

66Austin Neighborhoods Council
2012 Neighborhood Summit
Organizing Neighbors and Empowering Neighborhoods
August 22, 2012 7:00 p.m. 721 Barton Springs Rd. Austin, TX.

Call to order and introductory remarks by Steven Aleman at 7:00 PM. Steven explained ANC wanted to offer additional training to neighborhood associations this August. The Summit is in response to neighborhood issues and questions ANC has received most often over the past year.

Organizing on a Neighborhood Level: Legal Considerations

John Vinson, John W. Vinson, PLLC.

Steven introduced John Vinson who is from the Windsor Park neighborhood. His firm focuses on non-profits, charities, and probate law, and has represented and advised neighborhoods on a variety of issues.

John explained that membership in voluntary organizations and neighborhood associations has skyrocketed over the last 30 years. He emphasized the importance of the business and operation of neighborhood and homeowners associations to the community and society at large. To engage in best practices will be increasingly important so groups can manage their concerns smoothly and fairly and also avoid lawsuits.

John explained the duties and obligations of non-profit directors and board members. The three main duties to managing an organization are: obedience, due care, and loyalty.

Obedience is the duty to follow the organizational document such as the bylaws, covenants, and assessments, and to best carry out the mission. Knowing the statutes, filing, and tax deadlines is part of this duty. Getting expert opinions, such as legal and accounting advice can help avoid liabilities.

The duty of due care requires directors to actively participate in the management of the organization, attend meetings, evaluate reports, read minutes, review the performance of employees, and to participate fully on the board. John explained the usefulness and importance of establishing committees to fulfill some duties on narrower issues, subject to the direction and control of the board. In Texas, care and good faith for all board actions and the use of experts will protect associations from litigation. John stressed the importance of recording votes, the recording of minutes for every board meeting, the director's familiarity with records and documents of the organization, and regular financial audits.

The duty of loyalty to the organization takes in account written policies to avoid conflicts of interest and the IRS code as a source of other prohibitions.

Minutes are the association's evidence of proper action as well as an historical record. Everything should be recorded and John recommended getting training for secretaries.

He explained the difficulty in taking of careful notes and then synthesizing those notes into a comprehensible account. Meetings should never reflect discussions between directors on matters placed before them and should not include executive session discussions or privileged discussions with accountants.

John answered questions concerning the advantages of being incorporated, meeting notification, and political activity.

Steven commented that much of John's presentation was aspirational and lets neighborhood associations know what we are striving for.

**Development for the Neighborhood by the neighborhood.
Bo McCarver, Blackland Community Development Corp., LLC.**

Bo Carver, Blackland Community Development Association, shared the successes and mistakes of his 29 year involvement with the neighborhood. His neighborhood has both a neighborhood association and a neighborhood non-profit. The nonprofit was formed to acquire real estate. Bo recommended Texas C-Bar, a non-profit, as a resource to help find pro-bono lawyers and to assistance with bylaws.

Bo explained that dealing with code and zoning in an association will wear out leadership so he recommends fun and creativity. He stressed involving everyone is a project. Bo shared his neighborhood projects, how involving everyone makes a neighborhood a community, and the role of association leaders as facilitators for neighborhood projects and events.

Bo discussed the taking of risks and selecting projects that express your neighborhood's culture. He said that Kathy Tovo and Laura Morrison, who helped in past on his neighborhood's housing projects, have now as council members, helped to solve problem similar to those they encountered by participating in the housing projects.

Sustaining Neighborhood Associations Online.

Kevin Wier, NSCNA, National Neighborhood Association, LLC.

Kevin presented his new group called the National Neighborhood Association (NNA) and the website called MyNNA.com. Kevin explained that ANC is not endorsing this association but just giving him presentation time. NNA is a tool to help neighborhood associations to communicate, and it works with neighborhood association's own website.

Kevin explained some of the benefits of the NNA website which include: connecting online, conducting neighborhood association business more effectively, working with other neighborhood associations to solve problems, forming new groups, promoting civic issues, and providing fun and social networking.

The NNA is not intended to replace neighborhood association websites. It is a linkable support tool. NNA can replace yahoo groups or survey monkey, which can all be done thru the site. The site can be used to archive records, store photos, search for other groups by city/county/zip/national, and solve problems. The concept for the NNA is as a front porch gathering spot to chat and make things happen. At this time there is no fee for Austin neighborhoods.

City of Austin Neighborhood Planning

Carol Haywood and Paul DiGiuseppi, Planning and Development Review

Carol explained that neighborhood planning (NP) began in the late 90's with Dawson being the first neighborhood to adopt a plan. From 1998 through 2002, the first 2 combined NPs were adopted. Because plans were taking so long the city decided to combine 2, 3, or 4 neighborhoods at once. As of now, out of 60 planning areas, 50 have plans, and 29 plans cover 50 planning areas. There are 10 planning areas left (shows map). The next neighborhoods are South Manchaca, Westgate, and Garrison Park. Carol said Council passed a resolution in June to direct the city to do this plan. A

survey from focus groups of the last 4 planning areas revealed a complaint that the planning process is too long and participants are worn out. Carol said the city hopes to change this. She said there have been many requests for updates to NPs, which code says are eligible every 5 years after adoption but explained there is not always staff to do it. The city feels it is unfair to update and give a second chance to a neighborhood before other neighborhoods have had one chance. The city is making other neighborhoods wait for updates and have no process now for updates. Carol explained that a contact team could apply once every 2 years for a plan amendment to add to their plan.

Carol said the city will use Imagine Austin to decide where growth is going to go. Neighborhood centers and corridors will be done first. Carol answered questions about the permanence of FLUMS, requesting contact teams after an NA has refused to form one earlier, and requesting sidewalks.

Announcements: Steven stated that a representative from Austinites for Geographic Representation is available to speak with NA members who might want a presentation about PROP 3 at their next meeting.

Kevin Weir shared information and tips on what he learned from the STRs and comp plan debates and with dealing with these issues. He recommended being organized, focused on the issues, but flexible. What ultimately matters most is getting Council to pay attention.

Joann Bartz announces a Veterans Appreciation Day on Nov 10, at the Dottie Jordan Park from 10-12.

Adjourn.