

Housing and Community Development Committee Meeting Transcript – 08/26/2015

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[3:12:49 PM]

>> Renteria: GOOD AFTERNOON, I AM COUNCILMEMBER RENTERIA.

A QUORUM IS PRESENT SO I WILL CALL THIS MEETING OF THE HOUSING AND COMMUNITY DEVELOPMENT COMMITTEE OF THE AUSTIN CITY COUNCIL TO ORDER ON WEDNESDAY, AUGUST 26TH, 2015.

AND IT'S 3:11.

BEFORE WE TAKE THE FIRST ITEM, WE RECEIVED A REQUEST FROM A PRESENTER ON ITEM 4 TO WAIT UNTIL 4:30 TO TAKE THIS ISSUE.

I'M FINE WITH THAT, AND MY OFFICE LET CO STAFF KNOW ABOUT THIS AS WELL.

DO ANY OF THE COMMITTEE MEMBERS HAVE ANY OBJECTION TO TAKING UP ITEM 4 AFTER 4:30?

AND THAT'S THE AUSTIN CODE DEPARTMENT REPEAT OFFENDER PROGRAM.

SO CAN WE WAIT UNTIL 4:30?

BECAUSE THE STAFF IS NOT HERE TO MAKE TO PRESENT ON IT.

AND I ALSO WOULD LIKE TO MOVE UP THE ITEM NUMBER 6 ON THE HOMESTEAD PRESERVATION DISTRICT RESOLUTION NUMBER 20150604 051 TO BE THE FIRST ITEM TO TAKE UP AFTER WE DO WE HAVE THE MINUTES IN OUR PACKAGE?

AFTER THE MINUTES AND CITIZENS COMMUNICATION WE'LL TAKE THAT UP.

>> I MOVE APPROVAL OF THE MINUTES.

[3:15:50 PM]

>> Renteria: MOTION HAS BEEN MADE BY COUNCILMEMBER GALLO AND SECONDED BY COUNCILMEMBER KITCHEN.

ALL IN FAVOR RAISE YOUR HAND?

IT'S UNANIMOUS.

WE'LL START WITH CITIZENS COMMUNICATION, STEWART HERSH.

>> CHAIR AND MEMBERS OF THE COMMITTEE, MY NAME IS STEWART HARRY HERSH AND LIKE MOST IN AUSTIN I RENT.

10 YEARS AGO THIS MONTH WE HELPED OUR BROTHERS AND SISTERS FROM NEW ORLEANS FIND HOUSING IN AUSTIN THAT WAS SAFE, SANITARY, ACCESSIBLE AND AFFORDABLE.

WE DO SO WITH A SENSE OF URGENCY AND MANY OF US WERE VERY PROUD OF OUR EFFORTS.

MANY REPORTS THIS WEEK SHOW HOW SOME PEOPLE CONTINUE TO BENEFIT 10 YEARS LATER WHILE OTHERS ARE LEFT BEHIND.

THIS WEEK I LEARNED FROM A FAMILY MEMBER HOW MUCH MORE AFFLUENT THOSE WHO ARE MOVING TO AUSTIN ARE COMPARED TO HOUSEHOLDS WHO WERE IN AUSTIN IN 2000. I AM PROVIDING YOU AND THE ENTIRE COUNCIL, AND I'VE GIVEN YOU ANOTHER COPY THIS AFTERNOON, OF A STUDY ON THE BACK SIDE OF MY REMARKS SHOWING AUSTIN DIVIDING INTO 10 INCOME GROUPS WITH THE LOWEST BEING \$10,000 A YEAR AND THE HIGHEST BEING 200,000. THE CHART CLEARLY SHOWS THAT THOSE WHO LIVE ON LESS THAN \$800 A MONTH, SOCIAL SECURITY OR SOCIAL SECURITY DISABILITY PAYMENTS, WHO SOME OF US SERVE AND SUPPORT, ARE A DECREASING PART OF OUR POPULATION AS COMPARED TO THE MOST AFFLUENT AMONG US. THIS MEANS THAT THE HOUSING AVAILABLE IN AUSTIN IS VERY AVAILABLE FOR MOST MOVING HERE AND LESS SO FOR THOSE WHO HAVE BEEN HERE AWHILE. WHEN PEOPLE CAME FROM KATRINA WAS WE KNEW WHAT A BEDROOM WAS, HOW MANY ADULTS COULD LIVE IN A BEDROOM AND HOW MANY CHILDREN AND ADULTS COULD LIVE IN A HOME WHETHER RELATED OR NOT.

[3:17:45 PM]

WE KNEW THE RIGHT OF VACANCY STANDARDS FOR HOUSING SO THAT INSPECTIONS FOR SAFETY AND SANITATION WOULD FOLLOW LAWS GOVERNING PRIVACY RIGHTS. YET WHEN COUNCILMEMBERS AND AUSTIN RESIDENTS ASKED QUESTIONS ABOUT THESE TOPICS DURING THE RECENT SHORT TERM RENTAL DELIBERATIONS, NO ONE WHO KNEW THE ANSWERS WAS ALLOWED TO TELL THE PUBLIC WHAT THOSE ANSWERS ARE. AS A CONSULTANT WHO HELPS NOT FOR PROFITS BUILD AND FIX AFFORDABLE HOUSING I OFFER MY TECHNICAL ASSISTANCE TO YOU FREE OF CHARGE TO ANSWER ALL OF THOSE QUESTIONS AT YOUR CONVENIENCE. I HOPE AS A RENTER I CAN ADDRESS THE COMMITTEE THIS AFTERNOON ON REPEAT OFFENDER HOMESTEAD PRESERVATION DISTRICT AND RAINEY AND FEE IN LIEU FOR PLANNED UNIT DEVELOPMENT. THE RECENT SPEECH LIMITATIONS ON FULL CITY COUNCIL ACTIONS ON SHORT TERM RENTAL, ZONING AND OTHER MATTERS WHERE HOMEOWNER OPPONENTS AND INDUSTRY REPRESENTATIVES WHO OWN HOMES GET TO CHOOSE FOUR SPEAKERS PER SIDE OR SPEAKERS FOR HALF HOUR TESTIMONY PER SIDE FORCES THOSE OF US WHO ARE RENTERS TO BE SILENT ON IMPORTANT PUBLIC POLICY MATTERS. THAT HARDLY SEEMS FAIR. THE COMMITTEES SEEM TO BE MORE WILLING TO ENTERTAIN RENTER SPEECH THAN CURRENT COUNCIL STRUCTURE ALLOWS. HOPE YOU WILL ALLOW US TO SPEAK TODAY. THANK YOU VERY MUCH.

[3:19:50 PM]

>> Renteria: THANK YOU, STEWART.
NOW WE'RE GOING TO JUMP TO ITEM 6.
WELCOME.
>> COUNCILMEMBER, REBECCA GIELLO WITH THE COMMUNITY DEVELOPMENT OFFICE.
WE'RE RESPONDING TO A RESOLUTION TO REPORT BACK TO YOU ON THREE DIFFERENT COMPONENTS OF A RESOLUTION YOU PASSED JUNE 4TH, 2015.
THREE OF THESE ITEMS, AND WE'LL HAVE SPEAKERS ON WE'LL HAVE SPEAKERS ON THE FIRST TWO.

I WILL TELL YOU ON THE INCLUSIONARY ZONING THE LAW DEPARTMENT IS WORKING ON A RESPONSE TO COUNCIL AND THAT WILL BE FORTHCOMING.

THE FIRST BE IT RESOLVED WAS TO PROCEED WITH ESTABLISHING HOMESTEAD PRESERVATION DISTRICTS AND JESSE COCH WILL BE ABLE TO CAULK YOU THROUGH THOSE DRAFT ORDINANCES AS WAS THE RESOLUTION.

GREG CANALLY WITH THE FINANCE DEPARTMENT IS HERE TO WALK YOU THROUGH THE DEVELOPED WORK PLAN AS WELL AS THE TIMELINE.

AND WE CAN TALK TO YOU A LITTLE BIT ABOUT THE OUTREACH PLAN IF THAT'S SOMETHING THAT YOU WANT TO HEAR ABOUT.

SO I'LL TURN IT OVER TO JESSE RIGHT NOW.

GOOD AFTERNOON.

SO AS REBECCA REMINDED US, THE DIRECTION FROM COUNCIL WAS THREE FOLD.

THE FIRST ITEM THAT WE'RE RESPONDING TO IS ESTABLISHING DISTRICTS FOR THE HOMESTEAD PRESERVATION AREA DESIGNATED AS AREAS B, C AND D.

WE HAVE BEEN WORKING WITH THE LAW DEPARTMENT TO DEVELOP THE ORDINANCES THAT WOULD ESTABLISH EACH OF THOSE DISTRICTS AND THOSE WERE INCLUDED IN OUR BACKUP TODAY.

[3:21:45 PM]

THEY'RE FAIRLY STRAIGHTFORWARD IN THE LANGUAGE.

I'M HAPPY TO WALK THROUGH EACH ONE WITH YOU IF YOU WOULD LIKE.

IN ADDITION TO THAT WE'VE BEEN WORKING WITH THE PUBLIC INFORMATION OFFICE TO COME UP WITH AN OUTREACH PLAN THAT WE FEEL WILL ENSURE THAT RESIDENTS WITHIN THE FUTURE DISTRICTS ARE AWARE OF WHAT HOMESTEAD PRESERVATION DISTRICTS ARE AND WHAT THE ESTABLISHMENT OF THE DISTRICTS MEANS FOR THEM.

WE'RE FINALIZING AN INFO GRAPHIC, WHICH IS GREAT.

IT WILL BE A WONDERFUL TOOL THAT WE CAN USE CONTINUOUSLY IF THE COUNCIL CHOOSES TO ESTABLISH DISTRICTS AGAIN IN THE FUTURE.

WE ALSO HAVE A FREQUENTLY ASKED QUESTIONS SHEET AND WE'RE DEVELOPING A WEB PAGE THAT WE'LL BE ABLE TO REFERENCE RESIDENTS BACK TO.

ONCE THESE EDUCATIONAL MATERIALS ARE COMPLETE THEY'LL BE SENT OUT THROUGH THE CITY'S COMMUNITY REGISTRY AS WELL AS OTHER IDENTIFIED COMMUNITY LEADERS THAT WE WERE ABLE TO RECEIVE RECOMMENDATIONS FROM COUNCILMEMBER OFFICES AND WE'LL ALSO HAVE PHYSICAL COPIES AT LIBRARIES AND A FEW OTHER TARGETED COMMUNITY CENTERS.

AND WHAT WE'RE DOING IS PROVIDING AN OPPORTUNITY FOR RESIDENTS TO REQUEST FOR STAFF TO COME AND MEET IN SMALL GROUPS TO ANSWER ANY ADDITIONAL QUESTIONS.

WE FELT, THOUGH, THAT SINCE ESTABLISHING THE DISTRICTS THEMSELVES DOES NOT HAVE A DIRECT AND IMMEDIATE EFFECT ON RESIDENTS IT WAS UNNECESSARY TO HOLD A LARGE PUBLIC MEETING.

[3:23:50 PM]

THAT MIGHT CONFUSE THE ISSUE.

BUT WE BELIEVE THAT THE EDUCATIONAL MATERIALS WE'RE PROVIDING WILL GIVE A GREAT OVERVIEW OF WHAT THE HOMESTEAD PRESERVATION DISTRICT LEGISLATION MEANS.

AND A LITTLE GLIMPSE INTO HOW OTHER TOOLS MIGHT BE USED TO MEET THE GOALS OF THE HOMESTEAD PRESERVATION DISTRICTS.

IF YOU HAVE ANY QUESTIONS ON THIS?

>> Kitchen: I WANTED TO MAKE SURE I UNDERSTOOD WHAT YOU JUST SAID.

SO EXPLAIN TO ME AGAIN HOW THE PUBLIC WILL BE INFORMED?

>> THE PUBLIC WILL BE INFORMED MOSTLY THROUGH ELECTRONIC DISTRIBUTION OF THE MATERIALS THAT WE'VE DEVELOPED.

SO AN INFOGRAPHIC AND FREQUENTLY ASKED QUESTIONS SHEET.

AND THEN THERE WILL BE A WEBSITE ALSO THAT WE'LL BE ABLE TO KEEP UPDATED WITH ANY UPCOMING EVENTS THAT ARE RELATED TO IT, INCLUDING THE PUBLIC HEARING THAT WILL ESTABLISH THE DISTRICTS.

AND WE ARE DOING DIRECT OUTREACH TO PEOPLE WHO ARE RESIDENTS WHO ARE LISTED THROUGH THE COMMUNITY REGISTRY AS WELL AS COMMUNITY LEADERS WHO COUNCIL OFFICES RECOMMENDED THAT WE CONTACT.

AND WHAT WE'RE OFFERING IS FOR THEM TO REQUEST THAT STAFF COME AND SPEAK TO THEIR GROUPS.

[3:25:35 PM]

>> Kitchen: OKAY.

>> AND THEN THIS IS OUR ANTICIPATED TIMELINE MOVING FORWARD WHERE THE FOCUS ON THE COMMUNITY OUTREACH WILL BE IN THE SEPTEMBER THROUGH OCTOBER, AND WE BELIEVE THAT THE ORDINANCES COULD COME BACK TO COUNCIL IN NOVEMBER FOR THE PUBLIC HEARINGS.

>> Renteria: ANY OTHER QUESTIONS?

>> AND GREG CANALLY WILL BE ABLE TO SPEAK ON THE SECOND PART OF THE RESOLUTION.

>> Renteria: THANK YOU.

>> THANKS, JESSE.

GREG CANALLY, DEPUTY CHIEF FINANCIAL OFFICER.

SO PART OF THE RESOLUTION WAS TO WE PUT TOGETHER A WORK PLAN INCLUDING THE STEPS THAT COUNCIL WOULD NEED TO TAKE, STAFF WOULD NEED TO TAKE A CREATE A TAX INCREMENT REINVESTMENT ZONE WHICH IS A TOOL ASSOCIATED WITH THE HOMESTEAD PRESERVATION DISTRICT LEGISLATION, CHAPTER 373 A.

IT'S JUST A REMINDER WHEN WE'RE BACK HERE IN FRONT OF YOU IN THE SPRING, THIS TAX INCREMENT REINVESTMENT ZONE LEGISLATION IS IN ESSENCE BUILT OFF THE MAIN LEGISLATION THAT THE STATE PROVIDES, CHAPTER 311.

IT IS DISTINCTION, IT DOES PROVIDE SOME DIFFERENT LEVELS TO CREATE A ZONE, BUT IT DOES SOME TIME TIE BACK TO 311 FROM A LEGAL PERSPECTIVE IN TERMS OF SETTING IT UP.

SO THE WORK PLAN WE PUT TOGETHER TAKES THAT INTO ACCOUNT.

AND SO REALLY WHAT WE HAVE HERE, ATTACHED TO YOUR PRESENTATION, WHICH WILL BE ATTACHED TO THE BACKUP FOR THIS COMMITTEE MEETING, IS THE WORK PLAN THAT WE HAVE.

[3:27:50 PM]

THE STEPS THAT WE WOULD TAKE.

THESE ARE THE TYPICAL STEPS THAT YOU TAKE WHEN YOU CREATE A TAX INCREMENT REINVESTMENT ZONE.

THIS CAN ACTUALLY BE AN ACCELERATED PROCESS FOR A VARIETY OF REASONS.

IN GENERAL WE'RE LOOKING AT COMING BACK TO THE COMMITTEE.

I THINK WE WOULD LOOK AT COMING BACK TO THE COMMITTEE MULTIPLE TIMES IN THE FALL TO DO A VARIETY OF KIND OF SOME INPUT SESSIONS AS WELL AS GETTING ADDITIONAL DIRECTION AND THEN COME BACK ULTIMATELY COME BACK IN DECEMBER FOR THE FULL COUNCIL, IF COUNCIL WISHES, TO GO AHEAD AND CREATE THE DISTRICT.

SO WHAT WE HAVE HERE ON THESE SLIDES IS JUST SUMMARIZING THAT EFFORT, BUT THE ACTUAL DETAILED WORK PLAN, WHICH I WON'T GO THROUGH, IS ATTACHED TO THIS POWERPOINT THAT YOU HAVE.

SO REALLY WHAT WE WANT TO DO, WHAT WE PROPOSE TO COME BACK TO REALLY THE NEXT COMMITTEE MEETING THAT YOU HAVE IN SEPTEMBER IS TO REFINE SOME OF THE ISSUES SURROUNDING THE CREATION OF A REINVESTMENT ZONE AND SOME OF THE POLICY ISSUES THAT WE HAVE CONSIDERED THAT WE WOULD NEED SOME DIRECTION ON TO HELP BRING BACK THE ACTUAL ORDINANCE AND BRING BACK THE FINANCING PLAN AND A PROJECT PLAN THAT ARE REQUIRED AS PART OF THE CREATION OF A REINVESTMENT ZONE.

SO HERE ARE SOME OF THE EXAMPLES.

AND WHAT WE WOULD COME BACK WITH WAS SOME DATA AND SOME INFORMATION TO HELP KIND OF TEE UP THESE ISSUES FOR THE COMMITTEE AND THE COUNCILMEMBERS.

AND THESE WOULD INCLUDE THE A KEY ISSUE IS THE PERCENT OF THE TAX INCREMENT THAT COUNCIL WOULD WANT TO CONSIDER.

WE'LL BE ABLE TO RUN SOME NUMBERS FOR YOU.

AS YOU KNOW WE DID PRESENT BACK LAST NOVEMBER OR I BELIEVE LAST DECEMBER WE PROVIDED OUR FINANCIAL ANALYSIS THAT WAS DONE.

WE WILL TRY TO UPDATE THAT BASED ON THE NEW TAX ROLL INFORMATION, ALTHOUGH I THINK IT WILL BE KIND OF ORDER OF MAGNITUDE CHANGES AS OPPOSED TO DETAILED CHANGES BECAUSE THOSE STUDIES TOOK OVER SIX MONTHS AND WE'RE JUST GETTING OUR CERTIFIED TAX ROLLS SO THE TIMING WON'T ALLOW US TO DO A FULL ON PARCEL BY PARCEL ANALYSIS.

[3:29:45 PM]

SO THAT'S AN ISSUE THAT WE'D WANT TO BRING BACK AND SHOW YOU DIFFERENT LEVELS.

WE ALSO WANT TO KIND OF KEY BACK TO THE OVERALL DISCUSSION ABOUT TAX INCREMENT REINVESTMENT ZONE THROUGHOUT THE CITY, THE EXISTING ONES AS WELL AS POTENTIAL ONES THAT MAY BE COMING UP.

AS WE TALKED ABOUT WE HAVE A FINANCIAL POLICY ABOUT THE NUMBER OF TIF'S THAT WE HAVE. THIS WOULD INCLUDE LOOKING AT THE BULL CREEK SITE, LOOKING AT AIRPORT BOULEVARD AND HIGHLAND MALL, SOME OF THE AREAS TO MAKE A CONTEXT FOR THE DISCUSSION.

THE OTHER THINGS THAT WE HAD IN OUR CORRESPONDENCE OF NOVEMBER OF 2014 WAS LOOKING WITHIN THE DISTRICT ITSELF ARE THERE ANY PROJECTS THAT MAY BE ALSO, FOR EXAMPLE, WITHIN TRANSIT ORIENTED DEVELOPMENT ZONES OR PARCELS ON THEIR OWN THAT MAY BE ELIGIBLE FOR A DISTINCT PROJECT BASED TIF.

HOW WE HAVE DONE OUR TIF'S.

THIS GETS INTO THE BOUNDARIES OF THE TIF SO WE WANT TO GET INTO THOUGHTS AND EXAMPLES ABOUT THAT AS WE CAN COME BACK AND REFINE AS COUNCIL WOULD LOOK TO CREATING THE BOUNDARIES OF THE TIF TO TAKE SOME OF THESE ISSUES INTO CONSIDERATION.

AND PART OF THAT WILL FRAME SOME POLICY QUESTIONS FOR THE COUNCIL.
WE WOULD ALSO LOOK WHILE 373 A DOES NOT REQUIRE ANY OTHER TAXING JURISDICTION TO PARTICIPATE, WE JUST WANT TO TEE THAT UP FOR YOU AND GET DIRECTION IF THERE IS A DESIRE TO HAVE OTHER ENTITIES PARTICIPATION, MAINLY THE COUNTY OR ACC.
WE WOULD NEED TO HAVE A DIFFERENT PROCESS ABOUT THAT IN TERMS OF OUTREACH WITH THOSE ENTITIES.
WE WANT TO KIND OF JUST WALK YOU THROUGH THAT.
I KNOW AN ISSUE THAT COUNCILMEMBER GALLO HAD BROUGHT UP RELATED TO PARCELS THAT POTENTIALLY STRADDLE THE ZONES, HOW WE WOULD DEAL WITH THOSE AND SO WE'RE

[3:31:45 PM]

WORKING WITH THAT ANALYSIS RIGHT NOW.
WE'VE HAD ISSUES WITH OTHER TIFS, THE LONE STAR TIF PARTICULARLY.
WE WANT TO DRILL DOWN AND LOOK AT THAT.
AND FINALLY WHAT WOULD TURN INTO BE AS PART OF THE PROJECT PLAN, NEIGHBORHOOD HOUSING WOULD COME BACK AND LOOK AT HOW WOULD FUNDS BE USED AND THE KIND OF DIRECTION FROM COUNCIL, THE COUNCIL COMMITTEE ON THAT.
SO KIND OF A BUSY SEPTEMBER MEETING, TO BE FRANK ABOUT IT.
AND THEN FROM THAT TIME FORWARD BASED ON THAT INFORMATION AND ASSUMING WE I THINK WOULD BE ABLE TO GET THROUGH ALL OF THAT IN SEPTEMBER IS WE THEN COME BACK IN OCTOBER, NOVEMBER AND DECEMBER TO TAKE CARE TO ACTUALLY START GOING THROUGH THE STEPS, MORE KIND OF THE ROTE STEPS.
WE WOULD PUT TOGETHER A DRAFT PROJECT PLAN, A DRAFT FINANCING PLAN AND DRAFT ORDINANCE THAT COUNCIL WOULD CREATE.
ALSO PER THE LEGISLATION WE NEED TO BOTH SET AND CONDUCT A PUBLIC HEARING AND THEN COME BACK WITH A FINAL PROJECT PLAN AND A FINAL FINANCING PLAN, AND THEN FINALLY HAVE AN ORDINANCE IN FRONT OF COUNCIL FOR THE ZONE TO BE THE TAX INCREMENT REINVESTMENT ZONE TO BE CREATED, ALLOWING TIME FOR COUNCIL TO CREATE THAT THIS CALENDAR YEAR, WHICH AGAIN IS CRITICAL TO SET THE DATE THIS CALENDAR YEAR SO IT BECOMES A BASE YEAR FOR ANY TAX INCREMENT REINVESTMENT ZONE THAT'S SET UP.

[3:33:50 PM]

THAT'S OUR PLAN.
AGAIN, THE DETAILS ARE ON THIS SHEET AND WE WOULD I THINK WE HAVE SOME IF THIS WORK PLAN IS ACCEPTED AND DIRECTION IS GIVEN FOR US TO MOVE FORWARD ON THAT, YOU WOULD SEE US BACK HERE NEXT MONTH AND FOR THE NEXT COUPLE OF MONTHS TO KEEP WORKING ON YOUR BEHALF.
SO I'LL TURN IT OVER TO DAVID I'LL TURN IT BACK OVER TO REBECCA, GETTING THE NOD.
>> LASTLY THE LAW DEPARTMENT WILL BE HAVING AN INFORMATION RELATED TO THE THIRD COMPONENT OF THE RESOLUTION FORTHCOMING TO COUNCIL.
THERE ISN'T ANYTHING TO REPORT AT THIS TIME.
>> Renteria: OKAY, THANK YOU.
BEFORE WE TAKE ANY ACTION, THERE'S ONE PERSON SIGNED UP FOR CITIZENS INPUT.
DO WE WANT TO HEAR FROM STEWART HERSH?

>> CHAIR, MEMBERS OF THE COMMITTEE, I DON'T WANT TO DELAY ANYTHING THAT'S GOING ON. I THINK IT'S GREAT.

I JUST WANTED TO POINT OUT THAT WE HAVE BEEN BEFORE YOU AND THE PLANNING COMMITTEE BEFORE ABOUT RAINEY STREET AND HOW POTENTIALLY A FEE IN LIEU IN RAINEY STREET TO SUBSTITUTE FROM WHAT WE'RE GETTING CURRENTLY, WHICH IS ONE DAY OF AFFORDABILITY UNDER THE CURRENT REGS, COULD BE A WAY TO HELP FUND THE NEARBY HOMESTEAD PRESERVATION DISTRICT A AND KIND OF BREAK THROUGH THE BARRIER THAT EAST AVENUE AND I 35 HAVE TRADITIONALLY CREATED BETWEEN THE WEST SIDE AND THE EAST SIDE.

[3:35:50 PM]

SO WHILE YOU'RE GOING THROUGH THESE DELIBERATIONS, THERE ALSO IS THAT SUGGESTION OUT THERE THAT SO FAR YOU NOR THE PLANNING COMMISSION HAVE TAKEN UP, BUT AT SOME POINT IT'S PROBABLY WORTH PURSUING TO TALK ABOUT WHAT IF ADDITIONAL FUNDS TO ACHIEVE BOTH OUR HOME OWNERSHIP AND OUR RENTAL GOALS AS WELL AS OUR REPAIR AND NEW CONSTRUCTION GOALS, PARTICULARLY IN HOMESTEAD PRESERVATION DISTRICT A.

SO JUST WANTING TO MENTION THAT WE WOULD APPRECIATE AT SOME POINT IF THAT CONVERSATION COULD OCCUR SO WE COULD SEE HOW ALL THESE THINGS COULD DOVE TAIL. THANK YOU VERY MUCH. >> Renteria: THANK YOU. ANY QUESTIONS? OKAY. NOW THERE'S A RECOMMENDATION.

>> Kitchen: I'M SORRY, I MAY HAVE MISSED IT IF YOU MENTIONED IT. BUT THE YOU MENTIONED THAT THE THIRD PART WOULD BE BROUGHT BACK TO US.

CAN YOU REMIND ME THE TIME FRAME FOR THAT? AND THIS IS THE INCLUSIONARY ZONING ASPECT OF IT? >> THAT IS CORRECT. IT IS MY UNDERSTANDING THAT THE LAW DEPARTMENT IS RESPONDING OFFICIALLY VIA A MEMORANDUM AND THAT THE RESEARCH IS DONE AND SO MY ANTICIPATION DUE TO THE CONVERSATIONS I'VE HAD WITH THE LAW DEPARTMENT IS THAT IT'S FORTHCOMING IN SHORT ORDER.

I WAS NOT GIVEN A DATE, HOWEVER.

>> Kitchen: BUT WE WILL HAVE IT BEFORE OUR SEPTEMBER MEETING?

>> I CERTAINLY THINK THAT YOU COULD REQUEST THAT.

>> Kitchen: HOW DO WE MAKE THAT REQUEST?

I'D LIKE TO MAKE SURE WE MAKE THAT REQUEST BECAUSE THE OTHER INFORMATION IS COMING BACK TO US AND WE'RE GOING TO BE, YOU KNOW, DELIBERATING ON THIS FURTHER IN SEPTEMBER. THIS ASPECT OF IT IS VERY IMPORTANT AND SO I THINK THAT

>> I'M GOING TO STEP ASIDE AND LET DAVID SOROLLO RESPOND BECAUSE I THINK HE WOULD BE WELL POSITIONED TO SAY WHEN HE THINKS IT NEEDS TO BE RESPONDED TO.

>> GOOD AFTERNOON, MEMBERS OF THE COMMITTEE.

DAVID SOROLLO, ASSISTANT CITY ATTORNEY WITH THE CITY OF AUSTIN LAW DEPARTMENT.

I'VE DONE A LOT OF RESEARCH ON THIS ISSUE DEALING WITH THE INCLUSIONARY ZONING.

I CANNOT GIVE YOU AN EXACT DATE AS TO WHEN THE MEMO WILL BE FINALIZED AND SENT TO YOU, BUT IT SHOULD BE HERE IN THE VERY NEAR FUTURE.

IF THE NEXT MEETING OF THE COMMITTEE IS ON OR ABOUT THIS TIME NEXT MONTH I FEEL CONFIDENT CAN'T GUARANTEE BECAUSE MY BOSSES STILL NEED TO LOOK AT THE MEMO, BUT I FEEL CONFIDENT THAT WE CAN GET THAT TO YOU BEFORE THE NEXT MEETING.

[3:37:45 PM]

>> Kitchen: OKAY.

THANK YOU SO MUCH.

IF ANYTHING HAPPENS THAT SLOWS IF DOWN, PERHAPS SO THAT WE DON'T HAVE IT BY SEPTEMBER, MAYBE YOU COULD GIVE THE CHAIR A HEAD'S UP SO WE CAN HAVE A DISCUSSION ABOUT THAT.

>> I WILL, THANK YOU.

>> Kitchen: THANK YOU.

>> Casar:, I HAVE ONE QUICK QUESTION, MAYBE FOR NEIGHBORHOOD HOUSING OR FOR MR. CANALLY. IN THE FIRST PRESENTATION THAT WAS GIVEN TO US IT WAS ABOUT AN ORDINANCE COMING TO US IN OCTOBER, BUT THEN ALSO MR. CANALLY'S SLIDE HAD AN ORDINANCE COMING FORWARD ABOUT THE TIRZ.

ARE THOSE GOING TO BE OVERLAPPING ORDINANCES?

HELP ME UNDERSTAND THE MECHANICS JUST A LITTLE BIT.

>> GREG CANALLY, YES, COUNCILMEMBER, YOU WOULD HAVE SEPARATE ORDINANCES, ONE TO CREATE THE HOMESTEAD PRESERVATION DISTRICT, SIMILAR TO WHAT COUNCILS HAVE DONE IN CREATING DISTRICT A AND FOLLOWING THE STATE LAW TO CREATE THE REINVESTMENT ZONE.

WHAT WE'RE TALKING ABOUT IS THE TIMING AND SEQUENCING OF THOSE.

I THINK ORIGINALLY THESE TIME LINES WERE A LITTLE BIT DIFFERENT SO THERE MIGHT BE AN OPPORTUNITY TO SYNC THEM UP A LITTLE BIT.

IT WILL ALL BE HAPPENING WITHIN THE NEXT THREE TO FOUR MONTHS, BUT THERE WOULD BE ACTUALLY TWO SEPARATE ORDINANCES THAT THE CITY COUNCIL WOULD NEED TO TAKE UP.

[3:39:45 PM]

>> Casar: SO LET ME MAKE SURE THAT I UNDERSTAND BECAUSE WE HAVE SO MANY BALLS WE'RE JUGGLING.

PAST COUNCILS INITIATED DESIGNATING DISTRICT A AND PASSED AN ORDINANCE DESIGNATING DISTRICT A AND THIS COUNCIL INITIATED DESIGNATING BC AND D AND INITIATING ASKING FOR A TIRZ IN A AND NOW YOU SAY YOU WILL COME BACK WITH AN ORDINANCE IN OCTOBER DESIGNATING BC AND D AND A SEPARATE ORDINANCE ACTUALLY SETTING UP THE TIRZ IN A.

>> THAT IS CORRECT.

>> THAT IS CORRECT.

AND THE ONLY THING I WOULD AMEND IS IT MAY BE EARLY NOVEMBER JUST DUE TO AGENDA TIMING, BUT YOU DO HAVE THE SEQUENCE OF EVENTS ACCURATE.

>> Casar: CHAIR, I'M READY TO MOVE TO ACCEPT THE STAFF WORK PLAN TO CREATE THE FOR THEM TO BRING BACK A PROPOSED TIRZ AS WAS DESCRIBED BY MR. CANALLY FOR DISTRICT A AND ASK OUR STAFF TO INITIATE THE PROCESS TO ALLOW COUNCIL TO CREATE THAT TIRZ BY THE END OF THE YEAR.

>> Renteria: SECOND?

OKAY.

MOTION HAS BEEN MADE BY COUNCILMEMBER CASAR AND SECONDED BY ANN KITCHEN.

ALL IN FAVOR RAISE YOUR HAND?

IT'S UNANIMOUS WITH COUNCILMEMBER GALLO OFF THE DAIS.

>> Casar: AND CHAIR, I WANTED TO CLARIFY ONE THING TO MAKE THIS MORE COMPLICATED WITH MORE LETTERS.

IF STAFF COULD CONFIRM THAT CONSIDERING THAT MANY FOLKS AT OUR LOWER INCOME HAVE NOW MOVED FURTHER NORTH OR FURTHER SOUTHEAST THAT ONCE WE'RE DONE WITH THIS AT THE END OF

DECEMBER PERHAPS THAT WE COULD THEN PROCEED WITH POTENTIALLY IF WE SO CHOSE DESIGNATING THE NEXT ROUND OF HOMESTEAD PRESERVATION DISTRICTS.
OKAY.

[3:41:50 PM]

SO AS SOON AS THIS YEAR IS OVER WE MAY VERY WELL HAVE A COUPLE MORE ON THE TABLE.
>> SURE.

>> Casar: GREAT, THANKS.

>> Renteria: ALL RIGHT.

WE'RE MOVING ON TO ITEM 3, DISCUSSION AND POSSIBLE RECOMMENDATION OF THE HOUSING AND COMMUNITY DEVELOPMENT COMMITTEE NOMINEE TO THE LAND DEVELOPMENT ADVISORY ARE WE READY FOR THAT?

>> [INAUDIBLE]. >> Renteria: SO LET'S JUST LET'S SEE WHAT TIME.

ARE WE READY TO TACKLE THE FEE IN LIEU OPTION? OKAY.

LET'S MOVE ON TO ITEM 5, UPDATE ON THE FEE IN LIEU OPTION FOR AFFORDABLE HOUSING REQUIREMENT FOR THE PLANNED UNIT DEVELOPMENT, WHICH IS RESOLUTION NUMBER 20150925 090. >> HELLO AGAIN, JESSE COCH WITH NEIGHBORHOOD HOUSING AND COMMUNITY DEVELOPMENT. WE'RE HERE TODAY TO PROVIDE AN UPDATE ON WHERE WE ARE WITH THE PROCESS OF THE CODE AMENDMENTS THAT WERE INITIATED BY COUNCIL ON THE PLANNED UNIT DEVELOPMENT ORDINANCE SPECIFIC TO THE DENSITY BONUS OPTION.

SO JUST TO GIVE A REMINDER OF WHAT THE RESOLUTION DRAFTED US TO LOOK AT, STAFF WAS DIRECTED TO LOOK AT THREE POSSIBLE SCENARIOS OF REMOVING THE FEE IN LIEU OPTION COMPLETELY, OF REQUIRING A SIGNIFICANT PORTION OF THE AFFORDABILITY REQUIREMENT TO BE MET BY ON SITE AFFORDABLE UNITS AND THEN ALSO TO LOOK AT ALLOWING FOR EXEMPTIONS IN THE ON SITE AFFORDABLE REQUIREMENT.

I'M GOING TO WALK THROUGH THE STAKEHOLDER ENGAGE. THAT WE'VE CONDUCTED OVER THE LAST FEW MONTHS.

WE MET WITH SOME SMALL FOCUS GROUPS AS WELL AS CONDUCTED A SURVEY THAT PRIMARILY TARGETED THE DEVELOPMENT COMMUNITY OF DEVELOPERS WHO HAD EXPERIENCE WORKING WITH PLANNED UNIT DEVELOPMENTS.

AND THEN WE MOVED ON INTO OUR LARGER STAKEHOLDER MEETINGS THAT WERE OPEN TO THE PUBLIC, AND AGAIN WE DID TARGET FOLKS IN THE DEVELOPMENT COMMUNITY AS WELL AS THE AFFORDABLE HOUSING COMMUNITY TO MAKE SURE THAT WE HAD A NICE MIX OF STAKEHOLDERS. AND I WAS VERY IMPRESSED WITH THE MIX AND TURNOUT THAT WE HAD.

WE AVERAGED ABOUT 25 PEOPLE AT EACH MEETING AND IT WAS QUITE A DIVERSE GROUP THERE.

[3:43:35 PM]

SO THE FIRST MEETING THAT WE HAD ON JUNE 24TH LOOKS AT THE PROPOSED STAFF CODE AMENDMENTS, AND THERE'S A SUMMARY OF THE FEEDBACK WE RECEIVED IN YOUR BACKUP. AND THEN FROM THERE WE MOVED ON AND TOOK THE CODE AMENDMENTS TO THE COMMUNITY DEVELOPMENT COMMISSION, AND ONE OF THE RECOMMENDATIONS FROM THE COMMUNITY DEVELOPMENT COMMISSION AS WELL AS STAKEHOLDERS WHO HAD PARTICIPATED IN THAT JUNE 24TH

MEETING WAS THAT WE HELD A SECOND MEETING ON JULY 30TH WHERE THE DISCUSSION FOCUSED ON HOW THE FEE IN LIEU REQUEST PROCESS MIGHT BE IMPLEMENTED. AND THERE'S ALSO A SUMMARY OF THE FEEDBACK THAT WAS GATHERED DURING THAT STAKEHOLDER MEETING.

I JUST WANTED TO ADD A NOTE THAT WE DID HOLD A THIRD STAKEHOLDER MEETING IN AUGUST. THE EXPERIENCE OF THE FIRST TWO STAKEHOLDER MEETINGS LET US KNOW THAT RESIDENTS HAVE INTEREST IN SPEAKING TO MUCH MORE THAN JUST THE PARAMETERS OF THE INITIATED CODE AMENDMENT AND THAT THERE WERE ADDITIONAL COMMENTS RELATED TO PLANNED UNIT DEVELOPMENTS, SO WE HELD AN ADDITIONAL MEETING TO GIVE STAKEHOLDERS AN OPPORTUNITY TO PROVIDE THAT MORE GENERAL FEEDBACK.

AND WE'RE WORKING TO COMPILE THAT SUMMARY, HAVE IT VETTED BY THE STAKEHOLDERS WHO PARTICIPATED IN THE MEETING AND THEN WE'LL BE SENDING THAT OUT TO THE COUNCIL COMMITTEE. SO THE CDC, THE COMMUNITY DEVELOPMENT COMMISSION, TOOK ACTION ON THE STAFF RECOMMENDED AMENDMENTS ON JUNE 30TH, AND OVERALL THIS SUPPORTED THE STAFF PROPOSED AMENDMENTS, WITH THE ONE EXCEPTION THAT THEY RECOMMENDED THE SOLUTION OF THE SECTION OF THE CODE THAT ALLOWS FOR THE FEE IN LIEU DONATION.

THEY ALSO HAD TWO ADDITIONAL RECOMMENDATIONS THAT WERE NOT AS SPECIFIC TO THE CODE AMENDMENT IN DISCUSSION NOW, BUT WERE MORE GENERAL TO PLANNED UNIT DEVELOPMENTS, AND THOSE ARE THERE AT THE BOTTOM TO THE CODE AMENDMENT IN DISCUSSION NOW THAT WERE MORE GENERAL TO PLANNED UNIT DEVELOPMENTS, AND THOSE ARE AT

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THE BOTTOM OF THAT SLIDE.

SO I CAN WALK THROUGH KIND OF THE OVERVIEW OF THE CODE AMENDMENTS AND THEN IF THERE ARE SPECIFIC QUESTIONS ABOUT ANY AMENDMENTS I HAVE SLIDES QUEUED UP WITH THE DRAFT CODE LANGUAGE SO WE COULD LOOK AT THAT IN MORE DETAIL.

SO STAFF IS RECOMMENDING FIRST THAT THE AFFORDABILITY REQUIREMENT FOR THE PLANNED UNIT DEVELOPMENTS DENSITY BONUS APPLY TO ALL TYPES OF DEVELOPMENTS.

CURRENTLY THE CODE ONLY APPLIES TO THE DEVELOPMENTS WITH RESIDENTIAL USES.

IN ADDITION, WE'RE RECOMMENDING THAT DEVELOPMENTS WITH NO RESIDENTIAL UNITS BE PERMITTED TO PAY A FEE IN LIEU BY RIGHT.

WE'VE ALSO REMOVED A SECTION THAT SPOKE TO A REQUIREMENT FOR A PREVAILING LEVEL OF AFFORDABILITY REPORT, AND WE BELIEVE THAT THAT SECTION IS JUST NO LONGER RELEVANT.

IT WAS KIND OF LEFT OVER FROM PREVIOUS AMENDMENTS THAT HAD BEEN MADE IN 2008.

WE HAVE ADDED LANGUAGE THAT SPECIFIES THE AFFORDABILITY TERM FOR OWNERSHIP HOUSING, THAT WOULD BE FOR 99 YEARS, AND I BELIEVE THAT WAS AN OVERSIGHT FROM AMENDMENTS THAT WERE COMPLETED IN 2008.

WE'VE ADDED SOME CLARIFYING LANGUAGE RELATED TO THE LAND DONATION IN LIEU OF ON SITE AFFORDABLE UNITS THAT SAYS THAT THE DONATION MUST BE APPROVED BY THE DIRECTOR OF NEIGHBORHOOD HOUSING AND COMMUNITY DEVELOPMENT.

AND I THINK THE SIGNIFICANT PART OF THE AMENDMENTS IS THE REQUIREMENT THAT ALL REQUESTS FOR APPROVAL OF THE FEE IN LIEU OF ON SITE AFFORDABLE HOUSING MUST BE SUBMITTED IN WRITING TO NEIGHBORHOOD HOUSING AND COMMUNITY DEVELOPMENT, REVIEW IT AND PASS IT ON TO CITY COUNCIL FOR ACTION AND A DECISION ON THAT REQUEST.

WE ARE RECOMMENDING THAT THE WRITTEN REQUEST DEMONSTRATE THE END FEASIBILITY OF COMPLYING WITH THE ON SITE REQUIREMENT.

AND I CAN SPEAK TO THAT A LITTLE BIT MORE ABOUT THE DISCUSSION WE HAD WITH STAKEHOLDERS. SO IF THERE ARE ANY SPECIFIC QUESTIONS ABOUT THE CODE AMENDMENTS I'M HAPPY TO MOVE THROUGH THE DETAILED LANGUAGE THAT I HAVE QUEUED UP.

[3:47:45 PM]

>> Renteria: QUESTIONS?

BEFORE WE PROCEED, I WANT TO WELCOME MAYOR PRO TEM TOVO TO THE DAIS.

>> Tovo: I APPRECIATE THE OPPORTUNITY TO BE HERE.

I'LL BE DOING WHAT COUNCILMEMBER GALLO IS AND RUNNING BACK AND FORTH BETWEEN THE MEETINGS THIS AFTERNOON.

>> Kitchen: I'LL DEFER TO THE MAYOR PRO TEM TOVO SINCE SHE HAS TO RUN BACK AND FORTH AND I'LL ASK MY QUESTIONS LATER.

>> Tovo: THAT'S VERY KIND OF YOU. I APPRECIATE IT. I HAVE A COUPLE OF QUESTIONS TO START WITH. THE REQUEST FOR THE APPROVAL OF A FEE IN LIEU, WOULD THAT BE AN APPROVAL THAT WOULD THAT YOU WOULD JUST BRING TO COUNCIL WHEN THE PUD APPLICATION COMES FORWARD OR WOULD THAT BE A DISCUSSION THAT WOULD BE HAD EARLIER IN THE PROCESS, SAY AROUND THE TIME THAT THE BASELINE DISCUSSION WAS OCCURRING?

>> THAT'S A VERY GOOD QUESTION.

THAT HASN'T BEEN DETERMINED AND WE CHOSE NOT TO PUT THAT TO CODIFY THAT.

AS YOU'RE AWARE, THE PLANNED UNIT DEVELOPMENTS ARE VERY UNIQUE AND WE WANTED TO ALLOW FOR FLEXIBILITY WITH DIFFERENT CASES.

SO THERE MAY BE SITUATIONS WHERE THE DEVELOPER WOULD WANT TO KNOW AT THE VERY BEGINNING OF THE PROCESS IF THEY WOULD BE ABLE TO PAY THE FEE IN LIEU AND OTHER TIMES THEY WOULD WAIT UNTIL THE SITE DEVELOPMENT OR THE I'M SORRY, THE PUD ZONING IS BEING APPROVED.

>> Tovo: SO I'M GLAD TO SEE A PROVISION IN THERE FOR NONRESIDENTIAL PLANNED UNIT DEVELOPMENTS.

CAN YOU HELP ME UNDERSTAND WOULD THE FEES IN LIEU BE TIED TO A PARTICULAR GEOGRAPHIC LOCATION?

IT STRIKES ME THAT THERE MAY BE SOME PROJECTS IN THE IMMEDIATE VICINITY THAT COULD REALLY BENEFIT FROM THOSE AND THAT COULD REALLY FURTHER THE GOAL OF HAVING HOUSING IN THAT AREA, WHETHER IT'S PRESERVATION OR THE CONSTRUCTION OF NEW UNITS.

>> CURRENTLY STAFF DOESN'T HAVE A RECOMMENDATION SPECIFIC TO HOW THE FEE IN LIEU WOULD BE DEDICATED.

GENERALLY THE FEE IN LIEU IS DEDICATED TO THE AFFORDABLE HOUSING TRUST FUND AND THEN STAFF AND THE DIRECTORS CONSIDER THE PRIORITY PROJECTS.

AND I BELIEVE THAT GEOGRAPHIC DISPERSION IS ALWAYS A PRIORITY AND IF THERE IS ABILITY TO HAVE IT IN PROXIMITY IF IT WAS AN AREA IN NEED OF AFFORDABLE HOUSING THAT THAT WOULD DEFINITELY BE PRIORITIZED.

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>> Tovo: I THINK THAT WOULD BE GOOD TO DO SOME KIND OF CREATIVE THINKING ABOUT HOW WE MIGHT INCENTIVIZE THE USE OF FEE IN LIEU IN THE IMMEDIATE VENT, AGAIN, EVEN IF IT'S JUST PRESERVING EXISTING HOUSING VERSUS THE CONSTRUCTION OF NEW, JUST TO MAKE SURE THAT

THESE FEES IN LIEU ARE GOING TO BE SERVING THE SAME GOAL AS THE SHIFT TO THE ON SITE REQUIREMENT.

AND I THINK THAT'S IN LINE WITH SOME OF THE DISCUSSIONS WE'VE BEEN HAVING AT PLANNING AND ZONING ABOUT SHIFTING TO ON SITE.

I AM STRUGGLING TO REMEMBER WHAT THE PREVAILING LEVEL OF AFFORDABILITY CLAUSE WAS. I VAGUELY RECALL THAT IT WAS IMPORTANT, SO I HESITATE TO MOVE FORWARD WITH ELIMINATING IT UNTIL I CAN REMEMBER WHAT IT IS.

COULD YOU GIVE US A RECAP?

>> SO MY UNDERSTANDING OF THE PURPOSE OF IT PREVIOUSLY WAS THAT THE LANGUAGE IN THE CODE DID NOT REQUIRE THE ON SITE AFFORDABILITY AND SO THE REPORT OF PREVAILING AFFORDABILITY WAS A WAY FOR THE DEVELOPER TO DEMONSTRATE THAT THERE WAS SUFFICIENT AFFORDABLE HOUSING IN THE AREA AND THEREFORE THERE WAS NO NEED FOR THE FOR AFFORDABLE HOUSING IN THE NEW DEVELOPMENT.

AND WE FELT THAT THAT WAS NO LONGER RELEVANT AS THE REQUIREMENT IS FOR ON SITE AND THEN IF A DEVELOPER WOULD LIKE TO REQUEST THE FEE IN LIEU THEY WOULD GO THROUGH THIS PROCESS OF DEMONSTRATING THE COMING UP WITH AN ARGUMENT FOR WHY THE ON SITE REQUIREMENT MADE THEIR PROJECT INFEASIBLE.

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>> Tovo: SO IT IT WASN'T TRYING TO FIGURE OUT WHAT THE APPROPRIATE LEVEL OF AFFORDABILITY WOULD BE IF ON SITE OR TRANSLATED INTO A FEE IN LIEU.

>> NOT AS I RECOLLECT.

AS IT WAS HELD IN THE DENSITY BONUS SECTION OF THE CODE, THE MEDIAN FAMILY INCOME REQUIREMENT IS ALREADY LAID OUT SPECIFICALLY.

I BELIEVE THERE'S SIMILAR LANGUAGE IN THE GENERAL PLANNED UNIT DEVELOPMENT SECTION OF THE ORDINANCE THAT MAY HELP TO ESTABLISH RECOMMENDATIONS FOR THAT, BUT THIS IS A SECTION WE ONLY TOOK OUT OF THE DENSITY BONUS SECTION.

>> Tovo: THANK YOU.

AND THEN MY LAST QUESTION HAS TO DO WITH THE FEES IN LIEU.

ARE THE RECOMMENDATIONS TO INCREASE THOSE?

WHAT ARE THE RECOMMENDATIONS FOR HOW TO SET THE FEES IN LIEU?

>> THE DIRECTION FROM THE COUNCIL RESOLUTION DID NOT INCLUDE LOOKING AT THE FEE IN LIEU AMOUNT ITSELF, SO STAFF HAS NOT MADE ANY RECOMMENDATIONS TO CHANGE THAT.

>> Tovo: BECAUSE THE RESOLUTION DIDN'T INCLUDE IT AS I REMEMBER BECAUSE WE WERE TRYING TO MOVE AWAY FROM FEES IN LIEU AND REQUIRE THE ON SITE HOUSING, BUT IF THERE CONTINUES TO BE AN OPTION FOR A FEE IN LIEU FOR NONRESIDENTIAL PROJECTS AND FOR A FEE IN LIEU FOR NONRESIDENTIAL PROJECTS, THEN WE DO NEED TO DO SOME THINKING ABOUT HOW TO SET THOSE FEES. I DON'T HAVE AN ANSWER TO THAT. I GUESS IT'S JUST ANOTHER QUESTION THAT WOULD NEED TO BE RESOLVED. THANK YOU VERY MUCH.

I'M REALLY PLEASED TO SEE THIS WORK MOVING FORWARD. AND THANK YOU FOR THE OPPORTUNITY TO ASK THOSE QUESTIONS. >> Renteria: ANYTHING ELSE?

>> Casar: I THINK MY TWO QUESTIONS OR ALSO COMMENTS JUST FOR THE COMMITTEE ARE VERY RELATED TO WHAT THE MAYOR PRO TEM BROUGHT UP.

COMPARED TO OUR GEOGRAPHICALLY LOCATED DENSITY BONUS PROGRAMS IT SEEMS THAT PUDS THAT CAN GO ANYWHERE IN TOWN NEED TO HAVE A PUD IN ONE PART OF TOWN ENDS UP LOOKING VERY DIFFERENT FROM A PUD IN ANOTHER PART OF TOWN.

WHAT I'M HEARING IS THAT RIGHT NOW IF WE WANT STRICTLY TO ON SITE THE MEDIAN FAMILY INCOME REQUIRED ON THE INCOME RESTRICTED WOULD BE THE SAME REGARDLESS OF WHETHER IT WAS A PUD IN AN AREA WHERE THE MEDIAN FAMILY INCOME IS MUCH HIGHER THAN A PUD IN SOME PART OF TOWN WHERE YOU COULD BUILD AN 80% MFI IN THIS MARKET.

[3:53:50 PM]

>> THAT IS CORRECT.

BUT AGAIN TO REMIND YOU ALL THAT THIS IS SPECIFIC TO THE DENSITY BONUS.

SO WHEN PLANNED UNIT DEVELOPMENTS ARE BEING APPROVED, THERE IS OPPORTUNITY TO REQUEST AND REQUIRE THAT THE MEDIAN FAMILY INCOME BE AT DIFFERENT LEVELS, WHERE THE SPECIFIC SET BY ORDINANCE AND BY CODE THAT COMES INTO PLAY IS WHEN A DEVELOPMENT ACCESSES THE DENSITY BONUS.

>> Casar: SO THIS WOULD BE THE REQUIRED I FORGET WHICH ONE IS TIER 1 OR TIER 2.

>> IT'S BASICALLY TIER 3. IT'S BEYOND THE TIER 1 AND 2. >> Casar: RIGHT.

THIS WOULD BE WHAT IS REQUIRED BASELINE I DON'T WANT TO USE THE WORD BASELINE BECAUSE IT MEANS SOMETHING ELSE IN THE PUD ORDINANCE.

BUT THIS IS WHAT WOULD BE REQUIRED JUST FROM THE BEGINNING IF YOU ACCESS A CERTAIN LEVEL OF DENSITY IN THE PUD, BUT IF, SAY, SOMEONE FILED A PUD FOR A PUD IN AN AREA WHERE ONE COULD BUILD AT MARKET 80% MFI BECAUSE IT'S A LOWER INCOME AREA, THEN WE AS COUNCIL COULD THEN JUST OURSELVES BEFORE APPROVING THE PUD MAKE SURE THAT IT WAS SCHOOL DISTRICT% OF MFI IF WE WANTED.

>> YES. >> Casar: BUT I THINK IT IS OUR DENSITY BONUS AND MAYBE YOU CAN TELL ME, IN VMU WE DO HAVE VARYING LEVELS OF MFI REQUIREMENTS IN THE DENSITY BONUS REQUIREMENT DEPENDING UPON WHERE YOU ARE IN TOWN. IS THAT TRUE? >> THAT'S TRUE. >> Casar: THAT'S HELPFUL.

AND THEN SO I GUESS THIS ISN'T FOR YOU BECAUSE YOU ALREADY ANSWERED THIS QUESTION FOR THE MAYOR PRO TEM TOVO, BUT IT IS INTERESTING FOR ME THAT WE HAVE A IT'S SIX DOLLARS A SQUARE FOOT FOR THE FEE IN LIEU IN PUD REGARDLESS OF THE LAND PRICE, REGARDLESS OF WHERE THE PUD MIGHT BE, WHETHER OR NOT THE MARKET COULD BEAR A HIGHER FEE IN LIEU OR A LOWER ONE. SO WHILE I IN THE PLANNING AND NEIGHBORHOODS COMMITTEE ARGUED FOR THE POTENTIAL MERITS FOR FEE IN LIEU IF WE CALIBRATE THEM RIGHT AND MAKE SURE WE SPEND THEM IN THE RIGHT PLACES, IT SEEMS TO ME MUCH MORE DIFFICULT IN PUDS BECAUSE PUDS CAN BE ANYWHERE IN TOWN AND FOR US TO HAVE CONSULTANTS MONITORING THE MARKET CONDITIONS ALL OVER THE CITY FOR WHERE A PUD COULD POP UP SEEMS A LOT MORE DIFFICULT THAN IN THE DOWNTOWN DENSITY BONUS OR IN U.N.O., SO I'M INCLINED TO REALLY THINK HARD ABOUT CDC RECOMMENDATION TO NOT HAVE FEE IN LIEUS IN PUDS IF THE FEE IN LIEU IS NOT GETTING US WHAT WE NEED.

WHEREAS WITH THE RESOLUTION THAT WE PASSED IN PLANNING AND NEIGHBORHOODS, BEFORE GETTING RID OF A FEE IN LIEU IN DOWNTOWN OR IN SOME OTHER DENSITY BONUS PROGRAMS, I WOULD WANT TO SEE IF WE COULD CALIBRATE THAT FEE IN LIEU PROPERLY AND THEN WEIGH WHETHER OR NOT TO GET RID OF FEE IN LIEU OR NOT BASED ON WHAT WE

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COULD GET OUT OF IT.

BUT IN PUDS IT SEEMS VERY DIFFICULT TO PROPERLY CALIBRATE A FEE IN LIEU BECAUSE IT COULD BE ANYWHERE.

SO I'LL JUST LEAVE THAT COMMENT FOR ALL OF US.
I KNOW WE'RE PROBABLY NOT GOING TO BE TAKING ACTION ON THIS TODAY, BUT FOR WHEN IT DOES COME TO COUNCIL, THOSE WOULD BE MY CONSIDERATIONS.
SINCE WE'RE IN OPEN MEETING I MIGHT AS WELL MAKE THOSE NOTED TO MY COLLEAGUES NOW.
>> Kitchen: I WOULD SHARE THAT CONCERN.
IT REMINDS ME OF OUR PRO RATA SHARE FEES IN TRANSPORTATION WHERE WE COULDN'T ACTUALLY SPEND THE MONEY TO GET US ANYWHERE.
IT'S SOMEWHAT DIFFERENT, OF COURSE, BUT IT WASN'T SELF SUFFICIENT.
SO AT THIS POINT SO THERE'S NOT ANY RECOMMENDATION RELATED TO THE FEE IN LIEU AMOUNT.
>> NO. >> Kitchen: IS THAT I WOULD BE I HAVE SOME CONCERN ABOUT THAT AND SO I'M WONDERING IF IT'S APPROPRIATE TO ASK THE STAFF AT THIS POINT TO GIVE US THEIR THINKING ON THAT OR PERHAPS WE JUST NEED TO CHEW ON IT A LITTLE BIT MORE.
>> Renteria: I WOULD LIKE TO HEAR THEIR THINKING ON THAT. >> Casar: BEFORE WE ASK THAT QUESTION I WOULD JUST MENTION IN OUR PLANNING AND NEIGHBORHOODS COMMITTEE WE DID PASS A RECOMMENDATION THAT WILL BE COMING ALONG TO COUNCIL TO ASK FOR STAFF TO DO THAT ANALYSIS, BUT MY UNDERSTANDING IS OUR CURRENT STAFF'S CAPACITY TO DO THAT ANALYSIS IS VERY THIN, IF NOT EXISTENT ENOUGH. SO WE MIGHT HAVE TO HAVE A CONVERSATION BETWEEN NOW AND WHEN THAT COMES BACK TO COUNCIL WHAT RESOURCES WE'D BE WILLING TO DEDICATE FOR THE FIND OF EXPERTISE TO CALIBRATE THOSE FEE IN LIEU IN WE CHOOSE TO KEEP THEM.
OF COURSE, THEN AGAIN IF WE JUST THINK THAT IN THE CASE OF PUDS IT'S TOO DIFFICULT TO CALIBRATE THEN MAYBE WE DON'T SPEND THE MONEY TRYING TO GET A CONSULTANT FOR THAT WORK. SO I THINK THAT MIGHT JUST BE A CONVERSATION THAT WE WANT TO WE CAN ASK STAFF THEIR OPINION AND I VALUE THAT OPINION, BUT WE'VE ASKED THE QUESTION AND IT IT REQUIRES A LOT OF MARKET EXPERTISE AND PROBABLY WOULD REQUIRE SOME RESOURCES.
I'M HAPPY TO HAVE YOU SPEAK TO THAT. I JUST WANTED TO STAND UP FOR YOU GUYS HERE A LITTLE BIT BECAUSE I KNOW WE PUT A LOT ON YOU, AND THAT YOU PROBABLY CAN'T DO IT ALL YOURSELVES.
>> Kitchen: YEAH. MY CONCERN WOULD JUST BE IF WE MOVE FORWARD WITHOUT ADDRESSING THAT ISSUE, I THINK IT'S A BIG HOLE.

[3:57:45 PM]

>> HI.
BETSY SPENCER, DIRECTOR OF NEIGHBORHOOD HOW HOUSING.
BEFORE JESSE SAYS SOMETHING THAT I MAY OR MAY NOT WANT HER TO SAY, THE FEE IN LIEU CONVERSATION FOR ALL THE DENSITY BONUS PROGRAMS TYPICALLY WE HAVE UTILIZED OUTSIDE CONSULTANTS.
FOR ONE EXAMPLE, U.N.O. WE SPENT THREE YEARS HAVING THAT CONVERSATION.
IT DIDN'T TAKE THAT LONG TO DO THE ANALYSIS, BUT IT WAS A LONG CONVERSATION AFTERWARDS, SO THEY OFTEN ARE TIMELY, COMPLICATED, REQUIRE SOME MONEY AND STUFF LIKE THAT.
AND THEY'RE ALL DIFFERENT.
AND I JUST I'M SURE A LOT OF PEOPLE HAVE DIFFERENT OPINIONS, BUT I JUST WANTED TO BE CAREFUL BEFORE JESSE GIVES YOU AN OPINION.
THERE IS A LOT OF RESOURCE AND TIME AND EFFORT THAT GOES BEHIND ALL OF THAT.
IT'S NEVER AS SIMPLE AS IT SEEMS.
IT'S INTERESTING.
>> Kitchen: ARE THERE ANY PARAMETERS THAT ARE COMMON ACROSS THEM OR IS EVERY ONE DIFFERENT?

>> ERICA?

>> Kitchen: THE REASON I'M ASKING THAT QUESTION IS IF WE WERE TO GO FORWARD TO CONTINUE TO ALLOW UNDER CERTAIN CIRCUMSTANCES, IT MIGHT BE IMPORTANT TO SET SOME PARAMETERS AROUND IT.

AS IT IS, IT'S JUST OPEN ENDED.

[3:59:45 PM]

>> Casar: EXACTLY.

I THINK THAT'S WHERE I'M COMING FROM TOO IS THAT IF WE CHOOSE TO KEEP FEE IN LIEU I THINK IT'S ONCE AGAIN I THINK I SEE IT BEING A SIMPLER TASK TO KEEP FEE IN LIEU AND DOWNTOWN DENSITY IF WE CHOOSE TO DO THAT BECAUSE OF A CERTAIN GEOGRAPHIC AREA, BUT IF WE CHOOSE TO KEEP FEE IN LIEU I WOULD WANT TO RESOURCE YOU GUYS MAYBE EXTRA TO PUT IT TO BED SO THAT IT'S REGULARLY CALIBRATED AND SO THAT WE DON'T HAVE TO ON THE COUNCIL LEVEL RELEGISLATE THE PROPER FEES BASED ON OUR BEST GUESSES AS THE MARKET CHANGES, BUT SOME WAY THAT WE CAN GIVE Y'ALL THE RESOURCES AND AUTHORITY TO ADJUST THOSE FEES IN LIEU BASED ON WHAT THE MARKET CAN BEAR.

BUT THEN AGAIN WE MAY HAVE A CONVERSATION IN OCTOBER WHERE WE GET RID OF THE FEE IN LIEU AND PUDS AND IN WHICH CASE WHY GET THE CONSULTANT FOR SOMETHING WE'RE NOT GOING TO DO?

SO THAT'S SORT OF WHERE THAT'S AT FOR ME.

SORRY FOR HOGGING THE MIC HERE A LITTLE BIT.

>> Kitchen: NO.

I SHARE THAT CONCERN.

>> AND I GUESS I WOULD NOTE THAT WE HAVE A NUMBER OF DIFFERENT DENSITY BONUS PROGRAMS THAT HAVE BEEN DEVELOPED AT DIFFERENT TIMES AND SO THEY'RE QUITE APPLES AROUND ORANGES. AND SO TO RECALIBRATE THE FEE IN LIEU YOU CAN'T JUST SORT OF DO ONE SYSTEM TO RECALIBRATE THEM ALL BECAUSE THEY ALL HAVE DIFFERENT REQUIREMENTS AND SO IT WOULD BE IT WOULD BE A FAIRLY TIME INTENSIVE PROCESS.

>> Renteria: BEFORE WE HAVE FURTHER DISCUSSION, SHOULD WE CALL THE WE HAVE ONE SPEAKER ON THIS ITEM HERE.

IS IT OKAY TO CALL HIM UP?

ALL RIGHT.

STEWART HERSH.

>>

[4:01:50 PM]

>> CHAIR, MEMBERS OF THE COMMITTEE, I LANDED ON A DIFFERENT PLACE IN THIS ISSUE THAN WHERE I STARTED BECAUSE OF TWO FACTS.

AND IT DROVE ME TO WHAT MY BEST BOSSES USED TO CALL THE KISS PRINCIPLE, KEEP IT SIMPLE, STEWART.

IT APPEARS THAT NONE OF THE PUDS THAT ARE 10 ACRES OR MORE EVER HAD A USE FEE IN LIEU. SO IT APPEARS TO ME UNCONTROVERSIAL TOTALLY TO EVER THINK ABOUT FEE IN LIEU FOR A PUD THAT IS 10 ACRES OR GREATER.

THE SECOND THING, AND THIS RELATES TO MY WORK WITH THE TRAVIS AUSTIN RECOVERY GROUP EDUCATION COMMITTEE ON THE MOVEMENT OF PEOPLE FROM ONION CREEK IN WILLIAMSON TO

OTHER PLACES IS IT APPEARS THAT NONE OF THEM ARE GOING TO ANY OF THE PUDS WITH AN AFFORDABILITY ELEMENT, WHICH TELLS ME THAT THE AFFORDABILITY ELEMENT THAT WE'RE CURRENTLY REQUIRING FOR ON SITE AFFORDABILITY ISN'T GETTING US THE OUTCOMES WE NEED FOR HOMEOWNERS AND RENTERS.

SO I THINK WHEN YOU TAKE THIS BACK I THINK IT SHOULD BE UNCONTROVERSIAL TO GET RID OF FEE IN LIEU ALTOGETHER FOR ANY PUD 10 ACRES OR GREATER, AND THAT YOU USE SOME SORT OF METHODOLOGY SIMILAR TO WHAT THE AUSTIN HOUSING FINANCE CORPORATION DOES IN ITS PRO FORMAS ON RENTERS WHERE THEY HAVE TO SHOW THAT THERE IS A GAP AND THEREFORE THEY COULDN'T MAKE THEIR NUMBERS WORK IF THEY DIDN'T HAVE A FEE IN LIEU OPTION AS OPPOSED TO IF THEY DID HAVE A FEE IN LIEU OPTION.

AND WE'VE NEVER DONE THAT IN A PUD, BUT IT SEEMS TO ME TO MAKE SENSE TO DO THAT.

SO I THINK WE HAVE TO RECALIBRATE WHAT OUR AFFORDABILITY ON SITE IS.

WE NEED TO GET RID OF BECAUSE NOBODY IS NEEDED TO USE IT, THE ALLOWANCE FOR FEE IN LIEU FOR PUDS 10 ACRES OR GREATER.

[4:03:50 PM]

AND FINALLY WHEN YOU TAKE UP THE BULL CREEK MATTER YOU NEED TO LOOK AT THE 2000 THE SEPTEMBER 7, 2007 COUNCIL RESOLUTION ABOUT MONEY THAT'S SUPPOSED TO GO TO THE HOUSING TRUST FUND FOR PROPERTIES THAT WEREN'T ON THE TAX ROLLS IN 1997, WHICH HASN'T BEEN PART OF THAT CONVERSATION EITHER, BUT NEEDS TO BE PART OF THE BASELINE DISCUSSION AND THE AFFORDABILITY DISCUSSION AND ALL OF THOSE.

SO THOSE ARE NOT PART OF THE STAFF RECOMMENDATIONS, BUT THEY'RE SIMPLY PART OF WHAT I THINK IS GOOD PUBLIC POLICY AND I ASK THAT YOU TAKE THOSE INTO ACCOUNT ALONG WITH ALL THE OTHER THINGS THAT ARE PENDING BEFORE YOU.

THANK YOU VERY MUCH.

>> Renteria: THANK YOU.

>>> ANY OTHER QUESTIONS?

>> Kitchen: THIS IS A QUESTION FOR STAFF.

I JUST WANTED TO GO BACK TO THE SLIDE WHERE YOU WERE TALKING ABOUT THE TIME PERIOD.

AND I THINK IT WAS 99 YEARS.

CAN YOU TALK WITH US A LITTLE BIT ABOUT WHERE THAT NUMBER CAME FROM.

AND I UNDERSTAND THERE IS NONE NOW SO YOU ALL ARE PROPOSING 99 YEARS.

[4:05:50 PM]

>> CORRECT.

>> Kitchen: NOT THAT THAT'S A SHORT TIME, BUT STILL.

>> CURRENTLY THE CODE DOES NOT SPECIFY AN AFFORDABILITY TERM FOR HOME OWNERSHIP UNITS. THE 99 YEARS IS A STANDARD TERM THAT WE USE IN THE MAJORITY OF OUR DENSITY BONUS PROGRAMS IS WHERE THAT NUMBER COMES FROM.

>> IS THERE ANY REASON YOU WOULDN'T SAY PERPETUAL?

>> I COULDN'T SPEAK TO THAT.

>> Kitchen: OKAY.

>> ALTHOUGH I DO BELIEVE THAT ONE OF THE CHALLENGES IS THAT WE MONITOR FOR THOSE TERMS AND THERE IS A LIFE SPAN FOR MOST UNITS SO THAT THE 99 YEARS IS IT'S ESSENTIALLY PERPETUAL, BUT IT ALLOWS FOR A REVISITING ON THE AFFORDABILITY TERM.

>> I'M NOT SURE WHY WE WOULD EVER WANT TO REVISIT IF WE SET THEM UP THAT WAY.

99 YEARS IS A LONG TIME.

I'M NOT TRYING TO SAY IT'S NOT.

>> I'M PROBABLY GOING TO MAKE STUFF UP, BUT WHEN I FIRST CAME TO THE DEPARTMENT AND LEARNED OF THE AFFORDABILITY REQUIREMENTS THAT WE HAVE, WE'VE HAD THESE AFFORDABILITY REQUIREMENTS FOR AWHILE.

IT FEELS LIKE SOMEONE TOLD ME WE COULD NOT CONTRACT IN PERPETUITY AND I CANNOT RECALL WHY.

WE WOULD HAVE TO GO BACK AND TAKE A LOOK AT THAT.

I REMEMBER ASKING THE SAME QUESTION.

IF WE'RE DOING 99 YEARS, WHY DON'T WE DO IT FOREVER.

AND IT SEEMS LIKE IT WAS A LEGAL IN SORT OF LEGAL ISSUE WITH IN PERPETUITY.

>> Kitchen: IF YOU COULD REVISIT AND LET ME KNOW, THAT WOULD BE GREAT.

[4:07:45 PM]

>> SURE.

>> Tovo: CHAIR?

ONE THING I WAS REMEMBERING IS THAT IN THE ORIGINAL PLANNED UNIT DEVELOPMENT STAKEHOLDER MEETINGS THERE WAS A DISCUSSION ABOUT ACTUALLY MAKING THE AFFORDABLE HOUSING A REQUIREMENT, NOT A BONUS REQUIREMENT.

SO I WISH WE HAD THOUGHT OF IT WHEN WE WERE WORKING ON THE RESOLUTION THAT HAS GIVEN RISE TO THE WORK BEING PRESENTED HERE TODAY.

WE DIDN'T ASK STAFF TO CONSIDER THAT OPTION, BUT I WONDER IF IT'S WORTH CONSIDERING WHETHER IT SHOULD MOVE TO A REQUIREMENT IF YOU'RE DOING A RESIDENTIAL PROJECT THAT THERE BE A COMPONENT THAT WOULD BE AFFORDABLE.

I WOULD BE IN FAVOR OF THAT.

>> Gallo: IT SEEMS LIKE AS WE TALK ABOUT ZONING CASES THERE ARE THINGS THAT WE CANNOT LEGALLY ASK THAT BE TIED TO A ZONING CASE AND THAT WE DON'T HAVE LEGAL HERE, I GUESS ANYWHERE?

I KNOW THERE ARE REQUIREMENTS THAT YOU CAN'T MAKE FOR A NORMAL ZONING CASE AND MY GUESS IS IT THAT PUDS ARE EXEMPTED FROM THAT DISCUSSION?

>> DAVID SORILTA WITH THE LAW DEPARTMENT.

I'M NOT SURE WHAT YOU'RE TALKING ABOUT.

ARE YOU TALKING ABOUT FOR EXAMPLE, IN A REGULAR ZONING CASE THE REQUIREMENT OF AFFORDABILITY, IT'S MY UNDERSTANDING THAT THAT CAN'T BE REQUIRED.

THAT THE OWNER OF THE PROPERTY CAN OFFER OR CAN GO INTO A SMART HOUSING PROGRAM, WHICH IS A VOLUNTARY PROGRAM, BUT THE REQUIREMENT.

[4:09:35 PM]

>> YES, MA'AM.

ACCORDING TO STATE LAW, MANDATORY PROGRAMS, IT HAS TO BE A VOLUNTARY PROGRAM TO COMPLY WITH STATE LAW.

MANDATORY PROGRAMS ARE PROHIBITED BY STATE LAW, BUT IF THERE IS A VOLUNTARY PROGRAM THAT ALLOWS FOR ADDITIONAL DENSITY AND RETURN FOR SOME TYPE OF COMMUNITY BENEFITS AND THE CITY'S ALREADY SET UP SOME TYPE OF A PROGRAM, IDEALLY WHAT THE CITY HAS TYPICALLY DONE IS CODIFIED THE PROGRAM IN THE CODE OF ORDINANCES THAT DENSITY BONUS TYPE OF PROGRAM IS LEGAL.

I DON'T KNOW IF THAT ANSWERS YOUR QUESTION.

>> Gallo: I THINK, MAYOR PRO TEM TOVO HAD A QUESTION ABOUT REQUIRING A COMPONENT OF AFFORDABILITY WITHIN A PUD ZONING.

WAS THAT YOUR QUESTION.

WAS THAT WHAT I WAS HEARING?

THERE WAS A CONFLICT RUNNING AROUND BECAUSE IN SOME OF THE ZONING CASES WE'VE BEEN TOLD THERE CAN'T BE A MANDATORY REQUIREMENT.

SO I GUESS MAYBE ANSWERING OR REPLYING TO HER QUESTION ABOUT BEING ABLE TO DO THAT, OR YOU MAY ALREADY KNOW THE ANSWER.

>> Tovo: THERE MAY BE DIFFERENCES OF OPINION ON IT, BUT I BELIEVE SOME WITHIN THE LEGAL COMMUNITY BELIEVE THAT A PLANNED UNIT DEVELOPMENT DOES AFFORD US THE OPPORTUNITY TO BE A REQUIREMENT.

BUT THAT IS SOMETHING WE COULD CERTAINLY AFFORD.

[4:11:45 PM]

>> Gallo: LET ME THROW THIS OUT AS WE'VE BEEN TALKING ABOUT THIS BECAUSE THE BULL CREEK PROPERTY IS IN DISTRICT 10 AND THE OWNER IS COMING FORWARD WITH A VOLUNTARY PROPOSAL FOR ADDING AFFORDABLE HOUSING INTO THE THAT.

INTO THAT.

AND THE DISCUSSION HAS BEEN REALLY INTERESTING BECAUSE THE FEE IN LIEU THAT HE WOULD PAY INSTEAD OF DOING THAT, IF IT WAS TRIGGERED BY THE BASELINE AND BUILDING OVER THE BASELINE IS AN INTERESTING DISCUSSION BECAUSE THIS FEE IN LIEU PAYMENT WOULD BE MUCH LESS THAN HIS COST TO BUILD THOSE AFFORDABLE HOUSING UNITS ON SITE.

SO I THINK THAT GOES BACK TO ADDRESS THE CONCERN THAT WE HAVE THAT THE FEE IN LIEU AMOUNTS REALLY NEED TO BE DOLLAR AMOUNTS THAT ARE APPROPRIATE BECAUSE IF THEY ARE, ONE OF THE THINGS ABOUT BUILDING ON SITE IS WHEN YOU ARE BILLION ON AN EXPENSIVE PIECE OF PROPERTY AND YOU HAVE A DISCUSSION OF PEOPLE SHOULD BE ABLE TO LIVE IN MULTIPLE OPTIONS OF PLACES IN THIS COMMUNITY AND THAT'S WHY WE WANT TO PUT AFFORDABLE HOUSING ALL ACROSS THE COMMUNITY, BUT AT THE SAME TIME YOU HAVE TO ALSO KIND OF PULL INTO THE DISCUSSION THAT IF YOU'RE TAKING A POT OF MONEY AND YOU'RE BUILDING A DIFFERENT LOCATIONS, YOU ABSOLUTELY CAN BUILD MORE UNITS IN CERTAIN PARTS OF THE CITY THAN YOU CAN IN OTHER PARTS OF THE CITY.

SO HOW DO WE BALANCE THIS REAL NEED FOR AS MUCH AFFORDABLE HOUSING AS WE CAN BUILD IN THIS COMMUNITY WITH THE CONVERSATION OF PEOPLE'S RIGHT TO BE ABLE TO CHOOSE TO LIVE IN ALL OF THE COMMUNITIES.

[4:13:50 PM]

AND IT'S A BALANCING ACT.

AND THERE ARE A LOT OF PLACES THAT YOU CAN BUILD MORE CHEAPLY THAN PROVIDE MORE HOUSING UNITS THAN OTHER PLACES. AND CAN BE PART OF THE CONVERSATION.

>> Renteria: IT'S HARD BECAUSE WHAT WE ADOPT WANT TO DO IS CONCENTRATE A WHOLE BUNCH OF LOW INCOME PEOPLE IN ONE AREA.

WE WANT TO DO IT MORE LIKE A MODEL OF HOW WE HAVE IT AT MUELLER.

WE HAVE ALREADY DONE THE BUILDING ALL THE LOW INCOME HOUSING.

THAT'S WHAT WE'RE BASICALLY LOOKING AT NOW IS TRYING TO CHANGE THAT MODEL.

>> Gallo: THERE'S ALSO ALL OF THE COSTS YOU HAVE TO LOOK AT FOR THE RELATIONSHIP BETWEEN LAND USE AND TRANSPORTATION, FOR EXAMPLE, AND JOBS.

THAT'S ONE REASON TO HAVE HOUSING ALL THROUGHOUT THE CITY BECAUSE OTHERWISE YOU HAVE PEOPLE LIVING PLACES A LONG WAY FROM WHERE THEY WORK AND IT COSTS US A LITTLE MORE, INCLUDING THEM FROM A TRANSPORTATION STANDPOINT.

>> Renteria: COUNCILMEMBER, ANY MORE COMMENTS?

>> Gallo: SO WHERE DID WE END UP ON THE DISCUSSION OF TRYING TO CONTINUE THE DIALOGUE ABOUT THE FEE IN LIEUS, THE AMOUNTS, THE TERMINATION OF THAT, WHERE DID WE LEAVE THAT?

[4:15:45 PM]

>> Casar: SO THE PLANNING AND NEIGHBORHOODS COMMITTEE RECOMMENDED THAT WE REVIEW THOSE FEES IN LIEU IN DOWNTOWN DENSITY BONUS AND THEN ALSO REVIEW POTENTIALLY ASSESSING A FEE IN LIEU ON NONRESIDENTIAL PROPERTIES IN DOWNTOWN DENSITY BONUS ALONG WITH OTHER REVISIONS.

THAT WILL REQUIRE EXTERNAL CONSULTANTS AND SO I THINK THAT I'LL WANT TO GET TOGETHER WITH THE MEMBERS OF THAT COMMITTEE TO DISCUSS HOW IT IS THAT WE PROCEED CONSIDERING THE RESOURCES, WE NEED TO PROVIDE OUR STAFF TO DO THAT WORK WELL.

PUDS WERE NOT INCLUDED IN THE RECOMMENDATION FROM THE PLANNING AND NEIGHBORHOODS COMMITTEE BECAUSE WE KNEW IT WAS COMING TO HOUSING AND THERE HAD ALREADY BEEN A RESOLUTION PASSED.

AND WHEN WE TALK ABOUT THAT BALANCE OF HOW DO WE WEIGH THE MERITS OF SPECIFIC FEES IN LIEU COMPARED OF WHAT ELSE WE COULD GET IN OTHER PARTS OF TOWN, IT SEEMS TO ME THAT IS MUCH EASIER WITH THE GEOGRAPHICALLY DELINEATED DENSITY BONUS AREAS BECAUSE WE CAN KNOW WHAT'S HAPPENING IN THOSE AREAS AND WE KNOW HOW MUCH WE'RE GETTING, HOW MUCH IS BEING BUILT.

WITH A PUD WE NEVER KNOW WHERE IT'S COMING AND WHERE IT'S COMING FROM.

AND IT'S JUST IT'S MUCH MORE CHALLENGING TO KNOW HOW TO CALIBRATE A FEE IN LIEU PROPERLY FOR A PUD IN MY MIND AND HOPEFULLY AFTER HAVING THIS CONVERSATION SOME PEOPLE WHO MIGHT THINK IT'S EASIER, AND I THINK IT IS, MAYBE CAN TALK TO ME ABOUT IT, BUT RIGHT NOW I'M INCLINED TO SAY IF WE CAN'T CALIBRATE IT PROPERLY THEN IT DOESN'T SOUND LIKE SUCH A GOOD OPTION.

SO ANYWAYS, WE'LL ALL GET TOGETHER AND TALK ABOUT HOW WE FIGURE OUT HOW TO GET A CONSULTANT TO REANALYZE THE FEES IN LIEU AND THE DOWNTOWN DENSITY BONUS AREAS.

[4:17:45 PM]

>> Renteria: COUNCILMEMBER KITCHEN.

>> Kitchen: AS A FOLLOW UP ITEM, DID WE HAVE A FOLLOW UP THAT WE ASKED ABOUT THE ABILITY TO REQUIRE AFFORDABLE HOUSING?

IT SEEMS IF WE DO END UP TAKING AWAY DELETING THE OPTION FOR FEE IN LIEU THAT'S IN ESSENCE WHAT WE'RE DOING IS REQUIRING AFFORDABLE HOUSING.

>> Casar: I THINK THERE'S A DIFFERENCE THERE.

THIS IS TALKING ABOUT WITHIN THE DENSITY BONUS OF THE PUD AND THE MAYOR PRO TEM BROUGHT UP JUST REQUIRING IT REGARDLESS OF WHETHER TO TAKE ADVANTAGE OF THE ADDITIONAL DENSITY AND THERE'S A DIFFERENCE OF LEGAL OPINIONS THERE THAT WE WILL HAVE TO TALK ABOUT IN EXECUTIVE SESSION.

>> Kitchen: SO WHAT'S THE NEXT STEP?

DO WE NEED A MEMO FROM LEGAL ON THAT?

>> Casar: I THINK WE CAN REQUEST THAT INFORMATION OURSELVES.

WE CAN JUST SHOOT AN EMAIL OFF AT THE END OF THIS TO HEAR ABOUT THAT BEFORE OCTOBER.

AND WHEN IS THE WHEN IS THIS SUPPOSED TO COME BACK TO FULL COUNCIL?

MY UNDERSTANDING IS WE DON'T HAVE TO VOTE ON THIS.

>> Renteria: IT'S COMING TO THE PLANNING COMMISSION CODE AND ORDINANCE SUBCOMMITTEE ON SEPTEMBER 15 AND THEN SEPTEMBER 22nd IS THE PLANNING COMMISSION, IF THIS IS CORRECT ON THIS TIMETABLE HERE.

>> Casar: SO I THINK IT COMES BACK TO COUNCIL ON OCTOBER THE 8th.

[4:19:50 PM]

>> Kitchen: I WOULD LIKE TO ASK FOR THAT INFORMATION.

>> Casar: WE'LL GO AHEAD AND DO THAT.

IT SOUNDS LIKE YOU ANSWERED THE QUESTION.

>> Kitchen: DO WE HAVE TO SUBMIT SOMETHING OR DO WE HAVE TO MAKE THIS VERBAL REQUEST AT THE MOMENT?

>> COULD YOU REPEAT THE REQUEST.

>> Kitchen: MY REQUEST IS TO FOLLOW UP ON THE QUESTION THAT THE MAYOR PRO TEM HAD

>> REGARDING THE ?

>> LEGAL AUTHORITY TO REQUIRE AFFORDABLE HOUSING IN A PUD?

>> I BELIEVE THAT REQUEST SHOULD GO TO THE LAW DEPARTMENT AND THAT IT IS A QUESTION OF WHETHER IT'S INCLUSIONARY ZONING OR NOT.

>> WE CAN FACILITATE THE REQUEST.

I THINK THAT'S GOING TO BE PART OF THE ANALYSIS IS VERY SIMILAR TO WHAT YOU WILL GET ON THE INCLUSIONARY ZONING ANALYSIS FOR HPD.

IT'S ALL THE SAME LEGISLATION.

WHAT THE MAYOR PRO TEM IS ASKING SOUNDS TO ME LIKE INCLUSIONARY ZONING.

SO WHETHER IT'S GOING TO BE APPLICABLE IN A HOMESTEAD PRESERVATION DISTRICT OR IN A PUD WITHOUT A DENSITY BONUS, I THINK IT'S ALL GOING TO BE SIMILAR STUFF, BUT WE WILL PUT FORWARD THAT REQUEST TO THE LAW DEPARTMENT ON YOUR BEHALF SO WE'LL GET YOU THAT ANSWER.

[4:21:50 PM]

>> Kitchen: YES.

I JUST WANT TO MAKE SURE IT'S IN THE SCOPE.

>> Renteria: THANK YOU.

ANY OTHER QUESTIONS?

WE'LL JUST GO AHEAD AND MOVE ON SINCE THERE'S NO ACTION ITEM.

AND MEMBERS, WITH YOUR OKAY, WE HAVE ANOTHER PERSON THAT SIGNED UP FOR CITIZENS COMMUNICATION GENERAL, AND I BELIEVE HE THOUGHT IT WAS A LITTLE LATER AND HE JUST GOT HERE LATE.

SO JOHN WOODLEY?

>> HELLO, I'M JOHN WOODLEY.

I WOULD JUST I WAS JUST READING IN THE LIBERTY HILL LEADER NEWSPAPER ABOUT TAKING A LOOK AT WORKFORCE HOUSING.

AND IT JUST SAID THAT THE LIBERTY TRAIL TOWNHOMES ARE AVAILABLE NOT ONLY TO THE GENERAL PUBLIC, BUT ALSO THOSE IN COMMUNITY WHO MAKE LESS THAN WILLIAMSON COUNTY MEDIAN INCOME LEVEL.

THOSE WHO QUALIFY, THE RENT WILL BE LESS THAN MARKET RATE AND WILL BE BASED ON THE INCOME LEVEL.

STUDIES SHOW THAT HAVING A SAFE PLACE TO LIVE AND RENT THAT IS AFFORDABLE CREATES SUSTAINABILITY IN THE FAMILY, PROMOTING BETTER GRADES, GREATER ACHIEVEMENT, HIGHER RATE OF STRESS IN SCHOOL AND BEYOND.

[4:23:50 PM]

THE LIBERTY TRAILS CAN AFFORD TO LEASE THESE UNITS AT A LOWER PRICE DUE TO THE FINANCING STRUCTURE USING FEDERAL LOW INCOME HOUSING TAX CREDITS, AND HUD SECURED RENTAL HOUSING LOAN COMMONLY REFERRED TO AS 221 D 4.

AND THEY ALSO HAVE ANOTHER DEVELOPMENT CALLED LIBERTY MANOR THAT IS RESTRICTED TO TENANTS AGE 55 AND OLDER.

THAT WILL BE ONE BUILDING AND IT'S GOING TO BE RENT RESTRICTED.

AND SO I JUST THOUGHT I'D BRING THAT TO LOOK INTO AS WELL WHEN CONSIDERING AFFORDABLE HOUSING.

AND AND I DO ALSO CONSIDER I'D LIKE TO SEE MORE HOMEOWNER BASED HOUSING IN AUSTIN VERSUS COMMERCIAL BASED.

I KNOW THAT THERE ARE PEOPLE WHO ARE COMMERCIAL DON'T QUALIFY FOR THE HOMESTEAD TAX EXEMPTIONS AND STUFF, SO THEIR TAXES TENDING TO UP, BUT THAT ALWAYS GETS PASSED ON TO THE RENTERS.

SO I THINK WE NEED TO LOOK AT SOME KIND OF RENT CONTROL STRUCTURES TO HELP ADDRESS SOME OF THOSE HOUSING ISSUES.

THANK YOU.

[4:25:45 PM]

>> Renteria: THANK YOU.

IS THE SPEAKER HERE ON ITEM 4?

WE'RE GOING TO SINCE WE DEFERRED THAT TO 4:30, IF WE CAN HAVE WE'LL JUST MOVE ON TO ITEM 7, PRESENTATION AND DISCUSSION ON A PROPOSED DEVELOPMENT INFORMATION TEMPLATE DESIGNED TO INFORM DECISION MAKING ON AFFORDABLE HOUSING DEVELOPMENTS.

>> COUNCILMEMBERS, REBECCA GIALLO WITH NEIGHBORHOOD HOUSING DEVELOPMENT OFFICE.

WE WILL BE WALKING YOU THROUGH A PROPOSED DEVELOPMENT ANALYSIS.

THIS IS A FORM THAT IS STAFF'S EFFORTS TO RESPOND TO A NUMBER OF QUESTIONS THAT WE HAVE BEEN RECEIVING FROM YOU ALL AS YOU ALL DELIBERATE ON PROPOSED DEVELOPMENTS AS WELL AS JUST PUBLIC CONSIDERATION FOR MORE TRANSPARENCY AS WE BRING PROPOSED DEVELOPMENTS FORWARD FOR YOUR CONSIDERATION.

WE HAVE HEARD THAT IN AN ATTEMPT TO BE NOT ONLY TRANSPARENT, BUT INFORMATIVE AND PROVIDE MORE EDUCATION RELATED TO THE DEVELOPMENTS THAT YOU ALL CONSIDER IN YOUR ROLE AS THE AUSTIN HOUSING FINANCE CORPORATION BOARD, AS WELL AS THE CITY COUNCIL, IT WOULD BE IDEAL TO HAVE AN ARRAY OF DIFFERENT INFORMATION.

SO I WANT TO COMMEND THE EFFORTS OF OUR POLICY AND PLANNING STAFF TO RESPOND TO THIS AND REALLY THIS IS OUR EAGER ATTEMPT TO HEAR FROM YOU AS TO WHETHER OR NOT YOU FEEL THAT WE'RE ON TARGET WITH OFFERING YOU HELPFUL INFORMATION AND THEN OUR PROPOSAL WOULD BE TO UTILIZE THIS INFORMATION AS PROPOSED AGENDA BACKUP IN BOTH OF THOSE FORUMS, BOTH AGAIN THE AUSTIN HOUSING FINANCE CORPORATION BOARD MEETINGS AS WELL AS THE COUNCIL.

SO I'LL TURN IT OVER TO LAUREN, BUT AGAIN, THIS IS REALLY WE ARE LOOKING AND SEEKING YOUR FEEDBACK IN TERMS OF WHAT WOULD BE HELPFUL TO YOU.

[4:27:50 PM]

>> GOOD AFTERNOON, COUNCILMEMBERS.

AS REBECCA MENTIONED, MY NAME IS LAUREN AND I'M A PLANNER WITH THE NEIGHBORHOOD HOUSING AND COMMUNITY DEVELOPMENT OFFICE AND I'M HERE TO DISCUSS THE FORMAT AND CONTENT OF SOME OF THE INFORMATION THAT WE WOULD LIKE TO START PROVIDING TO YOU AND TO THE COUNCIL AT LARGE REGARDING POTENTIAL AFFORDABLE HOUSING PROJECTS THAT ARE BROUGHT BEFORE YOU FOR FUNDING ALLOCATION REQUESTS OR RESOLUTIONS IN SUPPORT.

SO YOU'LL SEE IN YOUR BACKUP IN ADDITION TO A PRINTOUT OF THE PRESENTATION THERE IS ALSO A FOUR PAGE INFORMATION PACKET.

THIS IS AN EXAMPLE USING THE VILLAS ON SIXTH APARTMENT COMPLEX, WHICH IS AN AFFORDABLE APARTMENT COMPLEX THAT WAS DEVELOPED IN 2005.

SO IT'S JUST PROVIDED AS AN EXAMPLE OF WHAT WE'RE SHOWING TO MAKE IT A LITTLE EASIER FOR YOU TO FOLLOW ALONG WITH THE PRESENTATION.

SO FOR THIS PRESENTATION I'LL BRIEFLY DESCRIBE THE IMPETUS BEHIND THESE ANALYSIS PACKETS, GO THROUGH THE INFORMATION IT CONTAINS AND FINALLY LIST SOME ADDITIONAL INFORMATION THAT WE'RE CONSIDERING ADDING.

AND THEN AGAIN AS REBECCA MENTIONED AFTER THAT WE WOULD LIKE ANY FEEDBACK OR INPUT YOU MIGHT HAVE ON WHAT THESE ANALYSIS CURRENTLY CONTAIN OR ADDITIONAL

[4:29:45 PM]

INFORMATION YOU WOULD LIKE TO SEE.

SO THESE TEMPLATES WERE CREATED IN RESPONSE TO SEVERAL REQUESTS BY COUNCILMEMBERS FOR MORE BACKGROUND INFORMATION ON PROPOSED AFFORDABLE HOUSING INVESTMENTS, INCLUDING LOCATIONS OF NEARBY AMENITIES TO THESE POTENTIAL DEVELOPMENT SITES.

BY PROVIDING THIS INFORMATION WE WOULD LIKE FOR THESE PACKETS TO ENHANCE TRANSPARENCY RELATED TO PROPOSED HOUSING DEVELOPMENTS AND USE OF PUBLIC FUNDS AND TO INFORM THE PUBLIC ABOUT LOCATIONS AND CHARACTERISTICS OF AFFORDABLE HOUSING OPPORTUNITIES.

IN THESE TEMPLATES WE'RE PROVIDING NEIGHBORHOOD INFORMATION ON THE LEVELS OF OPPORTUNITIES AND SOCIOECONOMIC CHARACTERS AND DEVELOPMENT SPECIFIC INFORMATION AND I'LL DELVE INTO THAT MORE IN THE NEXT SLIDES.

ALL OF THIS IS TO SAY THAT THESE DEVELOPMENT ANALYSIS SHOULD BE ABLE TO PROVIDE ADDITIONAL HELPFUL INFORMATION ON THE PROJECTS THEMSELVES IN THE AREA IN WHICH THEY WOULD BE LOCATED SO THAT COUNCIL OR IN ITS CAPACITY AS THE AUSTIN HOUSING FINANCE CORPORATION BOARD CAN MAKE THE MOST INFORMED DECISIONS POSSIBLE ON THESE PROJECTS.

AS YOU WILL SEE IN YOUR BACKUP PAGE ONE INCLUDES A LOT OF TEXT, BUT THE FIRST ONE CORRESPONDS TO THE PARTICULAR AGENDA ITEM TO WHICH THE DEVELOPMENT IN QUESTION WOULD APPLY.

[4:31:50 PM]

THE TEXT THAT IS SHOWN ON THE SLIDE IS ACTUALLY FROM THE PROPOSED ALDRIDGE 51 APARTMENTS PROJECT AND WE INCLUDED IT THERE SO YOU WOULD GET AN IDEA OF WHAT THAT WOULD LOOK LIKE FILLED OUT.

IN THE EXAMPLE THAT I PROVIDED TO YOU IT JUST SAYS POSTING LANGUAGE HERE BECAUSE THE VILLAS ON SIXTH WAS COMPLETED SEVERAL YEARS AGO.

THE NEXT SECTION DEALS WITH DEVELOPMENT SPECIFIC INFORMATION THAT COULD BE PULLED FROM THE DEVELOPERS RENTAL HOUSING ASSISTANT APPLICATION FOR FUNDING IF THE DEVELOPER WERE REQUESTING FUNDING FOR THE PROJECT.

THIS INFORMATION COULD INCLUDE THE PROJECT LOCATION, ITS NAME, ITS ADDRESS, THE COUNCIL DISTRICT IN WHICH IT WOULD LIE AND ITS CENSUS GEOGRAPHY, BOTH THE CENSUS TRACT AND BLOCK GROUP.

THE NUMBER OF AFFORDABLE UNITS, THE AFFORDABILITY PERIOD, ESTIMATED TOTAL PROJECT COST, REQUESTED FUNDING AMOUNT AND FUNDING AMOUNT PER UNIT WOULD ALSO BE LISTED.

[4:33:50 PM]

AND THEN THIS SECTION ALSO INCLUDES WHAT WE'RE TERMING QUALITATIVE INFORMATION, WHICH WOULD DESCRIBE CONSIDERATIONS THAT LED TO THE RECOMMENDATION TO ALLOCATE FUNDING OR INVESTMENTFUL THAT AREN'T REALLY CAPTURED IN THESE FACTS AND FIGURES LISTED ABOVE.

THIS INFORMATION WOULD INCLUDE THINGS LIKE THE NEED FOR THE TYPE OF HOUSING PROPOSED, FOR EXAMPLE, IF IT'S TWO TO THREE BEDROOMS FOR FAMILIES, AMOUNT AND FIRMNESS OF THE SOURCES THAT THE DEVELOPER COULD LEVERAGE ON THE PROJECT, INCLUSION OF PERMANENT SUPPORTIVE HOUSING UNITS, COMPATIBILITY WITH AFFORDABLE HOUSING CORE VALUES, OR DEVELOPER EXPERIENCE AND CAPACITY.

THEN IF YOU TURN OVER THAT FIRST PAGE ON THE BACK SIDE, THIS IS WHERE INFORMATION RELATED TO THE AREA IN WHICH THE PROPOSED DEVELOPMENT WOULD BE LOCATED COULD BE FOUND. THIS WOULD INCLUDE INFORMATION ON WALKABILITY, BIKEABILITY AND TRANSIT ACCESS AS PROVIDED BY WALK SCORE.

THE CENSUS TRACKS OPPORTUNITY INDEX AS MEASURED BY THE KERR WIN INSTITUTE. THIS SCORE TAKES INTO ACCOUNT THE AREA'S EDUCATIONAL, ECONOMIC AND MOBILITY AND HOUSING AND ENVIRONMENTAL CHARACTERISTICS, RELATIVE TO OTHER CENSUS TRACKS IN THE AUSTIN AREA.

[4:35:50 PM]

AND THEN THE COMPREHENSIVE INDEX THAT YOU SEE LISTED AT THE FAR RIGHT THERE WOULD BE AN AVERAGE OF THESE THREE CATEGORIES.

AGAIN, CALCULATED BY THE KERRWIN INSTITUTE FOR THE AUSTIN AREA.

SCHOOL RATINGS WOULD BE INCLUDED FOR THE SCHOOLS THAT STUDENTS IN THE DEVELOPMENT WOULD ATTEND.

AND FINALLY SOCIOECONOMIC INFORMATION FROM THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT AND THE U.S. CENSUS WOULD BE PROVIDED SHOWING NUMBERS OF MODERATE AND LOW INCOME HOUSEHOLDS IN THE CENSUS TRACK AS WELL AS INFORMATION ON THE AFFORDABILITY OF THE HOUSING STOCK TO THOSE SPECIFIC INCOME GROUPS.

PAGE TWO OF THE TEMPLATE LISTS A STANDARD MENU OF DESTINATIONS OR AMENITIES AS WELL AS BUS ROUTES FROM THE PROPOSED HOUSING DEVELOPMENT TO THESE LOCATIONS WHERE AVAILABLE. THESE AMENITIES INCLUDE URGENT CARE, HOSPITAL, FARMITY SIS, DAY CARE, LIBRARITY, NEAREST BUS STOP, TRAIN STATION, BANKS, GROCERIES, PARKS AND COMMUNITY OR RECREATION CENTERS. THESE DESTINATIONS ARE ALL MAPPED USING THE GOOGLE MAP NEARBY SEARCH FUNCTION. MULTIPLE LOCATIONS WOULD BE LISTED FOR EACH AMENITY TYPE.

IF THEY'RE LOCATED WITHIN A MILE JOURNEY OF THE PROPOSED DEVELOPMENT SITE.

IN AREAS WITH FEWER NEARBY DESTINATIONS THAT ARE LESS AMENITY RICH WE COULD EXPAND THE SEARCH AREA TO A THREE MILE JOURNEY.

AND TRANSIT ROUTES ARE ALSO MAPPED USING GOOGLEMAPS AND THESE TIMES ASSUME A WEEKDAY TRIP OUTSIDE OF RUSH HOUR.

SO PAGE THREE MAPS THESE AMENITIES IN RELATION TO THE PROPOSED HOUSING DEVELOPMENT.

PAGE FOUR, THESE EXISTING PROPERTIES ARE MAPPED BASED ON THE NUMBERS OF AFFORDABLE UNITS IN EACH DEVELOPMENT UNIT WITH THE LARGER POINT REPRESENTING MORE AFFORDABLE UNITS.

[4:37:45 PM]

THE TYPES OF PROPERTIES THAT WOULD BE INCLUDED IN THESE MAPS ARE CITY FUNDED THROUGH THE RENTAL HOUSING DEVELOPMENT ASSISTANCE PROGRAM OR AHFC BONDS, AND ALSO EXTERNALLY FUNDED PROJECTS USING FEDERAL FUNDS FROM HUD OR LOW INCOME HOUSING TAX CREDITS FROM STATE AND PUBLIC HOUSING DEVELOPMENTS WOULD ALSO BE SHOWN FROM THE HOUSING AUTHORITY OF THE CITY OF AUSTIN OR TRAVIS COUNTY.

UNITS DEVELOPED AS PART OF THE CITY'S DEVELOPER INCENTIVES, LIKE THE DENSITY BONUS PROGRAM, WOULD ALSO BE SHOWN.

SO AS I MENTIONED, WE'RE CONSIDERING ADDING ADDITIONAL INFORMATION TO THESE TEMPLATES.

WE WOULD ALSO BE INTERESTED TO HEAR FROM YOU ABOUT OTHER ANALYSIS OR DATA POINTS THAT YOU WOULD LIKE TO SEE.

THE INFORMATION THAT WE'RE CURRENTLY CONSIDERING INCLUDES THE ALIGNMENT OF THE PROPOSED DEVELOPMENT TO THE COMMUNITY'S AFFORDABLE HOUSING GOALS AND TARGETS, WHICH WE BROUGHT TO YOU IN JUNE.

AND WHICH ARE STILL IN DEVELOPMENT SO A PROPOSED PROJECT COULD BE ASSESSED IN RELATION TO THE GOALS TO SEE IF THE PROJECT WOULD HELP THE CITY MEET ANY OF THESE GOALS OR TARGETS.

[4:39:50 PM]

WE WOULD ALSO CONSIDER INCLUDING COUNCIL DISTRICT SPECIFIC INFORMATION ON DATA POINTS SUCH AS HOW MANY AFFORDABLE OR SUBSIDIZED UNITS ALREADY EXIST IN THE DISTRICT AND THIS COULD ALSO TIE BACK INTO THOSE GOALS AND TARGETS, FOR EXAMPLE, BY ANSWERING THE QUESTION OF WHETHER THE PROPOSED PROJECT WOULD HELP ACHIEVE GEOGRAPHIC DISPERSION OF AFFORDABLE HOUSING.

AND FINALLY WE'RE CONSIDERING PROVIDING THESE TEMPLATES AS REBECCA SAID AS BACKUP FOR BOARD ACTION PERTAINING TO THESE AFFORDABLE HOUSING PROJECTS IN ORDER TO PROVIDE COUNCIL AND THE AHFC BOARD WITH THE INFORMATION NEEDED TO MAKE INFORMED DECISIONS. SO WITH THAT I WOULD BE HAPPY TO ANSWER ANY QUESTIONS YOU MIGHT HAVE ON THE TEMPLATE. AND WOULD LIKE TO HEAR ANY FEEDBACK OR ANY QUESTIONS YOU HAVE FOR ANYTHING ELSE WE COULD INCLUDE.

>> Renteria: COUNCILMEMBER KITCHEN >> Kitchen: FIRST OFF, THANK YOU VERY MUCH.

THIS WAS A GREAT WEALTH OF INFORMATION. I THINK IT'S WONDERFUL. AND VERY HELPFUL THE WAY IT'S LAID OUT AND EVERYTHING. I CONGRATULATE YOU FOR PUTTING THIS TOGETHER. I HAVE A COUPLE OF SUGGESTIONS PERHAPS. AND ONE RELATES TO JOBS. YOU KNOW, I DON'T KNOW WHAT THE SOURCE OF DATA MIGHT BE, BUT JOBS OR PERHAPS RELATING IT BACK TO THE IMAGINE AUSTIN CENTERS CONCEPT OR SOMETHING ALONG THOSE LINES.

[4:41:50 PM]

I'M NOT SURE WHAT THE APPROPRIATE DATA SOURCE MIGHT BE FOR THAT, BUT LOCATIONS NEAR WORK OPPORTUNITIES MIGHT BE HELPFUL.

THEN WITH REGARD TO THE TRANSPORTATION, THOSE INDICES LIKE THE WALKABILITY INDICES, ET CETERA, ARE HELPFUL, BUT IT MIGHT ALSO BE HELPFUL TO TIE IN TO DATA THAT OUR TRANSPORTATION DEPARTMENT HAS BECAUSE ANOTHER LEVEL OF DATA HAS TO DO WITH THE CONDITION OF SIDEWALKS AND MAYBE THERE'S A BUS STOP THERE, BUT CAN YOU ACTUALLY GET TO IT BECAUSE OF A SIDEWALK?

ANYWAY, THE TRANSPORTATION DEPARTMENT IS GOING HAS A RANKING PROCESS THAT I'M NOT CERTAIN, BUT IT'S WORTH EXPLORING WHETHER IT'S AMENABLE INCLUDING SO IT MIGHT PROVIDE ANOTHER LEVEL OF DEPTH.

IT ALSO MIGHT BE SYNERGISTIC IN THE SENSE THAT IT'S IN AN AREA THAT'S REALLY APPROPRIATE FOR HOUSING, IT MIGHT HELP RAISE ON THE TRANSPORTATION'S LIST IF THERE'S ANOTHER SIDEWALK NEEDED OR SOMETHING LIKE THAT TO MAKE THE WHOLE SYSTEM WORK BETTER.

SO IT WOULD BE GOOD FOR THEM TO KNOW TOO.

[4:43:45 PM]

>> Renteria: THIS IS A REALLY GREAT PRESENTATION.

I THINK THIS IS WHERE, YOU KNOW, ALL THESE QUESTIONS HAVE BEEN RAISED BY OTHER COUNCILMEMBERS AND US.

IT'S A GREAT ANSWER AND HE REALLY WANT TO THANK YOU FOR THIS.

>> Casar: AGAIN, I THINK I ECHO EVERYONE HERE THAT IT'S BEEN COMPREHENSIVE AND HELPFUL.

I THINK WHAT WOULD BE HELPFUL FOR ME AND MY COLLEAGUES IS THAT I DON'T THINK THE TOOL WOULD HAVE THE MAPPING WOULD HAVE TO BE AT THAT TIMERRED TO DO THIS, BUT TO BE ALTERED TO DO THIS, BUT FOR THE STAFF CONSIDERING WHAT'S ON THE MAP WITH ANY PROPOSED AFFORDABLE HOUSING PROJECT HOW THAT WEIGHS INTO YOUR DECISION MAKING AND WHAT THE OTHER OPTIONS OR OPPORTUNITIES ARE BECAUSE I THINK THAT WHILE IN SOME CASES LIKE THE ONE YOU RECENTLY PRESENTED THERE'S A WEALTH OF AMENITIES BECAUSE IT'S NEAR THE CENTRAL CITY, THE ONE YOU SHOWED, I THINK THERE HAVE BEEN OTHER CASES WHERE THERE HAVE BEEN OTHER CASES AND THE QUESTION IS CONSIDERING THAT A CASE IS STILL BEING BROUGHT FORTH TO US WHERE THERE MAY BE LESS TRANSPORTATION AMENITIES OR LESS GROCERY STORES OR JOBS, WHAT ARE THE ALTERNATIVES BECAUSE I THINK IT'S HELPFUL TO SEE WHAT IS THERE, BUT TO ALSO UNDERSTAND WHY IT IS THAT YOU AND I DON'T KNOW IF THAT NEEDS TO BE LAID OUT IN THE MAP, BUT HOW IT IS THAT YOU ALL TOOK WHAT'S ON THE MAP INTO CONSIDERATION SO THAT YOU COULD SORT OF PROVIDE FOR US A NARRATIVE THAT, WELL, THIS IS

[4:45:50 pM]

I THINK IT'S THE NINE PERCENT ONES THAT ARE REALLY COMPETITIVE.

SO IT'S THIS ONE OR NOTHING AND THESE ARE THE AMENITIES THAT ARE THERE.

OR THERE ARE SEVERAL OPTIONS AND WE CHOSE THIS ONE BECAUSE THESE AMENITIES WERE HERE AND THE OTHER HAD FEWER.

OR HAD MORE OR WERE AREAS OF LOTS OF AFFORDABLE HOUSING.

I GUESS WHAT I'M SAYING IS YOU'VE DONE AN EXCELLENT JOB WITH THE MAPPING AND INFORMATION, BUT I THINK WHAT WILL BRING THIS TO LIFE IS BEING ABLE TO GET THAT UNDERSTANDING OF THE CONTEXT AND THE OPPORTUNITY COSTS OF CHOOSING ONE PROJECT OVER ANOTHER OR CHOOSING A PROJECT EVEN IF IT'S LOW AMENITY, BUT THEN GIVING US THE UNDERSTANDING THAT IT'S THIS PROJECT OR NOTHING.

THOSE SORTS OF THINGS I THINK WOULD BE HELPFUL IN THIS CONVERSATION THAT I KNOW IS SORT OF RECURRING AND I THINK IT'S A GOOD FIRST STEP.

I THINK MY ANSWER IS WE'LL NEED YOUR HELP TO SORT OF BRING THESE MAPS TO LIFE FOR US.

>> I THINK WHAT WOULD BE HELPFUL AT SOME POINT IN TIME IS IF WHAT WE PROVIDE FOR YOU IS HOW WE SCORE THE APPLICATIONS.

SO THIS INFORMATION IS IMPORTANT, BUT THERE'S A WHOLE SCORING PROCESS THAT WE GO THROUGH WITH THE APPLICATIONS.

[4:47:45 PM]

THERE'S UNDERWRITING, THERE'S THE PROJECT READINESS.

WE MAY HAVE TWO AMAZING PROJECTS AND THE ONLY DIFFERENCE IS ONE IS READY AND THE OTHER IS NOT.

SO SINCE THE NEED IS SO GREAT THE FINAL DECISION MIGHT BE BECAUSE THIS ONE IS READY. AND ANOTHER ONE WHILE IT'S JUST AS GREAT OR MIGHT EVEN BE IN A BETTER PLACE, BUT IF ONE IS REALLY READY AND EQUALLY GOOD THEN WE'RE PROBABLY GOING TO MAKE THAT RECOMMENDATION TO YOU.

WHAT I'M HEARING IS IT WOULD PROBABLY BE IMPORTANT FOR YOU ALL TO SEE HOW WE CURRENTLY SCORE THE APPLICATIONS.

BECAUSE PART OF HOW WE SCORE APPLICATIONS, IT HAS BUILT OVER TIME.

SO AS DIFFERENT COUNCILS IN DIFFERENT POINTS IN TIME HAVE HAD DIFFERENT PRIORITIES WE'VE ADDED POINTS TO ACCOMMODATE PERMANENT SUPPORTIVE HOUSING WHEN THAT BECAME A COUNCIL BECAME IMPORTANT TO THE COUNCIL, PERMANENT SUPPORTIVE HOUSING.

FIRST WE HAD A CERTAIN AMOUNT OF POINTS AND THEN WE HAD NOT VERY WELL ACHIEVED HOUSING FOR THE CHRONICALLY HOMELESSNESS SO WE AMENDED OUR POINTS FOR THAT.

SO IT'S IT IS NOT AN EXACT SCIENCE. IT IS AN APPLICATION PROCESS, WHICH I PROFESSIONALLY BELIEVE WE WOULD ALWAYS WANT TO MAINTAIN IT AS AN APPLICATION PROCESS. WE ARE TYPICALLY GAP FINANCING.

IF WE WERE THERE HAS BEEN INTERESTED TIMES THAT WE OPERATE MORE SIMILAR TO THE STATE TO WHERE WE HAVE VERY FINITE CUTOFFS AND HAVE VERY RIGID SCORING.

I DON'T KNOW THAT THAT SERVES US WELL FOR OUR PURPOSE BECAUSE THOSE ENTITIES ARE THAT RIGID.

I THINK THAT KIND OF SCRUTINY SHOULD REMAIN IN THAT REALM.

FOR WHAT WE DO IS GAP FINANCING FOR THESE PROJECTS I THINK IT'S IMPORTANT THAT WE REMAIN AN APPLICATION PROCESS THAT IS ALL YEAR LONG.

THAT HAS IS ABLE TO ACCOMMODATE THE PRIORITIES OF THE COUNCIL AT HAND AND THAT WE HAVE A CERTAIN AMOUNT OF FLEXIBILITY IN HOW WE ADMINISTER THAT, BUT THAT'S JUST MY PROFESSIONAL EXPERIENCE.

BUT I THINK IT WOULD BE HELPFUL IF WE SHOWED YOU WHAT WE SCORE, HOW WE SCORE AND WHAT IT LOOKS LIKE AND THAT GIVES YOU MAYBE A BETTER SENSE OF WHEN WE'RE BRINGING THINGS FORWARD TO YOU.

I KNOW OFTEN TIMES I THINK PEOPLE FEEL THAT WE JUST BRING STUFF FORWARD WITH THAT AND THERE'S NOT A LOT OF REVIEW TO IT AND I WOULD BEG TO DIFFER.

BUT YOU ALL NEED TO UNDERSTAND WHAT WE'RE BRINGING FORWARD SO THAT YOU DON'T HAVE THAT QUESTION OR IF YOU HAVE DIFFERENT PRIORITIES IT'S IMPORTANT FOR US TO UNDERSTAND WHAT IT IS YOU'RE LOOKING FOR.

OUR THREE PRIMARY OBJECTIVES ALWAYS BE CREATE NEW OFTEN AS WE CAN, PRESERVE EXISTING AND REVITALIZE AREAS THAT REALLY REQUIRE REVITALIZATION.

SO WE INHERENTLY TRY TO BALANCE THOSE THREE PRIORITIES.

[4:49:50 PM]

IT ALSO DEPENDS UPON THE APPLICATIONS THAT WE'RE GETTING IN.

SO THERE'S A LOT OF A LOT OF CONVERSATION THAT GOES INTO IT.

SO AGAIN, I APOLOGIZE.

A VERY LONG ANSWER FOR WHAT I BELIEVE A FUTURE ITEM NEEDS TO BE.

WE WOULD BRING FORWARD THE APPLICATION PROCESS THAT WE HAVE SO YOU CAN JUST SEE HOW WE SCORE THE POINTS THAT WE GIVE STUFF AND WE WOULD WANT TO HEAR YOUR FEEDBACK.

AND IF THAT'S THE DIRECTION YOU WANT US TO CONTINUE TO GO DOWN OR IF YOU HAVE ADDITIONAL INFORMATION YOU WOULD LIKE TO GIVE US.

>> Renteria: I WANT TO REQUEST ALSO IF WE COULD EMAIL ALL THIS TO THE OTHER COUNCILMEMBERS SO THAT THEY COULD TAKE A LOOK AT IT, I THINK THEY WOULD REALLY APPRECIATE AND GET A FEELING OF WHAT THEY'RE WHAT YOU'RE WORKING ON, WHAT THEIR QUESTIONS HAVE BEEN ON THESE.

>> SO THE PRESENTATION YOU WOULD LIKE US TO EMAIL THE PRESENTATION TO ALL THE OTHER COUNCILMEMBERS?

>> Renteria: YES. >> OKAY, YES, SIR.

>> Casar: AND IF THEY COULD I DON'T KNOW IF WE OR THE STAFF MEMBERS WOULD LET OTHER MEMBERS KNOW HOW WE SCORE AND WHICH COMMITTEE MEETING YOU PLAN TO PRESENT THAT SO SO THEY COULD PERHAPS MAKE ROOM IN THEIR SCHEDULES.

>> VERY GOOD.

>> Renteria: COUNCILMEMBER KITCHEN?

>> Kitchen: I'M WONDERING IF IT WOULD BE HELPFUL I HESITATE TO USE THE WORD FORM MALL LIES THIS A LITTLE BIT MORE, BUT IF THERE'S SOME APPROACH WE COULD TAKE TO ACTUALLY MAKE SURE YOU'VE GOT FEEDBACK FROM THE OTHER COUNCILMEMBERS SO YOU'RE NOT IN A SITUATION OF USING THIS AND PRESENTING IT AND THEN GETTING A BUNCH OF QUESTIONS THAT AREN'T ON IT. I DON'T KNOW WE DON'T NEED TO ADOPT IT SO IT'S NOT THAT KIND OF THING.

I'M JUST KIND OF THINKING IN MY MIND WHAT WE COULD DO TO HELP WITH THAT.

IN SOME WAYS IT'S KIND OF LIKE A TRANSITION COMMITTEE ITEM, WE COULD BRING IT TO WORK SESSION PERHAPS AND BECAUSE EVERYBODY IS REALLY THEY MAY NOT REALLY FOCUS ON IT UNLESS THEY HAVE WE HAVE A TIME THAT WE CAN DISCUSS A LITTLE BIT OF TIME WE CAN JUST ACTUALLY SHOW IT.

[4:51:45 PM]

>> Renteria: THE REASON I BROUGHT THAT UP IS BECAUSE A LOT OF THE QUESTIONS THAT ARE BEING ASKED WHEN WE HAVE ONE OF THESE HOUSING PROJECTS IS THEY ASK YOU WHAT'S AROUND IT? AND THIS REALLY WOULD ANSWER A LOT OF THE QUESTIONS.

AND THAT WAY WE DON'T HAVE TO HAVE A LENGTHY DISCUSSION ABOUT IT.

>> Kitchen: I THINK IT'S GOOD.

>> Gallo: YOU KNOW, IT GOES BACK TO OUR DISCUSSION OF A LOT OF THE BRIEFINGS THAT WE DO IN COMMITTEE REALLY OUGHT TO BE BRIEFINGS BEFORE THE FULL COUNCIL.

I JUST STAFF HAS A TENDENCY TO DO THE SAME BRIEFINGS TWICE OR AT LEAST ANSWER THE SAME QUESTIONS TWICE AND SO MUCH OF THIS INFORMATION IT'S SIMILAR TO HOW WE STARTED OFF AT THE BEGINNING WITH ALL OF OUR WORK SESSIONS ON DIFFERENT POLICY AREAS.

I STILL THINK THERE ARE SO MANY AREAS THAT EVERYONE ON THE COUNCIL SHOULD HEAR THE BRIEFINGS.

THEY'RE GREAT AND THE INFORMATION IS WONDERFUL AND WE ALL END UP MAKING THOSE DECISIONS THAT WE NEED THIS INFORMATION FOR.

SO MAYBE THE TRANSITION COMMITTEE CAN FIGURE OUT A WAY FOR US TO BE ABLE TO DO MORE AT THE BRIEFINGS, AT LEAST THE INITIAL BRIEFINGS, BEFORE THE FULL COUNCIL, AND THEN MAYBE WE HAVE>> Renteria: [OVERLAPPING SPEAKERS]. >> Kitchen: I SEE TWO OPTIONS.

WE COULD WAIT UNTIL THE NEXT PROJECT LIKE THIS COMES IN AND THEN Y'ALL COULD PRESENT IT. WE COULD PULL IT UP FOR WORK SESSION AND SHOW IT TO PEOPLE.

WE COULD DO THAT.

OR IF THAT'S NOT GOING TO BE FOR AWHILE AND IF YOU ALL WOULD LIKE TO GET SOME FEEDBACK BEFORE YOU USE IT IN THE CONTEXT OF THE NEXT PROJECT WE COULD JUST BRING IT TO WORK SESSION.

IT COULD BE A SHORT THING, YOU KNOW.

IT WOULDN'T HAVE TO USE A LOT OF TIME, JUST SHOW IT TO PEOPLE.

I DON'T KNOW WHICH IS BETTER.

[4:53:50 PM]

>> I THINK YOU'VE GIVEN US GOOD FEEDBACK TODAY.

SO I'M CONFIDENT LAUREN IS GOING TO INCORPORATE ALL THAT YOU SAID AND WE'LL HAVE SOME NEW AMAZING MAP TO GO ALONG WITH THAT.

WE WILL PROBABLY HAVE SOMETHING I CAN'T REMEMBER OFF THE TOP OF MY HEAD, BUT I'M GOING TO GUESS WE'RE GOING TO BRING SOMETHING FORWARD TO YOU IN THE NEXT MONTH OR TWO.

SO WHAT WE DIDN'T WANT TO DO WAS JUST ATTACH IT AS BACKUP AND THEN JUST THROW IT AT EVERYBODY AT A COUNCIL MEETING AND THEN DERAIL THE WHOLE ITEM BY LOOKING AT ALL THAT.

BUT IF YOU'RE COMFORTABLE BECK ATTACH IT AS BACKUP FOR THE NEXT DEAL WE'VE GOT AND THEN SEE HOW IT GOES.

>> Renteria: THAT WOULD BE GREAT.

>> YES, SIR.

>> Renteria: THANK YOU.

>> Kitchen: ONE OTHER COMMENT I WOULD MAKE AND THAT'S THAT THE ALIGNMENT WITH HOUSING GOALS AND TARGETS, AS THAT IS DEVELOPED OR ONCE THAT'S DEVELOPED I THINK THAT THAT WOULD BE IMPORTANT TO INCLUDE. >> ABSOLUTELY.

I THINK THAT'S BECAUSE THAT WILL BE A GREAT WAY FOR US TO TRACK ON THE FRONT END, RIGHT, IF THIS IS GOING TO GET US 10 TOWARDS OUR PSH AND 20 TOWARDS OUR RESERVATION AND FIVE OF THESE AND SIX OF THOSE.

ONCE WE GET THAT ALL FINALIZED WE CAN MARRY THAT UP.

>> Casar: ONE QUICK QUESTION.

WHAT SOURCE DO YOU USE FOR YOUR SCHOOL RATINGS?

>> IT DEPENDS ON THE SCHOOL DISTRICT, BUT AISD MOSTLY.

THEY HAVE THE ACCOUNTABILITY REPORTS UP FOR EACH SCHOOL.

>> Casar: ALL RIGHT.

I'M NOT THE BIGGEST FAN OF SCHOOL RATINGS, BUT I UNDERSTAND WHY WE SHOULD INCLUDE THEM, SO I WILL JUST SQUINT OR WHATEVER IT IS, FLINCH.

[LAUGHTER].

>> Kitchen: WELL, IF MY COLLEAGUES WILL BEAR WITH ME I DO HAVE ONE LAST QUESTION.

IT GOES BACK TO WHAT WE TALKED ABOUT BEFORE WITH TRANSPORTATION.

IT'S A LITTLE BIT OFF SUBJECT, BUT WHEN YOU ALL ARE WHAT KIND OF COMMUNICATION DO YOU HAVE WITH THE TRANSPORTATION DEPARTMENT WHEN YOU'RE BRINGING FORWARD A HOUSING DEVELOPMENT?

AND REASON I ASK THAT AGAIN IS TO MAKE SURE THEY UNDERSTAND THIS IS COMING FORWARD AND PERHAPS RAISE THE PRIORITY LEVEL FOR A SIDEWALK OR FOR SOMETHING ELSE IN THAT AREA.

DO Y'ALL DO THAT NOW?

[4:55:50 PM]

>> SO IT CAME UP LAST YEAR ACTUALLY BECAUSE I THINK JONATHAN, DIDN'T YOU MAP THE SIDEWALKS OR LACK THEREOF?

WE DETERMINED BASED ON THE INFORMATION FROM THE TRANSPORTATION DEPARTMENT THAT THERE ARE A LOT OF AREAS THAT LACK SIDEWALKS.

SO HOWARD LAZARUS AT THAT TIME HAD COMMITTED THAT THERE'S A POINT PROCESS TO WHAT THEY DO AND SO AGAIN IF ONE OF OUR PROJECTS MARRIES UP TO AN AREA THAT NEEDS SIDEWALKS, I BELIEVE THAT IN THEIR RANKING THAT CODE GOES UP.

BUT I'M NOT SURE HOW WELL WE'VE EXERCISED THAT.

THIS IS A GREAT WAY TO FORMALIZE THAT.

IF WE'RE FORMALLY REACHING OUT TO THEM TO DO THAT, THEN HOPEFULLY THAT TRIGGERS EVEN MORE.

BUT THEY WERE VERY COMMITTED TO TRYING TO MARRY UP THEIR SIDEWALK WORK WITH OUR PROJECTS.

>> Kitchen: OKAY, THANK YOU.

>> Renteria: THANK YOU.

ARE THE PEOPLE HERE FOR ITEM 4, THE CITY OF AUSTIN CODE DEPARTMENT?

PETER? ARE THEY ALL HERE? ALL RIGHT. WE'LL TAKE UP ITEM 4, PRESENTATION AND DISCUSSION OF THE CITY OF AUSTIN CODE DEPARTMENT REPEAT OFFENDER PROGRAM, ORDINANCE NUMBER 2013096 012.

>> Kitchen: AND CHAIR, DO WE HAVE TWO PRESENTERS OR HOW ARE YOU WANTING TO PROCEED WITH THIS?

BECAUSE I BELIEVE WE HAVE SOMEONE HERE WHO IS PREPARED TO PRESENT ON THE REPORT THAT WAS DONE BY THE LAW SCHOOL.

>> Renteria: ARE THE PRESENTERS HERE?

>> Kitchen: HEATHER WAY IS HERE.

>> Renteria: THERE SHE IS.

WHAT WOULD BE THE PREFERENCE?

>> Kitchen: WELL, I ASSUME THAT OUR CODE COMPLIANCE CAN PRESENT AND THEN PERHAPS HEATHER CAN PRESENT AFTER THAT.

IS THAT HOW WE WANT TO DO IT?

>> Renteria: SURE.

>> Kitchen: OKAY.

[4:57:45 PM]

>> MR. CHAIRMAN, I'M CARL SMART, DIRECTOR OF THE AUSTIN CODE DEPARTMENT.

AND I WANT TO THANK YOU AND THE COMMITTEE MEMBERS FOR THE OPPORTUNITY TO GIVE YOU A BRIEF PRESENTATION ON THE REPEAT OFFENDER PROGRAM.

IT'S A LITTLE LONG BECAUSE WE HAVEN'T REALLY DONE A PRESENTATION ON THIS PROGRAM.

I DON'T THINK WE'VE EVER DONE A PRESENTATION LIKE THIS BEFORE.

BUT I WILL TRY AND GO QUICKLY THROUGH IT.

AND YOU HAVE COPIES OF IT SO YOU CAN LOOK AT IT

AND EVEN AFTER THIS MEETING, AND GLADLY FOLLOW UP WITH ANY QUESTIONS THAT YOU MIGHT HAVE AS A RESULT OF LOOKING AT THIS ONE.

IT PROVIDES A FAIRLY COMPREHENSIVE LOOK AT THE REPEAT OFFENDERS PROGRAM, INCLUDING THE HISTORY OF HOW WE GOT HERE, SOMEWHAT OF A RESPONSE TO THE UNIT REPORT THAT CAME OUT RECENTLY, AND WE'RE GLAD TO SEE THAT DR. HEATHER WAY IS HERE, AND ALSO SOME

RECOMMENDATIONS FOR IMPROVEMENTS TO THE PROGRAM, CHANGES, POTENTIAL CHANGES TO THE ORDINANCE AS WELL AS ADMINISTRATIVE CHANGES AND WHAT THAT IMPACT WOULD LOOK LIKE AND WHAT OUR NEXT STEPS WOULD BE.

PARAGRAPH THIS ORDINANCE CAME ABOUT AS A RESULT OF RESOLUTIONS.

THERE WERE TWO RESOLUTIONS THAT WERE PRESENTED TO COUNCIL AND EVER IN 2013, 2606 I 49 AND THEN 50.

AND THOSE RESOLUTIONS CAME UP AND THERE WAS A LOT OF DEBATE AND FINALLY IN SEPTEMBER OF 2013 RESOLUTION 50 WAS ADOPTED AND RESOLUTION 50 ENACTED OR DIRECTED CITY MANAGER AND STAFF TO ENACT THE REPEAT OFFENDER ORDINANCE.

[4:59:50 PM]

FOUR FTEs INSPECTORS WERE ADDED TO THE MULTI FAMILY INSPECTION TEAM TO HELP HANDLE THE HELP HANDLE THE REPEAT OFFENDER PROGRAM.

SO WE GOT THAT HIRING DONE AND DEVELOPED THE PROGRAM AND PUT IT INTO PLACE BY JANUARY 2014 IT WAS FULLY IMPLEMENTED.

AND THEN AGAIN LAST YEAR AT THE END OF THE YEAR, NOVEMBER '14, IT WAS AMENDED BY COUNCIL AND ACTUALLY MAKING IT A LITTLE LESS RESTRICTIVE.

IT WENT FROM VIOLATIONS THAT HAPPENED WITHIN THE LAST 12 MONTHS TO VIOLATIONS THAT HAPPENED IN THE LAST TWO YEARS, IN THE LAST 24 MONTHS.

AND IT SOFTENED THE LANGUAGE ON HABITABILITY.

AND SO JANUARY OF 2015 WE WERE IMPLEMENTING THOSE CHANGES TO THE REPEAT OFFENDER PROGRAM.

IT WAS DESIGNED PRIMARILY FOR MULTI FAMILY PROPERTIES, BUT IT'S NOT LIMITED TO MULTI FAMILY PROPERTIES.

SO MULTI FAMILY OR SINGLE FAMILY THAT'S A RENTAL, ALL RENTAL I WANT TO ADD THAT.

ON SINGLE FAMILY IT DOES NOT DOES NOT INCLUDE OWNER OPENED PROPERTIES, SO ONLY RENTAL PROPERTIES IN THIS PROGRAM.

PRIMARILY ALL OF THE PROPERTIES THAT ARE IN THE REPEAT OFFENDER PROGRAM NOW ARE MULTI FAMILY.

HARDLY ANY THAT ARE SINGLE FAMILY.

THE ORDINANCE REQUIRES THE SIXTH STREET IS 252 AND YOU WILL HEAR US SAY 2 5 A LOT AND THIS IS WHAT THAT MEANS.

IF THEY'VE HAD TWO OR MORE SEPARATE NOTICES OF VIOLATIONS IN THE LAST 24 MONTHS AND THEY WERE NOT CORRECTED WITHIN THE TIME PERIOD GIVEN FOR EXAMPLE, IF YOU ISSUE A VIOLATION AND SAY YOU HAVE 30 DAYS TO GET IT DONE, IF THEY DON'T GET IT DONE IN 30 DAYS, THEN THAT COUNT AS ONE STRIKE AND YOU GET ONE ANOTHER YOU DON'T DO IT WITHIN THE ALLOTTED AMOUNT OF TIME, THAT'S TWO.

AND YOU'RE ELIGIBLE TO GO IN THE PROGRAM.

SO 2 5 2.

[5:01:45 PM]

THE 5 IS FIVE OR MORE SEPARATE VIOLATIONS, WHETHER OR NOT YOU CORRECTED THEM OR NOT.

SO THEORETICALLY YOU COULD ISSUE FOUR VIOLATION NOTICES ON A PROPERTY AND IF THEY CORRECT THEM WITHIN THE TIME PERIOD, THEN THEY'RE STILL NOT ELIGIBLE FOR THE PROGRAM.

WHAT ARE WE LOOKING FOR ON THESE PROPERTIES?

AND THESE ARE SOME ICONS THAT KIND OF HELP POINT TO THAT, BUT CERTAINLY UNSAFE BUILDING CONDITIONS, DANGEROUS CONDITIONS RECEIVE PRIORITY.

ALSO WORK WITHOUT PERMITS, BROKEN WINDOWS, DOORS.

OF COURSE, ELECTRICAL, MECHANICAL, PLUMBING ISSUES, TALL GRASS AND WEEDS, ALL OF THOSE ARE THE TYPES OF VIOLATIONS THAT WE'RE LOOKING FOR.

PLACING PRIORITY ON THOSE PROBLEMS THAT CAUSE UNSAFE AND UNHEALTHY CONDITIONS FOR TENANTS.

HOW DO WE GET IT DONE?

WE'VE GOT 15 FTEs TOTAL IN THE COMBINED UNIT OF THE MULTI FAMILY AND THE COMMERCIAL.

AND BOTH OF THEM COMBINED KIND OF HELP TO DO THE REPEAT OFFENDER PROGRAM, AS WELL AS OTHER COMMERCIAL PROPERTIES.

SO YOU SEE A DIVISION MANAGER, ASSISTANT DIVISION MANAGER, WHO IS THE SUPERVISOR, AND THEN FIVE CODE OFFICERS FOR COMMERCIAL AND EIGHT FOR MULTI FAMILY.

THESE ARE THE PROGRAMS THAT THAT UNIT IS RESPONSIBLE FOR FOR IMPLEMENTING.

OF COURSE, THE MULTI FAMILY INSPECTION PROGRAM, AS I MENTIONED BEFORE, THE REPEAT OFFENDER PROGRAM, BUT ALSO REST BREAK, THEY HELP WITH UNIVERSE RECYCLING, WORKING WITH AUSTIN RESOURCE RECOVERY ON SINGLE USE BAG AND ALSO GENDER NEUTRAL RESTROOM SIGNAGE.

[5:03:50 PM]

THEY WORK TOO WITH PACE AND AN VERY IMPORTANT PART OF THE PACE AND DOING AN EMERGENCY RESPONSE.

WHEN THE FLOOD OCCURS THAT TEAM WAS RIGHT OUT THERE AT SHOAL CREEK INSPECTING THOSE COMMERCIAL PROPERTIES THAT HAD BEEN DAMAGED BY THE FLOOD AND MAKING SURE THAT THE PLACES WERE SAFE TO CONTINUE TO MOVE BACK IN AND CONTINUE OPERATING.

THE SAFE TEAM THAT IDENTIFIES DANGEROUS BUILDINGS, ABANDONED BUILDINGS AROUND THE CITY THAT ARE UNSAFE.

AND AS WELL AS THE NEIGHBORHOOD ENHANCEMENT TEAM.

AND YOU CAN SEE THE NUMBERS THERE.

THEY'VE RESPONDED TO A NUMBER OF COMPLAINTS, OVER 6,000 COMPLAINT CALLS, PERFORMED OVER 8,000 INSPECTIONS AND THEY'VE GOT OPEN CASES NOW, THAT NUMBER WAS 722.

SO THE TEAM HAS A PRETTY HEAVY WORK LOAD.

THE PROCESS, AND WE'RE LOOKING AT STREAMLINING THIS PROCESS NOW, BUT THE WAY THE PROGRAM IS SET UP WITH THE 2 5 2 YOU HAVE TO IDENTIFY WHO IS ELIGIBLE AND WHO'S NOT.

SO THAT IS A CONTINUOUS PROCESS OF IDENTIFYING WHETHER OR NOT SOMEONE HAS TO MEET THE 2 5 2 CRITERIA IN THE LAST 24 MONTHS.

THEN THEY HAVE A COMMITTEE THAT REVIEWS THAT AND THEN THEY SEND OUT A NOTICE OF REGISTRATION TO THE PROPERTY OWNERS, THEY'RE REQUIRED TO REGISTER.

THERE'S A 100 DOLLAR APPLICATION FEE.

AND THEY'LL NOTIFY THE PROPERTY OWNER.

WE'RE USING A LOT OF DIFFERENT TOOLS, SOCIAL MEDIA TOOLS, WEBSITE TOOLS, QUARTERLY REPORTING TO MAKE SURE THAT THE PUBLIC KNOWS ABOUT THE REPEAT OFFENDER PROGRAM. THAT

LIST AND A MAP IS AVAILABLE ON OUR WEBSITE. YOU CAN GO ON THE WEBSITE AND CLICK ON IT AND GET THAT INFORMATION.

AND ALSO WHEN IT COMES TO ADDRESSING DANGEROUS CONDITIONS, WE CERTAINLY WANT TO EMPHASIZE THAT IT IS A PRIORITY IF THE SITUATION IS DANGEROUS.

WE TRY AND RESPOND RIGHT AWAY. OUR NORMAL RESPONSE TIME, YOU'VE SEEN THE NUMBERS. SOMETIMES THEY'RE UP AROUND THREE AND A HALF TO FOUR DAYS, BUT IF IT'S A DANGEROUS CONDITION, WE DROP THINGS AND GO STRAIGHT AND HANDLE THAT CONDITION.

A LOT OF TIMES WE GET CALLS ON FRIDAY AFTERNOON THAT THERE IS NO WATER OR THERE IS NO UTILITIES, THERE IS NO ELECTRIC, AND WE STOP WHAT WE'RE DOING AND GO TAKE CARE OF THAT. AND SOMETIMES INTO THE NIGHT AND INTO THE WEEKENDS TAKING CARE OF THOSE KIND OF PROBLEMS.

SO I JUST WANT YOU TO KNOW THAT OUR NORMAL RESPONSE TIME DOES NOT APPLY WHEN IT COMES TO DANGEROUS PROPERTIES, DANGEROUS CONDITIONS.

ORDINANCE REQUIREMENTS REQUIRES A QUARTERLY REPORTING SYSTEM, AND WE'RE DOING THAT. WE SEND OUT A QUARTERLY REPORT FROM AUSTIN CODE EVERY QUARTER. RIGHT NOW THERE'S 29 PROPERTIES THAT ARE REGISTERED. WE'VE GOT FOUR PENDING. LOOK LIKE THEY'LL BE REGISTERED SOON.

[5:05:50 PM]

THAT NUMBER WILL BE GOING UP.

WE'VE DONE 11 PERIODIC INSPECTIONS, WHICH REPRESENTS 38% OF THAT.

AND EACH OF THOSE PERIODIC INSPECTIONS WE FOUND VIOLATIONS.

SO ALL OF THE PROPERTIES ARE IN VIOLATION AND WE'RE STILL WORKING TO GET THOSE NUMBERS TO SEE HOW THEY'RE TIMELY COMPLYING.

SOME ARE COMPLYING, BUT WE'RE FINDING OTHER VIOLATIONS AND WE GO BACK THROUGH, REINSPECT, SO IT'S BEEN REALLY A CONTINUOUS PROCESS AND DOING THE INSPECTIONS ON THESE PROPERTIES.

REPORTING, I MENTIONED THE WEBSITE ALREADY.

AND WE ENCOURAGE FOLKS TO GO ON THE WEBSITE AND FROM THAT WEBSITE YOU CAN LOOK AT A LISTING OF ALL OF OUR REPEAT OFFENDERS AND YOU CAN LOOK AT A MAP AND IDENTIFY THE PROPERTIES ON THAT MAP AS WELL AS OTHER HELPFUL INFORMATION THAT'S ON THERE.

AND WE'RE CONSTANTLY LOOKING FOR WAYS TO IMPROVE THAT WEBSITE.

WE HAVE A NEW ONLINE TRACKING TOOL THAT JUST CAME OUT, JUST DID A SOFT LAUNCH OF IT.

IT'S CALLED AUSTINCODE CASE TRACKER.

AND WE WERE GOING TO TRY YOU CAN GO ON AT ANY TIME AND TEST THAT OUT. YOU CAN PULL UP A MAP OF THE CITY AND YOU CAN ACTUALLY IDENTIFY THE PROPERTY YOU WANT TO KNOW THE STATUS OF A CODE CASE, YOU CAN ACTUALLY PULL THAT UP ON THE MAP AND LOOK AT THE STATUS OF THAT CODE CASE AND ANY CITIZEN WITH INTERNET ACCESS CAN DO THAT.

I THINK AS PEOPLE LEARN MORE ABOUT THAT RIGHT NOW IT'S JUST A SOFT LAUNCH. WE'RE LOOKING FOR A MORE HARD LAUNCH LATER ON.

AND OF COURSE, THIS IS THE ONLINE REPORTING TOOL.

PERMITTING SITE, THE SAME SITE THAT YOU CAN USE TO FIND OUT THE STATUS OF BUILDING PERMITS ON PROPERTY, YOU CAN ALSO CHECK AND SEE IF IT'S A REPEAT OFFENDER.

AS FAR AS PERIODIC INSPECTIONS, WE'VE DONE, LIKE I MENTIONED BEFORE, 11, REPRESENT 230 BUILDINGS AND OVER 300 UNITS INSPECTED.

AND SO WE'VE HERE'S SOME EXAMPLES OF THOSE, ALONG WITH SOME BEFORE AND AFTER PICTURES OF PROPERTIES.

IT GIVES YOU AN IDEA OF HOW MANY BUILDINGS AND HOW MANY UNITS ARE INSPECTED WHEN WE GO OUT TO THESE PROPERTIES AND HOW MANY VIOLATIONS THAT WE FIND, AND WHAT IT DOESN'T SHOW YOU IS THE NUMBER OF TIMES YOU MUST GO BACK AND CONTINUE TO WORK WITH THE APARTMENT COMPLEX UNTIL THOSE THINGS ARE TAKEN CARE OF.

THIS IS A GOOD BEFORE AND AFTER PICTURE SHOWING THE BALCONIES WERE A VERY DANGEROUS SITUATION, BUT THEY'RE CERTAINLY IN A LOT BETTER SHAPE NOW.

THEY ARE IN GOOD SHAPE NOW.

THEY'VE BEEN REHABILITATED.

THIS IS ANOTHER PROPERTY.

[5:07:50 PM]

YOU SEE THE CONDITION OF THE AIR CONDITIONING UNITS THERE VERSUS THE WAY THEY ARE NOW THAT THEY'VE HAD TO COME INTO COMPLIANCE.

AND STILL THERE WAS 105 VIOLATIONS FOUND AND STILL WORKING WITH THEM TO GET IN TOTAL COMPLIANCE.

ANOTHER APARTMENT COMPLEX.

WHERE THE SIDING WAS FALLING OFF, THEY HAD ROOF PROBLEMS, LEAKING PROBLEMS.

SO THEY'VE COMPLETELY REHABBED THAT PROPERTY.

ANOTHER ONE HERE AT WICKERSHAM.

THIS WAS A RETAINING WALL THAT WAS DANGEROUS AND IT HAS BEEN FULLY CORRECTED.

STILL OTHER VIOLATIONS ARE IN THE PROCESS.

ANOTHER APARTMENT COMPLEX THAT HAD STAIRWAY ISSUES WHERE THE WOOD WAS ROTTING. THE SUPPORT SYSTEM WAS ROTTING.

AND REPAIRS ARE UNDERWAY. WE DID A SWOT ANALYSIS. WE APPRECIATE WHAT UT HAS DONE WITH THE STUDY.

INTERNALLY WE DID A SWOT ANALYSIS ON THE ROP PROGRAM AND JUST WANT TO SHARE A LOT BIT OF THAT WITH YOU AND LEAVE IT FOR YOU TO REVIEW.

SOME OF THE STRENGTHS, INITIAL INSPECTIONS ARE COMPLAINT BASED, WE'RE STILL A COMPLAINT BASED PROGRAM.

IT'S NOT A MOST MODEL RENTAL REGISTRATION PROGRAMS ARE PROACTIVE.

EVERYONE REGISTERS AND THEN EVERYONE IS PUT ON A CYCLE, WHETHER THAT'S AN ANNUAL CYCLE, TWO YEAR CYCLE, FIVE, 10 YEAR CYCLE.

EVERYONE IS PUT ON A CYCLE, BUT THIS IS NOT THAT KIND OF PROGRAM.

IT IS STILL REACTIVE.

WE GO TO THE PROPERTY BASED ON A COMPLAINT, SO THAT'S STILL SOMETHING WE HAVE TO DEAL WITH TO LOOK AT AND REVIEW.

BUT THE OWNERS AND MANAGERS OF THOSE PROPERTIES ARE HELD ACCOUNTABLE.

THE PERIODIC INSPECTIONS ARE PROACTIVE SEGMENT OF A REACTIVE PROGRAM.

AND WHEN WE DO THAT IT HELPS TO CUT DOWN ON THE FEAR OF RETALIATION.

A LOT OF TENANTS DO NOT CALL AND COMPLAIN BECAUSE THEY ARE FEARFUL OF RETALIATION.

THEY'RE AFRAID THAT THEIR PROPERTY MANAGER OR OWNER MIGHT UP THEIR RENT OR EVEN EVICT THEM OR NOT RENEW THEIR LEASE BECAUSE THEY CALL CODE IN OR BECAUSE THEY

[5:09:45 PM]

JUST ALLOWED CODE TO COME IN TO THE PROPERTY.
SO WE ARE HAVING TO DEAL WITH THOSE SITUATIONS.
WEAKNESSES, THERE ARE SEVERAL WEAKNESSES.
WE HAVE LIMITED PERSONNEL.
OUR CASE MANAGEMENT SYSTEM IS STILL BEING ADJUSTED TO DEAL WITH THE 2 5 T AND REPEAT
OFFENDER PROGRAM.
AND WE'RE NOT GETTING THE KIND OF SIGNAGE COMPLIANCE.
WE'RE NOT GETTING THE KIND OF COMPLIANCE WITH SIGNAGE THAT WE WOULD LIKE TO SEE.
SO IT'S SOMETHING WE'VE GOT TO WORK ON.
THERE'S A NUMBER OF OPPORTUNITIES HERE.
AND CERTAINLY WE WANT TO WORK THROUGH THESE OPPORTUNITIES.
MAYBE WE COULD EXPAND INCREMENTALLY THE PROGRAM AND WE WANT TO LOOK AT HOW WE
COULD DO THAT TO INCLUDE MORE PROPERTIES AND MAKE SURE WE GET THE PROPERTIES THAT NEED
TO BE IN THE PROGRAM.
KNOWING, REALIZING THAT WE DON'T HAVE ALL THE PROPERTIES THAT NEED TO BE IN THIS PROGRAM
BECAUSE A LOT OF THEM HAVEN'T BEEN CALLED IN.
WE DON'T HAVE THE COMPLAINTS ON THEM. AND WE WANT TO WORK WITH WORK WITH 2 5 2. AND
WE WANT TO WORK WITH THE INDUSTRY TO LOOK AT INCENTIVES TO GET OFF THE PROGRAM. WE
WANT TO DO THAT. WE WANT TO PROVIDE TRAINING.
WE THINK THERE OUGHT TO BE A TRAINING PROGRAM FOR PROPERTY MANAGER, OWNERS, AND
TENANTS SO EVERYONE GETS MORE EDUCATION ON HOW THE PROGRAM WORKS AND HOW WE'RE
AVAILABLE TO RESPOND TO PROBLEMS AS THE PROBLEM OCCURS.
AND CERTAINLY, WE WANT TO WORK WITH THE INDUSTRY IN ORDER TO DO THAT.
WE NEED THEIR HELP, NEED THEIR INVOLVEMENT.
THERE ARE THREATS.
A LOT OF TIMES, WE'VE RUN INTO A SITUATION OFTEN WHERE WE GO IN, WE DO THE INSPECTION,
ISSUE NOTICES OF VIOLATION TO CORRECT, BUT THE COST OF DOING THE REPAIRS AND
REHABILITATING THE PROPERTY SOMETIME IS PASSED ON TO THE TENANTS, AND THAT MEANS,
SOMETIMES THE RENT GOES UP.
AND WE START TO LOSE SOME AFFORDABILITY, SO IT'S AN ISSUE.
HOW DO YOU MAKE SURE YOU MAINTAIN THE PROPERTY SAFELY, AND IN COMPLIANCE, AND AT THE
SAME TIME MAINTAIN AFFORDABILITY?
SO, IT'S A BALANCING ISSUE.

[5:11:50 PM]

AND SOMETIMES WE ARE CAUGHT RIGHT IN THE MIDDLE OF THAT ISSUE.
AND WE KNOW THAT VIOLATIONS ARE NOT ALWAYS CORRECTED TIMELY.
AND WE KNOW THAT IF THIS PROGRAM DOESN'T WORK WE'RE TRYING TO MAKE IT WORK IT'S NOT
THE MOST IDEAL, BUT IF WE CAN MAKE IT WORK THEN IT'S GOING TO HELP SOME FOLK, SOME PEOPLE,
REALIZING THAT IF IT DOESN'T WORK, THAT IT MAY BE ELIMINATED.
WE'VE TRIED TO RESPOND A LITTLE BIT HERE.
AND WE'VE SET UP A MEETING WITH HEATHER WAY.

WE'LL BE MEETING WITH HER IN THE MIDDLE OF NEXT MONTH AND WE'LL BE TALKING THROUGH SOME OF OUR SOME OF THEIR RECOMMENDATIONS AND HOW WE RESPONDED TO THOSE RECOMMENDATIONS, BUT WE WANTED TO GIVE YOU A PREVIEW OF THAT, SO THAT'S WHAT WE'RE DOING HERE.

FOR EXAMPLE, THE FIRST ONE, IT SAYS UT RECOMMENDS WE CONDUCT IMMEDIATE COMPREHENSIVE INSPECTIONS.

OF COURSE, THAT IS SOMETHING WE CAN CERTAINLY CONSIDER.

IN FACT, WE FOUND THAT WE HAVE USED IT ON A COUPLE OF INCIDENCES, BUT USUALLY WHAT HAPPENS, WE BRING A PROPERTY INTO THE PROGRAM, THEY ALREADY HAVE CODE VIOLATIONS.THEY'RE IN THERE BECAUSE THEY'VE GOT CODE VIOLATIONS, SO WE WORK WITH THEM TO GET THOSE THINGS TAKEN CARE OF, AND WE LET THEM KNOW THE OTHER KIND OF THINGS THAT WE'LL BE LOOKING FOR. AND WE SCHEDULE A PERIODIC INSPECTION DOWN THE ROAD.

THE THEORY IS THAT IF THEY KNOW WHAT WE'RE GOING TO BE LOOKING FOR, THE PROPERTY WILL BE IN BETTER SHAPE BY THE TIME WE GET THERE AND DO THE PERIODIC.

SO FAR, THAT STILL HASN'T COMPLETELY WORKED THE WAY WE WANT IT TO, BUT WE WILL CONTINUE TO WORK ON THAT.

ADOPT A COMPREHENSIVE REGISTRATION PROGRAM, AND CERTAINLY, WE HAVE SOME SUPPORT OF THAT.

AGAIN, MAYBE THERE'S A WAY TO INCREMENTALLY WORK TOWARD THAT.

A LOT OF THE APARTMENT COMPLEXES WERE BUILT IN THE '70s AND EARLY '80s, AND THEY'VE AGED AND HAVEN'T BEEN PROPERLY MAINTAINED.

THAT'S WHY THEY'RE HAVING PROBLEMS.

MAYBE WE START OUT WITH BUILDINGS THAT ARE OLDER THAN THE NEW ONES.

THE NEW ONES WE DON'T REALLY NEED TO DO A PERIODIC INSPECTION SO QUICKLY, BUT THE OLDER ONES, MAYBE WE START WITH THEM AND MOVE OUR WAY THROUGH THAT WAY.

BUT, ANYWAY, WE CAN CERTAINLY WORK ON THAT AND BRING SOME RECOMMENDATIONS TO COUNCIL AND TO THIS COMMITTEE.

SO, HERE'S OUR AND OUR OTHER RESPONSES.

[5:13:50 PM]

IDENTIFYING HIGH VOLUME PROPERTIES.

OF COURSE, IT'S A COMPLAINT DRIVEN PROGRAM AND WE HAVE TO BE CAREFUL ABOUT SELECTIVE ENFORCEMENT.

THERE'S NOT A MECHANISM FOR US NOW TO DRIVE AROUND THE CITY AND JUST PICK OUT THE ONES WE WANT TO INSPECT.

THEN WE'D BE OPENING OURSELVES UP TO SELECTIVE ENFORCEMENT CHARGES.

WE TALKED WITH THE LAW DEPARTMENT.

THEY WILL CERTAINLY LET YOU KNOW THAT WILL BE AN ISSUE.

IF YOU HAVE AN PROGRAM THAT IS DESIGNED TO DO THAT KIND OF A THING, A COMPREHENSIVE REGISTRATION PROGRAM, CERTAINLY, THAT WOULD MAKE IT MORE PROACTIVE.

SO, WE'LL BE LOOKING AT MOVING IN THAT DIRECTION.

AND WORKING MORE WITH NEIGHBORHOOD ASSOCIATIONS, CERTAINLY AGREE WITH THAT.

AND SO, A LOT OF WHAT CAME OUT OF THE UT REPORT, WE ARE CERTAINLY IN AGREEMENT WITH.

AND WE KNOW THAT THERE ARE SOME SHORTCOMINGS THAT WE NEED TO CONTINUE TO WORK AND IMPROVE THE REPEAT OFFENDER PROGRAM.

INCREASE PUBLIC ACCESS. I THINK WE'VE GOT QUITE A BIT OF ACCESS NOW. BUT, IF THERE'S SOME ADDITIONAL WAYS THAT WE COULD DO THAT, WE WANT TO CONTINUE TO DO THAT. THE CODE TRACKER THAT JUST CAME OUT, WE THINK IS GOING TO BE AN AWESOME TOOL. IT'S JUST GOING TO TAKE SOME MORE TIME TO EDUCATE FOLKS ON HOW TO USE AND ACCESS IT, BUT IT'S REALLY GOING TO I THINK IT'S GOING TO MAKE A DIFFERENCE. REVAMP THE CITY OF AUSTIN DATABASE. WE'VE HAD SOME DISCUSSION WITH CTM ABOUT THAT, KNOWING THAT WE HAVE SOME LIMITATIONS WITH THE AMANDA DATABASE. AND I'VE TALKED TO RODNEY GONZALES, AND HE HAS SOME CONCERNS AT DEVELOPMENT SERVICES, TOO, ABOUT THE AMANDA SYSTEM. MAYBE WE CAN WORK TOGETHER AND FIND WAYS THAT WE CAN GET THAT SYSTEM TO DO WHAT WE NEED IT TO DO FOR OUR PROGRAMS. AND WE'LL CONTINUE TO DO THE QUARTERLY REPORTS. ENFORCE NOTICE OF VIOLATION, BUILDING STANDARDS, WE'LL CERTAINLY CONTINUE TO DO THAT. BRING IN MORE CASES TO THE BUILDING AND STANDARDS COMMISSION. IT WAS ENACTED THAT WE HAVE TWO PANELS INSTEAD OF ONE ON THE COMMISSION. THERE WILL BE A SECOND PANEL.

[5:15:50 PM]

THE PANEL IS ALREADY STARTING TO GET YOU'RE ALREADY MAKING APPOINTMENTS. I UNDERSTAND WE HAVE FIVE OF THE 11 ON THE SECOND PANEL ALREADY APPOINTED. TEN ON THE FIRST PANEL. SO WE'RE GETTING VERY CLOSE TO BEING ABLE TO DO TWO PANELS TO BE ABLE TO HANDLE MORE CASES THROUGH THE BUILDING AND STANDARDS COMMISSION. HOLD PROPERTIES ACCOUNTABLE FOR NOT REGISTERING, THAT IS ABSOLUTELY TRUE. ISSUING CITATIONS. WE'RE REGISTERING THEM AND MOVING FORWARD WITH REGISTRATION, AND THEN SENDING THEM A BILL FOR IT. IF THEY DON'T COME IN AND REGISTER, WE SEND ISSUE A CITATION FOR NOT REGISTERING. SO, WE CONTINUE TO DO THAT. BRING CHAPTER 54 ACTIONS. WE'VE HAD CONVERSATIONS WITH THE LAW DEPARTMENT. I'VE TALKED TO ANN MORGAN, MEGAN RILEY, CHRIS LINK, AND THE LAW DEPARTMENT HAS ASSURED ME THAT THEY'RE GEARED UP AND READY TO GO WITH MORE CHAPTER 54 ACTIONS. AND WE'LL CERTAINLY BE PUSHING FOR THAT. POTENTIAL ISSUE WITH AUSTIN MUNICIPAL COURT, WE'RE WORKING WITH THE LAW DEPARTMENT. WE'VE HAD ISSUES WHERE THE BURDEN OF PROOF IS BEYOND A REASONABLE DOUBT. SO, WE'VE GOT TO MAKE SURE THAT WE'VE GOT ALL OF THE EVIDENCE NEEDED TO PROSECUTE A CASE SUCCESSFULLY. COMMUNITY PROSECUTOR PROGRAM, CERTAINLY, I THINK THAT'S COMING FOR SOME DISCUSSION AT THE PLANNING AND NEIGHBORHOODS COMMITTEE. AND SOMETHING THAT WE WILL CERTAINLY SUPPORT. SPECIFIC GOALS FOR PROPERTIES, SUPPORT THAT. INDEPENDENT AUDITOR. WE HAVE NO PROBLEMS THERE WORKING WITH AN AUDITOR, A CONSULTANT COMING IN AND LOOKING AT THE PROGRAM AND SOME OF THE RECOMMENDATIONS WE PUT TOGETHER AND SEEING HOW WE CAN BETTER HANDLE THAT. AND FULL COST RECOVERY IS SOMETHING WE CERTAINLY RECOMMEND. ORDINANCES, WE'RE GOING TO LOOK AT THE ORDINANCE TO DO MANDATORY SPECIFICATIONS OF CONTENT FOR SIGNAGE.

THE SIGNAGE CAN BE IMPROVED SO TENANTS KNOW WHO TO CALL AND WHO THE LOCAL CONTACTS ARE FOR THOSE REPEAT OFFENDER PROGRAMS. AND MAYBE MODIFY THE 2 5 2.

[5:17:50 PM]

THE 2 5 2 IS RESTRICTIVE.

THERE'S A LOT OF PROPERTIES THAT NEED TO BE IN THAT ARE NOT IN BECAUSE THEY'RE NOT MEETING THE 2 5 2, AND SO WE'RE LOOKING AT LEAST LOOKING AT MOVING IT DOWN TO 2 3 2, BUT IF WE MOVE TOWARD BEING MORE INCLUSIVE AND PROACTIVE, THEN WE MIGHT NOT EVEN NEED THE 2 5 2.

WE MAY BE ABLE TO GET RID OF THAT AND JUST START REGISTERED PROPERTY BASED ON A PHASE IN PROGRAM, LOOKING AT THE AGE OF THE PROPERTIES, AND CONDITION OF THE PROPERTIES.

AND THEN LASTLY, AMEND THE ORDINANCE TO INCREASE FEE.

UT RECOMMENDED FULL COST.

WE THINK FULL COSTS IS CERTAINLY A WAY TO GO.

AND SO WE'RE LOOKING AT ADJUSTING THE FEES TO SEE WHAT THEY WOULD LOOK LIKE.

HERE'S AN ARRAY OF ADMINISTRATIVE CHANGES.

I WON'T EVEN TRY TO GO THROUGH ALL OF THESE, BUT YOU CAN LOOK AT THEM.

THESE ARE THINGS THAT WE CAN HANDLE ADMINISTRATIVELY IN HOUSE, INTERNALLY, I THINK THAT WILL HELP THE PROGRAM.

IT INCLUDES SOME THINGS LIKE WORKING WITH THE DEVELOPMENT SERVICES ON THE PERMITTING PROCESS.

WE KEEP HEARING OF CONCERNS ABOUT, OKAY, WE'VE GOT ALL THESE VIOLATIONS AND NOW WE'VE GOT TO GET PERMITS TO TAKE CARE OF THEM, AND TRYING TO GET THOSE PERMITS EXPEDITED AND SUCH THAT THEY CAN MEET OUR TIMELINE, THE NOTICE OF THE VIOLATION IS SOMETHING THAT WE'RE WORKING TOWARD WORKING WITH DEVELOPMENT SERVICES. ADDITIONALLY, WE WORK WITH WE'VE ALREADY HAD SOME DISCUSSIONS WITH NEIGHBORHOOD HOUSING, COMMUNITY DEVELOPMENT ON THE GOOD LANDLORD PROGRAM THAT WOULD PROVIDE SOME INCENTIVES FOR PROPERTY OWNERS FOR THESE. WE KNOW THAT WE NEED THESE COMPLEXES.

THEY PROVIDE CAN PROVIDE VERY GOOD HOUSING FOR THEIR TENANTS. THEY CAN PROVIDE AFFORDABLE HOUSING. WE JUST WANT THEM TO MAINTAIN SAFE AFFORDABLE HOUSING.

AND SO, WORKING WITH THE INDUSTRY, HOPEFULLY WE CAN COME UP WITH SOME THINGS. WE WILL BE PROPOSING THE COUNCIL, EITHER AS A PART OF THIS BUDGET PROCESS OR GOING INTO A POSSIBLE AMENDMENT TO THE BUDGET, SOME ADDITIONAL STAFF FOR THE FOR MULTIFAMILY TO HELP BETTER HANDLE THE REPEAT OFFENDER PROGRAM, AND WE'RE LOOKING AT SEVEN POSITIONS THAT WOULD CERTAINLY MAKE A DIFFERENCE. ONE WE'VE ALREADY ASKED FOR, THE ADMIN SPECIALIST, BUT THE INSTRUCTORS, INVESTIGATING THE SUPERVISOR WOULD HELP MAKE A STRONG TEAM FOR REPEAT OFFENDERS, AND IT WOULD REDUCE OUR RESPONSE TIME. IT WOULD INCREASE THE NUMBER OF PROPERTIES THAT WE COULD GET DOWN DONE AND INCREASE THE NUMBER OF PERIODIC INSPECTIONS THAT WE COULD GET DONE. THIS IS WHAT THE NUMBERS WOULD LOOK LIKE.

[5:19:50 PM]

A TOTAL OF \$867,000.

AND WE WOULD LOOK AT FEES AND SEE IF WE COULD MAKE THE FEES COVER THAT COST.

AND SO THAT WOULD BE PART OF THAT FULL COST RECOVERY PROGRAM.

BUT THAT'S A SPECIFIC REQUEST THAT WOULD COMING TO COUNCIL AT A LATER TIME.

OUR NEXT STEPS, WE WOULD WORK WITH STAKEHOLDERS TO ADDRESS WEAKNESSES I'VE ALREADY TALKED ABOUT.

DEVELOP WE'LL WORK TOWARD DEVELOPING A TRAINING PROGRAM FOR PROPERTY OWNERS, MANAGERS, AND TENANTS.

WORK WITH THE LEGAL DEPARTMENT TO EXPAND OUR ENFORCEMENT OPTIONS, LOOKING MORE AT CHAPTER 54 OPTIONS.

THEY'VE ALREADY STARTED UTILIZING THE ADMINISTRATIVE HEARING PROCESS, AND WE'LL BE LOOKING AT BRINGING TO YOU A RESOLUTION THAT WOULD INCLUDE AMENDMENTS TO THE ORDINANCE TO STRENGTHEN THE ORDINANCE, WORKING WITH NHCD ON THE GOOD LANDLORD PROGRAM AND, OF COURSE, AS I MENTIONED BEFORE, COORDINATING WITH DEVELOPMENT SERVICES FOR SPECIALIZED UNIT OF BUILDING, PLUMBING, MECHANICAL, ELECTRICAL INSPECTORS THAT WOULD WORK DIRECTLY WITH THE MULTIFAMILY PROGRAM TO HELP IDENTIFY PROBLEMS. SO, WITH THAT, I REALIZE THAT WAS A LITTLE BIT LONG.

I APOLOGIZE FOR THAT, BUT I'LL BE GLAD TO ANSWER ANY QUESTIONS THAT YOU HAVE FOR ME.

I KNOW YOU HAVE ANOTHER PRESENTATION, ALSO.

>> Renteria: ANY QUESTIONS, OR DO YOU WANT TO WAIT UNTIL AFTER

>> Casar: I'M HAPPY TO WAIT. >> Renteria: I GUESS WE HAVE ANOTHER PRESENTATION.

THANK YOU. >> YOU'RE WELCOME. >> GOOD AFTERNOON, I'M HEATHER WAY, A CLINICAL PROFESSOR AT THE UT SCHOOL OF LAW, DIRECTOR OF THE ENTREPRENEURSHIP AND COMMUNITY DEVELOPMENT CLINIC.

WE HAD THE GREAT OPPORTUNITY TO WORK WITH THE NORTH AUSTIN CIVIC ASSOCIATION, THE PRESIDENT OF THAT ORGANIZATION IS HERE TODAY,

RANDY, TO PREPARE THE REPORT. WE'VE WORKED ON THIS ALL LAST SEMESTER AND OVER THE SUMMER, AND RELEASED THE REPORT IN JULY.

I LET ME MAKE SURE I KNOW HOW THIS WORKS. OKAY. SO, HOW MUCH TIME DO YOU WANT ME TO TALK FOR?

I DIDN'T PREPARE I DIDN'T KNOW HOW MUCH TIME YOU WOULD HAVE AVAILABLE FOR ME.

I WAS GOING TO HIT ON SOME REALLY KEY POINTS, BUT TELL ME, THREE MINUTES, FIVE MINUTES? OKAY.

I'M GOING TO KEEP IT SHORT. I THOUGHT I PREPARED SOME SLIDE DECKS WITH AN OUTLINE OF SOME KEY POINTS. OH.

AND I NEED I BROUGHT COPIES OF THE EXECUTIVE SUMMARY AND REPORT, AND THEY'RE SITTING BACK WITH MY BELONGINGS, BUT I'LL HAND THOSE OUT.

DO YOU MIND GRABBING THEM? OKAY, THANKS. THE STACK AND THE FILE THERE.

[5:21:50 PM]

>> Renteria: YOU CAN TAKE UP TO 30 MINUTES IF YOU WANT TO.

>> TAKE AS MUCH TIME AS YOU WANT.

>> NO, YOU DON'T WANT TO TALK TO ME.

SO, I JUST WANTED TO START OUT THE PRESENTATION IN THE FULL REPORT, WE HAVE A NUMBER OF CASE STUDIES AND I JUST WANT TO READ TO YOU ONE OF THE CASE STUDIES, BECAUSE TO ME THAT REALLY CALLS OUT THE NUMBER OF THE PROBLEMS THAT WE SAW WITH ENFORCEMENT OF REPEAT OFFENDER PROPERTIES AND DANGEROUS CONDITIONS AT OUR RENTAL APARTMENTS IN AUSTIN.

SO, THIS IS A CASE ILLUSTRATION FOR A PROPERTY, 1127 EAST 52ND STREET, IT'S ON PAGE 23.

BUT, IN SEPTEMBER 2013, A CODE INSPECTOR IDENTIFIED MULTIPLE CODE VIOLATIONS AT THIS APARTMENT COMPLEX, INCLUDING A STAIRWAY SUPPORT SYSTEM SHOWING SIGNS OF

DETERIORATION AND CRACKING, OVERHEAD SUPPORT JOIST BUCKLING, AND DAMAGE TO THE STRUCTURE'S FRAME FROM A FIRE.

MULTIPLE NOTICES OF VIOLATION NOT CITATIONS, JUST WARNINGS WERE ISSUED IN 2014. NO CITATIONS OR FINES. THEY WERE UNADDRESSED.

THE CODE OFFICER REFERRED THE CASE TO A SUPERVISOR FOR REVIEW ON JULY 2014.

THAT'S ALMOST A YEAR AFTER THE ISSUES WERE FIRST IDENTIFIED.

THE CASE WAS SET FOR A BSC, BUILDINGS AND STANDARDS COMMISSION HEARING ON OCTOBER 2014, A YEAR AND ONE MONTH AFTER THE DANGEROUS CONDITIONS WERE IDENTIFIED.

THE MEETING WAS CANCELLED.

THEY DID NOT MEET UNTIL DECEMBER 2014 AGAIN.

THE COMMISSION, FINALLY, HEARD THE CASE THEN AND HELD THE PROPERTY IN ABEYANCE FOR 30 DAYS TO COLLECT ADDITIONAL INFORMATION ON WHETHER THE TENANTS NEEDED TO BE VACATED AND THE PROPERTY DEMOLISHED, GIVEN THE HAZARDOUS CONDITIONS.

THE BSC TOOK UP THE CASE IN MARCH 2015, GIVING THE OWNER 30 DAYS TO CORRECT THE VIOLATIONS OR PAY A FINE.

SEPTEMBER 2013, MARCH 25 2015, THE TENANTS ARE LIVING IN THESE CONDITIONS THE WHOLE TIME.

THEY ISSUED AN ORDER, FINALLY, AND THE MOST RECENT LOGS WE REVIEWED IN APRIL FOR THAT PROPERTY STATED THE DANGEROUS CONDITIONS HAD NOT BEEN ADDRESSED.

AND THIS IS WE HAVE A NUMBER OF CASE STUDIES THAT ARE THIS IS ONE OF THE MORE EXTREME CASES, BUT THERE ARE SEVERAL JUST LIKE THIS IN OUR REPORT.

TO ME,

[5:23:50 PM]

THAT CAPTURES, I THINK, SOME OF THE ISSUES THAT OUR TENANTS ARE CONFRONTING.

WE NEED TO KEEP IN MIND THAT THESE ARE PROBLEMS THAT AFFECT TENANTS' DAILY LIVES.

THESE ARE TENANTS LIVING IN THESE CONDITIONS WITH MOLD IN THE ROOFING WHOSE LIVES ARE BEING JEOPARDIZED.

I HOPE EVERYONE CAUGHT THAT STORY IN MAY THAT ONE OF THE MOST TRAGIC INCIDENTS HAPPENED.

A 4 YEAR OLD BOY, THE FIRST CHILD DEATH I KNOW ABOUT FROM CODE CONDITIONS.

SEVERAL YEARS AGO, SEVERAL MEN DIED FROM CODE VIOLATIONS.

AND A 4 YEAR OLD BOY DIED AT A LOCAL APARTMENT COMPLEX AFTER HE WAS ELECTROCUTED.

FROM THE REPORTS I READ, IT WAS FROM A CODE VIOLATION FROM THE EXTERIOR ELECTRICAL WIRE BEING EXPOSED.

THIS IS WHAT WE'RE TALKING ABOUT, THE SAFETY AND LIVES OF TENANTS.

MR. SMART TOUCHED UPON SORT OF THE THREE WHAT WE SEE AS THE THREE KEY COMPONENTS FOR AN EFFECTIVE CODE PROGRAM.

IT'S ABOUT IDENTIFICATION OF THE PROBLEMS, MONITORING, AND ENFORCING.

IN ALL THREE AREAS, WE SEE A NEED FOR DRAMATIC LEVELS OF IMPROVEMENT.

SO, LET'S JUST HIT ON SOME QUICK POINT ABOUT IDENTIFICATION.

AND MR. SMART MENTIONED, ONE OF THE PROBLEM WITH THE REPEAT OFFENDER PROGRAM IS IT'S A COMPLAINT DRIVEN PROGRAM.

WE KNOW FROM TALKING TO FOLKS LIKE RANDY AND OTHER NEIGHBORHOOD LEADERS WHO KNOW ON THE GROUND THAT THERE ARE DANGEROUS APARTMENT COMPLEXES AND RENTAL UNITS IN THEIR COMMUNITY THAT ARE NOT IN THIS PROGRAM.

THEY'RE NOT BEING IDENTIFIED.

THE PROGRAM IS VERY BIASED TOWARDS LARGER PROPERTIES, BECAUSE THE CHANCES ARE WHEN YOU HAVE 50 PLUS UNITS, AT SOME POINT, A TENANT WILL COMPLAIN.

[5:25:50 PM]

IF YOU HAVE A SINGLE FAMILY HOUSE, IT'S LESS LIKELY THEY WILL COMPLAIN BECAUSE THE FEAR OF RETALIATION IS SO REAL, ESPECIALLY IN THE TIGHT HOUSING MARKET.

HERE ARE SOME STATS UP THERE ON THE SCREEN THAT TALK ABOUT, YOU KNOW, SORT OF THE NUMBER OF RP PROPERTIES BEING LARGE, VERSUS HOW IT COMPARES TO AUSTIN.

THERE'S ONLY TWO SINGLE FAMILY HOMES IN THE REPEAT OFFENDER PROGRAM.

WE HAVE CONCERNS ABOUT DELAYED INSPECTIONS.

ONE OF THE BENEFITS OF THE PROGRAM WAS THE ABILITY TO GO RIGHT AWAY, DO A COMPREHENSIVE INSPECTION, IDENTIFY ALL THOSE DANGEROUS CONDITIONS THAT THE TENANTS COULD BE CONFRONTING, TO PUT THE OWNER ON NOTICE THE PROBLEM NEED TO BE FIXED.

AND THE FIRST ROUNDS OF INSPECTIONS THAT WE WERE AWARE OF WHEN OUR REPORT WAS COMING OUT WERE BEING CONDUCTED NINE TO 12 MONTHS AFTER THE PROPERTY ENTERED THE REPEAT OFFENDER PROGRAM.

WE CALLED OUT THE NEED TO CONDUCT INSPECTIONS RIGHT AWAY.

ANOTHER CONCERN I HAVE I'M LOOKING FORWARD TO VISITING WITH THE CODE DEPARTMENT NEXT MONTH THERE HAVE BEEN NO NEW PROPERTIES ADDED TO THE PROGRAM SINCE NOVEMBER 2014. THAT'S ALMOST A YEAR AGO.

I DON'T KNOW IF IT'S BECAUSE THE STAFF IS OVERWHELMED WITH THE VOLUME OF PROPERTIES CURRENTLY IN THE PROGRAM, OR WHAT WHY THERE'S NOT WHY WE HAVEN'T SEEN THAT 29 PROPERTIES HAS BEEN THAT WAY FOR ALMOST A YEAR.

AND HERE'S A NUMBER OF RECOMMENDATIONS WE LAID OUT.

THERE'S OTHERS IN THE REPORT, BUT THESE ARE THE ONES I WANTED TO HIGHLIGHT ABOUT THE IDENTIFICATION ISSUE.

WE RELEASED A MUCH LONGER REPORT IN 2013 ABOUT PROBLEM PROPERTIES IN AUSTIN WHERE WE WROTE A WHITE PAPER ON RENTAL REGISTRATION PROGRAMS THAT EXIST AROUND THE COUNTRY. WE CONTINUE TO MAKE THAT RECOMMENDATION IN THIS REPORT.

THE NEED TO CONDUCT THAT IMMEDIATE COMPREHENSIVE INSPECTION.

I JUST FOUND I'VE BEEN IN VERY CLOSE CONTACT WITH THE FOLKS IN DALLAS WHO HAVE BEEN DOING CUTTING EDGE THINGS AROUND CODE ENFORCEMENT AND BEEN RECOGNIZED NATIONALLY FOR THEIR WORK.

THEY'VE JUST ADOPTED THIS HIGH IMPACT LANDLORD PROGRAM, ONE OF THE MAYOR'S MAJOR INITIATIVES THERE.

THEY'VE COME UP WITH SOME OBJECTIVE CRITERIA TO IDENTIFY LANDLORDS WHO ARE OWNERS OF SMALLER PROPERTIES.

THIS IS AN ISSUE THAT NAPA HAS RAISED IN THEIR COMMUNITY WHERE THERE'S SOME LANDLORDS WHO OWN HIGH VOLUMES OF SINGLE FAMILY DUPLEXES THAT ARE IN DANGEROUS CONDITION.

AND THIS IS A PROGRAM WE RECOMMENDED THAT THE CITY OF AUSTIN LOOK AT.

AND DALLAS IS WORKING OUT THE CASE FOR US, SO, MAYBE SOME LESSONS LEARNED THERE.

AND THEN THE NEED I KNOW THAT CODE DOES A LOT OF WORK IN THE COMMUNITY, BUT JUST THE NEED TO CONTINUE.

JUST TO EXPAND THOSE ENGAGEMENT EFFORTS WITH NEIGHBORHOOD GROUPS AND WITH TENANTS. I MEAN, GO OUT.

I THINK WE NEED A PROGRAM THAT WHERE WE'RE CONNECTING WITH TENANTS, WHICH WE DON'T DO MUCH OF, TO FIND OUT WHAT THOSE PROBLEMS ARE. MONITORING.

[5:27:45 PM]

I PUT BRAND NEW CODE, THIS BRAND NEW MONITORING TOOL THEY PUT ON LINE IS FABULOUS, IT'S A HUGE STEP IN THE RIGHT DIRECTION.

A LOT OF CHANGES NEEDED, FINE TUNING, YOU CAN'T FIND OUT ONLINE WHAT THE VIOLATION WAS AT THAT PROPERTY STILL.

I COULDN'T FIND, FROM CASES I LOOKED, ANYTHING ABOUT THE STATUS OF MUNICIPAL COURT CASES OR BSC FINDS.

AND THIS IS THE CITY COUNCIL ORDINANCE THAT WAS PASSED IN 2013 REQUIRE CODE TO RELEASE THE LIST OF RENTAL PROPERTIES WITH NOTICES OF VIOLATIONS, NOVs, THAT WERE NOT COMPLIED WITH IN A TIMELY MANNER?

I'VE NOT SEEN THAT INFORMATION.

I THINK IT'S REALLY KEY.

THOSE MAY NOT NECESSARILY BE IN THE REPEAT OFFENDER PROGRAM, BUT, WHAT DOES THAT LIST LOOK LIKE.

DATABASE ISSUES.

WE FOUND A PROBLEM WITH THE FACT THAT YOU CAN'T MY UNDERSTANDING IS THAT CODE DOESN'T HAVE THE ABILITY TO RUN REPORTS JUST ON RENTAL PROPERTIES.

WHEN WE ASKED FOR THE PUBLIC INFORMATION TO BE RELEASED ABOUT, OKAY, WE WANT ALL THE RENTAL PROPERTIES THAT HAVE RECEIVED CITATIONS, THERE'S NO BUTTONS CAN BE PUSHED.

THERE'S A LOT OF MANUAL REVIEW THAT HAS TO BE DONE TO LOOK AT AND DETERMINE WHETHER THE PROPERTY IS A RENTAL PROPERTY OR NOT.

RECOMMENDATIONS THAT WE HAVE RELATED TO MONITORING.

THE NEED TO DISCONTINUE TO WORK AND BUILD OUT THAT CODE CASE TRACKER DATABASE.

AND THE NEED TO PROVIDE THE INFORMATION UNDER THE ORDINANCE.

THE LAST THING HERE, JUST, WE THINK EVEN MORE DETAILED CODE REPORTS COULD REALLY GET, OKAY, WHAT ARE THE ENFORCEMENT ACTIONS THAT WE'RE BRINGING, WHAT'S THE STATUS OF THOSE CASES. AND THE THIRD AREA, ENFORCEMENT, IS A BIGGIE.

AS YOU CAN TELL FROM THE FIRST CASE STUDY I BROUGHT UP FROM THAT PROPERTY AT 52ND STREET. WE STILL HAVE PROPERTIES THAT FAILED TO REGISTER AS OF MAY 2014 WHEN WE WERE FINISHING UP OUR REPORT.

REPEAT OFFENDER PROPERTIES ARE REFUSING TO REGISTER.

AND CITATIONS HAD ONLY BEEN ISSUED AGAINST A SMALL NUMBER OF THOSE PROPERTIES.

WE FOUND LONG DELAYS IN THE RESOLUTION OF CODE VIOLATIONS.

THE CASE STUDY I READ Y'ALL I THINK REALLY HITS ON THAT.

THIS JUST THE FAILURE TO TAKE SWIFT, AGGRESSIVE ENFORCEMENT ACTION AGAINST REPEAT OFFENDERS.

WE REVIEWED TWO BINDERS OF CASE LOGS FOR REPEAT OFFENDER PROPERTIES, AND WERE VERY SURPRISED AT HOW LITTLE THERE IS IN THE WAY OF FINES AND PENALTIES, AND THOSE PROPERTIES ARE EACH OF THOSE CASE LOGS REPRESENTS HOURS OF WORK BY THE CODE DEPARTMENT TO INSPECT THE PROPERTY AND TO RELEASE A NOTICE OF VIOLATION.

AND AS TAXPAYERS, THOSE ARE COSTS THAT WE'RE ULTIMATELY HAVING TO PAY FOR.

AND SO, THAT'S WHY WE RECOMMEND IN THE REPORT, YOU'RE SHIFTING MORE OF THOSE COSTS ON TO THESE PROBLEM PROPERTY OWNERS.

WE STILL HAVE THIS QUESTION ABOUT STILL NOT UNDERSTANDING OUR FINES EVEN BEING ULTIMATELY COLLECTED WHEN THE BSC DOES ISSUE FINES.
PROBLEMS WITH NO STANDARD REFERRALS TO THE COMMISSION, AND LONG DELAYS BEFORE THE CASES ARE HEARD, BUT HOPEFULLY THAT WILL BE FIXED WITH THE TWO PANELS THAT ARE BEING FORMED.

[5:29:50 PM]

THE CITY THE CODE DEPARTMENT DOES HAVE THE ABILITY TO USE THE ADMINISTRATIVE HEARING PROCESS FOR MORE MINOR CODE VIOLATIONS.

THAT'S STILL GETTING OFF THE GROUND.

WE'D LOVE TO SEE THAT BE MORE PRACTICALLY USED, THOSE CASES TAKE LESS TIME TO BRING THAN A CRIMINAL CITATION.

AND A NUMBER OF RECOMMENDATIONS THAT WE HAVE AROUND ENFORCEMENT.

ONE OF THE THINGS I WANT TO CALL OUT IN PARTICULAR IS ADOPTING SOME KIND OF COMMUNITY PROSECUTOR INITIATIVE, OR JUST PROVIDING MORE RESOURCES IN GENERAL FOR ENFORCEMENT IN THE COMMUNITY, WORKING WITH TENANTS TO ENFORCE VIOLATIONS AND, YOU KNOW, TENANTS HAVE SEPARATE RIGHTS ASIDE FROM THE CITY'S ENFORCEMENT POWERS, AND WE THINK IT COULD BE A GREAT THING TO PROVIDE ASSISTANCE TO THOSE TENANTS TO BRING ACTIONS AGAINST LANDLORDS WHO ARE IN VIOLATION OF THE CODE.

I THINK THOSE I'M NOT GOING TO READ THROUGH ALL THESE BULLETS.

THEY'RE IN MORE DETAIL IN OUR REPORT.

AND THAT'S IT.

ANY QUESTIONS AT THIS TIME, OR SHOULD I GO AHEAD AND HAVE A SEAT?

>> Renteria: ANY QUESTIONS?

>> YOU GO FIRST.

>> OKAY, THANK YOU.

>> I'M SORRY, CHAIR, I DID, BUT I THINK SOME OF YOUR COMMITTEE MEMBERS DID, AS WELL.

>> I'LL LET OTHERS GO FIRST.

>> Renteria: WE DO HAVE ONE PERSON FOR CITIZENS COMMUNICATION.

SHOULD WE CALL THEM UP? >> OKAY. >> Renteria: STEWART HIRSCH.

>> CHAIR, MEMBERS OF THE COMMITTEE, MY NAME IS STEWART HARRY HIRSCH, AND LIKE MOST IN AUSTIN, I RENT.

AND I TALKED TO YOU ABOUT THIS EXTENSIVELY AT THE BUDGET HEARING LAST WEEK.

IN 2013, I SUPPORTED THE REGISTRATION OF RECIDIVISTS, BECAUSE THAT'S WHAT THEY ARE.

THEY'RE REPEAT CRIMINALS WHO CONTINUE TO VIOLATE THE DANGEROUS BUILDING PROVISIONS OF THE 2012 INTERNATIONAL PROPERTY MAINTENANCE CODE.

AND THOSE WERE ADOPTED AT THE SAME TIME THE 2012 INTERNATIONAL PROPERTY MAINTENANCE CODE WAS ADOPTED.

AND TWO MONTHS LATER, ON OCTOBER 3, 2013, THE COUNCIL PASSED A RESOLUTION ASKING FOR POTENTIAL EXPANSION OF THE BUILDING AND STANDARDS COMMISSION, AND MAKING IT EASIER FOR PEOPLE WHO ARE TRYING TO REPAIR A PROPERTY TO BE ABLE TO GO THROUGH AN EXPEDITED PERMITTING PROCESS, AND HOPEFULLY END UP WITH A CERTIFICATE OF OCCUPANCY AT THE END OF THAT PROCESS.

AND IT'S ALMOST TWO YEARS LATER.

WE HAVEN'T HAD A PUBLIC HEARING ON CHANGING THE CODE ON PERMITTING OR AMNESTY CO.

I TOLD YOU LAST WEEK AT THE BUDGET HEARINGS THAT I RAN PERMIT INSPECTION AND CODE ENFORCEMENT IN 2013, ALL THE CODE ENFORCEMENT INSPECTORS WERE EXPECTED TO BE ABLE TO DO PERMIT INSPECTIONS ON THE VIOLATIONS.
THAT'S NO LONGER TRUE.

[5:31:35 PM]

AND THE SIZE OF THE DEPARTMENT IS TEN TIMES THE SIZE THAT IT WAS IN 1998.
AND THE POPULATION OF AUSTIN HAS NOT INCREASED BY TEN TIMES.
SO, FOR ME, RESOURCES ARE NOT THE ISSUE.
THE SOLUTION TO THE DANGEROUS RENTAL HOUSING PROBLEM IS SIMILAR TO THE SOLUTION FOR NUISANCES AT SHORT TERM RENTAL.
PANELS AT THE BUILDINGS AND STANDARDS COMMISSION COULD CONDUCT HEARINGS AND ALL COUNCIL DISTRICTS CAN IDENTIFY PROPERTIES WHERE NUISANCES ARE OCCURRING.
WE CAN DO BOTH AT THE SAME TIME IN EVERY DISTRICT.
STARTING IN JANUARY, THEY DO TEN HEARINGS A YEAR, YOU CAN GET IT ALL DONE IN EVERY DISTRICT IN THE NEXT YEAR.
IF THEY HAVEN'T RECEIVED A COMPLAINT, YOU CAN PROACTIVELY ACT IT.
IT'S NOT THERE'S NO RISK OF SELECTIVE ENFORCEMENT BECAUSE IT'S BEING GENERATED FROM PUBLIC INPUT.
YOU CAN ORDER PROPERTIES VACATED WHEN THAT'S WHAT'S NECESSARY TO FIX THE PROBLEMS, AND ASK THE BUILDING AND STANDARDS COMMISSION TO DO SO.
THIS IS NOT A RESOURCE ISSUE.
WE HAVE PLENTY OF RESOURCES, AND THOSE OF US WHO ARE RENTERS PAY MORE ON OUR PROPERTY THAN HOMEOWNERS, WHO PAY THE SAME AMOUNT AS SOMEBODY IN A 350 SQUARE FOOT EFFICIENCY.
THESE RESOURCES HAVE INCREASED TEN TIMES IN THE LAST 15 YEARS.
THERE IS NO EXCUSE FOR PEOPLE LIVING IN DANGEROUS CONDITIONS.
AND IT'S ONLY BECAUSE WE REFUSE TO USE THE TOOLS.
AND THE BUILDING AND STANDARDS COMMISSION IS BETTER THAN ANYTHING THE CITY DOES, BECAUSE WE ALL HAVE TO TESTIFY UNDER PENALTIES OF PERJURY, INCLUDING THE STAFF. WE GET TO CROSS EXAMINE EACH OTHER IN THE HEARING, AND IT'S REALLY CUT DOWN ON THE LYING SINCE 1991 WHEN THESE THINGS HAVE BEEN IN PLACE.
[BEEPING] >> SO I WANT USUALLY I DON'T SUPPORT HEATHER ON MUCH, BUT I WANT TO SAY THEY DID A GOOD JOB.
AND WHILE WE DON'T AGREE ON THE SOLUTIONS, WE CERTAINLY AGREE ON THE MAGNITUDE OF THE PROBLEM.
THANK YOU VERY MUCH. >> Renteria: THANK YOU. ANY QUESTIONS? >> BEFORE YOU LEAVE, STEWART, I'VE GOT A QUESTION, PLEASE.
YOU'RE SUCH A WEALTH OF HISTORICAL KNOWLEDGE. IT'S ALWAYS GREAT TO HAVE YOU HERE.
SO, YOU KNOW, I DON'T KNOW IF IT'S JUST MY PERCEPTION OF THE WAY THINGS USED TO BE, BUT IT SEEMED LIKE THAT WE HAD HOUSES THAT WERE CONDEMNED AS SUBSTANDARD MORE READY THAN PERHAPS THEY ARE NOW.
AND I WAS JUST WONDERING IF THAT'S MY PERCEPTION, OR IF YOU SEE A DIFFERENCE BETWEEN HOW AGGRESSIVE THE CITY WAS AS FAR AS REALLY SHUTTING THE PROPERTIES DOWN THAT WERE SERIOUS VIOLATORS VERSUS CONTINUING TO TRY TO WORK WITH THEM FOR A LONG TIME AND NOT MAKING MUCH PROGRESS.

DO YOU SEE MUCH DIFFERENCE

[5:33:50 PM]

>> YEAH.

THE PERFORMANCE MEASURES IN THE BUDGET ARE DIFFERENT, AND THAT'S A KEY.

WE USED TO HAVE IN CODE ENFORCEMENT, BOTH ON THE SUBSTANDARD HOUSING SIDE AND ON THE LAND DEVELOPMENT SIDE WHAT WE CALL THE 90 90 STANDARD, WHICH MEANT THAT 90 DAYS AFTER SOMETHING WAS CITED, IF IT WAS SUBSTANDARD OR DANGEROUS, IT WAS IN FRONT OF THE BUILDING AND STANDARDS COMMISSION.

IF THEY HADN'T SECURED PERMITS AND WEREN'T MOVING TOWARDS COMPLIANCE.

AND THAT MEANT THAT 90% OF THE VIOLATIONS WE CITED WERE IN COMPLIANCE IN 90 DAYS, SO THEY NEVER GOT TO BUILDING STANDARDS.

THE BALANCE OF THE 10% WENT TO BUILDING STANDARDS.

SAME THING ON THE LAND USE SIDE.

WE HAD IDENTIFIED ABOUT A DOZEN TO 15 VIOLATIONS THAT COMMONLY OCCURRED.

WE HAD A STANDARD FORM WE USED THROUGH MUNICIPAL COURT TO SAY IF YOU DON'T COMPLY WITHIN THE NEXT 90 DAYS, WE'RE FILING CHARGES ON YOU AND HERE'S WHAT THE MINIMUM FINES WILL BE.

AND WITH THE STAFF OF SIX ON THE HOUSING SIDE, THREE ON THE LAND DEVELOPMENT SIDE, WE WERE GETTING WE WERE LEADING THE COUNTRY IN COMPLIANCE UNDER THE 90 90 STANDARDS. YOU DON'T SEE THOSE AGGRESSIVE CYCLE TIME PERFORMANCE STANDARDS IN ANY CITY BUDGET SINCE CODE WAS SEPARATED FROM BUILDING INSPECTION.

SO WE HAVE TO GO BACK TO WHAT DOES PERFORMANCE LOOK LIKE.

AND IT'S NOT JUST CITING THE COMPLAINT OR FILING CHARGES, IT'S GETTING THE PROPERTY INTO COMPLIANCE TIMELY WHETHER IT'S A DANGEROUS RENTAL PROPERTY OR A SHORT TERM RENTAL, OR WHATEVER THE CASE IS.

I THINK WE'VE GOT THE WRONG STANDARDS, AND WE'VE BEEN ADOPTING THEM WRONGLY IN THE BUDGET, AND ARE GETTING LOUSY OUTCOMES AS A RESULT.

>> CLARIFY THAT, PLEASE.

WHEN YOU SAY WE'RE ADOPTING THE WRONG STANDARDS, WHAT DOES THAT MEAN?

>> EVERY DEPARTMENT INDICATES IF YOU GIVE THEM THE RESOURCES THEY ASK FOR, WHAT LEVEL THEY'RE GOING TO PERFORM TO.

AND WE DON'T HAVE THOSE STANDARDS ABOUT 90 90 LIKE WE USED TO UNDER OLD BUDGETS, SO THERE'S NO YOU'RE NOT FAILING WHEN YOU DON'T DO THAT.

AND UNTIL WE ARE READY TO SAY THIS IS THE LEVEL OF AGGRESSIVENESS WE NEED FOR THE KIND OF PROBLEMS WE HAVE, WE'LL CONTINUE TO HAVE THAT.

ON THE FLIP SIDE OF THAT, WHEN PEOPLE WERE GOING THE RIGHT THING AND MOVING TOWARDS COMPLIANCE, WE WEREN'T PUTTING THEM ON THE COMMISSION AGENDA, BECAUSE THERE WAS NO NEED TO, BECAUSE THEY WERE DOING THE RIGHT THING.

SO IT'S A REAL HEAVY CARROT, AND A REAL HEAVY STICK.

AND EVERYBODY KNOWS THE DIFFERENCE.

AND MOST BUSINESSPEOPLE, EVEN IF THEY DON'T IDEOLOGICALLY AGREE WITH WHETHER THE CODE SHOULD BE TELLING THEM TO DO THIS IN THE FIRST PLACE, CAN SEE IT'S MORE EXPENSIVE TO STAY OUT OF COMPLIANCE THAN TO GET IN COMPLIANCE. SO THE OVERWHELMING MAJORITY OF FOLKS GOT TAKEN CARE OF THAT WAY. >> Gallo: OKAY. THANK YOU FOR THE CLARIFICATION.

[5:35:50 PM]

>> THANK YOU.

>> Renteria: OUR NEXT IS PAUL CONDIRO.

>> THANK YOU.

GOOD AFTERNOON, COMMITTEE MEMBERS, PAUL, THE AUSTIN APARTMENT ASSOCIATION.

I JUST WANTED TO SAY THAT THERE ARE LOTS OF OPPORTUNITIES OUTLINED IN THE PRESENTATION FOR INPUT, INDUSTRY INPUT ON THE RECOMMENDATIONS, ON OPPORTUNITIES, ON MOVING FORWARD AND NEXT STEPS, AND I'M HERE TO COMMIT TO YOU THE INDUSTRY INPUT ON THAT.

I MAY NOT HAVE THE WEALTH OF INFORMATION HISTORICAL INFORMATION THAT OTHERS MIGHT HAVE, BUT WE DO HAVE A WILLINGNESS TO PARTICIPATE, AND THIS WAS BROUGHT TO OUR ATTENTION WE ACTUALLY DISCUSSED THIS A LITTLE BIT IN JUNE, I THINK WHEN THE PRESENTATION WAS FIRST POSTED ON THE WEBSITE.

I DOWNLOADED IT.

AND SO THERE WERE SOME A LOT OF DISCUSSIONS AND WILLINGNESS TO PARTICIPATE AND GET THIS RIGHT, SO I'M HERE TO SAY THAT WE WILL HELP IN ANY WAY THAT WE CAN. THANK YOU. >> I WANT TO SAY THANK YOU FOR THAT. THANK YOU FOR THAT AGREEMENT FOR PARTICIPATION. >> Renteria:

COUNCILMEMBER. >> Kitchen: OKAY.

I HAVE A QUESTION.

JUST TO MAKE SURE I'M UNDERSTANDING THE PROCESS, IS HEATHER WAY STILL HERE, OR DID SHE HAVE TO LEAVE?

YES. I THINK I HEARD YOU SAY SOMETHING IN YOUR RECOMMENDATIONS REGARDING AUTOMATICALLY MOVING INTO THE PROGRAM?

DID I HEAR THAT CORRECTLY? >> INTO THE REPEAT OFFENDER? >> Kitchen: YEAH.

>> THIS IS SOMETHING I'M LOOKING FORWARD TO TALKING TO CODE ABOUT IN A COUPLE WEEKS, BUT MY UNDERSTANDING IS THEY HAVE TO MANUALLY GO THROUGH THE CASE LOGS TO DETERMINE WHEN PROPERTIES NEED TO GO INTO THE PROGRAM.

BECAUSE IT'S VERY OBJECTIVE CRITERIA THAT ARE THE TRIGGERS FOR WHEN A PROPERTY SHOULD BE A REPEAT OFFENDER PROPERTY, WE THINK IT SHOULD BE IN THE DATABASE EVERY WEEK.

THERE CAN BE A BUTTON PUSH THAT SHOWS, THERE'S THESE PROPERTIES THAT HAVEN'T COMPLIED, AND IT MEETS THE TRIGGER, SO IT'S AUTOMATICALLY IN THE REPEAT OFFENDER PROGRAM, AND A LETTER GOES OUT.

THAT'S WHAT WE MEANT BY AUTOMATIC.

WHAT I HEARD FROM THE CODE STAFF IS IT'S VERY TIME INTENSIVE, THE PROCESS THEY HAVE IN PLACE NOW IN THE DATABASE TO FIGURE OUT WHICH PROPERTIES QUALIFY FOR THE REPEAT OFFENDER PROGRAM.

[5:37:50 PM]

>> Kitchen: OKAY.

I'D LIKE TO ASK MR. SMART SOME QUESTIONS ABOUT THAT PROCESS.

SO, CAN YOU TELL ME HOW YOU KNOW, HOW THEY GET INTO THE PROGRAM, AND HOW DO THEY GET INTO THE REPEAT OFFENDER PROGRAM?

IN OTHER WORDS, THEY'RE NOT AUTOMATICALLY PUT INTO THAT PROGRAM, IF I'M UNDERSTANDING CORRECTLY.

>> RIGHT.
THEY HAVE TO MEET THE 2 5 2 CRITERIA.
>> Kitchen: I UNDERSTAND THAT.
BUT ONCE THEY MEET THE CRITERIA.
>> PARDON?
>> Kitchen: ONCE THEY MEET THE CRITERIA, ARE THEY THEN AUTOMATICALLY IN THE REPEAT OFFENDER PROGRAM?
>> ONCE WE VERIFY THAT THEY MEET THE 2 5 2 CRITERIA, IT'S SENT TO OUR REGISTRATION UNIT, MARK AND HIS GROUP.
AND THEY WILL SEND OUT A NOTICE THAT THE PROPERTY MUST BE REGISTERED.
AND IT'S REALLY DIRECTING THE PROPERTY OWNER TO COME IN AND DO THE REGISTRATION, BUT WE DON'T WAIT ON THAT.
WE AUTOMATICALLY REGISTER THEM INTO THE PROGRAM.
SO THE KEY FOR THEM TO DO IS TO COME IN, FILL OUT THE FORMS, IDENTIFY THE LOCAL CONTACTS, FILL OUT THE INFORMATION, PAY THE \$100 FEE, AND THEY'RE IN THE PROGRAM. BUT IF THEY DON'T COME IN, THEY'RE IN THE PROGRAM ANYWAY.
WE STARTED OUT WE WOULD WAIT FOR THEM TO COME IN AND REGISTER, AND WE REALIZED THAT'S NOT TIME THAT'S NOT A PRODUCTIVE USE OF TIME.
SO WE JUST GO AHEAD AND DO IT ANYWAY.
AND THEN SCHEDULE WHATEVER INSPECTIONS NEED TO BE SCHEDULED.
>> Kitchen: OKAY.
>> THEN THE OTHER PART OF THAT IS STILL WORKING WITH AMANDA, WITH OUR DATABASE SYSTEM, SO THAT'S EVEN MORE AUTOMATIC, AND I THINK THAT'S WHAT UT IS RECOMMENDING. THAT'S A GOOD IDEA. IF WE CAN AUTOMATICALLY IDENTIFY WITH THE SYSTEM, WE CAN SHORTCUT THE SYSTEM SOME WITHOUT A COMMITTEE.
>> Kitchen: RIGHT NOW THERE'S A COMMITTEE THAT REVIEWS IT TO DETERMINE IF THEY SHOULD GO INTO THE PROGRAM?
>> THAT'S CORRECT. AND WE'RE IN THAT TRANSITION NOW.
I'VE ALREADY INSTRUCTED MY STAFF THAT WORKS WITH THE AMANDA SYSTEM TO SEE IF WE CAN GO AHEAD AND GEAR UP TO DO IT AUTOMATICALLY, SO THEY'RE IN THE PROCESS OF DOING THAT NOW.
WE'RE REALLY PHASING THE COMMITTEE OUT. >> Kitchen: YEAH. THAT OKAY. SO THEN MY OTHER QUESTION RELATES TO THE WHEN YOU DO THE COMPREHENSIVE ASSESSMENT. SO, I THINK I HEARD WHEN YOU WERE EXPLAINING EARLIER THAT YOU GO IN AND YOU REVIEW THE VIOLATIONS THAT THEY WERE REPORTED FOR, AND YOU WORK ON THAT, BUT YOU DON'T DO A COMPREHENSIVE ASSESSMENT TO SEE IF THERE ARE ANY OTHER VIOLATIONS?

[5:39:50 PM]

>> IT DEPENDS ON THE SITUATION.
I'M GOING TO ALLOW A DIVISION MANAGER TO TALK.
I THINK HE CAN ADD SOME INSIGHT, BECAUSE I'VE SEEN THE TEAM SOMETIMES DO A COMPREHENSIVE INSPECTION.
THEY'LL GO IN AND DEPENDING ON WHAT THE VIOLATION IS, FOR EXAMPLE, YOU GET A CALL TO AN APARTMENT COMPLEX AND THE VIOLATION IS A STRUCTURAL CONDITION WITH THE STAIRWAY.

YOU LOOK AT THAT STAIRWAY, BUT THEN WE NEED TO LOOK AT EVERY BUILDING ON THE COMPLEX TO SEE IF THEY HAVE SIMILAR SITUATIONS, THEY WERE BUILT ABOUT THE SAME TIME, AND SO THAT IS A COMPREHENSIVE.

YOU'RE NOT GOING INTO EVERY UNIT, BUT YOU'RE LOOKING AT EVERY BUILDING.

I THINK TODD, OUR DIVISION MANAGER, CAN GIVE YOU A LITTLE BIT MORE INSIGHT INTO THAT.

>> Kitchen: YEAH.

HELP ME UNDERSTAND, I'M NOT CERTAIN WHY YOU WOULDN'T TAKE THAT OPPORTUNITY TO DO THE COMPREHENSIVE ASSESSMENT WHEN THEY'RE FIRST IN THE PROGRAM.

>> WE DO DO THE COMPREHENSIVE ON SOME COMPLEXES BASED ON THEIR CONDITION.

WE DON'T CALL THEM ALL THE PERIODIC INSPECTION, BECAUSE BY ORDINANCE, IT SAYS WE MAY DO IT YEARLY.

SO WE SAVE THAT ONE FOR THE NINE MONTH PERIOD AND ADDRESS ALL THE OTHER CONDITIONS DURING THAT PERIOD UNTIL WE GET THERE TO GIVE THEM TIME TO FIX STUFF, AND THEN ADD THE ADDITIONAL CONDITIONS DURING THAT PERIODIC INSPECTION.>> Kitchen: WHY WOULD YOU NOT DO THE INSPECTION ALL AT THE BEGINNING?

>> WE ARE DOING INSPECTIONS THE ENTIRE TIME. WE JUST DON'T DO THE ENTIRE COMPLEX.

LIKE, FOR INSTANCE, ONE OF THE EXAMPLES TALKED ABOUT EARLIER, WE WERE OUT THERE 63 TIMES BETWEEN REGISTRATION AND THE PERIODIC.

WE DIDN'T CALL ANY OF THOSE INSPECTIONS, BECAUSE THE ORDINANCE ONLY ALLOWS US TO DO THAT ONCE.

BUT WE DID MAKE 63 INSPECTIONS ON THE EXTERIOR DURING THAT TIMEFRAME BEFORE THE PERIODIC.

>> THE IDEA IS STILL TO ADDRESS THOSE DANGEROUS CONDITIONS AS QUICKLY AS POSSIBLE, NOT WAITING ON THOSE DANGEROUS CONDITIONS.

THE DIFFERENCE WITH THE PERIODIC IS GETTING INTO A LOT OF THE UNITS.

BUT CHECKING THE BUILDINGS AND IDENTIFYING THOSE THINGS THAT ARE DANGEROUS AND DEALING WITH THOSE IMMEDIATELY, THOSE ARE SITUATIONS WE TRY AND GET DONE.

>> Kitchen: THE REASON I'M ASKING THE QUESTION IS JUST BECAUSE YOU DON'T KNOW YOU MAY NOT KNOW WHAT THE OTHER PROBLEMS ARE.

AND IF YOU'RE NOT LOOKING FOR THEM WHEN YOU FIRST GO TO A PROPERTY AND IT SOUNDS TO ME LIKE IN SOME CASES, YOU MIGHT DO THAT.

IN SOME LIKE THE EXAMPLE THAT YOU JUST GAVE. >> RIGHT.

[5:41:50 PM]

>> Kitchen: BUT IN SOME CASES YOU MIGHT NOT.

SO, HELP ME UNDERSTAND, WHAT'S THE CRITERIA FOR DISTINGUISHING BETWEEN WHEN YOU WOULD DO THAT AND WHEN YOU WOULD NOT?

>> I THINK IT'S THOSE CASES WHERE WE CAN SEE THAT THERE'S HIGH PROBABILITY OF A DANGEROUS CONDITION AT THE PROPERTY.

SOMETIMES, YOU KNOW, THE 2 5 2 THE 2 MIGHT NOT BE DANGEROUS CONDITIONS.

WE'RE OUT THERE BECAUSE THEY'VE HAD SOME PLUMBING ISSUES, THEY'VE HAD LEAKS AND A HISTORY OF PLUMBING LEAKS.

BUT THEY'RE NOT NECESSARILY DANGEROUS.

AND WE WOULDN'T NECESSARILY NEED TO DO A PERIODIC AT THAT TIME, BUT WE CERTAINLY WANT TO KNOW IF THERE'S ANY OTHER DANGEROUS CONDITIONS THAT MIGHT BE OCCURRING. AND SO WE WOULD DO A COMPREHENSIVE INSPECTION OF THE PROPERTY, GOING THROUGH THE PROPERTY,

LOOKING AT THE BUILDINGS AND ALL, BUT WE WOULDN'T NECESSARILY DO THE PERIODIC AT THAT TIME.

THE KEY IS WHETHER OR NOT WE'RE DEALING WITH THE DANGEROUS CONDITIONS, A HIGH PROBABILITY OF DANGEROUS CONDITIONS.

CERTAINLY, THAT'S SOMETHING THAT WE COULD LOOK AT, DOING THE PERIODIC EARLIER. >> Kitchen: YES. >> PARTICULARLY IF WE'VE GOT THE STAFF TIME TO GET THAT DONE.

>> Kitchen: SO IS YOUR THINKING, THE PERIODIC YOU CAN ONLY DO, WHAT, YOU SAID ONCE, RIGHT? WAS THAT IT? THERE'S A LIMITATION >> ANNUALLY.

>> Kitchen: YOU CAN ONLY DO IT ANNUALLY. ARE YOU TRYING TO TIME THE PERIODIC? >> YES, WE ARE.

>> THANKS VERY MUCH FOR ALLOWING ME TO ASK SOME QUESTIONS.

THIS IS AN ISSUE I'VE BEEN INTERESTED IN FOR A LONG TIME. AND I GUESS I HAVE A RANGE OF QUESTIONS FOR YOU, AND I'LL TRY TO KEEP IT SHORT.

BUT I WANTED TO ALSO JUST THANK MS. WAY FOR THE WORK THAT HER CLINIC HAS DONE.

I WOULD SAY, YOU KNOW, PROBABLY ALL OF THE WORK THAT HAS COME OVER THE PAST FOUR OR FIVE YEARS HAS BEEN IN RESPONSE TO SOME OF THE REPORTS AND WORK THAT HER CLINIC HAS DONE, AND I THINK WE'VE REALLY MADE PROGRESS AS A COMMUNITY AS A RESULT. SO, THANK YOU TO YOU AND YOUR STUDENTS FOR ALL THE WORK.

AS MR. SMART SAID, WE DID HAVE AN INTERESTING DISCUSSION A FEW YEARS AGO ABOUT THIS ISSUE. AND WERE CONTEMPLATING TWO VERY DIFFERENT APPROACHES, AND DID INDEFINITELY POSTPONE THREE ORDINANCES THAT WOULD'VE PROVIDED FOR A PROACTIVE RENTAL REGISTRATION PROGRAM FOR A ONE YEAR PILOT IN THREE AREAS.

I THINK IT INCLUDED MY DISTRICT, YOURS, AND COUNCILMEMBER RENTERIA'S DISTRICT, DIFFERENT AREAS WHERE WE THOUGHT THEY WERE HAVING ISSUES.

WE WERE ONE VOTE SHORT OF A MAJORITY ON THE PREVIOUS COUNCIL, BUT I HOPE THIS IS AN ISSUE THAT WE CAN CONTINUE TO TALK ABOUT, BECAUSE I WHEN I THINK OF THE CASE THAT MS. WAY MENTIONS, I THINK THAT'S A REALLY UNFORTUNATE AND TRAGIC EXAMPLE OF WHY A PROACTIVE PROGRAM MAY BE NECESSARY HERE IN AUSTIN, BECAUSE THAT WAS A COMPLEX THAT WAS NOT IN OUR REPEAT OFFENDER PROGRAM, THOUGH IT DID HAVE A HISTORY OF VIOLATIONS.

IT DIDN'T QUALIFY, APPARENTLY, FOR OUR REPEAT OFFENDER PROGRAM, BUT CLEARLY, THERE WERE SOME PRETTY BIG SAFETY VIOLATIONS THERE.

MR. SMART, YOU SAID SOMETHING EARLIER THAT I JUST WANTED TO GET BACK TO. YOU TALKED ABOUT ONE WAY OF MANAGING RESOURCES WOULD BE TO JUST LOOK AT OLDER COMPLEXES. THAT IS, IN EFFECT, WHAT MOST OF THE PROACTIVE RENTAL REGISTRATION PROGRAMS DO.

THE ONE WE WERE CONTEMPLATING WOULD HAVE DONE THAT. IT WAS LOOKING AT APARTMENTS THAT WERE 15 YEARS AND OLDER, AS I RECALL.

[5:43:50 PM]

>> YES.

>> Tovo: SO THAT'S AN OPTION WE CAN CONSIDER.

IF IT'S OF INTEREST TO THE COMMITTEE MEMBERS, I'D BE HAPPY TO MAKE THOSE ORDINANCES AVAILABLE.

THEY'VE BEEN INDEFINITELY POSTPONED.

THEY COULD BE CALLED BACK AT ANY POINT.

THERE WAS A LOT OF OTHER GOOD WORK STAFF HAVE DONE IN THE MEANTIME.

YOU HAD SAID A LITTLE EARLIER, MR. SMART, THAT YOU CANNOT DRIVE AROUND AND SPOT PROBLEMS.

I WONDER IF YOU COULD HELP US UNDERSTAND WHY THAT'S THE CASE.

I UNDERSTAND YOU MAY NOT BE ABLE TO DO AN INTERNAL INSPECTION, BUT YOU CERTAINLY HAVE I WOULD THINK YOU CERTAINLY HAVE THE AUTHORITY YOU NEED TO SPOT PROBLEMS OUT THERE IN THE COURSE OF YOUR INSPECTORS' ORDINARY WORK.

>> I THINK THE WHAT CODE ENFORCEMENT HAS BEEN CHALLENGED WITH FOR PRETTY MUCH ALL OF ITS TIME IS THE IDEA OF SELECTIVE ENFORCEMENT, THAT, YOU KNOW, WE JUST CAN'T DRIVE DOWN THE STREET AND PICK OUT THIS PROPERTY, THAT PROPERTY, AND, YOU KNOW, WE HAVE TO BE VERY CAREFUL ABOUT DOING THAT.

AND THAT'S WHY WE ARE PRIMARILY NOW ON A REACTIVE PROGRAM WHERE WE'RE RESPONDING TO COMPLAINTS.

NOW, CERTAINLY, IF WE GET A COMPLAINT AND WE HAVE ADVISED OUR STAFF THIS WAY.

IF WE GET A COMPLAINT ON A HOUSE, LET'S SAY, FOR EXAMPLE A HOUSE IN A NEIGHBORHOOD AND IT HAS A CODE VIOLATION.

YOU GO THERE AND INSPECT THAT CODE VIOLATION.

YOU DON'T LEAVE THE NEIGHBORHOOD.

YOU CHECK THAT BLOCK AND SEE IF THERE'S SIMILAR CODE VIOLATIONS THERE.

YOU'RE THERE BECAUSE OF THAT COMPLAINT, BUT YOU'RE ABLE TO USE THAT AS A WAY THAT YOU CAN PROACTIVELY CHECK THAT STREET TO SEE IF THERE'S SIMILAR VIOLATIONS OF THAT TYPE.

BUT, IT WOULD BE AND THIS IS A LEGAL ISSUE, IT WOULD BE SELECTIVE OF US TO GO AROUND AND IDENTIFY THE PROPERTIES THAT MIGHT BE IN THIS PROGRAM JUST SELECTIVELY PICK THEM OUT GOING DOWN THE STREET.>> Tovo: I GUESS I'D LIKE TO EXPLORE FURTHER, NOT IN THIS FORUM, BUT THE

LEGAL UNDER PINGS FOR THAT PHILOSOPHY. >> SURE. >> Tovo: IN THE COURSE OF ALL OF THESE CONVERSATIONS, AGAIN AND AGAIN WE CAME BACK TO THE DISCUSSION ABOUT MOVING FROM A MODEL OF WORKING WITH THE PROJECT OWNER TO ENSURE COMPLIANCE TO ONE THAT WAS REALLY MORE ENFORCEMENT FOCUSED, AND ACTUALLY, MS. WAY HELPED ORGANIZE A SESSION WHERE WE HAD SOME OF THE EMPLOYEES FROM DALLAS COME DOWN AND TALK ABOUT THE INTERDEPARTMENTAL TEAM THAT HAS BEEN SO SUCCESSFUL IN THAT COMMUNITY.

AND MARK OTT AND MOST OF OUR DEPARTMENT DIRECTORS ATTENDED.

AND AS YOU'VE MENTIONED, THERE WAS A COUNCIL RESOLUTION TO MOVE FORWARD WITH AN INTERDEPARTMENTAL TEAM THAT WOULD REALLY FOCUS ON THIS.

I'D LIKE TO ASK YOU A LITTLE BIT ABOUT THE SUCCESS OF THAT MODEL.

WE ARE NOT THE REPORT THAT WAS JUST COMPLETED SUGGESTS THAT ENFORCEMENT ISN'T NECESSARILY AS STRONG AS IT COULD BE, AND I THINK THAT'S ONE OF THE REAL SUCCESSES OF THE DALLAS MODEL. THEY'RE VERY STRONG ON ENFORCEMENT. SO, WHAT IS THE STATUS OF THE INTERDEPARTMENTAL TEAM HERE IN AUSTIN, AND HAS IT BEEN EFFECTIVE, AND WHAT ARE THE LEGAL RESOURCES THAT ARE REALLY DEDICATED AT THIS POINT TO THIS PROBLEM?

[5:45:50 PM]

>> YEAH.

THE INTERDEPARTMENTAL TEAM IS HAS BEEN ORGANIZED AND IS STARTING TO OPERATE, BUT IT'S STILL KIND OF IN ITS INFANCY, IF YOU WILL.

WHEN WE REFER TO OUR NEIGHBORHOOD ENHANCEMENT TEAM, THE NET, WE'RE TALKING ABOUT AN INTERDEPARTMENTAL TEAM.

AND THE AREA THAT WAS SELECTED FOR US TO START WAS A PORTION OF THE RESTORE RUNDBERG AREA, AND SO WE'VE IDENTIFIED THAT PORTION.

WE'VE PUT IT INTO FOUR PHASES.

WE WENT IN AND SURVEYED PHASE ONE, SURVEYED THE PROPERTIES.

WE IDENTIFIED THE ONES THAT ARE DANGEROUS, THE ONES THAT HAD MAJOR VIOLATIONS, ONE HAD MINOR VIOLATIONS.

AND THE PROGRAM WAS WELL UNDERWAY. WHAT WAS THAT DATE, PAUL, DO YOU RECALL? >> IT STARTED THE >> BEGINNING OF THE CALENDAR YEAR. OKAY. THANK YOU.

AROUND FEBRUARY 2015. SO, ALL THE DANGEROUS PROPERTIES HAVE BEEN TAKEN CARE OF NOW THAT WERE IDENTIFIED FROM A CODE STANDPOINT, AS WELL AS ALL PRETTY MUCH ALL THE MAJOR VIOLATIONS. AND SO NOW WE'RE STARTING TO GET INTO THE MINOR THINGS.

SO I THINK WE'RE SEEING THAT IT IS MAKING A DIFFERENCE.

OUR WORK, OF COURSE, RESTORE RUNDBERG, THE PROJECT WITH THE POLICE DEPARTMENT IS WELL UNDERWAY.

WE'RE WORKING CLOSELY WITH THEM, ALSO WITH THE FIRE DEPARTMENT, WITH PUBLIC WORKS, WITH TRANSPORTATION, AND WORKING WITH OTHER DEPARTMENTS AND LOOKING AT WORKING WITH NEIGHBORHOOD HOUSING ON IT, MAYBE STARTING A PILOT GOOD LANDLORD PROGRAM OUT IN THAT AREA, TOO, TO PROVIDE SOME INCENTIVES FOR LANDLORDS TO TAKE BETTER CARE OF THEIR PROPERTIES.

SO, IT IS UP AND WORKING IN THAT NET AREA, IN THE RESTORE RUNDBERG AREA.

THE IDEA IS THAT WE WILL EVALUATE THAT AND COME BACK TO COUNCIL WITH A REPORT ON IT LATER IN THE YEAR.

AND THEN DECIDE WHERE OUR NEXT STEP MIGHT BE.

THERE ARE OTHER AREAS THAT COULD USE THIS PROGRAM IF IT WORKS WELL.

WE KNOW THAT, BECAUSE IT WAS SUGGESTED BACK IN THE RESOLUTION, LOOKING AT SEVERAL DIFFERENT AREAS.

AND SO, THERE ARE OTHER AREAS THAT WE COULD REPEAT THIS MODEL IN.

>> Tovo: SO THE REPORT THAT I WAS LOOKING AT THAT WAS A RESPONSE BACK TO THE RESOLUTION TALKED ABOUT THE RUNDBERG PILOT, AND INDICATED THAT WE WOULD HAVE A REPORT WITHIN SIX MONTHS ABOUT THE SUCCESS OF THAT MODEL.

I THINK WE GOT THIS LAST FALL.

I'M NOT SURE IF YOU HAVEN'T SUBMITTED THE REPORT YET OR I MISSED IT WHEN YOU DID DO A REPORT BACK TO COUNCIL ABOUT THE SUCCESS OR THE PROGRESS ON THE RUNDBERG PILOT. HAVE YOU COMPLETED THAT YET FOR US?

[5:47:35 PM]

>> NO WE HAVEN'T.

WE'VE STARTED PUTTING IT TOGETHER.

WE GOT THIS GOING IN FEBRUARY, SO OUR SIX MONTHS ARE ABOUT UP NOW.

AND WE'LL BE DOING AN EVALUATION AND REPORT AFTER THE AUGUST.

>> Tovo: OKAY.

I GUESS MY LAST QUESTION, JUST TO GET BACK TO THE EARLIER ONE I MENTIONED, WHAT ARE THE LEGAL RESOURCES THAT HAVE BEEN DESIGNATED TO THIS PROGRAM, AND HAS THERE BEEN AN INCREASE, AFTER ALL, OF THE VARIOUS RESOLUTIONS THAT HAVE PASSED?

DO YOU HAVE A DESIGNATED ATTORNEY OR A COUPLE DESIGNATED ATTORNEYS WHO WORK ON THESE ISSUES?

>> I THINK WE HAVE SEEN AN INCREASE.

WE WORK TRISH SO HARD, AND SHE DOES SO MUCH FOR CODES.
BUT ALSO, THE LAW DEPARTMENT AS ADDED ROBIN HARRIS, WHO IS WORKING WITH TRISH, AND THEY
ALTERNATE WITH THE BUILDINGS AND STANDARDS COMMISSION, AND ALSO HELP US OUT ON DAY TO
DAY LEGAL ISSUES WITH CODE.
MEGAN IS OVER THE LITIGATION UNIT, AND SHE'S BEEN WORKING WITH US MAKING SURE THAT WE'VE
GOT SOME RESOURCES TO HELP US THERE.
AND HOPEFULLY WE'LL SEE, CLOSER I THINK WE NEED AN EVEN CLOSER WORKING RELATIONSHIP ON
LOOKING AT CHAPTER 54 CASES, AND I THINK MEGAN HAS AND ANN MORGAN, OUR ACTING CITY
ATTORNEY HAVE COMMITTED TO MAKING SURE THAT WE HAVE THE RESOURCES.
SO I THINK WE'VE SEEN A BUMP UP IN RESOURCES FROM LEGAL, AND HOPEFULLY AND I'M SURE
THAT'S GOING TO CONTINUE.
SO, WE'RE PRETTY SATISFIED WITH THAT.
WE CERTAINLY SUPPORT LOOKING AT A COMMUNITY PROSECUTOR AND LOOKING AT THAT.
AND ALSO, WE NEED TO OUR ADMINISTRATIVE HEARING PROCESS SEEMS TO BE UP AND RUNNING
AND WORKING WELL.
BUT, AGAIN, IT'S DESIGNED FOR THE MINOR VIOLATIONS.
BUT I THINK THAT'S WORKING WELL.
WE STILL HAVE TO WORK WITH THE PROSECUTORS AT MUNICIPAL COURT SO THAT WE CAN GET MORE
RESULTS OUT OF MUNICIPAL COURT.
AND SO, THERE'S STILL ROOM FOR MORE, BUT WE ARE WE CERTAINLY HAVE MORE RESOURCES
DEVOTED NOW, I THINK, THAN WE'VE HAD BEFORE.
>> Tovo: I'M GLAD TO HEAR THAT, AND I HOPE THAT WE CAN FIGURE OUT HOW TO MAKE SURE THAT
ALL OF THOSE THINGS THAT YOU'VE JUST DESCRIBED HAPPEN, BECAUSE THEY'VE BEEN GOALS FOR A
LONG TIME.
SO, THANK YOU.
THANKS FOR YOUR WORK ON IT.
>> YES, MA'AM.
THANK YOU.

[5:49:45 PM}

>> Renteria: CASAR.
>> Casar: I HAVE ONE QUESTION, AND THEN TWO POINTS THAT ARE CONNECTED TO THE MAYOR PRO
TEM'S.
SO, THE FIRST WAS THAT THE REPORT IDENTIFIED THAT THE AVERAGE TIME FOR OUR STAFF TO
CONDUCT FALL UP INSPECTIONS AFTER A DEADLINE PASSED FOR SOMEBODY WAS OVER 80 DAYS, BUT
I HEARD ABOUT YOU DOING SMALLER INSPECTIONS IN THE NUMBER OF DOZENS INTERMITTENTLY.
WHAT WAS Y'ALLS RESPONSE TO THAT ASSERTION THAT IT TOOK THAT LONG TO DO A FOLLOWUP
INSPECTION AFTER A DEADLINE PASSED?
IS THAT WHAT THE NUMBER WHEN YOU SAW THAT NUMBER IN THE EXECUTIVE SUMMARY, IS THAT
ACCURATE OR ARE WE ACTUALLY DOING SMALLER INSPECTIONS AFTER THAT REPAIR DEADLINE
PASSES? >> I THINK IT REALLY DEPENDS ON THE CASES AND THE TYPE OF CASES.
THERE ARE SOME CASES OUT THERE THAT DO TAKE LONGER AND TAKE MORE INSPECTIONS THAN
OTHER CASES.
AND THERE'S DIFFERENT REASONS FOR THAT. SOMETIMES IT'S BECAUSE WE'RE NOT GETTING THE
COOPERATION FROM THE PROPERTY OWNER AND MANAGERS, AND THEN THERE'S OTHER TIMES

WHEN THERE'S SOME HARDSHIP CASES THAT WE'RE WORKING ON. FOR EXAMPLE, WE HAD COMPLAINTS ABOUT A CASE THAT WE HAD, AN APARTMENT COMPLEX. BUT THEY WERE LIMITED IN THE AMOUNT OF FUNDS THEY HAD FOR MAINTENANCE, AND THEY WERE APPLYING FOR A LOAN TO GET ADDITIONAL FUNDS, AND GOING THROUGH A PROCESS OF APPLYING FOR FUNDS THROUGH HUD, AND LOOKING TO MAINTAIN AFFORDABLE HOUSING. IN FACT, THAT WAS IN THE RUNDBERG AREA. AND SO WE'VE DONE A NUMBER OF INSPECTIONS OUT THERE, BUT WE'VE BEEN PUSHING THEM TO MAKE SURE THAT IF YOU CAN'T TAKE CARE OF EVERYTHING, AT LEAST TAKE CARE OF THOSE THINGS THAT ARE DANGEROUS AND UNSAFE FOR THOSE TENANTS. AND SO WE ARE OUT THERE ALMOST WEEKLY, SOMETIMES, DOING INSPECTIONS. BUT THEN THERE ARE OTHER CASES THAT WE DON'T WHERE WE CAN ACTUALLY MOVE THE CASE INTO MUNICIPAL COURT, OR MOVE THE CASE OVER TO THE BUILDING AND STANDARDS COMMISSION WITH FEWER NUMBER OF INSPECTIONS. THOUGH I MIGHT NOT AGREE WITH THE ACCURACY OF THE NUMBER THAT'S IN THE REPORT, I CERTAINLY AGREE THAT SOME CASES ARE TAKING TOO LONG IN ORDER TO GET TO THAT RESOLUTION. AND SO, WE'LL CERTAINLY BE LOOKING AT WAYS AND BE GLAD TO KEEP COUNCIL APPRIZED OF WAYS OF TOOLS THAT WE CAN USE TO SHORTEN THOSE TIME PERIODS WHEN WE'VE GOT FOLK OUT THERE WHO ARE JUST NOT COMPLYING, NOT DOING WHAT THEY OUGHT TO DO.

>> Casar: AND I THINK THAT WHAT I'M GETTING FROM THIS IS THAT WE NEED TO, MAYBE LOOK MORE GRANULARLY AT HOW LONG IT TAKES FOR US TO FOLLOW UP ON THE DANGEROUS OR MAJOR VIOLATIONS RATHER THAN JUST THE OVERALL AVERAGE, BECAUSE WHAT I'M HEARING IS THAT THAT AVERAGE MAY BE BUMPED UP WHEN IT'S A SMALLER VIOLATION.

[5:51:50 PM]

AND THAT'S ALSO WHAT I'M TAKING AWAY FROM THE INTERDEPARTMENTAL TEAM WHICH IS ACTING SOLELY IN ONE CORNER OF MY DISTRICT. SO FAR, I THINK THAT I'VE HEARD ABOUT SOME GREAT SUCCESS WITH SOME SERIOUS FIRE HAZARDS AND PLACES WHERE EMPLOYEES AND TENANTS WERE PUT IN DANGEROUS CONDITIONS. BUT NOW THAT WE'RE MOVING INTO THE MINOR VIOLATIONS, THERE IS A LOT OF WE'RE HEARING A GOOD AMOUNT OF DISTRESS IN THE COMMUNITY ABOUT THOSE MINOR VIOLATIONS BEING TAGGED FROM PROACTIVE WINDSHIELD INSPECTIONS. AND SO, AS WE SORT OF BRING THAT BACK, I'D BE HAPPY TO SPEAK WITH YOU, MAYOR PRO TEM, AND OTHERS ABOUT HOW IT IS I THINK THERE'S SOME PARTS OF THE PROGRAM THAT I THINK WOULD MAKE A LOT OF SENSE TO BRING TO OTHER PARTS OF THE CITY, BUT OTHER PARTS THAT I THINK THERE'S STILL A BALANCE THAT NEEDS TO BE STRUCK SO THAT WE CAN HAVE THAT TRUST IN THE COMMUNITY AND MAKE SURE THAT PEOPLE ARE HAPPY TO SEE CITY EMPLOYEES AND CODE INSPECTORS ON THE STREET. THE LAST POINT THAT I THINK I WANT TO MAKE TODAY, THAT I THINK WE'LL DISCUSS SOME MORE IS TOMORROW THURSDAY ALREADY? TOMORROW, IS AROUND THE IDENTIFICATION OF THE ISSUES, AND EMPOWERING TENANTS THE APARTMENT COMPLEX THERE ON 52ND STREET THAT WAS ACTUALLY IN THE SLIDE, I KNOW A GOOD HANDFUL OF PEOPLE THAT LIVE THERE, NOT JUST CONSTITUENTS, BUT I LIVED AROUND THERE FOR A WHILE.

MANY OF THEM WHEN I WAS TRYING TO GET THEM REGISTERED TO VOTE, DIDN'T KNOW THEIR OWN DRIVER'S LICENSE NUMBER. WHEN I WAS RUNNING FOR CITY COUNCIL, THEY DIDN'T EVEN KNOW WHAT THAT WAS. SO, IT SEEMS TO ME THAT IT'S SO IMPORTANT THAT WE EMPOWER THE FOLKS IN THESE BUILDINGS TO BE ABLE TO REPORT VIOLATIONS, TO BE ABLE TO PRIORITIZE FOR CODE WHAT MATTERS TO THEM, AND WHAT DOESN'T. WHAT THEY THINK IS A NUISANCE, AND WHAT ISN'T, BECAUSE THE LAW IS VERY FLAT.

FOR PEOPLE LIVING THERE, THERE MAY BE THINGS THAT ARE THE STRAW THAT BREAKS THE CAMEL'S BACK.

WE JUST GOT A POST UP, BUT, TOMORROW, COUNCILMEMBER KITCHEN AND COUNCILMEMBER POOL AND I WILL ROLL OUT PROPOSALS FOR SUPPORTING GROUPS THROUGH OUR CLEAN COMMUNITY FEE TO EMPOWER THOSE TENANTS TO WORK WITH THE CODE AND LAW DEPARTMENT, AND ALSO ASKING THE DIRECTOR OF CODE, AND ALSO OUR CITY ATTORNEY TO BRING BACK SOME POTENTIAL PERFORMANCE MEASURES SO THAT A YEAR FROM NOW, AFTER WE'VE FUNDED THESE OPERATIONS AND HEARD FROM OUR DEPARTMENTS AND TRUST SOME OF OUR DEPARTMENTS WILL START USING THESE ENFORCEMENT MEASURES AGAINST BAD ACTORS, IN SHORT TERM RENTALS OR DANGEROUS PROPERTIES, WE CAN CHECK BACK IN NEXT YEAR AND SEE HOW THAT WENT. I THINK HAVING THOSE MEASURES WILL EMPOWER CODE TO DO THEIR WORK FOR A YEAR, AND THEN ALSO SET THE EXPECTATIONS ON COUNCIL.

SO, WE'LL BE ROLLING SOME OF THAT OUT TOMORROW. I JUST WANTED TO MENTION THAT NOW SINCE IT'S VERY PERTINENT TO THE PRESENTATION.

[5:53:35 PM]

>> Renteria: AND I HAVE A QUESTION.

THE PERIODIC INSPECTION, HOW WAS THAT DETERMINED?

IS THAT A STATE LAW THAT YOU CAN'T GO, OR DID Y'ALL JUST WORK IT OUT?

WAS IT WORKED OUT? I DON'T UNDERSTAND IT, WHY YOU JUST CAN DO IT ONCE A YEAR.

>> JUST TO BE ABLE TO SELECTIVELY GO DOWN THE STREET IT'S MORE OF BASED ON CASE LAW.

AND CONSTITUTIONAL LAW. THERE'S NO STATE LAW THAT SAYS, YOU KNOW, THAT SAYS WE CAN'T, OR THERE'S NO LOCAL ORDINANCE THAT EMPOWERS US TO DO THAT.

>> I THINK HE'S ASKING ABOUT THE ANNUAL PERIODIC REVIEW. >> OH, THE ANNUAL PERIODIC REVIEW, SORRY. THANK YOU.[CHUCKLING]

THE ANNUAL PERIODIC IS PART OF THE REPEAT OFFENDERS ORDINANCE. IS BASICALLY SAYS THAT WE MAY IN ONE YEAR.

AND SO, I DON'T THINK THAT NECESSARILY YOU KNOW, THAT DOESN'T NECESSARILY SAY THAT WE CAN'T DO MORE THAN ONE PER YEAR, BUT THAT'S KIND OF THE EXPECTATION, THAT IT WOULD BE AN ANNUAL PERIODIC INSPECTION. AND WHAT WE FOUND OUT, THAT ONCE WE DO THAT PERIODIC, YOU SAW THE NUMBERS ON THERE.

THERE'S SO MANY VIOLATIONS, IT TAKES THEM A WHILE TO GET THESE VIOLATIONS TAKEN CARE OF. EXCEPT FOR THE REAL GOOD CASES WHERE THEY BRING IN A TEAM OF CONTRACTORS OR WHATEVER AND GET THE WORK DONE IN A FAIRLY SHORT AMOUNT OF TIME.

THAT DOESN'T HAPPEN MOSTLY.

MOSTLY THEY GO BUILDING BY BUILDING AND UNIT BY UNIT, AND SO IT MAY TAKE SOMETIMES UP TO A YEAR TO GET THE WHOLE PROPERTY DONE.

AND SO, BUT THERE MAY BE SOME CASES WHERE WE CAN MAKE EXCEPTIONS TO THAT ANNUAL AND DO MORE THAN ONE PER YEAR.

LOCAL LAW DOES NOT PROHIBIT IT.

>> Renteria: OKAY, THANK YOU.

COUNCILMEMBER GALLO. MM [OFF MIC] >> Renteria: ANY OTHER QUESTIONS? >> NO. >> Renteria: THANK YOU. >> Renteria: OKAY. THAT TAKES CARE OF 8.

ARE WE GOING TO VISIT 3? >> YEAH.

[5:55:50 PM]

LET'S I THINK WE WANTED TO GO TO 3 NOW, IF THAT'S ALL RIGHT WITH THE CHAIR.

>> Renteria: SURE.

NEXT UP, WE'RE GOING TO HAVE DISCUSSION AND POSSIBLE RECOMMENDATION OF THE HOUSING AND COMMUNITY DEVELOPMENT COMMITTEE NOMINEE TO THE LAND DEVELOPMENT CODE ADVISORY GROUP.

>> WE HAVE LOTS OF GOOD PEOPLE THAT WE COULD CONSIDER TO DO THIS, BUT I'D LIKE TO MAKE A RECOMMENDATION THAT WE NOMINATE MANDY DEMAYO AS OUR NOMINEE FOR THIS COMMITTEE. SHE'S CURRENTLY THE EXECUTIVE DIRECTOR OF HOUSING WORKS, AND HER INTEREST AND HER EXPERTISE IN AFFORDABLE HOUSING IS PRETTY REMARKABLE, SO.

>> Renteria: DO I HAVE A SECOND?

>> I'D LIKE TO SECOND AND SAY SHE CURRENTLY SITS ON THE CAG AND WOULD BRING SOME CONTINUITY IN THE EXPERTISE OF AFFORDABLE HOUSING.

AND SO I'D LIKE TO SECOND THAT NOMINATION. >> Renteria: I KNOW MANDY, TOO.

AND I THINK SHE WOULD BE AN EXCELLENT PERSON TO SERVE ON THE COMMITTEE. >> Casar: IF I COULD SAY SOMETHING NICE ABOUT MANDY?

I'LL JUST VOTE FOR HER, IT'S OKAY.>> Renteria: SO WE HAVE A NOMINATION AND SECOND. ALL THOSE IN FAVOR? IT PASSES UNANIMOUS. SO WE DID ITEM 8.

NOW THE LAST ITEM IS TO DISCUSS ANY FUTURE AGENDA ITEMS FOR THE NEXT MEETING.

COMMITTEE MEMBERS, ARE THERE ANY ITEMS THAT YOU WOULD LIKE TO SEE ON OUR NEXT AGENDA? HEARING NONE, I WOULD LIKE TO PUT ON A RESOLUTION THAT I'VE BEEN WORKING ON ABOUT THE NEIGHBORHOOD CONTACT TEAM.

SO I'M GOING TO

I'M GOING TO HAVE MY STAFF MEMBER MAKE A PRESENTATION ON THIS AND I THINK IT'S VERY IMPORTANT THAT WE START EARLY DISCUSSING THE CONTACT NEIGHBORHOOD PLANNING TEAM, AND SO AND I ALSO HOPE THAT WHEN I INTRODUCE IT TO I'M GOING TO RECOMMEND IT TO GO TO YOUR PLANNING COMMITTEE AND ALSO IN CASE WE DON'T HAVE ENOUGH TIME I WANT TO JUST DISCUSS IT WITH MY COMMITTEE, THE NEIGHBORHOOD DEVELOPMENT PART OF IT.

[5:57:45 PM]

>> Kitchen: I WOULD ALSO JUST ASK, JUST BECAUSE I'M NOT REMEMBERING THE TIMELINE, WHEN I KNOW THAT YOU ALL ARE WORKING ON THE COMPREHENSIVE HOUSING PLAN AND I KNOW YOU'VE BEEN WORKING WITH STAKEHOLDERS.

DO YOU HAVE AN IDEA ABOUT WHEN YOU WILL BE COMING BACK TO US?

I'D LIKE TO GET A STATUS UPDATE.

>> WE HAD INDICATED WE WOULD BE BRINGING THAT BACK TO YOU IN SEPTEMBER ALONG WITH STAKEHOLDER FEEDBACK.

>> Kitchen: OKAY, THANKS.

>> Casar: BEFORE I TOTALLY FORGET, WHEN WE END THIS I'LL MENTION SOMETHING TO YOU ALL ABOUT THAT, THE PLAN.
REMEMBER WE WERE TACKLING THE IDEA ABOUT HOW THE GOAL BEING FEELING LIKE IT WAS LOW AND HOW DO WE GET OURSELVES CLOSER TO IT.
I HAVE AN IDEA ABOUT THAT, BUT WE PROBABLY SHOULDN'T DISCUSS IT SINCE IT'S NOT REALLY ON THE AGENDA.
I'LL POP OFF THE DAIS WHEN WE'RE DONE. >> Renteria: OKAY. IS THERE ANY OTHER DO I HEAR A MOTION FOR ADJOURNMENT?
OKAY. WE'RE ADJOURNED. IT'S 6:00. RIGHT ON TIME.

[5:59:30 PM]

>> CHAIRMAN, I'M HAPPY TO GO THROUGH ONE OF THE ITEMS THAT JUST RELATES TO FUTURE RCA'S AND RV'S IF YOU LIKE.
>> Casar: WE STILL HAVE AN ITEM ON THE AGENDA.
>> IT'S ITEM 8.
>> Renteria: I'M SORRY.
>> THESE WILL BE ITEMS THAT WILL MOVE FORWARD WITH THE BUDGET PROCESS AND THEY WILL BE SPECIFIC TO INITIATING THE FISCAL YEAR '16 SERVICE AGREEMENT.
SO THE ALLOCATION OF THE CITY FUNDS TO EXECUTE THE SERVICE AGREEMENT WITH THE AUSTIN HOUSING FINANCE CORPORATION.
WE ALSO HAVE THREE DEVELOPMENTS THAT WILL BE COMING FORWARD SCHEDULED EITHER IN SEPTEMBER OR EARLY OCTOBER.
THESE INCLUDE A TIMBER'S PARTNERSHIP.
IT IS AN ISSUANCE OF PRIVATE ACTIVITY BONDS AS WELL AS ALDRIDGE 51 ISSUANCE OF PRIVATE ACTIVITY BONDS, AND WE HAVE A DEVELOPER WHO IS WANTING A CONSIDERATION FOR A RESOLUTION OF SUPPORT FOR A FOUR PERCENT TAX CREDIT APPLICATION, AND THAT WILL BE FOR WESTGATE RIDGE.
THAT'S SCHEDULED LIKELY FOR EARLY OCTOBER.
SO THAT COMPLETES THAT ITEM, JUST A QUICK SUMMARY.
>> Renteria: THANK YOU.>> Casar: SORRY, WHERE IS WESTGATE RIDGE?
>> I KNEW YOU WERE GOING TO ASK ME THAT.
I THINK IT'S IN DISTRICT 5.
AND I THOUGHT I BETTER GET THAT ADDRESS IN DISTRICT, BUT I THINK I PREVIOUSLY ASKED IT'S IN DISTRICT 5.
>> Casar: DID YOU KNOW I WAS GOING TO ASK YOU THAT?
[LAUGHTER]
>> I KNEW SOMEONE WAS GOING TO ASK.
WE NEED TO BE THINKING IN DISTRICTS.
THANK YOU.
>> Renteria: NOW THAT'S THE LAST ITEM.
[LAUGHTER].
SO DO I HEAR ANY OTHER DISCUSSION, ANYTHING BEFORE WE ADJOURN?
OKAY.
WE'LL ADJOURN AT 6:02 P.M.

[END]