

Michelle Leininger

From: steven c. watts
Sent: Monday, November 16, 2009 7:57 PM
To: Scott McCullough
Cc: David L. Corliss; Michelle Leininger; Mike Amyx; bradfink
Subject: Do The Right Thing, please.....

Mr. McCullough:

This issue is not going away. Not as far as I am concerned anyway, and I don't like the "backslapping", "glad handing" nature of the way these meetings go where you "staff" KNOW, seemingly, everyone (except me, of course); are a first name basis with this same group of bigots who REFUSE to answer WHY Edgehill Road was written out of the ONA and I am shocked and taken aback that you, as the City Planner seems more than disinterested in the blatant gerrymandering that has taken place.

I don't expect the City of Lawrence, Kansas.....your employer, governed by the City Commission who makes the decision around here.....not you; not David Corliss; and most certainly not a group of fellow "glad handers" who were all appointed to these City "boards and commissions" by their cronies and who have collective "political debts" to pay.....to dictate how "non-profit" outfits run on a day to day basis, but the Neighborhood Associations are NOT included in that group as far as I am concerned. Swarts obfuscates on this matter and it is growing tiresome.

In the October 26, 2009 planning commission meeting you did sit mute and let the "chairperson" all but shout me down relative to the fact that while CDBG monies may come from the federal government, the City of Lawrence, Kansas has the ultimate responsibility in just how the funds are allocated and expended. Why that chairperson somehow thinks there is no oversight to those monies by the Lawrence City Commission first....and City staffers second escapes me. Too, this "chairperson", according to his own statements also chaired what was once known as the Neighborhood Resource Advisory Cmte. and is now called the Community Development Advisory Committee. Sir, does it not strike you, a professional City planner, as just a tad bit odd that the same people move from one "advisory group" to another????????? Why you chose to sit mute is a mystery, but noting above, you know all of the "players" relative to the neighborhood associations and it is my suspicion that you choose to "make nice" with these professional meeting attendees who seemingly are big fish in a small pond. Perhaps it is an aspect of the "learning curve" associated with the relatively new position you are in. The aroma of cronyism is pungent, however. Irrespective, as far as I am concerned, silence equates to acquiescence and not neutrality. "Policy" is NOT LAW. Policy is a framework that should be deviated from obvious wrong is taking place, don't you think????????? Where are your ethics, sir?

The City of Lawrence has a responsibility to make certain that the CDBG monies it allocates are done so in a fair and impartial fashion in my view. PERHAPS 35 years ago it was "OK" to allow the neighborhood associations to "....do their own thing...." but the blatant gerrymandering by the ONA calls for revisiting how associations are formed and defined. It's time the City got involved in the process when blatant arrogance is the norm rather than open and fair dialogue.

I hold no ill will towards you or your staff. I only ask for a fair chance. It can't be explained in a 3 minute talk....which is what I was relegated to in the "planning commission" meeting.....while the ONA had a "stacked deck" working as each individual member got up to represent "themselves" and yet repeatedly referred to "WE"....as in the ONA. 3 people with 3mins each equates to 3x the amount of time one person has. Oh yeah.....that's really fair.

I ask again, will the City of Lawrence tolerate a neighborhood association which "red lines" to prevent "unwanted" ethnic groups or political party members in "their" association? Will the City of Lawrence allow an association to identify, even, individual addresses as a "neighborhood"? Etc., etc., etc. I do NOT believe the City Commission has taken a position on this matter at all and challenge you to provide me the minutes to any City Commission meeting wherein the Commission determined the Commission would NOT become involved. To the contrary, I assert it is the "recommendations" the Commission receives from City Staff that seem to drive this town and it's time that crud

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STOPPED. City Commissioners look to professionals such as yourself for guidance through neutrality; to state the facts and provide options; NOT parrot what past "policy" has been. Policy be damned in this egregiously idiotic decision process!

Thank you for your time. I recognize this issue may be "light weight" to your office and that of Mr. Corlis, but I assure you it is a big deal to me. Very big indeed.

Cordially,

Steven C. Watts

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From: Scott McCullough <smccullough@ci.lawrence.ks.us>

To: steven c. watts

Cc: David L. Corliss <DCorliss@ci.lawrence.ks.us>; Margene Swarts <mswarts@ci.lawrence.ks.us>; Michelle Leininger <mleininger@ci.lawrence.ks.us>

Sent: Mon, November 16, 2009 6:10:08 PM

Subject: RE: Washington, D.C. HUD weighs in....

Mr. Watts,

We mainly included the emails that you specifically requested be included in the PC packet, assuming that you differentiated between the neighborhood plan issues and the CDBG issues by design. The neighborhood association map was included in the packet; however, to my knowledge we do not have records of previous association boundaries, which is why we did not include such a map. If you would like to print the map in the packet and mark on it as you understand the historic boundaries, we are happy to include it in the PC packet.

The PC will not be taking action on the Oread plan on Wednesday so there is opportunity to submit additional correspondence in December. From this point on we will place all emails in the PC packet, including this one.

I will note that I have not represented otherwise that it is the policy of the city to permit neighborhoods to define their boundaries. To date, the City Commission has determined that this will be the policy for funds allocated to neighborhood associations. Similarly, it is policy that the city will not manage the day to day activities of other nonprofit organizations or necessarily define the scope of their organization as a condition of receiving CDBG funds. I have not represented otherwise that the city controls the allocation of these funds and could manage them differently if the city chose.

Scott McCullough, Director - smccullough@ci.lawrence.ks.us

Planning and Development Services | www.lawrenceks.org

City Hall, 6 E. 6th Street

P.O. Box 708, Lawrence , KS 66044-0708

office (785) 832-3154 | fax (785) 832-3160

From: steven c. watts

Sent: Monday, November 16, 2009 4:44 PM

To: Scott McCullough

Cc: David L. Corliss

Subject: Fw: Washington, D.C. HUD weighs in....

11/17/2009

Mr. McCullough:

What does it take in this town to get equal representation and treatment under the law?? I have just now reviewed the "packet" of material for the Nov. 16, 2009 planning commission meeting and I find only a handful of several emails I have sent to your office relative to the problems associated with the Oread Neighborhood plan.

Below, you will find an email I forwarded to your office from HUD in Washington , D.C. which flat out spells the facts relative to CDBG monies. Why is this email, among several others, NOT in the packet???

Also, why is the HISTORY of the Oread Neighborhood association boundaries NOT in the packet? They've changed the boundaries many times..

What do I have to do to make certain this data is included in the informational packets for the commission? My expectation is that ALL my email traffic which CC's you relative to the ONA is placed in that packet for their review. What do I need to do to get your staff to include my information?

This process is becoming more and more specious.

Please advise.

Steven C. Watts

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--- On **Mon, 11/9/09, steven c. watts** wrote:

From: steven c. watts
 Subject: Washington , D.C. HUD weighs in....
 To: robchestnut@sunflower.com, "Amyx, Mike" <mikeamyx515@hotmail.com>
 Cc: "Corliss, Mr. David" <dcorliss@ci.lawrence.ks.us>, "McCullough, Scott" <smccullough@ci.lawrence.ks.us>, bradfink@stevensbrand.com
 Date: Monday, November 9, 2009, 1:08 PM

Gentlemen:

I forward a recently received email from HUD's CDBG program in Washington , D.C and more specifically, DGBE Director, Entitlement Communities Division Mr. Steve Johnson.

Mr. Johnson notes in the forwarded email that each recipient community makes its own decisions relative to Neighborhood Associations; in this instance he essentially confirms that the City of Lawrence, Kansas has chosen to allow the "target neighborhood associations" to define themselves and thus, it is confirmed that it has been past POLICY of the City of Lawrence and it is NOT the federal law which has allowed same. Mr. Johnson notes "Regarding your question of whether city staff vs. elected officials should be making programmatic decisions, this is a local matter, governed by state or local law."

It is past time for the Lawrence City Commission to acknowledge its collective and definitive role in the defining of neighborhoods given the way the Oread Neighborhood Association has gerrymandered the Oread

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neighborhood "definition" and "boundaries". What more evidence do you require from me to get this glaring inequality rectified???

Too, Mr. Johnson makes mention of "neighborhood associations" being actual non-profit corporations and yet I know of no such requirement for said associations in Lawrence . Hence, I am even more confused how these five (5) "associations" can be given one red cent, let alone gerrymander their collective boundaries.

I would appreciate a response from each of you, please. Just because "...we've always done it this way..." (administer CDBG monies) does not mean it's the right for now and the future. Margene Swarts and Mr. McCullough do not, as city staff, make the decisions; rather the Lawrence City Commission does; Right??

Thank you

Steven C. Watts

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----- Forwarded Message: -----

From: "Johnson, Steve" <steve.johnson@hud.gov>

To: "steven c. watts"

Cc: "Lipscomb, Eugene " <Eugene.Lipscomb@hud.gov>, "Stanley_Gimont@hud.gov" <Stanley_Gimont@hud.gov>, "Kome, Jessie Handforth" <Jessie.Handforth.Kome@hud.gov>

Subject: RE: Neighborhood Associations, HUD, and CDBG Monies

Date: Mon, 09 Nov 2009 16:53:30 +0000

Dear Mr. Watts:

Thank you for your inquiry of last week regarding the CDBG program in Lawrence , KS . You asked several questions about the role of cities versus neighborhood associations in administering CDBG funding.

Neighborhood associations, like most any other nonprofit organization, are creatures of state and local law, not federal law. With the possible exception of how they are treated under IRS tax laws, I do not know of any federal laws dealing specifically governing the organization, incorporation, boundaries and operation of neighborhood associations. HUD does not mandate anything regarding boundaries of neighborhood associations because they are not a matter under federal purview.

In the Community Development Block Grant program, HUD makes grants to units of general local government. As HUD's grantees, units of local government (such as the city of Lawrence) are legally responsible for administering their program in accordance with all applicable laws and regulations. Whether a local government chooses to carry out CDBG-funded activities itself or to use subrecipients

to carry out activities is the local government's decision. (Local governments must, of course, engage in citizen participation with its citizenry in designing its program.) Neighborhood associations, like any nonprofit organization, may receive CDBG funds as a subrecipient of the grantee if the grantee wishes to fund them. HUD does not mandate the use of subrecipients nor does HUD mandate which subrecipients (or types of subrecipients) a grantee may wish use as a subrecipient.

The CDBG regulations specify certain requirements local governments must follow when they use subrecipients to implement CDBG-funded activities. 24 CFR 570.501(b) of the CDBG regulations reads in part:

(b) The recipient is responsible for ensuring that CDBG funds are used in accordance with all program requirements. The use of designated public agencies, subrecipients, or contractors does not relieve the recipient of this responsibility. The recipient is also responsible for determining the adequacy of performance under subrecipient agreements and procurement contracts, and for taking appropriate action when performance problems arise, such as the actions described in §570.910.

24 CFR 570.502 spells out the applicability of uniform administrative requirements governing the use of CDBG funds by grantees and subrecipients. 24 CFR 570.503 requires that grantees must have written agreements with subrecipients that receive CDBG funds, and spells out the required elements of a subrecipient agreement. It is the city's responsibility to ensure that subrecipients, including neighborhood associations, comply with all federal requirements in carrying out CDBG-assisted activities.

Your message asks about the ability of neighborhood associations to exclude certain groups from their membership. Any subrecipient that receives CDBG funds must comply with federal fair housing and civil rights requirements. A subrecipient that is receiving CDBG funds and that is violating such requirements would, of course, be a matter of federal interest. If you have concerns that these laws are being violated, you should contact the Regional Office of Fair Housing and Equal Opportunity:

Kansas City Regional Office of FHEO
U.S.. Department of Housing and Urban Development
Gateway Tower II
400 State Avenue , Room 200
Kansas City , Kansas 66101 -2406
(913) 551-6958
1-800-743-5323
TTY (913) 551-6972

Fair Housing and civil rights complaints may also be filed on-line via HUD's website, at:
http://portal.hud.gov/portal/page/portal/HUD/topics/housing_discrimination

Regarding your question of whether city staff vs. elected officials should be making programmatic decisions, this is a local matter, governed by state or local law. A unit of general local government is a single corporate entity organized under state and local law; the CDBG statute and regulations do not assign specific grant administration responsibilities to different branches of units of general local government.

I hope this provides the information you sought. Thank you for your interest in the programs of HUD.

Steve Johnson
Director, Entitlement Communities Division
HUD Headquarters

From: steven c. watts
Sent: Thursday, November 05, 2009 12:01 PM
To: Stanley_Gimont@hud.gov; Kome, Jessie Handforth; Johnson, Steve
Cc: Lipscomb, Eugene
Subject: Neighborhood Associations, HUD, and CDBG Monies

Greetings from Kansas Mr. Gimont, Ms. Kome, and Mr.. Johnson:

11/17/2009

As I am unsure which one of you to address, I shall begin with all three.

Please review the email traffic below; beginning from the bottom and making your way up.

While I respect the fact that HUD works with and through local governmental entities as opposed to individuals, I am compelled to believe that there are those times and matters where officials such as yourselves must deviate from "policy" and get involved.

I wholly disapprove of your subordinates' attitudes and lack of "customer service" as well as their refusal to seek out facts or respond to questions from a member of HUD's CDBG target population as well as their obvious efforts to marginalize and negate my participation and identification of what I believe to be a rather significant matter/problem. Too, the outright refusal of your Region VII director, Mr. Lipscomb, to communicate with a citizen certainly underscores it's "...bizness as usual....." here in Kansas which is the exact opposite of the President's call for transparency within government.

Please advise and kindly provide answers to the questions outlined below.

Thank you

Steven C. Watts
1649 Edgehill Rd.
Lawrence , KS 66044 -4193

----- Forwarded Message: -----

From: "steven c. watts"

To: "Gutierrez, Agatha R" <agatha.r.gutierrez@hud.gov>, "Eugene.Lipscomb" <Eugene.Lipscomb@hud.gov>,

Subject: RE: Neighborhood Associations, HUD, and CDBG Monies

Date: Wed, 04 Nov 2009 17:24:28 +0000

Ms. Gutierrez,

Oh really? What is the "complaint" you shall be addressing? What is the process?

Thank you

Steven C. Watts

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----- Original message from "Gutierrez, Agatha R" <agatha.r.gutierrez@hud.gov>: -----

11/17/2009

Mr. Watts,

We have reviewed your emails and are treating this matter as a formal written complaint to HUD. We will follow our normal complaint procedures and will provide a written response to you within the next 10 days.

Thank you.

Agatha Gutierrez

From: steven c. watts
Sent: Wednesday, November 04, 2009 6:36 AM
To: Gutierrez, Agatha R; Lipscomb, Eugene
Cc: Porter, Theresa; Buckner, Dana; Corliss, Mr. David; McCullough, Scott
Subject: Neighborhood Associations, HUD, and CDBG Monies

Greetings Region VII HUD:

Please advise relative to regulations and law (NOT internal policy) what responsibilities recipient municipalities of HUD CDBG monies have with respect to neighborhood associations which receive CDBG monies from the municipality.

City staffers within the City of Lawrence, Kansas maintain HUD MANDATES the City itself shall not regulate the boundaries of any neighborhood association; rather each and every (any) association defines itself. I believe this is a policy of the City staffers and NOT HUD mandates or federal law. What mechanism has been set up within HUD for re-dress when a citizen believes that specific sectors of a geographic area have been excluded from an identified boundary? Is it acceptable practice in HUD's view for a municipality to allow a neighborhood association to exclude a section of a geographic neighborhood because the association does not want, say, a block of people of the Jewish faith? A block of people who are African-American? A block or two of people who are of Hispanic origin? Or a block or two of people who are members of an "undesirable" political party?

Isn't it a fact that the local municipality makes the decision as to how much oversight said community chooses to provide relative to how boundaries are established? Isn't it a fact that a municipality itself can establish and define boundaries in describing neighborhoods to HUD? Should simple City Staffers be making the decisions as to the "local rules" with respect to what constitutes a "neighborhood association"; or should it not be done by elected officials who are voted into office by the people of said municipality and who represent the people of same? Something isn't right when a very small handful of fairly high paid, entrenched "civil servants" (city workers) define the "game's" rules.

Thank you

Steven C. Watts
 1649 Edgehill Rd.
 Lawrence , KS 66044 -4193

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11/17/2009

Michelle Leininger

From: steven c. watts
Sent: Wednesday, November 18, 2009 8:09 AM
To: Michelle Leininger
Cc: Scott McCullough; bradfink; Mike Amyx
Subject: Old Boundary and By-Laws Located

Attachments: ONA By-lawsOct2001.doc; ONABylawsRev1207.rtf



ONA
vsOct2001.doc (33



ONABylawsRev120
7.rtf (70 KB)

Hello!

Eureka! I have found the digital file in my archives. Please note (when right clicking on the file) the author of the document and the date of the document for validation.

Section VII, E. outlines what a quorum was: 2/3 of the Board of Directors. When I began attending Board meetings as a member, I discovered the board was conducting business, taking votes, and implementing changes when no quorum was present. I informed the board they were violating their own rules. They didn't like it. What did they do? They re-wrote the By-Laws changing a quorum from 2/3 to a simple majority and then quietly wrote Edgehill Road OUT OF THE BOUNDARY.

Too, there were several other "technical" matters I called the board on which were not taken kindly.....

I have also attached the most current By-Laws for comparison.

Thank you

Steven C. Watts

BY-LAWS OF THE OREAD NEIGHBORHOOD ASSOCIATION
Updated 10/29/2001

Sec. I. BOUNDARIES.

The Oread Neighborhood is that area within the City of Lawrence, Douglas County, Kansas, which is bounded by Ninth Street on the north, Massachusetts Street on the east, Seventeenth Street on the south, Michigan Street on the northwest, Edgehill Road on the southwest, and the University of Kansas on the west between Michigan and Edgehill.

Sec. II. NAME.

The residents and property owners within the Oread Neighborhood have formed a non-profit corporation to be known as the Oread Neighborhood Association.

Sec. III. PURPOSE.

The Oread Neighborhood Association is a corporation organized not for profit under the laws of the State of Kansas. Said corporation is organized exclusively for charitable and educational purposes within the meaning of section 501(c)(3) of the Internal Revenue Code of 1954 (or the corresponding provision of any future United States Internal Revenue Law), including for such purposes:

- 1) The education of neighborhood residents, through public meetings, discussion groups, publications, panels, or other similar programs for the education of the public to promote the purposes of the Oread Neighborhood Association, to-wit: lessening neighborhood tensions, combatting community deterioration, and preventing crime.
- 2) The making of distributions to organizations that qualify as exempt organizations under section 501(c)(3) of the Internal Revenue Code of 1954.

No part of the net earnings of the corporation shall inure to the benefit of, or be distributable to its members, trustees, officers or other private persons, except that the corporation shall be authorized and empowered to any reasonable compensation for services rendered and to make payments and distributions in furtherance of the purposes set forth herein. No substantial part of the activities of the corporation shall be the carrying on of propaganda, or otherwise attempting to influence legislations, and the corporation shall not participate in, or intervene in (including the publishing or distribution of statements) any political campaign on behalf of any candidate for public office. This corporation shall not have or exercise any power of authority either expressly, by interpretation or by operation of law, nor shall it directly or indirectly engage in any activity that would prevent this corporation from qualifying (and continuing to qualify) as: (a.) a corporation described in section 501(c)(3) of the Internal Revenue Code as a tax-exempt corporation; or (b.) as a corporation, contributions to which are deductible under section 179(c)(2) of the Internal Revenue Code of 1954 or the corresponding provision of any future United States Internal Revenue law.

Sec. IV. MEMBERSHIP.

No person shall be excluded from membership on account of sex, race, color, creed or political view. There shall be two classes of membership: general members who may vote and associate members who may not vote.

A. GENERAL MEMBERS.

Any person eighteen years of age or older living or owning property within the Oread Neighborhood, Lawrence, Kansas, shall be a general member of the Oread Neighborhood Association upon payment of the annual dues of one dollar (\$1.00). A general member is entitled to vote at Oread Neighborhood Association meetings.

B. ASSOCIATE MEMBERS

Any interested person eighteen years of age or older who neither lives in nor owns property within the Oread Neighborhood shall be an associate member of the Neighborhood Association upon payment of the annual dues of five dollars (\$5.00). An associate member is not entitled to vote at Oread Neighborhood Association meetings.

Sec. V. **FISCAL YEAR.**

The fiscal year of this Association shall commence on the 1st day of August and end on the 31st day of July.

Sec. VI. **MEETINGS.**

All meetings of the Oread Neighborhood Association shall be held at such places in the City of Lawrence as may be designated by a resolution of the Board of Directors. The business of the Oread Neighborhood Association may be conducted only at open meetings of which all members have received reasonable notice.

A. **MEETINGS**

1. A minimum of four meetings shall be held on dates to be determined by the Board of Directors.
2. Special meetings for any purpose or purposes may be called by the Board of Directors. The business transacted at any special meeting shall be confined to the object stated in the call.
3. The annual meeting shall be held in the fall (September/October) on a date determined by the Board of Directors.
 - a. Written notice in the newsletter stating the time and place of all annual meetings of members and the general nature of the business to be considered shall be given by the Secretary or other person designated by the Board of Directors.
 - b. The general members shall elect by ballot the Board of Directors, including the officers for the ensuing year.
 - c. The general members shall transact such other business as may properly come before the meeting.

B. **RULES OF PROCEDURE**

1. The proceedings and business of this Association shall be governed by Robert's latest book on parliamentary procedure, unless otherwise provided herein.
2. **CHAIRPERSON.**
The President shall call the meeting to order and shall act as chairperson of such meetings unless the members present shall designate another chairperson.
3. **SECRETARY.**
The Secretary of the Neighborhood Association shall act as secretary of all meetings, but in the event of his/her absence or failure to act, the chairperson of the meeting shall appoint pro tem.
4. **MINUTES.**
The minutes of all meetings shall be kept by the Secretary or Secretary Pro Tem and published in the newsletter.
5. **QUORUM.**
Ten (10) general members of the Oread Neighborhood Association, present in person, shall constitute a quorum of all meetings of the members. No meeting shall be dismissed in less than thirty (30) minutes while waiting for a quorum.
6. **TRANSACTION OF ANY BUSINESS.**
A majority of the votes of the general members present and voting shall be required for the transaction of any business on the agenda. A two-thirds majority of the votes of the general members present and voting shall be required for the transaction of any business not on the agenda.

Sec. VII. **BOARD OF DIRECTORS**

A. **MEMBERSHIP.**

The Board of Directors shall consist of thirteen (13) members:

1. The President from the previous year who shall serve as a member at large, unless he/she serves a second term in which case a fourth at-large member would be elected.
2. Twelve elected from the general membership at the annual meeting as follows:
 - a. Four (4) elected officers.
 - b. Two (2) members at large elected by the general membership.
 - c. Six (6) area representatives, one to be a resident in each of the geographical areas of the Oread Neighborhood as defined by the Board of Directors and approved by the general membership, one to be a resident in each of the geographical areas of the Oread Neighborhood as defined by the Board of Directors and approved by the general membership. The general members in each of the six (6) geographical areas shall elect as their area representative a general member living in the same area. If no area representative is available, a resident from another area may serve on their behalf.

B. **TERM OF OFFICE.**

Each member of the Board of Directors shall serve a term of one (1) year and until his/her successor shall be elected.

C. **VACANCY.**

In the event of any vacancy on the Board of Directors, the general members shall elect a successor representative to serve for the remainder of the vacant position.

D. **POWERS AND DUTIES**

1. The Board of Directors shall execute the plans and policies adopted by the general membership of the Oread Neighborhood Association at any of their meetings.
2. The Board of Directors shall recommend plans and policies to the membership of the Oread Neighborhood Association.
3. The property and business of the Oread Neighborhood Association shall be managed under the general supervision of the Board of Directors.
4. The Board of Directors shall appoint individuals to assist as necessary with the operation of the Oread Neighborhood Association.
5. The Board of Directors shall prepare an Agenda for each meeting of the Oread Neighborhood Association and make its contents available to any individual requesting the same.
6. The Board of Directors shall name a nominating committee of at least three (3) general members by or before the August Board Meeting of the Association. The nominating committee shall recommend to the general members at the September/October meeting a slate of candidates for all positions to be voted upon at the annual meeting.

E. **QUORUM.**

Two-thirds of the members of the Board of Directors shall constitute a quorum for the transaction of business, but if at any such meeting there shall be less than a quorum present, the members of the Board of Directors present may adjourn the meeting from time to time until a quorum is present.

F. **TRANSACTION OF ANY BUSINESS.**

A majority of the votes of the members of the Board of Directors present and voting shall be required for the transaction of any business.

G. MEETINGS.

All meetings of the Board of Directors shall be open to the public.

1. **REGULAR** meetings of the Board of Directors may be held at such time and place within the City of Lawrence, Kansas, as shall be determined by the Board of Directors.
2. **SPECIAL** meetings of the Board of Directors may be called by the President upon the written request of any member of the Board of Directors. Such meetings shall be held at such time and place within the City of Lawrence, Kansas, as shall be determined by the President.

Sec. VII. OFFICERS.

A. TERM OF OFFICE.

The officers, which are President, Vice President, and Secretary/Treasurer, shall be elected for one (1) year, or until the election and qualification of their successors by the general members of the Oread Neighborhood Association at the annual meeting of the members.

B. VACANCY.

In the event of a vacancy in any office, the successor officer shall be elected by the general membership, and such successor officer shall hold office for the remainder of the term.

C. POWERS AND DUTIES.

1. PRESIDENT.

The President shall be the chief executive officer of the Association, charged with the duty of supervising all of its functions, subject to the orders of the Board of Directors. S/he shall be ex officio a member of all committees.

2. VICE-PRESIDENT.

The power and authority of the Vice-President shall be co-extensive and equal with that of the President and in the absence or disability of the President he/she shall perform the duties and exercise the powers of the President and perform such other duties as the Board of Directors may prescribe.

3. SECRETARY

The Secretary shall issue notices and keep minutes of all meetings of the Board of Directors and all meetings of the Oread Neighborhood Association, shall conduct the correspondence of the Association, be custodian of the records, keep the roll of all members, and discharge such other duties as may be assigned to him or her by the Board of Directors or the President.

4. TREASURER

The Treasurer shall collect all membership dues and shall have the care and custody of all the funds and property of the Association, which shall be disbursed by him or her only upon the order of the Board of Directors. He or she shall submit a report for the preceding year at the annual meeting and shall render special reports whenever requested to do so by the Board of Directors. He or she shall deposit all funds in the name of the Association in such financial institutions as may be designated by the Board of Directors.

Sec. IX. CHECKS.

All checks or demands for money of the Association shall be signed by an officer designated by the Board of Directors.

Sec. X. INSPECTION OF BOOKS.

Any member of the Association shall have the right to examine in person, or by his or her agent or attorney, at any time, for any purpose, the by-laws, books, accounts and records of the Association, and to make copies or extracts from them.

Sec. XI. COMMITTEES.

Committees shall be designated and appointed by the President as may be required.

Sec. XII. AMENDMENTS.

The by-laws of this Association may be amended, repealed, revised by the affirmative vote of a majority of the members present at the annual, regular or special meeting, provided that the notice of any such meeting contains a summary of the proposed amendment or amendments.

BY-LAWS OF THE OREAD NEIGHBORHOOD ASSOCIATION
Revised December 2007

Sec. I. BOUNDARIES.

The Oread Neighborhood is that area within the City of Lawrence, Douglas County, Kansas, which is bounded by Ninth Street on the north, Massachusetts Street on the east, Seventeenth Street on the south, Michigan Street on the northwest, the University of Kansas on the west to Gower Place, and the west boundary of the properties on the west side of Tennessee Street between 14th and 17th Streets.

Sec. II. NAME.

The residents and property owners within the Oread Neighborhood have formed a non-profit corporation to be known as the Oread Neighborhood Association.

Sec. III. PURPOSE.

The Oread Neighborhood Association is a corporation organized not for profit under the laws of the State of Kansas. Said corporation is organized exclusively for charitable and educational purposes within the meaning of section 501(c)(3) of the Internal Revenue Code of 1954 (or the corresponding provision of any future United States Internal Revenue Law), including for such purposes:

- 1) The education of neighborhood residents, through public meetings, discussion groups, publications, panels, or other similar programs for the education of the public to promote the purposes of the Oread Neighborhood Association, to-wit: lessening neighborhood tensions, combating community deterioration, and preventing crime.
- 2) The making of distributions to organizations that qualify as exempt organizations under section 501(c)(3) of the Internal Revenue Code of 1954.

No part of the net earnings of the corporation shall inure to the benefit of, or be distributable to its members, trustees, officers or other private persons, except that the corporation shall be authorized and empowered to any reasonable compensation for services rendered and to make payments and distributions in furtherance of the purposes set forth herein. No substantial part of the activities of the corporation shall be the carrying on of propaganda, or otherwise attempting to influence legislations, and the corporation shall not participate in, or intervene in (including the publishing or distribution of statements) any political campaign on behalf of any candidate for public office. This corporation shall not have or exercise any power of authority either expressly, by interpretation or by operation of law, nor shall it directly or indirectly engage in any activity that would prevent this corporation from qualifying (and continuing to qualify) as: (a.) a corporation described in section 501(c)(3) of the Internal Revenue Code as a tax-exempt corporation; or (b.) as a corporation, contributions to which are deductible under section 179(c)(2) of the Internal Revenue Code of 1954 or the corresponding provision of any future United States Internal Revenue law.

Sec. IV. MEMBERSHIP.

No person shall be excluded from membership on account of sex, race, color, creed or political view. There shall be two classes of membership: general members who may vote and associate members who may not vote.

A. GENERAL MEMBERS.

Any person eighteen years of age or older living or owning property within the Oread Neighborhood, Lawrence, Kansas, shall be a general member of the Oread Neighborhood Association. A general member is entitled to vote at Oread Neighborhood Association meetings. Annual dues of one dollar (\$1.00) are encouraged but not required.

B. ASSOCIATE MEMBERS

Any interested person eighteen years of age or older who neither lives in nor owns property within the Oread Neighborhood shall be an associate member of the Neighborhood Association upon payment of the annual dues of five dollars (\$5.00). An associate member is not entitled to vote at Oread Neighborhood Association meetings.

Sec. V. FISCAL YEAR.

The fiscal year of this Association shall commence on the 1st day of August and end on the 31st day of July.

Sec. VI. GENERAL MEETINGS

All meetings of the Oread Neighborhood Association shall be held at such places in the City of Lawrence as may be designated by a resolution of the Board of Directors. The business of the Oread Neighborhood Association may be conducted only at open meetings of which all members have received reasonable notice.

A. MEETINGS

1. A minimum of four meetings shall be held on dates to be determined by the Board of Directors.
2. Special meetings for any purpose or purposes may be called by the Board of Directors. The business transacted at any special meeting shall be confined to the object stated in the call.
3. The annual meeting shall be held in the fall (September/October) on a date determined by the Board of Directors.
 - a. Written notice in the newsletter stating the time and place of all annual meetings of members and the general nature of the business to be considered shall be given by the Secretary or other person designated by the Board of Directors.
 - b. The general members shall elect by ballot the Board of Directors, including the officers for the ensuing year.
 - c. The general members shall transact such other business as may properly come before the meeting.

B. RULES OF PROCEDURE

1. The proceedings and business of this Association shall be governed by Robert's latest book on parliamentary procedure, unless otherwise provided herein.
2. **CHAIRPERSON.**
The President shall call the meeting to order and shall act as chairperson of such meetings unless the members present shall designate another chairperson.
3. **SECRETARY.**
The Secretary of the Neighborhood Association shall act as secretary of all meetings, but in the event of his/her absence or failure to act, the chairperson of the meeting shall appoint pro tem.
4. **MINUTES.**
The minutes of all meetings shall be kept by the Secretary or Secretary Pro Tem and published in the newsletter.
5. **QUORUM.**
Ten (10) general members of the Oread Neighborhood Association, present in person, shall constitute a quorum of all meetings of the members. No meeting shall be dismissed in less than thirty (30) minutes while waiting for a quorum.
6. **TRANSACTION OF ANY BUSINESS.**
A majority of the votes of the general members present and voting shall be required for the transaction of any business on the agenda. A two-thirds majority of the votes of the general members present and voting shall be required for the transaction of any business not on the agenda.

Sec. VII. **BOARD OF DIRECTORS**

A. MEMBERSHIP.

The Board of Directors shall consist of **up to** thirteen (13) members:

1. The President from the previous year who shall serve as a member at large, unless he/she serves a second term in which case a fourth **third** at-large member would be elected.
2. Twelve elected from the general membership at the annual meeting as follows:
 - a. Four (4) elected officers.
 - b. Two (2) members at large elected by the general membership.
 - c. Six (6) area representatives, one to be a resident in each of the geographical areas of the Oread Neighborhood as defined by the Board of Directors and approved by the general membership. The general members in each of the six (6) geographical areas shall elect as their area representative a general member living in the same area. If no area representative is available, a resident from another area may serve on their behalf.

B. TERM OF OFFICE.

Each member of the Board of Directors shall serve a term of one (1) year and until his/her successor shall be elected.

C. VACANCY.

In the event of any vacancy on the Board of Directors, the general members shall elect a successor Representative to serve for the remainder of the vacant position.

D. POWERS AND DUTIES

1. The Board of Directors shall execute the plans and policies adopted by the general membership of the Oread Neighborhood Association at any of their meetings.
2. The Board of Directors shall recommend plans and policies to the membership of the Oread Neighborhood Association.
3. The property and business of the Oread Neighborhood Association shall be managed under the general supervision of the Board of Directors.
4. The Board of Directors shall appoint individuals to assist as necessary with the operation of the Oread Neighborhood Association.
5. The Board of Directors shall prepare an Agenda for each meeting of the Oread Neighborhood Association and make its contents available to any individual requesting the same.
6. The Board of Directors shall name a nominating committee of at least three (3) general members by or before the August Board Meeting of the Association. The nominating committee shall recommend to the general members at the September/October meeting a slate of candidates for all positions to be voted upon at the annual meeting.

E. QUORUM.

A majority of members of the Board of Directors shall constitute a quorum for the transaction of business, but if at any such meeting there shall be less than a quorum present, the members of the Board of Directors present may adjourn the meeting.

F. TRANSACTION OF ANY BUSINESS.

A majority of the votes of the members of the Board of Directors present and voting shall be required for the transaction of any business.

G. MEETINGS.

All meetings of the Board of Directors shall be open to the public.

1. REGULAR meetings of the Board of Directors may be held at such time and place within the City of Lawrence, Kansas, as shall be determined by the Board of Directors.
2. SPECIAL meetings of the Board of Directors may be called by the President upon the written request of any member of the Board of Directors. Such meetings shall be held at such time and place within the City of Lawrence, Kansas, as shall be determined by the President.

Sec. VII. **OFFICERS.**

A. **TERM OF OFFICE.**

The officers, which are President, Vice President, and Secretary/Treasurer, shall be elected for one (1) year, or until the election and qualification of their successors by the general members of the Oread Neighborhood Association at the annual meeting of the members.

B. **VACANCY.**

In the event of a vacancy in any office, the successor officer shall be elected by the general membership, and such successor officer shall hold office for the remainder of the term.

C. **POWERS AND DUTIES.**

1. **PRESIDENT.**

The President shall be the chief executive officer of the Association, charged with the duty of supervising all of its functions, subject to the orders of the Board of Directors. S/he shall be ex officio a member of all committees.

2. **VICE-PRESIDENT.**

The power and authority of the Vice-President shall be co-extensive and equal with that of the President and in the absence or disability of the President he/she shall perform the duties and exercise the powers of the President and perform such other duties as the Board of Directors may prescribe.

3. **SECRETARY**

The Secretary shall issue notices and keep minutes of all meetings of the Board of Directors and all meetings of the Oread Neighborhood Association, shall conduct the correspondence of the Association, be custodian of the records, keep the roll of all members, and discharge such other duties as may be assigned to him or her by the Board of Directors or the President.

4. **TREASURER**

The Treasurer shall collect all membership dues and shall have the care and custody of all the funds and property of the Association, which shall be disbursed by him or her only upon the order of the Board of Directors. He or she shall submit a report for the preceding year at the annual meeting and shall render special reports whenever requested to do so by the Board of Directors. He or she shall deposit all funds in the name of the Association in such financial institutions as may be designated by the Board of Directors.

Sec. IX. **CHECKS.**

All checks or demands for money of the Association shall be signed by an officer designated by the Board of Directors.

Sec. X. **INSPECTION OF BOOKS.**

Any member of the Association shall have the right to examine in person, or by his or her agent or attorney, at any time, for any purpose, the by-laws, books, accounts and records of the Association, and to make copies or extracts from them.

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Committees shall be designated and appointed by the President as may be required.

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Michelle Leininger

From: Scott McCullough
Sent: Monday, December 14, 2009 9:17 AM
To: Michelle Leininger
Subject: FW: Consideration of Oread Neighborhood Plan

For PC

Scott McCullough, Director - smccullough@ci.lawrence.ks.us Planning and Development Services | www.lawrenceks.org City Hall, 6 E. 6th Street P.O. Box 708, Lawrence, KS 66044-0708 office (785) 832-3154 | fax (785) 832-3160

-----Original Message-----

From: steven c. watts [mailto:scajj@sbcglobal.net]
Sent: Wednesday, November 18, 2009 5:25 PM
To: David L. Corliss; Scott McCullough
Cc: bradfink; Steve Johnson; Jonathan Douglass; Mike Amyx; Robert Chestnut; Aron Cromwell; Michael Dever; Lance Johnson
Subject: RE: Consideration of Oread Neighborhood Plan

Mr. McCullough:

I'm starting to get a bad feeling; a very bad feeling about this process.

Believe it or not, I am a citizen of Lawrence and I am an integral part of the WE you are using. It's not a "royal" WE. It's a democratic "WE", as in WE THE PEOPLE. Bluntly, I don't like the way you throw around this term WE. You're a public servant and answer to the people....that is in the WE the People WE. You're part of the WE the People We, too.

Adding insult to injury you note:

"I will not be facilitating a discussion with the PC regarding the issues you have raised with the Oread Neighborhood Association itself or how the city chooses to allocate CDBG funds. These issues are not within the purview of the Planning Commission or within what we hope to accomplish with the planning effort."

There you go again, sir, using that unctuous "WE" which smacks of favoritism and cronyism. I AM PART OF THE WE and yet you seemingly are continuing to attempt to negate and marginalize the very real issue I am confronting the planning commission with. How can the "Oread Plan" be discussed when the boundary of the very "Oread Neighborhood" are in contention? How can WE plan when we have not successfully defined what the "Oread Neighborhood" is. Sir, you further seek to disenfranchise me, and I must protest.

I don't need you to "facilitate" the discussion; you don't even have the facts or the history and your recall and you've intimated your office doesn't have them or keep track of them? (As in Neighborhood Association By-Laws, boundaries and the history of same, minutes, etc., etc., etc., etc.). I can facilitate the discussion very nicely, thank you. Your role is to function as a city staff person who has available facts and data....but you've already intimated you don't have those. How that can be most certainly escapes me given the huge sums of money the neighborhood associations

have been allocated over the course of the past 30+ years.

Let me remind you Mr. McCullough that City staff don't run this City and neither does the City Manager or the lawyers on the City payroll. The people of the City of Lawrence run Lawrence through the City Commission.

I most certainly do not only desire the planning commission to "...consider including (my) property in the planning area...", I EXPECT it. It IS part of the Oread Neighborhood. The Oread Neighborhood Association isn't the only game in town relative to the Oread neighborhood simply because they have the name "Oread Neighborhood Association". Big Deal: That group has demonstrated their bigotry and exclusionist ways and it most certainly appears to me that your office is participating in the obfuscation of what's what when it comes to what REALLY makes up the Oread neighborhood. It's incredible at the same time it is most frightening.

Please, sir, stop using the term "WE" in your effort to exclude my participation and further marginalize a citizen of Lawrence. It's specious, unethical, and, well, disgusting. However, it does underscore the attitude of the Planning and Development Department of the City of Lawrence and I certainly hope Mr. Corliss addresses it before the City Commission is requested to do same.

I don't have the financial resources to purchase fancy computing software or pay a 3rd party to generate historical maps of the Oread Neighborhood Association's every changing boundaries. That's the job of the City Planning staff, sir.

The "purview" of the planning commission is to make a recommendation to the City Commission relative to the impending Oread Neighborhood Plan and the gerrymandering by the lone recognized and funded organization with the neighborhood is most certainly an aspect of said "purview". How can you possibly maintain it is not?

Cordially,

Steven C. Watts
1649 Edgehill Rd.
Lawrence, Kansas
Oread Neighborhood Resident

--

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--- On Wed, 11/18/09, Scott McCullough <smccullough@ci.lawrence.ks.us> wrote:

> From: Scott McCullough <smccullough@ci.lawrence.ks.us>
> Subject: RE: Consideration of Oread Neighborhood Plan
> To: "steven c. watts" <scajj@sbcglobal.net>, "Jonathan Douglass"
> <jdouglass@ci.lawrence.ks.us>, "David L. Corliss"
> <DCorliss@ci.lawrence.ks.us>

> Cc: greg@moorevaluation.com, "John Miller" <jmiller@ci.lawrence.ks.us>
> Date: Wednesday, November 18, 2009, 2:56 PM Mr. Watts,
>
> The PC packet has been distributed and, per the PC's bylaws,
> additional items will not be added to it at this late hour. You are
> welcome to submit or show any map that you produce this evening or in
> the future. The PC will be considering the plan again in December or
> January.
>
> If you would like for the PC to consider including your property in
> the planning area, then I think that is a valid request and we are
> happy to facilitate that discussion. I will not be facilitating a
> discussion with the PC regarding the issues you have raised with the
> Oread Neighborhood Association itself or how the city chooses to
> allocate CDBG funds. These issues are not within the purview of the
> Planning Commission or within what we hope to accomplish with the
> planning effort.
>
> Scott McCullough, Director - smccullough@ci.lawrence.ks.us
>
> Planning and Development Services | www.lawrenceks.org City Hall, 6 E.
> 6th Street P.O. Box 708, Lawrence, KS 66044-0708 office (785) 832-3154
> | fax (785) 832-3160
>
>
>
> -----Original Message-----
> From: steven c. watts [mailto:scajj@sbcglobal.net]
>
> Sent: Wednesday, November 18, 2009 2:38 PM
> To: Jonathan Douglass; David L. Corliss; Mike Amyx; Robert Chestnut;
> Aron Cromwell; Michael Dever; Lance Johnson
> Cc: Scott McCullough
> Subject: Re: Consideration of Oread Neighborhood Plan
>
> Thank you, Jonathan.
>
> Mr. McCullough:
>
> I hope you can provide the documents, particularly the ONA boundaries
> identified in the Oct. 2001 By-Laws I have sent you, for THIS NIGHT's
> planning commission meeting. As well, any other documents I have sent
> you but which were not provided the planning commission (Particularly
> the email from the Director of CBBG HUD monies in Washington, D.C.)
> would be very helpful to have available.
>
> Too, maps for presentation via the electronic equipment for ease of
> viewing by commission members would be most helpful.
>
> Thank you
>
> Steven C. Watts
> --

> > seeking.

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> >

> > Sincerely,

> >

> >

> >

> >

> >

> > Jonathan

> > Douglass

> >

> > Assistant to

> > the City Manager/City Clerk

> >

> >

> >

> >

> >

> >

> >

>

>

Michelle Leininger

From: steven c. watts [scajj@sbcglobal.net]
Sent: Wednesday, November 18, 2009 12:32 PM
To: Scott McCullough
Cc: David L. Corliss; Mike Amyx; Steve Johnson; Michelle Leininger; bradfink
Subject: RE: Washington, D.C. HUD weighs in....

Mr. McCullough:

I'm going to assume the memo you sent in July 2009 was written by Swarts and signed by you.

PAST PRACTICE IS NOT A DETERMINATE FOR FUTURE PRACTICE.

CDBG HUD in Washington, D.C. noted:

"In the Community Development Block Grant program, HUD makes grants to units of general local government. As HUD's grantees, units of local government (such as the city of Lawrence) are legally responsible for administering their program in accordance with all applicable laws and regulations. Whether a local government chooses to carry out CDBG-funded activities itself or to use subrecipients to carry out activities is the local government's decision. (Local governments must, of course, engage in citizen participation with its citizenry in designing its program.) Neighborhood associations, like any nonprofit organization, may receive CDBG funds as a subrecipient of the grantee if the grantee wishes to fund them. HUD does not mandate the use of subrecipients nor does HUD mandate which subrecipients (or types of subrecipients) a grantee may wish use as a subrecipient."

Who says the City cannot BEGIN AT ONCE to define neighborhood boundaries??? What LAW prohibits same?

You state in your memo: "The City does not have any legal authority or obligation to determine the boundaries of neighborhood associations and the City Commission has not directed staff to seek an authority or process for determining neighborhood association boundaries."

Who says so? What City staff person has told you that? What do you mean "no obligation"? Are you stating gerrymandering is endorsed by you and your department, not to mention the City of Lawrence????

Please be DEFINITIVE in your reply.

Thank you

Steven C. Watts

--

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--- On Wed, 11/18/09, Scott McCullough <smccullough@ci.lawrence.ks.us> wrote:

> From: Scott McCullough <smccullough@ci.lawrence.ks.us>
> Subject: RE: Washington, D.C. HUD weighs in....
> To: "steven c. watts" <scajj@sbcglobal.net>
> Cc: "David L. Corliss" <DCorliss@ci.lawrence.ks.us>, "Michelle
> Leininger" <mleininger@ci.lawrence.ks.us>, "Mike Amyx"
> <mikeamyx515@hotmail.com>, "bradfink" <bradfink@stevensbrand.com>,
> "hughcarter" <hughcarter@dgcounty.com>
> Date: Wednesday, November 18, 2009, 10:28 AM Mr. Watts,
>
> Please see the documents under City Manager's Report in the link below
> for the most recent City Commission discussion on the matter. The
> City Commission took no action on the information.
>
> http://www.lawrenceks.org/web_based_agendas/2009/07-14-09/07-14-09h/07-14-09_agenda_click_here.html
>
>
> Scott McCullough, Director - smccullough@ci.lawrence.ks.us
>
> Planning and Development Services | www.lawrenceks.org City Hall, 6 E.
> 6th Street P.O. Box 708, Lawrence, KS 66044-0708 office (785) 832-3154
> | fax (785) 832-3160
>
>
> -----Original Message-----
> From: steven c. watts [mailto:scajj@sbcglobal.net]
>
> Sent: Tuesday, November 17, 2009 6:48 PM
> To: Scott McCullough
> Cc: David L. Corliss; Michelle Leininger; Mike Amyx; bradfink;
> hughcarter
> Subject: RE: Washington, D.C. HUD weighs in....
>

Michelle Leininger

From: steven c. watts [scajj@sbcglobal.net]
Sent: Wednesday, November 18, 2009 12:44 PM
To: Michelle Leininger; bradfink; Mike Amyx; Robert Chestnut; Aron Cromwell; Michael Dever; Lance Johnson
Cc: Scott McCullough; David L. Corliss
Subject: Fw: RE: History of ONA Boundaries:

Ms. Leininger:

I've supplied you a set of By-Laws from the ONA from October, 2001 wherein the boundary was changed. Why your department does not compell rapid and accuarte data to be sent to your office when changes are made fully escapes me.

You now have a copy of the boundary from 2001 in text format. Kindly generate a map and supply same to the Planning Commission as well as the City Commission. Highlight the Edgehill Road section to make it easy to see that it was removed per the "current" boundaries.

This process stinks, but I'm holding my nose and going in with my boots on.

Steven C. Watts

--- On **Wed, 11/18/09**, **steven c. watts** <scajj@sbcglobal.net> wrote:

From: steven c. watts <scajj@sbcglobal.net>
 Subject: RE: History of ONA Boundaries:
 To: "Michelle Leininger" <mleininger@ci.lawrence.ks.us>
 Cc: "Scott McCullough" <smccullough@ci.lawrence.ks.us>, "bradfink" <bradfink@stevensbrand.com>
 Date: Wednesday, November 18, 2009, 12:15 PM

Ms. Leininger:

Ok. Why doesn't the City compell recipients of City money to stay in close contact with your office and provide you with the required data?????? Seems like they have NOT.

Did you receive the October 2001 By-Laws which outline what the boundary was THEN???

Thank you

Steven C. Watts

--

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--- On **Wed, 11/18/09**, **Michelle Leininger** <mleininger@ci.lawrence.ks.us> wrote:

From: Michelle Leininger <mleininger@ci.lawrence.ks.us>

12/15/2009

Subject: RE: History of ONA Boundaries:
To: "steven c. watts" <scajj@sbcglobal.net>
Cc: "Scott McCullough" <smccullough@ci.lawrence.ks.us>, "bradfink" <bradfink@stevensbrand.com>
Date: Wednesday, November 18, 2009, 11:16 AM

Mr. Watts,

I have attached maps showing the different boundaries that I know of the Planning Office having. The first map shows the boundaries of the neighborhood when the 1979 plan was approved and the current boundaries.. The second map shows the boundaries that we had been using previously. These were updated after the start of this plan when the neighborhood association told us that we did not have the current boundaries in our GIS file. I don't have any record of when and how the boundaries were changed between 1979 and 2009 as we do not have files on the neighborhood associations. The neighborhood association would be the group to ask for the history of any boundary changes. It is the association's responsibility to let us know when any contact information changes or boundary changes are made in order to update our GIS file.



Michelle Leininger, AICP, Area and Neighborhood Planner- mleininger@ci.lawrence.ks.us

Planning Division | www.lawrenceks.org/pds/

P.O. Box 708, Lawrence , KS 66044

office (785) 832-3163 | fax (785) 832-3160

-----Original Message-----

From: steven c. watts [mailto:scajj@sbcglobal.net]
Sent: Wednesday, November 18, 2009 7:18 AM
To: Michelle Leininger
Cc: Scott McCullough; bradfink
Subject: History of ONA Boundaries:

Ms. Leininger:

Please locate the documents relative to the history of the ONA Boundaries. Surely they exist in the ONA folder in your office?

I am aware that at least the "updated 10/29/2001" By Laws note a boundary which included Edgehill Road . I believe this "updated" boundary is when Edgehill Road was added by the ONA given Edgehill Road had erroneously been a part of the University Place Neighborhood. Kindly note ALL the properties within the University Place Association are listed on plat maps as being in " University Place ". Edgehill Road is unique in that it is in Ft. Thatcher Place . The boundary in that by-law is as follows:

"The Oread Neighborhood is that area within the City of Lawrence , Douglas County, Kansas, which is bounded by Ninth Street on the North, Massachusetts Street on the east, Seventeenth Street on the south, Michigan Street on the northwest, Edgehill Road on the southwest, and the University of Kansas on the west between Michigan and Edgehill."

I trust a Google map can be created of that boundary and provided to the planning commission members for review, please.

I do not have that document in file format to email you, or I would. However, surely it is in the City's records and if it is not, surely the ONA itself has it.

It might also be useful to document the boundary of the ONA prior to October 2001.

Thank you

Steven C. Watts

--

Michelle Leininger

From: steven c. watts [scajj@sbcglobal.net]
Sent: Wednesday, November 18, 2009 1:07 PM
To: Scott McCullough
Cc: David L. Corliss; Michelle Leininger; bradfink; hughcarter; Steve Johnson; Mike Amyx; Robert Chestnut; Aron Cromwell; Michael Dever; Lance Johnson
Subject: RE: Washington, D.C. HUD weighs in....

Let me add, Mr. McCullough that just because, as you note, "...the City Commission has not directed staff to seek an authority or process for determining neighborhood association boundaries." Does NOT mean that you might suggest same to the Commission given your position within City government. WHY NOT DO THE RIGHT THING>???????

I AWAIT your prompt reply.

Thank you

Steven C. Watts

--

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--- On Wed, 11/18/09, Scott McCullough <smccullough@ci.lawrence.ks.us> wrote:

> From: Scott McCullough <smccullough@ci.lawrence.ks.us>
> Subject: RE: Washington, D.C. HUD weighs in....
> To: "steven c. watts" <scajj@sbcglobal.net>
> Cc: "David L. Corliss" <DCorliss@ci.lawrence.ks.us>, "Michelle
> Leininger" <mleininger@ci.lawrence.ks.us>, "Mike Amyx"
> <mikeamyx515@hotmail.com>, "bradfink" <bradfink@stevensbrand.com>,
> "hughcarter" <hughcarter@dgcounty.com>
> Date: Wednesday, November 18, 2009, 10:28 AM Mr. Watts,
>
> Please see the documents under City Manager's Report in the link below
> for the most recent City Commission discussion on the matter. The
> City Commission took no action on the information.
>
> http://www.lawrenceks.org/web_based_agendas/2009/07-14-09/07-14-09h/07-14-09_agenda_click_here.html
>
>
> Scott McCullough, Director - smccullough@ci.lawrence.ks.us
>
> Planning and Development Services | www.lawrenceks.org City Hall, 6 E.

> 6th Street P.O. Box 708, Lawrence, KS 66044-0708 office (785) 832-3154

> | fax (785) 832-3160

>

>

> -----Original Message-----

> From: steven c. watts [mailto:scajj@sbcglobal.net]

>

> Sent: Tuesday, November 17, 2009 6:48 PM

> To: Scott McCullough

> Cc: David L. Corliss; Michelle Leininger; Mike Amyx; bradfink;

> hughcarter

> Subject: RE: Washington, D.C. HUD weighs in....

>

> Mr. McCullough:

>

> Again, I respectfully request the documentation you make mention of
> below that the Lawrence City Commission has "weighed in" on who and
> who does not determine boundaries for neighborhood association
> definition. I request the date of the meeting where this edict was
> made as well as the minutes of the meeting, please. Bluntly, I don't
> think any of it exists.

>

> What you describe is simply not possible. It's like allowing the
> parents of children to send their children to ANY school within the
> boundaries of the Lawrence School District, irrespective of where the
> parents and children live! Were parents allowed to pick the schools
> their children attend, let me suggest certain schools would see a
> massive decrease in their enrollment and other schools would see a
> massive increase: The concept and principal is the same as allowing
> "neighborhood associations" to define their own boundaries: IT DOES
> NOT WORK ANYMORE given the way the ONA has gerrymandered their
> boundaries.

>

> There are rules in place which dictate what school a child can attend
> based on where said child resides; the rules are fast and hard; (there
> is some flexibility what with "charter schools"); and the same process
> needs to be implemented in defining what is a neighborhood.

>

> It is my FIRM conviction that a neighborhood now needs to be defined
> by a neutral body, and that is the CITY.

>

> Concluding, please provide me the date of the Lawrence City Commission
> meeting where it was proclaimed the City Commission would be "hands
> off" relative to the neighborhood associations; and please supply a
> copy of the minutes.

> If what you maintain is fact, surely the date and minutes will be
> easily obtained.

>

> Thank you

>

> Steven C. Watts

> --

>

> >
> >
> >
> >
> > We mainly
> > included the emails that you
> > specifically requested be included in the PC packet, assuming that
> > you differentiated between the neighborhood plan issues and the CDBG
> issues by
> > design. The
> > neighborhood association map was included in the
> packet;
> > however, to my knowledge
> > we do not have records of previous association
> boundaries,
> > which is why we did
> > not include such a map. If you would like to print the
> map
> > in the packet and
> > mark on it as you understand the historic boundaries,
> we
> > are happy to include
> > it in the PC packet.
> >
> >
> >
> >
> > The PC will
> > not be taking action on the
> > Oread plan on Wednesday so there is opportunity to
> submit
> > additional
> > correspondence in December. From this point on we
> will
> > place all emails in the
> > PC packet, including this one.
> >
> >
> >
> >
> > I will note
> > that I have not represented
> > otherwise that it is the policy of the city to permit neighborhoods
> > to define their boundaries. To date, the City Commission has
> > determined that this will be the policy for funds allocated to
> > neighborhood associations. Similarly, it is policy that the city
> > will not manage the day to day activities of other nonprofit
> > organizations or necessarily define the
> scope of
> > their organization as
> > a condition of receiving CDBG funds. I have not represented
> > otherwise that the city controls the allocation of these funds and
> > could manage them differently if the city chose.

> >
> > Cc: David L.
> > Corliss
> >
> > Subject: Fw:
> > Washington, D.C. HUD
> > weighs in....
> >
> >
> >
> >
> >
> >
> >
> > Mr. McCullough:
> >
> >
> >
> > What does it take in this town to get
> equal
> > representation and treatment
> > under the law?? I have just now
> reviewed the
> > "packet" of
> > material for the Nov. 16, 2009
> planning commission
> > meeting and I find only a
> > handful of several emails I have sent
> to your office
> > relative to the problems
> > associated with the Oread
> Neighborhood
> > plan.
> >
> >
> >
> >
> >
> >
> > Below, you will find an email I
> > forwarded to your
> > office from HUD in Washington ,
> > D.C. which flat out spells the
> > facts relative to CDBG monies. Why
> is this email,
> > among several others,
> > NOT in the packet???
> >
> >
> >
> >
> >
> > Also, why is the HISTORY of the
> > Oread Neighborhood

> > association boundaries NOT in the
> packet?
> > They've changed the
> > boundaries many times.
> >
> >
> >
> >
> >
> > What do I have to do to make
> > certain this data is
> > included in the informational packets
> for the
> > commission? My
> > expectation is that ALL my email
> traffic which CC's
> > you relative to the ONA
> > is placed in that packet for their
> review. What do
> > I need to do to get
> > your staff to include my information?
>
> >
> >
> >
> >
> >
> >
> > This process is becoming more
> > and more specious.
> >
> >
> >
> >
> > Please advise.
> >
> >
> >
> >
> >
> > Steven C.
> > Watts
> >
> >
> >
> >
> >
> >
> > --
> >
> >
> >

> > NOTICE: This information and
> attachments are intended
> > only for the use of the
> > individual or entity to which it is
> addressed, and may
> > contain information
> > that is privileged and/or
> confidential. If the reader of
> > this message is not
> > the intended recipient, any
> dissemination, distribution
> > or copying of this
> > communication is strictly prohibited
> and may be
> > punishable under state and
> > federal law. If you have received
> this communication
> > and/or attachments in
> > error, please notify the sender via
> email immediately and
> > destroy all
> > electronic and paper copies.
> >
> >
> >
> > --- On Mon, 11/9/09,
> > steven c. watts <scajj@sbcglobal.net>
> > wrote:
> >
> >
> >
> >
> > From: steven c. watts <scajj@sbcglobal.net>
> >
> > Subject: Washington ,
> > D.C. HUD weighs in....
> >
> > To: robchestnut@sunflower.com,
> > "Amyx, Mike"
> > <mikeamyx515@hotmail.com>
> >
> > Cc: "Corliss, Mr. David"
> > <dcorliss@ci.lawrence.ks.us>,
> > "McCullough, Scott"
> > <smccullough@ci.lawrence.ks.us>,
> > bradfink@stevensbrand.com
> >
> > Date: Monday, November 9, 2009, 1:08
> > PM
> >
> >
> >
> > Gentlemen:

>>
>>
>>
>>
>>
>> I forward a recently received
>> email from HUD's CDBG
>> program in Washington ,
>> D.C and more specifically, DGBE
> Director,
>> Entitlement Communities
>> Division Mr. Steve Johnson.
>>
>>
>>
>>
>>
>> Mr. Johnson notes in the
>> forwarded email that each
>> recipient community makes its own
> decisions relative to
>> Neighborhood
>> Associations; in this instance he
>> essentially confirms that the City of
>> Lawrence, Kansas has chosen to allow
> the "target
>> neighborhood
>> associations" to define themselves
> and thus, it is
>> confirmed that it has
>> been past POLICY of the City of
> Lawrence and it is NOT
>> the federal law which
>> has allowed same. Mr. Johnson
> notes
>> "Regarding
>> your question of whether city staff vs. elected
>> officials should be making
> programmatic decisions, this
>> is a local matter,
>> governed by state or local
> law."
>>
>>
>>
>>
>> It is past time for the Lawrence
>> City Commission to
>> acknowledge its collective and
> definitive role in the
>> defining of
>> neighborhoods given the way the Oread

> Neighborhood
> > Association has
> > gerrymandered the Oread neighborhood "definition" and
> > "boundaries".
> > What more evidence due you require
> from me to get this
> > glaring inequality
> > rectified???
> >
> >
> >
> >
> > Too, Mr. Johnson makes mention
> > of "neighborhood
> > associations" being actual non-profit
> corporations
> > and yet I know of no
> > such requirement for said
> associations in
> > Lawrence . Hence, I am even more
> > confused how these five (5)
> "associations" can
> > be given one red
> > cent, let alone gerrymander their
> collective
> > boundaries.
> >
> >
> >
> >
> > I would appreciate a response
> > from each of you,
> > please. Just because "...we've
> > always done it this
> > way..." (administer CDBG monies) does
> not mean
> > it's the right for now
> > and the future. Margene Swarts and
> Mr. McCullough
> > do not, as city
> > staff, make the decisions; rather the
> Lawrence City
> > Commission does; Right??
> >
> >
> >
> >
> > Thank you
> >
> >

>>
>>
>>
>> Steven C.
>> Watts
>>
>>
>> --
>>
>> --
>>
>> NOTICE: This information and
> attachments are
>>
>> intended only for the use of the
> individual or
>>
>> entity to which it is addressed, and
> may contain
>>
>> information that is privileged and/or
>
>>
>> confidential. If the reader of this
> message is
>>
>> not the intended recipient, any
> dissemination,
>>
>> distribution or copying of this
> communication is
>>
>> strictly prohibited and may be
> punishable under
>>
>> state and federal law. If you have
> received this
>>
>> communication and/or attachments in
> error, please
>>
>> notify the sender via email
> immediately and
>>
>> destroy all electronic and paper
>> copies.
>>
>>
>>
>>
>>
>> -----
>> Forwarded Message: -----

>>
>> From: "Johnson, Steve"
>> <steve.johnson@hud.gov>
>
>>
>> To: "steven c. watts"
>> <scajj@sbcglobal.net>
>
>>
>> Cc: "Lipscomb, Eugene "
>> <Eugene.Lipscomb@hud.gov>,
>> "Stanley_Gimont@hud.gov" <Stanley_Gimont@hud.gov>,
>> "Kome, Jessie
>> Handforth" <Jessie.Handforth.Kome@hud.gov>
>
>>
>> Subject: RE: Neighborhood
> Associations, HUD, and CDBG
>> Monies
>>
>> Date: Mon, 09 Nov 2009 16:53:30
> +0000
>>
>> Dear Mr.
>> Watts:
>>
>>
>>
>>
>> Thank you for your
>> inquiry of last week regarding the
>> CDBG program in Lawrence ,
>> KS . You asked several
>> questions about the role of cities
> versus neighborhood
>> associations in
>> administering CDBG funding.
>>
>>
>>
>>
>> Neighborhood
>> associations, like most any other
>> nonprofit organization, are creatures
> of state and local
>> law, not federal
>> law. With the possible exception of
> how they are
>> treated under IRS tax
>> laws, I do not know of any federal
> laws dealing
>> specifically governing the
>> organization, incorporation,

- > boundaries and operation of
- > > neighborhood
- > > associations. HUD does not mandate
- > anything
- > > regarding boundaries of
- > > neighborhood associations because
- > they are not a matter
- > > under federal
- > > purview.
- > >
- > >
- > > In the Community
- > > Development Block Grant program, HUD
- > > makes grants to units of general
- > local government.
- > > As HUD's
- > > grantees, units of local government
- > (such as the city of
- > > Lawrence) are legally responsible for
- > > administering their program in
- > accordance with all
- > > applicable laws and
- > > regulations. Whether a local
- > government chooses to
- > > carry out
- > > CDBG-funded activities itself or to
- > use subrecipients to
- > > carry out activities
- > > is the local government's decision.
- > (Local
- > > governments must, of
- > > course, engage in citizen
- > participation with its
- > > citizenry in designing its
- > > program.) Neighborhood
- > associations, like any
- > > nonprofit organization,
- > > may receive CDBG funds as a
- > subrecipient of the grantee
- > > if the grantee wishes
- > > to fund them. HUD does not mandate
- > the use of
- > > subrecipients nor does
- > > HUD mandate which subrecipients (or
- > types of
- > > subrecipients) a grantee may
- > > wish use as a subrecipient.
- > >
- > >
- > > The CDBG regulations
- > > specify certain requirements
- > > local governments must follow when
- > they use subrecipients

> > to implement
> > CDBG-funded activities. 24 CFR
> 570.501(b) of the
> > CDBG regulations reads
> > in part:
> > (b) The recipient
> > is responsible for ensuring that CDBG
> funds are used in
> > accordance with all
> > program requirements. The use of
> designated public
> > agencies, subrecipients,
> > or contractors does not relieve the
> recipient of this
> > responsibility. The
> > recipient is also responsible for
> determining the
> > adequacy of performance
> > under subrecipient agreements and
> procurement contracts,
> > and for taking
> > appropriate action when performance
> problems arise, such
> > as the actions
> > described in §570.910.
> > 24 CFR 570.502 spells
> > out the applicability of uniform
> > administrative requirements governing
> the use of CDBG
> > funds by grantees and
> > subrecipients. 24 CFR 570.503
> requires that grantees must
> > have written
> > agreements with subrecipients that
> receive CDBG funds,
> > and spells out the
> > required elements of a subrecipient
> agreement. It
> > is the city's
> > responsibility to ensure that
> subrecipients, including
> > neighborhood
> > associations, comply with all federal
> requirements in
> > carrying out
> > CDBG-assisted activities.
> >
> >
> > Your message asks about
> > the ability of neighborhood
> > associations to exclude certain
> groups from their
> > membership. Any

> > subrecipient that receives CDBG funds
> must comply with
> > federal fair housing
> > and civil rights requirements. A
> subrecipient that
> > is receiving CDBG
> > funds and that is violating such
> requirements would, of
> > course, be a matter
> > of federal interest. If you have
> concerns that
> > these laws are being
> > violated, you should contact the
> Regional Office of Fair
> > Housing and Equal
> > Opportunity:
> >
> > Kansas
> > City
> > Regional Office of FHEO
> >
> > U.S.
> > Department of Housing and Urban
> Development
> >
> > Gateway Tower II
> >
> > 400 State Avenue ,
> > Room 200
> >
> > Kansas City ,
> > Kansas 66101 -2406
> >
> > (913) 551-6958
> >
> > 1-800-743-5323
> >
> > TTY (913) 551-6972
> >
> > Fair Housing and civil
> > rights complaints may also be
> > filed on-line via HUD's website,
> > at:
> >
> >http://portal.hud.gov/portal/page/portal/HUD/topics/housing_discrimination
> >
> >
> >
> > Regarding your question
> > of whether city staff vs.
> > elected officials should be making
> programmatic

> > decisions, this is a local
> > matter, governed by state or local
> law. A unit of
> > general local
> > government is a single corporate
> entity organized under
> > state and local law;
> > the CDBG statute and regulations do
> not assign specific
> > grant administration
> > responsibilities to different
> branches of units of
> > general local government.
> >
> >
> > I hope this provides
> > the information you sought.
> > Thank you for your interest in the
> programs of
> > HUD.
> >
> >
> >
> >
> >
> > Steve
> > Johnson
> >
> > Director, Entitlement
> > Communities Division
> > HUD
> > Headquarters
> >
> >
> >
> >
> > From: steven c.
> > watts
> > [mailto:scajj@sbcglobal.net]
>
> >
> > Sent:
> > Thursday, November 05,
> > 2009 12:01 PM
> >
> > To:
> > Stanley_Gimont@hud.gov;
> > Kome, Jessie Handforth; Johnson,
> Steve
> >
> > Cc:
> > Lipscomb, Eugene
> >

> > Subject:
> > Neighborhood
> > Associations, HUD, and CDBG Monies
> >
> >
> >
> >
> > Greetings from
> > Kansas Mr. Gimont, Ms.
> > Kome, and Mr. Johnson:
> >
> >
> >
> >
> > As I am unsure
> > which one of you to address, I shall
> begin with all
> > three.
> >
> >
> >
> >
> >
> > Please review
> > the email traffic below; beginning
> from the bottom and
> > making your way up.
> >
> >
> >
> >
> > While I respect
> > the fact that HUD works with and
> through local
> > governmental entities as
> > opposed to individuals, I am
> compelled to believe that
> > there are those times
> > and matters where officials such as
> yourselves must
> > deviate from
> > "policy" and get involved.
> >
> >
> >
> >
> > I wholly
> > disapprove of your subordinates'
> attitudes and lack
> > of "customer

> > service" as well as their refusal to
> seek out facts
> > or respond to
> > questions from a member of HUD's CDBG
> target
> > population as well as their
> > obvious efforts to marginalize and
> negate my
> > participation and identification
> > of what I believe to be a rather
> significant
> > matter/problem. Too, the
> > outright refusal of your Region VII
> director, Mr.
> > Lipscomb, to communicate
> > with a citizen certainly underscores
> it's
> > "...bizness as usual....."
> > here in Kansas
> > which is the exact opposite of the
> President's call
> > for transparency within
> > government.
> >
> >
> >
> >
> >
> > Please advise
> > and kindly provide answers to the
> questions outlined
> > below.
> >
> >
> >
> >
> >
> > Thank you
> >
> >
> >
> >
> > Steven C. Watts
> >
> >
> >
> > 1649 Edgehill
> > Rd.
> >
> >
> >
> > Lawrence ,

>> KS 66044 -4193

>>
>>
>>
>>
>>
>>
>>
>>
>>
>>

>> -----
>> Forwarded Message: -----

>>
>> From: "steven c. watts"
>> <scajj@sbcglobal.net>

>
>>
>> To: "Gutierrez, Agatha R"
>> <agatha.r.gutierrez@hud.gov>,
>> "Eugene.Lipscomb"
>> <Eugene.Lipscomb@hud.gov>,
>

>>
>> Subject: RE: Neighborhood
> Associations, HUD, and CDBG
>> Monies

>>
>> Date: Wed, 04 Nov 2009 17:24:28
> +0000

>>
>>
>> Ms. Gutierrez,

>>
>>
>>
>>
>>
>>
>>
>>
>>

>> Oh really?
>> What is the "complaint" you shall be addressing? What is the
>> process?

>>
>>
>>
>>
>>
>>

>> Thank you

>>
>>
>>
>>
>>

>> Steven C. Watts

>>

> >
> > --
> >
> > --
> >
> > NOTICE: This information and
> attachments are
> >
> > intended only for the use of the
> individual or
> >
> > entity to which it is addressed, and
> may contain
> >
> > information that is privileged and/or
>
> >
> > confidential. If the reader of this
> message is
> >
> > not the intended recipient, any
> dissemination,
> >
> > distribution or copying of this
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> >
> > strictly prohibited and may be
> punishable under
> >
> > state and federal law. If you have
> received this
> >
> > communication and/or attachments in
> error, please
> >
> > notify the sender via email
> immediately and
> >
> > destroy all electronic and paper
> > copies.
> >
> >
> >
> >
> >
> > -----
> > Original message from "Gutierrez,
> Agatha R"
> > <agatha.r.gutierrez@hud.gov>:
> -----
> >
> >
> > Mr.

> > Watts,
> >
> >
> > We
> > have reviewed your emails and are treating this matter
> > as a
> > formal written complaint to HUD. We
> > will follow our
> > normal complaint
> > procedures and will provide a written
> > response to you
> > within the next 10
> > days.
> >
> >
> > Thank
> > you.
> >
> >
> > Agatha
> > Gutierrez
> >
> >
> >
> >
> >
> > From: steven c.
> > watts
> > [mailto:scajj@sbcglobal.net]
> >
> >
> > Sent:
> > Wednesday, November 04,
> > 2009 6:36 AM
> >
> > To:
> > Gutierrez, Agatha R;
> > Lipscomb, Eugene
> >
> > Cc: Porter,
> > Theresa; Buckner,
> > Dana; Corliss, Mr. David; McCullough,
> > Scott
> >
> > Subject:
> > Neighborhood
> > Associations, HUD, and CDBG Monies
> >
> >
> >
> >
> > Greetings Region

>> VII HUD:
>>
>>
>>
>> Please advise relative to regulations
> and law (NOT
>> internal policy) what
>> responsibilities recipient
> municipalities of HUD CDBG
>> monies have with
>> respect to neighborhood associations
> which receive CDBG
>> monies from the
>> municipality.
>>
>>
>>
>>
>>
>> City staffers
>> within the City of Lawrence, Kansas
> maintain HUD MANDATES
>> the City itself
>> shall not regulate the boundaries of
> any neighborhood
>> association; rather
>> each and every (any) association
> defines itself. I
>> believe this is a
>> policy of the City staffers and NOT
> HUD mandates or
>> federal law. What
>> mechanism has been set up within HUD
> for re-dress when a
>> citizen believes
>> that specific sectors of a geographic
> area have been
>> excluded from an
>> identified boundary? Is it
> acceptable practice in
>> HUD's view for a
>> municipality to allow a neighborhood
> association to
>> exclude a section of a
>> geographic neighborhood because the
> association does not
>> want, say, a block
>> of people of the Jewish faith? A
> block of people who are
>> African-American? A block or two of
> people who are
>> of Hispanic
>> origin? Or a block or two of people

> who are members
> > of an "undesirable" political
> > party?
> >
> >
> >
> >
> >
> > Isn't it a fact that
> > the local municipality makes the decision as
> > to how much oversight said community
> chooses to provide
> > relative to how
> > boundaries are established? Isn't
> it a fact
> > that a municipality itself
> > can establish and define boundaries
> in describing
> > neighborhoods to
> > HUD? Should simple City Staffers be
> making the
> > decisions as to the
> > "local rules" with respect to what
> constitutes
> > a "neighborhood
> > association"; or should it not be
> done by elected
> > officials who are
> > voted into office by the people of
> said municipality and
> > who represent the
> > people of same? Something isn't
> right when a
> > very small handful of
> > fairly high paid, entrenched "civil
> servants"
> > (city workers) define
> > the "game's"
> > rules.
> >
> >
> >
> >
> >
> > Thank you
> >
> >
> >
> >
> >
> > Steven C. Watts
> >
> >

> >
> > 1649 Edgehill
> > Rd.
> >
> >
> >
> > Lawrence ,
> > KS 66044 -4193
> >
> >
> > --

Michelle Leininger

From: Scott McCullough
Sent: Monday, December 14, 2009 9:17 AM
To: Michelle Leininger
Subject: FW: DOCUMENTATION

Attachments: Memorandum



Memorandum

For PC

Scott McCullough, Director - smccullough@ci.lawrence.ks.us Planning and Development Services |
www.lawrenceks.org City Hall, 6 E. 6th Street P.O. Box 708, Lawrence, KS 66044-0708 office (785)
832-3154 | fax (785) 832-3160

-----Original Message-----

From: steven c. watts [mailto:scajj@sbcglobal.net]
Sent: Monday, November 30, 2009 9:47 AM
To: Mike Amyx; Margene Swarts; bradfink@stevensbrand.com
Cc: David L. Corliss; Scott McCullough; Theresa Porter; Steve Johnson; clawhorn@ljworld.com
Subject: RE: DOCUMENTATION

Ms. Swarts:

http://www.lawrenceks.org/web_based_agendas/2009/08-04-09/08-04-09h/as_cc_minutes_071409.pdf is the web site for the minutes to the July 14, 2009 Lawrence City Commission meeting: NO ACTION WAS TAKEN BY THE CURRENT COMMISSION RELATIVE TO THE DEFINING OF NEIGHBORHOOD BOUNDARIES.

Further, you yourself note in your letter, and I quote now for the 2nd time:

"With regard to neighborhood association boundaries, it has long been the policy of the City to permit neighborhoods to define their boundaries, regardless of their eligibility for CDBG funds. To date, the City Commission has determined that this will be the policy for neighborhood associations which are allocated CDBG funds."....."It is true the City controls the allocation of these funds and could manage them differently if the City so chose."

However, you have yet to provide me the requested information identifying WHEN the City of Lawrence via the Lawrence City Commission made an official decision relative to it's chosen role in the defining of these boundaries. Please provide me with the definitive date and a copy of the minutes wherein City staff were directed by the Lawrence City Commission to NOT be involved with the defining of the neighborhood association boundaries.

I believe you cannot provide this information for the simple fact it does not exist. However, it is important for the record that you state one way or the other please. If you are not going to do it, I request that Mr. McCullough provide the requested information....one way or the other.

I do have the internet link to the Memo Mr. McCullough sent to City Manager Mr. Corliss....but it's just a regurgitation of the double-speak you have been supplying. Quoting from that memo: "The City does not have any legal authority or obligation to determine the boundaries of neighborhood associations and the City Commission has not directed staff to seek an authority or process for determining neighborhood association boundaries." That's just a memo from one City staff person to another. It isn't fact and it isn't the law. It's doublespeak for "We have always done it this way...." and that way is the Marge Swarts way.

That very same memo goes on to state: "Today, neighborhood associations' importance remains high as they also provide standing in the Development Code to receive notice on certain land use applications and also are a driving force in drafting and revising neighborhood plans." Darn right they remain high and they are "more equal" than one lone citizen who has been disenfranchised because a City staff person, YOURSELF, wants to dictate how much involvement the City Commission has relative to getting involved in a blatant gerrymandering of a "neighborhood associations" boundary.

Additionally, that same memo notes: "However, as noted previously, neighborhoods were provided technical assistance by city staff in determining needs as well as boundaries but the actual decision was left to the neighborhood and not dictated by the city." Oh really???? What manner of "technical assistance" was provided to the ONA relative to the removal of Edgehill Road from the boundaries? Did the "city staff" endorse this removal???

Please provide a cogent date and the minutes for the Lawrence City Commission where a vote was taken about who defines neighborhood association boundaries. If no such meeting date exists, please so state, mam.

Thank you

Steven C. Watts

--

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--- On Mon, 11/30/09, Margene Swarts <mswarts@ci.lawrence.ks.us> wrote:

> From: Margene Swarts <mswarts@ci.lawrence.ks.us>
> Subject: RE: Documetation
> To: "steven c. watts" <scajj@sbcglobal.net>, "Mike Amyx"
> <mikeamyx515@hotmail.com>
> Cc: "David L. Corliss" <DCorliss@ci.lawrence.ks.us>, "Scott
> McCullough" <smccullough@ci.lawrence.ks.us>, "Theresa Porter"
> <Theresa.M.Porter@hud.gov>, "Steve Johnson" <steve.johnson@hud.gov>,
> clawhorn@ljworld.com
> Date: Monday, November 30, 2009, 9:11 AM Mr. Watts:
>

> Staff has provided you all the information available for this issue,
> including the link to the July 14, 2009 City Commission meeting where
> information on this issue was provided to the City Commission for
> their consideration. Thank you. MKS
>
> Margene K. Swarts, Assistant Director, mswarts@ci.lawrence.ks.us
> Planning and Development Services Department Development Services |
> City of Lawrence, Kansas
> 1 Riverfront Plaza, Level 1, Suite 110 P.O. Box 708, Lawrence, KS
> 66044 office 785-832-3117 | fax 785-832-3110
>
>

> -----Original Message-----

> From: steven c. watts [mailto:scajj@sbcglobal.net]

> Sent: Saturday, November 28, 2009 12:33 PM

> To: Margene Swarts; Mike Amyx

> Cc: David L. Corliss; Scott McCullough; Theresa Porter; Steve Johnson;

> clawhorn@ljworld.com

> Subject: Documetation

> Ms. Swarts:

> Kindly refer to your letter to me dated November 20, 2009; postmarked
> on November 23, 2009 from zip code 66214; and received by me on
> Saturday, November 28, 2009:

> This letter is a purported "explanation" of the gerrymandering the
> CDBG funded Oread Neighborhood Association of Lawrence, Kansas has
> been allowed to perpetrate on the City of Lawrence. You
> note: "With regard
> to neighborhood association boundaries, it has long been the policy of
> the City to permit neighborhoods to define their boundaries,
> regardless of their eligibility for CDBG funds. To date, the City
> Commission has determined that this will be the policy for
> neighborhood associations which are allocated CDBG funds."....."It is
> true the City controls the allocation of these funds and could manage
> them differently if the City so chose."

> Please provide documentation relative to the City Commission of
> Lawrence, Kansas determining the policy for City staff to implement
> such that neighborhood associations define their own boundaries. Such
> documentation should include the dates of the public City Commission
> meetings where these decisions have been made and copies of the
> minutes of those meetings. Frankly, I do not believe they can exist
> because I do not believe that the City Commission has ever established
> an official policy for City staff to follow. On the contrary, I
> believe City staff have misinformed previous City commissions in
> advising said previous commissions as to exactly the depth of the
> authority the City Commission has relative to the neighborhood
> association boundaries and how CDBG monies are awarded to these
> associations. The five target neighborhoods in Lawrence, each
> receiving CDBG monies, are 100% funded by the city unlike other "not

> for profit" outfits in Lawrence, Kansas which are also awarded some
> CDB sponsored funding.
>
> Your letter further obfuscates the issue I have presented to the City
> as well as HUD by stating that the Oread Neighborhood Association
> provides various forms of data and other information: While the ONA
> MAY do such, it is not on any type of timely basis and it is not
> monitored by City staff to be accurate or timely.
>
> The gerrymandering of the ONA boundary seems to be accepted by City
> staff as a proper practice. By so endorsing, the City of Lawrence has
> disenfranchised me from meaningful participation in City government
> matters: Neighborhood associations hold far more "sway" with
> government officials than one individual in Lawrence, Kansas; I know
> as I have watched the process for the past eight years. The old adage
> "There is safety in numbers" holds water in this instance.
>
> Cordially,
>
> Steven C. Watts
> 1649 Edgehill Rd.
> Lawrence, KS 66044-4193
>
>
>
> --
>
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> copies.
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>

Michelle Leininger

From: Saved by Windows Internet Explorer 8
Sent: Wednesday, November 18, 2009 1:00 PM
Subject: Memorandum

Memorandum

City of Lawrence

Planning & Development Services

TO: David L. Corliss, City Manager

FROM: Scott McCullough, Director

CC: Cynthia Boecker, Assistant City Manager
Diane Stoddard, Assistant City Manager

Date: For July 14, 2009 City Commission Agenda

RE: Neighborhood Association Boundaries

Vice Mayor Amyx requested a report on the city's role in determining a neighborhood association's boundaries.

It is fair to say that there has not been a typical practice or policy regarding the city's participation in helping to determine neighborhood association boundaries in the past. The city and neighborhoods alike have often worked cooperatively in the past to establish boundaries that would be conducive to receiving federal CDBG and other funds. While there have been instances where the city and a neighborhood work together to implement common goals, current practice is that the city mainly leaves the boundaries up to the neighborhoods to determine. Although the city staff has provided technical assistance to neighborhoods to determine needs and goals and establish neighborhood boundaries, it has never been a practice or policy of any City department or division to dictate such boundaries to a neighborhood.

Neighborhood associations were particularly instrumental during the mid-1970's when CDBG funds were first introduced and communities were encouraged to revitalize, redevelop, and maintain existing neighborhoods with infrastructure improvements and housing rehabilitation. Neighborhood plans were created by the residents for the five original neighborhoods that were eligible for CDBG funds (Brook Creek [formerly Far East Lawrence], East Lawrence, North Lawrence, Oread, and Pinckney). However, as noted previously, neighborhoods were provided technical assistance by city staff in determining needs as well as boundaries but the actual decision was left to the neighborhood and not dictated by the city. Today, neighborhood associations' importance remains high as they also provide standing in the Development Code to receive notice on certain land use applications and also are a driving force in drafting and revising neighborhood plans.

Neighborhood associations are separate entities from the City of Lawrence, as are other organizations and vendors who may receive funding from the City. The City does not have any legal authority or obligation to determine the boundaries of neighborhood associations and the City Commission has not directed staff to seek an authority or process for determining neighborhood association boundaries.

Michelle Leininger

From: Scott McCullough
Sent: Monday, December 14, 2009 9:17 AM
To: Michelle Leininger
Subject: FW: LAWRENCE NOT ELIGIBLE FOR federal HOME Investment Partnerships Program

For packet

Scott McCullough, Director - smccullough@ci.lawrence.ks.us Planning and Development Services | www.lawrenceks.org City Hall, 6 E. 6th Street P.O. Box 708, Lawrence, KS 66044-0708 office (785) 832-3154 | fax (785) 832-3160

-----Original Message-----

From: steven c. watts [mailto:scajj@sbcglobal.net]
Sent: Wednesday, December 02, 2009 5:32 PM
To: Mike Amyx; bradfink@stevensbrand.com
Cc: David L. Corliss; Scott McCullough
Subject: LAWRENCE NOT ELIGIBLE FOR federal HOME Investment Partnerships Program

<http://www.kshousingcorp.org/programs/hr.shtml>

Because the City of Lawrence has chosen to draw down CDBG monies, it is NOT ELIGIBLE to access federal HOME Investment Partnerships Program monies for moderate to low income federal HOME Investment Partnerships Program monies.

Given that the City has made a CHOICE to receive CDBG monies directly, it strikes me that the City has taken on the responsibility of making certain neighborhood associations be monitored by the City of Lawrence.

If you want me to find other programs the City of Lawrence CANNOT RECEIVE FROM THE FEDERAL GOVERNMENT BECAUSE IT RECEIVES CDBG MONIES, I WILL BE MOST HAPPY TO SUPPLY YOU A LIST.

Thank you

Steven C. Watts

--

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Michelle Leininger

From: steven c. watts [scajj@sbcglobal.net]
Sent: Monday, December 14, 2009 9:53 AM
To: Mike Amyx; Scott McCullough
Cc: Michelle Leininger
Subject: Re: Agenda Packet

excuse me.....there is an error or two (typo's): It should read:

"I don't understand why Quantrill's exit from Lawrence is **NOT** included, as an example: It is believed in many circles that the man and his band rode down what is now LOUISIANA STREET FROM THE CHANCELLOR'S HOUSE to get out of town." is how the sentence should read.

----- Original Message -----

From: [steven c. watts](mailto:steven.c.watts)
To: Mike Amyx ; Scott McCullough
Cc: Michelle Leininger
Sent: Monday, December 14, 2009 8:58 AM
Subject: Re: Agenda Packet

Mr. McCullough:

I see that the "history" of the "neighborhood" is included in the draft plan. However, that "history" excludes the sordid removal of Edgell Road from the boundary following it's inclusion.

The propaganda which is purported to be history does not belong in that plan. I don't understand why Quantrill's exit from Lawrence is included, as an example: It is believed in many circles that the man and his band rode down what is now LOUISIANA STREET FROM THE CHANCELLOR'S HOUSE to get out of town.

I certainly hope "staff" can put an accurate history of the neighborhood in the plan, please.

Edgell Road is a part of the Oread Neighborhood. I don't understand how there can be an "Oread Plan" until the neighborhood is DEFINED BY THE CITY. I say Edgell Road is a PART of the Oread neighborhood; and I also say that the North side of Louisiana Street from Sunnyside Ave. to Edgell Road is a part of the Oread Neighborhood and I expect that to be in the Plan.

Please advise.

Steven C. Watts

----- Original Message -----

From: Scott McCullough
To: [steven c. watts](mailto:steven.c.watts)
Cc: Michelle Leininger
Sent: Monday, December 14, 2009 8:24 AM
Subject: RE: Agenda Packet

Mr. Watts,

We will be posting the entire communications packet to the website later today. Please note that the PC is only receiving the revised draft this week, and not being asked to take action, in order to allow the plan to be publicly reviewed during the next 30 days and will consider it again in January.

Scott McCullough, Director - smccullough@ci.lawrence.ks.us
 Planning and Development Services | www.lawrenceks.org
 City Hall, 6 E. 6th Street
 P.O. Box 708, Lawrence, KS 66044-0708
 office (785) 832-3154 | fax (785) 832-3160

12/15/2009

From: steven c. watts [mailto:scajj@sbcglobal.net]
Sent: Saturday, December 12, 2009 3:31 PM
To: Scott McCullough
Cc: David L. Corliss; Mike Amyx
Subject: Agenda Packet
Importance: High

It was my understanding from you, Mr. McCullough that all my email traffic relative to the ONA was to be included in the Agenda packet data for the planning commission for the impending Dec. 14 and Dec. 16 meetings. They're not there from everything I can find.

Too, I was advised that the Oread Neighborhood Plan was not an Agenda item for the month of November and it wasn't necessary for me to attend; now, however, I read it was a matter that was discussed.

What they hey is going on there? Isn't the deck stacked enough as it is? Why are you doing your level best to support bizness as usual? I thought as a city staff member, your job was to be neutral.

Where are all the emails I have sent about the ONA, CDBG monies, and my perception that the matters all one big issue? It's not your place to pick and choose what it's included.

Please advise.

Steven C. Watts

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Michelle Leininger

From: steven c. watts [scajj@sbcglobal.net]
Sent: Monday, December 14, 2009 11:51 PM
To: Michelle Leininger; Scott McCullough
Cc: Bradley R. Finkeldei; lharris1540@gmail.com; hughcarter@dgcounty.com; David L. Corliss
Subject: Nov. 18 Recording of Planning Commission Meeting
Attachments: ONA By-lawsOct2001.doc

Greetings.

I am astounded and grossly offended at what I am listening to as I type this message to you. I am hearing the planning commission discuss (Moore is doing the talking) "....the tone and tenor of the conversation that has gone on over this property...." (at 01:21:21 into the recording)"....it has become quite apparent why it is not in the plan....(laughter from both commission members and the "gallery")"....and that's why I think I'm just going to stay out of it...". At 01:26:00 forward the male speaking notes "The personality is awful....". EXCUSE ME? When do I get to make my PERSONAL remarks about cronyism, deal making, and some other choice descriptors I have in a public meeting?

However, the fact it went on when I was not present is most intriguing and validating of my view of the process.

I must assert again, that one's personality has nothing to do with what is just; Nor does it have anything to do with the Oread Neighborhood Plan; Nor should it even be a source of discussion.

After over 7 years of, essentially, doing "battle" with the ONA Board let me suggest you'd be at your wits end too and your "...tone and tenor...." would be strained at best.

Let me set the record straight: The ONA did VERY LITTLE to assist my request relative to parking on Edgehill Road other than to "allow" me appear before the Board and pitch my cause. It took all of 15 minutes and I was told I had to leave the Board meeting, which was CONTRARY to the By-Laws of the Association. I was seeking NO PARKING AT ALL on the SOUTH side of Edgehill Road to mirror the rest of the neighborhood given Edgehill Road is the ONLY street in the University footprint that allows parking on both sides of the road. It was I who attended several Traffic Safety Commission meetings; the Traffic Safety Commission meeting did NOT endorse my request for NO PARKING. Their recommendation went to the City Commission and it was I who went to the City Commission meeting and pitched my case. Yes, the ONA also went and it was at that very City Commission meeting where I learned a single citizen counts for nothing and that "neighborhood association" people whose friends are on the City Commission (personal friends at that) get all the attention. Yes, the ONA "supported" my request for NO PARKING, but it did not do so as an Association "request"; they merely "weighed in" on the matter **despite the fact I was an actual member of the Association and Edgehill Rd. was, at that time, part of the ONA** (See attached By-Laws updated 10/21/2001 which outline the boundary). The City Commission established a "compromise" and made "NO PARKING" on the SOUTH side of Edgehill Road from the beginning of my property to the end of the property at 1647 Edgehill Road. Francisco owned that house at the time; was renting it to students; and those students couldn't have cared less about the parking issue. The frats at the top of the hill did as did the sorority. The ONA does NOT WANT active participation from this part of the neighborhood because they fear it will "water down" their efforts relative to their own personal properties within the student ghetto of ONA. They know I will be active and vigilant relative to advocating vigorously this side of the neighborhood's needs and future.

As a low income person, my eligibility for any future programs which require one to reside in a "target neighborhood" in order to be "first in line" is greatly impacted if I am not in same! None of the people you're working with are low income people!! To the contrary, they're wealthy! Hell, why should they care about a low-income senior citizen in their own neighborhood?>> It is critical that my property be in a target neighborhood for possible future projects that are currently under discussion in Washington, D.C. and particularly given the "tone and tenor" of President Obama's domestic policies.

12/15/2009

I have, at least three different times, provided the history of when Edgehill Road was a part of the ONA, but no one is listening to me. Everyone is listening to Marci Francisco, Carol Van Tersch, and the tearful wails of Candice Davis. Here is the history again:

Edgehill Road WAS part of University Place neighborhood until sometime in 2001 when an agreement was made between the ONA and University Place to allow ONA to annex Edgehill Rd. and the SOUTH side of Louisiana Street from Sunnyside Ave. to Edgehill Road. That was all fine and good until I began to participate in early 2002; pointed out to the ONA Board that they were not following the By-Laws; provided them with the detailed work I had done with the two frat houses at the top of Edgehill Road to adopt the neighborhood for trash clean up purposes (I had done all this work via telephone and email in 2001 while I was still residing and working in Hawaii, but knew I was returning to Lawrence the last part of 2001) and requested the ONA take up the cause as an Association relative to this trash clean up. They did nothing. Terrance Riordan, MD was the Board person who was placed in charge of the matter and he, as far as I know, trash canned the data. I didn't like that.

Edgehill Road and that section of Louisiana Street was quietly written out of the ONA Boundaries in 2004 or 2005. You have the notes I received from then ONA Board President James Dunn acknowledging the fact I had not been noticed about the "discussion" of "re-writing" the boundaries.

Back to the Nov. 18, 2009 Planning Meeting: At 01:31:00 forward discussion takes place about "...a sense of community....". Oh yeah, right....that's really serious after I've been made the butt of the jokes relative to "tone and tenor"; and the "awful personality". Again, I ask, would you be smiling and all happy faced if you had been marginalized and made a "non-factor" by a minority group of thugs who only represent themselves? What about my desire for my sense of community which has been taken away from me by a handful of bigots who do nothing but plead their PERSONAL CAUSE to any and all Boards and Commissions; go to dinner with people; and, well, LOBBY their friends who are in these decision making slots. It is disgusting. It's aroma is obscene. Please, walk a mile in my shoes before you pass judgement on me. Nobody can suggest I haven't tried to go about this process "the right way". The "right way" DID NOT WORK!!! Going "hat in hand" accomplished NOTHING.

I AM a STAKE HOLDER. Why isn't MY dialogue every bit as important as anyone elses? (01:36:00 in the audio recording). The City Planning Office has time and again negated my efforts to be a part of the dialouge over this Oread Plan going back to the first of 2009 when I made contact with Leininger. She was instructed to IGNORE me from what I can tell. I've an "awful personality" and the "tone and tenor" of my discussion warrants dismissal.

There are PLANNING matters for this part of the Oread Neighborhood which go far beyond parking. One example is the entire public right of way on 17th Street from Tenn. to Louisiana. That area needs to be landscaped and made an entrance point into the neighborhood. The steps at 17th and Louisiana and Edgehill Road need to be addressed as do the steps on the SOUTH side of Louisiana at Edgehill Rd. and Louisiana Street on NORTH side of Edgehill Road. Yes, PARKING continues to be an issue as does TRASH, hooliganism, break-ins and other fine activities. However, without a neighborhood association representing me, I can't get much done, if anything. I learned that when I was dealing with the NO PARKING issue and I've learned it again by listening to this audio tape given my "...awful personality...." and my "....tone and tenor.....". Shall I begin to shed tears for you as a concerned member of the neighborhood as Davis did in this audio recording and to which the ever so kind Moore held her hand????

What's right is right. The City of Lawrence funds the neighborhood association. The City of Lawrence can DEFUND the association too. That's their job.....to address that reality. However, it's the City Commission that does this part of the work. The planning commission simply needs to make certain that Edgehill Road and that section Louisiana Street is properly called part of the Oread Neighborhood. I'll worry about the Association issues later.

I hope somebody will take the time to respond to me. Francisco, Von Tersch, and Davis sure get their responses. Heck, they even get people to walk with them for three hours going over the issue!

Thank you

Steven C. Watts
1649 Edgehill Rd.

12/15/2009

City of Lawrence

The Sunset Hills Neighborhood Association supports the Oread Neighborhood Association in its efforts to make certain that proposed changes in Boarding House rules, or other potential changes that could impact neighborhood densities and negatively impact the value of single family residences.

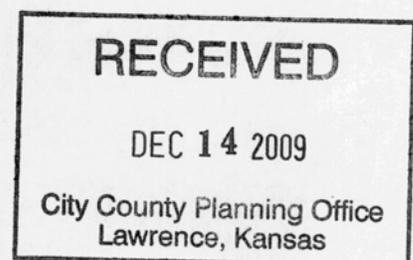
Owner-occupied residences typically provide the greatest stability, commitment and personal investment in a neighborhood. Certainly there is a place, and value, for higher density zoning. In our neighborhood, we have high and medium density zoning with Meadowbrook and adjacent multi-family zoning. We are fortunate in that, for the most part, we have good neighbors and the areas are pretty well defined.

In the Oread neighborhood, their situation is different because of their proximity to campus and the conversion of many single family residences into multiple occupancy. What that means, of course, is that the appeal for single family occupancy is much more fragile. It is imperative, in our opinion that everything possible is done to protect, enhance and encourage single family occupancy where it presently exists. Nothing should be allowed that will intensify existing development that is not in a well-defined higher occupancy area. We don't encourage denying anyone the ability to do what is presently permitted... we absolutely believe, however, that changes should not be made to allow a higher density, increased traffic, increased pressure on existing parking or anything else that will have a negative impact on existing single family and owner-occupied residences.

Thank you for your consideration and we very much hope you will support the integrity and value of single family occupancy in the Oread Neighborhood!

Sunset Hills Neighborhood Association

Janne Grees, President



December 14, 2009

Greg Moore, Chairman, and Members of the Lawrence-Douglas County Planning Commission
c/o City Hall, Lawrence, Kansas

RE: ITEM NO. 3 – OREAD NEIGHBORHOOD PLAN

Thank you for your continued consideration of the Oread Neighborhood Plan and for the changes that were made in the most recent draft. We are pleased that the new future land use map shows the west side of Ohio Street as medium density.

We believe that it is most helpful when we suggest specific wording for your consideration, and we have done that again in the attached suggestions for additional changes to Section 3. We assume that if these changes are made, the implementation schedule would also be changed to be consistent.

The proposal to consider five areas rather than just three overlay districts seems to make a lot of sense. It may be helpful to consider a chart of the elements to be addressed for the overlay districts. In particular, the elements identified for the medium density district (District 3) should probably also be considered in the historic districts (Districts 4 & 5). We have attached a draft of a chart of these elements for your consideration.

Our priorities are:

- ❖ The preservation of the existing historic structures, including emphasis on fighting blight.
- ❖ An increase in the number of owner occupants and families to stabilize the area.
- ❖ Consistent parking standards, which do not favor any type of development.
- ❖ Encouraging an improvement in the overall quality of life in the neighborhood.

Representatives of the neighborhood association will be at the meeting to answer any questions you might have.

Kyle Thompson, President
Oread Neighborhood Association

Section 3 – Goals, Policies and Implementation Strategies

3.1 – Goal 1 - Land Use

3.1.2 Land Use Implementation Strategies

- A. “Encouraging ~~more~~ owner occupants and families to ~~locate~~ *remain* in the planning area...”
Continue with: “*Owner occupants and families can bring an increased level of stability...*”
The Action item to “Amend the Land Development code to permit by right detached dwellings (single-dwelling use) in multi-dwelling zoning districts (RM) with certain standards” allows individuals to rebuild properties that have been destroyed. To encourage more owner occupants and families to locate in the planning area might best be accomplished by addressing issues related to neighborhood atmosphere.
- B. “There is a growing concern about the ~~boarding houses~~ *congregate living structures*. ~~Parking, building lot coverage, and number of bedrooms permitted~~ *Large, incompatible additions, use of the structures as “party houses”, lower requirements for parking and reliance on on-street parking that is across major arterials* are some of the issues that have been identified” include the issues that were identified at the recent meeting and were in the staff’s memo.
- C. Add a statement such as “*Areas close to the University boundary may be appropriate for higher density housing*” to establish background for Action 2.
1. Action
“Create an overlay district(s) that establishes standards to regulate bulk...”
 2. Action
“Create an overlay district(s) that provide greater latitude...”
- D. *Lack of Parking* is a major issue in the planning area. This complicated issue has different facets, including commuter parking *for KU staff and students* and appropriate parking for new ~~uses~~ *development*.
1. Action
“Develop a parking system to help address commuter parking.”
 2. *Action*
“*Establish parking requirements that are appropriate and consistent for all new development.*”

3.2 – Goal 2 – Preservation

3.2.1 Preservation Policies

Add “*F. Reduce demolition by neglect*”

3.2.2 Preservation Implementation Strategies

- A. “*Additional* surveys to identify existing historic resources within the planning area.”
 - 2. Action
 - “Complete a historic survey of the remainder of the planning area *that has not yet been surveyed* and encourage the listing of additional historic resources.”

Consider moving the implementation strategies and actions regarding stricter (and hopefully, more specific) code language for enforcement of blighted properties and the incentives to encourage the rehabilitation of the existing housing stock from the goal of neighborhood atmosphere to the goal for preservation.

3.4 - Goal 4 – Neighborhood Atmosphere

3.4.2 Neighborhood Atmosphere Implementation Strategies

- A. Property maintenance is of the *most important* issues that ~~can~~ impacts the viability of an area. Well-maintained structures provide strength and confidence to neighbors that the area is healthy and vibrant. This confidence will help property owners make ~~ongoing~~ decisions to continue to invest in the neighborhood *and Continued investment contributes to improved property values.*”
- C. Property clean-up is an ongoing responsibility for property owners and tenants. ~~Neighborhood property owners, renters and service groups are potential sources for volunteer labor.~~
 - B2. Action
 - “Identify and employ service groups and student groups that may be willing to help with a volunteer “adopt a block” clean up programs.”
- D. “Trash pick up is an issue in the area...”
 - 1. Action
 - ~~A trash strategy~~ *ies* for the area should be developed regarding storage of trash cans in front yards and include policies for handling trash for large events in the area. Attention should be paid to where trash receptacles are located on properties. Properties without alley access should ~~discreetly~~ *make provisions for storing* trash receptacles *inside or in* the side or rear yard.
 - 2. Action
 - Review the Land Development Code to ensure appropriate *site designation and* appropriate dumpster and other trash and recycling enclosure standards for any multi-family or ~~boarding house~~ *congregate living* structure that includes more than four bedrooms.
- E. Inappropriate resident behavior...
 - 1. Action
 - Step-up neighborhood outreach efforts to educate residents about being good neighbors. Good neighbor ~~pamphlets~~ *information* should be ~~routinely distributed~~ *easily available.*

4.2.1 ~~Urban Conservation~~ Overlay Districts

Elements:	District 1	District 2	District 3	District 4	District 5
Minimum lot size for duplex	x				
Maximum number bedrooms in duplex dwelling units	x				
Alley access (as opposed to street access)	x	x	x	x	x
Lot size (assembly)	x	x	x	x	x
Maximum lot coverage	x	x	x	x	x
Minimum parking requirements	x	x	x	x	x
Setbacks	x	x	x	x	x
Height & density maximums		x			
Larger structures located on corners of certain streets		x			
Massing, scale, bulk, and articulation - new development		x	x	x	x
Limit size of building additions			x	x	x
Compatible materials				x	x

Steven C. Watts

1649 Edgehill Rd., Lawrence, KS 66044-4193

Tuesday, December 15, 2009

The Lawrence-Douglas County Planning Commission
City Hall
Lawrence, Kansas 66044

Greetings.

I am astounded and grossly offended at what I heard as I listened to the recording of the Nov. 18, 2009 Planning Commission meeting. I heard it was my personality which was the focus of certain members of this body rather than the issue of crafting an Oread Neighborhood Plan which is a plan wholly separate from the Oread Neighborhood Association. This body in my view is supposed to be a non-aligned, non-partisan group which makes a recommendation to the elected officials of this town. However, it seems that amongst a couple of you there exists rank favoritism and a choice made to focus on me, Steven C. Watts, rather than the very real issue of disenfranchisement and exclusionist behaviors of representative bodies in this town. An examination of the facts seems to not be possible to this handful. The fact the invective took place during this Nov. 18 meeting when I was not present simply validates my already dim view of the tyranny of the majority which is the real process throughout Lawrence. I cannot get said in three minutes what needs to be said, so it's a waste of my time to attend Planning Commission meetings which are, seemingly, packed with the same members of the ONA meeting after meeting who "piggy back" off of each other such that three minutes turns into thirty minutes. Certain Commission members want quick, sound byte like pieces of data to most complex issues. Once again, not having a neighborhood association representing me underscores I am "less equal" in this purported democratic process.

I must assert again, that one's personality has nothing to do with what is just; Nor does it have anything to do with the Oread Neighborhood Plan; Nor should it even be a source of discussion.

After over 7 years of, essentially, doing "battle" with the ONA Board let me suggest you'd be at your wits end too and your "...tone and tenor...." would be strained at best.

Allow me to set the record straight: The ONA did VERY LITTLE to assist my request relative to parking on Edgehill Road a couple of years back other than to "allow" me to appear before the Board and pitch my cause. It took all of 15 minutes and I was told I had to leave the Board meeting, which I later learned was CONTRARY to the By-Laws of the Association. I was seeking NO PARKING AT ALL on the SOUTH side of Edgehill Road to mirror the rest of the neighborhood given Edgehill Road is the ONLY street in the University footprint that allows parking on both sides of the road. It was I who attended several Traffic Safety Commission meetings; the Traffic Safety Commission did NOT endorse my request for NO PARKING. Their recommendation went to the City Commission and it was I who went to the City Commission meeting and state my case. Yes, the ONA also went and it was at that very City Commission meeting where I learned a single citizen counts for nothing and that "neighborhood association" people whose friends are on the City Commission and personal friends at that get all the attention. Yes, the ONA "supported" my request for NO PARKING, but it did not do so as an Association "request"; they merely "weighed in" on the matter **despite the fact I was an actual member of the Association and Edgehill Rd. was, at that time, part of the ONA.** The City Commission established a "compromise" and made "NO PARKING" on the SOUTH side of Edgehill Road from the beginning of my property to the end of the property at 1647 Edgehill Road. Francisco owned 1647 Edgehill Road at the time; was renting it to students; and those students couldn't have cared less about the parking issue. The frats at the top of the hill did as did the sorority.

The ONA does NOT WANT active participation from this part of the neighborhood because they fear it will "water down" their efforts relative to their own personal properties within the student ghetto of ONA. They know I will be active and vigilant relative to advocating vigorously this side of the neighborhood's needs and future.

As a low income person, my eligibility for any future programs which require one to reside in a "target neighborhood" in order to be "first in line" is greatly impacted if I am not in a target neighborhood. None of the people you're working with are low income people. To the contrary, I'll assert they're wealthy from where I sit. Why should they care about a low-income senior citizen permanent, property owning resident in their own neighborhood? They claim to be all worried about the few number of property owners who reside in the neighborhood, but what they really mean is people who agree with their own agendas. It is critical that my property be in a target neighborhood for possible future projects that are currently under discussion in Washington, D.C. and particularly given the "tone and tenor" of President Obama's domestic policies.

I have, at least three different times, provided the history of when Edgehill Road was a part of the ONA, but people are choosing to not listen to me. Everyone is listening to Marci Francisco, Carol Van Tersch, and the tearful Candice Davis. Here is the history again:

Edgehill Road WAS part of University Place neighborhood until sometime in 2001 when an agreement was made between the ONA and University Place to allow ONA to annex Edgehill Rd. and the EAST side of Louisiana Street from Sunnyside Ave. to Edgehill Road at my request. That was all fine and good until I began to participate in early 2002; pointed out to the ONA Board that they were not following the By-Laws; provided them with the detailed work I had done with the two frat houses at the top of Edgehill Road to adopt the neighborhood for trash clean up purposes; work I had via telephone and email in 2001 while I was still residing and working in Hawaii, but knew I was returning to Lawrence the last part of 2001 and requested the ONA take up the cause as an Association relative to this trash clean up. A great deal of progress had been made and it was my vision that the Association could strike an agreement with other Greek houses in the neighborhood to deal with the trash issue. The ONA did nothing with the work I had done because it was not one of their issues. Edgehill Road and that section of Louisiana Street was quietly written out of the ONA Boundaries in 2004 or 2005. You have the notes I received from then ONA Board President James Dunn acknowledging the fact I had not been noticed about the "discussion" of "re-writing" the boundaries.

This body discussed the concept of "...a sense of community...." at the Nov. 18 meeting. I'm part of that community whether you like me or you don't like me; whether you agree with me or don't agree with me. There's supposed to be diversity of thought around here isn't there? I'm being excluded from this community and in a black and white fashion; there is nothing "hidden" about it. Again, I ask, would you be smiling and all happy faced if you had been marginalized and made a "non-factor" by a minority group of thugs who only represent themselves? What about my desire for my sense of community which has been taken away from me by a handful of bigots who do nothing but plead their PERSONAL CAUSE to any and all Boards and Commissions; go to dinner with people; and, well, LOBBY their friends who are in these decision making slots? It is disgusting. Its aroma is obscene. Please, walk a mile in my shoes before you pass judgment on me. Nobody can suggest I haven't tried to go about this process "the right way". The "right way" DID NOT WORK!!! Going "hat in hand" accomplished NOTHING.

I AM a STAKE HOLDER. Why isn't MY dialogue every bit as important as anyone else's? The City Planning Office has time and again negated my efforts to be a part of the dialogue over this Oread Plan going back to the first part of 2009 when I made contact with Ms. Leininger. It seems she was instructed to IGNORE me from what I can tell. I've an "awful personality" and the "tone and tenor" of my discussion warrants dismissal?

The Lawrence-Douglas County Planning Commission
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There are PLANNING matters which need to be confronted for the part of the Oread Neighborhood where I own and reside which go far beyond parking. One example is the entire public right of way on 17th Street from Tenn. to Louisiana. That area needs to be landscaped and made an entrance point into the neighborhood. The concrete steps at 17th and Louisiana and Edgehill Road need to be addressed as do the concrete steps on the EAST side of Louisiana at Edgehill Rd. and Louisiana Street on NORTH side of Edgehill Road.

Yes, PARKING continues to be an issue as does TRASH, hooliganism, noise, break-ins and other fine activities. However, without a neighborhood association representing me, I can't get much done, if anything. I learned that when I was dealing with the NO PARKING issue and I've learned it again by listening to the audio recording of the Nov. 18 Planning Commission meeting given my "...awful personality...." and my "....tone and tenor.....".

What's right is right. The City of Lawrence funds the neighborhood association. The City of Lawrence can DEFUND the association too. That's their job.....to address that reality. However, it's the City Commission that does this part of the work. **The planning commission simply needs to make certain that Edgehill Road and that section of Louisiana Street previously noted is properly called part of the Oread Neighborhood.** I'll worry about the Association issues later.

Steven C. Watts
1649 Edgehill Rd.
Lawrence, Kansas
