

Austin Housing Finance Corporation Meeting Transcript – 6/23/2016

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[2:21:59 AM]

>> Mayor Adler: AHFC, Austin Housing and Finance Corp. Today is June 24th. It is 3 o'clock -- it is 2:21 in the morning. We're in city hall chambers. Let's call these items as quickly as you can work us through them.

>> Good morning, David Potter with neighborhood housing representing Betsy Spencer, the hfc board treasurer. We have four items today, one of which is to approve the minutes of a previous meeting, the second one, the time sensitive one, is to approve an inducement resolution for the housing first oak springs project of Austin Travis county integral care. The third item is to set a public hearing regarding the inducement resolution to issue the private activity bonds. And the fourth item was submitted by vice president tovo regarding the ability of -- of folks living in community land trusts and their ability to participate in petitions. I hope I got that all correctly and quickly.

>> Mayor Adler: Okay. Is there a motion to approve the minutes of the last meeting?

>> So moved.

>> Mayor Adler: Mayor pro tem moves. Pool second. Those in favor, please raise your hand. Those opposed? It's unanimous with Garza and Renteria off the dais. That gets us to the second item. The second of the items that were related. Is there a motion to approve items 2 and 3?

>> Houston: So moved.

>> Mayor Adler: Ms. Houston moves. Is there a second? Ms. Gallo seconds.

>> Houston: I'd just like to know what an inducement is.

>> Well, we brought in hfc's bond counsel.

>> Houston: Bless his heart, he's been sitting here all day.

[2:23:59 AM]

>> It's just action that -- I'm sorry, my name is mark, I'm counsel for the hfc. It's an authorization for the hfc to go ahead and apply to the board for an allocation of private activity bonds.

>> Is this the oak springs?

>> Houston: Mayor, since item number 3 is to set a public hearing, can we do them both at the same time?

>> Yes.

>> Houston: Okay. I'd like to move approval of items 2 and 3.

>> Mayor Adler: Okay. Mr. Renteria seconds that motion. Any discussion? We have speakers. Gus Peña and Ellen Richards.

>> Ellen has gone.

>> Mayor Adler: Looks like she has. So is there a motion to -- so we have the motion on 2 and 3, we have no speakers. Those in favor of 2 and 3, please raise your hand. Those opposed? It's unanimous on the dais, with troxclair abstaining and Zimmerman abstaining. 9-0-2. Okay. That gets us to item number 4. Mayor pro tem, you want to lay that out?

>> Tovo: Yes. I'd like to move approval and I can speak to it and lay it out.

>> Mayor Adler: Number 4 has been moved by the mayor pro tem. Is there a second? Mr. Renteria.

>> Tovo: So as I think most -- I think everyone on the dais knows that within -- the state law provides a provision that owners within 200 feet of a particular -- of a proposed zoning case have an opportunity to file a valid petition under state law, and I've indicated what those percentages are. It needs to be 20% of the area of the lots or the land, or the area of the lots or the land immediately adjoining.

[2:26:00 AM]

Well, it was determined recently, or it was did you understand, I'm not sure that everybody agrees, but anyway, the assertion was made that within a community land trust, property owners do not have the ability to file a valid petition against a proposed zoning change. So, you know, this is a tool that I hope we'll see lots more of throughout Austin. I believe that those property owners ought to have the same rights that are available to property owners outside of community land trusts. And so this resolution would -- would direct -- would fix that, and here's how it would do it. It would establish a process where, if -- if the same threshold, the same percentage of community -- of property owners within a community land trust register opposition to a proposed zoning case, the general manager or the manager's designee would be directed to sign that valid petition on behalf of those -- on board of of that tract. And that's more or less the resolution.

>> Mayor Adler: Okay. It's been moved and seconded. Mr. Zimmerman?

>> Zimmerman: I'd like to speak against this item. If we were to keep talking about this, I'm sure the question of equity would come up, and someone would say, well, we need to make this equitable. Now, I'm voting against this because it creates inequity, because what it does is it says that if your property is subsidized and paid for by the taxpayers, and you don't pay property taxes on it, you're the same as somebody who does own their property and does pay taxes on it. So what this resolution does is, it says that someone who purchases property and pays property taxes is the same that somebody who doesn't purchase the property and doesn't pay property taxes. So, again, it's the logic problem I always have, that what is unequal is equal. So this is a terrible resolution. It creates inequality and injustice because it's not fair for somebody who buys property and pays taxes on it to be considered the same as someone who doesn't buy it and is subsidized.

[2:28:05 AM]

Not fair.

>> Houston: Mayor, may I ask a question? Do they pay -- do the people who live pay property taxes on the structure?

>> They pay -- that's correct. They do pay property taxes on the structure, on the improvements, but not on the land.

>> Houston: Thank you.

>> Mayor Adler: Okay. It's been moved and seconded. Any further debate? Those in favor of this item number 4, please raise your hand. Those opposed? Zimmerman and troxclair voting no, others vogues aye, motion passes 9-2. Thank you. We're going to adjourn this meeting of the Austin housing -- housing and finance corporation.