

City Council Special Called Meeting Transcript –2/23/2015

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Austin city council special called meeting. >> Mayor Adler: Are we ready to go ahead and start? Good morning. It is Monday, February 23rd, 2015. Council chambers. It's 9:06. We are going to do two of these discussions here this morning. The first one is on infrastructure and capital planning. It's our Austin's built environment. I want to thank the panel for being with us today. As I have told all the panels when we started these we called them deep dives, but obviously they're not. Everybody just gets a brief moment or two. The council has the opportunity to engage in conversation, but it gives us a high level view of at least one or two issues that are in any given area. And for that it's real helpful for us. The format that we're following is that we have the city takes about 10 minutes, staff, to kind of layout an overview. You all have questions that you're addressing. Time about five to seven minutes, but then the council may very well engage in conversation that -- to start it off. So again, thank you for being here and if we could kick this off with Mike

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Trimble or Howard, are they here? There you are. Why don't you start us off? >> Good morning. Mike Trimble with the capital planning office. Mayor is your microphone on? >> No, thank you. Good morning, mayor and council, Mike prosecute with the capital planning office. I'll hand it off to Howard. I'm going give an overview of the capital improvements program. I'm going to talk a little bit for the basics about what the capital improvement program is. As you know, these are a lot of the improvements to built environment that's all around you. It's the playscapes, it's the roads, it's the sidewalks, underground it's the water and wastewater infrastructure, it's the drainage infrastructure

and utilities that really provides our city's quality of life. And just to give you an idea of what we're talking about when we talk about a capital project, typically we're talking about projects of a larger scale, over \$50,000. And a useful life of four or more years. That also includes fleet and significant I.T. Procurements. And so typically we're talking about that as opposed to the routine maintenance, which you'll see departments have in their operating budgets. These are more substantial. A lot of times as opposed to routine maintenance we're talking about more substantial rehabilitation or replacement of infrastructure or facilities. A brief overview of our capital planning cycle. And this is just general. This is a multi-year process so this is just a general overview. But really kind of starts out with our departments gathering those capital improvement needs from the technical assessments they do from council priorities, from all the various sources they have from the community, and that feeds into the development of our long range cip strategic plan. The cip strategic plan has a

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10 year plus arrangement to sync up with the plan. We compile a lot of these unfunded needs that we get from the departments and we overlap those with our city priorities, imagine Austin and other related plans to see how we can cord those investments for more strategic plan in the city and making sure we're effective with those investments going forward. We also do condition infrastructure so we gather information about our infrastructure and the satellite of that and we -- and the state of that. And we provide this plan to the planning commission and we do that in the April time frame. By charter the planning commission gives a recommendation on the long range strategic plan back to city council. And so council will be receiving that plan in the may time frame. So that plan informs and feeds into the budget process for develop developing the five-year cip plan which is the budget and spending for the five-year period and that feeds into the development of the capital budget which you see as part of the budget process. A little bit about the roles in the capital improvement program, obviously city council has a huge role in setting the direction and priorities for our capital improvements. Whether it's the approval of the comprehensive plan and related plans, when it's calling for a bond election and actually setting the bond propositions that are considered by the voters. And then approving the budget, the capital budget that you will see on an annual basis. Public also has several points where they provide input on our priorities for the capital program through the department interactions, through our boards and commissions and through the budget process, various points, and then interactions with council. And with respect to boards and commissions, we have two key boards and commissions that we work with. One is the planning commission that I've already mentioned their role. And then the bond oversight which I committee that provides citizen oversight of the implementation of the voter approved bond programs. Also the city

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departments as I mentioned tee up a lot of our capital needs and priority. Public works is our primary capital delivery and project management entity for the city and the capital planning office in addition to capital planning, we handle the program management and oversight of the bond programs and also cip communications and reporting. Phrasers. Some of the key drivers that feed into the capital planning, urgent needs. It really has to do with the things that we've got to fix that's causing a degradation of service, safety and affecting our infrastructure facilities. Those are the things we need to do and do them pretty quickly. Capital renewal, again that goes into taking care of the upkeep of our existing infrastructure and facilities. Service demands, that's the service demands that we have that might even be expansion of our infrastructure and facilities to serve a growing population. The policy priorities that we receive from council and then the planning priorities that come out of our comprehensive plan and regional plans and related neighborhood, small area plans that also set priorities for our community. Okay. Just a little bit about infrastructure condition. It's been noted on the national level, the state level and the local level that the upkeep of infrastructure has been an issue, just having adequate funding for it. And really the city of Austin does have those same issues just like any municipality around the country. I think we do better than most with the upkeep of our facilities and our departments do their best to reach the useful life of our infrastructure and even extend the useful life of our facilities and infrastructure when they can, but it is something that factors in to our capital improvement program. A large portion of our needs go back to capital renewal. You can ask the folks that worked on your bond taskforce in 2012. A large portion of the needs assessment and even the final bond packages that they recommended to council included just basic needs related back to upkeep of our facilities and infrastructure. Just to give you a scale

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of the capital improvement program and this is based on the work performed, expenditures in our last fiscal year. A majority of the work went to water, wastewater infrastructure and electric, so your basic utilities. This work is done by your enterprise department so a lot of the capital improvement here are supported by the revenue generated by these enterprise departments as opposed to general government departments. And the general government departments are the ones typically funded through the bond programs. This is what that be years. Voters have approved about one billion dollars in improvements and the majority of that has been for transportation and mobility, but there's also been significant investments in open space and watershed, drainage, parks and recreation, public safety and then of course the new central library. One thing to note is that the bubbles are appropriate here because when it comes to voter approved bond funding, that funding needs to be spent for the purpose that the voters approved it for. In other words, that 337 million you see for transportation and mobility needs to be spent for transportation and mobility. It can't be moved over to parks or for any other purposes. It has to be spent as intended by the voters. A quick status of where we're at with our active

bond programs. Right now we have the active, the 2006, 2012, and 2013 bond programs and you can see our spending curves and projected spending curves there. We're doing on average about 90 to \$100 million of work over the last eight years so we're making good progress. You can see that the progress we're going to be making and the funding tapers off really over the next two to three years. So we're anticipating there could potential be especially for the ongoing programs we have in the cip, those things we do on a regular basis, there might be some funding happening in the next two to three year period as we finish out the majority of our bond programs and bond funding. Just a little bit about the realities of the capital improvement program. Needs always outweigh available funding.

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A lot of what council will be looking at are those priorities and those trade-offs that need to be made. Arse whether it's the basic needs of capital renewal or whether it's more strategic investment that need to be made in our community, it's always a trade-off and always that give and take. As I mentioned, the balance between the capital renewal needs and the strategic priorities, we're always seeking to do that. We've had those conversations with your bond taskforces with council and so it's one of those things you will have to keep in mind as we're trying to find that right balance because we know we need to do both. The link between operating budget and the T our capital renewalro program. Having sufficient money for the routine maintenance of our infrastructure, then that may mean that we're going to be doing more substantial capital improvements, capital renewal projects coming in a shorter time frame. So we may not be able to get the useful life of those assets that we have in place if we're not putting sufficient money on the O and M side. Also understand if we have new facilities and new infrastructure that may come with additional staffing and other operational costs associated with it that you will see on the operating budget side of things. Participants are very important. -- Partnerships are very important. We do our best to leverage our resources. We do a lot of partnerships with other government agencies. We're also doing some public-private partnerships and trying to look for those opportunities wherever we can. And then of course coordinating with our other government agencies in the area. We know we don't do it alone. Coordinating with those agencies and coordinating with other stakeholders in the community to have good effective outcomes. With that I will turn it over to Howard Lazarus. >> Mike, thank you very much. I would like to thank council and all the invited experts to give us the opportunity this morning to talk about something that very often is not in the public eye, but very critical to our well-being as a city. The public works department , as Mike said, we are really primarily responsible for delivering capital improvement projects for the city, but also for

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maintaining the city's transportation network. And as you look at the chart that outlines the public works responsibilities, I think it's important to note that we live in that area between policy and product and between really out puts and outcomes. And early on in the process we support the capital planning process by providing technical support, by providing scoping and costing estimates, but also establishing standards for work in the city right-of-way. As you go through the process and look at programming, budgeting and scheduling, the role tends to increase to where when we get to the budgeting standpoint we start to build projects. Mike talked about leveraging other dollars and bond sources, and we put together that programs for execution. And finally, at the bottom you can see we are responsible for maintenance of the city's assets. These are just some examples of some recently completed projects that may be familiar to you. They show both the diversity of types of work we do and the geographic dispersion of the types of work we do. There are recreation projects such as the Bartholomew pool, Barton springs pool. We do a lot of work in the right-of-way in our neighborhoods. The upper right corner shows some innovative work we're doing on Davis and dear lane with the transportation department to increase roadway capacity. On the bottom left the flip side of that are some traffic-calming projects we work with A.P.D. On to make sure that quality of life is not sacrificed. You can see that we work with our public safety entities to develop new facilities that help then extend their services throughout the community as well. What I'd like to do is use the transportation network as a very quick case study. Mike showed on the bubble charts where the money goes and the substantial portion of the general obligation bond monies go to mobility and transportation projects. In fact, it was 46% of the 2012 bond program. Of that total, 20% was allocated to regional mobility, but 80% was improvement of what we

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have, connectivity and sustain. Of our assets. Then you can see what is in the asset inventory. While we talked a lot about expansion in the city, growth of the city, it's important to note we have an aging infrastructure. The average age of our city streets is over 35 years old. There is on-time traffic going maintenance department and recapitalization requirement. Most of our major bridges are also reaching the end of their useful lives and their age is also over 30 years. We're also introducing a large story of urban trails and while the majority of new, they will also require maintenance efforts. I could spend a lot of time on this slide. There's a lot of information on there. Mike showed you a slide before about the inventory assessment and report card. I would give us as a city a good solid B. The -- as you look at the travel the travel acceptable level of services that we budget both from an operating standpoint and a capital standpoint to maintain, sustain, fill in the missing gaps. It also shows you the percent not meeting the level of service that's acceptable and then the cost. When you sum those costs up on the bottom in order just to sustain what we have there is a 45-million-dollar price tag on a capital requirement each and every year. 40-million-dollar O and M requirement and then we have one time costs of 117 million. As the charts show this is a very small piece of the total city need, but it gives you a feel no what we need just to keep neighborhood quality of life and/or assets in acceptable condition.

And then finally, Mike talked about leveraging dollars. And how we prioritize work. I'd like to fill in that. Thighs are listed in generally the order of precedence, but we consider all of them. Certainly we'll respond to public safety and regulatory requirements first. We want to address the asset conditions and we want to coordinate with

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our other asset owners because the roadway is just the cap of what goes on underneath the subsurface and it's far more interesting than what you see as you drive now the roadway. We have supported other programs and requirements. We want to do things in a way that's efficient and best managed in our delivery. And we also want to make sure over the course of years what we do is geographically disburse, take care of needs all around the city. I'll close with the photos on the bottom. On the bottom left is a neighborhood partner program that we did at huff stick la green. One of the things we do is those kind of partnerships. The next is the north Y that we worked with the parks department on that was a public-private venture. The next photo over is the plaza saltillo that we did in coordination with capital metro. The last two logos are representative of the way we're getting more information in the hands of people so they can see what we're doing. Impact is an internal coordination tool that we use to ensure that capital requirements are done in concert and from that came civic, which is the public's portal into the capital program so that there's complete transparency in what we do. The work is done in a way that is comprehensive, it's coordinated with our operating budget because the last thing a public works director wants to see is a brand new stretch of asphalt being dug up for a sewer project. With that I'll turn the floor back over to the mayor. >> Mayor Adler: Thank you. Any questions from council at this point? Okay. We'll begin then with our panel conversation talking about the issue of how does the city use infrastructure to respond to growth and development and to the city priorities? Dave Anderson, do you want to start us off. Thank you.

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>> Good morning, mayor, mayor pro tem, council. My name is Dave Anderson. I work for the Drenner group here in town as the of land use -- director of land use policy. Up until recently I chaired the planning commission. Before that I chaired the environmental board. During that time I also sat on bond oversight committee so I have -- I'm an engineer by education so I've got a number of different perspectives on the idea of infrastructure. And I'm going to ask that, Steve, we switch over. That's okay. You will see Dave Sullivan's presentation pop up. And this happens, what would you say, Dave? Weekly? I'm honored to be at the same table as Dave obviously. He's a true asset to our community. So I'm here to talk about infrastructure and capital planning. And the question that was posed to me to provide

some comments on you'll see on the screen. How does the city use infrastructure investments to respond to growth, development and city priorities. And the first thing that I will say to that is perhaps we need to add another idea not only do we need infrastructure investment to respond, but we can utilize infrastructure investment to shape growth, development and city priorities. I'll talk about that a little bit as we go along. Here's a quick agenda. The first set of slides Mike and Howard just kind of went through, so I will breeze through those. My perspective on goals of infrastructure investment, I would like to talk a little bit about private industry and the role that

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private industry and development plays in providing infrastructure for Austin. The challenges and the advantages of that. And then talk a little bit about the healthy components of an infrastructure plan. Come on. So capital improvement you can read in front of you. I think you all are up to speed on that. Mike and Howard talked about the kinds of things we mean when we talk about infrastructure it varies from power plants to urban trails and water and sewer. This slide Mike had as well. It's just the process through which infrastructure planning happens and they mentioned that. Here's a quick snapshot from my perspective on where we are. Two things of note, I normalize the information on a per capita basis because when I think about and talk about infrastructure investment we need to do it on a per capita basis or that's one way to do it. To make sure that we are at least keeping up with the individuals that are moving here and we're not falling behind. As again, Mike and Howard alluded to, there's always going to be more needs than money available, but that's one metric that we can use to think about our infrastructure investment and item three here, you have heard this. I'm sure you heard it since you've started at council and perhaps on the campaign trail as

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well. There are significant areas across the city where infrastructure is not keeping pace with growth. And so that's a major challenge for the city as go forward. From my perspective, let's talk a little bit about goals. The first goal of infrastructure is to serve community needs and it requires city leadership, both council and management to understand those needs. So there should be in my opinion -- and I'll throw commissions in there as well. There should be a constant conversation about making sure that we as a community understand what those needs are. As an example there's no more important topic than affordability, which is what we'll talk about in a little bit and how that meets infrastructure. And the importance of making sure that we serve all of our citizens actually and with the appropriate level of infrastructure service. Whether that's roads, trails, water pipes, whatever it is, we need to understand the community needs. The second goal is responding to population growth. And the existing

infrastructure assets, when they break, which they do often, it's rehab or replacing those on some set schedule. When there are areas of town that see growth for whatever reason, we have a responsibility to provide basic services to those individuals. The last item is something I talked about briefly at the beginning. We can use infrastructure to help shape how we grow and what we look like. An example is the south I-35 water and

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wastewater program where significant investments were made in water and wastewater service in the southeastern portion of the city to prepare for growth in that area. So infrastructure -- significant infrastructure went in largely before the big spike of population ended up moving there. But to do item three there needs to be a comprehensive vision, which in this case in my opinion is part and parcel of a comprehensive plan. I know you heard about that last week or the week before. Let's talk a little bit about private investment. So these couple of slides will help us investigate what role private industry plays in augmenting city investment and infrastructure. On the left you will see large green field development, more infrastructure is necessary to be provided by the developer. The city would extend water and wastewater service lines to the property, power line, et cetera, roads. If you compare that to infill development where we rely on existing infrastructure, exceedingly older, and perhaps in not the best shape. So I think understanding those two modes of development and what that means for the bottom line from an infrastructure perspective, on the left there's a lot higher upfront cost, on the right perhaps it's more of a maintenance cost long-term. I would submit over the life of a project infill

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is cheaper than the sprawl situation, but this is Texas and we're going to end up -- the reality is there's going to be single-family development in addition to infill in our city and when we think about infrastructure we just have to understand what each role plays and how the expenses associated with that. There are expenses on both sides. I apologize for the trouble with the clicker. Here's just a snapshot of times of investments made by entities that the city ultimately has responsibility for from a maintenance perspective. The duration of when a private entity owns those assets and transfers them to the city depends on the mechanism, but here's the types of things that facultily the city would take over -- this is again just a snapshot of what I mentioned earlier. What I will say after being here 20 years and in the industry for almost 25 is I think that the level of private development in infrastructure as a percentage of what's in the city overall is often understated. And the benefits are [indiscernible]. This can be a good thing but there needs to be significant -- a genuine and significant understanding of the age

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of that infrastructure, the maintenance associated with that infrastructure, the life cycle cost associated with that infrastructure. And I think as a city we have some work to do on understanding that from private investment perspective. As I wrap up here, these are some spots I've had on the components of a healthy infrastructure and capital planning concept. The first is data is key. If we don't know what's on the ground, if we don't know what we have, we can't -- we'll have a hard time maintaining it. That starts at the department level from my perspective. Many have master plans, for instance, the watershed master plan highlights improvements that are needed throughout our urban watersheds. A few years ago that total was \$800 million. It's probably north of that now. But there is an inventory that you can go down and say, okay, in west Bouldin we need to do this, this, this, in Tannehill we need to do this, this, this. So getting an understanding of that baseline information and then making sure that it's updated over time is very key. Along with that baseline data you need a vision for where we want to go because there are going to be expenditures that benefit the city as a whole, so you can't have one without the other. The second item is we as a city need mechanisms for our prioritization. I touched on this earlier, having an understanding of what the community values are. Community priorities is paramount to success. And then what Mike and Howard talked about, a five-year snapshot of why we think -- what investments need to be made in infrastructure, but comparing that also or integrating that with a long-term look, that is the link between short-term investment and really the vision of how we want to grow as a

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city. The third item is developing effective metrics for implementation. How do we know what success is? How do we measure in addition and perhaps more importantly the outcome of our decisions on infrastructure. That needs to happen at several different levels. There need to be metrics at the department level all the way up through kind of the strategic long-term plan, the comprehensive plan level. We need to be able to use a broad set of tools. That's public investment, that's public-private partnerships. That's partnering with philanthropies to get infrastructure put in place. There are models for all of these currently throughout the city. Some more than others. But we need to be flexible in how we use that. And finally the effective use of boards and commissions. As Mike mentioned, the planning commission has a role listed in charter of reviewing the capital plan. For a long time we did not know what to compare the capital -- compare the infrastructure investment that the city was making. We didn't know what to compare it to, what was successful. Were we being judicious with the dollars? So the development of the comprehensive plan and the metrics associated with that gave us the ability to provide council with some insight on whether those dollars are being spent effectively or not. Several

boards and commissions are linked with city departments. Those departments have metrics of their own. So the effective utilization of your boards and commissions can give you as councilmembers a snapshot of their perspective or of that board's perspective of whether or not we're

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using infrastructure investment wisely. With that, I'll turn it over for questions. Or maybe we're going down the list in how we're handling this. >> [Inaudible]. >> Mayor Adler: We've been doing both and inch it's okay if you want to ask a question now. >> Kitchen: I just have a quick question for you. You had mentioned prioritization. So I'm just curious if you could speak for a minute about -- we have some existing methods of prioritization. Do you have some thoughts on refining those more or some thoughts on -- what are your thoughts on what we need in terms of prioritization versus what we have right now? >> Well, I think it depends on -- how to answer that. From two ways, perhaps. So I'm a big believer in the idea of the comprehensive plan. I think -- I personally feel very proud of the work that staff has done and the commission has done on this comprehensive plan, but even if you don't like this comprehensive plan, it sets out a vision citywide that allows us to prioritize. And for the longest time as a commissioner, I didn't have anything to compare it to. And so I couldn't stress the importance of that more strongly. I think that there are terrific conversations that happen at the neighborhood level and it's important for those owe for there to be a mechanism for those to rise to a point where they can be evaluated first in the district and then on a citywide

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basis, but I think -- not but. And I think that there needs to be a discussion at the same time of what the citywide -- the citywide goals are. So it's a two-way street. I think there's some things in place -- for instance, bond advisory committee process is really a ground up approach, but it's things like that that are vital to being effective and frankly, are one of the reasons this has become such a wonderful place to live is because we can have those grassroots discussions and they can -- there is a mechanism for them to get to a point where they can be discussed in forums like this. >> Mayor Adler: Mr. Zimmerman? >> Zimmerman: Thank you for that presentation. I'm happy to hear that you're an engineer. I'm always thrilled to have rational discussions with engineers. But I've got to backup a little bit. I heard a couple of remarks and I want to go over, because I think the language we use when we describe planning, zoning and our objectives is very important. You mentioned on infill development, talking about infill development versus new suburban development. And you mentioned talking about the infill that it was infrastructure might be older and not in the best shape. I wrote that down. Well, much, much more importantly, the older infrastructure has a design limit, right? It's designed for certain capacities. It's

designed maybe for single-family homes or whatever it was. So in fact, the design of that original infrastructure is even more important than saying it's old -- if it's older or not in the best shape, the design. Only? If it's not designed to handle dense housing or dense commercial development, okay? We know that as engineers we design things.

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>> Yes. I would say one is maybe not more important than the other, but I will absolutely say I should have mentioned capacity and design, absolutely. >> Zimmerman: Yes, design capacity, thank you. The second point, design capacity is the second most important thing. Second thing, it is far more expensive to have to destroy -- to demolish, to dig up, to rework existing infrastructure because you upset the locals with congestion in the area where you're doing construction. So to make the remark that infill -- doing infill development is cheaper than going out into a new suburb, you just lost me. I think the die metric opposite is true. It is far, far less expensive. I'm not ready to quantify it, but it's far less expensive to go into a new area and put in infrastructure that's designed the way you want it, state-of-the-art materials. I don't have to disturb any existing homes or businesses and I can design it from scratch. It's far less expensive to do that than it is to retrofit infill development. >> Councilmember, can I respond? I don't know that we'll get to an agreement on our perspectives, but I will say this. There needs to be a more full discussion about this particular issue, infrastructure, the cost of that infrastructure and whether it's suburban development or infill development. We have -- I take responsibility for this in my time as chairman of the planning commission. We have not delved into that issue adequately. I believe that some of the points you raise are very valid. The disruption to

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businesses, the tearing up of roads, there are absolute costs associated with that. In some cases capacity exists for infill situations. In some cases -- in suburban development maybe there's a county road that's three-quarters of the way to city standards, so that's cheaper. So I think there are different situations that will require a policy that allows us the information to make the best decision policy from an infrastructure investment perspective. >> Zimmerman: Going back, we should look at that more, but let's go back to the higher level view. And I also want to contest that I don't think Austin has done a great job on planning and the reason for that is if you take a step back and look at affordability of housing and commercial real estate, you know, Houston, Texas is one of the most affordable places in the United States. It's just a three-hour drive from here. And people like to criticize -- I lived in Houston for 13 years. People like to criticize Houston, but the bottom line is it's much, much more affordable place to buy a home or to start a business. And I think part of that blame lies with the planning and

zoning. I think we've gone way too far. We're way too expensive. We're the most expensive city in Texas and a lot of people can't afford to live here. I would like for that to be included in the analysis. >> Mayor Adler: Thank you. Any further questions? Mr. Casar? >> Casar:, Mr. Anderson, a quick follow-up. You may have already stated your opinion on this. We've had a short brief discussion here on relative infrastructure costs, upfront costs and maintenance cost of new subdivision development versus infill. In your view how is city policy doing and our city regulations doing of really reflecting the relative costs of those

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kinds of infrastructure the way we treat those different kinds of projects? >> I'm not sure, councilmember, that -- I'll go back to it. I'm not sure that we're having the fullest discussion that we can have at this point yet about the true cost of that infrastructure. Councilmember Houston, you will remember this discussion as part of the imagine Austin citizens advisory committee will really having an understanding of infrastructure costs associated with the plan. I'm a firm believer that infill development -- and I'll just disagree with councilmember Zimmerman again that infill development is borne out by planning studies across the country and across the world that say that it's a cheaper way in the long-term to develop. Now, do we have the tools in place to do that? Some. But we have I believe significant holes in, for instance, the types of housing stock that are available or that we have in neighborhoods and that directly gets at affordability. So I think there's a whole slew of options that could be investigated. And I know some of those are being investigated as part of the codenext process and the code rewrite. I -- perhaps in my naivety, I know that it's a scary opposition, that it's changed, that it's different, but I think with your leadership and with the folks that you've appointed and the long time leaders in this community, I look at it as an opportunity to be a win-win for everybody.

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So there's lots of things that can be changed, councilmember. I think that we need to continue the process of investigating how best to do that. >> Casar: So would you say that in your view we don't have a good firm grasp yet on what those actual Numbers are on relative costs for us to even make a good value judgment on whether our regulatory scheme is reflecting those costs in the first place? >> Yeah. I think we've done that on a corridor by corridor basis. We've done some snapshots. And agreed, it's a massive undertaking, but I think that as decision makers, that's something that would really help inform my decisions. So I think a more robust discussion on that is warranted. >> Casar: Thanks. >> Mayor Adler: Ms. Houston? >> Houston: I want to thank you so much for bringing your sensitivity to this issue because I too would like to find a win-win solution. The people in my community don't see that

happening now. And so the faster we can get to where that is and how people can remain in their homes and developers don't come in and buy up all of the land and tear down all the infill or don't preserve any of the housing that is currently affordable and then people are forced to move out into some kind of sprawl, it's poor minority people having to move out. So I would like to get to that point as quickly as we can. And if you all have any policy recommendations on how we get to a win-win situation for those who live here and those who are coming in, I sure would appreciate it. >> Yes, ma'am. I believe that -- again, because I'm an engineer, I just want to see, you know, the most data that I can on a topic and we

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can sit down and have an honest conversation about what it means. And I think there is some room for improvement about really understanding the costs associated with that. >> Houston: And I think it's also a matter of we have engineers and practitioners come before us and they have studies and then we have people who live in the neighborhoods who adopt have that expertise, who don't have the ability to have studies, and so it's who do we believe? It's I think both. We can do both, but we're just not doing it very well at this point. So thank you. >> Absolutely. >> Mayor Adler: Okay. Thank you very much. Next voice we have, Dave Sullivan talking to us about the balance need for city financial investment, infrastructure with the need to maintain affordability, to lead into the question that councilmember Zimmerman was just asking. >> Right, thanks very much. Thank you very much, council. >> Mayor Adler: Can you pull that a little closer. >> I've been around city boards and commissions for a number of years. I'm on the bond oversight committee now and I'm also on the codenext advisory group. I'm supposed to talk about how the capital improvement program is associated with affordability. And I want to remind you on my top slide here that affordability isn't just about housing prices, it also includes transportation, utilities, property taxes, security, et cetera. So it's a complex issue. Part of the way we look at affordability is keeping costs under control. Part of the step in the right direction was the creation of the capital planning office in it 2010. Prior to that a lot of the different departments came forward

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with their own agenda for what kind of capital improvements needed to be done, but now we have a capital planning office that's a way to centralize that where they can look at citywide priorities rather than what the individual departments want. So there's better coordination, and as Howard Lazarus mentioned, the public works department provides program management, we can take advantage of economies of scale and shared resources. So having the cpo is a step in the direction for better affordability. We also have kind of a broad policy with regard to the general obligation bonds that when

we go forward with a large package of general obligation bonds, we look -- we do it on a timing basis where we go like every six years and in general we try to fit in the new bond costs into the gap that was created as we paid off the older bonds so that the new bond package does not affect the overall tax burden. There's some -- some exemptions to that. We've had two elections where there were transportation bonds that were out of that cycle and so it was left up to the citizens whether they wanted to increase their taxes. But in general, when we go with the big packages that deal with watershed protection, libraries, parks, affordable housing, transportation, all in one package, we try to space those out so that we're flat with regard to the impact on the tax burden. As far as watching over spending over time, we have a new tool online called civic. It's about two years old. And this is an online gis systems that citizens with go to and see what capital improvements are around the city and what their schedule is, what the budget is. And so that's one way to watch over spending. You guys appoint election advisory groups to put together the bond package, you guys appoint a bond oversight

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committee to look at the program of spending and make sure we're on track. And then the cpo office puts out an excellent quarterly report with graphs and tables showing how we're spending the money. And then you also hold public hearings on both a five-year rolling cip and a long-term cip. So there's opportunities for citizens to watchdog what's going on. As Dave Anderson mentioned, and as we've had some discussion here, there's some concern over whether our smart growth policies work to help affordability or not. But in general we did have a national consultant who worked on imagine Austin and now we have a national consultant working on codenext, look at these things, and they do come to the conclusion that in general directing growth to specific areas, and it's not necessarily infill. It could be filling in an area that has large capacity like the highland mall area or the north burnet gateway ear, that by devoting development in those areas and capital improvement in those areas it's low [indiscernible]. Howard Lazarus has put together some Numbers about lane mile maintenance. So this isn't necessarily a capital improvement. It has to do with O and M. But in general the more ratepayers that you have living along a roadway, the lower the cost per household for maintaining that roadway. And so, for example, in low density suburban areas it takes 43 ratepayers per lane mile to maintain the costs whereas in high density areas you have more people living in apartments and more multi-family housing. And you have more lane mile cost occurring. Dave Anderson was referring to this, this

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was a study done during imagine Austin to look at the cost of infrastructure including water, wastewater, roadways, power, maintenance of sidewalks, et cetera. And the consultant for that project

showed that the scenario in imagine Austin, which calls for devoting higher density to specific areas, along corridors, in growth nodes, could be cheaper than what has been the trend before imagine Austin, which was mainly for all suburban development around our edges. And they come up with a quantification with a very wide range between five billion and 21 billion saved over 30-year period based on the scenarios in imagine Austin over what had been the trend before. I'm sorry that that's such a large margin, but still it's always on the side of saving to plan your development so that you limit -- you can't stop urban sprawl, but we try to control it. Another point about the affordability associated with the long-term plan that the city has, it's an opportunity to look at the five-year plan every year and the long-term plan every year. It's an opportunity to look at what are the effects on affordability for transportation, housing and utilities. Effects on. Now, I meant to start off my talk about talking about afford in two terms. One is affordability for everyone. Everybody in the middle class is affected by the rise in costs in housing and utilities and traps. We also have people among us who are in the greatest need. Within the cip we also look specifically at those among us with the greatest need.

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>> Mayor Adler: Cip would be. >> Capital improvement program. >> Mayor Adler: Thank you. >> So the people who live below the 30% median family income or 60% -- median family income or 80% we use different tiers for people who live in greater need and target specific capital improvement programs for those people. So we did go before the attorney general for a decision that this is part of our infrastructure, that we can address household affordability, specifically with affordable housing programs with our capital improvement program. So we have a \$55 million bond package in 2006 that started off the program and we supplemented it in 2013. So we've had an ongoing amount of general obligation bond money to devote and part of this graph here are the problems that we face and that's that we have growing poverty in our city. As a percentage of our population right now, we've had childhood poverty increase from 2000 at a 27% rate to 37 in 2012. Much of that comes from the fact cities like Austin attract people from rural areas because of all the great opportunities. It's not that the city makes people poor. People move here because Austin offers opportunity. We have to deal with this issue. We do an annual -- not annual, but about every five years we do a market study. Your neighborhood housing and community development does a study on market needs and they can come up with a quantification of how much affordable housing is needed and basically we find that about one-third -- one-third of renters earn less than -- households earn less than 35,000 a year, 10% of all rental units

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are affordable to people in that category, creating a gap of 48,000 households that need some help to pay for housing. So in 2006, as I mentioned, we did a general obligation bond. It was the fastest spent category. We spent all of that money before we spent all of the money in the other categories, and we don't just -- we don't spend it alone. The value of our general obligation bonds for affordable housing is that it gets leveraged in with fun funding from other entities, Travis county, philanthropic organizations, federal money. As a result we produced 3400 units of housing with the 2006 bonds, and it's not just that we produce that housing but we produced in a form where people were in mixed-income areas, didn't create new ghettos, we created mixed-use areas. So now with the more recent bond money in the first year, you guys -- the council pushed for \$15 million to step it off in the first year, \$10 million to spend it out in the future years. And so that money is going to be programmed along the lines of -- for people in their houses right now, we have a program called georepair program which helps to provide improvements to homes so people can stay in their homes and we have a program mainly to help the regional -- the rental -- people in rental communities, and then we have another program where we're actually going to help people buy housing although that's in the early stages of planning. Anyway, I could go on. Each one of these issues you could devote a whole dissertation to. Happy to answer any questions. >> Mayor Adler: Any questions at this point?

[10:04:14 AM]

Troxclair. >> Troxclair: We have 30% making less than 25,000 a year -- >> Right, there's about 183 apartment units and only 19,000 are priced so that somebody -- a household making 25,000 or less could afford it. >> Troxclair: How will those Numbers change based on the last bond? >> Well, I have to say that this talk is only about the capital improvement program, the infrastructure, the geo bonds. As Dave Anderson mentioned the private entities play a role in this so the city has programs for increasing affordability with vertical mixed use along major corridors and there was a task force years ago, the affordable housing incentive task force came up with ideas about increasing affordable housing through the market. So my guess would be that with the bonds, we can address maybe one quarter, one-third of the project of the concern, and then with the overall market we can address another one quarter to one-third. This is the kind of problem, I'm sorry to say, that we will never address completely. The poor shall always be with us, as a great religious philosopher once said. So we can't really create -- get everybody into affordable housing. We tried to do our best and make progress in the direction of reducing the number of people that are in great need. >> Troxclair: I guess what I'm trying to understand is that 10% number expected to change? So are we going to be able -- are we going to be able to serve closer to 15% or 20%? Do you have any idea? >> Councilmember, I will get you an answer to that question. >> Troxclair: Okay. >> It would be nice to have a table, I agree, that would project it out into the future what percentage would we expect to get, say, with every bond package or with the private market, providing it. So I will work to try to get you such a table. >> Troxclair: Okay.

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Thank you. >> Mayor. >> Mayor Adler: Mr. Zimmerman. >> Houston: Go ahead. >> Zimmerman: Yes. Thank you again for that. I want to go back to one of the assertions you made about the poverty getting worse. I think your remark was pretty conclusive. You said more people are moving into the area because of opportunity, I guess, and you made the statement that the city is not making people more poor. And my challenge to that is, well, if the tax rates, which of course have to go up to subsidize these bonds, what makes you so confident that you know what the source of the poverty is? Because I can sit here and tell you that I believe that the increasing costs of government, ordinances, tax rates, utility rates, that is making people more poor. >> Sir, the -- councilmember, the national data suggests that people are moving from -- poor people are moving from rural areas to urban areas. I don't have that data for sure I apologize for that but I'm addressing national trends that show that poor people move to urban areas because there's more opportunity, and if there's increase in poverty I would say that most of that comes from people moving here. Now, whether or not rising costs are affecting people I agree with you 100%, that's partly why we are looking in codenext at trying to improve affordability in the city. And doing that in two modes, as I mentioned. I said this was a work group meeting last week. We have to look at helping everything and also helping those among us who are in the greatest need. So with regard to everybody, we're looking at making the regulations easier. I'd be happy to come and talk to you about this. We're looking at making the regulations easier so housing can be cheaper because there's less barriers to producing new multifamily or single-family, and looking at, you know, what

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are the -- what kind of agreements there should be about utility costs for new development. So these are things that we are looking at. >> Zimmerman: Just to make you aware there's a large contingency of people that believe that imagine Austin and codenext are going to have the exact opposite effect of what you told me, it's going to make it less affordable to stay here, increased gentrification, and I think the evidence for that -- you don't need a study or hire math or engineers to figure this out. All you have to do is look at the unbelievable cost of rentals and purchasing condos and flats in the city. It's three to 400% higher in the city than it is going out in the suburbs where I represent. And we know we have a gentrification problem. I've got some cognitive dissonance with all of this. I'm hearing one thing and seeing studies being quoted by the common sense reality is the opposite, you know? So we'll keep working on this. >> Right. >> Mayor Adler: Ms. Houston. >> Houston: Thank you so much. I'd like to respond to the question about poverty. The demographer Ryan Robinson has statistics that say that the poverty level in Austin is reduced because people cannot live here and they're being pushed out into other counties so their poverty level has in fact escalated. Opportunities including

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who look like me. And so that's the feeling of codenext, because I'm not a part of that, but the reality on the ground is that what we've done or are doing to Austin is not keeping the people who live here here, and it's not providing new opportunities for people who are in that \$25,000 range, like my daughter who works for the federal government. She's had to move out to another area bays she can't find anything she can afford in the urban core. So I think we've got to balance, again, as Mr. Anderson said, we've got to find a better balance. It's not all of this, and it's not all of that. But it's somewhere in the middle, and we have not done a good job as practitioners of trying to find out where that sweet spot is. >> Yes, ma'am, thank you. Let me just respectfully remind the council that according to the city charter, we are charged as a city at revising our comprehensive plan every five years. So in 2017, you are due to update or change imagine Austin and so there's an opportunity to learn from mistakes and make changes then. >> Mayor Adler: Ms. Kitchen. >> Kitchen: I'd like to talk for a minute about the imagine Austin and the development code rewrite. I agree with councilmember Houston that we can make some improvements in reaching out to the public. I think that this is one of the promises and challenges of the 10-1 system, is for all of us to now bring more of the concerns and issues from our districts to the table. So we have an opportunity to do that now. You know, we've gone through imagine Austin, but imagine Austin is a living document. And it's not set in stone, and so we have the opportunity to continue to improve it.

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And like you said, in 2017 we can continue to improve it either further if there's some additional changes that need to be made to it. So I think we really do have the opportunity now to bring more of our -- what we're hearing in our districts to the table to improve upon imagine Austin in the land development code rewrite process is an opportunity for us to do the kinds of things that councilmember Houston is bringing to our attention that really, really need to be done, and that's to find that balance. I want T to encourage everyone to let's do that for our districts. I have folks in my district in the far south in particular that feel like they haven't been heard and they don't know what imagine Austin is. So this is an opportunity to both educate and bring the concerns from our districts to the table and use the comprehensive plan as a guide for our city and change it where we need to. Thank you. >> Mayor. >> Mayor Adler: Mr. Renteria. >> Renteria: The reason I ran for city council is because, you know, we talk about gentrification and people being displaced here and there, but we never -- every time we come up with a solution or try to solve the problem, it gets shot down. Our state rep, eddy Rodriguez went to all this process of creating the homestead preservation act and people shot it down. You know, gentrification is that we invited -- we made it possible so that we bring in high-wage paying jobs to Austin and of course these people that have money are going to be paying and buying people's homes, often for an outrageous amount of money because they want to live on the inner city and we have a solution that we would have done -- that added value, that we see going on in our inner city, and

reinvesting it into affordable housing but it gets shot down all the time. We have solutions. People don't want it in their

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neighborhood. You know, we're never going to get out of this problem, but we're not going to stop. People are still going to come into this city and they're going to have these high incomes and they see these properties in the inner city and beautiful lake out there and they see Barton springs, see all this open space, they're not going to want to move out to the suburbs. They're going to come in and pay that high price to be able to live here. And it's going to displace our renters. If we don't solve this problem by providing affordable housing to our renters, yes, they're going to move out. Every time we come in and build a low-income project people go composite say, no, we want electrical, we want this, we want -- and they don't want affordable housing. So how are we going to solve this problem? So we really need to look at that. It's us causing the problem. Because when someone comes to my house that I paid 37,000 or 40,000 or 50,000 and it's appraised at 200 or 300 or 400, half a million dollars and someone is going to come out and say, here, I'll give you half a \$000,000 for your house, you'll say, fine, I'll take it, I'm 65, ready to retire anyway, I'm gone. That's what's happening in our inner city. If we don't something to keep the renters here in the inner city we are going to have a lot of problems in the future. >> Thanks for your presentation and I think that to address some of the concerns you may have heard here from some of my colleagues, I would say a constructive step forward might be when we produce the chart that councilmember troxclair suggested that maybe we have. We also take into account the filtering up of the prices of properties, the loss of affordable housing in the urban core and how we can - - we're also -- while we're making capital improvements to deal with the affordability problem

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at the same time market forces are generating some of that issue so how do we get ahead of the curve instead of staying where we're at our treading water. So thanks for offering to help with that. I'm sure several of our council committees will find that data useful so thanks a lot. >> Mayor Adler: Additional comments? Ms. Gallo and then -- >> I'm going to second or third or fourth that request because I think as we continue to talk about affordability in the city people that need affordable housing work throughout the city and if we don't provide affordable housing in all parts of our city we are adding to our transportation and roadway gridlock because that segment of the population then has to travel to get to affordable housing. So thank you for putting that together. I think it would be really helpful and also be helpful if we can do that targeted to different districts, broken up by district also if that's a possibility. Because I do think we have areas of the city that do not have affordable housing that we

have workers in those parts that need the affordable housing even more critically than perhaps in some of the other areas. So thank you for doing that. >> One thing, council, let me draw your attention to the affordable housing market study that I mentioned. It has a set of appendices and in the appendices there's a page for every zip code that shows a graph that has the trend over time for the cost of rental housing and a graph for the cost of home purchases and it compares it to the overall city. So that you can see in which zip codes it's going up faster than the city and in which it's going up slower in the city. That gives you an idea as to where gentrification or rapid turnover is occurring. Right now that's an existing resource that you could look at. >> Thank you. >> Mayor Adler: Ms. Tovo. >> Troxclair: Thanks. I wanted to follow up on the

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discussion about housing for a minute and I had a question for Mr. Lazarus about sidewalks. I appreciate the comments made and since we're talking about housing and the loss of it I want to also emphasize -- I don't mean to be a broken record on it but we do have opportunities when cases come to us to look carefully at how we're using density bonus programs and other things so it is really critical, especially -- I hear a concern across the dais about making sure that we have housing that's affordably priced in all areas of town and one of the ways we can really achieve that is looking at our density bonus screams which making it a requirement that housing be provided on-site rather than a fee in lieu. I think that's a critical opportunity that we're missing as a city. And we just have simply not had the political will to make that a law. And we really in my estimation it's long past time to do so. One of the most common -- I get two very frequent calls for assistance, one is about traffic calming and the other is about sidewalks. And we have -- I'll just mention it because if you haven't already gotten calls about traffic calming probably you still will. You soon will. And there is a fairly long imbue at the city for traffic calming studies and then neighborhoods that have been through the studies and are actually on the list but aren't yet funded. So if anybody is interested, I'll be glad to provide you with the staff contract who will know whether a neighborhood is in the process and in the queue and if so where they are. That's kind of the extent of what we can do about that. We can send them on to the appropriate staff member so they can begin the process or see where they are in the process. Mr. Lazarus, the other call we get very often, as you know; about sidewalks. So what -- when we get calls in our offices about -- from constituents who want to see sidewalks, I assume there's a similar assessment process that staff do and then they also have some kind of cue for managing

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those requests that are -- that have risen to the priority list. So could you just tell us what that would -- what that process is like and to whom should we direct those calls? >> Sure, mayor pro tem. Large number of the calls we get are generated through 311 system. Those are forwarded to our street and bridge operations who is the internal sponsor for our sidewalk program. We also get requests forked through council offices as well as direct calls from individuals and we work extensively with neighborhood associations. So the best -- to answer your question, it's the street and bridge operations within the public works department. The number is posted on the public works website if you'd like to call directly, or those calls, as I said, if they come through 311 they're forwarded there as well. >> Mayor Adler: Mayor if I may ask a follow-up. We have \$800 million worth of missing sidewalks. I guess what I'd like to hear I talk about for a minute or two is we get lots of calls, forward them on to you, you get other calls. How is the staff arriving at priority projects when you have hundreds of millions of dollars worth of missing sidewalks throughout the city? How do you make choices about which ones get funded and in which order? >> In 2009, we brought a -- within that plan is a very structured prioritization scoring process that includes both neighborhood attracters and points where people are trying to get to, as well as the neighborhood demographics and the ability of us to link that with other work. So we go through that process and rate the missing sidewalks anywhere from very high to not very high and that forms the basis of where we start from 37 there's also the ability for the public works director to add ten points to the score based upon

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other things that are going on. We also then look at how we schedule work to make sure it's done effectively, efficiently and in conjunction with other work we're doing. Within that \$800 million there's also \$120 million of missing or noncomplying Ada sidewalks. The majority of the bond funding we've gotten to date has been designed to address the Ada compliance issue and we've actually done very well in keeping pace with the funding schedule that's in the Ada transition plan. So most of what we've done has been addressed towards Ada compliance and Mr. Anderson talked a little bit about outcomes verses outputs. We've really started to look at how we start to connect things. We can get about \$200 million a year from cap metro update bus stops and targeted placement of new sidewalks to connect those transit connections with neighborhoods and also look very much at safe routes to school that is probably the highest priority, making sure there are safe ways for children to walk to school. So those score well within the matrix that is in the master plan and what latitude I have to adjust is based upon both the connectivity safe routes to school and really efficiency of work as well as fairness around the city. We are going to come back to council within the next 12 months with an judgment to that master plan and we'll have the opportunity to look at the scoring matrix as we bring that forward through both the board and commission process and the council's committee structure. >> Mayor Adler: So we've had a second a third and a fourth and a fifth, I think, so let me add a sixth. A lot of us ran on the issue of affordability in the city and making the city one that -- where people who lived here could afford to stay

here, and so that our children could afford to stay here. And I really hope that we challenge each other with respect to the committees that

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we're on to really think big and to actually sit down and do more than try to figure out how we do housing bond that will help a few thousand people, which would be real important. But really what is the five or 10-year plan to, to make up for a 50,000 unit gap? There are big ideas out there. We have to figure out how to actually implement. Councilmember Renteria talks about the homestead preservation district. There are things happening in other cities in terms of social impact bonding that are happening at small levels, things like programs in Denver. There's no one doing that at a municipal level. And Austin ought to be the city doing that kind of thing at a municipal level. San Francisco became the first city in the country last year where the average home price topped \$1 million. And if we're not careful, Austin could be on that path. But in order for us to stop that, it's going to mean that we figure out how to not only handle the vast constituent work that we do so well, that we need to keep doing, and all the agenda items that bubble up on our plate because there are 30 that hit us every Monday. But I think that we were elected here to do even more than that. We were elected here to come up with the really big ideas that change the course of a city, and I think that we had talked about having a committee that was on affordability, and we decided that we weren't going to do that because affordability needed to be the lens through which we looked at everything that every committee did. And I'm excited at the prospect that we're actually going to do that. Any other comments before we go to the next speaker? Mr. Linder then. Thank you.

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>> Thank you, and good morning. Can you hear me okay? >> Mayor Adler: Yes, sir. Thank you. >> First of all I'm happy to be here. Let me just say I'm hearing two -- I'm an insurance agent for 30 years in the city of Austin, mutual of Omaha, all state and also the civil rights guy of naacp. I won't bore you with a powerpoint presentation. We have lot of data and need to figure out what it means and do something about it. I'm going to dissent and give you a conversation and opinions based on information. The first thing is you talk about how you balance financial investment maintain affordability. We have to understand that we made affordable housing a generic conversation. This is not just a generic conversation. Secondly we have to understand what creates the imbalance we talk about and also what creates the inequity. I think that's critical. Give you sort of a historical context as well. We talk about change in the city. I understand that it's has a disparate impact on certain populations we don't seem to understand that. For example I work very closely on the amphetami amphetamine qua African-American

quality of life. In 2000, the median income was -- the income for African-Americans was 31,000, Ang glows, 69,000, hispanics 36,000. By 2010 the city's was 62,153, Ang go at 91,000, increased, African-Americans increased 39,773, hispanics actually decreased. Unemployment, in 2000 the city's rate was 4.4, African-Americans was 7.7. By 2010 the city was 7.3, African-Americans was 15.3.

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Now, of course in 2015, there's been a recession, I'm sure it's even higher. My point is we're talking about populations here that have been exposed to a disparate impact. We don't seem to understand that. If you try to -- you've got to identify where the problems really are, who has been affected the most. Mayor you said in your campaign we talk about the folks that come here every day, 150 or so. Weigh don't address the 40 that leave. Why are they leaving? It's not just the cost of housing. Folks have been displaced and actually evicted. For example, one of your own studies, I can tell you 35 years ago eight out of ten African-Americans lived in east Austin, eight out of ten, 35 years ago. They were 80% of the population in east Austin. By 2010, 20%. What do you think is causing that? To understand that you have to look at your own Numbers. I'm going to do that briefly. Back in 2005, there was a fellow named Todd Baxter, he filed a bill that basically prohibited Texas from doing what we call inclusion they're zoning. The bill passed. We have a conversation right here in Austin, Texas. What is inclusion nariy zoning. A tool used to make sure new developments are economically integrated and produce affordable housing. I can tell you at the time that Texas was one of two states in the entire country that outlawed inclusion nariy zoning guess what happened? All of a sudden high-end construction projects, downtown condos rapidly accelerated in Austin and increased gentrification even more east of I-35. This is not just a market-based, analysis-based data. There are policies that municipalities can create that drive this whole process and I would argue that the past ten years the city of Austin, city

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council, and government has given away too much to developers and billing-money people. That's the primary imbalance. You gave them a lot of power to build affordable housing and incentives and goodwill and they didn't. They created a process that built profit and pushed poor folks out of the city. That's a policy, not a market. By the way I agree with Alan Smith. I don't think there's no -- I think it's called agreed. What we've learned is when you give corporations too much power they run rampant. Folks happen to be poor, in this case black and brown, you push them out of the way. It's all profit driven driven. The challenge is not the data. This is not rocket science. How did we develop the political will that address things such as affordable housing. For example this is really about economic development. The folks that have been pushed out, their money has not increased. Their wages have

decreased. How are you afford a house if you have 15% unemployment? It's an entire false premise. You have to address the entire economic system. The folks that live east of I-35 need meaningful jobs to sustain them paying their bills every day. We don't discuss that. So I'm going to propose to you until we have a very human based discussion we examine unemployment, examine median income discrepancies all over the city. This is three different cities. For the folks driving this process they're doing quite well and plan to continue and unless you say, look, hold up for a minute. Let's finally look at the entire city and realize these Numbers are based on race, culture, ethnicity, and a lot of other factors. Do we have the courage, again, to talk about how to address this? As Mr. Zimmerman is saying, you know -- we can approach this process, but we haven't talked about the government having a balanced partnership about these issues. So I would say, look, let's make

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affordable housing a generic conversation. Let's talk about unemployment, who suffers most? Let's talk about healthcare, median incomes and whether it really matters and let's address this term called gentrification. It also is not a generic term. Many of the folks in east Austin were pushed out were victims, rising taxes. They were pushed out. They couldn't live here. So how do you device policies that slow down the rate of growth? How do you device policies that allow folks to balance their income. If you look at the Numbers here, you can't do it unless you address the low wages here in certain populations that in my opinion are black and brown-based, disproportionate. We've got to get race number one in this conversation, number two, the folks who come here, come here to make money, obviously, but the folks who live here, who have been here, who have been pushed out, we have to address them. I'm happy about 10-1, I think it's a great I think but I can tell you something. We have to identify the force that's created this problem. I'm not saying that we need to just criticize, but I'm saying folks have made a lot of money here based on policies you've put forth down here in the city council chamber. A lot of folks have been destroyed by the policy. What I would say, let's look at ways to ensure that as a body that you address the unemployment by bringing in certain corporations to the city that would give meaningful jobs with benefits, also you address how folks can afford affordable housing, although there's no such thing in this equation. Identify low income. It's not just the middle class. Let's talk about low income who are disproportionate. We don't do that. If we really want to have this conversation, let's take off the blinders and talk about who lives in this city? Who is coming to this city? Who has been ran out of the city? I've said it the past ten years,

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I don't think it's rocket science. You have to get out of your comfort zone and go into a very uncomfortable area called race, culture, and racism. Let's talk about homeownership. I didn't meanings that the black population has lost their homeownership 7 percent, going down, even more to Ms. Houston's point. But as a business person, I'm going to tell you something -- but I'm saying somebody has to fight for those who are poor, who don't have a voice. I can tell you as an African, we don't have a chance against lobbyists. You can't beat lobbyists as advocates. You guys are the balance. What you promote, research, pass is going to be key. We're fighting a battle right here but you carry the power. And I realize we talk about how do you balance investment verses affordable housing, there is a political consequence to that. You can pass measures here -- so I will challenge you, again, to get out of your comfort zone, look at things like family income, things like homeownership, things like unemployment, things like housing values. That's the real conversation. Then talk about affordable housing work, but also identify what -- quit making it like we're all in the same boat and we can finally think about a rising tide, if you don't have a boat, you're going to drown. In this city, this country, too many folks don't have a boat and are drowning. You can throw a line out based on policies that emphasize and respect human beings for equality, equity, opportunity. I maintain with all the -- what are they going to do with it in

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terms of coining policies that ensure this is a fair city that embraces everybody. Thank you. I'll take questions. >> Mayor Adler: Troxclair. >> Troxclair: Did you say homeownership among African-Americans in Austin has decreased by 7%. >> I'm comparing 2000, to 2010, yes, ma'am, it has decreased. In fact in 2010 -- it was 37% ownership in 2000. 2010 it was 32%. It went down about 5%. >> Troxclair: I know we could have a whole day's conversation on this particular issue as well as but I'm also curious going back to statistics that Mr. Sullivan brought to light, 10% of people being served by affordable house verses the 33% who make less than \$33,000 a year and would be in need of affordable housing and the increased costs of livings in Austin, increased property taxes, et cetera. Where do those 23 to 30% of people -- how do you think the increase in taxes -- so we passed bond measures. We increased tax rates. Are we increasing that 33% number? The people who are in need of affordable housing. As we increase the cost of living based on government policies? So even if we're increasing the number of affordable housing units that are available, are we also increasing the number of people that are going to qualify because of the increasing cost of living? >> Also, who is really getting affordable house see, the whole question is who needs the housing, who gets the housing. We talk about these terms but when you look at what ask being delivered, the folks who are 30% who are making less money, they're not getting the housing.

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We're going to have to be real bold and talk about how do we get it to where it belongs, and the city hasn't done that and as I said a while ago you gave the development people too much power, the folks that control development is not going to do that. You gave them incentive, they didn't dough what was right. You're going to have to mandate as a council that the folks that need this housing actually get it. We haven't done that. Therein lies the problem. Change your policies. Forget about giving the development folks an incentive. They don't need one. Let's talk about how we get the folks that need it who don't have the income to even afford what they have. That's the that he will and challenge we have and that's where the work begins. >> Renteria: I grew up in east Austin 64 years of my life and let me tell you when we did the homestead preservation act, the commissioner killed that, county commission, and we have an opportunity back then in 2005 to create enough funding so that we could provide affordable house, we could have used that for small businesses projects there and keep the population there in east Austin, you know, brown and black. But these are the kind of things that keep going on in east Austin. We keep on coming up with programs to work hard, to keep people, and I consider myself -- I mean, my family is a rainbow family, you know? And I consider them my people too because I grew up there with them, you know? And every time we come up with something good, it keeps getting shot down. By all of us. I mean, I'm including myself. The brown people there too. Because there's always a big group of people that are out there fighting. Everything that we try to implement to help, you know, these low-income people. When I retired, my income fell to \$32,000. I live there down on Haskell

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street, I was paying \$5,000 in taxes every year, \$500 a month for my wife's health insurance. It's always a struggle down there. Then we said the only way we're going to survive is rent out our front housework I'll build a garage apartment, rent out that front house out there so we can make some money to pay our taxes on and then they turned around and taxed us on that and, you know, we didn't want to rent the house out all year long. We wanted to just survive. By renting that house out, that's how it went. It's these kind of things that every time we come around and figure out how to survive, something goes and gets in front of it and we say -- oh, you can't do this or you can't do that. But we need to just really get back together and really start focusing on what we need to do. You know, I know it's very late, but it's not impossible to bring in that kind of affordable housing. I mean, I've seen -- I don't have a friend anymore that I grew up with in my neighborhood there in east Austin. Because they had to move out. They were renters. If we don't bring in affordable rental houses in there, we're going to lose them all, everybody is going to have to move out. >> Let me address your point without addressing precinct 1. You know, has placed a major role in this process, we have to identify them as problematic. I'll state this as well, the same development that pushes the and I also pushes the county. It's big money. I would challenge the city council do a realized and look at the number of folks evicted from east Austin the past 20 years and see what the racial barackdown is. Do that city and find out what you see. You see tragedy. We can't go back, but we can't

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go forward until we understand. I would say today you have a new government with new ideas, new people who come from install communities. I think an opportunity. Not if you don't understand the factors pushing this and engage them. I'm optimistic. When I look at the future here, I think we can make changes but not unless you understand the real factors that create this whole process. That's where I'm coming from. Let's engage it now while we have a new government and can go forward. >> Renteria: And I'm ready for work in there. >> Thank you, sir. >> Mayor Adler: Go ahead. >> Garza: Clarification on the gap that councilmember troxclair, those were renters, correct? Those were people who make less than 25,000. So that's not really affecting homeownership. >> Right. I would say so. >> Garza: Okay. >> Mayor Adler: Gonzales. Thank you. >> Good morning. >> Mayor Adler: If you could pull that a little closer, that would be helpful too. >> Can you hear now? >> Mayor Adler: Yes. >> Excellent. I'm Mona Gonzales, executive director and founder of the river city youth foundation, located in dove springs. I have over 30 years of experience working with low-income families, developing, creating, innovating programs that will help them to get out of poverty, to get an education and to move forward with grace and dignity. I also a few years ago, in the '90s, chaired the mayor's task force on crime gangs and drugs, and from that intensive experience in this wonderful city of Austin, I came away as a firm deliver that without a vision the people parish.

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I believe strongly in planning, good planning, smart planning. And as I thought through the question that I was given, how can the city address community-wide bills while protecting quality of life in neighborhoods. I ask myself what is the measure of a great city? Is it the mixture of beautiful buildings that form its downtown skyline or the number of fortune 500 companies and universities within its bothered, is it the Athens on the '08 that people worldwide dream of visiting or some day living here? There's absolutely no doubt that all of these things contribute to -- that was there ten, 100, or 1,000 years ago. And that is the life that our city is offering to our citizens from the most to the least privileged. And we know that physical buildings are simply not enough. I get it. I understand about the infrastructure. I understand about the natural beauty of Austin. I understand about the built infrastructure that we have worked so hard to attain. But buildings are simply not enough. In some communities, strikely modern buildings arise right next to impoverished neighborhoods and no one considers the social needs of the poor, the needs that should not be brushed aside just to make room for new and better. &It's really important that play space strategies address land use and physical development, that they be considered with people-based strategies that clearly and smartly address people's needs in all areas of neighborhood life. These lead to life with integrity, with health, and with

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fulfilled opportunities, as well as with the creation of supportive communities. The quality of our neighborhoods is vital to the health and positive development of our children, of our families. Did you know, did you know that research shows that the safety level of a neighborhood that a child grows up in has actually more impact than even the income level of that family? So protecting the quality of life of our neighborhoods is critical to every aspect of development, and it deserves our best planning and implementation efforts. Well, I want to reflect a little bit on the planning that to a great extent brings us together today to share our voices about responsible infrastructure development. Developed with the ideas of hundreds of people, if not thousands, this program that we've been talking about, imagine Austin. City's 30-year plan, very comprehensive, very detailed, very long. It does provide a roadmap that guides us toward that 200 anniversary coming up in a few years, 122039. The vision is for Austin to be a beacon of sustainability, social equity and economic opportunity where diversity and creativity are celebrated and where community needs and values are recognized and where leadership comes from its citizens and where the necessities of life are affordable and accessible to all. The values and the respect for its people is one of the chief components of at least the written plan, as I understand it. This plan is supposed to point us toward becoming a city of complete communities throughout Austin. And it's defined by amenities,

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transportation services and opportunities that fulfill all Austinites' material, social, economic needs. I want to tell you something, most of you know this. Dove Springs was almost left out of this plan. Or I think you are aware of that, as I'm sure most of the councilmembers are. How can that happen? Well, it almost did. But we were included in it. We found out about it, and once we found out about it, we made sure that there was a town hall meeting in our community so that we could be included. And once we had our town hall meeting, and I will say that you came along and you facilitated that. I don't even think you were aware that we had been excluded. You see communication, although planned, sometimes communication is not executed in the lower-income communities in the way that it needs to be, in the culturally sensitive way that it needs to be. In our case, we jumped in and it was at the tail end, but we got in there. If you look at the document, you'll find an entire page devoted to Dove Springs and that it is in the process of becoming a completed community. So returning to the question of how can you address community-wide goals while protecting the quality of life in our neighborhoods. Going back to number seven, people across all parts of the city of all ages and income levels live in safe, stable neighborhoods with a variety of affordable and accessible homes with access to healthy food, economic

opportunity, healthcare, education and transportation. This is that number seven, that value that is stated in that plan. On page 29 of the plan, the

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following description is provided. There are a growing number of neighborhoods throughout Austin where immigrants, largely from Latin mirk, are increasingly settling, language and cultural differences between this growing community and the rest of Austin have led to isolation, which makes it difficult for the city to provide these residents with critical services such as basic infrastructure maintenance, building code enforcement, emergency response, public safety, and health services. On page 222 we read new and existing partnerships, particularly with nonprofit organizations, may require capacity building through grants or other direct assistance to develop training, leadership programs, revenue generation and community engagement strategies. Those are fancy words. But they are part of a plan that engaged a community, and we have to respect that. This type of assistance can in fact leverage the resources of partner organizations. Cooperation also increases government efficiency and reduces costs through resource sharing, increased coordination and consolidation of duplicative services. Throughout this plan we see something. We see the encouragement to respect the small neighborhood plans as they provide a degree of detail not likely in that big comprehensive plan. By now, ladies and gentlemen, councilmembers, you have probably memorized that Austin plan. I'm just guessing that. A lot of us have taken the time, Delia is smiling over here, but Ms. Book worm over here, she probably memorized it. You know what? Most of Austin doesn't even know about it, and they have

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certainly not read it. I had to pay almost \$20 to get this copy. And, yes, you can download it on the web, but a lot of people cannot do that. So here we have a beautiful plan, very competitive nationwide, as continued, it's an award winner. And we have to respect the fact that so many people gave their time and energy to input into this this. But unfortunately many people did not. They didn't even know about it. I consider myself fairly acquainted with the city's processes, and it was a great surprise to find out that this had been going on for months and months and we were so busy on the front lines in dove springs trying to make life better that somehow we just didn't know about it. But we do now. So there are 48 neighborhood plans that have already been submitted. There's the big plan. There's the master plans. And then there's the small plans. And in dove springs, as in many other communities, we've worked hard to develop our small plan that has detail in it and time lines, and we've seen some good things happen so far. We've seen some improvements in the last ten years. And we're hoping that our plan will be achieved and that it will be flexible enough that we can change it as needed. As someone

said earlier, I think it was Ann, that it can be a living organism, a document that can in fact be changed as the need arises. So I encourage you to consider focusing on the following strategies as you deliberate how to act for the good of the whole and as you remember and protect

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those who lack a voice, money, and power. Continue to work hard to create high levels, true levels of community engagement, especially from sectors of our community that for whatever reason didn't participate fully in previous city planning efforts. Take the information you have and your authentic desire to know the people who will be directly impacted by your decisions and how it will impact our neighborhoods. Please don't give up on those who haven't participated in traditional planning efforts in the past. Many are struggling day to day just to raise families. Low wages. Difficult lives. Many issues. Families whose children are perhaps part of the 20% cited in the imagine Austin plan as going to bed hungry. They're less likely to become engaged and yet they have perspectives that if shared can truly bring much, much value to this process, to the programs, and ultimately to the outcome. You and I both know that those who are financially stable, educated, and experienced in community engagement, well, it's a lot easier to engage them. Because it's a process that requires expression of thought, navigation of complex issues, and something that especially low-income families lack, and that is time because they usually work more than one job. Use the tools that work best in neighborhoods, whether through town hall-type meetings, like Dell yeah, you had standing room only just a couple of weeks ago. People came out Mr.. There was believable, a desire to get things done, and you had

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credibility. These town hall meetings, these gatherings are widely regarded as community-based safe places to express yourself. Don't overlook churches. Small nonprofits like river city youth foundation, schools, neighborhood centers, ethnic rest restaurants. Through social media? Sure. Remember many in low income areas still don't have technology and as part of existing free neighborhood events, that bring families together to celebrate, why not be there and gather information and gather input and give input. Meaningful broad based public participation is absolutely critical to ensure that a plan has the community support from all segments that's necessary for real implementation. Well, imagine Austin as a comprehensive plan is built on a firm base, with some community engagement, and it's good start, but the success of the plan will depend on a commitment on the part of the city and -- to the annual and the five year performance reporting. It's going to come real soon. We were just talking and we're halfway through. I cannot believe that. -- The plans but also the innovation that has to be there through grants and other means of support so that you have a staffed effort to get out there. And it's not just your

council AIDS that are out there working night and day, but that you have a strategic way of outreaching on a regular, consistent basis. I'd love to see the establishment of a neighborhood quality of life task force.

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Yes, we have a dream, but we also want to have a plan. I'd like to see it focus on people's needs and solutions, assets creation, opportunities to become the quote unquote, completed communities that imagine Austin describes and proscribes to fulfill our elective vision of a great city. I'd like to see every and all resources in this community, in this city, utilized like the CDC commission. >> Mayor Adler: What's the CDC? >> Community development commission. I think, didn't you serve on that for quite a few years? >> 14 years. >> 14 years. I'd like to see the integration of all of those resources out there that most people in a neighborhood absolutely know nothing about. They could serve on those commissions. They can serve on task forces. They can serve. And if asked in the right way, they just might. And if they do, we'll be the better off for it because -- >> Mayor Adler: Thank you. >> -- What they have to say is invaluable. I'd love to see you coordinate capital improvements with not only the big guys like the school district, but the little guys, like the nonprofits, the churches, the small groups that live day to day in a neighborhood to make it better. >> Mayor Adler: Thank you very much. If you have those remarks typed out and can e-mail them, I'll circulate them to the council. Any questions before we go to our voices from the public? Yes, Mr. Renteria. >> Renteria: I would hope this he would could get all of those reports that they have. >> Mayor Adler: I think that all of the powerpoints are

[11:01:27 AM]

automatically being posted, but if you have written comments too, if you'd send them, we can get those posted as well, give them to the clerk. Thank you. Yes. They're posted with the agenda. So if anybody were to go to the agenda of this meeting, they'll be posted there as backup materials and they are posted after the fact as well to people who show up with the powerpoints. Okay, Ms. Houston. >> Houston: Yes. I just have one question for Mr. Lazarus. Did we get any stimulus money when the federal government was offering us stimulus money to do infrastructure projects? And if so, how much and where were they iced? >> Councilmember, we did get stimulus money. I don't have the total of what was employed, but typical projects included some street upgrade work, there were some trail work that was done using stimulus funding as well. Beyond that, there's some wastewater improvements, utility improvements. I will work with Mr. Trimble to get you a better listing of what those projects were. >> Mayor Adler: Greg, do you have Numbers. >> Good morning, Greg with the financial services department. Yes, we do. We have some information we can send out to you, councilmember. Overall

the city received about \$90 million in area funding, American recovery and reinvestment act back in 2009. It was a combination of some infrastructure but also some social services. We did a lot for housing and community block grant money and csbg funding, community services block route program for housing. And the infrastructure, a lot of that went to with the -- with the as you water utility to do some work at some of the treatment plants, updating some of the bioplants and some of the fuels to make it more energy efficient. Another large chunk of that funds was for Austin energy and doing home weatherrization and things like that but we'll get you a full report out. >> Houston: Thank you.

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>> Renteria: Maker. >> Mayor Adler: Yes Mr. Renteria. >> Renteria: You also received 200 -- I mean, \$2.5 million for the [indiscernible] Program. Can you explain where that money went to. >> Councilmember we'll get you a report. I don't recall the exact 2.5 million, how it got allocated. >> Renteria: One was to build the museum and the other was -- there was \$500,000 and the city matched another \$500,000 for sidewalks and then they built the rest of it as people funds there at the mfk transit metro stop. >> That is correct, we did invest -- partner with people fund to help them build some facility and infrastructure. We'll get you a complete listing of how the funds were spent and implement understood one other question, if I may. >> Yes, please. >> Houston: Were those -- the decisions and how to use that money, was that part of the process that the -- that we heard earlier about how those -- how the uses were to be determined? >> Certainly. I can walk back a little bit of memory back to that point in time. We know, want to relive that 2008-2009 time over again, obviously. Most of the funding that came down from the federal government was really put into existing programs in buckets. The city did not have -- the city council did not have the flexibility to spend that \$90 million wherever it want. It came down in essence in preprogram blocks of existing programs, where weather that was weatherrization programs from the department of energy or from department of housing and urban development for the csbg program or the -- >> Mayor Adler: What's csbg. >> Community services block grant program. Or other other infrastructure programs like that. So really the city had very limited flexibility. There were some, however, that

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we did work with a series of advocates, we did a series of public hearings regarding how some of the housing funding would be spent and as a result of that we did invest, I believe, in people fund. So but, again, most of it was in essence ear marked towards existing programs at the federal government already had in place, either directly with us as a city, or via the state government. >> Houston: Thank you. >> Mayor Adler: Thank you very much. Panelists, thank you very much. We have three other voices

that we'll call up. Jeff Scott. Is Jeff here? Jeff. That would be great. Thank you. And then Mary [indiscernible] >> Good morning, council. >> Mayor Adler: Three minutes. >> Very good. Try not to use it all. I'm here to offer a brief perspective on incorporating enhancement into imbalance improvement projects. There are a myriad of prongs that range from public works, utilities, pump stations and other infrastructure as well as major investments such as the public library. My experience that we're very good on large projects. The library, we are leaders in environmental enhancement, incorporating those ideas into imbalance improvement projects. There's an opportunity on medium and small projects to better coordinate and invest on the environmental side of things. Couple suggestions you have to engage early in the design and putting process when cip projects are brought forward they usually have a fiscal figure associated with those. I feel it best to have the project managers from whatever organization are proposing to fully coordinate with environmental leaders within the city to have a better comprehensive analysis of what environmental [indiscernible] Can be included in the cip

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projects. Some of those can be I guess roadways, infrastructure, utilities. Cip funding typically correlates to the base technical improvement. If you're building a wastewater line, the cip budgets just for that, sometimes the enterrial associated costs are not fully incorporated into that. Earlier the conversation with watershed protection, the environmental resource management staff, the sooner cost considerations, addressed and fully formed into those cip figures. With the movement that we in the city are moving toward fob green infrastructure, innovative design, there's an opportunity to include those as well, primarily in roadway projects on multi modal operations. The coordination between departments and various issues can be better managed and focused on. I think pedestrian, right-of-way, street scape, landscape, those are concerns on environmental watershed protection, road functions and cap metro. So those are different agencies within the city that all need to have a cohesive vision on cip projects. Again, early design of planning, the more focused we can have on that, the better costs can be managed and controlled and a better product we'll have at the end. One last item, through the permit willing process and construction, right now everything is general permit, general permits are roughly managed but they don't sometimes get full input from all the city agencies. Then last, the one thing is to make sure we keep getting qualified bidders on capital improvement projects. A lot of times we have them in the primary improvement organization but sometimes they're environmental special items that we're adding on to things. Want to make sure we make sure they're qualified and can assist in that. Summary, more comprehensive capital projects, city approach

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would be beneficial, help control costs and have both better environmental cohesive products. Any questions? >> Mayor Adler: Questions? Thank you very much. Ms. Max wellwell thank you, and you have three minutes. >> Good morning. Good morning, mayor and council. I'm Mary, and I'm on the environmental board for the city and I want to speak for the environmental side of all of this infrastructure. As the imagine Austin comprehensive plan pointed out, their priority program number 4, we need to use green infrastructure to protect environmentally sensitive areas and integrate nature into the city. What they're talking about is green infrastructure is strategically planned and managed networks of natural lands, parks, working landscapes, other open spaces and green stormwater controls that can serve and enhance ecosystems and provide associated benefits to human populations. So what Mr. Scott just talked about in terms of cip I really appreciate that he pointed identity the need for better planning in this area. I want to point out the south Lamar corridor is a perfect example of the need to incorporate green infrastructure into the infrastructure planning. There's major increase in development along the south Lamar corridor it's created the need to install infrastructure that can accommodate resulting stormwater run off. In addition because it's in the west bowl increek watershed

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there's also need to work with -- the south Lamar corridor plan is in process now but it needs to be fast tracked in order to resolve the issues, particularly those related to drainage and flooding. Financially, there needs to being an adjustment to accommodate for the additional costs of this process. This puts a strain on the city of Austin budget for capital improvement projects but immediate attention to the budget increase is crucial. It's important that ways be created to capture run off from major projects with dramatically increases and impervious cover. [Indiscernible] Should be an integral part of major projects in order to conserve water usage and provide ways to water any landscaping orb screen space on the site or adjacent to sites. Preplanning for water quality controls and water quality management should be part of the site planning process so that developers can install these before and during construction. The fee in lieu is being a method utilized in the past when these methods have not been feasible on-site. This really needs to be changed to require that the fee in lieu be utilized near the site rather than in a different watershed. I know they try to do that but it's really important to emphasize that and to make that happen. [Buzzer] >> So thank you. >> Mayor Adler: Thank you very much. Our last speaker is Brian almo almond. >> Good morning, thank you for this opportunity to present to you. I want to be specific in my comments about -- and they'll center around north Austin and I was intrigued with your discussion today about affordability. We have had that problem in

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north Austin also. With the increase of hispanic community in our area, and they -- and their low income. They've addressed a problem by, you know, doubling up in the housing units. Which you might say, well, that's a great idea, very efficient, but it has placed a tremendous strain on both the public and private infrastructure in the neighborhood. But today I want to address particularly one issue that was in our neighborhood plan, which was passed in June of 2000. And that's transportation. And in particular to what is going on or not going on on north Lamar boulevard. We had identified in 2000 a great need for improving that segment in our neighborhood from research boulevard up to breaker lane. Parts of that road does not have storm sewers nor sidewalks. And it's very unsafe trying to cross that street. There have been many pedestrian deaths in the past few years. However, the development has been slowed up even though we have money from 2012 bond package to make the improvements. And the reason for that delay is the fact that Lamar boulevard in that area is Luke 275, controlled by tex dot. As we understand it, they have held up the development of the corridor study. So I'm here today to urge council to do whatever they can to move this project along. It is very, very important for all of north Austin, not just my neighborhood. And the 2012 bond package included both work on Burnett road and north Lamar.

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The Burnett development is moving forward and we believe primarily because of the great need to expand services and road improvements out to the domain properties but we urge you not to overlook what we need. >> Mayor Adler: The committees and panel before we -- I'm sorry? >> Zimmerman: I think she was first. >> Mayor Adler: Okay, Mr. Zimmerman. >> Zimmerman: I'm not sure who would answer this best on the panel, but just whoever would like to take a shot at it. I think maybe what I want to do is challenge a concept and get your response to it. Someone had mentioned something about the growth and desire -- in desired areas and I think my contention is I'm not sure that desired areas is something a political body can decide because what turns out to be desirable to one faction, to one group of constituents or stakeholders as they're frequently called, maybe certain developers or certain neighborhood interests are very undesirable to another element of our community or another group of constituents. So whenever the city takes upon itself this political task of deciding what area is desirable and what is not, I don't know how that -- I don't know how you can avoid a political contest or political intrigue, political infighting because, again, what's desirable to one group is undesirable to another. So the other way you could approach this question is to say, well, let's look at areas that don't have contested interests. These are new developments, the suburban areas. Everyone criticizes it's sprawl. The fact is when we go to a new area and develop, we don't really have competing neighborhood interests, don't have existing businesses or

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infrastructure that would be upset, and when people add these new neighborhoods, it's a net gain of new people paying taxes, right? And it seems like in that sense we can serve people that are already building and developing. So what in your viewpoint is the best way to avoid these conflicts? Another conflict that comes out when you target an area for desired growth you can make millionaires out of property owners by having the community at large develop new infrastructure, new roads, new utilities, that necessarily makes a property more valuable. So what ends up happening is everyone gets taxed and taxes go up for the benefit of some desired area and the developer could become rich overnight because you've put in these infrastructure improvements that target that land and make it more valuable. So, again, that leads to political fighting. So maybe I can just get a response from you. >> Councilmember, I feel that I must respond because of my personal experience and working on the airport boulevard corridor plan and the plans for imagine Austin where we looked at the highland mall area as a regional node and we saw very little opposition to the idea that we should take a mall and convert it into a community college and also put more housing there and retail and take up some of the empty parking space and convert it into green space and so, yes, there might have been some people that don't like that, but the majority of people we heard from were in favor of -- a regional node at that location. Another area that I mentioned earlier was the north Burnett gateway area where you had industrial area with a lot of tilt wall white housing and underutilized land and so there was very little push back about redeveloping that area into a

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regional node. So there may be areas where it's controversial, but I know of at least those two where there was a good input from the community, and then, Mona Gonzales mentioned dove springs where we put a neighborhood center and, again, that was responding to concerns that the neighborhood did not have enough retail, affordable housing, places for destinations like day cares and things like that. And so, yes, there could be a few people that are against that change, but we have areas that we have heard people asking for change. >> Zimmerman: Well, more to the point, I represent the suburbs of northwest Austin and it's their feeling -- these are people that left Austin 30, 40 years ago. And they were annexed and in a kind of hostile fashion. They didn't want to leave -- they left Austin. Austin came and caught up with them and annexed them against their will and their property taxes go up and some of that money is used to subsidize the projects you mentioned. So those are the people I had in mind. >> With all due respect, sir, I disagree with you. >> Mayor Adler: Thank you. Ms. Gallo. >> Gallo: Mr. Sullivan, you referenced a report that dealt with affordable housing and attachments that did it by different zip codes. Could you tell me where to find that, please? >> The neighborhood housing -- actually, if you look at Austin.texas.gov/housing, that's the nhcd neighborhood housing and community development website, and I think there's a tab there that says reports. But I'll get it. I'll pull it down and

e-mail it to you. I just did that last night. >> Gallo: That would be great. Okay, super. Thank you. >> Pool: Councilmember Gallo I was about to ask the same thing so thank you. Mr. Anderson, Sullivan and rest

[11:21:37 AM]

of the panel, I do think it is entirely within the purview of the city to craft policies relating to growth and managing growth. Thank you. >> Mayor Adler: Mayor. >> Cesar: The issues around north Lamar which many of us know is really a corridor and a road that is used primarily by working people of the city and Mr. Lazarus, can you give us any sort of update now on how the relationship with txdot impacts our ability to make the plan -- just from your end, on the public works side, can you describe that for us? >> Councilmember I was not aware that txdot was an obstacle. The relationship we had with them has always been positive. There have been discussions with txdot about some state roads that are now functioning as local roads being turned back to the municipality and the discussion we have had with them was what's a fair cost for us to take on that kind of burden. The \$18 million that was in the 2012 bond program was for Burnett and north Lamar to address some of the challenges that exist because it was at one time a county roadway and now we have no sidewalks. The drainage Swales require a lot of money to convert to retain the capacity and to put sidewalks in. So most of that effort has been along the north Burnett -- along the Burnett gateway as opposed to to north Lamar. I will go back and check. I am not aware they were being an obstacle in progress, in fact our experience has been they have been cooperative and helpful. >> Cesar: I would appreciate you looking into that. Your best gets is is it may not be on the txdot, but city policy. >> The discussion with txdot is what the city would look to see

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in terms of improvements before the roadway is turned back to the city for maintenance responsibilities. >> Mayor Adler: Mr. Lazarus, Mr. Trimble, anything else you've heard from the panel or other speakers that would be helpful for you to respond to? >> Well, I've mainly been listening. That's my best role here, just to listen to a lot of the things that have been brought up. I will say that with the work that we're doing now at the city, with our long range planning, with coordinating with the departments and our capital delivery entities, I think we're building the machinery, basically, to respond to a lot of these priorities and issues that are being discussed and so I'm looking forward to working on those. I think another thing from my perspective that I would like to see us do more is talk about -- when we talk about the smart growth and other of these issues, what does that actually look like on the ground? What does that actually look like in a neighborhood or corridor. I think those are the types of things where we start coordinating our capital investments with those city priorities that we need to be looking at. I'll say that from the long range capital planning side those are key focus, working the

community and getting direction from council. >> Mayor Adler: Mr. Las ruts, anything worth noting? >> Mayor, it's always helpful to hear the voices from the public as well as the other perspectives. As I said before, we tend to live in that area between policy and product. And I think as we continue to do projects, enhance neighborhood quality of life, we always need to be sensitive to the needs and perspectives of the neighborhoods 234 which we work. We spent time today talking about maintenance and repair of existing infrastructure but part of the discussion also dealt with things that fall under the transportation realm, new capacity projects. And we certainly also support and work with Austin transportation department on those. And, again, our goal is to be supportive of the city policies and the desired outcomes so hearing different points of view and perspectives is always helpful to us. >> Mayor Adler: Okay. Thank you.

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Anything else? Then we recess the meeting until 12:30 a little over an hour. Back for the policy this afternoon. Panelists thank you very much. Other voices thank you for your time this morning. We are recessed. [Recess]

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codenext. >>> >> >>> >> >>> >> >>> >> >>>Th.

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>> Mayor Adler: I think we have a quorum in the room. We're going to go ahead and start. Three, four... Five, six. So we're set. Okay. I'm going to convene the meeting. This is following the recess. It is 12:40. This is our conversation on codenext. I want to thank the panelists and other voices for joining us today. We have the panel that you see. We have five identified other voices at the end. These are good conversations for us to have because we're learning things at a high level. It's a little frustrating for everybody involved, including panelists, because there's not enough time to really deal with anything well. So we've picked out a few topics to deal with with the city staff giving us an overview, both from staff and as well as kind of the consultants, the consultants. And then we'll come to the panel. We ask the panel to keep their comments to five to seven minutes. There will be a lot of engagement that comes from the dais. So thank you very much for your time and for being with us today. Let's begin with George Adams. Give us kind of an overview and give us the 60,000-foot view. Thank you. >> Thank you, mayor. Good afternoon, mayor, mayor pro tem and councilmembers. My name is George Adams. I'm one of the assistant directors in the planning

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and development review department. I'm presenting today on codenext, the project to revise the city's land development code. I'm joined today by Dan ferolec, who is the principal with opticos, who is the designer for codenext and he will be the make be the presentation on form-based codes following my presentation. So the land development code is the set of rules and processes that died how land is developed and used in the city. In very simplistic terms it identifies what can be built, where it can be built and how much can be built on a particular piece of property. The code includes regulations on zoning, subdivision, site plan P transportation and parking, storm water drainage, environmental protection, open space, signage, lighting and many other topics. So why have we entered into this multi-year process to revise the land development code? Well, there are several reasons. The first is that a new code is a key tool for implementing the policies in our comprehensive plan. When done right a new code can help us achieve our ambitious goals for green infrastructure and greater environmental protection. A more affordable city, more sustainable use of our water resources and other policy priorities. There's a lag in the slide. Okay. The second reason is the last revision of our code was 30 years ago in 1984. And over that 30 years our code has been amended literally hundreds of times. In response to specific

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issues or problems or new policies, we've added layers of new regulations to our base zoning district, base zoning districts. If I can get this slide to advance. There we go. And then over time as additional issues have come up, we've repeated that process. And while the intent of many of these regulations has been good, we haven't done a good job of coordinating and integrating those regulations so that the net result is a code that is very complex, it's difficult for all users to understand and it's difficult for staff to administer. Another reason for revising our code is that Austin is growing rapidly. We need better tools to address both the challenges and the opportunities of this growth. How quickly we're growing is illustrated by this bar graph to the right of this slide. Between 1980 and 2015, Austin's population grew by 160%. We added 550,000 new residents over that 35 years. We've also become the 11th largest city in the nation, and perhaps most amazingly, since 2010 we've added 110,000 residents, which is the equivalent of adding a city of Round Rock to Austin's population in less than five years. So to summarize, our current code is difficult to understand and administer. It's complicated and inefficient. It's unpredictable, unclear and has many conflicting provisions. Now, having said all that, it does embody a lot of community values, important community values, but these have been added somewhat piecemeal over time. Where we would like to go with our future code

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is a code that is streamlined and understandable, that has transparent, consistent processes, that produces predictable outcomes and similarly to our current code is based on community values, but values that are integrated through a holistic process. So shortly after imagine Austin was adopted by the then city council in June of 2012, we began discussions of how to design the process for amending the land development code. And over a series of months we vetted this process with the planning commission and the city council and landed on a four-step process. Step 1, which began in September of 2013 and was approximately nine months long, is known as the listening and understanding step. We went out to the community through a variety of means, large meetings, small meetings, surveys, online comments, position papers and many other venues. And it was kind of dual purpose. We wanted to provide education on what the land development code is, what's important to the community and how it effects people's lives. What works, what doesn't work and what are their goals and concerns for the new code. In April of 2014 we issued the listening to the community report which compiles all that input in a single document. And we produced the corrupt character manual. It is really an analysis of neighborhoods across Austin. We asked citizens to go

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out and take photos of areas that they value and the areas that they think would be improved and we've got input from almost every neighborhood in the city of Austin. The second step began in May of 2014. Our consultants, Opticos Design, took the input that was on received during step one, and then did their own assessment of our land development code to identify the top 10 concerns with the code. And these were identified in the diagnosis report. A couple of examples of some of the issues that they cited, complicated layers of regulations, lack of household affordability and housing choice. The second part of step two was the approach alternatives document. Our consultants identified three broad options for moving forward with the code rewrite, a low, medium and high change scenario. And in November of 2014 the council at the time selected option 2 with a particular focus on green infrastructure, sustainably managed our water resources and streamlining the code. In terms of future process in the council's role, a few things I want to point out. Per the former council's direction, we'll be bringing that preferred approach that I just described back to you for your review this spring. Then in the summer of this year, we'll begin testing the draft code on sites throughout the city. And we hope that your offices will plug into that process. We think it's going to be a great opportunity to understand where the code is working, where it's not working, and hopefully build trust

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with the community. Then throughout 2015 and into 2016 we'll be providing periodic updates on the code, on key topics, key strategies to address issues. We'll be providing those to council, to boards and commissions, to our code advisory group and the public at large. Then in the summer of 2016 we'll have a public review draft code available. And after an approximately six-month review process, we'll make needed changes and bring back an adoption draft to the council in late 2016 or early 2017. That will be followed by mapping of the new zoning districts later in 2017. So very quickly I just wanted to talk a little bit about a key -- a couple of key issues. The first is compact and connected. We know there's a lot of concern in the community about the idea of compact and connected, but what I hope to assure you is that compact and connected is nothing new to Austin. That it's well suited to a variety of contexts, and most importantly it isn't an end in itself, but rather a means to help us achieve other policy priorities such as affordability, sustainability and mobility. And hopefully realize the promise of complete communities. So I wanted to very briefly try to define what compact and connected means. And it can really be summarized as three main characters. First of all, that we have our daily necessities nearby so that we have housing, employment, shopping and services, recreation and open space all within close proximity to where we live. The second is that a range of housing T and

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third that we focus growth in desired locations. Having our daily -- oops, sorry about that. Having our daily needs nearby can help with traffic and transportation issues. And because transportation costs are the second major -- the second largest household expense, can also affect affordability. Having a range of housing types available obviously speaks to affordability, but also diversity and equity within our community. And finally, focusing growth allows us to take the pressure off the interior of neighborhoods and protect our sensitive environmental areas. So another key question is where should compact and connected be built? And for that answer we can look to the imagine Austin growth concept map. It identifies activity centers and corridors as the areas we're connecting compact and connected envision. These activity centers vary in size, scale, use and intensity depending on where they're at. So for example we have downtown and north burnet gateway that was identified as regional centers. These are the largest, most intense centers. Then we have others such as mlk station and plaza sail tee I can't that are identified -- saltillo that are identified as neighborhood centers. They're able to blend into the neighborhoods that surround them. The map also identifies corridors which are also potential locations to compact and connected development, but they also provide connections between the activity centers and other areas of significant activity. There are many areas in

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Austin that display the characteristics of compact and connected development. They share the common characteristics that I mentioned a minute ago, a variety of users nearby, a range of housing types and focused development. So for example, we have downtown, which is our most dense mixed use and intense neighborhood, which has probably the widest range of residential uses in the city, is becoming an employment city and has an abundance of open space. And then we have many older neighborhoods, such as Hyde park, that are at a different scale, but have shared similar characteristics to these more intense areas. The second key issue that we've heard a lot about is the relationship of imagine Austin neighborhood plans and codenext. So some of the concerns that we've heard is that imagine Austin does not consider neighborhood plans. The growth concept map is in conflict with those plans. Codenext will revise the neighborhood plans. Codenext's only priority is compact and connected and codenext is ignoring the neighborhood plans. Well, while we understand those concerns, I think it's important to note that there's a series of checks, balances and protections that are in place and we're committed to respecting the neighborhood plans. So in fact, the neighborhood plans are an adopted element of the comprehensive plan. They are part of the planning structure of the city. The growth concept map and neighborhood plans are consistent. During the development of imagine Austin there were two rounds of analysis that were done to align the growth concept map with the neighborhood plan future land use maps. The first of those was done by the neighborhood

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plan contact teams and the second was done by the comprehensive plan committee of the planning commission. In regard to revising neighborhood plans, only council has the authority to do that, and that is outlined in the land development code. Regarding the priorities of codenext, we're focused on all the priority programs and the many related initiatives, including, for example, the green infrastructure working group. And then finally, codenext has and will continue to use the neighborhood plans in developing the new code. Finally, I just wanted to highlight a few key challenges that we see ahead that we're going to need the council's help to sort through and find the right balance. The first of these is how do we translate the high level policies of imagine Austin into the new code? How do we create a code that really advances household affordability? How do we create a code that addresses our sustainability challenges both in terms of water resources, but also in terms of climate change and many other issues. And how do we integrate green infrastructure and greater environmental protection into our development code? How do we simplify and streamline the code while maintaining the intent of the current provisions of the code? I mentioned earlier that there's a lot of community values embedded in our current code, but our code is also very complicated and very detail oriented. [Indiscernible] Forward in identifying new ways to achieve that intent. And then finally, how do we achieve flexible, but effective transportations between centers, corridors and nearby single neighborhoods. The compatibility standards are the way that we do that currently. We think that while we recognize the extreme importance of those protections, we think there might be a better way to achieve those

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goals that is more context sensitive. So with that I'd be glad to answer any questions. If there aren't any, I will turn this over to Dan parolek for a brief presentation. >> Mayor Adler: Any questions at this point? Councilmember Zimmerman? >> Zimmerman: Thank you. I have a real quick question. I brought some of this up earlier, but I want to present this to you again and see how you would respond. What I fear about all these plans, as a problem solver and as an engineer, there seems to be a supposition that some of these questions or some of these problems are solvable. One of your slides says where should compact and connected be built? And question answer is I don't think it's a question that can be answered and I don't think a political body should be attempting to answer it. The problem we have here is we have a division in this community, especially in the suburbs, which I represent, if even conclude is a feasibility why. So there's this idea to move ahead with dense development and all these planning deals that imagine Austin represents and there's not a unified opinion in the city, and my constituents largely oppose the whole concept and they feel like their taxes are going to go up for the subsidies that are necessary to try to achieve these arbitrary goals. And I call them arbitrary because we

already see that the dense parts of the city like downtown are the most expensive and unaffordable places to develop and to try to rent or to buy. And the costs are three to four hundred percent higher in dense areas than they are in the suburbs. So in fact, the only way this is going to work is to have heavy, heavy, heavy government subsidies, and we're already seeing those heavy subsidies, to subsidize this so-called compact and connected development. And the people stuck with the bills are going to be the suburbs that have been annexed against their will. One other question for you, you were talking

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about how Austin has grown. And I want to go back to that slide. Can you tell me if you have an estimate -- and maybe you don't. It says Austin is growing rapidly, so the quick question here, how many -- how much of that growth was due to annexation? And how many of those annexations were hostile? And by that I mean against the people's will where they are -- either have or are threatening lawsuit. One of them is in my district. It's river place. And they are threatening a lawsuit over the annexation. >> Yes, councilmember. I don't have that information before me. We can certainly get that to you. But yes, population increase is -- there's a variety of factors that figure into it. Annexation is one of them, just natural increase is another through births and then in-migration is the third, but we can get that information for you. >> Mayor Adler: Yes. Ms. Councilmember kitchen en? >> Kitchen: Let's see. I have a question for Mr. Parolek and then just a comment. You know that term compact and connected is just like any major term like that. It's gotten used for a lot of different things. And I also represent far south area and some might call that areas suburbs. And they are interested in learning what they can -- in looking to what can be built nearby, having services nearby. And to me that's not density, per Se, but it is compact and connected in the way that you described it. So I think that we have to have a lot more discussion about with all due respect to councilmember Zimmerman, there are some interests out in the far south areas in particular about doing the kinds of things that we're talking about with the land development code rewrite. So my question to Mr. Parolek is when you're speaking maybe you can speak to community character and how that will be considered in the land development code rewrite

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process. >> Houston: Mayor, before you good go to the next speaker, thank you so much and thank you, councilmember kitchen, because parts of my district also want to be compact and connected. And it seems as though we're focusing all of our connectedness and compactness downtown, which of course creates problems with congestion and of course high rents. But I want to share something that I shared at the last policy intensive. And that is if you were to take a survey, there are 77,000 people that live in district 1. And if you were to take a survey of --' any street corner from north acres down to lades ma,

out to Harris branch, you couldn't find 10 people who knew that codenext was about. So when you all talk about robust community engagement, it's robust to somebody, but it's not robust to the people that certainly elected me. And I just want you all to understand, I said the same thing about imagine Austin and I did everything that I could to get people engaged, but we cannot continue to say that everybody's brought into these concepts because they don't know about them for various reasons, and I just wanted to share that with the codenext people. The last thing is that I've seen the land development code change by votes taken on this dais, and that has caused even more -- rather than going to codenext and having that put into the codenext process, decisions have been made in the last council on this dais that we're going to have to take a look at at some point. So I just wanted to kind of frame where I'm coming from from that perspective. >> Mayor Adler: Any further comments? Thank you very much. >> Good afternoon, council. I look forward -- [off mic]. >> Mayor Adler: We

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lost your microphone. >> I'm Dan parolek, I'm the principal of opticos design and we are the lead consultant for the codenext process. And I just have a few slides here. I was asked to give a brief introduction to what is a form-based code. And I think this is important because of the approach we are taking to the codenext process is very much about taking an inventory of the different types of places, neighborhoods that exist throughout Austin and understanding the similarities and differences and using that understanding to write the rules that regulate those places based on that understanding. So a quick thought to quick this off is that conventional approach to zoning we find is a really out of date operating system. And similar to the way that you would not use a polaroid camera to take a picture to email to your friend or colleague, we find that it's a fairly ineffective system for regulating in particular walkable and compact environments, whether it's a new neighborhood in a green field context or the revitalization or maintenance of a neighborhood in a central city location. And so this conventional approach to writing the rules or writing the zoning really started with the foundation of use as the starting point. And so it's residential, commercial, industrial, and separating those use cases and using that as a foundation and thinking about the intended form in a very secondary orator Sheri way. -- Or tertiary way. And we found that to be extremely ineffective approach for regulating the types of places that exist in cities, including here in Austin. And so similar to the slide that George showed you earlier is over the

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course of the years, 30 years ago you rewrote your zoning code and all of these layers were added, layer upon layer over the years, to try to fix and repair that ineffective base system. And so the approach that

we would like to take here is that let's think about the intended [lapse in audio] And I'll talk a little bit about the community character analysis as a foundation. And use is still a part of that, but it's first thinking about the form and the intent as the foundation for the zoning code. I just want to mention that because form is first does not mean that we're not regulating use. If the slide comes up, depending on where you are in a different neighborhood or a different context, if you're primarily in a residential neighborhood, then there's a fairly limited -- there's a defined form, there's a look and feel and character, but there's a fairly limited range of uses. You might allow that small sort of music studio or small classroom space or office space in that secondary building. You may allow a small range of sort of home office uses in the main house but if you jump to more of a main street environment or a sort of commercial environment, then you're probably more likely to allow a broader range of uses within that defined form. So this notion that you don't regulate use within form-based coding or form-based approach is not true. It's just thinking about the intended form first. And then thinking about use as more of a secondary than tertiary point of regulation, if I can get this. I can't seem to get the slides. There we go. So this is just an example of the neighborhood on the left

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where you'd have a limited MIX of uses and a very clear defined form. And the right-hand side which is more of a neighborhood main street environment, once again a more clearly defined form, but a broader range of uses that would be allowed within that defined form. So we do think very carefully about use as well. So why does this matter? So with the system like you currently have, it recognizes use, not form. So the image on my left is allendale, single-family, and a single-family home in central east Austin. So thinking about those in terms of use, they're the exact same use. And they're actually currently regulated by the same zone, but what we've found is that there's a broad range of different types of places that are primarily single-family that need different rules to be effective. And in a similar way, in a more commercial context, on the left-hand side you have a neighborhood main street, which is the same commercial use as a strip mall on the same side, but they're very, very different places. So once again we think about that context and about the different sets of rules that are effective for regulating those different types of places. And that's really why the community character manual was such an important part of the early first phase of the codenext process where we did the most extensive documentation of a city that I've seen in any process in the entire country. Where we've gone neighborhood reporting area by neighborhood reporting area, we've done mapping, we've done photography. We actually had extremely successful process with the community character in the box where we invited the neighborhoods to come out and take the photographs and give us feedback. And this is really the foundation of a

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place-based strategy. I look forward absolutely to working with you all to be more effective and engaging in the communities directly, but I think we did a good job at getting started. And sort of this inventory of the different types of places that exist in Austin will serve as the foundation for determining what types of rules make the most sense for the different types of places or contexts. So what this context-base approach does, it enables us to reinforce existing patterns. So in this instance this is a great little four-plex housing type that exists -- I think it's in old west Austin. That provides compatible, but very diverse housing choices in a neighborhood like that. And that's not appropriate everywhere, but in a lot of neighborhoods that have that type of housing, look for ways to reinforce that and understand what the characteristics of those housing types are. So the other important aspect about form-based coding is that it provides a lot of clarity and we see that clarity provides confidence both in terms of confidence from the neighborhoods in which sort of in what the ultimate built result will be, but also confidence from the development community so that they know when they come to the table with a project that meets the intent of the neighborhood and the intent of imagine Austin that they can clearly make their way through the process. I'd highly recommend that you actually pick up a form-based code, and we've provided the city staff with lots of examples, and just flip through it, and you will immediately notice the difference in a form-based or a place-based approach and a more conventional approach to zoning. I encourage you to pick one up and flip through it and take a look at it. We can and we have very successfully integrated

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sustainability into form-based coding. This can be anything from the green infrastructure that you all are talking about, urban agriculture, green building. The real importance here is just thinking about all of those aspects in terms of how they would be applied appropriately to the different types of contexts that we've defined and will continue to define throughout Austin. So is it in a primarily single-family neighborhood? Is it in a slightly more urban area, maybe in a neighborhood mainstream and what are the core? What are the similarities in the approaches of each of those different types of contexts? So the last point I want to make is that Austin -- what we're proposing to date, will be get a hybrid code. So there will be form-based elements and there will be much improved conventional elements and we'll create a system that weaves those two elements together in a way that creates the most effective code. And we've done this successfully before in cities across the country and feel that that's the best approach here. And as a conclusion we feel very strongly. As you can see if you've read the diagnosis report that Austin is really in need of a new operating system. You're in need of updated technology, a new way to take that photograph and email it to your friends, the latest in technology. And this isn't about adding additional layers of regulations to try to improve the existing system, but rather sort of setting the old system aside, thinking of a new operating system that has form elements. And it has improved conventional elements to really effectively implement the goals that you all have established

in imagine Austin. >> Mayor Adler: Thank you very much. George, could you circulate in the offices the form-based code just so that we can see them?

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I think that might be helpful. Comments, questions? Ms. Kitchen? >> Kitchen: It might be also helpful to circulate or just point us to the community character. The places in the communities perhaps that have not responded. So perhaps in our districts we could see where there are areas that perhaps didn't participate and perhaps we can help facilitate. I assume it's not too much to work with our districts on getting further information, can we still do that? >> Audio], yes, and I think the last time I knew, there were 400 plus boxes, how many boxes were checked out. There were a lot. We had really great participation, if people really want to continue to participate, we would like to get there -- >> I would like to know by district. At least for my district. Others might also. So help me understand why in my district and perhaps I can help facilitate getting that information for you all. >> That would be good. Ms. Garza? >> Garza: Hi. I'll be the first to admit, I'm still trying to wrap my brain around codenext. It reminded me a special in our orientation, the first day they asked him about ad valorem taxes and he said I ran on fighting crime. [Laughter]. I kind of feel like that when it comes to all of this stuff. My question is the biggest issue I hear with developers or people trying to get permits to change something or build something, is that departments don't talk to each other. I'm trying to figure out when codenext is done, what are the practical effects of this finished product that we're working on? I have two questions. The first one being: Will this change the way departments talk to each other? That's the biggest complaint that I hear when I go submit my plans for something, you know, it goes through this department, this department,

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this department and then department 4 rejects it, we start all over again. That's one of the big ones. Second question is I'm wondering how this will affect how we make decisions on the dais? Do we foresee councilmembers up here with their codenext manual or is it really going to change anything? Because we have a code in place now and I feel like some of that goes out the window when we have a zoning case before us and we're listening to neighbors and we're not -- we don't know what the setback in the code says or we don't know any of that. If I'm using the wrong terminology, sorry. We just usually go on what people who have reached out to us have said. The practical effect of codenext is what do you envision that to be? >> Thank you, councilmember. Regarding your first question, you know, I think the -- the new code by itself won't fix that problem. It can -- to the extent that we can make the code simpler, clearer, more easily understood, it can -- it can set the stage for -- for I guess easier

communication and easier interdepartmental coordination. I would say one thing that has started to change that culture is just the adoption of the comprehensive plan. There's a lot more interaction in cross departmental discussion as a result of the plan than existed before. I think the other key part of that particular issue is how do we adjust or new process to the -- our end process to the new code. That's where the potential for real improvement lies in these sorts of issues. Right now we have, you know, 10 or 11 departments that have a pretty significant role in the development

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review process. Are there ways to look at consolidating some of that, are there ways to -- to build in a structure or something along the lines of case managers or ombudsman who can sort through conflicts between different departments, but those are more on the process side. In regard to your second question, I believe that it can change -- that a new code can change things. As Dan mentioned and I also mentioned, part of our challenge right now is, you know, we have a code that's been, you know, kind of like a limestone formation. It's been created piece by piece over time. [Lapse in audio]. We've got similar -- we address similar topics in different areas of the code. And so if -- if nothing else, if we can sort through those issues, it becomes a clearer code, it becomes easier to use. Hopefully it produces better outcomes at the end of the day. >> Houston: Yes, I want to segue something to -- regarding something that councilmember Garza spoke to. If this form based code is put in place through codenext, will our work be significantly less intense? Is the way that I would like to put it. What I see happening now is that there is a code in place and yet we change that and set a precedent so the next person that comes in changes it and sets a precedent. What will we do to ensure that those things don't

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happen? With this new codenext? >> Well, I -- I would hope that if we have a code that kind of -- that can stand on its own for quite a while, that we're not continually amending it, which is -- which has become our practice over the last few years. And some of that is due to problems that arise. Some of it is due to new policies. But if we can get the right foundation in the code, then we believe that it -- that it can be more stable and minimize the amount of change that's needed in the code over time. >> And I add to that, that I think it's absolutely necessary to get away from the culture of amending your zoning code. Continuously and with the new code in place, what we have seen in past projects is because of the clarity in the code, and more predictability that it has led to cities being able to kind of step away from that culture of continuously amending the code and I would hope that that would be the case here as well. >> Houston: I would hope so, too, because neighbors also want predictability and reliability and consistency and what we have seen lately is none of that. So I would hope that would be an outcome

that we could measure. >> Ms. Kitchen and then Ms. Gallo? >> Kitchen: Thank you, both, for speaking to how clarity can help us, you know, because I -- I agree with what councilmember Houston and councilmember Garza are bringing up. I mean, that's so critical for this whole process. So my question relates to the planning development review process. I don't know if you could speak to this, but I understand there's been some review of that process and so we'll be at some point

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looking at recommendations on that process, so I'm wondering how that, the timing of that dove tails with the timing of what you all are doing with the codenext process. Can you speak to that? >> Yes, councilmember. You're correct. We will be over the probably the next month or two bringing forward a report from a separate consultant, Zucker associates, on -- who has taken a very in-depth look at the development review process. I guess the -- so that will precede the new code but it's -- it's what I have heard Mr. Zucker say is somewhere -- some high percentage of his recommendations, 80%, something like that, are things that should be done regardless of where we're at with the code. So whether we're going to go full steam ahead with our current code or develop a totally new one, he feels that those recommendations make sense and those are related to things like technology, communication within the department, and between departments and those sorts of things. Just best practices. But, you know, speaking to your question more specifically, I've been very involved with both the organizational assessment that's going on and codenext. We also have one of the subconsultants, we have a subconsultant who has work on both teams and we'll be bringing that to the optics team as the recommendations of that come out. >> Kitchen: Okay, thank you. >> It's pretty common for a city to utilize this process to tweak and rethink the process as a necessity to effectively administer the code. >> Mayor Adler: Ms. Gallo? >> Gallo: You have a question, please, the Zucker report, when was that delivered to the city?

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>> I'm looking for Greg Guernsey. I'm trying to -- well, we've been getting it in bits and pieces. So we've been getting it a chapter at a time. I think we now have -- the full report maybe with the exception of one chapter and I'm going to turn it over to Greg to let him speak. >> Greg Guernsey, planning development and review department. We've received a draft of most of it at the very end of December last year. And we have received some additional chapters since that time. We've been reviewing the different chapters and giving our edits back to Mr. Zucker and his company, making sure that the information that's reflected in there is correct and they are accurately portraying what's happening within the department. Not so much to edit what he's proposing, but just making sure that it is clear and

correct. >> And how would the council offices get a copy of that? I know our office would like, even if it's the draft format to begin to start to review that. >> Right now it's in such a draft form that I'm -- I think what we would probably have to do is probably at least complete where we are. I mean, we're still at point where there's typos, references to incorrect apartments that are within the document. Once that becomes whole our idea is to bring it to the council and to the stakeholder. Back in April of 2013 when staff initially proposed to do this and when we brought it to council last year for the budget, the whole intention was to make improvements to the department and to the process so things would be better. The idea is to bring it out as quickly as we can. >> The reason that I'm asking, there's a lot of emails and conversations that I've had with requests for what information was on that, based on concerns with

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the process through the planning department and zoning. And so I think particularly when people see when the city does audits and usually there's a couple of week time frame -- couple of week time frame for the draft to be responded to and then the final be done. We're now looking at almost two months since that one, so it's becoming increasingly difficult to respond back to people who are curious and know that that report is out there floating around, but yet we don't -- we haven't seen a copy of it yet. So any help that you could give in trying to speed that process up. Do you have any idea when you feel like that will be complete and we can get a copy? >> Ms. Edwards, can you address that. >> Yes, I can. Sue Edwards, assistant city manager. As Greg said, we get it in bits and pieces. I hope people understand we're not getting a whole report all at one time. I have not seen the whole report yet. But one of the things that I wanted to clarify is that we'll try to get it to you as soon as possible. I understand this has now become a big issue. Marc pardon me, I'm not exactly sure why. Our Normal process when we have a consultant come in and look at something, they come in, they write a draft report, they always give it back to the staff to see if it's accurate or not in terms of Numbers, as Greg mentioned, referencing the wrong department on something. So they are very tiny things we look at. Then we give it back to the consultant to do a final report. So it's not uncommon, that's what we do all the time. But for some reason it's now seeming like this is something horrible. >> Taken on a life of its phone. >> I hope we can all -- a life of its own. >> I hope we can work together to get it right. Everyone wants it as soon as possible. We will try to get that as soon as possible. >> Do we have at least a time frame we can respond back to people that ask us the question of when we think we'll be getting a copy of it? >> I would think in four

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weeks. Greg is committed to -- Greg Guernsey is committed to sitting down on a weekend with his staff to go through the final so that we can really get it done. Right now they're doing it one chapter at a time, a week at a time. I understand it's four or 500 pages long. So it not a short report. >> Kitchen: That would be very helpful, thank you. I had one other comment. I think this would be addressed to you, Mr. Adams, the other thing that I hear from a lot of constituents is the continuous process of the addition of rules. So it seems like a lot of rules come from staff and a lot of rules are on ordinances that are already in place. Obviously rules that would be developed from new ordinances are important. [Gallo] But it just seems that we're being overwhelmed with new rules that change the predictability of the process. So will the codenext help to address that from the standpoint that perhaps we won't -- [lapse in audio] -- >> Always put a big caveat. When I say simplification, we're not talking about going to, you know, a magically we'll have a 50 page code after this is all said and done. But we hope that we can greatly simplify the code, make it more understandable, make it clearer, so that everyone understands the rules, the processes and the outcomes that are possible. >> And I just add to that, is going back to this [indiscernible] Layers, I think it's a really easy one for people to understand is we want to compress these layers into more effective and simplified system. And creating a system also that doesn't need to add layers back on top of it. So I think we'll absolutely create a clearer more simplified system without as many layers and we do it in a way that doesn't need layers added on top of it as

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well. >> I think the city as a whole would applaud that effort, absolutely. So thank you. We'll hold you to that, thank you. >> Okay, further comments before we go on? Thank you very much. Thank you. >> Mayor Adler: How important -- how can important community values expressed in the exist being land development code be respected while simplifying and streamlining the code. James? Thank you, sir. >> Good afternoon, mayor, mayor pro tem, council. Wait a second for my slide to be uploaded. It is a pleasure to be here this afternoon and honor to be part of this discussion. How can important community values expressed in the current land development code or ldc, be respected as we simplify and streamline toward the new code? >> Mayor Adler: Would you pull the microphone closer. >> Sure. >> Can everyone hear me. >> Perfect, thank you. >> This directive comes directly from imagine Austin, particularly [indiscernible] Program 8 which focuses on development regulations. We are directed to revise Austin's regulations and processes to promote a compact and connected city. So it's further stated that we are very clear on the problem, the existing land development code was first written 30 years ago, hundreds of times -- too complicated, too difficult to understand. More importantly to the hearts and mind of austinites, it doesn't allow us to create the prosperous, affordable, environmentally sustainable, socially equitable and creatively cool community we want. So we have to change the code. That point is obvious. But at the same time council there is a very real fear from the neighborhoods and the businesses and average

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citizens that we risk changing Austin's character in ways that are inconsistent with both our historic and historical values. So our goal, our objective is to produce a clear, predictable, user friendly code that ismments imagine Austin and reflects our values, we are going for the both and, not either/or. Not the [indiscernible]. So I have now six minutes to go through some of our community values. It isn't a lot of time, but I will try to be as brief as possible. I have laid out a three step framework that could help us solve this problem. Step 1 being to identify and preserve the important community values in the current land development code. Step 2 being to identify the specific obstacles and pain points in the current code. And step 3 implementing solutions that will simplify and streamline the new code. So I think most of you are quite familiar with our substantive values. These are things that I've identified based on the imagine Austin plan and based upon my experience on the planning commission. First chief among equals is affordable living. We really do need to get to point where we are affordable housing but looking at affordable living. Those rising housing and related utility, transportation major costs, the current code addresses through both market based solutions and government incentivized bonus programs. You all are familiar with commercial design standards, environmental protection ordinances such as our heritage tree ordinance that protect our largest and oldest trees and our watershed ordinance. You are familiar with our compatibility standards that seek to ensure adequate scale and space in between commercial, multi-family and single family homes and transportation planning, whether it be our transportation impact analyses that look at the effects of transportation or moving to encourage transit oriented development near

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high capacity corridors. Of course, impervious cover, flexible development and of course unique neighborhoods. The sense that we are not a cookie cutter city. That we don't have to have every community look like Mueller or zilker or [indiscernible] Or dove springs. But that we are one city with one development code that will respect the diversity of neighborhoods. So I went through those pretty quickly, I do want to slow down for the more procedural values. These are things that are also in our current land development code that we acknowledge but we don't always focus on as heavily. Not just a matter of what we do, but also how we do it. As councilmember Houston said, one of her values is extensive and inclusive community input. To the extent staff has done its best to try to maximize input. The results have been mixed. We can certainly do better. I think staff has done a really good focusing on wide-spread notice whenever proposed I have come before, trying to reach out to those residences, property owners and organizations within 500 feet of the proposed change. But some of the areas that we do need to do better with the new code is meaningfully different options. Oftentimes we'll invite a consultant. Certainly not opticos, but in the past we will invite a consultant to come in and they'll present options of what we would like to see. A, B, C and D. But the community at times feels as if

options a through C were essentially useless and it's really only option D that's available as if it's already been predetermined. It's important that we give meaningful different options, but also allow opportunities for new options. Then our last procedural value is an iterative comment process. Something similar to what we see with the federal government's rule making comment period. What we have proposals, we

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ought to aggregate the top 20 most common concerns, complaints or recommendations from the community and then have either staff or the consultant address them specifically while they were recognized, adopted, not adopted or otherwise need to be adjusted so that the community feels as if we're not just hosting listening sessions but we're actively responding to them as well. Now, in the interest of time, I want to juxtapose both the problems that we identified and the solutions. And so in my opinion one of our chief problems in our current code is we focus far too much on use. We have 16 residential uses, 72 commercial uses, 47 civic uses. I think it would be far easier to focus primarily on form. Form based zoning recognizes the components of a specific community but emphasizes the physical form and design to reflect community character. We need to get away from what -- [lapse in audio] -- the default prohibition of uses. We live in a prohibition era such that generally all uses in a community are prohibited unless explicitly and specifically permitted. And while the intent is good, the effect is we are too overly prohibitive of creative use and reduce the values and opportunities that are available to the community. Instead we had a regime where the default is everything is permitted except for specifically prohibited it would be a lot easier to understand the code but also to identify what use we really don't want to see. To be clear, as Mr. Dan Parolek says, we would still have uses but they would be secondary to form. Such that we could still prohibit adult oriented businesses, we could still

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prohibit liquor sales, we could still prohibit pawn shops, if necessary. A third solution is to move away from our current auto centric code and to focus on people and not parking. After all, automobiles don't live in Austin. People do. Automobiles don't pay taxes. People do. And changing behavior of automobiles won't solve traffic congestion. But changing the behavior of people will solve traffic congestion. Our high parking requirements are prohibiting compatible small scale infill development in appropriate places. If I could have a few more moments. >> Mayor Adler: Take your time. >> So don't build for cars, build for people. We need to identify those places which we can easily walk or bike to places where we go home, work and fulfill our daily needs through the use of interconnected streets, smaller block sizes and a MIX

of commercial and residential uses. And then finally, we have a concern, a problem where we try to make one size fit all with the current code. Because it doesn't work we use a patchwork of overlays to fix that. Complicating the code. Instead, we need to move away from the regime of taking the most restrictive requirements from the central neighborhoods and applying them city-wide because one size didn't fit all. At the same time, it would be a mistake to relax the requirements city-wide because we don't want the flood Gates to open to allow everything to happen. I think the far simpler approach would be to relax minimum refresh my memory as a starting -- requirements as a starting point to have high quality creative development with multiple housing options, reduce requirements for parking, membership lot sizes, setbacks and occupancy limits. It doesn't have to be scary because after that baseline is set, you can then go back and use neighborhood plans,

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especially where you already have built out neighborhoods, have already done some planning in their community to go back and insert those specific requirements that are necessary to preserve and protect neighborhood character. And so just to wrap up briefly, in those places it would be illegal to build the type of home and community that I live in. But through a P.U.D. And through a development agreement, we have been able to kind of create the prosperous, affordable, environmental sustainable, socially equitable and creatively cool city we want. So we can do this. We can do this all over the city. So hopefully through this that I have outlined we will be able to do this. So I will pause now for any further comments, questions, concerns, compliments or complaints. >> Mayor Adler: Ms. Houston? >> Houston: Thank you so much, Mr. Norte for your comments. I just have one reaction. >> Sure. >> Houston: Once the gate is open, it's hard to get the horseback in. So when you talk about having these little pilot options, we've had that happen to us and it's very difficult to stop it once it gets started. The one I use most of the time is short term rentals. So you want us to be thoughtful about that before we go down that path. Because we're the ones that are in a situation of -- of could I say -- where our quality of life is impacted significantly. And the other thing that I would like to share is that even though we focus on people in our neighborhood, they bring cars with them. And so we have to have places for them to park their cars. And that's most often not good on a very small in east Austin as you know the streets are very narrow and so it's hard to have people double parked on both sides of the street and have access to public health and safety issues. So those are just some of the things on the ground

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that impact. If you are developing a Mueller site, then you can control for that. But when you are imposing that in a neighborhood, then it has some consequences that are negative. >> Councilmember

Houston, you are absolutely correct. I would completely agree with your comments for the necessity of important planning. I would even recommend before we engage in city-wide proposals like short term rentals that we have a pilot program with certain specific neighborhood and learn from our best practices before implementing them city wide. I think your concerns are very real. As to focusing on people not parking, I think it goes back to Dan's point about compact and connected not being the same in every specific neighborhood. I think you would probably have more auto centric development in the more suburban part of the city. But we certainly are seeing a change in some parts of east Austin, some parts of downtown Austin, where people would like to move away from cars and so we just need to make sure that our planning, our development is consistent with how people are changing and not just because we've done this for the last 50 years. >> Mayor Adler: Ms. Troxclair? >> Troxclair: I want to continue on the theme of parking. I understand where you're coming from when you say we need to have our approach to parking maybe different or our approach to compact and connected maybe different depending on what neighborhood we're talking about. But from a suburban perspective, even if the development in southwest Austin allows for more parking, the reality is that the vast majority of the people that live down there are commuting to work in their cars. This he do not have another way to get downtown. It too far to walk. It's too far to bike. Especially in the summer when it's 100 degrees and we have a really limited public transportation option. Hardly any bus routes. So when we're talking about different parts of the city and the way that transportation and cars play into all of this, people in the suburbs aren't just

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staying in the C suburbs, they're not just driving around their neighborhood, they're coming downtown that's where they're working, I'm surprised to hear moving away from parking. I don't hear anybody say we have too many parking spots downtown. I hear people say, I can never find parking downtown and it's frustrating for those of us who don't have the ability to get around the city in other way. >> That's a very good point. I think the mistake we made as a city is 50 years ago we didn't do the necessary planning such that all of the jobs are downtown. And that's not fair to those residents of our city who don't want to live downtown. If we had planned this correctly, 50 years ago, we would have had the transportation in place that goes from east, west, north, south. We would have the job centers outside of downtown and all over the city such that we wouldn't be in this mess, it unfortunate that we are here now. The interim will be painful. But I do think the path we're on now is not sustainable, our increasing growth will exacerbate our traffic problems. >>> Ms. Tovo. >> Tovo: Thanks, I will start with a compliment since you encouraged them. I appreciate very much the discussion the way you laid out some of the challenges ahead, some of the points and these all touch on issues that have been in discussion on the planning commission, certainly on council as well over the last year or so. Thank you. I mean my colleagues raised question about parking. I do want to mention in places like Mueller that have been designed to be pedestrian and bicycle friendly, last week we approved a parking district

because of some of the parking challenges over there. So it is -- I believe it is going to continue to be an ongoing need that we need to recognize as my colleagues have said.

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Many people come with cars for various reasons, either they live or work in places where they can't take public transportation or they have young children, it's not convenient to do so, for all kinds of various reasons. So certainly I would be happy for you to address that. But also I want to talk for a minute, too, about the uses that you discussed. But if you would like to talk about parking -- >> Sure. So I do think there is room for conversation about what that looks like. I'm not saying we necessarily have to reset and have zero parking altogether. But I am saying if the requirement is that every single family home must have X number of parking spaces, that might not be the ride model across city wide. Maybe we start to look at those neighborhoods where we can have a parking management district that will address the parking needs of that specific community. But I don't think the parking requirements of zilker match the parking requirement of Avery ranch but our code reflect as if they were one plan. If we are going to respect neighborhood and community character, well, then let's make sure that it's parking they need instead of a blanket approach. >> Tovo: I think that's a very good point. I appreciate you making it. As the accessory dwelling unit and other things that were initiated by the last council come back, I think we will, I hope, have that conversation about context and allowing those discussions and decisions to be made on a context basis. So thanks. I do want to get back to the uses versus structure because on some -- you have acknowledged in your response that there are certain uses that do impact, you know, the surrounding businesses and the surrounding communities. You mentioned a couple of adult oriented businesses, that's certainly something that's being discussed in the last couple of weeks. But there are a lot of uses, I think, that do have particular impacts on the surrounding businesses, surrounding communities, can you help me understand better, I know that we are moving toward a hybrid form based code approach.

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But it isn't really all about what the building looks like. The uses in that building certainly have an impact on their neighborhood, both businesses and residents. >> Mayor pro tem, you are absolutely correct. I appreciate you bringing up that point. So from my perspective, I look back at when we originally had use based zoning, it was predominantly based on health and safety concerns, back when we lived in the industrial age, we had factories next to single family housing, we were concerned about the environmental health effects. Now that we've moved away from the more industrial age to a much more tech savvy age in our development, my fear is we've kept the use regime even though it's not as

applicable today. So by all means we should not eliminate uses. But I do think when neighborhood try to require specific [lapse in audio] Default of saying we generally will let [indiscernible] Come in, except for the ones we know we don't want, we don't want automotive retail, we don't want adult oriented uses. I think that would be more accurate instead of when a developer signs an agreement with the property, sells that property, he's then able to still do other uses that the neighborhood didn't specifically want to prohibit. Does that answer your question, mayor pro tem? >> Tovo: Sort of. I think we see a mixture of both coming forward. >> Sure. >> Tovo: When you see uses prohibited it's typically because they are automotive uses or pawn shops or uses that various people think are incompatible with the uses around them. But I appreciate your points. It needs to be a balance. >> Right. Thank you, councilmember. Mayor pro tem, rather. >> Mayor Adler: Thank you, very much, Mr. Norte. Jim Duncan.

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>> First of all, let me compliment my colleague's presentation, he said a lot of things I certainly agree with. I don't have a slide show presentation for you. And I want to start out by saying that as a professional city planner, with over 50 years experience drafting plans and codes, including Austin, my comments are probably going to be a lot different than my colleague's today because I'm going to focus on a certain -- certain issues. To me, how codes are applied is as important as how they are written. While all codes do need to periodically be updated and refreshed and revised and modernized as we are doing right now with codenext, I do not -- I do not think that our current code is as bad as a lot of people claim. I think that over the last -- James referred to a couple of things and George -- 30 years ago was the last time that Austin did a comprehensive update of its code. That's too long. Over the last -- that doesn't mean we haven't made changes to our code, because over the last 30 years we have made a lot of changes. 50 years ago, which incidentally was when I started at the planning department and moved to downtown Austin a little bit of a unique feature, nobody else sitting here -- you can have the best code in the world, but if it's not applied and implemented in a consistent, certain, and transparent manner, in my opinion, it's not worth the paper it's written on. It causes frustration within the community. I recently described in a statesman article how poorly I felt, the city of Austin has been using the P.U.D. As a zoning tool. I wanted to be real careful there, because I think P.U.D. Is a phenomenal tool. >> [Indiscernible]. >> The P.U.D. Actually, I did hand it out. I don't know if any of you saw that. I passed out there's been

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about three articles that I've written in the paper lately. That's what happens when you get semi retired, you start writing articles. >> It's about using the acronym. Some people don't know what you are talking

about. >> Thank you, councilmember Houston. A P.U.D. Is a planned unit development. A tool to allow you to create flexible development. We've had some outstanding applications of a P.U.D. In Austin. So let me say the positives. Mueller, is a P.U.D. It's a mixed use development, it's a large [lapse in audio] -- piece of development for the city of Austin. I think the triangle, which ironically all three of those developments have been on public property. We need more of them on private property as well. I think that's one of the issues. But I don't want to criticize the P.U.D. That's not why I'm here today. But also 30 years ago, in addition to adopting the ordinance -- I was planning director at that time, we adopted several special regulations to observe, protect and promote the character and the value of this community. Some of those, well all of them are still around in some form, but today except for capital views, which was fortuitously embedded in state law so we can't really tamper with it, most of those regulations have too often been ignored or diluted through the overuse, misuse and abuse of variances, waivers and exceptions. In too many instances Austin, in my opinion, has compromised the rule of land use law. Our hill country land use regulations, for example, were intended to prevent dense downtown time environmentally [lapse in audio] Destructive development. 620 recently it's not an accident that you can't see the Wal-Mart and Home Depot. They are behind vegetation,

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still looks like it did 30 years ago but we have been able to integrate urban development. But have you also recently noticed all of the high rise buildings along 360 or the massive tibetan monastery complex along 2222 that peer down into the back yards of river place homes? I assure you those projects were not envisioned by the authors and drafters of the hill country roadway ordinance in 1985. Just last week I also found out something that I was a little disappointed in. In the adoption of the Riverside regulations we have diluted our residential compatibility standards to about half. In pleasant valley, montopolis areas today, along Riverside, 12 story buildings can be built within 200 feet of single family homes. That cannot happen anywhere else in the city. I questioned whether residents in that area should not have the same protection as residents in Windsor park and zilker and northwest hills. Another issue that bothered me in past councils, I think this is an issue that I didn't bring up earlier, it has been a tradition is that we think we have a attendance of parking, task forces and stakeholder groups with individuals who represent organizations that are in the primary business of promoting growth and development. We need to do a much better job of balancing public involvement and involving more people that look the a Austin primarily as a community and not a commodity. I do not know what's in the second report, in the paper this morning I know there's an issue coming up. However, Mr. Zucker can make a preliminary presentation to our codenext committee last fall and I can assure you that there's going to be some pretty interesting findings there.

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I know of Paul's work, he's a professional colleague of mine. I have seen his reports he's prepared for city's like Fort Worth and San Jose, he will give you a lot of guidelines for the future. One thing that he did share with us, he was very shocked and surprised to find out how far behind we were in the computerization of our operations. That's embarrassing for a city that likes to think of it itself as the high tech capital of the nation. Those are the types of things that are going to be there. This is strictly my opinion, but I think some of this may be in the study. While we have many hard work are working, well intentioned employees in planning development and review, the department overall in my opinion is underfunded, understaffed, under equipped, underexperienced, underpowered and under too much pressure. I think that the bottom line is that we as a community over the past two administrations, not given planning and development the same priority that we have given other issues and other important issues in this town. I'm not diminishing lesser importance, let me give you an example. I looked at this a couple of years ago. I'm sure it's different. The last time I looked Austin had over 500 police officers making six digit figures and only five planners. [Buzzer sounding]. As professional planner and as a resident, a long-time resident of the city, that troubles me. Not that you have 500 officers making that much money, but so few planners making that much money. In closing, one rather quick one, I think you also need to look at the cost of application fees. Development needs to pay its own way more in this town. I can assure you that -- the taxpayers should not be underwriting the cost of growth. Period, that's a bigger issue. In closing, I just want to say I'm eager to see that

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Zucker report as much as you because I think it's going to be a phenomenal compliment to the codenext efforts. Thank you very much for having invited myself and my colleagues here today. >> Mayor Adler: Thank you, sir. Any questions before we go to the next speaker? Thank you -- oh -- >> Mr. Duncan thank you so much for coming today and presenting your thoughts in particular about p.u.d.es. I have been following the concerns that my district and my adjacent district have about the Austin P.U.D. And we'll be digging into that issue more deeply in the future. You mentioned that the Zucker report, a preliminary presentation was given to the codenext committee at some point, is that -- >> Excuse me, when you are my age, you are hearing problems, you try to read this up there. >> Are you reading the subtitles? I do that, too. >> At least I admit it. >> Pool: At any rate, I would request for the councilmembers because I know there is some interest in getting some information about the Zucker report, if there had been a preliminary report presented to a committee previously, that we be -- that someone provide council with a copy of that report. In whatever form it may have taken. >> Mr. Mayor? >> Mayor Adler: Ms. Kitchen? >> Kitchen: To follow-up on that, my understanding was that there was a presentation made. I don't know if it was a written report, but perhaps there are minutes from that presentation that would be helpful to us. >> Mayor Adler: Okay, thank you. Thank you for your service on the community advisory group of codenext. Next speaker is Steven Delagado, also on the community

advisory group of codenext. >> Thank you mayor, mayor pro tem, councilmembers. As mayor said, my name is

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Steven delgado, also on the citizen advisory group for the land development rewrite. I have a quick presentation as well. Mine is going to be really fast because a lot of this afternoon has been sent this afternoon, I will save my time maybe for questions and answers. Obviously we are here this afternoon. Also I'm the owner of a land development engineering, civil engineering firm here in town. My background, doing that for almost 15 years now. When I think about the question posed to us today what are the important community values, I immediately think of the family that I have, that I have lived in Austin for almost 15, 16 years now, I go straight to the parts of the code that impact that being able to live here and work here and enjoy life. When I think of the issues, I automatically first thing go to subdivision and zoning because that's where we live. The house that's we live in and what we're doing, those regulations directly affect how as a civil engineer that we design where we live. I also think of the compatibility when it comes to the places that we like to enjoy as a community. How do those new commercial developments obviously directly impact and interact with the existing neighborhoods that are still close by. Lastly, obviously the environmental regulations, how do we keep Austin staying green, that's the big buzz word, sustainability, all of these good things that we hear, not only forking a architecture and -- from an architecture and landscaping but also engineering as well. How do we deal with the environmental constraints that we have as a city and work those into whether they be protected or work those into the development and being able to establish pocket parks and green infrastructure and things of that nature. A lot of this will tie into some of my kind of proposals at the end but the big thing on this slide for me as a take away, we talk about compact and connected, what does that really mean as a community. Seems that every meeting that we have monthly there's a different definition depending on who's talking to us. So I think as a group, as a

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consultant and as a council, we've got to determine what that is. And it may be different because so far it's different every month. Second thing that I want to note is that when it comes to the regulations, a lot of it -- Austin is changing. We've gone from a green fill development type of community over the years as I've been doing this and my colleagues and offices twice as long as I have, new development infill and redevelopment. So we have to put that hat on. Our code as mentioned time and time again has been around 30 plus years, all of these overlays, changes, hasn't really fixed the problem in there's a switch in what Austin is dealing with. We are limited on land. At the opening we talked about

annexation pass part of the reason that our Numbers are going. You will continue to einfeel and not necessarily green field suburbs, unless we talk about the east side, that's a separate conversation. Moving on real quick, Dan and George already went through this. These were some of the highlights as a cag member I wanted to make sure everyone on the dais knew the things that we went through in order to try to get as much outreach as possible. >> I'm sorry, I don't know what cag is. >> Citizens advisory group, sorry about that acronym. [Laughter]. So these are the items like I mentioned that George and Dan have already hit on. Things that we have gone through with optics and with city staff to make sure that we were trying to do our best to hear the community. These are just some of the main items and some of the deliverables that we have been given as a group as well as obviously that have been shared previously. On the next one I wanted to point this out, these are other ways that we have somewhat enlisted community outreach. Obviously they are more -- [lapse in audio] -- Changes on that I'm sure he's hearing things about it in terms of this process.

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Also one code talk meeting which is a specific important meetings for important topics as I list there, for example we've had compatibility. It's my understanding we are going to continue to have more of those publicity-wide meetings so the public can attend and tell us their thoughts on these very important items that will be directly into the code and how it's going to be written. Other stakeholder meetings as well. I'm a lot of professional organizations as are my colleagues here. Codenext comes up all of the time. As a cag member, I'm on the small business, Jim on the infill, then also the neighborhood planning subcommittee, we have those meetings as well here over the last couple of months, those are going to tip through March, we've had one over the next two weeks or so where the public is invited. Last thing is the website and open communication forms. Believe it or not, as members we actually do read those that are put on the website because it directly affects some of the decisions that we make as an advisory group. So in my opinion, these are some of the highlights. Like I said a lot of these have been previously mentioned. But in my opinion, the code diagnosis report I think it was the start of where we need to go with the new code. It is simply that, though, it is just the start. We have talked a lot here today already about simplification, clarification, predictable flexibility. All of these words that we have been here time and time again, but now it's time to actually apply those and put those into the code. Secondly as we've discussed, with he have to remove excess clutter. There's a lot of things in the code, a lot of things added outside of the code, whether they be conditional overlays or other types of, you know, restrictions or allowances that are outside of the code that if you don't work with it every day, you probably don't even know it's there. So we have got to remove that excess clutter. Another thing in my opinion

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and George actually brought it up, there's a lot of misleading or simply incorrect cross references in the code. In all of the sections in case you don't know. There's quite a bit of, you know, 25-2, 25-8 environmental versus information versus site plan versus subdivision. They are just incorrect cross referencing, that has got to be fixed and removed. Another one, kind of hit around a little bit, is there's got to be some sort of mechanism to resolve these conflicts between sections. Whether that's an ombudsman, something we've been told at our meetings, we've had discussions about, whether it's about having to go to another board and commission, something in my opinion that needs to be simple and easy. We should not have to wait to go to planning commission and then go to another appeal and come to city council and then go back just for a conflict that's in the code. If it's not cleaned up, then we need to have a faster, easier way to change that process. Next, obviously to better community the intent of the code. We've heard from neighborhoods and in our meetings -- [buzzer sounding] -- That the intent and why the code was written in the manner it was written or what the regulation or restriction is, that people have forgotten. People retire, people come and go. As we mentioned it's been 30 years since this thing was originally written, if it wasn't for people like Jim, some of us may not even know why it was written in the first place. I think we need to do better -- better job of community indicating that, whether that's intent and use the graphics, a lot of form based codes and graphics that will put in will help with that. Lastly we've got to, separate and apart from the rewrite, but it's come up already today. We've got to incorporate the streamlining of the process. Whether that's the staff review, whether that board board approvals. We've -- board and commission approvals. We have gone by about by right versus coming to commissions and boards for

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approvals, we have to follow up with whatever that it is in terms of what's agreed upon. My last slide here. I think we can do it. As James put it. It's not either/orful we have to do both. We have to set up Austin for the future. Growth is coming. It will continue to come. We have to find the best way to deal with that. I think opticos is a very professional firm. They have done this around the country. Quite a bit of places. They have been successful is what we've heard in our meetings. So granted I'm a consultant. But as a professional consultant, we've got to rely on their expertise and their experience. I think they bring to the table quite a bit of good information and good things that they have done elsewhere. As much as Austin is very unique which makes us great, we might have to conform in some ways to best practices that are out there. Which is hard to say, but that's what in my opinion needs to be done. Then finally, as I have learned in my last -- there's simply no way to make everyone perfectly happy on every issue. We've got to come to grips -- got to come to grips with that, as a consultant, especially as an engineer, there's many ways to skin a cat. Lots of solutions out there. We have got to come up with what's the best one that will please the most people. So to me that's just being realistic. It's not giving in. It's just being realistic, being honest with ourselves that there is no the a best solution. I think the --

not a best solution. The conversation about the parking requirements was a perfect example. There's not a perfect solution for everybody. So we have just got to come to grips with that. I'll take any questions. >> Mayor Adler: Thank you, Mr. Delgado, questions at this point? Thank you. Kelly Weiss, I want to say before you start that as we put together these deep dives, people are making suggestions across the dais. I want to thank again Vanessa, you are doing an

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incredible job in pulling these together, thank you for that [applause] It does mean that we sometimes impose on people to be late additions to our panels as we move people around and people say they can and then can't and Kelly you came in at kind of the last minute for us late on Friday and I appreciate that. >> Thank you, sir. Good afternoon, mayor Adler, mayor pro tem tovo and all of the these new councilmembers, I'm Kelly Weiss, CEO of Austin habitat for humanity. I really do want to thank you for taking the time to take input from a wide range of community members. When Vanessa called me on Friday, I wanted to say are you sure [lapse in audio] Not only the developer in the city of Austin, but ultimately impacts our residents or businesses and our economy. There are variables that are inhasn't in asse assessing inherent in assessing any land development code. I think we've all heard those things today. Efficiency, which is time, cost effectiveness, which is money, predictability, certainty, which is basically the bottom line which creates a N known result. Those are the three things that I would hope with a new land development code, revised land development code we can become more consistent with. I also think it's important to hit upon the idea of regulation by right. I do think the more we can come together as a community and determine the development regulations by right, the greater chance we have at improving commercial and residential affordability across the board because that's going to - [lapse in audio] -- create certainty.

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Staff review as well as coming through boards and commissions and council and to hopefully make council's job much easier when those important questions come before you. I would like to hit on just a couple of things. I don't think anything that I'm going to say is anything different than what you've heard before. One of the most costly items or results of our current land development code is the varying interpretations and conflicting provisions. There are areas of the code that are subject to different interpretations, sometimes a code provisions do conflict. We have staff of non-profits and private developers as well take the time to figure that out. So we're going back between staff and departments and boards and commissions to try and make sense of a code that is inherently incorrect. So that's a primary -- a primary benefit of rewriting the code. What's important to really understand, though, is that

those costs don't affect me, they do as an executive director, they don't necessarily affect the developer, they do, they've got a pocket, too. But it really is -- it really is the residents and our community it's affecting. From a habitat perspective it's interesting. When we get caught in delays about code interpretations, it's not impacting my pocket, we're a non-profit. It impacts our residents. They're waiting to move in, often on month to month leases. Trying to get a certificate of occupancy, a Co, on a home and they're having to juggle their finances. So it's not just the cost and time that it takes the developers, the city staff who work really hard, but also the toll it takes on residents and that's the community that I serve. So I'm particularly sensitive to that. I would also say that [indiscernible] Really needs to be looked at. We do have or we did have a

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comprehensive affordable housing plan through smart, safe, mixed use, accessible, reasonably priced, transit oriented. Councilmember Houston is echoing me. So we have got that one. But smart housing has been around for a while and we need to take a deeper look at it. The gives and the gets no longer match anymore. The fee waivers aren't enough to produce the housing that we need. I do think with the missing middle housing in our community that smart housing is -- is a good way to bridge that gap and to create those benefits in a market -- in the market without having to go and provide additional subsidies to private developers. So with that, which those general frameworks, I will say, you know, what we talk about a lot in affordable housing, in affordability is just regulatory barriers. [Lapse in audio] You hear that a lot. [Lapse in audio] I think what we don't want and we want to encourage the type of development that we do want and that's best for the community. Some of the regulatory barriers, though, that we face often, almost on every project that Austin habitat has undertaken or will undertake and I'm going to you there the laundry list, I think of everything that you've heard today. So site area requirements. This -- this does have to do with density. We can build more homes on the same -- if we could build more homes on the same amount of land, that makes more sense. Our cost basis in the landings down. If we had -- in the land goes down if we had the ability to do that. In some neighborhoods you do, some neighborhoods you don't. Compatibility requirements also impact affordability greatly because you're

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talking about narrowing the type of development on any given parcel. I dare to dive into parking and I only mention it -- [laughter] -- Habitat normally is involved in single family, primarily subdivision development. We are involved at Mueller as well. The developments. Parking is a huge challenge for us. It is incredibly expensive to build. So if we are talking about having affordable housing, we need parking,

but we've also got to figure out a way to pay for it. And that will be incredibly important as we move forward, especially with more people coming into the city. Our neighborhood plans, while wonderful and I think represent a dedication and time commitment from this community, that I can't even begin to -- to truly comprehend years and years of neighborhood planning, years and years of neighborhood planning as I look at George -- our neighborhood plans, though, aren't consistent across one another. And there are so many overlays that was mentioned. It makes it very complex. We have -- we've had a situation before with a habitat development where literally the neighborhood boundary was down one street and we had development regulations on one side that were one thing and development regulations on the other side of the street that said another thing. So that makes it very difficult to come up with a comprehensive way to develop land where you kind of have got this mismatch. There's also, this really ties into your conversation, I know that you had on infrastructure. But there's no master regional detention plan. We don't really see a way to link what the goals are in terms of our sustainability goals. I serve on the low income

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consumer task force for Austin energy: We're trying to get to a certain number of Watts, kilowatts, how does the land development code tie into all of this? [Buzzer sounding]. So I would just like to, I guess, finish this by saying we do have a mishmash of ordinances right now. Especially when it comes to affordable housing. Density bonuses also perpetuate this issue. We have vertical mixed use ordinance, a transit oriented development ordinance, a pud ordinance, a smart housing ordinance, that all dictate different levels of affordability and requirements. So if this land development code in the next phase could adopt a comprehensive way to address affordable housing, I think everybody's lives would be -- my life would be a lot easier. I think the developer's lives would be a lot easier, too. Thank you. >> Mayor Adler: Ms. Garza? >> Garza: You brought up the -- how extra fees can affect affordability. And I really struggle with that concept. Because, you know, I think it sounds, I want to believe it. I want to believe if we have less regulation, you know, housing costs will go down. But then when I think of if a house can be -- if the market says a house can be sold for \$200,000 and we all of a sudden decrease fees and, you know, all of this regulation that creates additional fees, I still feel like that house is still going to sell for \$200,000 if that's what the market dictates. And the reason is because people, there's probably not a \$200,000 house in Austin. >> We sell all of them. [Laughter]. In my district. >> Garza: Can you enter he to -- to that and how I can -- how I can better

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understand -- or any of the engineers or planners can speak to that. >> I will just say from an affordability, particularly housing affordability. When smart housing first was implemented, I believe the fee waivers per home were about \$1,500. Which actually made an impact back then. And it was a way for volume builders to create a house at a price point without additional public subsidy. Those fee waivers don't get us there anymore. If that's going to be a way we're going to implement our affordable housing goals, we need something that makes sense in terms of the gives and the gets, whether it's on the fee side or on the entitlement side, I think that's what the land code, the next land code should really look at. Fee waivers often get, you know, are kicked in if there's affordability required. If there's density bonuses required or if there's a variance of some type required and so I think since we can't implement inclusionary zoning, here in Austin, that it's important to think through where the value of those waiver -- fee waivers or development costs lie. And I do agree the citizens shouldn't have to subsidize that. >> Mayor Adler:. >> Houston:? >> Houston: Ms. Weiss, thank you so much for being here today. I have two questions. One is about -- can you explain more about, I think it's the second paragraph, more we can come together and determine development regulations by right. What do you mean by right? >> By right. That was a word that I think that I heard commissioner norte mention earlier. But our current land development code tells you all the things that you can't do. And so if you come across a use that actually may make sense for that piece of land

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and whether it's residential or commercial, you still have to seek a zoning change for that. And I -- I do believe that if you can provide more certainty through the zoning process and uses that are provided by right, so you are not having to request a zoning change or even if it's adding an additional -- [lapse in audio] -- administrative and often costly process, it's driven by time. I mean, time is money. So commissioner norte, I don't know if you would like to add more to that. >> You spoke sufficiently. Couldn't beat that. [Laughter]. >> So I -- >> Mr. Duncan? >> [Indiscernible]. >> Turn on your microphone, please. >> Thank you. We didn't have these 50 years ago. [Laughter]. I was just saying that I agree with Kelly, also. We need more by right approvals. That basically means what I said earlier staff needs to be empowered to do more things, things need to stop earlier and not have to go through a lengthy process. Now, we have to define carefully what that is. But today I think too many -- too many minor things have to go through too many hoops in the -- in this town. We don't have a system that really can separate the big and the major and the minor. And that's something that I really hope comes out of this process. >> Houston: Thank you. Then the other question, Ms. Weiss, once a person or a family moves into a habit to the home, what's the impact on property taxes once they get into their homes? Is that on a set flat basis? Or -- >> So this is a challenge we have all over the state and especially in Austin right now because we are so property tax burdened. We have a handshake agreement with the Travis county appraisal district that they'll set the value

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of the habitat home at its affordable sales price. We also administer the housing out at the Mueller airport redevelopment, the affordable housing there. It the same method of valuation that's used. The issue is it is a homestead. Which is your values are allowed to go up 10% a year. And there's no cap on that until you get to market. So while our homeowners when they move in are able to afford their homes and our hope is that they'll get more education, get a better job, earn more money, be able to keep up with their taxes, that's hard for me to do today. So you can imagine the burden that it has on lower income families. But the way it works right now is we do set the property value at the affordable sales price. A lot of people think that habitat openers don't pay tax -- owners don't pay taxes, that's not true. >> It goes up 10% each year. >> It does. It's capped by market. But because we're so much below market, we basically under -- we do, we underwrite our clients to make sure they can afford the taxes over the next 10 years. So for instance our mortgage payments may be \$100 a month. Zero percent interest mortgage program. Oftentimes our homeowners are paying 3 to \$400 a month in taxes. >> Houston: Thank you. >> Mayor Adler: Ms. Weiss what did you mean on your paper when you say the definition of height is not consistent with national best practices? >> So this is a personal I would say even pet peeve of mine. The city of Austin changed the definition of height, I don't know how many years ago, George? Yeah. So we have a very unique definition of height. It's not really something

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that's impacted habitat honestly until recently. I've had to take a look at it. Habitat recently purchased the property at south first and 71. We do have a very unique definition of height. It was adopted I think may have been a late night, late night -- [laughter] -- Late night dais decision. But it's different, I think than anywhere else in the nation. >> Mayor Adler: Do you know how it's different or what's different? >> It's not -- I D I don't want to misquote. I'm going to look to an engineer maybe who can help me. But it depends on the fill and your topography. So, for instance, if you are on a hill, and you've got certain fill, where your height starts may vary. And so it's not necessarily -- I call it the John malcovich effect, you can end up with a building that you are walking around like this, if you have seen the movie they create these kind of half floors, but it results in the same thing. >> Mayor Adler: Okay, thank you. Ms. Tovo? >> Tovo: Yeah, I will look to the staff for more details about it. But I remember some of the cases that gave rise to the redefinition of height and it wasn't -- as I recall it was a late-night council discussion, it was a lot of very hard discussions out there in the community because you had developers who were in essence exploiting a loophole in the code. In one case they exceeded the height limit and then built flower pots up around, were filling in area so that the height would work out okay. They were basically creating more ground so that their height would be within the code limits. So there were several projects that I know of and probably more that the staff are aware of and that is what gave rise to this very -- very unique definition of height. But I think we've had fewer

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at least as a -- as a -- as a community observer now as a councilmember, I think we've have fewer examples of those really egregious violations of code. >> Mayor Adler: Thank you, thank you. >> Tovo: Thank you. >> Mayor Adler: [Indiscernible]. >> Mayor Adler, mayor pro tem tovo and members of council -- >> Mayor Adler: Pull the microphone a little closer please. >> Mayor Adler, mayor pro tem tovo, members of the city council, thank you so much for having me here to speak. I was asked to maybe give some feedback on how development costs and complexities encourage or discourage small businesses to continue to do work in Austin. I am a small business, the majority of our clients are small businesses in town and the development code is such that -- that it's becoming increasingly difficult for - for I think the smaller businesses in Austin to -- to do their best work. I think what makes Austin an exciting and vibrant place very much is about the sort of richness and the entrepreneurial spirit that exists here and one of the reasons that I enjoy working in Austin. But the land development code makes the toughest on those sort of people to build in Austin, the small businesses. The local mom and pops that really want to -- to, you know, invest in our city. I think, Kelly covered a lot of the issues and speakers before me that are challenges here, so I won't rehash those. But the challenges that habitat for humanity comes across are the same that what they really want is a process that's reliable, streamlined, timely, and ultimately that they can have

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confidence in. When any small business person looks at a property to decide if they want to grow or expand or even just start, they come to us and ask us what challenges that piece of property might present. And more often than not, the challenges are very severe. We have a lot of commissions in the city of Austin. We have a land development code that is very complicated. And it takes almost as much effort to develop a 3,000 square foot small retail business on a small piece of property as it does to 100,000, 200,000 mixed development. That sort of threshold shouldn't be a one size fits all. That businesses should have the ability to come and meet regulatory requirements in a way that suits the scale of development. Right now we have two methods to develop commercial uses, through a site plan development permit. The latter being so scary terrifying and long term that anyone who hears that term and wants to open a small business, the answer is immediately no. So in any sort of criteria for development, that's one of the first questions that is asked. And then after that, we talk about what consultants are needed. They may be a traffic impact engineer, civil engineers, real estate attorneys, code consultants. This is at a scale project that shouldn't require all those things. That these folks should have the ability to look at a building code, sit down with a professional and city staff member, and understand very clearly if they can invest in our city or if they can't. So I think these things are what

leads to a lack of confidence in developing small businesses. And it turns directly into money and time. So as a small business you have a limited amount of funds.

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And it can be invested in trying to develop a piece of land which, if you don't pass a certain zoning case or you don't get a parking issue resolved, or there is some sort of land use issue that is in a gray area, that could potentially kill a project. That could be critical to the success of how people do business and hire employees. And we see this on a daily basis. That projects are pushed further and further back. Because staff, frankly -- it's really tough on staff now. There's more complexity. It's a code that is harder and harder to interpret, even for professionals, and it's these gaps of gray areas that lead to a lot of tension between the business community, neighbor associations, and city staff members. That's one of the problems of the code I see is that these tensions are built into the code that we have. And hopefully, my hope is that codenext will resolve these things. That right now we have a zoning map that tries to resolve cz zoning right up against sf zoning and inherently that's a pretty problematic property line to say we can resolve large buildings against someone's backyard. I hope codenext takes a close look at how scale and use can be thought of differently to help mitigate these issues and my hope is that we bring, you know, neighborhoods and businesses in closer so the communication, the businesses that I work for very much want to be a part of the community and don't want to be thought of as outsiders or someone who is trying to take away from established communities, but they really want to participate. When I go in community areas you

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see developers coming and asking for more tenants in their businesses. They want those tenants to be first and foremost occupants in their property. These are businesses that really are trying to think in terms of a smaller and smaller radius of where they draw from. So they very much want to be integrated and part of the communities they are established in and aren't looking to draw from 10 to 15 miles away. I do think there is a discussion about parking that needs to be had. I think as transportation becomes even more challenging, Austin is changing the way it travels, the way it wants to participate in a smaller radius. And I hope development in codenext will create the sort of vision that Austin can become. Thank you. >> Mayor Adler: Thank you, sir. Any questions? Mr. Renteria. >> We are facing a lot in east Austin. We have set a 60-foot height limit on all our development. And we are faced now with developers coming in in there and asking for 90 feet, you know, and instead of offering to provide affordable housing or reasonable housing, they are offering. [Indiscernible] >> Isn't that kind of like we're trying to provide affordable mixed income in the area but then they don't have to provide that

affordable housing in their building. >> I think I'm probably not the best person to speak of on affordable housing in height.

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>> I'll take a stab. I'm not sure of the case you're speaking of, but I think I know. In that case it's not a residential development, I think, it's commercial and office within a TOD. We have been in discussions with that developer. You know, I think one of the things the city is going to have to grapple with too is I would always like to see affordable units produced but does it make sense to put them on top of a commercial building or office building, or does it make sense to work with a neighborhood and with a community to see if a fee in lieu could be used to develop affordable housing in a neighborhood within a context that made sense? I will be the first to say I'm a big advocate of having affordability on site and having affordability mixed throughout a development to create true mixed income, but I think when you get into TODs and looking at uses, looking at all commercial or all office uses, is it appropriate? So it's not necessarily is affordable housing appropriate? It's is any housing appropriate? I don't know if that helps. >> This is going to surprise council member Renteria, but, yes, in some places there are houses on top of commercial buildings and it works very well. In Seattle they have houses on top of commercial buildings. And so if people are going to clean those buildings or work at those buildings, then they should have a right to live there. So I don't see that as a reason to not to do that. I see fee in lieu not do. Place the people who actually work in the units have an opportunity to live there. >> Mayor Adler: Ms. Pool.

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>> Thank you, Mr. Mayor. I have a question about what tools the city has and what methods are legal to require a percentage of affordable housing if a developer being willing to add it in, as opposed to the entire development being affordable? We have some zoning cases where we are requesting a percentage of affordable housing be included in them but I don't think we have tools to make sure that that happens other than an agreement with the developer. >> By and large the state of Texas does not allow for inclusionary zoning, so we do not have a tool to require affordable housing specifically on site. However, I do think the city has done a better job of incentivizing affordable housing and unfortunately that's the best we can do is to allow for additional, perhaps far features if we provide additional benefits. I would hope we would strengthen our bonus program to allow for more affordable housing on site. I think it's really important and I would rather have more affordable housing than less but to the extent we need to be really, really intent. And be deliberate in trying to figure this out so we have affordable housing on site. >> I agree with you, James, and I have a case right now where the developer is promising a small percentage of affordable housing. And I would like to get that percentage increased.

And I think it comes down to the will of the council. I think somebody mentioned political will, to insist that in order for there to be maybe some density agreements that we include on site. And that's the key, I think, right there.

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Mixed sizes, two and three bedroom would be part of the affordable housing component, not just a single bedroom or a studio. And I would like to see more policy direction coming from this council for on site mixed bedroom size for the middle, affordable housing in some of the newer development we are seeing, especially along transit corridors where density is necessary and appropriate as long as it is scoped and compatible. >> I think I'll have the attorneys speak to this. We can't do it as a condition of zoning. >> Right. >> We can do it only as part of a large policy. >> Right. >> That's being implemented equally, a program. We can't get into an ad hoc basis. Is that close? >> That's it. You said it perfectly. >> And I think that is actually what I'm trying to say is I would like to see the council have a policy throughout the city for those two things. One is the mixed number of bedrooms. You know for larger families. And a higher percentage of the affordable housing if we're going to have -- if we're going to be supporting density throughout the city. Thank you. [Lapse in audio] >> We can do a lot more in that area. We have talked the talk but we haven't walked the walk in terms of delivering. Right now some of the most attractive areas for development are in east Austin. And what we're doing, and the gentrification, I mean people are moving out and making money with the land there. There's no reason why we couldn't have policies to encourage people who want to live there can stay there. It's the same thing south of the river, but our policies have not been working together and our

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regulations. This city has -- it enhances and increases entitlement so much at the dais here. And that's why -- where it is legal to have more than you are getting. You can't have inclusionary zoning but we could do a better job. And you have a whole session on that to dig deep. >> Mayor Adler: Thank you. >> I look forward to working on that policy direction out of the housing committee. Thank you. >> I have a quick question. >> Mayor Adler: Ms. Kitchen. >> I would like to understand the limitations on the inclusionary zoning so, so if you would e-mail us the citation, that would be helpful. >> Mayor Adler: Ms. Tovo. >> It is my understanding since zoning is a discretionary, we always have the right as a council to turn down a zoning request. If an individual or council member has expressed their personal opinions that a particular zoning case doesn't fulfill community benefits, including affordable housing, that's certainly something that's happened in the past. >> Mayor Adler: Okay. >> I hope we can talk about how we can develop a more comprehensive proposal, but just in terms of individual zoning cases, I think

talking about in terms of our community benefits, one of which, you know, the chief among them I think would be affordable housing in all parts of our town. So thanks to the panel for their comments on it. >> Mayor Adler: Thank you. Ms. Houston. >> Don't leave because I want to talk to you about small businesses that are looking for retail space to position themselves. We seem to be having a hard time finding those kinds of entities

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so I would like to talk to you before we go. >> Mayor Adler: We have five other voices here to speak. Eleanor Mckinney and then Melissa Nesland. You have three minutes. Thank you. >> My name is Eleanor Mckinney. I'm a landscape architect so I'm going to shift the discussion here just for a minute. Thank you mayor pro tem and council members for having us here today. We have been tracking codenext process for the last 14 months for integrating nature into the city and to compact and connect with green structure, sustainable water management, and healthy Austin. Nationwide states and cities such as Florida, New York, Philadelphia, Seattle, D.C., and Nashville are at the forefront of green infrastructure and codes. In Philadelphia their plan is estimated to save \$4.8 billion over gray infrastructure solutions over the next 25 years. In D.C. Their green codes provide a menu of options to retain storm water on site. We are in support of the efforts of green infrastructure working group led by water shed protection to tailor these practices in Austin. And to share this information with the three committees of the code advisory group led by planning development and review. Our recommendations is there is a greater schedule and content between these departments and their efforts. If the code advisory group recommendations can be delayed in coming to council until the green infrastructure group finishes their process then the city as a whole can benefit. Sustainable water management. We are in support of the water resource planning task force report with special emphasis on water reuse such as reclaimed water, harvested rain water, hba

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water, and storm water as well as efficient irrigation practices. We recommend that someone from the landscape and irrigation industry be appointed to the proposed new water task force. In order to provide the practical implementation for wise on site water decision making and integration to land development code. And lastly healthy Austin, we are impressed that the presentation of the speaker series last December by Francis. We need adjacent green space to be able to receive benefits. We recommend maintaining on site open space for the land development code as a critical development for healthy Austin. Over the next few months we will be contacting each of you to listen to your district as city wide concerns for green structure and to offer our technical assistance. Thank you. >> Mayor Adler:

Thank you very much. Questions. Ms. Nesland. I would also point out to the council that last Thursday we received an e-mail with an attorney/client communication that spoke to us about what we could do by ordinance regulation to provide for affordable housing. On the 19th. >> Good afternoon, mayor, mayor pro tem, and council members. It's an honor to be here and share my other voice with you this afternoon. I'm here on behalf of the real estate of Austin. I'm a neighbor, I'm a former renter, mother, an austinite and I'm now a homeowner. And I'm proud to be here today to talk to you about things that are important not only to the real estate council of Austin but to our members who are community members. So I'm hopeful to not repeat a

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lot of what's been said today, but one thing I do want to say in relation to the various puds you see, the variances, the different processes over the years, that is a reflection of the point that we are not one size fits all city. Properties are not one size fits all. We have topography, connections, environmental features, trees. There are a lot of challenges. And I think what you guys would agree on after the number of policy forms you have had an opportunity to sit through, if anything, this code is complex. And you probably realize that in a different way, I would think after hearing from so many of these experts citizens. It's not easy to design sites, to develop. [Lapse in audio] >> We're here in an effort and I want to reiterate that we have the technical expertise. Our members are willing to meet with you at any point. Engineers, architects, developers, you name it, we've got it. And can really help share the facts and figures with you. I think it's also important when we're talking about our community values and the community benefits, that benefits us all. But we're also here and need to be clear and frank about the complex process that we talked about earlier today, but a new code is only as good as a process that matches it. It is clear that the report, when we do have that, that we're looking at that closely. These are running parallel. You also heard about the gray areas in the code. Michael nailed that, I feel like. Getting away from those, we shouldn't have to call it a battle. We want predictability as much as anyone else. If we can wipe out some of that predictability -- not wipe out, excuse me. Guarantee predictability and save on that, perhaps our developers, perhaps these folks can provide more affordable housing. There is more of an opportunity

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to incentivize these things. It is challenging and the layers of complexity is really hard to come close to explaining in three minutes, which I'm sure you understand. And so I would hope, if anything, as we go through this process we also keep an eye on the prize that it has been 30 years since we have looked at this. No one in our organization would advocate for wiping out years of things that we have worked on

together as a community. Certain tree ordinances and such. We want to be here with you all and do this together. And so I hope you will rely on us when you need us. Thank you for the opportunity. >> Mayor Adler: Thank you. Mr. Zimmerman. >> Before you go, I have asked the home builders association, and I guess I could ask you too, to come up with the top ten current ordinances that contribute to the unaffordability of development in the city. So I'm hoping you could cooperate with the hba and come up with the top ten list, the top ten things the city is doing that makes development unaffordable. >> Absolutely. We appreciate that. And we have had internal discussions. I'm vice chair of our policy committee, so that's on going. >> Mayor Adler: Our next two speakers are Joyce and Karen. As she is coming to the podium, as we're talking about codenext, I think having gone through the project connect process where we ended up with a proposal that ultimately was not accepted by large parts of the community. I think we need to take a look and make sure that the things that come out of these processes in fact represent the entire city. And I, for one, believe that we can add greater voices to the community advisory group of codenext. So that the final product that comes out of that is something

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that we make sure has the broader voice associated with that, and I hope we pick that up as well. >> Good afternoon, mayor Adler and mayor pro tem tovo, and council members. I'm the first vice president of the Austin neighborhood council. I have lived in Austin 41 years. Since approval of imagine Austin we are being told that the existing code is too complex and confusing to implement the plan. For many of us in the neighborhoods, the problem is not the code, the problem is often staff's loose interpretation of the code. The removal of the intent paragraphs from the code in the 1980s encourages these loose interpretations and the many layers we have been talking about today on top of the base zonings. Annette of the planning department and the fact that the public can't see the unredacted report, emphasizes there is something wrong with the department that administers the code, applications for building permits, boards and commissions for ordinances, and requests for variances, all of which have major impact on the quality of life in our neighborhoods. Can we fix the department first so that we can have some confidence in what it's doing? There's a push by the development community and the planning staff to do away with plans. The imagine Austin plan on page 207 calls for existing and future neighborhood plans to be respected along with compatibility. There is great concern in the neighborhoods that this will not happen within the existing staff manipulated codenext framework, and here's why. I mean this codenext process, I'm sorry to say, is seriously flawed. Number one, the land development code advisory group is stacked in favor of the development

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community. It is supposed to educate the public pertinent to civic governance. >>> The public and the cag are not being educated and informed where the staff and the development community want more density. We're getting density propaganda with no estimates of the costs. Number two, rather than being engaged in specific topics the public is not allowed to comment except at the very end of the meeting for a couple of minutes. Not at the time when a comment might make topical sense. Public participation is reduced to that of an audience listening to discussions among staff members. We're not at the table. Public input is limited and e-mail is not publicly acknowledged. We have no idea how serious any public input is being taken. This brings up issues of transparency of codenext. >> Mayor Adler: Thank you. Mr. Zimmerman. >> Joyce, before you go, let me back up to something you said close to the beginning. And that was that there is some problems with existing code not being correctly interpreted or some arbitrary interpretations of code, right? I would like to point out one of those. This is probably as good a time as any. There was a Harper park development. I think David weekly was the developer on that. And there were two lawsuits over misinterpretations or disagreement over interpretations of zoning and platting regulations.

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The latest one was -- d-1 [inaudible]-002584 and it named Mr. Guernsey and the judge ruled in favor of the developer. That was the second lawsuit. The first lawsuit was decided back on August 16 of 2011 by the third court of appeals. Also decided in favor of the developer. More importantly than all of those, it was over a dispute of a plat that was done in 1985. So I have a great deal of skepticism that this so called codenext process is going to solve anything. What would be your remark or comment? >> I'm leery about what it can do also. What disturbed me most is that I didn't see a real analysis of the existing code that was done. The existing code really needs to be reorganized. I mean, it has worked. It has produced nice neighborhoods, nice areas of town. It's not a total mess. And one of the big problems is the removal in the intent paragraphs meant that new staff members are looking at raw code, but they're not understanding what the intent of that code was. And so, you know, we're having to go back when we get a permit come through our neighborhood association and look at the code and make sure they understand we have a neighborhood plan and that we have certain tools in our neighborhood plan. We have had the neighborhood plan ignored a few times. And that really causes a permit to be issued in error, which then winds up at the rdcc or the board of adjustment or whatever. So if you could just fix the department. First the procedures in the department. I think it would go a long way to helping the situation.

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>> Mayor Adler: Karen McGraw and then Brandon Griffin. Hello. >> I have two handouts in front of you. This is a letter from the residential design commission that was sent to the previous council in November, so you probably don't have it. I'm the vice chairman of that commission. And it was an outgrowth of the mcmansion effort in 2006. That effort resulted in new compatibility standards between houses in neighborhoods. And those standards have worked out very well. The community is used to those and they are functioning very well, but the commission has kind of outlived its usefulness because we address waivers for unintended consequences and we're not getting waivers. So we have asked to be sunsetted but I want to let you know that we are concerned that the mcmansion provisions get into codenext in an appropriate way and we haven't seen any drafts or anything like that. So I wanted to put that in front of you and tell you even if the commission is sunsetted in the near future some of us will be tracking how these provisions get into codenext. I wanted to make you aware of that. I wrote this in 2013 and it has to do with neighborhood planning and codenext. What I wanted to point out to you, and I started neighborhood planning in Hyde Park in 1985, so I have been doing this a while. It is to infill neighborhoods with density. It is not to preserve or conserve neighborhoods, it is to infill them. We have 18 years of planning in Austin with all of these plans that have infill. If you're worried about density

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your neighborhood plans have addressed that. But your imagine Austin code has some different language about the stability of neighborhoods and enhancing and protecting neighborhoods. So my question, I guess, is when you look at the very first blue thing on the page that's what the land development says about planning today, but since that is different in imagine Austin, codenext will have to rewrite the neighborhood planning intention and program. So I'm hoping you will pay attention to that and that will be done in a way that enhances neighborhood planning. Sadly two of the things that are not done in neighborhood planning are that since neighborhood planning is an infill program, we do not look at what's good about our neighborhoods. We don't look at are there historic resources there because those services are not provided by the city of Austin. To neighborhoods. We do not look at what is the stable part of a neighborhood that needs conservation to make sure that the character of which codenext is identified is going to be protected. So I just want to put in front of you, I have copied some provisions out of the code that the resources of the historic preservation should be brought into play in neighborhood planning, but in your budget, there is no money for that. And anyway, I'm happy to answer questions or whatever I can do to help, but that was quick. Anyway, thank you very much. >> Mayor Adler: Any questions? Thank you, Karen. Brandon Griffin. >> Thank you, council and thank you council members, mayor, mayor pro tem. My name is Brandon Griffin. We're a grassroots organization, pretty new, that is working

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towards things that we talk about as in Austin for everyone. You know, I grew up here in Austin, I have lived here for most of my life. Moved away for a while and moved back five years ago to raise my family. And I grew up in apartment buildings in Hyde park and duplexes in parts of east Austin in rental homes before my parents bought the house here. And I would note a few things. People agree that Hyde park is a really nice neighborhood to live in. Yet a lot of things in our code would make Hyde park impossible to build anywhere else today. This is my house is on the right, my parents' house. And there's a small apartment building next to it that was seen as perfectly compatible to me growing up. And yet you can see people park on the street. Part of that has to do with there's a sidewalk. And that's really an important thing for all of our neighborhoods. Down the street I used to walk up to the avenue D grocery all the time. You can't build that kind of small scale retail inside a neighborhood. There's an infill tool called corner store. Even that wouldn't let you build something like this today because it's in the middle of a block. This is the street I live on now. It's a small community and I really enjoy it, but it doesn't have anyone walking around because everyone is in their cars. There's no grocery to walk to, nor could you build it. It would be great if there were small apartments where my 2-year-old might have more play mates if more people that age live in the community. Getting to some data. You can see here we have been growing really fast.

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We've, the last couple of years, you see the building permits, the gray area is multifamily and the blue is single family. There's no small scale duplex three or four unit homes because it's really, really hard to build in Austin. It's not impossible but it's really, really hard. You saw maps like this where we have lost kids. And I'll tell you why. Because price. If you -- I lived in apartments growing up, I lived in duplexes growing up. My family was middle class. It was a teacher and somebody who worked for Seton. Young families need those affordable rental units. For the last years we build 18,000 subsidized units. People couldn't get into those. Why, because rents were ridings. We built 10,000 units last year but this year is already looking like that, we're going to lose that ground again. We need to think about how are we going to build enough homes to accommodate all the families who want to live in the city and I think we need to think about that carefully. So wrapping up, we need to unleash regular people into the development process. We need to -- right now you can build a single family home easily or you can spend months trying to build like a 300 to 400 apartment building. It's a lot harder to build on a small scale. Let more small businesses into communities. And we need to, again, I really liked Mr. Norte's phrase thinking about people more than parking. It doesn't have as many parking requirements. My neighborhood doesn't

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necessarily need two or three spots for every single house on it. So thank you. >> Mayor Adler: Thank you very much. Any further questions from the dais? Thank you. City staff. [Lapse in audio] >> I just wanted to clarify a couple of comments that I heard. I mean I greatly appreciate this panel. It has been extremely informative for me as well and we look into moving into the rewrite process. But a couple of points of clarification is that a form based strategy is not about increasing density. Form based strategy just as much is about maintaining -- we use it just as much as a tool to maintain the character of a community or maybe to evolve, but it's absolutely not just a tool to increase density so I think that needs to be brought to the table. I just wanted to clarify that. The other thing is an extensive code diagnosis has been written and was delivered to the city late last year. It was the most extensive code diagnosis that we have written to date. And we are really excited about it and hope that you all can just sort of get a copy of that and flip through it and we think it got really good -- we had really good discussions about it so I just want to encourage you to download or get a copy of that diagnosis document and take a look at it. >> Mayor Adler: Great, thank you. >> Mr. Mayor. >> Mayor Adler: Ms. Kitchen. >> Can I ask the staff to help us with that? Can you get us a copy? Thank you very much. >> Mayor Adler: Anything else? >> I would like for one or two folks to speak briefly to -- obviously throughout codenext we have taken photographs of buildings and as people said we

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need to emphasize people. I know that in many people's hearts the idea is to preserve the character of neighborhoods we need to preserve the ability to live in them. My thing, not just the design of the buildings, but the color and types of people that live in all different neighborhoods and how we preserve that. I imagine there are perspectives on how we preserve people's ability to live in Austin, but can any of you speak to how changes in the code and the way that we look at our planning can preserve, in particular, our more affordable multifamily housing that we currently have. Because obviously we are seeing some of that filter up or get demolished for less affordable housing. As we have an influx of folks, oftentimes who have more power and income than existing residents in some areas, how should we shape our planning process, or how are we shaping our planning process to make sure we are avoiding displacement as we fit new people in? I imagine there are different perspectives on this so I would encourage for people to be short, if possible, mayor. And that way we could get more than one person to chime in on it. >> I'll start and let my other colleagues jump in. Thank you for that question because it's on point. Speaking at a 10,000 point perspective we have to understand that price is the function of demand, not cost, right? And so the best tool we have to maintain affordability is to ensure that our supply of housing exceeds the demand for housing. It's not like there's a government program that takes higher pricing. Higher pricing is because people want to live in Austin and they're willing to pay more to live in Austin. So the only way we slow that down is to provide enough units such that occupancy rates don't stay at 97, 96%. They can come down to 92%.

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The second tool that works well is look for our incentive program. Take a look at what we did through certain puds. You can have an agreement with the developer, we want to see 25% of our homes with affordable housing in these areas along the edge of the city limits where we are annexing property and zoning them with minimum density. Those are ripe opportunities to match up with communities. So the developer knows exactly what they are getting in terms of their obligations. [Lapse in audio] >> I would just add one thing. When we first started smart housing at the city, it created thousands and literally thousands of units of affordable units, which was great. The one thing smart housing failed to do was preserve those units for the long term. And so whatever the city decides to do, long term affordability, whether it's restrictions on rental properties or equity sharing, shared equity provisions for home ownership, which can help fill that missing middle gap, are going to be incredibly important to make sure we don't have a dwindling supply of affordable housing but we grow that supply of affordable housing. >> I think we need to be more innovative. Everybody can say that it sounds good. I think that -- we talk about affordable housing but we need to tie that with economic development. If someone is making more money they could afford to buy or rent more. Economic development, I know that's not the subject today so I'm not going to get into it today, but I think we have been approaching economic development totally wrong. We have been approaching with big businesses. I think we need to spend more time on boot strap programs, start ups, second stage.

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There's an economic gardening program around this country but it's growing from within. We can tie that in. I also drive around town and I see a lot of these buildings that we have approved. And one of the things we have been requiring is having retail on the first floor, but how many retail spaces you have seen that are vacant? Why didn't we think ahead and used those to start up businesses? For the first couple of years, there's a way we can tie it all together and we can help people do all of these things. Like I said, I apologize for taking too long but it's something we need to look at and think out of the box. Austin, of all cities in the country, if Austin can't think out of the box, nobody can. >> I see a couple of short things. There's a gap currently right now in your current code between what your single family Zones allow and the lower end of your medium density Zones allow and that is defined in the code diagnosis. So a good resource to look through that that provides little opportunity for the broad range of housing that can be provided by design as affordable. There needs to be a thought about leveling the playing field with larger units versus smaller. One example is the duplexes that are currently being built right now are typically really large duplex units, probably 2,000 plus square feet. Those are very, very different in terms of affordability to those little 850 square foot unit duplexes that have existed

historically in Austin neighborhoods that provide affordable housing, so we need to think about that as well. >> Mayor Adler: All right. Ms. Houston. >> I just want to challenge something that was said. Is that as I have looked at the

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whole concept of housing stock and the need to increase housing stock in other parts of the country, there is no data that substantiates that the more housing stock we create, the more workforce housing we receive. It's just not there. Because people can charge whatever they want if it's an accessory dwelling unit, flat, all the things we talk about being innovative, we have no control over that. And so we say it will create more workforce housing, but in fact I have no data to substantiate that. If anybody can give me something that will show me where that has happened, where we have increased the housing stock, and that has increased the ability for people who are workforce folks to be able to live in our city, I would appreciate seeing that. >> If I could briefly respond. >> Mayor Adler: Yes. >> When I made my other comments regarding housing. [Lapse in audio] >> That's closer to where the workforce employees live. That is your best tool to have more workforce housing so they don't have to travel larger distances in between where they live and where they work. >> Mayor Adler: Further comments. No other comments, then we will adjourn this meeting. I think we have our next council meeting work session at 9:00 A.M. Tomorrow morning. If it's not snowing. That's right. Panel, again, and other voices, I want to thank you so much for joining us today. This was very helpful. Thank you very much.