

Housing and Community Development Committee Meeting Transcript – 04/13/2016

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>> Renteria: Members, since we have a quorum, I'm going to start this meeting. It's -- we're meeting in the council chambers, city hall. 301 west second street. Austin, Texas, the time is 2:11 P.M. And the first item on the agenda is the approval of minutes. >> So moved. >> Second. >> Renteria: Okay. Approval of the minutes have been moved and seconded. All in favor raise your hands. And for the record, we're -- we want to announce that Greg Casar is running late is to the motion for the minutes passed 3-00 with one, Greg being absent from the dais. Members, we also have a request by councilmember Delia Garza. To delay item 3 until she gets here. She's open her way from a capitol board -- a capital metro board meeting. If it's okay with the rest of the members, we can go on to item 4. Which is update on the tenants' relocation assistance development process. Is there a presenter here to -- >> [Inaudible] >> Renteria: Sorry, yes. Definitely need to do that. Got here with a new system

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and -- okay, the first speaker is bill Oakley. You have three minutes. >> Thank you very much, I'm bill oakley with the blog Austin babel.com. Celebrating its fifth year. We know that austinites are being prize priced out of their home, and the appraisal district released the 2016 tax arainfalls yesterday and some of the most -- tax appraisals, the homes most prone to gentrification and displacement of residents, three of those districts have 16, 17 and 18% appraisal increases on top of multiple double digit increases in previous years. And so I've spent several weeks doing very intense research on a homeowner retention initiative and that's what I'm presenting today and I know I can't cover it in three minutes but I've been meeting with council office appearance getting a very positive response and so I just want to share a couple of highlights with you today. One of the most complicated pieces of my initiative is the subject of shared presentation and shared equity mortgages. It's complicated and challenging but if anyone could make it work, it would be the innovative people here in Austin and I feel confident that we have the leadership that could pull it off. I just want to read the title of one of the reports that I've cited from the Brookings institution. Entitled facilitating shared appreciation mortgages to prevent housing crisis and

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affordability crisis. I have several other things on the initiative that aren't as complicated such as be sure to index the over 65 homestead exemption on an annual basis and continue the face in on the full U full 20% general homestead exemption and consider improvements to the state law on over 65 tax

deferrals, if you're over 65, you can defer property taxes until your death or until your house is sold but there's an 8% from charge per year and that probably needs to be reformed. I would like for you to reach out to other cities, other major cities just like Austin that are experiencing homeowners being displaced. In the recent mayor's race in the stiff Portland, it was a big topic of their debate and I've got the best homeowner retention plan. They may not have called it that, but that's what it was. I have a link in my proposal to the newspaper article. There's a lot of city of Austin can do to see how other cities have solved this problem and I encourage you to please come together. It's one. Most heart-breaking things I've encountered in Austin, to see people who are good working citizens and they're in danger of losing their homes. Thank you for all of your support. I really appreciate it. >> Renteria: Thank you, the next speaker is Gus binnian. I don't see him here. The next speaker is Enrico. >> Good afternoon, my name is [inaudible] I'm here to just give you a report back of what I've heard from residents at the cactus

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rose trailer park. I went there and spoke with residents on Sunday and as many of you know, they're in the process of being pushed out. They mentioned that either the current owner or the property manager is using intimidation tactics to try and force the residents to leave earlier than necessary by doing things, such as refusing to accept rent. Not turning back on the electricity when it's shut off and letting trash pile up so that more rats and roaches are coming on the property. Residents who are older and rely on public transportation talked about the burden that being relocated would place on them. They don't have a way to get around the city with the I don't of a car and so if they're relocated out of that area, they'll lose access to the doctors' clinics and other services that have been vital to them. The family with kids who live in the area will also experience a great burden. The children will have to be changed to different schools if they get moved to another area and not only that, but they've managed to create a community that feels like home. That feels safe to them in an area that so many people in Austin know very little about or care very little before these are some of the most marginalized members of our community who are being pushed out and who need to have their needs heard and addressed. That's all I wanted to share. I think the people in Austin need to know and pay attention to what is being done in the name of progress and development. >> Renteria: Thank you. Next speaker is ruby row. Following ruby would be robin which will kin. Wilkin.

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>> Thank you, member, councilmembers and our CDC chair. My name is ruby rowa and obvious know, I've been working with the less advantaged people in our city when they're displaced or, you know, like was said, when they're completely moved out. Everyone knows it's stressful to move. But just imagine having to do it with no time and no money. Or a place to go. The ordinance doesn't solve all Austin fable problems but it recognizes that we need -- the fablability problems but that we need to help those who need it the most. Mobile hoax parks like was said, should also fall under this ordinance what's the differences in being displace from a 50-park mobile home unit it a 50-unit apartment complex. They don't own the land. And they suffer similar fate as regular renters. Austin needs more programs that help our renters, our families, that are marginalized and the city gave away millions in homestead exemptions and has programs to help homeowners and renters make up 56% of austinities and even higher percentage of low-income families but they won't be for long if they're all forced out of the city. I suppose you won't have an affordability issue if we don't have any poor people or low-income people to do the work that we don't want to do or can't do. Many of the families at lakeview

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moved to bastrop and now they're having to -- transportation problems because they don't have did good cars and -- you know, and you can just imagine. So I urge you to please pass this ordinance so we can help the families that need it the most. Thank you very much. >> Renteria: Thank you. Is robin here? >> One other thing. How could I forget? I want you -- for us to work together in trying to find a way for the developers to pay for this. I don't think that the taxpayers should pay something that they have caused. Thank you. >> Renteria: Thank you. Robin? >> Good afternoon, I'm robin from lakeview apartments. Since last year, I've been strumming to make ends meet, not knowing where I'll be next. I keep thinking how I was told when I have moved into lakeview that they had plans to demolish the place and it's been five years since I was there and how easy it would have been to build something to relocate everybody. Five years is more than enough time to build a place. I look around and see five-plus new apartments go out and learn that azole will be housing employees for new companies coming to Austin, why can't we use the same technique? How hard is it to build something when you already know you're going to be demolishing some place. To go ahead and find a section or piece of property to build a house to relocate the people that you're going to be displacing. Every day I struggle with my son and his school knowing that I must find another place to move

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soon because I can't afford where I'm at. I've been here since '84 and raised my children and have grandchildren here. This is my home. I helped to build city, a registered votersen a arrangement these people you bring in from our cities, I applaud the employment increase for the people in the city of Austin and for the growth. But in the same sense, what are you going to do when these people get up and leave and take the money they've made back to where they've come from. I've been here since '84, this is my home. Why should I have to leave. In the 10 years these plans take place, that's more than enough time for them to pend. Like ruby said, the people come in and buy the land and build their companies, with the money they have, they should build a place to relocate us. We should not have to be on the streets. There are other families that are less fortunate than myself, yes, I was able to find a place to live. At what cost? My son's education, going downhill. Day-to-day expenses seem to be out of reach now because I have to put everything toward my rent. My question is to you, can we put a bill in place to where new companies come in and buy land and demolish it and make millions for this city, why can't they put a few dollars aside to put a place up so that we have a place to call home and don't have to move no more? I see my future not so good right now. I don't know where I'll be a year from now. I don't know what effect it's going to have on my son. It's already had a major effect on his schooling. Every day I have to counsel with his school. Children need a stable environment. It's hard to focus on what is in front of them if you keep moving it. So I ask the city to please take into consideration the families that have been here all their

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lives and provide them with an affordable place to live too. Thank you. [Applause] >> Renteria: Thank you. Councilmember, I faithfuled to let you no he that we have an official get here. We have -- failed to let you know that we have the chairman of the community development commission, and I want to thank Delia Garza for being here. And the next item, we're going to go on to item 3. Because it's a discussion and possible action on a resolution directing the city manager to explore the feasibility of the city extending meadow lake boulevard, a public road and prepare an item for council consideration during the fiscal year 2016-2017 budget process. Delia, do you want to -- >> Garza: , And they might

have done this already, I wasn't sure I was going to be here. We haven't been able to coordinate. But I had a map -- should have been in our backup to give you an idea where this tract is. It's the property, that habitat has that they're building homes that range in the 60mfi to 120mfi and habitat is here to answer questions about their development and their -- and the specific project. And we know that our budget is limited and if we can provide now, I would want to provide affordable housing, but we have

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to depend on the public/private partnerships to keep the housing in Austin, we know the affordability crisis we're in. This is asking the city manager to explore the feasibility of extending a road that if you can see where -- I believe it's meadow lake boulevard, to extend it down to quicksilver boulevard and it would just help with the cost -- if habitat has to pay for it, we all know that habitat is a nonprofit and they're not a rich developer trying to make a lot of money off of a project. And so you know, I know that there's often the discussion of development must pay for itself but I think this is a different situation. This is not a developer just -- just a private developer looking to make a big profit. This is an organization that has provided a lot of affordable units to our community and we need to look for every single opportunity to increase those units and increase accessibilities. And I have to speak to Perez elementary, which this would feed into, and and I cannot say enough good things about had elementary school. Their principal is so invested in that school. The programs that they have there, they bussed a group of students down to run the 10-k last weekend and programs like that, they do and they bring such amazing things to the students in this area that probably wouldn't have access to stuff -- to to a lot of things. I love the idea of bringing more working class, middle class families to this neighborhood and -- and them being able to feed into the Perez elementary school because it's such a great school. I'm available for questions, but really, I think habitat will be -- and housing will probably

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be able to answer the questions. >> Chair? >> Renteria: Yes. >> When get to it, I also want to potentially add to this initiative to look amount the sidewalks and the other routes, all the way to the school. So that in addition to extending meadow lake, that we -- I don't know what the needs are, but to see what the needs might be between the new development and getting all the way to the elementary school. So -- >> Renteria: Members, I don't see -- there's no speaker to speak on this item. That's fine -- >> Good afternoon, Mr. Chairman. Committee members and councilmember Garza. >> I'm David with the neighborhood -- I want to introduce to you, Phil his, Snodgrass, the president and CEO of Austin habitat for humanity and we'll let her take it from there. >> Renteria: Thank you. >> Good afternoon, council, we sure appreciate this opportunity to be with you today. As you know, Austin habitat and Delia did a wonderful job of what explaining what we're trying to accomplish, but we're the largest provider of affordable housing, homeownership housing in our community and it's so critical for the future. We're hearing from these families here today, we're at a crisis level right now and habitat has for the last few years, really struggled with finding land. We've had to cut become the number of houses we're delivering because we can't find land. So this is a piece of land that we're fortunate to have and we've come up with a great project we think is fantastic for the community and solves a lot of problems. I had with me, Sean Compton,

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with the firm we're working with to design this and he's got a presentation that will tell you a little bit more about this project. >> Thank you, Phyllis and councilmembers. I want to say thank you -- it's a

pleasure to be here. I'm a former zap member as well as former chapter of the new urbanism president here in central Texas for about five years, I can tell you that when the opportunity came up for working on this project, we assembled a team with great excitement because we believe habitat for humanity and the mission of providing shelter for families and the notion that this was the first opportunity that the Austin affiliate had to create, not just shelter for families, but an actual community and this was an opportunity that just could not bypass. We've been involved and excited about working on this and I wanted to give a brief presentation in terms of orienting you to the item on the agenda. So this project is south of -- near Pleasanton drive. South pleasant valley drive. As mentioned, there's Perez elementary school on the south, which is if you will, land locked or separated from the catchment area area and then we have a middle school, which is the language Ford middle school on the -- the Langford middle school on the north side and

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meadow lake shows clearer the role or the importance of connectivity and it's about a quarter mile distance, which is the unbuilt portion of the roadway. And what this roadway means to the project is a real different maker. Not only will this road provide for safe routes to school, it will provide for mobility for bicyclists. Pedestrians, as well as emergency providers between the various schools and areas. It's -- the road is partially on the habitat property, that property be donated -- and partially on the city of Austin property. And we'll -- this is actually a depiction. There's a couple of transmission lines that are crossing it. Specifically you can see -- the property is -- has a small amount of floodplain which is outside off the development area. Is lucky to have heritage trees but the development area is probably 7.5 acres of the 14 acres and the road itself, and we are -- our project engineer will be speaking to the specifics, but it's designed and in collaboration with the city of Austin, a to be a complete street. It's not just for cars. Actually it's a dreadful 48 feet, 44 feet face-to-face and it -- what we've done is provide for on-street parking, bidirectional bike lanes, street trees and separated sidewalks and the notion is to provide for a safe and comfortable shaded and useful mobility route. Which we think is a street of

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the future and should be a street of the present as well. This is just a depiction of the concept plan and essentially what we have is 120 units of dwelling homes. They're homes and it's a variety of home types. Variety of affordability, a variety of bathrooms and it's all built around the notion of open space, connectivity and the idea of creating community within this development. And not just within this neighborhood, but to connect this neighborhood to the greater neighborhood area. And that's why this meadow lake is so critical to the success of this project. If meadow lake is not built, there's about 60 units, less half of this project that could be built. So the consequences of the affordability is that the affordability index would be higher and there would be far less units available. What Phyllis mentioned and I want to emphasize, they're running out of lots to build affordable units and affordable homes in the Austin area and what the passing of this resolution and the extension of the roadway will allow is a greater doubling of units that are brought to the market and that can bability with sweat equity -- can be built with sweat equity in the manner of habitat for humanity. So that's really the -- I'm going to go back to this slide and have a brief description from our project engineer. Who will speak to the specifics of working with city staff and how this has been in close collaboration. So thank you, and we're, obviously, afterwards be happy to answer questions.

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>> One thing I want to point out, too, is Perez elementary is a wonderful elementary school and we've loved working with them on this project. They've lost about 200 families due to the onion creek flooding. It would bring units back into the neighborhood that's really hurting right now. It's the right time to have this project move forward as quickly as we can. >> Hello, I'm Brian with urban design group. Civil engineer on this great team on this project. Kind of just to reiterate some of what's been discussed. This would complete this missing connection completely of this roadway and the sidewalks. About 75% of the roadway is on habitat for humanity land and the additional 300 feet to the south is all on city property. So this complete connection cannot happen without this partnership between habitat and the city of Austin. So we've got a great opportunity here to make this connection. We have been working closely with the staff at Austin transportation department on the specifics of the street section. As mentioned, the other existing section is a 44-foot wide pavement dedicated to cars. What we have here, worked is a complete street section that truly does incorporate all modes of transportation. We've narrowed the travel lanes and added on-street parking to mitigate and slow down traffic. We've added a buffered bidirectional bike lane for safety for the cyclists and wider sidewalks and street trees for pedestrians. So really, what the opportunity we have here to do is to make this connection and to do it and create a safe, equity opportunity for all modes of transportation and make the

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connections north and south that don't exist in the area today. >> Sorry, one minor thing, but if you'll look, and it would be on the -- my right hand side, with the three -- where the two children are walking with the adult. That's the habitat for humanity property side. The other side is the city of Austin. And there's a detention area on that side. And you'll see those -- that -- that parent walking with two kids, and on many residential collector streets that are built in the Austin and central Texas area, housing areas, housing developments back away, because they're so dangerous, the high speeds and volumes are just -- just a hindrance toward, you know, kind of a sense of communities that been spoken of and as Brian said, we worked hard and with a lot of help with the city staff to create a street condition that if you look at the street plan -- excuse me, the community plan, the gray unit, those are all fronting on meadow lake, and that's because we feel that that street will be a calm street that with on-street parking, the bicycles and the sidewalks, the separated sidewalks, that it will be a street that can be addressed using planning vernacular, and it's something that we can -- we think is a welcome addition to the community and in the something to turn our back against. With that, we'll just -- happy to answer any questions you have. Thank you. >> Renteria: Members? Go ahead. >> Casar: Thanks to all of you for coming. My first set of questions is, of course, very supportive of what

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y'all are doing and what you can do here, but just to get this more clear, you were saying that with -- without the existing road, I -- either you would have to contribute to build it yourselves and that would chippewa at funds for affordability or units or second, less space it build. >> That's right, we could either bring the road down in a small way and build on just the part of the neighborhood adjacent to the other neighborhood. And put in a lot fewer units, if we want to build it all the way out, we've got to have the road, we would have to put a lot of market-priced homes to be able to pay that back. Because our home, zero profit mortgages and somewhat subsidized because we're putting in families at a affordable price and we couldn't afford to do that and put the road? >> Casar: You have an idea how many more units you could do if the city were to budget in this portion of the road. >> About 65, isn't that correct. >> That's right, 60% of the mfi, and in this condition, if the street is built out and it would be the 670 homes would be the lowest we would get is about 80%, and so it's a substantial difference. And as

Phyllis said, will would be market-based housing to help supplement the cost. Essentially what we would do is extend it maybe 100 feet to provide the initial north access into the property and essentially wait for the -- at some point for the roadway to be developed at some point, built and constructed. >> Casar: Right, the difference would be you'd get fewer units and some would be market-based -- market-rate and affordable units would be 80% instead of 60%.

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>> That's correct. City councilmember, I don't know if that's a compliment or what. >> Casar: I'm not supposed to comment on that. Can I ask Mr. Potter a question real quickly? So it sounds to me like there's a lot of reasons why this fulfills the mission of what we're trying to do around housing and traditionally we expect these items to come from the staff recommending, commitment of funnels to make sure we get more -- funds to make sure we get more units of affordability and can you explain to us, and councilmember Garza has told me this prior to the meeting but a little bit more why you need direction council to initiate this kind of action. >> Sure. Habitat, we have had the longest relationship with any of the nonprofit developers in the city and we have projects with them and I'm in contact with them frequently. I do know they're going to be submitting applications for funding for the infrastructure of this project which I don't have the application yet. I'm supposed to be getting it soon, but I imagine that's going to be in excess of \$2 million. And then the next phase would be construction of housings. And I would expect that we'll receive an application from them. There's a complication, though, however, for our funds. The -- bolt the federal and go bond funds are limited to those households that will be for 80% mfi and below and this particular subdivision has homes that go up to 120% mfi, so our funds would have to be allocated for the folks at 80% and below. And the balance of that would have to come from somewhere else. It couldn't come from federal

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funds or G.O. Funds. I hope that helps to answer your question. >> Casar: Baseline, of course, there weren't that complication, this would be a project that you would recommend and doo do due diligence and the amount of money we're contributing from the city we're betting back in availability. >> Yes,es this the kind of project. >> Casar: So you you would recommend, dealing with this particular complication and getting you over the hump with council action. >> Correct. >> Casar: Thank you. For those reason, thanks for bringings the resolution forward. I'll be supporting it. I wanted to make clear we're supporting a great project and just need council action to get us over some of those administrative bumps. >> Renteria: Councilmember Gallo. >> Gallo: Thank you to habitat, I've worked on many of the bills and it's such a good example of public and private and business and relationships on how to help make affordable housing happen to segments of our community. Thank you. I wanted to make clear I'm -- I support your project but I have financial questions which you know I always ask. My understanding is what this is doing is requesting the city manager to -- to look at the feasibility of putting this into our budget discussion. Is that correct? Am I understanding that correctly? Okay, I just wanted to make sure I was understanding what we were doing here. I have a question about the street and I appreciate you putting the schematics up and I got a couple of comments about it, as the discussion continues about the street over this process. So it sounds like when -- from this picture of the parent with the two children are on the side

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that the habitat homes would be on? >> Yes, ma'am. >> Gallo: What's on the other side of the street? It

looks like from -- from the site map, I can't see housing on that side of the street. >> This is a depiction of the current condition, and so habitat for humanity outlined the red backgrounder and shows meadow lake and so you -- and -- and you can see the contour lines, but essentially it's city of Austin owned and it's a large detention pond, earthen, which is set back from the street a good 100, 150 feet. >> Speaker: So there are no homes built on the other side of the street? Here's my question, just for consideration as we go through the street process. You have the bicycle lanes, on the other side of the street from the housing. So my question would be -- how do the children that are riding bikes in those bicycle lanes get across that 48 -- 48-foot wide two lanes in each direction to get over to the homes? And we have a really good example, as we talk about children's safety and bike safety for our youngster, there's a buffer curb that we know, cars can jump over, and hit pedestrians and bikers too frequently in this community. We have an good example of a bike path down the street from us and I'm saying it might be since this would be a new street, consider doing something like that on the side of the houses, versus put can the kids on bikes on the opposite side of a four-lane street that they have to cross to get to the houses. Don't need to talk about it here, when I look at the site plan for the street, it seems when we have opportunities to get kids off the street, on to bike lanes that are actually not that close to vehicle traffic,

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it's a far safer way to help them be safe. So as you plan for the street, maybe throwing that for a consideration, get can the bikers closer to the homes where they don't have to cross the street and if this opportunity where we're putting in the sidewalk anyway, do something like the bike path that we have down the street which puts them more protected. It seems that would be a good opportunity to be able to do that. >> Thank you for that comment. I think it's a very good comment. One thing I want to -- and again, I think it's a very good comment. Good observation on your part. The -- we have provided not just bumpouts but actually crossing points where there's no parking and -- providing access points, pedestrianways, across the street and to enable, for that crossing. And what we hope to encourage is for the continuation of both the southern section and northern section do have houses fronting on the street and what we hope to encourage, for the extension of the on-street bike lane to continue on both sides but again, I think that doesn't take away at all the message and point you're bringing up about the off-street bike lane, so thank you. >> Gallo: Thank you for what you do. >> Renteria: Member, any other questions? >> I was interested in finding out about public transportation. That hasn't been discussed. Where is there -- are there bus stops nearby or how would they be from the project? We did begin, when we began our discovery phase on the project, we began what the current bus routes are and there's a bus route that ends

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on -- on meadow lake and with the lack of connectivity doesn't extend down meadow lake, I think that's what we see the encouragement and we've provided for -- I'll say, transit locations on the property -- or on the street, right away to provide for bus pickup points. >> Thank you. >> Renteria: Any other questions? Do I have a motion on this item? >> I'll make it. >> Renteria: Greg Casar made a movement to approve it. A second? Second by councilmember Ann kitchen. Any other questions? >> I have a -- so I'd like to amend the be is resolved. So let's see, after quicksilver boulevard, add the clause as well as sidewalks and other traffic improvements necessary to support safe pedestrian and bicycle routes to Perez element. So it would read, city manager is directed to explore the feasibility of the city building and maintaining the extension of meadow lake boulevard, a public road, from misty slope road to quicksilver boulevard, as well as sidewalks and other traffic improvements necessary to support safe pedestrian and bicycle routes to Perez elementary. The point being, in addition to exploring the

feasibility of extending the road, statement, they would look at the -- at the same time, they would look at the sidewalk and traffic improvements necessary to support the pedestrian and bicycle routes. That may be sidewalks or bicycle tracks and it would address the issue that councilmember Gallo

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raised where the bicycle path might go and tie that in and make sure our staff looks at it all the way to Perez, instead of just stopping at quick silver that's why I'm proposing that. >> Renteria: Have a okay with the motion maker. >> Casar: That's okay with me, as we understanding the -- as we get to the budget process, it sounds like the extension of the road is what is necessary to get the units but then if we can get the units connected through bikes and sidewalks to schools, that would be great. So we should do as much as we can, while at the same time, making sure that we get the housing there first. >> Kitchen: Yeah, my thinking is just -- >> Casar: I understand that's exactly where you're coming from. >> Kitchen: We don't want to continue to billed roads until sometime -- sometime maybe we might think about the rest the way there. >> Casar: I agree. >> Renteria: Councilmember Garza? >> Garza: Do we know that all of these would feed into Perez, Lang fiord is close too. >> Hi, Greg, for habitat for humanity, we met recently with the campus advisory council and with the principal at Perez and he showed us a map that showed the catchment area, since the flooding but includes apartment complexes on the north side of William canyon and pretty much everything on the east of meadow lake and a little bit here and there on the west of meadow lake and currently the safe route to school is over to pleasant valley and down to Perez. >> Garza: Thanks, the [inaudible] Needed to change that, but that's fine. >> Renteria: Any other questions? Well, a motion has been made and seconded.

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All those in favor raise their hands. Unanimous. Thank you. >> And for staff, that includes the amendment? Which I have the language here if you all need it. >> Thank you very much. >> And thank you, for the -- and the rest the committee. Thank you. >> Renteria: Thank you. Okay, now we're going to move on to the next item. The next item is item 4. This is an updaten the attempts' relocation assistance policy development process. >> Would you like to call the speakers who have signed up first? >> Renteria: Do you want to hear the speakers first or the -- I'm just concerned that they might not know exactly what -- >> Casar: My preference is to get staff presentation first. >> Absolutely. Good afternoon, I'm with the city of Austin neighborhood housing and community development department. In just a moment, Lauren will be giving a presentation that reflects the input we've heard from external stakeholders, especially including displaced tenants. We had planned to take a draft ordinance with those recommendations to the planning commission ordinance committee next week. However, law is still working on the ordinance and they feel that we need to work in more detail

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with internal stakeholders and other departments to work out some of the details of how these policy concepts could be implemented. So we unfortunately will not be ready to take it to the codes and ordinances committee next week. So I just wanted to let you know that ahead of time, but we absolutely welcome your feedback related to any feedback you have on the recommendations and any additional direction you would like to provide. So Lauren will provide more detail. >> Good afternoon, councilmembers. As Erica stated, I'm Lauren, a planner with the neighborhood housing and community development office. And again, I'll be presenting staff recommendations to you regarding the tenant relocation assistance requirements as directed by a council resolution passed in November of 2015. As

you may recall from my presentation to this committee in February, the city of Austin currently lacks a comprehensive formalized policy for assisting tenants who have been displaced from their homes. Much local attention was focused on this issue over the last several years, with the redevelopment of several multifamilies like shoreline, which resulted in the displacement of attempts and this can be destabilizing effects on our most vulnerable residents, including elderly and low-income and disabled residents and this was brought to the attention of staff again and again as we did stakeholder outreach and you heard a bit about it did your U during citizen communication today. 2012, directed staff to work with the community development commission and other stakeholders to create

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recommendations for tenant relocation standards and identify ways to implement them and zoning and demolition permanents and culminated in a memo to the neighborhood office that don'ted staff recommendationance incorporated that stakeholder feedback and recommendations from the university of Texas law school clinic. And then in 2015 this current city council passed a similar resolution with amendments to the land development code regarding tenant relocation assistance requirements, where the demolition, redevelopment of multi-family structures would result in displacement of tenants. The resolution also asked staff to consider relocation requirements in situations where displacement would be caused by repairs or notices to vacate due to code violations. So neighborhood housing staff has conducted stakeholder outreach with external stakeholder to obtain input on this issue with the goal of mitigating impacts on our mostvillener residents. Over the force of four stakeholder meetings we heard about experiences and heard from representatives of the development community, including the apartment association, Austin board of realtors and the real estate council of Austin. We also heard from tenant advocates like the Austin tenants' council and Texas Rio grande legal aid and we reached out to entities like Austin independent school district and the housing authority of the city of Austin. We have worked with staff in different city departments to refine some of the policy ideas, including development services, Austin code, health and human services, Austin energy and the law department. And we took the policy concepts and ideas that we were creating and presented them to multiple commissions and committees, including the committee development commission and its housing

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committee. On March eighth the full community development commission made recommendations regarding these policies, and I'll talk about those a bit later. We have been to the codes and ordinances committee of the planning commission to provide a briefing. As Erica mentioned, we are scheduled to go back, although the date at this time is unclear. And we have been to this committee -- as I said, in February, and again right now. Looking for input from the stakeholder process and recommendations that newhouseing made in -- that neighborhood housing made in 2013 along with provisions in tenant relocation services that are being used in cities around the nation, staff has drafted the following recommendations. And these do recommend staff's sort of ideal proposal based on stakeholder input that we received and as Erica mentioned earlier, there might be more refining to do with other city departments and city leadership. In terms of the public act of the requirements per the resolution, these requirements would apply to permanent temporary and emergency displacements where staff is recommending that they be defined as you see on the slide. So permanent displacement would occur when there is not the expectation that the tenant will be able to occupy either that same unit or a different unit on the property. Temporary displacement would have the expectation that the tenant would reoccupy the property and emergency displacement would occur with a city or court order to

vacate a unit where that evacuation is needed due to imminent harm to health or safety. Staff is wanting requirements to occur when the properties have five or more rental units and the resolution did not specifically include mobile home parks, the language was multi-family structures. However, as I mentioned in February and as we have

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heard during citizens communication, stakeholder feedback as well as a recommendation from the community development commission have led staff to consider whether this current ordinance development process might also be an appropriate place to put in requirements dealing with displacements from mobile homes. So we look to this committee and the full council for further direction on that particular issue. So to discuss how the requirements would be triggered, staff recommends that the requirements would be triggered during the site plan, building permit and demolition permit processes. The applicant would be required to disclose whether there are any occupied multi-family buildings on the site, and whether that work would cause displacement of tenants. If so, a relocation plan would have to be submitted to the city by the applicant detailing information on current tenant households, the proposed project and outlining other expectations and requirements that the applicant would have to follow with regard to relocation before the appropriate permits would be issued. And the applicant would also be responsible for providing periodic reports on the progress of the relocation process as well and I'll mention that again when we talk about enforcement. So once the relocation plan has been submitted, the property owner or developer would deliver tenant information packets to affected tenants. This would include information on the project and anticipated timeline, descriptions of relocation assistance that would be available and contact information on how to access it as well as information on already existing programs and services that would be helpful to tenants. Claim forms for relocation and moving assistance would also be included. I'll touch on those in a minute. In the case of permanent displacement with the information packets, a notice of intent would also be delivered, making tenants aware of the owner or developer's intent to close

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the property at least 180 days before that closing date and then a separate notice to vacate of between 30 and 90 days, pending input from law on that would be issued for both permanent and temporary displacement situations. And then for emergency displacement a notice period really would just correspond to what the court or city ordered to vacate contained. During the stakeholder input process we heard from a variety of corners that a third-party organization would be preferable for handling housing location services as well as managing income certification and assistance payments rather than these duties being undertaken by the city or by a property manager in order to minimize tenant property manager conflict and also to ensure that targeted resources in assistance are available to affected tenants. So this third-party organization would provide a variety of services, including hosting a tenant relocation meeting to discuss the information that was provided in the packets to tenants, answer questions about it and let them know what to expect in the relocation process. The property owner or manager would also be on site to answer questions regarding leases or the project. The third-party organization would also provide the housing location services. As I mentioned, for income eligible tenants, and I'll define income eligible to the next couple of slides. And could act as a fiscal agent managing disbursement of relocation and moving assistance payments for those income eligible tenants. And finally providing information or referrals to existing programs or services, that would meet tenants' needs. For instance, like the new rental assistance program that's being administered by the

health and human services department. So during the stakeholder process we asked tenants who had experienced displacement

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what would have been the most helpful to them or what were the biggest challenges that they experienced while they were being displaced, and the majority said that some form of financial assistance along with longer notice of the need to vacate would have been the most helpful. So based on this feedback, staff recommends along with the notice periods that I discussed previously, providing financial assistance for reasonable relocation and moving expenses for income eligible tenant households where we define income eligible as households that earn at or below 70% of the median family income, which as you can see on the slide, would be 54,460 for a family of four. And to give context for a one-person household that threshold would be \$38,100. So it is staff's recommendation that where developers or property owners are seeking to access developer incentives like density bonuses through the vertical mixed use program for example, this assistance could be required of the developer or property owner whereas for buy right development where repairs or construction would be allowed through current zoning and additional entitlements are not being sought, staff recommends the city fund an impact on nexus study to assess the costs to the community that would result from redevelopment of occupied multi-family properties and then this analysis would be used to calculate the amount of relocation assistance that developers or property owners would be required to pay if city council chooses to require them to fund such assistance. So prior to the completion of that impact study staff recommends that the city fund the assistance and that an income qualified tenant household would be qualified for financial assistance for reasonable relocation and moving expenses including things like application fees or

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deposits, security deposit and the like. To calculate the maximum amounts available for income eligible tenants, staff recommends using the U.S. Housing and urban development department's fair market rents for the Austin area and then further recommends that a tenant household be eligible for assistance for these types of reasonable expenses for up to three times the fair market rate. And then income qualified households that also have a member that is elderly, disabled or a child, could be up for four times that fair market rents. And fair market presents are calculated based on the number of bedrooms in a unit. So to give you an idea, an income eligible household in a two bedroom unit could receive up to \$3,378 under this pay schedule. And that same household, if they had an elderly, disabled or a child member in a two bedroom unit, they could receive up to \$4,404. Tenants would submit claims for income eligibility to the third-party organization and then that organization would certify the income information and then manage assistance payments directly with new property managers, moving companies, et cetera. And then the up to \$700 for reasonable moving costs would be used for the costs associated directly with moving like truck rental, boxes, tape, pads, et cetera. So enforcement mechanisms for these recommendations include a private right of action for tenants to utilize if the requirements are not being met. The property owner or developer would submit those periodic reports on the relocation process that I mentioned earlier, including the number of tenants who have been relocated and those still remaining. As well as providing evidence of the other visual impairments being met, for example, the information packet being

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provided to tenants, the relocation meeting occurring, and then once the relocation process is complete, then the necessary permits, the building permits, demolition permits, et cetera, would be issued. So staff anticipates providing cost estimates for these recommendations when the final draft ordinance is presented to the full council. At this time we've provided a list of those aspects of the proposed program that we anticipate having some costs associated with them. And again these potential costs may change as a result of that further discussion with directors of other departments, assistant city managers, et cetera. So the relocation and moving assistance if the city provides funding would obviously be a cost as well as that impact study to determine cost to the community. Contracting with that third-party agency to provide the various services. The cost of program administration at the city and then any changes to the Amanda system that would be needed to flag developments and for tenants to make sure that the relocation process is being followed and that the permits are being provided at the appropriate time. So that concludes staff's recommendations on the tenant relocation assistance program. And now I'm going to go through the recommendations from the community development commission and also some additional input that we received from stakeholders, and that will close out the presentation. So as I mentioned, the community development commission was briefed on staff's recommendations at their March meeting and they voted unanimously to support staff recommendations as outlined in this presentation to you with the following three additions. A recommendation for include mobile home parks in the tenant relocation policy and ensure that payments to mobile homeowners be commensurate with replacement costs for buying a new mobile home. A recommendation that the city require developers to pay moving costs according to that instead of the fair market rents that I mentioned earlier and a recommendation that any

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impact study be conducted to determine the cost to the community such as the loss of students from particular schools and the possible closing of those schools. The CDC also voted 6 had been-3 to recommend that developers are required to obtain a tenant relocation license in addition to the framework recommended by staff. And to model this relocation license framework after Seattle, Washington's policy. So the city of Seattle's program requires applicants to submit information on the number of tenants that are being displaced and provide information packets in a 90-day notice of intent. And also to pay into a fund to assist the displaced tenants with relocation expenses and then they're issued the relocation license. And at that point they can obtain the permits that they need. So we also received input on several other approaches from different stakeholders during the process that we wanted to acknowledge, and I've grouped them here sort of based on similar themes. So for security deposits, we received recommendations to require a reasonable look-back period when landlords go to deduct late fees and other fees before returning security deposits. And a recommendation to require security deposits to be returned immediately. As far as relocation assistance payments goes, we heard a recommendation to model assistance payments after the way that FEMA disburses payments. A recommendation that property owners should pay the costs of tenant relocation assistance. And then from a different corner, a recommendation that property owners should not pay this cost, and that maybe the city should fund this assistance. In terms of notices, a shorter 60-day notice to vacate was recommended and the idea was floated that the city should provide initial notice and information packets to tenants instead of the property owner or developer providing that. And then finally a recommendation for advanced notice of rent increases at properties

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that are slated to be redeveloped. And finally a recommendation that the requirements should also

cover displacements caused by natural disasters. So you've seen this slide before. It's the meetings that we have been to to solicit feedback and present policy concepts and recommendations. And this slide you'll see is the yellow sheet in your packet. It was recently updated again to reflect the law department's recommendation to us to do a bit more internal outreach and refinement. So with that I'd like to thank you for your attention and I'd be happy to answer any questions. >> Renteria: We're going to go on and do citizens communication if it's okay with the members here. Is Gus Pena -- next speaker is David king. Next speaker after that is Stuart Hersh. Welcome, Stuart. >> >> Thank you, chair and members of the committee. My name Stuart Harry Hersh and like most in Austin I've rented for more than 40 years, to be precise. I want to talk to you about Austin and Oakland and Seattle because I want to suggest to you that Austin is neither Oakland nor Seattle, which is probably obvious to you.

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Both cities have renters that are being displaced. Last week the Oakland city council implemented a freeze on rent increases, which we don't do on Texas because it's illegal. Oakland is experiencing increased evictions due to rising rents. And here we're talking about tenants being displaced because of development activity, rehabilitation or demolition primarily, sometimes code violations. Austin is experiencing the loss of affordable rental housing due to market redevelopment or rehabilitation of housing stock. When a building gets beyond a certain age you have to do something to it or become substandard. California allow emergency rent control ordinances against rent increase, but Texas law does not, and last I checked we live in Texas. The Oakland city council, like I said, adopted a 90-day moratorium limiting rental increases to the consumer price index, and we don't have the authority to do that here, last I checked. But what we could do is something they don't do, which I don't think is necessarily part of what the staff is recommending to you right now, but I'm recommending it to you elsewhere and I've tried to discuss this with you in connection with renters who got floodplain damage whose owners are not participating in buyouts and getting no assistance at all, which seems screw we to me. Austin should consider code revenue from utility bills that I pay the same amount as somebody who owns a-million-dollar home pays every month on utility bills to assist renters in floodplain buyout areas in the landlord does not agree to a buyout offer. We ought to start with the people who have been most harmed, evidently recently. And then non-conventional solutions allowed by Texas law for everybody else who is being displaced by substandard conditions, redevelopment or

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rehabilitation. There's some creative things we can do with the dollars that are currently all going to Austin code that could be going to impacted renters, but that does not appear to me at the moment to be on the table for reasons I cannot understand. Their revenue has jumped from before they were a department from a million dollars to now \$18 million, and those of you who having following the audit of their performance, perhaps we're not getting the kind of service that we should get. So maybe we should be delivering that service in a different way to a different group of folks who desperately need the help for all the reasons you've heard earlier in the meeting. [Buzzer sounds] Thank you very much. >> Renteria: [Inaudible]. >> Thank you. Paul kaduro, I'm with the Austin apartment association. I don't have a whole lot of comments at this time. I'm just going to absorb the staff presentation and sort of try and get some feedback from the people who are affected as well, not only the residents, but property owners and managers. I think in terms of the process, the one miss link -- there were some great stakeholder meetings and lots of input. I think in a sense it would have been best to have maybe the construct of an ordinance, this sort of presentation with the stakeholders and then sent to legal so that people could have some additional comments and some feedback before it goes through that whole

process and then we're kind of in a holding pattern waiting for it to come out and see what all the moving parts and pieces are. So I think in that regard it would have been nice to have two more stakeholder meeting and get everybody together to see what would work and what

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wouldn't. We'll see what the ordinance looks like. I think it was one of my comments that rather than have the property owner or developer provide tenant relocation information or a laundry list of programs that may be available, I would hate to have someone not have the right information or not give the right information. I think that information would be best from someone like the city that understands all T programs and policies that are out there that could provide that information to the residents. They know who is impacted. So I just think that was just my quick comment on the information and sort of the flow of this procedure going forward. I'm not sure how it's all going to play out, but we're going to wait and see what the ordinance is. Thank you. >> Renteria: Thank you. >> Gallo: I want to say thank you for the comment. That was my concern at the last meeting is that I didn't feel like there would be enough time between when the preliminary draft came out and the public and stakeholders would be able to have a chance to actually see that. This is very complicated. It's gone back and forth between who's going to be responsible. Is it going to be the property owners who are private property owners? Or is it going to be the city that's responsible for bureaucratic administrative policies that we're adding to our costs that we're adding to? So I really agree with you. I was glad to hear that there is a postponement going to the first meeting because it looks like the draft is being delayed out of legal, but I hope that that gives us an opportunity to get the preliminary draft out of legal first with enough time for the stakeholders to be able to see before it starts the process through the boards and commissions and back to council. I think that's really important as we talk about transparency, as we talk about predictability, as we talk about engaging all of the stakeholders in a process of really helping us understand the consequences of the actions that we take as policy members. We just have to be able

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to give ourselves and also the community time to really have a chance to analyze versus having to do something over the weekend when something appears on Friday and it's going to be heard the next week. So I do appreciate those comments. And so hopefully we can work on a process and maybe even include another stakeholder meeting once that preliminary draft comes out since it sounds like we'll have a little bit more time now to be able to do that. So I appreciate that. >> Obviously it's very complicated, lots of moving parts. We just hope that this would be able to bring it altogether and really kind of go through this thoroughly to make sure it's the right path forward rather than -- as you can see, there's a lot of high costs involved and a lot of legal impacts as well, private cause of action or whatever that was. If someone trips up there could be some hefty sort of penalties involved so we would hope to avoid all that. >> Gallo: Thank you. So I would like to ask staff if we could be sensitive to that, particularly since it sounds like we have a little bit more time. If we could get a stakeholder meeting scheduled after the preliminary draft comes back from legal before it goes to the first commission, if you could look at a schedule and a timeline and see if that might be able to happen, I think that would be very productive from all of the community. >> Renteria: Remember we still have one speaker left. Allison Bonilla Evans. Welcome. >> Good afternoon. Can you hear me? My name is Allison Evans and I'm a co-author of the UT law report which helped prompt this report. I amed to express how grateful I am that this committee and the council are considering the details of this ordinance. I would like to remind you all that there are many people, including school age children, who are hurt during the shoreline relocation a few years ago.

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At that time the only protection that was in place was an agreement between the city and the developer and the tenants didn't have a right of action. And unfortunately the tenants' rights were not protected and many families were not given the help that they were promised. I would just like to urge you all to put this protection in place for the citizens of Austin. I am a native of Austin. I grew up in a city that believed tried to protect all of its citizens regardless of their income and my hope is even with all of the changes we have taking place in the city, that we're the same city, one that cares about all of the citizens. I think this ordinance would be a small step in preserving the Austin that we all love, one that protects all of its citizens. I would especially like you to consider specifics of the ordinance that would provide the greatest protection to the tenants such as the advanced notice to relocate and the right of action for tenants and then also the relocation stipend, in particular that it be based on the needs of the family, whether it was an elderly family member or children as part of that family. Thank you very much.

>> Renteria: Okay. So let's open it up to a quick comment or questions to the presenters? Do any members have any other questions? No? Councilmember Casar. >> Casar: Hi, thanks. So as legal drafts up a final version of the ordinance I saw in your presentation you had the mobile home communities with a question mark. Is legal going to draft this with that included as an option for council to consider or would you need direction in order to have legal take a look at that? >> At this point they had not included anything about mobile home parks, so I think we would appreciate the direction. Yes, that's accurate. So if this body wanted to direct us to include mobile home parks, then

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it would be helpful. >> Casar: Okay. We'll get to the end of the questions before we get to that point, but I would at least like for legal to look at it. And my understanding is we would probably have to recommend it to the council for the council to make sure that it's a part of this -- sorry, I got something in my thought. So that the council can pass that along to legal. So by the time we get done with this I might make that motion. My other quick questions were the impact study or the nexus study -- sorry. Or the nexus study would be necessary before asking any developer or property owner to pay into the fund, is that right? >> Correct. When it's a buy right development. So if a density bonus program or a zoning change, that type of thing, isn't being utilized, then that would be staff's recommendation. >> Casar: Do we have any -- I imagine you will say no, so what I would say is if we could have some idea of how much those things may cost in peer cities more or less to do, that may be helpful just so that in case this is -- or the consideration of this ordinance gets us into the middle of the budget process that we make sure we don't miss out on a whole potential year of this if we haven't budgeted for that consulting or that report to be done. So if that information could get prepared, I think that would be very helpful for us. >> Yes, we would definitely provide that with the other cost estimates. >> Okay, great. And then potentially after councilmember Gallo's questions I'd be interested in hearing from you, Mr. Guerrero, what the CDC recommendations were and some or recommendations on those. >> Renteria: Members, any other questions? Councilmember Gallo. >> Gallo: Thank you for being so responsive to the many questions that we ask because this is a complicated process and it is -- you know,

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as we talk about the cost of housing in Austin for all income levels in our community, I think we always have to be -- to recognize the consequences when we add more and more fees and add to the administrative bureaucracy of property owners for a process when they renovate, remodel or develop.

And particularly when we talk about coming up with a process that is going to take that longer and longer. Because the longer it takes to do these projects the more costly it is and those costs will be passed on to tenants. So whether we are talking now about the tenants having to be relocated or we're talking about the new tenants that will be moving in, as we add burden to the process, both in cost and time, the net effect of that is going to be the end result will be more expensive. And as we talk about in our community, trying to control and help with affordability, I think we have to address that from all income levels. So I really want to try to understand this better and so thank you for answering questions. So I'm just going to go through your presentation a little bit because I wrote some notes down. The page on third-party services, policy recommendations, third-party services. My sense is that we do fund tenant assistance programs already through this city, so it would be helpful for me to know as we talk about the potential of funding more of that, what we're actually funding now and what those organizations are, how much the city is paying to those organizations and what the purpose is. And if we need to address as we look at the new budget cycle, the funding for those associations can expand their scope or maybe target their scope a little better to pick up some of this rather than saying oh, here's another thing the city needs to fund with tax

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dollars. So that would be real helpful if you could get the recommendation back to us, that would be super. >> We can do that. >> On the policy's recommendation on moving assistance, the second bullet which talks about process assessing incentives, I'm a big proponent of accomplishing things through incentives rather than regulations and additional requirements. So I would be supportive of a program that uses the incentives to help fund if we're asking private property owners to help with this funding, otherwise it needs to be city funded. But I do appreciate the fact that you have some incentives in there because I think when developers come in and ask for additional benefits to what they're doing over and above their Normal entitlements that come with the property, I think that is a really good opportunity to be able to fund some things like this. So I do appreciate the incentives part of that. So I want to go other input from stakeholders. I think it was page 14. Part of my concern with the conversation that we had before is we have an abundance of tenant landlord laws, both through the state and through the federal government. And so I want to make sure that as we talk about this we're not talking about something that is counter to what state and federal laws already require in the relationship between tenant and landlords because we certainly want our landlords to comply with those and we want our tenants to understand that there needs to be a compliance and we want to step in if there's not, but if there is, that there are already situations addressed by the leases governed by the laws. So when you talk about the security deposits, state law is already pretty specific with security deposits and when they need to be

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returned and what that time frame is and how you return them and how you get the forwarding address from the tenant, that their required to give the landlord that and the periods of time and what can be deducted and what copies of invoices they have to show and the list goes on and on and on. So when we have those two bullet points that talk about reasonable shorter look back periods and require deposits to be returned immediately, are we talking about something outside of state or federal code? >> I'll take this one. And that's actually the point of this slide is to say that these were other suggestions that were put throughout and for a variety of reasons we are not moving them forward. So in this case that's -- the issue you raise is exactly the reason why that recommendation wasn't included in the staff recommendations because we do understand that there are already federal and state laws in place. So

we do need to ensure that any local regulations work with those and aren't in conflict. >> Gallo: Thank you. That was that was really a concern because I think tenant landlord relationships are confusing to begin with and if we have another one that contradicts federal and state law, that would be a problem. So I think what you're saying is the other input from stakeholders, those would be comments, but none of those have been incorporated into the ordinance. >> Correct. We didn't just want to share -- we got a lot of feedback -- what our recommendations are, but wanted to provide these other ideas for your consideration too. >> Gallo: Thank you for doing that. At our last discussion that was a little concern to go me that we were looking at things that were counter to that. And I think we have someone that is a representative on community development commission, but I wanted to understand a little bit about the makeup. I just assumed it was a commission that we all

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had appointments too. I was like who is our appointment to that commission? And what I find out is that's not the case. So could you help me understand the makeup of that commission and where the appointments -- and particularly what I'm interested in, are there any multi-family developers or owners that are on this commission? Because I think that, as we talk about things like this, I think that would be really important to have as part of the discussions. So if you could help me understand kind of the makeup of the commission. >> So the community development commission is the body that is the advisory body, not only to city council, but it's also the advisory body for the community services block grants. The funding for which actually comes through the state. The state requires that this community services block grant governing body or advisory body, excuse me, is made up of a tri part type board that does include representatives from the low income community, communities that are served by those block grants. So at present the community development commission has eight members that are actually selected by neighborhood community groups in low income areas that meet specific requirements. Eight of them are appointed by the mayor. And that is because there are only eight appointments, eight seats to be appointed. And apparently if there are less than 11, which would be the number of

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city councilmembers plus mayor, then all of the appointments come from the mayor. This is kind of a strange -- a strange portion of how the board and commission makeup is determined. The body that provides the cdbg funding, the state body, they do have requirements about the makeup of that tri partied board and we are actually in the process of confirming with them that the way the members of the CDC have been selected meets the requirements of that tri-part board. And we could send you more detail about that, but there are very specific requirements because of that csbg funding. >> Kitchen: As a follow up to that, if you finish. >> Gallo: So I think certainly the representatives from the neighborhood associations and the community representatives is the population we're trying to serve, but I think it's also important to pull in the community that actually provides the housing and would be impacted by the things we're talking about. Is there even a possibility of members that would represent that segment of our community? The stakeholders being able to be on this commission? >> Certainly the appointments made by the mayor, they don't have any specific requirements that go along with them. Other boards and commissions do call for representatives from particular committees. So I assume it's the

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prerogative of the city council if they wanted to change that they could, assuming that the changes were still in line with the csbg tripartied advisory makeup. >> It sounds like the mayor's appointments would be the opportunity for that because you certainly -- you want the neighborhood represents being on there, but to your knowledge do you have any stakeholder representatives on there that were Merrill appointments that represent -- mayoral appointments that represent the for-profit providers or the part of the business community that actually provides this type of housing, and maybe I should ask the person that serves on the commission that question. >> Currently, historically, the people that appointed like all other commissions apply. To there are people in community from either one of the sectors, the developer sectors, the non-profit sector, renters, bankers, whomever, they can go through the process that we go through. You go to the city website and apply and they're vetted through the city's process and ultimately they're appointed by in my case I represent district one, but I was appointed by the mayor. And in the past we have had developers, we have had members of a non-profit community. And whenever there was a group that may be coming up that we had a member there that was on their board, let's say, they would of course recuse themselves while the discussion was brought

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up that was related to the specific organization. But it's a-- it's a rather democratic process, if you will, because people, like anybody else,, the process is there for them to apply. I think right now we do have at least one member who stated that he is a developer of affordable housing and there's others that belong to the neighborhood associations, as you said, and some of them are part of community development corporations that in the past we've had. For example, we used to have a gentleman that was on the board of the Guadalupe community development organization for a long time and we have had those. We're a fairly new board now. We've only been together about six months or so. So we do have a couple that have stated in part of the discussions, some of their -- a little bit of the resume of what they've done. So in response to your question, we have some of the other members of the different sectors that are being discussed here today, we probably may not have them, not knowing -- when they submit their applications we submit basically resumes. And the mayor and you guys through our resumes and decide who is more appropriate. And I think that's where the decisions are made who sits on the board. And the current board was in all honesty not

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everybody's resume because we don't read them. I don't read all of the members' resumes. That's not within my purview. But I am pretty sure that there are members of the community that are not represented because of just knowing who the people are and getting to know them for the last six months. So to your question it's a very important question and if people are out there in the community, we want to make a call out to the people who are in the community who want to participate and are in whatever sector, please reply and go to the city of Austin website and put in your name. >> And there is actually a vacancy that is one of the mayoral appointment seats, just for your information. >> Thank you. And thank you for that and thank you for being with us today. >> Renteria: Members, actually, there's actually district in Austin that are low income district where the state requires that people run for these seats and get elected by the community. So I believe there's, what, five seats? >> Eight. >> Eight that are elected at large? >> They're elected by -- not a council district, but an area -- >> Renteria: The area -- the low income area. >> Correct. >> Renteria: And it also changes, also, because clarkeville used to be a low income area and now it's no longer, so they don't have a member. So it does change. We're about to lose ours there in 78702 and their on the first street, Cesar Chavez neighborhood, between seventh and the lake there because the gentrification has changed that neighborhood so much that there's so much

wealth there. So we might end up

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losing that position too. So it's always transforming, but as gentrification, it was pretty stable for a long time, but now with gentrification coming in and what's going on, a lot of the low income people are moving to different areas. I think they're looking over there in district -- in Casar's district, district 4, another member of my area, because that's where a lot of need is coming on. That's basically what happens. >> There in fact -- you're right, on the district that you just mentioned, and the next evaluation is going to be done I think in 2018 to make that determination around the holly area and so forth. And we did in fact add the northeast Austin, the rundberg area that took us from a commission of 15 to 16 members and so we have eight community appointed and members and eight appointees by the mayor. And if I may, councilmember Casar asked about our recommendations. I really want to emphasize the importance of including mobile home parks. As was stated earlier, mobile home parks are no different than apartment complexes or any of the other complexes that are out there that are being affected when people are being forced to move out for whatever -- natural causes or inability for them -- the apartments to be maintained or from redevelopment. And a key one highlighted today is the

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cactus rose. One of the problems that we need to look at is M in the cactus rose the majority of people who live there are homeowners and they live a very low income and are very vulnerable in that their homes are over 10 years old, the vast majority of them. And that's no mobile home park in the the area. So what that means is that we may have up to 50 families, if there's nothing done to assist them and protect them, of being homeless. They could go into an apartment complex, but in our society it's -- it would be kind of sad to allow the owner 30, 40 years to all of a sudden become a renter and lose that thing that they had fought so hard for, for years and years. And one of the key elements of our society is that we always encourage, one of the things that we all as human beings, as we become adults, one of the things that we're always taught is if you can buy your home, have a home for your family, a legacy to leave for them. So we need to include the mobile homes in this ordinance in order that we can make sure that they're protected. We did hear that like in the apartment complexes, they're being intimidated, some of them are afraid to even say anything. The rents are having being accepted. They're letting the facilities deteriorate and that's all intimidation tactics and that's been done and in apartment complexes in the past. So there's no difference between the mobile homes

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and the apartment complex. That's why the community development commission strongly recommended that mobile homes -- and I would hope that this committee moves this recommendation forward to the full city council to approve the inclusion of mobile homes in the ordinance. Thank you. >> Renteria: Any other questions? If not, I'm going to thank the staff for the briefing and we're going to move on to item 5. Do you have a question? >> Gallo: So kind of in line with the questions that I had before versus state and federal law, on the providing notice, the notice of intent for permanent database placement being 1 -- permanent displacement being 180 days, I don't recall anything in leases that requires an owner to give 180-day notice to intend to not renew the lease. So that would be in my view counter to state and federal law. >> Or it might be something that's not in conflict with state or federal law so that's what we're checking with, with law. >> And to clarify, the notice of intent is different from the notice to vacate. The intent is just for the property owner or developer to community

with the tenants that work as planned for the property and the property will close in 180 days. But we are not recommending that tenants be able to end their leases at that point. Some other ordinances do allow that in other states. But to your point about existing lease agreements and contract law we did not include that specific recommendation for that notice of intent period. These notice provisions basically just enable

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tenants who are often low income to have enough notice to prepare to move, to start the process for saving, planning, for looking for these units that are very rare in the city. The centrally located class apartments. >> Gallo: I understand the difficulty. It's staggering in this community. But I guess it's the complication that I sense where if we talk about a notice of intent for permanent displacement being 180 days, what if it's a six-month lease? What if it's a three-month lease? Then is the landlord automatically in conflict with that because they have a lease that would actually terminate prior to the six months that they would have to give for notice of intent? So those are just the kinds of things that I think I'm trying to understand how this all works and coordinates, and from a common sense realistic standpoint from operations. So -- but it does sound like the notice to vacate the law is reviewing the notice of intent. I think we have some issues with depending on the term of the lease. Thank you. >> Renteria: Councilmember Casar? >> Casar: So since we are it looks like posted for possible action, I'm going to make a motion. But just to quickly clarify, so the resolution passed that -- that asks the staff to draft this ordinance, did not include mobile homes in this resolution, is that correct? >> Correct. It says multi-family structures. It's in your packet and we also have it -- we can put it on the screen if you want to take a look at it. But in the first be it further resolved it talks about multi-family structures. >> So essentially if this passes we can draft up very clear language, but the gist of the motion being that a motion for this committee to recommend to the council that the

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city manager provide language within this ordinance or another recommendation on how to deal with displacements of mobile home residents. So if I get a second on that then I can explain what I mean. And we are posted for possible action I think looking at the agenda. >> Renteria: Are we going to be able -- we don't have to do -- can we do an action on a briefing? >> It's not a briefing. It's in discussion and possible action. >> Renteria: Oh, okay. I didn't have it in my sheet. Okay. >> Kitchen: Could you state it again, Greg. >> Casar: Yes. That we recommend to the council, because the council would be recommending staff. Our committees can't direct staff, that we recommend on to the council a recommendation to direct the city manager to either -- to draft language for how to include mobile home displacements in this ordinance as a part of this ordinance, or -- and/or some other recommendation for how to deal with mobile home displacements. >> Kitchen: Okay. I'll second that. >> Casar: And just to explain why I gave that bit of nuance is obviously mobile home communities are different from some of these structured communities. You have sometimes a MIX people who own the home versus renting them out, but think do present a challenge for even more exploitation than -- and structures. There is one community in my district where the new owners famously were in sort of international newspapers saying that mobile home communities could be like wave fell houses where you have the customers chained to the booths because you own -- the asset is invested on the property, but often times they can't move them. So I know that there

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are -- I know that there are a lot of very good ordinances nationwide dealing with mobile homes and then also different ones that deal with tenants and structures. And if the best thing for us to do is to have one ordinance that deals with them both, then let's deem with them both in -- let's deal with them both in one ordinance, or if there are nuances that the city manager sees where we might need two different ordinances or something else, or for zoning, anything like that, I would want to have -- give our staff the flexibility to provide us with their best recommendation and then we can further debate it. But it definitely is an issue across our city and so if the community is ready to pick that one up too, I'm very excited to work on it. >> Renteria: Is that a motion? >> Casar: The second part was an explanation. The motion is to pass on to the council a recommendation that we direct the city manager to draft up mobile homes as a part of this ordinance, but then also if there's other recommendations on how to deal with mobile home displacement that those be included as well, there by giving the staff the flexibility to provide a range of answers to this question and maybe your recommendation is don't include it in this ordinance, include it in something separate that looks like X. >> Renteria: Do I have a vehicle? Second? >> Renteria: Seconded by councilmember kitchen. Any discussion? >> Gallo: I appreciate you bringing this up, but I'm uncomfortable voting for it because the issue of mobile home parks was not in the stakeholder process. And so the community that would be impacted by that has not had a chance to be part of this at all. So unfortunately I'm not going to support it because of that reason as it just -- I don't think it's very transparent from the standpoint of stakeholders who would be impacted, having had

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a chance to previously been part of this. >> Renteria: I'm going to go ahead and support this. I'm dealing with one right now and cactus rose. We really need to do something to help these people. Like my colleague said, Casar, it's a very different situation. It's not like an apartment. We have people there that have long-term lease to rent to own. I talked to one lady there that she's been in a contract for over eight years. She had two more years to go on her lease to own, and she's very concerned about -- she's going to own -- continue paying on a mobile home and not know what to do with it. And the movers has stated that they were not -- they could not legally or without some financially risk of moving this mobile home. So we really need to study this and really look into so I'm going to be supporting this. Any other -- >> Casar: >> Casar: my last comment, while I certainly understand the need for that transparency, councilmember, I think we'll make sure those folks get reached out to and I think a natural part of the stakeholder process is new issues will get brought up and I think some of the stakeholders were the ones who brought that issue up through that process and we should make sure we reach out to them if the council chooses to pass this motion. >> Renteria: Okay. A motion has been made and second. All those in favor? Raise your hand. Opposed? It passes 3-1 with

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councilmember Gallo against. All right. Thank you. >> Thank you. >> Renteria: We're moving on to the next item. And which is a briefing on community outreach activities for the city's fiscal year 2016-17 action plan and the Austin strategic housing plan. Welcome. >> Good afternoon. Jonathan Tomka, senior planner with the city of Austin neighborhood and community development department. Today I'll be providing an overview of the process and time line for the development of the fiscal year 2016-2017 action plan as well as the Austin housing plan. The city of Austin receives four formula block grants. They are cdbg or community development block grants. The home investment partnership program, the hofpa program and esg, emergency solutions grants. Regulatory requirements include atumblr difficult furthering fair housing choice and as a participating jurisdiction the city is required to submit a five-year consolidated plan, action plan every year and end of year reports, consolidated annual performance and

evaluation report. Those federal allocations are those formula grant applications are here on this line graph. As you can see, the cdbg funding is down 13% from 2010 levels, home funding down 43%, hofpa is up 3% and Tomka 93%. What is the action plan as I mentioned earlier? The application to receive these funds and it -- it

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describes actions and activities and resources that can be used to meet the needs of low and moderate-income households in Austin. We're talking about households earning less than 80% of the median family income, \$42,562. The outreach for the action plan is gored by a citizen participation plan. Cities that receive these federal formula grants must develop a citizen participation plan or cpp. Austin's was designed by its stakeholders and it describes efforts to encourage citizens to participate in the development of these federal reports. It encourages the participation of predominantly low and moderate income residents in that development process and requires two public hearings and a -- one on community needs and two public hearings also on the draft plan during a public comment period. This time line here shows the start of the community needs assessment and the two public hearings. One before the community development commission, which took place yesterday actually on April 12 and the second one which will take place on Thursday, April 21, before city council. After the end of the community needs assessment, the draft is published. The draft plan. And there will be two more public hearings, one before the community development commission and one before city council. At the end of the public comment period on the draft, it will go to the community development commission for their final recommendation and, finally, final action by city council. And the action plan is due to the U.S. Department of housing and urban development on August 15. Additional boards and commissions that have been briefed on the action plan include those listed here. These engagement events have already taken place.

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No quorum at the commission on immigrant affairs and the asian-american quality of life. I believe those were during south by southwest. However, staff followed up via email and encouraged board members to attend other opportunities. The second part of my presentation is going to detail the Austin housing planning which is a different plan, but they're kind of interrelated in their outreach process. Yes. >> Kitchen: That's exactly what I was going to ask, how they were related? >> Yes. So the engagement process cross-promotes the needs in both of the plans. So the federal requirements of -- are kind of a portion of the funding sources to implement the plan, but we're interested in obtaining feedback on the needs as well as through other sources as well. >> Kitchen: Okay. >> So it just provides the community with more opportunities to provide input on both the federal plan as well as the comprehensive plan. >> Kitchen: Good. I just wanted to confirm that the input that was provided is available to both planning processes. >> Yes. So our -- the goal with the Austin housing plan is to increase housing choices available to all austinites. The plan will include nuke Cal goals, time lines, strategies to maintain is and create affordable housing for a range of incomes throughout the see as envisioned by imagine Austin. The plan will help align resources and ensure a unified strategic direction and facilitate community partnerships to achieve the shared vision and the plan will explore funding mechanisms, potential regulations and other creative approaches the city of Austin should utilize to achieve housing goals. This plan also has ties, since it's a big opportunity to address affordability with codenext, another process. Codenext as you know is the revision of the land development code here in Austin. The Austin housing plan has a

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public input process and a draft plan that will be available for public review. These kind of -- there's a link between codenext and the Austin housing plan in kind of how feedback is provided on the prescription paper which is going through codenext. And as well as the draft housing plan informing draft code as it's being written. There's a couple other ordinances. I know the fair housing codenext resolution which is listed here, that informs both processes, and I think there was another resolution regarding ownership that is also not listed but informs both processes. >> Kitchen: And when you say the prescription paper, are you talking about the affordability prescription paper? >> Yes, ma'am. >> Kitchen: Okay. >> So that will be reviewed by the citizen advisory group for codenext and there will be comments on that as well. >> Kitchen: Okay. And that will inform the housing plan? >> Exactly. >> Kitchen: And vice versa. >> Exactly ongoing thanks. >> That's what this is trying to depict. It's kind of a crude representation but the general gist is that they're not operating in silos. They are working together and folks are talking to each other that are working on both projects. As far as the public engagement, this flyer included in your pacts promotes the 12 public engagement opportunities for austinites to share their ideas on how to build and preserve affordable housing and increase housing choices across town. These are some photos from some of the input events we've gone through about six of the 12 opportunities, and there's a series of activities which encourage folks to discuss many of these tools and provide feedback on different strategies. The three ways folks did provide input as far as the

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housing plan include the community events, which I showed you the pictures of. There's 12 events all over Austin. The conversation kits. So these are just kind of a pact, but it's the exact same group activity that folks are doing at the community events, kind of like a train the trainer, some folks might grab some of the packets do with a different group they might meet with, maybe a neighborhood or church group but folks are emailing us or calling us to receive the kits either to be mailed or emailed to them. They're available for download on our website, austintexas.gov/housingplan. We've had 13 requests via email and other means. Also we have a survey available in English and Spanish and online and paper format. Upcoming events, these are the five remaining events for the housing plan activities in different parts of Austin and the addresses. Then if you have any other questions, it's -- this concludes that overview. >> Renteria: Any questions? >> Kitchen: You would just review the time line again for the report? It's going to be coming back to our committee correct. >> Yes, the house plan on June 6. >> Kitchen: Okay. >> So the affordability prescription paper I believe goes to the assistant advisory group next month. I think it's may 2 or 3. The public will be weighing in on that prescription paper and providing feedback, we'll consider as input for the draft housing plan. The housing plan will come to this committee and it will be publicly released so there will be comments on that, which will then inform the codenext process as far as the comments that are received

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on the draft housing plan. And code will be drafted and that will be considered as a part of implementation for the housing plan as well >> Kitchen: I know the prescription paper is supposed to be presented to council at work session also. I don't have the date. >> I don't know that I was aware of that. >> Renteria: Any other questions? >> Casar: I think one important point to this for me, I really appreciate the process and the way these things are all talking to one another so we get to the best results, but from my perspective -- and I think this is sort of what councilmember kitchen and I and others on this committee have said throughout point, is that if we could do our very best to set the high goals of how

many affordable units we want to create below market and at market and then use as much of this public process to figure out how we do that, that -- I think that may push us to make some more challenging decisions we may have to make related to our

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>> Kitchen: what our needs are and what would it take to meet them. Not what we're used to being able to do. I mean, I like to think about it, when txdot planned I-35 they didn't stop and say we only had X million dollars. That brokerage is billions of dollars over many years so I just don't want us, as part of this housing plan, to stop ourselves by saying we can't do it. I want to be sure that we say this is what we -- and then we'll have to figure out how to get there. But -- >> That feedback is noted. >> Kitchen: Okay. >> Renteria: Thank you. And now we're going on to an update on the resolution number 20160225-067 regarding the status of identifying additional homestead preservation districts. And welcome. >> Afternoon. Jesse cook with neighborhood housing and community development. And I'm here to provide an update on staff's response to council direction to identify additional eligible areas for homeless preservation districts. Before we get into the analysis, I want to review the eligibility criteria that's set in local state code chapter 373a. So to be eligible for a homestead preservation district each of the census tracts must be at 80% median family income or below. And homestead preservation district must be composed of contiguous consensus tracts. Fewer than 75,000 residents overall in the district and

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overall poverty rate two times the city's poverty rate. Additionally, in the 2014 homestead preservation district report and study, a consultant recommended that the added criteria be made so that no -- that a district could not contain more than 50% of the population enrolled in college or graduate school. And that recommendation was primarily made because of the ways in which a high concentration of students can affect consensus data captured and you'll see that as we go into the details of the poverty rates for each of the consensus tracts in the eligibility districts inspect was made by staff in 2013 and we consulted in 2013-2014 and again through this analysis with the city demographer, Brian Robinson, who agrees that this is a good recommended additional criteria for homestead preservation districts. So just to review, the council direction from the resolution passed in February. Council directed staff to finalize the analysis using the 2013 census data or more updated data to determine new potential homestead preservation districts. Additionally staff was directed to bring ordinances back to city council so that new districts could be created and, finally, there was a recommendation that the community development commission be consulted or make recommendations for the use of dedicated homestead preservation district funds. Those funds will be derived from the tax implement reinvestment zone one, which has boundaries that mirror the existing homestead preservation district a, and then also from funds from

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previously owned city properties that will go into the housing trust fund and then dedicated to be reinvested in homestead preservation districts. The city will not see those funds for another -- about another year so we'll have some time to work with stakeholders to make recommendations on the best use of those funds. So in response to council direction, staff identified new eligible homestead homestead preservation districts using both 2013 and 2014 census data and we found that the 2013 data yielded more eligible census tracts and we've also found that the city's median family income and poverty rate both increased from 2013 to 2014. We're here today to provide an update. The next step

will be bringing forward ordinances to establish the new districts. This map shows the eligible districts based on the 2013 census data and in your backup there should be a larger version of this map that may be easier to follow along with. One thing to point out is that the district that is labeled as north B on your map in green includes two census tracts that are in the currently established homestead preservation district D so that homestead preservation district would be amended to add the additional eligible census tracts. And the next slide, which is also in your backup -- that might be easier to read on a larger scale -- details each of the eligible homestead preservation districts and the census tracts they contain,

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includes information about poverty rate, population, and city council district. This map shows the eligible districts based on the 2014 census data and, again, there's opportunity to amend the existing homestead preservation district D to add additional census tracts or a majority of those new eligible tracts could form their own homestead preservation district. And, again, this chart details each of the districts. We also included a map just to highlight the census tracts that were eligible in 2013 but were no longer eligible under the 2014 data. And while each of these census tracts meets the median family income of 80% or below they did not meet the two times the city poverty rate requirement. So staff identified three major decision points to be considered. The first of which is -- which of the two census data sets do we use, 2013 or 2014? And our city demographer finds that there is no superiority in either data set. Part of the difficulty being the frequency of the census data being issued. They're very close together, very similar. The second question is whether or not to consider the additional eligibility criteria that was recommended in 2014 report, which would exclude one of the district areas. It would exclude the area around the university of Texas that you see in blue on your maps.

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And the third decision point is do we bring forward all evenly districts or only some of them? That's all I have for you today. >> Renteria: Questions or comments there. >> Casar: This one is posted on staff briefing so I can't make a surprise moan, on this one, chair. >> Renteria: King, you can ask questions. [Laughter] >> Casar: But I appreciate the hard work y'all are doing on this, and given that it's now 2016 and it's always hard to know exactly what the data is on the ground today , I appreciate knowing we can look at '13 or '14 and they're both good data sets and we'll have to wait to see what staff recommends back and what that is the council makes the motion on, but my preference is to use the '13 data since it seems to me that we have more available census tracts at the time so kind of better to be safe than sorry on that and if we can be given as many options as possible by staff we can make the call as a full council. Did we direct you bring that all back to the council as a whole or are you coming here first? >> The direction of the resolution was to return to full council as a whole. We'd be happy to come back to committee if desired but right now our plan is to come to full council in may. >> Casar: Thanks for the presentation. That's all I've got. >> Renteria: Any other comments, questions? Yeah I think our next meeting is not until June so thank you. >> Thank you. >> Renteria: Councilmembers, I think we're at item 7, future

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discussion. I have an idea for our, you know, six meeting. I know that we're -- been working on the strike fund and we're supposed to get a aunt community cooperative from Francis Ferguson but she was unable to make it today so she -- want to ask it be put on the June 6. She's going to be available at our

next meeting so -- and is there any other items that -- that y'all have today that y'all want to put on? You can just, you know, reach my office and we can always add it on later on. >> Kitchen: I would at some point but we can talk about this afterwards. It may be -- it may be folded into the strategic plan but I'm wanting to talk about the echoes plan related to the homeless population. So I'm not sure if that's a briefing or if we'll get that as part of the strategic plan but I'll talk with you about that. >> Renteria: Okay. Any other thoughts or questions before we adjourn? I think that was our last item so do I hear an adjournment? >> Casar: Me. >> Renteria: Second? Okay. All in favor? The meeting is adjourned. Thank you, all. Thank you, staff. [Meeting adjourned]