

Pemberton Heights Neighborhood Association

*Pemberton Heights Neighborhood Association (PHNA) Board meeting held on
Wednesday, May 20, 2015 at 6:30 p.m. at Café Express, 3418 N. Lamar Blvd., Austin, TX 78705,
with the President presiding over the meeting.*

Board Members Present:

Tina Weinberger
Don Simkins
Frank Hartmann
Ally Kirk
Jane Hayman
Betty Trent
Eric Venditti

Non-Board Members Present

Erin Shanning
Carolyn Beynon

- I. Call to Order: 6:38 p.m.
- II. Reviewed and Approved Minutes from March 10th Board Meeting.
- III. Updates & Initiatives
 - a. Security Program: enough money raised in latest push to fund patrolling for the year. Tina Weinberger announced that there will be a new company taking over the patrol next month. The new company will get out and check properties that are on the Away from Home list. Tina Weinberger will send out communication that the goal has been met. Approximately \$30,000 came in from April and so far in May. Kimberly Comstock suggested putting “Current Resident” or something to that effect on mailings to the neighborhood, so that mail doesn’t get forwarded to someone no longer in the neighborhood.
 - b. Triangle Initiatives: Frank Hartmann doesn’t have any updates, except that all triangles have water, excluding Wooldridge and Gaston. Eric Venditti suggested sending a note out to the neighborhood that city infrastructure has been completed with the exception of the Wooldridge/Gaston triangle. Dalton Young has been going forward with setting up the 501c3 organization for the playground. Dalton Young and Betty Trent have been looking for someone to help. Question raised if it would it make sense to combine triangles and playground donations, but triangles would move faster than the playground, so may be difficult.
 - c. Pemberton Heights Streets & Sanitation: Final paving will occur from May 24-June 1. Kimberly Comstock requested more signs be posted to prevent speeding. Jane Hayman recommended having a police car posted there to help

enforce people driving around the Casis bus on Westover and Harris. Signs are \$50 each, but there can be a discount for bulk purchases. Kimberly Comstock has a call into the city to find out what needs to be done to have a sign posted.

IV. Officers and Committee Reports

- a. President's Report: Frank Hartmann didn't have anything to report.
- b. Vice President's Report: Tina Weinberger has said that she will reach out to non-members that have contributed to the security fund to see if they will join the neighborhood association. Tina Weinberger will receive membership list from Kimberly Comstock and then will release updated list to the board once she receives it. There will be an updated list by the next meeting. Betty Trent will put together a list of the things the board has been doing to encourage greater participation in the Association. Jane Hayman has requested access to new membership data in PayPal, but rather than giving this access, she will be provided the report on a monthly basis.
- c. Treasurer's Report:
 - i. 2015-16 Budget / Forecast: Budget for 2016 has not yet been done. Jane Hayman asked for clarity on triangle maintenance. It may be handled through the 501c3 that is currently being set up, but currently unclear. Even if the Association does need to cover maintenance, there are ample funds to cover it and don't need to raise dues.
 - ii. Expense Update: Kimberly Comstock looking into insurance. Will get bill in November and need to pay it in December.
- d. Secretary's Report: Ally Kirk reports that she is leaving August 4.

V. Committee Reports / Agendas

- a. Nominating Committee 2015-16: Kimberly Comstock, Ally Kirk, and Jane Hayman will not be running. Jane Hayman needs three, possibly four nominees.
- b. Policies & Procedures: Kimberly Comstock asked for any references to listserv to be removed. Change wording from being member of WANG to "organizations such as WANG." All board members in favor of the changes. NOTE: an addendum of updated Policies and Procedures is listed at the end of these meeting minutes.
- c. Social Activities: Betty Trent gave update on picnic with venue/caterer/date determined. Ashley Shanks will be doing carriage rides from her house this year, but has a conflict with the second week of December (the week of the 13th). Carriage rides should be on December 6th.
- d. Communications: Eric Venditti has closed the listserv and encouraged people to sign up to NextDoor. Committee registry updated with Tina Weinberger and Frank Hartmann serving as representatives. Need to still have Don Simkins work with Eric Venditti to serve as back-up for managing the website. Don Simkins has been looking into switching from PayPal to Braintree, but still has questions out to them, so has not moved forward yet with website training. Don Simkins will get names of and contact original founding Association members to get by-laws.

VI. Member Questions / Forum

- a. Erin Shanning provided overview on dog poop issue. She would like to brainstorm on ideas to try to prevent this behavior. Kimberly Comstock suggested she collaborate with Erin Shanley to put something out in the neighborhood newsletter. Betty Trent will speak with PARD about getting bags for the station at the Jarratt station. Erin Shanning will send an email out and gather data to assess next steps. She'll also see if there are other best practices from other cities to apply to our neighborhood.

VII. Next board meeting on July 15 at 6:30 p.m. at Café Express

VIII. Adjourned at 8:30 p.m.

ADDENDUM: Pemberton Heights Neighborhood Association Policies and Procedures

As amended May 20, 2015

Conduct of PHNA Board, Meetings and Committees

Board of Directors

Each elected director shall serve a term of two years. A person may serve as a director for a total of two consecutive terms and thereafter is eligible for reelection to such office after one year

The first meeting of the new membership year and new board will be conducted no later than the first week of December. The agenda for that meeting will include

1. An open reading of job descriptions as set forth in these Policies and Procedures.
2. Election of new board officers
3. Identification of the board member who will keep the calendar and publish regular and timely reminders to the Board regarding time requirements as set forth in these policies and procedures .
4. The newly elected board members will be reminded at the first meeting and also by the calendar keeper that if they are unable to fulfill their specified jobs within the designated time, it their responsibility to get another board member to do it for them.

Motions and deliberations

Board members may speak when recognized by the Chair except that a motion to remove and re-assign the Chair, and a dissent may be made when the Chair has unreasonably refused to

recognize the Movant.

The Chair shall recognize each Board member in turn. Discussion is limited to the business at hand and the speaker shall adhere to this requirement. A Board member may speak again when other board members have had an opportunity to speak for the first time.

A member or guest may speak if the Board wishes to hear him/her.

Voting

Three basic motions for each item of business:

A motion to adopt a specific action by the Board

A motion to table the item for another meeting, or

A motion to remove an item from consideration.

PROCEDURAL MOTIONS MADE DURING DISCUSSIONS:

To modify or withdraw a motion: only the original movant may modify or withdraw his or her motion. other Board member may modify a portion by presenting it in the form of their own motion, and if approved, the original motion as changed will go to a vote.

MOTION TO END DISCUSSION AND VOTE ON MOTION:

A request to the chair to bring the motion under discussion to a vote..If the

Chair refuses the request, the member may appeal the decision of the chair

(see below).

PROCEDURAL MOTIONS MADE ANYTIME:

Any member may appeal the decision of the chair. The matter than shall be brought to a vote before the Board. Nay member may move to suspend the rules including the reasons why the Board should modify the rules or procedures in an individual case.

METHOD OF HANDLING PROCEDURAL MOTIONS:

With acquiescence of all Board members to the motion, the motion may carry without a formal vote. If there is disagreement, about the procedural motion, the matter will be voted on by the Board. Once the Board has ruled, the motion is final. Only Board members may make procedural motions or any other motion.

DISCIPLINE AND ORDER:

By a majority vote of the Board, the Chair may be removed from presiding at a meeting and any other board member may be assigned to chair the meeting. Directors of the association are free from monetary damages for an act or omission in the directors capacity as a director, except when that director is found liable for: An act or omission that constitutes a breach of duty, intentional misconduct, a knowing violation of the law or a director receiving improper benefit, whether or not the benefit resulted from an action taken within the scope of the directors office.

If a Board member violates these rules or the decisions of the chair the chair may declare the member out of order. At the discretion of the chair, the member may be:

Warned without sanction

Excluded from the discussion of the business at hand

excluded from discussion of all types of business, or
Removed from that meeting for gross interference.

The member who is declared out of order has the right to appeal the decision of the chair both as to the question of whether the member was out of order and as to the questions of discipline. The Board shall approve or deny the appeal by a majority vote, except that the extreme sanction of removal from a meeting shall be upheld by a vote of at least 2/3 of the members of the board. If the Board upholds.

the declaration and/or discipline, the member has the right to dissent for the record before the imposition of sanctions.

PHNA Committees

Because it is the express goal of the Association to engage residents and build community involvement, a policy of comprehensive inclusion will be strictly observed. No member expressing a desire to participate will be excluded from any committee or PHNA supported activity.

Roles and Responsibilities of Board Members

President

1. Announces meetings to membership and develops agendas
2. Publishes preliminary agenda 14 days in advance of board meeting,
3. Receives requests from members for additional agenda items
4. Runs board meetings
5. Interfaces with associations insurance agent/ acquires necessary insurance f. Serve as

contact person for local government bodies

Vice President

1. Membership outreach and recruitment
2. Election management
3. If President or Secretary is unable to attend meeting, Vice President will perform their functions.
4. Maintains database

Secretary

1. Takes meeting minutes
2. Publishes draft minutes 14 days after meeting
3. Presents draft minutes to board for approval
4. Interface with webmaster to confirm that approved minutes are included in the PHNA minute archives.

Treasurer

1. Drafts budget for presentation to the Board
2. Pays bills
3. Keeps membership role, updating it as new members join\
4. Chairs Finance committee
5. Keeps books
6. Makes reports to board and Pemberton Journal

Treasurer Elect

1. Assists the treasurer

Traffic and Safety

1. Security Patrol liaison
2. Keeps track of criminal activity (if reported by residents or police)
3. Manages away from home list.
4. APD liaison as needed
5. Makes regular reports to Board and/or neighborhood as needed
6. Interfaces with treasurer fund raising campaigns for security patrol

Webmasters

At all times there will be at least two board members who have the capability to post items on the PHNA Website.

They will both be contact persons for website and listserv

Update information posted on website

Manages hosting account and PHNA officer emails.

Netiquette monitor

They will work with members of the association to

secure enhanced design, timeliness and maximized user friendliness of the website.

Government Affairs and Environment

1. Principal liaison with Austin Neighborhood Council, WANG, Austin City Council, Pease Park Conservancy, Shoal Creek Conservancy and other organizations (unless the organization otherwise assigned in these Policies and Procedures. e.g. APD)
2. Represents PHNA on the Central West Austin Neighborhood Plan Contact Team and WANG (West Austin Neighborhood Group) as appropriate.

Triangles and Environment

1. Serves as point person for development and maintenance of triangles
2. Liaise with PHNA members and city officials regarding street signs, street light issues and utilities.

Social Chair

1. Need not be a board member
2. Coordinates PHNA social events

Funds Management

For all accounts payable and any savings account:

1. At the end of each month the Treasurer shall report the PayPal summaries, bank statements, and check registers to the Board for review.
2. If any reviewing officer requires further information, it is the duty of that officer to request additional information, records or receipts related to the request for information from the Treasurer.
3. All checks in excess of \$3,000.00 shall have two (2) officer signatures.

Payment of Dues

PHNA membership dues are for a twelve (12) month period beginning October 1st and ending September 30th. (Section VIII of bylaws specifies that membership year begins on Oct. 1).

Records Review Process

1. Only PHNA Members may review the records of the PHNA.
2. Only the last three (3) years of records will be produced if requested.
3. A request for review must be presented in writing to the President of the PHNA. The request must specify the records that the PHNA Member wishes to review.
4. The officers will have thirty (30) days from the date of the request to provide the records by email or regular post. This request does not apply to Candidates seeking eligible voting Member lists during elections.
5. The names of contributors and PHNA members to the Security Fund and Triangle Funds shall be disclosed upon Member request. Specific amounts contributed shall be disclosed to members of the PHNA Board.

Elections Process

I. Nominations

1. A call for nominations will be posted by the Vice President on the PHNA website and Nextdoor by August 10th.
2. Any PHNA Member may nominate any Member of PHNA, including himself or herself so long as they are a dues paying (must be current) household interesting in running for and holding office.
3. Nominations must be made in writing by hand delivery, mail, fax or email to the Vice President. All nominations must include a first and last name, Pemberton Heights address, telephone number and/or email address for the Nominee.
4. Nominations for Board members must be received no later than 5:00 pm the Second (2nd) Saturday of the month of September.
5. Upon receipt of a nomination, the Vice President will confirm the eligibility of the Nominee, his or her willingness to serve and the name he or she wishes to be placed on the ballot. Within three (3) days following confirmation of eligibility, the Vice President will post the name(s) of the Candidate(s) on the PHNA website and Nextdoor.

II. Campaigning

1. Each Candidate is required to submit their bio including a statement of candidacy to the Vice President immediately following acceptance of their candidacy on or before October 5th. The Vice President will post this information about all of the candidates to the PHNA website and Nextdoor.
2. All comments, endorsements or other communications regarding the Candidates shall meet an "Netiquette Policy". Violation of this policy will result in an immediate disqualification of the Candidate's candidacy. The PHNA Board does not tolerate and accept negative campaigning nor endorse any blogs, posts, tweets, tags or any other social media activity posted Nextdoor as it relates to the PHNA election process.
3. Upon confirmation, Candidates may begin campaigning for election in person, by posting signage on private property (excluding all triangles), mail, fax and personal emails. The shall not be used for campaigning.
4. Candidates may request from the Vice President a list of PHNA members eligible to vote which shall be provided within three (3) days.

III. Election Judges

1. On August 15, the Vice President will solicit three (3) PHNA members to volunteer as impartial election judges whose duties will be to validate eligibility of candidates and count the ballots. The call for election judges will be posted on the PHNA website and Nextdoor.

2. The Vice President will verify the eligibility of each volunteer election judge and select three (3) impartial persons (PHNA Members) to serve as the panel of election judges. If more than three (3) eligible members volunteer, the designation of election judges will be determined on a first come first serve basis.
3. The names of each election judge will be posted to the PHNA website and Nextdoor as soon as his or her eligibility is confirmed by the Vice President.
4. Any Candidate may challenge the impartiality of an election judge. A Candidate that challenges the impartiality of an election judge(s) must do so within three (3) days of the election judge posting. Otherwise the Candidate(s) waive the right to challenge the judge's qualifications. A written challenge to an election judge must be presented to the Vice President and accompanied by handwritten signatures of five (5) PHNA members.
5. If three (3) or less election judges cannot be selected prior to November 2nd, the number of open election judge positions will be filled by PHNA officers in the following order: Secretary, President, Vice-President, Treasurer. If any of the officers listed are running for a board position in the election, that officer will be automatically disqualified from undertaking the election judge duties.
6. The election judges will decide and designate one (1) of themselves to be the recipient and custodian of the ballots from the time they are submitted until the final validation and ballot count is complete.

IV. Notice of Voting and Written Ballot Preparation

1. On or before September 15, the Vice President shall post the voting procedures listed in Section V. to the PHNA website and Nextdoor. Once posted, the procedures as initiated will continue as written.
2. All written ballots shall include the first and last name(s) of the candidates in an order pursuant to a random drawing by the Vice President and the Treasurer Elect and witnessed by one (1) other Board member.
3. All written ballots shall include a verification for the voting PHNA member to fill out which includes the voting PHNA member's first and last name, the PHNA members property address, email address, phone number and the PHNA Member's handwritten signature. Verification of voter eligibility will be at the discretion of the three (3) elections judges. The verification portion of the written ballot will be separated from the cast vote portion of the written ballot by the election judge(s) after verification of voter eligibility. Incomplete ballots missing information shall be disqualified.

V. Voting Procedures

1. Only PHNA members may cast one (1) vote per household. The first (1st) vote identified as eligible by the election judge(s) will be counted and subsequent votes will be discarded.
2. To be eligible to cast your vote, you must be current with your PHNA membership having paid PHNA dues for the current year. All PHNA membership dues must be postmarked on or before the last day of the election.
3. PHNA Members may contact the Treasurer to inquire about their voting eligibility and receipt of dues payment.
4. Voting will commence on the second (2nd) Saturday of October and end on the first (1st) Saturday of November.
5. Notice that Ballots are available will be posted to the, PHNA website and Nextdoor. Ballots shall be available via download (.pdf) from the PHNA website and in the October PHNA Journal. Members may choose one (1) of two (2) methods to cast their vote, either by written ballot mailed to PHNA or in person cast at the October PHNA Picnic.

The procedure for casting votes by written ballots is listed below:

1. Any ballot received outside the officially designated voting period (must be postmarked) will not be counted.
2. Ballots must be delivered to the Vice President by one (1) of the following methods: US Mail to the PHNA Post Office Box 50388, Austin, Texas 78763-0388 or by hand-delivery to the ballot box at the PHNA Picnic in October.
3. Ballots must include the PHNA Member's signature, first and last name, PHNA address, and either a telephone number or email address for verification.

VI. Procedures for Counting the Ballots, Disposal of Ballots and Votes

1. All eligible ballots will be counted and approved by the board between the first (1st) and second (2nd) Sunday of November at a date selected by the Vice President.
2. The Candidates and Members of PHNA will be notified seven (7) days in advance of the date, time and place for counting by posting to the PHNA website and Nextdoor. All PHNA members and Candidates are encouraged to observe the counting of the ballots.
3. After the ballots are counted, the election judges will inform those present of the outcome of the counting including the Vice President who's duty it is to inform members of the PHNA Board of the final outcome.
4. The Vice President shall inform all candidates by phone or by email of the outcome.
5. The results of the vote shall be published to the PHNA website and Nextdoor.
6. All ballots (whether rejected or counted) and the verification information will be retained by one (1) of the election judges until after the first board meeting of the new board and only discarded after the new board votes to allow the ballots to be discarded.
7. The new board will take office on December 1st.

VII. Successor Officers to fulfill the Election Procedure Duties

In the event the Vice President is unable to fulfill any of the duties listed above for technical or other reasons that will not allow the election to occur within the time frame outlined above, the election duties will fall to another PHNA officer in the following order: President, Treasurer Elect, Treasurer and Secretary. If any of the officers listed are running for a position in the election, that officer will be automatically disqualified from undertaking the duties and the job will pass to the next officer.

PHNA Journal.

Position of Editor

An editor will be eligible to serve a term of two (2) years. Prior to the end of an editor's two (2) year term, an announcement will be placed in the JOURNAL, PHNA website and Nextdoor soliciting information for those interested in appointment to the position of editor. The Board will review submitted qualifications and name a successor editor.