

Austin Housing Finance Corporation Transcript – 5/10/2018

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>> Mayor Adler: Okay? Without recessing the city council meeting, I'm going to convene, running concurrently, the meeting of the Austin housing finance corporation. Today is may 10, 2018, it is 7:36. We're in the city council chambers. Before we take up the other items, I'm going to call now those collective I'm sorry, 22, 23, 24 from the city council agenda, also items 88 and 89, and you're saying 50, 51, 52 have the same people on them as well. For the purpose of the ahfc meeting I'm just going to call testimony for items 88 and 89. I think that's the same universe of people. Is that right? Testimony on items 5 and 6 in the ahfc. Okay? Mr. Casar, do you want to call your people?

>> Casar: Yep, Mike Gerber is first if Mike is here.

>> Mayor Adler: Collectively how many people?

>> Casar: Six.

>> Mayor Adler: Six people will take ten minutes.

>> Casar: If Mike isn't here then next is

[7:37:12 PM]

[indiscernible].

>> Mayor Adler: Mike Gerber, is he here?

>> He's not.

>> Casar: Then five people. Dalvo.

>> Mayor Adler: I'm sorry?

>> Casar: Dalvo.

>> Mayor Adler: Is this one of the remaining five or the collective five?

>> Casar: We've got dalvo, then [indiscernible]

[Saying names]

>> Mayor Adler: We're running these at basically two minutes each. All right. Two minutes. Can you pull the microphone down? Thank you.

>> My name is dalvo, and I have been a resident of Santa Maria for over 19 years. I am here as a member of the Santa Maria association steering subcommittee speaking on behalf of the residents of Santa Maria village. Santa Maria village is a large diverse community of 176 households. Residents speak English, Spanish, and Vietnamese and our meetings are conducted in all three languages. Our diversity is what makes us strong. With the help of

[indiscernible] We first came together as an attendant association in February 2018 in order to make our voices heard. For the past three months we listened to the consensus of our community and shared them in a petition to the potential new owner of the property. Over 110 tenants signed the petition and Texas housing foundation has committed to doing many of the things that we asked for. The tenant association is looking for work to seeing that the tenants requested changes are made.

[7:39:17 PM]

We would keep working to improve our community and are excited to build an open and productive relationship with the new owner. The tenants association asks the city council to approve Texas housing foundation as the new property owner.

>> Casar: Thank you.

>> Mayor Adler: Thank you. Next speaker, linell he's pay knows Saturday.

>> Good evening, members of the Austin city council. My name is [saying name] And I'm on the steering committee of the tenants association. I've been a tenant at the Santa Maria village for over four years. I want to thank mayor, councilmember Casar and Basta for their support ph. I have seen negligence in repairs. I have witnessed a change in tenants over the years and a higher crime rate. For these reasons we look forward to Texas housing buying the apartments and making improvements for a safe and beautiful home for our families. I urge the city council to please vote in favor of Texas housing foundation to become the new property owner. Thank you.

>> Mayor Adler: Thank you. Jose Rojas.

>> Thank you, my name is Jose and I'll read this for Nikki. She says [indiscernible] 2001, living in fairway village we have had constant issues, managers losing paperwork and files, not processing information on time. We always get owners the promise they were going to make changes in time and we get owners that don't. With the help of Basta we were able to form a tenant association and get organized and put pressures on the current owners. I believe that this is what led to their decision to sell the property so when Texas housing foundation came in as a potential buyer we sat down and had a meeting with them and discussed plans to come up with a certain agreement for both fairway village and Santa Maria.

[7:41:32 PM]

We deserve a lot better. We would like the city to make sure that Texas housing foundation complies with the agreement that we have made with them. Thank you.

>> Mayor Adler: Thank you very much. Cindy [indiscernible].

>> Hi. I'd like to say that the shift towards tenant rights that are embodied in these I'm sorry as well as the items in 50, 51, 52 are commendable. That expanding the scope of tenants rights is something that is sorely missing in Austin, Texas, and that I fully support the tenants organization and their desire to have just ownership and have a position of power. Further, the expansion center rights under the just-cause options under these later items are incredibly commendable and the -- in particular the items around 50 with regards to source of income discrimination, I think that tonight if all these items pass we are making substantial progress towards a more just and tenant-focused city that gives real rights and power to the people who are most disadvantaged.

>> Mayor Adler: Thank you very much. You can all sit down, please. Thank you. Is Gus Pena here? He had signed up for a couple of these items.

>> Casar: Mayor, I had the

[indiscernible]

>> Mayor Adler: I'm sorry.

>> Casar: I had Victoria

[indiscernible] Written down.

>> Mayor Adler: I'm sorry. I missed that. Victor yeah I'm sorry, come on back, please. I missed that. I'm sorry. I apologize.

>> Thank you. Good evening. I'm Victoria Hada and I'm going to be speaking on items 50, 51, 52 that talks about extending rhda protections to properties receiving city support and properties on the offender program.

[7:43:36 PM]

I work with Basta and we are a project primarily funded through the city of Austin to help outreach to properties that are in substandard conditions otherwise known as slum housing. I work with renters who live at these properties to help them work in their community to demand safe and healthy housing from their property managers and landlords. We do this by forming tenant associations, and these associations are really important because they serve as platforms from which tenants with voice their concerns in the community with the support of other neighbors in order to protect from landlord retaliation and to have a stronger voice. At the properties I've worked at some of which are on the repeat, oh, phonedder list, I've -- oh, fender list I've seen conditions I never imagined could exist here in Austin. A city that prides itself in environmentalism and equality. I've seen caved in refuses inside of

apartments, leaks that go on for months, mold spreading across bedrooms and walls, rat, roach infestation, staircases falling apart, broken a/c and sewage backup inside apartments. Tenants do their own repairs because most contracts prohibit them from doing so so this leaves them at the mercy of their landlords. Landlords do not like when tenants ask for repairs. Sometimes repair requests are ignored and, worse off, tenants are retaliated against for asking for repairs. There was actually one situation where a tenant I worked with was cornered in the laundry room by a manager for repeatedly asking to get pest control for roaches. The manager was threatening to evict her for consistently asking for this repair. And for being a nuisance?

>> Mayor Adler: You can finish your thought.

>> This -- should I go quicker? Because I have a lot more to say.

>> Mayor Adler: You've run out of time so you can close.

>> Okay. So anyways the properties where we've seen the most improvements and where tenants have an opportunity to develop a community voice have eviction protections.

[7:45:42 PM]

Tenant protections are the difference between tenants living in safe and healthy housing. As you can see the tenants who spoke from Fairway Village and Santa Maria Village have extensive eviction protections.

>> Mayor Adler: Thank you.

>> Thanks.

>> Mayor Adler: Thank you very much. Okay. Speaking on these items, last speaker, Paul Cadoro. You have three minutes.

>> Thank you, Mayor, members of Council. Paul Cadoro, I'm speaking on items 50 and 52. With regards to -- first I guess let me get my thoughts straight. On 52 on the tenant protections for repeat, oh, oh -- repeat offender programs we don't understand the spirit and intent of the issue. Yeah, there's lots of stakeholder participation or stakeholder involvement in the city on a wide variety of issues, but I dare to say I don't think anybody on Council has met with anybody on the repeat offender program to talk about this issue. And I just don't share -- I'm not sure the city has the regulatory authority to supersede the Texas property code and enact lease provisions that will go into a private contract. Those are some of our concerns. Not only does the city lack justification to enact lease changes not related to voluntary agreements because that's what I guess the intent is to have the agreements that are in the rental assistance development program kind of inserted into the repeat offender program, but I just don't see how the city did do that. I mean, that's kind of a pay for play program, and this is not.

[7:47:43 PM]

So in the big picture the tenant protection resolution is to prevent ownership from displacing residents. Wasn't that what the tenant displacement ordinance was intended to do when passed about a year and a half ago? You know, in the repeat offender snapshot issued last June there was only two properties that were sold that were on the repeat offender program, and I just have to ask, is that what the issue is? I mean, I don't understand what the issue is, and no one has reached out to us or anybody on the repeat offender program to ask. And I guess on -- you know, there's -- if this is enacted how are these addendums going to be implemented, and once they're enacted and someone gets off the repeat offender program are they rescinded? How does this all work? There's no administrative guidance. And we just don't understand what this is all about. With regard to the ordinance itself, it does say that evictions are being, you know, taken for insignificant reasons and for minor disputes, and we challenge that very strongly. If you have proof of that, please provide it. I mean, justice of the peaces do not enact eviction proceedings because of minor disputes. And if that's in the resolution, you know, we challenge that on its very face. You know, this is a -- evictions are very costly and protracted process and no one takes it lightly. Not the justice of the peace for sure.

[Buzzer sounding] Lastly, on item 50, on the enacting of source of income protections for all -- I guess all units in a project that takes advantage of the density bonus program, if you want to dampen or I guess yank the emergency brake on people taking advantage that have density bonus program, go ahead and enact that because I think a lot of projects would just say, you know, we're just not going to undergo those burdens and strings attached to that program and will just figure out a way to do the project without the affordability set-asides.

[7:49:59 PM]

Thank you.

>> Mayor Adler: Thank you very much. I think those are all the public testimony on these items. We're going to go ahead and start moving through and taking some votes. Do you need the ahfc vote to come before or after anything else?

>> Ahfc can be handled after the regular agenda items.

>> Mayor Adler: Okay. So let's start, then, with items 22, 23, and 24. Is there a motion to approve those items? Mr. Casar makes a motion. Is there a second to that? Mr. Renteria seconds that. Any discussion? Mr. Casar.

>> Casar: Mayor, I'd just like to briefly thank the tenants, both from councilmember Renteria's district and from mine, fairway and Santa Maria village, I'd like to thank Basta and also the Texas housing foundation for coming together. When this whole process got started out, I think there were a lot of tenants that were nervous about what new ownership could mean. But I think because of your organizing and your hard work, you know, you've come together to an agreement that's here in backup signed by people from both the tenants association and Mr. Mayfield. They're really important commitments to make sure these remain affordable places for people to live, get repairs, get safety, improve common spaces and that's really a credit to the work the tenants did themselves. Thank you,

Mr. Mayfield for being able to move and get to a place where you could put your signature on that piece of paper as well. That's appreciated. I know I don't speak just for myself on that front. And I do want to recognize Basta at this time because, you know, it's something that's largely funded through Orion budgets and own work, recognizing that we could be spending lots of city money relentlessly on code complaints and sending code officers but instead by proactively making sure tenants are empowered to work with landlords to get properties fixed that's ultimately much more

[7:52:04 PM]

[indiscernible] I'd like to thank Basta for that work as well as the tenants and it connects directly to the other items we'll be voting on which are important to make sure we have more acceptance of section 8 vouchers so there are more places that will accept tenants -- or places beyond places like Santa Maria and fairway to accept section 8 vouchers and if through the codenext process we expanding our density bonus units we can expand more fair housing opportunities for people having vouchers. I'd like to thank councilmember Renteria for working on this in his district and mayor pro tem for sponsoring some of today's tenant protection items. As well as I think we have still a pretty long way to go on tenants rights in the city but hopefully some of these policy changes and organizing you're doing we can be a better place to live for renters.

>> Mayor Adler: Let's take a vote on items 22, 1960 and 24. Those in favor please raise your hand. Todd. Those opposed. It's unanimous on the dais, councilmember troxclair off.

[Applause] Then let's go ahead and move to items 88 and 89, which support those. Is there a motion to approve those? Mr. Casar makes that motion. Administrator seconds that. Mr. Renteria seconds that. Take a vote. Those in favor please raise your hand. Those opposed. Unanimous on the dais with troxclair off. Let's go ahead and move to items 50, 51, 52, take those up individually. Item number 50, Mr. Casar, you want to make a motion? Mr. Casar moves passage of item 50. Is there a second to that? Councilmember Garza. Any discussion of this item number 50? Let's take a vote. Those in favor of 50 please raise your hand. Those opposed. Unanimous on the dais with councilmember troxclair off. Mayor pro tem, do you want to move passage of 51, 52?

[7:54:07 PM]

>> Tovo: I do. Thank you. I do want to thank Mr. Cadoro for coming out. I appreciate your continuing to participate in these discussions and I appreciate the apartment association's work with, for example, our student commission and the work you're doing with students on the source of income so thank you, and I look forward to continuing to partner on this even if we disagree on these items. I would like to move passage of 50 and 51.

>> Mayor Adler: Is there a second to that motion? Councilmember alter seconds those motions. Discussion? Councilmember Casar.

>> Casar: 51 and 52.

>> Mayor Adler: Items 51 and 52. Seconded by councilmember alter. Discussion? Councilmember alter.

>> Alter: I just wanted to thank mayor pro tem in particular on item 51 for her leadership and putting this forward. This grows in part out of a situation that we had in my district in the shadows of Austin oaks, and I'm happy to see us being able to work together to move this forward so that situation won't happen again.

>> Mayor Adler: Further discussion on these items? Those in favor of 51, 52, please raise your hand. Those opposed. Unanimous on the dais with troxclair gone. Okay.

[Applause] Continuing now in the ahfc meeting. You want Ta take us through the agenda.

>> First is minutes from the February and March meeting. Second is approving a resolution amending the grant operating budget by 868,000. The third is approving an amendment to the deserves agreement. Those two items were actually approved on the city side earlier today. And these are the Austin housing finance corporation companion pieces. Fourth item is to authorize a contract with echo to fund and administer low barrier voucher program and item number 5 and six are consenting to the transfer of the regulatory and land use agreements related to the properties that we were just discussing.

[7:56:19 PM]

>> Mayor Adler: Okay.

>> And I offer them all on consent.

>> Mayor Adler: Is there a motion to approve these items on consent? Mr. Renteria makes that motion. Is there a second to that motion? Councilmember Houston. Discussion on the consent agenda? Ms. Houston.

>> Houston: Thank you, mayor. And I just have a question. When we transfer these properties, does the Austin housing finance corporation have right of first refusal if something should happen to those properties? They should forfeit or something goes wrong.

>> I'm looking at Trish link for assistance on that one.

>> Tricia link, assistant city attorney. For items 5 and 6, which are the agreements, those are actually consent to the land use and regulatory agreements related to bonds that were issued in 2000. And so the land use protection, so the affordability continues with this agreement.

>> Houston: I guess I'm asking if something should happen to whoever we're transferring this to, does -- in our documents, our legal documents, does it say if something should happen the city has a right of first refusal before it's sold on the private market?

>> I will need to go through the agreement to -- quickly to check that, but I'm happy to do that.

>> Houston: Would you, please? Because that's almost happened.

>> Mayor Adler: Okay.

Further discussion on >> Mayor Adler: Okay. Further discussion?

>> Tovo: Yes. I just wanted to highlight quickly the item, item 4, which is the contract for permanent support of housing, and just to note that that is -- that is a result of a few different actions we took, one last fall, to make -- to allow for the downtown density bonus funds to be used in this way, and also it is kind of a small piece of the pay for success model.

[7:58:24 PM]

But the work that is going to be achieved through this funding is just a small start to what I hope we'll be able to achieve with the pay for success model once we get that moving forward. So hopefully that will be coming back to us here soon, and I just wanted to say this is the start of it here today, to house, you know, some of our very -- our most vulnerable individuals in this community and provide them with the services they need to be successful in that housing.

>> Mayor Adler: Okay. Let's take a vote. Those in favor, please raise your hand. Those opposed? Unanimous on the dais, troxclair off. That's all our agenda items. We adjourn the Austin housing and finance corporation meeting.

>> Thank you very much.