

**North Shoal Creek Neighborhood Association  
Meeting of the Board of Directors  
8608 Donna Gail Drive  
Thursday, April 19, 2012**

Board Members present: Kenneth Webb, Donna Eagar, Jeri Wines, Juliette Kernion, Ernie Garcia, Alice Kubacak, Lee Johnson

Absent: Sal Espinosa, Robert Seidel

**Item 1: Call to Order, Adoption of agenda**

President Kenneth Webb called the meeting to order at 7:08 pm.

Motion by Donna Eagar to adopt the proposed agenda with one change: the date for the minutes to be approved should be April 3. Seconded, approved by consent.

**Item 2: Approval of minutes from April 3, 2012 Board of Directors Meeting**

Motion by Donna Eagar to approve the minutes with no changes. Seconded, approved by consent.

**Item 3: Committee reports**

**Item 3.1: Treasurer's Report** – Jeri had no formal report since the previous meeting, but let the Board know that two new members joined NSCNA, using forms on the back of the newsletter.

**Item 3.2: Social** – Ernie said several people signed up already for the May 5 garage sale event. The event has been posted on the NSCNA website and Ernie is placing several ads. Kenneth printed the flyer to put on the NSCNA Event signs, which Ernie will put around the neighborhood within the week.

Kenneth also said that he plans to send an email soon to all NSCNA members asking them to volunteer to organize the July 4 celebration and serve as newsletter editor.

**Item 3.3: Media** – Juliette reported that Chip Rosenthal has offered to continue to handle Board and committee nscna.org email or mailing list requests, such as adding Lee Johnson to the Board list.

Juliette asked if a newsletter editor or Media Committee chair or coordinator had been found yet. Kenneth said no. Lee said he'd consider the possibility of helping with some areas of Media; Juliette offered to meet with him and talk about the status of media projects. Donna said she might be able to help as newsletter distribution coordinator when an editor is found.

**Item 3.4: Bylaws** – Kenneth said he's started looking at the NSCNA website archives to find older copies of the NSCNA bylaws to use for comparison. He's working to fix any broken links in the bylaws archives. Donna said she might have a hard copy of the 1998 bylaws and would let Kenneth know.

**Item 3.5: Membership** – Alice requested a current copy of the membership roster from Jeri, who said she would prepare one and send it to the Board.

#### **Item 4: Future Board meetings**

Kenneth reminded the Board that the next Board meeting will be on Thursday, May 24. He felt the Board would need to meet in June before the July 4 celebration in case any approvals were needed related to the event.

The Board discussed the current status of July 4 celebration organization. Kenneth said Marlene Bartlett secured a fire truck for the event. Donna said she would contact Amelia Cobb, former Social Committee Chair, to get a to-do list in terms of permits, insurance, etc. so we don't miss deadlines.

Donna asked Jeri if NSCNA would be able to afford the same level of July 4 celebration budget as in previous years. Jeri said that yes, NSCNA has more members than in 2011.

The Board agreed to set the June meeting for June 21. Kenneth will be out of town but Donna will be available and can preside.

Juliette suggested that Board meeting schedules be posted publicly, and that meetings be held in locations where members would feel welcome to attend as guests, as opposed to a private residence. Donna offered to check Village Christian Apartments for meeting room availability through July, and would let Board members know the results.

The Board agreed to set July 19 as a tentative date for a July meeting.

#### **Item 5: Rezoning of 8100 Burnet Road**

Donna showed the Board a flyer that was distributed to many homes in North Shoal Creek about the proposed development at 8100 Burnet Road, and pointed out inaccuracies in the flyer about the development and NSCNA's actions. The flyer urged residents to contact City Council to oppose the zoning change.

Donna explained what happened at the April 5 City Council meeting and why Kenneth, with her support, decided to tell City Council that NSCNA supported the zoning change. She asked Kenneth if he would post to the NSCNA website a version of the email he sent to Board members after the City Council meeting, since it contained a clear explanation and would counter inaccurate information in the flyer.

Juliette agreed with Donna in requesting Kenneth post about the City Council meeting decisions and also, include an explanation about the resolution at the April 3 Board meeting that permitted the decision to support. Kenneth said he would post the information to the NSCNA website, despite concerns that it might cause more difficulties than it could solve.

Juliette agreed to try to complete drafts of Board and general meeting minutes quickly so they could be posted to the NSCNA website to keep members informed about resolutions and actions taken.

Kenneth said that at the February special called meeting, the membership approved a resolution that did not approve the draft of the covenant agreement available at that time, and therefore objected to the zoning change until an acceptable agreement could be reached. He took the objection to City Council offices after that meeting, so that was the latest opinion from NSCNA that City Council had on file at

the April 5 meeting. He said furthermore, Summit Condos representatives had met with City Council before the meeting to share their approval of the zoning change.

Kenneth pointed out that it is difficult to take a Board or membership vote on a pressing issue when 5 days' notice is required for a special called Board meeting and 10 days' notice for a special called membership meeting. Juliette said while this is true, no formal notice is required to call a Development Committee meeting, and the committee had not met since February.

Kenneth said City Council staff are currently working to see which parts of the covenant agreement can be added to the overlay that would "travel" with the property if it were flipped or resold.

Alice asked what the next steps are in the process. Kenneth said the City Council still must have second and third readings of the proposed zoning change, which could occur during a single meeting. Donna asked if testimony would be closed on these readings, and Lee said he thought it would be a public hearing where anyone would be able to speak.

Alice suggested a letter-writing campaign to change Council member opinions about the development. Donna replied that at the April 5 meeting, she could tell from the way some people were acting that the zoning change was a done deal.

Juliette asked exactly what was in the latest covenant agreement, which had not been distributed to the Board or NSCNA membership. Donna said it was in the City Council minutes and could be looked up there.

Donna felt that NSCNA representatives should go to the next City Council meeting and say that the neighborhood understands that density is inevitable, but that the City will need to address the subsequent traffic issues on Burnet Road.

Alice wanted to encourage members and neighbors to go to the next City Council meeting and voice opposition to the development, as individuals. Donna said she felt the odds of the City Council conceding on this issue were very poor. Lee said that at this point, the best strategy might be to work with City Council staff to get as much of the agreement as possible into the property/zoning overlay.

Donna noted that one point for negotiation is control over the traffic-calming funds the developer would provide as part of the agreement. She said NSCNA must be part of the negotiation process to finalize the agreement with the developer or risk losing any voice in how the funds might be used.

Juliette asked who from NSCNA should be working on the negotiations. She felt a committee or group should be involved, possibly the Development Committee. Donna said Development Committee Chair Kevin Wier should be the negotiator or in charge of the group/committee. Lee said the Development Committee should be working on the covenant agreement.

Kenneth said the NSCNA membership needed to vote at the May meeting to reverse its March 6 opposition, approve the covenant agreement and continue working with the developer to finalize the agreement.

Motion by Juliette Kernion: That the Development Committee be directed to continue to participate in the 8100 Burnet covenant agreement process in cooperation with City staff, the developer, and other interested parties; reporting weekly via email to the President and the Board of Directors on the status of the project, and holding committee meetings as part of their decision-making process. The committee will make recommendations to the Board regarding the covenant agreement and other aspects of the project, to be reported to the general membership. Seconded.

Lee asked if NSCNA had an email list of NSCNA members. Jeri said yes, and that she would update it with the newest members.

Motion approved unanimously.

Kenneth said it had been suggested that the Development Committee meet on Sunday regarding 8100 Burnet, but that Kevin said he didn't have time to organize a committee meeting, although he could attend it. Donna agreed to set up the meeting for the Development Committee at 2 pm Sunday at the Village Christian Apartments meeting room.

#### **Item 6: New Business**

Kenneth asked if the Board thought he should post something to the NSCNA website about the right of individuals to contact the City Council regarding 8100 Burnet Road. Donna suggested posting that information as part of the email he agreed to send about the actions taken at the April 5 City Council meeting.

#### **Item 7: Adjournment**

Motion by Donna Eagar to adjourn. Seconded; adopted unanimously. Meeting adjourned at 9:32 pm.

Minutes submitted by Juliette Kernion, Secretary, North Shoal Creek Neighborhood Association.

Minutes approved at NSCNA Board of Directors Meeting, May 24, 2012.