

**Austin Neighborhoods Council
Executive Committee Meeting Minutes
Austin Energy Bldg. 1st floor meeting Room
January 13, 2010 - 6:30pm to 8:00pm**

Present: Cory Walton, Lou O'Hanlon, Mary Eichner, Jolene Kiolbassa, Joyce Basciano, Sheryl Cheatham, Guadalupe Sosa, Linda Guerrero, Bo McCarver, Cynthia Keohane, Terry Tevis, Steven Aleman, Lorraine Atherton, Mike Meier and Lisa Harris

6:30pm Call to Order

6:31pm Approval of Minutes Dec. 2009 excom mtg. Joyce moved approval, Sheryl seconded. Passed with 4 abstentions.

6:40pm Officer/Committee/Sector Reports

- Treasurer's Report
- Membership renewals update
- Web site, Sector Associations listings and discussion of city registry database
- Requests for Support (Updates, new additions)
 - Austin Interfaith CM Morison Living Wage, Health Care to employees

7:00 pm Sector Issues

- APD Surveillance Cameras
- East: Austin Alcohol Prohibition Ordinance—Open container, Police violence (resolution) (tentatively agreed to vote on this in March), music permitting process and Go Bonds (resolution) (send revised resolution to membership for input) (Council to consider this issue in February)
- South Central- Music permitting process. Zilker meeting with new music director tomorrow AM about what is working and what isn't.
- North Central- Parking Benefit Districts (putting meters in neighborhood and getting 30% of the money). Steve Grassfield at city is relying on University Area Partners for neighborhood notification. Propose calling for comprehensive parking study for city.

7:20pm Meeting Planning

- Patrick Brown, Appraiser, Sarah Eckhardt, County Commissioner 60 min.
- Bill Spelman, Sheryl Cole, Howard Lazarus on Neighborhood Projects Matching grants Initiative 20 min. There was a component of early neighborhood plans similar to this- how does the new program relate to what has been done?
- University Hills NA to discuss H.B. 216, recently passed by the Legislature. Joan Bartz 20 Minutes (10 min. presentation 10 min. Q&A)
- Announcements/resolutions

Feb:

- David Smith, city atty
- Don Pitts, City Music Department Manager
- Robert Goode – New Assistant CM over Aviation, Public Works and Solid Waste, rental registration and/or street closure for events. Or Robert Spillar, transportation director

7:40pm Ongoing Business and Neighborhood Issues

- PUDs as required amendment to Neighborhood Plans. Consider having CM Morrison or CM Martinez speak to us about it. Jeff Jack offered speak on it if no one else will. Maybe with form-based code discussion
- BS PUD
- Comprehensive Plan
- Downtown Plan- Density bonuses, etc.

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- Waterfront Overlay and Density Bonuses
- Neighborhood Plan Amendment process
- Residential remodel ordinance
- Heritage Tree Ordinance

8:00pm Adjourn

Requests for Time on Agenda

- Garner Stoll, Austin Comprehensive Plan 35-40 min? Tell him we want input after the comp. plan survey process is closed. (Deadline Mar. 1st)

Scott Johnson electric lawnmower exchange 2 min.

- Girard Kinney – billboards
- Linda Curtis/ChangeAustin Tax appraisal attorney on do-it-yourself appraisal protest (maybe April)
- Rep. Mark Strama
- Constable Bruce Elfant- census- March

Potential Program Topics/Agenda Items

- How to get Rebates for Energy Efficiency
- Director AISD – new superintendent (increase in age 1-5 kids yet elementary closings, involvement w/community, comp plan, etc)
- 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
- Avance – early childhood/family programs for low income families
- Historic zoning

ANC East Resolutions considered at the 1/13/2010 meeting:

East Austin Outdoor Music Venue Permitting

Problems:

1. *Permit review is backwards; **permits granted without community review** or neighborhood input.*
2. ***Outdoor music venue permit holders are exempt from the noise ordinance.***
3. ***No provisions or evaluation of appropriate land use or compatibility;** examples:
a. *a music cafe may operate a restaurant without a kitchen or license;*
b. *outdoor music venues granted permits without consideration of proximity to residential housing.**
4. ***No consideration for safety** of venue, size of venue, parking, crowd control, and alcohol consumption, especially if a Neighborhood Plan discourages alcohol businesses.*
5. ***Lack of response, documentation, and enforcement of complaints** by APD and Code Enforcement- problematic for later evaluation ("convictions") of permit status.*

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Solutions:

1. **Before permit is issued**, Proper evaluation of outdoor music application with review of all ordinances relating to business operation, parking, sound, venue size, compatibility, outdoor lighting, and fire safety. This would eliminate the automatic issuance of these outdoor music permits.
2. Neighborhood review and consensus **required prior** to granting of permit.
3. **Outdoor music permits MUST adhere to the noise ordinance.**
4. Proper documentation and enforcement of complaints.
5. Task Force and/or staff to **rewrite Outdoor Music Venue Ordinance and/or the permitting process** to address all of these concerns.

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 Eastern Sector call 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 L.A.P.D. use of force standards. A brief description is provided below:

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.

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ANC-East Resolution concerning allocation of remaining GO-Bond funds

Whereas, the 60 percent rental portion of the \$55 million in GO Bonds has been expended, and

Whereas, there remains \$15 million in unexpended funds in the 40 percent home-ownership portion of the bonds, and

Whereas, there is a critical need for more housing for homeless persons and families, and

Whereas, there is a need to disperse housing for homeless persons in all quadrants of the city,

Therefore be it resolved that the Eastern Sectors of the Austin Neighborhoods Council support expending the remaining funds for housing for the homeless, and that it be spread across all Austin areas and available to all groups including women, families and others.