

Drainage Charge Administrative Rules

Recorded Comments from Two Stakeholder Meetings

General Observations

The meetings were held on Monday, November 16, and on Monday, December 7, 2015.

For both meetings, the Watershed Protection staff in attendance were Dana McGehee, Saul Nuccitelli and Craig Bell. A City Council policy aide observed the second meeting.

In both meetings, the overwhelming majority of attendees were focused mostly on single-family residential properties. The first meeting was dominated by District 5 residents; the second appeared to be dominated by District 10 residents.

First Stakeholder Meeting – Recorded Comments

Monday, November 16, 2015, 3 p.m., One Texas Center, Room 325

Nine residents were in attendance.

Comments were recorded on a flip-chart.

(Note: the comments below are not an exact transcription of the flip-chart. They have been expanded for clarity, and in some cases, some of the discussion has been noted.)

Comment regarding condos and HOAs:

- Always charge the homeowners association (or condo association), and use the City's collection process if the bills are not paid on time. Don't allocate the bill to the residents if the HOA doesn't pay promptly. [Note from staff: This can be interpreted to support eliminating the language that the City may bill the residents if the HOA or condo association is "unresponsive."]

Comment regarding "Find My Drainage Fee" web map tool:

- The public should be able to see the drainage service address points. [Note from staff: This is of particular importance to properties that are partially outside the City limits.]

Comments regarding the calculation of impervious cover:

- The calculation of impervious cover for buildings should not include roof eaves. This is not consistent with the ordinance. The ordinance does not specifically include roof eaves in the impervious cover. [Note from staff: the individual also felt that the City Council members were not aware that roof eaves would be counted – that they had not

been properly briefed on this.] Single-family houses are impacted the most by including roof eaves. The impact is “disproportionate” to single-family properties.

- Other sections of the City Code allow two-foot “incidental roof overhangs” to be “disregarded” when calculating impervious coverage, building coverage, setbacks, etc.
- Include only “concrete on the ground” to calculate impervious cover.
- The City should make changes in the ordinance to subtract two-foot roof overhangs that will become effective next fiscal year. [Note from staff: This would coincide with the expiration of the 50% discount of the fee increase for single-family properties, and also allow the City time to adjust its rate to take into account the loss of city-wide impervious cover. The discussion of overhangs focused on single-family housing – there was no mention of extending it to other types of land uses.]
- Rather than measuring impervious cover by aerial photos, just assume a maximum coverage allowed by zoning.
- When calculating impervious cover, give deference to homeowners who really know their property.
- Bob Thompson, an Austin resident attending the meeting, distributed a 3-page [handout](#) that provided justification for revising the administrative rules such that impervious cover calculations would not include a 2-foot roof overhang.

Other comments regarding the fee and/or the ordinance:

- Use a tiered system for the fee that puts a cap on the charge for single-family residential properties. [Note from staff: Every single-family property in the highest tier would pay the same fee, which would control costs for homeowners and make the cost more predictable. It may also reduce the number of requests for adjustments.]
- The even split of the fee for duplex units is not fair. Often one side of the duplex is much larger than the other.
- Duplexes should also get the one-year single-family discount on fee increases.
- The City should attempt to have fees that are “equal and uniform,” especially for similar houses in the same neighborhood.
- For one homeowner, the drainage fee is increasing to approximately five times the previous \$9.80, which is a significant financial burden.
- Corporations that own and manage low-income housing are getting hurt. Subsidized housing programs are limited on the total amount of rent and fees they charge. Moving the fee from the tenants’ bills to the owners’ bills may prevent the property owners from recovering costs without exceeding the maximum.

- The drainage charge exacerbates the high cost of living in Austin – the property taxes, utilities, etc. The drainage charge is another (unjustified) increase in the burden on residents.

Second Stakeholder Meeting – Recorded Comments

Monday, December 7, 2015, 6:30 p.m., Northwest Recreation Center

Three residents were in attendance.

Comments were recorded on a flip-chart.

(Note: the comments are not an exact transcription of the flip-chart. They have been expanded for clarity, and in some cases, some of the discussion has been noted.)

Comments concerning the calculation of impervious cover and the impact it has on determining the amount of the fee:

- Eaves (roof overhangs) should not be counted as impervious cover. This increases the fee, especially for small lots and houses. It can more dramatically increase the adjustment factor in those cases.
- My plants are getting plenty of rainwater under the eaves. They don't get watered any more frequently than plants that are not under the eaves. I have 36-inch overhangs.
- I don't have gutters, which allows more of the rain that falls on the roof to saturate the yard.

Comments concerning affordability of living in Austin:

- A vibrant community must be affordable. The drainage charge erodes affordability.
- Property taxes are increasing and land values are increasing. This fee piles on to that.
- The fee increases are catching people who cannot make changes to their properties that would lower their fees (referring to residential properties). The residents are largely stuck with what they have.

Comments concerning how the fee is structured and assessed:

- A flat fee is more equitable.
- Apartment owners are now paying the entire fee that tenants had been paying.
- Owners of commercial properties can pass the fee on (to tenants, clients and customers). Homeowners cannot pass the fee on to anyone. The City should not weigh commercial and homeowner properties equally. Single-family lots should get a break.
- The fee needs to be calculated and assessed in a broader way. It should not be so specific for each property. The current method encourages comparisons between owners of different properties. People have a difficult time understanding why their own fee might be higher than their neighbor's fee.

- Are we considering such things as the slope of the land and the pitch of the roof? They also influence runoff.
- Could we benefit by grouping properties into categories? The current fee structure is not as simple and as fair as it could be.
- The City should focus more on what is being built now (to reduce drainage impacts).