



City of Cincinnati

801 Plum Street
Cincinnati, OH 45202

Agenda - Final

Equity, Inclusion, Youth, & The Arts Committee

Chairperson Chris Seelbach
Vice Chair Greg Landsman
Councilmember Jan-Michele Kearney

Tuesday, November 9, 2021

3:00 PM

Council Chambers, Room 300

PRESENTATIONS

Realizing The Potential Of An Equitable Economy: Centering Black Women's Upward Mobility in the Cincinnati Region

Executive Director of the Women's Fund, Meghan Cummings

Civic Inclusion Manager, Kamara Douglas

AGENDA

1. [202103055](#) **ORDINANCE**, dated 10/28/2021, submitted by Councilmember Seelbach, from Andrew Garth, City Solicitor, **MODIFYING** the provisions of Chapter 407, “Public Vehicles,” Chapter 408, “Drivers’ Licenses for Public Vehicles,” Chapter 510, “Assemblages and Parades,” Chapter 765, “ Special Events,” and Chapter 850, “Advertising of Tobacco Products” of the Cincinnati Municipal Code by AMENDING Section 407-1-P1, “ Public Vehicle,” Section 407-3, “License Fees for Public Vehicles,” Section 407-5, “Application for License,” Section 407-30, “Uninsured and Underinsured Motorist Coverage Insurance,” Section 407-35, “Insignia,” Section 407-55, “Rates of Fare for Limousines, Pedicabs, Tour Vehicles, Low Speed Vehicles, and Animal-Drawn Carriages,” Section 407-69, “Rates To Be Filed With Director,” Section 407-71, “Rate Card or Rate Information to be Reviewable by Passengers,” Section 407-83, “Illegal Use of Hotel or Bus Zones,” Section 407-107, “Equipment Requirements,” Section 407-117-A, “Animal-Drawn Carriage and Pedicab Stands,” Section 407-125, “Rules and Regulations,” Section 408, “Driver’s License for Public Vehicles,” Section 408-1, “Application and Digital Identification Permit,” Section 408-3, “Driver’s License Fee,” Section 408-5, “Examination of Applicant,” Section 408-7, “Issuance or Denial of License,” Section 408-25, “Smoking Prohibited,” Section 408-45, “Rules and Regulations,” Section 510-3, “Special Parades Requiring Permits,” Section 765-11, “Required Terms and Conditions,” and Section 850-1-P3, “Public Vehicle”; **ORDAINING** new Section 407-12, “Animal-Drawn Carriages,”; and **REPEALING** in their entirety Section 407-137, “Litter Control for Animal-Drawn Carriages,” Section 407-139, “Dimensions for Animal-Drawn Carriages,” and Section 407-143, “Veterinarian’s Certificate Required,” to prohibit the use of animal-drawn carriages for commercial purposes.

Sponsors: Seelbach

Attachments: [Transmittal](#)
[Ordinance](#)

2. [202103076](#) **PRESENTATION**, dated 11/5/2021, submitted by Councilmember Seelbach titled Realizing The Potential Of An Equitable Economy: Centering Black Women’s Upward Mobility in the Cincinnati Region.

Sponsors: Seelbach

Attachments: [Presentation](#)

ITEMS TO BE FILED/SUNSET

3. [201801698](#) **MOTION**, submitted by Councilmember Landsman, WE MOVE that the City Administration report to Council, within 90 days of the adoption of this motion, regarding the feasibility of launching a task force to assess, measure and address institutional racism and systemic inequities in the City of Cincinnati. WE FURTHER MOVE that this report be centered around the feasibility of adopting an approach such as the City of Austin "Mayor's Task Force on Institutional Racism and Systemic Inequities" launched in November 2016 (see attached), which was comprised several local representatives from business, education and criminal justice communities to address citywide institutional racism, forming five working groups focused in key areas: Educational; Real Estate and Housing; Health; Finance, Banking and Industry and Civil and Criminal Justice.

Sponsors: Landsman

Attachments: [Motion](#)

4. [201900134](#) **MOTION**, WE MOVE for a Zero Tolerance policy for all City of Cincinnati employees or contractor/vendor while doing business with the City of Cincinnati in the case of any incident that involves the general public and a City of Cincinnati employee or contractor/vendor using a racial, religious, cultural or otherwise bigoted slur. Violation of this policy will lead to immediate termination of employment or termination of contract. In cases where City of Cincinnati employees use racial, religious, cultural or otherwise bigoted slurs towards each other, the incident will be referred to Human Resources and City Administration and subject to the penalties as outlined in Administrative Regulation 25 ("AR25"). (STATEMENT ATTACHED)

Attachments: [Motion](#)

ADJOURNMENT

Date: October 28, 2021

To: Councilmember Chris Seelbach
From: Andrew Garth, City Solicitor *AWG*
Subject: **Ordinance – Modifying CMC 407 to Prohibit Animal Drawn Carriages**

Transmitted herewith is an ordinance captioned as follows:

MODIFYING the provisions of Chapter 407, “Public Vehicles,” Chapter 408, “Drivers’ Licenses for Public Vehicles,” Chapter 510, “Assemblages and Parades,” Chapter 765, “Special Events,” and Chapter 850, “Advertising of Tobacco Products” of the Cincinnati Municipal Code by AMENDING Section 407-1-P1, “Public Vehicle,” Section 407-3, “License Fees for Public Vehicles,” Section 407-5, “Application for License,” Section 407-30, “Uninsured and Underinsured Motorist Coverage Insurance,” Section 407-35, “Insignia,” Section 407-55, “Rates of Fare for Limousines, Pedicabs, Tour Vehicles, Low Speed Vehicles, and Animal-Drawn Carriages,” Section 407-69, “Rates To Be Filed With Director,” Section 407-71, “Rate Card or Rate Information to be Reviewable by Passengers,” Section 407-83, “Illegal Use of Hotel or Bus Zones,” Section 407-107, “Equipment Requirements,” Section 407-117-A, “Animal-Drawn Carriage and Pedicab Stands,” Section 407-125, “Rules and Regulations,” Section 408, “Driver’s License for Public Vehicles,” Section 408-1, “Application and Digital Identification Permit,” Section 408-3, “Driver’s License Fee,” Section 408-5, “Examination of Applicant,” Section 408-7, “Issuance or Denial of License,” Section 408-25, “Smoking Prohibited,” Section 408-45, “Rules and Regulations,” Section 510-3, “Special Parades Requiring Permits,” Section 765-11, “Required Terms and Conditions,” and Section 850-1-P3, “Public Vehicle”; **ORDAINING** new Section 407-12, “Animal-Drawn Carriages,”; and **REPEALING** in their entirety Section 407-137, “Litter Control for Animal-Drawn Carriages,” Section 407-139, “Dimensions for Animal-Drawn Carriages,” and Section 407-143, “Veterinarian’s Certificate Required,” to prohibit the use of animal-drawn carriages for commercial purposes.

AWG/AKS/(lnk)
Attachment
305432

City of Cincinnati

AKS

AWB

An Ordinance No. _____

- 2021

MODIFYING the provisions of Chapter 407, “Public Vehicles,” Chapter 408, “Drivers’ Licenses for Public Vehicles,” Chapter 510, “Assemblages and Parades,” Chapter 765, “Special Events,” and Chapter 850, “Advertising of Tobacco Products” of the Cincinnati Municipal Code by **AMENDING** Section 407-1-P1, “Public Vehicle,” Section 407-3, “License Fees for Public Vehicles,” Section 407-5, “Application for License,” Section 407-30, “Uninsured and Underinsured Motorist Coverage Insurance,” Section 407-35, “Insignia,” Section 407-55, “Rates of Fare for Limousines, Pedicabs, Tour Vehicles, Low Speed Vehicles, and Animal-Drawn Carriages,” Section 407-69, “Rates To Be Filed With Director,” Section 407-71, “Rate Card or Rate Information to be Reviewable by Passengers,” Section 407-83, “Illegal Use of Hotel or Bus Zones,” Section 407-107, “Equipment Requirements,” Section 407-117-A, “Animal-Drawn Carriage and Pedicab Stands,” Section 407-125, “Rules and Regulations,” Section 408, “Driver’s License for Public Vehicles,” Section 408-1, “Application and Digital Identification Permit,” Section 408-3, “Driver’s License Fee,” Section 408-5, “Examination of Applicant,” Section 408-7, “Issuance or Denial of License,” Section 408-25, “Smoking Prohibited,” Section 408-45, “Rules and Regulations,” Section 510-3, “Special Parades Requiring Permits,” Section 765-11, “Required Terms and Conditions,” and Section 850-1-P3, “Public Vehicle”; **ORDAINING** new Section 407-12, “Animal-Drawn Carriages,”; and **REPEALING** in their entirety Section 407-137, “Litter Control for Animal-Drawn Carriages,” Section 407-139, “Dimensions for Animal-Drawn Carriages,” and Section 407-143, “Veterinarian’s Certificate Required,” to prohibit the use of animal-drawn carriages for commercial purposes.

WHEREAS, the City of Cincinnati regulates all public vehicles, including issuing licenses for animal drawn carriages for-hire which expire and must be renewed in January of each year; and

WHEREAS, the City of Cincinnati supports its small businesses in its urban core, recognizing that much of the City’s revenue comes from dining and entertainment tourism, where the smell of horse manure can and has had an impact on small businesses competing for customers with areas outside of the City; and

WHEREAS, the City of Cincinnati supports public safety and the wellbeing of all residents, recognizing the dangers involved in having animals traveling in the roadway, including crashes with injuries reported as recently as 2019 in the City of Cincinnati, and additional crashes that have led to at least one hospitalization in the Cincinnati area within the last several years, and that injuries to riders and drivers related to urban horse carriage rides occur every year across the United States; and

WHEREAS, the City of Cincinnati is a leader in the humane treatment of animals, having led the nation on laws prohibiting animal cruelty in kitten and bunny mills; ending the use of

wild, dangerous, and endangered species in performances within the City of Cincinnati; and adopting tethering laws that protect the public and animals by reducing the abuse of animals that can lead to more vicious behavior in pets; and

WHEREAS, urban cities across the United States have begun to tackle the inhumane conditions of for-hire animal drawn carriages on asphalt and concrete city streets, including the operation of such animal drawn carriages on hot and humid days which, combined with the urban heat island effect, can push an animal beyond recommendations for safe and humane care; and

WHEREAS, numerous U.S. cities, including Chicago, Illinois; Key West, Palm Beach, Pompano Beach, and Treasure Island, Florida; Biloxi, Mississippi; Camden, New Jersey; and Salt Lake City, Utah have determined that the risks of safety to the public, cruelty to animals, and negative impacts on small businesses outweigh any perceived benefit of continuing to permit for-hire animal drawn carriages; now, therefore,

BE IT ORDAINED by the Council of the City of Cincinnati, State of Ohio:

Section 1. That existing Section 407-1-P1, "Public Vehicle," Section 407-3, "License Fees for Public Vehicles," Section 407-5, "Application for License," Section 407-30, "Uninsured and Underinsured Motorist Coverage Insurance," Section 407-35, "Insignia," Section 407-55, "Rates of Fare for Limousines, Pedicabs, Tour Vehicles, Low Speed Vehicles, and Animal-Drawn Carriages," Section 407-69, "Rates To Be Filed With Director," Section 407-71, "Rate Card or Rate Information to be Reviewable by Passengers," Section 407-83, "Illegal Use of Hotel or Bus Zones," Section 407-107, "Equipment Requirements," Section 407-117-A, "Animal-Drawn Carriage and Pedicab Stands," Section 407-125, "Rules and Regulations," of Chapter 407, "Public Vehicles"; existing Section 408, "Driver's License for Public Vehicles," Section 408-1, "Application and Digital Identification Permit," Section 408-3, "Driver's License Fee," Section 408-5, "Examination of Applicant," Section 408-7, "Issuance or Denial of License," Section 408-25, "Smoking Prohibited," Section 408-45, "Rules and Regulations," of Chapter 408, "Drivers' Licenses for Public Vehicles"; existing Section 510-3, "Special Parades Requiring Permits," of Chapter 510, "Assemblages and Parades"; existing Section 765-11, "Required Terms and Conditions," of Chapter 765, "Special Events"; and existing Section 850-

1-P3, "Public Vehicle," of Chapter 850, "Advertising of Tobacco Products," of the Cincinnati Municipal Code are hereby amended to read as follows:

Sec. 407-1-P1. - Public Vehicle.

"Public Vehicle" shall mean a vehicle, other than a charitable non-profit transportation vehicle as defined in Section 407-1-C2, by which individual service for compensation in the transportation of persons on the public streets is furnished or offered to be furnished. Vehicles offering service in the transportation of persons on the public streets that make profit primarily through advertising or another method besides passenger fare are public vehicles. Public vehicles are classified as "taxicabs," "limousines," "accessible vehicles," "tour vehicles," "~~animal drawn carriages,~~" "transportation network vehicles," "low speed vehicles," and "pedicabs."

Vehicles furnishing mass transportation service of persons, such as motor buses, which are operated over fixed routes on a fixed schedule or between fixed termini, are not included in the term "public vehicle," but must comply with the appropriate provisions of law and the Cincinnati Municipal Code.

Sec. 407-3. - License Fees for Public Vehicles.

- (a) No person shall operate or permit to be operated any vehicle as a public vehicle, or shall proffer the services of such vehicles as a public vehicle by solicitation by voice, sign, public advertisement, light, or otherwise unless the proper license has been issued for the vehicle to the owner thereof and is in force.
- (b) Every license shall expire on January 14 of the year following the date on which the license was issued. License fees for each public vehicle shall be payable to the city treasurer in the following amounts:
 - (1) Taxicab: \$200.00; after 6/30 of each year, the amount of the license fee shall be \$100.00.
 - (2) Limousine: \$150.00; after 6/30 of each year, the amount of the license fee shall be \$75.00.
 - (3) Accessible Vehicle: \$70.00; after 6/30 of each year the amount shall be \$35.00.
 - (4) ~~Animal Drawn Carriage: \$150.00; after 6/30 of each year the amount shall be \$75.00.~~
 - (4~~5~~) Pedicab: \$80.00; after 6/30 of each year the amount shall be \$40.00.
 - (~~5~~6) Tour Vehicle: \$150.00; after 6/30 of each year, the amount of the license fee shall be \$75.00.
 - (~~6~~7) Low Speed Vehicle: \$150.00; after 6/30 of each year, the amount shall be \$75.00.
- (c) These fees shall include all vehicle and taximeter inspections conducted by city personnel. The license fee required by this section shall be in addition to any fee required by the laws of the state of Ohio.

- (d) In addition as part of the requirements of this section, each application for a renewal of a taxicab and accessible vehicle shall be accompanied by a complete schedule of rates used by the applicant for trips to surrounding cities, villages, and communities. Any charge made that is not in accordance with this rate schedule shall be considered cause for revocation of the license of the driver, of the vehicle, or both. Taxicab trips shall be based upon the meter rate plus a surcharge and shall not exceed 25 cents per mile in excess of meter rate for mileage outside of the city of Cincinnati.
- (e) License requirements and fees for a person to become a licensed public vehicle driver in the City are contained within Chapter 408 of the Cincinnati Municipal Code, "Drivers' Licenses for Public Vehicles."
- (f) Transportation Network Drivers and vehicles are exempt from this section and are alternatively regulated pursuant to the Ohio Revised Code.

Sec. 407-5. - Application for License.

Applications for the following public vehicle licenses shall be made to the director or his designee upon forms provided by the director or his designee and shall cost \$50 to file per applicant. These forms shall be designed by the director after consultation with representatives from the public vehicles industry.

Transportation Network Drivers and vehicles are exempt from this section and are alternatively regulated pursuant to the requirements outlined in the Ohio Revised Code.

- (a) **Taxicab License.** At a minimum, the public vehicle application forms for a taxicab shall set forth the name and address of the applicant; the name and address of the vehicle's owner if this is different than the applicant; the type of vehicle including age, condition and intended use; the applicant's public vehicle history; the procedures to train drivers; whether the vehicle will be driven by someone other than the applicant; the maintenance of the vehicle; the trade name under which business is to be conducted; the class of each vehicle for which a license is desired; the seating capacity; the design, color scheme, and lettering and marks to be used on the vehicle; and any other information required by the director or his designee.
- (b) ~~Animal Drawn Carriage. Each application for an animal drawn carriage license shall contain the name and address of the applicant; the name and address of the vehicle's owner if this is different than the applicant; the trade name under which the business is to be conducted; the route on and hours during which the animal drawn carriage is to be operated; and a drawing, model, or photograph of the type of carriage to be inspected so that it shall conform to the aesthetic requirements set forth by the director. The proposed route, hours, and days of operation for each animal drawn carriage shall be reviewed for public safety purposes by the police department, public services department, transportation and engineering department, and the public vehicle inspection office. Each shall provide a report and recommendation to be considered by the director prior to the issuance of a public vehicle license specified in Section 407.7 of the Cincinnati Municipal Code.~~

- (be) **Pedicab.** Each application for a pedicab shall contain the name and address of the applicant; the name and address of the vehicle's owner if this is different than the applicant; the trade name under which the business is to be conducted; the hours and days of operation; the proposed area to be served; and a drawing, model, or photograph of the pedicab, so that it shall conform to the aesthetic requirements set forth by the director. The proposed route, hours, and days of operation for each pedicab shall be reviewed for public safety purposes by the police department, public services department, transportation and engineering department, and the public vehicle inspection office. Each shall provide a report and recommendation to be considered by the director prior to the issuance of a public vehicle license specified in Section 407-7 of the Cincinnati Municipal Code.
- (cd) **Limousine.** Each application for a limousine, both Class A and Class B limousines, shall contain the name and address of the applicant; the name and address of the vehicle's owner if this is different than the applicant; the trade name under which the business is to be conducted; the type of vehicle including age, condition, and intended use; the applicant's public vehicle history; the procedures to train drivers; whether the vehicle will be driven by someone other than the applicant; and the maintenance of the vehicle.
- (de) **Tour vehicle.** Each application for a tour vehicle shall contain the name and address of the applicant; the name and address of the vehicle's owner if this is different than the applicant; the trade name under which the business is to be conducted; and the route, days, and hours of operation of the tour vehicle. The proposed route, hours, and days of operation for each tour vehicle shall be reviewed for public safety purposes by the police department, public services department, transportation and engineering department, and the public vehicle inspection office. Each shall provide a report and recommendation to be considered by the director prior to the issuance of a public vehicle license specified in Section 407-7 of the Cincinnati Municipal Code.
- (ef) **Low Speed Vehicle .** Each application for a low speed vehicle shall contain the name and address of the applicant; the name and address of the vehicle's owner if different than the applicant; the trade name under which the business is to be conducted; the hours and days of operation; the proposed area to be served; the type of vehicle including age, condition and intended use; the applicant's public vehicle history; the procedures to train drivers; whether the vehicle will be driven by someone other than the applicant; and the maintenance of the vehicle. The proposed operating zones or permitted routes, hours, and days of operation for each low speed vehicle shall be reviewed for public safety purposes by the police department, public services department, transportation and engineering department, and the public vehicle inspection office. The owner of a vehicle shall also comply with all requirements of Ohio law regarding proper title, registration, and license plates prior to operating the vehicle on any street.
- (fg) **Approved Application.** If the application is approved, the applicant shall furnish the city treasurer, prior to the issuance of the decal, information related to the particular vehicle to be licensed. Such information shall include title to each

applicable vehicle; state license plate registration; certificate of insurance; a mechanical inspection completed by a certified approved mechanic; and proof of establishment of an account with the city of Cincinnati income tax division.

Sec. 407-30. - Uninsured and Underinsured Motorist Coverage Insurance.

Each licensed public vehicle, except ~~animal drawn carriages and~~ pedicabs, shall provide to its passengers uninsured and underinsured motorist coverage which shall provide protection for bodily injury or death to said passengers in the amount of \$25,000. The coverage afforded herein shall not apply to the drivers of said vehicles.

Sec. 407-35. - Insignia.

- (a) Excluding transportation network companies, the department shall furnish free of charge a decal which is to be affixed in the lower left-hand corner of the windshield, except ~~animal drawn carriages, and~~ pedicabs, where the decal shall be affixed to a glass (plexiglass) plate 4" × 5" provided by the licensee. The plate shall be secured (easily removed) to the exterior of the ~~carriage or~~ pedicab as approved by the director. The decal shall indicate vehicle license number and type of license (taxi, limousine, accessible vehicle, tour vehicle, ~~animal drawn carriage or pedicab~~). When the vehicle is retired from service, the decal is to be removed and returned to the director or his designee. Operation of a public vehicle without the proper decal or failure to properly return a decal shall be cause for revocation. If a public vehicle license is transferred from vehicle to vehicle, in accordance with Section 407-93, a new license decal shall be furnished by the department subject to the above conditions.
- (b) It shall be unlawful to display public vehicle equipment and insignia on any vehicle other than a licensed vehicle.
- (c) In an accessible vehicle, the floor area of an allocated space must display the international symbol of accessibility, also known as the international wheelchair symbol, and be outlined in a flush contrasting strip 1 inch wide. Every accessible vehicle used for the transportation of wheelchair users shall display the international symbol of accessibility in a clearly visible position on the rear of the vehicle and on the front of the vehicle in a position other than on the windshield.

Sec. 407-55. - Rates of Fare for Limousines, Pedicabs, Tour Vehicles, and Low Speed Vehicles, ~~and Animal Drawn Carriages.~~

All fares and charges for use of limousines, pedicabs, tour vehicles, and low speed vehicles, ~~and animal drawn carriages~~ shall be filed with and approved by the director between January 1 and 15 of each year in accordance with Section 407-69.

It shall be the duty of the licensee to inform any person hiring a limousine, ~~animal drawn carriage~~, tour vehicle, low speed vehicle, or pedicab of all rates and charges before any service is rendered.

Sec. 407-69. - Rates To Be Filed With Director.

- (a) Every owner of one or more public vehicles, except a transportation network vehicle, shall file in the office of the director the complete schedule of rates offered and used.

- (b) Rate schedules may be changed by the owner. No change in schedule shall become effective until one day after it is filed with the director and until all requirements of Section 407-77 have been complied with. (The requirements of Section 407-77 shall not apply to ~~animal-drawn carriages~~, tour vehicles, low speed vehicles, transportation network vehicles, and pedicabs.) Not more than one amended schedule shall be filed by an owner in any period of 30 days unless with the consent of the director.
- (c) All schedules of rates of fare on file with the director shall be open to public inspection.
- (d) No driver or other person in control of a taxicab, limousine, accessible vehicle, pedicab, or tour vehicle, ~~or animal-drawn carriage~~ shall make any charge except in accordance with the schedule of rates filed as herein provided.

Sec. 407-71. - Rate Card or Rate Information to be Reviewable by Passengers.

Every public vehicle, except transportation network vehicles, shall carry in it at all times a rate card issued for the vehicle by the director. The rate card shall contain, in legible type, the director's office address, the name of the license owner, the type of vehicle, the serial body number on the vehicle, the date of issuance, and the complete schedule of rates of fare used as filed with the director. In taxicabs such rate card shall be mounted under transparent covering in the rear compartment or interior of the vehicle in such a position that it can be read easily by the occupants of the vehicle. In limousines, pedicabs, and tour vehicles, ~~and animal-drawn carriages~~ such rate card shall be exhibited on demand.

Rate cards shall not be altered or tampered with by any person. Whenever a rate card becomes damaged, soiled, or illegible, the owner shall request and the director shall issue a new card for the vehicle. No fee shall be charged for the issuance of a new, corrected, or duplicated rate card when the old card is turned in to the director.

In case of the loss of a rate card, the owner shall file with the director a sworn statement of the facts concerning such loss. If the director is satisfied that the facts justify the issuance of a replacement rate card, such replacement rate card shall be issued upon the payment of 50 cents.

Sec. 407-83. - Illegal Use of Hotel or Bus Zones.

Occupancy of a hotel zone or bus zone for purposes of soliciting patronage, or offering taxicab, accessible vehicle, limousine, pedicab, or tour vehicle ~~or animal-drawn carriage~~ service shall be unlawful.

Sec. 407-107. - Equipment Requirements.

Every public vehicle shall be kept in a safe and sanitary operating condition. Each type of public vehicle must follow the equipment regulations as mandated below.

- (a) All taxis must be either a four door sedan, a station wagon with a minimum of four doors, or a van-type vehicle with either a minimum of four doors or with a sliding door on the vehicle's passenger side. Each Taxicab shall have the following equipment at all times:

- (1) A light within the passenger compartment capable of being turned on or off by the passenger;
 - (2) Brakes that comply with all requirements of Section 4513.20 of the Revised Code of Ohio;
 - (3) A light contained inside the meter and capable of illuminating the taximeter display;
 - (4) A light located on the top of the vehicle that is capable of indicating when the taxi is available for hire, with an on/off switch that can be controlled by the operator; and
 - (5) Manufacturer-installed safety belts, which must be worn by front-seat passengers and may be worn by back-seat passengers and which number no fewer than the maximum occupancy of the taxicab.
- (b) ~~Each animal-drawn carriage shall at all times have the following equipment:~~
- ~~(1) A braking device capable of safely stopping said vehicle.~~
 - ~~(2) Two headlamps capable of emitting a white light visible a distance of at least 1,000 feet ahead of the carriage;~~
 - ~~(3) Two tail lamps capable of emitting a red light visible at least 1,000 feet from the rear of the carriage;~~
 - ~~(4) A triangular slow-moving vehicle emblem (SMV) (reflectorized), which shall be mounted so as to be visible for a distance of 500 feet to the rear;~~
 - ~~(5) Reflective materials upon the shafts of the vehicle or other parts of the vehicle parallel thereto so as to render the vehicle visible from the side after dark from a distance of 500 feet.~~
- (be) Each accessible vehicle shall comply with the equipment requirements and other required features found in Sections 407-145 through 407-171 of this chapter.
- (cd) Each pedicab shall at all times have the following equipment:
- (1) Braking device capable of stopping said vehicle;
 - (2) Functioning battery-operated head and tail lights;
 - (3) Rear reflective lights;
 - (4) Reflective material on both sides;
 - (5) A reflective triangle and slow moving vehicle sign in the rear;
 - (6) A properly functioning timing device, visible to customers, if the rate is based on time;
 - (7) A properly functioning mileage meter, visible to customers, if rates are based on mileage;
 - (8) A public vehicle license displayed so that it is easily seen; and
 - (9) Any other device ordered by the director.

- (de) Every low speed vehicle shall at all times comply with any equipment requirements established in the Ohio Revised Code as well as those required under the city's policies and regulations for low speed vehicles, as published on April 26, 2018 and as amended from time to time by the city manager, the current version of which is available through the department of transportation and engineering.
- (ef) Every pedal wagon shall have at all times the following equipment:
 - (1) Adequate brakes and braking system, including parking brake;
 - (2) Two headlamps capable of emitting a white light visible at a distance of at least 1,000 feet ahead of the pedal wagon;
 - (3) Two tail lights capable of emitting a red light visible at least 1,000 feet from the rear of the pedal wagon;
 - (4) Functioning battery to operate the head and tail lights;
 - (5) Reflective material on both sides and the rear of the vehicle so as to render the vehicle visible from a distance of 500 feet;
 - (6) A triangular slow-moving vehicle (SMV) emblem mounted on the rear of the vehicle;
 - (7) A public vehicle license displayed so that it can be easily seen as per CMC 407-35;
 - (8) Any other device ordered by the director.
- (fg) Whenever a public vehicle is found not to be in a safe and sanitary operating condition or not to comply fully with all the requirements specified herein, the city treasurer, upon the recommendation of the director, shall suspend or revoke the license of the public vehicle, until the public vehicle is in full compliance with provisions herein.
- (gh) Transportation Network Drivers and vehicles are exempt from this section and are alternatively regulated pursuant to the requirements outlined in the Ohio Revised Code.

Sec. 407-117-A. - ~~Animal-Drawn Carriage and~~ Pedicab Stands.

The director shall designate the location of space and times of use for stands to be known as "~~animal-drawn carriage~~ pedicab stands." No automobiles or other means of conveyance except pedicabs shall be permitted to use such "~~animal-drawn carriage~~ pedicab stands" within the time as provided by the rules and regulations promulgated by the director.

The director is authorized to formulate reasonable rules and regulations for the use of such "~~animal-drawn carriage~~ pedicab stands" so as to ensure equality of opportunity between operators and to prevent unfair practices between the owners, operators and drivers of such ~~animal-drawn vehicles~~ pedicabs for hire.

Sec. 407-125. - Rules and Regulations.

The director is authorized and directed to establish rules and regulations necessary for the enforcement of the provisions of this chapter, ~~including rules and regulations pertaining to the health, safety and well-being of animals used to draw carriages in the city of Cincinnati.~~

Violation of any such regulation or failure to comply with a lawful order of the director shall be reason for revocation of any license issued under authority of this chapter.

Sec. 408. - Driver's License for Public Vehicles.

No person shall drive a taxicab, tour vehicle, limousine, accessible vehicle, pedicab, or low speed vehicle, ~~or animal drawn carriage~~ unless duly licensed as hereinafter provided.

Transportation Network Companies and their drivers and vehicles are exempt from this Chapter and are alternatively regulated pursuant to the requirements contained in Ohio Revised Code Chapters 3942 and 4925 or any successor chapter or sections of the Ohio Revised Code.

Sec. 408-1. - Application and Digital Identification Permit.

- (a) Every applicant for a license as a driver of a taxicab, tour vehicle, accessible vehicle, pedicab, or low speed vehicle, ~~or animal drawn carriage~~ shall make application to the director on forms to be supplied by the director. The director, for purposes of Chapter 408, shall be the same definition as Section 407-1-D1. The application shall be notarized, and each applicant must supply information or documentation to show the applicant fulfills the following requirements, and any other pertinent information as the director may require, in order to complete his/her application under Chapter 408:
 - (1) Able to speak, read, and write the English language;
 - (2) Twenty-one years of age or over and must present a valid operator's license as approved by the director;
 - (3) Free of defective vision, defective hearing, epilepsy, vertigo, heart trouble, and any other infirmity, physical or mental, which would render the applicant unfit for safe operation of a public vehicle;
 - (4) Not currently engaging in the illegal use of alcohol or drugs;
 - (5) Cleared by a criminal background check, which is completed by a law enforcement entity, association, corporation, or firm approved by the director to perform such services.
- (b) Every applicant for a license to drive an accessible vehicle shall also produce satisfactory evidence that the applicant has completed a course in first aid and life saving, approved by the director, and in addition, a certificate from a reputable physician stating that the applicant is free from communicable diseases.

Sec. 408-3. - Driver's License Fee.

Every driver of a taxicab, limousine, accessible vehicle, pedicab, tour vehicle, and low speed vehicle, ~~and animal-drawn carriage~~ shall pay to the city treasurer the sum of \$40.00 upon issuance of a driver's license, and the sum of \$20.00 per year for each annual renewal.

Sec. 408-5. - Examination of Applicant.

After complying with the provisions of Section 408-1, every applicant shall be examined by the director or his designee as to the applicant's knowledge of the provisions governing the operation of taxicabs, limousines, pedicabs, tour vehicles, and low speed vehicles, ~~and animal-drawn carriages~~ and as to knowledge of the city of Cincinnati and state and local traffic regulations. The applicant shall produce evidence of at least six months' experience in operating a motor vehicle ~~or animal-drawn carriage~~, or successful completion of a course in the operation of a motor vehicle ~~or animal-drawn carriage~~ given by a school approved by the director, or both, and shall, if required, demonstrate the applicant's skill and ability.

Transportation Network Drivers and vehicles are exempt from this section and are alternatively regulated pursuant to the requirements contained in the Ohio Revised Code.

Sec. 408-7. - Issuance or Denial of License.

If the applicant to drive a taxicab, tour vehicle, limousine, pedicab, or low speed vehicle, ~~or animal-drawn carriage~~ meets all the requirements set forth in this chapter, his/her criminal background check did not disclose convictions for felony crimes of violence, weapons, or moral turpitude, or misdemeanor convictions of moral turpitude and he/she is not non-compliant as stated in Chapter 801, "General Provisions," then the director shall notify the city treasurer in writing; and the city treasurer shall issue a license to applicant upon payment of the proper fee.

If the director denies the issuance of a public vehicles driver's license, the director shall send notice to the applicant-supplied address, or if applicable, the notice may be provided to the applicant in person if the individual is present in the office of the director at the time of the denial. The applicant may appeal the decision to the office of administrative hearings (OAH). All appeals must be filed in writing with OAH within 10 days from receipt of notice of the director's decision to deny the license, and OAH shall hold the hearing within 14 days from receipt of the applicant's written appeal. For purposes of appeal the director's decision shall be presumed accurate, and the appellant shall bear the burden of proof of evidence to contradict the director's decision. The hearing examiner will either uphold or reverse the director's decision based on the information presented at the hearing under the criteria set forth in this Chapter.

Transportation Network Drivers and vehicles are exempt from this section and are alternatively regulated pursuant to the requirements outlined in the Ohio Revised Code.

Sec. 408-25. - Smoking Prohibited.

Drivers of limousines, taxicabs, transportation network vehicles, tour vehicles, accessible vehicles, and low speed vehicles, ~~and animal-drawn carriages~~ are prohibited from smoking while carrying passengers.

Sec. 408-45. - Rules and Regulations.

The director is hereby authorized and empowered to establish and adopt such additional rules and regulations governing the issuance of licenses to drive taxicabs, tour vehicles, pedicabs, ~~animal-drawn carriage~~, low speed vehicles, and accessible vehicles as may be reasonable and necessary and not inconsistent with the provisions of this chapter. Any rules and regulations proposed by the director under this section on or after September 1, 2014, shall be published and made available to the public and shall be made available for public comment at a committee of the city council prior to adoption.

Sec. 510-3. - Special Parades Requiring Permits.

Notwithstanding the provisions of Section 510-2, the city manager, or person designated by the city manager, may grant permission to a group, association or organization holding or sponsoring a parade, march or procession to do so without strict compliance with specified provisions of the laws and regulations relating to vehicular and pedestrian traffic, and may restrict parking along a proposed route of a parade, march or procession and provide police escorts therefor upon the following terms and conditions:

- (a) The group, organization or association sponsoring a parade, march or procession shall apply in writing at least 30 calendar days in advance of the date of the parade, march or procession for a permit to hold a parade at variance with the laws and regulations relating to pedestrian and vehicular traffic.

The city manager or person designated by the city manager shall, in appropriate cases, have the authority to waive the time period within which the application for a parade permit must be made.

- (b) Application for such permit shall be on forms provided by the city manager or person designated by the city manager, and shall state:
- (1) The name and address of the sponsoring group, association or organization.
 - (2) The names and addresses and telephone numbers of officers of the organization or persons authorized to speak for and on behalf of such organization and to represent the organization in all matters pertaining to the parade permit.
 - (3) The date, time and proposed route of the parade.
 - (4) The nature of the parade; i.e., whether it will consist of or include:
 - a. Pedestrians,
 - b. Vehicles,
 - c. Animals,
 - d. A combination of any of the above, and
 - e. The approximate size or length of the parade.

- (5) Those traffic laws or regulations which the group, association or organization holding or sponsoring the parade wish to be waived in regard to it.
 - (6) Whether or not it is desirable that parking be restricted along the parade route or any part of the parade route.
 - (7) Whether or not a police escort is desired.
 - (8) The application for the proposed parade shall include a non refundable \$100.00 fee if it is estimated that fewer than 3,000 people will be in attendance, or a \$500.00 fee if it is estimated that over 3,000 people will be in attendance.
- (c) In reviewing the application for a parade permit, the city manager or person designated by the city manager shall determine the number of police officers reasonably necessary to control traffic in the area of the requested parade. In making this determination, the city manager or person designated by the city manager shall consider such factors as the time, date, route, length, number of participants and vehicles contained in the application for the parade permit. The city manager or person designated by the city manager shall inform the applicant for the parade permit of the number and cost of police officers and vehicles which he determines to be necessary to control the traffic for the requested parade. The cost to the applicant for each police officer shall be the current standard hourly special duty rate. The cost for each police vehicle shall be the standard hourly rental rate prescribed by the Cincinnati Police Department. The applicant for a parade permit shall deposit one-half of the amount of money designated by the city manager or person designated by the city manager as necessary for police traffic control and police vehicles with the Cincinnati Police Department within five business days of the issuance of the permit, or within five business days prior to the parade, whichever date is earlier, unless the deposit requirement is waived by the city manager. The Cincinnati Police Department will invoice the applicant for a parade permit for the remaining one-half of all such costs, and the applicant shall promptly pay the invoice.
- (d) In reviewing the application for a parade permit, the city manager or person designated by the city manager shall determine if personnel from the Cincinnati Fire Department are necessary to the safe conduct and operation of the parade. In making that determination, the city manager or person designated by the city manager shall consider the time, date, route and length of the parade; the likelihood of fires or explosions during the parade or the need for emergency and medical services; the nature and purpose of the parade; the anticipated attendance at the parade by both participants and observers; the number, type, and speed of vehicles in the parade; and the ability of the Cincinnati Fire Department to respond to a call for services from a location outside the parade route.

If the city manager or person designated by the city manager determines that Cincinnati Fire Department personnel are necessary to the safe conduct and operation of the parade, then the applicant for the parade permit shall be informed of the necessary number and cost of Cincinnati Fire Department personnel. The

cost to the applicant of the Cincinnati Fire Department personnel shall be the current standard hourly special duty rate for such personnel. The cost for each Cincinnati Fire Department vehicle shall be a standard hourly rate prescribed by the fire chief. The applicant for a parade permit shall deposit one-half of the amount of money designated by the city manager or person designated by the city manager as necessary for fire department personnel and vehicles with the Cincinnati Fire Department within five business days of the issuance of the permit, or within five business days prior to the parade, whichever date is earlier, unless the deposit requirement is waived by the city manager. The Cincinnati Fire Department will invoice the applicant for a parade permit for the remaining one-half of all such costs, and the applicant shall promptly pay the invoice.

- (e) Before issuing a permit, the city manager or person designated by the city manager shall determine that:
 - (1) Waiver of laws or regulations relating to the movement of pedestrian or vehicular traffic for the proposed parade will not present an unreasonable hazard to the safety of the public.
 - (2) The waiver of enforcement of laws and regulations relating to vehicular and pedestrian traffic along the route of the suggested parade will not substantially and unreasonably increase traffic congestion in the congested area or in any other area of the city during rush hours.
 - (3) That there will be available sufficient city manpower to provide for the reasonably safe movement of the parade and other traffic, the safety of the public, and the restriction of parking along the parade route or police escorts when requested or when determined to be necessary for the safety of the public by the city manager or person designated by the city manager.
 - (4) That the parade will not unreasonably interfere with access to public or private property adjacent to the streets and sidewalks to the proposed parade route.
- (f) If the parade, march or procession involves the use of motor vehicles or animals, the organization, group or association sponsoring or holding the parade shall obtain liability insurance and file a copy of the policy with the City of Cincinnati, which policy shall:
 - (1) List the sponsoring group, association or organization and the City of Cincinnati as a named insured; and
 - (2) Provide liability coverage against all hazards arising from the holding of the parade for personal injuries and property damage in the amount of \$500,000.
- (g) If the parade, march or procession involves the use of animals, no permit shall be issued unless the organization, group or association sponsoring or holding the parade shall provide the following to the city at the time the permit is requested:

- (1) A description of the litter control measures that will be taken to prevent animal urine and manure from collecting on city property or streets and the plan for disposal of any animal urine or feces;
- (2) A certificate of fitness from a licensed veterinarian stating that the veterinarian has examined the animal within the last 60 days and that the exam included all matters consistent with the usual and customary veterinary practice in the community to maintain the health and well-being of animals, and that the animal is fit for use in the parade, march or procession; and
- (3) If an animal-drawn carriage is to be used, a certification that the carriage has a readily visible reflector on the rear of the carriage and that the carriage does not exceed the following dimensions:
 - a. Height: 13 feet, 6 inches
 - b. Width: 8 feet, 0 inches
 - c. Length: 48 feet, 0 inches, including horse, mule or other beast of burden.
- (4) If an animal-drawn carriage is to be used, evidence of the driver having at least six months' experience in operating an animal-drawn carriage, or successful completion of a course in the operation of an animal-drawn carriage given by a school approved by the director, or both, and shall, if required, demonstrate the driver's skill and ability.

- (hg) A parade permit will not be granted to any applicant whose stated intended purpose is to communicate any obscenity, defamation, "fighting words," or words creating a "clear and present danger."

The City of Cincinnati will promptly seek judicial review of any intended denial or revocation of a parade permit based upon the obscenity, defamation, "fighting words," or "clear and present danger" prohibitions contained in this section. Unless a court issues an order within ten business days of the city's petition declaring that the permit may be lawfully denied or revoked, the parade permit will be granted.

- (ih) After the application is filed, the city manager or person designated by the city manager shall act upon an application for a special parade permit within ten business days, or within five business days prior to the proposed parade, whichever date is earlier.

If the city manager or person designated by the city manager finds that the determinations required by paragraph (e) above cannot be made without changes in the proposed route, time, or waiver of laws or regulations relating to movement of pedestrian or vehicular traffic as requested in the application, or the restriction of parking along the proposed route, the city manager or person designated by the city manager shall suggest in writing alternate times, routes, or procedures or conditions which would meet the requirements of paragraph (e) above. Such suggestions shall be noted upon the application for the special parade permit. The

terms of such suggestions shall be communicated by the city manager or the person designated by the city manager to the permit applicant either by personal delivery or certified mail within ten business days after the application is filed, or within five business days prior to the proposed parade, whichever date is earlier.

If these suggestions are accepted in writing by the permit applicant within three business days after the date the city manager or person designated by the city manager personally notifies the applicant of the suggestions or mails the suggestions to the applicant, the city manager or person designated by the city manager shall proceed as though such changes were originally part of the application. The permit applicant's acceptance of the suggestions shall be noted upon the application.

- (ji) Any applicant shall have the right to appeal the denial of a permit to the office of administrative hearings by filing a written notice of appeal with the city manager within five business days of the denial of the permit. The city manager shall transmit the notice of appeal and all documents related to the permit application to the office of administrative hearings within 24 hours of the filing of the appeal. The office of administrative hearings shall conduct a hearing and issue a decision in sufficient time to allow the applicant to conduct the parade if the appeal is granted, but in no event shall the hearing be held more than five business days after the appeal is filed.
- (kj) A permit may be revoked at any time by the city manager or person designated by the city manager for the same reasons as those provided for denial of a permit. Notice of the revocation of a permit shall be given immediately to the applicant as provided in Section 510-3(g), and appeal of the revocation of the permit may be taken in the same manner and time as provided in Section 510-3(h), except the requirement that the appeal shall be heard before the date of the parade will not apply.
- (lk) In the absence of special circumstances, the following parade route in the congested district shall be deemed to comply with the requirements of this section insofar as presenting the least hazard to the safety of the public and the least interference with normal use and movement upon the streets in that area, and shall be followed by any group proposing to hold a parade in the congested area, unless the city manager or person designated by the city manager finds that exceptional circumstances exist, which shall be stated in writing upon the application, which warrant the use of an alternate route:

From the intersection of Butler and Sentinel Street, travel south on Sentinel Street to Fifth Street, thence west on Fifth Street to Vine Street, thence north on Vine Street to the intersection of Vine Street and Central Parkway, where the parade shall end.
- (ml) No person participating in a parade, march or procession under this section shall distribute handbills, free samples, give autographs or other such items to spectators along the designated parade route nor commit any other act which

would encourage spectators to move into the designated parade route during the course of any such parade.

Sec. 765-11. - Required Terms and Conditions.

As part of a special event permit, the sponsor of the event shall agree in writing and the permit shall contain the following terms and conditions:

- (a) The sponsor of the event shall have a representative present at all times during the event who shall be responsible for ensuring compliance with all applicable ordinances and regulations and for accepting all notices of violations and closure orders.
- (b) The special event shall not take place unless the sponsor has supplied the chief of police with a certificate of insurance evidencing general commercial liability insurance, with limits of not less than \$1,000,000 per occurrence and \$2,000,000 aggregate, and liquor liability insurance, if applicable, with a limit of not less than \$1,000,000. Each certificate of insurance shall list the city as an additional insured.
 - (1) Each insurance policy required by this subsection shall include a provision to the effect that it shall not be subject to cancellation, reduction in the amounts of its liabilities, or other material changes until notice thereof has been received in writing by the office of risk management and the chief of police not less than 60 days prior to such action.
 - (2) Each sponsor shall maintain the insurance required by this subsection in full force and effect for the duration of the permit period. Failure of the sponsor of the event to maintain such insurance during the periods indicated above shall result in automatic expiration of the permit. For the purposes of this subsection, the permit shall include the time required for construction and removal of all materials and equipment provided for the conduct of the special event until the public way has been cleared and restored as provided in subsection (f).
- (c) The sponsor of the event shall indemnify and hold harmless the city of Cincinnati, its officials, employees, subcontractors, agents, and assignees from any and all losses, damages, injuries, claims, demands, and expenses arising out of the operation of the special event or the condition, maintenance, and use of public property.
- (d) During the presentation of the special event, the sponsor of the event shall at its own cost keep the public way clean and free from paper, debris, or refuse, and upon termination of the permit by lapse of time or otherwise, the sponsor of the event shall remove all materials and equipment and clean the street. If the public way has been damaged, the city shall repair and restore it to the condition it was in prior to the special event and bill the sponsor of the event for the city's actual cost to repair.

- (e) Whenever a permit requires the closure of a street, a clear path of not less than twelve (12) feet must be maintained at all times to provide for the passage of emergency vehicles.
- (f) The sponsor of the event shall be responsible for ensuring that each vendor participating in the event obtains the proper licenses. In the event that an unlicensed or improperly licensed vendor is found at the event, the sponsor of the event shall be fined pursuant to CMC § 765-99 for each unlicensed or improperly licensed vendor. This shall be in addition to any fines or penalties which may be issued to the individual vendor. The sponsor shall promptly remove the unlicensed or improperly licensed vendor from the event area.
- (g) The sponsor of the event shall be responsible for ensuring that no person during the event shall, unless specifically authorized by the Cincinnati Police Department, possess or bring to the event area any poles, sticks, or clubs made of any rigid material or any other instrument, device, or thing that is capable of inflicting serious physical harm, that is designed or specifically adapted for use as a weapon, or that is possessed, carried, or used as a weapon, except to support a sign or banner, provided that such wooden stick is not more than two (2) inches in width or three-quarters ($\frac{3}{4}$) of an inch in diameter, one-quarter ($\frac{1}{4}$) inch in thickness, and forty (40) inches in length, and where such wooden stick is blunt on both ends.

This subsection shall apply without limitations to any poles, sticks or other devices attached to or otherwise used to support or elevate signs, banners or other displays of any kind not associated with or approved by the city of Cincinnati. This section does not apply to law enforcement officers or to canes, crutches, or other similar devices used by persons who are visually or physically impaired.

- (h) The sponsor of the event shall be responsible for ensuring that no person during the event shall take any animal to the event area, unless such animal is being or will be used by law enforcement officials engaged in the performance of their duties, or unless such animal is used as a guide for a disabled individual or such animal is part of the event and is listed on the application. If an animal is to be used during or as part of an event, then the sponsor of the event shall also comply with the provisions of Cincinnati Municipal Code Section 510-3(g).

Section 850-1-P3. – Public Vehicle.

“Public Vehicle” means a vehicle by which individual service for compensation in the transportation of persons on the public streets or highways is furnished or offered to be furnished including taxicabs, limousines, and handicapped livery vehicles ~~and animal-drawn carriages.~~

Section 2. That existing Section 407-1-P1, “Public Vehicle,” Section 407-3, “License Fees for Public Vehicles,” Section 407-5, “Application for License,” Section 407-30, “Uninsured and Underinsured Motorist Coverage Insurance,” Section 407-35, “Insignia,” Section 407-55,

“Rates of Fare for Limousines, Pedicabs, Tour Vehicles, Low Speed Vehicles, and Animal-Drawn Carriages,” Section 407-69, “Rates To Be Filed With Director,” Section 407-71, “Rate Card or Rate Information to be Reviewable by Passengers,” Section 407-83, “Illegal Use of Hotel or Bus Zones,” Section 407-107, “Equipment Requirements,” Section 407-117-A, “Animal-Drawn Carriage and Pedicab Stands,” Section 407-125, “Rules and Regulations,” of Chapter 407, “Public Vehicles,” and existing Section 408, “Driver’s Licenses for Public Vehicles,” Section 408-1, “Application and Digital Identification Permit,” Section 408-3, “Driver’s License Fee,” Section 408-5, “Examination of Applicant,” Section 408-7, “Issuance or Denial of License,” Section 408-25, “Smoking Prohibited,” Section 408-45, “Rules and Regulations,” of Chapter 408, “Drivers’ Licenses for Public Vehicles,” and existing Section 850-1-P3, “Public Vehicle,” of Chapter 850, “Advertising of Tobacco Products,” of the Cincinnati Municipal Code are hereby repealed.

Section 3. That the following new Section 407-12, “Animal-Drawn Carriages,” of Chapter 407, “Public Vehicles,” of the Cincinnati Municipal Code is hereby ordained to read as follows:

Sec. 407-12. – Animal-Drawn Carriages

As of January 15, 2022, animal-drawn carriages may no longer offer for-hire service in the transportation of persons on the public streets. Animal-drawn carriages may be utilized during parades and special events such as weddings, upon compliance with the applicable provisions of the Cincinnati Municipal Code and issuance of the proper special event approvals and permits.

Section 4. That existing Section 407-137, “Litter Control for Animal-Drawn Carriages,” Section 407-139, “Dimensions for Animal-Drawn Carriages,” and Section 407-143, “Veterinarian’s Certificate Required,” of Chapter 407 of the Cincinnati Municipal Code are hereby repealed in their entirety.

Section 5. That sections 1 through 4 above shall be effective as of January 15, 2022.

Section 6. That the proper City officials are hereby authorized to do all things necessary and proper to implement the provisions of Sections 1 through 5 of this Ordinance.

Section 7. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed: _____, 2021

John Cranley, Mayor

Attest: _____
Clerk

New language underscored. Deletions indicated by strike-through.

REALIZING THE POTENTIAL OF AN EQUITABLE ECONOMY:

*Centering Black Women's
Upward Mobility in the Cincinnati Region*





The Black Women's Economic Mobility Project

Phase 1: Literature review of the historical context of labor trends and systemic barriers to Black women's employment.

Phase 2: Quantitative analysis to understand Black women in the workforce and their economic mobility status in Cincinnati region.

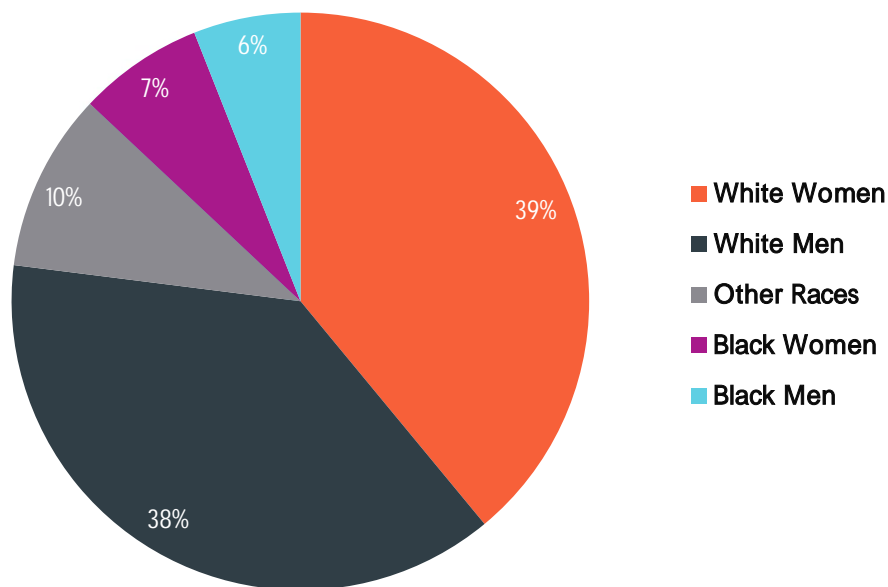
Phase 3: Qualitative study to determine the factors fostering or deterring Black women's economic mobility.



Key Findings

- The industries with a significant portion of the Black female workforce are also the growing industries in the Cincinnati MSA.
- There is a high desire to participate in the workforce by Black women, and they have a disproportional harder time gaining employment.
- Black women are predominantly in jobs that do not pay a living wage, and wage gaps are experienced in every occupation group.
- Black women are not seeing the economic returns for increased educational attainment.

Cincinnati MSA Population by Gender & Race



	Population	Percentage Share
White Identifying	1,729,825	79%
Black Identifying	268,491	13%
Asian Identifying	60,367	3%
Multi-Race Identifying	57,222	3%
Other Race Identifying	24,588	2%
Total Population	2,140,493	

* Racial demographics include Hispanic and non-Hispanic identifying. Overall, the Hispanic identifying population is about 3% of the Cincinnati MSA population.



2018 Total Prime Working-Age Population by Employment & Poverty

	Black Women	White Women	Black Men	White Men
Total Prime Working-Age Population	58,572	335,915	49,801	334,964
Employment				
Labor Force Participation	78.3%	79.9%	75.4%	90.7%
Unemployment Rate	4.5%	2.1%	2.4%	3.5%
Poverty & Public Assistance				
Percentage with Annual Earnings below 100% FPL	26.2%	9.4%	18.8%	8.3%
Percentage Receiving Public Assistance	6.7%	1.3%	0.9%	0.5%

Labor Force Participation: A measure of an economy ' s active workforce (all workers employed and actively seeking employment).

Unemployment Rate: A measure of the share of workers in the labor force who do not currently have a job but are actively looking for work.

Black Female Occupations by Percentage of Gender and Race

Occupation	Jobs	Median Hourly Earnings	Entry-Level Education	% of Women in Job	% of Black people in Job
Nursing Assistants	12,454	\$14.88	Some Postsecondary	89%	39%
Home Health & Personal Care Aides	13,166	\$11.49	High School	86%	36%
Licensed Practical Nurses	7,182	\$22.10	Some Postsecondary	92%	29%
Customer Service Representatives	23,811	\$16.44	High School	69%	16%
Cashiers	20,554	\$11.16	No formal education	74%	16%
Fast Food & Counter Workers	34,479	\$9.85	No formal education	65%	15%
Retail Salesperson	28,348	\$11.42	No formal education	56%	11%
Office Clerks, General	19,811	\$17.32	High School	83%	11%
Registered Nurses	24,760	\$33.64	Bachelor ' s Degree	91%	10%
Waiters & Waitresses	18,688	\$9.85	No formal education	71%	10%

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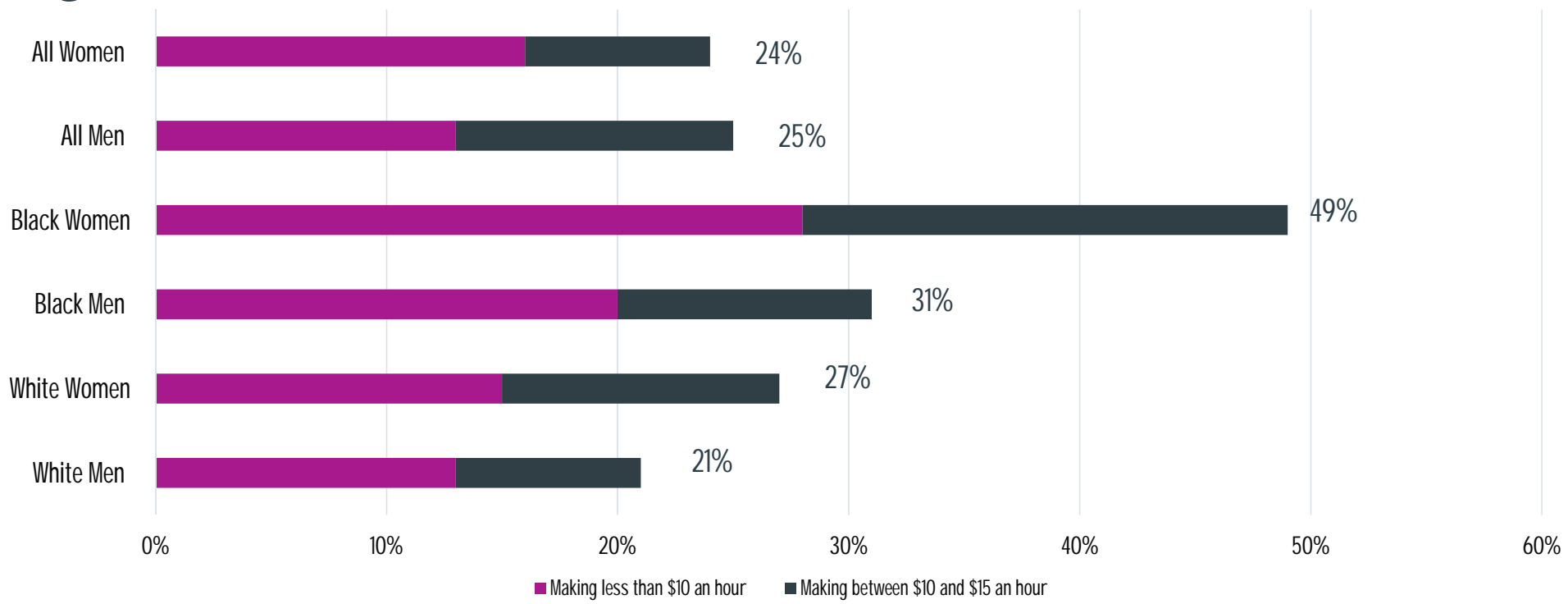
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Percentage of Employed Individuals Making Less than \$10 and \$15 an Hour





Percentage of Employed Individuals Making Less than \$15 an Hour by Educational Attainment

	No Formal Education	High School Diploma/ GED	Some College	Associate's Degree	Bachelor's Degree	Master's Degree	Doctoral Degree
Black Women	71%	43%	47%	37%	32%	9%	0%
White Women	67%	38%	37%	20%	13%	9%	8%
Black Men	55%	38%	36%	36%	10%	13%	0%
White Men	52%	29%	26%	11%	11%	5%	3%



Percentage of Employed Individuals Making Less than \$15 an Hour by Educational Attainment

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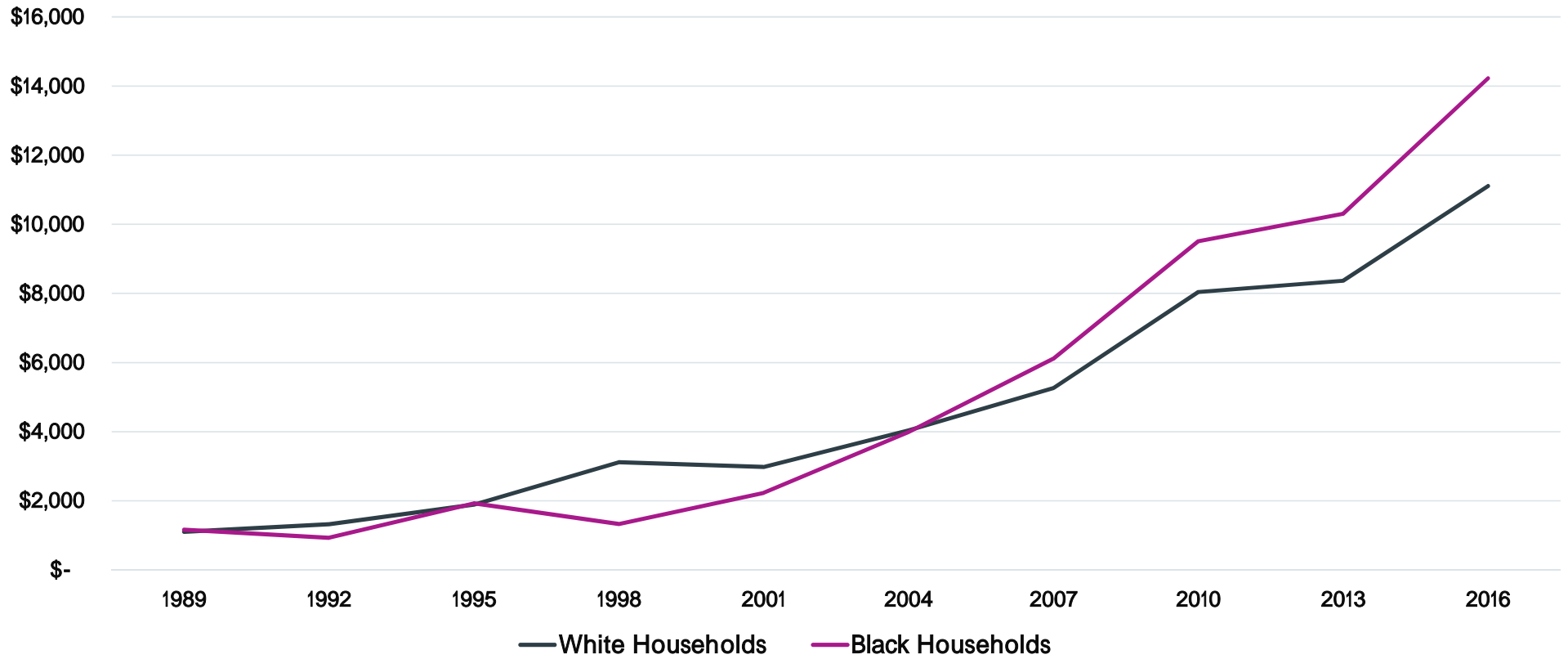
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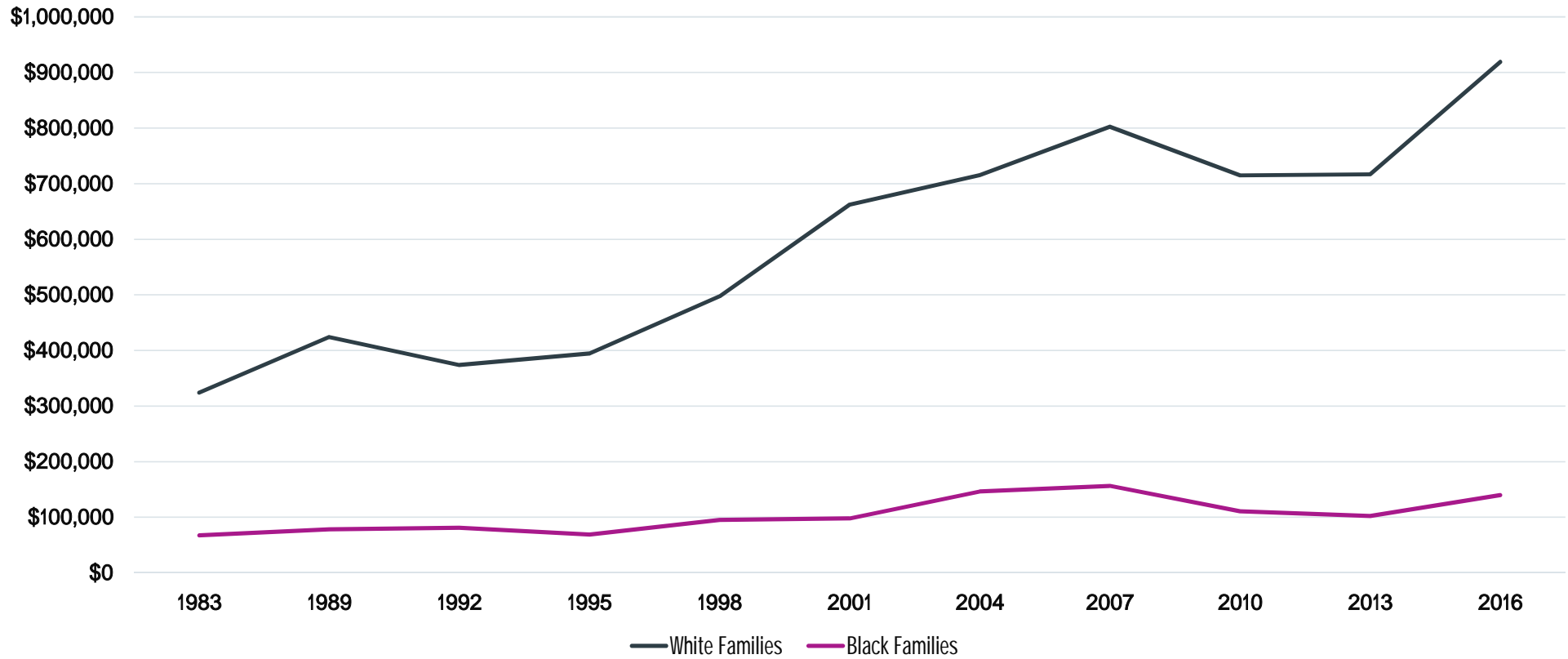
	No Formal Education	High School Diploma/ GED	Some College	Associate's Degree	Bachelor's Degree	Master's Degree	Doctoral Degree
Black Women	71%	43%	47%	37%	32%	9%	0%
White Women	67%	38%	37%	20%	13%	9%	8%
Black Men	55%	38%	36%	36%	10%	13%	0%
White Men	52%	29%	26%	11%	11%	5%	3%

Average Household Student Loan Debt for Those Age 25-55, 1989-2016



Source: Urban Institute calculations from Survey of Consumer Finances 1983-2016
 Note: 2016 dollars. Age is defined as the age of the household head.

Average Household Wealth by Race, 1983-2016



Source: Urban Institute calculations from Survey of Consumer Finances 1983-2016



Key Findings

- The industries with a significant portion of the Black female workforce are also the growing industries in the Cincinnati MSA.
- There is a high desire to participate in the workforce by Black women, and they have a disproportional harder time gaining employment.
- Black women are predominantly in jobs that do not pay a living wage, and wage gaps are experienced in every occupation group.
- Black women are not seeing the economic returns for increased educational attainment.



Policy Recommendations

- ▶ Ensure a Living Wage and Access to Comprehensive Benefits
- ▶ Reform the Public Benefits System to Ameliorate the Cliff Effect
- ▶ Adopt and Expand Pay Equity Legislation
- ▶ Institutionalize Gender and Racial Equity to Inform Policy Decisions



Questions?



201801698

Tamaya Dennard
Councilmember

October 29, 2018

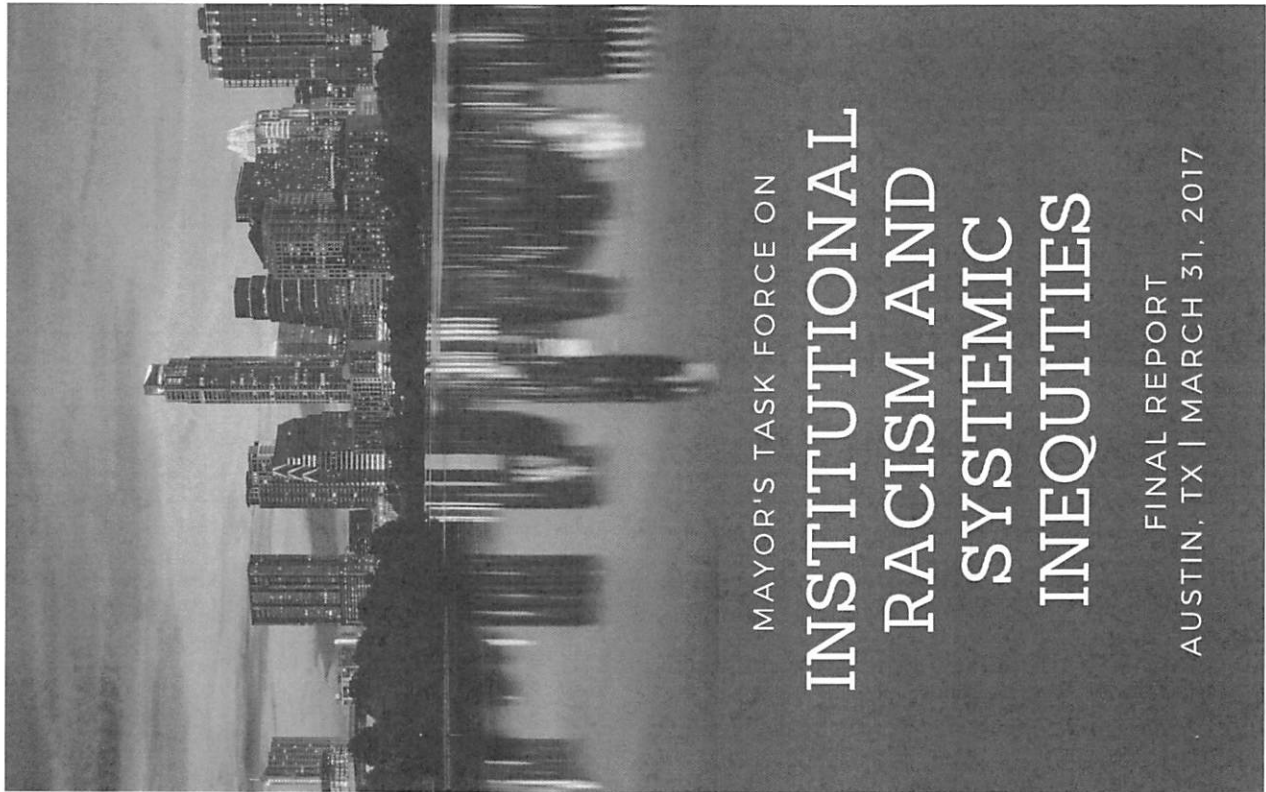
MOTION

WE MOVE that the City Administration report to Council, within 90 days of the adoption of this motion, regarding the feasibility of launching a task force to assess, measure and address institutional racism and systemic inequities in the City of Cincinnati. **WE FURTHER MOVE** that this report be centered around the feasibility of adopting an approach such as the City of Austin “Mayor’s Task Force on Institutional Racism and Systemic Inequities” launched in November 2016 (see attached), which was comprised of several local representatives from business, education, and criminal justice communities to address citywide institutional racism, forming five working groups focused in key areas: Education; Real Estate and Housing; Health; Finance, Banking and Industry, and Civil and Criminal Justice.



Councilmember Tamaya Dennard





MAYOR'S TASK FORCE ON
**INSTITUTIONAL
RACISM AND
SYSTEMIC
INEQUITIES**

FINAL REPORT
AUSTIN, TX | MARCH 31, 2017

"For much of my life, I have recognized race as a force in my own life and in our society...and while ... racism is not the only factor contributing to the diminished capacity of ALL people, and especially people of color...it is THE factor which so many people of power and authority fail to effectively recognize, understand and/or address...

I agree with so many esteemed Austin voices from throughout the community suggesting that this time, like no other recently, our city, state and nation call for us to exchange in a deeper racial truth, promote intra and inter-racial healing and foster greater social, educational and economic well-being.

Never have I had such an extraordinary platform...a combination of high level professional authority and a deep personal conviction to not only name this societal challenge but mobilize self and others to address it. ...I am leading the city in learning how to recognize, understand and address racism at its various levels: personal, institutional, structural and systemic."

-**Mayor Adler, March 2017**

A Letter to the Mayor on Behalf of the Task Force...

Dear Mayor Adler:

On behalf of the Institutional Racism and Systemic Inequities Task Force (the Task Force) and pursuant to our charge, we humbly present this report inclusive of a list of recommendations aimed at continuing the dismantling of institutional racism and systemic inequities in the Austin region. We commend your goal to create a better Austin—one not plagued by persistent and deep disparities. We wholeheartedly join you in this work. For in our everyday work in education, we witness all too frequently the devastating and compounding impacts of these twin evils.

The Task Force was comprised of an extraordinary collection of concerned citizens who served on either the Steering Committee and/or one of the five Working Groups organized in the following sectors: education; real estate and housing; health; finance, banking, and industry; and civil and criminal justice.

According to the Austin History Center, as early as 1890 local residents referred to Austin as the City of the Violet Crown. The title is a nod to an atmospheric phenomenon creating violet and red horizontal bands visible before sunrise or shortly after sunset. In 1938, then Congressman Lyndon Baines Johnson, who orchestrated the construction of water dams to usher in a wave of manufacturing and helped pass legislation to bring the first public housing in the US to Austin, delivered *Tarnish of the Violet Crown*, a radio address focused on the existence of slums, housing, and poverty in Austin. During that nationwide radio address he posed contrasting ideas that demonstrated his pride of Austin as well as deep disappointment when he witnessed the plight of many living in Austin:

“Why, some may ask, should one who is elected to represent this district (District 10) take note of such unattractive spots when our city has so much to be proud of? To those people I will answer that no one is more proud of the beauty and attainments of the city of Austin than I. But for that very reason I am unwilling to close my eyes to needless suffering and deprivation which is not only a curse to the people immediately concerned, but is also a cancerous blight on the whole community.”

Congressman Johnson recognized the pitfalls of a tale of two cities. A truly great city leaves no one behind. Combating poverty and giving even the poor a sense of fairness, respect and dignity would need to be an essential piece of his plan to improve Austin. Today, close to a century later, we find ourselves similarly situated, appreciating Austin’s prosperity — 2017 Best Place to Live in the United States, U.S. News and World Report — while simultaneously experiencing deep discontent with persistent racial disparities. Additionally, there are local, state, and national events calling our community to recognize the stain of institutional racism that deprives those immediately impacted and the community as a whole. Austin cannot be a great city if some of its citizens experience the Violet Crown, while too many others do not. Thank you, Mayor, for seizing this moment to lead our city in learning how to recognize, understand and address institutional racism and systemic inequities. This report from the task force is a step forward on this journey.

After countless hours of great work, including meetings, frank dialogues, reviewing data, training, drafting and redrafting and contemplation, the Working Groups submitted their draft recommendations to the Steering Committee. Thereafter, with additional input from the Steering Committee, the Working Group Co-chairs, the core team and a team of writers compiled the recommendations into this report. As per your request, we included every recommendation by the Working Groups in this final report to ensure diversity of thought.

As you read through this report, you will notice common themes, such as:

- Interrelationship among racism in the five sector areas. For example, institutional racism in education can impact an individual’s ability to obtain a livable-wage paying job, which effects one’s ability to obtain safe housing, which in turn can contribute to poor health outcomes.
- Institutional racism and systemic inequities are not myths. Evidence of their impact exists in each of the five sector areas.
- Historic and current data disaggregated by race is often incomplete. Additional data, collection and assessment tools, and benchmarking are necessary to become smarter dismantling racism.
- The need to continue to encourage and appreciate public and private champions of social justice where they live, work, and play.
- The need to move from a collection of isolated and random diversity and inclusion acts to regional inclusive, coordinated, purposeful, interdependent, and strategic actions, so that we achieve a collective impact.

As noted by each Working Group, this journey will involve concurrent work at three levels—individual, organizational and structural; and must begin with a commitment from all other elected officials, along with CEO’s, executive directors, and other inhabitants of the C-Suite. Collectively, we must all make the personal investment to:

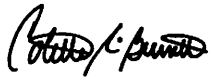
- Engage in personal soul searching;
- Commit to life-long intensive training;
- Learn how to have courageous conversations about race;
- Develop a deeper consciousness and more expansive literacy about the impact of race in personal life;
- Commit to act as agent of change to de-institutionalize racism and eliminate racial disparities in ATX; and
- Build on work of previous and current courageous activists.

To be clear, this report is not the end, but rather a continuum, or next phase of building on the great and sacrificial history of work led by many talented others, some of whom contributed to this current report. Many of these recommendations are not new. It is our fervent hope that what is new is for the community to garner political will and resources necessary to move them from talk to action.

Further, as discussed in greater detail in the Next Steps section, in order for this racial equity work to be transformational and sustainable, we stand committed to continue our membership on a team charged to proceed to the implementation phase. As an example of work proposed for completion in the next phase, we invite Austin regional leaders in K-12 and higher education, business and government to participate in Beyond Diversity™ training. Furthermore, we highly recommend that all executive leaders in the region conduct an internal racial equity audit/assessment to determine the presence of institutional racism in their respective organizations. Both training and assessment are essential to our pledge for continued partnership with you and others as we enhance Austin’s racial intelligence and create a city where race is no longer a predictor of one’s educational, housing, health, economic, or justice status.

The members Task Force look forward to partnering with you to lead the city in recognizing, understanding, discussing and addressing racism at all levels. Finally, we would like to give a heartfelt thanks to members of the Steering Committee and Working Groups who passionately and tirelessly committed their time and talents to this work.

Now, the even harder work begins – implementation. We are encouraged and committed, and look forward to Austin becoming a center of excellence for equity – a true Violet Crown.



Colette Pierce Burnette



Paul Cruz

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1. Education

Summary

The Education Working Group was charged with exploring and reporting back on how institutional racism and systemic inequities manifests in Austin's education system, and who is affected by it. Through a series of meetings, dialogues, data review and group presentations, we discovered that institutional racism and systemic inequities are present throughout our educational system; including the hiring and staffing practices; curriculum and instruction; the unveiled State's accountability measures; admission; access policies and practices; and the pathways and supports for leadership and capacity building for our educators and education leaders.

We identified four areas of focus for our recommendations:

- 1) Hiring, staffing and representation
- 2) Curriculum, instruction and accountability
- 3) Education admission and access
- 4) Leadership and capacity building

These recommendations come with the caveat that more time and dialogue would ultimately create more robust and innovative approaches to dismantling institutional racism and structural inequity. For this reason, we believe continued dialogue on the impact of institutional racism and systemic inequities in Austin education would benefit the community. Creating more participatory events, such as town hall meetings in different parts of the city, and engaging more parents, especially those who are non-English speaking and those whose work schedules make it impossible to attend daytime meetings, are an initial first step. To go even further, annually, the City could declare two days in the year as days to reflect and assess progress toward the ongoing goal of dismantling institutional racism and structural inequality. The symbolic focus would bring the issue to the forefront, and allow for training, such as those recommended to build racial equity capacity, to take place.

Another key component of these recommendations is the idea that the City of Austin take a stand to protect our children and young people in these days of uncertainty. Our passionate belief in working to eradicate institutional racism and structural inequities leads us to understand that we must put children and youth at the forefront of these efforts. The present political climate, in some regard, is a direct reflection of our failure to dismantle oppression. The glimmer of hope moving forward is that enacting these recommendations may lead us to a day when Austin is an exemplar and world leader in equity where each citizen can reach their fullest human potential. The Education Working Group is committed to this goal and will work with the Mayor and our fellow Austinites to achieve it.

Background

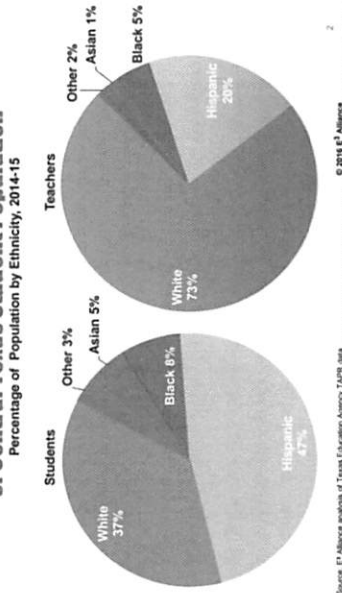
From the ratification of the Texas Constitution forward, Austin has stood out as a Texas city with outstanding educational opportunities. The year of 1881 was particularly noteworthy since it was when Tillotson Collegiate and Normal Institute, education institutions that served Blacks, welcomed its first students. In the same year, Austin was chosen as the site for the University of Texas (it would open two years later, and included women in its first class). Finally, that was also the year that Austin Public Schools began providing free schooling to Austin's children.

Even as we have cherished education, we have yet to embrace integration or equal opportunity as core principles. Institutional racism has been a steady feature of schooling in the Austin community since its

found. Our history includes pivotal moments where we as a community chose segregation and inequitable distribution of resources and opportunities. In the earliest years, we had schools for Black students and schools for White students. Within a few years, we also established separate schools for the growing Hispanic/Latino population. Once divided Black/White, we were further divided into Black/Brown/White racial lines. In the last half century, we have informally, but in real numbers, maintained a de facto segregated reality because most school boundaries follow neighborhood lines and our neighborhood communities remain largely segregated. This time, Black and Hispanic/Latino students are grouped together, while most Whites are educated together. This way, Whites can be schooled as a majority, even in otherwise minority-majority school districts. We are visibly segregated with the notable difference being that in the days of formal segregation we had more non-White teachers serving non-White students.

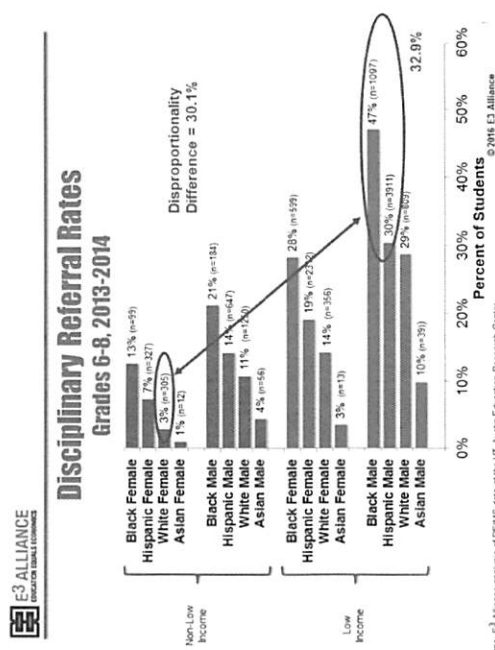
This is evident in the mismatch of teacher demographics to the diversity of student populations in Austin schools. The best data available on teacher demographics for the region indicates that our K-12 Hispanic/Latino students comprise 47% of our student population, yet only 20% of teachers in the region are Hispanic/Latino, compared to White students who only comprise 37% of our student population in Central Texas, with an overwhelming 73% of all teachers in the K-12 system in the region who are White. While we were unable to obtain data in the higher education sector, national trends suggest that faculty demographics similarly mirror those in K-12 (National Center for Educational Statistics, 2016).

Teacher Demographics Do Not Match Diversity of Central Texas Student Population



This lack of staff diversity in our schools creates a cultural "mismatch" between teachers and students. Studies (Cay, 1993; Gregory, Skiba, & Noguera, 2010; Ladson-Billings, 1995) indicate that this "mismatch" is detrimental to students of color. Studies have identified that White teachers have higher expectations for White and Asian students in their academic achievement and merit than for Hispanic/Latino and Black

students, even when student ability would prove otherwise. In Central Texas, for example, education data and practitioner experience indicates huge disparities in disciplinary referrals for students of color, most especially Black students, who are disciplined at far higher rates (Texas Applesseed, 2015), even when considering income. Such differences by race are attributable at least in part to cultural mismatches between adults and students of color (Staats, 2014).



Such bases are not easily addressed and they unfortunately exacerbate over time. Although any teacher can genuinely love their students and push them successfully toward their goals, biases can unintentionally interfere and impede the overall healthy progress of the student. In the higher educational context, a less diverse faculty means that research and scholarly focus on areas pertinent to communities of color may be invalidated and less likely to be pursued.

Part of the cultural mismatch is also aspirational: how welcoming the environment at the school is to diversity, how safe and nurturing it is for students of color to grow and thrive as students, and who they see in positions of authority and responsibility in their school or college/university?

When inequitable representation exists on a campus, or in a school district, it sends a message that research, teaching and leadership positions may not be for the student of color who may seek that as a profession and a life's calling. For example, if in a school or college/university where the majority, if not all, of the teachers

and/or faculty are White and the service staff, custodial/cafeteria staff are people of color, an unintended message is being conveyed to students of color about the pathways of success available to them.

Recommendations

1.1. Hiring, staffing, and representation

The staffing of our schools, colleges, and universities impacts the aspirations of students and affects the access to successful role models of color for students of color (as well as White students). A disproportionality of administrators, faculty, and teachers of color means that our community is not adequately maximizing human potential for Asian, Black, Hispanic/Latino, and Native American citizens in Austin, and nationwide.

The impact on underrepresented communities of color is obvious. However, it is important to note that students and community members who are White are also impacted: the histories, challenges, and wisdom that are inherently part of the experiences of communities of color are not represented, and White students in Austin are potentially ignorant of these rich sources of knowledge – thus perpetuating stereotypes about lack of achievement among communities of color.

Challenges:

- Who is in the pipeline to become an administrator, teacher, or faculty member? Most likely these students are not people of color. The diverse educator pool is too small. This is also true in higher education, though there are Ph.Ds. in underrepresented populations if we seek them nationally.
- Lack of intentional coordination that provides student teachers to hiring institutions. In higher education there should be more intentional efforts to provide postdoctoral training, host research conferences, and showcase the city of Austin as a promising site for teachers, administrators, and faculty to launch careers, and move careers to the next level.
- Recruitment – placement and targeted hiring practices should be enhanced to attract Asian, Black, Latino, and Native American teachers and faculty. Among faculty, coordinating efforts between area universities could prove beneficial if Austin is marketed as a hub of higher education, with a variety of institutional types (public, private, historically Black, Hispanic/Latino serving, research, regional, community college, etc.).
- Retention – incentive programs and mentorship for early career teachers, administrators, and higher education professionals.
- Leveraging our students, who are members of our community, as assets: future teachers, administrators, and faculty members of color are attending schools in Austin as we speak. Investing in their development and encouraging them to pursue education as a career should be as robust and endorsed as programs to develop athletic talent.
- Reactive responses, such as bringing in consultants and mediators when racial bias is experienced in the workplace, can be costly, rather than proactive efforts to identify and reduce bias. Likewise, litigation is expensive as well.
- Costs of living in the Austin area are high in comparison with teacher and faculty salaries making it difficult to compete with more affordable communities when recruiting diverse teachers and faculty.

Recommendations:

- 1.1.1. Prepare equity assessments and equity reports on minority and gender representation at all levels and ranks in area colleges and universities.

1.1.2. Housing allowance or designated housing for entry level teachers, and/or tax breaks for faculty and administrators.

1.1.3. Businesses interfacing with schools – e.g., companies in the tech sector can financially support teachers via partnerships.

1.1.4. Hiring teachers and faculty of color in cohorts or clusters – creating a climate of inclusion. The city can facilitate citywide convenings to bring people of color in education together across district and college/universities.

1.1.5. Use the mayor's ability to convene school district and college/university leaders to converse about addressing underrepresentation of communities of color.

1.1.6. Promote the use of language and terms that specifically label issues such as racism, oppression, systemic inequity, institutional racism, White supremacy, so that the City and its leadership model how to effectively talk about these issues in a non-“colormute” manner.

1.1.7. Better integration between all levels of education – coordination between colleges and hiring institutions.

1.1.8. Incubate new community-based, extended day, extended learning (after school) educational programs or projects and expand the capacity of existing ones.

1.1.9. Locate funding for programs that are already doing successful recruitment/retentions - provide competitive grants to enhance efforts.

1.1.10. Marketing campaign of “We are Austin” – a great place to live, work and play for Asian, Black, Hispanic/Latino, and American Indians, showcasing cultural, spiritual, and community assets.

1.1.11. Awards that recognize excellence in Hispanic/Latino and African-American teachers, administrators, and faculty – much like what is present for students.

1.1.12. Stipends, loan forgiveness, and grants as incentives specifically targeting teachers and faculty of color.

1.1.13. Modifications to licensing requirements and recruitment practices to reach out of state for teachers and potentially attract a larger minority pool. In higher education, providing postdoctoral fellowships and/or visiting professorships which operate in a similar manner.

1.1.14. Create formal mentoring programs for administrators, faculty, teachers, peer to peer, veteran teachers and new teachers, etc.

1.1.15. Ensure presence of institutional culture that values/supports diversity. This can take the form of establishing an Office of Education to consolidate and expand educational programs within the purview of the City of Austin.

1.1.16. Ensure that support, and expectations of faculty of color equal that of all faculty. If these professionals have diversity-enhancing responsibilities, they should be assigned out of interest and compensated, rather than assumed to be automatically part of their “expertise” and done without compensation.

1.1.17. For senior level positions in educational settings, we advocate for the policy instituted by UT System Chancellor McRaven that each pool have one or more viable candidate(s) from an underrepresented population.

1.2. Curriculum, instruction, and accountability

Current school curriculum, instruction, and assessment do not create equitable opportunities for all students. The wealth of resources in the community is not tapped into to provide quality and equitable education for every student. This creates opportunity gaps and students that are not prepared for college, career and life.

Challenges:

- Cultural competence at all levels (school level teachers, counselors, college faculty, and administrators) and community members.
- Placement in courses – access to pre-AP or AP tracks
- Curriculum to Industry Pipeline that supports preparing all students so that they are college, career, and life ready
- Lack of advocates and/or mentors
- Students opting out of traditional public schools in the region for other options such as charters, private schools, and home schooling, which may mean they are out of reach of our typical instructional delivery vehicles, such as ISDs. There will need to be strategies to address students outside of these traditional systems.
- Accountability system - Teachers forced to focus on the test and not on differentiation or culturally relevant practices

Recommendations:

- 1.2.1. Integrate cultural competency among staff at all levels. Cultural Proficiency professional development, like the Beyond Diversity training, should be instituted and delivered to all public school and university employees. Cultural competence training at all levels (school level teachers, college faculty, counselors, and administrators, city officials, community members, all stakeholders).
- 1.2.2. Advocate that all curriculum PK-16, will be culturally inclusive. This should include ethnic studies courses, most especially Hispanic/Latino and Black music, voice, dance and the arts, into the K-12 and higher education curriculum; that are co-constructed and shared among schools, districts, and colleges.
- 1.2.3. Sponsor professional development workshops for teachers in the region to teach Ethnic Studies and provide instructional materials.
- 1.2.4. Incorporate mentoring into curriculum that supports youth of color.
- 1.2.5. Instructional resources that reflect culturally relevant and restorative practices.



1.2.6. Align instructional practices/pedagogy to targeted professional development around cultural competency.

1.2.7. Expand and fund P-16 model beyond Early College High Schools to include internships; businesses would receive incentives for supporting the P-16 model in public schools.

1.2.8. Harness the innovation of students to create a pipeline (curriculum to industry).

1.2.9. Hire a Liaison that brings together and leverages non-profit organizations, small businesses, and other resources to build capacity in schools.

- 1.2.10. City of Austin should consider providing tiered incentives to businesses that provide mentors to students in schools, from PK-16.
- 1.2.11. Grants for community schools that serve 95% of their attendance zone, which provides that school the autonomy to meet the needs of their surrounding community to transform schools into inclusive and rigorous learning environments.
- 1.2.12. City of Austin should provide curricular units on the history of Austin and inequity, including historically impactful events such as the Plan of 1928, the integration (and resistance to integration) of Austin area public schools, integration in higher education (Sweatt, Hopwood, and Fisher cases), and current patterns of inequity. These units should be tailored for elementary, secondary, college, and graduate level, with resource kits available to all schools and colleges.
- 1.2.13. Include other measures of accountability in addition to standardized testing, including student portfolios and other formative measures.
- 1.2.14. Partner with a third party that would serve as a regional check/balance with all surrounding ISD's with regard to the other measure of accountability. Begin to offer a counter narrative that would supplement the state's accountability system, thereby making accountability less inherently racist considering the tools currently established.
- 1.2.15. Advocate for a third party to monitor effectiveness of other accountability measures by creating additional tools of representative evaluation. Local leadership (Mayor, co-chairs of task force) could declaratively establish a local/regional accountability measure and introduce third party as authority behind the tool.
- 1.2.16. The City of Austin, as one of Austin's largest employers, should provide working parents time on a monthly basis to attend schools without having to use leave.
- 1.2.17. Promote the value of bilingualism and bi-literacy in city affairs.
- 1.2.18. Publish an online, monthly E-newsletter on equity and community engagement in Austin.

1.3. Education, Admission, & Access

We envision a city and region in which all students can gain access to excellent educational resources (schools, programs within schools, certifications programs) that serve all students well. In the Austin and Central Texas region, admissions and access to opportunities should result in enrollments that match the demographics of the region, and should be characterized by curricula, pedagogy, practices and structures that support the range of students who inhabit the region. Race should not be a predictor of likelihood to be enrolled in one program or institution over another or in personal, educational, professional and life outcomes.

Many special offerings within and in addition to traditional public school offerings may be subject to access factors and admissions procedures that systematically favor some students over others and produce racially disparate outcomes. These special opportunities exist at each education level and include Magnet Programs, Certification Programs, College Credit in High School, Advanced Placement, Gifted and Talented, and International Baccalaureate. The admissions procedures for each program, combined with such factors as cost, transportation, counseling, and community expectations, contribute to race and class distributions that vary widely from opportunity to opportunity. This is simply not a reflection of interest, but of the uneven distribution of opportunities to Central Texas learners. These inequities are additionally reinforced by residential segregation, a category that Austin is regrettably a leader in among American cities (Florida & Mellander, 2015).

There are many practices that push our spaces towards diverse representation of students. Pre-K includes federal dollars that ensure greater access for low-income students, most of whom are Black or Latino. The well-known Top 10% plan in Texas, increases regional access, especially including admission of students from predominantly Hispanic/Latino and Black schools. Other programs, practices and procedures include regional distribution in acceptance pool, targeted outreach programs, Application fee waivers, and income sensitive tuition rates. In addition, local organizations like ECHO (homeless advocacy) and Foundation Communities are keenly aware of adversity faced by some children, a disproportionate percentage of whom are Black and/or Latino. They build programs to support, protect, and advocate for these students and thus may assist in promoting access to spaces of special opportunity for students.

Challenges:

- Biased application processes can include:
 - use of teacher recommendations in context of unequal distribution of veteran teachers;
 - exclusionary or biased questions as part of applications;
 - favoring performance indicators that reflect quality of the sending school as opposed to students drive and potential.
- Systematically biased school counseling
- Hostile environments for Black and Hispanic/Latino students in the spaces of special opportunity
- Application fees
- Restricted access to spaces of opportunity for broad categories of infractions.

Recommendations

Examination of admission procedures to determine:

- 1.3.1. The extent to which the applicant pool reflects the racial demographics of the sending area.
- 1.3.2. What the receiving program looks for in an applicant and whether racial bias is built in at that initial level.
- 1.3.3. The extent to which application processes include racially alienating or racially exclusive features.
- 1.3.4. The outcomes in terms of acceptance, enrollment and retention after enrollment.

Investigate, Identify, and Invest:

- 1.3.5. Develop a rubric to identify programs and skills that promotes racial equity.
- 1.3.6. Apply rubric and Investigate racial distribution of students in spaces of educational opportunity.
- 1.3.7. Identify barriers to entry.
- 1.3.8. Invest city resources that can help overcome barriers.
- 1.3.9. Support development of all professionals in contact with youth to ensure cultural proficiency and racially just, non-discriminatory practices. Funding for trainings is a possibility, as is maintaining a database of trainers.
- 1.3.10. Identify, support and partner with organizations whose work promotes access across racial lines and thus undermines barriers that produce or sustain racial disparity.
- 1.3.11. Call for and incentivize the eradication of institutionally racist iconography and build up alternative, inclusive narratives. (e.g., Confederate soldiers honored with statues, landmarks, and street names; installation of statues of civil rights icons, inclusive processes to rename racist/White supremacist-named institutions.)

1.4. Leadership & Capacity Building

The first step in building the racial equity capacity of our educational institutions is to ensure that the leaders in school districts and higher education in the region gain an understanding of “why” it is important that they build their personal capacity to better understand institutional racism and its pervasive impact on the communities they serve.

The impact of disproportionality in discipline by race can be observed at the national, state, regional, and city level; Texas Appleseed’s 2015 report *Suspended Childhood* charts the number of suspensions in the top ten school districts in the state, which includes the Dallas, Houston, San Antonio, and Austin areas. One significant finding was that Black students were more than twice as likely to receive out-of-school suspensions as White students in 2013-2014. Disproportionate suspension rates of students of color not only disrupts their learning, but reflects institutional racism.

Implicit biases can explain individual educators’ discretionary actions in punishing students of color “more harshly and more frequently than others, even for the exact same behaviors” (Texas Appleseed 2015). But, suspended/expelled students are more likely to fail a grade, drop out, and even get into the juvenile justice system (Texas Appleseed 2016, xi-xii), thus multiplying the negative consequences of what may have been a completely unconscious decision. Individual educators’ discretionary suspensions of students of color lead to worse educational outcomes for students of color on a systemic scale, which our institutions and society condone.

It is critical that institutional leaders understand the reality and the link between how school policies and practices lead to student performance results and academic achievement, and how implicit bias can lead to unintended outcomes that current interventions cannot address or solve.

As Damon Williams (2013) describes in his book “Strategic Diversity Leadership,” institutional racism is addressed by analyzing our institutional systems. All individuals in a system must work together to prioritize and sustain racial equity. Such projects endure over time when senior leadership “[contributes] to the process by creating a broad institutional vision, redirecting resources to implement that vision and requiring plan development and accountability from individuals at multiple levels. [Only they] can focus attention and prioritize diversity in a manner sufficient enough for institutional changes to be deep, pervasive and ultimately transformative.”

Additionally, the Center for the Elimination of Disproportionality & Disparities’ recommends the Texas Model to move systems to equity. In this model, communities served must be engaged in institutions’ decision-making processes.

The racial equity capacity of teachers, administrators and professors starts in their respective colleges of education. Cultural proficiency must be integrated into every college of education course. As institutional racism is inherent and reproduced through the “places, policies, and practices that shape our daily lives,” (Aspen, 2013), adding racial equity into every course challenges these White supremacist paradigms in a systematic way.

Challenges:

- Professional development addresses individual cases of “racism” rather than the system that supports discretionary suspensions
- The designation of a single entity to address “diversity”, *without sufficient, tangible and ongoing institutional accountability*, dilutes the collective responsibility of an organization as a whole to undo racism.

Recommendations:

1.4.1. Build Racial Equity Capacity of Educational Institutions:

- As a starting point, educational institutions should conduct self-studies to review student performance results and their relationship to institution practices and policies.

1.4.2. Continuous (Quarterly) Training for City of Austin Institutional Leadership Across Systems

- Senior leadership (the Mayor, Superintendents, College and University Presidents, and City Council members) will attend one of the following trainings:
 - Undoing Racism Training w/ community members (from each city council district).
 - Beyond Diversity I Training.
 - Beyond Diversity II Training.
 - Trainings from the Center of Elimination of Disproportionality & Disparities
- Peer group accountability and collaboration.

1.4.3. Build Racial Equity Capacity of Senior Leadership in Educational Institutions (Boards, Cabinets, Principals)

- Biannually, senior leadership within educational institutions (boards, cabinets, and principals) will attend one of the following trainings:
 - Beyond Diversity I Training.
 - Undoing Racism Training w/ community members (from each city council district).
 - Beyond Diversity II Training.
 - Trainings from the Center of Elimination of Disproportionality & Disparities
 - Poverty Simulation and Restorative Practices Trainings
- Peer Group Accountability and Collaboration.

1.4.4. Build Racial Equity Capacity within Faculty and Staff

- Annually, faculty and staff (teachers, teaching assistants, custodians, lunch monitors, librarians, direct service staff) will attend one of the following trainings:
 - Beyond Diversity I Training.
 - Undoing Racism Training w/ community members (from each city council district).
 - Beyond Diversity II Training.
 - Trainings from the Center of Elimination of Disproportionality & Disparities
 - Poverty Simulation and Restorative Practices Training
- Peer Group Accountability and Collaboration.

1.4.5. Build Racial Equity Capacity within Parent and Community Volunteers

- District or Educational Institution determines what training this level receives (Beyond Diversity I & II, etc.).
- Provide suggested readings and resources on how to explore race with your children – each campus decides how to disseminate this information.

Conclusion from Working Group Chairs

These recommendations come with the caveat that more time and dialogue would ultimately create more robust and innovative approaches to dismantling institutional racism and structural inequity. One overall recommendation, therefore, would be to encourage to continuation of dialogue on the impact of institutional racism and systemic inequity in Austin in education. We know there is sufficient interest among members of the working group to continue meeting and fine-tuning this work. Members volunteered time and resources over the past several months working on this report; if the city can provide incentives (meeting spaces, refreshments, small stipends), we are certain there is an active community group that can serve in an advisory capacity to the Mayor's office to implement these recommendations. More participatory events, such as town hall meetings in different parts of the city, engaging parents, especially those who are non-English speaking and those whose work schedules make it impossible to attend daytime meetings, are an initial first step. Indeed, the city could declare two days in the year as days to reflect and assess progress toward the goal of dismantling institutional racism and structural inequality: this work, of course, is embedded and daily, but the symbolic focus would bring the issue to the forefront, and allow for training, such as those recommended to build racial equity capacity, to take place.

One such approach to the training would be to invite the top leadership in K-12 and higher education, business and government in the region to undergo the Beyond Diversity C-Suite training. The issues around education are region-wide and not specific to one school district, and the intersectionality of education with other key areas such as health, transportation, and housing, among others, creates a regional reach and focus. That is why we are recommending that school superintendents serve as the regional catalysts for the equity training to ensure that leaders, influencers and decision makers that play an important role in the lives of the kids and their families in their jurisdiction also undergo the same equity training, to gain a common language around issues of equity, and to begin to work together to identify and dismantle institutional racism and systemic inequities. The vision is for the superintendents to invite the Mayors and city councils, the city/municipal leaders, the presidents of higher education institutions and their institution leaders, and the Chambers of Commerce leadership in their city to join them in the one to two day equity training. E3 Alliance will be convening the regional superintendents and college presidents/leaders on April 12, and could serve as a partner in this process to help launch the initial phase.

As members of this working group, we struggled to find our footing and engage directly in conversations about racism, White supremacy, and systematic inequity until the Beyond Diversity training sessions. Once a majority of our group had experienced this impactful workshop, we found that we were able to tackle these challenging issues in a more purposive and meaningful way. The impact of the training is of such magnitude that we have to prioritize the importance of the city providing access and support to expand the training across the Austin community, particularly among those who are engaged in the education sector. In conclusion, recent events targeting immigrant communities (documented and undocumented) have heightened fear and disrupted the lives of our most vulnerable residents. Many of the working group members work directly with children and their families, or college students who are undocumented, and we have witnessed how classrooms and communities have been impacted in recent weeks. One step we feel is critical is that the City of Austin takes a stand to protect our children and young people in these days of uncertainty; one way could be to ensure that Austin endorses the UN Convention on the Rights of the Child (accessible in child-friendly language at: <https://www.unicef.org/rightsite/files/uncccchildfriendlylanguage.pdf>). Many of these rights touch on the areas of education, criminal justice, and health care, so its applicability to our work is relevant in many ways. Our passionate belief in working to eradicate institutional racism and structural inequity leads us to understand that we must put children and youth at the forefront of these efforts. The present political climate, in some regard, is a direct reflection of our failure to dismantle oppression. The glimmer of hope

moving forward is that enacting these recommendations may lead us to a day when Austin is an exemplar and world leader in equity and each citizen reaching their fullest human potential; we are committed to this goal and will work with the Mayor and our fellow Austinites to achieve it.

2. Real Estate & Housing Work Group

Summary

We believe that policies implemented by the City of Austin over time, combined with procedures created and carried out by other local institutions, caused people of color, particularly Blacks, to be segregated into the eastern parts of the city and limited their access to many things necessary for upward mobility. Furthermore, we believe that continued City policies are now forcing the families of those residents to move further away from and often out of the city altogether. It is not an accident that Austin is the only fast-growing city in the nation that has recently seen a numerical drop in the number of Blacks while all other groups have risen. Due to these ongoing policies of disregard for the rights and needs of people of color, we strongly believe that the City of Austin owes these Austinites redress for the wrongs they have suffered, and we propose a comprehensive new package of policies on real estate and housing to do just that.

Institutional racism is racism that is perpetuated by powerful social organizations (as opposed to individual actors) that implements racial inequality through systems—that is, through deliberate and organized processes. But, with respect to government, institutional racism also takes the form of inaction and neglect; when government actors fail to address racial injustice, when they allow such injustices to continue unabated, they are also engaging in institutional racism. Institutional racism will continue to persist if there is no effort to change it.

The Real Estate & Housing Work Group calls for the City of Austin to redress past wrongs through a conscious program that utilizes new public and private funding to confront inequity in real estate and housing and ensures that the City's adoption of policies align with the principles of racial equity as mandated by the City's New Equity Office.

We offer two critical recommendations to begin to redress past institutional racism in real estate and housing in Austin and avoid future systemic inequity:

- 1) First, we recommend that the City of Austin develop a local dedicated fund to carry out a comprehensive program to redress institutional racism in Austin real estate and housing.
- 2) Second, we call upon the City of Austin to not only recognize but also redress racial injustices created and sustained by City policy through creation of a comprehensive program to combat systemic racial inequities in Austin real estate and housing.

Our report details these recommendations and offers a detailed summary of policies that we recommend for consideration in the comprehensive real estate and housing equity program.

Background: How did our city become so racially divided?

In 2014 Austin topped the list of most economically segregated large metropolitan areas in the United States. This means that when compared to its peer cities, Austin exhibits the least residential economic integration among its residents—it is the place where one is least likely to find working class people living within proximity of the upper middle class. Austin was also found to be the most racially segregated large metropolitan area in the United States. Economic segregation cuts deeply across racial lines: wealthier residential areas are overwhelmingly white; lower-income areas maintain highest concentrations of Blacks and

Hispanic/Latinos. In short, economic segregation and racial segregation go hand in hand. Economic and racial segregation have resulted in a city that is separate and profoundly *unequal*, as areas with higher concentrations of people of color are also home to under-resourced schools, fewer health centers (or healthcare options in general), fewer transportation options, fewer healthy food options and far fewer environmental protections.

In addition, homeless people are disproportionately Black, 42.4%, compared to 31% non-Hispanic Whites and 23.5% Hispanic/Latino. The lack of housing has dramatic effects on people's health. ECHO, the Austin advocacy group for the homeless, found that in Travis County, the homeless who require the most medical care, have an annual average of 37 days of in-patient care, 21 emergency room visits and 19 trips using EMS vehicles. These health crises cost taxpayers an average of \$222,000 per person per year; however, if these individuals were housed at an annual cost of \$22,300, their health care costs would be reduced to \$20,000 annually. Housing greatly improves the health of people and has benefits for taxpayers as well.²

What accounts for the residential economic and racial segregation of Austin? Some argue that it is driven primarily by the housing market: As Austin becomes a destination city, those with means move here from other parts of the country at a rapid clip, thus raising housing prices and, subsequently, property taxes, especially in the more attractive areas of the urban core. In turn, longstanding residents, particularly those with modest means, can no longer afford to live in the heart of the city; they are "pushed out" to outlying areas. The focus on market forces suggests that the racial segregation we are witnessing today is not statutory (as it was prior to the advent of civil rights protections) and therefore beyond the purview of government remedies. But, this line of argument fails to account for the ways in which past government policies which were explicitly racially discriminatory—including laws, ordinances, and city planning—were directly responsible for segregation and gentrification driven displacements we witness today. City government has yet to take full responsibility, much less redress these past racial injustices. Our working group believes it should. Here are several examples of racially discriminatory practices and policies:

- **Displacement of "Freedman Towns":** Throughout the twentieth century, Austin's people of color have experienced waves of settlement and displacement caused by the City and other government entities. One of the earliest was Wheatsville, a settlement of former slaves and their descendants, in west Austin, from which many Black families were removed in order to build the MoPac freeway. Blacks and Hispanic/Latino s were also forced to move into settlements outside of what was then the city of Austin during the 1870's–1920's into communities such as Clarksville, St. John's, and Montopolis.
- **The 1928 City of Austin Master Plan and the creation of a segregated "Negro District."** The creation of the Negro District compelled the majority of the city's Blacks to move to the segregated eastside of Austin, and concomitant policies denied them the right to live in other parts of the city. The historic Black neighborhood in east Austin became that area east of East Ave/IH 35, north of E. 7th Street, west of Airport Blvd., and south of Manor Rd. The city's abattoir (slaughterhouse) was located in this area.
- **The Removal of Mexican Americans:** From 1910 through the 1920s Blacks lived throughout the center of Austin with concentration along the eastern side of downtown, while "Mexican American" households were concentrated in a neighborhood in the southwest of downtown. While some "Mexican American" households remained downtown through the 1940s, most "Mexican American" families arriving in Austin moved into the Hispanic/Latino neighborhood east of downtown – just south of the Black neighborhood—between current day East 10th Street and Cesar Chavez Street, and later down to the Colorado River banks. The completion of the Tom Miller and Loughorn Dams protected the city from major floods but caused the value of their land to increase. "Mexican American" families were pushed into East and South Austin after the value of their land increased because of the successful

² <http://austinecho.org/wp-content/uploads/2016/03/Austin-Homelessness-Needs-and-Gaps3.pdf>. Slide 9 and 13.

damming of the Colorado River. Throughout the period, the relationship between segregation laws and the two groups (Blacks and "Mexican American") was disparate. Whereas Blacks were obliged to move into the Black neighborhood, the "Mexican American" neighborhood developed in a less structured manner. However, measures implemented to enforce and reinforce geographic segregation including real estate deed restrictions and city ordinances prohibited both Black and "Mexican Americans" from buying or renting homes anywhere in Austin outside of East Austin. In the 1930s, the city also voted to build housing projects in ways that would reinforce segregation by building separate segregated housing projects. Also in the 1930s, "Mexican American" residents were pushed to move from "Old Mexico" in order to make room for City and related office buildings. Many of them were placed in the neighborhood bounded by East Ave./III 35 on the west, the river on the south, Airport on the east, and 7th Street on the north. The City's Holly Power Plant was built in this area during the 1950s (Spence, J., et. al, 2012).

- **Early Chinese immigrants to Austin were prohibited from owning property.** Discriminatory laws denied Chinese immigrants (who were prohibited from citizenship under federal law) the right to own property in Austin. The spouses of these immigrants were often stripped of their U.S. citizenship and its various benefits.
- **The Industrial Development Plan of 1957 led to environmental racism.** The City Planning Commission zoned all property in East Austin "industrial," including single family residential uses. This ensured that the most polluting industries which were already in East Austin remained there. Furthermore, because of this zoning, few residents were able to get banks loans (red-lining) for repairs or replacement of their original homes, leading to deterioration, which in turn laid the groundwork for gentrification.
- **The building of IH-35.** In 1962, the building of Interstate Highway I-35 created the clearest physical barrier between East Austin and the rest of the City, deepening the racial segregation of the city.
- **"Urban Removal".** Urban Renewal, which began in the late 1960's and continued through the 1970s, was a federally funded program focused primarily on areas with majority Black and Hispanic/Latino populations. Brackenridge (1969), University East (1968, Kealing (1966), and Blackshear (1969) urban renewal areas displaced people of color from large areas and turned formerly residential land into parks and schools without providing adequate opportunities for displaced households to return. The urban renewal programs therefore became known as "urban removal". The East 11th and 12th Street urban renewal program starting in 1994 contributed significantly to the gentrification of Central East Austin with little effort to mitigate the displacement of households with low-to-moderate income.
- **Recent Zoning:** The City continues to permit higher uses in lower zoning categories in the eastern part of the city than elsewhere. In 1991 the City rezoned large areas of the western portions of the Robertson Hill and Guadalupe neighborhoods along with East 11th Street. This zoning is so intense that the Senior Planner reviewing the application commented, "Nowhere in the city, with the exception of the CBD (central business district), are these generous FAR's (floor to area ratios) used. What about compatibility standards? Doesn't East Austin deserve the same treatment as other areas of the city?"

Further, the following brief stories outline real examples of people who have personally experienced some of the forces of institutional racism and gentrification.

The impact of gentrification:

- Seniors Mr. and Mrs. Z, Hispanic/Latinos, live in Mr. Z's family home, which dates to the late 1800s, located on E. Sixth Street in what has always been a mixed use neighborhood due to the widespread over-zoning of all East Austin properties through the Austin Development Plan of 1957. Mr. Z inherited his father's auto mechanic shop, which is in back of the family home, and he changed it to a small machine repair shop when he took over the business. The neighborhood has always been busy, but the residents and businesses were neighbors who looked out for each other. Things started to change once the City opened E. Sixth Street to redevelopment with the new apartment complexes. Now, despite the fact that the Mr. and Mrs. Z still love this home in which multiple generations have lived and made a

living, at this point in their lives, they want desperately to sell their family home and get out of Austin. They feel driven out due to the gentrification of their street, which has surrounded them on three sides with new, very populated bars that have loud outdoor music and are often filled with drunk and disorderly people nearly every night. On the fourth side a local Hispanic/Latino restaurant still operates, and provides them the only peaceful enjoyment they have left in their home.

- Mr. D, a retired Hispanic/Latino man, grew up in downtown Austin in a neighborhood then called Little Mexico, the current site of the Austin City Hall and Republic Park, then known as Chili Park as it was located near the Austen Chili Factory. Due to the neighborhood's location near what was then downtown, a redevelopment effort was launched to remove the "ramshackle shacks" owned by Hispanic/Latinos and Blacks in the area. As a result, Mr. D's family moved to Rainey Street, then a small Hispanic/Latino neighborhood east of downtown. Mr. D became the President of the Rainey Area Neighborhood Association (RANA). RANA fought to and did obtain historic status for their neighborhood, but by the 1980s the pressures on Rainey were increasing. In 1983, Mr. D was quoted as predicting that Rainey would be taken over by condominiums for the rich, and there would be no more poor people. He also stated that he feared that if he had to move again, it would kill him. In 2009, the City Council voted to upgrade Rainey's zoning from single family residential, historic, to central business district, not historic. Three months after Mr. D's last move, he passed.
- Mr. and Mrs. Q, Hispanic/Latinos in their 60s but not yet retired, lived in the East Fourth and Fifth Street neighborhood of near East Austin all their lives. They were very active in their church, and served on their local Parent Teacher Association and their neighborhood association. When the Sixth Street bar district suddenly started expanding eastward, they found their modest home surrounded by impromptu parking lots for the new bars, and they suffered from the nightly noise and people walking through their yard. The more they tried to adapt, the greater became the intrusion. They finally felt forced to leave the neighborhood for which they fought for decades. They sold their home and moved out of Austin to a small town within Travis County. They return from time to time to visit their old church, but their neighborhood no longer exists and they are making new lives in their new town.

The impact of rising property taxes:

- Mr. and Mrs. W, Black senior citizens, lived on Glen Oaks Court in Rosewood Neighborhood until last year. Mr. W was a lifetime Rosewood resident, and Mrs. W had lived in Rosewood with him for their entire marriage. When Mr. W became ill and had to be hospitalized at the VA Hospital, Mrs. W was unable to keep up with the financial costs of the home, particularly the escalating property taxes, and his health care and they were forced to sell and move to San Antonio. Mrs. W noted that the taxable value of their house, for which they paid \$39,000 in 1984, had climbed all the way to over \$400,000 in 2016 which meant that, despite homestead and senior exemptions, their taxes were raising heavily every year.
- Mr. R, a Hispanic/Latino in his nineties who has owned his home since the 1950s, has put it on the market as he lives on a Social Security check of just over \$700 per month. When Mr. R was young, he had his own sheetrock and tape and float business, and his sons and grandsons learned and carried on the trade themselves. They did not have health insurance or other benefits when working for themselves and do not qualify for substantial Social Security benefits or any Medicare supplemental insurance. When Mrs. R senior was alive and working, she paid property taxes and property insurance out of her income first as a maid and then from her Social Security, but she passed almost a decade ago. Two of Mr. R's sons live with him, but they are also senior citizens living on limited Social Security. The R's find it impossible to keep food on the table, pay the utilities, pay for medications, keep gas in a vehicle and keep it running and have enough left to pay the constantly escalating property taxes. He hopes to sell the property for enough to move out of the city to a rural area where taxes are lower.
- Mr. W, a Black senior citizen who was a disabled veteran, passed away recently and left his property to his daughter. Mr. W paid no taxes due to his disabled veteran status. When Ms. W inherited the home, the tax free status disappeared, and her taxes on her family home became \$7000 per year. The home needed extensive repairs since Mr. W lived on a fixed income and was unable to afford upkeep. Although Ms. W would like to stay in the home that had been in her family, she does not qualify for a home improvement loan plus the high taxes. She feels she has no option but to sell her family home and move

to a community outside Austin where the homes are newer, taxes are lower, and most residents are closer to her age group.

Challenges with existing affordability tools:

- Approximately twelve years ago Mr. P developed a 100 unit condominium project in East Austin. The project was located on old rail road land that was very inexpensive and construction costs were low. Their target market was first time home buyers who could actually afford to own for the first time. More than half the units were priced under \$100,000 and the majority of the rest were about \$125,000. He recalls, "We were very proud of the fact that it was so affordable and so many young people had a shot at actual home ownership. At the time our project was widely celebrated and we were repeatedly thanked by the community, city officials and even the neighbors who thought we had done something that fit into their community and was affordable. City officials believed so and provided assistance through the SMART Housing program. The somewhat sad news is that today the parking spaces are full of relatively expensive cars, the units are priced at \$200,000 to over \$300,000 and it has become a community of young urban hipsters that is out of reach of most service employees and working class first time buyers. The temptation to make 10's of thousands of dollars was just too great for many of the original buyers and they sold into an ever rising market."

The impact of rising costs of living, especially with health issues:

- Mr. and Mrs. R, a Hispanic/Latino couple in their forties, both work in a restaurant in central Austin. They work twelve hours per day, six days a week. They share a two bedroom apartment on the outskirts of Austin with Mrs. R's parents and the R's three children, including a 5 month old baby with special needs. The R's desperately wish for more space, but they do not earn enough to be able to afford the rent for a larger space even on the outskirts where they live. They had a second car, which their teenage daughter was driving to help with some of the travel needs, but they were unable to afford to keep it repaired and had to let it go. Now any medical appointments and any school needs require one of the parents to take off work, further reducing the family income.
- Mrs. P, a Black woman who is a recent widow with two school age children, was forced to sell the home that had been in her husband's family for over seventy years. Her husband had a stroke several years ago and was forced to give up his work as a construction contractor. In addition to the loss of income, he had major medical expenses as he had never been employed by a company that provided health insurance. Mr. P never recovered from the stroke sufficiently to be able to return to work, so Mrs. P took up cashier work at a convenience store and qualified for SNAP (food stamps), but was forced to sell the house as she was unable to keep up the maintenance, utilities, and property taxes. The family moved to Creedmore, a small community southeast of Austin, where they live in a trailer. Mr. P's second stroke last year was fatal, and his family remains in Creedmore.
- Mr. C is a Black man in his 40s. He was born and still lives in East Austin. However, Mr. C is homeless. Due to health issues, he is unable to hold a steady job but must work odd jobs offered by neighbors and others to maintain himself. He is unable to rent a room for himself, and so he is currently living in a storage shed behind a vacant house in the neighborhood where he used to live with relatives. To see Mr. C, you would never know he is homeless as he does not display any stereotypically "homeless" behavior or characteristics: keeps himself clean, never wears the same clothes two days in a row, and is generally polite and sociable. Since he has no home and therefore no regular address, Mr. C has been told he cannot apply for or receive Social Security Disability insurance. He worries about the future when he will be too old to keep up the life he now leads due to his health. He does not want to die on the streets.

Affordable, but not equal living spaces:

- Mr. and Mrs. B are African immigrants who live with their children, a son aged 8 and a daughter aged 9, in northeast Austin in an apartment in a moderate sized complex that is in very poor physical condition. All the apartments are very dirty, get infested with bed bugs, have issues with roaches and rodents. In addition, the physical condition of the apartment is pretty bad, with bathrooms and kitchen that are

damaged and look dangerous and unhygienic. Mr. B says that their management can't be bothered with maintenance. He said that he and his wife do not know their rights nor do they know where to report it when they are being mistreated or discriminated against. Another problem is that the B's are not fully fluent in English, and the children often serve as interpreters, but may not understand what is being said so may not interpret correctly. Mr. B said that his family was not allowed to swim in the pool because they were told they would make the pool water dirty. The B's did not even know that they were discriminated against--they just thought it was okay to be treated this way simply because they were on government assistance program and they were in a cheap apartment. The pool was not up to standards and it needed a lot of maintenance.

Recommendations

2.1. Affordable Housing: fund it to create it

We believe housing affordability is the number one political issue in Austin today. It is a crisis that affects people regardless of race, but the shortage has had a profoundly disproportionate impact on Blacks and Hispanic/Latinos. There is an important and challenging nexus between housing affordability and racial justice in our city. Austin must acknowledge the inseparability of these problems and start to consider both issues together.

The affordability problem has driven up housing and land costs in Austin's core and has created sprawl in the outlying regions. This working group does not believe that the market (even a highly incentivized one) can address such a substantial affordable housing shortfall.

- Therefore, we first, recommend that the City of Austin develop a local dedicated fund to carry out a comprehensive program to redress institutional racism in Austin real estate and housing.
 - We recommend a mandatory linkage fee to fund creating and preserving substantial affordable housing, based on the Denver model. Based on current projections and 2015 data, if Austin were to implement a linkage fee of \$2 per square foot, it could raise \$60 million annually for the fund, which could create 400 housing units at \$150,000 each.
 - We believe that Austin must set a goal of \$600 million for this fund over a ten-year period (based on the amount recommended just above) if we are to make progress in the area of inclusion in our great city.
 - We further recommend that uses of the fund be recommended by a special entity, based on the Denver model. The City of Denver set up a new Housing Advisory Committee to provide essential strategic input on uses of the dedicated fund: <https://www.denvergov.org/content/denvergov/en/denver-office-of-economic-development/housing-neighborhoods/HousingAdvisoryCommittee.html>
 - We also recommend the Mayor's Strike Fund, which is in the process of raising private funds to purchase market rate but deteriorated housing, particularly in high opportunity areas, remodel it, and offer the improved housing to lower-income families, particularly families of color.
 - The dedicated fund for affordable housing can and should draw on multiple sources of funding, including TIFs, federal funding, tax policy, incentive programs, fee waivers, Homestead Preservation Districts, private funds, foundations, housing bonds, and revenue from the sale of public land. We recommend a Tax Increment Financing (TIF) program be started in existing Homestead Preservation Districts and the subsequent funds be used in the district which raised the funds for the preservation of existing affordable housing.

2.2. Fair Housing and the right to choose

The Fair Housing Act guarantees everyone, including subsidized housing residents and people of color, the right to freely choose where to live. This includes neighborhoods where poverty rates are lower, new jobs are being created, and schools are high performing.

Every five years, HUD requires each community that receives federal housing and community development funds to prepare an updated Analysis of impediments to Fair Housing Choice. The 2015 Analysis of Impediments in the City of Austin can be found at http://austintexas.gov/sites/default/files/files/NUICD-Reports-Publications/1Analysis_Impediments_for_vyb.pdf. This Analysis identifies twelve barriers to fair housing choice, with the top three being (1) the lack of affordable housing disproportionately impacts protected classes with lower income and higher poverty rates; (2) the lack of affordable housing citywide exacerbates segregation created through historical policies and practices; and (3) the City is limited in its ability by state law to use inclusionary zoning as a tool to broaden housing choice. The Analysis also includes a prioritized list of 31 specific action items to be taken by the City to address the 12 barriers.

2.2. Second, we call upon the City of Austin to not only recognize but also redress racial injustices created and sustained by city policy through creation of a comprehensive program to combat systemic racial inequities in Austin real estate and housing.

Apply the following policies to all new affordable housing, both rental and for homeownership:

- 2.2.1. Adopt an Austin version of Portland's criteria for bringing former residents back to gentrified areas. "People displaced or at risk of displacement from the study area will have priority access to housing developed through this initiative. Similar policies have been implemented in New York, Massachusetts, California, as well as through Home Forward here in Portland. The Bureau has been and will continue to work with the City Attorney's office and the Office of Equity and Human Rights to develop this program's mechanics." See <https://www.portlandoregon.gov/plb/article/517174>. The City of New York also has a "right to remain or return" policy. Austin's own Guadalupe Neighborhood Development Corporation (GNDC) is the only remaining CDC in Austin that is trying to and actually bringing former East Austinites back home through targeting people who are former residents or East Austin.
- 2.2.2. Using public-owned property to build new land-banked and land trust homes for low-income former East Austin residents of color who want to return, including a variety of housing including manufactured, mobile, modular and tiny homes. RECA in "Public Land Use in Austin" noted that Austin in October, 2016 took steps to coordinate an approach between local jurisdictions to make surplus property available for public housing.
- 2.2.3. Ensure the new land development code offers a range of housing types, with special emphasis on the availability of units affordable to low-income residents.
- 2.2.4. Ensure that the inventory of new affordable housing construction strikes an appropriate balance between households with children and singles.

2.3. Rental Housing

- 2.3.1. Adopt the online application being developed for the city of Portland, OR that lists all available affordable units in one location accessible to the target populations such as health clinics and community centers. This data base would include unit size, number of bedrooms, bathrooms, rent and other fees. The current density bonus units of affordable housing are spread over town in many projects, and the target population cannot know where to look for or find an affordable unit even if one is available. It is also probable that apartment owners do not actively seek the target populations.
- 2.3.2. Strictly enforce the building codes for multifamily apartments to ensure that affordable housing remains habitable, with a particular focus on housing that has received government subsidy.

- 2.3.3. Define "Affordable Housing" for projects supported by the new fund as incomes of 50% or less Median Family Income (MFI) for home ownership, and families or seniors with incomes of 30% MFI for rentals. This would apply only to projects or programs with local and private funding, not federal.
- 2.3.4. Develop a plan to conduct and fund regular matched pair housing discrimination testing to root out discrimination in Austin's private rental and sales markets. Take enforcement actions against violators uncovered through testing.
- 2.3.5. Support Austin Housing Authority's Section 8 mobility initiative to assist households with housing vouchers to find housing outside traditional racially and economically segregated neighborhoods.
- 2.3.6. Incentivize the development of mixed-income rental housing developments rather than 100% low-income and 0% low-income housing developments.
- 2.3.7. Work with neighboring governmental jurisdictions to adopt a new region-wide Fair Housing Plan following the new standards established by HUD in 2016.
- 2.3.8. Carry out a regional public information campaign to educate on segregation and fair housing issues.
- 2.3.9. Establish a program to recognize and reward real estate services companies, landlords, and realtors who voluntarily support and proclaim Austin values of "integration, diversity, and inclusion of everyone" through their business practices and in their properties. Develop a program of city financial incentives to reward these practices.
- 2.3.10. Develop assessments of existing conditions and goals for affordability, diversity, and inclusion for each Austin neighborhood. Provide incentives in CIP funding and code protections to encourage residents of those neighborhoods to develop and carry-out initiatives to achieve neighborhood affordability, diversity, and inclusion goals.

2.4. "The Right to Stay"

Austin must ensure that people of color who have long lived in a particular home or neighborhood have a right to stay and enjoy living in economically and racially integrated (or inclusive) neighborhoods. In order to do that, Austin must take aggressive steps to ensure housing for all its residents, not only those newly arriving, but also the longtime residents. The City of Houston enacted an initiative consisting of four fair housing and neighborhood rights in 2010. One of these is the "right to stay", i.e. the right to remain in their neighborhoods. To codify this, the City must geographically identify areas that historically and/or currently house Black and Hispanic/Latino communities. We recommend that Austin start with preservation programs in the homestead preservation districts located in East Austin plus the Black Cultural Heritage District (Six Square).

- 2.4.1. Since home ownership is the most effective tool for lower income communities to build wealth, support production of units that can lead to home ownership, such as different housing types including modular-manufactured-mobile-tiny, or condominium apartments with multiple bedroom, and rent-to-own options. For some, the use of Additional Dwelling Units (ADUs) may help, if the current owner can qualify for a development loan.
- 2.4.2. Homeowner tax payment assistance (one time only) such as offered by the East Side Conservancy in addition to ensuring all seniors in the districts have applied for and received homestead and senior exemptions; plus enact city exemptions within the districts.
- 2.4.3. Consider increasing the property tax exemption for seniors; work with other units of government, including health, Austin Independent School District (AISD) and community college districts, to freeze all property taxes for seniors, and consider an exemption for those on reduced income.
- 2.4.4. Continue the home repair programs for homeowners the Austin currently runs, but also create home repair programs to enable elderly and disabled district homeowners to receive needed repairs without clear legal title, and a legal program to help clear titles on many-generations owned properties (one of our Work Group members has already begun work on creating such a program free to qualified homeowners).

- 2.4.5. Include "historical need", meaning the length of time which an improvement has been listed in a plan or request as needed in the matrices used to make recommendations and priorities for use of any Capital Improvement Funds to include projects for utilities, streets, sidewalks and bridges, and parks.
- 2.4.6. We recommend the following provisions of the right to stay be included in CodeNEXT:
- Ensure there are effective avenues for resident involvement in decisions regarding increased non-residential uses permitted in residential areas or expanded approval by staff in addition to commissions or Council.
 - Ensure that any projects that receive City of Austin funding do not offer exclusively market rate housing.
 - Encourage modular/manufactured/mobile/tiny homes affordable to workforce families.
 - Ensure that the code offers a variety of funding models, such as voluntary density bonuses is embedded in the new code but that development is open to other models, including those suggested in this report.
- 2.4.7. In order to develop in contained, context sensitive matter and ensure new development addresses gentrification, we suggest the City of Austin consider policies to mitigate gentrification. Examples of these policies could include:
- Enacting a temporary moratorium on all rezoning cases and demolition permits for single-family and multi-family homes within the East Austin Homestead Preservation Districts and the Black Cultural Heritage District while the City considers its official position on gentrification and implements short term initiatives for slowing down gentrification in those areas; or
 - Enacting a temporary moratorium on rezoning and demolition of any structure deemed to either be individually eligible or contributing to the historic nature of the East Austin area covered in the City of Austin Historic Resources Survey of 2015 pending review by the City of Austin Historic Preservation Commission as well as the required planning and zoning bodies. This effort is consistent with the Imagine Austin Comprehensive Plan which sets forth preservation as a key goal for the city.

2.5. Ensure Affordability in High Opportunity Areas

Over the past decade, the City of Austin has spent a substantial amount of time and resources studying access to opportunity and the dispersion of affordable housing. When the City of Austin brought together a diversity of stakeholders in 2006 to study ways in which to incentivize affordable housing throughout the community (the Affordable Housing Incentives Task Force), City Council adopted many (but not all) of the resulting recommendations. City Council enthusiastically embraced the Task Force's recommended core values of long-term affordability, deeper affordability, and geographic dispersion to be guiding principles for policy decisions. However, these values have yet to be fully realized.

Indeed, several developers and non-profit leaders in our group noted that even when some units are available in areas outside East Austin, people of color and other poor families may not be interested in moving to these areas due to the lack of public transportation, affordable grocery stores and health care, and other working neighborhood services.

Building on the work of a variety of task forces and working groups over the past decade – and bolstered by the professional recommendations which are listed in the References section, the following recommendations are timely and have the potential to advance integration, diversity, and inclusion in the City of Austin:

- 2.5.1. Establish a program to put in actual affordable communities on transportation corridors in high opportunity areas that include lower-income serving businesses, recreation, education, health care, and public transportation as well as housing.
- 2.5.2. The City of Austin should consider allowing alternate bidding processes for the use of housing dollars, for example, allocating funds to different areas of the city. Have applicants bid for dollars

based on geographic areas to produce the most units meeting the required criteria. If there is money left after the first place bidder, allocate the next dollars to the second and so on. The current model makes an assumption that residents want to escape low opportunity areas and/or that the resident wants help relocating.

- 2.5.3. Modify the growth concept map in the Austin Comprehensive Plan (IACP) to enable growth and redevelopment equitably throughout the City and enact zoning changes in neighborhoods west of IH135 to allow for smaller lot sizes and encourage ADUs.
- 2.5.4. Allow a variety—manufactured housing, modular, and tiny homes—of housing types throughout the city where appropriate.

2.6. Community Empowerment



The legacy of historical limitations on homeownership contributes to Austin's high levels of income segregation, which, according to research by Harvard University's "The Equality of Opportunity Project," is associated with low rates of intergenerational economic mobility (Zehr, D., 2015).

The City of Austin and its residents must acknowledge the damage being caused by our community's continued acceptance of residential racial and ethnic segregation. The solution must begin with our community embracing integration and diversity as a core value.

More affordable housing is essential to achieve integration. But additional housing supply alone will not achieve integration. Austin's extraordinary growth and the desirability of living in historic core neighborhoods undergoing rapid racial transformation means any achievable housing supply in these neighborhoods can be expected to be taken up by growth demands, which are overwhelmingly white. Laws protect all Americans from discrimination based on race or national origin and therefore racial quotas or reservations are not a solution.

There is no simple solution to this problem. But, Austin must start to address the challenge. Here are five initiatives the City of Austin should immediately pursue:

- 2.6.1. Austin must acknowledge the damage being caused by our community's continued acceptance of residential racial and ethnic segregation. The solution must begin with our community embracing integration and diversity as a core value.
- 2.6.2. Campaign to invite Austin area citizens to embrace the values of racial integration, diversity, and inclusion at the individual, neighborhood, and regional levels.
- 2.6.3. Market housing, both renter and owner-occupied, to people of color in both gentrifying neighborhoods and in traditionally segregated white neighborhoods. Tie together housing, transit, jobs, and schools to result in thriving communities.

- 2.6.4. Initiatives to support existing lower income residents through affordable and safe ways to access home equity without selling, and for mitigating the impact of increasing property taxes.
- 2.6.5. Enforce Fair Housing laws, which in Austin today are for all practical purposes ignored. The City must aggressively root out all vestiges of housing discrimination through law enforcement actions based on a widespread program of testing and prosecution using the only effective fair housing enforcement technique—matched pair testing.
- 2.6.6. Make Austin the national center for “neighborhood integration, diversity, and inclusion” by:
 - Establishing a Joint Center for Urban Integration, Diversity, Inclusion, and Affordability at the University of Texas, Huston-Tillotson University, and St. Edwards University, with an extension program working in Austin’s neighborhoods for students to work with residents to observe, learn, and innovate.
 - Supporting Austin neighborhoods to serve as living laboratories for neighborhood and housing equity and inclusion.
 - Workforce Training and investing in neighborhood-based Community Development Corporations, to engage people of color, persons of all incomes, developers, architects, planners, and community leaders to develop neighborhood level initiatives to achieve integration, diversity, and inclusion. This could certainly tie to the recommendation on the East Austin Conservancy. For data and recommendations regarding home equity and seniors: <http://www.urban.org/urban-wire/whats-stopping-seniors-accessing-wealth-stored-their-home-equity>

2.7. City Accountability

While it is critical that Austin City government make meaningful changes to achieve the goals outlined in this report, success is not likely without basic understanding and buy-in from City Staff.

- 2.7.1. The Mayor, with assistance from the Task Force, should produce an executive order that acknowledges the City’s racist policies of the past (and present) and calls all City officials and employees join him in a commitment to educate themselves and to begin immediately to do their part in delivering meaningful change. All City leadership and staff should be required to develop action plans to address race-based disparities in our city and to promote multiculturalism and full involvement and participation by all residents. Staff performance reviews should measure progress in those plans.
- 2.7.2. The City’s Chief Equity Officer should be supported with additional staff to conduct an annual review of each City department using a “report card” developed by his team, approved by the Mayor, and endorsed by the Task Force. Among the staff should be one or more dedicated to coordinating efforts among various City departments, specifically the Neighborhood Housing and Community Development, to ensure: equity in publically subsidized affordable housing; the implementation and enforcement of fair housing laws; the delivery of City and County programs aimed at assisting vulnerable residents maintain their homes and remain in their neighborhoods. The City should also consider third party training for its departmental managers and team leaders to provide them with the understanding, skills, and tools needed to lead the effort to eliminate institutionalized racism.
- 2.7.3. Finally, we recommend that every new City code, ordinance, plan, or policy be reviewed and approved by the Chief Equity Officer whose responsibility it should be to identify any potential negative consequences for people of color, as well as potential for improvement to proactively make reparations for those negatively impacted by current and prior codes, ordinances, plans, or policies. This would include the current draft of CodeNext.
- 2.7.4. Through both legislative advocacy and through the courts, defend Austin’s right to enact policies and ordinances to combat residential segregation and to support “integration, diversity, and inclusion of everyone.” Start by mounting aggressive challenges to State of Texas legislative

actions infringing on Austin’s ability to use inclusionary zoning, linkage fees, and prohibition of source of income fair housing protection.

3. Health

Summary

Good health is a key determinant in the ability of an individual to live and work with dignity, but not all Austin residents have equal and equitable access to health care services in their communities. The burden of the inequity in access and availability of health care services falls primarily on low-income communities of color.

Current issues in health disparity are not isolated to problems in the health system. They are the cumulative result of both past and current racism throughout the Austin minority populations. For instance, because of institutional racism, minorities have less education and fewer educational opportunities. Minorities are disproportionately homeless and have significantly poorer housing options. Due to discrimination and limited educational opportunities, minorities disproportionately work in low paying, high health risk occupations (e.g., construction, migrant farm workers, fast food workers, garment industry workers). Historic and current racism in land and planning policy also plays a critical role in minority health status. Minorities are much more likely to have toxic and other unhealthy uses sited in their communities than Whites, regardless of income. For example, over-concentration of alcohol and tobacco outlets and the legal and illegal dumping of pollutants both pose serious health risks to minorities. Exposure to these risks is not a matter of individual control or even individual choice.

Improving health takes much more than improving health care. By aligning the city budget and policies to advance equity, improvements in social conditions that determine health will result in health improvements.

Our recommendations are based on the idea that the City of Austin can intentionally redress historic and systemic forms of institutional racism and systemic inequities in order to improve the social determinants of health of the communities facing health inequities.

Background

“Not everything that is faced can be changed; but nothing can be changed until it is faced.”

– James Baldwin

Institutional racism and systemic inequities have deep historical roots of hundreds of years of explicitly racist policies reinforced by de-facto practices that are on-going nationally and locally. The impact of this history on the health of Austin residents is profound. Current day institutions perpetuate these inequities if they do not intentionally address them. To truly address the cumulative impact of racism will require a commitment – that will be uncomfortable - to re-prioritize and reallocate resources to begin to “turn the Titanic.”

Where We Are Today: The Impact of the Unconscious Bias

Standard protocols for practice help ensure that everyone receives the right care or services to meet their needs. Implicit and explicit bias influences how those protocols are interpreted and carried out. The following story (or case study) is an example of how the implementation of a care protocol can be influenced by implicit bias:

Two children visit into the Emergency Room after falls that led to each having a broken arm. One child is white; the other is black. The same physician treats both patients, interacts with both families and writes down the medical reports. The child from the white family goes home with a cast and a lollipop; the child from the black family goes home with a cast and a referral to Child Protective Services. Both children had reported similar circumstances leading to their injuries.

Institutional settings lack the training and an organizational culture that recognizes we all have implicit and explicit bias and perpetuate inequities. Bias is normalized and stereotypes inform decision-making. As a result, individuals in the receiving end of racism experience negative health outcomes more frequently than those not being discriminated against.

Where We Are Today: When Race 'Neutral' Policies Have a Negative Impact

Policies, procedures and practices are guidelines that set parameters for decision-making. Each of these can institutionalize racism and systemic inequities when they are developed without a critical eye on who is most likely to be impacted by the policy. The following story (or case study) is an example of how a review of policy can examine how it contributes to systemic inequities:

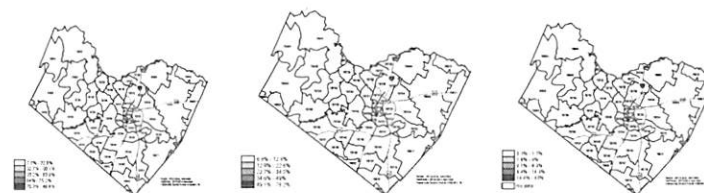
Case managers in the child welfare system reviewed their placement data and found children of color were more likely to remain in foster care and age-out of the system without ever being placed in a long-term family (these are known as forever families), despite an extended network of grandparents and relatives willing to provide a home for them. A policy review team found a policy that stated a guardian for children in care must have a high school diploma to be considered as a placement for the youth. The review team questioned what about a high school diploma guaranteed a home would be safe for youth. In fact, many of the caseworkers recognized their own parents did not have a high school diploma.

Unpacking a policy requires a thought exercise in which you test the policy effect on multiple populations. The example above, which may have had good intentions by favoring placements in families with higher levels of education, disproportionately affects children of color. High school graduation rates locally and nationally vary by race and ethnicity such that people of color are more likely to leave school without completing a high school diploma. The reasons vary: the need to start working at an early age to contribute to household earnings, a school system that does not meet learning needs. Because of the way graduation rates vary by race and ethnicity, people of color are more likely to be impacted by this policy. Thus, the policy denied children of color the opportunity to live with grandparents and other family members and instead the children remain in the care of CPS until they age out.

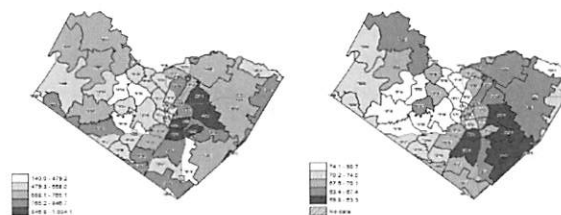
Maps: What Happens to Cities without Intervention

The figures below are from the Austin Public Health Department 2016 Critical Indicators Report.

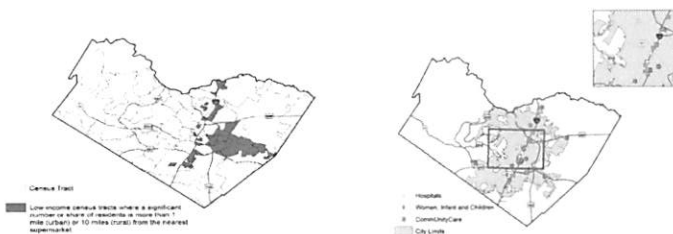
Where We Live: 2010-2014, Percentage of White, Hispanic/Latino, and Black Populations by Zip Code



Who Dies: 2011-2015, Age-adjusted All-cause Mortality Rates, Age at Death



Who Has Access: Location of Food Deserts and Location of Hospitals, Austin Public Health Women, Infant and Children Clinics, and Community Care Centers



Recommendations:

3.1. Cross-Cutting

Intersectional Lens: We believe it is important to bring an intersectional lens to understand how income, gender, age, sexual orientation, disability, language, nationality, religion and other forms of social oppression intersect with institutional racism.

Proactive and Deliberate Inclusivity:

- 3.1.1. Name who is excluded as the norm. Because many groups feel excluded, threatened or are simply absent in mainstream consciousness, it is important for us to be deliberate in approaches to inclusivity. Examples include framing community in terms of residents not citizens and focusing on those fearful or threatened and are likely to feel the impact of racism even more. Examples include refugees, immigrants, the elderly and those with special needs.
- 3.1.2. Cultural competency and linguistic sensitivity. Moving beyond cultural sensitivity, to address institutional racism will require competencies that highlight perspectives and experiences that otherwise would remain hidden. Language-related barriers must be addressed to ensure access for all.
- 3.1.3. Bi-directional community collaboration and assessment. We believe that partnering in co-education between community groups and health care institutions will ensure that expertise is gained from those who are best able to provide it, creating a shared and equitable platform for learning together.
- 3.1.4. Planning for communities to stay and flourish. Any interventions to improve resources, access and health will, if left to market forces, result in displacement. Thus, any geographical interventions must be made with a deliberate strategy to ensure communities enjoy the fruits of the interventions. "Right to stay" should be a key part of neighborhood revitalizations.

Focus on Justice

- 3.1.5. Reveal, report and act on health disparities. Regular reporting and highlighting of health disparities and their causes among traditionally underserved communities of color will be an essential part of addressing systemic inequities.
- 3.1.6. Education on all options for all. Justice in health care will require ensuring access to education on all options available for every patient regardless of how their care is paid for.
- 3.1.7. Mental health and related stigma. Mental and behavioral health cuts across all diseases, and undercuts our ability to strengthen health of our communities. It is responsible for accentuating disparities. It is also related to significant stigma which requires deliberate, culturally competent interventions.
- 3.1.8. Intentional tools to advance equity. In order to uproot policies and practices that inadvertently perpetuate institutional racism and systemic inequities, institutions need formal tools to closely examine budget allocations, priorities, and programs. The City of Austin's equity tool is a start that should be expanded with similar mechanisms in all of our key institutions.
- 3.1.9. Aligning scope of recommendations with ability to influence. Each recommendation will need to be enacted with tactics that match whether the area is under the direct purview of the city's leadership (mayor, elected officials, city manager) or is an area of influence for the broader range of institutions. For the former, recommendations should be more specific around responsibility and accountability. For the latter, they should be persuasive, with attention paid to making the case from an aspirational, business and social capital standpoint.

3.2. City Government Equity Initiatives:

- 3.2.1. Equip the City of Austin Equity Office with the staff, resources, training, and infrastructure needed to lead the work on eliminating institutional racism and systemic inequities. Work to eliminate institutional racism and systemic inequities at the City of Austin should start at the leadership level of

the city – the Mayor, City Council, City Manager, Police Chief – and enabled by the newly created Chief Equity Office. To successfully accomplish their work, the Equity office should have adequate staffing, budget and authority to maintain accountability, provide training and undertake other related activities.

- 3.2.2. Create an Office of Resilience within the Austin Public Health Department to ensure all services and systems are trauma-informed and trauma-responsive. Trauma both exacerbates and leads to poor health outcomes. Undoing the impact of trauma requires a cultural shift. An Office of Resilience, can implement a city-wide transformation project among all city sectors, systems and partners to collaboratively become trauma informed and trauma responsive, through training and coalition building.
- 3.2.3. Allocate more resources for the Austin Public Health Department's City of Austin Health Equity Initiative. The Health Equity Initiative is charged with developing and providing services that reduce health disparities. Additional resources for staffing, equipment, materials, mobile units and health equity contracts, will ensure the Health Equity Unit will be able to work alongside and support the newly minted Office of Equity on all matters related to health. Women of color face compounded challenges, thus ensuring access to all health care options for all women should be highlighted.

3.3. Targeted Education & Information:

- 3.3.1. Train City of Austin, Travis County, public sector, and government agencies employees on institutional racism and systemic inequities. All public service employees should receive training on institutional racism. An example is the Undoing Racism/Community Organizing Workshop offered by The People's Institute for Survival and Beyond.
- 3.3.2. Dedicate a portion of the funding allocated for community grants for ongoing cultural sensitivity for community healthcare workers. In keeping with the City value of "D stands for Diversity & Inclusion". The City of Austin will dedicate a portion of the approximate \$7M allocated for community grants to provide ongoing cultural sensitivity training for staff of community non-profits who provide health services. Any non-profit applying for a future community grant from the city must demonstrate their staff have, and continue to participate in city offered cultural sensitivity training.
- 3.3.3. Provide health promotion and disease prevention educational materials to children and families who are most affected by health disparities. Educate children and their parents about physical and mental/behavioral diseases that are preventable.
- 3.3.4. Create easily accessible, neighborhood-specific, resource directories. Inform the public about the facilities, institutions and services in the surrounding areas – such as places of worship, social services and neighborhood associations – in various languages.
- 3.3.5. Provide activities and programs for seniors in communities most affected by health disparities. Promote active healthy aging, a sense of belonging and utility among seniors through community centers.

3.4. Geographic & Neighborhood Inequities:

- 3.4.1. Building on work to date by communities disproportionately affected by pollution in Austin, conduct a geographic analysis of environmental indicators, combined with race and ethnicity data, utilizing the U.S. Environmental Protection Agency's (EPA's) EJSCREEN tool.
 - A higher burden of pollutants in communities of color in Austin. To assess potential for addressing disparate impacts of environmental pollution on communities of color, the City of Austin should support a geographic analysis that utilizes the EPA's EJSCREEN tool and information presented by affected communities, and should take action to remedy any disparities in exposure to environmental pollution based on race or ethnicity.

- 3.4.2. Incentivize public-private initiatives that increase food access in food deserts. Under resourced areas of the city will need investment through incentives to ensure services are available, especially for something as essential to health as good food. We recommend the City of Austin develop incentives for the private sector to develop new food access points in areas of the city with limited access to food retail (food deserts). In addition, any such incentives-based approach for retail should ensure that we maximize ease of access to the food (e.g. full-service grocery stores to enable one-stop access to resources and easy transportation to the retail to ensure usage) and that the food available is healthy and priced accessibly. The City of Austin's Food Access Strategic Plan should be used as a reference to build off of.
- 3.4.3. Scale up the City of Austin Public Works Neighborhood Partnering Program into a Department of Neighborhoods. Residents of communities affected by health disparities have a unique perspective to and a stake in problem solving. Providing multiple sources of funding for neighborhoods to access and implement solutions to their issues will facilitate clear, transparent and equitable representation in effective, sustainable decision-making. The Department of Neighborhoods should focus their efforts on the Eastern Crescent areas.
- 3.4.4. Increase the number of healthcare facilities and health services in the Eastern Crescent of Travis County

3.5. Data, Transparency, & Accountability:

- 3.5.1. Develop a shared, consistent method of gathering and tracking data related to health disparities. The City of Austin should establish a process and impact evaluation on health of its efforts to eliminate institutional racism and system inequities, including evaluating the effectiveness of training and continued education. All departments and partners (i.e. city contractors) should be required to document their service data by race and ethnicity.
- 3.5.2. Provide demographic data on race and ethnicity for all job positions in the City of Austin, and their decision-making roles. The City of Austin should collect and provide demographic data by race and ethnicity for service providers at all levels. In addition, the City of Austin should make publicly available decision-making roles for all job positions.
- 3.5.3. Review departmental policies and procedures for all City of Austin offices. Policy, procedures and practice can contain implicit bias. To avoid implicit bias, a review team composed of employees, constituents and community members in conjunction with COA Equity Office should evaluate current policies and procedures.

3.6. Specific Healthcare Initiatives:

- 3.6.1. Evaluate the number of nurses and behavioral health providers assigned to each AISD campus, with an emphasis on those campuses with disparate community-level health outcomes. Review AISD health partnership with Seton Health Care systems including the recommendations in the 2015-2016 report. Mandate that all health providers involved in the AISD health program demonstrate cultural and linguistic responsiveness to the communities served in the program.
- 3.6.2. Promote Flu immunization through the E3 Alliance Lack of information and easy access to flu vaccinations in under resourced schools and regions disparately impacts communities color. The Mayor and City Council should use their bully pulpits to champion resolution of the primary reason for school absences (Acute Illness - 48%, The Central Texas Ab sense Reasons Study - June 2015) by actively promoting the free, annual flu immunization program, and encouraging parents to sign the consent forms provided through their schools. By attending school, more young people will graduate from high school, increasing their chances for meaningful employment and breaking the cycle of poverty.
- 3.6.3. Shift funding within Central Health to promote Community Health Workers and Promotoras in existing minority communities and help expand development and use of them in other minority areas. Encourage improved coordination between UT-Austin and existing community health

worker and promotoras programs to target areas of need without overlapping and competing against each other. Seek additional and sustainable funding mechanisms and coordination from the state and the promotoras and community health worker advisory committee.

3.7. Other Initiatives:

- 3.7.1. Establish criteria for selecting Central Health Board appointees that results in a diverse group of members that reflect the racial diversity of Austin. The City of Austin will establish criteria for selecting candidates to serve on the Board of Central Health to ensure City appointed board trustees understand the importance of comprehensive healthcare, can demonstrate the ability to analyze competing demands for Central Health funds and tax dollars (approximately \$150M), and reflect a deep cultural sensitivity for our community. With this as the back drop, city appointed Central Health board trustees will be expected to focus on ensuring areas of the community that are underserved (the Eastern Crescent), and certain health services (specialty care) that are not being met, are their priority
- 3.7.2. Create workforce pipelines connecting students from 9th grade through higher education for health sciences and allied health careers. Austin lacks a health care workforce reflective of the community it serves. Expanding the AISD-Early College High School in Health Sciences at LBJ to other schools; and extending the areas of health that the program connects students to, will contribute to a homegrown-diverse workforce.

4. Finance, Banking, & Industry

Summary

An inclusive financial market coupled with an inclusive workforce is critical for success of a modern society. No longer can we accept a status quo that facilitates institutionalized racism in any form. In our convening we have discussed many barriers, issues, and opportunities related to finance, banking and industry. In the end our recommendations require accountability both on the part of private and public enterprise as well as the individual as collective residents of Austin.

Austin, after the turn of the century, became a structurally segregated city. The institutional segregation that created "Negro Districts" and other neighborhoods open to all except those of African descent ultimately created "redlined" districts, limiting access to federally backed home loans under New Deal provisions. While redlining was usurped with the Community Reinvestment Act of 1977, preceded by the Fair Housing Act, Equal Credit Opportunity Act and the Home Mortgage Disclosure Act, access to credit for some still remains an issue. It is difficult to measure the impact, by race or income level, this institutional racism has had on economic mobility.

When one considers that home ownership is a key cornerstone to wealth building, lack of access becomes an institutional barrier. Over the last 40 years, countless attempts have been made to overcome the impact including initiatives like down payment assistance programs, home buyer education, countless financial education efforts, and many programs to support affordable housing.

In our recommendations we tackle the issues of predatory financial practices/savings, access to financial services as well as access to all levels to employment. Much has been done to address diversity in companies however "only a little more than one percent of the nation's Fortune 500 companies have Black chief executives. (Affirmative Action Ruling Near, Black's progress remains slow, NYT, 2013). An article in Fortune (Feb. 2014) noted that slightly over 4% of CEOs were Black, Asian, or Hispanic/Latino. Our subcommittee went beyond diversity to address inclusion and a vision for Austin's future workforce.

The sub-committee would like to recognize the work the City of Austin conducted ten years ago through the Quality of Life studies on African-Americans, Asians, and Hispanic/Latinos. At that time several recommendations were made, many of which have been implemented. Those recommendations included community input and communications, accessing capital and doing business with the City. Others included the creation of a Hispanic/Latino focused CDC, an economic development institute, as well as city internships and a public policy research center. Our recommendations pick-up where the previous report left off; however, recognize that many ideas could be carried over in our work as recommendations. Since these reports were first published, Austin has grown significantly in opportunity and disparity simultaneously so there is still much work to be done.

Background

Austin's long history with racial segregation has left a legacy of inequity throughout the City. In 2014 a report by the Martin Prosperity Institute ranked Austin number one for economic segregation. This is seen in geographic disproportionalities and in overall wealth generation for communities of color in Austin. Median Family Income (MFI) for Hispanic/Latino and Blacks in the City of Austin continues to be significantly lower than non-Hispanic/Latino and Asian Americans. The 2014 US Census Bureau's American Community Survey reports non-Hispanic/Latino White MFI inside the City as \$97,939, Asian MFI as \$101,699, Black MFI as \$50,820, and Hispanic/Latino MFI as \$43,198. Nationally, median family wealth for white households is 10-13 times that of Black and Hispanic/Latino Families (Florida, A. 2017). Additionally, median net worth for Latino, Black, and Asian American Households fell about 60% during the great recession, as compared to just 24% for White households.

"In Austin, the majority of Boys and Girls Club members are Hispanic/Latino and Black, and are from title one schools. In Austin, the number of children living in poverty has increased significantly over time and racial tension still exists. The children they serve tend to have unstable home environments and rely heavily on community resources to meet their basic needs. Community centers like the Boys and Girls Club are critical to provide necessary services to families that need additional support."

-Mark Keister, President, Austin Boys and Girls Club

"The Asian Pacific American (APA) community is highly fragmented and as such, data that is not dis-aggregated masks the fact that this demographic also faces barriers in Austin. Many Asians and Pacific Islanders have limited English proficiency and are overlooked in receiving translated materials. Many in this community are new immigrants. Lack of credit history for immigrants and lack of knowledge of the education system restricts developing new pathways to build equity for many members of this community. Additionally, members of the Asian Pacific American Community tend to be more collective than individual, so oftentimes the outreach cycle for these communities takes longer and is more time consuming, as they depend on approval of other family members before making decisions. Moreover, many APA households consist of inter-generational family members as APAs are culturally more open to living together. This skews the MFI data upward. Mainstream outreach efforts in Austin simply ignore the APA population under the misguided conclusion that the MFI does not show a need."

-Marina Ong Bhargava, President Greater Austin Asian Chamber of Commerce, TX

Spanish			
Vietnamese	245,480	118,188	48%
Chinese	11,916	6,371	53%
Korean	10,946	3,950	36%
Other Asian Languages	4,523	1,808	40%
Arabic	3,071	1,183	38%
Hindi	4,136	1,344	33%
French	4,316	731	17%
Urdu	4,316	780	18%
African Languages	3,091	370	12%
	2,308	815	35%

Recommendations

The following recommendations outline the critical components to combating institutional racism and systemic inequities in finance, banking, and industry. For each recommendation, we urge baseline data collection prior to implementation in order to measure and track progress toward desired outcomes. We acknowledge that these recommendations are applicable for the state of the economy and state of businesses at the time of their creation. Recommendations should be revisited every ten years for continued progress.

For all of these recommendations, the City of Austin has tremendous potential to make strides in improving racial equity by addressing institutional racism and systemic inequities in their *own* practices. In order for industries to adopt any changes in practices, it is critical that the City of Austin take a leadership role when implementing these recommendations. For this reason, we strongly encourage the City of Austin to adopt the practices we've outlined for industries below where applicable.

The following recommendations are organized under three subsections: predatory financial practices/savings, access to financial services as well as access at all levels to employment. Each section includes general beliefs shared by the members of the sub-committee followed by a list of inclusive recommendations.

4.1. Predatory Lending Practices/Savings

According to the sub-committee's research, about 5% of the U.S. population has taken out at least one payday loan at some time. In Texas, payday lenders tend to concentrate in counties with high proportions of people of color and poverty (Mahon, 2005).

By law, payday lending companies in Texas register their businesses as Credit Service Organizations (CSOs). While the law was originally designed to require CSOs to improve a buyer's credit record, and provide credit repair services for financially stressed consumers, in action, the law allows payday lenders to serve as loan brokers that are not subject to any federal or state regulations that apply to banking institutions that offer the same services.

In this section, we define "building credit and financial literacy" to include not for profit consumer credit counseling, financial recovery, introduction to bank services, budgeting, savings, establishing and accessing credit, small business operations, rights as a consumer, and responsibilities of homeownership. "Train the trainers" refers to training individuals involved in certain communities to facilitate conversations from within the community.

Beliefs

- We believe payday lending institutions exploit systemic inequities.
- We believe fees for financial services should not be exploitive.
- We understand that many, at some stage of their life, will need access to short-term funds to address emergency or unexpected costs. We believe that access to such funds should be provided with reasonable repayment terms, rates and fees. Payday Lenders, Title Lenders and even Check Cashing services charge extremely high fees without a path for reasonable repayment which places the individual borrowers in a cycle which they are unable to exit and is detrimental to their financial well-being.
- We believe in the power of good credit and that institutional racism can be a barrier to building credit.
- We believe information and education should come from within the community.

Refining Practices

- 4.1.1. We support the City of Austin's Ordinance 20110818 and particularly the provisions set forth in Chapter 4-12-21 entitled "Restrictions on Extensions of Consumer Credit." As such, we recommend that sufficient resources be given to the Code Enforcement Department charged with enforcing this ordinance to ensure there is proper and full enforcement.
- 4.1.2. We recommend that the code enforcement/compliance officer be charged with collection of data as to demographic information of borrowers, as well as rate, fees and amounts. This information should be public and in fact proactively provided to consumers. Collection of this data will be used by the City to understand disparate impact of predatory lending on communities of color and provide information needed to further modify the city's ordinance to stop these predatory practices.
- 4.1.3. We recommend that the code enforcement/compliance officers regularly investigate best practices across the country to better inform and recommend changes to enforcement of existing ordinances and strengthening ordinances in the future.
- 4.1.4. We recommend the City of Austin increase the penalty for non-compliance of ordinance 20110818 above the current \$500 fine, perhaps with an increasing penalty for continued and repeat non-compliance.
- 4.1.5. We recommend a rating system of all payday lenders, title loan lenders and check cashing business that would be accurate and accessible for public view. This rating system would be based on compliance officer data and fines imposed on such businesses. This will encourage compliance and best practices.
- 4.1.6. We recommend that the City of Austin advocate with other groups to redesign short-term lending in our state so that only fair and equitable lending with reasonable terms and costs can be delivered in Texas.

Providing Alternatives

- 4.1.7. We recommend the City of Austin develop an active, anti-predatory lending public service campaign that includes distribution of flyers with information on how to get out of predatory lending accounts, available alternatives, and financial education to improve one's ability to access cheaper credit in the future.
 - We recommend this message include "Lenders in our city should provide credit designed to use and to be repaid in a short amount time. Short-term loans are not a solution for long-term debt and credit difficulties. Only borrow an amount that can be repaid at your next pay date. Consider seeking your financial needs with an alternative to short-term high fee and interest rate loans." These flyers and information should be posted at the following places: Food Access Centers, Grocery Stores, Health Access Centers, Schools, Community Centers, Housing Authority locations, and the City website.
- 4.1.8. We recommend the City of Austin provide free-of-cost space for nonprofit organizations who counsel individuals in financial services, budgeting, credit repair and financial services accessibility issues.
- 4.1.9. We recommend the City of Austin consider grants for operating support of community organizations when they have funds available to provide fair and equitable loans to replace payday lender loans.
- 4.1.10. We recommend employer lending opportunities through payday advance and short term loans with low interest rates to be deducted from future paychecks are explored.
- 4.1.11. We recommend all information and services be culturally and linguistically sensitive to the communities they serve.

(Re) Building Credit and Financial Literacy

- 4.1.12. We recommend the City of Austin implements a credit focused initiative to improve credit scores and explores partnerships with major financial entities that have an Austin presence, like VISA.
- 4.1.13. We recommend the City of Austin takes a community based train the trainers approach to financial education and debt relief including public service announcements and marketing to adults and youth through community centers, libraries, and public spaces.
- 4.1.14. We recommend the City of Austin utilizes funds from the state of Texas that are generated from payday lending industries to pay for financial education.
- 4.1.15. We recommend Austin Independent School District explores partnerships to deliver and integrate financial education into curriculums and require a separate course in financial education at a high school level.
- 4.1.16. We recommend Austin Community College explore including finance and business education in core curriculum requirements for all students.
- 4.1.17. We recommend the City of Austin explores similar programs and/or opportunities to scale up existing financial training for families and individuals similar to St. Vincent De Paul's predatory loan conversion program³ with a financial coaching approach.

4.2. Access to Financial Services

The sub-committee also focused on access to financial services as building block to wealth creation. For many years homeownership has been considered a cornerstone of wealth building. Efforts were put in place in the 1980s and 1990s to encourage and expand opportunities for homeownership for people of color. While many efforts were intended to increase opportunity for homeownership, in some cases these efforts resulted in predatory practices. Although it is widely acknowledged that the financial crisis of 2008 was instigated by risky market forces, borrower ability to pay and risk tolerance became a critical issue. It is important to acknowledge that foreclosure rates in Texas were some of the lowest in the country. Some of this was due to the restrictive lending laws in Texas that limits cash out refinancing and home equity lending.



The Imagine Austin Comprehensive plan outlines existing disparities among communities of color to build wealth:

Hispanic/Latino and Black households have lower homeownership rates than White and Asian households. In 2010, 53 percent of White households and 41 percent of Asian households were homeowners, but only 34 percent of Hispanic/Latino households and 32 percent of Black households owned their homes. Among the working adult population, Blacks had the highest unemployment rate at 13.4 percent. Unemployment was also related to levels of educational attainment, with those with less than a high school degree or G.E.D. experiencing greater unemployment (13.9 percent) than those completing college (4.6 percent).

- p.28 Imagine Austin Comprehensive Plan

³ <http://www.ssvdp.org/predatory-loan-conversion-program/>

Similar trends are happening nationally. The W.K. Kellogg Foundation and Altarum Institute reports 74% of white households owned homes in 2012, while 44% of Black households, 46% of Hispanic/Latino households, 51% of American Indian/Aleut/Inkimo households, and 57% of Asian American and Pacific Islander households owned their own homes. This gap in number of years of homeownership is the primary reason for the black/white wealth gap increase from \$85,000 in 1984 to \$236,500 in 2009 (Turner, A., 2013). Moving beyond homeownership, the committee recognizes that communities of color often experience a lack of trust and dislike of banks. This is cited as the second most common reason for unbanked households not having a bank account in the 2015 the FDIC National Survey of Unbanked and Underbanked Households (Burhouse, S. et al., 2016). The FDIC recommends “adopting strategies to build or increase unbanked and low-and moderate-income (LMI) consumers’ trust in banks [as] a necessary first step to increasing LMI consumer participation in the mainstream financial system” (Rengert, K. M. and S. L. W. Rhine, 2016). Efforts including Bank On, a national movement to bank the unbanked, were implemented in Austin several years ago to address lack of community trust resulting in a current rate of 9.2% unbanked in the region. (CFED Assets and Opportunities report)

Understanding the financial system is critical to addressing mistrust. Education has to start at an early age. While curriculum standards require some elements of financial education in primary and secondary education, there appears to be a disconnect between in school financial literacy and financial decisions in practice. Texas Essential Knowledge and Skills (TEKS) emphasizes a comprehensive understanding of the free enterprise system for students from kindergarten to twelfth grade. Students study integral concepts such as supply and demand and the broader relationship between economics and its role in society. Students are also expected to understand how to interpret economic data, the relationship between technology and growth, and the cost / benefit framework.

The Texas Legislature mandates in HB 492 that students understand financial literacy to be well-informed citizens. Some of the focus points include learning about the characteristics of prudent investors, bankruptcy, bank account registrations, credit card debt, and insurance. Specifically, students are expected to examine investments in personal retirement options, obligations of borrowing money, cost / benefits of renting homes, and student grants.

However, this mandate is only for students enrolled in economics courses. For this reason, Champlain College Center for Financial Literacy gave Texas financial education a B score in their 2015 National Report Card for financial literacy. They estimate that just 25% of course instruction for a traditional 60-hour one-semester course is spent on financial literacy in Texas. The Champlain College Center for financial literacy recommends financial literacy be a high school graduation requirement, teachers be properly trained to teach financial education, proper funding is allocated to financial education coursework, standard assessments are used as a benchmark for financial literacy, and educators have easy access to robust curriculum, facilitated by the state.

Beliefs:

- We believe that equal economic opportunity is beneficial to the US economy and profits for companies in all sectors.
- We believe that racial wealth gaps due to institutional racism and systemic inequities drive social and economic uncertainty that is disruptive to business of all sectors.
- We believe that no individual or company benefits when others are worse off due to institutional racism and systemic inequities.

Defining Industry Culture

- 4.2.1. We recommend more institutions adopt social justice practices in their mission and are held accountable to upholding those practices
- 4.2.2. We recommend the City of Austin develop an equity score card from data made available through the federal and/or state regulatory bodies that oversee financial institutions to ensure racial equity in financial practices based in Austin.
 - We recommend all companies evaluate their policies through this equity lens in order to address the lack of trust from communities of color.
- 4.2.3. We recommend a wide-spread, deliberate and community-focused campaign to be led by banks and other financial institutions in collaboration with local community groups to help foster trust within communities of color. Topics should include navigating bank accounts, savings, investing and lending.

Ensuring Accessibility to Services

- 4.2.4. We recommend the City of Austin identify trusted partners to engage communities of color and identify barriers to accessing financial services.
- 4.2.5. We recommend physical branch locations are dispersed throughout the city and offer an option of lower denominations available through ATM transactions where possible.
- 4.2.6. We recommend financial institutions increase transparency and consistency of the requirements to open an account.
- 4.2.7. We recommend employers consider auto-enrollment for employees in company sponsored 401(k), health savings accounts, or other savings accounts or vehicles that require employees opt-out instead of opt-in.
 - Ensure advisors bear fiduciary responsibilities at company-sponsored programs where appropriate.
- 4.2.8. We recommend employers offer banking days at the office to register new employees for accounts while ensuring the chosen banks adhere to select standards (low fees, fiduciary responsibility, etc.).
- 4.2.9. We recommend employers consider alternatives to paying new hires with checks such as offering a pre-paid debit card to eliminate the need for predatory check cashing where appropriate, or offering on-site check cashing to reduce check cashing fees.
- 4.2.10. We recommend employers encourage company leaders to host seminars on investing, benefits, and retirement savings. This can intersect with Employee Resource or Affinity Groups that work to identify employees who have been systemically excluded in the past.

4.3. Access to Employment

In their 2013 “Business Case for Racial Equity” report, the W.K. Kellogg Foundation and Altarum Institute outline their case for racial equity’s link to a more productive workforce:

“Whether as employees or as self-employed entrepreneurs, a well-educated, healthy, and diverse workforce is essential for improving economic efficiency and competing in a global marketplace. Healthier workers have fewer sick days, are more productive on the job, and cost less in health care benefits.

The job opportunities of tomorrow will require a higher level of training and education than those of today. The U.S. President’s Council on Jobs and Economic Competitiveness has identified strengthening education as a top priority for preparing the American workforce to compete in the global economy. The Council found that 3.3 million jobs go unfilled because the potential workforce does not have matching skills or training, and that by 2020 there will be 1.5 million too few college graduates to meet employers’ demands. A more diverse and inclusive workforce brings with it a better understanding of cultures and potential new markets around the world and a greater variety of perspectives, leading to more innovation in products and services. Research has shown that businesses with a more diverse workforce

have more customers, higher revenues and profits, greater market share, less absenteeism and turnover, and a higher level of commitment to their organization.”

Beliefs:

- We believe that racial diversity and inclusion is a key to success in a diverse marketplace and provides inherent business value.
- We believe that all levels of institutions and companies should reflect the makeup of their communities, including boards, suppliers, employees, and executives.
- We believe that appropriate targets for inclusion and diversity are reflective of customer target base.
- We believe that many employers are doing well with diversity, but not with inclusion resulting in the institutional exclusion from upper management of employees of color.
- We believe that all employment policy has either a positive or negative effect in equalizing economic prosperity among racial lines.
- We believe that employers lack awareness of how their policies help or hurt their employees as divided along racial lines.
- We believe that poor levels of inclusion of employees of color at the highest management levels greatly contributes to a gap in racial wealth.
- We believe that equal economic opportunity is beneficial to the US economy and profits for companies in all sectors.
- We believe that racial wealth gaps due to institutional racism and systemic inequities drive social and economic uncertainty that is disruptive to business of all sectors.
- We believe that no individual or company benefits when others are worse off due to institutional racism and systemic inequities.
- We believe that fear of personal consequences can create a culture of silence among employees of color.
- We believe that discussing race and implicit bias openly in the workplace will help mitigate current levels of racial exclusion.
- We believe that employment opportunity and mobility is divided among racial lines due to institutional racism and implicit bias, despite regulations.

Universal Representation:

Every aspect of a company should strive to be as representative of the community it serves. Company composition should reflect the community they serve and be racially diverse at all levels including suppliers, employees, executives and board members.

- 4.3.1. We recommend employers educate employees about implicit bias and how to talk about race, including a discussion of the role of white privilege.
- 4.3.2. We recommend employers are trained on merit-based pay for new and existing employees, utilizing a candidate's holistic experience and qualifications to determine job grade and salary.
- 4.3.3. We recommend employers support Employee Resource or Affinity groups to support career progression to provide skills and career progression.
- 4.3.4. We recommend financial institutions commit to hire a diverse workforce that reflects the communities they serve and implement racial bias training for every employee.
- 4.3.5. We recommend employers anonymize résumés to remove racial identifiers including names in their hiring process.
- 4.3.6. We recommend employers be open to non-traditional credentials by:
 - Hiring for potential

- Including community colleges, certifications, and associates degrees in recruiting pools
- Hiring employees with cultural extracurricular activities and volunteerism in their résumé

4.3.7. We recommend employers market their commitment to diversity and inclusion in their recruiting materials.

4.3.8. We recommend the City of Austin encourage, rather than mandate, inclusive and diverse hiring and leading by example through:

- Establishing internal equity metrics:
 - Determine goals
 - Collect data to establish baseline
 - Use equity as evaluation criteria for all City of Austin business including but not limited to internal audits, supplier contracts, hiring, land use policy, city sponsored tax breaks, board & commission annual internal review, etc.

Pay Equity

In this section, we define *diversity* as hiring employees with racial diversity in mind; and *inclusion* as ensuring that a company's top leadership reflects the racial makeup of the customers and community they serve. Employers should create pay policies with equity in mind, understanding that even "fair" pay does little to correct institutional racism played out before employees reach their companies. In order to address this issue, we offer the following:

- 4.3.9. We recommend employers evaluate disaggregated compensation data to evaluate pay for existing inequities along racial lines.
 - We recommend employers rectify any racial disparities in pay that are found in a timely and equitable manner, both for current and future employees
- 4.3.10. We recommend employers differentiate between diversity and inclusion and measure both in their companies.
- 4.3.11. We recommend employers actively create inclusive spaces for all employees by committing to cultural consciousness and recognition of barriers that exist on a systemic and institutional level.
 - Examples include professional development offerings on soft skills and networking opportunities through affinity groups
- 4.3.12. We recommend employers cultivate a culture of advancement through advocating for and assisting its employees to navigate the promotional process.
 - Consistent policies to promote career advancement opportunities and pay
 - We recommend employers strive for transparency in communicating their pay ranges with employees
- 4.3.13. We recommend employers use experience to determine pay and pay grade.
 - When companies hire based on previous salary, it disproportionately impacts communities of color as often, they are consistently underpaid compared to their white counterparts. Hiring based on previous salary perpetuates disparate treatment in pay and systemic inequalities, preventing financial stability and growth.

Workforce Pipeline:

Best in class companies manage all facets of the HR process, including- access to talent, recruiting, selection, hiring, pay, retention and promotion.

- 4.3.14. We recommend companies include appropriate diversity goals along with quality goals for every employee.

- 4.3.15. We recommend employers spend substantial and effective effort in outreach and recruitment at minority serving institutions⁴ and professional associations.
- 4.3.16. We recommend employers foster the creation of social cohorts that promote upward mobility.
- 4.3.17. We recommend the City of Austin lead by example by making it easier to hire and explore creating an "Austin Area Jobs Database".
 - This database must offer postings for a range of skills and experiences, including low-skill and trade work that typically engage in project-by-project contracts.
- 4.3.18. We recommend the Office of Economic Development create a database that costs 50% compared to other leading job boards.
 - Create accompanying skills database that interacts with other job training / unemployment avenues.
- 4.3.19. We recommend the City of Austin create an "Economic Mobility Center of Excellence" that provides an annual overview of best practices.
 - Share these best practices with all employers
 - Encourage employers to share data even if it is abstracted / aggregated without company names to create realistic baseline and measure industry progress.
- 4.3.20. We recommend the City of Austin make it easier to bring in Co-ops, Interns, and Apprentices by⁵:
 - Maintaining a database in partnership with Greater Austin School Districts (AISD, PISD, MISD, and DVISD) of students seeking co-ops and internships. This database could be run by the same pool of students looking to participate.⁶

Accountability & Mandates - redress institutional racism through adoption of best practices

- 4.3.21. We recommend the City of Austin utilizes its workforce to lead by example and promote these policies by institutionalizing equity:
 - Institutionalize equity at the City of Austin in all levels of operation, led by the City Auditor
 - Partner with chambers and other organizations to incentivize growth of minority owned businesses and build matrix that prefers high-performing minority businesses over non-diverse ones
- 4.3.22. We recommend the City of Austin adopt the recommendations given in the Business Disparities in the Austin Texas Market Area prepared for the City of Austin⁷ and applicable components of the study prepared for the Austin Independent School District⁸ to improve minority and women business contracting in Austin, TX.

⁴ Profile of Minority Serving Institutions in Texas: <https://www.tqsk.org/pdf/HSI-HBCU-Summary.pdf>

⁵ From NACE, "Diversity Recruiting: Formal Programs, Target Groups, and Sources" |

http://www.naceweb.org/01132016/diversity_recruiting_program_benchmarks_2015.aspx, From NACE, "Building a Diversity Recruiting Strategy: Emphasize Commonalities, Inclusion Over Differences" | http://www.naceweb.org/st04062016/diversity_recruiting_strategy.aspx, From NACE, "Paid Interns/Co-ops See Greater Offer Rates and Salary Offers Than Their Unpaid Classmates" | <http://www.naceweb.org/03232016/paid-unpaid-interns-offer-rates-salary-offers.aspx>

⁶ City of Dallas Internship program is a potential model for success: <http://www.dallasnews.com/news/education/2015/07/30/350-students-in-dallas-mayors-internship-program-soak-up-the-world-of-work>

http://www.austintexas.gov/sites/default/files/files/Small_Minority_Business_Disparity_NERA_COA_Disparity_FIND_151212.pdf

⁷ https://www.austinsd.org/sites/default/files/dept./bond/NERA_MFD_Disparity_FIND_151026.pdf

<http://www.civ.com/uk/en/home/national/spquality/standards/standards>

5. Civil & Criminal Justice

Summary

People of color are over-represented in the criminal justice system and are on unlevelled footing in the civil justice systems. Due to systematic oppression, people of color are unable to use our court systems as means of protection or justice.

We believe the civil and criminal justice systems are institutionally biased and their negative impacts begin early in the life of people of color. The omnipresent and reliable school-to-prison pipeline feeds children of color into the prison system. As children of color grow into adult-hood, the tactics (and reasons thereof) of law enforcement push them further into the more punitive side of our justice system. The person of color is further extinguished by the lack of resources regarding courts themselves. Lastly, after a life of "othering" and mistreatment that may result in mental illness, people of color find themselves with few viable alternative avenues of success.

In order to combat these negative consequences, the Criminal & Civil Justice Committee was charged to identify and acknowledge institutional racism that results in disparities in treatment and outcomes; the Committee was further charged with developing comprehensive and sustainable strategies that will transform community, courts, and law enforcement relationships and foster mutual respect.

The Criminal & Civil Justice Committee focused its efforts on five topics within the Criminal and Civil Justice sphere:

1. Schools and Juvenile Justice, in which the Committee believes inequities may be eliminated by:
 - Effective trainings, partnerships and investments.
2. Law Enforcement, in which the Committee believes inequities, may be eliminated by:
 - Increased accountability and transparency.
 - Improved continued community engagement.
 - Improved continued education and training.
3. Civil and Criminal Justice Courts, in which the Committee believes inequities may be eliminated by:
 - Eliminating the penalties, fines, and enforcement for jail-able offenses that lead to "debtor's prison."
 - Collecting data on defendants, prosecutors, and courts to determine any biases that are recorded to ensure fundamental fairness.
 - Enhancing access for defendants and litigants including the creation, enhancement and provision of continued support for language accessibility, and
 - Continuous study and support for community resources as to further assist self-represented litigants.
4. Mental Illness/ Substance Abuse, in which the Committee believes inequities may be eliminated by:
 - Providing greater access to mental health and substance abuse resources and treatments.
5. Miscellaneous Issues related to Criminal & Civil Justice Reform may be eliminated by:
 - Expanding the access to re-entry for Previously Incarcerated Individuals,
 - Dismantling barriers that exist that impede PII's from obtaining government vitals, and
 - Job training for previously incarcerated individuals and discrimination training for employers.

Background

Value Statements

- We believe that institutional racism exists and that it results in disparities in treatment and outcomes.
- We believe that these inequities are deeply ingrained in the structures and the culture of Austin, Texas.
 - We believe that the effects of these systemic inequities have a disproportionate impact on children of color and feed them into the school-to-prison pipeline.
- We believe that comprehensive and sustainable strategies will result in improved relationships between the civil and criminal justice agencies and the community and will foster mutual respect.
- We believe that accountability and transparency coupled with continued community engagement, education, and training will alleviate racial disparities found in the civil and criminal justice system.
- We believe that shared experiences such as book and film reviews and other opportunities for engagement will assist in breaking down the cultural barriers.
- We believe courageous conversations about race and equity must continue.

Recommendations

5.1. Schools and Juvenile Justice

We believe there are systemic inequities in schools and the juvenile justice system that plague children of color and funnel them into the school-to-prison pipeline. We believe that comprehensive and continuous training for all school personnel centered on inclusion and empathy will afford children of color greater opportunities to succeed.

Training

- 5.1.1. The City of Austin should invest in anti-racism training for faculty and students.
 - This training should be comprehensive and ongoing.
 - Trainings should include an experiential component.
- 5.1.2 We recommend the City of Austin find ways to create positive associations among children of color and all school personnel.

Partnerships

- 5.1.3 We recommend that the City of Austin partner with local colleges and universities to increase recruitment of teachers of color.
- 5.1.4 We recommend that the City of Austin partner with local schools and community organizations to provide age appropriate anti-racism leadership summits for students at least four times a year. (It is the recommendation that the first year pilot of these summits should consist of 10 selected schools (Pre K-12th grade) in order to insure summit success. The planning committee for these summits should include schools, youth services organizations, community leaders, parents and youth.)
- 5.1.5 We recommend that the City of Austin invest in local organizations currently working on juvenile justice issues to build capacity to enable culturally responsive organizations to serve more youth.⁹

⁹ Organizations that may be considered to partner with include, by way of example, Change One, the Excellence and Advancement Foundation, Life Anew, African American Youth Harvest Foundation, No Place for Hate, and Youth Unlimited.

5.2. Law Enforcement

We believe there are systemic inequities in law enforcement that result in racial disparities in law enforcement tactics and consequences for people of color. We believe that accountability and transparency coupled with continued community engagement, education, and training will alleviate racial disparities found in law enforcement tactics and consequences.

Accountability & Transparency

- 5.2.1 We recommend that the Police Monitor's Office increase efforts to make the public aware of its existence and activities.
- 5.2.2 We recommend that when the Department of Justice or other agencies make recommendations to the City, that there be greater transparency in the details and the implementation of said recommendations.
- 5.2.3 We recommend published annual assessments (in the aggregate) of personnel trends such as use of force incidents and citizens' complaints.
- 5.2.4 We further recommend the City of Austin hire another data analyst as to provide the citizens with greater access up-to-date, real-time data.

Building and Sustaining Relationships with the Community

- 5.2.5 We recommend the City of Austin's law enforcement agencies increase recruitment, retention, and promotion of minority police officers.
- 5.2.6 We recommend that the City of Austin's Law Enforcement agencies cultivate a pool of applicants from minority and at-risk communities through scholarships and mentoring, particularly in minority communities, from which APD can draw.
- 5.2.7 We recommend that the City of Austin encourage the Austin Police Department to increase the awareness and utilization of the Department's District Representatives Units to include a community newsletter, a separate budget, and a citywide strategy for utilizing these units.
- 5.2.8 We recommend that City of Austin improve its capacity for open-data infrastructure and open data interfacing available to the general public.
- 5.2.9 We recommend that the City of Austin mandate improved response times regarding Public Information Requests and that they are readily available and accessible.
- 5.2.10 We recommend that the City of Austin's Police agencies work towards a goal of 35% of daily patrol time dedicated to community policing activity.
- 5.2.11 We recommend that the City of Austin's law enforcement Agencies engage in public forums (focus groups, etc.) with community members to discuss current results and ideas for possible improvement.

Continued Education & Training

- 5.2.12 We recommend that the City of Austin's law enforcement agencies engage in continuous diversity and inclusion training, with special attention to implicit bias training.
- 5.2.13 We recommend that City of Austin's law enforcement agencies mandate ongoing training on de-escalation and less-than-lethal techniques.
- 5.2.14 We recommend the leveraging of community resources, local initiatives and other entities, to participate in police training.
- 5.2.15 We recommend that the City of Austin require annual psychological evaluation of all officers.

- 5.2.16 We further recommend that the City of Austin create protocols to ensure the cultural competency of all personnel.
- 5.2.17 We recommend that the City of Austin's law enforcement agencies increase mental health training for all law enforcement personnel.
- 5.2.18 We recommend that the Austin Police Department create and maintain a training specialist in diversity and inclusion.

5.3. Criminal & Civil Justice

We believe that there are systemic inequities and implicit biases in our civil and criminal justice systems that subject people of color to unfair outcomes. We believe that the collection and analysis of data will create opportunities for evidence based solutions. We believe that municipal court procedures and decriminalization of certain offenses deserves a thorough examination.

Alternatives to Incarceration:

- 5.3.1. We recommend that City of Austin create alternatives to incarceration for Class C misdemeanors.

Investing in Research/ Data Collection:

- 5.3.2. We recommend that the City of Austin collect and analyze data on disparities in outcomes and dispositions by race. This study should include data collected on number of people jailed by offense, the demographics of the Defendant, the historical data on offenses, ultimate dispositions (especially please) for certain offenses, who was charged for certain offenses, warrants issued for certain offenses, what prosecutor was involve, and what judge presided over the determination of consequence for certain offenses, and APD interactions regarding certain offenses. Analysis and publication for all aforementioned variables should be done timely and with transparency.

Enhancing Access:

- 5.3.3. We recommend that the City of Austin employ "I speak" cards to better communicate with people who don't speak English fluently.
- 5.3.4. We recommend the implementation and maintenance of bilingual and multi-lingual forms and signage at municipal buildings.
- 5.3.5. We recommend interpreters be made available in the civil and criminal court systems.
- 5.3.6. We recommend the City of Austin to mandate interpreters for APD interactions with witnesses, victims, and alleged perpetrators.
- 5.3.7. We recommend that the City of Austin expand the availability of courts through the use of night and weekend court invest in satellite courts. We also recommend that the City of Austin create a way to resolve disputes online (like having a hearing online) to expand access, consider Saturday and evening court sessions, telephone appearances, and online dispute resolutions for civil and criminal matters.
- 5.3.8. We recommend that the City of Austin create a system that allows residents to address minor infractions¹⁰ through approved classes (like defensive driving). This course should be accessible and available in libraries, public kiosks and/or via the phone. It is our hope that this recommendation is broadened to encompass other types of misconduct that can result in warrants such as public intoxication and other Class C offenses.

- 5.3.9. We recommend the City of Austin engage in continuous study and support for community resources as to further assist self-represented litigants.

5.4. Mental Illness & Substance Abuse

We believe that there are systemic inequities in the realm of mental health and substance abuse that negatively impact people of color. We believe a partnership between the City of Austin and Travis County will help those who suffer from mental illness or drug dependency.

Procedural Expansions:

- 5.4.1. We recommend implementing a screening process for mental illness at intake to be done by one Mental Health Professional or Licensed Clinical Social Worker on staff with DACC.
- 5.4.2. We recommend that the City of Austin and Travis County enter into an inter-local agreement, where the Mental Health Public Defender is to add an additional attorney to represent Class C misdemeanors at the DACC. This would require each attorney to make an appearance on the mental health docket alternating every third week. Currently, the criteria for a mental health public defender at Travis County is that the defendant face prosecution for County Level (Class A or B) misdemeanors; that the client is indigent, the client does not face any felonies and that the client suffers from schizophrenia, bi-polar, major depression, or schizoaffective. The inter-local agreement would simply add Class C misdemeanors at DACC as part of the inter-local agreement. We further recommend that those with felonies not be barred from the representation of a Mental Health Public Defender. (It should be noted that the Civil and Criminal Justice Working Group has concerns that the MHPD policy is under-inclusive in that the four illnesses do not cover potential essential need representation and that persons with felonies may still need representation for cases at DACC. Should an inter-local agreement be created the working group asks that an exception be made for persons with felonies and DACC cases to receive MHPD representation for their DACC cases.
- 5.4.3. We recommend that the City Prosecutor be mandated to file applications to the DACC judge for emergency detentions when there is a risk of harm to either the defendant or the public pursuant to state law. It is further recommended that this process be used sparingly and if granted by law be followed just as if a mental health officer had made the same determination which may include the requirement of the establishment of a legal guardian in cases where stability is not gained. If sobriety or stability is maintained the Defendant should be processed for continued medical treatment or the court.



Location and Resources of the DACC:

- 5.4.4. We recommend the relocation of the Downtown Community Court to a location adjacent to the Travis County Sobriety Center.
- 5.4.5. We recommend that the City of Austin implement a "one stop shop" for legal and transitional services for those that suffer from mental illness, substance abuse and/or homelessness. (Currently, too many social services are scattered throughout the City of Austin. Defendants who face prosecution at the Downtown Community Court due to lack of opportunity offenses (sit/lying on

the ground or camping cases, for example) must rely on public transport, cabs, rides, or walking to access all the social services that would be best served at one location.)

5.5. Miscellaneous Issues

We believe that people of color are disparately impacted following release from incarceration. We believe that barriers to successful re-entry must be eliminated.

Expanding Access for Re-Entry:

- 5.5.1. We recommend that the City of Austin Integrate a STEM (Science, Technology, Engineering, and Math) program at Travis County Correctional Complex and other prisons.
- 5.5.2. We recommend creating a re-entry pipeline for homeless previously incarcerated citizens.
- 5.5.3. We recommend the City of Austin implement incentives for employers who hire previously incarcerated individuals.
- 5.5.4. We recommend that the City of Austin streamline the process for obtaining vital government documents and services.

Investment in Training:

- 5.5.5. We recommend that employers are furnished with appropriate discrimination training relative to previously incarcerated Applicants.
- 5.5.6. We recommend that the City of Austin invest in expanded training for previously incarcerated individuals.

Task Force Next Steps

The Task Force recommends an ongoing and strategic effort to ensure this work to dismantle institutional racism and systemic inequities continues to action. The Task Force Co-Chairs, Dr. Colette Pierce Burnette and Dr. Paul Cruz, agree to help identify and convene Implementation Team members. The Steering Committee recognizes and affirms the Mayor's call to become advocates in each of our communities to build an infrastructure, ensure all people engage in the process.

The Steering Committee suggests the following non-exhaustive list of core values to support the vision, shape the culture, and guide future work:

Core Values

Humility	Boldness	Collective Impact
Justice	Integrity	Comfort with Discomfort
Equity	Inclusiveness	Racial Consciousness
Innovation	Intersectionality	Strategic
Common Leadership	Transparency	Teamwork
Disruption	Accountability	Anti-Racist

Recommended next steps include:

- Formation of an Implementation Team to vet and champion recommendations to assure collective action
- An intentional focus on three primary levels of transformation:
 - Personal
 - Organizational
 - Systems/Institutional
- Leadership development
- Develop communications strategies
- Encourage the use of culturally conscious language
- Ensure culturally appropriate community engagement
- Identify funding sources
- Identify a needs assessment tool
- Establish benchmarks and measureable metrics to demonstrate progress towards goals
- Adopt a model to sustain equity work across systems and communities such as the Center for Elimination of Disproportionality and Disparities' *The Texas Model: A Framework for Equity*.

Task Force Members

We are indebted to the many volunteers who dedicated countless hours of their time and to take this important step on this journey towards a Violet Crown for all.

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Appendix Summary Recommendations

The tables below outline a summary of each recommendation.

1. Education	
Recommendation	
1.1. Hiring, staffing and representation	
1.1.1.	Prepare equity assessments and equity reports on minority and gender representation at all levels and ranks in area colleges and universities
1.1.2.	Housing allowance or designated housing for entry level teachers, and/or tax breaks for faculty and administrators
1.1.3.	Businesses interfacing with schools – e.g., companies in the tech sector can financially support teachers via partnerships
1.1.4.	Hiring teachers and faculty of color in cohorts or clusters – creating a climate of inclusion.
1.1.5.	Use the mayor's ability to convene school district and college/university leaders to converse about addressing underrepresentation of communities of color.
1.1.6.	Promote the use of language and terms that specifically label issues such as racism, oppression, systemic inequity, institutional racism, and White supremacy.
1.1.7.	Better integration between all levels of education – coordination between colleges and hiring institutions
1.1.8.	Incubate new community-based, extended day, extended learning (after school) educational programs or projects and expand the capacity of existing ones
1.1.9.	Locate funding for programs that are already doing successful recruitment/retentions - provide competitive grants to enhance efforts
1.1.10.	Marketing campaign of "We are Austin" – a great place to live, work and play for Asian, Black, Latino, and American Indians, showcasing cultural, spiritual, and community assets
1.1.11.	Awards that recognize excellence in Hispanic/Latino and African-American teachers, administrators, and faculty – much like what is present for students
1.1.12.	Stipends, loan forgiveness, and grants as incentives specifically targeting teachers and faculty of color.
1.1.13.	Modifications to licensing requirements and recruitment practices to reach out of state for teachers and potentially attract a larger minority pool.
1.1.14.	Create formal mentoring programs for administrators, faculty, teachers, peer to peer, veteran teachers and new teachers, etc.
1.1.15.	Ensure presence of institutional culture that values/supports diversity.
1.1.16.	Ensure that support, and expectations of faculty of color equal that of all faculty.

1.1.17.	For senior level positions in educational settings, we advocate for the policy instituted by UT System Chancellor McRaven that each pool have one or more viable candidate(s) from an underrepresented population.
1.2. Curriculum, instruction, and accountability:	
1.2.1.	Integrate cultural competency among staff at all levels.
1.2.2.	Advocate that all curriculum PK-16, will be culturally inclusive.
1.2.3.	Sponsor professional development workshops for teachers in the region to teach Ethnic Studies and provide instructional materials
1.2.4.	Incorporate mentoring into curriculum that supports youth of color
1.2.5.	Instructional resources that reflect culturally relevant restorative practices
1.2.6.	Align instructional practices/pedagogy to targeted professional development around cultural competency.
1.2.7.	Expand and fund P-16 model beyond Early College High Schools to include internships
1.2.8.	Harness the innovation of students to create a pipeline (curriculum to industry)
1.2.9.	Hire a Liaison that brings together and leverages non-profit organizations, small businesses, and other resources to build capacity in schools
1.2.10.	Consider providing tiered incentives to businesses that provide mentors to students in schools, from PK-16
1.2.11.	Grants for community schools that serve 95% of their attendance zone, which provides that school the autonomy to meet the needs of their surrounding community to transform schools into inclusive and rigorous learning environments
1.2.12.	City of Austin should provide curricular units on the history of Austin and inequity, including historically impactful events.
1.2.13.	Include other measures of accountability in addition to standardized testing, including student portfolios and other formative measures.
1.2.14.	Partner with a third party that would serve as a regional check/balance with all surrounding ISD's with regard to the other measure of accountability.
1.2.15.	Advocate for a third party to monitor effectiveness of other accountability measures by creating additional tools of representative evaluation.
1.2.16.	The City, as one of Austin's largest employers, should provide working parents time on a monthly basis to attend schools without having to use leave.
1.2.17.	Promote the value of bilingualism and bi-literacy in city affairs.
1.2.18.	Publish an online, monthly E-newsletter on equity and community engagement in Austin.
1.3. Education, Admission, and Access	
1.3.1.	Examine the extent to which the applicant pool reflects the racial demographics of the sending area
1.3.2.	Examine what the receiving program looks for in an applicant and whether racial bias is built in at that initial level
1.3.3.	Examine the extent to which application processes include racially alienating or racially exclusive features
1.3.4.	Examine the outcomes in terms of acceptance, enrollment and retention after enrollment.

1.3.5. Develop a rubric to identify programs and skills that promote racial equity
1.3.6. Apply rubric and Investigate racial distribution of students in spaces of educational opportunity.
1.3.7. Identify barriers to entry.
1.3.8. Invest city resources that can help overcome barriers.
1.3.9. Support development of all professionals in contact with youth to ensure cultural proficiency and racially just, non-discriminatory practices.
1.3.10. Identify, support and partner with organizations whose work promotes access across racial lines and thus undermines barriers that produce or sustain racial disparity.
1.3.11. Call for and incentivize the eradication of institutionally racist iconography and build up alternative, inclusive narratives.
1.4. Leadership and capacity building
1.4.1. Build racial Equity Capacity of Educational Institutions
1.4.2. Continuous (Quarterly) Training for City of Austin Institutional Leadership Across Systems
1.4.3. Build Racial Equity Capacity of Senior Leadership in Educational Institutions (Boards, Cabinets, Principals)
1.4.4. Build Racial Equity Capacity within Faculty and Staff
1.4.5. Build Racial Equity Capacity within Parent and Community Volunteers

2. Real Estate and Housing Work Group

Recommendation
2.1. The City of Austin develop a local dedicated fund to carry out a comprehensive program to redress institutional racism in Austin real estate and housing.
2.1.1. Mandatory linkage fee to create and preserve affordable housing
2.1.2. Set a goal of \$600 million for the fund
2.1.3. Create a special entity to develop the fund
2.1.4. Buy and preserve affordable housing for low-income and communities of color
2.1.5. Draw revenue from TIFs to preserve affordable housing
2.2. The City of Austin recognize and redress racial injustices created and sustained by city policy through creation of a comprehensive program to combat systemic racial inequities in Austin real estate and housing.
2.2.1. Bring former residents back to gentrified areas
2.2.2. Build new land banked and land trust homes on public owned properties
2.2.3. Ensure the new land development code offers a range of housing types that promote affordability for low-income residents
2.2.4. New construction matches area demographics
2.3. Rental housing
2.3.1. List affordable units in one location
2.3.2. Strictly enforce the building codes for multifamily apartments
2.3.3. Define "Affordable Housing" for projects supported by the new fund with income 50% or less
2.3.4. regular matched pair housing discrimination testing
2.3.5. Support Austin Housing Authority's Section 8 mobility initiative
2.3.6. Incentivize the development of mixed-income rental housing
2.3.7. adopt a new region-wide Fair Housing Plan
2.3.8. regional public information campaign to educate on segregation and fair housing issues

2.3.9. recognize and reward real estate services companies, landlords, and realtors who voluntarily support and proclaim Austin values of "integration, diversity, and inclusion of everyone"
2.3.10. Develop assessments of existing conditions and goals for affordability, diversity, and inclusion for each Austin neighborhood.
2.4. "The right to stay"
2.4.1. support production of units that can lead to home ownership
2.4.2. Homeowner tax payment assistance (one time only)
2.4.3. freeze all property taxes for seniors
2.4.4. Continue the home repair programs and create programs to receive repairs without a clear legal title
2.4.5. Include historic need for CIP
2.4.6. Include right to stay provisions in codeNEXT
2.4.7. Develop the east side in a context sensitive matter that ensures new development addresses gentrification
2.5. Ensure Affordability in High Opportunity Areas
2.5.1. Establish a program to put in actual affordable communities on transportation corridors
2.5.2. Consider allowing alternate bidding processes for the use of housing dollars
2.5.3. Modify the growth concept map in the Austin Comprehensive Plan (IACP) to enable growth and redevelopment equitably throughout the City
2.5.4. Allow a variety of housing types throughout the city
2.6. Community Empowerment
2.6.1. Community embrace integration and diversity as a core value.
2.6.2. Campaign to invite Austin area citizens to embrace the values of racial integration, diversity, and inclusion at the individual, neighborhood, and regional levels.
2.6.3. Market housing to people of color in both gentrifying neighborhoods and in traditionally segregated white neighborhoods
2.6.4. support existing lower income residents through affordable and safe ways to access home equity without selling
2.6.5. Enforce fair housing laws
2.6.6. Make Austin the national center for "neighborhood integration, diversity, and inclusion"
2.7. City Accountability
2.7.1. Acknowledgement from elected officials of racist policies of the past and present
2.7.2. City's Chief Equity Officer should be supported with additional staff
2.7.3. every new City code, ordinance, plan, or policy be reviewed and approved by the Chief Equity Officer
2.7.4. defend Austin's right to enact policies and ordinances to combat residential segregation

3. Health

Recommendation
3.1. Cross-Cutting
3.1.1. Name who is excluded as the norm.
3.1.2. Cultural competency and linguistic sensitivity
3.1.3. Bi-directional community collaboration and assessment
3.1.4. Planning for communities to stay and flourish.
3.1.5. Reveal, report and act on health disparities.
3.1.6. Education on all options for all.
3.1.7. Mental health and related stigma.

3.1.8. Intentional tools to advance equity.
3.1.9. Aligning scope of recommendations with ability to influence.
3.2. City Government Equity Initiative:
3.2.1. Equip the City of Austin Equity Office with the staff, resources, training, and infrastructure needed to lead the work on eliminating institutional racism and systemic inequities.
3.2.2. Create an Office of Resilience within the Austin Public Health Department to ensure all services and systems are trauma-informed and trauma-responsive.
3.2.3. Allocate more resources for the Austin Public Health Department's City of Austin Health Equity Initiative.
3.3. Targeted Education and Information:
3.2.1. Train City of Austin, Travis County, public sector, and government agencies employees on institutional racism and systemic inequities.
3.2.2. Dedicate a portion of the funding allocated for community grants for ongoing cultural sensitivity for community healthcare workers.
3.2.3. Provide health promotion and disease prevention educational materials to children and families who are most affected by health disparities.
3.2.4. Create easily accessible, neighborhood-specific, resource directories.
3.2.5. Provide activities and programs for seniors in communities most affected by health disparities.
3.4. Geographic and Neighborhood Inequities:
3.4.1. Building on work to date by communities affected by pollution in Austin, conduct a geographic analysis of environmental indicators, combined with race and ethnicity data, utilizing the U.S. Environmental Protection Agency's (EPA's) EJSCREEN tool.
3.4.2. Incentivize public-private initiatives that increase food access in food deserts.
3.4.3. Scale up the City of Austin Public Works Neighborhood Partnering Program into a Department of Neighborhoods.
3.4.4. Increase the number of healthcare facilities and health services in the Eastern Crescent of Travis County.
3.5. Data, transparency, and accountability:
3.5.1. Develop a shared, consistent method of gathering and tracking data related to health disparities.
3.5.2. Provide demographic data on race and ethnicity for all job positions in the City of Austin, and their decision-making roles.
3.5.3. Review departmental policies and procedures for all City of Austin offices.
3.6. Specific Healthcare Initiatives:
3.6.1. Evaluate the number of nurses and behavioral health providers assigned to each AISD campus, with an emphasis on those campuses with disparate community-level health outcomes.
3.6.2. Promote Flu immunization through the E3 alliance
3.6.3. Shift funding within Central Health to promote Community Health Workers and Promotoras in existing minority communities and help expand development and use of them in other minority areas.
3.7. Other Initiatives:
3.7.1. Establish criteria for selecting Central Health Board appointees that results in a diverse group of members that reflect the racial diversity of Austin

3.7.2. Create workforce pipelines connecting students from 9 th grade through higher education for health sciences and allied health careers.

4. Finance, Banking, and Industry

Recommendation
4.1. Predatory lending and savings
4.1.1. Sufficient resources to the Code department to ensure proper and full enforcement of Ordinance 20110818
4.1.2. Code enforcement should be charged to collect demographic information of borrowers, rates, fees, and amounts
4.1.3. code enforcement/compliance officers regularly investigate best practices across the country
4.1.4. City of Austin increase the penalty for non-compliance of ordinance 20110818 above the current \$500 fine
4.1.5. Create a rating system of all payday lenders, title loan lenders and check cashing business that would be accurate and accessible for public view
4.1.6. Redesign short term lending in our State so that only fair and equitable lending with reasonable terms and costs can be delivered in Texas.
4.1.7. City of Austin develop an active, anti-predatory lending public service campaign
4.1.8. City of Austin provide free-of-cost space for nonprofit organizations who counsel individuals in financial services, budgeting, credit repair and financial services accessibility issues.
4.1.9. City of Austin consider grants for operating support of community organizations when they have funds available to provide fair and equitable loans to replace payday lender loans.
4.1.10. Employer lending opportunities through payday advance and short term loans with low interest rates to be deducted from future paychecks are explored.
4.1.11. All information and services be culturally and linguistically sensitive to the communities they serve.
4.1.12. City of Austin implements a credit focused initiative to improve credit scores and explores partnerships with major financial entities that have an Austin presence
4.1.13. City of Austin takes a community based train the trainers approach to financial education and debt relief
4.1.14. City of Austin utilizes funds from the State of Texas that are generated from payday lending industries to pay for financial education.
4.1.15. Austin Independent School District explores partnerships to deliver and integrate financial education into curriculums
4.1.16. Austin Community College explore including finance and business education in core curriculum requirements for all students.
4.1.17. City of Austin explores similar programs and/or opportunities to scale up existing financial training for families and individuals
4.2. Access to financial services

4.2.1. more institutions adopt social justice practices in their mission and are held accountable to upholding those practices
4.2.2. City of Austin develop an equity score card to ensure racial equity in financial practices based in Austin.
4.2.3. A community-focused campaign led by banks and local community groups to help foster trust within communities of color.
4.2.4. City of Austin identifies trusted partners to engage communities of color and identify barriers to accessing financial services.
4.2.5. Physical branch locations are dispersed throughout the city and offer an option of lower denominations available through ATM transactions where possible.
4.2.6. Financial institutions increase transparency and consistency of the requirements to open an account.
4.2.7. Employers consider auto-enrollment for employees in company sponsored 401(k), health savings accounts, or other savings accounts or vehicles that require employees opt-out instead of opt-in.
4.2.8. We recommend employers offer banking days at the office to register new employees for accounts
4.2.9. Employers consider alternatives to paying new hires with checks
4.2.10. Employers encourage company leaders to host seminars on investing, benefits, and retirement savings.
4.3. Access to Employment
4.3.1. Employers educate employees about implicit bias and how to talk about race, including a discussion of the role of white privilege.
4.3.2. Employers are trained on merit based pay for new and existing employees
4.3.3. Employers support Employee Resource or Affinity groups to support career progression to provide skills and career progression.
4.3.4. Financial institutions commit to hire a diverse workforce that reflects the communities they serve and implement racial bias training for every employee.
4.3.5. Employers anonymize resumes to remove racial identifiers including names in their hiring process.
4.3.6. Employers be open to non-traditional credentials
4.3.7. Employers market their commitment to diversity and inclusion in their recruiting materials.
4.3.8. City of Austin encourage, rather than mandate, inclusive and diverse hiring.
4.3.9. Employers evaluate disaggregated compensation data to evaluate pay for existing inequities along racial lines.
4.3.10. Employers differentiate between diversity and inclusion and measure both in their companies
4.3.11. Employers actively create inclusive spaces for all employees by committing to cultural competence and recognition of barriers that exist on a systemic and institutional level
4.3.12. Employers cultivate a culture of advancement through advocating for and assisting its employees to navigate the promotional process
4.3.13. Employers use experience to determine pay and pay grade.
4.3.14. Companies include appropriate diversity goals along with quality goals for every employee.
4.3.15. Employers spend substantial and effective effort in outreach and recruitment at educational institutions <i>historically serving minorities.</i>

4.3.16. Employers foster the creation of social cohorts that promote upward mobility.
4.3.17. City of Austin lead by example by making it easier to hire and explore creating an "Austin Area Jobs Database".
4.3.18. Office of Economic Development create a database, with 50% of cost compared to other leading job boards.
4.3.19. City of Austin create an "Economic Mobility Center of Excellence" that provides an annual overview of best practices.
4.3.20. City of Austin make it easier to bring in Co-ops, Interns, and Apprentices
4.3.21. City of Austin utilizes its workforce to lead by example and promote these policies by institutionalizing equity
4.3.22. City of Austin adopt the recommendations given in the Business Disparities in the Austin Texas Market Area

5. Civil and Criminal Justice

Task Force Summary Recommendation
5.1. Schools and Juvenile Justice
5.1.1. The City of Austin should invest in anti-racism training for faculty and students.
5.1.2. The City of Austin should find ways to create positive associations among children of color and all school personnel.
5.1.3. City of Austin partner with local colleges and universities to increase recruitment of teachers of color.
5.1.4. City of Austin partner with local schools and community organizations to provide age appropriate anti-racism leadership summits for students at least four times a year.
5.1.5. City of Austin invest in local organizations (currently working on juvenile justice issues) to build capacity to enable culturally responsive organizations to serve more youth
5.2. Law Enforcement
5.2.1. Police Monitor's Office increase efforts to make the public aware of its existence and activities.
5.2.2. When the Department of Justice or other agencies make recommendations to the City, that there be greater transparency in the details and the implementation of said recommendations.
5.2.3. Published annual assessments (in the aggregate) of personnel trends such as use of force incidents and citizens' complaints.
5.2.4. City of Austin hire another data analyst as to provide the citizens with greater access up-to-date, real-time data.
5.2.5. City of Austin's law enforcement agencies increase recruitment, retention, and promotion of minority police officers.
5.2.6. City of Austin's Law Enforcement agencies cultivate a pool of applicants from minority and at-risk communities through scholarships and mentoring from which APD can draw.
5.2.7. City of Austin encourage the Austin Police Department to increase the awareness and utilization of the Department's District Representatives Units to include a community newsletter, a separate budget, and a citywide strategy for utilizing these units.
5.2.8. City of Austin improve its capacity for open-data infrastructure and open data interfacing available to the general public.
5.2.9. City of Austin mandate improved response times regarding Public Information Requests and that they are readily available and accessible.
5.2.10. City of Austin's Police agencies work towards a goal of 35% of daily patrol time dedicated to community policing activity.

5.2.11. City of Austin's law enforcement agencies engage in public forums with community members
5.2.12. Austin Police Department create and maintain a training specialist in diversity and inclusion.
5.2.13. City of Austin's law enforcement agencies mandate ongoing training on de-escalation and less-than-lethal techniques.
5.2.14. Leveraging of community resources, local initiatives and other entities, to participate in police training.
5.2.15. City of Austin require annual psychological evaluation of all officers.
5.2.16. City of Austin create protocols to ensure the cultural competency of all personnel.
5.2.17. City of Austin's law enforcement agencies increase mental health training for all law enforcement personnel.
5.2.18. Austin Police Department create and maintain a training specialist in diversity and inclusion.
5.3. Criminal and Civil Justice
5.3.1. We recommend that City of Austin create alternatives to incarceration for Class C misdemeanors.
5.3.2. City of Austin collect and analyze data on disparities in outcomes and dispositions by race.
5.3.3. City of Austin employ "I speak" cards to better communicate with people who don't speak English fluently.
5.3.4. Implementation and maintenance of bilingual and multi-lingual forms and signage at municipal buildings.
5.3.5. Interpreters be made available in the civil and criminal court systems.
5.3.6. City of Austin to mandate interpreters for APD interactions with witnesses, victims, and alleged perpetrators.
5.3.7. City of Austin expand the availability of courts through the use of night and weekend court invest in satellite courts.
5.3.8. City of Austin create a system that allows residents to address minor infractions through approved classes (like defensive driving).
5.3.9. City of Austin engage in continuous study and support for community resources as to further assist self-represented litigants.
5.4. Mental illness and Substance Abuse
5.4.1. Implementing a screening process for mental illness at intake to be done by one Mental Health Professional or Licensed Clinical Social Worker on staff with DACC.
5.4.2. City of Austin and Travis County enter into an inter-local agreement, where the Mental Health Public Defender is to add an additional attorney to represent Class C misdemeanors at the DACC.
5.4.3. City Prosecutor be mandated to file applications to the DACC judge for emergency detentions when there is a risk of harm to either the defendant or the public pursuant to state law.
5.4.4. The relocation of the Downtown Community Court to a location adjacent to the Travis County Sobriety Center.
5.4.5. City of Austin implement a "one stop shop" for legal and transitional services for those that suffer from mental illness, substance abuse and/or homelessness.
5.5. Miscellaneous Issues
5.5.1. City of Austin Integrate a STEM (Science, Technology, Engineering, and Math) program at Travis County Correctional Complex and other prisons.
5.5.2. Create a re-entry pipeline for homeless previously incarcerated citizens.

5.5.3. City of Austin implement incentives for employers who hire previously incarcerated individuals.
5.5.4. City of Austin streamline the process for obtaining vital government documents and services.
5.5.5. Employers are furnished with appropriate discrimination training relative to previously incarcerated Applicants.
5.5.6. City of Austin invest in expanded training for previously incarcerated individuals.

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 Austin American Statesman

Please add to email calendar - TK



Tamaya Dennard
Councilmember

201900134

MOTION

WE MOVE for a Zero Tolerance policy for all City of Cincinnati employees or contractor/vendor while doing business with the City of Cincinnati in the case of any incident that involves the general public and a City of Cincinnati employee or contractor/vendor using a racial, religious, cultural or otherwise bigoted slur. Violation of this policy will lead to immediate termination of employment or termination of contract.

In cases where City of Cincinnati employees use racial, religious, cultural or otherwise bigoted slurs towards each other, the incident will be referred to Human Resources and City Administration and subject to the penalties as outlined in Administrative Regulation 25 ("AR25").

Tamaya Dennard

STATEMENT

There is substantial agreement that transcend any one racial group that Black people and White people are treated differently by the government, especially in the case of police procedures and practices. Statistics back up said sentiment. More than 240 years of slavery and 90 years of legal segregation in the United States have created a legacy of racialized policing. Statistics prove that Black people are stopped by police at higher rates than White people. For hundreds of years, Black people were lynched in the presence of or with the complicity of law enforcement in this country. There is a history between the Black community and law enforcement that must be acknowledged.

Despite police reform, those feelings of distrust have remained due to the number of shootings of unarmed Black people and the ability to mistreat Black, Brown and low-income communities with little to no recourse.

Treating all people with dignity and respect is an obligation of City of Cincinnati employees, not an option. Our policies and procedures need to reflect that obligation. That treatment is not only the morally right thing to do, it's in our best interest.