

City Council Work Session Transcript – 12/03/2019

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[9:15:11 AM]

>> Mayor Adler: All righty then. December 3rd, 2019. We have a quorum. This is the city of Austin council work session. We're in the boards and commissions room here at city hall. It is 9:15. Colleagues, I would suggest that we begin with the briefing on homelessness. Again, we'll do that at the beginning of autism of our work sessions for an -- for all of our work sessions in an indefinite period of time and then we will go to pulled items. At the end of pulled items the next thing we would do would be the land development code discussion. That will begin with the staff presentation. They said they needed about an hour to go through the topics. And then I would follow --

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unless there's objection or changes, it's kind of outline that I put on the message board yesterday. So let's begin -- yes, councilmember pool.

>> Pool: I noticed that a number of topics that a number of us around the dais have requested are missing from the list. I think we intend to bring them up, but I wanted to make note that that was a concern that they were missing.

>> Mayor Adler: Okay. I talked to Ann about that yesterday briefly and I think that the ones that you added were actually in the list covered by that or intended to be covered by that. Maybe the descriptors are not broad enough. What we did is we just took the topics really that came from the planning commission and they had suggestions on the whole breadth of this. So the intent was to have areas that were covered by all of them. For example, appeals and kinds of things were covered by them in process. So we would do the same thing, but certainly the goal is not to stop anybody

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from bringing up any topic that they want.

>> Pool: Of course, we would bring up the items that we wanted to talk about. We're not limited to what is in the list and I appreciate your explanation, but the fact is that absent the listing of the intent there wasn't any way for anybody to know, and we had taken the trouble to give you a specific list of six additional topics that we expected to see on the list. So I just point that out.

>> Mayor Adler: No, no. The intent was to have it. Remind me what the six areas were and I'll tell you where I think they are in that list because it was intended to be all inclusive inclusive. And if you did, I would be happy to identify where I think they would most appropriately come up in in a.

>> Pool: We listed them in one of the message board posts right previous to the list that you issued and also read them out at the last work session.

>> Mayor Adler: Okay. So before we move into it I will tell you where I think those are already covered on the list.

>> Casar: To that point, I

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do want to raise that when that list was brought up during work session, I think we discussed and people generally assented to -- we had a back and forth about fitting those topics in under the broader topic, so I don't think it's a -- to me it's not a surprise based on the conversation that we all had, which we don't want to miss topics, but we did want to sort them.

>> Mayor Adler: Okay. All right. If that's it, we'll go ahead and proceed. Let's bring up the folks to give us an update on homelessness.

>> Good morning, mayor and council. Rodney Gonzalez, assistant city manager. With me today is Matt mileka, executive director for the ending community homeless coalition in Austin. We're going to talk to you of course about the most recent homeless initiative which we had described in the October 29th briefing. As well as a couple of memos

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that had been sent to council regarding a proposal that echo has offered to partner with the city to convert motel properties into low barrier bridge housing units. So we're going to go over the echo proposal. That was outlined in a November 26th memo to mayor and council, as well as a process for selecting hotels or motels. Following that we have Susan Mcdowell, the executive director for lifeworks, who is here to talk about the campaign to end youth homelessness as well as some data on youth experiencing homelessness. Susan is going to go over a grant funded opportunity for the youth homelessness demonstration program and then as well as the targeted sort of outreach effort. So the

proposal to convert motels into low barrier bridge housing. The city role in this partnership . Would be to provide the capital investment to purchase motel properties. Echo has offered a letter of support to endorse the purchase of anywhere from

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200 to 300 motel units. In return what we would do is do a long-term below market lease to echo so they can do a comprehensive management of those motel conversions and provide on-site services. Echo's role in this partnership is that they would secure private investments to fund those operations on an ongoing basis, including the maintenance and the provision of on-site services. Within the November 26th memo to council, we had described the process for selecting motels. It is a collaborative process between echo and city staff which includes the office of real estate services, homeless services office as well as our health department as well. There are a variety of screening factors that we use. First and foremost we need to ensure that these motel properties are both physically and economically feasible to convert to bridge housing units.

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We look at the building condition. And when I say we look at it, Matt mileka said we would do an on-site inspection as well as our office of real estate, to go and see the condition that these buildings are in, what type of work if any is needed to keep the motels operating. They'll take a look at the building configuration. In particular are the motel units facing inward, are they facing outward? Are there? Amenities such as laundry facilities, conference rooms. Because what we want to do with these motel conversions is provide on-site services and so it helps us to have the space for those services to be provided. Looking at the unit configuration for each of these motel units because as Matt has indicated to us and we agree, eventually we do want to turn these into permanent supportive housing units so it's important to see whether these units can have a kitchenette installed

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in them so they can become a phs unit. We look at the number of rooms and make sure there's an adequate number of rooms so that way we can have a good conglomeration of services provided on-site. With regard to unit configuration, we're looking at the plumbing and utilities to see how easy it is to configure these rooms into permanent supportive housing. Key to this is also the location of each of these motels. We certainly do not want these meets in my one part of town. We're looking at the entire city for motels for opportunities and our offices of real estate services is doing a very good scan across the city to try to locate motel properties. That would fit within this effort. We also look at of course the

acquisition and renovation costs, which were very important to us. We're looking for a good price on a motel, one that is reasonable, one that we feel we can accommodate and

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that is going to be of course low in terms of renovation costs. And as was brought up before, sometimes some of the motels do have individuals who stay there for an extended stay and so we look at what that is and what kind of relocation support might be needed in those instances. When echo looks at them they will either endorse or not endorse it. When they endorse it they have committed to fundraise for the motels for the operation and maintenance of those. And that was really quickly the presentation that we want to talk to council about because we know it's a good discussion topic. It is new to Austin. The use of motels for bridge housing. The conversion of motels to units is not new, though. We had provided council with four examples of how that's been done, namely through

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foundation communities, but it's our intention to partner with echo and they've stepped up in a big way with a commitment to fundraise for the operation and maintenance of these motels. Before we turn it over to questions I certainly want to give Matt the opportunity to expand more on the proposal.

>> Yeah, thanks, Rodney. Matt mileka, thanks for the opportunity to be here. Rodney set out an outline of how echo is partnering with the city to locate and determine suitability for these -- the motels. I think it's really important that we're looking at not only short-term -- filling a short-term need for folks, getting people immediately off the street who are experiencing homelessness, but also how we'r planning ongoing to turn those units into permanent supportive housing and then continue to find and locate suitable motels through the city that we can sort of do this more consistently and create a

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mechanism for bringing these types of -- this type of psh into our community. That's a little more methodical and that we can sort of do more easily and without having to reinvent the wheel over and over again. So the first one I think is we looked at with the roadway where -- roadway. We're looking at our community partners, bringing everyone to the table to talk about referral sources, to talk about how support services are going to be structured there, how primary care and health care services will be structured, how the operations will go. But once we have that blueprint set in place which I think we'll obviously have in time for the rode wayway, we'll be able to replicate that. It's something that through economies of scale we'll be able to increase some of our costs associated with the operations and something I

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think we can replicate pretty quickly. I'll leave it open for questions.

>> Renteria: Thank you for helping us out with our homeless recommendations. I think that once you get to point where you have the building possession, you already are getting ready, if you would be willing to offer a tour to see what's available.

>> I think certainly the neighborhood outreach is a really key component to this to educate folks in the community about what types of services will be on-site. And to your point, I think one of the things that we really want to emphasize is the services certainly from a health care perspective and from a support services

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perspective should be for the neighborhoods, not just for folks using those units as bridge housing. If we have primary care clinics set up, health care clinics set up on-site, the expectation is that we'll have walk-in hours for people that they can come throughout the community if they don't have access to those services. If they have a food bank set up. Idea is people can access those services and resources in the community and we'll make sure to include that in the design we have.

>> Renteria: That's great because the question was is the city council getting into the area of buying neighborhoods. And I know they're concerned. I worked a lot with homeless population over the years and I just found out that they're just about the nicest people that you can be around. So I just want to dispel the rumors that we're getting the kind of people that the governor described, which I haven't seen them, but

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they're actually human beings and we have to approach that, the people with that attitude that they are human beings that just need a little bit of help to get them off the street.

>> Mayor Adler: Mayor pro tem.

>> Garza: I want to say I'm grateful for the work being done and the creative ways that we are trying to figure out how to face this incredible challenge that we face. But I just want to speak about the process a little bit. I appreciate the memo that pointed out that there have been previous memos talking about this, but we have never as a council really discussed this or endorsed it. Not to say that we wouldn't have, but there was significant discussion, and since the approval of the one that was in south Austin

that we decided not to do, and when I say we, I don't know who the we is because that was a vote by this council to do that and then

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we were told, well, we're not going to do that after all. Which is fine. If-- we have said several times we want to defer to staff and their expertise and if you believe that that was not the direction to go, that's fine, but I just want to point out saying that there's a memo that we've talked about, we've been talking about this, does not also say that we've all said that this is the right direction that we should be going in. That being said, I am fine with this direction. I am concerned just like we don't want -- we believe that affordable housing should be in all parts of our city, the same goes for these types of facilities as well. The types will go in the minority majority parts of

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our city. I understand the factors being it has to be the right price, it has to be the right area and all that stuff, but all those factors point to them in certain parts of our city. And I have concerns about that. There's evidence that shows when people live among different income levels it helps them thrive and become better and try just to be better. So I just want to point that out. My concerns with the process, my concerns with us equitably placing these in all parts of town and making sure that -- there was a beautiful editorial I think last weekend that these are people. They are people with all kinds of issues and some of

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the negative discussion -- in fact, when we first started talking about this, I said I hope this doesn't turn into "Those people. Much. I want to be clear, it's not about that. These are people who need help and all over our city needs to understand that and accept it and accept these places that will help them become better. So I hope as we continue these searches for these needed facilities, we sincerely do look throughout the city because I will have big concerns if every single one of these is going to be in the minority majority parts of our town.

>> Mayor Adler: I want to real quickly endorse. One I want to begin with, that's appreciative of us moving forward with the strategy. This is obviously an issue which has dominated in so many ways conversations in

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this city since June. But it's real clear we didn't create new populations of people experiencing homelessness since we made it more visible, but at this time what this council talked about was the importance of not hiding homelessness, but housing people. And I'm happy that you have moved toward a strategy that represents 40% lower cost than what we potentially had been looking at on Ben white. So I think that that part is good. Because what we want to do is get to a certain volume. Certain number. And from reading from the search providers, it sounds like 300 more or less is kind of the capacity within our system and I think we should try to hit that as quickly as we can. Different people are trying to do different things in the community and that's good. We have the ones who have historically been doing this, community first, caritas, all have incredible

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success records. Front steps, incredible success records. We need to build on that. But we also need to provide more sticks and bricks location if we're going to do a housing first strategy that actually stabilizes people. We know that the success rate if we're able to do that is like 90%. So we need to build on those successes. So I like the strategy that you're pursuing as well. But inch that you have -- but I think that you have to be doing a better job of communicating with the council on this. And I know that this involves real estate matters and it's tricky. And from what I've heard, you're trying not to put the cart before the horse as you talk about individual properties and that kind of stuff. But I would urge you to -- you can't nail everything on a property and then bring it to the council, you have to start going to the council and make the council part of

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that conversation to at least know what it is that is happening, even as you're beginning to negotiate, even as you're beginning to talk so that people are more in the loop on this as it's going forward. And we've put this on the agenda for executive session on Thursday and I think that as long as you're in this process that's something that has to happen and you have to rely on it a lot more. I also want to concur that we have to locate these of in districts other than districts 1 through 4 as well, and I recognize that there's potentially a premium cost associated with putting it in districts other than districts 1 through 4, but that's true for affordable housing. If we're trying to put all the affordable housing just in the areas where it costs the least, then that's not the strategy we use in affordable housing either. And that can't be our strategy here. And I know it's not and I

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know that it's maybe harder to find properties. We can talk about that in executive session, but we have to find and for what is good from the city and good for this effort and project the ability to be able to locate this -- properties outside of the city. I want to thank echo and your board for stepping up in a really big way to help with fund-raising in order to be able to operate these locations. My hope is that as we move toward a strategy that's actually get to go a critical mass of rooms that we'll be able to take this and fundraise fill tropically and foundations and others within the community to get more people to participate on this. We have the state structure and I know they wanted to

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get 300 rooms on the ground and they found this to be the strongest way to accomplish this. And looking at the city's track record and how long it takes us to get this to to happen, I understand that. But if there's a competing strategy that can work that fast, but also provide a permanent solution rather than a temporary solution, then I want us to demonstrate that and move for that so that we can perhaps work more closely with the da and council and work on goals and working together. And at that time when we have the governor coming in responding to what he perceives to be constituents' requests, again wanting to do something actively and quickly, you read the newspaper, it almost sounds like in some ways that the governor is the only one out here doing stuff. And at the end of this presentation I'm sure we'll

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talk about the update on homelessness in the other areas that we have because I want to get to that in a second as well. But we are doing a lot. And this is a housing strategy that actually gets people off the streets, but gets people off the streets permanently, to stabilize their lives, rotate people through these rooms, brick and mortar rooms that you're developing. So I think it's a really good direction. I'm happy you're doing this, I'm happy you're doing this in a way that reflects the urgency that this council has asked you to address. You have to do a better job of bringing this body along with you and we have to locate some of these in districts five through 10. Kathie, did you turn off your light?

>> I did because it was awhile and I was coughing. Thanks very much for the presentation. I have some of the same questions and requests that I had when we talked about

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this the last time, but I just want to mention I noticed -- manager, I asked you yesterday if we were about to be asked to approve another one this week, you said not this week. However, then we got a memo later in the day indicating that we may be making a decision about a purchase next week for an

additional hotel-motel. And I am also very interested in this model. I have to point out, though, that it is happening very quickly. It is not at all clear to me what the funding strategy is for funding operations and maintenance, renovations. I did ask when we approved this purchase last time, I said I think it's a great idea. I'm on board. Before we continue with this strategy, I'd like to see a business plan, a real plan for how these funds are going to be raised to make these successful because otherwise we have several pieces of real estate that are standing vacant and we already have several

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standing vacant that could be better utilized at the moment. If you could help me understand, I'm looking at the memo and I'm talking about -- the funding strategy that's indicated in the memo really deals just with the capital cost of acquisition, the certificate of obligation and cdbg dollars. In our last conversation we talked about the fact that echo has committed to raising funds for operations and maintenance, which is terrific. I don't know if you have a report on how that fund-raising is going, but if we're adding another potential hotel within the next couple of weeks that would double the fund-raising costs. And I haven't received yet and I don't know if my colleagues have seen anything, what are the costs, the anticipated costs of each of these items, operating and maintenance of basic operations and maintenance until you're able to bring in funding that would track with individuals. I think you said that was a year or so off.

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The renovation costs, the plan for converting them and whether it makes sense to -- and we mentioned this. I think some of this was a conversation in executive session, but as you're looking at hotels and motels, some have kitchenettes. It would seem to me that as you're looking it would be -- we need to have a cost benefit analysis of whether it makes sense to buy them already having kitchenettes so there's not a need in a year or two to have people vacate the space, renovate them or do an ongoing -- I don't know what the plan is for renovating those into permanent units. And then I guess lastly -- and I have some other comments about the operations and again I would like to know since this is really a new area for echo, I guess I really want a better understanding maybe not in this session, but somewhere of what the plan is -- what the plan would be for hiring and training staff to run a facility of this sort, which is a

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specialized kind of place. So if we could talk about the funding piece. And manager, I want to say I was pretty clear in the last session and this session that that funding piece is really critical and I'm not seeing

-- I'm not seeing real solid financial information here that would help assure everyone that we're proceeding exactly where those funds would be coming from.

>> Sure. I think from where the funds will be coming from fact exactly, inch it's a combination of foundations, philanthropic, giving. We're looking at raising about a million dollars per year per hotel. About three to four hundred thousand dollars of that will go towards operating the hotel and about six to seven hundred thousand dollars of that will go support the supportive serviced needed in the hotel. And I think one of the things -- I have pro Formas done on cost per room. I

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think that changes with the scale and I think that's important. So operating an 87 87-unit hotel, there's a different cost associated than if you had 300 units and manage guidance to all 300 units as we probably wouldn't hire a maintenance crew and hire people to clean the rooms or as far as the operating goes for just one hotel. We would probably farm that out to some other company that does that work to come in and do that. So the cost structure is a lot different based on the scale. So as we scale up, if we looked at just what we had with the queue, the 87 units at the roadway inn, I could provide an operating cost for just those units, but it would be impacted significantly when we bring the economies of scale into play with more hotels.

>> Tovo: So could you share that information with us? I think I captured what you said. About a million dollars

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would be necessary per year with hotel. Three hundred thousand would be the operating -- the annual operating cost. Six to seven hundred thousand would be supportive services. How about the renovation costs?

>> My understanding is with these -- we're going through the due diligence period now, but there is an immediate renovation need. We're not raising to renovate immediately. We will be moving people into the units as is. And if later down the line there needs to be renovations done to be able to use housing vouchers there for permanent supportive housing, the cost to put in a sink, generally speaking on a 100 unit hotel, a little kitchenette sink in those spaces, I've heard -- received quotes, heard quotes anywhere between 3 and \$400 a hotel unit.

>> Tovo: And I guess, again, this may not be the right setting for this conversation, but I would like to have a better sense of who provided estimates, were they done in this market? Were they done in other

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markets? And if our intent is not to renovate them to be permanent supportive housing units -- is that the intent or not? It would -- then I think we need to estimate what that cost is with real solid numbers and a solid time frame for when that would happen. Anyway, again, I'm enthused about the idea. I'm -- we really need a level of information beyond what we currently have. And I guess I would like to know a little bit more about your fund-raising timeline and as we go into this partnership I think it's absolutely critical that we understand what that fund-raising timeline is and that we understand, city manager, that you have a plan for what is our plan B. If a fund-raising is not -- I intend to do everything I can to help support your fund-raising as I have with other fund-raising efforts,

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in this arena, I think it's a critical need and everybody who is able to should contribute. What what are your plans for identifying funds? What pool of funds have you identified if the fund-raising doesn't progress at the needed rate? Are we going to wait for that -- those funds to be raised or is there a plan to bring in city funding, and if so where is that coming from and what are the -- can you assure us that there would be no other services displaced at any time?

>> Mayor Adler: Okay. Ann?

>> Kitchen: I want to say thank y'all very much for proceeding. Really taking to heart our concerns and the need for moving forward quickly. So I appreciate that. I share what everyone has said so far and I want to thank the mayor pro tem for reminding -- continuing to remind us that we need to

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have a process for how we're going to locate throughout the city. Because as she mentioned, just looking at this criteria is going to cause some difficulties with locating places throughout the city. So I would suggest some kind of process for either sitting down with each of us individually or as a group that maybe we can help think about places in our respective districts that that might be helpful. I don't want to slow down what you're doing. I think that listing the criteria here is very helpful to us as we can all kind of think about what is in our districts. But maybe there's some way that we can work with us individually or with groups of us that we can help brainstorm places. Because I think it's really critical and I want to thank everyone who has mentioned that. So with the south Austin

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housing center, we ended up up -- we ended up finding a quicker and less costly location for the south Austin center, but we still need to really look closely at district five and I know there will be places in district five that we can find. And so I just want to offer to work with you on that.

>> Mayor Adler: Jimmy.

>> Flannigan: So I really am impressed with what's finally coming to us. I know we were all hoping this would have come sooner. But I'm really excited about it and I know, Matt, you have experienced doing this in other cities prior to coming to echo. So I'm pretty confident that this is going to go well as it gone well for you in the past. I'm a little concerned about what type of process we might invent. I'm not a commercial real estate broker so I don't know that I'm going to be the right person to consult with about properties in

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northwest Austin. And I'm a little curious about what market factors are at play in areas where maybe the transaction needs to happen faster because that's how the market is moving in higher opportunity areas. So we need a process that allows you all to move quicker and get properties purchased before another buyer swoops in and takes it away. I would love to have that kind of a thought process too. If we were able to as a council acknowledge that the third or fourth or fifth one needs to be in higher opportunity areas, then we should be able to define what higher opportunity is and define budget and expectation and then let y'all go do it. And not get stuck in this place where they found a property in my district on December 18th, but because the meeting schedule means you can't come back to council until late January, we lose the opportunity. I would hate to see that happen too. I'm cure use case about that -- curious about that

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type of a process. There's a real council involved process and then we set a policy and let them implement which I'm more interested in because I think that's maybe what the market forces are going to require. The plan B question is an interesting one. I think we're all concerned about fund raiding and the mayor has brought up fund-raising that the chamber and da are doing. I think if we're working in partnership with them, we might find 300 rooms in hotels is a much better outcome than in a sprung shelter -- I don't think they've located a site for that yet either. I think there are more partners to come to the table. I will note that when we funded the Salvation Army rathgeberer there there was not a foundation for what the plan B was. They went out and raised money for capital and then came to the city hand in hand. We did not have a hand or role in the development of that shelter. We did not decide how many rooms there were going to

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be. We didn't help milk the location. But when they came to us for the funding we gave it. In this indicates we are participating in the design of these shelters, we are participating in these decisions and I'm much more comfortable being the plan B because we are developing the plan. I was not comfortable with the Salvation Army because I'm not sure if we were involved in the capital planning if we would have added 100 more rooms, we might have asked for other types of services. We might have put a clinic on site. We might have done other things. So I'm much more interested in this process with echo and I would be curious to see a process that allows y'all to move quicker especially in high opportunity areas.

>> Mayor Adler: Okay. Greg. We'll work our way around.

>> Casar: I also appreciate the way that we're working on this quickly and with urgency while also trying to make sure that we're deliberate in bringing everybody -- bringing everybody in. So I'd like to echo the points of my colleagues on that.

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And the reason that there is some level of urgency is this is a strategy that is faster and brings people indoors and gets people the services they need more quickly because we don't have to renovate or retrofit an entire building. I think that's a big positive. I also think -- take Matt's point to heart that if we get multiple of these online that that actually brings the cost of the entire system down. So I do think getting to more hotels makes sense. I want to echo folks' points that these are only in districts one through four, I don't think that aligns generally with the direction that this council -- I think amongst all of us, regardless of which district we represent, I think we all have a value of wanting to make sure that there's affordable housing options in all parts of the city. At the same time, I do think that places on the eastside in districts one through four are really welcoming places and I think each of

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our colleagues in one through four also are trying to find places and trying to work to make sure this works in our districts too. As evidence of that, I think if you did a map of housing choice vouchers and folks experiencing homelessness, having vouchers to live in a district you would probably overwhelmingly find that districts one through four are the places that are already really accepting and inviting places. I think we have to live with both of those understanding that each of us want to make it work in each of our districts. It doesn't mean we don't want them in one through four, but we also have a value of making sure that it's all over the city, while also having the imperative of working quickly and deliberately because we know that this is a strategy that gets folks indoors quickly and hopefully permanently just by adding a sink.

>> Mayor Adler: Natasha.

>> Harper-madison: I'll echo the sentiments of my colleagues at this point. Thank you for all your hard work. Matt, I don't think this is

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for you as much as it is Rodney. Something that occurred to me recently we had the opportunity to visit an established shelter. It's been in the neighborhood -- I literally passed by the shelter for decades. I had no idea it was there. So just to echo councilmember Renteria's sentiment around how seamlessly we can be neighbors with all types of people in every part of town, I wanted to echo that. I wanted to say this organization is underutilized because they're understaffed. So as we're moving forward and sort of calibrating expenditures, I think it's important that we make certain that existing organizations are already funded. So if we -- as we approach having this additional measure of support for our neighbors experiencing homelessness, I think we need to go through and make certain that the resources that already exist are fully

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funded, fully staffed and we're maximizing their sort of proven success. So that's something I wanted to point out and I also wanted to point out some of my colleagues have spoken to it already around funding. If it's confusing for us, it's really confusing for the general public. So I think we just need to be very, very clear and very, very transparent about expenditures of funds. We need to make certain that everybody is on board and fully understands how we've made the decisions around spending. And thank you.

>> Kathie?

>> Tovo: Just a quick note. I appreciate all the comments. I've corrected this characterization at least once before, possibly twice. I'm going to do it again. To be very clear, the Salvation Army did not come to us hat in hand requesting money. We were in a conversation. I was talking with the Salvation Army about the waitlist that they have in their downtown shelter, which in district 9, in addition to the arch, as we know, both of those shelters

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are at capacity. And in asking them about the women and children's shelter that is out on formerly county owned land next to the city shelter, they indicated that they were going to phase in when we were talking about the capacity and how that would alleviate the capacity -- the waiting list downtown, they indicated their phasing plan because they hadn't yet received -- they hadn't yet raised all of the operating funds. So I just want to continue to correct that, that they did not approach the city and ask

that we put an item on the agenda for maintenance and operations, but when I heard of that need, it seemed to me in perfect alignment with what -- with the conversations we'd been having about the absolute need for more emergency shelter beds and the need to get people who are currently experiencing homelessness and sleeping on our streets into a shelter. Here was a brand new shelter that was not operating at 100% capacity. So I think it's very important to characterize

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that accurately.

>> Mayor Adler: Okay. Manager?

>> I appreciate councilmember harper-madison for bringing up the points of how we are utilizing service providers in an efficient way and looking at the resources that might be needed. I'll just note that we put an item on the addendum as 116 to look at an outside contractor to make sure that we are looking at all of our contracts with homelessness service providers to do exactly that. So appreciate your support in that, and we look forward to seeing those results as well.

>> Mayor Adler: Okay. I want to conclude this conversation again by thanking those service providers because I know they've been involved in conversations with you, as you've indicated and with the deputy city manager. I want to thank everybody out there. I want to thank the boards, I want to thank their benefactors and contributors because this is really going to take the entire

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community. And I would make this appeal to the larger community. There is a vehicle with this that is now being developed and implemented to take people off our streets and put them into situations where they can stabilize their lives. And I would invite folks to reach out to the service providers we have in the community. Echo probably would be the -- a good one stop shop to initiate that. There are people in this community I know that want to help. Now would be the time to step up and help us be able to make sure that we have both the places and the people. So I would make that appeal generally in the community. Would anticipate everybody on this dais is going to be doing that over -- to an even greater degree over this period of time. We have great organizations in town, caritas, salvation Army, front steps, community first. Now is the time that we

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really want to get the community doubly engaged in this.

>> Tovo: Mayor, just very quickly about process. I think I heard you say we have a real estate session on thurst. Is there there any we could do that today to be apprised of the property that we might be making a decision on in less than a week.

>> Mayor adler:I think we could and I think if there are limitations to what you can discuss you can tell us in executive session but we're posted for this item --

>> Tovo: Are we all posted today?

>> Mayor Adler: We're posted formerly for executive session on Thursday but this is on our agenda right. To the degree that there is questions about specific properties we can discuss the specific properties not -- in executive session. Can we do that?

>> Yes. The real estate executive session can be about negotiations that we're doing for particular properties, and if the real estate office is prepared to do that today then we can do

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that.

>> Tovo: I don't know how other people feel, but I would appreciate a couple extra days to --

>> Mayor Adler: We'll do that. Let's touch on it at our executive session today. It's also on the agenda on Thursday, so if there's more information or data we can talk about it again on Thursday. It's not on either Thursday's agenda to vote so we have to talk about how we would be able to get the council to be able to vote on that maybe next week if it was ready and the appropriate thing to do. Okay. Continuing with the homelessness --

>> Thank you, mayor, council, for all your comments and input and sentiment with regard to that program. Next we're going to bring up Susanne Mcdowell, the chief executive officer for life works. As I mentioned Susanne will be talking about their efforts to end youth homelessness and Susanne has a variety of staff with her as well.

>> Thank you all so much. Susanne Mcdowell with life works, and I think I want to begin by, you know, my name is on the presentation today

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but I am really merely kind of first chairing this presentation that is about a three-year community campaign and movement that represents the work of literally hundreds of individuals in Travis county, numerous of which are behind many partners from echo and safe and caritas and front steps. I was thinking about who dimension and looking around and realizing darn near everybody sitting behind me and in front of me today has been a part of that movement, and for that I think we just have a big

collective bed of gratitude for what we've been able to achieve. So I really want to make sure that I communicate that this -- what I'm gonna be talking about over the next few minutes is so much more than any one organization could have accomplished to date and certainly more than one agency or entity can bring across the finish line in the next year. So it's a true movement. The second thing I want to

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communicate is that we've had a great deal of success, and I think, you know, the headline of, you know, communities movement to end youth homelessness is following data-driven strategies and achieving incremental steady progress. It's not necessarily a headline, but it is a testament to what, you know, y'all have held so consistently since June, is that we do know a great deal about what works to end homelessness, and keeping these coalitions together and keeping true to the data and to services we know work will make a difference. And then the third thing I hope to communicate is that we have an exquisite hold on the data around youth homelessness in our committee, both what has worked well and also what it is going to take to end youth homelessness. I got it. So, again, our campaign is a -- our intent is to build

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and sustain a community system. So, again, not an individual service provider's capacity, but a community system that ensures that youth homelessness is rare, brief, and nonrecurring by 2020 and the system will be in many ways similar to the system we achieved in our community in 2016 for ending veterans homelessness. And it involves deep systems level collaboration with dozens not only of nonprofits but our public entities including child welfare and juvenile justice. Let's talk about a little bit about who is experiencing homelessness as a youth and for purposes of this discussion we are talking primarily unaccompanied youth up to the age of 24. Consensus -- until recently our consensus of youth homelessness were about 425 in the system. This includes youth who have been through coordinated assessment, and that is, again, our centralized

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community assessment that will result in placing somebody on what we call the by name, the waiting list for homelessness. So it includes those youth but also youth who exist in his, our homelessness management information system in some way, either on or not on the by name list. So this includes youth who are sheltered, who are unsheltered, who are what we call category one experiencing literal homelessness or who are in precarious situations. So it's a pretty inclusive definition. The medium age we're looking at is 21.3. We've got 57% female, 39% male, 31% of youth are part of a family unit, either

they are with partners or with children, and I can tell you almost half of the youth that we housed in rapid rehousing last year

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were -- had -- were heads of household so we've got a lot of parenting going on. But a couple things that I want to bring out for more kind of qualitative consideration. You know, like I said we've got a very data-driven approach to really understanding the problem we're trying to solve, right? So, you know, providing good service is something all of our organizations have done for a long time, but when we're looking at solving youth homelessness it is essential we really understand what the dynamics are to the problems we're trying to solve. When we learned through our participation in shape and homes voices of youth count study a couple years ago that in Travis county 76% of youth experiencing homelessness have been in foster care, juvenile justice or both, that told us that part of our solution and a very important part of our solution would have to be bringing both juvenile justice and child protective services to the table in a meaningful way so we could

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assist youth much earlier on in the emancipation process, develop strategies for stable housing and sustainability. So this is a very important part of our movement, and very important partners at the table are both state and county juvenile justice and also regional child protective services. I think another piece that is essential to understanding and solving for youth homelessness is understanding the disproportionality of youth of color. This slide gives you a sense by race of youth homelessness for 15 to 17. So while you absolutely begin to see trends of disproportionality particularly -- and I want you to look over on the left-hand side with black and African-American youth, 15 to 15, you see some disproportionality but look what happens when you look at 18 to 19. I'm gonna backtrack just so you really get that.

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We go from some notable disproportionality to a situation where more than 40% of youth experiencing homelessness are black or African-American compared to under 10% in the general population. So what happens at 18? You age out of foster care at 18 or you're emancipated from juvenile justice at 18. So, again, just underscores the importance of bringing the public systems to the table that were never intended to raise children to adulthood to ensure that we are helping with these transitions in ways that are engaging to youth and that every step of the way in the system that we are building to end youth homelessness we are making sure that our tools, our staffing, and our services are engaging to all

populations and not perpetuating the structures of institutional racism that we're seeing. I don't think that's me.

[10:08:16 AM]

So --

[laughter] This gives you a sense of 20 to 24.

>> That's my phone.

>> Oh, is it?

>> No.

>> It's very catchy, very upbeat. 20 to 24 you see the same trends. What I don't have a slide for that I want to speak to is also the can disproportionality of lgbtq young called it and homelessness as well. This gives you a sense of kind of the nature of what we're trying to solve for in a community, making sure, again, that all of our facilities, our services, our assessments are engaging and appropriate to those who are closest to experiencing the pain of homelessness. This slide gives you a sense of some of our key players and the time line. So this started in 2016. I just mentioned the -- our first kind of foray into this is the community was coming close to hitting the federal benchmarks for

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ending veterans homelessness. We started getting the opportunity to participate in some of the federal initiatives around youth homelessness that started with participating in shape and halls voices and youth count survey. Travis county was the first community to kind of complete our data journey for that, and that gave us a very good both kind of quantitative and qualitative understanding of the issue as it was existing in 2020. Then we got -- and many of you were part of this -- an opportunity to participate in a completely unfunded hundred day challenge whereby we received some technical assistance and methodology to pick a goal, and we picked housing 50 youth in 100 days, to do this collaboratively with no additional resources. And I'll be honest I was really hacked off about that for about 47 days until it looks like we could make the and I bring this up because

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further on the time line you'll see that we -- soon after that our community received \$5.2 million from housing and urban development. I was showing this side to a philanthropist the other day and pointed to that box and said that was a real game

--changer, right? Everything in me that's a nonprofit CEO in me wants to say no and I don't want to diminish \$5.2 million certainly but I need to be honest and say the hundred day challenge was the first opportunity we had, organizations, life works, caritas, front steps worked together collegially on this issue for decades but it wasn't until we were put to a kind of rapid transformational challenge that we were able to recognize, a, what was working well in our relationships working together and, B, what was not working well and what we really learned through that process was we were working

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well collaboratively but we were not working as a system. Each of the organizations had different intake processes. So a youth could come to life works or stand N line at caritas or complete an assessment at safe. The hundred day challenge really turned the tide in terms of us saying things like, all right, we're going to figure out how to do coordinated entry together. Okay, we are going to align our case managers. So every two weeks we're having a meeting saying, okay, who is first on the line and all turf aside, okay, here's a youth who is experiencing some domestic violence, appropriate client for safe. Here's a youth who needs workforce support. I think life works will take the lead on that client. So were as a system with humility with no kind of turf or boundary wars going on with that. So that was the real game changer in terms of beginning to develop our system. Now, very fortunately we did

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get the youth homelessness demonstration project, which is a two-year \$5.2 million grant that helped us collaboratively develop a community plan, which then became part of echo's community plan to end youth homelessness, which came before you all, I think, in April of 2018. Through that plan we identified three cornerstone services. Basically aligned with rare, brief and nonrecurring. We had identified the need for diversion working at the systems level, for a transitional facility for youth to be able to access soon after homelessness, transitioning to rapid rehousing, and we identified the need to really develop our community capacity for rapid rehousing, particularly focused on youth. And so life works is the lead on all of those three contracts but particularly the rapid rehousing, which has been our kind of largest push, has been a very

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coordinated collaboration between echo, safe, caritas, and life works. So because this is creating momentum I wanted to mention that just a few months ago because it's one thing to get youth into housing, but we are very focused on how we make this housing successful and sustainable, life works was just ordered a couple months ago a five-year \$5 million grant from department of health and human services to expand a workforce program that we had modeled a few years ago, particularly

focused on youth who are exiting homelessness. So each of the agencies involved in this collaboration brings resources for this wrap around that are not funded by H.U.D., not funded by the demonstration project, but really developed in response to our knowledge and the data around what we're learning youth need to be successful. So we were very delighted to hear in February of this

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year point and time count results indicating a 25% reduction in youth homelessness and a 56% reduction in unsheltered youth homelessness. So that's not his data, but it is a -- the H.U.D. Methodology for understanding homelessness. It told us we're on the right track. So real quickly, key elements of the system, if you want to follow the blue time line, it really begins with identifying and engaging youth. So I want to dial back a couple years ago when, you know, life works was doing its thing, caritas was doing its thing, safe was doing its thing and we were doing a very good job in our silos identifying and engaging youth, not working as a system. Think of it as a journey from being very good providers of services and housing, again, to really coordinating to solve a problem. So right now if any of our organizations or echo

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identifies a youth experiencing homelessness we have two paths. One path can go to our diversion program and that is a program that could involve light case management, counsel, a little bit of financial assistance, brainstorming with what is the resources, is there a friend, is there a relative? What can we do to prevent homelessness. Frankly divert from a much more expensive housing intervention as well. So that's the first line, see if diversion can work. If not, we go to coordinated entry and assessment, and at that point we kind of go really deep into understanding and determining what are the vulnerabilities of the youth? Where are they going to be on the by name list? What kind of safety planning can we do or resources can we make possible for youth while they are waiting for housing? And which of our agencies is going to take the lead in doing that? So coordinated assessment. Again, case managers from all the organizations are meeting regularly to touch base on who's first, who's

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second, what are we doing to get them ready, who is making the lead? So it's a true coordinated approach. The kind of temporary transitional facility in south Austin I mentioned is called the port, permanency through outreach and rapid transitions. Had to do a few black fellowships with H.U.D. Not to call it a shelter because they won't fund shelters but it is a transitional facility that youth who -- what we're doing now is we're taking the top youth on the by name list, they're staying in the port while we are navigating towards housing. So these are youth whose apartments are going to be ready soon so we're doing things like doing the cleaning up credit histories or criminal background histories or, you

know, looking at different apartments going through the mechanics of the leases, right? So, you know, the mayor spoke earlier about the time it takes us to get people into housing even when the apartments are available.

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This is meant to shrink that time. Right now we are taking the top vulnerable youth on the by name list as we shrink the by-namelist hopefully rapidly over the next year this will be the facility youth can go to and stay as they experience homelessness and waiting for a permanent housing option. We've got a ways to go on that but that's the direction we're headed. I mentioned earlier, supportive services, our vast array of wrap around. Some funded by H.U.D. Frankly other pieces funded by other resources that the agencies are bringing to the table including deep mental health services, peer support, workforce placement and of course evidence-based case management provided. And then the final piece is rapid rehousing. The youth homelessness demonstration project is allowing us the opportunity to test some innovations specifically to help youth be successful in that model

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of housing. This just gives you a sense of who is served. We have served 202 transition-aged youth through the yhdp grants since October 2018. However I want to note we serve an additional 60 through other funding sources that agencies have brought to the table, including the city of Austin. So we have served a total of 262 youth in the last 14 months. This slide gives you a sense of what the investment looks like kind of on an annualized basis. The deep blue is the yhdp grant. The next biggest pie is the H.U.D. Coc funding that comes specifically for youth rapid rehousing. You see a lighter Orange chunk for the city and then smaller portions. We get a little bit from the state for rapid rehousing

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and then we've got some philanthropic investment there and on the slide you see who some of our philanthropic partners are. I want to say this pie chart only represents the pathway we have created to permanent housing. There are many other services provided by life works and other providers that have to do with street outreach, shelter, transitional living. This just focuses and the movement focuses on getting youth to permanent housing.

>> I just want to mention quickly. You know, the yhdp [bleep], \$5.2 million, that's now being rolled into our coc funding. So that's going to be ongoing money that comes to the community year over year through our notice of funding available through H.U.D. So that was an amazing accomplishment to be awarded, the yhdp. But understood in order for us to have a continued investment on the federal

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level they need to see the type of success that's been had. That rolls into the 416, I think it says from the larger coc so that number is closer to \$3 million year over year that will be coming from the -- from H.U.D. To our continuum.

>> Right. Finally, so -- okay. The first two years we've developed the collaboration. We determined what it takes to become a system, not just a bunch of individual service providers. We have stood up the cornerstone services. We've seen success. So now we turn to what is it going to take to hit functional zero, the state at which we're able to house youth at the rate that they're experiencing homelessness. So and this is where I think a lot of communities stumble, is really understanding what their data is and what it's going to take. So at the beginning of the summer, the echo and life

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works data team collaborated to say, hey, okay, we know how many youth are on the by-name list but let's did I have into his, the community database, as it were, to really understand how many youth are in the database, what their needs are. I think we've got an overinflated number there because there's no clear way out of the database unless they're getting housing services. But if we're going to say we're ending youth homelessness we have to really mean it and be able to show that we're addressing a variety of homelessness. So we dove into this crazy six-week, what we ended up calling targeted assertive outreach, whereby the slide gives you a little bit of methodology for all the youth who are in his, whether they've been through coordinated assessment or not, received a series of outreaches that utilized email and social media and phone and last -- physical

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outreach to last physical address and where we felt we knew they were going to hang out or people who knew them hung out. It was an all agency endeavor involving volunteers and board members. That helped us understand really how much youth are we going to need to house in the next year, how many youth are we going to need to provide maybe some lighter diversion services to, and what is the pace of all of that going to look like. Because when we come to you and say we have created a system that the -- that can handle -- we've also learned a whole lot about the inflow into the system. When we say we've ended youth homelessness, we want to be able to clearly articulate what that means and at the outset of 2020 what it's going to take to do that. So this methodology, to our knowledge it's the first time it has ever been done for any population and our chief researcher has been on

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and off the phone with U.S. Inner agency council on homelessness because they see it as a unique practice and one we certainly in Austin can use for other populations and that may have national applicability as well as communities get to this point of really needing to understand what is it going to take to reach the benchmarks.

>> I just want to provide comment on this, too, because I think this is a very important part of what life works and other partner agencies have been able to do. Most communities, if they have a youth or someone on their -- in his who hasn't had a contact in a certain period of time will do what's called deactivate them from the system, just say, oh, they must have resolved their homelessness situation and delete their record and says that it, that person is no longer in need of services in our community, they must have gone somewhere else, self-re-resolved. This campaign was we're not just gonna look at those records and delete those

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records. We're gonna make every attempt we can to contact those people to make sure that they haven't experienced some emergency that's dropped them out of the provider world and now they're -- you know, they're actually in more need and more help. It's quite a remarkable -- it was, you know, very well put together, thought out and just a great use of -- you know, to show when we really care about ending homelessness. We don't just care about getting to the end of a list and just say we solved youth homelessness, to be the first community to do that and put a stamp on Austin like the same with veteran homelessness. We actually want to end youth homelessness. That means going out and making sure that, you know, working with communities and, you know, not your everyday community partner, like, making sure you're in the neighborhoods talking to people, following up in every way, shape and form that you can to ensure that you've tried to contact these -- the folks that are

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experiencing unsheltered homelessness or just homelessness in general. I think this is a remarkable campaign for myself, you know, and all the work that I've done just never seen anything like it so I want to make sure we call that out as pretty remarkable.

>> Don't get me wrong we also want to be first and we have a -- we actually -- Austin has a very good shot at being the first major urban area to reach rare, brief and nonrecurring for youth homelessness and we have the system in place. We have a sense of the promising practices and services, which we are continuing to learn from in collaboration with our partners. It's going to be a heavy lift to serve all of the youth who need to be served by the end of 2020, but we have the -- both the staff and the board will. And hopefully some philanthropic momentum to help us with that too.

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And I'm happy to take any questions.

>> Mayor Adler: First, I want to, again, thank you, life works. I want to thank your board and your philanthropic partners in the community that helped make that happen, the foundations that have stepped forward. I think one of the most important takeaways that I took away from this presentation, again, is we know what works. We know what it takes . To effectively end homelessness. We were one of a handful of cities to accomplish that with veterans and that was not an easy designation to get from H.U.D. As I recall when our community thought we had earned it, H.U.D. Kept us involved in a data sharing process for months on end. It was a real rigorous process to actually reach acknowledgment of that benchmark. We know it works. I'm excited for the work that you have already done in taking half of youth that

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were experiencing homelessness on our streets and taking half of them off our streets. You've already done that. And the prospect of being the first city in the country to get to net effective zero homelessness for children and youth, we're on track to be the first. And I think we need to acknowledge that. It also means that because we know what works, if we're not doing it for the larger population, it means we are making a deliberate decision not to do what we know that works or stated positively I am really proud to be part of a community that recognizes we know what works and, therefore, we're going to do what it takes to become a community. And there are only a dozen in the country that are able to say that they've reached net effective zero generally in their community and none big city the size of Austin. And for us to be the first of that size to be able to

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achieve it is where we have to set our goal and proud to be part of a council that has made that our number 1 priority. We need to take what you're doing, what we did with that, and scale it up. I appreciate your comment that the teams have been working, there had been collaboration, but until there was that goal that was set that created that sense of you do, that sense of we're gonna set the goal and we're scared by it and we don't know exactly how that's going to work but we're going to set the goal and then we're going to iterate as we move through it to discover what it is that we need to do is exactly the same thing we did with vets, having set the goal, having set the urgency, recognize the urgency in the community, that makes it happen. Which, again, just by way of postscript what we're doing with respect to the larger population and the motels feels the same to me.

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I want us to dive into it and succeed because I believe that if we do that we will in fact be able to get whatever it is that we need if we have set that as a goal, we made it urgent and then we embark on it. I will say, you said one of the things that long-term was going to be most important is dealing with children and youth before they become homeless, before they start experiencing that so that you divert them from that, which makes absolute sense to me. And you talked about bringing in the agency partners to be part of that. I'm going to ask you, when you do that, to invite the governor's office itself to participate. And I would invite our state legislative delegation to participate. Because I know our state leaders are trying to find ways that they can actually and constructively help us end homelessness in our community, and at this point the state -- the state has

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to do a better job as it emancipates children and youth from foster homes and from incarceration because we have so many of those children that are being released from state responsibility and state care that are ending up on our streets because when they turn a certain age or they get released they are just left alone, and we need the state to do a better job of helping those children before they are emancipated be put on to a track so that they are just not lost when they reach that age. And that would be a really specific thing that our governor could work on right now that would be so appreciative, not just by Austin, but by cities and communities across the state, that is within their

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domain and control of the state --

>> I think a real opportunity we have right now is the statewide roll-out of -- within child welfare, which is called community-based care, which is essentially the regionalization of functions of child protective services to give kind of lead nonprofits control over the placement and management of youth who are in care so that they don't move all over the state while in foster care. They achieve permanence sooner rather than later so effectively slowing the pipeline that we know ends in -- can end in homelessness. I'm going to look back here. Community based care has not come to region yet but it will likely within the next few years and you already have providers working with the state, with each other to begin to begin to figure

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out that could look like in partnership with the state so we begin to slow the pipeline or we don't make it an inevitable line to homelessness.

>> To that end, Matthew, if

-- think it would be good for us to point those things out to the state leadership who I recognize are trying to help at this point. So let's tell them in very clear direction while we can. Two more things quickly. I'm glad to hear we have a successful program with the H.U.D. Money and if you are successful with the H.U.D. Money program the money then turns into annual funding. I look at a city like Houston, which is doing really well with respect to their general homelessness count in their city. What they were really good at ten years ago was figuring out how to get

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money for pilot programs, show success, and keep the H.U.D. Money. So Houston now is getting about \$40 million a year from H.U.D. Because they've done successful programs that have been funded. I think that Austin is down at, like, \$4 million or somewhere in that range.

>> You know, our -- our notice of funding application went in at -- this year at 10.2 around but that's because of the jump from yhdp. It was around 6.3.

>> Mayor Adler: \$6 million. We need to do that. And if we can get, you know, increase H.U.D. Funding let's figure out how to do this because we're now going to invest locally so this is the opportunity to show success on as many things as we can pilot. I know you're doing that. Finally to touch briefly you have the census count that you talked about. I think it's really important that we get a more accurate number of who it is in our communities that experiencing homelessness. And the -- what you're doing

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with the targeted assertive outreach seems to be something we need to scale up and do with overall numbers. I know you're working in that direction. That's making sure that everybody on the list is still there. I think we have a unique opportunity coming up this January when we do the point and time count and, Matthew, I'm gonna end with you talking about that for just a second but we have a unique opportunity because I think that and I hope in some ways when we do the point in time count in January this year our number goes up because my belief is that we are in a better position today to actually find more of our neighbors that are experiencing homelessness than we have ever been before. In part because the council has taken steps not to hide poverty in our community but to see it and to recognize it. We have people that used to be hidden and lost that are now visible and apparent, and I know that that creates

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angst and frustration sometimes anger, all kinds of emotions, but it also means that we now see these people and we can count them and we can provide services to them and we can put them in line to get housing and homes in our city. Have you -- my last question then to you, Matt, have you identified when that point in time count is going to be and is there an opportunity for people in our community that want to help us really make sure that we can count everybody? Is there a way for people to be able to help?

>> Sure, thanks. Yes, the point in time count this year is January 25, 2020, and the echo website is a great place to go to sign up to be a volunteer there. We have team lead positions we need to fill. We have general volunteer positions we need to fill. We're looking to try to get a thousand volunteers this year and 90 team lead positions, and we're on our way. There's also a link there to

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a way to donate goods that will be handed out on that night through Amazon that -- there's a preferred -- like a request for certain items that you can click on and they can get sent directly to echo to be handed out. So that's atxecho.org. I'd like to reiterate what's being done with the youth right now through this demonstration project but really through just the larger collaborative with all the folks behind us and life works at the helm, I think, I mean, the by-name list, they meet weekly, all representatives or all these providers and go through names of people. Like a comprehensive list of people experiencing homelessness in our community and tick people off one at a time as we're resolving their homelessness and add people to the list as they fall in. I think that's crucial. And I also think what's crucial is just to reiterate the fact that, yeah the point in time count we might see an increase this year. We may not.

[10:37:45 AM]

But I will say, you know, programs like the targeted outreach, we want to end homelessness here. We don't want to just say that we have zero folks in our database. I mean, I think that's a really important thing. Yeah, there might be more folks, more visible folks. There is a benefit to that for us, for the service provider perspective, be able to engage with people more readily, and I don't -- we're not gonna be convinced by some database that we've ended homelessness. We're gonna use our data really well but we're also gonna recognize where there's limitations to the data and go out and engage with people on a personal level. So that's what -- that's the difference between what we're doing here in Austin and what's happened in other communities and what our commitment is to ending homelessness here in Austin.

>> Mayor Adler: I would just -- it is a lot of fun, actually, to join this group of hundreds of people that head out at 2:00 or 3:00 in the morning. I've done it here the last several years with Kathie,

[10:38:45 AM]

and I think there are other councilmembers on the dais that have participated as well. They have, like, donuts, you know.

[Laughter] In the wee hours but it's a way to actually meet people in the community, to engage and learn. It's a collective in our communities that heading out. It is really valuable work. It is real fulfilling and warming opportunity and work. You just can't sign up and then go. People who sign up, you ask to come for a briefing to talk about. People need to know -- mark the 25th on your calendar to come and meet the community, but also know that you have to sign up ahead of time so that you can go to one of the briefings ahead of time in order to be part of the group that heads out.

>> Yeah, that's correct. Thank you for reiterating that. There's gonna be trainings throughout December and January to get people to ready. The team leads have a separate training for that. For the first time this year, for the first time

[10:39:45 AM]

we'll be using an app, so it will be an app-based count, which will allow us not to bring out paper forms, get paper forms and put them in through systems that can better interpret the data. So really I think we're gonna get our numbers quicker this year. We're gonna have better data this year I think than ever before because of the -- the use of the app and I think, you know, just one more highlight on I think some of the things we're doing here in Austin that aren't done nationwide.

>> Mayor Adler: To the media I would suggest this is great content. Go back to the news producers, everybody should be out, join a team and maybe even go to some of the training sessions ahead of time, you know, to let people know that the trainings are happening and to see that. But it is great content just to be embedded with one of the teams that go out in the community. It's already happened, but

[10:40:46 AM]

only one station. Everybody should be out doing this kind of stuff. Alison.

>> Alter: Thank you. And good morning. I want to thank you, Ms. Mcdowell and Malika for being here, and thank you for the real focus on ending youth homelessness. As we've had a lot of folks engage in the conversation about homelessness for the first time over the last several months, the ending youth

homelessness group has been one of my go-toes in terms of showing people what this can look like when we focus, when we have the resources. I think this approach really demonstrates all the ways we can constructively respond to the challenge. It addresses concerns in the community who wants to see we're recognizing not just humanity of the homelessness but also they are experiencing it in different ways, coming to it with different past life

[10:41:50 AM]

experiences and that the pathways out of homelessness differ across different populations, and so that focus on youth, that really targeted look at what does this particular person need to move forward, and also the look at prevention and looking at what are the sources. I think for the community who is new to this conversation, I think the content that you're presenting today is really valuable to demonstrate what this does look like in our community and what it can look like. So thank you for focusing this work. I've seen it evolve over the last several years from the very beginning from before I was on council and it's exciting to see we are very close to our goal for 2020. I wanted to invite you to speak a little bit about how folks can get involved if they're looking for a way to enter the homelessness conversation in a very

[10:42:51 AM]

focused way and want to know or helping a particular population. Today is giving Tuesday. So one way to do that is to donate. I believe there's some place you can go that's specifically for the coalition. Obviously you can give to echo and life works, safe and caritas. So if you can speak to if someone wants to donate to this initiative initiative to get us to the 2020 goal, how do they do that? And if you can speak to specific ways that beyond the point in time count that folks who want to engage on any end of the spectrum -- any part of the spectrum of the solutions that you're talking about, how they would do that, whether it's the foster care or if it's being engaged as a mentor or donating in-kind or babysitting for folks who need it so they can go to their work. So if you can speak to those opportunities as we reflect. Today being giving Tuesday I'd like to invite you to

[10:43:51 AM]

Speak on that.

>> Absolutely. I'll start and hand it over to you. Yes, when I got up this morning and I'm, like, what happened to my email overnight. It's giving Tuesday, right? Thank you for bringing attention to giving Tuesday. We don't have a giving Tuesday site set up for the collective so much as the individual agencies who are participating. So, you know, if there's interest in philanthropic donations, you know, I would go

to the echo or life works or safe or caritas website where we've got kind of that robust site set up for giving Tuesday or for that matter any organizations that involved in homelessness support in the area. In terms of engaging in this particular movement in a more ongoing capacity, I would also let -- this is the holiday season, right? And there are a lot of needs above and beyond the basic housing. You know, we are wrapping up

[10:44:53 AM]

at life folks or project holiday help which adopts many youth, some of them still living on the street, others newly housed to kind of create a holiday where otherwise there would be none. So that exists at life works, and I guarantee you it also exists with all of the partner organizations. So, again, find, you know, whichever organization kind of the population resonates with you, safe, car as it, life works, or echo. You can be involved in a very relevant way for the holiday season. I will also say, we will likely over this next year have to house a couple hundred more youth plus. Most of these youth are moving into their very first apartment, right? So I think engaging with the collaborative to provide assistance for all of the stuff they need to move in, right? We can afford the apartment but then who is buying laundry detergent and how is the kitchen getting stocked and are there dishes there?

[10:45:53 AM]

Most of us including life works, on our websites, have campaigns and lists of, you know, apartment starter kits or parenting starter kits for supplies. So I think the other way that people can be honestly of assistance particularly during this time where there's so much dialogue, some of it very rancorous around kind of coming to grips with homelessness and the new visibility in Austin and all of our feelings about that is just be acbass -- ambassadors in understanding the issue. At life works you can come in, take a tour, understand the issue much deeper and volunteer to be an ambassador to get the word out in a systematic way to people in your networks. So that's something you can find out through the life works website because I think one of the -- you know, we have to house a couple hundred youth in the next year, but on an ongoing basis we need to participate

[10:46:53 AM]

in an enduring community dialogue to understand why youth are homeless and how we can systematically work further and further back in prevention and help families succeed so we're not creating this pipeline.

>> Yeah, that was comprehensive but I'll also add if you do come to one of our websites, if you go to echo and say I want to donate specifically to this initiative, you can decide where your money will go

and, you know, if you say I want to serve youth experiencing homelessness and you go to the echo website to do that obviously that's what life works does but if there are folks out there that want to help on a specific initiative, you can donate at the websites and say that's where I want my money to go. I'll also just say the -- you know, one other thing I think especially for youth that I've -- through my time in this work have realized it's that connection to community is really important. If you have folks who are -- that want to donate, you know, a certain number of rec passes to life works, to the community rec center,

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ways that they can get involved in -- you know, in bringing those folks that are living in their communities into their community more, right? So, you know, life works, we're housing folks in scattered site housing in all of the districts, in everyone's communities, and so, you know, if they want to bring gym memberships and donate life works can hand you had to folks those are really good ways to get people involved, memberships to local theaters or movie tickets, things like that, just things that bring connection to community. Those are also important ways --

>> I think just normalcy, right?

>> Yeah, of course.

>> That's what we hear from youth, I just want what other youth have.

>> Yep.

>> Alter: Thank you.

>> Tovo: Thanks so much. Thanks very much for all the great work that you and your partners do and the success that you're achieving in housing individuals who are youths who are experiencing homelessness. I had just a quick question about -- I was interested in

[10:48:55 AM]

knowing what the results of your targeted assertive outreach looked like.

>> Yes.

>> Tovo: If you could give us some sense of who are still in the his system? Have they been housed? What did that pool look like?

>> So we've got some data, and I want to kind of talk about how it's layered. So we've got the results of - we have a good sense of who we need to serve and how we need to serve them in the next year. That is a result of what we have learned about a certain percentage of youth self-resolve and we've got a much better understanding of who is more likely to self-resolve and a good sense of what type of youth

will access what service and be successful either in rapid rehousing or diversion. So you take all of those things into account.

>> And so we do have those numbers to printed today. I just want to say how -- it's not normal for communities to have, like, this type of level data on

[10:49:57 AM]

this population, so I'm gonna present it and then also, you know, just -- to recognize that it's been the folks back here along with my echo colleagues who aren't represented here, the work that they've done to get -- to bring this data forward is just -- I mean, it's a lot of intense work, and the funding was available to also prioritize this as a need in the community to have this type of data. So we also need to raise up funding streams in order to be able to do this for the general people experiencing homelessness populations that we have and I think we're poised to do that. This shows a current need. This is -- of 261 youth in need of services, 213 of those youth are unhoused and 48 are housed. There's a predicted inflow -- monthly inflow of 45.2 people each month into the system. 35.8 of those are unhoused youth.

[10:50:58 AM]

And 9.4 of those would be housed. What that means is their housing is not stable and secure under that system. So out of that number there's a projected need to end youth homelessness by December 2020, which is the goal of 448 youth that will need access to those -- to resources provided. 244 it's been identified will need access to either rapid rehousing or permanent supportive housing and 204 will need diversion. And that is incredible that we can sit here and present -- I'm presenting this number. I probably shouldn't be. There's a bunch of other people that should be presenting this number. I'm just saying it but the fact that we can give you that information is pretty outstanding. There's a funding request -- I mean, there's a funding need along with that so I just want to -- before I turn my microphone off I want to also mention that there's -- you know, we're looking at, you know, between a 3.4 and \$4.9 million need to close that gap. So I just want to be really clear to end homelessness in

[10:51:59 AM]

our community. And we will be -- to end youth homelessness, to make it rare, brief and nonrecurring by the end of 2020.

>> And this is also -- I want to point out, Mary Beth, the chair of the life works board, who will tell you this is pretty much all the life works board is talking about right now, is the resource strategy, philanthropically, foundation-wise, public-wise to get there.

>> Tovo: Thank you very much. That's really helpful.

>> Mayor Adler: You gave us the number of 45 children, youth, entering every month. What's the number on exits?

>> We're slow right now because we have -- you know, we went through a rapid surge with yhdp so I'm not sure -- Liz, do you know what our --

>> [Off mic]

>> Mayor Adler: And --

>> We're gonna need more resources before we see more than a -- we're at a steady state right now. So we're gonna need --

[10:53:00 AM]

>> Mayor Adler: Just for the community, reaching a place where we're rare, brief and nonrecurring does not mean we don't have new people that aren't experiencing homelessness. It means the rate at which people experiencing homelessness is less than the rate that we're actually moving people out so that our system. To end I had heard the 3.4 to the \$3.9 million necessary to be able to reach that equilibrium place, to be able to get the backlog to get people out, on an ongoing basis then, as you're just supplying -- the cost goes down on an annual basis --

>> Right. So that amount is to get to functional zero.

>> Mayor Adler: Right.

>> Once we get to functional zero, which means housing the backlog, the by-name list, and hopefully building the capacity of diversions of the pipeline slows, we think we can exist on the yhdp level of funding, plus the life works board is talking about what philanthropically how do we need to ramp up to maybe

[10:54:02 AM]

raise some extra in case there's extra need there.

>> Yes.

>> Mayor Adler: Go ahead.

>> I want to reiterate that. That's really important. The existing level of funding that's coming into the community, that -- the \$2.6 million annually we've applied for through our continuum of care funds, the idea is that that could then be the sustaining number, most of the sustaining number to keep us at functional zero. You know, H.U.D. Is not paying for all the folks that, you know, where we should have

figured this out five, ten years ago, and then we have to really turn our focus to -- which we will quickly to our focus to stemming the tide of why do we have a 45.2 inflow every year?

>> Yeah.

>> What factors are contributing to large and disproportionate numbers

[indiscernible] We attack this to start to see some systemic change.

>> Mayor Adler: Right. As a postscript, that 45 number hopefully the

[10:55:03 AM]

governor will help us on that. That's a very good number he could help us in a very material way. I want the public to understand we're putting in a lot of money and resources right now systemically in the community to deal with the challenge of homelessness. But if we do this now, if we make this investment now, if we take care of the backlog now, then on an ongoing basis, the cost of our community to be able to sustain that, to maintain rare, brief and nonrecurring homelessness in our community goes down. So this is a -- obviously a difficult time. It's putting our shoulder to the stone. It's asking the community to get involved, but on a sustaining level the costs will go down when we are successful in doing this. Okay. Anybody else have anything else on this topic? Thank you very much for that presentation.

>> Thank you, all.

>> Mayor Adler: Do you want to talk to us generally about homelessness in the city? How are we doing on 311 calls? How are we doing with cleanups? I want people to understand

[10:56:04 AM]

everything that everybody is continuing to do on this front. You've talked about the motel strategy. What else is going on?

>> Absolutely. And we've got the various priority leads here, as we meet weekly per council's information to talk about generally what's going on in the city. With regard to cleanups, Richard is here. He can certainly talk about the efforts that we've been undertaking in the cleanup area.

>> Mayor Adler: When you say you meet weekly to talk about what's going on in the city you're talking about meet weekly just on homelessness N.

>> Just on homelessness.

>> Mayor Adler: To talk about what's happening on homelessness?

>> Exactly. As council was made aware of, we have developed priority areas with regard to homelessness, and we've identified priority area leads. And so the leads convene weekly as well as support staff, and we talk about what are the things that we are scaling up, what are some things that we need to pay attention to, what are some things that we've seen that need to be addressed.

[10:57:04 AM]

I can tell you with all sincerity this is truly all hands on deck. This is the city's highest priority to address homelessness. It's not just the motel strategy. That's only one part of what we're doing. It's the most recent effort of course that you've seen, but we are focused on clean-ups, we're focused on communications. We're focused on our day-to-day service delivery working with various service providers as the manager pointed out. We're also looking at hiring consultants to help us identify areas in our contracts where we can focus on performance and get everyone aligned to move in the same direction.

>> Mayor Adler: Maybe we could have the team leads go through and everybody could give us a quick 60-second update.

>> Sure. We can start with Richard Mchale.

>> Good morning, mayor, council, mayor pro tem. Updates on clean-ups. We've seen calls reduced about 15% since September, calls coming into 311, we've

[10:58:05 AM]

had about 318 calls in the month of November. Arr has taken over the by the bag program as far as purchasing new bags and building the kiosk and supplying the bags and obviously picking them up as well. So we are currently at five sites with the bags but we're looking to also expand that as we see needs across the city. Txdot has been contacted by public works. We are trying to get a multiple use agreement signed by them. This will allow us to put trash receptacles under the highways. We're looking at 183, I-35, 290, 71 and mopac just as general -- there will be five separate agreements. We've included each of those road segments in those agreements. This gives us flexibility instead of labeling individual intersection it's gives us the ability to put trash receptacles as needed through those areas. We've been reaching out to additional partners to coordinate work with them.

[10:59:07 AM]

That includes union pacific railroad. They had contacted us about some right-of-way areas that they had some concerns with. We'll be addressing those at the -- the city of Austin has jurisdiction with and we

will be referring a couple of those to txdot because txdot has jurisdiction on two of those areas. The other ones we're also working with union pacific and other groups to get access to that area. In fact, we couldn't even really review the areas because we couldn't access them from the road area. So there will be further information on that. We'll also be working with the central Texas regional mobility authority on areas that are under their control as they've been doing some cleanups and they haven't been part of the conversation with us at this point. So we'll be in -- contacting them shortly, particularly areas on 183 and mopac, any

[11:00:08 AM]

toll road areas that we have concerns with. And just to give you an update for November, the contract the public works is administering, those contractors picked up over 14 tons of material for the month of November. And that doesn't even include last week we gave the contractor a break last week, there was no cleanups during the week of Thanksgiving, although aarr staff did do their regular cleanups. The group is still working on options for storage, both the short-term and long-term options. So the short-term would be what do we do with materials that are personal belongings that we want to hold on to folks that we encounter during cleanups. The other is more of a long-term, more of a walk-in type thing so folks who are experiencing homelessness for any materials that they have that they would be able to store those materials on a more regular, permanent basis. We hope to have something the first quarter of 2020 to bring to y'all to get that moving.

>> To provide the permanent

[11:01:09 AM]

storage.

>> Yes. And I think with that if you have any questions I'd be happy to answer them.

>> Mayor Adler: Alison?

>> Alter: I just wanted to say thank you for whatever you did over by 183 and great hills. The litter that was along the road, it wasn't the underpass, seems to have been cleaned up. So thank you.

>> What we do in the cleanups, folks tend to move around a bit, so we try to be as fluid as we can. When they move we try to follow them. We have seen some increases in litter around the lakeline mall, lakeline exit and 183 so we'll be talking with our partners about that area.

>> Yeah. The area that I was talking about it was never clear it was from homeless people. It was just the side of the road. It wasn't the underpass, it was the whole length of the frontage road and it was unclear what the source was because the underpasses were clean at the side of the road.

>> Mayor Adler: And again, for the public, we didn't do

[11:02:12 AM]

thinking anything this year that increased the amount of trash that was being produced in our community, but when you think about how much more -- now that you have doubled, tripled or greatly increased the amount of cleanups that we do as a city combined with what it is that the state is doing, so much greater effort now than before, it really does make you wonder about the trash accumulation that was occurring in this city that we just didn't see. And absolutely unsustainable situation. So I'm happy, pleased and encouraged now that we're actually addressing a challenge that was growing, but not really being dealt with until now. And gets to hear that the calls are going down. In the whole month of November a total of 309311 calls.

>> 318.

>> Now it's down from 367 in September. >>

>> Mayor Adler: And it's been moving down as you've been entering this program before that. So thank you for that.

[11:03:13 AM]

Keep us aware of that number. Anything else on this report?

>> Thank you. Next we'll bring up Vela Carmen from Austin public health to talk about service delivery updates.

>> Mayor Adler: Okay.

>> Good morning. Vela Carmen, Austin public health. Just a few updates. We have been looking and having several meetings with community partners for services to meet basic needs of individuals such as showers and laundry opportunities and looking at what that might cost and where those services might be located throughout the community. We also continue our contract with the national alliance to end homelessness. Part of that contract was to provide a two-day diversion training for our community partners. We had over 100 people attend that training. That was provided by both

[11:04:14 AM]

the org compliance and the national alliance to end homelessness versed in those practices. Our work continues with the alliance to end homelessness on transitions happening at the arch, which are continuing. We're looking at data and really seeing some good progress there. When they came to visit

here last month, they were -- had a lot of great things to say about the progress that's happening at the arch. So any questions about service delivery?

>> Mayor Adler: Any questions in this area? Thank you. Kathie.

>> Tovo: Yeah, I do. Thanks very much. Can you talk a little bit about the progress with housing individuals outside the arch who are on the by-name list? Kind of where we are with --

>> So the guided path project continues. We are -- every week we are meeting with the community partners with the by-name list and making progress on getting folks into programs and into housing. I don't have any specific

[11:05:16 AM]

numbers for you right now, but we have looked at the gaps now that we've had a few weeks under our dealt of the resources needed and we're looking at how we might resource that for this particular project, and then if we might expand that type of encampment strategy moving forward.

>> Tovo: Thank you. Is that more detailed information something that you would be able to provide us with outside of this session?

>> Sure. Certainly.

>> Mayor Adler: On to that end I think those are the exact numbers that need to come every week so you should plan on having those numbers so we can track them. And we'll talk to communications in a second. I want to know how we're posting that on a dashboard so everyone can see those on a weekly basis. So if you could get those numbers out and then next week or next time be prepared with those, that would be great. Mayor pro tem.

>> Garza: The shower, you said something about showers. My question generally is, and I'll give an example of why I'm asking it.

[11:06:16 AM]

I'm sure like everybody here, we're getting approached a lot about organizations that want to provide services. And I wasn't sure where to direct them. So for example, I was at a ribbon cutting for a meals on wheels thing at a church and somebody said that they had bought -- the church had bought a trailer to provide showers and they wanted to know who to be connected with. So we try to connect them with our homeless strategy officer and they weren't able to meet with them for like three weeks and then the organization was disappointed about it. It sounds like we should have connected to you because it just sat. And I guess this is a question for Rodney. I guess everybody is going to our homeless strategy officer and I could see where that is getting overwhelming. And if they're asking for meetings and she's

getting extremely full calendar, but if it's something that -- if there's a way to know when we get these requests who to direct them to, that would

>> Thank you.

[11:07:16 AM]

I appreciate that. And some of that is the approach that we've taken with the priority area leads. I think we're about a month into it or a month and a half into it. For that very reason, because the homeless strategy officer was getting overwhelmed with a lot of requests. By separating into priority area leads they can then start diverting those types of requests to the various area priority leads. Some of it is working through this new system that we've implemented, but it is a good point of what we want to do is have requests like that fall through the cracks and we lose time on acting on those requests. So some of it is working through the kinks of making sure that when those are received that the priority area leads can then take those requests and run with them.

>> So that request actually did come to us from the homeless strategy office last week. I'm not sure what day it is, but very recently. And I've been in contact with them prior and so I'm

[11:08:16 AM]

aware of that agency and their willingness to help. They have some specific technical needs on -- and I'll have to figure out some -- so that did get to me and my team. I know with the holidays and with lots of transition, we can make that as smooth a process for sure.

>> Garza: And I totally understand the channels, but that was a request that I spoke with them three weeks ago. I just wanted to see what the best way to -- if there's -- like we have a flow chart of all the areas under each city manager so we know if something is an issue we go to that assistant city manager. So maybe if there's a flow chart that you can provide to our offices.

>> Absolutely.

>> Mayor Adler: Did you want to say something?

>> Next we'll bring up APD chief Brian Manley to give an update on the public safety priority area.

[11:09:18 AM]

>> Good morning, mayor, council, Brian Manley, chief of police. A couple of updates. First and foremost, personnel issues. I know that we feel it's very important to have one person that is front and center on

the issues of both homelessness and mental health. And with some recent changes in my staff, I have now moved assistant chief Joe Chacon over to take over this area, so Joe has experience of working with mental health issues and all of that in department based on previous assignments that he has held. He will now be our single point of contact within the department leading the efforts as we work on the issue of those experiencing homelessness. The updates for this week, we continue to partner with public works on their cleanup efforts to provide security during the cleanup operations. We are in contact with dps regarding the temporary stealth they are has been placed down on south 183. No real significant issues to this point other than we were notified there was one eviction. I believe there had been a disturbance between some of the individuals living at

[11:10:20 AM]

that encampment and they ended up removing one person. I don't have a lot of information because it was a dps operation, but we were notified that they did have to make one relocation or removal. I know many of you all received via social media some pictures of an encampment that was set up along south congress. There are those two Al coves, those two cut ins that are very, I guess, sought after for setting up encampments. We've had a person moved in there at one point and was selling bike parts. Now what you saw was those pictures, I know several of you all got figured. The officers went out there and upon reviewing that area, there are actually access points for public utilities and all that within those inlets so there is a safety concern for having people block access to those public utility points. So we were able to get voluntarily compliance, explain to the individuals who were there the reasons why they couldn't be there and that area was then cleaned up. We're currently working on a weekly report that we will

[11:11:20 AM]

provide to management, mayor and council, will enforcement numbers. I don't have numbers for you today, but we will be giving you weekly numbers on either calls for service that we're receiving or if we've had to take any action, whether it be through the informal requests to move where we're gaining compliance or again we're not seeing much of that is the official actions of having to either cite or arrest, but we're working on a report that will self-promulgate every week so that we can produce that information for you.

>> Mayor Adler: Any questions in this area? Thank you.

>> Thank you.

>> Next we'll bring up Rebecca jewel low, who -- giello, who is our priority lead for housing.

>> Rebecca giello, I'll be brief. I wanted to highlight an event that we are hosting actually today as we speak as well as this evening. It's a stakeholder meeting and we do this each year for our housing developer

[11:12:21 AM]

assistance program. That program of course a component of that is the rental housing developer assistance program, which as you know facilitates the funding of rental units and it also facilitates the opportunity for us to partner with non-profit as well as private sector developers to increase our permanent supportive housing units. We have been successful in increasing the participation through the memorandum of understandings with echo to advance our numbers and increase the number of permanent supportive housing units coming out of our key funding in that particular area. So we encourage the community as well as developers and service providers to look at our website at www.Www.austintexas/housing. All of the information about that stakeholder meeting is there. And input is welcome.

>> Mayor Adler: Is there a

[11:13:22 AM]

place to be able to track the permanent supportive housing and the units that are being made available with motel purchases or -- and also to be able to track the number of folks that are receiving the rental assistance grants so that we can see over time if we're increasing capacity?

>> Yes. I'm actually glad you asked about that. Our affordable housing inventory is being populated with that information. We actually have a contract with echo and echo is facilitating the reporting of the units for our city investment. In addition, we'll be actually bringing an initiative whereby we are aggregating data from multiple regional partners to lift data up online. So that open data portal initiative is underway and we actually look forward in the near future to bringing that to our housing and planning council committee and then obviously to

[11:14:24 AM]

council through memorandum as well as demonstration of that particular data. But the answer to that is yes, with more information coming that I think this council will be pleased to see.

>> Mayor Adler: Do you have an estimate as to when you think those two datasets would be available for people to be able to see?

>> Our goal is to launch that data publicly in January. There is a subset of that data on the portal, but the regional data in January.

>> Mayor Adler: Okay. Thank you. Anything else? Thank you.

>> And the final priority area is communications. And we'll have Keith Ruiz come and provide an update.

>> Mayor and councilmembers, thank you for having me today. Keith reeves, acting deputy director of the public information office. We continue to push out stories for folks on an educational awareness of what the city is doing to address people experiencing homelessness. We've recently pushed out a

[11:15:24 AM]

video of the host team. Also we've got one working for underpass cleanup. And we have one running right now on the improvements, the cleanup around arch. We continue to work on identifying a tool for the dashboard that will be on the website. We are still determining what the data points are and so exactly what we're going to be putting out there. Attend having some narrative around what those numbers mean. We continue to work with our partners on a joint communications effort and we're in the early stages of identifying a campaign that we can work on with them to just address why people are in that situation, what's being done, that sort of thing. Those are I think my primary

[11:16:25 AM]

updates. Does anyone have any questions?

>> Mayor Adler: I thought the video that you did on the host team was great. The one on the [indiscernible] Was great. I want to do everything we can to have as many people see that as we possibly can. When you create a video like that if you could send the along everybody on council and ask the council to send that out in their newsletters or on their social media, use the council to -- anything you release on this subject area, if you could highlight it and bring it -- I know you bring it to the media. I know you put it on the TV. Everything, everything, please send a link to everybody on council so that we can help push it too. In addition to that if you could send it to all the service providers that we have and ask them to put it on their websites and on their newsletters to their folks and to their social media so that it gets promoted as much as we can.

[11:17:26 AM]

The pieces are too good to not have really, really broad dissemination. I would like to see that happen. It's good to see you moving forward with the dashboard. It's something we've talked about for awhile. What's your goal for launching the dashboard?

>> We're hoping to launch that in January.

>> Mayor Adler: Okay. That would be great. And then the campaign, I think that a lot of people really want to start seeing the campaign in terms of get to know the people who are experiencing in our community, how they got there, who they are, so that people can understand, the wider community can understand that these are our neighbors and they could be any one of us. What's your goal for being able to launch that campaign?

>> Well, so we've got two things there. Working with the partners and doing a request for proposals and stuff like to for an outside vendor to come in and help with some

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of that. That's going to be a little longer term, probably in the spring, but we're starting off with doing an in-house video. We've already started on that. Working with downtown Austin community court to identify people who have gone through case manager there and had some success to just show some of the museum element of -- some of the human element of why people might be in that position.

>> Mayor Adler: So you're thinking the more formal campaign would be in the spring. So I imagine March kind of time. Does that sound about right?

>> That sounds about right.

>> Mayor Adler: And the ones that you're doing in-house, working on now in downtown community court, when do you anticipate getting those out?

>> We were hoping by the end of this month. It might be early January.

>> If it slides from early January, let us know.

>> Anybody else have any questions about communications? We're doing so much in this

[11:19:28 AM]

city and I'm not sure that it's getting out to the community. I want the community to really know how active the city is. We're the most active player by far with our partners in this industry and I'm not sure it's playing that way in the media and I want it to reflect reality.

>> Yes, sir. We'll work on that.

>> Mayor Adler: Anything else?

>> Kitchen: I have one question. I was curious, at one point in time there was the thought that perhaps individuals who wanted to be kept up to date on what we were doing with regard to homelessness could sign up for a -- sign up to receive periodic newsletters. And I think I had talked to Stephanie

Hayden about that at one time and that was specifically with regard to the -- the shelters and the timeline process for that. So I'm just curious if that would be something -- I think we might do that for

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other issues where we have the ability of people to sign up and be on a list where they can actually receive emails. So if that is something that we have the capability of doing and -- y'all think about it, if you think it's worthwhile, but I think we've done that with regard to other things. And it's a pretty direct way to keep people in touch who may be interested. >>

>> Let us talk about it from the communications standpoint because we don't necessarily have a newsletter per se on homelessness initiatives, but we do have a lot of news stories that are pushed out. So we could certainly think about it from that perspective when we push information out. How do we use that database so that individuals are informed as well.

>> Kitchen: That's what I meant. It wouldn't have to be a newsletter. I was just thinking of ways when you push out information to directly reach people that have expressed an interest in being kept up to date.

>> Absolutely. Let us think about that because the more information the better. And mayor, to your point, I think that these briefing sessions help to get the

[11:21:33 AM]

information out and to have our service providers like lifeworks come and present really valuable information as was presented this morning with regard to ending youth homelessness, that gets the information out in a very valuable way about initiatives that are being done here in Austin and not in any other major city. So I think what you're seeing is that we do have best practices here in Austin that are underway and we have a great team of community providers and staff that are working on this issue day in and day out.

>> Mayor Adler: I think it's great too and I think meetings are a great way to get it out. It would be great if we could take the lifeworks and create a 30 second clip or 45 second clip on it and get it out to everybody to all the councilmembers to send it out to the media so that the number of people who know what happened here today with lifeworks gets multiplied 10, 100 fold. That kind of leveraging these kinds of moments is really kind of the next thought in terms of the communications effort.

[11:22:33 AM]

Binge it's great, really valuable information. Kathie?

>> Tovo: I like the idea of a regular newsletter. For awhile while the innovation team had a grant they were doing kind of a weekly I-team update related to homelessness and that might be a good model for the kind of information that we could get out on a regular basis.

>> Mayor Adler: All right. Anything else? Greg?

>> Casar: I want to echo the point that our social service providers in the city are helping so many people and ramping that up so much so quickly that it's well and good to have a camp site that helps -- has around a dozen people at it. By the last news reports that I read. But then hearing from lifeworks that when we ask about how many folks in youth homelessness alone have gotten help, it's well over 200 people just on the youth homelessness side and on adult homelessness, hundreds more the city is helping support, get into permanent housing and permanent solutions and then

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we're trying to make major purchases and make major investments to increase that by hundreds and hundreds more. So I often when I talk to people in community, they may have heard of a camp site that helps a dozen people, but not so often heard about the hundreds of people that are receiving support through the city that we're hearing about in these work sessions. So I want people to be able to see how it is that -- what scale it is that we're currently providing services and how much more we're trying to deal with them to actually understand those numbers and the scale of the work that we're trying to provide.

>> Mayor Adler: It would be really nice if the community knew we were averaging 172 people a month that are having success of the exists from homelessness. And the community doesn't know that number, but they should because there's so much work that's happening. I think it's a good point. Anything else on this? All right. Thank you. Rodney, thank you for the work you're doing. You're leading a team now

[11:24:35 AM]

here of 20 different department heads that are reporting and I know you're working really fast on this, reacting to the urgency. Please continue to act. It is still urgent. And we have momentum and will. Let's take advantage of it while we have that. Thank you. Great job.

>> You're welcome. Thank you.

>> Mayor Adler: All right, council, let's go to the pulled items. Before we get there, just real fast, Leslie, the what we were tracking in terms of what you had posted earlier E the tax impact question, it was the first thing on your list, that's a special presentation on that today at 1:00 that the staff is doing. You had raised the parking issue. I had that in the traffic information question that was part of the non-signing

items. The protest rights I had thought that would come up in the process section that we had identified. Had you asked about housing

[11:25:37 AM]

capacity on corridors being a topic area that we could discuss. I thought that would be -- there's a special presentation on that today, but also in the category of having to do with a residential zoning and mapping section that was identified as a subject area. You had preservation incentives and I thought that that would come up along with the historical preservation bonuses and the affordable housing and the bonus section, the density bonus section. So it was the intent not to leave those out, but to have categories that were broad enough, but to your point you couldn't have known that from what was listed because we didn't list everything that could be covered under it. But that's the intent in those areas. But if you think that it belongs, any one of these topics belongs in a different area, you can raise it in any one of the areas that you or anyone thinks is germane to

[11:26:38 AM]

anything that they want to raise.

>> Pool: I think at this point my chief concern and thank you for acknowledging that we wouldn't have known what the intent was without it being written in the message board post or specifically stated, especially since a number of and you asked us to give you additions to the list, which is what Ann and I had attempted to do and had highlighted that on a number of occasions. I think my chief concern at this point is the abundance of topics that we need to go through and whether we will have the opportunity to have sufficient conversation about them. So to that end and especially since one of the top -- one of the top topics for the public is the protest rights, I think it would be useful for us to ensure this is taken up today, this afternoon, which is what my original request was back in the last work session. And I think you had indicated at that point that we would accommodate that.

[11:27:41 AM]

>> Mayor Adler: Say that again, what was the last thing?

>> That I had requested that we talk about protest rights, actually the list of six, on the third with time on the fourth for any items that we didn't get to. But specifically on protest rights, that is a chief concern to a lot of people in our city as we know, and there are varying levels of understanding of protest rights and we have not officially talked about that as a dais in public. We do have some assertions from staff that have been made publicly as the official position of the city, but the council has not talked about our

official position. And my desire is that, specifically we must have that conversation officially and publicly and I would request that it happen today, this afternoon.

>> Mayor Adler: We'll go through each of those areas and absolutely raise protest rights as part of the

[11:28:42 AM]

conversation. We have the process element and you could certainly bring it up in there. And if you could be prepared to speak to it too, but certainly a discussion on the dais, absolutely bring that up.

>> Pool: So I'll just reiterate my chief concern about that is the number of topics that we have, the fact that we have talked about some of them already, some of them we haven't talked about at all, and the protest rights being one. So I would like to give the topics that we haven't yet chatted about some priority so that we can actually get to that and raise the concerns that again, a big number of people in the community are asking us about.

>> Mayor Adler: Absolutely. And when we get to that part of the conversation, it's completely open in those areas so you or anyone else on the dais can say this is what I want us to be talking about in this area.

>> Pool: And will we have an opportunity to have an exchange of ideas? It's one thing to raise it, which I already have, but I wanted to have a conversation about it. Is there room in the process for that?

>> There's absolutely no

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limit on the things that people want to talk about if they want to talk about it.

>> Pool: Okay.

>> Mayor Adler: Today, tomorrow, as well as next week as well.

>> Pool: Okay. I think I understand what you're saying. All right.

>> Mayor Adler: All right. Let's go ahead and do pulled items. The pulled items that we have on the agenda, the first pulled item is the item number 20. Councilmember pool, you pulled this.

>> Pool: I did.

>> Mayor Adler: This is the pid policy.

>> Pool: So specifically I just raised it because I know there are some adjustments already being made by our staff to the policy and I wanted to ask that we postpone this until maybe February to give staff more time to work with the various stakeholders who actually have the pids, whether it be a maintenance pid

or a development pid, and allow all of us a little bit more time with the pid policy. I don't believe -- this is what I wanted to ask. I know that Elaine is

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leaving and I imagine that this is a topic that she would like to put to bed before she officially retires, but of course that's not sufficient reason to not move ahead with something, especially if the policy is continuing to evolve a bit. So I was going to ask staff if there was a reason why we needed to do this on Thursday or is it okay for us to work over the break in January and come back in February with this?

>> Elaine hart. And if others want to add subsequently, we've had a multidepartment team of about 10 or 11 departments working on this for over a year. We did have stakeholder engagement in October. We feel it's ready. We did have a briefing with audit and finance committee in November and subsequent meetings as the committee asked us to do with the

[11:31:44 AM]

stakeholders once the written policy draft was available. So we have met with both the development pid representatives and have made some changes based on those meetings. And with the o&m pids. This is not time sensitive other than the fact that we don't have a written policy at all for m&o pids and pot will that we do have that was adopted in devout for the development public improvement pids pids. We think that the ordinance change for the m&o pids, that date has not been set yet and certainly we are agreeable with changing that date, working with stakeholders to make those ordinance changes for the reauthorizations amenable them. So there's no immediate actions for the

[11:32:44 AM]

reauthorizations. We think the item is ready, but if council chooses to postpone that, certainly it's the will of the council.

>> Pool: Putting aside the maintenance and operations pids, let's look at the development one. That's the one where I have some additional questions and probably my colleagues have also heard from folks in the community who are affected by the development pid. And let me see if I can find my questions here. Because I think we can move forward with the maintenance and operations of this one and maybe hold off on the development one to get some answers. The first question went to the maximum on -- I think it's on page 8 -- page 9 where we have the minimum issuance amount. It was listed at seven and a half million, but as I understand, late yesterday afternoon there was additional conversation

[11:33:45 AM]

about that with y'all and you have lowered it down to five million, is that right? Okay. So that was a request from stakeholders that that be lowered to five million. So that's great.

>> And not to interrupt, but we have uploaded a redlined version on the council website so there is a version, redline version that shows the changes. But yes, that was a stakeholder request.

>> Pool: So the line right above that with the term, it is 20 years and so I wanted to find out whether there would be the ability to go to 30. And I'll just give you the questions that I've got and then we can perhaps meet. And if I'm able to get answers to my questions then I -- I may say that this would be fine for the development pid policy document is the one that I'm focused on. But I may -- if -- we'll see if we can have some conversations tomorrow

[11:34:46 AM]

before Thursday. On page 10 where it talks about the pid bond project proceeds for professional services, it's got a half a percent for the par value of the bond issuance. And so I wanted to know if -- about that half a percent on the par value. And above that where we talk about the three dollars per \$100 of assessed property value, we have an interim 44-cent effective tax rate cap in there and I wanted to know if that is necessary or does the three dollar accumulated tax impact is that sufficient? Why do we need to have the interim cap inserted in there? And then on page 11 talking about the interlocal agreement and city staff recommends that the council would object to any creation of any pid by the commissioners' court if

[11:35:47 AM]

there isn't an interlocal agreement already entered into before the approval? So I wanted to explore that and understand what is the motivation behind that. And so I'll just leave it at that. I have some other questions, but that's good for now. So mayor, you can see there's additional work I think that needs to be done on the development pid and I'd appreciate the time. I think I'll see if I can find time to meet with staff tomorrow, but it may be that I'll need some additional time into February and others as well.

>> Mayor Adler: My understanding is that we may actually have you here until mid February perhaps, and if we did, then maybe this could come back the last week of January or the first week in February. And in a way that you're still here. I have the -- some questions too that we could either handle then or if it was not postponed on Thursday. I see the pid as being a

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tool. It's a tool for us to be able to get community benefits. So to that end it's not something we ever have to do, but it's a tool for us to be able to perhaps get community benefits. And in a world of a three and a half% cap, having as many tools as we can to get benefits, I would keep the tool as broad as we possibly can. So to that end I don't know why we would take out our ability to do pids out of the fully annexed city. I understand at one point doing a pid was a way to get somebody to request annexation, but even assuming that people aren't going to ask for annexation it could be in the future that's a way for us to get additional environmental controls outside of the annexed area of the city. There are areas in hays county and other areas that

[11:37:47 AM]

are outside the city that the region probably needs to be actively supporting to get things done. I don't know why we would take that away. It may be that we choose not to do it. But I would keep the tool being able to use to that same end. The policy said you can't be in more than one pid. I understand the reason for that because we don't want it stacking. But at the same time if I have the property at congress and sixth and there's a pid for all of sixth and there's a pid for all of congress, I might want to be able to participate in both and be on the governing board of both and it seems to me you ought to be able to draft agreements and other things that are then able to relate to prioritization or how prioritization may be handled in a finance situation. It seems to me there's a way to do that.

[11:38:52 AM]

I don't know if I would limit that. There's a way for shutting down a pid that we had raised if it used to be you had to come back on a routine basis. We took that out, that process out. I wasn't sure where the clear place was for the city to be able to stop a pid if we were taking away that automatic place coming back to the council. So those are the issues that I had raised on the one and one. And hadn't seen a response to that yet.

>> We're working on the Q and a to get posted by Ms. Powers tomorrow.

>> Mayor Adler: Thanks. Leslie.

>> Pool: I should say I support having the policy and it may have sounded like I didn't. I'm absolutely on board with doing it -- just wanted to get these questions answered. The questions the mayor asked, I'm also interested in those answers as well and appreciate the work being done on it. So again for me although I

[11:39:53 AM]

suppose maybe some of the questions, mayor, that you were asking also apply to the maintenance and operations pid? Thanks.

>> Mayor Adler: Kathie?

>> Tovo: I'm sorry, I missed the up shot about what's happening on Thursday. Is there an intent to postpone it? Is there an intent to try to consider it -- intent to try to consider it? I heard the response to councilmember pool, but I was unclear about deputy director whether you would continue to be here in the -- into 2020 or not. I heard the mayor mention something about that, but I missed the answer.

>> I do plan to be here through the end of January is my current plan, but I am flexible. I do want to say we have a very good team pulled together and I have every confidence in them just because I would be leaving doesn't mean that this policy can't go forward T we have great staff here who have worked really over the last year with 10 other departments to get this done, but certainly I am around.

>> Tovo: Thank you. Thanks for the

[11:40:54 AM]

clarification. I concur.

>> Mayor Adler: My plan was to postpone this every two weeks to keep you here.

>> At some point that won't work. I have grandkids calling.

>> Tovo: I concur in the strength of your team. I want to signal at at whatever point we're taking this up I plan to add an amendment on stage 2. I think it would be on page two at the development pid item of 13, that would to say the development pid shall comply with the current city of Austin code.

>> And we had a little opportunity to talk about that at the audit and finance committee, but I had indicated that was a concern for me and that's the way I'm going to propose that we resolve it.

>> Mayor Adler: So why don't you see how complete you with get on your Q and a? We'll take a look and see if that answers your concerns and we can poverty pony it. We can have that conversation at the beginning of the meeting on Thursday. Alison?

[11:41:55 AM]

>> Alter: I wanted to add if you think we're going to postpone it, if you could let us know as soon as possible. We have a lot we're covering this week, just with the land development code, let alone with 115 item agenda. So if we're not going to get questions back in time that we're going to be able to

review them carefully, I would prefer to postpone it so we can do the policy right. I support the policy. I want to move forward with it, but I also want to be able to have some time to respond to the issues that are raised by my colleagues and to think those -- to think those through.

>> So in the question, as you said, that you thought was ready to go, but that you were responding to those questions, maybe when you respond to those questions we can put a message board post up, see where people are with respect to be able to make that determination.

>> I just wanted to signal, I support a postponement. I think this is a big policy. I think a work session

[11:42:56 AM]

presentation would be incredibly helpful as councilmember pool pointed out, there's a lot on our plate right now and I appreciate you digging in and having those questions. And I frankly haven't had the time to dig in. So I.

>> Mayor Adler: Is there a critical mass that exists right now to postpone this item? Let's go ahead and postpone this item and not have it come up. But please go ahead and post the questions though and let's have this coming back. There's that meeting in January. Certainly the council could handle it without me. I'll be at the U.S. Conference of mayors' meetings or the first meeting in February. Either one of those you don't need to not have it to me. But take a look at the calendar thank you very much for this work. This is a big lift. All right. Next pulled item, item 21,

[11:44:04 AM]

the esd. Jimmy, you pulled this. Colleagues, this came up the last time that we were there, I told you and that the fire association had come to me with a list of concerns associated with the initial draft of this that had come out. And when I talked to them and had talked to the chief who came by my office, I think he came by multiple offices, it seemed to me that there really wasn't disagreement on most of those things. As we went through it I really appreciate the work of the association as well as the chief. We worked through virtually every one of the concerns that were raised. Concerns like what happens when two fire authorities show up at the same location oh, is in charge? What rules apply and what kind of analysis is done immediately after the fact if any rules are used other than the ones that our force is most familiar with.

[11:45:04 AM]

And we were able to work through and come up with agreements with both sides, with everybody cooperating and trying to move us forward. I really appreciate, Bob, your work on this, which was extensive, as well as the chief and stew staff's work.

-- Executive staff's work. It came down to one issue that really wasn't able to be resolved and it was the default issue. The agreement provides that once we enter into it, it can be done with the other chiefs. And if 75% of the other chiefs in the signatories wanted to change one of the sections is, what happened then? Were we automatically then out of the agreement and it would take council action to vote to put us back in? Or if there were changes does that then mean that the council needed to be given the opportunity to be able to take action to have us -- take action to have us go

[11:46:05 AM]

out. We agreed there would be a 45 day notice given to council if there were any changes that were made or intended to be made by 75% of the chiefs, giving the council that period of time within which to act in some way. The question was what was the default? What I had proposed was the language that I handed out to you which said basically that the default is that if we -- if our chief or manager would agree to the change and want to keep us in, and there was a change being made it wouldn't require any council action to endorse that, but the council could step in and say we disagree, we don't think we should stay in, but the default would be we would stay in absent council action as opposed to automatically being out and requiring council action to stay in. The language that I sent to both the association and the chief is the initial language that you see that's not in brackets.

[11:47:05 AM]

My understanding is that our fire chief was okay with this language, but the association was not, again on the default issue. Our legal staff took a look at the very last two lines and suggested that we change up those two lines. I put the legal department's advice in the bracketed section, which is what I would move, but that's where I left it. There was not an agreement between the association and our chief on this last issue. And since then I think the association has sent out an email to each of us that may have raised other issues. But that's my report to colleagues. You had pulled this item. Anything else you wanted on it?

>> Flannigan: Obviously this one is very important to my district, getting auto aid into that part of the city, in Williamson county, is very important.

[11:48:05 AM]

The public safety commission voted on a resolution last night that the association had provided and there are some concerns. I'm concerned that not all of the agenda items in Wilco are signed on to the agreement yet. And acknowledging that signing the -- this agreement doesn't immediately create some perfect situation of auto aid or pleach R public safety coverage -- public safety coverage. However the process to get that coverage should begin and the technology approvals that we did earlier I'm still very concerned that delaying this item will delay that technology implementation because it will bring into question whether or not these items might proceed with auto aid without the city of Austin which seems to be a growing concern. And I think given that the agreement in front of us is really not substantively different from the agreement we currently operate under with Travis county where a

[11:49:05 AM]

vote of the chiefs can change certain operating agreements and every jurisdiction has an ability to remove them so that process is basically the process we have now. So I'm comfortable with this, mayor, I know that there's still some friction about what does it mean to bring in more chiefs into that group and it changes the number, changes the math on the 75% vote. But we're already one of 12 now instead of being one of 18 or one of 19 is not that substantively different when it comes down to it. So I would mayor what you have laid out here. I think it's important to move forward so that we don't create any unnecessary delays to the implementation of the technology that is required for this all to come to pass.

>> Any further comments on this? Mayor pro tem.

>> Garza: I guess I'm trying to understand I know there was a recommendation from the public safety commission I guess last night. I'm still not exactly sure what the recommendation was,

[11:50:07 AM]

if -- is this part of -- is what you proposed any way related to that recommendation and then another question would be to Jimmy's concerns, does the public safety recommendation last night, would that -- are you saying that there's some chiefs who haven't signed on to what was recommended last night?

>> Flannigan: The Sam Bass emergency district was never part of the agreement and that's the one that is closest to resident part of my district with the worse response times that isn't planned for a station. I have another one in Canyon Creek, but that's on the list of five that you helped move forward. But my understanding with Sam Bass is they're waiting to see how this evolves and they'll entertain joining later.

>> Garza: So that has nothing to do with what was the public safety commission.

>> Flannigan: Is doesn't affect the Sam bass question. There is still the jollyville fire station that is a critical one that is in the donut hole where there's already a pretty severe failure rate in termsful where the calls are going

[11:51:07 AM]

and who is responding because that station is surrounded by city of Austin towers and-- yeah.

>> Mayor Adler: And my understanding is the public safety commission last night did not discuss the issue of what should be the default? I think that the association presented the recommendation to the commission that the association was also presenting to us and the commission took a vote to endorse it. The truth is I haven't spent a lot of time on that resolution because it was issues that were kind of post the things that I had been working on and post this issue.

>> Garza: Okay. And just because I -- we all agreed we weren't going to delay this any further so I want us to be ready on Thursday to take some kind of action. I don't know if it's appropriate for the chief and Mr. Nix to kind of explain the two so we have -- so we can have that conversation now instead of 38ing it until Thursday -- delaying it until Thursday.

[11:52:08 AM]

>> Mayor Adler: I'm fine with that. They're both here. Mr. Nix, do you want to come up too? Bob, do you want to come up?

>> Garza: Hi, chief.

>> Good morning for the next seven minutes. What was the question again, mayor pro tem?

>> Garza: So I guess first first, what is before us today, is it the same -- exact same thing that was the prior council meeting from staff's perspective?

>> I believe the only addition this document is to make it official for the 45 days. We did discuss this earlier this month that the fire department, I did agree to the 45 day innovation for council along with the labor as well to make any change or propose any changes to the operational procedures.

>> Garza: Okay. And I guess if it's okay, mayor, if Mr. Nix can explain what was recommended at public safety and then if

[11:53:10 AM]

our fire chief could respond to that.

>> Sure, thank you. So I realize that for the last three postings of this agenda item there was a request for action that said that there was a presentation before the public safety commission and that information was faulty. It had never been put -- this important item has never been put in front of the public safety commission until last night. And when I realized that I started thinking broader about this issue. Why are we rushing it? Why are we not letting our important committees vet it carefully? Since there's no urgency at all, and I'm very sensitive to what Jimmy is saying about getting service to Williamson county, it absolutely needs to happen, I think you know I'm sincere about that, but this agreement will have no impact on making this happen sooner. I'll get with the jollyville chief later today and he'll talk about the concerns. We could work out something to help. But this is a letter that Rebecca weber from the public safety commission sent to a councilmember today and she wanted me to preface this by saying until she saw the presentation

[11:54:11 AM]

yesterday between me and chief wolferton, she had an open mind and didn't know what she was going to do. Here is her letter. The public safety finally got to see the agreement last night. The proposed interlocal will not emile_rate the problems in Williamson county. It will have the esd chiefs in this new interlocal has distracted us from the immediate problems in north Austin. That is where the focus should be now. In the meantime I highly recommend you do not pass the interlocal until AFD can answer basic questions regarding what we spend in auto aid and what we get in return. Their presentation last night was an embarrassment because it -- in the 11th hour and they did not prepare to answer the most basic and frequently asked questions. I immediately go on, so please call me if you need further information. There's no reason to push the thing forward now. There's many reasons to wait and make sure we get it right on the front end. One of which is what the mayor brought up is that issue.

[11:55:11 AM]

We have an expensive and extensive quarter-million-dollar equity and optimization study for emergency dispatching starting in January. Why would this not be included before we -- before we start signing the agreement and shoe horning ourselves in to a certain way of operating before we are informed by the results of that study? Why are we trying to push this past the board's commissions that have been very important on these issues in the past? And there is no urgency.

>> Garza: Chief, can you explain what the public safety recommendation was?

>> The public safety recommendation is basically that we continue to enforce the Travis county agreement which stays in effect until 2023. That we put our main efforts into helping the citizens of Williamson county. And that we return an auto aid agreement once it has certain criteria, and I can go over those criteria if you want me to. But basically those criteria are demonstrating how the internal and external third-party studies inform the construct of the new

[11:56:13 AM]

agreement, present the public safety commission the findings of the third-party and internal equity and opposition studies. Place provision of the auto aid agreement that states that the full by county auto aid agreement will only take effect which dispatch is complete. Ensure that a single operating system for all departments is in the new agreement. That's one of my big issues and one of our big interests to the association. And present too the public safety commission the proposed agreement once completed. And direct city departments now to continue the technical issues that need to be done to solve the issues of Williamson county to bring those folks on board. But there's some immediate -- the first recommendation, I didn't even go over, I'm sorry. It's to really direct the city manager to come back in 30 days with a plan to help the citizens now or immediately in Williamson county that are our Austin citizens. There are some things we can do that are not as quite as sophisticated that we do now with dispatch and can be done very quickly if we can get the agreements with those folks. There's a 911 app that they can push out to take the calls that are closest. We can put radios and

[11:57:13 AM]

repeaters in their station. We may say it's archaic, but we've done it for 100 years in this department and that's what we can do if it means giving the public service right away.

>> Garza: So the public safety commission recommendation was essentially another postponement?

>> It postpones it until certain work can be done to get the agreement on the front end and we strongly feel that it's not right on the front end. We're locking ourselves and abdicating our authority as a council to esd chiefs and we become one-19th of the vote. It has been done in the past, but what hasn't been done in the past, Mcraven, is our chief advocating for multiple systems. The firefighters feel strongly that's not happening today. And because of that we don't feel comfortable with giving -- the chiefs all agreed with the multiple operating systems, which is an unsafe practice nationally. And once we get that authority away -- give that authority away, the ability to wrestle that authority back puts thus this very dangerous gambit. So now they do something

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that's unsafe, which they've already proven it will do. Now we come back it and say we had need to get out of the auto aid contract to protect your firefighters. That's a dangerous gambit to put ours selves in and we don't have to. What we're basically saying is either you stick up for firefighter safety and let your citizens go unserved in the esd's or you're going to stick up for the citizens and not care about your

firefighters' safety. We don't have to have that gambit if we do it on the front end and that's all we're trying to accomplish.

>> Garza: Thank you.

>> It's gambit.

>> It's amazing how we continue to use buzz words as scare tactics. Rush. We're not rushing. We've been working on this before I got here, February -March 2018. We're now 21, 22 months of talking about automated aid. Fire fire safety, how many times have I heard that in the fire service? Too many times. We're not rushing. We have a plan to implement

[11:59:17 AM]

automatic aid. This document right here, if city council, if our members of the fire department feel like we are continuing -- we're putting our members' lives in danger, which we are sworn to put ourselves in harm's way for the protection of our citizens. But as the fire chief, to have someone say I don't care about firefighter safety is more than disingenuous, it's dishonest. It is not the truth. When I came to the city of Austin I presumed the [no audio] Where they outlined that all of my decisions, not some of them, all of them, are based on what's best for the city first and the citizens and then what's best for the fire department second. Without the city, there is no fire department. I'm committed to that. But to sit here and listen to I don't care about firefighter safety, I'm putting firefighters safety

[12:00:19 PM]

behind concern, that is wrong. This document clearly states, which I agree to, in the event city council believes that automatic aid is not in the best interests of all of their citizens, then we can pull out of it. But I'm -- I'm committed and I'm telling you automatic aid is best for the citizens. Yes, there are some areas that the city of Austin fire department will respond to more in esds than they respond to us and likewise, there are esds that will respond to the city of Austin more than we respond to. Let me give you some examples real quick here. I have a -- you can put up the map, sir -- that shows that the Austin fire department's esds PDF, I believe it is, it shows that the number of fire calls that Austin fire respond to the esd was 462.

[12:01:19 PM]

I'm sorry, that's so small you can't even see it. I apologize. But the number of ems calls that Austin fire responds to the esd was 1,768. Now, on our end, the esds respond to the Austin fire department or city of Austin for 336 fire calls, but those esds responded more for medical calls to the city of Austin than we

did to them. They responded to 2,412 calls. And I outlined each of these calls for each city council when I met with you or your chief of staff to show you how the esds and the fire department, how we collaborate together and the calls we run together in each other's district. I can't deny that there will be times that the Austin fire department will respond in esds more than they respond to us and likewise. They can't deny in some areas of the city they're gonna respond to -- more to our area than we will to

[12:02:20 PM]

theirs. But if I'm having a heart attack, I don't care what patch is on that sleeve. I want that firefighter who has been trained and certified by the Texas state -- the state of Texas to let me know they can do cpr, giving electrical shock to the heart, get that IV started so I can walk out of that hospital and be home to my family. But to say I don't care about firefighter safety as a fire chief? That's wrong. That's not right. That is not right. I care about firefighter safety. That's painful.

>> And I'll respond really quick that if you do not sign -- approve this agreement everything the chief says stays in place until 2023. Every single study, every single back and forth, nothing changes. We have an agreement with auto aid right now with Travis county, we support that agreement. Everything the chief says stays in place until 2023. What we're talking about is

[12:03:21 PM]

forming a bicounty agreement, talking about firefighters in Austin maybe going to Georgetown. We need to study that before we do it. We have the luxury of time because there's northern California urgency to do it now. The fact that chief says he likes firefighter safety, I believe he believes that. I have a vote from my members, 93% condemning his action of using multiple operating systems. There's a lot of firefighters that don't feel that, chief, and that is sad. Because it flies in the face of national standards and flies in the face of our operating systems we have now -- there were almost 400 firefighter deaths. It does give me no pleasure to talk like this but my membership demands that I do and I hope council will give us relief by voting this down on Thursday and give the public safety commission, we can get this thing right and retain the authorities to make sure firefighters do stay safe.

>> Mayor Adler: Any other questions on this?

[12:04:21 PM]

>> Flannigan: I appreciate what everybody is saying. It's not clear to me that this is really substantively different than the agreement we have with Travis county now. We're adding additional esds to round out the fact that this city goes into a second county, substantially goes into a second county. The resource allocation in auto aid calls, I was concerned about that a year ago, year and a half ago, when I

met with all of you about that, and it has become clearer to me that it does somewhat average out to a neutral or maybe even to our benefit, especially when you consider the far greater number of medical calls that exist in our community than fire calls. And those are the calls that the esds are responding to, as you said, chief. And my understanding is that the operating procedures are not related to medical calls. Those are related to the fire calls.

[12:05:21 PM]

And so we're really talking about a very small number in terms of overall percentage of calls that the fire department responds to. I think this is a moment for us as a city to realize that we aren't the biggest player in the room anymore. We have to participate with the region as a partner and we can't just amend this agreement and expect all the esd chiefs around to sign on. There is a scenario where we try that and they say, you know what? We're just gonna go it alone. Thanks, city of Austin. We've got the resources we need now. The esds have bulked up, got more resources, more resources than they've had in the past, certainly when original auto aid agreements were signed. I think this is the right compromise, and I am not hearing anyone in the city of Austin wanting to change our own operating agreements, our own operating procedures. There's no desire for any of us, myself included, to change those. And whether or not we as a region move to a single

[12:06:22 PM]

operating procedure is a much longer conversation, but I think getting us all on the same page as partners is a right first step so that remains my preference.

>> Mayor Adler: Alison.

>> Alter: Thank you. Appreciate that this has been a long process. I also want to acknowledge that, as I understand it, there have been a lot of compromises already made to get us to where we are now relative to where this started, and it was my understanding that the main outstanding issue was the one that the mayor has tried to address with this document. I wanted to clarify one thing on the document in relationship to the draft agreements. So this says, you know, one of the two things, at the bottom, city council recognizes it may act to remove the city from the automatic aid agreement if changes are to be made

[12:07:22 PM]

thereto, and the other if any unacceptable changes are made thereto. Isn't there also a provision for us to just leave the agreement if we're not happy with the agreement totally apart from the changes? So apart from anyone proposing any changes, if we find that this is a problematic agreement on the ground

once implemented, for whatever reason, is there not a provision that we can unilaterally provide notice that we are leaving?

>> Yes, ma'am, you're correct.

>> Alter: Could you just maybe after the fact send me an email that says exactly where that is in it so I can read the language that says that? And then the other question I had was, Mr. Nicks, you made a statement that this would not protect Williamson county doing this, or would not protect Austin more. So I'm not understanding --

[12:08:23 PM]

I'm not understanding how that -- if we add another county that is going to get auto aid, we're not providing additional protection to part of Austin. So can you explain that to me?

>> Yeah. I'm not exactly remembering the statement I made, but I think I understand what you're saying. So because the technical issues to get the two systems working together are at least gonna be 2020, August, and probably longer. If you talk to people working on these issues they say they're not even close to getting it so there will be zero, zip, nada effect on Williamson county Austin cities when this thing is signed for at least a year or more. But once it's signed -- I mean, once we get the technical issues in place, then it's possible we can look at their units on their side of the fence and ours on our side and we can dispatch more seamlessly. Does that -- I don't think that answered your question,

[12:09:24 PM]

though, I'm sorry.

>> Alter: Chief, can you speak to that? Because that was not my understanding of what was going on.

>> The ctm, I believe that's the correct -- proposed that the dispatching technical part should be completed around/near August 2020. But it's my understanding that they're working on this with the understanding that the Travis and Williamson counties is working on an automatic aid agreement since they're funding this, to move forward with that. I think it's a sign of good faith with this automatic aid, with the ctm to show that we are working towards more collaborative effort for our citizens and for them moving forward with the funding and working with the computer aid dispatching system, the cad, to enhance those dispatching, it's a step forward. So adding Williamson county to automatic aid, it's only

[12:10:26 PM]

enhance the response time to those areas where those citizens are that we are not able to get to within five to eight minutes that's gonna have those call volumes and it's gonna improve the response time and reduce the risk to those citizens.

>> Alter: So is it a matter of the dispatch, like, just actually being able to patch in, or is it a matter of differences being on the ground, if it's a fire or medical call? Because if the medical is the same, I mean - I understood that the fundamental problem had to do with how many trucks and who was in command at the time when you got there and none of which matters, I think, if there's a medical call that doesn't involve fire.

>> Right.

>> Alter: So if you --

>> That's correct. So the main issue with the cad which why we need the project is so we can see Williamson county units at our dispatch and they can see our units if they're dispatched. So I've always equated this to looking into the toy box

[12:11:28 PM]

and seeing what toys you had that you could pull as you needed them. Right now as it exists they can't see us and we can't see them. Some of the proposals the chief is talking about, putting the 911 app on a phone at the station could potentially work, although we've had instances where that did not work very well. I've talked with my coms staff. That will be a very hit or miss solution. Not to mention the fact it does not solve the operating guideline issue that chief nicks was most concerned about. So, again, talking about the impetus of why now? Right now you have ctm believing that the only things that waiting on this to happen, because we're gonna get an agreement, is them to actually have the technology ready. Chief nicks mentioned there have been problems in Williamson county and they're working hard to fix it?

[12:12:28 PM]

You know why they're working hard to fix it? Because they be this is coming. So they're doing things they weren't doing before because they think the technology is the hold-up, not the agreement between the chiefs.

>> Alter: Okay. What -- let's say I'm in Williamson county, I have a medical call and I know the Austin fire department or ems can't get there and I'm in the 911 thing. What stops me from calling the Williamson county 911 and dispatching it? Under this agreement we would still be able to do that, which we're not able to do now.

>> Under this agreement, whichever public safety answering point that picks up the phone, regardless if you're in Williamson or Travis county, once we have this in place, we'll dispatch the closest unit, regardless of which agency is -- because, again, they can see us and we can see them.

>> Alter: I know. But before you can see them, it seems like you ought to

[12:13:29 PM]

be able to do some wrap arounds that still provide better service. But you can't do those without an auto aid agreement because you wouldn't have any obligation to provide the aid.

>> That's correct.

>> That's correct.

>> Alter: Correct?

>> That's correct.

>> Alter: So for a medical call, if we don't have a way to get there, our 911 could call Williamson county and say we need someone, can you get there faster and maybe that takes a minute more than if you just had automatic dispatch but that's still potentially better than 20 minutes to get there, and that can be done only with this auto aid agreement because we don't have the obligation to provide it. Am I understanding that correct?

>> That's correct.

>> That's correct.

>> Alter: Okay. But then with a fire call, you would still have that same process but then the question that's been of concern to the association, if I'm understanding correctly, is how many fire engines is and which type and who is in charge once you get there and whether everybody understands what's going on?

>> And we have addressed

[12:14:30 PM]

those in the automatic aid document. Four of the five things that the labor requested was to have a battalion chief in an incident management role. We said yes. To instruct the -- whether or not the authority to have a jurisdiction would operate on a a101 or standard operation guideline assist, we said yes to that. So if they enter into this agreement, they must say which one they will operate under. To review the incident upon request, an agency can say, hey, we want to go over the incident we went over. We think something didn't go well. Something did go well, we want to go over the incident. We say

yes to that. And ability to stop an incident if an unsafe act takes place. We said yes to that as well. So the only thing we didn't agree to was to change the interlocal agreement where council had to vote for all the esds in Austin, had to vote on the changes. But the compromise to that is, if we want to make any

[12:15:34 PM]

changes in the operation system, the changes outlined here, we will come before council and labor, give them 45 notice and say, hey, these are the proposed changes we're allowed to do. What are your concerns with these changes? I think that's an excellent compromise.

>> Alter: Thank you. That was my understanding of where we were at. I just want to give you a last opportunity to explain what is -- what is missing? I'm not grasping what your argument is.

>> First of all, I want to thank council. Before council got involved the chief would not sit down and talk to us about these really positive changes they just mentioned. But they are positive changes. We did make a lot of progress after that point. The problem is, they may not be worth the paper they're written on if you advocate all your responsibility to esd chiefs. Chief [indiscernible] They've already proven they will vote in multiple operating systems. We have to have some longevity in these tenets we

[12:16:36 PM]

fought hard to obtain and that you fought hard with us to make sure firefighters maintain their safety. So if you do not want to take the recommendation of the public safety commissions, a lot of policy issues in that, if you decide you don't want to do that that's your purview. My interest is to keep the things we negotiated for and to do that we need to have it in the interlocal. We didn't have it where you had to vote. We had a 45 day waiting period we put in the interlocal that says once the chiefs made a decision different than the certain tenets we just negotiate the that council would be notified and all the other boards will be notified and if there's no objection to those changes chiefs made, then they'd be ratified within the 45 period. So you're advocating responsibility from the interlocal to the chiefs, but you still have oversight over that responsibility that you gave the chiefs. We think that's a very good compromise. We think that's definitely something everybody will sign onto because they still get to have auto aid just like they do but they have the oversight of their boards through a 45 day

[12:17:37 PM]

waiting period. If we don't have that, if we have what we have here as a compromise that mayor Adler helped us with, we are in a dangerous gambit. Let's just say the chiefs do what they did before and say we're going to use a different operating system than a101 or multiple, whatever, unsafe national acts, okay, now you're gonna get your 45 day notice, I'm gonna come to you and say the only thing we can do

is get out of auto aid because they've already made that decision and now you have to decide between firefighter safety and citizen safety. And I don't want you to have that gambit. By putting this wording in the interlocal, we preserve the tenets that we fought so hard for that are -- that we had to make some gains on. So if you're not gonna take the recommendation of the public safety commission, my plan B would be that we take the 21 day waiting period and put it in the interlocal. If the council doesn't have the stomach for that, this is an okay plan C, but then

[12:18:38 PM]

it puts us in a situation where we're gonna be coming you to just like this, we're gonna be saying the fire chiefs did something unsafe, you need to stand up for your firefighters. The only mechanism would be to get out of auto aid. I don't want to put council in that decision. I don't think we need to. We need to put the 45 day waiting period language in the interlocal in my opinion.

>> It's hard for me to be quiet. I'm trying my best. But to say this is not worth the paper it's on, that's disrespectful to the council and to the mayor. I trust the council and I trust the mayor. It more than represents just the pair it's written on and to say that I would not meet with the labor organization before council got involved, that is just outright lie. It's wrong. And I don't want to go back and forth with the labor, but he knows good and well we met before council even got -- before the mayor got involved. I don't want to go back and forth, but automatic aid is good for the citizens, it's

[12:19:39 PM]

good for the Austin fire department, it's good for all parties involved.

>> Mayor Adler: Anything else on this? Thank you very much. Thanks for the time. Next pulled item that we had was --

>> Tovo: Mayor?

>> Mayor Adler: Yes.

>> Tovo: I wonder if now might be an appropriate time to indicate that.

>> Mayor Adler: Postponement on this item?

>> Tovo: Not this item. Item 2.

>> Mayor Adler: I think we agreed we're gonna postpone item number 2. That was the P.I.D.?

>> No. It's the rental registration item.

>> Mayor Adler: Any objection to postponing this item number 2? It came out of an original resolution.

>> Tovo: Resolution I had brought forward. I appreciate the opportunity to do this. I had hoped to be able to do it earlier because I know we have some individuals here from the community who want

[12:20:39 PM]

to hear us discuss it and it is my intention to indefinitely postpone it at this point. I think we've heard concerns from an array of stakeholders and questions, and I think the better -- the better way to address some of the challenges that we were trying to respond to would be to create something that we've talked about for a long time, probably before I was even on council people have offered the idea of having low-cost loans or no-interest loans to property owners to fix up properties that are on the repeat offender list or are in danger of having substandard conditions, so it's my intent to refocus our efforts on really moving forward some action on that rather than this measure. And I appreciate councilmember Casar's staff sat in on some meetings as well and hopefully he's in agreement that that's probably the best method at this point, is just to indefinitely postpone this item.

>> Mayor Adler: That actually sounds best to me too. Therefore any objection to -- is there any objection to that?

[12:21:40 PM]

We're just going to postpone that indefinitely. Okay. We have Moya here right now. Mario had a window of time she was able to us. I think what I'd like to do now if we could is -- while Mayra is here, have her speak to the appraisal question on the land development code since she's here. That way she could be here and then head back to work, and then when Maria is done and we can talk through that issue, however much you all want, to then we're gonna come back, handle the rest of the pulled items, take our break under executive session, where we're going to talk briefly about real estate acquisition, finish lunch and come back for the rest of the land development code work. Rodney.

>> Thank you, mayor, council. Yes, the chief appraiser's presentation is part of the land development code --

>> Mayor Adler: I don't know that your microphone is on.

[12:22:40 PM]

>> Okay, yes. The presentation was part of the land development code briefing but to your point, while the chief appraiser is here it would certainly be good to take this opportunity to answer questions, and I believe Moya had maybe just some quick overview briefing she wanted to talk about as well.

>> Mayor Adler: Okay. Thank you. Thank you very much for joining us here today.

>> It's my pleasure, my pleasure. First, I just want to preface by saying from the appraisal district's perspective, we do not know what the impact of the land development code is going to be. We're going to have to wait and let the market tell us what it does to appraised value. So it is too early for us to say whether it would be a negative or a positive in terms of the impact on appraisals. We're gonna have to wait and let the market tell us what the impact is going to be.

>> Mayor Adler: Okay. And that's the general rule. I think the question that people are asking in particular is if I have a homeless and the tract next to me is a homestead tract

[12:23:40 PM]

and someone buys it to turn it into a triplex, will that impact the ad valorem valuation of my property?

>> So any property that has a homestead exemption that may be upzoned, as long as it's still used for residential purposes and maintains the homestead, the highest and best use will always be considered to be a homestead. If the property is sold and it is converted and it becomes a triplex, then it comes out of the pool of properties that we compare for other single-family residential properties and it goes into the pool of triplexes. So we compare single family to other single family, and we compare triplexes and duplexes to other triplexes and duplexes.

>> Mayor Adler: Okay. If someone goes and buys the property next door, it was a homestead, the homestead person sold it to somebody else who buys it, pays a lot for it, doesn't maintain it as a homestead and makes it

[12:24:41 PM]

clear indication that they're buying it in order to be able to redevelop it or convert it into a triplex even though it hasn't happened yet, is that a comparable sale that would be used to value my homestead, property homestead?

>> What we do when we look at our data of sales available for us to analyze is we're always going to look at it and if it is anything that is a sale that is more than two standard deviations outside of the norm it gets flagged as an outlier so really, really high sales and really, really low sales get flagged as outliers. We're looking for things that are comparable that make sense with -- in comparison to the other sales we see within the neighborhood.

>> Mayor Adler: Okay. And then beyond that, if it's not to factor off, you're looking at the highest and best use.

>> Yes.

>> Mayor Adler: So you're gonna compare homestead properties to properties bought for homestead properties.

>> Mm-hmm.

>> Mayor Adler: . Is that right?

>> Yes.

>> Mayor Adler: So you look at the highest and best you're welcome what it was bought to be intended to be used for.

[12:25:42 PM]

If somebody buys the property next to me, hasn't made it into a triplex yet but the evidence would indicate the bought it for the purpose of turning it into a triplex that's the data you would consider to decide whether or not that's a sale that could be used?

>> Yes, we're gonna look at the highest and best use of the property and make that determination. Sometimes people will purchase properties and there is no indication and it's unknowable by the appraisal district. That's when that other secondary test comes in, does it appear to be an outlier when you take it in consideration with the total population of sales that we have that we're analyzing.

>> Mayor Adler: That's kind of like the stopgap. To the degree that someone buys it for a homestead, clearly it can be used, they're using it as a homestead. If they're buying it for some other purpose that becomes a fact issue.

>> Yes.

>> Mayor Adler: Certainly a property owner would be able to come in and say this was purchased by John and here's the other eight times John has bought properties and turned them into triplexes. He's not living here. There's no longer a homestead exemption. Therefore, the appraisal board, you can't use this because it's clear that his

[12:26:43 PM]

highest and best use was different from that. That's the kind of information that the appraisal district would take into account?

>> That's information we would take into account. Sometimes that's the information provided to us by people other than the property owner. But we appreciate when that kind of information is brought to our attention.

>> Mayor Adler: Okay. Thank you. Further questions Leslie?

>> Did you have a presentation?

>> That is not mine.

>> Pool: Thanks for being here. Let's see. Let me -- I have a couple of questions to ask, and let me give you a scenario. So an owner sells the house and land for \$400 a land foot and let's just say that because of the size of the property is over \$17 million. So the land is sold to a developer then who immediately demolishes the house and builds a high-rise condo. So how would the appraiser value the land under the house that is still there?

[12:27:45 PM]

>> So the house was demolished or the house is still there?

>> Pool: Okay. Okay. Let me go back and give additional context. So assume two identical 1 acre tracts downtown.

>> Okay.

>> Pool: Each has an old 1400 square foot house. Both are zoned for low density apartments like 20 units per acre, which is a .35 to one F.A.R. Both structures are appraised at \$85 a foot so that's \$119,000.

>> Mm-hmm.

>> Pool: The land under each is appraised because Travis county separately appraises the land from the structure. We know that. At \$40 a land foot, about 1.75 million. Okay. So under the code rewrite, both tracts are rezoned to allow high-rise development with a ten to one far under 350 units per acre.

[12:28:47 PM]

So one owner sells their house and land for \$400 a land foot, 17.4 million. And then that land is sold to a developer who immediately demolishes the house and builds a high-rise condo. So you have one still there and one next door and everything else being equal. So how does the appraiser value the land under the house that remains right next door to the house that was demolished?

>> Okay. So for the property owner that remains, if they've got a homestead exemption, then they will still be considered the highest and best use, will still be considered residential. So if residential values in that area are \$85 a square foot it will continue to be \$85.

>> Pool: Which is the same answer you gave to the mayor a couple minutes ago. Would the appraiser use the sale of the adjacent tract to value the land under the old house on the other lot? This is sort of asking that same question a different way.

>> No. Because a sale at

[12:29:47 PM]

\$1.7 million and the other is at 195, when -- in both ways that we look at it, one under 2301 protection of highest and best use, it wouldn't make sense. Then if you're looking at other single-family residential compared to other similar single-family residential, that sale at \$1.7 million most likely will be an outlier because it's so far outside the realm of what we consider to be typical for those improvement sales that we're seeing.

>> Pool: And that goes to the point about the two standard deviations Y mentioned earlier. So would the fact that the old house still there being used as a house, does that affect the land value?

>> Of the old house?

>> Pool: The house that is not demolished. Now we're looking at the valuation of the land under the house that was not demolished. Does the fact that there's a more expensive new structure next door affect the land value of the soil that's under the house that was not demolished?

>> If it's redeveloped and it's a different use, it's going to come out of the pool that we used for

[12:30:48 PM]

comparison with other single-family residential properties. So that would not be part of the pool that we would use of other single-family residential because now its use is apartments. So it's got a different use.

>> Pool: Okay.

>> Mayor Adler: Can you please take the presentation off the board since we're not talking about that yet? We'll pull that back up when we do.

>> Pool: So what you're saying is that, again, the land, which is valued separately, under the not demolished old home would not in fact be considered to have higher value even though it is now adjacent to a lot of the same size but has an expensive new high-rise on it?

>> Yeah. That's not to say we never adjust land values but when we're looking at that analysis we're gonna look for sales of other improved properties that are similar in types and use. So we're looking for other single family to compare to other single family.

>> Pool: Okay. This goes to how you at Travis cad do your appraisals and how the individual appraisers

[12:31:49 PM]

approach the job. Would the appraiser call the owner of the remaining old house and ask them what their intent is?

>> No. I mean, they have -- there's no way that we can force them or compel them to disclose that to us. We will look for other public records if they come in protest we may ask them that as part of the protest, you know, but, again, if they've got a homestead, highest and best use on that homestead because they have the homestead has to be used as highest and best use, even if they have a future intent. The fact they have a homestead exemption on that property requires us to still consider the highest and best use to be homesteading.

>> Pool: Okay. So owner intent is not a consideration in how Travis cad appraises the land?

>> Not for properties that have a homestead exemption.

>> Pool: Okay. Just couple more then. If after paying 17.4 million on the demolished property, if after paying that amount the developer did not start

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construction for several years and left the house with no change in use, would the appraiser use the sales price to value the land?

>> Again, something that far outside of the scope of what is norm for the other sales, it would probably get kicked out as an outlier.

>> Pool: Is that the same approach that would apply to the sale of the -- to the developer to value the land under the house that wasn't sold or demolished?

>> The highest and best use is gonna be single family. We're gonna look at other properties that are similar tot and other sales in that population. We're gonna use those sales that fit within a norm and we're going to exclude outliers, either high or low.

>> Pool: Okay. So you are saying the fact that the land was rezoned and allowed a much larger development, ten times as large, let's say, has no impact on the value of the land next door to it?

>> If it remains a homestead exempted -- if it remains and still has protection of the homestead exemption.

>> Pool: Okay. Thanks.

>> I will also add this.

[12:33:53 PM]

You know, we have to let the market tell us what the impact of the code is. That's not gonna be a one-year process. It may not even be a two-year process. We've had accessory dwelling units for how many years and we still do not have sufficient evidence right now to say accessory dwelling units are a positive to the neighborhood or the properties surrounding it. Right now the only impact they have is to the specific properties that have the extra dwelling and we're only adding the cost value of that extra improvement.

>> Pool: I think the really important piece to reiterate here and to emphasize is knowing what the procedures are for the appraisers, still we don't know what the outyears will bring us and we don't know how the land values will be changed. We could have a massive recession three years from now.

>> Yes.

>> Pool: That could affect it. So that the concerns that people have about what's gonna happen to the value of the land under their home, I

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think this moves the needle a little bit on that, but I don't think it moves it fully to the end where people should not worry anymore about the appraisal district because there suspect any way that we can know with any certainty what will happen in the future, and that's not any different than where we were three years ago with regard to the appraisals on our properties, except for the fact that the council is poised to make some pretty massive upzoning to the residential parts of the city, and I do think that it will be interesting to see what the effects are of apropos Travis cad five years down the road.

>> We don't know if it's going to be positive or whether or not being near upzoned properties becomes a negative to the market. We have to wait and let the market tell us.

>> Pool: There isn't way for us to give any assurances one way or the other to our residents in our city?

>> No. Our work is always done in hindsight so we let the market react and then we report what we have seen

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happen in the market.

>> Pool: Thank you.

>> Mayor Adler: Greg.

>> Casar: I mean, there's no way to tell, to predict absolutely the future given all of the things that happen in the global economy and the local economy. But as far as reassurances to our residents, I think what you're making clear is that state law, as long as this state law is in effect, you assure that you're

gonna follow the state law that says if somebody has a homestead on their property and somebody buys the house next door for a high-rise, that you are not going to tax them like they could build a high-rise on their property?

>> Exactly. As long as they have the homestead exemption under 2301d of the tax code, as long as they have a homestead exemption, the highest and best use must always be considered to be residential.

>> Casar: The idea being it's logical to somebody that if they could do a lot more with their property maybe they could sell it for more, but what you're saying is that the state law makes it really clear that even if

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you could sell it for more, you are prohibited from taxing them based on that. You have to tax them based on it being a homestead property, regardless of whether they can sell it for more or not.

>> Right. Now if all the other homesteads in the neighborhood are going up in value and selling for more.

>> Casar: Which is happening all over our neighborhood.

>> Your value will still go up.

>> Casar: Yes, we're not -- the idea being right now people's appraisals for their homestead is going up.

>> Yeah.

>> Casar: But as far as us not being able to reassure people because we can't tell people exactly everything that's gonna happen in the future, that's something none of us do or know, but what we can tell people is there's a state -- that there is an idea out there that if all of a sudden you can build -- your neighbor builds a triplex and that is going to increase the taxes on your property where you might just have a homestead and a single house, and what we can reassure people is that state law is very clear that once that homestead exemption comes off the property next door, it's -- you're no longer in the

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pool, comparable pool with them.

>> Exactly.

>> Casar: And you all watch when a homestead exemption comes off a property.

>> Yes.

>> Casar: So you don't have to know exactly what it is they're going to do with it. You see the homestead exemption come off and you say that gets appraised compared to non-homestead exemptions and the folks with homestead exemptions get appraised

[indiscernible]

>> You know, it depends on the highest and best use of the property.

>> Casar: Right.

>> So whether a property has a homestead exemption or not, if it's in the interior and it's not zoned or upzoned and it can only be used as single-family residential whether it has a homestead or not, it will be compared to other homesteads. But if it is upzoned when there is a possibility that the highest and best use could be something other than single-family residence, then we're gonna do an analysis to see what is the highest and best use. Could be nobody wants to develop and and highest and best use is residential but the protection is it mandates for those transitional areas where properties are changing use, if you're the existing homeowner and you have a homestead, that your highest and best use will always be

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considered to be residential.

>> Casar: The idea being --

>> It's important for property owners to make sure if they want that protection file your homestead exemption.

>> Casar: Makes sense. Sorry, I didn't mean to not have you finish. The idea being that if you are a homeowner in a transition area and somebody's house next door to you and the homestead exemption comes off, they're not going to be in a pool with you. The folks in the pool with you might be the folks in the interior of the neighborhood where the triplex or the fourplex isn't allowed.

>> Yes.

>> Casar: That's your comparable?

>> Yes.

>> Casar: Just in closing I'll say that that sounds to me to be really crystal clear, and while there's lots of concerns in our neighborhoods about tons of issues within the code and far beyond the code, I would be interested if out of this work session we can at least commit to each other and that this is a hard thing to work on and at least this piece is pretty clear, in that we can communicate this piece of the state law to

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our communities very clearly because I think you've laid it out in the news and laid it out in prior sessions and then in this one what the state law -- what the state law says as it relates to this. So thank you for coming out.

>> Mayor Adler: Okay. Ann.

>> Kitchen: Thank you. And I agree with what my colleagues are saying. I do have to ask a little more specific question in a different scenario just to understand it. So you would -- I just have two questions. First you said that the market will tell you the impact and you'll have to wait and see.

>> Mm-hmm.

>> Kitchen: Just for clarity's purpose, when you say the market will have to tell you the impact, are you speaking in terms of comparables? Are you speaking -- or are there other factors you're looking at? What are you looking at? What is the market telling you?

>> Okay. So we're gonna look to see if -- if properties that are upzoned that may not have a homestead but are residential use properties, maybe they're rental

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properties, are those properties selling for more than the other residential properties because of the potential of the upzone or are they selling for something that's comparable to the other residential properties? And that mark is gonna tell us that information.

>> Kitchen: If they're selling for more, what is that going to tell you?

>> If they're selling for more then it's going to tell us for those properties that don't have the 2301d protection, that we need to look at how we appraise those and maybe there needs to be an adjustment, even though they continue to be used as residential, maybe there needs to be an adjustment when we look at our appraisals on those properties.

>> Kitchen: But you still -- the key there is you're still comparing homestead to homestead and not comparing non-homestead to homestead?

>> Yeah. We compare single-family residential to other single-family residential, assuming highest and best use continues to remain single-family residential.

>> Kitchen: Okay. So then -- I just wanted to clarify that. So then my -- so are there other parts of -- other things you'll be looking at when you say that the market would compact it? Or is that --

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>> You know, we'll also be looking for those properties that are -- are in the interior, you know, how is that impacting the sales of those other properties that may not be upzoned? Again, that's market data that's going to tell us how that impact is. Maybe having that, you know, upuse is seen as a market negative and maybe we see the next two or three streets being sold for less because they've got what is determined by the market to be a detrimental factor. Maybe it's a positive. We don't know at this point.

>> Kitchen: All right. So then the second question then is, you're talking in terms of comparing homestead for single-family homes. So when you talk about doing that, are you including in that -- we have a range of zoning categories that we're considering that are called R, residential, and r-4 is residential. So, you know, maybe I'm wrong about this and not really understanding, but couldn't you have a homestead on a r-4?

>> So when we're looking at

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properties that are single family, one family, we code those in our system as O1s, and we compare O1s with other O1s. If it's a duplex we code it as o2 and compare O2s with other O2s, O3s, with other O3s. That's what we look at. Even though it may be zoned as a r-4 when it has a duplex it's compared to other duplexes.

>> Kitchen: So it's not the homestead exemption that determines the comparison.

>> In part but it's also going to be in part the property that's on there. Again, we're allowing going to look at what is the highest and best use for the property. The exemption is what dictates that the highest and best use will always be as a single-family residential as long as they've got the homestead. If they don't have the protection of that homestead, then the highest and best use might be something else even though it may have a different type of structure on it. We would have to take and let the market tell us how that impacts those properties.

[12:43:59 PM]

>> Kitchen: Okay. So last question, and then -- I'm not gonna ask endless permutations. I'm just trying to understand. So you had a homestead that you had three units, you could be compared to your neighbor who had one, who had a homestead?

>> So you're saying if you're a triplex?

>> Kitchen: Yeah, that's my question.

>> Triplexes are compared to other triplexes.

>> Kitchen: Not triplexes. If I have a single-family home on a lot with an Adu and a duplex on it, not necessarily a triplex, unless that's what you mean by triplex.

>> Okay.

>> Kitchen: Would you be compared to your neighbor who has a single-family home? Who was one structure on it?

>> So what we'll look at is what's the predominant use of the property. So if it's got a single family property, we're gonna use that in the single family property pool. If it has a duplex, sometimes those are split out. We appraise those separately and compare them to the

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other duplexes or sometimes we treat it as an accessory dwelling unit. If the principal purpose is as a duplex it becomes part of the duplex pool. That's gonna be on a case-by-case basis and we'd have to look at it.

>> Kitchen: Okay. So you might have some circumstances where you're comparing a home, you know, a -- might v1 structure on it, I might be compared to my neighbor who has two structures. It depends on the kinds of things that you're talking about?

>> Yeah. And how it's classified within our system. Again, accessory dwelling units at the time we're not seeing accessory dwelling units add additional value other than the value of the additional structure.

>> Kitchen: Okay. That's what you mean. You'd have to see over time if the market tells you?

>> Over time yeah.

>> Kitchen: That an Adu has --

>> Has a premium Bach the value of the actual structure.

>> Kitchen: Okay. In which case you might compare a single-family home with a single-family home plus an Adu?

>> Mm-hmm.

>> Kitchen: Okay. Thank you.

>> Mayor Adler: Jimmy.

[12:46:00 PM]

>> Flannigan: Thank you for being here today.

>> Sure.

>> Flannigan: I remember when you came and had a similar conversation with the council a couple years ago and I remember very clearly you talking about this homestead designation, which to me seems the key to the whole debate.

>> Yeah, this is an additional protection that the homestead gives you.

>> Flannigan: Right.

>> On top of the others.

>> Flannigan: To be crystal clear for the community, homesteads are only compared to homesteads. Homesteads that are single-family homes are only compared to other homesteads that are single-family homes. Sometimes that includes an Adu.

>> Yes.

>> Flannigan: As you said earlier those have had no material impact on the value of those homes as you've been able to see so far in the years we've allowed ads to be constructed.

>> Yes.

>> Flannigan: What happens right now in some neighborhoods is an older home is torn down, older homestead is torn down and a new homestead, bigger, newer, more expensive is built.

>> Mm-hmm.

>> Flannigan: Still maintaining a homestead

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exemption for the new owner.

>> Yes.

>> Flannigan: That is used as a comparable because it's homesteaded even though the newer construction is newer compared to older construction single-family home homestead.

>> We look at our transitional neighborhoods on an annual basis, and there are times when we will segment those neighborhoods. So if we see that newer homes, newer constructed homes are selling for premium over and above our model but the older and -- original condition homes are selling differently, we segment the neighborhood and we compare the newer homes to other newer homes and we compare the older and original homes to the older original homes. But, again, this is a case where we let the market tell us. We're looking for market data to indicate that there is a premium that's being paid above and beyond our model on newer constructed homes. Then we'll segregate those.

>> Flannigan: It sounds like, if I'm understanding this correctly, the state law in which you operate

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which requires you to ascertain market value is the market value of what's on the ground?

>> Yes.

>> Flannigan: Not the market value of what could theoretically be built under some future unknown scenario. So you even go so far to separate new homesteads from older homesteads in areas who are experiencing rapid turnover.

>> Yes. In those transitional areas, if the market data is telling us that. Now, I have to say we're talking specifically -- when we're talking about residential. Commercial is a different story.

>> Flannigan: Sure. Sure. That's really great information. And I'm so glad that you came back to us today.

>> Sure.

>> Flannigan: -- To repeat this. I do believe we had this --

>> 17.

>> Flannigan: My first year on the council. I remember it crystal clear because this homestead thing has been in my head the whole time. Just in general I think it's important for the public to understand and maybe it might be good for Ed van eenoo to come back and talk about, the change in valuation is not what raises your taxes. We raise your taxes. The school district raises your taxes when they vote

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the rate because the rate is based on what we collect, not the valuation. If all the properties in the city doubled in value, your taxes would not double in value. Because the caps placed on us by the state are based on revenue collected, not percent of value, even though that is what it looks like on a tax bill. Getting that clarity might be good too.

>> Mayor Adler: Kathie.

>> Tovo: Yes, thank you very much. This has been helpful. I want to talk through what happens with non-homesteaded portions of tracts as well as non-homesteaded tracts.

>> Mm-hmm.

>> Tovo: So if you have -- if you have one unit, homestead exemption, if I add another unit that is not -- that is not subject to the homestead exemption, correct? The Adu piece would not be?

>> If you are not using the Adu as part of your homestead --

>> Tovo: I'm renting it out.

>> You're renting it out, then it would not get a homestead exemption. But in those cases it's one parcel. We're going to compare it other single-family residential properties even though you may have a small

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portion of it that is not covered by your homestead exemption because you're renting it. When we value it we're still valuing the home as single-family residential. Our models are not that sophisticated.

>> Tovo: And when you said that you're not noticing market impact from adus, it wasn't clear to me whether you were saying there is an impact on the property with the Adu?

>> Right.

>> Tovo: You're just not noticing at this point an impact on other properties with the capability of having an Adu?

>> Exactly, exactly. That may change in the future but we have not yet seen it in the market data to indicate to us that the potential of an Adu adds to the value over and above what an other single-family residential to make it non-comparable to other single-family residential.

>> Tovo: I think I want to take -- walk through a few of the scenarios that I think are actually possible in the code redevelopment. So we have tracts that currently can have two units but they may right now have one unit or two.

>> Mm-hmm.

>> Tovo: And some of them will be homesteaded.

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Some of them will not be. So if we have a homesteaded property that may have one unit now, if they add and they -- some of them will be able to add as many as ten additional units if they keep the front house, so they're going from one unit to 11, those additional ten units would not be homesteaded?

>> They would not be homesteaded. You would not be able to qualify that for your homestead.

>> Tovo: So as you have some of those tracts selling that now have the capacity to do not two units but as many as 11, you will likely see higher values, higher prices, higher sales prices on those tracts?

>> Mm-hmm.

>> Tovo: So as I'm understanding just what I see out there in the market and what I think I'm understanding from your information, sort of the first sale is not gonna create necessarily a higher valuation for the other properties, but if you start seeing a couple sales that are much higher because of the new capacity, the new

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capability with those same tracts, those will impact the non-homesteaded tracts? Or they could?

>> They could. What they would impact most specifically would be the ones that might have the similar zoning but not the interior ones. So, you know, your neighbor across the street may not see it because they aren't upzoned but for those very specific tracts, if we see them selling but, again, that's market data that will be two, three, five years down the road for us to gather substantial data to say it's not a 1-off incident but it's actually something indicative of a trend, then it may change the way we do the analysis on the properties that are so upzoned.

>> Tovo: So how many sales do you need before you start changing the valuation of the land value?

>> It would depend on the area that we're looking at. Again, one sale, two sales aren't going to do it. If I'm looking at a

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population of 20 homes and I got five sales, five sales might be enough to do it if I'm looking at a population of 20. Our neighborhoods are usually not that small. We're usually talking hundreds of properties. It's about the availability of sales data, how much data we're able to gather and accumulate on an annual basis. It's getting more and more difficult for the appraisal district to get the data we need to do the analysis so -- we'll probably be much more conservative moving forward in our adjustments just given the lack of data.

>> Tovo: But when you have swaths of area to much many more units, those additional unions would be -- would be -- they would be allowed to have a homestead exemption only for the -- for one of those houses if the homeowner is -- the rest of them would not have that protection, and if there's enough sales data those --

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that land value could increase?

>> Yeah. We would have to look at our models and see what is actually happening and occurring. And I can't say with any certainty until we actually see the circumstances and see it. But it may be a portion where we create a parcel for the portion that is a single family homestead and then create a separate parcel for the ten units. Again, we want to make sure we're being fair in taxation. We don't want ten units to not pay their fair share based on their value. So it may be the portion that's not homesteaded

becomes a separate parcel and the portion that is homesteaded becomes another parcel and we compare that portion to other single family and then we might compare the ten units to other ten units based on that use. But, again, we're gonna have to see what -- what do people really do and what does the market data tell us that we need to do to react to make sure that we're being fair. Because, again, we don't

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want somebody paying taxes for only a single-family residential and it's got ten units. That's not fair to everybody else. We need to make sure the system is as fair as possible and that we're trying to be as accurate as we can.

>> Tovo: Thank you. I appreciate that level of diligence and whatnot. I think the scenario that I hear people are concerned about is absolutely what would happen to their homesteaded property, so I appreciate you addressing that question. I think the other concern I hear, and it's just common sense, that, you know, when you have suddenly the capability of doing far more than you can currently do five times the number of units, you will get a higher sales price and you will see those properties turning over. And probably a lot of us have seen this out there, but in --

>> And at some point -- if they're selling because they've got the potential but only if they're upzoned but we see the interior houses aren't selling at that same rate, then we're gonna look and say there is

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an impact for the upzoning on these parcels and make a comparison there. Maybe make an upward adjustment on those specific --

>> Tovo: On those properties that were upzoned.

>> On those specifically but maybe not necessarily on the ones on the interior because we're not seeing it on the sales of the ones on the interior.

>> Tovo: But it could impact all of those in the area that were upzoned, whether or not they're redeveloping?

>> If we see that that's the fact even though they continue in the same use, highest and best use.

>> Tovo: Right.

>> We may see those are the most comparable to each other rather than being comparable to interior lots.

>> Tovo: And so in situations that you have in areas I represent and I know in areas that some of you all represent where people are renting houses that are now going to be in the transition zone, you will see an increase -- I believe we are gonna see higher sales prices for those properties and with --

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absent a homestead exemption, the property owner is going to have to pass on that higher cost to the renters who are renting the house. And so, you know, I appreciate our digging into this issue. I think there are protections in place for the homesteaded owner, not for those who are renting, and it's not clear to me how it would impact other people in that transition area who are maybe not developing -- redeveloping their property but are going to see their neighbors on either side and behind them, in some cases for 15 lots behind them, redeveloping their tract. So just in case there's any doubt that this is already starting to impact sales prices, as I was starting to say earlier, this has floated around for Moreland properties, a add for 2307 Westover road, developers' dream, affluent tarrytown Austin rezoning initiative is proposing to allow up to

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four units, possibly more. So, you know, I think it is -- I appreciate your information, and I appreciate the rigor of your process and you taking us through how that would work and the -- and it seems to me there are different -- there are different categories for those who are homestead had had, as you've explained, those who are homesteaded and those who are not in terms of how those get assessed.

>> Yes.

>> Tovo: Thanks..

>> Garza: I think you answered the question about the -- you said that the addition of the adus has not had any affect on the valuation of neighboring homes, just on the actual parcel.

>> On the actual parcel itself.

>> And then to dig into a little more of what councilmember tovo is asking. So if there's a single-family home that's not homesteaded, it that's a rental property, a

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neighboring tract that's not a single-family home that's not homesteaded, sells for more and there are eight units put on that tract, the single-family home next year, without a homestead, it could be used as a comp to allot with eight units?

>> If we're looking at the one with eight units that's going to go into the pool of other eight-unit properties that we've got. So it's going to be pulled out of that pool. So we're looking at the highest and best use of that single-family residential property. Does that indicate that -- again, the market is going to have to tell us for those properties that are not developed, but have a potential to be developed, how does that affect their value? And again, we're going to have to wait and see what does the market tell us on that. I can't tell you at that point.

>> Garza: But featurely because without the homestead exemption it would not be a comp regardless of homestead or not, to a unit that's sold now for eight.

>> Yes. If it's single-family it

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will be compared to single-family. We'll look at the highest and best use of that property as well, but just because the one next door has eight units may not make that the same pool that we use for comparison of that single-family residential property.

>> Garza: Okay.

>> Again, we have to let the market tell us. If the market tells us it has a single-family residential but they're going to buy it, scrape it, we know that's the highest and best use of it, then maybe the land value will go up underneath that property, but again, we have to let the market tell us that the potential is going to be what sells.

>> Garza: Okay. And so I believe we changed the Adu ordinance in 2015. I guess this isn't a question to you, just as a matter of discussion. I think the closest example we have today of up zoning swaths of our city have shown no effect, the addition of ads have shown no effect on the

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values of other neighboring properties.

>> At this point our market analysis has not indicated that there is any additional premium to the Adu that would spread across anything except that specific property.

>> Garza: Okay, thank you.

>> Alter: Thank you. I appreciate the conversation. I wanted to clarify something to make sure I'm understanding it. If we have a house that's a rental property that's a single-family house next to a rental property that's a single-family house and the first one sells is the single-family house, but three years later changes to eight units. Then I'm this house next to it that's being reappraised, that sale for this

other house, which somebody may plan to do eight units, but you as the appraiser don't know, and they bought it for

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more, if it is not an extreme outlier, would affect the appraisal value of this other house, is that correct?

>> Potentially. Again, it's what is all of our market data telling us.

>> Alter: Sure. So let me make sure that I'm understanding correctly. So what you have said is just the overnight zoning, rezoning of properties doesn't change their appraised value. That one sale might be outlier of a similar property, but if you start to have multiple sales of similar properties, then it is likely to affect the appraised value of the house in question, is that correct?

>> Yes. But properties with a homestead exemption have the protection that they will always be considered to have the highest and best use of residential. So up zoning won't play any part on those properties that have a homestead exemption.

>> Alter: I'm not asking about up zoning, I'm asking

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about what happens when the market starts to value those homes down the chain, which have the potential to do more because they have the entitlements, whether or not that's built or not, if that house sells, homestead or not, it is still part of the pool that you use.

>> If we see, for example, you've got a neighborhood and on the outskirts those are the properties that have potential and those are selling for significantly more, but we don't see the interiors selling, then the only impact it would have on is that swath that has that influence. The other properties that don't have that influence, that don't have that up zoning, won't see the impact.

>> Alter: Right. I think that's the question of how this plays out over time is exactly that. That if it does have an influence on that, in, say, a transition zone, that it could play out over time to raise the values that's that's what the market is valuing it and you're looking at what the market is doing, you're not looking at whether it's zoned something or not. You're taking into consideration homestead and taking into consideration highest and best use, but

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it's ultimately determined by what the market is telling you, and the market is going to determine whether it values these entitlements as higher.

>> Yes.

>> Alter: Or not. Okay. We have homesteaded properties, but we also have 50% or plus who are renters. Can you walk me through what happens for a process? I know other people have asked, but I want to make sure I understand it. If it's a non-homestead property that sells that's three units and next door there's another three units and there's a property of them, but now they have an opportunity to be bigger, whether or not they're bigger, how does that process work, understanding that you're not going to take one out, but you're going to take the group of properties. They don't have the homestead protections, so

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how is that -- obviously all of these depend on when you get around to looking at what the market is doing in a particular place.

>> Yeah. So those are the ones where again we're going to let the market tell us what the impact is going to be. But typically we will consider and compare tri plex, tri plexes get compared to other triplexes. If we see tri plexes with a potential or selling for more because they have that potential, then we're going to take into consideration that characteristic that is the influence that is driving the values and take that into consideration when we're doing our appraisals.

>> Alter: And those taxes then get passed on to the renters who are in those properties. As well.

>> Potentially.

>> Alter: Thank you. So as I'm understanding what we're basically saying is it's not the up zoning, it's what the market does with the up zoning over time that

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will determine whether the values go up.

>> Yes.

>> Alter: Thank you.

>> Mayor Adler: Paige?

>> Ellis: I've got a couple of questions. Can you talk a little bit about what happens to markets valuation when there's an undersupply of housing?

>> What we see is when there's not enough supply, there's a supply and demand curve. When you see there's not enough supply that puts upward pressure. When demand is great to prices. So you just see overall prices are going up. And we've had in austin-travis county, the last nine years, we've been well under what is considered to be a stabilized market. A six-month supply of housing is considered to be a stabilized market. We've been sub two-three for years. So we've got a lot of demand for housing, not a lot of supply. So people are bidding and the prices that they're willing to pay for the housing stock that is available continues to go

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up. And that puts upward pressure on sales prices.

>> Ellis: So what we're seeing right now with the lack of supply is prices are increasing exponentially because it's a hungry market, a lot of people are looking for places to live.

>> And that's what the market is willing to pay. And again, it's the market influence. We're reporting what the market is telling us. And supply and demand is a market influence.

>> I appreciate you being here to answer these questions. It's kind of nice to kind of have an expert on this. Can you tell me a little bit about zoning? So if we have two houses, you know, next door to each other or across the street, they're both single unit homestead houses, one gets zoned for two units, one gets zoned for four units, but they're both remaining homestead single-family, would your valuation change just because of that zoning designation? It sounds like what is it being used for and how many units are on the ground.

>> If it's got the homestead protection, then the highest and best use will always be homesteaded. If it doesn't have the

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protection of the exemption, then we're going to let the market tell us. What does the market tell us that zoning sells those properties for. What is the focus on the market on that. We're not going to proactively make a guess to what it is, we'll look at market data to tell us what it is.

>> Ellis: I appreciate that. Are there any other factors that go into valuation like access to street parking, you know, environmental things like green storm and water infrastructure? Does any of that factor into the desirability of certain types of uses for a house in the way that you calculate?

>> Those things would all come into play but again the market is going to tell us when those things are factors that will influence the market values of properties. If there's a lack of street parking and that creates a problem that people don't want to buy the houses anymore, then the market will tell us because we're going to see that reflected in the sales prices of those properties.

>> You would see it kind of locally like neighborhood by neighborhood of where those concerns are happening. Okay. I think that's all that I have for you, but thank you.

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>> Sure.

>> Mayor Adler: I think everybody has had a chance -- we'll go back through for a couple more, but please make this really fast. I wasn't keeping track of time on these. My mistake. I will keep track of time better when we go through lunch. Ann.

>> Kitchen: Just quick. So I think what I heard you say is that -- this is just for me to make sure I'm checking right. That in -- I think what we're all saying is it's not the up zoning it self that impacts us, but what the market does with the up zoning over time that potentially -- that does impact property value either up or down depending on what the market does. So we can't really know exactly what's going to happen right now.

>> Correct.

>> Kitchen: Okay. So then the last thing, I would just -- I know that we have written information that we've made available to the public before. I know you guys have done that, but I would like to ask that we take another look at that and address it in a bit more detail so that -- because I think --

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I'm asking these questions not because I'm trying to say that we shouldn't do this because it impacts property. I'm asking these questions because I think it's important to be transparent and -- you know, and straight with the public, you know. So I think this has been an excellent conversation. I really appreciate it. And so just for communication purposes and informational purposes, I think we need to go in a little bit more depth on what we have on our website. And I'm happy to share what I mean by that. I don't mean to create more work, but I think we also need to speak to this question about what can happen over time. Not to scare people at all, by any means, but just to provide information.

>> Mayor Adler: Greg?

>> Casar: And I want to say that I think having this in -- I think it would be useful. While of course we don't know exactly how much supply comes online, if that brings prices down or -- or for

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recession or continued boom, we don't know those things. I do want to emphasize that there are things made really clear during this presentation and to councilmember alter's point that I think -- one thing that wasn't differentiated in the back and forth is whether it's developers buying a house or a homeowner buying a house. So if a developer who doesn't put a homestead exemption buys houses in a transition area and there's not a homestead on there, regardless of how much more market pressure there is, regardless of how much prices, they may pay more for it, that doesn't get comped against homeowners. If homeowners decide they want to buy in transition areas and if homeowners want to pay a premium because they want that additional entitlement for their own house, then they may potentially impact other homeowners who also have those entitlements. But the homeowners and the folks that are actually investors are separated in your pool and then likely honeners a transition area, if they get market

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segmented, could also be in a separate pool from homeowners outside of a transition area. Is that -- is that -- because that's what -- my understanding is that the state -- is that the state law says if you're in a transition area and somebody doesn't put a homestead exemption on a property, that doesn't get compared to a homeowner with a homestead exemption in that area transition area. Those don't compare no each other.

>> This is about what is the highest and best use of the property. And that's a determination that has to be made on a case-by-case basis. What the law does is the law says if it's got an exemption, highest and best use is going to be residential. If there's not an exemption, then we've got to make a determination of what the highest and best use it. Now, if it's a developer and the highest and best use is still residential then we'll appraise it as residential, but if the highest and best use and we make a determination that the highest and best use is something different then we're going to appraise it based on the highest and

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best use.

>> Casar: But if a developer is buying houses to build a four-plex, no matter how the market changes there, that does not compare to those who have a homeowner --

>> Mayor Adler: This is our lightning round. Go ahead and answer the question.

>> Casar: Okay. I just think that there's so much misconception around that really specific point, that that is something that people keep asking me. And I don't have somewhere to send them.

>> Kathie?

>> Tovo: So if I live in a transition zone, which I may depending on what we do, and I choose not to redevelop my property, can I -- would you say that this is extremely likely that my lot would be valued at exactly what it would be outside of the transition zone because even if you are in a transition zone but you have a homestead exemption, your valuation is going to be the same as somebody outside of the transition zone with an exemption. That even though the properties around you might

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be redeveloping and selling for higher values because they're taking advantage of those times four in some cases entitlements. The person in the transition zone who keeps the homestead exemption and chooses not to add anything to their lot, just one house or two houses or whatever it was -- no, once you have two then you can segment that piece off. If you just stick with one house, your residential lot will be the same land value as somebody outside of the residential -- side of the transition zone. I'm sorry, I was trying to do that as a lightning round. I was saying you don't redevelop, but lots of people around you are and are selling for more. Will your lot in a transition zone be the same value as somebody four or five blocks away outside of the transition zone, or is there a possibility that their appraisal district is going to say wait a minute, the highest and best use is based on these comparables a

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higher land value?

>> I would say as a general rule, as a general rule you will be compared in the pool of the other properties that are single-family residential where on the interior lots. Your highest and best use and in that transition area will indicate that your highest and best use is single-family so we'll compare you to other single-family. Now, if there are 20 lots that are up zoned and we've got five of them that continue to maintain a homestead and we have sales of those homesteads and they are selling for something slightly different than what we are seeing on the interior lots, then we'll say that that might be an influence that we we need to use when they're comparing and appraising your property, but again, I think it would be a minor --

>> Tovo: So that could be.

>> Yes, but I don't think it would be the same extent of comparing something that's got 10 units. It would be looking at other single-family residential perhaps with the same

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homestead potential and protection, but they're selling for something that's different than what we see in the interior. We'll need to explain why those sales prices are different. What is the influence on that. Maybe it's the up zoning that's the influence on it, maybe it's not. We don't know. We'd have to wait and let the market tell us what do we see as being the influence for why this swath of properties that remain homesteaded are selling for something slightly different than on the interior?

>> Tovo: That really gets to the crux of the issue that I think is concerning to people. But even if they chose not to redevelop, those who do will get higher prices and those land valuations will eventually affect their property values.

>> We can't say that as a certainty.

>> Tovo: I mean, it's what we --

>> It's a potential. I don't know that it's a high potential or a low potential. I can't say exclusively that it would not happen or observation exclusively that it would not happen, but I would say generally based on what we've seen in the past they would still be compared to the interior properties

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and be comparable to those other interior properties. Unless we see clear evidence that there's something else going on specifically on those lots. But it's going to have to be clear evidence for us that we can pinpoint and explain.

>> Tovo: Okay, thank you.

>> Mayor Adler: If effect in that scenario, the clear evidence you would need would be that the value of the homestead lot in the transition area is going up for reasons unrelated to the fact that properties in the area could now be developed with a triplex or a quad because that is the highest and best use different than the residential, isn't that right?

>> Yes. It could be that those areas of the properties on the transition zone have a better view than other properties. We don't know. It's what is the influence.

>> Mayor Adler: It has to be something unrelated to the fact that other properties in the transition zone can go to a triplex or a quad.

>> It has to be highest and best use of residential.

>> Mayor Adler: That's because -- it was crystal clear to me in 2017, it was crystal clear to me today, you've said it 20 different

[1:18:35 PM]

ways. You keep getting asked questions and my fear is this will lead with the crystal clear answer uncrystal clear again. A homestead property is going to be valued relative to a single-family residence homestead property.

>> Yes.

>> Mayor Adler: If a tract next door to me or in the transition zone sells for more because it has the potential to be a triplex or a quad, that would never be market information data that could be used to value that single-family homestead residence.

>> It would move to another pool.

>> Mayor Adler: Because it would move to another pool. That homestead protection is guaranteed by state law. You have additional protections even beyond the state law that you use to ensure that that crystal clear proposition remains crystal clear. And one is that if it varies, if one sneaks by and has an influence where the value is higher because it could be a triplex or a quad, but we don't know it because we can't look inside the person's head, we don't know what they intend to do,

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although if it's a developer we can demonstrate that. If they have said that we can bring that to the appraisal district. We can go to the developer next door and get them to sign a letter that says it's the intention of the property and bring it to the appraisal district. You can bring that all in to the appraisal district because you're trying to stay with this crystal clear proposition that protects a homeowner property from accidentally being valued for it including a value for a duplex or a triplex or a quad. But even beyond that if the variance is so great if one sneaks by and we don't know, you still throw it out because it's an outlier property, that's a second protection. And even beyond that in order to get fairness here in the Travis county appraisal district you so if you see that somebody is building new homes on lots and the new homes that are being built on the lots are selling for more than the old 1950s or 1970s bungalow, even though they're both homestead

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residential lots, you segregate them. You don't use the new homes to value the new homes or the new homes to value the old homes.

>> Isn't that correct.

>> If the market is telling us there is a premium beyond what our models show, then we will segment the neighborhood.

>> Mayor Adler: You will do that whether it's a residential property, a market property. If the market indicates that there's a difference in what people are selling, you segment that market too.

>> Yes.

>> Mayor Adler: Is that correct? So if I have a property and I divide it into eight subdivided lots and I build a new home on each one of those eight lots for a homestead property or for a rental property where tenants are paying rent and someone comes in and pays higher rent for these new homes that are built on these eight lots, but you look at the homes that are still the 1950s or 1970s bungalows and it's not renting for more because it's a 1950s or '70s bungalow or selling for more, you're not going to

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use the sales of those eight lots on built new on those subdivided lots to value the older home because you segment those if the market indicates that someone is paying more for the new ones than for the old ones, is that correct?

>> Yes. And our segmentation applies to the improvement value. We try to equalize because land is land. We try to equalize the land so it's consistent even in a segmented neighborhood. But in terms of the how we value the improvement and the overall value, those that are newer will be compared to other newer properties and we try to get to market value on those. And that's what the market is telling us.

>> Even to take it down, I'm taking it crystal clear, doing through all the permutations, the answer is still crystal clear, as I get to the more and more one off case we have now the situation where I have the eight subdivided lots, I build new rental homes on each one or new homestead homes on each one, it sells for more because it's a new home, you segment that from the older homes, but it

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could be that the land value indicates that it goes up in that neighborhood for a single-family home. If there's a new home built on it. Now, you might use that land value to value my property with my home on it. It's not a new home, but in that case what you know from the market is that someone is only paying someone that much more for that lot and that land because they're building a new home on it. So if you take that land value and use that to apply to my property, that would be the value of dirt for a new home which means that my home on that property wouldn't have any value because someone that was buying it to pay that higher value for it in the marketplace was doing it to build a new home, so my home improvement would go to zero. My lot value may go up, my improvement value --

>> The allocation will change.

>> Mayor Adler: In fact, it might even be a negative amount because I might have to just include the cost to Reyes the old home so -- raze the old home so I have a vacant lot to build the new home on it.

>> The allocation may shift, but when we look at the

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overall value for older homes we're comparing it to the sales of older homes. Allocation may change within that. Land value may go up, but the improvement value go down, but we're looking at the total sales price and comparing it to older homes and vice versa for the new one. >>

>> Mayor Adler: This is crystal clear and I hope it gets reported that way. Mayor pro tem.

>> Garza: I want to quickly follow up on a question that councilmember Ellis asked about the six-month supply. Did you say that that is a factor in valuations? Like if you go down to the two or three, that changes valuation?

>> We don't say that we're going to add an adjustment upward because of what the amount of supply is. What we can say is we see it in the market data because we see it in the sales prices. So when we know that there's a low amount of supply and there's a high demand for what's there, sales prices reflect that, that imbalance.

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That gets reported in the market data and then we report on that market data. But just the fact that there's a small amount of sales does not in and of itself a factor that we will say is only a two months' supply, we'll add 20%. It's what does the market tell us it's doing or that lack of supply is doing to values.

>> Garza: And the market right now says because of a low supply prices are higher.

>> Ta yeah, there's a lot of competition for the same houses because people are willing to pay more and more for the same houses.

>> Garza: Okay. Thanks.

>> Mayor Adler: Alison is our last speaker here on the lightning round.

>> Alter: Thank you. I have a quick question and then a comment. So I'm not sure that it's crystal clear but the monitor that is confusing is what happens when a single-family house sells and it's single-family when it sells. Regardless of what happens afterwards, that is your comparable to another single-family, correct?

>> Uh-huh.

>> Alter: So it doesn't matter what it's going to be from your perspective, it's what it is when it's sold.

[1:25:40 PM]

Is that correct?

>> When it sells, if we're looking at the sales price and when it sells as a single-family, so it is in our original pool but we're going to do analysis of our data before we do our appraisals. And if we see that it sold for this price because it has transitioned and it is now something else, there's permits that indicate it's going to be something else, then that comes out of our pool that we use for comparison purposes because we know that that isn't a comparable to those other groups of properties.

>> Alter: But if you saw a lot of those properties doing that that were coming out of the pools for any particularly area then you will look at that as something the market is responding to that is changing the appraisal.

>> If that becomes the norm rather than an exception, then we've got to take that into consideration when we're looking hats our appraisals. But again, we've got to let the data market tell us.

>> Alter: Right. So what you're doing saying is the market will tell us and if the market responds to the up zone and says this leads to higher values, then over

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time we will see the higher valuations. Thank you.

>> Mayor Adler: Okay. That was our round. It's now 1:25. Thank you much. We told you you would be out of here well before an hour. I appreciate it. Thank you for staying here. It is 1:25. We're going to take a break, go into executive session to take up two items, pursuant to 551.086 of the government code we're going to take up get active matters related to E 2 Austin energy regeneration resources. Real estate matters related to item B 1, update of the homelessness issues. B 1 has been withdrawn. Hearing no objection we'll now go into executive session and we are recessed here at 1:25.

>> Kitchen:

[Executive session].

[2:56:56 PM]

[Executive session].

[3:05:33 PM]

>> Mayor Adler: So Rodney, it's my intent to do the capacity issue because I had someone who had to leave and then we'll do a couple of pulled items and come back for the balance of the presentation.

[3:09:06 PM]

>> Mayor Adler: All right. I think we have a quorum present. While we were off we were in executive session and we considered the items related to the homelessness briefing and also the Austin energy item. It is now 3:08. And we're going to start today by hearing about the housing capacity because we have somebody who needs to go to the airport, and then we'll go to the remaining pulled items and then come back to the staff presentation. I think at that point after that's over we'll have enough time to divide up the remaining time among the dais, people can ask questions, and then my guess is with a hard stop at 5:00. We probably don't get much farther than that, so it sounds like tomorrow will be the chance probably for the councilmembers to discuss things other than the questions on the presentation. Tomorrow we would start with the presentation at noon straight-up and then after

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that we'll have questions and then we'll get into councilmembers, what they want to talk about.

>> Mayor and council, Rodney Gonzalez, assistant city manager. For the viewing public that way they can follow along, the four topics we were going to discuss today are property taxes, reviewing base motion options for the land development code, resolution the supplemental staff report number 2 that was released last week and then housing capacity. This morning we did cover property taxes and to your point we're going to cover housing capacity W that I'll turn it over to anik Beaudet.

>> Thanks, Rodney. For the public, this is our ever-growing calendar of where we've been and where we're going with today's work session and tomorrow's work session on the calendar as well as the public hearing . Scheduled for this Saturday at 10:00 A.M., December 7th here atty hall, and a few other items on the calendar. So with that I'm going to fast forward to housing capacity and turn the

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presentation over to Alex steinburger from cascadia partners.

>> Hello, councilmembers, mayor. I appreciate you moving things around for me. I do have to go to the airport in a little while. But I think we have plenty of time. So in the spirit of keeping things crystal clear, we want to go through some questions that have come up about the housing capacity analysis. But to start, let's talk about some definitions. So back in may, which seems like a very long time ago for me, you all provided us with some guidance to look at housing capacity and yield of your code. Now, in the

varying approaches to do that kind of work, there are three things to understand T three definitions. The first is this idea of theoretical entitlements. So this is a way of looking

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at the code and it's the most simplistic way to do it where you look at the maximum density that could be built under the code on each parcel, and estimate the code's capacity regardless of what's on the ground today. So what can the code build maximum regardless of the market, regardless of what's on the ground? Now N my experience this is not a particularly helpful metric because it's not achievable. Of course we're not going to scrape everything that exists today in Austin and start over. So it's not the most helpful metric. And that's why you gave us this directive to look at capacity in terms of redevelopment. So to do that we use an approach that we're calling feasible capacity. Now, this accounts for market forces, it looks at land values, it looks at achievable rents and tries to make an estimate of how much of that vacant and existing developed land might redevelop in other words to get us to capacity.

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And you gave us a goal of creating a code that allows for 405,000 units of capacity and we wednesdayed up was 397,000, so that was very close. And then we have yield and yield is actual development that results over time. And to really accurately measure yield you actually need to go into the future and look back. There's no other way to accurately measure it, but you did set a goal of 135,000 unit yield. So we have our feasible capacity goal of 405,000 and our yield goal, what actually gets built, of 135,000. And I want to talk a little bit about those two numbers, why they need to be different, why does feasible capacity need to be bigger than the yield goal? So the next few slides really deal with those two concepts explicitly.

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So you use the vision tomorrow tool for capacity. I want to talk about that, just a refresher, because we have touched on this. There is also a memorandum that we've produced that's on the ldc revision website that goes through this process. But at a high level the first step is to identify potentially developable vacant land and potentially redevelopable developed land using a residual land value test. So this uses a real estate pro Forma to take into account land values and rents in a given area to see what we think would actually redevelop from a developer's perspective. The second step is to apply reasonable buildout densities to that land. So we're not taking the maximum entitlements and applying it to that land because we know that in many cases that's not actually going to be realistic. Instead we

look at recent development trends and try to establish what is actually a reasonable buildout density that we've seen in the past.

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The third step is to estimate bonus capacity so there we take the bonuses proposed within the code and we apply those to the base capacity to figure out the additional bonus capacity within each zone. And finally we use modeling done by Echo Northwest to figure out the percentage of that bonus capacity that would potentially come back as income restricted affordable housing. So that's that analysis in a nutshell. There are some limitations, though. And I want to start off by saying, and I've said this before, that the city of Austin should be very happy with this process because you're doing more in my experience than any city has. Using available data, using realistic, rational processes to estimate the capacity of your code. With that being said, it's not a crystal ball. We can't see the future. It's at best a sketch

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planning exercise that uses the best available data to produce an estimate. So just want to sort of frame it that way. And it's also most useful as a tool to show how we're moving the needle as the current code. Are we adding more units? Are we adding the types of update that we think we need in the right locations? And another limitation that I've already talked about is we assume that the buildout densities are going to look like they have in the past relative to the maximum entitled density. That's the best approach we can use. There isn't really a better one, but we think that it does produce a more realistic estimate of what can be built. So talking a bit about capacity versus yield. Why do we need 405,000 units of capacity to produce 185,000 units over 10 years? So one bucket of reasons is housing preference. And within housing preference we have three

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categories. Cost, product type and location. And I think all of these are pretty self-evident. I've go through each. So housing cost, we heard earlier today that Austin has a shortage of housing. You're supposed to have at least six months of supply. Right now you've had about two or three months of supply for several years. So that's case in point that housing prices are going up because there aren't enough options for people. And every household is different. They all have different incomes, they can all afford different types of housing. And if you only have enough units exactly to match the number of people, you're going to be up with mismatches where people are having to pay more than they can afford to live in this city and you're seeing it now. Housing product preference, that one is also pretty self-evident. Not everyone wants to live in a condo or townhouse or apartment. Some people prefer to

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reason. There are variations in product types that we can't account for, but we need a lot of options within our zoned land to produce the variety of units that people are going to end up demanding so they can match the market adequately. And finally location. We all know that we have various criteria for choosing where to locate, where we live, where we work, where our kids go to school, where our family lives, just the neighborhoods we tend to prefer, the amenities we prefer. So every neighborhood really needs to step up and do their part to provide adequate housing capacity so that there's enough choice and options for people who want to live in certain parts of the city because of their work or life situation. Other things that may influence the need for more capacity, there are site specific attributes that impact feasibility, so we've included a lot of units, a lot of properties within capacity that may have issues that we don't know

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about right now, but that may hamper their development. Things like deed restrictions, the presence of heritage trees on the sites. We've said this before, but an economic recession or a housing market slowdown in the future that may impact the market assumptions that we've assumed for these sites. Site specific environmental considerations like storage tanks and other pollution. Requirements imposed by financiers or developers like providing more parking than they need to within the code irregular size and shape of a lot. Roadway access so if it has roadway access or can locate a driveway on to a road given its proximity to an intersection. On and off site infrastructure, upgrade costs like sewer and water. And then one of the most important ones is property owner willingness to sell or develop. And I'll talk about that a little bit more in a minute.

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And this is not an exhaustive list. There are myriad reasons why specific property may or may not redevelop. So within that 405,000 you have to assume that a good portion of them are going to have one or more of these issues. That's why we need to have more capacity than we think we have need for housing. So we were asked by several councilmembers, what are other things that are maybe not being included in the analysis? What are things that we're not accounting for and why? So one of those things is homeowner preference. And by that I mean the inability that for us to -- the inability for us to model a homeowner's decision -- I think we can all understand this, right? As a developer you have a very simple calculus that you can model. Can I make a profit if I build a building on this piece of land? But as a homeowner I may not go through that process. And it's very difficult for us to predict or model.

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So we want to be conservative. The last thing we want to do is over state the amount of capacity in the code. That being said, we did look at a couple of these things. For instance, ads. The decision on whether or not to build an Adu is a very personal decision. I built an Adu myself and I can tell you that I didn't necessarily think through all the financial calculus on it. But looking at Austin, in the last 10 years you've had about 13 -- less than 2,000 ads built and that's being pretty generous. So in terms of are we missing a whole bunch of capacity? I don't think that's the case. Call it icing on the cake, call it windfall, these are little extras, little bits of capacity that may or may not happen, but that will get us hopefully to that 405,000 goal. Other things that we didn't account for or were unable to account for were things like single-family home

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redeveloping into a duplex. This is again a homeowner's decision and they may not always be thinking rationally in terms of dollars and cents. There could be a family issue there. There could be many reasons why they would want to sell or not want to sell. Again, we looked at the construction of two family dwellings in Austin. Even if you don't take into account whether these were built on existing developed lots or vacant lots, there have only been about 1200 built in the last year. So if those were all on single-family homes -- 10 years, sorry. That 600 units of capacity. So again, a very small amount of capacity that we may not have accounted for. And then there were some puds that were entitled since this process began. Those account for no more than 3,000 units maximum. And there are also proposed changes to floodplain such as atlas 14 that we couldn't

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account for because they haven't been fully adopted and the conversation about those started after we began began. The process that, that is is less than 7,000 units of capacity that were not included in the numbers that we showed you previously. So again if they happen, that's fantastic. It's extra capacity that we desperately need and gets us to that 405,000 unit capacity goal. So I think that's all good. The last thing I want to highlight is that all of this really gets us to within the 405,000 unit capacity number, there are a range of sites from the shovel-ready sites that you could build on tomorrow. Maybe they have a willing owntory sell or maybe they're for sale today, all the way to sites that are challenging, that may have

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pollution or an unwilling owner or may have an existing use that still has a usable life. All of those were included in the 405 unit capacity? And what's really important to think about is as we go through this process is that these shovel-ready sites, the low hanging fruit, those are already being developed under the current code? Everyday a site gets developed and the outcome may not be what we want or need to fix the housing crisis in this city, any number of other issues that we need the code to address. So the longer we have a revised Idc, the more of these sites that are more likely to redevelop, we end up losing. And in the end we may be left with sites that are more challenging and less likely to redevelop, which will make it more difficult to reach our goal of 135,000 units. So with that, we'll open it up for questions.

>> Mayor Adler: Okay. 3:25. We have a hard stop so if everybody could be as direct

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as quick to the question as they can. The Idc's, I want to be sure I understand -- sorry, I was trying to be too fast. There's a listing of properties that are not counted, and those are the -- I just want to make sure I'm understanding this table correctly. So R 1, R 2 a, R 2 C, R 3 and rr are not counted except for the fact except if they're on vacant land. Am I understanding correctly?

>> That's correct.

>> Kitchen: So there was no factory count some of them. There were just none counted.

>> That's correct.

>> Kitchen: So the question that I had is I would like to have the total, total amounts here -- is that what you meant by

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the 7,000?

>> So it's part of it. We looked at --

>> Kitchen: Let me just ask. I'm sorry, I didn't mean to interrupt. I did hear what you're saying. I really appreciated that. So I'm just trying to understand if the 7,000 is the total count for these five?

>> The 7 include ads, it includes the puds that were in the process when this began.

>> Kitchen: But aren't ads in r-2?

>> That's true. So ads could be perhaps part of that, but again we're looking at a very install number.

>> Kitchen: Can you give us the number for each one of these categories that were not ranted?

>> We can't provide -- that were not provided?

>> We can't provide a reasonable estimate because it's reasonable to predict a homeowner's willingness to

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redevelop.

>> Kitchen: I'm asking for capacity, not for feasible capacity on these.

>> I don't believe that to be a best practice to analyze the code in that way.

>> Kitchen: I understand that. Let me just say I'm not challenging the best practice. I think it's great. I really appreciate y'all using best practice. And I respect your opinion on that. And your expertise. I really do. My questions are not directed at saying you should have done anything else or saying that there was anything wrong with the best practice that you --

>> Understood.

>> Kitchen: I'm asking can you supply those numbers?

>> I would say it would be a relatively meaningless number.

>> Kitchen: I'm not asking if it's meaningful or not, but asking if you can provide these numbers?

>> It is a fairly straightforward calculation that staff can provide you with.

>> Kitchen: Okay. I would like to have those numbers.

>> Kitchen: I would like to understand better the explanation that you gave us. So am I understanding correctly that what the

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thought is is that there's not a way really to get to feasible capacity on those because it's homeowner preferences? Is that -- is that the thinking? Did I understand that correctly?

>> It's difficult to estimate. It's not possible to estimate redevelopment on those properties because it's not a rational developer decision.

>> Kitchen: Does that mean -- so in your model that would mean there's not a -- in a best practice model like y'all have, there's not a factor you can apply or anything like that?

>> It would be -- we would not know what number to apply.

>> Kitchen: Okay.

>> There is not a factor that exists that we could look at. But we do believe that based on previous trends that we discussed just now that the number would be very small on the order of maybe a few thousand units.

>> Kitchen: Okay. Previous trends. Which -- can you supply us

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with that information, what previous trends you're talking about?

>> Yeah, yeah. It's building permit data that was pulled from the city of Austin.

>> Kitchen: That would be great to have that information too.

>> Sure.

>> Kitchen: Okay.

>> Mayor Adler: Okay. Anybody else? Let's circle back and we'll come back to you.

>> Kitchen: I am going to be leaving in about 10 minutes. So I guess if that's all I get, that's all I get.

>> Mayor Adler: Let's give other people to ask a capacity question.

>> Tovo: I know it says in the Q and a that the questions will be answered here, but I don't think we'll have time to really delve into them. As I understand your answers to councilmember kitchen, there is not -- you've not made a capacity calculation -- your capacity calculations of the nearly 400,000 do not take into

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account R 1 a, B, C, rr, unless they're taken, which in many cases they won't be. So I think one thing I just want to highlight and maybe not delve into right now is that that capacity number was set with the intent of getting the yield of whatever it was, 147. And as I understand the answers that we've gotten back and as we've went through the Q and a, it sounds like 397 isn't really total capacity that's been mapped. It's actually sort of a -- it builds into it assumptions about how much of that capacity that's been mapped would actually redevelop. So it seems to me that we're taking -- that there's a universe of properties that have been mapped for increased density and then out of that you've done some calculations and factored out what you think would be

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likely to redevelop to get that 397 all with the intent of trying to yield that number of 147,000. So I would just point that out that there's -- that's just -- if what we're trying to achieve is 147, we've already -- we've mapped far more than 397,000, it would seem. I mean, you've mapped the capacity for more than 397,000 units. You just don't think that they will all redevelop necessarily.

>> We do not believe that those other units you speak of could produce additional capacity. The 397,000 number is our best estimate of what the code could actually produce within 10 years. Those other units that have been zoned we do not believe that they will change in any significant way in terms of capacity. So to produce that --

>> Tovo: But some of that --

>> To produce a number that's what we refer to as the theoretical entitlement

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is nothing more than theoretical, it's not realistic and it's not a way to create policy. And many other cities have looked at this matter and have chosen to go a different route, including Seattle, including Portland. Seattle, by the way, went with the same capacity number relative to their planning target, three times. So by happenstance you're on the right track in my opinion.

>> Tovo: I think that -- I think there may be a question in the Q and a for it. I would like to know what that theoretical capacity is. I think if we're going to focus so much on producing the number of units and making sure we have mapping for certain number of units and et cetera, et cetera, I want to know what the actual universe is. So there are some other questions I would just call your attention to. We just wanted to know whether there were certain planned unit developments that were or were not included. I know I've gotten some of that information, but it would be helpful to have it all, but not in this setting. It's question 74.

>> Sure. So the grove was one. And that was about 1500

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units. Austin oaks was another and that was about 425 units. And then Robinson ranch was not included because we do not think it's realistic to assume that that entire community will develop over 10 years.

>> Tovo: And again, in consideration for the time constraints, especially of councilmember kitchen, I'd just like to get that information if we could in writing so that we can peruse it, thank you.

>> Mayor Adler: Greg is and then Leslie.

>> Casar: I went back and looked at the manager's memo from earlier this year where one of the questions was how much housing capacity did we want to yield? And the definition of housing capacity

in that memo where the question was asked is the same one that you have that we have here under feasible capacity. So my understanding of our vote when we asked for three times the capacity was not that we wanted to increase theoretical entitlements by three times, but that we wanted to increase feasible capacity by three times in order to get to the yield. So while I'm open to hearing

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about theoretical entitlements, my understanding is that doesn't actually get us more housing units. The austonian is fix floors tall. If we zoned it for 10 more floors that doesn't get us any new capacity because nobody is tearing the austonian down to get three more floors. When we voted in may to go to to increase the capacity three times our yield, I wasn't interested in voting on adding theoretical entitlements, but actually capacity. So to me the -- it makes a lot of sense that we would ask for the actual capacity number to be 3x yield, not the theoretical number. That could be 10 X, 100 X or a million X, it doesn't change anything unless is the actual capacity number. And the second issue is the -- is on ads. You know, of course we want to get to morals. I think that's a good thing.

[3:35:41 PM]

I understand that there is a bit of -- our capacity could be undercounted somewhat if we aren't counting all the add and duplex construction but you've also noted that we may be overcounting because you can't know and analyze all the deed restrictions and all the heritage trees and all of the irregular site shapes and sizes. So there might have been a little bit of an undercount on adds, there might be a little bit of an overcount on deed restrictions and a little bit of an overcount on irregular sites. In the end it makes sense to me and when I talk to other cities that we are doing this more precisely and more thoroughly than any other city I've been able to talk to and I think you're confirming that today, that it's pretty close, understanding that there are going to be some things that make it an overcount and some that make it an overcount, but if it's 3,000 or 4,000, we're talking about 400,000, I think, it shows we're headed in the right direction to make sure there's enough housing supply to address those issues so I'm comfortable on

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those two parts of the analysis.

>> Mayor Adler: Leslie?

>> Pool: Thanks. So I just want and to make sure everybody remembers that that figure, the 135,000, that was what was in the strategic housing blueprint. So the 397 wasn't that goal. That was something that was in the guidance document that this body voted on and I guess it was less than a unanimous

vote. There were a significant number of us around the dais that didn't agree with elements in that guidance document and that's what we're seeing playing out here and that's why we are asking these questions because they -- the answers matter. And so to that end, I appreciate, Alex, you talking about the yield and the capacity and how you are deferring to our city staff to provide the numbers that councilmember kitchen has asked for.

[3:37:42 PM]

Did I hear that properly?

>> I believe the ask was for a specific set of Zones, but yes.

>> Pool: So let me bring Ann back into this conversation, if I can. Can you reiterate -- can you repeat the question that you were asking that came back with the answer about who would give us -- that we would actually get the full number for the capacity, not just the yield?

>> Kitchen: Yeah. I think that the question I asked for was -- and like I said before, I understand and respect and not questioning your expertise or your thinking about best practice, but I would like to have that number. And one of the reasons for that is because I respect what you said, councilmember Casar, but you know, we all have different perspectives and we were compromising, and I was thinking more in terms of what you just said that you were doing your best to get us something that wasn't theoretical, something that was close to

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what we might actually get, which in my mind at that time I understood actually to be yield, not capacity. And my understanding at that time was that capacity was something that you needed more capacity so you would get yield. So I'm glad we've done it this way. I think it's a good thing to do. And my only point is I -- I think we've got a lot of -- a lot of potential here and maybe there's some room for understanding that we're -- could even be a little over the line because what I'm seeing is a comparison of feasible capacity, which I understand to be closer to yield, to what I thought was setting capacity as three times, not feasible capacity. But we all probably felt something differently at the time, so I'm not here challenging or asking why y'all did that. I'm just saying that to my mind it looks more like

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we're comparing feasible capacity, which is close to yield, to a different target, which was capacity.

>> Can I offer just one quick clarification? I want to clarify that what you're asking for is not simply a different version or a different take on capacity. It's not capacity. It's theoretical entitlements. So just so -- if these numbers are produced by staff, just understanding that these are not comparable estimates. They're not even in the same universe. One is entitlements theoretically allowed by the code, and the other is what could be built.

>> Kitchen: Well, you know, he --

>> Mayor Adler: We're going to run out of time and a lot of people aren't even going to get to ask a question about capacity. I think you've made the point that you don't necessarily buy how he's setting it up and I think you've asked for the information data and I think you're entitled to get it. He said it's something that staff can do and I think they can do it and we can argue about what it means.

>> Pool: So just to finish

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up --

>> Mayor Adler: You just have a few more seconds.

>> Pool: Well, we don't have agreement yet from our staff that they will bring us those numbers and we also don't know when to expect it. So in order to close the data loop on what we may be looking at is more capacity and more potential than we ever thought possible. And I really -- I think that's terrific too. And -- so who will be bringing us those numbers and who will we see that?

>> So anik Beaudet. I want to first say that tomorrow at work session we will be going through the second supplemental staff recommendation that talks about changes to the mapping where we're pulling back on transition areas that are primarily residential in nature and also making some changes to the application of missing middle Zones in areas in early stages of gentrification and displacement. So there's going to be a new

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number generated from Mr. Steinburger's process that we can provide to y'all and then from there we can -- we'll be able to do the theoretical number if you would like.

>> Pool: We have been asking for that for quite some time so definitely if you could bring that to us tomorrow and then also the revised number --

>> I don't know if we can do that tomorrow. Did I say tomorrow? We're not doing the capacity analysis tomorrow. We'll be talking about how -- explaining the new staff recommendation with regards to

applying the Zones to the map, which will be different and will affect the capacity, the feasible capacity number that was described in the presentation.

>> Pool: Okay. So I'm just back to when can we expect to see that information?

>> So we have -- we have not talked with the consultant about a date for that yet, but the consultant --

>> I don't want to be argumentative, but Alex

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passed the baton over to staff to get us those numbers, but you're passing the baton back to him to get you the numbers. So I just want to be clear who has the baton and who is going to hand it off to the council and when.

>> We'll look into when we can do the theoretical number, but Alex will be providing the feasible number at a later date in the process.

>> Mayor Adler: I'd also like to know what effort it's going to take to be able to get that back.

>> That's what we need to look into.

>> Mayor Adler: From where I sit it's not a relevant number but I understand that some of the councilmembers want to see that number. If it's going to take a lot of time to be able to get that number, then probably as a council we need to discuss whether or not that's where we want the resources to go.

>> Pool: Isn't that number the basis from which he was able to achieve the number he gave us, the 395?

>> Mayor Adler: No.

>> No.

>> Mayor Adler: So if you can come back to -- what I understood, it's a pretty straightforward thing to do, if that's the case and get that number, that's great. If it will take a significant number of resources, tell us what that is so the council can give

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you direction on it.

>> Kitchen: Mr. Mayor, can I say one last thing, please? We all are respecting each other's opinion and we're also trying not to relitigate what we did in may. So -- but we all came away from may with certain compromises so I think that that -- I think requesting this information, even though some of you may not

think it's relevant, I think it's important information. And I would like to have it. And I can't imagine that it would take that much to do it. So --

>> Mayor Adler: To reiterate what I said, I understood it wasn't going to take that much to get it back and I think if that's the case then we definitely need to get that information to the people who requested it. If it's not true and it will take a lot of time, then give us a chance to talk about it. Paige.

>> Ellis: I agree that could be some difficult information to track down. And if it's not too much trouble I would like to

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piggyback with what our current land development code has as theoretical entitlements compared to the actual housing we are seeing. Because I know there are places where we're not fully maximized and I anticipate that would move forward in updated code as well. So I think if we're going to try to compare things, we should have? Sort of basis for reality of what could be built if everything was maximized under current code so we can compare it. If we're not getting full yield now the idea with 405 was to get to our goal. So we overshoot it knowing we're not going to fully maximize. And I'm just wondering how that compares to current development. Does that make --

>> It makes complete sense. You may recall last time we talked about how your current code has over 4,000 unique combinations of base Zones, conditional overlays, nccds, abcdlmnop. So it's fundamentally

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impossible to accurately model it because it is so broken. So the best attempt we were able to make is using the same approach that we've used for this round of modeling, what we call nearest equivalency. But again, that's not comparable to the theoretical capacity that's being requested because again it looks at feasibility. It would be quite a bit more work, and at the end of the day would not produce a comparable number, I fear.

>> Mayor Adler: So you will come back with that at a time when we can talk about it. Alison?

>> Alter: Thank you. And I want to thank you for the time that you spent with me and my staff diving into the capacity numbers. There's one piece that I would like some further clarification on. You mentioned there are about 3,000 units of puds that were not counted. Can we get the names and the numbers for those puds that were not counted? My district, for instance, has a lot of puds and I'm

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trying to understand what was counted in the capacity or not, some of those are at differing states of viability. So it's important for me to understand those numbers. Six the best that we could tell --

>> So the best that we could tell from Alex's analysis is that it was the grove and Austin oaks that were not included, and I believe Austin oaks is 425 units and the grove is under 1500 units, approximately 1500. So those were not included in the analysis, but as far as partially built out, I think you could answer this, Alex, but the puds that you did include you included the maximum number that they could built under.

>> That's generally correct, yes.

>> So that is the answer. It's Austin oaks and the grove and Robinson ranch was also not included and that was a decision that was made early on in the previous work in that process.

[3:47:52 PM]

>> Alter: Okay, on Robinson ranch with the apple's decision, do we have -- I don't know what else has been agreed to besides the apple location. Are they building --

>> I'm not aware of any other -- in working with development services I know that the Mcneil high school has gone in, apple has gone in, but I'm not aware of any other applications in the Robinson ranch area in the last year.

>> Alter: Okay. Thank you.

>> Mayor Adler: Okay. Jimmy?

>> Flannigan: That's right on Robinson ranch. My understanding is they're trying to master plan the entire site, but it will have a very long tail development cycle. And as long as it will take to build out apple, you won't see very much on the ground in Robinson. As much as what I am understanding they want to do mixed use and they want to do housing, it's a long tail development process out there. Thank you, councilmember Ellis, for your point about theoretical entitlement. I was thinking exactly the same thing. I'm sorry I stole your crib

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notes on that. I do have concerns about pulling numbers out of context and distributing those without context in the community. We all know what that number can be used for. We know how it will get put on social media. We know how it will be used by political action committees. And I don't think that's what we want to do. If we were going to have that number in comparison to the current code, where there was analysis of theoretical entitlement capacity and yield historically, but it doesn't sound like that's a really actual analysis you can do because code is so broken you can't actually get to those numbers. So I'm -- I don't want the staff to be distracted with that work because I don't think it's useful

and I don't think it actually AIDS in our policy-making decision. In fact, I worry that it will distract this conversation. In the public. What I'm excited about is that we're going to get more housing. And whether or not it's 120,000 units over 10 years

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or 140,000 units over 10 years or 160,000 units over 10 years, it's housing we need in the fastest growing city in historic unemployment, in historic growth and new jobs coming and all the rest. And the other piece of this that we don't ever talk about is commercial capacity because at the same time that we're talking about housing, we're also talking about our small business owners who are having a problem keeping their doors open. We've never asked for and I am not asking for an analysis of leasable square feet that now becomes available arrest what we think that would turn into. I'm really hopeful that I see sites that are currently strip malls turn into mixed use. But I don't know how likely that is, and that's a lot of the capacity of my district along the highways where you've got these acres of parking that were not full last Friday on Black Friday, they were not full. And -- but we're not asking do that type of analysis either. So I really want to pump the brakes on some of this just so that we can just for numbers that I don't think are going to be helpful.

>> Mayor Adler: Sounds

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good. Thank you. Thank you very much for the presentation on capacity. Let's pause for a second on that. Let's go to the pulled items. Natasha, you had pulled the APD one. Do you want to talk about that?

>> Harper-madison: --

>> Mayor Adler: Do you want me to start with some of the other pulled items? And then the land development code staff will be coming back at the end of the pulled items.

>> Harper-madison: Okay. So this is a good place to start, item number 66, the

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posting language reads, approve a resolution directing the city manager to hire an independent investigator. Just to start there, we can strike that. That's already happening. So there's some updated language in the resolution to reflect that. That was one of the things I wanted to highlight.

>> Mayor Adler: Okay.

>> What was your question?

>> Harper-madison: I just read from this sheet here, the December 3rd council work session sheet under item number 66. Where it says approve a resolution directing the city manager to hire an independent investigator. So that's a process that we're already engaged in. And so it's not accurate. I changed the language in the resolution to say supports the investigation initiated by the city manager, just to update it. And then there were a few

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other points of clarification and then I wanted to give my colleagues a head's up that there are several amendments I will be bringing for clarity, but also for efficacy here. I think one of the things that the resolution was missing was clear and carefully delineated milestones. So as the direct result of what's transpiring with this sort of front and inquiry by staff, really having some very clearly defined milestones. So once we've established this thing, this thing, this thing, cadet classes can resume. So the clarity I wanted to offer, there's been a lot of misinformation in the public in the last couple of days about the abrupt halt to cadet classes, the delay of start to new cadet classes. And I think this language wasn't helpful. So if that was an oversight on my part, I want to apologize to the general

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public, but for clarity, there's a February class that's coming up. This resolution and my intentions have absolutely no bearing on that February class. I hope that we as a community fully commit to keeping our promise to cadets who are in the February class. Also that to say that we were very specific about the timing with Justin 1 being the date to receive the information -- June one being the date to receive the information for this sort of front end inquiry so that the fall class can resume. So theoretically if this resolution were to be approved by myself and my colleagues on Thursday, the singular cadet class that would be affected is the one in June. No affect to the February class, no effect to the fall class is the goal. And it should be noted that the one in June, the third

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class, that's an anomaly. Pd doesn't normally do that, so it's a super ambitious push to try to address our shortages, which I can appreciate, but I think it's also really important that we remember why we're here. So this conversation has very suddenly been taken over with dialogue around the delay of cadet classes, but somehow we're not discussing why we would potentially delay cadet classes and the rationale behind it. And at the end of the day we have to remember that we're addressing discrimination and bias and racism in a department where its members have the ability to make split

second decisions that can change and/or take lives. That's important for us to recognize. So while I can appreciate

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the narrative around pausing cadet classes causing a great deal of concern and stress and public safety risk is how I say it characterized by way of shortages, we have to remember what we're really talking about here. Lots not lose sight of that. I'd also like to make sure to be really clear about how this isn't -- the goal here is about seeing this as an opportunity. This is an opportunity in the 11th largest city in the nation who has recently discovered we have a problem problem. We have a problem with our police department that we need to solve. It's an opportunity to get it right. We're the 11th largest today. Where would we be in five years? How about 10? I want us to be able to look back and recognize that we

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as a community took a problem that was jarring and scary and disappointing and a lot of people frankly people in uniform and otherwise feel betrayed right now. We have an opportunity to stand united as a community to get systems right. This is not an out right condemnation of a department department. This is not about the department. This is about the systems that don't work, the broken systems that will allow rot to fester within the department. This is not a condemnation of the 1700 plus officers who wear this uniform with dignity and honor and pride and do the job with integrity. This is condemnation of broken systems. So I just wanted to make certain that reiterate that there's a couple of other things I wanted to touch on for clarity.

[3:58:07 PM]

There's some language -- I mean, other than the fact that I just said with my words, there's no proposed delay to the February. Ly say it again. There is no proposed delay to the February cadet class. There is no proposed delay to the fall cadet class. The singular class that can potentially be affected by the results of this front end investigation around training would affect exclusively the June class. So I am going to change the language in the resolution to make sure that is really, really clear. I am going to add some milestones as an amendment as well and then there was another point of clarity that I thought would be helpful for my colleagues and the general public. And be it further resolved

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clause that specifically talks about recruiting but I don't think in a way that is as substantive as it should be, so I think my original thought was we start with training, because that's where it starts, but that was false, especially after the dozens of conversations I have had with uniformed officers in the last two weeks. The problem in my mind's eye at this point starts at recruiting. So I would like the resolution to be reflective of as much emphasis on recruiting, recruitment efforts, how people are or are not disqualified, what those systems look like in addition to addressing training modules. So all in all, that is all I wanted to highlight. There are going to be some stuff that comes your way and I hope it is to get it out to you in time to review it.

>> Mayor Adler: I just want to say council member Madison I really appreciate you bringing this forward. I think our city has been rocked with the allegations that we have seen.

[4:00:08 PM]

And the allegations are very disturbing. Whenever there is actual or allegation of racism like that I think it is real important we are very deliberate and quick about responding to that. I appreciate the investigation that has been started. I want to join in applauding that -- and insistence with justice because I think there are a lot of questions in the community but clearly an issue, it is an issue of how pervasive or large the issue is. I appreciate you doing the resolution in a way that I think has the potential of bringing the community together and aligned on this and what I am hearing is pretty broad support generally for the provisions that are in there and I think if we work through this together we have the best chances of taking advantage of the opportunities,

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as you described it, and I appreciate that. I appreciate the clarification on the classes. I think you are right. I think what I am hearing is also, in recruiting and we need to figure out how to do a better job. There with respect to the classes, if you are able to post on to the board the benchmarks or milestones before we gather together on Thursday so that people can take a look at that, the way you characterized it is you want to get those out. I think it is real important to have those measures. You said this could potentially impact the June class. I would like for you to take a look at the benchmarks and the milestones that are laid out to see whether or not those benchmarks or milestones can be met in a way that still allows the June class to go forward, but let's see what those are when they are laid out and as we discussed those. But again, this is a really

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important moment in this community. And I appreciate you taking the lead on it the way that you have.

>> I also want to thank you council member for drafting this and for including me as cosponsor on the resolution. I want to echo your comments that this is an opportunity. I agree that this is an opportunity. I was excited to see that our, especially our police association and the subgroups and their press conference agreed with almost every part of this in the layout because this is an opportunity for all of us to fix a systemic problem and I think it is important for my district to be a part of this because it has traditionally had a very different relationship with the department than your district has had, and that doesn't mean we don't want to address the issues. My constituents want to end white supremacy and want to end racism and end discrimination,

[4:03:12 PM]

they want to see the systemic inequities because they trust the department, and that trust has been violated and so I am really proud to be a part of this with you so that we can really use this as an opportunity to bring all corners of the city together. I am glad to hear the clarity on the cadet classes as the mayor laid out. I think it would be good, manager, if we had some clarity on Thursday of how we can have that fall class move forward and your assurance this work can get done in order for this to move forward and we can do three class it is following year because we do have a deficit in the number of officers in the department and we made a commitment to the community and to each other, two years is our last year in order to increase the size of the department and a large reason we had such a large fight in the contract but it is better to get there with better process. It is better to get there with better recruiting and I think if the disruption is really having a year like we have had in the past with two classes then I

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don't see that to be terribly disruptive but I am going to be looking to you and the staff to make those assurances.

>> Any further discussion on this item?

>> Ms. Garza.

>> I want to thank you for asking me to be a cosponsor on this. I appreciate her regards about this is not about the department, it is about a system and, you know, it affects the department itself and then the people that they are charged with protecting and serving, and for those of us who represent districts with a lot of minorities in them and we know that minorities are disproportionately affected by our criminal justice system, I am glad to be a coresponse or 0

-- cosponsor on. This I want to remind folks, I was going to get into questions .. And ask about

[4:05:16 PM]

the exact numbers of the shortage and where we were in the budget time, because we had a shortage during September. I know that shortage has increased but it is my understanding that the intent is not to stop two of those CL classes. So I was going to get into those numbers just too but I don't want to address that. I would prefer to address the cost people are concerned about and possible over time costs and when the fire department was under a consent decree I know there were over time costs associated with that but if I remember right we were under a consent decree because of concerns in hiring practices. We were forced -- if I remember correctly they were force good a consent decree by the department of justice and I feel like there may be extra costs associated with putting a cadet class on hold, but I prefer that come

[4:06:16 PM]

from us, that we say this is -- there are things happening that are unacceptable and we as a council are putting this in pause and we understand there can be costs instead of -- and frankly, under the current administration I don't even know that that department of justice would actually, you know, institute a consent decree. Let's be honest but let's hope that changes in 2020. But I want to just -- there has been a lot of talk about the cost and the costs of possibly continuing a spread of alleged racism in our department is more than any monetary cost that it would -- that it would cost to put a cadet class on hold. So we have done it before. We have had to pay those additional costs because we were forced to and I hope and I would think that created a better fire department and a better hiring

[4:07:17 PM]

practices, and so to me I just see this as we are not waiting for somebody else to force something on us. We are doing this because we believe it is the right thing to do to get those better results. And --

>> Mayor Adler: Okay. Anything else before we go to the next item? Greg.

>> Casar: I think a lot has generally been said but since it is a long day on Thursday I appreciate council member. Member harper-madison taking this matter up. Everybody is taking this really seriously and I appreciate so many folks in the community and department are taking that really seriously but I just think it is part of our experience in Austin and working with our constituents we know that racism is still pervasive across our city, across our systems and I think this is again -- I want to echo what council member harper-madison said, there are so many parts to this resolution that just taking up the opportunity of

[4:08:18 PM]

acknowledging that racism is still pervasive in our systems and we are going to take that head on and that we can -- and that we can do much better and so I am really hopeful that this makes the way our entire city and our entire system works better and so I am glad we are working on the details as it relates to the cadet class but there are so many other parts to this resolution I just turning folks covering this and talking about this to look through because you really have detailed out a lots of places where we can with try to make things better, where we have been hearing concerns for a long time. And again this is also about, it is not just about the police department this challenges us throughout our systems and throughout our city, so continue to take on issues of racism. Thank you. I also appreciate you bringing this forward and the go responsesors that have worked on this .. I appreciate your explanation about talking about the cadet classes. That's the only thing I struggled with, how do we make sure they are staffed up. Obviously this is very necessary

[4:09:18 PM]

work and I appreciate what you are doing with it.

>> Mayor Adler: Okay. Alison. >>

>> Alter: Thank you. I appreciate the need for addressing this issue. I wanted to just ask as soon as possible if you get those edits to us and the reason that I want to make sure that we have them is that we just launched -- the evaluation to the contract and so I want to see the metrics and other stuff to see if there are any suggestions we can make about scope and make sure that we can actually get to making the policy changes that are the intention a underlying it. We learned a lot in that process, both of constructing the resolution that led to the contract but also in the negotiations over who was going to be -- who was going to do the contract, but I think that is relevant and clarity on the

[4:10:19 PM]

scope might help if we don't want this to go on for ten ye years. So -- and just saying we don't know what the scope of -- not who your edits -- for ten years. And then on the recruiting, also, we had a lot of contract conversations when we went through the process of the contractor form where we were talking about some elements of recruiting that I want to see if we can perhaps incorporate into how we are looking at -- something else I want to consider. I think it is somewhat out of the scope of this resolution, it is something I just want to signal I am thinking about, is what kind of leadership training totally, you know -- beyond receiving that kind of stuff is part of leadership training, but I think we need to make sure we are giving our officers broader

[4:11:20 PM]

leadership training that is apart from just what you do in particular political police specific situations that I would hope as a city we are affording those opportunities to all of our employees, but I think with respect to the police department we want to do a little bit further reflection on that broader leadership training, one component of which would be diversity training and those kinds of things. But I think it is a little bit too out of the scope of this and I don't have it -- I don't have it nailed down as a suggestion and maybe it comes out as part of the recommendations in concert with some of the recommendations that would come out from that.

>> Mayor Adler: All right. Thank you. Cathy.

>> Tovo: Very quickly I too want to add my thanks to the sponsor and cosponsors. Thank you for bringing this really critical resolution forward. I just want to be clear on -- as I understood you were going to change some of the language to say supporting the city managers I want investigation and there were some very clear areas

[4:12:23 PM]

articulated in your resolution council member harper-madison about looking at the training materials as well as communications and other things and it wasn't clear whether the investigation you launched was as comprehensive and so if -- I don't need an answer to that now but if there are elements not part of the investigation, if you could be prepared on Thursday to let us know, to know that and whether the scope of that could be expanded, especially with regard to training of cadets. And a I love the increased focus it sounds like you are going to add in about recruiting and I think that is a really important area and I know that we have talked sometimes in this setting about partnerships with aid for the fire academy and other things and I am not sure what the extent of our partnerships in that regard are with aid and other school district. I know there are police academy classes at aid but I

[4:13:25 PM]

think they are partnerships with the police rather than fire department as you are recruiting that section about recruiting it may be great to partner with some of our school districts on that recruiting piece.

>> I appreciate that. I just don't know if it is appropriate for this particular resolution. But there is a be it resolved clause saying to the city manager the scope of work for the selected third party investigator will require written reports at least one interim report issued and then goes on from there. So I wonder if that would answer your question?

>> Would you mind telling me where that is.

>> Harper-madison: The be it resolve clause that starts line 132.

>> Tovo: Thank you. That might -- okay. And so the intent there is to make sure that the scope of work, as long as -- as long as the manager understands it to be that way the scope of work that you have initiated should match the scope of work in this resolution passed.

[4:14:25 PM]

Is that your intention?

>> Harper-madison: And if I may --

>> Tovo: If there is need to expand the scope that this resolution would trigger that action?

>> Harper-madison: Exactly. And there are multiple other actions happening concurrently.

>> Tovo: Others.

>> Harper-madison: I forget the name. Sarah Villanueva is the new organizational development and training manager over APD, she is currently conducting an analysis. The city auditor's office is conducting an audit around compliance with recommendations from the 2016 report outlining steps to improve community policing. Then the equity office is also applying the equity tool. So there are multiple things happening simultaneously, which I think will operate in concert with one another as opposed to duplicate one another.

>> Tovo: I agree. Great. Thank you.

>> Mayor Adler: Thank you and we will move on to the next item before we do. If you could get with councilor harper-madison's office and make sure we have an investigation that is covering the full scope

[4:15:26 PM]

of what was discussed here today, and whatever parts that needs to be so that works out also visit with council member Harper Madison about the benchmarks and the like, so that you can make a determination as to what happens with the June class. Or whether or not there is anything that you want to be able to do on that over time. Yes. Alison.

>> Alter: I don't know if the city manager wants to address anything having to do with this or --

>> I will say some of the information I am hearing from the council member is new so I want to make sure I have time with her between now and Thursday to make these clarifications. So I look forward to that discussion.

>> Alter: I am gather given our time and the focus on this we don't have to do it right now but I think that it would be useful for us to be able to hear from the chief on Thursday if not now. I will leave it up to the dais whether we want to do that now,

[4:16:27 PM]

but I think it is important that we hear from him any suggestions he has with respect with to the resolution or any concerns.

>> Mayor Adler: Okay. Let's have that on Thursday and get through land development code here today. And at that point you will have seen, we will all have seen the further amendments and we will have had that meeting with the manager and council member Harper Madison's office. Does that work?

>> Next pulled item is item 67. You pulled that, Jimmy?

>> Flannigan: Yes, we are still working on getting information from the appraisal district on bios of the applicants and the six names and five positions, so we are trying to get better information on how we want to allocate our votes to the appraisal district board.

>> Mayor Adler: Okay.

>> Flannigan: I am working through that now and have a recommendation for you on Thursday.

>> Mayor Adler: The last time this city did we gave equal votes to all candidates

[4:17:27 PM]

searching for five positions, so in essence, not weigh in, but --

>> Have a little more perspective dash which is why I asked Jimmy to take point on picking those folks and you are the only person that actually represents folks in Williamson county.

>> Did you ask for this in the Q and a process so they get posted online, the bios?

>> No. But I will get them posted.

>> That would be great.

>> I think this morning, five of the six were trying to, we are trying to finned find sixth but I will make sure they are posted.

>> Mayor Adler: Please post. Item 84. Jimmy you pulled that one too. Annexation on Mckinney --

>> Flannigan: Yes. So I handed out an article. This is not new information to anybody about the cost of -- and we had this conversation many times before. Part of my kind of ongoing frustration with annexation is we don't get great analysis on the impact of these annexation

[4:18:30 PM]

decisions. And I don't know that we even have a coherent policy about how to handle annexations from the council's perspective, not even before the changes in annexation law but certainly not after, and, you know, when you see this type of development and you look at the map of this particular property, it is really an outlier. There is no annexed property around it. It is on the other side of a state park. I have a lot of questions about what service provision is going to be required for these properties. There is even a little doughnut hole in the middle of it because one property owner is being asked to annex. So I would hope staff could explain a little bit about the process that led to the annexation request coming to us today and I mean how do -- without a staff recommendation what is the council going to use, what information are we using to base our decision? How do we do?

>> Virginia Collier with the

[4:19:30 PM]

planning and zoning department. It has been a long time since the council policy has been revisited and I think if we could get some direction from council that would be great for us to take a look at how we approach these requests as they come in and this particular case, this is a property that is contiguous to the city limits along right-of-way that goes in and out of the city limits so we were looking at coordinating with Travis county to both straighten out the situation for maintenance of McKinney falls parkway where there is city maintenance, county maintenance, city maintenance, it is measure mashed as the property is, mishmashed as the property is widened. A developer wanted to bring it into the city so he could apply for zoning. A S f-4 a regular type of development if it were developed out in the etj the city doesn't have any zoning authority and couldn't say what density or what types of land use might be they would like to see on the property. But if it is brought into the city, it would be in addition to our tax base, you know, all the benefits would be available to

[4:20:30 PM]

residents of, all of the city benefits would be available to the residents in the area as it develops.

>> So I don't want to step on your toes, mayor pro tem, but you kind of touched on one of my primary questions is about what it is going to cost to serve these areas. It never has been detailed in any annexations I have seen in my three years, and we have had other conversations about parts of district 2 that were so far away from fire stations that, that caused us have to have go out and build a fire station. I don't know based on what I have been provided if this supreme court going to fall in that category. It is not clear that the tax revenues from a single family development in this corner of the city is going to

generate sufficient tax, property taxes to cover the long-term obligations. That's the article I handed out basically that says it doesn't, but these are -- that's a high level analysis and I would hope that parcel by parcel we are having a better conversation. I just don't know .. I mean, I

[4:21:32 PM]

can't support annexing in this way until we have that type of analysis.

>> Do you have a feel for what the relative cost is versus benefit?

>> I think it is difficult with an undeveloped property because we don't have an expense. It would just be generalizing what does it cost to provide maintenance, road maintenance and public safety response and all of these things, just like it would cost anywhere else in the city so that's how the city sets its tax rates, this is the level of service we provide and so it would kind of be a balance of what the inputs to the equation are equivalent to the outputs, not that an area, I think it would be more appropriate to look at what mix of uses is of benefit to the city and keeping in mind if something meets our development codes requirements then that is something the city has to approve when a developer comes in. It is not something we can with say oh we would rather you have this much density or that much density if it is outside of the city limits. That will come to zoning. So until it is part of the city limits we really don't have a

[4:22:33 PM]

way to balance those costs and expenses.

>> I have -- I am also have a rough time with this one. I think -- I am concerned about what seems like, you know,, you asked to get annexed so you can get city services so you bought a piece of property and then you can incredibly maximize that piece of property by getting annexed by the city. And, you know, the same issues in this part of my district, like a grocery stores, the fire station, there is, you know, good night ranch is kind of close, a little further south and, you know, they are slated to get a fire station, but it does feel like you are endorsing

[4:23:34 PM]

a policy of supporting sprawl, and I -- I definitely will not be making a motion to move this forward on Thursday. I don't know -- you know, we just have been talking about our pid policy and having to revamp a pid policy and I think it would be a good idea to revisit an annexation policy as well as, you know, a hud one, well they are in the etj but they are paying incredibly high mud taxes and they don't know that until they get their tax bill and then our office gets calls, why am I paying more taxes than the person

across the street from me? And, you know, I have asked you, do they know that when they buy, is it in the disclosure? You say yes, but, you know, just when you are at closing you are just signing, you know, 500 things. So I don't think where I am exactly on this specific one.

[4:24:35 PM]

I would prefer maybe a postponement so we can talk more about it because it feels like we are endorse ago policy that encourages sprawl.

>> I guess it makes sense for us to postpone this so that people don't come prepared to testify on it cash are not prepared --

>> There is really not a population they are, that is planning to testify. It is just the develop store we can coordinate with the developer.

>> Even in the last annexation we had of what was the cost versus benefit came up. We really didn't have that information and we talked then about needing to have that kind of information to have these kind of decisions. If we do have that information now it might make sense to postpone this until we can actually have that kind of conversation.

>> And I will say, it is not to say that annexation is always a bad idea. There is a parcel in my district we had already annexed everything around it and now that parcel wants to redevelop

[4:25:35 PM]

with some -- or develop with some fairly high intensity projects. That seems like that would be of benefit to the city, especially since it is across the street from a fire station that we built. So knowing that under hopefully our auto agreement with -- and county we actually would be serving them with services anyway and so we just have got to understand this better.

>> Mayor Adler: So you are there. Do you want to have this come up this week? Do you want to think about it? Should we postpone it? What would you recommend we do?

>> Cathy, did you want to --

>> I have a question I guess as part of your answer to this, is there a down side to postponing it? Does that push it into --

>> It is just a public -- it is set as a public hearing and not a time frame requirement like under the old -- so if it gets postponed it can be taken up again.

>> Tovo: Super. Thanks. There doesn't seem to be a down side to taking a little more time. Thank you.

>> Mayor Adler: Do you want to think about it and tell us what you recommend do we?

>> I can check in with the

[4:26:37 PM]

applicant and let him know this is what the council is doing and

--

>> Mayor Adler: Why don't you do that. And if it is appropriate just post something on the message board just to let us know what it looks like we with should be doing.

>> E-mail us and let us know.

>> And I don't know if there is an opportunity to have an executive session on -- if -- you know, to know the trade-offs and to know what amenities, you know, we can get from, you know, that probably gets into possibly some area we are not supposed to be in, but I would like to know what those constraints are, you know, is it a parkland or -- I don't know -- economic development dollars for a grocery -- I don't know. Maybe there is some way to understand that there is something we can get from annexing that solves some of the challenges we face out there.

[4:27:37 PM]

>> I believe that is kind of how the state law was intended, the cities are supposed to offer something to these property owners as they are developing to entice them to want to join the city.

>> Mayor Adler: Or the other way around. Offer the city something they want to take advantage of what the city has to offer. But I think the conversation in our community benefits and how it is this net for us is an important conversations. And I think the mayor pro tem is raising the question there are some needs in that area that the city has. Is this an opportunity to address those?

>> Thank you.

>> Mayor Adler: Okay. Send us an e-mail and less let us know. Those are all the items we had, so let's -- the land development code back up.

>> Real quick, mayor. I was going to ask for a time -- for item 27. At 6:00 o'clock, that's the renaming of the -- rec center so people can come and speak if they are able to. They asked for a time certain.

>> Mayor Adler: Okay.

>> Mayor, I want to pull item --

[4:28:38 PM]

>> Mayor Adler: One second before we get there. No. I think there is -- I think there is a good chance we could. I am not sure, given what we have. The police issue, which could be big, unless we work things out, in which case it may not take some long. There may be some important things to say. There are not a lot of zoning cases I think that are going to involve a lot of people that are

-- that are testifying. So I am not sure that this one actually ends up going. Maybe what we can say is that we will take this up last, 5:30 is the time that we normally break and usually reference 56 to 36 with music and -- first things to, 5:30 to 6:30, I don't have any problem coming back at 6:30,

[4:29:38 PM]

if you want to do it then because I will be here regardless.

>> .. I am worried if we take it last and it is 11:00 P.M. And say we were going to take it last and now we have to take it last.

>> Mayor Adler: And still take it.

>> Okay.

>> Mayor Adler: I would suggest because I don't think there is going to be a lot of opposition to that that you talk to the people that are coming to speak in favor of it, so maybe they can kind of consolidate kind of the tributes to this. Obviously we are honoring someone and make sure we do th that.

>> I am certain they would be willing to consolidate to maybe even one speaker. I think there are concerns about possible opposition, and so they just want to make sure that they bring a showing of support if there is. So that's why I don't -- I don't know -- I don't know how many speakers are coming at this point but because it is district 2 and they are working families

[4:30:39 PM]

they can't take off --

>> Mayor Adler: All right. Let's go ahead and we will take that up at 6:30 or after the dinner break, and we need to know even if we are done early that six people will hang long enough to be able to move it forward.

>> And I will know more on Thursday so maybe that could change but right now I am telling them that 6:00 P.M. Certain and see what their feedback is.

>> Mayor Adler: Sounds good.

>> Which number is that?

>> 27.

>> Item 26. I just have some questions about the development there on Cesar Chavez and just have some questions about how they are going to -- and about the parking garage they are planning on building and get more information on that.

>> Mayor Adler: Okay. Do you need applicant to visit with you ahead of time or staff to visit with you?

>> Either one. I just need to find out how they are going to -- are they going

[4:31:39 PM]

to close the -- and identify whether there are secondary units along the street on the other side? And it is an alley -- I just have some questions to ask.

>> I will --

>> Thank you.

>> Mayor Adler: Okay. All right. Let's move on. Land development code.

>> Thank you, mayor. Rodney Gonzalez, assistant city manager. For public that is watching the other two items that we are going to cover today are the base motion options for the land development code and the supplemental staff report number 2 and with that I will hand it over to Brent -- for the land development --

>> In case anybody is watching that's because property taxes and housing capacity were addressed earlier in our meeting, so if you are tuning in now to learn that, you have to go back earlier in the day to get it. Go ahead.

>> Thank you, Rodney. Thanks, mayor and council. We are going to shift gears for

-- from the other topics we covered related to the land development code and we are going to start talking for a few

[4:32:41 PM]

minutes about the process for acting on first reading. I think that we are getting close enough with the public hearing coming up on Saturday and actions scheduled for next week to start talking about some of the procedural issues and making sure that all of you know kind of what will be before you at first reading, aside from council initiated items that you all may be considering. So at first reading, the base document that will be before council is the land development code draft and zoning map that was published on October 4th and presented at planning commission's October 26 public hearing. Following a recommendations that could be incorporated as first reading amendments and we are going to talk

about the first two of them in more detail. We have the planning commission report that was issued on November 22nd, and we have the supplemental staff report, the second one and then we also have -- that should be indented over further to the left, and not grouped with the others, but

[4:33:42 PM]

then we also, of course, with have any amendments that the council itself wants to initiate. So that is sort of the working universe of options that will be before you at first reading. So the ones with that are already existing, we want to talk about those 0 a little bit. The planning commission recommendation includes these items. It includes the changes that are described in the planning commission report that was issued on November 22nd and was provided to you all, and we provided a list of enumerated list of all of the different actions and amendments that the planning commission has recommended. We also noted for your reference the staff's positions with respect to each of the planning commission recommendations we have indicated whether staff agrees partially agreed, is neutral or opposes the recommendations. Additionally, the planning commission voted to include in its recommendation the changes that are described in the first supplemental staff report. So it is important to understand

[4:34:42 PM]

that if you all were to concur in the planning recommendations you will be concurring in those recommendations as well. Well. So just to go through those. That is the text revisions at page 3-8 of the first report. They are numbered and organized by topic. For easy reference and additionally, we have provided a document that has typos and very nonsubstantive wording changes as well as map corrections and those are in hyperlinked spreadsheets that are link to the supplement -- to the staff reports. And those continue as we indicated to be updated on a continuing basis as we identify nonsubstantive errors, typographical changes, mistakes in cross-referencing, things of that nature. Additionally the first supplemental included appendices a and a 1 which are amendments to the growth concept map and the corresponding text of imagine Austin, and then finally, appendix B to the first

[4:35:45 PM]

supplemental is recommended changes to the off premise sign regulations that would allow limited opportunities for additional off premise advertising. So those are the -- that is the universe of things that are included in the planning commission recommendation. So a motion to approve the draft, which obviously it goes without saying is not council's only option. We know that there are members who may have other motions to make, but a motion to approve with planning commission recommendations would include all of the items that I just mentioned and unless specifically exclude, so if a council

member wishes to move subject to approval of some of the planning commission recommendations, you could do so by simply listing the items that you are excluding, you know, planning commission recommendation except for and then list the listed items that are excluded. Separately, a motion could include some or all of the new

[4:36:46 PM]

recommendations that are described in the second supplemental report that we issued right before Thanksgiving. And for ease of reference the second supplemental report lists all of the revises that are in the first supplemental report and it indicates that those are from the first supplemental and then it says new recommendations and list it is new recommendations. We did that because we want to

-- we wanted council to be able to see the Yao universe of staff recommended changes altogether sequentially numbered and organized for ease of reference. So before we go further into the meat of the second supplemental which we will be talking about tomorrow as well as this afternoon, that is essentially sort of the procedural options that are before you. We are hoping that by making it easy to dispose of the commission recommendations and the staff recommendations in an orderly manner that you all will have time to make your own motions and to consider council initiated amendments. So with that, we will dive into

[4:37:47 PM]

the meat of the second supplemental report.

>> And just to that end to comment quickly, what I put on the board yesterday is that I would recognize someone to make a motion to basically bring forward the recommendations that came from staff. And that would be embodied in the -- embodied in staff recommendation, it would include the PC recommended items that were agreed to by staff, so that things that were not agreed to by staff were ones, or ones that staffs didn't have an opinion on, or the staff said we agree in part and don't agree in other parts, wouldn't include any of those, it would just be the staff recommendations that were in the original proposition, the supplement number one, the supplement number 2 and the PC recommendations that were agreed to by staff. That's my current intent in terms of the opening motion that would then be that base do document. And then we can amend from that.

[4:38:49 PM]

>> Did you have a question about that.

>> Just very quickly about something you referenced. The staff recommendations to the planning commissions recommendations, where is that? Where do I find that?

>> We can -- I can resend it to your office but the November 22nd report that we provided to council 0 that lists all of the PC recommendations, that spreadsheet includes a column for staff response, and that will indicate what staff's position was with respect with to all of those items.

>> Okay. I think we must have cut it short.

>> Okay.

>> So I have the spreadsheet but not that column so I just need to reprint. Thank you.

>> If you need us to resend it, we will.

>> No worries. I will find it.

>> Mayor Adler: Next.

>> On the same topic. I have the PDF but wonder if there is an excel version so if we can sort by the things you agreed with, partially opposed.

>> We can provide that to you.

>> Mayor Adler: Provide that to all of the offices. Okay. Continue on.

>> And, mayor, just a quick response to a comment you made,

[4:39:49 PM]

when we have indicated in the planning commission report that we partially agree with the recommendation it means that we agree with the concept. We have different ideas about how to best execute it so if council wants to include the ones for which staff partially agrees, we feel there is a path forward to implement those,. It is just going to differ in the particulars somewhat from what the commission suggested.

>> Mayor Adler: Sounds good. We are not make going to make that part of the base motion. If someone wants to bring that forward we will have a discussion about that.

>> So turning to the second supplemental, the report includes basically three parts. It includes, as I mentioned some new text and map revisions that are based on chains that we sort of previewed in the first supplemental but we flushed them out more in this report. As well as additional feedback. As we tried to mention when we talked to you at these work sessions we have continued to meet with stakeholder groups to attend community meetings and to receive feedback on the code and

[4:40:50 PM]

on an ongoing and interim basis we have made course corrections and continued to address nuances in how the code is drafted and those are -- that informs the text revisions that are in the second supplemental report as well. We have also provided a section that outlines programmatic measures that we believe are necessary for successful implementation.

>> As the manager indicated in the March 15 memo that sort of started this process, the code is about a lot more than just the code and the map, it is about the culture. It is about the resources that are available. It is about all of the steps that go into implementation, and as this process moves forward we think it is important that we start to hone in with greater specificity on the steps required for implementation. And the third and final section of the report is background information on the former title

[4:41:51 PM]

25 zone. So with that, tomorrow we will be discussing revised mapping criteria for transition areas and high opportunity areas. Proposed reductions in maximum floor area ratios based on ongoing staff analysis and also changes to better account for usable space and how FAA is calculated. We won't talk about those items today but I know those are of interest to council members and I want to let you know there will be a space to go into those issues. What we with a do want to talk about is another item that we know is importance to council and that is the preservation and, incentive. In the October 25th staff report, we indicated to council that we felt based on our own analysis as well as feedback from the community that the preservation incentive as originally proposed needs changing. It needs to be recalibrated and revised. And the reason we believe that

[4:42:52 PM]

is that it needs to be essentially better calibrated to ensure that the enhanced development potential that flows from preserving an older unit is really going to further the city's housing capacity goals, that it is really going to benefit projects that are meaningfully providing additional units and a not just be a tool to provide bigger single-family or two family residential units. Additionally, we also recognize that improvements are needed with respect to better defining a how the preserved unit can be modified, so we think across the board changes are necessary to help the preservation incentive better further council's goals. So the changes that we proposed in the second supplemental and we will just go through them, I believe they are listed at payment 13 of the supplemental, are to require that a person of the front facade of the preserved unit be retained and that any modifications include the addition of a private

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frontage if one does not exist and that essentially means a porch. Limit the floor area that can be added when utilizing the preservation incentive potentially by requiring the bonus unit to count towards the maximum floor to area ratio in exempting or partially exempting the preserved unit and that is a change from how the code is currently drafted in which the additional unit is exempted from far. Additionally some other changes we feel that would really help to improve this tool are to clarify the extent to which preserved structure may be modified using the requirements applicable to nonconforming structures as a baseline and include appropriate administrative and enforcement provisions. If council approves, you know, these set of changes we would work with the law department on developing appropriate administration and enforcement provisions which we recognize are necessary. Clarify that a bonus unit added to the preservation incentive may be used for any residential

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use allowed in the base zone and that may result in more than 1 Adu. Clarify that for multifamily United States utilizing the incentive the number of new units is equal to the number of preserved units plus one additional unit and we think there are some ways in which the current code is written, is not written as precisely as it could be on each of these issues. So that is -- those are the set of changes that we are proposing with respect to the incentive and we believe if council approves those, those will give the staff clear and firm direction as to the kind of changes that you would want to see on second reading. And we have staff present as well to address any further questions.

>> Mayor Adler: Okay. We have 15 minutes left, roughly, so everybody who wants to speak probably gets two minutes and I am going to let you speak either to questions on this or anything that you want to speak to.

[4:45:55 PM]

Cathy: I've like four hours of questions.

>> Tovo: Let me just start with one. I think I better need to understand all of these bullets. I appreciate you taking a look at the preservation that we have been working on. Did I understand you correctly that that first bullet means that you must add a porch?

>> Basically, with the preserved unit, if you are going to -- if you going to modify the front facade and it doesn't have a private frontage, a porch, then one needs to be added and we have recommended before that with multi-- I think staff can help elucidate kind of the reasoning behind this, but with sort of the house scale multiunit residential that having porches really helps to relate the structures to the street and so if you are going to be modifying a preserved structure, I think the idea would be if you making modifications to the facade and there is not a private frontage provided that one should be provided.

>> Tovo: I will have to think that through and talk with some of those in our historic

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preservation community, because some of these structures that I hope are going to retain their present preservation incentive are going to be historic structures that may have architecture styles that are not compatible with a porch. I mean I think it is great to have a porch, I wish I had one, but it is not necessarily something that is compatible with every architectural style we might want to support being preserved.

>> So actually just to clarify

-- in planning and zoning, the provision force a porch is really -- it allows you to add a porch if you want to. It is not a requirement.

>> Tovo: Okay.

>> It is something that would be optional.

>> Tovo: Okay. That makes sense, thanks.

>> Mayor Adler: Council member harper-madison --

[laughter.]

>> And we are talking specifically just about the preservation incentive, correct?

>> Mayor Adler: Anything you want to talk about.

[4:47:56 PM]

>> Harper-madison: In that case there was something that came up during the course of the conversation around capacity earlier that piqued my interest, he said something about feasibility as it pertained to challenges. And -- it is on page 17.

>> Site specific at districts that impact these abilities. The presence of heritage trees. Was one that piqued my interest there. And it got me thinking about what our options are here. And so I just have some general questions about that, and they don't have to be answered today. It was just something that came up for me during the course of that conversation. And then as it pertains the preservation bonus I guess I am curious. It seems like this is a

[4:48:58 PM]

substantially different version of the preservation bonus, and I am curious how that evolution transpired. I think that, you know, we receive feedback and council did as well, that the preservation incentive might have the affect of, you know, essentially allowing simply bigger units, bigger single units or two unit structures and really not furthering the council's housing capacity goals which is one of the core components and reasons behind the preservation incentive, so I think community feedback questioned whether the additional entitlements were really serving the value that the incentive was meant to serve and I think there are also concerns about the scale of Florida area, floor to area ratio within these stones 0 and we will talk more broadly about that in other contexts as well tomorrow. But I think all of those concerns as well as staff's ongoing review of this new tool

[4:50:01 PM]

led us to conclude that really some changes would really be beneficial. So what we provided in the second supplemental is a list of what we think would really help to improve the preservation incentive.

>> Harper-madison: And back to the heritage tree question. Is there such a thing as heritage tree preservation Bo bonus? That would -- that could give the homeowners more complexity that they need?

>> We -- there is not. There is not -- there is not sort of any sort of a blanket development incentive that is provided for preserving heritage trees which is a code requirement. There is not -- I mean, preserving heritage trees absent a variance is a code requirement and there is not a development bonus added for that.

>> Harper-madison: My thought was we could offer people the opportunity to come up with

[4:51:02 PM]

creative ways to design around them and simultaneously protect the heritage tree canopy. I just wonder if that is something we could take into consideration.

>> Council member harper-madison, one change I would quite characterize it as a development bow us but an meaningful addition to the code is the board of adjustments for considering varons have been clarified to really make it plain that they have the ability to consider tree preservation in looking at whether to allow a variance, and, you know, the board -- they are a sovereign board and they will have to weigh that appropriately, but that is something that is built into their variance criteria, but there is not any kind of an automatic entitlement for preserving heritage trees.

>> Mayor Adler: Which is not to say if you wanted to bring one up as an amendment you could certain employ that.

>> Harper-madison: That's my thought. Thank you.

>> Mayor Adler: Okay. Let's move on. . . Palin.

>> On that same subject I have

[4:52:03 PM]

been working on heritage tree preservation in the centers and corridors and transit network so I at this we are kind of thinking in the same line but I think that is really cool idea to allow someone who is trying to build something to maybe built a little ditchly to protect trees. So I would be happy to help in in way way I can but think think a is a really cool idea.

>> Mayor Adler: Okay. Jimmy.

>> Flannigan: I WOU concur in the thought I had on that was mostly some form of administrative variance on setbacks with a certain variance so you could maybe have staff give a five percent variance on a setback and if you wanted more than five then you have to go to board but something that can work faster than going to board of adjustment at a small maybe de minimis thing but can help shift a building to the left and that kind of thing is what I had in mind. Yes. I think think it would be a good idea.

>> Mayor Adler: Okay. Greg.

>> Casar: Mayor, I plan on supporting starting a base motion as you described on the

[4:53:04 PM]

message board. I think it is a good starting place and then we can still go back and amend portions of any of those recommendations that we want to change, that we can bring in, planning commission recommendations that weren't agreed to but I think knowing that is the starting place will help us in drafting amendments and we are drafting ours now. I hope tomorrow to be able to hand out as much of those amendments that I plan on bringing on first reading as possible and of course posting anything else by Friday, but hopefully tomorrow, you know, already have some drafts going in trying to make those relative to the base motion as you described. You know, a lot of the minority posted on the message board things like graduating -- more utilities to encourage small units, really trying to make the preservation bonus accessible to as many people as possible and to make it, you know, really work and I think what the staff

-- and make sure that vmu, sites

[4:54:06 PM]

generally stay the way we are as we expand the density program, working on some issues of drainage we have been hearing about, just trying to really make sure this code is addressing drainage while we are addressing housing and then some of the process stuff that has been brought up around, you know, I think people should be able to use the preservation bonus without having to go through a long site plan process and I think some of that stuff is in the planning commission recommendations and may not be in the base motion. So some of those things hopefully we will have them written up in time for tomorrow to be able to hand them out as we go through the sections of the amendments a and 32 to use our 0 time tomorrow to talk about each other's really specific amendments and we will post everything that I can, not, if not tomorrow by Friday.

>> Mayor Adler: Okay. Tomorrow's session is going to start at noon. As soon as we have a quorum present we will go. Staff is going to make a presentation tomorrow on the things that were identified. We have allotted up to an hour

[4:55:08 PM]

for us to ask questions, time evenly divided and then the balance of the time we thought we would run through the six areas of the planning commission used the same sticks areas we used before interpreting the headings broadly to ensure that they weren't going to bring up any topic they want to. Running for four hours tomorrow. And then we had talked about the public hearing is on Saturday. That will be, by the way, I think, the 67th public hearing that we have had since 2017. And the hearing we will have on Monday will be the 68th. Public hearing public. So not work sessions, not anything that we were just talking to ourselves this is where the public was invited to speak. It does not include neighborhood association meetings or those kinds of things. These are structured public

[4:56:09 PM]

meetings for the public to be able to talk about the land development code. On Monday, when we start the first reading I am going entertain that first motion that we talked about and then we will go around and give everybody an opportunity in rotating order to be able to bring questions up. We will give priority to those amendments that were posted by Friday noon and then after we have been through those then we will consider other amendments. Council member pool.

>> Pool: So I have how long two, minutes?

>> Mayor Adler: A couple of minutes, yes.

>> I will be bringing some issues forward as amendments on Monday and I will post up on the message board, so just to give everybody kind of a heads-up and I will have more explanation on the message board, environmental

[4:57:10 PM]

issues, including trees, a couple of folks have already spoken about tree. I want to strengthen the proposed code language and push forward on climate resiliency and that's something that the planning commission, they have a recommendation on increasing the tree canopy from 35 to 40 percent and then to be spread equitably around the city, but in areas like district 1, it has been a longstanding issue to get enough trees not just planted but cared for to ensure shade and relief from our heat index long into the future so we really need to be paying some specific attention to the tree canopy, have -- I mean we can even be ambitious and have a no net loss and 2050 tree canopy policy as in 50 percent canopy long-term goal of 50 percent canopy by 2050 this would align with our climate plan and resiliency goals and help those parts of our city that are really suffering from heat and that are missing the community benefit of having healthy trees.

[4:58:14 PM]

So I will lay that out a little bit more on the message board. Of course, local area flooding which is protection of the health and safety in our neighborhoods, we need to make sure that we have no impervious cover increases in areas with local area flooding. I know staff is researching this, but I really want to see the results of that research before we get to final readings and we really need the benefit of that data. And then reserve impervious cover increases in R 4 and rm 1 for on side affordable housing rather than a -- if we are really chasing affordable housing we must insist that it be built on the site of the development. Mostly because our -- the programs tend to undervalue the costs and then we end up without actually the benefit of what the fee in lieu is proposed for. Helping our families and

[4:59:14 PM]

seniors, I have got three items here, increased multibedroom units so that our families are served and also recognizes our urban public schools. This is something that Cathy has spoken to many, many times in the years that we shared the dais so we should be focusing .. On increasing multibedroom units, particularly in the urban core of our city so we can make sure that our great school districts or public schools have enough children to populate the school so we don't have another round of really painful, painful school closures and we know that more are coming with the Austin independent school district. Helping our homeowners in and struggling families through programs to build on their properties and stay in place. Kathy touched on this earlier today when she was pulling out an item, I think item number 2 for our agenda on Thursday, it would be great if we could build

[5:00:17 PM]

on the programs we already have in place to help .. Homeowners and lower income families so that they can build on their property like an Adu and be able to stay in place. It is really expensive to build an Adu. I did a little bit of research a couple of years ago to put one in my backyard and I would have had to take out a second mortgage for over \$200,000 in order to build the Adu. And that wasn't -- and then the amortization on that unit would have been so many years into the future. At my age it didn't seem like a really good move and I am sure I am not alone on that. So we need to be looking at ways to incentivize and support and frankly subsidize the building of the Adu units for those homeowners and lower income families who want them, but who like me either couldn't afford it, because I couldn't have afforded it but if I had a program, kind of like what we did with installation of solar on roofs, there were rebates for solar on roofs, we could do something along those lines to

[5:01:20 PM]

really promote the building of these accessory dwelling units. And then my all-time favorite that I know everybody is just really excited to talk about, protest rights. I promised to the keep pushing on this until we actually have a conversation about this. I know that there was a memo a couple of years ago where he laid out his opinion, his legal opinion back when he was in the law department, that he did not believe that in a comprehensive rewrite that residents had property rights -- and while I appreciate that -- his particular approach and his particular legal opinion on that, that is not the opinion of the city. We have not debated that issue as I said earlier today. We have not debated that issue formally and officially. Our residents in a formal debate on that, our residents would have the ability to come in and talk to us about it and tell us

[5:02:22 PM]

what they would like. It is my opinion that people who own property have a right to influence what happens on that property. And that is the firm foundation for my drive to get us to discuss and have a conversation publicly about protest rights. I believe that owners of property in our city have protest rights under this comprehensive rewrite plan. I do not believe that we can simply write ourselves out of it with some fine legal language to say that by fiat it is no longer the case. So protest rights.

>> Mayor Adler: Thank you. The numbers I gave about the 66 public meetings so far, I want to thank Espinosa for roughly counting all of them. And I think what he was referring to are public hearings, public hearings where the public has the opportunity to speak and engage.

[5:03:22 PM]

>> When he looked at the numbers he included almost 20 meetings I held in the district in 2017 and 2018.

>> Mayor Adler: He did not include any neighborhood association meetings or similar kind of stuff. Alison.

>> Alter: In the interest of time I have questions about the supplemental and given we have all been at this since 9:00 A.M. I would prefer to ask them tomorrow.

>> Mayor Adler: Okay. Any further conversation from the staff on the second supplemental.

>> Okay.

>> Mayor Adler: Everything will be open for discussion.

>> I wasn't sure -- what I am trying understand is kind of the specificity we are going to get and that's really going to affect what amendments I make and other things and so I hope we can have that discussion.

>> Mayor Adler: Do you want to daylight the area of the questions so staff has --

>> No. Because we are losing people and that kind of defeats the purpose of daylighting.

>> Mayor Adler: -- The staff will be more prepared to speak

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>> Alter: They are all on things we talked about before so

[5:04:24 PM]

it is nothing particularly surprising.

>> Mayor Adler: Sounds 0 good. Does anybody want to say anything else? No? It is 5:03 and this meeting is adjourned. Thank you. >>