

**From:** [Nathalie Frensley](#)  
**To:** [Azhar, Awaiz - BC](#); [Llanes, Carmen - BC](#); [Hempel, Claire - BC](#); [Shieh, James - BC](#); [Thompson, Jeffrey - BC](#); [Schneider, Robert - BC](#); [Shaw, Todd - BC](#); [Mushtaler, Jennifer - BC](#); [Howard, Patrick - BC](#); [Cox, Grayson - BC](#); [Flores, Yvette - BC](#); [Anderson, Greg - BC](#); [Singh, Arati - BC](#); [Adler, Steve](#); [Alter, Alison](#); [Harper-Madison, Natasha](#); [Fuentes, Vanessa](#); [Renteria, Sabino](#); [Vela, Jose "Chito"](#); [Kitchen, Ann](#); [Kelly, Mackenzie](#); [Pool, Leslie](#); [Ellis, Paige](#); [Tovo, Kathie](#); [Ramirez, Nadia - BC](#); [Kiolbassa, Jolene - BC](#); [King, David - BC](#); [Smith, Hank - BC](#); [Stern, Lonny - BC](#); [Boone, Scott - BC](#); [Woody, Roy - BC](#); [Thompson, Carrie - BC](#); [Denkler, Ann - BC](#); [Acosta, Cesar - BC](#); [Greenberg, Betsy - BC](#)  
**Cc:** [Rivera, Andrew](#); [Cronk, Spencer](#)  
**Subject:** Resolution calling for LDC Public Hearing Postponement until after Run-off Elections  
**Date:** Monday, November 7, 2022 11:58:27 AM

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Mr. Rivera - Could you please add this to Citizen Comment? Thank you.

Dear Commissioners and Council Members,

As thousands of Austinites are civically engaged in get-out-the-vote activities, making their vote plans, and working to uphold the administration and integrity of Tuesday's elections, the Planning Commission has scheduled public hearings starting at 6:00 pm on Election night on several high public interest land development code (LDC) items. This unfairly pits participating in public hearings against participating in Election Day activities. The remedy is to postpone hearing LDC items until after the results of Council elections, including run-offs, are decided.

The Planning Commission creates a real, structural impediment to full civic participation in Austin by scheduling LDC items for its Election Day meeting. It effectively forces many Austinites who

- are involved in election administration, poll watching, and other activities supporting election integrity to forfeit their right to participate in these public hearings.
- made their election plan to vote on Election Day afternoon and evening to have to choose between electoral civic participation and public hearing civic participation.
- as community volunteers assist elderly and handicapped voters with transportation to the polls to have to choose between electoral and public hearing participation.

Unofficial, unrecorded "Listening Sessions" are no substitute for Austinites to exercise their right to attend a public hearing. Furthermore, run-off elections are likely, which will create more opportunities for the City of Austin to pit our electoral against our public hearing participation. Meetings planned by the City Council to hear these high public interest land development code issues during November and December will coincide with run-off campaign activities and pose just as much of an impediment for full civic participation as the Planning Commission has created for Tuesday.

After hearing from Allandale neighbors, other neighborhoods, and community groups, the Allandale Neighborhood Association Board voted yesterday to pass a resolution to "Promote Good Governance Practices for City of Austin Public Hearings Before, During, and After Election Day 2022" (attached). In addition to calling on City Council, boards, and commissions to:

- (1) postpone hearing proposed ordinance changes to the Land Development Code until after the results of Council elections, including run-offs, are decided, the Resolution also calls for
- (2) making documents that contain the fixed language of proposed ordinance amendments available to the public at least 5 days before the public hearing on the proposed ordinance changes.

Austinites and Allandale deserve better governance practices from the City of Austin.

Respectfully,

Nathalie Frensley, Board Member

On behalf of the Allandale Neighborhood Association

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Nathalie J. Frensley, Ph.D.

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**Resolution of the Board of the Allandale Neighborhood Association to Promote Good Governance Practices for City of Austin Public Hearings Before, During, and After Election Day 2022**

**Whereas**, the City of Austin Planning Commission has scheduled public hearings on three proposed amendments to the Land Development Code on Election Day, November 8, 2022, namely, CPA-2022-001 Palm District, C20-022-004 Reducing Compatibility and Parking Requirements, and C20-2022-016 Reduce Protections for Barton Springs); and

**Whereas**, the City of Austin Planning Commission has created obstacles to public participation in hearings about amendments to the Land Development Code, each of which affects hundreds of thousands of Austinites, by choosing to schedule their hearings for Election Day, November 8<sup>th</sup>, 2022, and not yet have the language of the proposed ordinance amendments fixed in the documents which are made publicly available before the Friday prior to the hearing; and

**Whereas**, the City of Austin Planning Commission's conduct of hearings on matters of high public interest on the day of national, state, county, and local elections hurtfully damages the community by pitting civic-minded participation in public hearings against the act of voting and other manners of electoral activities; and

**Whereas**, Austinites have high rates of voting and political interest and many who value providing public comment and participating in board and commission hearings are also involved in election administration, poll watching, campaigning, and get-out-the-vote activities; and

**Whereas**, the City itself [declares](#) that “[b]oards and commissions are important in that they enable the public to participate in Austin's government processes. Their activities help shape and influence public policy, because they lend a more diverse viewpoint for the City Council to consider...” along with the [City Council's Procedures for Public Hearings](#) declaring “[d]emocracy is best served by participation of people in their government...Austin's exercise of representative democracy is well served by the timely and substantial participation of its citizens”; and

**Whereas**, the election is in part serving as a citizen referendum on the direction of this Council's and Planning Commission's previous positions on Land Development Code changes; and

**Whereas**, having outgoing Council Members and/or their Planning Commission appointees take positions on divisive Land Development Code issues after scheduling decisions that unfairly and undemocratically force the community to choose between electoral and public hearing civic participation will make it more difficult for the next City Council's efforts to heal Austin's current political divisiveness;

**Now, therefore, be it resolved that** the Allandale Neighborhood Association calls on the City of Austin Planning Commission and the Austin City Council to (1) postpone hearing proposed ordinance changes to the Land Development Code until after the results of Council elections, including run-offs, are decided, and (2) make the proposed documents available to the public at least 5 business days before the public hearing on the proposed ordinance changes.