

## Planning and Neighborhoods Committee Meeting Transcript – 01/19/2016

Title: ATXN 24/7 Recording

Channel: 6 - ATXN

Recorded On: 1/19/2016 6:00:00 AM

Original Air Date: 1/19/2016

Transcript Generated by SnapStream

=====

[4:08:17 PM]

>> Good afternoon, everyone. We have quorum now and so I will convene today's meeting of the planning and neighborhoods committee. It is not -- it is -- what is today's date? I don't know what today's date is. It's January 19 and it's 4:08 P.M. And we're in the boards and commission room. I'm council member Casar and I'm joined by committee members Gallo and Renteria. Our first item of business is to approve the minutes of last meeting. Is there a motion to do so? Moved and seconded. All those in favor say aye. Passes unanimously. We use these three minutes to give folks a chance to speak on items not on the agenda. Right there. >> Good afternoon, I'm Suzanne. In 1931 the zoning regulations required industrial uses to be placed in east Austin. This ratio was physically reinforced when Austin was bisected bisected in the 1950s creating a visual and physical barrier. Historic zone practices created the base for many environmental justice problems such as disproportionate pollution. Prior to 1986 the Austin planning ordinance called for cumulative zoning and residential homes could be built on lands industrial but an industrial facility could not be built on land zoned residential. After 1986 they abandoned the

[4:10:19 PM]

zoning ordinance for restrictive ordinance. Changing the zoning ordinance from cumulative to restrictive negatively impacted some residents of east Austin by restricting their access to home improvements and equity loans. Some homeowners in east Austin were unable to obtain these loans because the current existing use of their property residential was not consistent with the new local zoning restricted industrial. Like wise homeowners whose house burned down could not rebuild because their properties were excluded from residential uses. Neighborhood associations have been in the forefront to assist in many problems confronting the residents which at the time were poor and people of color. A Mexican-american neighborhood association, east Austin town lake citizens and others consisted of neighborhood associations such as Johnson terrace gardens, Springdale, steward circle, and go valley neighborhood associations along with the montopolis neighborhood improvement council and ole neighborhood business association have long advocated for changes in land use policies and policies in general that negatively impact the low income working class and communities of color. It was local grassroots groups and neighborhood associations which convinced the city to conduct two land use studies. These groups helped clean up the environment by relocating bfi, closing and relocating the holly park plant and rezoning industrial to more compatible with residential and have addressed housing and gentrification issues. These are the real definition of sustainability. And I just wanted to make sure and bring that little bit of

[4:12:20 PM]

history to the forefront so that people could understand that it had been neighborhood associations and neighborhood groups who have been able to advocate for changes in our community. Thank you. >> Next is Frank Heron followed by Scott Johnson. >> Good afternoon, council members. I wanted to update you on the price of housing in Austin. I'm a broker by profession. Last month the median price of a single family home in '02 rose to over \$400,000 up from \$340,000 the year before. The median price of a single family median home is over \$600,000. In '03 it's now \$1,040,000 as of last month. In my view your decision on accessory dwelling units in November was a great first step and I thank you for your vote. But as of the end of sound check in November, code next is still not achieving affordability, at least based on the work product we have so far. My point today, and you've got four documents in front of you that I think are relevant. My point today is there seems to be a continuing emphasis on corridors and activity centers as opposed to the spreading of ad use through the sf3 that you approved in November. Corridors and centers alone will not work and should not work. And the presentation you have to the codes and ordinances subcommittee from last year explains exactly why. You also have a calculation of the area represented by codes

[4:14:20 PM]

and centers. And it begins to introduce you to the fact that we have a very tiny proportion of our geography that's even available to accommodate growth in those areas. We have to change our neighborhoods. And we have to change the plans that cover those neighborhoods significantly. We have now been named by three independent organizations as America's worst sprawling, least affordable and most economically segregated city. That's not acceptable. We have to begin showing by our actions that it's more important to be a city of neighborhoods that our citizens can actually afford to live in than it is to keep neighborhoods feeling and looking a certain way just for the affluent who can afford to live in them. It's a choice. It's a choice that we deliberately made in imagine Austin after three years of debate. Please tell the good people in code next, your staff, your consultant, that they will be expected to actually implement imagine Austin to accommodate the growth that we said we would accommodate and achieve the affordability throughout the city that we said we would achieve and maintain. Please express to them clearly that they need to write a code that values affordability over the unaffordable single family in our central city. Thank you. >> High Scott. And right after you is -- nope, you're it and then we'll move on to the next item. >> Good afternoon, council members. My name is Scott Johnson and I

[4:16:22 PM]

love in district 4 near Highland Mall and live near the Miller redevelopment. Over the last year and a half or so I have become interested in this idea of should we, as a city, have a policy that says that during the planning process there should be an independent review of the development. So we can use lessons learned, if it's a long phase, such as Miller, and try to implement things or change things mid course so that we can realize some benefit. When the Miller redevelopment was put together, such independent planning effort review was not put in. Some in the community have advocated for it. What I'm trying to advocate more is should the city, I believe they should, put together a policy for all future private public partnerships. I don't want the city to be thinking that they have to expend tens of thousands or hundreds of thousands of dollars on one of these planning reviews, but on the other hand we can partner with groups that have done it already. Some of those groups that we have had at our ad hoc meetings with some other advocates for this review have been ULI, Urban Land Institute. The director

came and spoke to us about a year ago or less. We have also spoken to aia, the architects. And had some casual conversations with cnu, congress for new urbanism. What's exciting about it is they have worked with other cities. The projects where the governmental entity or sponsor has put in the neighborhood of 5 to 10 to \$15,000 and then the membership from these groups volunteer their time to the organization and leverage those dollars on a multiple of three, four, five, six times in services based on their expertise. Council member Casar has a great

[4:18:24 PM]

interest in housing and the Miller development is bringing different types of housing to the community but are they bringing all the types of housing or could demonstration projects be put into place before the entire build out of the development in I believe, yes. But as I tried to advance this issue some behind the scenes and I came to talk to you in April of 2015 as well about it. And Rick did as well, who lives closer to Miller than I do, haven't been able to get any traction on it. I'm asking the council members that I haven't spoken to about this directly in a meeting fashion, if you would consider it. I can be a resource and I can get other people that professionally work in this field, which I do not, to give you some background information about why it's a good idea. If the city is a full partner in the highland mall redevelopment, can we do it there? I think we can. And we can learn things and apply them before full build out. Be happy to answer any questions. >> Great. Thank you. Our next item is the item on contact teams, which was initiated by council member Renteria. I think we have a staff presentation on the items, so we'll hear that first and then we'll take the public's comments. >> Thank you. Good afternoon. I'm Stevie with the planning and zoning department. I want to thank -- take this opportunity to thank the committee for meeting at 4:00 P.M. I appreciate it. 12:15 A.M., so I appreciate being able to give the presentation while I'm somewhat awake and functional. The first few slides I'm going to sort of move through rather quickly because this information

[4:20:25 PM]

was provided to this committee at the meeting on October 1st by my boss, Matthew Lewis, who is sitting behind me. As you'll know the history of neighborhood planning contact teams is relatively lengthy beginning in 1997 when we began the current incarnation of our neighborhood planning program that had neighborhood planning teams in charge on the community side of helping to create those documents. And the contact teams really emerged out of those original neighborhood planning teams. Leading up until today when on October 1st, city council adopted -- October 1st of 2015 city council adopted a resolution directing us to do outreach and code amendments related to enforcement of neighborhood planning contact teams. There are 31 existing contact teams. In addition there are contact teams forming for the recently completed south Austin neighborhood plan. Contact teams cover approximately 42% of the city's population and 25% of the city's geography. Contact team boundaries overlap with neighborhood associations and other organizations. Contact team roles as described in the city of Austin land development code are to provide input on setting, plan implementation priorities. To be the stewards of implementing neighborhood plans for the community. To initiate neighborhood plan amendments. They're one of a very small handful of city entities that has the responsibility to initiate plan amendments. They are empowered to make recommendations to staff on plan amendments. They are able to allow out of cycle amendments that a private property owner may want to bring forward. They receive notice of the filing of neighborhood plan amendments. They receive notice of required. They are prohibited from zone specific case and also prohibited from charging any dues. A lot of folks ask how contact

[4:22:26 PM]

teams in neighborhood associations relate in terms of which roles they both share and which roles are exclusive to one group or the other. Contact teams are regulated by the city where neighborhood associations are not. Contact teams are allowed under code to initiate neighborhood plan amendments, neighborhood associations did not have that authority under code. Contact teams can allow out of cycle neighborhood plan amendments where neighborhood associations cannot. Contact teams provide specific input to staff on implementation of plans. They help us prioritize which cip improvements we're going to try to move towards implementing first. Neighborhood associations are not asked for that formal input. And then it starts to get a little bit more overlapping. While the code specifically authorizes neighborhood contact teams to provide a letter to the director on neighborhood plan amendments there is nothing in the code that prevents the neighborhood association from doing the same. We routinely get input for discretionary decisions. Neighborhood associations and contact teams are both invited to the neighborhood -- to the community meeting on neighborhood plan amendments when city staff sends out the 500-foot letter for any amendments to the neighborhood plan. We invite all neighborhood organizations, not just contact teams to that meeting. Contact teams and neighborhood associations both can sign up as interested parties to receive future notice and be involved in discretionary processes moving forward. Both types of groups frequently testify at public hearings and are allowed to do that. Neighborhood associations can charge dues. Neighborhood associations also get to have full power to set their own boundaries, set their own scope of work. Neighborhood associations can limit their membership to only homeowners while the code puts in place provisions requiring contact teams include not only homeowners but also renters, business owners, and neighborhood organizations. >> Can I ask you a question about that?

[4:24:27 PM]

We talk quite frequently that often tenants are left out of the conversation. And over 50% of the population in Austin I believe rents now. So are there -- I understand homeowner associations being limited, but are there actually neighborhood associations that limit membership? >> I can't think of those off the top of my head what they are, but it is my understanding that there are neighborhood associations that limit to just property owners, that's correct. >> What allows them to do that? >> They aren't regulated. They are not regulated in any way shape or form in our city code. >> If we wanted to get a list of those that limit to homeowners, how would we get that? >> The best way would be to do a survey to the folks in the city's registry. We don't keep data on the neighborhood associations. >> So the city would not be a resource for that. Thank you. >> Contact teams, as I have mentioned, under the code are required to the greatest extent practicable are required to include representation from property owners, business owners, and neighborhood organization. They are required to submit a list of officers to city staff. They are required to submit bylaws and any changes to the bylaws and in addition the code requires that the neighborhood planning contact teams develop and adopt bylaws based on a standardized template. On October 1st, 2015, it came before this committee and on to council, that resolution directed us to do outreach to stakeholders and then to develop draft code language to add oversight and compliance requirements for contact teams which could include more direction on bylaws and meeting

[4:26:28 PM]

requirements, fair process for city to rescind and handle any community initiated complaints and grievances. It requires us to return to council by 120 days, which is why we are back here today prior to

that deadline. And there was discussion at the committee member -- or at the committee in the work session, I believe the work session that struck out a provision in the resolution that would have directed us to do a broader look at whether contact teams were filling all of the needs or whether we needed to move on to a different way of doing things. That provision was struck out of the resolution. So we did not do that broader look or study as part of this effort. In terms of process and next steps, we met with stakeholders. We held two stakeholder meetings on October 17 and October 26 and I'll get into the results of that in a second. We went back to the planning commission, small area plan joint committee on November 4 and December 9 and had a robust discussion on what to do with the stakeholder input on how to move forward with the recommendation and then went to the planning commission the last Tuesday of the 12th. The planning commission approved staff recommendation without changes and we are here today on January 19. We are currently scheduled for a hearing before the full city council on January 28. In terms of what we heard during that stakeholder involvement. In addition to the stakeholder meetings that we hosted, we also provided an online survey. We received about 110 -- had 110 individuals attend one or more of the stakeholder meetings and had 300 folks respond to the online survey. There's a summary in the back up material of those online survey results as of several weeks ago. We have rechecked the online survey. The back up doesn't include the

[4:28:28 PM]

updated Numbers but I can say the percentages all stayed pretty much the same. We just had about 20 additional folks take the survey since that back up was prepared. In terms of the overview of responses, we had responses that really covered three pretty broad ranging philosophies, if you will, about contact teams. We got responses from quite a few people that felt that contact teams were functioning well. And that we either shouldn't mess with them at all or we should provide additional staff support and training to help them continue to function well and to benefit those contact teams. We had another group of folks that indicated they felt the neighborhood plan contact team structure was failing entirely. We had a third group that said they liked contact teams in theory and they felt we could do some tweaks to make them function a little bit better from their perspective. All three of those groups kind of settled on some key themes that I have listed here. Transparency was a significant theme. The key to which folks could find out about their contact team, find out what the meetings were about, when they were meeting, who was on it and that sort of thing. And on the contact team side the extent to which they had the tools they needed to be able to provide that transparency. Training. Everybody thought people would benefit from training. Accessible meetings. We heard almost everybody agreed that contact team meetings ought to be open to the general public and that some of those transparency tools would help the meetings be more open to the general public. A lot of folks agreed that we needed to set clear minimum standards as a city so contact teams knew what was expected of them. The flip side is making sure those standards are not so onerous that a volunteer group can't comply with them. There was some definite concerns about going too far with that standard setting. And everybody seemed to be

[4:30:30 PM]

pretty much content with the notion of a complaint-based dispute resolution process or grievance process where if a member of the community ran into a specific issue with the contact team that they could be a member of or were a member of they could go through a process to get that addressed. >> The breakdown needs additional measures, what were the percentages on that? >> It was about evenly split. One-third, one-third, one-third. Whoa, these are some very binary responses. >> Thank you. >> In terms of a recommendation the planning commission approved the staff recommendation on January

12. That recommendation, the primary point of that recommendation would be to amend land development code 801 pertaining to contact teams to clarify the role of the neighborhood contact team bylaws template and add a subsection that creates a complaint based dispute resolution process with steps and deadlines for what to do in the event that we get a complaint and how to resolve it. The additional recommendations, because we heard from so many folks that wanted something other than just a code fix to the problem that we're including as part of this proposal would be to modify the existing neighborhood plan contact team bylaws template to clarify standards and to require neighborhood planning contact teams that are out there now with existing bylaws to bring those bylaws into compliance with that new template. That template is included in the back up and was included in the back up for the previous meetings as well. We also have a recommendation to identify additional staff support. We think about a half an fte would do it to both create and maintain a web platform that would be able to be used by contact teams to essentially

[4:32:31 PM]

serve as a city wide clearinghouse website. A lot of contact teams either have access to web support or they don't or they have intermittent access where they have one member that's really good at web stuff and can do it for a little while and the website stops being updated after that member leaves. We heard from a lot of teams they need help to provide that basic web information. >> Does the department have the resources to be able to supply that staff position? >> I don't know that we have scrubbed to see if we could move it from something else. So I can't say yes or no. I think we're hoping that we would be able to get additional resources through a budget cycle to support that. But I don't know that we've done a balancing of priorities to figure out if somebody could be freed up. >> So in the interim period of time between now and the next budget implementation, is there a plan to try to figure out if you have resources? >> There will definitely be a plan to try to figure out if we have resources. If this ends up being a priority for the council, we have existing staff that could do it. It would just mean they weren't doing other work. >> I probably would have the same question for the training component that you're going to talk about next. >> And the training is to develop -- we heard that we need to clear training materials to develop a contact team orientation manual and materials. The training component we do have staff that is charged with coordinating and providing training for contact teams, so that would just be an additional task on that staff's workload. And continue to -- because there were so many comments that we needed to look for broadly, we really want to recommend that we continue to evaluate public involvement in development processes in general through code next and whatever other efforts we can throw at that issue for continued study. This is a good first step but it

[4:34:32 PM]

does not address the full scope of issues and input we received. And we are asking that you ask us to report back to council by December 31st, 2016 related to how all these recommendations have gone and what progress we have been able to make on them. >> And with that I will close and open -- oh I also -- before I close, the back up packet is lengthy, we did not print copies for everybody in the audience but I want to let folks know that back up material is linked on the council information center for folks who do want to review it. And with that I'll open it up for questions. >> Any other questions before we move on? >> I think she answered them all. >> I just want to thank the staff for the excellent work that y'all did on this and I thank you for going out there. I know it's time consuming and you have a lot of meetings, so I want to thank you. >> That's a pretty impressive. I have one quick clarifying question. I noticed in the backup that the standardized bylaws are attached as a draft to the ordinance but we're not approving those particular bylaws, those are still in draft form; is that correct? >> The

bylaws as they exist in the current code, they are an administrative document, so they're really being provided so folks know when we say based on the -- or consistent with the standardized bylaws what that means. After our series of input and involvement from council occurs we would finalize, at least as an administrative document, would finalize that bylaws template. We have had substantive discussion of the joint committee and planning commission that was folded into the draft that you see. We haven't had any subsequent conversation or discussion since then. So I would anticipate that the

[4:36:34 PM]

draft as presented is what we would go with in terms of finalizing the draft. >> Okay. Thank you. So we'll move on to speakers. And first is Ms. Amanza followed by Susan mofit. >> Good afternoon, I chaired the montopolis contact team, which I have to say is one of the best established contact teams. We have 15 members. We have over eight neighborhood association members who actually reside in our community. And we have youth representation also in the contact team. And we have elders, renters, and we have owners. So I'm proud of the montopolis. And we have representation north, south, east, west on the content teams and we're really glad about that. We also have a seat on the Johnson valley neighborhood contact team. And that's another contact team that has been able to accomplish so many things. If you look at all the different amendments and zoning cases, most of them have come through consensus and building, coming to some type of compromise with the people. And have been made up of neighborhood associations and people who were there way before the contact teams or the neighborhood plan ever came into existence. But I want to address two different things on the bylaws. And I hear that you say the bylaws are not going to be part of the ordinance that they are administrative from the comments that I just heard about it's an administrative document. I have questions about that. First let me get to the bylaws. On section C eligibility it says the new template says you got to attend -- the person has to attend two neighborhood plan contact teams before they can be

[4:38:34 PM]

involved in the decision making and they won't have the decision making power until the third meeting. Well this needs clarification because are you talking about a meeting within a year that they have had to have done two meetings within one year, two years, three years? The next question needs to be clarified on this is are we talking about consecutive meetings or we are talking they can come in one at the end of the year and at the middle of the year and then come in? So that's in section C B eligibility no. 2. It needs to be clarified. It's very vague. That could cause for somebody to file a case, a complaint. Because it's not defined how many meetings within what segment of the time limit they needed to come and attend. The other one is section 15, conflict of interest in the template. It says substantial. What is substantial? If a person owns a short-term rental or a secondary unit in a neighborhood, does that qualify as substantial if a case comes before them when we're looking at a short-term rental or a secondary unit? So how does that play into the part? So I think that we need to really have a more definition on section 6b eligibility, no. 2. And section 15 conflict of interest. Because I can see there's another possibility for complaints to be filed also. So I think if you're going to contact teams who run smoothly, we need to have these things more defined. And if it's not going to be put into ordinance, what does that mean then as far as you're able to file a complaint and you go through all the grievance just like if it's an ethics complaint but yet there's no ordinance

[4:40:36 PM]

really determining you using this contact team plate. Does that mean that a team now can go to court

and challenge the city because it's not an ordinance that you have to use this template, that you can use other things. So I think those are questions that we need to bring forward and find out direct answers to for clarification. >> Thank you. Are there any questions? I think I'm going to follow up on some of the questions about the bylaws and how they relate to the ordinance but I'll wait until we hear from all of the speakers. >> Well I greatly appreciate it, thank you. After Ms. Mofit is frank. >> I'm Susan mofit and I'm speaking as an original planning team member from the late '90s and a long time contact team member and I support the staff recommendations to strengthen and standardize the recommendations. I strongly urge you to do more work on the bylaws before you adopt it as the final standard and I think that should include a thorough review by city legal with a side by side comparison with the city board and commission bylaws. Rules of procedure are most needed when discussions become contentious, which they will from time to time, especially with land use issues. And I think we all know that. Our contact team found out the hard way that there are some major gaps in the current bylaws template. So I hope you can spare others that experience by spending a little more time on those. I have e-mailed you with detailed recommendations but I urge you to include the following five provisions in the bylaws. All voting decisions should be governed by parliamentary procedures and Roberts rule of order. Meetings, of course, could still be conducted in a conversational format up to the point of a voting decision. But if questions arise later you need a clear record and a

[4:42:37 PM]

consensus option doesn't provide that. Two, no communication should be sent to any city elected officials staff member, board or commission purporting to represent official of contact team unless that position has been approved by a vote of the membership. Three, any position should be communicated to the appropriate city elected staff member or board official within 72 hours. [Indiscernible] Board or commission should be copied to the contact team list serve, e-mail list, or whatever regular communication they are using to communicate with their voting members. Five, two or more voting members of a contact team must be allowed to place an item on the agenda for discussion or action with a timely request to the chair made in writing or at the previous contact team meeting. Finally I know many community members do support electronic voting for contact teams and I believe that option could be viable if the city can establish a uniform transparent hack-proof system that ensures the identity and validity of the voting members but I don't think that should be left up to the individual contact teams to try to figure out on their own or we are asking for more trouble. Again, I strongly support this effort to strengthen and standardize oversight and support for our contact teams and I really want to thank council member Renteria for bringing this issue forward and to the other committee members and staff for your ongoing work and consideration. And I think this is really going to be a big improvement. Thank you so much. >> Thank you. After frank heron is Cory brown. >> Hello, again. I'm one of those that essentially feels like the contact teams do not serve any valuable purpose. I've not been on a contact team. I haven't dealt with one directly, but I hear things. And not a lot of good things.

[4:44:39 PM]

I think that such teams are a bit dangerous in that they are very small groups of people. And it seems to give them an influence over the substance of what happens in terms of land use is unrepresentative and very anti-democratic. I would suggest to you that if you obtain them at all they be relegated to an administrative role, if that's of some value to the city. I will say to you that if they are going to be retained in any sort of influential capacity, it needs to be clear to them that they are an advisory influence only. And they need to be educated in what our plan says and how neighborhood plans fit



within our regulatory scheme. Because my sense is that most of them have no idea. As I have said many times, neighborhood plans need to be revised, they need to be consistent, by law, with the comprehensive plan. And they need to be consistent among themselves. And I don't get the sense that contact teams are really aware of that. I went to the first input meeting that the city held. There were about 70 or 80 people there. I was at one table of about eight folks, some of them were contact team members. And one of the exercises was to determine what factors should be used in evaluating neighborhoods. In the preliminary list that was given out did not have affordability anywhere in it. So I told the staff member that was helping us, look, we need to have affordability as one of the list of things to consider in evaluating neighborhoods. So she dutifully wrote it on the black board. I left and came back 20 minutes later and there was a new notation that said the table

[4:46:40 PM]

does not agree with frank. You cannot have contact team members who do not understand that those plans need to be an affordability component. Imagine Austin says in so many words that every revised neighborhood plan and every new plan will have an affordability component. So when you have a very small group of people, seven or eight folks who are given disproportionate authority and influence over the process, they need to be better educated. But honestly I have heard a lot about contact teams and I do not see that they serve a valuable purpose for the city. Thank you. >> After Mr. Brown is Mr. Kraviac. >> When Collin Powell was secretary of state he would have his staffers deliver him in three ways. [Indiscernible] This is some of the stuff I have found. So what do I know? I know that contact teams are granted special resources or authority through the city. They are empowered by the city. City code specifically states the neighborhood planning contact teams is a separate body apart from any existing neighborhood organization and the city requires one representative, property owners, business owners. The reason I say that is because by looking at the bylaws of the current contact teams, some of them appear to have bylaws that are in conflict with those three pieces, one or all three. Old west Austin has three members only. Only chosen by neighborhood associations. There's no renter, no business owner requirement on those. And it's only three people. I don't see how they meet all those.

[4:48:41 PM]

The central Austin neighborhood plan has 14 members, two each selected by seven neighborhood associations. None of the neighborhood associations can overlap. They self-define them and they self-elect their replacements. Other neighborhood associations have bylaw requirements. Crest view allows a seat on the board for the neighborhood association, high park does the same thing. Neighborhood associations that may not allow homeowners, pemberton heights allows renters unless the property owner would like to vote in which case the renter cannot. You have to show up to a certain number of meetings before you can vote or you have to continually go to meetings. I don't have to show up every year to vote for city council. I'm having fun here today but if I had to come to every one of these meetings on the fourth one I might not show up. These teams may only meet four or six times a year. It may take you six to nine months to get a chance to vote on something. What I don't know, I only have experiences with the crest view contact team and how they operate. Some of them may operate better than others but on paper they look a little suspect. Crest view looks good on paper but runs suspect. What I think, as we have slowly, from my opinion, advanced the code next process, fair housing is of utmost importance. A lot of these are based on the neighborhood -- they are all based on the neighborhood plans. The neighborhood plans are on some shaky foundation. East Riverside, 91% renters when it was written. They had 250 responses with a 2% response rate. Zero renters responded to the initial survey. 29.56 on the second. Thank you. >> Let me ask a question.

[4:50:42 PM]

Do you have that available to be able to e-mail us that? And I would send it to all the council members. Thank you. >> I would like to get that too. My name is Rick and I am a past member of the Windsor park neighborhood contact team and was involved with the creation of the Windsor park neighborhood plan and it is included with university hills. The city kind of waded into new territory when they created contact teams and I think they put it out there hoping that the community would take care of it and it's worked in some cases and hasn't in others. The cities -- there were some legal issues I think that have been going on one way or another for probably nine years now. And the city legal staff has sort of pushed away from all of those and left it out there. I think that is where some of this is coming from. At least one of you will have gotten a pretty big packet from some members of the Windsor park contact team today about the e-mail that I sent to the council, several council members encouraging them to support the resolution that is what we're talking about today. And I think it's really good if you're going to have contact teams, I think the city needs to have just a little bit more involvement. There's a couple of things I had not had a really long time to review, the proposed bylaws template but there were two issues that I didn't see on there that might be worth considering, one of them is term limits for contact team members. And it may just be applying to the officers, I don't know. There's a lot of people that want to stay involved for a long time. And the other is some geographic representation within the planning area. Because you can have a third of

[4:52:43 PM]

the contact team being from one very concentrated area. That's happened. So it's something that you might want to think about including in that. I just wanted to throw that out. Please move forward with this, thank you. >> Thank you. Any questions? Lisa highman. And Mr. King, you're next. >> Hi, I'm Lisa and I'm a member of the [indiscernible] Neighborhood plan contact team. And I have been since we started in 2010. I was the original secretary and did a lot of setting up the structures for our communications and outreach. I also am really glad this is happening, just to get all this stuff defined and out. It's hard for everybody when you don't know exactly what the rules are, how it's supposed to work and who expects what to work. I also think the staff has made a sincere effort to gather this information. If you have looked through the comments, there's definitely people who are frustrated but there was also a whole lot of really thoughtful comments. Hundreds of people trying to figure out how to do this level between y'all and anybody out there by themselves. I think I would echo what she said about building this as a model, kind of putting a baseline for transparency and inclusion. There are other sorts of small area plans that I could imagine having a community advisory group and this sort of starts to set what that frame might be. I think it's also going to be -- I also hope that you ask further reporting as a continuation in context of the community task force as they come back as to how people want to be engaged and what the barriers are.

[4:54:44 PM]

[Indiscernible] That would include attention to people who don't have web access and to people that are not able to interact with the city in English. Right now we are the translator, which is -- I mean we speak our languages but the translation, if we can't understand it in English it's hard to get it in arabic. I would ask one thing for y'all to add now or shortly as far as the grievance process. It addresses to initiative a grievance the presumption is that the people that -- the grievance is against is the contact team. If someone is a stakeholder who has standing in that planning area, the contact team has not

carried out their function. Another possibility is staff have not carried out their function. You should add a mechanism to bring that sort of grievance. And I think it follows the same process but just a way to get into it. And I'm speaking from our experience there. I think we are the only -- sorry. I think we're the only contact team that has ever had our ability to represent ourselves removed. And there is no process even with what is proposed here, which I think would work, that would still have not given us any way to get into it. I think it's rare. I think it would be rarer if there were a process. But with this much work done to go ahead and just allow for that possibility if it comes up again. Thank you. >> Thank you. , Mayor pro tem, council members, I support what the proposal here. I think, though, it will help promote fairness, equity, transparency, and inclusiveness, which is what we all want. I know we do have a patch work

[4:56:46 PM]

out there of different folks at different levels in achieving these key goals that we have here. And I concur with the changes recommended by Suzanne regarding the bylaws template. I would add that I don't think registered lobbyists should be allowed to participate on contact teams. They can show up and express their opinions but I don't think they should be allowed on contact teams. The contact team should have the flexibility to adapt, to use the bylaws template as the baseline but to adapt from that to meet the unique situations in their particular neighborhoods. As long as they comply with the spirit of the transparency and inclusiveness, neighborhoods should have the right to self-determination. And I don't mean that absolutely that there are no other planning is needed or required, but we do have -- I'm concerned that some of the comments made that -- would lead us to get rid of neighborhood planning or planning at that level. I think we need planning at the highest levels but we also need planning top, bottom up. We need it both directions with the council setting the broad parameters. Our comprehensive plan to be our guide. But we need -- neighborhoods need to have self-determination. So the contact teams are critical to that process. So I think this is important that you're investing in making these changes. And I just would encourage you to continue to provide resources for neighborhood planning and to continue to take this step forward. I would urge you to create recommended creation of a neighborhood department with enough resources to make what we're passing here really effective and to continue to build on that so that we don't get going and then we stop because we haven't provided the resources. And we have what we have today, a patchwork. I know we don't want this patchwork that we have today but I do believe that we all want a level of self-determination at our own neighborhoods. That's what we want for

[4:58:48 PM]

ourselves. And I hope that we don't move away from that. But that we invest more in that. So that's why I would ask you to really recommend creating a neighborhood planning department that's focused on neighborhood planning and contact teams and providing consistent resources, website support, the bylaws templates. Making sure we are providing fair housing laws and affordability into our plans. Those are the ways we can make sure we're getting there. But I don't want to throw away or get rid of self-determination because some areas it's not working. I think we need to put more resources in. I think we need to put more resources in that area. We're coming up with code next, and that's going to affect the whole city. So I think if we have a good neighborhood planning department in place and we have the resources, we can use those to implement codenext in every neighborhood. I think it will pay dividends if we make that investment now and we keep moving forward. Thank you for listening to my comments, your initiative here and your good work. Mayor pro >> Renteria: Thank you. Are there any questions? That brings it back to the dais. Is there discussion to be had or motions to be made? >> Make a recommendation for [inaudible] >> Renteria: So moved by councilmen Renteria to recommend the

ordinance as its written to the council. Is there a second. >> Second. >> Seconded, I think, by councilmember Gallo just before the mayor pro tem. Is there further discussion or questions? I have a little bit, but I would defer to y'all to

[5:00:52 PM]

start. >> I think several of the comments made were about the bylaws in particular. I would like to follow-up with Mrs. Hiinely after the meeting about the grievance issue, which is a part of the ordinance, but those four speakers at least had questions about the bylaws in particular. Right now, as I asked earlier, those are done through administrative process. And so the council isn't voting on those bylaws or amending them or changing them. So I just wanted to see if there was interest on the dais [lapse in audio]. It seems that a lot of our public came and spoke about R those draft bylaws sugltd some concrete amendments to them, but as fares as I can tell, we can't amend those bylaws because right now they're in the director's realm. >> I think we would welcome y'all to direct us to amend them. I think that's totally appropriate in your role as part of the dialogue which is why we want to make sure we provide that draft in the backup. We want to make sure it works in tandem with the code. In terms of the background of why they're administrative, I hate to give one of those answers, we've always done it that way. But when the code was originally created, it was created to refer to a bylaws template as provided by the director. My excepts is probably at the time that we adopted that original code language that bylaws template hadn't possibly even been developed yet, although that's just a guess, and so that bylaws template has really been directed -- or has been developed by our director, provided to contact teams that are coming on board as they're creating new bylaws

[5:02:53 PM]

and it's been kind of a living, breathing document over time where we modify it to reflect some of the lessons learned out in the community about things that are working or not working, and it's been really used as more of a guidance document and less than a punitive requirements document to really provide the contact team with a leg up on developing sound bylaws for their organization. The code specifies particular topics that need to be addressed by bylaws so the code currently has language that we would recommend stay in there, specifying which topics need to be covered. The administrative draft of the bylaws that is in the backup has also done a lot more work to specify which -- which item staff is suggesting as requirements and what language we would say we're totally open to contact teams modifying. Several of the points that were made by Mrs. Almanza and her testimony related to boiler plate that's in there can be completely modified by the contact team, so if the team doesn't like the minimum meeting requirement, we have contact teams that allow people to show up to one meeting and that's adequate for voting and staff if that's going to work for that area, I think staff would be comfortable as that as an approach. So that bylaws template allows the contact team to modify that particular language. Sort of responding to the question about Robert's rules of orders for decision, a lot of contact teams do require Robert's rules of order, but as y'all know, Robert's rules themselves require some training, so as staff we haven't felt comfortable requiring that contact teams operate decision-making on Robert's rules. We have some contact teams that operate under consensus, under voting. We have kind of discussed as staff on whether it makes sense to require voting as decision-making, and we definitely welcome y'all's input on that, because consensus is easier said than done in a lot of

[5:04:55 PM]

questions and hard to do without training on how to do it well. So that's sort of in a nutshell kind of the

responses to the individual items that were brought up on the bylaws and we're open to modifying -- assuming the bylaws stay as an administrative document, we're open to guidance and input from y'all in order to modify 'em -- them and make them as useful as possible. >> Casar: So it seems we have three separate options. To leave it administrative and to provide our suggestions on the bylaws to staff. Another potentially could be that we ask that this be posted to not just be about the ordinance, but also potentially giving direction related to the bylaws when it's posted to full council, and then we can have that discussion. Or a third way would be to -- to pass the ordinance and then ask that the bylaws, after they're -- be some -- after the staff has heard some of the communities' questions about the bylaws that y'all come back with sort of your recommended set of bylaws and we have that discussion separate and apart from the ordinance, and I think all three of those sound like sound paths to me and I'd like to hear from folks what they think. >> Renteria: The reason why I submitted this resolution was that, you know, I was hearing different -- from different groups and different people about, you know, -- about the meetings and when a problem did arise, I said well, go to the city code department and talk about, you know -- [lapse in audio] Benefit violates or the bylaws that they adopted. And there was no solution to

[5:06:57 PM]

replacing the voting -- having -- some of these groups didn't have a voting process, where -- you know, under the bylaws that was adapted, they said they have voting once a year. And there were some groups that weren't having voting processes. There was no way of saying -- of saying, you have to vote on January, you have to let the people vote. And some of these groups did not have voting -- a voting process, so that's why I was trying to implement this, so that each group knows that every year, there's a -- there should be a process where you can be vote -- you can all vote and be transparent and appoint -- elect someone to represent that area, and you should have a voting process. And if you don't go through that process, then there should be someone in the city department can tell them, hey, this is the way you're going to have to do it. You should establish a process that, you know -- you know, when it says in the bylaws that we need to have a voting in January or whenever that time, then there should be a process that you have to have that vote, that, you know -- you have to have that election. And there was groups that wasn't calling for any elections. So I'm just trying to make it so that it's -- it's all uniform where, you know, people know that they have a right to go and participate in the process. You know, there was some groups that weren't allowed to -- that were having meetings at places that weren't public. You know, so that's all I'm -- I was -- you know, if the staff can come up with a -- bylaws that is acceptable, then I have no problems ability that process, -- about that process, it's just that I want that process to be transparent and uniform

[5:08:58 PM]

where people feel like they participated in the process and have a voice. That's all that this resolution, when I submitted it, what I was looking for. >> Mayor pro tem? Mayor pro>> Would you say what you said, I missed the last part of what you said. >> Renteria: What I wanted was to be transparent where people know that they're going to have an election here and they're going to meet not only in a public place, but they're also going to have elections, if the bylaws say once a year, twice a year, they should have those election, they should be transparent and everybody should have a right to vote in that process. >> Mayor pro tem: Sure. No, I just wanted to make sure the resolution met the expectations you laid out. I'm not certain how we should proceed on the bylaws question. I think we've heard some really good suggestions. I was just reviewing the ones that Mrs. Moffett had e-mailed us in advance and then discussed here today, and I think those are important amendments. I'm just not sure if we want to start amending the -- directing the staff to consider the bylaws or if it makes more sense to ask them to

take those into consideration and come back to us. I'm open to the will of the council, -- or to the committee, but I do want to see some of those changes implemented. >> Casar: So I think, perhaps the pertinent question for the staff would be if we asked the staff to come back with a set of bylaws, we could then have the bylaws discussion separate from the ordinance discussion, because I think there's pretty good consensus that what the intent was from councilmember Renteria is achieved here with the ordinance. If we asked you to come back

[5:10:59 PM]

with the bylaws, would you expect what you would do would bring back exactly what you have given us, or would there be added value to giving you time after now that we've all aired out some concerns for y'all to have more conversations? And the reason I ask is because if you think -- feel you have done that work really thoroughly, and I can tell, you've done a lot of work, then potentially then it's just on us to keep working on it, if you've already brought us sort of your final work product. Since I saw the word draft on the bylaws, I wanted to check with y'all, if it's a draft or if you're really done, then perhaps it's up to us to just make sure the posting is adequate such that we can amend them and perhaps continue working on them, if we're not ready on the 28th. >> Mayor pro tem: Chair, too, what the staff offered was another option to consider between now and the 28th [lapse in audio] That the council might want to provide direction about is the consensus item, really for the reasons you mentioned, Mrs. Grayhouse, that I think that is really tough to -- it's tough to do well, and my fear is that there might be dispute about whether there was a consensus or not, and taking a vote makes it pretty clear what the decision was. And so as somebody who's real interested in that information that comes forward from the planning team, I'd kind of rather have the actual Numbers than an assessment of whether or not there was consensus that -- because some folks might agree with that assessment and others who participated might not, so I think that that -- you know, that's an example of something that I'd prefer we make a decision about rather than leave open. But I'd love to hear from you or from some of the teams that have consensus-based decision-making what they see as the value. I wasn't aware we had any planning teams that used that method of

[5:12:59 PM]

decision-making. What are they? Which ones. >> I can't speak immediately off the top of my head. >> Mayor pro tem: I would be interested in reaching out to them and seeing how that works and if there's any challenges with that. I know we had a commission that had agreed early on to work on based on consensus, we got a report with a lot of consensus operations and others that had the majority support, they had 98% support but they could not be forwarded as consensus recommendations because a couple people disagreed, so it just makes it really -- I think it makes it challenging for groups to operate if that's their standard for agreement. >> The standard template that we provided pretty much has everything that we had anticipated to be flexible, yet provide an equitable process for contact teams to work within, but not being overregulatory so that it discourages people from participating. The intent is to leave the process as open as possible to let the contact teams guide their decisions, their rules, but, again, providing a base-line framework. So as far as the draft set of bylaws, we feel that it's comprehensive in nature and it's at the will of the council of adding any modifications or other requirements that we have not addressed. >> Yeah, what he said. >> Casar: Okay. Great. So if that's the case, then it sounds like the ball is sort of in our court, if we want to give any directions on modifying the bylaws and what I might recommend that we do when we get to council is potentially pass the ordinance, leave it in the director's administrative authority to handle those things, and then keep -- post it on our agenda potential modification of the bylaws because councilmember Renteria 120 days

ago knew that

[5:14:59 PM]

January 28th would be a good day to handle some business. So I imagine we'll be really busy on January 28th, I don't want to hold up the intention of this, dealing with the ordinance, but since the conversation of bylaws has been struck up by so many members here and several contact team chairs and district 4 have sent me some suggestions that weren't able to be brought up today around elections and the like, and I just think that it's an important conversation. And since we've kicked it off potentially, we can just have it recurring as we work out sort of the kinks on it. In my view, I just know people have dedicated so much time and effort into their contact team that being able to have some stable footing and knowing what the rules are and knowing Howell lek shuns work and -- how elections work and being able -- for the teams to be able to do their work well I think is really important to them, so I'm glad you started up the conversation. And I'll support your motion to pass this for the recommendation with council, but my suggestion will be that we find some way of posting it so that we can modify bylaws over the coming weeks -- or the council meetings subsequent to the 28th, but then just move the ordinance forward, if that sounds acceptable to everyone. >> Renteria: That sounds acceptable to me, because, you know -- and I think that what this is going to accomplish is that it's going to give staff the authority to go in there and say, hey, you know, this is the way that we're supposed to be running contact teams, and this -- it gives them the authority and the power to say, hey, you're violating this. And if there's a section of the contact team that feel like they're being left out or not being included, it gives them an avenue to come in and say, hey, we want to be part of a discussion. So that's -- that's the reason why -- you know, when - - when these groups will go back and talk to the city about, hey, we're not -- we're not allowed to participate, there is no -- there was no way for some --

[5:17:10 PM]

[lapse in audio] -- There were people felt like they were -- you know, they weren't included in the process. So -- and that's all I'm asking for is that the community out there, I believe if we had a set rules and the enforcement to enforce the bylaws of all these groups, that we'll have more participation in the neighborhood. And I think the staff is willing to work that out, you know, and I just didn't really want to go right directly into, you know, the bylaws itself. It's just that we needed to have transparency. We needed to give the city the authority to be able to enforce the bylaws of that -- of the group, you know, so that's what I'm basically saying, hey, it's time for the city to say, hey, you know, you're a part of the city process, and we're giving you a lot of power and authority, you know, you can do plan amendments on -- once a year, so it's -- you know, we've given them the contact team a lot of leeway over what they can do, but when the staff came back and said there was no way they could enforce anything that the groups are doing, any of these contacts are doing, I said, well, there's something wrong here. There's a process that just isn't working, so that's all. That's all the resolution is doing. >> And I appreciate those comments. I think what we're trying to do is to implement something that is transparent and fair. And having heard with your leadership that there are situations that perhaps that's not the case, that we want to make sure that we implement policy that promotes that. But I think we have to be real careful not to micromanage also. I think the staff has done an amazing job in putting

[5:19:12 PM]

forth some really good documents and also is a good listener, it sounds like, and so that as neighborhood teams come up and talk about their issues and their concerns, I think it sounds like staff

will take those and make recommendations accordingly. I think what we want is just a basis, a beginning point that's consistent that is consistent with code and that perhaps is not a one-size fits all, because I think a lot of times in this city, we try to do something that's a one-size fits all and that's just not our community. We have very different communities, we have very different parts of Austin and I think we need to allow a little bit of space so individual areas can -- can produce something that works with their community, but at the same time, if the basis of what we're doing provides transparency and fairness in that process, I think that's -- I think that's our policy directive is where we need to be. >> Casar: Great. Any further discussion? Any further feedback on the -- on my potential idea of trying to not micromanage the bylaws, but at least being posted to be able to modify them if it's -- upon further review we think that any modification of the bylaws is important enough. And I think that where it seems that there was some questions was just about which parts can be modified and how much the parts that are, I think, of most interest to me are just the elections, making sure that there is as much fairness there as possible. >> I think perhaps a briefing that comes back from staff, that talks about what's been produced, and then we'll hear from the community again at that point, I'm sure, and then we can -- we can just kind of get a sense zero where we are on that. >> Casar: Sounds good. All right. Any further discussion? All in favor of the motion, raise your hand? And that passes unanimously. >> Renteria: Thank you.

[5:21:12 PM]

>> Casar: I believe the last item on our agenda is usually future items. >> We'll try on Thursday for the council meeting to not have you back in the middle of the night again, but I think we'll be there in the middle of the night, so please feel free to join us then if you'd like to. >> Casar: Any other discussion of future items? >> Oh, I do. We have had several people come forward to us, and we've asked staff this question as we continue to make changes to our code as we are going through codenext. And I think there's been some concern that as we continue to make changes, are we complicating the codenext process, and at some point does there need to be a hard stop on changes so that the process can actually take place in a good way. And so that might be a discussion, particularly with staff. Have staff do a presentation to us and just say, do we need to -- do we need to talk about that? Does that need -- [lapse in audio] -- Completed? And what would those be. But anyway, not for discussion today, but that might be a really good discussion at one of our next meetings. >> Casar: And certainly since codenext is one of the larger planning neighborhood issues that we'll be dealing with, I think that -- I'll touch base with our staff and have them talk with everyone's offices about -- as that develops, what this committee's role could or should be so that we can, you know, make that process the best that we can. Anything else? All right. Well, I am going to then -- with that objection, adjourn the shortest meeting ever of the neighborhood plannings committee. >> It's a record. >> Casar: Thank y'all.