that we successfully had this month, there definitely seems to be renewed vigor on the commission. We've got a couple of vacancies that need to be filled. And I think that's indicative of everybody finding ways to now adjust. I think if we can stick -- try to stick with a regular meeting time it will help because people can put them on their calendars. We did postpone setting -- did postpone setting meeting dates for the rest of the year because we wanted to see what happened, what your recommendations were or what the result of this meeting would be sort of on the fate of the commission. But we do feel there's interest and thing to be done. And in terms of failing to meet for a quorum, I think if we can go ahead and set our meeting dates for the rest of the year that should take care of that problem.

[11:10:38 AM]

And as far as coupling meetings for lack of an agenda we came up with some agenda items, including standing agenda items, one of those being that each meeting we make sure that we've looked -- established what our agenda items are moving forward so that's not a problem. So I'm hoping that things will improve if we have the opportunity as a commission. Thank you.

>> Alter: Thank you. Councilmember Kelly.

>> Kelly: Thank you very much for that report, Ms. Magee. I want to reiterate having served a commission before -- a commission before I was elected several years ago, it does take a lot of commitment and I am very thankful for the volunteers who do that in the city on behalf of us as council members. I think it's super important that we continue these committees so that the work can be done. An understanding that you have a plan to move forward positively to maintain that is very important. So I maintain that and I agree with councilmember pool that we should keep it

[11:11:41 AM]

going, thank you.

>> Alter: Thank you. So I would entertain a motion to continue and I would also like to add that I think that there is a need to improve the staff support to this commission. So if -- I think there's a need for the staff liaison to be working closely and to be working with a chair to prevent agenda problems and to make sure that this commission is covering ground that will be useful to council as we address tourism issues. Councilmember pool.

>> Pool: Yeah. I'd make the recommendation along the lines of how you just stated that, chair alter, and to continue the commission. I am happy to know that they're would be outing a schedule for the ongoing year and so this is a vote

[11:12:42 AM]

of support for y'all because we do appreciate the work you're doing, especially now. It's always been important, but I think the pandemic has really pointed out the necessity for us to kind of make sure that we can keep all of the gears turning and that includes in our economic development areas and our music venues and our tourists coming to down. So thanks, Ms. Mcghee on the tourism commission and we hope you will continue the work that you're doing.

>> So we have a motion on the floor to continue the work that the commission and provide staff support made by councilmember pool, seconded by councilmember Kelly. All those in favor? It's unanimous on the dais. I think we have time for the cip briefing. It may go over a tad and we

[11:13:43 AM]

may have to continue that conversation, but I think it's important that we do move forward on that. So let's take up item 7, the commie improvement bonds on capital improvement. Thank you. The next item is a briefing on the public improvement bonds on the capital improvement program. We're going to be joined by our budget officer, Ms. Kerri Lange oh, is now our permanent budget officer. She was previously interim. Congratulations, Ms. Language. We are going -- we're bringing this up at my request. I think we need to pay more attention in this committee

[11:14:45 AM]

to the capital improvement program and this is kind of an initial introduction to that process. We've also had floated the idea of a bond and I think we need to get grounded in our bonding process. And the factors that go into making certain choices. Medicines language, are you there?

>> Yes, good morning. I am Kerri language the budget office for the financial services department and thank you, mayor pro tem alter. I am happy to be in this position now permanently. And as you said we're talking about the capital improvement bonds. So we want to start out with looking at what the community has been presented with over the last several years and the history of our bond packages for election year by year and the size of those packages. As you will see since 1998

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there has been 10 elections for bonds, six of which has been in the past 10 years. The green bars on the slide represent comprehensive packages with military propositions and infrastructure types. The blue bars represent single infrastructures except for the 2000 bond package, that includes both transportation and open space. Then the hashed bars on this slide indicate those failed propositions that the voters did not approve. These elections have largely -- have been largely successful with only two propositions failing during this time, which included the 2012 bond proposition for affordable housing and the 2014 election for urban rail. The 2013 bond was an affordable housing bond. This graph also shows how over time the city has spaced out our comprehensive plans over about a six-year period. In 1998 the implementation was delayed because of the

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dot-com bust and economic downturn. We had quite a few projects with significant ongoing impact so we had to wait until those packages could be affordable. And that's why you see that large gap between

the 1998 package and the 2006 package. Next slide, please. So as we look at the voting history on the public improvement bonds and take a look at the approval rating for these proposition, this shows what propositions were represented. In 2006 the total package was \$567.4 million. Six categories were represented, transportation, drainage, open space. Parks, libraries, museums and cultural facilities and public safety. It should be noted that this package characterized the animal shelter as part of the public safety proposition instead of the

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health and human services arena. This is also of the bond program that provided us the new central library, the Zachary Scott theater, the mac and the aarc to name a few of the highlights for that proposition. The 2010 was a \$90 million for transportation and the portion of this fund was for the Fort Walton trail on lady bird lake. In 2012 a 306-million-dollar comprehensive package including all the categories was presented to the voters and the affordable housing failed during that time, but it was offered again in 2013 and passed with \$65 million. As noted, the 2014 urban rail page failed as noted in the earlier slide.

[11:18:50 AM]

And then the 2016, 720-million-dollar mobility project included regional mobility projects, corridors and local mobility projects. 2018 was a comprehensive package. As you can see all of those packages and propositions passed. And then in 2020 prop B included the \$460 million for transportation infrastructure. Next slide, please. So as we look at the aggregate authorization by category, this is just a look at how the community has voted token vest in the city's infrastructure. We have included the history back to 2006 because we are making investments with at least 20 year life-span with these dollars so the projects are still relevant today. Here we have grouped the propositions into seven categories which are in alignment with how propositions were approved. Transportation and mobility continues to be the largest

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portion of our investment at 54%, followed by affordable housing at 12% and then as you see on slide, health and libraries and parks make up the remainder of this -- these investments. We can see here that the inclusion of transportation mobility in the comprehensive package complained combined with three standalone have heavily weighted on that investment for transportation and mobility. Next slide, please. This is just a deeper dive in the financial status of these programs by category again. We see that affordable housing is moving along with spending and has the smallest percentage of funds in the

balances. Health, public safety and library museums and cultural arts are primarily associated with the 2018 comprehensive bond. Health remaining balance is

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for the neighborhood health services center in dove springs and that project is progressing. Public safety is for the 2018 bonds was primarily for AFD and ems and it is for renovations on a variety of existing stations. The library, museums and cultural facilities include the Daugherty art center, the mac, asian-american resource center, carver museum and Faulk and all of those projects are progressing. Drainage and parks continue to have about a-million-dollar balance. The drainage investments are more longer term projects but those are progressing as well. And then mobility and transportation as you can see they have the largest balance but they have had the largest investment over time and so it's just a matter of keeping those investments moving forward, especially with the most recent investment in 2020 of \$460 million. Next slide, please.

>> So this slide really

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focuses on the balance based on the election year. When you look at our 2010 and 2013 bond packages, those are completed. Those are all considered completed. We considered the 2006 completed, however, there is a remaining balance the magnitude of those dollars have been spent but the remaining balance is mainly for the mexicarte balance and that project from the 2006 package is being partnered with the 2018 fund to continue the investment in mexicarte. In 2012 that has remaining spending because of the complexity that we're seeing with some of the transportation and parks projects. The 2012 bond includes corridor programs, and that corridor program for 2012 is also being partnered with the 2016 mobility bond. The 2012 parks projects are actively spending and under construction. They do include things like

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zilker maintenance bond, Barton springs bathhouse. There are some complex partnering with the Daugherty arts center and then some of the remaining funds are related to palm park. So the focus on most of our spending now of course will be on the active and current bond projects, which is 2016 through 2020. And we are seeing that a lot of spending has yet to occur. There are some key projects, they are making good projects, including the north Lamar burnet and the east 51st street improvements. Next slide. So this is just a different look at the same data from the previous slide and it

provides more information on when we started the contract with the voters. As the state law was amended to prevent government entities from issuing non-voter approved debt for

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items that were rejected by the voters, we started doing a contract with the voters to specify what items would be included in these packages and to give a time frame for when we anticipate these projects to be complete. Next slide, please. This slide really talks about the property tax rate and how the debt service impacts the property tax rate. Debt service tax rate is set annually at the levels necessary to fund principal and interest payment on debt. As you all know hb1869 that passed last year really made some amendments to how we can look at non-voter approved debt. So when we look at our debt service, some -- when we look at debt we look at how that can impact whether it is on the debt service side or the o&m side. When we look at our total

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general obligation debt that does include both voter approved and non-voter approved. So this is just giving you an outset wildfire we are in '22 with our debt service as compared to our total tax rate. Next slide, please. And then this is looking at the history of our debt service rate. As you can see the debt service rate in 2012 was -- is listed here and it just shows how the debt service rate fluctuates based on the issuance of the debt that has been authorized and obligated. When we look at fiscal year '22 you do see the .1130 and then the projected increase into 2025. That's based on the projections of the issuance of debt for the active bonds that are in place for 2016, 2018 and 2020. As we look at how those

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unfold and the spending unfold in those years. Next slide, please. So I want to talk a little bit about our comprehensive bond process so that you all can have a better understanding or clear understanding of what we've done in the past with that bond process. The development process we look to identify and prioritize projects and it is typically started with an action from council. We have gone a year long process to make sure that we go through E.P.A. Of these phases. When we show these we are identifying these and the council creates a community engagement task force and creates the goals for the project. We go through a program development process where Ms. Are created.

[11:26:58 AM]

We provide public input and final recommendation to councilment and then the final action is the setting of the election that council does with a resolution, and provides direction on what the next steps will be as far as setting the election date and conducting the election as well as identifying exactly what will be included in that election.. Next slide, please.

>> So when we look at our cip for the financial policies related to bonds, we are within our current financial policy and the policy does state that we should look at authorizing or issuing more -- the current inventory authorize unissue bonds to remain to be sold and estimate 2 years to authorize unissued bonds to, before an election, the total dollar

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amount of bonds propositions recommended to voters shall not exceed the city's recommended ability to issue said bonds within a normal six year period, so those are the two financial policies related to bonds, we currently have \$1.7 million in authorized unissued public improvement bonds. And then the last slide, please. There is just a couple of resources that council and the community has access to to kind of help keep up with where we are with our bond projects. The capital project, this floor is an interactive tool that gives you programs funded by the capital budget and includes the geography, I am sorry, the geographical view of construction projects. Open budget capital is an extension of the operating open budget where you can get project level financial information on the active projects that are out there. And I am happy to answer any

[11:29:02 AM]

questions or continue the discussion.

>> Thank you,. If you could please clarify according to our policy when you would be recommending that we take up a bond --

>> So we start .. Looking at when the next potential bond we have two years remaining, unissued dollars for the bond package. And based on that we anticipate spending, there is a spending plan that pushes this out through fiscal career '26 and so with that spending plan we should be eligible for a new bond package in fiscal year '24, of course council has the authority -- to indicate if they want a bond package prior to that time frame.

[11:30:03 AM]

>> Thank you. And just to clarify for folks watching, when we did project connect, that was a tax rate election, so it was not a bonded program, so it is not appearing on this list, although there was a voter

referendum, it was a tax rate election and that represent as considerable investment that we are making into transportation. We also have a lot of capital spending that comes from revenue bonds that are used for our airport and for water and Austin energy, so there is a whole lot of other capital spending and I think watershed and public works have other sources as well where there is capital spending happening and we will try and go through some of those other pieces of the capital process as well. Do folks have questions? 0 councilmember Fuentes. >>

>> Fuentes:, thank you this information is super informative, I really appreciate

[11:31:04 AM]

this presentation and the fact it is on the agenda. When you say fiscal year 2024 does that mean an election in 2023 would be the earliest or would that mean we would be looking at no earlier than November 2024?

>> For your recommendation? I know coupling could decide differently.

>> I believe that we would be looking at November of 2024, but let me double-check that. Hold on a second.

>> Fuentes: Okay. Thank you. Yes, I believe 2024, and that we would do really is we are looking at the spending plan year over year and as we get closer to the -- to more detailed analysis of where we are with spending in the current bond then we will come back and say, okay, these are the recommendations based on the updated spending plan that the

[11:32:05 AM]

staff is actually working on right now. Uh I was thinking about the timeline and I know in the past we have pulled together as citizens bond advisory commission to kind of go through, sift through all of the proposals and make some recommendations, that then council action upon and we would likely need, to if we were to take that -- we don't need the to do that but if we those do that we would go down that road about a year in advance, and end the career before the year when the bonds would be on the ballot so it would be next year. So that is something we should probably be thinking about, which route we want to take. Of course the benefit of having the community involved in

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selecting and hearing the projects, reviewing them and making recommendations to the council is that it gets the word out and the education out into the community a lot sooner than it might otherwise, we

kind of have a built in group of about six ambassadors, ambassadors helping up with discussing the pros and cons of different spending .. On projects and the amounts of money. So I will just to that throughout for us to kind of be thinking about.

>> Alter: Ms. Lane, can you also, you said it was two years out and now we have a real heavy investment in transportation and there are some categories of spending where they have spent more than others. Can you, if you don't have it now you can follow up with it but can you give us a sense of the timing when those will be two years out? Because they may be different, say, for affordable housing or for parks than it is for transportation.

>> Let me follow up and get you

[11:34:11 AM]

something official. I don't have that right in front of me. I guess I can generally say that I know that affordable housing has spent -- they have been spending their 2018 bond package so they have a balance more than others, but let me get you more official information and get that out to the committee.

>> Alter: If I look at the debt service slide, am I right that any additional thought at this point in time would require a tax rate increase?

>> From what we know at this point?

>> Any additional bonds would definitely require a tax rate increase and it is when the bonds are issued will determine when that income tax --

>> Alter: Right. And we have a number of the bond issuances because of the planning required for particularly transportation but

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also for some of the investments in our cultural centers that take a while to plan once you have confirmed funding. That is -- much of that is happening in '25 with at least relative to this chart and the levels on this chart it looks like a large increase but I am not -- I am not sure if -- if the Y axis is skewing that or it is a big increase. Like how much is the increase from fiscal year '22 to fiscal year '25? A like in extra pennies.

>> So on slide number 9, I believe that's what you are looking at. So I will get you to exact amount of that increase but we do -- are anticipating as those bonds are issued over these time trails you will see an increase

[11:36:11 AM]

projection in fiscal year 25, there are a number of variables and factors that go into that so these projections could definitely change but what we know is we have a number of these hours that have not been issued yet so once we start seeing those issuances you will see an increase in that rate.

>> Alter: Thank you. I think it will be great to get that clarification. Council toe councilmember tovo.

>> Tovo: Just to the clarify when you say you will get us that additional data will you provide it to the entire council

-- for the entire, not necessary think entire council but the entire committee?

>> Yes, ma'am.

>> Tovo: Thank you so much. And a if you are providing it to the whole council it probably would be good to give a presentation and maybe a link to the video as well. Thank you.

>> Alter: Colleagues any other questions? So Ms. Lang we will work with you and the finance department so we can take up other pieces of the capital process.

[11:37:11 AM]

I think we do need to return to some additional reporting on the capital process and I want to work with you on how best to do that. So thank you very much for that.

>> I guess let me clarify I have some great people in the background and they just explained it will be 1.67 penniless for fiscal year '22 to fiscal year '25 increase is the projected debt rate.

>> Excuse me. Can you say that one more time, please?

>> 1.67 pennies.

>> But we will get you all the

--

>> Alter: And what that translates for the average homeowner would be? Okay. Thank you. So I think that is our last item beyond future meeting items. I don't know if we have any to talk about right now.

[11:38:13 AM]

Okay. Okay. And we will at a future meeting have to determine how we want to handle our summer meetings of June and July so if committee members want to talk about that we can kind of get our

preferences and make some decisions on that. Great. Well, with that, I will adjourn this committee meeting at 11:38. Thank you very much, everyone.