

**North Shoal Creek Neighborhood Association
General Membership Meeting
November 1, 2011
Pillow Elementary School**

1. Call to Order and Adoption of Agenda

The meeting was called to order at 6:40 PM by President Chip Rosenthal. Motion by Dallas Maham to adopt the agenda; seconded. Adopted by consent. Motion by Sherran Williams to add an item re: posting bylaws on the website; seconded. Motion to change agenda passed.

2. Approval of Minutes

Motion by Kevin Wier to approve the minutes of General Membership Meeting of September 6, 2011; seconded. Motion passed.

3. Officer Reports

- a. Treasurer's Report. Jeri Wines reported balance on hand of \$4404.02. Motion by Dallas to accept the report; seconded. Motion passed.
- b. President's Report. Chip Rosenthal notified the membership that the board had officially moved the date of NSCNA's official annual meeting from January 3, 2012 to January 10, 2012 because of conflict with the Pillow School schedule.

Members are encouraged to vote. Our polling place is now North Village Library.

The Association is working to facilitate transition over to the new board year and to continue to build committee membership.

4. Committee Reports

- a. Nominating Committee. Alice Kubacak chairs the committee which includes Tomas Rodriguez, Chip Rosenthal and Mary Jane Wier. Please let one of the members know if you are interested in participating.
- b. Social Committee. Amelia Cobb described plans to hold another Winter Luminaria Walk at Pillow Elementary on Thursday, December 15.
- c. Safety Committee. Chip Rosenthal announced our new District Representative (DR) is Special Police Officer (SPO) Christo "Chris" Megliorino. He can be contacted at Christo.Megliorino@austintexas.gov or 512-974-5852.

Concerns about truck traffic on Rockwood and cut-through traffic and speeding on McCann/Primrose/Rockwood have been brought to his attention.

5. **Old Business**

- a. Chip provided updated information on the NPP program. In October 2010, the membership approved up to \$20,000 toward a city matching grant to improve the sidewalks in the neighborhood. Since that time, the city has repaired some of the problems and the remaining problems are either classified as “serious” and beyond the scope of this project or “too scattered” to achieve the financial benefit of economy of scale. It is now time to decide if NSCNA wants to respond to the City’s invitation to submit an application. The board has discussed the project and unanimously recommends revocation of the authorization. The decision is up to the neighborhood.

Motion by Dallas to reconsider last year’s action re: NPP sidewalk repair. He supported the motion when it was approved in October 2010. The motion was seconded and followed by discussion. The vote: 15 members voted to reconsider the application and terminate the NPP program. 3 members voted to continue with the project. NSCNA will not be continuing with the NPP program

(NOTE: normally it takes a supermajority to overturn past votes, but notice was given by the NSCNA, so a supermajority is not needed.)

- b. Kevin Wier, chair of the Development Committee, presented the following Short Term Rental draft resolution for consideration and potential adoption by the membership.

- 1. North Shoal Creek Neighborhood Association does not want short-term rental of residential property in our neighborhood.

- 2. North Shoal Creek Neighborhood Association supports restricting short-term rentals within our neighborhood to Homesteaded property that is also the owner’s primary residence. If the property meets these two criteria, then the Homesteaded owner-occupier may rent out this primary residence for a period of no less than ten (10) days for a total number of days not to exceed thirty (30) days per year (10 x 3= 30; 15 x 2 = 30). If a property is rented for a ten-day period, it cannot be rented again until that ten day period has expired.

- 3. Any rental period of thirty days or more is not considered short-term rental and is not restricted by this resolution.

Definitions:

Short Term Rental is renting a residential property for a period of less than 30 days. Short Term Rental includes commercial short-term rental and vacation rental by owner.

Homesteaded property is property that has received a Travis County property tax Homestead exemption. For the purpose of this resolution, homestead includes the owner’s home, garage apartment, second house on same lot or “granny flat” and duplexes where the homesteaded owner occupies one side. So, all these instances would also be restricted in their short term rental.

Explanation Detail:

Homesteaded and owner-occupied primary residence:

1-9 day rental is prohibited.

10-day rental up to 29-day rental is allowed for a maximum of thirty days cumulative total per calendar year (10 x 3= 30; 15 x 2 = 30). If a property is rented for a ten-day period, it cannot be rented again until that ten-day period has expired.

30-day rental or more is not considered short-term rental and is allowed.

Non-homestead or non-owner-occupied primary residence of owner:

1-29 days is prohibited. No short-term rental is allowed.

30-day rental or more is not considered short-term rental and is allowed.

Investor-owned, business-owned, residence owned for commercial purpose:

1-29 days is prohibited. No short-term rental is allowed.

30-day rental or more is not considered short-term rental and is allowed.

Discussion followed. Bob Easter handed out information to support short-term rentals. Motion by Dallas to table the vote/discussion: 8 members voted to postpone; 10 members voted to settle the issue today. The motion to postpone fails. Ken Moyer voted to grandfather in existing properties in the neighborhood so they may continue operating under current rules; no second. Motion fails.

Chip called the question to vote on the language presented by the Development Committee. 13 members voted to adopt the draft resolution; 5 members voted not to adopt. The vote passes and the draft resolution is adopted.

6. Adjournment

Meeting was adjourned.

Minutes submitted by Cheri Hartman (filling in for Donna Eagar, Secretary)

Approved at NSCNA General Membership Meeting on January 10, 2012