



People Organized in Defense of Earth and her Resources

February 24th, 2014

Good Evening Human Rights Commissioners. My name is Susana Almanza and I am a native of East Austin and director of PODER. PODER is a grassroots environmental justice organization in East Austin, led by women of color, that defines the "environment" as the place we live, work, learn, play, and pray; and for that reason we address multiple social and environmental issues affecting our communities as basic human rights.

PODER interviewed numerous individual and community leaders so that it could present to the Human Rights Commission pressing issues in our City.

PODER recognizes the critical opportunity for the City of Austin to address the historic and continuing economic and social-cultural marginalization and discrimination of the Hispanic/Latino and African American community.

The Austin City Council has instituted numerous policies and ordinances that have resulted in discrimination against the poor, working poor and people of color.

Many of these policies and/or ordinances have disempowered community residents and have limited services and/or programs in poor and working poor communities of color. For instance, at one time the Parks and Recreation Department (PARC) allocated Special Revenue Funds/Enterprise Funds to neighborhood recreation centers. Each recreation center would present a budget for program/services and special events; such as Halloween carnival, Christmas Dinner etc. These funds would be provided in advance and if the recreation center raised additional funds, they had the flexibility to institute additional programs and/or services. The recreation centers also hosted their own adult leagues which provided additional funds and allowed the Advisory Board to sell goods at the events. The funds raised at these events would allow the Advisory Board to provide additional services and empowered the community leaders to institute programs and

services needed for the community. Recreation centers' Advisory Boards were the support system for the recreation centers. They brought the community together, raised funds and supported the needs of the community at the recreation centers. Several years ago PARD did away with Special Revenue Funds/Enterprise Funds and took away staff's flexibility to determine the program and services needed for the community. There was no more flexibility in the funding. The recreations Advisory Boards were stripped from their ability to use funds raised for their recreation center. New PARD policy called for any funds raised by Advisory Boards to be submitted to the City of Austin's General Funds. The total control of funding allocation would be determined by the City and not by those directly involved with the community and in the case of the Advisory Boards, not by those raising funds for their specific community. Funds generated by the adult leagues were shifted to control by PARD and no longer to individual recreation centers. The new instituted policies disempowered the recreation staff and disempowered the Advisory Boards. While PARD has allowed for recreation centers Advisory Boards to become their own 501 © 3 nonprofit organizations, this is not an easy process for poor and working poor communities of color to undertake. Again, policies that discriminate.

The Austin City Council continues to implement policies and ordinances that discriminate against the poor and working poor and people of color. The FY2013-14 Action Plan Community Needs Assessment makes clear that housing affordability in Austin has continued to decline among many segments of the population but particularly among very low income households making between 30% and 50% MFI (between \$21,950 and \$36,600 for a household of 4 persons) and extremely low income households making between 0 and 30% MFI (less than \$21,950 for a household of 4 persons). The Austin City Council continues to adopt plans that will increase gentrification and displacement in East Austin.

The Austin City Council adopted the East Riverside Corridor Master Plan on February 25th, 2010 and adopted new design and zoning regulations for the area on May 9th, 2013. The East Riverside Corridor Master Plan starts on IH 35 at East Riverside Drive and continues to East Riverside and Hwy 71. The Council adopted the plan as if the Riverside Corridor was vacant of human life. Over 1,700 low income and working class workers were displaced to make room for the new higher density, high class wage earners. More poor and working poor residents will be displaced as the plan is completely instituted.

The Montopolis Neighborhood Plan was adopted by the Austin City Council on September 27th, 2001. A neighborhood contact team was elected to oversee the adopted Montopolis Neighborhood Plan. A neighborhood plan contact team (NPCT) is a group of individuals designated to be the stewards or advocates of their adopted neighborhood plan as set by the rules of the Austin City Council. They work with city staff towards the implementation of the plan recommendations, review and initiate plan amendments, serve as community points of contact, and work on behalf of other neighborhood stakeholders. Yet, the Montopolis Neighborhood Contact Team's plan was trumped by the Riverside Corridor Master Plan. The new zoning of the Riverside Master Plan was exempt from being reviewed by the MNPCT, even though sections of the plan's zoning changes were within the boundaries of the MNPCT area. We have learned that if previous policies and ordinances don't meet the desires of the elected Council, they change the rules without consideration of communities that have invested years of the life to be civically engaged and/or to be the caretakers of their communities. The Council and other entities working on policies and ordinances are not considering the needs of the poor, working poor and communities of color. The Council's current policies are discriminating against the poor and working poor who are majority people of color.

Higher density is being implementing on the Riverside Corridor in order to accommodate Light Rail. Light rail is more expensive to build and use than metro buses. Communities have witnessed in the past four years the escalation of bus fare prices. The poor and the working poor are spending more of their income for bus transportation. Low income and working class bus riders will see their transportation cost increase as light rail is implemented. This is yet another example of how low income people of color are discriminated against.

On November 21st, 2013, the Austin City Council adopted a revised Urban Farm Ordinance which would continue to allow individuals to purchase single family zoned land and transform them into urban farms. The purchasing of single family zoned land and transformation into urban farms has been taking place in East Austin. East Austin is the side of town which maintains some of the most affordable land. Instead of using single family zoned land for the purpose of housing, the Austin City Council endorsed the use of single family zoned land in East Austin to be purchased and transformed into urban farms. The Austin City Council also allowed for single family zoned land to be used as Commercial Service Mix Use category; allowing the selling of products from single

family zoned land. This City Council through its policies which caters to more affluent class of people is aiding in the gentrification/displacement of low income and people of color. The Council continues to discriminate against low income and people of color.

On May 13th, 1999 the Austin City Council adopted the East Cesar Chavez Neighborhood Plan. A Valid Petition was presented at the time but didn't constitute ownership of 20% of the land mass for the boundaries of the East Cesar Chavez Neighborhood Plan area. The adoption of this plan opened the flood gates to gentrification/displacement of residents from East Austin's barrios. In the Chavez Plan the City blanket zoned certain corridors from a variety of mix use zoning to the new designated zoning of Commercial Service Mix Use (CSMU). There was an outcry from the long standing community leaders that blanket zoning our community would lead to gentrification/displacement. It was stated that renters would be the first to be displaced and that owners would soon be taxed out of their homes. In 2004 the Texas School of Architecture released a study of the rapid escalation in appraised property values accompanied with an increase in property tax burdens for the East Cesar Chavez Neighborhood Planning Area. The appraised property values covered the years of 1998 to 2004. The Cesar Chavez planning area experienced a 400% plus increase in land values with an overall tax burden increase for single family homes of 123%. Today you can count the few homes that are still being used as single family homes on E. Cesar Chavez Street (corridor). Michael J. Petrilli posted his report on June 24th, 2012 of the 25 "fastest-gentrifying" zip codes in the United States and Austin's zip code 78702 was the second most gentrifying zip code in the United States. There is clear evidence that Austin's City Council's policies and ordinances are discriminating against the poor the working poor and communities of color.

In 1928, the City of Austin's Master Plan designated East Austin as the area where all industries, African Americans and Mexican American communities would relocate and reside. As the City has grown and people of color have worked to cleanup their communities, East Austin has now become the new frontier for development for a more affluent class of people. While there is not one particular Master Plan, there are numerous Master Plans and numerous instruments being used to relocate the poor and the working poor from East Austin. The City Council must acknowledge that there is not a level playing field for the entire city, that we are not all equal. When the Council adopts policies and ordinances for the City it must use new instruments in looking at what types of

impacts will occur in low income and communities of color and what tools will be used to protect low income and people of color. A great injustice is occurring and the residents of Austin need to speak out about these injustice and the City and County governments need to take immediate actions to stop the current discrimination.

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