

Anti-Displacement Task Force



PRESENTATION BY

**CITY OF AUSTIN LAW DEPARTMENT
AND OFFICE OF THE CITY CLERK**

JANUARY 5, 2018

Task Force Purpose



The overarching purpose is stated in Resolution 20170817-053:

- Advise Council in addressing gentrification displacement in a comprehensive, broad, systematic, intentional manner;
- Assist in Council's commitment to preserve goals for affordable housing in each Council district to ensure income-accessible affordable housing throughout the City;
- Assist in developing a comprehensive plan to address mass displacement with clear strategies to prevent further displacement;
- Assist Council with evaluating policies to remedy inequitable status quo in housing segregation and displacement driven by gentrification due to past public policy actions/inactions and racially discriminatory practices.

Directives



- Review provided data, available data, and data responsive to solicitation;
- Review previously conducted/adopted actions, documents and materials, including from Councils and boards;
- Collaborate and work with Consultant, communicate productively, and allow the Task Force's work and the Consultant's work to inform the endeavors of each other;
- Identify sources of information that will reveal the depth of the problem in the community;
- Set metrics and goals;
- Provide preliminary recommendations for displacement prevention.

“Categories of Action”



Mandatory “categories of action” to review and recommend on:

- Preserving and expanding the supply of affordable housing;
- Controlling land for community development;
- Preserving and growing small businesses and cultural assets;
- Income and asset creating by providing the following needed services as apre-condition for success
 - Childcare
 - Transportation
 - A basic retail sector
 - Access to health care
 - Employment opportunities
- Financing strategies to provide community-specific ways to fund the above four categories of action.

Required Product



- In-Progress Report to be delivered to Council at its first meeting after passage of 3 months from the Task Force's first meeting; and delivered thereafter to the community.
- Preliminary Report to be delivered to Council at its first meeting after passage of 6 months from the Task Force's first meeting.
- Final Report to be delivered to Council at its first meeting after passage of 10 months from the Task Force's first meeting.
- Reports shall:
 - Assess growing loss of rental and owned units;
 - Quantify the problem;
 - Provide a set of recommendations to Council for consideration and possible adoption in August 2018.

Texas Open Meetings Act (TOMA) and Texas Public Information Act (PIA)



- Texas Open Meetings Act (TOMA) requires that:
 - Meetings of governmental bodies be open to the public;
 - Agendas be posted publicly at least 72 hours prior to a meeting, and must include notice of the date, time, place, and subject of each meeting; and
 - A quorum of members be present to begin meeting.
- Texas Public Information Act (PIA) requires that:
 - Information pertaining to the body's business, including that stored on private email accounts, is subject to the PIA.

Non-Mandatory (but directory) Miscellanea



- The City Code prohibits bodies from meeting in closed/executive session unless they have received prior approval from the City Attorney. [Code § 2-1-43(C)]
- A meeting may not extend beyond 10:00 p.m., unless the body votes to continue. [Code § 2-1-44(C)]

Electing Board Officers



- The Task Force shall elect a Chair and Vice Chair.
 - All board votes are public.
 - There is no ballot system for any Task Force action.
- The presiding officer:
 - Leads meetings;
 - Approves draft agendas; and
 - Appoints members of working groups and committees with input from members.
- The Vice Chair presides over a meeting in the absence of the Chair.

City Manager Support Obligations



- The City Manager's Office will provide support to the Task Force, including:
 - Providing an assigned staff liaison;
 - Providing resources to compile data that includes housing losses due to:
 - demolition;
 - condominium conversion;
 - speculative sale;
 - abandonment;
 - increased home prices/rents.

City Manager Support Obligations (cont'd)



- Providing other indicators of housing loss and/or displacement drawing from available data;
- Providing information about previously-adopted Council Resolutions, along with the related responses from the City Manager, including those recommended in the Mayor's Task Force on Institutional Racism and Systemic Inequities;
- Soliciting proposals for an outside consultant to inform the Task Force with technical expertise.

Consultant Support Obligations



- The Consultant will provide support to the Task Force, including:
 - Researching, developing, and otherwise providing technical expertise with displacement and gentrification strategies;
 - Facilitating research concerning displacement;
 - Providing a toolbox of policies and programs where efficacy of anti-displacement tools have been proven;
 - Researching key issues affecting displacement and gentrification.

Auditor Support Obligations



- The Auditor will provide support to the Task Force, including:
 - Reviewing all City work (to date of formation of Task Force) involving policy and program recommendations related to displacement and gentrification, and determining their implementation status;
 - Making a submission of findings to the Task Force within 90 days of its formation.

City Clerk Support Obligations



➤ The City Clerk's Office will provide support to the Task Force, including:

- Assisting the liaison in preparing the agenda;
- Posting the agenda;
- Assisting the liaison in preparing the minutes;
- Maintaining the webpage.

Code of Conduct



- Each person attending a meeting should observe proper decorum.
- A person or commissioner should not speak out of turn, use disparaging or abusive language, and must not make threats of violence against any other person during a meeting.
- Situations may arise which create conflict or require attention. If there is a concern, please discuss the situation with staff.

Minimum Standards of Conduct



- May not solicit or accept employment that could reasonably be expected to impair the member's independence in judgment or the member's performance of City duties.
- May not accept paid campaign work relating to a ballot proposition if the Task Force exercised discretionary authority with respect to the proposition.
- May not formally appear before the Task Force while acting as an advocate for himself/herself, or for any other person, group, or entity.
- May not solicit or accept a gift or favor that might reasonably tend to influence the member in discharging duties, or that the member should know has been offered with intent to influence/reward official conduct.

Agendas



- Agendas are compiled by staff liaison with input from the Chair and members of the Task Force.
- Members may include an item if:
 - Sponsorship is received from at least 2 members, and is provided **5 calendar days** before the meeting.
 - The item is requested during a meeting under “New Business-Future Agenda Items” from 2 or more members .
- The Chair approves the final agenda.
 - The Chair does not have discretionary authority to remove an item for personal reasons. However, items may be postponed or accelerated due to time constraints.

Agendas (cont'd)



- Agendas must be written so that any reasonable person may understand what the Task Force intends to discuss.
- Agendas must include all issues to be considered and any action or votes anticipated.
 - Example: “Possible discussion and action of ...”
- Each meeting agenda should provide for general citizen communication.
- A member of the public may not speak on an item posted as a briefing.

Meeting Minutes



- TOMA and City Code require written action minutes of all meetings:
 - Written minutes are not a transcript of every word of the meeting.
 - The meetings will be either televised or audio recorded.
 - The recording will be posted to the Task Force's webpage.
- The Task Force liaison will take the minutes of meetings by recording the events using action minutes, to include:
 - Members in attendance;
 - Subject of each deliberation; and
 - Each vote, order, decision, or other action taken.

Attendance Requirements



- A member may be removed by Council for failure to attend 3 or more consecutive meetings.
- Please remember to sign the attendance log at each meeting.
- Please notify the staff liaison in advance if you will be absent from a meeting.

Quorum Requirements



- For the Task Force to meet and conduct business, a quorum must be physically present.
 - A member may not call or skype into a meeting.
- Unfilled positions do not change the requirement for a quorum.
 - For a 17 member board, 9 members must be present.
 - If 15 members are appointed and 2 seats are vacant, 9 members must be present to meet.
- If a quorum is not present within 30 minutes after the start time, no action can be taken and the meeting is cancelled.
- A Cancellation Notice should be posted prior to cancelled meetings.

Questions?



*Thank you for
your service.*