

Austin Neighborhoods Council - Executive Committee Meeting Minutes  
October 14, 2009  
6:30pm to 8:00pm

Minutes prepared by Lorraine Atherton, ANC Cosecretary

Present: Joyce Basciano, Mary Eichner, Lisa Harris, Cynthia Keohane, Jolene Kiolbassa, Bo McCarver, Lou O'Hanlon, Lupe Sosa, Patty Sprinkle, Terry Tevis, Cory Walton, Mike Meier, Lorraine Atherton

6:30pm Call to Order

6:31pm Approval of Minutes of Sept. 9 executive meeting (with spelling corrections) and Sept. 23 general meeting (with addition of motion makers and seconds)

6:40pm Officer/Committee/Sector Reports

- Treasurer's Report (Cory, check to Linda), statement shows \$5,049.47
- Requests for Support
  - Nov 14 HousingWorks conference, Topic is affordable housing and the Comprehensive Plan. Cory will ask Karen Pfoff for more info on the agenda and whether ANC can invite a speaker, such as Mike Daniel from the Dallas Inclusive Housing program.
  - Austin Interfaith CM Morison Living Wage, Health Care to employees. See attached handout with resolution. Lorraine A. moved that the resolution be presented to the membership at the October general meeting, for rollout only. Cynthia K. seconded. Motion approved without opposition
  - Heritage Tree Draft Ordinance: Cory W., Environmental Board set up a subcommittee to report back next month. In the meantime, Cory has received attached draft resolution listing specific "environmental imperatives." Lisa H. moved that a condensed version be presented to the membership at the October general meeting, for rollout only. Terry T. seconded. Motion approved without opposition. Cory and Lisa will work on revisions to the resolution.
  - WQPL Report, Mary E., nothing new to report
- Sector Issues
  - Monthly Meetings
  - NUNA/Hancock telecommunications row, Lisa, nothing new to report.
  - HPNA Elisabet Ney landscaping, Lisa, the neighbors got some concessions, regarding preservation of trees. John and Catherine Moore have written a more complete history, available ?
  - Central Sector Chris Riley on Airport Road Planning, Jolene, no report available, but this is about "form-based code" (get book reference from Lisa)
  - East, Bo, much concern about expected 35-40% increase in Austin Energy rates
  - South Central Coalition, gearing up to persuade CM Riley and Spelman to honor their campaign promise to support Waterfront Overlay and change their PUD vote by Oct. 22.

7:20pm Meeting Planning

- October main topic (Sue Edwards is not available), Greg Guernsey on the Comprehensive Plan and NPs, 40 min
- October secondary topic, Rob Spillar on City of Austin Transportation plan vis-a-vis, CAMPO, Comp Plan, Cap Metro, 20 min (Gordon Derr may also set up dot map in lobby)

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- Girard Kinney on billboard ordinance (Bo will find out if Kinney is ready), 15 min
- Officer elections, 10 or 15 min
- Vote on Affordability resolution (Bo), rollouts of attached Austin Interfaith resolution and revised Heritage Tree resolution, 20 min
- David Kobierowski 91.7 KOOP radio "A Neighborly Conversation", 5 min
- November exec meeting will be an orientation for new officers, considering strategy session or retreat for Dec. 9 exec meeting
- Need to reserve meeting space for 2010, Cory
- January main topic, AISD – new superintendent (increase in age 1-5 kids yet elementary closings, involvement w/community, etc)
- In January, consider Joan Bartz and University Hills NA to discuss H.B. 216, on group homes

8:00pm Ongoing Business and Neighborhood Issues

- ANC Elections, nominees committee
- ANC Holiday party & committee, reserve Vortex for Wednesday, Dec. 2, 6-8 pm, same as last year's party. Bo will get with Mark and Go-Go caterer.
- Liasons/Committee/Sponsorship Status:  
Texas Neighborhoods Together: Lisa and Terry are planning to attend monthly meeting in Garland at the end of October. ANC has two director positions on the TNT board, currently filled by Lisa and Clare Barry. As ANC president, Cory needs to consider the appointments for the new year.

ANC CAN representative and membership requirement: Patty Sprinkle will apply for a three-year term, but the ANC seat is no longer guaranteed.

- BS PUD, Cory, in mediation
- Southshore PUD, to council for second reading October 22, CM Riley and Spelman need to honor their campaign promises to ANC to support Waterfront Overlay
- Comprehensive Plan, kickoff meeting was held Monday. See schedule on city Web site for six or so more meetings
- Residential remodel resolution language, not available
- Street closure meeting, Lisa attended
- SOS press conference on WTP4, Tuesday Oct. 20, 11-noon, Cory or Lorraine will attend to represent ANC resolution
- Meeting with auditor candidates, hosted by CM Morrison, Cynthia attended

8:30pm Adjourn (note that we're running about half an hour overtime on exec meetings)

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**Requests for Time on Agenda**

- Girard Kinney – billboards (Oct)
- Robert Goode – New Assistant CM over Aviation, Public Works and Solid Waste

**Potential Program Topics/Agenda Items**

- How get Rebates for Energy Efficiency
- Rob Spillar – New Transportation Director
- Howard Lazarus - New Director of Public Works
- Mike Daniel – redistricting, misuse of tax credits and other issues
- Platform of ANC Issues
- Presentation from Aging Services Council – demographics and needs of elderly population

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- Avance – early childhood/family programs for low income families

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Attachement 1

Austin Interfaith resolution

**Background:** In 1950, El Paso had the strongest economy in the southwestern United States and was a major commercial, manufacturing and banking center with a median income that was 103 percent of the national average. In the following decades, El Paso's political and business leaders adopted a strategy to recruit low-wage jobs to El Paso. Today, El Paso is near the bottom of any indicator among U.S. cities, with a median income of 66 percent of the national average.

With this example as background, and with Austin's historic values as a city with a highly-educated workforce and quality lifestyle, recent examples of City-subsidized developments and businesses do not seem to live up to these values. Therefore, the Austin Neighborhoods Council offers the following resolution:

**RESOLUTION:**

**WHEREAS** most major employers cite an educated work force, quality schools, safety and quality of life as the most important factors when deciding where to locate;

**WHEREAS** the high price of real estate within the city of Austin has priced many Austinites, both homeowners and renters, out of housing;

**WHEREAS** tax abatements potentially limit the general revenue that the city of Austin has to spend on road improvements, traffic calming, parks, social services, and other services traditionally provided by the City, and;

**WHEREAS**, rather than subsidizing a low-wage strategy, Austin should give incentives solely to companies that pay their workers well in wages and benefits and offer workers the opportunity for advancement, thereby increasing productivity and reducing labor costs over time by retaining talent and experience and in so doing, strengthening our community and our neighborhoods.

**THEREFORE, BE IT RESOLVED THAT THE AUSTIN NEIGHBORHOODS COUNCIL** endorses the enactment of an ordinance that would require any business receiving tax abatements to: 1) pay all of its employees a wage tied to an index that would allow a typical Austin family to adequately meet the basic needs of living in Austin; 2) provide all employees health care benefits; 3) provide all employees a career path; 4) have a strong program to recruit locally.

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Attachement 2  
October \_\_\_\_, 2009

The Austin Neighborhoods Council is an umbrella organization representing 91 neighborhood associations across the city. The following resolution regarding the City's proposed Heritage Tree Ordinance was approved unanimously at the ANC general membership meeting on October \_\_\_\_, 2009.

WHEREAS, preservation of native species of trees in the City's urban forest is essential to sustainability, a healthy green infrastructure, the region's natural heritage, and a vibrant economy and quality of life;

WHEREAS, the Heritage Trees of our urban forest provide particularly valuable environmental, economic, and aesthetic benefits, including benefits that address climate change, the urban heat island effect, air pollution, soil erosion, and stormwater runoff, and provide for wildlife habitat, energy savings, landscaping amenities, visual and noise buffers, enhanced property values, and overall community enjoyment;

WHEREAS, the City has committed itself to providing Heritage Trees a higher level of protection by proposing a Heritage Tree Ordinance;

WHEREAS, many other cities around the country and in Texas have implemented tree ordinances that provide for public process and/or appeals rights, formal enforcement and mitigation measures, and protection based on both size and species;

WHEREAS, neighborhood representatives, environmental groups, the Tree Task Force, the Environmental Board, the Urban Forestry Board, and other stakeholders have previously recommended certain measures to enhance tree preservation in the city, and preservation of Heritage Trees in particular;

THEREFORE, BE IT RESOLVED THAT the Austin Neighborhoods Council recommends that the proposed Heritage Tree Ordinance be adopted with the following amendments:

- 1) Any variances to the ordinance that contemplate removal of a Heritage Tree 24" DBH or above should be reviewed publicly by an appointed board or commission rather than approved administratively. If the City decides to implement staff's recommendation of a public process that only applies to Heritage Trees 30" DBH or greater, appeal rights for interested parties should be provided for administrative variances granted for Heritage Trees between 24"-30."
- 2) The loophole in 25-8-624(A)(2) should be removed by changing the language from "prevents a reasonable use of the property," to "prevents all reasonable use of the property."
- 3) The method of calculating the diameter for Heritage Trees should be the same method that the City uses for calculating the diameter of Protected Trees. For Protected Trees, the City accounts for multiple stems by defining diameter as the total of the largest stem's diameter plus half of all of the other stems' diameters
- 4) "Dying" should be struck as criterion for removal of Heritage Trees, as this criterion is highly subjective for old trees and ambiguous at best.

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- 5) To provide for comprehensive mitigation and to ensure compliance, the City should implement the following:
  - a. An explicit formula for mitigation of Heritage Trees, such as 4:1, or mitigation based on the basal area of the removed tree.
  - b. Liability for civil penalties for removing a Protected or Heritage Tree without a permit and without implementation of an approved mitigation plan in the amount of a maximum of \$2000 per day for each day a tree is removed without authorization and without full implementation of an approved mitigation plan.
    - i. Alternatively, civil penalties based on the appraised value of the tree rather than the mitigation value.
  - c. Issuance of a stop work or "cease and desist" order for removal of a protected or heritage tree, effective until an approved mitigation plan has been implemented.
  - d. A performance bond or other security to ensure mitigation provided to the City based on the caliper-inch of trees sought to be removed that is held by the City and not returned to the applicant until the later of two years after the mitigation plan has been implemented or the mitigation trees have grown and become established according to plan.
  - e. Authority to withhold certificates of occupancy if satisfactory mitigation has not been performed.
- 6) The City should protect all native species of Heritage Trees that are 24" DBH and above. In addition, the City should consider protecting additional native species that are important to the region's natural heritage but that may never reach 24" DBH.

Thank you for your consideration.