

# CRESTVIEW

# NEIGHBORHOOD ASSOCIATION NEWSLETTER

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AUGUST 2018

#### **EVENTS CALENDAR**

Saturday, August 4: Brentwood Elementary School PTA Kindergarten Play Date, 9:00 am – 11:00 am at the Brentwood Schoolbus Playground, 6700 Arroyo Seco. Light refreshments provided. Open to all incoming Brentwood Kindergarten families.

Thursday, August 9: Brentwood Elementary School Kindergarten Orientation at 10 am. Questions? Email brentwood.pta.president@gmail.com or visit www.brentwoodpta.com.

Monday, August 13: Crestview Neighborhood Association Meeting Cancelled. See you in September!

**Monday, August 20:** 1st day of school for AISD! Watch for school zones, buses and children.

#### **Cap Metro Double Track Update**

Capital Metro plans to resume rail construction in the Crestview area beginning July 28. The work involves unloading rock to prepare the track bed for the repositioning of the track. There will be some noise and dust associated with the unloading, but this part of the work will be completed relatively quickly. During the week of July 30, crews will use machinery to shape the rock ballast in preparation for the track shift, which will take place the weekend of August 4 and 5. The equipment used to shift the track will generate some noise as well. The track shift should be completed by the end of that weekend. Work hours will be between 7 am to 5:30 pm, Monday through Sunday, allowing the track shift to be completed over the weekend when the train is not operating. If you have questions or concerns, contact Jackie Nirenberg, Cap Metro's Community Involvement Manager at 512-369-6201 or jackie.nirenberg@ capmetro.org.

# CodeNEXT: JUDGE ORDERS PETITION TO BE ON NOVEMBER BALLOT

By Bobby Levinski, Staff Attorney, Save Our Springs Alliance

In March, a group of community leaders, including Nelson Linder and Susana Almanza, filed a residents' petition with ~31,000 signatures demanding that voters have the opportunity to vote on the proposed comprehensive revision to the City's land development code, known as "CodeNEXT". Once the City Clerk verified the petition, our City Council had two options: adopt the petitioned ordinance, or put the petition up for a vote on the November ballot. Unfortunately, on a 6-4 vote, our City Council chose a third option--to challenge the legality of the petition itself.

Community-based attorneys, such as myself, cautioned the council against this approach. We explained that the power of initiative and referendum is one reserved to the people; Texas courts are reluctant to infer limitations against it. City councils have a ministerial duty (i.e., an automatic obligation) to put verified petitions up for a public vote. The council cannot interject itself as a judge to pre-determine its legality, nor can it request a judge to issue a pre-election advisory opinion.

Despite our pleas, a narrow majority of council voted against putting the petition on the ballot. In response, a group of petitioners filed a writ of mandamus (i.e., a suit to compel action to force the council to perform its ministerial duty. The City hired outside counsel to defend their inaction and lost. On July 16th, Judge Orlinda Naranjo agreed

with the petitioners and ordered the City Council to put the CodeNEXT petition on the November ballot.

So, now that it is settled that Austin residents will get to vote on the petition in November, here's what you need to know. The November ballot will ask Austin voters if they support the petitioned ordinance requiring a waiting period and subsequent voter approval before any version of CodeNEXT adopted by Council would take effect. If the November vote is in favor, then if and when council adopts CodeNEXT, a vote on CodeNEXT would follow before it takes effect.

The City's land development code affects all aspects of what, where and how development occurs. It affects our environmental regulations, flooding, affordable housing, etc. Nothing in the petition would prevent the council from updating, amending or even replacing sections of its code. Rather, the petition only deals with one scenario: the replacement of the land development code in its entirety (a "comprehensive revision" like CodeNEXT).

At this point in time, we don't know what the final version of CodeNEXT will entail. That's not the point of the petition. The petition simply adds a layer of oversight on whatever is ultimately approved.

Comprehensive revisions are unlike individual code amendments or rezoning changes, where residents can protest changes and require the vote to be approved by a supermajority of council. Under a comprehensive revision, decades of planning and work to solve community concerns can be deleted in one fell swoop with the approval of only a simple majority of the then-City Council. Council should support, rather than fear, voters checking their work on setting the future of our city.

# CRESTVIEW

NEWSLETTER

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#### **CNA Contact Information**

P. O. Box 9505, Austin, TX 78766 www.crestviewna.com

CNA General Meetings are held the second Monday of every month at 7:00 PM at the Crestview United Methodist Church, 1300 Morrow St.

Treasurer: joincrestview@gmail.com Twitter: @CNAneighbors Facebook: CrestviewNeighborhoodAssociation

Neighborhood Email Groups crestview-neighbors@yahoogroups.com crestview\_forsale@yahoogroups.com crestview-gardeners@googlegroups.com crestview-parents@googlegroups.com

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# Are You Sure You're Really Using Your Trash Bins Correctly?

By Nancy Harris, CNA Treasurer

Improper recycling can lead to higher costs for services. Placing inappropriate items in your trash bins can result in contamination of reusable goods making them unacceptable for use. A few unacceptable items can ruin a whole batch of recyclable materials making them fodder for the landfill and wasting all your good intentions. It can also result in jamming or breaking the machinery used in recycling materials thus increasing the costs of processing – costs that can get passed on to consumers or make recycling too cost prohibitive. Already some of the overseas markets that we rely on to accept recycling materials are refusing to accept materials because they are too contaminated. The New York Times recently reported, "much of the recyclable material (China) received from overseas had not been properly cleaned or was mixed with non-recyclable materials."

So let's review what responsible use of your bins looks like starting with your blue recycling bin. Common acceptable items include clean hard plastic (you know, the ones with a number on them in a little triangle) bottles and containers, glass bottles and jars, most non-food soiled paper items (such as mail, magazines, catalogues, office paper), and clean flattened cardboard and box paper. Notice I mention the word "clean" a couple of times. All materials should be emptied and rinsed. (They don't have to be clean enough to eat off of, but should not have large amounts of food still on them.) Everyday items that should NOT be placed in the recycling bin include Styrofoam, broken glass, paint and hazardous materials containers, mirrors, light bulbs, and the number one culprit - plastic trash bags. (Yep folks, you shouldn't put your recycling material in the bin in a plastic trash bag. This is the main offender in jamming or breaking recycling equipment in the recycling process.) You might check out this excellent article on proper use of your blue bin for more information: https://www.austinlocal.com/how-to-recycle-in-austin-what-isrecyclable-and-what-is-not.html.

Moving on to the green compostable materials bin, did you know that it is useful for more than just kitchen scraps? Food-soiled paper such as pizza boxes, napkins, tissues, paper towels and paper plates or cups can all go in your green bin and can significantly reduce the amount of materials that go in your regular trash bin. Instead of buying paper bags for leaves, grass clippings, and small branches, why not use your green bin? Just remember, no large limbs, plastics, chemicals, or boards or sawdust from treated lumber. A good resource for some of your questions on Curbside Composting is http://www.austintexas.gov/page/curbside-composting-faq.

Finally, let's look at what's left. Just because it doesn't go into your blue or green bins that doesn't mean it has to go into your regular trashcan; it just might take more effort on your part to find a place to take it or a location that can use it. Also, many items that are too large to fit into your cans are still recyclable or reusable. A trip to <a href="http://www.austintexas.gov/what-do-i-do">http://www.austintexas.gov/what-do-i-do</a> will allow you to type in the name of dozens of items and offer suggestions whether an item can be reused or recycled at an alternate location, who and where those places are, and can even tell you if it can go in your blue or green bin if you aren't quite sure. For example, that Stryofoam that shouldn't be in your blue bin can be taken to the Recycle and Reuse Drop-Off Center (but not peanuts) or should go into your trash bin.

## In Memoriam

Ida Mae Anderson, a longtime Crestview resident who had a passion for cooking and trying new recipes, passed away on July 15th. Our condolences to her family and friends.

### A Visit from Mom

By Marilyn Querejazu

James Abbott McNeill Whistler (1834-1903) was among the few American painters to become famous in Europe in the nineteenth century. Originally from Massachusetts, Whistler moved to Paris and then London in his early twenties where he reinvented himself as an artist and playboy. Whistler painted well and gained the respect of artists and critics.

In the year 1864 James A. Whistler was living the high life in London: lots of artsy friends to party with, live-in girl-friend, models willing to pose for him. When who should come for an extended visit? Why, who else? His mother the puritan, Anna Matilda McNeill Whistler. The American Civil War had tired her out and she needed a change.

Out goes the mistress, the booze, and who knows what else and in moves mom. His famous portrait of his mother was originally entitled *Arrangement in Grey and Black, No. 1*. Because that is what it is – a lovely application of subtly varying shades of grey and black. Whistler preferred naming his paintings like musical compositions. But the public demanded a more traditional title and it became *Arrangement in Grey and Black, No. 1 (The Artist's Mother)* and eventually just *Whistler's Mother*.

If you ever get a chance to see the painting up close, look for the dark purple tones of the curtain, where Whistler's signature butterfly poses.

Whistler's story and his life's work are interesting – I encourage you to learn more about this famous American painter. What I like best about Whistler is his resistance to wordy narratives to explain his paintings. Just let the art explain itself. He may not have coined the phrase "art for art's sake", but he said it early on and boldly.





He never intended the painting to say anything at all about his mother, but it has been held up for years as the emblem of that sacred, joyful, self-sacrificing calling: motherhood.

Whistler's Mother joins that list of paintings that are not the artist's best, but his best known. Along with Wood's American Gothic, Leonardo da Vinci's Mona Lisa, Edvard Munch's The Scream, Warhol's Marilyn – these paintings jumped from the walls of museums and galleries and into popular culture where they live and breathe.

#### Oh, The Places You'll Go!

Art for the People 1711 South 1st Street. Two words for this gallery: refreshingly unsnooty. Their website (artforthepeoplegallery.com) and online store are almost as lovely as the real thing. The current exhibit showcasing Austin talent is called *Wet*, *Wild*, & a Wee Bit of Whimsy, through Saturday, Oct. 20th.

The next group exhibition is themed *Let's Take a Walk*. Open call for art will begin sometime in September.

Business Manager and Art Director, Hallie Rae Ward is passionate about creating a space that celebrates creativity and promotes Austin's artists.

**Sparky Park** – the ultimate hidden gem at 3701 Grooms Street. This grotto wall was created by Berthold Haas at a 1930s electric substation for no apparent reason other than to please us. It'll make you want to turn cartwheels.





## **Howdy Neighbor!**

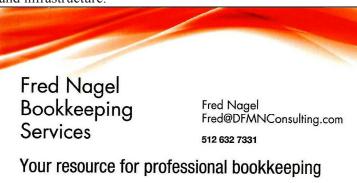
By Mike Lavigne, CNA President

It's the dog days of summer. Dang it's hot! We had a great ice cream social in July. Lots of great music, free ice cream and lots of great door prizes. Despite the triple digit temps, folks had a good time and lots of new neighbors turned out and plenty of long timers were there to greet them. Thanks so much to Arlan's, The Local Post Pub, El Dorado Cafe, Lala's, Dia's, and Waterloo Realty, who gave prizes and other resources to make the event successful.



Left: President Mike Lavigne Right: Secretary Steve Kuehner Photo by: Nancy Mohn Barnard

If you, like my family, rely on our local pools when you need to do something cheap and fun outside while the kids are on break or it's just too hot do much else, then I would encourage you to to try and pay attention to the upcoming city budget deliberations. Pools and parks are always a major budget item and our local pools need help, both with staffing and infrastructure.



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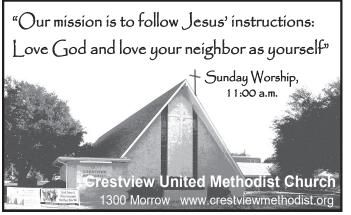
#### CodeNEXT

There have been some major blows recently to the proposed citywide upzoning. First, the District and County Attorneys advised the Mayor and city officials (after a suit was filed) that the make-up of the Planning Commission was illegally constituted and violated our City Charter because it was made up of too many members with ties to the real estate industry. Despite the urging of some on Council (like Leslie Pool) to fix the problem, the Mayor led a majority to continue on with business as usual. For reasons of resources and conflict, the DA and CA gave the to case the the State Attorney General, who is now seeking the removal of certain members. This avoidable pickle means that their recommendations regarding CodeNEXT could also be avoided. This is the same panel that declared our entire neighborhood should no longer be zoned single family (as it is now) and instead be deemed a "transition zone". This would mean the whole neighborhood could be zoned for much bigger structures and more commercial uses.

The other blow was a loss in court by the city attorney who, along with the Mayor and several council members (not Leslie Pool), decided that citywide land use was too complicated to be put on a ballot despite tens of thousands of voters asking via petition for the right to vote on such important matters. The District Judge decided otherwise, and now it looks like we will get to vote on it this November.

We live in a great city and a truly unique and special neighborhood. What makes it so great is you. What can make it even better is your involvement. Our CNA meetings are pretty painless and often times enlightening. Don't wait until you have a matter that needs resolving to attend a meeting and join CNA. Come meet your neighbors now! Our next meeting will be in September. August is just too darned hot. Until then, pop a cold one and stay cool.





## **Keeping Pathways Clear**

By Erin Ray, Girl Scout Gold Award recipient

The Big Picture: When you go on walks in the neighborhood, have you ever had to step off the sidewalk because of low hanging branches? Or tripped on vegetation growing over the sidewalk or curb? Or when you're driving in the neighborhood, have you ever had to pull into the cross street to look for oncoming traffic because of an overgrown hedge? Or accidently ran a stop sign because it was hidden from view by some overgrowth?

These encounters could force someone to go into oncoming traffic when they wouldn't have otherwise or even not be able to make full use of the sidewalk in the case of those who need wheelchairs or other mobility aids. These compound into a high potential for causing accidents, causing people to stay indoors, and causing an overall sense of discontent.

What You Can Do to Help: The problem of overgrowth into the right of way is one that is easily overlooked until after such an accident occurs, so I would like your help in acting preemptively. You can easily get involved by doing a few simple things:

- Take a walk around your property and note the plants, bushes, and trees extending into the sidewalks and/or beyond the curb.
- Prune back the areas that interfere with accessibility and/or visibility (a quick google search on pruning or asking the employees at The Natural Gardener can help immensely).
- If you have a good rapport with your neighbors and notice an issue, please let them know what they can do to help as well.





Why You Should Help: This past year as part of my Girl Scout project, I surveyed 70 streets and almost 1900 homes in my neighborhood of Allandale. At the start of the year, 50% had issues with vegetation blocking the right of way. Now, a year later, that number has been reduced to 35% that still have issues with overgrowth into the right of way. With these results, Allandale has become a safer, more accessible, and comfortable neighborhood!

This benefited the residents and visitors to our neighborhood by making it easier for people to get out and be active by reducing vegetation that blocks the right-of-way. This, in turn, will improve physical and mental well being, increase neighbor interactions and safety, and improve the quality of our neighborhood.

By maintaining the care and health of the vegetation on your property, you can double the amount of usable sidewalks, increase safety for pedestrians, cyclists, and vehicles, as well as provide shade, improve air quality, and keep your neighborhood comfortable.

I wanted to share the results of Allandale's success to motivate more people and communities to take the initiative to improve their grounds for the benefit of all. If you have any questions, please contact: allandale.clear. ROW@gmail.com

# Online Survey for Beverly S. Sheffield Northwest District Park

Make your voice heard! Please complete this short, online survey regarding future improvement projects to Beverly S. Sheffield Northwest District Park! This district park services our neighborhood and your feedback will influence project prioritization for years to come! Thank you for your time!

www.tinyurl.com/northwestparksurvey



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