



Realtors' Meeting – May 2021

"Preserving our heritage while preparing for our future"

Thank you each for taking the time to share with your City Council regarding the Realtor efforts in our community. We get better at serving the taxpayers as you share obstacles or ideas. As you are aware, you build the first relationship with our new neighbors – and it is appreciated.

As a follow up:

- The Utility Department will follow up on **lots that may be miscoded** regarding their **access to water/sewer**. The interactive map that is posted on the website was a major feat, but will only be useful if all data is accurate. As Rick noted, he (along with the GIS) has spent hundreds of hours on this and we are proud of the high level of accuracy/convenience – but if there are a few in error, they will absolutely be corrected. Please be sure to call if you identify an error. Note: Some clarification will be added for those lots that have a line run to them, but do not have/show a 'tap'. This is true of several older areas, but the City will issue these taps off the main line when needed. We also were glad to share that by the end of the calendar year, they hope to have **costs for extension and hookups** associated with each lot to assist you in your discussions with potential buyers.

- The Developmental Services department will similarly follow up on any **zoning irregularities you identify**. Your eyes and experiences are crucial to getting this right.
 - We do not have an **active permit on Hi Circle North with a home that is sitting with red card and no work** at this time. In researching files, we believe that the relator was referencing the 409 Hi Circle North. That home was originally permitted in late 2017 and was finally issued a CO on 08/14/2020. The builder as issued several stop work orders over time, 3 extensions (each with a fine except one when he was in hospital), a variance and at one point was under a reg tag for months (during CoVid and ongoing medical where he expressed he was unable to address the red tagged items). This home was in the queue for Municipal Court. This is very unusual however as most homes are complete on time or are fined after they have exhausted extension requests/fees and builders have worked to avoid this.
 - One property was mentioned that appeared to have its **zoning category changed** from Commercial to PD. Our map indicates PD zoning and we are exploring any zoning change history. This could be a mis labeling of our maps as a property could not get legally changed in zoning without going through the full process (request by owner, posting in paper/on property, hearing before P&Z, City Council approval). Zoning is not a casual process. The historical research will be

completed by Friday to look at original documents. If there is no record of the zoning process occurring, the maps will be corrected. The possibility is that a map coding error occurred when we were developing **the Future Land Use Map/FLUM**. This map is designed to identify areas that might be prime for change to meet the goals of the community (example: areas currently zone commercial that might lend themselves to more mixed-use). The FLUM is not a zoning map, however. It is just designed to help if and when a request for zoning change is made...to see if that change aligns with the FLUM desires expressed by the community study. Please notify the office if you ever encounter a similar conflict – as your attention to detail makes it better for all.

- You offered some **great feedback on features** that would assist you in using the interactive maps such as associating an address (vs. lot number) with properties, etc. Our GIS administrator, Troy, will follow up on your suggestions. As you use the tools, make note of any further items that would assist you in your work.
- Again, we checked and could not find any properties that have been issued a **building permit without ACC approval**. On occasion someone comes in for a permit without this signature. They are told they need this (which is true even if we can't enforce it). Jessica calls the POA to notify them that a builder came in for a permit without the ACC approval.

Note: We received word from Senator Buckingham's office yesterday that the co-authored Bill (by Buckingham and Rep Murr) passed through both the House and Senate committees and has been placed on the consent agenda for approval (essentially meaning it will be stamped for approval). This is the Bill that is intended to return the **City's ability to enforce external building material** expectations. I have asked them to highlight the language that specifically points to this so we can move this to change our ordinance back to its prior position.

There are several other Bills that are frustrating the ability of local communities where the State is taking away POA oversight in favor of what they call "property rights". Unfortunately, if passed it could weaken the high quality expectations in some areas as it may allow one homeowner to lower the standards of external appearances not in keeping with the desires of the neighbors. **The one Bill that the Governor has moved to Special Session** speaks to removing a City's right to secure advocacy. While it sounds good to say that taxpayer dollars should not be used for lobbying – it essentially removes our ability to have someone watch the actions at the State level on our local behalf so that we can get engaged more fully to share our rural/small community impact. Hundreds of Bills are presented every year – and monitoring this is impossible for small communities without advocates summarizing potential impacts. They are using the term "property rights" as an emotional button to override 'local control' (which is

citizen control really because taxpayers can vote out anyone not acting in their best interest).

- I have reached out to Congressman Pfluger to see if he will join our discussion regarding **postal service** in our area. We welcome any added strength as we have spent 4 years in meetings, calls with legislators/USPS regional directors, etc. without significant change. One of the biggest challenges is the contract with outside entities such as Amazon – and getting the addressing of boxes more logical (see post on city website for Post Office). Further, we are not our own PO, rather are an annex of Marble Falls. As Councilman Rives mentioned, we do not have a local Postmaster who advocates for us – and often have our staff deferred to help elsewhere. We have made formal requests for our own Postmaster.

The one area that could possibly change is with the **HSBayPOA for West/Proper**. If they can find a way to create additional kiosks, it might assist. They do not have the capability of assessing a fee (other POAs do), but could perhaps get varied streets willing to voluntarily ‘donate’ to a cost. It would also require land donation as people do not like having a kiosk in their front yard area (even if it is in the easement) as they don’t like the car traffic. But this would have to be a POA effort. The City cannot use tax dollars to pay for kiosks as that would essentially be asking taxpayers from other POAs to pay for HSBayPOA homeowners. These taxpayers (example: Hills, Trails, Applehead Island) have already paid for their own kiosks. We did put forward \$30,000 toward some kiosks development several years ago – but this was not actually appropriate action. That money is slowly being repaid to the City/taxpayers through the \$100 assessment on each new home built in the HSBPOA area. The other POAs (who have provided their own mailboxes receive the \$100 for each new build as well – but paid directly to them as they do not owe the City). The Summitt development indicates they have set aside funds to add kiosks as a part of the building plan.

- **Speculative housing** is always confusing. Right now we have the potential for over 100 speculative homes to be under construction at any one time (by 39 different builders). At the end of April 2021, **HSB had 56 Spec Homes construction sites** with 31 total Spec homebuilders. Of the 31 total builders, 23 have 1 Spec home under construction; 6 builders had 2 Spec homes under construction, and 2 builders had 2+ Spec homes under construction (these are the 2 with a waiver for the next two years). We have no indication that the City is restricting these builders from proceeding in these speculative builds. It appears that speculative building is not financially a good risk at this time given the materials cost for the builder, but we do not know for sure. Still, there is the potential for over 50 additional spec homes to be built that are not being pursued...so adding speculative number does not address inventory. We have never had all builders

taking advantage of the speculative build of two homes option. Inventory is an issue everywhere, especially in high quality areas in the Austin/Central Texas area.

- **The police department** staffs approximately 4-5 officers per shift with clerical/dispatch support during the day. The officers are in the field, patrolling, unless they are in meetings, processing paperwork, etc. The day shift is available for any citizen to call in directly if they have general (non-emergency) questions/needs. In the evenings all calls to the police should be only if there is an emergency need. These calls are dispatched through Marble Falls for cost efficiency – and non-emergency calls should be made the following day rather than use limited resources in the evenings. We have a lot of property ground to cover – many out of towners requesting patrol (especially if accessible by water). Any criminal activity is typically increased at night requiring preventative presence by patrols. We are fortunate that this process has worked to keep us a very low crime/high safety community.

However, citizens may call the non-emergency number at night (830-598-2633) and the Marble Falls office will assist if it is something that can be handled that evening. If someone is just wanting to leave a message for someone to call them the next day, Marble Falls will forward it to the answering machine in HSBay for pickup the next day.

- The Public Works Department manage **street signage**. Given the costs to replace these with bonded aluminum signs (several hundred dollars for total signage, secure footing, installation), they will begin with any areas that have homes or are traveled with frequency to assist in safe movement – then look at plans for those lots where signage will assist in people driving through unfamiliar areas. Unfortunately, they have put in signs in some areas that are unpopulated just to assist – and these have been stolen for fun (example Jalepeno St). There are not plans to expend funds on streets in open lot areas until traffic warrants this. Using GPS is the best course of action for anyone seeking to locate a particular lot.

As I mentioned, **street names can be changed** (with good cause) if every lot owner agrees with the change. This does take time on the part of staff here and at the County level (and in emergency operations) – and does require each lot owner to assume responsibility for changing all their own legal documents to reflect the new address...so name changes should be requested sparingly and with awareness of the time impacts.

Thank you for welcoming our new neighbors with such care and professionalism. You are likely the first contact for many....and set the tone for their life in our City. You are genuinely appreciated (we know you have to show multiple times before you get one signed contract....and want to remove any obstacles to your success). Remind your new homeowners that there is a “welcome bag” with lots of crucial information for them at City Hall (as well as a bottle of their grinder solution!)