

**MINUTES OF THE  
MOUNTAIN NEIGHBORHOOD ASSOCIATION  
STREETLIGHT COMMITTEE**

Sunday, September 20, 2009  
2:30 p.m.

The first meeting of the Streetlight Committee of the Mountain Neighborhood Association (the "Committee") was called to Order at 2:40 p.m. on Sunday, September 20, 2009 at the home of Stephanie and David Methven, 8806 Scotsman Drive, Austin, Texas 78750

**Attendees**

The following members of the Committee were present: Stephanie Methven, David Methven, Jeanne Massey, Eric Deal, Catherine Tannehill, Kristin Goodale, Judit Kolicsne, Ted Moorman, Doug Werner, Joletta Kaiser, Amy Lemen, Mike Weathersbee, Randy Haines, Roopa Mucherla, Tiffany Chandler, Doug Leininger, Astrid Jaehde, Ramana Karanam, Doug Brown, Liz Harder, Julie Ellis, Warren Lasher, Karen Austin

For purposes of the meeting, Stephanie Methven, Co-Chair of the Committee served as Chairperson of the meeting and Kristin Goodale served as secretary.

Ms. Methven began the meeting by welcoming those in attendance and thanking them for thier participation on the Committee. She noted that the Co-chairs of the Committee have requested that those members with special talents that they are willing to contribute to further the objectives of the Committee to please note such information on the sign up form presented. She advised the Committee that Committee minutes will be provided to the Committee members. She also noted that Eric Deal has agreed to create a website, and that such website will include the minutes of the Committee meetings as well as other items of interest.

Ms. Methven advised the Committee that a meeting has been scheduled with members of Austin Energy to take place on Monday, September 21, 2009 at the home of Doug Werner and Joli Kaiser, located at 8905 Westerkirk Dr., Austin, TX 78750, at 1:30 p.m. and would be moved to the park pavilion across the street if attendance exceeded capacity in their home. Joli Kaiser advised the Committee that Austin Energy has allotted a one hour period for the meeting. Ms. Methven advised the Committee that the purpose of the Committee's meeting is to compile appropriate questions and concerns to address with the Austin Energy representatives, and she further requested that all opinions as to whether individual Committee members are for or against streetlights be tabled at this time.

Several Committee members inquired as to the current status of the project, at which time Doug Werner advised the Committee that the project has been put on hold until such time as Austin Energy hears from the Officers of the MNA. There was additional discussion as to how

long the determination could remain on hold. Various Committee members also discussed the advisability for video-taping the Austin Energy meeting for the benefit of those who cannot attend, as well as to recall the issues raised by the residents and the responses provided by Austin Energy.

Ms. Methven confirmed her understanding that the project has been placed on hold, and the Committee discussed additional steps being taken by other utilities such as Pedernales Electric Co-op, City of Austin, AT&T, Time Warner Cable, among others and agreed that such activity should not signal to the MNA that the project is in an active status. Such activities may be required as preliminary work or because not all utilities are aware of the current hold status.

Ms. Methven advised the Committee that as of the current date, the Committee has approximately 30 volunteer members, and expressed the importance of having members that represent both sides of the issue, including those that favor streetlights and those that oppose streetlights. She suggested that as the matter progresses it may be prudent to pare down the size of the Committee to two representatives from each section, including one that is in favor of streetlights and one that opposes streetlight to ensure impartiality and fairness in determining the wishes of the residents within the MNA boundaries. A poll was taken and it was determined that there were representatives present at the Committee meeting from all 4 sections of the MNA. It was further agreed that determinations on the practicalities as to how to proceed would be tabled until such time as the Committee is more knowledgeable about options available to the MNA on the streetlight issue.

Ms. Methven advised the Committee that another neighborhood or home owners' association known as the Enclave has addressed the streetlight issue within the past year. She noted that the Enclave website provides a Question & Answer document that may address similar questions and issues to those facing the MNA and that a link to the Enclave website may provide a useful resource for residents of the Mountain and members of the MNA.

At this point in the meeting, the Committee members engaged in general discussion with regard to potential questions and issues that are concerns for the Committee members and their neighbors. Ms. Methven advised the board that one issue to be considered, as raised by members of the Enclave, has to do with how the electrical costs are determined and paid for by the City of Austin to Pedernales Electric. Other issues include the impact on landscaping, such as trimming and removal of trees, removal of vegetation, whether driveways or sidewalks will be dug up, whether roadways will be dug up. Joli Kaiser advised the Committee that she has previously spoken with Austin Energy about such matters and was informed that the City of Austin will bear the costs of any repairs required as a result of installation of the lights and the electrical sources.

The Committee also discussed the determination as to what types of lights should be considered, including those that are standard issue such as appear on Ashton Ridge in the neighboring subdivision or those such as were approved and installed by the Enclave. Ms. Methven advised the Board that the Enclave association chose to pay for decorative lights that cost the Enclave association \$16,000 for 30 lights, or the equivalent of \$533.33 per light. Subsequently the Committee discussed the advisability of having members visit both

neighborhoods to compare the lights, review the light output and the actual heights of the lights, and similar issues. The Committee also discussed how the cost of upgrades would be paid, given the volunteer nature of membership in the MNA, the lower cost of membership and the difficulty in having some members potentially asked to pay for lights when they have voted against streetlights altogether.

The Committee discussed that the questions that should first be presented to the Austin Energy representatives are as follows:

- (1) The Committee would like to determine whether we can restart the process. Based on the email responses through the Google group, it appears to some of the Committee members that the entire neighborhood does not feel like their opinions were adequately represented. Because the streetlight issue is so divisive, the Committee wants to be certain that the final result represents the wishes of the neighborhood and that both the pros and cons proponents are adequately heard and represented. The Committee has not agreed that it wants to shut down the lights project and recognizes that the neighborhood consensus may be to move forward with lights. However, a lot of residents have now vocalized that they do not want lights, did not understand that a survey was a vote or do not recall receiving information on the subject. Certain members of the Committee believe that the issue is important enough to be sure every resident has input and is satisfied that appropriate procedures were implemented and followed.
  - (a) Is it possible to continue the hold so that we can make a query and obtain additional information from those residents who did not participate in the original survey, and obtain a vote from the residents? More simply put, can we start over?
  - (b) If it is not possible, what is the appropriate appeals process to contest the inability to halt the process at this point, and how long do we have before actual construction begins?
  - (c) If it is possible to continue the hold to obtain additional information from the residents, how long does the Committee have to make the determination?
  - (d) If the neighborhood votes to not have the lights installed at this point, what are the implications of that determination?
- (2) If we have lights, is it possible to have lights that automatically turn off at a designated time? Similarly, is it possible for the residents to turn them off?
- (3) Are solar lights an option?
- (4) Is the City of Austin, by virtue of annexation, required to provide lights?

- (5) If the City of Austin is required to supply lights, are there illumination standards that are required to be met?
- (6) It appears that residents can opt out of having lights, since several coves in the neighborhood have done so. Is there a minimum threshold of residents that have to agree to lights for any lights to be installed? Is there a minimum distance between lights?
- (7) If the City of Austin is required to provide the lights, is there a definitive period within which the lights are required to be installed?
- (8) If the neighborhood votes to have no streetlights at this point, does that mean the neighborhood can never have streetlights? In other words, is this now or never?
- (9) If the neighborhood has streetlights, we understand that the City pays all costs, including installation and electrical. What are those estimated costs?
- (10) Is the existing plan/plot that the MNA has received final? Is it specific to the Mountain or does it serve as a preliminary plan based on standard factors that are usually considered? Can it be changed?
- (11) What factors are considered as part of the determination as to a streetlight location?
- (12) On the existing plan/plot has an engineer been out to the neighborhood to determine whether the locations indicated as receiving lights are suitable or workable for a light?
- (13) What conditions will be considered in determining whether or not the location of a light should be relocated? For example, are these items considered in determining location: the proximity of the house to the light (will the home's interior be lit) the design of the house (do all bedrooms face the streetlight), and the location of obstructions such as retaining walls, trees or fire hydrants?
- (14) If the residents have the ability to offer requests for changes to the existing plots, are there rules, guidelines, etc. that need to be considered in requesting those changes?
- (15) Are the standard lights considered to be low pressure sodium? How tall are they? How do they compare to what we can view on Ashton Ridge?
- (16) Is the issue of lights for the Park separate from the residential lighting since the Park is now a City Park. Are those issues addressed through Austin Parks & Recreation?

- (17) If some neighbors want lights and others don't, is it possible to only install the infrastructure required at this point for those residents who do not want lights? If so, does the infrastructure consist of pole and light that does not illuminate or does it consist of only electrical current and light foundation, etc.?
- (18) If lights are installed, landscaping or structures are disrupted, what steps will Austin Energy/City of Austin make to repair such?
- (19) Does Austin Energy have recommendations on how to deal with a situation where the neighborhood is divided over the issue of streetlights? Is there a suggested way to compromise on the issue?
- (20) What is the best means and contact information for the Committee to continue communications with Austin Energy or the City of Austin?

The Committee also discussed communication issues with regard to the streetlight issue, and generally agreed that the communication issue is potentially larger and separate from the streetlight issue. The Committee was advised that of those members who belong to the Google-group email notification system there are 299 email addresses that represent some 225 individuals, or 75% of the dues-paying members of the MNA. The Committee agreed that approximately 25% of the dues-paying members of the MNA are not being represented through the Google-group email notification system.

There was general discussion on how to bolster the MNA communication efforts, including signs located at the entrance for all residents to join the Google-group notification system, sending email notifications for those who have supplied emails to the MNA but have not joined the email notification system and potentially conducting a door to door campaign or survey to obtain accurate notification information for the residents of The Mountain subdivision. Eric Deal mentioned the possibility of having two communication lists including one list for MNA members and another list that includes all residents of The Mountain subdivision. The Committee discussed and agreed that the overall communication issue would have to be addressed separate from the streetlight issue, but agreed that it would be important to obtain every resident's input on the streetlight issue even if such is done in an ad hoc manner. Subsequently in the meeting, Amy Lemen advised the Committee that she intends to focus her energies and talents on developing an overall communication plan.

Other matters discussed by the Committee included what percentage of a vote will determine action, for example is it majority vote of 51%, a 2/3 vote, etc.; and how residents will reach consensus with their neighbors to determine if a light is to be installed, and if so, the location of the light; and if lights are required at this point whether there remains an option for upgraded lights and how the expenses of such lights will be paid. Ms. Methven suggested, and the Committee agreed that such issues should be addressed after the meeting with Austin Energy as a Phase II of the project.

Ms. Methven then advised the Committee that certain ground rules should be set for the Austin Energy meeting on September 21, 2009, particularly given the limited time duration of the Austin Energy representatives availability. After general discussion among the Committee members, the Committee agreed that the Committee Co-Chairs and Doug Werner would serve as moderators for the meeting with Austin Energy. Additionally, the Committee agreed that Ms. Methven would communicate to the Google-group and to the Committee that the September 21, 2009 meeting is for informational gathering purposes only. It is agreed that the Austin Energy meeting on September 21, 2009 shall not be used as a forum to express personal opinions either in favor of, or in opposition to, the existence of streetlights in the Mountain subdivision or the location of any such lights.

The Committee agreed that a subsequent meeting would be held at a place and time to be determined, following the Austin Energy meeting on September 21, 2009 to agree upon next steps based on a determination of available options to the Committee.

The meeting of the Streetlight Committee of the Mountain Neighborhood Association was adjourned at 4:15 p.m.

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Stephanie Methven, Co-Chair

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Eric Deal, Co-Chair

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Walter Lasher, Co-Chair

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Kristin Goodale, Secretary for the Meeting