

Draft Minutes
Austin Neighborhoods Council
Special Meeting – Austin Energy Building, 721 Barton Springs Rd
November 13, 2006

Agenda

7:00 p.m. Overview of VMU opt-in/opt-out process and schedule

Neighborhood Planning & Zoning Dept. Staff

"City staff from the Neighborhood Planning and Zoning Dept will present the process for neighborhood recommendations to Council on VMU development bonuses along Core Transit Corridors and Future Core Transit Corridors, and on the neighborhood's affordable housing level (60-80% Median Family Income) for the component of affordable housing in VMU developments that take advantage of the bonuses. At our 10/30 special meeting on VMU w/Council Member Brewster McCracken, discussion revolved around broader issues about VMU. This should be a more detailed discussion, oriented toward the specifics of the process that we will follow in making our opt-in/opt-out recommendations."

8:00 p.m. City's Private lateral program

Austin Clean Water Program Staff

"This ACWP presentation will be an overview City's private lateral program, which includes a new (proposed) ordinance and a financing & grant program. A private lateral is the small pipe which connects each home, duplex, apartment complex or business to the City's wastewater collection system. In some cases, those private laterals are defective; the presentation will describe the options residents have to fix these laterals and the enforcement guidelines that will be in place. The proposed ordinance is scheduled for presentation to Council 12/14, and this will be an opportunity to provide input on it."

9:00 p.m. Adjourn

Minutes

1. The meeting was called to order at 7:00 p.m. by Vice President Danette Chimenti (President Laura Morrison out of town, VP Jeff Jack at Board of Adjustment hearings).
2. **VMU:** Jim Robertson and George Adams (city staff) presented a half-hour Powerpoint review of the Opt Out process for the new Vertical Mixed Use ordinance. Copies of the ordinance were distributed at the previous ANC meeting, and the ordinance can be accessed on the city Web site.

Important dates:

The ordinance takes effect January 13, 2007. Robertson said, however, that the VMU standards and incentives will not take effect until the neighborhood options process is complete. Robertson and Adams confirmed that the 90-day period for that options process has not begun. The 90 days begins with an official notification from the city to the neighborhoods, and the date of that notification has not been determined.

A workshop is scheduled for December 15, 2006. It will be led by the consultant Clarion and oriented toward developers, introducing them to the city's new design standards in general, rather than the VMU standards specifically.

Three workshops are planned but not yet scheduled, to focus on VMU and the neighborhood options process.

Burning questions:

- A. Robertson and Adams insisted that the 90-day option period will run concurrently for all neighborhoods. In other words, all will be notified and processed simultaneously, not in phases as was discussed with Councilmember McCracken at his meeting with ANC. Neighborhoods that are not prepared to knock out an application in the first 90 days will have to request extensions. The discrepancy between the McCracken schedule and the staff schedule was unresolved.
- B. On the question of whether "opt out" means opting out of only the VMU bonuses or opting out of vertical mixed use entirely, Robertson and Adams insisted that it is the latter, that the VMU overlay "is not a backdoor" for MU rezoning. ANC representatives involved in the crafting of the ordinance read it to mean that on January 13, mixed use development will be allowed on all commercial properties within a VMU overlay, regardless of whether their zoning previously included MU, and the neighborhood options process applies only to the four bonus categories. The discrepancy was unresolved.

3. **Sewer laterals:** Gopal Guthikonda, Michael Castillo, George Smith, Chris Perez, and other city staff represented the wastewater program. Crispin Ruiz and Brigid Shea of the Austin Clean Water Program also attended, and brought lots of food, thank you very much. A PDF of the draft ordinance is attached.

The dimensions of the infiltration and inflow (I&I) problem include: Austin treats between 4 billion and 6 billion extra gallons of water per year because of I&I, and private laterals account for one third to one half of that extra expense, roughly 2 billion gallons a year, which costs us about \$1.2 million per year in added treatment costs alone. (There are many other expenses associated with wastewater overflows that are more difficult to quantify.) The utility believes that about 10,000 laterals need to be repaired over the next 3-5 years, for a total of about \$20 million worth of plumbing repairs. The most expensive repairs will be about \$3000. Staff believes the current ordinances are inadequate to address the problem within the target date of 2009.

Important dates:

The ordinance will go before the Environmental Board on Dec. 6, to the Water and Wastewater Commission on Dec. 20, and to City Council sometime in January. I neglected to find out if it is still scheduled for a staff briefing at City Council on Dec. 12.

Burning questions:

- A. How will the utility get individual owners to make and pay for the repairs in a timely manner, especially if they can't afford them? Staff estimates that 10-15% of the defective laterals will be covered by a grant program, whereby the city will pay to have the work done by specially trained plumbers. Another 20-25% will be eligible for low-interest loans through Velocity Credit Union. The rest will be subject to a new compliance and enforcement regime.
- B. Would it be cheaper in the long run for the utility to pay its selected plumbers to do the repairs properly up front, without trying to determine first which customers can and cannot afford it? Staff gave many reasons for the three-level financing system, but they never gave a dollar figure for the potential savings and benefits that could be balanced against the \$20 million cost estimate. (Afterward the meeting, however, Brigid Shea rounded the staff up and produced the \$1.2 million figure given above.)

4. Adjournment

The meeting adjourned at approx. 9:20 p.m.