



## **RG4N CALLS UPON CITY OFFICIALS TO EXPLAIN ACTIONS AND STAND WITH THE PEOPLE**

*Austinites Owed Explanation, Apologies and Action from Officials*

**AUSTIN, Texas, Feb. 20, 2007** — Responsible Growth for Northcross (RG4N), the group opposing construction plans at Northcross Mall by Dallas-based Lincoln Property Company, which include a 225,085 sq. ft. Wal-Mart Supercenter, calls upon the City of Austin to explain why it is paying \$224,000 in taxpayers' dollars to an outside law firm to fight its citizens.

Five days after as many as 3,000 Austinites formed a one square mile-long human chain around the Northcross site, the Austin City Council approved an additional \$175,000 to an outside counsel contract with Scott, Douglass & McConnico, LLP for legal counsel concerning development at Northcross Mall. The total contract amount is currently \$224,000.

This action, taken upon the advice of city staff, occurred just six days in advance of a meeting scheduled by Assistant City Manager Laura Huffman at the offices of Armbrust & Brown, the law firm retained by Wal-Mart, to present Lincoln Property Company's response to the vision and priorities of the five neighborhood associations surrounding Northcross and RG4N.

This approval of the extra sum for outside attorneys during the week before this meeting, the City indicates it believes the City-facilitated response by Lincoln to neighborhood and RG4N concerns will fail to adequately address those concerns. Yet the City nevertheless chooses to close ranks behind the developer rather than join with the neighborhoods in opposition.

Acting on behalf of thousands of taxpayers living around Northcross, RG4N calls for the City of Austin to retract its decision and live up to its obligation to act on behalf of its citizens, rather than carry the water for the largest retail company in the world.

This action by the City Council comes after the closing of the 60-day moratorium, during which City management held itself out as a neutral facilitator between Lincoln/Wal-Mart and Northcross neighbors. However, City management stated from the beginning that a Wal-Mart Supercenter would continue to be part of the site plan. This undermined any claim of neutrality or ability to act on behalf of the neighborhood groups. City management also directed Lincoln Property Company not to meet directly with neighborhood groups or RG4N.

In addition, the City's choice to hold the Feb. 21 meeting at the offices of Armbrust & Brown, the law firm retained by Wal-Mart, rather than at City Hall where previous meetings on this issue took place with neighborhood associations and RG4N, echoes City management's stated position that a Wal-Mart Supercenter be included in any Northcross development. It also indicates the degree to which the City is working to facilitate the developer's needs.

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***Citizens Owed Explanations***

RG4N approached the moratorium period in good faith to find a solution that is profitable for Lincoln and also addresses the concerns within the surrounding neighborhoods, even going so far as to develop an alternative site plan concept. RG4N has repeatedly sought to partner meaningfully with the City and Lincoln, including an as-yet unanswered February 12 request for City support for a neighborhood-wide charrette to further develop RG4N's design concept. Yet approval of funds for litigation counsel at this time sends a clear message that the City believes litigation is the way to resolve this dispute. Concerned citizens working with RG4N cannot help but feel that their own efforts might better be focused on litigation in order to be on an even footing with the City.

RG4N calls upon the City of Austin to explain its actions to the citizens:

- How it can justify paying \$224,000 in tax payers' dollars to defend Lincoln Property Company's illegally-approved site plan to build a Wal-Mart that has been rejected outright by more than 3,000 survey respondents living closest to the development site?
- Can the City explain how it is working for the citizens, and not for Lincoln and Wal-Mart?
- Did the City management and City Council review Lincoln's response prior to taking this action?
- Does the City intend to support a neighborhood charrette to truly involve this community in planning for the Northcross redevelopment?

RG4N calls upon the City Council to cancel all contracts with Scott, Douglass & McConnico, LLP regarding the Northcross development and instead to act on behalf of its citizens, and to direct City management to focus its efforts on seeking a fair solution for the benefit of all concerned parties. RG4N also calls on the Council to direct City management to take a truly neutral position in attempting to resolve the Northcross dispute.

"Austin has a great reputation as a livable and creative city with a high quality of life. It's a great place to live, run a business, go to school and so much more. We hope the City will not only explain its actions, but also get back on track protecting our neighborhoods rather than spend taxpayer dollars fighting battles on behalf of developers," says Paige Hill, president of RG4N.

### **About Responsible Growth for Northcross**

Responsible Growth for Northcross is a group of citizens from the Allandale, Brentwood, Crestview, North Shoal Creek, Rosedale and Wooten neighborhoods currently fighting to stop the planned redevelopment of Northcross Mall by Dallas-based Lincoln Property Company, which includes a 225,085 sq. ft. 24-Hour Wal-Mart Supercenter. Responsible Growth for Northcross is working to develop a mutually beneficial, growth-oriented solution for Northcross Mall. The proposed RG4N solution preserves the character, diversity and quality of life of the six neighborhoods surrounding Northcross. It addresses the need and concerns expressed by Austin citizens, businesses and organizations, and strives to ensure a successful, highly profitable endeavor for Lincoln Property Company and all concerned.

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