

**NOTES ON THE MEETING OF THE SITE SELECTION AND BUILDING PROGRAM
COMMITTEE OF THE CONGREGATIONAL CHURCH OF AUSTIN (UCC) ON
THURSDAY, AUGUST 19, 1999 AT 7:30 p.m. AT THE
CONGREGATIONAL CHURCH OF AUSTIN (UCC), AUSTIN, TEXAS.**

Members present: David Ashton (Co-Chair), Matt Blackstock, Sharon Brown, Paul Deisler (Co-Chair), Cathy Hubbs, Yoshi Kaneda, *ex officio*, Sara Ross, Jim Tomasek.

Members not present: Jamie Adams, Michael Adams, Jean Appel, Vic Appel, Fran Briggs, Suzanne Moore, Pat Oakes, Mary Sinclair.

Call to order and general remarks. Paul Deisler called the meeting to order. Yoshi Kaneda to offered the opening prayer.

Paul noted that Jim Tomasek had been invited to join the Committee as an advisor to the Committee so the Committee can benefit from his long experience in matters related to the Committee's work. Welcome, Jim!

Reports on ACTION ITEMS from last time and otherwise pending (see summarized action items, attached): Action items 1, 2, 3, and 6 have been completed; and, on number 8, Dave Ashton has contacted Tommie Pinkard who will talk to Mark Miller (and the Board) about any possible interest the South Central Conference in joining in a building with us.

ACTION #1: Dave Ashton will follow up with Tommie Pinkard and, if there is interest, will pursue the matter further with Mark Miller or his designee if there is interest.

Number 7 is in progress. Paul Deisler reported he is preparing the piece for the Visitor and, to bring the entire Congregation up to speed, much that has not been reported to them but which has a direct bearing on the decisions they will be called upon to make needs to be explained; the piece will be relatively long. Yoshi Kaneda mentioned that several important articles are in preparation for the next Visitor and that this piece should therefore be limited to half a page. Paul Deisler stated that if that were to be the limitation it would not be worth writing the piece because the necessary information could not be conveyed; as much as three pages might be needed. The suggestion was made that a separate report, not part of the Visitor, might be prepared to be mailed with the Visitor. With that suggestion in mind, Paul agreed to complete the piece.

On number 5, the realtor, Jim Sprinkle, has agreed to meet with the Committee on Thursday, September 23, 1999 at the Church to summarize progress and answer questions. He requested that he be reminded of the meeting ten days to two weeks in advance.

ACTION #2: Dave Ashton is to confirm the meeting date with the realtor ten days to two weeks in advance of the September 23, 1999 meeting.

Action item number 9 refers to a question raised by Paul Deisler with the realtor some time ago as to the tax status of land purchased by the Church and held for construction. The realtor's first reaction was that the land would be tax exempt. A question on this first response was raised by Jim Tomasek at last Sunday's Congregational Meeting.

Jim Sprinkle has spoken to Debbie Wiederhold of the Travis County Tax appraisal District (834-9317) who, he reported to Paul Deisler, informed him as follows:

A church buying land for church use needs to apply for tax-exempt status. If the request is approved, the church has three years from the date of approval in which to begin that use; specifically, to begin construction of a new church, in our case. If appropriate use does not begin within the tax-holiday period the land goes back on the tax rolls. In applying, information must be supplied about the planned use including some level (yet to be determined) of design and at least a Phase 1 environmental assessment (50 years of use history and an expert, visual inspection, at least).

Paul Deisler also spoke with his own attorney, Mr. Brad Cummins, who also stated that there was a tax holiday which would cease if appropriate use were not made of the land in that time. The major, additional information that he offered was that it is possible that a church (or other non-profit organization) failing to meet the use time limit might have to pay the taxes not paid during the tax holiday in addition to having to pay taxes from the end of the holiday forward.

The Committee agreed that it is very important to learn, soon, as much about the tax exemption application and the strictures as possible. Although the three-year period as now understood should be adequate for current planning (see the proposed Coordinating Council timeline, attached), the financial risks related to failing to comply with it need to be understood (and any other risks as well).

ACTION #3: Matt Blackstock will contact Debbie Wiederhold directly and find out in detail what we must do to apply for the tax exemption, obtaining copies of relevant forms, and getting information on compliance, how it is defined, and the problems of not complying.

(NOTE: IMPORTANT POST-MEETING DEVELOPMENT: MATT HAS TALKED

WITH DEBBIE WIEDERHOLD WHO TOLD HIM THAT, CONTRARY TO WHAT HAD PREVIOUSLY BEEN REPORTED TO PAUL DEISLER BY JIM SPRINKLE, THE BUILDING MUST BE COMPLETED WITHIN THE THREE-YEAR PERIOD. PAUL DEISLER THEN SPOKE FURTHER WITH JIM SPRINKLE, WHO SAID HE HAD UNDERSTOOD DEBBIE WIEDERHOLD, WHEN HE SPOKE TO HER, TO SAY THAT THE CONSTRUCTION HAD TO BE STARTED, NOT COMPLETED, WITHIN THE THREE YEARS. FROM MATT'S DISCUSSION WITH HER (DOUBLE-CHECKED BY MATT) IT NOW APPEARS THAT JIM'S UNDERSTANDING WAS NOT CORRECT AND OUR PLANNING WILL HAVE TO BE MODIFIED SIGNIFICANTLY. (MATT ALSO VERIFIED THAT THE LEVEL OF "DESIGN", NAMELY A BUILDING PROGRAM SUCH AS WE NOW HAVE, IS ENOUGH TO SATISFY THE DESIGN NEEDS IN THE APPLICATION. FORMS ARE BEING SENT MATT SO OTHER DETAIL CAN BE UNDERSTOOD. FURTHER, MATT WILL CONTACT BOTH JOHN MOORE AND CLINT PARSLEY TO INCREASE OUR UNDERSTANDING OF THIS MATTER AND SEE WHAT FLEXIBILITIES THERE MAY BE, IF ANY. VARIOUS ALTERNATIVES WILL HAVE TO BE EXPLORED (e.g., WE MIGHT PURCHASE LAND AND PAY THE TAXES UNTIL WE ARE READY TO CLAIM A TAX EXEMPTION, IF THAT IS A FEASIBLE PATH. POSSIBLE SIZES OF TAX PAYMENTS COULD THEN BECOME A SIGNIFICANT CONSIDERATION IN CHOOSING A SITE).

An action item left over from a Committee meeting earlier this summer was for Dave Ashton to contact a lawyer for a review of the proposed architectural services contract. Paul Deisler stated that he had spoken recently to the architects (Brandi McDaniels) to apprise them of the fact that we are now searching for land and that no further design activity was expected to be needed at least until we have a site. No mention was made about the as yet unsigned contract. At the moment there seems little immediate reason to proceed with the contract; its review can take place at any time, as needed.

ACTION #4: Dave Ashton is to contact the architects and discuss our present status with them. He will further maintain contact with them. Should there be any reason for further action now Dave will let the Committee know or it.

While the architects cannot proceed further with design without our having a piece of land in hand, some further help from them will very likely be needed in the final phases of site selection.

Individual reports in response to ACTION ITEM 4 in Appendix A. Two reports on survey trips made in the last few weeks by Paul and Ellen Deisler as well as on a trip made by Paul Deisler with Jim Sprinkle to assess different areas (and other notes) were passed out to the Committee. Sites of possible interest found during these trips were included in the reports. Areas covered were: Braker Lane from Mopac to Dessau (expensive), Dessau to W. Anderson Lane (expensive), South Congress (lower cost) between Ben White and Stassney (and nearby attractive sections of Oltorf and Stassney); Riverside from Lamar

to Montopolis (mixed, from attractive to not so attractive as one proceeds eastward (with possible security problems)); East Seventh Street to Pleasant Valley Road to Riverside (some pleasant areas but probably not for a "regional" church); Montopolis south of Riverside through a clean area of light and high-tech industry and into southeast Austin communities (Williamson Creek, Onion Creek Forest, and Onion Creek Plantation where numerous sites are available in communities of varying attractiveness -- some very attractive -- but most not readily accessible for a "regional" church); along William Cannon (very attractive as South First Street was approached and passed from the east) to as far west as Escarpment (well inside the SOS Ordinance zone with numerous sites, one especially interesting 9-acre site (purchasable by sections) with 25% impervious coverage allowed); along South Lamar to the Colorado River. Also covered was the area along Highway 183 (from Highway 290 to Bolm, in "far east" Austin, an area subject to "smart development" incentives: much beautiful, open land for sale in an area developing for high-tech industries, just developing for living).

Prices on those sites where information was available (including sites of reasonable quality described earlier to the Committee) indicate that Central Austin (north of the river to Braker Lane) land runs in the range of \$300,000/acre (sometimes higher); north of Braker Lane, good sites are somewhat less costly (in the \$200,000/acre range); south of the river, prices for possibly interesting sites ranged from approximately \$130,000/acre to \$180,000/acre (one questionable site, on South Congress between Ben White and Stassney, was priced at approximately \$80,000/acre). In the far east Austin area (Highway 183 just south of Turner Lane) one very attractive 10-acre site was priced at \$75,000/acre. Information on all sites found during these surveys has been given to Jim Sprinkle for follow-up (quite a few having been followed up already).

Michael Adams (not present) gave information, reported by Paul Deisler, on two sites in Sunset Valley (possibly with higher than Austin's allowed impervious coverage), one of 2.17 acres (Highway 290 and Stearns) and reasonably priced but with impervious coverage as yet unknown and one of 4 acres (with a 3,200 ft², plantation-style house), near the Stearns property (expensive but, with a complete turnaround on plans for the sale of the present church and of the forward plan, a possibility) -- the Committee view was: keep in mind. This latter site is the also the first on the list provided by Yoshi Kaneda.

Yoshi Kaneda handed round a report on four sites in the areas of north Sunset Valley, two near Barton Creek Mall on Highway 360 (one of 12⁺ acres, one in a possible future Dwyer development) and one on South Lamar. The first three are in the SOS Ordinance zone; but the one in Sunset Valley may offer higher coverage.

Paul Deisler reported that a FAX received from Dennis Murphy, described four acres for sale in Round Rock, highly visible, for about \$85,00/acre.

It was reported that Vic Appel knows the area around the Evangelical and Free Church (I-35 and Rundberg) and that the area fails too many of the criteria.

No other reports were forthcoming. All information not yet in the realtor's hands for investigation will be given to him.

ACTION #5: Paul Deisler will see to it that site information not yet in the realtor's hands will be given to him.

The importance of all members making surveys, reporting on the general degree to which the criteria are satisfied (general quality, defined in terms of the criteria) and on specific sites to the collation and winnowing exercise, which must take place soon, was stressed by Paul Deisler. All were urged to make it a priority to select and investigate areas of Austin, including those not yet sampled and, among those, those which they might not think, *a priori*, are likely to be suitable for our church for one reason or another. (The ultimate choice of area and site can only be made comparatively).

ACTION #6: All members, before the next meeting, are to make survey trips like those done above and send in written reports as early as possible before the next meeting. (NOTE: since Paul Deisler will be away for some time in September, please send these reports to Dave Ashton).

(Author's note on an item not reported at the meeting: approximately 0.4⁺ acres was recently purchased by the Tarrytown Methodist Church for the equivalent of \$665,000 / on Spring Street, behind the church).

ACTION #7: Paul Deisler will contact the site examination team (Paul, Matt and Vic) about visiting some of the sites that have possibilities. Probable timing for visits: the week of August 23, 1999.

The question arose as to where the "center" of Austin will be in the future. Conventional wisdom is that it is moving toward the northwest. However, under the current financial pressures and with the possible influence the "smart development initiative", eastward motion may well occur.

ACTION #8: Jim Tomasek volunteered to contact certain Presbyterian and Methodist churches to see if their demographic studies shed any further light on the question.

Role of this Committee; method of working. The Committee needed to review its role and to ensure that it does what it is supposed to do and does not move into areas not appropriate to it for lack of definition. There are two parts to the Committee's role:

1. **Developing a building program.** A building program defines how much and what kind space is needed for the scope and type of activities in a master (longer term) plan and the phasing for the building of such a plan (the first phase being a fully viable, yet smaller facility than the ultimate one). It is not a "design". As the Committee sees it, that phase of its responsibilities has been concluded: once the next phase, initial design of an actual facility begins, another, and at least in part different, committee needs to be formed to see the project through until the building of Phase 1 is completed (a "Design and Construction Committee"). The reason for this is that specific members of Church Boards and Committees need to be on such a Committee as representatives of their Boards and Committees (thus, the design of the sanctuary needs to have continuing input and participation from the Board of Deacons, the design of the Sunday School needs to have direct input and participation from the Board of Christian Education, etc... with the committee as whole providing integration, working with the architect). At least some members from the current Committee need to serve on the new Committee for continuity's sake.

2. **Site selection.** That phase of the Committee's work is underway but should end when a site is purchased. If, after an earnest money contract on a site is signed (by the Trustees and the Moderator) but before the actual purchase (closing) takes place, more extensive design is required for any reason, that further design should not be undertaken by the present Committee; a transition to the new Committee (described above) needs to take place.

Moreover, at some point the Board of Trustees needs to become directly involved in site selection. Such involvement may well occur as soon as the negotiations on an earnest money contract begins if only to approve both the expenditure of the earnest money and the earnest money contract (how this involvement might best be implemented needs to be considered). Certainly, the Trustees will carry out the actual purchase and closing on the land.

Strategy for continuing site surveys and identification; selection of a site and the actions following selection. The strategy at the moment is to make surveys to characterize areas of Austin as to their suitability for relocation in the light of the criteria already in place and bearing in mind that areas may not be uniform; that non-uniformity must be part of the characterization. As a part of the strategy, sites within areas need to be identified as benchmarks on price, size, coverage and

other pertinent site characteristics so as to get some idea of the range of these characteristics, especially costs, in different areas. Jim Sprinkle is already helping with the screening of sites and the characterization of areas in or near which they lie; he will be given what specific reports the Committee generates as a result of surveys but he will not necessarily seek the specific information on each site listed. Rather, he will use his expertise to determine which sites are to become benchmark sites (along with sites he brings forward) and, possibly, of interest. This will be an efficient use of his and our time and will help in the eventual winnowing process by which a few areas/sites are brought to the attention for decision by the Congregation. Once we have winnowed our data, our strategy will change toward selecting those few sites for which much more specific data are needed.

The attached Event Line, starting at the top of the page with where we want to arrive first (signing of an earnest money contract) and working down through each preceding event to the area we are now in needs to tie in with the proposed overall timeline of the Coordinating Council. The successive major communication/decision points and the work required between these is displayed.

This is not displayed as a timeline since the actual times (even the ranges of such times) cannot be pinned down well enough. Considering the difficulties of scheduling meetings of either the committees or of the Congregation, much time can be lost only for that reason. As a rough estimate, if everything were to go smoothly, the activities could take as little as four and a half months (if the Christmas holidays, Thanksgiving, and other matters do not produce great delays), or it could easily take much longer (6⁺⁺ months, especially if failure at any point causes us to have to return to an earlier stage).

Four and half months would have us signing an earnest money in the latter half of January, 2000: just in time to name the selected lot in the loan application. If "selection" does not mean having an earnest money contract signed, the work becomes somewhat more feasible.

An important point to be resolved as soon as possible: what does the UCC-BHM mean by "selected" when it requires that a site be selected and its description included in the loan application? If the UCC-BHM insists on there being an earnest money contract, we may well miss the February 1, 2000 deadline for submission of the application. If "selection" means that the Congregation has voted to select a particular lot so we can enter into negotiations on an earnest money contract, we are in a better position to be able to name a site in a loan application by February 1, 2000.

ACTION #9: Paul Deisler will bring this question to the urgent attention of John Moore, George Lemley and Richard Jackson (the latter two having been in touch with Gary Roberts of the UCC-BHM) to get "selection" clearly defined for our planning and action purposes.

Relations with the Congregation. The Event Line (attached) indicates several points of specific communication and feed-back as well as of decision-making. In addition, reports in the visitor of developments or other progress need to be made. At some point after the "cottage" meetings now planned are finished, it may be desirable to canvass the Congregation on specific points as an informal means of obtaining their guidance by using a carefully designed questionnaire. No action is needed on this latter point at the moment.

Cottage meetings. The purpose of the "cottage" meetings to be held in September was stated by Yoshi Kaneda to obtain date with which to flesh out the proposed timeline the Coordination Council has prepared and which was displayed to the Congregation at last Sunday's Congregational Meeting. The Committee expressed the hope that additional matters affecting this Committee's work and which would help it focus its efforts on specific area of Austin would be discussed and recorded. Matters affecting site selection are, for example, (a) what kind of church should this be in the future (e.g., regional (the current, unapproved assumption), suburban/neighborhood, missionary, etc...) and (b) are there areas we should be checking for sites particularly or are there some which will not meet the criteria?. The Committee also suggests that there should be a member of this Committee at each of the "cottage" meetings.

ACTION #10: Paul Deisler will bring these suggestions to the attention of the Coordination Council.

Next meetings. The suitability of continuing to meet on Thursdays was examined, including the possibility of meeting on Sunday evenings. The Committee decided that Thursdays are best.

The next two meetings are were set as follows, both at 7:30 p.m. at the Church:

- (1) Firm: Thursday, September 9, 1999
- (2) To be confirmed: Thursday, September 23, 1999

Adjournment. There no being no further old or new business, the Committee adjourned at 9:25 p.m.

12. Adjourn.

APPENDIX A: SUMMARY OF ACTIONS ITEMS AGREED UPON AT THE AUGUST 5, 1999 MEETING.

1. **ACTION:** Paul Deisler is to convey to the Coordinating Council this Committee's that a meeting with Gary Roberts will include at least the Coordinating Council members and representatives from the site relocation committees (Sale, Capital Fund Campaign, and SS&BPC). (DONE)
2. **ACTION:** Dave Ashton and Paul Deisler will get together and decide how this report might be most effectively.
(This refers to the August 15 presentation to the Congregation requested by the Coordination council (DONE)
3. **ACTION:** Paul Deisler will convey to the Coordinating Council the urgent need to incorporate setting a goal into the planning efforts now underway. (DONE)
4. **ACTION:** Those present at this meeting committed themselves to make inspections of specific areas near their homes and/or in the areas mentioned above and/or in other areas of their own choosing and to report back by or before -- but no later than -- the next meeting.
5. **ACTION:** Dave Ashton will arrange a meeting with the realtor in September. (Paul Deisler has arranged Thursday, September 23, 1999 at 7:30 p.m. with the realtor).
6. **ACTION:** Paul Deisler will ask the Coordinating Council to consider this matter with the Board and committee resources available to it and give us some at least tentative guidelines on the upper limits of spending for a site as soon as possible. (DONE)
7. **ACTION:** Paul Deisler will draft an article, discuss it with Dave Ashton, the result to be submitted for publication in the next Visitor to inform the status of the site search, its interaction with building plans, and the cost constraints that exist in the market for land. (IN PROGRESS)
8. **ACTION:** Dave Ashton will contact the South Central Conference to probe this possibility. Tommie Pinkard, a member of the South Central Conference, should be contacted to see who Dave might talk to.
9. **ACTION:** The realtor will look into the matter and let us know the result.

APPENDIX B

SITE SELECTION EVENT LINE

<u>EARNEST MONEY CONTRACT SIGNED:</u> - - - - -	
<u>CONGREGATION APPROVES SITE & CONTRACT:</u> - - - - -	
EARNEST MONEY CONTRACT NEGOTIATIONS WITH SELLER	
<u>CONGREGATION'S CONDITIONAL SITE(S) APPROVAL:</u> - - - - -	
PRELIMINARY DUE DILIGENCE ON THE 2 OR 3 SITES	
<u>PRELIMINARY APPROVAL OF A FEW SITES</u> <u>BY CC/TRUSTEES FOR DOING DUE DILIGENCE:</u> - - - - -	
HONING OF THE FEW SITES BASED ON CONGREGATIONAL FEEDBACK	
<u>COMMUNICATION WITH THE CONGREGATION ON</u> <u>PREFERRED AREAS AND ON A FEW SITES</u> <u>TO GET CONGREGATION'S FEED-BACK:</u> - - - - -	
<u>SELECTION OF PREFERRED AREAS & SELECTION</u> <u>OF A FEW SITES BY SS&BPC:</u> - - - - -	
SCREENING OF COMPILED SITE/AREA DATA BY SS&BPC	
DISCOVERY PERIOD BY SS&BPC: COMPILING OF DATA ON SITES IN DIFFERENT AREAS AND ON AREAS	
	<u>START:</u> - - - - -

NOTE: PROCESS CAN START OVER AT ANY POINT IF PROCESS FAILS TO SECURE AGREEMENT.

NOTE ON A SITE AT WEST 34TH AND WEST ST., NEAR THE REAR ENTRANCE
TO SETON HOSPITAL.

THE SITE, 1.77 ACRES, OFFERED FOR SALE FOR \$1.5 MILLION, HAS AN APPROXIMATELY 10,000 ft² BUILDING, FORMER DOCTOR'S OFFICES (BUILT ONTO A HOUSE DATING BACK TO 1923) AND A SMALL, DETACHED COTTAGE. THERE ARE 56 PARKING SPACES. THE PROPERTY IS UNDER CONTRACT AND MAY BE SOLD.

W. 34TH IS A MUCH-USED CONNECTOR BETWEEN GUADELUPE AND LAMAR AND IS VERY MUCH USED AS A COMMUTING ROUTE INTO AND OUT OF BRYKERWOODS AND TARRYTOWN. ACCESSIBILITY IS GOOD; VISIBILITY NOT BAD. THE AREA IS VERY ATTRACTIVE.

~~THIS IS TOO EXPENSIVE AND TOO SMALL FOR US.~~ IT IS GIVEN AS AN EXAMPLE OF THE KIND OF THING THAT COMES UP FROM TIME TO TIME.

