

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

From: J. Steve Dawson <jstevedawson@gmail.com>

To: Keith Burtner <kburtner@swbell.net>; Pritchett, John <jpritchett@msn.com>; Bob Spurlock <spurlockrd111@yahoo.com>; Carla Young <carla.young@gmcnetwork.com>; Brett Fincher <brettfincher@gmail.com>; Laura Miller <laura.miller1@sbcglobal.net>; rbwine2 <rbwine2@att.net>; Margaret Darden <margaretdarden@sbcglobal.net>; Bdewberry <bdewberry@aol.com>; Tatiana Frierson <tatianafrierson@gmail.com>; Susan Conard <scon0820@yahoo.com>

Sent: Fri, Jul 20, 2018 8:49 am

Subject: PD-15

In case you have not seen this exchange. Please feel free to share.

Have a great weekend!

Cheers

To: HOA Presidents and Owners in Adjacent Properties to Planned Development 15

From: Kevin Griffeth and Grover Wilkins - Your Representatives on the Steering Committee

Grover and I have held several meetings with HOA boards of properties adjacent to PD15. We desire to meet with as many properties as possible. If you are the President or a member of a board we have not met, please respond to this email with a date for your next board meeting. If you need to forward this message, please do so as soon as possible. We have over 20 properties to meet with, and receive feedback from, and your assistance is most appreciated.

We are aware of a petition circulating that requests your signatures for the discontinuation of the Authorized Hearing Process and the elimination of the Steering Committee. We were not consulted on the creation of this petition and do not support it. Signing this petition now would indicate our efforts to hold meetings to listen to your feedback, and accurately represent your input to the process, were not necessary. Our meetings to date have been very productive, and we have received positive feedback on the process. You and your owners are free to sign anything, we would respectfully ask you to give the process an opportunity to succeed.

Feel free to "reply all" if you have any feedback.

Kevin

My response:

Dear Kevin and Grover,

No one knows the experience you and Grover presently share better than the members of the PD-15 Working Group. Please consider my perspective of the events leading up to your service on the PD-15 Steering Committee. At the conclusion of the April 26th Community Meeting CM Gates stated that those applications to be on the Steering Committee made by persons

opposed to the Authorized Hearing Process would be rejected. As a person who holds fairness in high regard, anyone in a position of authority elected by the taxpayers who intentionally excludes people who voice opposition to their agenda from participating in the democratic process abuses their power. That kind of improper government action prevents the process from being open and fair to all interested persons. That improper action prevents the result from being representative of the will of the people.

If voting has not also been excluded from this tainted process, then you and Grover will each have one vote. Your *two* votes combined represents 474 condominium units outside PD-15. By way of contrast, the three remaining low rise properties have three representatives representing 74 units and two members representing those units that no longer exist. Those five representatives of the 74 existing units hold more power than the representatives of the other 474 units. Those five representatives of 74 units have more votes than the four representatives of the two towers that total 460 units. Who believes that the representatives of 74 units should receive more voting power than the representatives of a combined 934 units? This means that the representatives of less than 10% of the property owners Behind the Pink Wall will be able to dictate the future of the other 90%. You stated that the presence of the petition indicates that you and Grover's participation in this process would not be necessary. Your participation was already marginalized by the pre-determined composition of the Steering Committee. I know because CM Gates did the same thing to the PD-15 Working Group. However, seven of the fifteen members of the PD-15 Working Group chose not to accept the obvious ploy presented by CM Gate, CPC Murphy, and Scott Polikov of Gateway Planning, in their unabashed efforts to amend PD-15 to permit a dramatic increase in density. As members of the Working Group, we too were at the same disadvantage in terms being party to a preconceived and inherently unfair process whereby 78% of the property owners in PD-15 had fewer votes than 22% of the owners in PD-15.

The evidence of a lack of fair play became revealed when on August 3, 2017 CM Gates and CP Commissioner Murphy requested to be put on the City Plan Commission's agenda for an Authorized Hearing for PD-15. The Plan Commission hearing was subsequently scheduled for September 7, 2017. The Working Group members met for the first time on August 8, 2017. At no time were the members of the Working Group informed about the application for an Authorized Hearing, the published notice, and the plan for future Community Meetings. Many of the members of the Working Group would have attended the September 7th Plan Commission hearing in order to voice their opposition to CM Gates' and CPC Murphy's request for an Authorized Hearing on PD-15. However, the members of the Working Group were denied any opportunity to voice their opposition because CM Gates and CPC Murphy chose not to inform us of their activities.

On the merits, the task presented to your Steering Committee and the Working Group Committee remains identical. Only the participants have been changed in a blatantly obvious attempt by CM Gates and CPC Murphy to find enough people willing to support their goal of amending PD-15. The Authorized Hearing Process avoids the traditional zoning application process that would force developers to make their plans public and negotiate directly with the entire neighborhood as Transwestern was compelled to do. Like you and Grover, the members of the Working Group answered the call to serve their community. However, unlike you and Grover, they did not have to apply to CM Gates for her permission to serve their community. Most of the members of the Working Group were willing to participate in a fair and balanced process, but they were denied that option by CM Gates' refusal to restructure the committee in order to provide fair representation of our entire community. The members of the Working Group never received any thanks for the months of effort they voluntarily made. CM Gates just stopped having meetings without offering any reason (though the obvious reason was that the Working Group was not going to support her scheme). In addition, I have to ask, knowing what you now know, how can you agree to continue to participate in an inherently undemocratic and underhanded process that permits five members of your committee, (each of whom, as a matter of public record, holds a substantial financial interest in the recommendations being formulated by the Steering Committee) to go unchallenged? It is no secret that these five representatives are directly and indirectly engaged in ongoing negotiations with developers for the sale of their property in PD-15. From my perspective, it remains highly unethical, and perhaps unlawful, for CM Gates and her minions to advocate amending the zoning in PD-15 to allow higher density without first requiring the five representatives of the low rise buildings in PD-15 to make a full public disclosure of their ongoing negotiations with developers to sell their own property. Obviously, CM Gates will not do this because revealing those conflicts of interest to the public would compromise the work of this committee and compromise her campaign to amend the zoning in PD-15. One could interpret my remarks as sour grapes, or even the voice of a bruised ego, but nothing could be further from the truth. As an attorney, and officer of the court, my agenda remains demanding that City Officials follow established procedures and uphold the spirit as well as the letter of the law. Please understand that my **outrage** could never be directed toward you, Grover, or any of our well intentioned neighbors. My disgust remains reserved for those self serving elected officials, and their minions, who have manipulated the process by using extraordinary and highly unorthodox means in order to achieve their goals to the lasting detriment of the majority of people who care about our community.

I urge everyone who shares my contempt of those who would abuse their positions of power to voice their protest by signing the attached Petition and sending it to John Pritchett.

Respectfully, and without malice toward any honest person,
Steve Dawson