

The minutes of the Old Austin Neighborhood Association (OANA) held on February 16, 2009, at 601 W 11th Street follow below. The agenda from the meeting notice was followed as shown below.

DRAFT AGENDA

1. Call the meeting to order – Ted Siff
2. Welcome, Introductions and any personal announcements – All
3. Discussion and setting of the official agenda
4. Report on status, discussion and possible action on the proposed zoning at 800 West Avenue – Bob Ohlendorf, Ted Siff, others
5. Report, discussion and possible action on Neighborhood Historic District for a portion of the Old Austin Neighborhood – Susan Morrison
6. Report on new trash cans on West 6th Street and possible placement of other new trash cans – Merrick Biri
7. Discussion and adoption of more formal structure for Old Austin Neighborhood Association – Tom Buckle
Issues to decide:
 - Registered Agent
 - Registered Office address
 - Organizers (3)
 - Board of Directors (7)
 - Officers and who elected them
 - Membership criteria
 - for individuals
 - for families
 - Other
8. Other business - All
9. Set future meeting date and adjourn – Ted Siff

The meeting began at 6:00PM as scheduled; after the call to order, introductions, and acceptance of the meeting agenda, Ted and Bob gave the current status of the development at 800 West Avenue.

- On February 12, Bob Ohlendorf received a call from Robert Heil, City of Austin, alerting him to the fact that the applicant had changed their zoning request by moving the requested zoning back 100 feet from West Avenue. Robert also said the 3rd reading for the zoning request was on the Council agenda for Feb 13.
- Bob Ohlendorf notified Ted Siff and based on the short time frame before the Council meeting, and assuming the change to the zoning was made to reduce the number of valid petitioners below 20%, Ted and others requested that the 3rd reading be delayed to a later Council meeting.
- Late on February 12 Robert Heil sent out emails indicating that the petition was still valid with 21.25% of the property owners within 200 feet of the project opposing the change.
- With the petition being valid, OANA remains opposed to the zoning change.
- At the Council Meeting on February 12, the 3rd reading was delayed until the Council meeting on March 5.
- Bob Ohlendorf expressed concern that if the Council passes the 3rd reading zoning request, there will likely not be another public meeting to protest the projected developer plans to build almost entirely in the 25 year flood plain. This is based on the action of the same developer, Cypress Realty, attempting to gain a flood variance for the project at 800 W 6th. Both Ted and Chris Riley opposed the request for the a flood at 800 W 6th.
- **ACTIONS:**
 - Ben Proctor and Bob Ohlendorf to re-contact petitioners to be sure they have not changed their mind.
 - Ben Proctor will ask Richard Suttle for a meeting to find the latest status about the development at 800 West Avenue.
 - Al Stowell will find out the current status of the flood variance request for the development at 800 W 6th.

Susan Morrison discussed briefly the work required for obtaining Historic District status.

- **ACTIONS:**

- Susan will send her notes to Ted for distribution to the OANA members.

Merrick Biri reported that Cap Metro placed trash cans on West 6th Street at San Antonio, Rio Grande, and West Avenue. Merrick had initiated these requests. Merrick asked members to thank Laurie Shaw and Jennifer Golech at Cap Metro; he further asked that all members be vigilant about the City picking up the trash from the cans and cleaning the street light posts. Should anyone want to contact Laurie and Jennifer, email addresses are:

Laurie.Shaw@capmetro.com

Jennifer.Golech@capmetro.com

- **ACTIONS:**

- Merrick Biri to send thank you letter on OANA letterhead to Willie Rhodes for placing trash cans.

Tom Buckle led a discussion and review of the proposed “Certificate of Formation of Old Austin Neighborhood Association A Nonprofit Corporation” as a 501C4 organization.

- Tom Buckle commented that the Secretary of State may not approve the name “Old Austin Neighborhood Association” because of the similarity to ““Old West Austin Neighborhood Association”. Many felt that “Original Austin Neighborhood Association” may be a more descriptive and better name.
- As a 501C4 organization, donations will not be tax exempt. To obtain tax exemptions, a 501C3 organization is required.
- References below relate to proposed changes to the draft that Tom and Ted had distributed before the meeting; there may be others but these were all that I noted.
 - Article II – Purposes.
 - Change “residents” in the second line to “leasees”.
 - Delete all words after “historic character...” in the last sentence of this paragraph; and,
 - Add, after “historic character...” “...and enhance the well being of the residence and the property owners.”
 - Article V – Registered Office and Registered Agent
 - Ted Siff agreed to be the registered agent.
 - Article VI – Organizers
 - The names of the organizers proposed were:
 - Susan Morrison
 - Mark Holzbach
 - Albert Stowell
 - Article VII – Governing Authority
 - The proposed names for the Board of Directors are:
 - Ted Siff
 - Mark Holzbach
 - Stan Pitkin
 - Susan Morrison
 - Albert Stowell
 - James Powell
 - Blake Tollett
 - Bob Ohlendorf
 - Susan Sullivan
 - Article IX – Cumulative Voting
 - Delete the paragraph on cumulative voting.
 - Article X – Action without a Meeting by Members, Directors, or Committees

- Where possible add email as an accepted method of notice.
- Article XII – Indemnification
 - Although not a recommended change, comments were made that Directors and Officers liability insurance may be appropriate.
- Article XIV – Member Consent Required for Fundamental Actions
 - Requests were made to define “majority” and “fundamental actions”
- **ACTIONS:**
 - Tom Buckle to update “Certificate of Formation”; send updated document to Ted Siff
 - Tom Buckle to define “majority” and “fundamental actions”
 - Ted Siff to distribute updated “Certificate of Formation”
 - Chris Riley will check to see if the domain name of www.originalaustin.org is available.
 - Members of OANA should raise any issues not discussed to both Tom Buckle and Ted Siff.

There was no “Other Business”.

The next meeting was set for March 16, 601 West 11th beginning at 6:00PM. Two items on the agenda will be to vote on the Certificate of Formation, and begin a discussion on the proposed Bylaws.

Noted by Bob Ohlendorf