

# City Council Work Session Transcript – 03/01/2022

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[11:06:58 AM]

>> Mayor Adler: Colleagues, before we convene the city council work session, given the events that are happening in the world, there's some people that might want to give some comments. I'm going to recognize mayor pro tem first. >> Alter: Thank you, mayor, and I appreciate the opportunity to speak to my fellow colleagues and to the city. The vents that are unfolding in Ukraine are a horrible tragedy, and this is an affront to all who value justice and democracy. To the Ukrainians and those of Ukrainian descent who are in the city of Austin, I want you to know that the city stands with you. Tonight, city hall will be lit in yellow and blue in solidarity. Thank you to the city manager for helping us make that happen. For everyone else in Austin, I want you to think as you reflect on the events on this election

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day, I ask you to remember the Ukrainians who are fighting for their country, their ability to operate a free society and their right to vote. It's election day here in Austin, and one thing you can do in solidarity is to exercise that right to vote. We as a country have a lot to do to support Ukraine and those who are fighting for their country, and my hope is that Austin will do our part. This is a tragedy and we need to recoe that as such. Thank you. >> Mayor Adler: Thank you. Council member kitchen. >> Kitchen: Yes. Thank you, mayor pro tem. Thank you, mayor. I think it's -- I think it's really a necessary and appropriate and important that we all speak out. So, I just have a few things to say. I want to recognize the amazing

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and inspiring courage of the Ukrainian people. I want to recognize the worldwide support that has been heartening and that shows us what we can do as a world when we stick together. And I also want to say that for everyone who is watching and hearing and listening to what is going on and can feel it in your hearts, I would say everybody can do something. We can all step in. We can all do what we can in our part of the world. We can all stand up. We can say -- we can recognize the courage of Ukrainians. We can help our folks that are here in our own community. We can send our thoughts, our prayers, our dollars, anything and everything that we can do, everybody do something. And I just wanted to say -- to

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recognize, again, the just amazing and heartbreaking courage that we're seeing from Ukraine. And urge all of us to do what we can in our part of the world to support them. >> Mayor Adler: Council member Fuentes. >> Fuentes: Thank you. I also want to echo my colleagues in sharing my support for the people of Ukraine, and also what mayor pro tem alter shared, doing our service and civic duty and voting today. It's the most important thing that we can do, in recognizing how precious democracies are, and what we're seeing worldwide. I know that me and my team had a conversation yesterday about what is happening in Ukraine, and so I know it's affecting not only our teams, but austinites and people worldwide. And I think it's important that we come together, that we share

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solidarity with Ukraine, that we offer resources and point people where they can take action, if they want to support. I know we've reached out to the city staff to see what the city of Austin is doing in offering assistance and support. So if we could have that shared out with everyone, I think that might be helpful for all of us to share back with our communities, for those who do want to get involved and support organizations. But also just wanted to echo my support, and I'm thrilled to hear that city hall will be lighting up tomorrow in solidarity with Ukraine and also thank coda. They lit their observation tower last night with the Ukrainian flag colors. And so, it's really great to see our community come together and stand in solidarity, and I know it is a very uncertain time right now for many, and we're all having those challenging conversations, and so just wanted to offer my support as well.

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>> Mayor Adler: Council member Ellis. >> Ellis: Thank you, mayor. I know a lot of folks who may have been out and about this weekend, it was all everybody was talking about. So I know that we certainly here at the city of Austin support individuals in Ukraine. I'm glad that the federal government is offering what assistance it can offer during these trying times, and I'm glad that we're going to be stepping up as a city to show our solidarity with the Ukrainian people, and we've certainly been humbled by their

strength and their commitment to serve their country in this difficult time. >> Mayor Adler: Thank you. Yes, council member Kelly. >> Kelly: Thank you for bringing up this issue that's affecting everyone. I'd like to ask everyone in our community to take time to say a prayer for those that are standing up for their country. The Ukrainian people, as we've seen, are very strong people, and Texans are strong people, and we stand with the Ukrainian people as they defend their country. I'd like to recognize the

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residence of Austin that are Ukrainian, and I want you to know that we support you. Please keep these strong people in your hearts and minds and please do what you can to lift them up and offer them support. Thank you. >> Mayor Adler: Thank you. Anyone else? All right. I'm going to go ahead and convene the Austin city council meeting here, work session, on March 1st, 2022. The time is 11:13. Colleagues, we don't have any pulled items thus far. So we would go then into discussion. I think council member tovo, you put both these on the agenda, so I would let you lead with those. When we're done with that discussion, we'll go into executive session. We have four items to touch on in executive session. We'll then come out of executive

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session so that we can have the briefings. We'll have lunch before -- executive session and lunch before we do the briefings. Obviously, a hard stop is always at 5:00. Depending on where we are, mayor pro tem, I'm going to need to leave the dais at 1:00 for a few minutes, and then from 1:30 to so councilmember tovo, let me turn it over to you. >> Tovo: Thank you. Mayor, those both should be super short discussion so thank you to the staff for allowing me to put them on. And I didn't comment earlier because I really just wanted to say thank you to councilmember kitchen and others. I certainly share that same sentiment and thank you for both recognizing the horror and tragedy that's transpiring, the strength of the Ukraine people and also pointing us to the ways that we can support our neighbors here in Ukraine of Ukrainian

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heritage. So we've had something happen that hasn't happened in awhile where our major school district were closed when we had a council meeting. And I think as a matter of practice we should provide direction to our city manager that on days of inclement weather or some other unexpected crisis where our job school districts close and most of them I think take leave from ace -- take lead from aisd, if we have a council meeting scheduled that we will is as a matter of practice cancel it for that day unless there are items that are really time sensitive on the agenda. I know that while most -- all of us besides the mayor were able to stay home that day, but we had staff from the clerk's office who had to

support it and it does create -- I think if most of our businesses who also follow the school district often when worked at the university I think a lot of times we followed aisd's decision and I just think as a matter of practice we

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should do so as well so we're not putting some of our staff in danger to have to come to work to support our meeting. And also long before any of us got on the dais the city council passed a measure to be the most family friendly city in the nation. And I think we still have some opportunities and challenges along that path, but one that I think we can easily approve is to do this because we know when schools are closed it can create challenges for our city staff of school age -- who have school age children and especially those who might be summoned into work to support a council meeting. So I would welcome my thoughts from my colleagues on that. And again, if there's a time sensitive issue I would expect the manager would make us aware and then would meet to handle that one and only item or those couple of items that need to be dealt with on that day. >> Mayor Adler: Councilmember Kelly. >> Kelly: Thank you, mayor and thank you, councilmember tovo for bringing this up. I know you're a parent and I'm a parent of a

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12-year-old daughter and while we're in a unique situation and we're able to sometimes bring our kids with us or have them around while we're meeting, there are other parents who are not as fortunate to have that as an option, especially individuals and city staff who work here. So I'm fully in support of making this happen. So I appreciate that. >> Mayor Adler: Councilmember pool. >> Pool: I think this is a good approach. I would like to get input from the city manager on the consequences of making those changes at the last -- basically a last minute. And there is room in our resolution for things that are time sensitive and urgent, but the process of having to sift through and figure out what those are can take time and discussion and so that also has impact.

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So I think we really do need to have kind of a give and take and see this as kind of elastic and work really closely with our staff to make sure that there are more negative outcomes than the positive ones that we are certainly searching for, if that makes sense. >> Mayor Adler: Manager. Councilmember tovo. >> Tovo: That's why I described it as a practice rather than a policy, but a hard and fast policy. I would suggest it as a practice that could be adapted if the circumstances demand, but I'd like for us to be in a situation again where date before we know that the major school districts and others are going to be closed and we're asking staff to come in and sleep at hotels so they can support the council meeting the

next day if there's nothing urgent on the agenda. There are a couple of reasons that we're doing this from my perspective that I would suggest doing this. But thank you for your comments because that really

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highlights what I wanted to emphasize the difference between making it a hard and fast policy and just acknowledging it as a practice we'd like to be followed. >> Mayor Adler: Manager. >> Cronk: First, cil, I really appreciate the conversation and that clarification on the practice versus a policy because I do think each situation will be unique and we'll have to take both what is potentially on the agenda with the circumstances that might result from a weather event. But I'm confident that hearing this discussion and just knowing the practice that this council would like to pursue that we'll be able to navigate those in the future. >> Mayor Adler: You K I hesitate to say that -- I hesitate to say that this probably won't happen again with me on the dais because the way things have been going the last seven years we're probably going to have four or five more snow storms.

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But this one ultimately was my call that day, and it was really close. And I talked to several of you about this and it could have gone either way. The other things that I heard was that we had people that were set to me presentations that had moved their calendars around in order to be able to do it so there was going to be a ripple effect for people that were disrupted. Certainly we had people across the entire city that were disrupted. I also heard that we had thousands of other city employees working that day because this city continues to operate in those situations. And thanks again to our city staff that are expected to brave that situation. And there was some interest at some of the staff members to say if I have lots of other colleagues that are working on that day I can help support this function too to be able to work. There was nothing on this

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agenda that was so important that we could not have not done this meeting, which is what made the decision really, really close. I'm real comfortable with this discussion and having it as a practice. I'm not sure ultimately it's going to make it any easier ultimately for whoever it is that is there making that decision on that day. It's just a really close thing. My sense is there's no right answer to this or wrong answer to this, but to the degree that you're reaffirming I think some general principles that we're a family friendly city, that we want to do everything we can to avoid putting anybody at risk in any more single person we put at risk is another person we're putting at risk I think is good guidance and good luck the next time somebody has to make that decision. [Laughter].

[11:22:23 AM]

>> Tovo: And mayor, thank you for your comments because you reminded me of one other element and that is I think another consideration is one that I think may have been present that day, which is the extent to have the staff who are here supporting our meeting, who are participating in our meeting even virtually, might be involved in responding to the inclement weather and I think we may have had a conversation that day T that involved the police chief. I might be mixing up something there. So I think the time that staff need to be supporting the meeting could be time they're pulled away from something else. So thank you for your comments. I think it -- you've helped us see the complexity of those choices, again I like the direction we're moving to make it a practice that we won't, but certainly understanding that each situation is, as you said, city manager, different. >> Mayor Adler: And I'm very comfortable with that too. Thank you for raising the issue. All right. We'll go to the second item.

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>> Tovo: This is something mayor that really follows up in a way on the council direction that you brought forward, the budget direction that you brought forward to do market studies of our city hall staff, the staff in our office. And that reminded me of a couple of challenges that I had hoped we could address as part of that work. So I know thank you to our hr staff for the conversations that we've had. I think I've answered -- I've been able to share with them some of the questions they had and they are more or less if you can provide us with a short update about just a super quick info about where we are in the market study. One challenge that I think exists is that in our city hall offices we have just two titles that are available to us to use. Now, we all I think say sign our staff different titles that are more reflective of their job, but I have talked

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with hr through the years about wouldn't it be nice if we actually had those titles that were more reflective. That really are things like policy advisor, senior policy advisor, chief of staff, senior specialist. Other titles that are not just reflective of similar work in other departments, but also similar work in the private community. So that our staff, our really extraordinarily talented staff that serve in our city hall offices, when they leave here are able to really be very clear about what job they held and it's reflective of their full range of responsibilities. And I also have wondered through the years whether that impacts our market study that's done. So those two things are linked, the job titles, what our possibilities are there. I understood from my conversations through the years with hr that it would require some changes to titles. Maybe I don't know if those need to be directed by council or not. If you could tell us a little bit about the market study. And then I had some questions about the way in

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which municipal civil service works in other departments for employees. Well, I'll ask the question when we get to it. That's the substance of what I wanted to talk about. And as an overview, I have been extraordinarily fortunate to have super staff in my office and I know that working with my staff that a lot of you guys did do too. It is challenging to recruit great staff to city hall positions because the pay is so much lower than it would be in the private sector and frankly the salaries in our own city hall offices are much lower than they are in other city departments. I've looked at lots and lots of city staff members and they are making tens of thousands of dollars more than they can make here. And this is a challenging job for all of our staff in our offices. I think they should be -- have salaries that are

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reflective of the difficulty and the complexity of that work. So I appreciate the action that you initiated to really look at that and respond to it in ways that are fair. It is also another challenge if we're recruiting from staff, staff who are already in existing city departments, they are leaving municipal civil service to come work over at city hall. And when they are -- when they conclude their work at city hall do not have access back into the municipal civil service that they would have had had they remained in those departments. That's something I have asked staff to do also if there's fixes they can do for at least the employees to leave municipal service to come work at city hall should they want to reenter the regular workforce outside of this space. Thank you, director says. >> Good welcome and council. Joya says, director of civil

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service. If I could begin with the first question on the updates of where we are with the market. We did receive during budget a request for evaluation. And as I looked at evaluation that we received from the council request, city council you wanted us to look at a market study of city council office compensation, staffing and budgeting that should include, but not limited to a review of pay and benefits, including retirement benefits in compliance with the city charter and a review of support services staffing and budgeting levels for elected officials in peer cities. So that is the specific guidance for which we set the request for Gallagher, one of the most renowned companies who do this work nationwide. We've also used Gallagher for two other requests from that same budget period. That typically takes a period of six to nine months when you're doing a national market review. The process requires us to establish a survey to talk about the roles and responsibilities we have with the consultant and then we provide the consultant the opportunity to go out to

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reach out to all those peers and to give them time to respond back to the survey, specific questions that we have so that we can have a very clear benchmark between what we see in other cities and what we see in Austin. And so we did initiate that process in October. The schedule that we received to expedite that so we could have that information back to council in enough time for consideration for the budget process included a review, which is pretty unprecedented in two months to get the consultant to do the analysis and do the benchmark and then return to us in May and March with a result. The two main consultants who are working on this project both got covid and so they did contact us and ask us for an RFP -- an increased amount of time to move us back to March. So we will receive those results in March. Once we receive those it will be inclusive of the recommendations of what we see nationwide. I think some of the complexities and it will certainly be things that we discuss with you

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when we get the market study back, but as we look at titles I think that was the second piece that you were discussing. When we created the titles that we currently have for your offices, when we established the system, the titles were generic titles that encompass the scope and work responsibilities of the office in the three positions. What we did allow is the opportunity for offices to create their own working titles because when we found in the initial conversation is every office that work and responsibility different. Everybody doesn't want a chief of staff. Everybody may call theirs a policy advisor, but the functions and responsibilities are diverse. So in the creation of the three titles that we provided the offices it gave you the flexibility and the scale of pay to allow you the opportunity to make those adjustments that work for your office. As we evolve we hear and recognize that there will be time to evaluate those titles and scopes of work, but as we do so we would want it to do it in a way to

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create as large a scope of opportunity for any council members to determine. Some council office want to hire more people to do less work and more people to do more would be. So we want to create as much flexibility as we can in allowing you to pick the titles. What we will do is take the information from the consultant survey, look at our current positions. We also don't want to conflict with existing titles that are already in the city of Austin that may have additional scopes and responsibilities that may not align with your office. So if a chief of staff in the scope of work of our current chief of staff job requires you to have a certain amount of staff reporting to you, a larger scope of work, running offices, that will not necessarily correlate to a council office with three or four employees doing less. So we may need to create council specific positions that don't conflict with the titles that we already have existing across the city, which is about 1200 classifications. So I'd like to oversimplify it and make it as easy as possible, but I really wouldn't be human resources if I didn't bring up the



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complexity in every discussion as it relates to creating and sustaining titles that work for you that don't create conflict across the board. I will acknowledge that in 2022 the challenge of every human resources department, particularly in a municipality across the country, is creating and sustaining titles with competitive pay that feet with the private sector entities that have much more capacity to say than we do. Not only do I acknowledge that as a concern for council, but I acknowledge it for every almost department in the city. We do recognize that there is a challenge to recruit and to retain employees in the council offices as it is in all of our areas. I alone have lost four people to the private sector in the last three months. We will do our for-profit calibrate what that looks like from a municipal salary into what you need and we will come back to you all with that information. Specifically to the timeline, you can expect something from us. If I get it back in mid March I committed that my staff will stop and get that

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done and bring it back. I have two other council reviews, including 911 and victim services that we also committed in the same period. This same consultant will be bringing those back as well. So I'm optimistic that by the beginning of April I will have a recommendation that has been vetted reviewed and allergicked to bring to you for review and analysis by the council. >> Thank you, and thank you, councilmember tovo for bringing this up as a discussion item during work session. I 100% believe that we should B able to have better pay for our teams, especially given the competitive nature of the Austin market. Just knowing the affordability crisis that we're in, knowing that rent has gone up nearly 35% in Austin, it is extremely hard to have our own team members able to get paid what they deserve for the amount of work. We are as a body, we're providing policy direction to a multitude of

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departments as well as overseeing Austin energy, Austin water, the airport, convention center. There's so much that we do. And it's complete unfair not able to to pay our team members what they're worth. So I 100% am looking forward to the recommendations and the conversation should also be guided by the affordability crisis that we're in knowing how much our teammates are paying in rent and trying to stay in Austin. I would be curious to know how many city of Austin employees are not able to live in Austin because of the affordability crisis. So should we be creative in offering some type of incentive for those who can stay and don't want to be displaced? So those are the things that I'm taking a look at, how can we get creative within the framework that we have. And director, I want to say that I appreciate you starting the living wage work group because I think that as we confront the many

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challenges that cities are facing throughout the country that it's time for us to have that conversation about raising the living wage to \$20 per hour. We saw target just announce that they're considering going up to \$24 per hour for some of their employees so I think those are conversations that we should be having, that we should be urgently considering and taking action on. I hope that the recommendation that we get back from this market study includes recommendations for a midyear budget amendment and/or at the very least a get item for next year. And so just wanted to lend kind of where I'm at. I mean, this is -- it's an incredibly important issue for us and I want to be mindful of what we're asking our team to do. And knowing the constraints that we're in and that we're able to pay. >> Thank you very much. If I could as you speak about that, each of you provided us recommendations of organizations within the city to participate in our second round of the living

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wage committee. We did that five years ago. Those recommendations were brought to this council and we made some -- we set some goals as to what living wage would look like in the next five years. Human resources did initiate this process again as we did five years ago. We had three meetings with the living wage group and we are discussing just that. We're looking at all the data nationally and I'm really excited about the subject matter experts in labor markets and markets period who are at the table representing those communities who are speaking about the living wage in Austin. Independent of this market study that committee will be bringing forth to you a recommendation on what living wage should look like in Austin for the next five years. And so I think because of the complexity of this topic I just want to remind us that there is no one area in which we deal with the living crisis, the salaries and the issues of just competitiveness as we begin to live in the world of great resignation. So you will receive this

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market information as directly requested by the council. You will also receive the market information on the critical positions you identified in the last budget process. You will also hear a committee recommendation, and hrd is not pushing a recommendation. We're presenting information as they request it and that living wage committee, which is representative of the community, will come forward with their recommendations to you as to what living wage should look like for the city of Austin. In addition to that, as I presented in the memorandum we provided you, there are other initiatives that are taking place. We are looking for competitive bonus opportunities, other sign-on initiatives to talk about what we do to retain and keep our employees. Austin resource recovery began the process with creating a bonus for those who come into the city. We are now establishing a bonus for those who stay at the city. So if you come for the first two years, we'll incentivize you for coming. If you stayed with us

beyond the two years when there was a competitive advantage, we have an opportunity to do that. We're also looking at

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referral bonuses because the best recruitment are those who actually already work here. So there are several different initiatives and I will love to send that information out to you again just to remind you that there are a multitude of activities and initiatives that collectively help us begin to address the issue of salaries, markets and competitiveness as we look and work in the city of Austin. So I want to let you know this is a priority for the city and not just us. We will definitely bring you the community's perspective on what the city of Austin's pay salary looks like and where it should begin. So you should be receiving that information. Our next meeting is in two weeks. We've already presented the data and we're expecting them to come back next week with some recommendations and then we will schedule some time to talk that to you as well. And so just know we've also done a survey with our employees about the impact of covid and what we can do as a city to evaluate that. Also remind you that in 2017 we were the only city government who did a family friendly initiative where we brought in employees from

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every department. We still have that report and we continue to look at what we can do to evaluate ways to improve the quality of life for our employees and to want them to be recruited for the city of Austin. I also want to remind you that we have the most competitive benefit program and we have actually taken the benefit costs that have come from our self employed plan and taken on those costs so that there was no increase to employees over the last five years. So I think it truly is a package of multiple things that we have to continue to look at. So we would like to have those conversations as quickly as I can. If I could move forward to your additional question I can wait to see if there are other questions related to the market. >> Kitchen: I have a question. So with regard to council

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employees, the bottom line is the total budget that's available to a council office. It does no good to say that individual levels can be paid. The problem is our overall budget is not high enough for us to pay the number of people that we will have in our office at a decent level. So that's really -- so I'm looking for -- a number of years ago one of the things that you guys did as you recall is you looked at one of the categories that we have in our offices and you recalibrated that one.

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That ended up in a five% addition to that particular level. Again, in our cou offices if our total budget is not enough for us to pay at the levels that we need to pay for four staff, then it's not going to be helpful. So I just want to say that. And that may be something for the city manager to think through. And I do appreciate the efforts that the city manager has made in the last couple of years to do a percentage increase every year on -- but the problem is that's a percentage increase on something that is -- was not at a good level to begin with. So that's just something we need to think about. And the other thing is in the scheme of things the amount of dollars that we're putting into the budgets for council offices is pretty small when you look at the whole entire budget for the city. And I think that's important to remember. Our staff has others have said are working at a very high level in terms of their

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responsibility, but they are not getting paid at levels that are comparable to their level of responsibility. A lot of that is on us. We hire our staff. We're responsible for determining what level they should be at. We're responsible for setting in place the kind of structure that is a good work environment for them. That's on us. But we have to have a level of total budget that we can work with that allows us to do that. So I just ask you as you do your work, Joya, and city manager, I'd like you to think about that too in terms of what flexibility we can provide to our council offices to actually work within a higher budget level so that we actually -- so that they actually can pay staff. Thank you.

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>> Vela: I appreciate the comments and want to echo them and want to say in 2007 I was hired as a staffer at the Texas house of representatives. Very similar environment. I was 35 years old then, about 35. I was probably one of the old staffers in the Texas house of representatives because of the salaries and budgets that are given to state rep offices. You know, we had 24-year-olds, 25-year-olds, which they were great. They were sharp, hard working, but you just did not have the budget to hire more experienced staff. And it shows. It affects your ability to analyze the policy items that are coming before you, to plan and move legislation forward. And so I just echo those concerns and I would appreciate more budget. Again, I think councilmember kitchen's comments were right on where it's not really the individual

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classifications, per se, it's really more kind of like the overall budget level and the amount of folks that we can bring on to handle a very heavy council agenda. >> Councilmember Tovo, I appreciate you putting this back on the agenda and I'm anxious to see the work that's done. I think the council in the last budget made real clear that we wanted to take a look at trying to keep the positions that we have as competitive as possible. I know everybody is very hard, but I know that our council staff's work especially hard not only the work do, but heck, I see most of our council staffs at events and things that are happening off hours and it really is a 24/7 job. And it's a hard one.

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It's at the crux of politics and things that are hard in our city. And I don't know if it's the will and sentiment that you see on the dais, but we need to really advance that during this budget session. >> Tovo: Thank you, mayor. I want to emphasize that I think that throughout the city we see the salaries are not at the same level as the private sector, but we do have, as you mentioned, the benefits. And I think from my experience working at the city everybody who works at the city of Austin has a heart for public service and we are really extraordinarily fortunate to have such mission driven people throughout the institution. And I agree with you that the benefits part of what we should be considering. I want to emphasize that one reason why, mayor, I really

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liked your direction and what I find, just to underscore it again, is that the salaries in this part of the city do not match up with the salaries in city hall. So I think it's useful to see how our salaries compare to the private sector, but really I'm also interested in that level of how the salaries here compared to equivalent type jobs in other, which I understand is also part of the market study. So thank you for talking about the complexity of the titles. I think executive secretary and senior executive assistant are the titles that we use and my guess is if we looked around the organization and saw where those are in use there probably is a lot of difference. The staff member who serves in my office in executive secretary position does such a broad range of really critical responsibilities that are probably broader than some of the critical

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responsibilities that are part of that executive secretary position in other departments. So thank you too for looking at the titles. Council member Fuentes, thank you for raising the issue of looking at our living wage. I think it's very important and I'm supportive of looking at that work and thank you, director Hays for the work that you're doing. Councilmember Kitchen, I know we're all talking a lot these days about the benefits, the resolution at you brought, and how we might incorporate those family leave benefits

for our public safety officers and I'm really eegtory see us have that conversation on the dais. And then the last thing I wanted to mention is I wanted to make my colleagues aware that councilmember Kelly and I have been reviving a conversation that started long ago with councilmember Houston and I looking at the potential of having residency incentives for our public safety

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employees and I think there are certainly employees about whether that's an equivalent kind of program could be extended to city employees as well. So I just wanted to make you all aware that we are reviving that conversation and I'm really eager to see where that might go. >> Mayor Adler: Sorry. Councilmember harper-madison. >> Harper-madison: Thank you, councilmember tovo. I'd like very much to be a part of that conversation as it continues. It's super important. In addition to what we're laying in play today one of the things I've spoken to the manager about, but maybe not to more colleagues, if you are a newcomer, there's no question about you being capable and confident, professional, but if you're a newcomer to city hall and you don't know how to manage that budget, you don't know what to do with it, thank you to the hr team and to

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Beth burden and to Lauren and we're asking what is the appropriate pay skill, what is the appropriate pay increase. If you don't know then you don't know. And to the point, manager, I said I don't think we do a good job in terms of onboarding new members of council. There's no book that tells exactly how to manage the staff. There's no book telling how to manage that budget. And if you've never done it before there's no question about whether or not you should be in the role. I think the diversity and the clients of newcomers to politics is critical. It's art of how democracy works best. But we're not teaching the lessons that -- I'm telling you as a newcomer, I had absolutely no idea what I was looking for in staff, how much I needed to learn. How critical it is that you have relationships at city

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hall. How critical relationships are. And we're not teaching newcomers that. So I hope it's something we can include in the conversation. >> Mayor Adler: Sounds good. Councilmember pool. >> Pool: Thanks. I had a quick question for our hr director. Would a title -- I know I'm getting into the weeds, but I do have a genetic predisposition towards hr. So we do something like mayor and council, staff level 123 or do we have to say executive assistant or senior policy? Are the descriptors important or is it really more a level of compensation based on what is easier to define that way so we don't have to worry about whether it's a title that is also used elsewhere and creates

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confusion over what the job responsibilities are. >> So I think it's a compilation of several of those factors. I think what we do in a market is what is the trend? What are people paying and what does the scope look like? I think Gallagher's response will give us an indication of what the market is yielding as well as titles, benefits package, scope of work. Let me tell you, it is always difficult because our positions and classifications don't reflect our value to the people and the value to the work. It reflects the value of what that position represents, and it's always a difficult conversation because for so many of us we connect how much you value me to how much you pay me. So we have to look at that across the board to determine what that looks like. And then could we create council-specific positions that allow you more flexibility and scope and a difference in pay? Absolutely. But as your hr director I wouldn't make any of those recommendations until I see what the market yields, until I see what the titles look like? And one of the most difficult jobs I have is to

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say to you despite how much we love positions, how much we value them, let me just tell you this is what this position is valued at in a municipal space and we do look at private sectors some benchmarks, but as you describe, Amazon when the market goes down those companies can fire you and let you go, they can bring those salaries down. Some companies I know at one point somebody called me and said hey, I can make more at chip pot lay that I can make working for you. But that price may go down. So we have some inherent property values and rights and benefits and protections that come with my job. So I will never ever fully compete with salary and sometimes scope, but I also give you a guaranteed space or an entitled space that allows you longevity and career. So we do balance that. I think as we looked at arr we looked at titles. We also looked at for the first time ever CDL drivers that are often times those were coming back into our community from other spaces are now the most competitive job in the country so they

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can work anywhere where it used to be they were disparate. This economy has changed the paradigm of what markets and salaries look like. We are embracing the realities of what that means for us in city government. I can't move fast enough because we desperately need to hire quality people and keep them. But I have to be the person that helps kind of create some bandwidth between what we want to pay people and what the reality is about what we can afford to pay people and the inertia is created when we emphasize one position and not recognize its impact across the board to all classifications. So when you pay one group more than the other group says wait a minute and pretty much you come back

to a space of are we creating and sustaining an equitable program that is managed based on consistent principles and consistent markets by which I can validate? So that's the challenge, but we're up to it. We'll be back to you with this one and we'll talk about all those things that you speak of, councilmember pool, as it relates to what we see, what we think and how we can merge what you want to see with what reality we have found both

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in the budget and in the market. >> Pool: That's great and that's super, super helpful. Thanks so much. That's all that I had. I think that public service is in large part has a significant intrinsic value portion to it and those of us who have been in it for a long time, and I count myself as one of those, we recognize that. And at the same time we do want to push a little bit hard to acknowledge the things that are left on the table financially for people who are choosing to be in the public sector because there is -- there has been a significant drain of employees. I saw this in an economic analysis of a conference I was at this weekend and it's not -- everybody lost employees, public and private sector, at the beginning of the pandemic, but the private sector as we know has rebounded at levels that the public sector has

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not. Hence the work that you recognize and are poised to do and have already begun, you recognize the need for us to be nimble in that discussion and in that arena. So count me as someone who is very supportive of doing that. All that we can within obviously the very real constraints and restrictions that we have with our budgets. So thank you again for all the work that y'all are doing. Thank you. >> Mayor Adler: Councilmember Ellis and then councilmember Renteria. >> Ellis: Thank you, mayor. I agree with these sentiments that have been expressed, especially about our council staff. We know we need to retain good folks. They work very hard and they are very smart about all the departments that they handle. I know there's also portions of our budget about event favors and I know there's a lot of cost to do smaller events or do a race or a festival or something of thature and the cost for

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those usually small businesses and non-profits can be thousands of dollars. So I'm very curious to see what we might be able to do with that as well to be able to support the folks in our community that are trying to organize events and operate in that space. I know it's always great to see friendly faces when they come back to the city council offices. There's a bunch of folks that have just been great public servants over the years and have been able to work in multiple different offices and lend that expertise over the years. So we want to make sure since the caliber of our work is so high that we're able to correctly compensate and give benefits to the individuals who do have the hearts of public service



because it is of extreme value to our community and our districts to have good dedicated folks here in our offices. As far as the extra considerations for some of the other city staff, is that going to come in a memo to us or something that director hays is working on? Or where would we look to have that information once it's been addressed and

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decided as far as the retention conversation we had a little bit earlier? >> So I gave you an overview of the initiatives that we're looking at in terms of market and that and the memorandum that went out a couple of months ago. We talked about the retention bonus, it talked about some of those other pieces. Let me send that to you to you again and if there are some things that are not included, I can certainly let you know give me some space and grace, though, because it's an ever-moving activity. What I'm doing today looks a little different than last week. What we're attempting to do because I have so many industries that are impacted and one work in one space and environment, we are trying to welcome with the different departments to address the individual needs and some additional market pieces as well. We know that we've got some in sworn and those that will be coming back to you soon. So let me send that to you again and then once we get through some of markets we can certainly continue to update you on our advancements and trying to address those market issues and individual spaces. >> I appreciate it, thank you.

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>> You're welcome. >> Mayor Adler: Okay. Anybody else -- I'm sorry, Pio. Go ahead. >> Renteria: Thank you. You know, we are facing I won't call it a crisis, but when we have a public agency like metro, capital metro, that are having to pay \$22 an hour for their drivers, starting. That's also a lot of competition now. Not in the private, but now in the public. And I don't blame anybody from going over to another agency if they're paying more. I had my two -- I've lost three employees and which I knew that I was going to lose them because I let them go to get their mba, but I'm also -- also know that these will be our future leaders.

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So I accepted the fact that I would lose these people because I can't pay them and the salaries they need to make in order to pay their student loan. Unfortunately Austin has become a city that is very expensive. When I was working for IBM they used to say we can't pay you anymore because we're paying the cost of living here in Austin. And your living cost is very low here. If I would go up north, they were making almost 25% more than I was, but their cost of living was high. Well, Austin is now a very rich expensive city, and the cost of living is outrageous. You know, it's inflation, gentrification. It's getting

to that point where we're going to be losing a lot of our low-level employees because they can't survive here. And we already have. I'm seeing managers that --

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supervisors of parks department having to move to Round Rock because they can't afford their taxes here because the property value is so high. So, we realleed to address that, but unfortunately, also, you know, we're constrained by the state and we can't go any higher than 3.5 on our property tax and we're probably going to have to look at seeing our feeds increase and I know that's going to be a very difficult decision to make. But if we can't get the employees to pick up your trash, then you're going to have to pay more because we don't have enough people. So, you know, if you want your lights turned on immediately after a storm, well, we need to get -- we need more people to work on those, and so we really need to look at the whole picture of the city, because all

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departments are hurting right now and they're having a hard time keeping their employees. Manager, I just hope that you really look into the whole picture and not just our staff. It's hard. I'm just grateful that we're able to carry on some of the money from last year because we didn't get to spend it because of the covid restrictions. And I was able to give them a little bit more than I normally would have been able to. But we are going to be facing some very hard decisions coming up. >> Mayor Adler: Council member tovo. >> Tovo: One last question that I asked our human resources department to address, and that's a question that I've also talked with several of you on the dais about. So when council offices hire an individual from another city department, those individuals have been part of the municipal civil service commission. When they come over to city hall, they no longer have that -- they are no longer part of

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msc. When their time at city hall is concluded, are there a ways that we can -- well, let me ask you two questions. When a municipal civil service commission member applies for another job, do they have an advantage over outside candidates? >> So city of Austin employees, if there's a position that is city-only, then those cities do have an opportunity to apply. I think the part of this question is critical, is what the charter says. If I could yield to the city attorney to just speak to the classified civil service documentation where it communicates who's a part of msc and who isn't. >> I think the answer to that question is, people who work for the city council offices, your city council staff are not part of municipal civil service. I think that's clear. And that would take a charter amendment to change that. And then the question about whether or not there's special benefits, you want to answer? >> There is no special benefit.

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So if an employee leaves a municipal civil service position and goes anywhere, leaves the city, goes to those areas that are defined not to be municipal civil service, if they seek an opportunity to go back into municipal civil service, they'll have to compete for that job through a competitive process. Civil service rules under rule 4, hiring promotions and lateral transfers communicates that all mcs positions must be posted for opportunity for composition. In those positions, those employees who are already in the municipal civil service have property rights for those jobs, and so if they participate in the process -- so let's say we have a hiring process, the candidate that's coming from your department that is not an mcs employee competes for the position, another mcs employee competes, the one that's already an mcs has the ability to appeal that hiring decision based on merit and fitness and can appeal. So there is no opportunity to give any opportunity for advantage to any employee that

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is not already in the mcs classification system. >> Tovo: Thank you. Just so I'm clear why I was asking the question, a lot of us -- well, all of us on the dais have hired individuals who are part of the municipal civil service system to come over to city hall. And should they want to apply for the position in one of those departments, they will now be applying as external candidates and they will not have property rights that they would have had if they were coming from another department. So I had asked the hr department whether there are any fixes. In fact, mayor, you and I had talked about it and I think you had a suggestion that I ran by them, but I'll let you talk about it. >> Mayor Adler: And I don't remember exactly what my suggestion was back then, so remind me, because I think there's a way to be able to -- my question one way, I know that sometimes there's a vacancy on a council position, and it can be filled by somebody who's a city

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staff employee. And that city staff employee is either put on leave or on loan from that position, so they're not severed from the position they have, but they're not functioning in that position. While they help support council office. Is there a way for us to institutionalize that more broadly so that someone who is a city municipal employee does not sever their employee relationship, thus giving up that standing. They get loaned by the city or put on leave by the city in order to be able to take this specific kind of role with the council and then when that's over, they then return back to that position, the same position, if it's open, and the loan short-term. Or at the very least, they return back to having that same kind of competitive standing. >> If they leave the fte that is under municipal civil service and they go into another fte, they do not have that opportunity.

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If the employee stays and the fte that is then housed by the department, and then loaned to a council office, that department will have to continue to pay for that employee, but the concern in the establishment of mcs and its intent is that if you hold a position that is mcs, so that employee could then go work in a council office, you are thereby taking the opportunity for another employee in mcs who could have promoted into that position away from them during that period, and that work that that employee was doing in that department will have to be encompassed by someone else while they're temporarily going over. So I would just point out stha the whole purpose as to why it was established was because there was a perception. I can't speak in terms of their view, but the thought was there were instances where we were just appointing people into positions and people never had the opportunity to successfully move up into other jobs. And so the creation of mcs and its intent is to say, these

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positions that are defined as nonexecutive, noncouncil office, noncity attorney's office, these positions require a process for competitive process and ensures an equitable process for appeal. And so if we are to do what you are suggesting, mayor, it could be done that someone can be borrowed for a period of time. They never officially left their position. But I believe that you may hear some concerns from staff who say that by creating that space, you have then taken the opportunity from me to then given the opportunity to compete for that job and receive the opportunity for promotion. >> Mayor Adler: The position that -- not the position that the city employee was loaned to, but the position that the city employee is leaving open. >> Yeah, because if they're in that fte, they're still mamaining in that mcs in the department. And so the other piece to it is that in the past, prior to this, the establishment of mcs, when

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council office -- when councils went out of office, their staff did not have positions, ao we ended up trying to assist them in finding jobs, and in some places, appointing them. And the concern there was they were taking positions that thereby others could have competitively had an opportunity to receive. And so the separation also creates that. And it creates the opportunity for the council to be able to hire without appeal, to your positions, and to also not have to go through that appeal process and allows you your own process for hiring when you're not stipulating to do it in definition to the mcs rules. So it also gives much more flexibility to the council fices to be able to establish and maintain their staff. >> Mayor

Adler: When we're getting an already existing city employee, we don't run into that problem, because that person is already in the system otherwise? I still want to try to think about that sequence of events

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and maybe talk to asme too where there's a city staff employee that's temporarily working on the council side and wanting the opportunity to be able to come back. I understand the concern that you state. All right. Council member kitchen. >> Kitchen: Yes, I would just ask as part of your analysis to return to us some option for council staff to be considered for city staff positions in a way that they are not just someone off the street, not that there's anything wrong with that, but what I mean is, they have been working within the city, and there ought to be some sort of preference for them to be considered in moving back into -- either moving back, if they came out of a city

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department, or moving to a city department. And that is another thing that would be of assistance for us in hiring -- for the council in hiring staff, because when you're hiring staff for a council position, it's time-limited. It's absolutely time-limited. So, allowing an option that council staff person at least has some ability, you know, to be considered perhaps with some level of preference, the same level of preferences as other city staff, I think that would be important. So I would just like -- I don't expect an answer right now. I would like options. So that we can consider options. >> So the charter doesn't allow it. And so I would have to refer that request of review to the city attorney's office. Because I don't have the ability to provide options when the charter and the city municipal civil service rules don't allow it. So I would have to yield that request to city attneney's office. >> Kitchen: Well then I would

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want the city attorney to give us options because I don't understand what that means, that the charter doesn't allow it. What is the language in the charter that says that our staff could not be given some kind of consideration going back into being considered for staff. So it's just options. Whoever needs to provide options. >> Happy to answer that actually right now, council member. The charter doesn't have that kind of language in it, but I think the question that you all are posing is if you have a city employee who works for a council member -->> Kitchen: Right. >> Are they at a disadvantage when they apply and compete for city jobs that other city employees are competing for. And they're on a level playing field. So we don't give people who are city employees competing for another job some kind of points, extra points that we do for, like being a veteran. Unless I'm wrong, and you can correct me. The property right is that we have the ability to appeal, but we don't get points, for example, for being a city employee

competing for a job against other city employees. >> Kitchen: But what about against someone who's not a city

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employee? Is there a preference given to someone who is a city employee, you know, with a position from someone who is not within the city? >> When you apply for positions, there is no preference given. We do give points for veterans. That is the only space where there is any preference points given. But when someone applies for the job, when someone applies for a position, everybody is on equal playing field when they apply for the position. Once a decision is made in the hiring, an mcs employee has a right to appeal that final decision. Did that clarify? >> Kitchen: Is that the difference? It's the appeal that's the difference? >> So the city employees who are in council offices applying for jobs are on the same footing as people who are other city employees. >> Kitchen: But what about the jobs that are only open to city employees? >> Town still staff can apply for any position. They are city employees. So council staff can apply. Monica is sharing with me that we do give city points for those who have worked for the city for a period of time, so there would be some preferential treatment

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to those who are in the city versus those who come out from outside of the city. But I think one of the clarifying points is that even if they work in a council office, they are still considered a city employee. But they have to just compete for mcs level positions. >> Kitchen: Okay. So how long is that period of time? >> How long is what period of time? >> Kitchen: Well, you just mentioned that if someone is in -- that they are given -- I'm probably not going to get this correct. Did you say points or -- >> It follows our service incentive plan. So if an employee has been with the city between -- over five years, they get one extra point on their final score between five and seven years, they get two extra points and then seven-plus, they get three extra points. >> Kitchen: Okay. And so council office staff get that also. >> Yes. If they are a city employee. But they just have to apply. So I think the original question was to the direct appointment back into an mcs position where

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they came from. That can't happen. >> Kitchen: I get that. So the only difference then is that appeal. >> And the preferential points based on city tenure. >> I'm talking about somebody who has been the city for a while and may want to go back to the city. >> And they don't have a break in service. So there is no break in service if you go in and out of the mcs space. >> Kitchen: Okay, thanks. >> Mayor Adler: Manager, were you wanting to say something? >> Just I appreciate the discussion and really want to acknowledge the incredible complexities around this work, and so our hr team continues to do this and really

everything has been exacerbated in the economy, and the environment - that we're in right now. And so I just wanted to thank them for their work and we will continue to provide updates to council as we learn more. Thank you. >> Mayor Adler: Council member tovo, you want to close us out? >> Tovo: It wanted to thank them as well. This is really helpful to clarify some of these conversations. Because we've had different groupings, it was really helpful to have this conversation on the

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dais with all of you. >> Mayor Adler: It was helpful. I learned a lot here, too. All right, colleagues. We have next to go into -- I'm sorry, yes, council member Ellis. >> Ellis: I did -- sorry to interrupt, but I just wanted to briefly daylight -- I think it's item number 17, the rowing dock item that we discussed last time. It's my intent to postpone that for another two weeks. I'm under the impression that the parks director is just okay with this and I would encourage that parks, purchasing, and the vendor sit down and have that conversation. But just wanted -- I don't have any questions, which is why I didn't pull it. I just wanted to daylight that I intend to postpone that just until the meeting at the end of March. I think it's the 24th. >> Mayor Adler: Council member tovo, I appreciate all the work you're doing on the 6th street work. You and I talked last week. We haven't had a chance to follow up. I have a couple thoughts I want to share with you today, and intend to -- well, whatever we decide when we go through that. And then I just want to also say

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that as I announced earlier, I have the conference of mayorship meeting out of town on Thursday, so I won't be with you. Anything before we go into lunch and executive session? Yes. >> I just want my colleg to know that there were two other sections of this that I, in the end, took out to go forward as separate initiatives. One dealt with really clarifying the schedule and some of -- some additional direction with regard to the west campus lighting work that we have talked about in various settings and have initiated some direction on, and then the other is picking up on some previous work with regard to alleys in the downtown area. So, just know that those are two elements -- there's a third element that I'm in conversations with one of the major property owners on sixth street about, and that -- and some of you may have heard and talked about it, and that has to

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do with the potential code amendment that I hope would be handled in a comprehensive way that picks up some earlier work on streetscapes. So those are kind of three separate initiatives that are related to the safer sixth street work but are not coming forward as part of this one, just so that we can focus on some of those initial recommendations from the staff. >> Mayor Adler: Great. Okay, colleagues. It is

12:17 right now. I'm going to propose that we take, like, 15 minutes for everybody to kind of grab lunch and to get back to their computers. Roughly about 12:30, we'll go ahead and start an executive session. We're going to start with policing two items. We're going to go now to closed session to take up four total items pursuant to sections 4, 18, 181, 418.183, 551.076, and 551.089, the government code. We're going to discuss security matters related to e-1 cyber

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security, pursuant to 551071 of government code, we're going to discuss legal issues related to e2 and e3. Those are lawsuits and claims related to APD and the may 30th and 31, 2020 protests and personal injury claim associated to that. We're going to discuss personnel matters related to e4, the employment and duties and evaluation of city manager. Without objection, I'll see you guys in 15 minutes. This is all remote.

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>> Mayor Adler: We're going to go ahead and get going again. We're out of closed session. In closed session, we discussed information security matters related to e1, legal issues related to e2 and 3, and personnel issues related to e4. The time here on March 1st, 2022 is 3:40. And we'll go ahead and finish the agenda for this work session. I think we only have one briefing in front of us today, and it's the taxicab franchise transition, it's related to item 23 on the agenda. Manager, you want to set it up? >> Thank you, mayor, council, and good afternoon. As you noted, this is the one briefing we have, and it's related to the item for consideration on Thursday related to an ordinance amending our city code to repeal franchise requirements for taxicab companies and establish taxicab operating authority requirements. This was a briefing that was heard at the mobility committee, but it was deemed to be

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important enough to elevate to this whole council, and so we wanted to allow our staff to present this briefing for the entire dais. With that, I'll turn it over to Jason and John Michael to lead us off. Jason? >> Thank you, city manager. Hello, mayor and council. Can everyone hear me okay? >> Mayor Adler: Yes,



we can. Thank you. >> Thank you, sir. And ladies and gentlemen, before you is that item that city manager went over. We are at the precipice of looking to make this very formative yet needed change in the taxi -- and how we regulate taxi companies and taxi operations within Austin. I'm happy to be joined by Jason Redford, as well as Jacob Culberson, of our permitting services division, that oversees the regulation and the permitting of not only the

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vehicles, but also the drivers. So, I'll let you guys take it away. >> Go ahead, Jacob. You're on mute, Jacob. >> Jason, can you please unmute yourself? >> Jacob, can you hear me? >> Mayor Adler: Yes, that's good, thank you. >> We can't hear you, Jacob. >> Mayor Adler: We can hear Jason, but we can't hear -- >> Stand by, please. >> Mayor Adler: Still no.

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>> Mr. Redford, I'd ask that in order to speed this up, if you wouldn't mind opening the item, and we'll work on Jacob's audio as we can. >> Absolutely, will do. If I can go ahead and have the presentation pulled up. >> Can I get an audio test from someone that's in the virtual meeting? >> Testing, testing. >> Mayor Adler: Natasha, council member pool, can you say something? >> Harper-madison: Testing, testing. >> Mayor Adler: We hear Natasha. >> So the technical error would be on the other side. I can't rectify it from this side. >> Can we just have the presentation pulled up and Mr. Redford, who has audio, will commence with the presentation.

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>> Thank you, Jason. Thank you, council members. Again, I'm Jason Redburn. We're here today to talk about a transition of a permitting mechanism from a franchise to an operating authority. And so if I can have the first slide, please. All right. So, we have currently three franchise operating taxi companies. We have atx. Central city taxi and yellow cab, which is now known -- or will be soon known as trips. We lost a couple of franchises that were approved through the pandemic, and that was lone star cab, which was one of our most long standing taxi companies,

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and longhorn taxicab, they were authorized with a franchise, but were not able to open up or operate because of the pandemic and because of the franchise ridgety and structure of that mechanism, really prevented these two companies from continuing their services. So you see before you, the number of vehicles in the fleet. Atx flat are operating 125 taxis. 117 are standard, but eight of them are wheelchair. We have a requirement currently that 6% of a taxi company's fleet have wheelchair accessibility. Central city taxi, which is one of our newer franchises, has 50 taxicabs, and yellow cab/z trip

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has 80 taxicabs that they're offering. Next slide. So over the years, you can see -- this is a depiction of the number of trips that have happened over a five-year period. In 2016-2017, you can see we had a healthy number of trips, three million, and as Uber and Lyft -- the advent of the tncs, you can see a decline in the number of rides that we're providing in Austin. And so in fy2021, we did not even a quarter million trips with our taxicab services in Austin. So a heavy decline in the taxicab industry and the number of rides that they are providing the people of Austin. Next slide.

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So just a little bit of history. Jacob did a really good job of going back and looking at the history of taxicabs. In 1932, they were an operating authority. In 1950, the Austin city council actually declared taxicabs as a public utility. We like to make sure that we have water and wastewater services. We like to have energy, even during pandemics, or during inclement weather. And so, you know, 1950, council declared that these vehicles are to run all the time. They are to ensure that there is transportation services. And especially in 1950, there was a very limited amount of transportation services that were offered, and that's part of the reason why they were declared a utility.

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And then, of course, that graph showed that they reached their peak service in 2016-2017, but since tncs and the deregulation of tncs, we've seen a very steady decline of taxicab services. In 2018, we did something at the direction of council. We looked at the taxicab industry and we did some regulatory reform for the franchises and we really worked with our partners and stakeholders to try and find as many areas within the code that we could so that we could provide benefits so that the companies wouldn't be economically -- they would be actually more economically viable, so we reduced requirements with those taxicab requirements, and we had talked about moving it from a franchise

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to an operating authority back then. However, that was kind of a sticking point for one of the cab companies. And so we moved forward with everything else since then. The company that had the issue with the franchise is now all for us moving to an operating authority. And then you can see from that depiction also on the graph, just due to pandemic conditions that taxicab rides have sloughed off quite a bit. And part of the franchise structure requires us to issue a citation if a company doesn't provide service. And we think that rigidity is not good for the taxicab industry and it's not good for the people of Austin.

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Next slide. There's just a listing of how it looks when we have a franchise model versus if we were to move to an operating authority. And it's just a comparison of, you know, an application for a franchise could take 30 days to complete, where we can do an operating application. For a franchise model, of course it requires council action to authorize a new company to start a business in Austin, and if we go to an operating authority, we would then -- instead of going through a three reads process, we would be able to administrate the taxicab industry like we do every other rides for hire business that we have in Austin, and we would be able to authorize them based on, again, whatever is in the city code, under 13-2, really covers

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what those requirements are, and we're not proposing to move away from those requirements. We're just simply moving to a model where staff can now authorize a taxicab company to operate versus having to go through the three readings process. And so, there are I don't know if I need to read all of those differences in the -- between a franchise model operating authority. It's just there's a lot of rigidity and not a lot of flexibility that we have in the operating authority model, and it would be advantageous, whether the companies believe it or not, for them to move to this. So if we can go to the next slide. So, we did a lot of stakeholder

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outreach through '20 and '21. We met with the taxicab franchises on multiple occasions. We've met with the owners or the presidents of the company. We've met with the drivers. We've done presentations for the urban transportation commission and invited all of the taxicab companies to participate in that process and provided them the meeting times and dates. We created information on web pages. We distributed fliers to all of the drivers with Jacob's contact information and his email,

phone number, and pointed to this website, and we received about 15 different responses, and largely, the responses were -- there were no negative responses, but the 15 responses were like, you know, is this going to negatively affect the drivers, and of course, it will

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not. And then some of the drivers were even interested in opening their own businesses. So, that's the type of feedback we got when we put out -- I think it was like 300 or 400 fliers, and we went out to the airport and answered questions for the drivers there. In January of this year, we presented to the mobility committee and provided this briefing. Of course, I was not the one delivering it. Jacob is my residential expert and I'm sure he did it a lot better than I do. But we went to the mobility committee and presented this information as well. And we've continued to stay open and communicate with the taxicab companies and answer questions about the licensing model.

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Next slide. So, some things to consider. The city of Austin is one of the only -- is the only city in Texas, major city that has a franchise system now. The other cities have operating authorities or something like an operating authority where staff are able to provide permitting services without having to go to a city council meeting and go through a readings process. Again, this is -- all this is us changing the permitting mechanism from going to council for three readings, going into the city code, chapter 13-2, and striking references to franchise and just referring back to operating authority or permitting under an operating authority. So that's the gist of what we're proposing to do. And I'll open it up for

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questions. Or Jason, if you have anything you'd like to add. >> No, I think you've done an excellent job in presenting all of the material. I think quite honestly, if you guys looked at the slide of who is left in the taxi industry, the two that we lost, we lost because we did not have mechanisms that we could use in an emergency to actually help those companies. Some of you may remember that director spiller was contacted by yellow cab in 2020, desperately needing some accommodations. However, those accommodations could not be yielded due to legal reasons associated with the way that we regulate taxi companies. I do remember meeting with the president and their council at that time to go over that, and they warned me that if the pandemic were to go longer than

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past 2020, that, you know, we would have issues of the solvency of a lot of the companies within the Austin region for the simple fact that they were not able to find ways to create accommodations for any kind of assistance. So I do think that their next step here is to -- we've got to understand that there's a lot of confusion with the drivers associated with this. But we're not changing any major elements related to the way that we regulate. We're merely changing the regulation model that we use to hopefully open up the opportunity to continue to help shepherd a resurgence, and ultimately, a sustainable practice of taxi operations within the region. >> Could everyone hear me now? >> Yes.

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>> Okay, good. This has become really a controversial issue, and perhaps it's the way it was framed originally, but really, like Jason said, this is a change in the mechanism by which we permit the vehicles. You know, so switching really to an operating authority, it keeps chapter 13-2 of our city code, essentially where it has been for many years. It essentially just removes the additional piece of the governing franchise of city charter, title 11, from the taxicabs. Essentially putting them on a level playing field with all of the other rides of the city, like limousines, charter bus, charter van, all of our other rides for hire. And in fact, I think as Jason mentioned, it puts them on a

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level playing field with ride for hire throughout the state of Texas. You know, other cities regulate taxicabs similar to an operating authority, or just a basic licensing sort of framework. So, that's essentially what we're looking to do, is just put them into a very simple licensing program. They will still remain all of the operational cues that they've had for years. Really nothing operationally will change except for making things a little easier for the company owners, for city government, regulatory side, and for folks to frankly open up their own taxi business will be a little bit so that's what we're trying to do. >> Thank you, Jacob. Mayor, council, city manager, at this time we're done with

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our presentation and open it up for any questions. >> Mayor Adler: Jason, there was a petition that was sent to transportation department that Rob Spiller made sure was circulated among all of the council members indicating some concern about going to and operating authority and inviting the opportunity to sit and explain why. Did you all have a chance to do that? Were you able to ascertain what the concern was? >> We have. We have, through a series of back and forths we understand that, you know,

some of the issues were just general statements, like this is going to kill the taxi industry, which I think if we look at the current conditions, if we don't act and we continue to allow a

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rigid, somewhat outdated regulatory mechanism to stay in place, we're still not going to be able to act appropriately in order to help. So that's first and foremost. The remainder of the issues were, quite honestly, I think misunderstandings of what an operating authority is and isn't versus how a regulation through a franchise is and isn't. So we're not changing any of the rules. So most of the other things that different individuals had brought up actually open it up. And so the things that they complain about, for instance number of vehicles or the ability to dynamically change how many vehicles they're permitted and have throughout a year. They want the -- the entire taxi industry in Austin wants the ability to be able to flex their fleet. Right? It's the largest cost. It's a sunk cost to the company and therefore the company passes that cost down as

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terminal fees to the drivers, right? If a company is able to better manage its vehicle fleet and the permits associated with that then ultimately those cost savings could be passed down to the driver. Most of the other issues they had also were issues around either smaller companies starting with a lower amount of cars or other incentives that could be added for other companies to be able just to manage the flex and demand that happens, especially in today's world. All of those things are things that can happen under the operating authority and cannot, by law, happen without going through three readings of council under a franchise mechanism. So we're really trying. We've been trying since 2018, honestly. We've been trying for quite sometime to help and provide stewardship of this practice, of this very important marketplace for Austin for quite sometime and I think that we're at that precipice.

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You've seen the graph of the number of rides. There were 1500 cabs in the city of Austin when I joined the city of Austin in 2018. There's less than 300 now. We need to be bold and we need to start making this change happen for the marketplace that we want to see in the future. >> Mayor Adler: Okay. Thank you. Colleagues, anything else on this briefing? Kathie. >> Tovo: I have a few questions. Mayor, thanks for the questions about the petition. I did submit -- my staff had some back and forth with the transportation staff, thank you, addressing the concerns that they raised and I submitted a version of them for the q&a so those could be made public. But I do want to talk about a couple of those things. First of all, thank you. When I first heard about this I was a little wary but I am persuaded based on

reviewing the information and the conversation that this is really -- this is really the way to help sustain the taxicab

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industry and I shared with someone yesterday the last time I went to call a cab, I scheduled it a day in advance for something like 4:00 in the morning to go to the airport and it never showed. They simply didn't have a driver when I called to say where is it, they didn't have a driver. I do think that we need to bolster this industry, for those of us who would prefer to use a taxicab or need to for a variety of reasons. And so I think this is really an important step in providing the kind of flexibility that our cab companies need. I want to address one of the issues that does appear -- first of all, let me back up and say we tried to reach out to the taxi driver association and had not been able to contact them. Were you able to? Can you tell us about the status of that organization? >> So I reach out directly to the companies. Since my tenure in this

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position I believe the taxicab organization had dissolved. I have not had any communication with any organization, just the three companies that exist now and the previous companies that existed in Austin. >> Tovo: Thanks for that. I had seen some differing opinions online about whether it was or was not in existence. That's really unfortunate. That was a hard one, long goal to get an association. I'm sorry to hear it has been disbanded. That's really unfortunate. Okay. One of the points that was raised in the article was a good one and I think we have even passed it along to our transportation or our airport staff in the past. I think it really is troubling to have the airport taxis so far buried in the parking garage. That's number one on the list of what -- on that petition they circulated, that 30% of our business is gone at the airport because the airport authority has hidden us under the garage far away from the

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view of our customers. You know, when I go to other cities, when you walk out typically there's a queue of cab drivers and often, you know, there's another location where they are -- where more of them are but there's a short queue right in front of the airport. If you're arriving in a new city and don't want to use another form of transportation, you have them. You see them. You can get right in the car. I think that's a way of making our city more accessible to visitors as well as residents to, again, would elect that option rather than some of the others that have come in. How do we make that happen? I have experienced this as a customer. It is really challenging. If you're arriving in the middle of the night you don't know if there are any cabs there and the last couple of times there haven't been unless I called ahead and actually reserved one. So I really do think moving that queue back to a more convenient

location is critical. >> Thank you, council member tovo. >> Tovo: What are the steps that we can take to make that happen? >> Absolutely. First of all, I'm sorry that

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you're also experiencing what a lot of others are experiencing, especially our Ada community within Austin and our elderly that really do rely on the taxi industry for rides. The item before you is the mechanism to regulate both the vehicles and the drivers. How we create operational conditions to support that industry is what can happen in the operating authority once we get through this. We have had conversations -- Jacob and Jason have had conversations with their colleagues at the airport groundside as well to better understand what are some of the challenges associated with how they're handling the ground transportation along with other challenges with the upcoming construction and other things that were happening around the terminal in prior years. So I do think that we can certainly take advantage of

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finding a way to ensure that our taxi industry has a level of accommodation within our built environment. For instance, Jacob and Jason manage the taxi stands down in downtown. There are certain places for them to queue up in some of the larger hotels, et cetera, as well as the valet Zones and other things that are available there through them. But at the airport and for us -- I think that means us getting with the airport of what those accommodations could look like and when and where they might happen. I don't have an answer, unfortunately, for you on how but it wouldn't be necessarily in how we regulate them. It would be -- >> Tovo: Sure, I understand that. >> How we accommodate in the built environment. >> Tovo: Yeah, I totally understand that, thank you. I think you pointed out that some of the concerns raised were less conditions of an operational authority but other, you know, somewhat outside of that process.

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But since we're having that conversation, I would ask that maybe by Thursday if you could get us some information about whether this is doable, whether it's in the airport's plans to do so and if so, when. I don't know whether it's appropriate to have council action on something of that sort but we've certainly taken action on a lot of elements related to cabs. In fact, potentially encouraging staff to set up taxicab stands at some point. We have done so much taxicab work over the years I can't remember but I would ask you to provide us with some more information and I may provide some direction on Thursday that I'm asking you to get back to us about the solution there. And thank you for emphasizing that for many austinites it's not just a preferred option but it is potentially their only option if they're looking for an



accessible vehicle. And so I think that's really important. I had the benefit of being able to call someone to drive me. I also have a car. For somebody like me I have lots of other options.

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For many austinites this is their option and it needs to be consistent and safe and available. So thank you for taking the steps you are. On the issue of safety, are taxi drivers still fingerprint background checked? >> Yes, they are. >> Tovo: And so that is also -- >> They have to have a chauffeur's permit from my office. >> Tovo: My apologies. I think I may have spoken over you. >> They still have to receive a chauffeur's permit from my office, which the process includes a dps background. >> Tovo: That continues to be a distinction that cab drivers have an additional level of, in my opinion, safety and security measures that our transportation network drivers don't necessarily have. Thank you. Thanks for clarifying that. I think at the moment that's the only question I have. Thanks again. >> Mayor Adler: Thank you. >> Thank you. Thank you, council member tovo for the questions you're

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raising. I would ask that as you're considering policy changes that you also include or if we can include our aviation department to talk about the placement of taxicabs at the airport. Oftentimes with airport design the way you configure it is for a very specific reason and so I would want to know why is it they have their stands at that location. We know even where Gates are located going to pick up your luggage it's located further away so that by the time you get to your luggage that you're not waiting for minutes and it's already there for you. It might be some design-thinking elements in where the taxi stand is located. >> Thank you, mayor. We did take this up in the mobility committee and I'm glad that we're getting a briefing to the full dais today just because I know this conversation -- it matters to a lot of us whether we have a lot of taxis in our district, whether we have few taxis in our district.

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I agree with my colleagues that this is a service that does need to be available. The Ada standards, if this change is made, still apply and so I think there is a benefit to having the flexibility of making sure that staff can make these administrative decisions when appropriate for the taxicab companies. I also think it's important if there's any issues that do need to come to the council for policy direction that we still maintain that level of control because I think that oversight is really important in this conversation. I also know council member harper-madison had suggested that we take up the same conversation about how we provide access to transportation at the airport. I think the blue line with project connect is going to make some other huge improvements as well when that's finally completed so I know this conversation

is extremely important to the airport and folks coming to our city to enjoy it. And I also think there's a benefit to having flexibility for our staff and our

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departments to be able to handle some of these decisions. I would hate to think about during a pandemic someone being required for minimum, you know, having a minimum number of cars on the road when there's no -- there's no passengers and there's no work to be done and you're essentially just kind of, you know, wasting your gasoline trying to make sure you're available to people. I think there's a benefit to the flexibility of this process and really appreciate the work of your team going through this because I know there's been a lot of conversations that needed to take place and from my perspective you've been very diligent about trying to reach any and all people affected by this to make sure they have the information that they need. But I do agree with the questions and statements of my colleagues because I also had the same question about fingerprinting too earlier and wanted to make sure that we're still managing that basic level of safety for the passenger. Thank you for all the work that's gone into this. >> Thank you. >> Mayor Adler: Colleagues, anything else on this --

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council member Renteria, Pio. >> Renteria: I might have missed it. I want to know do we still have the regulating at the airport? I know that a lot of this citywide, Uber and Lyft can operate anywhere but do we still have control over the airport of who provides taxi service there? >> Yeah, so the aviation department of course is separate from Austin transportation department. I have spoken to my counterparts at the airport on several occasions and the airport meets with the taxi companies on a quarterly basis, they've informed me. It would really be about reaching out to the aviation department. >> Pio, to answer your question, there's only one regulatory system which is the

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city's mechanism that atd administers on behalf of you guys and it is currently set up as the franchise model. Whatever we do here affects how -- does affect those taxicab operations at the airport and as I think it was council member Kelly. We just need to get with them and understand what their constraints are and what can be done perhaps, especially if that's the wish of council. >> Renteria: Thank you. >> Thank you, sir. >> Mayor Adler: Thank you. Colleagues, anything else? Council member harper-madison. You're muted. >> Harper-madison: Sorry. I was talking to my kiddo. I really appreciate this conversation and all the things that my colleagues have brought forward. Something I would like to add to the conversation is -- two things. I remember when I couldn't get a taxi on the east side so having access to taxis that

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makes it -- I think there's a limited amount of discrimination that takes place when people don't know what you look like when it's time to come pick you up, so I really appreciate that. I also wanted to point out something else that hadn't come up just yet in terms of consistency. So on occasion -- so my staff and I, we laughed. I was going three blocks the other day. The rate for me to get from city hall to three blocks away was \$29 and then it went up to \$48 and then back down to \$12. That lack of consistency is just so problematic so I really appreciate that we're talking about the consistency that this additional option offers. I appreciate this conversation very much. >> Thank you, council member, very much. >> We want to make sure that we're applying and cleaning our lenses correctly so that we're looking at the problem from the right problem part and attacking the core of that problem correctly says that we

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can, in essence, transform. And I think that's really the purpose of us doing this is to not change. It's transformation that we're trying to do to ensure that this type of service continues to be offered. And, to your point, our community has at least something to go on on how much a ride should cost at 11:00 P.M. From night from abia to where that reside in our wonderful city. >> Mayor Adler: Kathie. >> Tovo: Sorry, that triggered another question for me what council member harper-madison was describing in terms of rate fluctuation. I'm assuming that the operating authority is still providing some regulatory framework around fees. Is that accurate? >> The way that the franchise was set up is that they are free to choose their own fees. However, those fees have to be

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sent to the city and they have to be set fleet-wide. So it can't be, you know, cabs on this side set them at these rates or over here they set them at different rates. They have to be fleet-wide within their own company. So that standard would still apply to the operating authority so that would carry over into that. >> Tovo: Okay. >> The same operations that occur now will continue. >> Tovo: Thanks for that clarification. That's great. >> Mayor Adler: Back when the taxicabs were originally set up and we had the franchise agreements it was because we wanted to make sure that there was service to those areas that would have difficulty getting service. And in order to induce and make an economic revival we agreed to give certain operators monopolies so that they would be able to charge the rate and the profitable runs that was

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necessary to drive the access to the less profitable runs. One of the concerns we had back when tncs were coming to the city was that they would cherry pick the profitable runs leaving the non-profitable runs for somebody else to pick up. And at the time that was a reason to maintain the franchise system, thinking that that would be a way to deliver benefits or opportunities or something in order to be able to ensure that we could enforce a provision that you had to -- whoever you picked up, wherever they wanted to go you had to take them. How does what's happened with the tncs, the decrease in the number of taxis that we see over time, how has that left us as a community with the ability to be able to provide service,

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to make sure that service is being provided in those harder to serve areas? >> Mr. Mayor, I think that's the reason why I'm so animated about this. You've seen the numbers. You've heard even stories of our colleagues on the dais here that were not able to get the rides we need sometimes. The taxi industry is in a serious world of hurt right now and we need to be able to help them and this is how we can help them. I would love it if we could get the taxi industry back to where it was circa 2016 or even before when, you know, there was the opportunity to know that if you left a concert late at night that you wouldn't be met with the level of surge pricing that council member harper-madison mentioned about a short trip in the middle of town. Those are unfortunately just

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preying on people that desperately need rides within certain times of the day. By us making these changes it opens up our flexibility to hopefully provide accommodations as well as help the taxi industry throughout what is a resurgence right now. And what better time to begin putting that into action than while the activities begin to increase to a level of safety that we expect in the city. And I think that in turn is what will allow us to ensure that we can meet the letter of the rules -- again, as Jacob mentioned, carrying everything over into the operating authority such that anyone within the city of Austin, they can have a ride. That there is the ability to schedule a ride and somebody show up. That, unfortunately -- and thus the reason why taxis today are not a utility.

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>> Mayor Adler: Sounds good. I hope this does that and thank you for the effort. If we don't have anything else, colleagues, we will thank these folks for this presentation and we will adjourn our

meeting here at 4:20. Meeting is adjourned. Thank you. >> Thank you. >> Thank you. [Meeting adjourned]