

Austin Neighborhoods Council - Executive Committee Meeting
Vinny's Café, 1003 Barton Springs Rd.
February 10, 2010 - 6:30pm to 8:00pm

Present: Lou O'Hanlon, Lorraine Atherton, Rudolph Williams, Jolene Kiolbassa, Cory Walton, Joyce Basciano, Bo McCarver, Steven Aleman, Terry Tevis, Cynthia Keohane, Carol Gibbs (for first half of meeting) and Lisa Harris. Jeff Jack was present for the first part of the meeting.

6:30pm **Call to Order**

6:31pm **Approval of Minutes:** Unanimously approval of general meeting, EC and special EC minutes for January.

6:40pm **Officer/Committee/Sector Reports**

6:40 Treasurer's Report

6:42 Membership renewals update

6:44 Requests for Support (Updates, new additions)

- HB 216 (Group Boarding Homes)
- Save Town Lake \$500 donation- Lorraine moved, unanimous vote in favor.

7:00 pm **Sector Issues**

East Austin/ South Central--Music permitting process. Violators of outdoor music permits are not being ticketed, city is only issuing warnings. (The first incident of a day a warning is issued; unless there is a subsequent offense the same day no ticket is issued.) Police are also giving a half hour grace period after the time the permit ends. People who apply for permits are not being asked to talk to affected neighborhoods. Staff is being told to approve all first-time applicants regardless of type of business. Appeals of permits that were granted not in compliance with the ordinance are on the Council agenda tomorrow, as is an emergency ordinance for outdoor music. The reason for the emergency ordinance is to make it doable for venues to get permits in time for SXSW. Lorraine proposed we consider a resolution that APD should issue tickets for permit violations.

7:10 **Resolutions (all from ANC East):**

1. Excessive force resolution: Rudy Williams presented resolution on police use of arbitrary and excessive force. The proposed preservation of life standard in resolution would be more specific than the current APD standard. Cynthia moved to take this resolution to the general meeting for February rollout and March vote. Lorraine seconded. Unanimous vote to send forward
2. Bo McCarver presented the prostitution diversion resolution that a model program in Dallas be emulated in Austin. Bo revised the resolution to "and garner all possible resources." Terry moved we send to general meeting, Joyce seconded. Unanimous vote to send to general meeting.
3. TXI Gravel Pit resolution. Relates to TXI applications for gravel pits in eastern Travis Co. To be discussed at a March 3rd state senate subcommittee meeting. Bo McCarver will send complete info on committee that is hearing it so it can be brought to the attention of TNT. Lorraine moved that we roll out the resolution in Feb. in order to raise the question of whether this should be in ANC legislative agenda. Bo seconds. Unanimously sent forward.
4. Mueller energy substation. Mueller N.A. Lorraine and Cynthia raised concerns about how local this resolution is. Lorraine moved we reconsider this at March EC meeting and Cynthia seconded.
5. Go Bonds resolution was rolled out at Jan. mtg. and will be voted on at Feb mtg.

7:50 **Central- Parking Benefit Districts-** Carol Gibbs has been working with Steve Grassfield on this. The only parking benefit district that exists now is a pilot district on San Antonio Street. University Area Partners wants to expand that and brought the idea to CANPAC without any metrics. Grassfield had his engineers create a real map that he will present to UAP Feb. 11th to see whether the map matches what they are asking for. Jolene proposed we have Steve Grassfield talk about this at ANC. Bo suggests if we do have him come talk it should be about the pros and cons.

8:00 **Central-grandfathering of "group residential" occupancy levels**

8:01 Meeting Planning-

Feb.

- Garner Stoll City of Austin Comprehensive Plan, (10 min update/15 minute questions- 30 minute maximum)
- Greg Guernsey, neighborhood plan contact teams and music permitting process. (Invite Don Pitts to be present- give him 5 minutes if he comes) (20 minutes)
- Bruce Elfant, Census 2010 (10 minutes)
- Resolutions (25 minutes)
- Announcements/updates (10 minutes)

March

- David Smith, City of Austin Legal.
- AISD Superintendent Meria Carstarphen
- Don Pitts, City of Austin Music Department Manager- March or later.

8:15pm Ongoing Business and Neighborhood Issues

- Barton Springs Pico PUD PC voted against
- Comprehensive Plan
- Downtown Plan- Density bonuses, etc.
- PUDs and Neighborhood Plan Amendment process
- Residential remodel ordinance
- Cynthia moved to approve \$50 for TNT dues, Bo seconded. Unanimous vote in favor.

8:20pm Adjourn

Text of resolutions considered:

1. Resolution Concerning Austin Police use of Arbitrary and Excessive force

Whereas, there is a well-documented and long history of the use of excessive force on people of color by the Austin Police Department; and

Whereas, current APD use of force policy primarily protects aggressive police behavior and allows the police officer broad discretion in using deadly force; and

Whereas, investigations by the Austin Police Department and District Attorney's office has historically shown bias in favor of police officers and has not reduced unnecessary deadly incidents;

Be It Resolved that the Austin Neighborhood Council calls on the City Council, City Manager, and Austin Police Chief to adopt a stricter "Preservation of Life Standard" on use of force, modeled after the Dallas, Houston and Los Angeles use-of-force standards.

Preservation of Life Standard for Use of Force

The most restrictive deadly-force standard is the "Preservation of Life Standard" as adopted by the Dallas and Houston (Texas) Police Department (among others).

The "preservation of life standard" states that, "regardless of the nature of the crime or the justification for firing at a suspect, officers must remember that their basic responsibility is to protect life. Officers shall not fire under conditions that would unnecessarily subject bystanders or hostages to death or possible injury, except to preserve life or to prevent serious bodily injury. Deadly force is an act of last resort and will be used only when other reasonable alternatives are impracticable or fail." Further, the "preservation of life standard" requires that, "officers will plan ahead and consider alternatives which will reduce the possibility of needing to use deadly force)."

It is the position of the Austin Neighborhood Council Eastern Sector that, Implementation of a "preservation of life standard"; aggressive recruitment of a diverse applicant pool from our area schools; rigorous training on interacting with the mentally ill; and confronting racial and cultural

bias in policing will reduce incidents of excessive force in our community.

2. Resolution for a City-Wide Prostitute Diversion Initiative in Austin

Whereas, prostitution in Austin is a recurring tragedy that destroys lives, families and communities; and

Whereas, police "spot enforcement" at selected locations is ineffective in stemming prostitution; and

Whereas, an effective program needs to be established to address the underlying employment and medical issues that foster prostitution; and

Whereas, the City of Dallas has established a successful, multi-agency initiative to deal with prostitution; and

Whereas, Austin's Downtown Community Court has begun to address the underlying issues and assist prostitutes to redirect their lives;

Be It Resolved that the Eastern Sectors of the Austin Neighborhoods Council urge the city to expand and develop a city-wide prostitute diversion program that utilizes all agencies and resources to end this epidemic.

3. Resolution Concerning TXI Applications for Gravel Pits in Eastern Travis County

Whereas, the citizens of Texas have a right to a healthy environment, free of industrial wastes and which preserve the bountiful natural beauty of our state; and

Whereas, the present laws for unincorporated areas of Texas are inadequate to assure those rights are preserved; and

Whereas, the TXI Corporation is presently planning expansion of its operations to entail placement of gravel pits near residential areas in Eastern Travis County that include the Imperial Valley Neighborhood and other communities;

Therefore, the Austin Neighborhoods Council urge the city, county, state and federal entities to negotiate a project that protects the health of residents and preserves the natural environment of Eastern Travis County; and also urge that the Legislature provide adequate laws to allow counties to protect the health and the environment in all unincorporated areas of Texas.

4. Resolution to Locate the Mueller Austin Energy Substation within the Mueller Redevelopment

Whereas, there is a need to construct a new substation to provide energy for the growing population and businesses at the Mueller Redevelopment; and

Whereas, a guiding principle of the Mueller Master Plan is "compatibility with surrounding neighborhoods"; and

Whereas, the Mueller Commission, Pecan Springs-Springdale Neighborhood Association, Trouble Maker Studios, Islamic Center of Greater Austin, and the Northeast Austin Business and Community Alliance have endorsed placing the substation within the Mueller Redevelopment; and

Whereas, the 51st Street Water Tower and the Fiesta Substation infrastructure projects had a public process of community input regarding their planning and design; and

Whereas a public process of community input in the planning and design of infrastructure located in the urban core or on transit corridors is important because "good urban design contributes to

an improved civic and natural environment and enhances quality of life;" and

Whereas, the City of Austin has yet to implement such a process for the Mueller Austin Energy Substation,

Therefore, ANC-East urges that the City Council locate the Mueller Austin Energy Substation within the 770 acres of the Mueller Redevelopment and use a process that includes all stakeholders, including affected neighborhoods, businesses and organizations regarding its planning and design.

5. ANC Resolution concerning allocation of remaining GO-Bond funds

Whereas, there remains \$15 million in unexpended funds from the \$55 million Go-Bond, and

Whereas, market forces have limited home-ownership projects while rental projects for very low income households have been successful and the goal of expending 60 percent of the funds for rental units has already been achieved; and

Whereas, the critical need for housing affordable for very low income households necessitates timely expenditure of these funds; and

Whereas, there is an urgent need for housing for homeless persons and families, and

Whereas, there is a critical need to create more housing for homeless persons in all areas of the city while retaining facilities such as Garden Terrace and The ARCH,

Therefore, be it resolved that the Austin Neighborhoods Council supports expending the remaining funds for both homeowner and rental projects as they are submitted with special preference given to projects providing housing for the homeless that is dispersed throughout Austin and available to all groups including women and families.