



Minutes
Board of Directors Meeting
9 August 2009

Call to Order:

Priscilla Boston called the meeting to order at 4:18 PM.

Quorum:

A quorum was present:

Priscilla Boston

Jane Walton

Mary Evelyn Daughety

Sherri Whitmarsh

Kay McManus

Agenda:

The agenda was amended as follows:

1. Approve minutes 31 May 2009 meeting
2. CHULA organizational business
 - a. Consider resignation of Lisa Schemanske
 - b. Discuss replacement board member
 - c. Board communications between meetings
 - d. Adopt RFP process and template
 - e. Financial report
 - f. Website report
3. Board Liaison reports on 2009 projects
 - a. Walton: FLWR bench
 - b. Boston: Outdoor movie night
 - c. Boston: FROG herb garden
4. Discuss remaining projects for 2009
5. Cherrywood Art Fair update
6. Future meetings

1. Approve minutes 31 May 2009 meeting:

Kay moved that the minutes be approved as submitted, Sherri seconded, and the minutes were approved unanimously.

2. CHULA Organizational business:

a. Consider resignation of Lisa Schemanske: Lisa is resigned from the Board due to other time commitments. Priscilla moved to accept her resignation, Mary Evelyn seconded, and the motion carried unanimously.

b. Discuss replacement board member: Lisa's resignation leaves a vacancy in the landscape area. Several suggestions were made including Lee Clippard or another FLWR member, or two of Mary Evelyn's neighbors. The consensus was to approach Lee first, and the Austin Heights neighbors second. Priscilla will discuss with Lee.

www.chulaleague.org

PO Box 4283

Austin, TX 78765

Directors:

Priscilla Boston, Chairman

Mary Evelyn Daughety, Vice-Chair

Jane Walton, Treasurer

Erika Allbright, Secretary

Directors at large:

Kay Hereford

Kathleen McTee

Lisa Schemanske

Sherri Whitmarsh

c. Board communication between meetings: It is not clear from responses whether the Google Group is an adequate place to hold discussions. After general discussion, it appears the site is working, but the policy of responding to official communications such as voting on motions or commenting on documents needs to be adopted by all. This is a reminder to please respond to all official communications you receive from the Google Group with a reply-all. (After adjournment we reviewed the Google Group settings and it appears everyone's permissions are correct.)

d. Approve RFP Process: The current process and template as revised were reviewed. Kay moved that the process and template be adopted, Sherri seconded, and the motion was approved unanimously. Process document attached to these minutes.

e. Financial Report: The January through July financial statements were presented by Jane. Kay moved that the financial report be accepted, Sherri seconded, and the financial report was accepted unanimously. Financial report posted to web site.

f. Website Report: Jane reported that the two website were live on July 27th, slightly ahead of schedule. While the Art Fair website is quite complete, the content on the CHULA website needs more work. Jane suggested quarterly reviews of CHULA content. Priscilla would like to downplay the full legal name of CHULA in favor of the acronym on the website. She will give specific suggestions for changes. Priscilla will provide a copy of the recent flea article for the CHULA site. The member list should be entered via a database and kept on the web site. The Board commended the completion of the two sites.

3. Board Liaison reports on 2009 projects:

- a. **Walton: FLWR bench** – The RFP process has been explained to the FLWR group, and a RFP for the Willowbrook Reach bench or table has been given to them for completion. Awaiting the completed form to proceed. Not likely until the fall.
- b. **Boston: Outdoor movie night** – Difficulties with getting the pool, the extreme heat, and inability to find an active project manager have postponed this project until the fall.
- c. **Boston: FROG herb garden** – This is already underway, but an RFP form will be completed retroactively to post on the web.

4. Discuss remaining projects for 2009:

- a. **Yoga at Asbury** – Priscilla Boston – Maddie Kadas will be teaching yoga classes at Asbury starting after October 1 and will donate all proceeds to CHULA and/or CAAF. We will provide some promotion of the event.
- b. **Outdoor Movie Night** – Priscilla Boston – will do RFP for fall event
- c. **Little/Big Gardner** – no board liaison
- d. **Project Picnic** – no board liaison

- e. **Traffic Islands** – Priscilla Boston – will do RFP for \$1,000 for both islands
- f. **Talent Repository** – Sherri Whitmarsh – probably will begin in January 2010
- g. **Clarkson fence** – no board liaison

5. Cherrywood Art Fair update:

Art Fair report attached to these minutes. New fee structure approved, application on line, 50 responses to date, most on line. Food agreements are progressing but not complete. Two artists signed for Little/Big Artist. August tasks are underway.

6. Future meetings:

The next meeting will be October 4th at 4 pm at 1606 Wilshire

10. Adjournment:

The meeting was adjourned at 6:18 pm.

Investigative Report:
The City of Austin Cultural Arts Fundraising Programs
For
The Cherrywood Urban Landscape and Arts Organization



Cultural Arts
Division



Cultural Arts
Division



Cultural Arts
Division



Cultural Arts
Division



Cultural Arts
Division



Investigative Report:
The City of Austin Cultural Arts Fundraising Programs
For
The Cherrywood Urban Landscape and Arts Organization

The purpose of this report is to investigate The City of Austin Cultural Arts Fundraising Programs (hereafter referred to as, CAFP) as is relevant to The Cherrywood Urban Landscape and Arts (hereafter referred to as, CHULA). General information about CAFP programs and the application will be presented as well as an evaluation of CAFP as a worthwhile opportunity for CHULA to pursue.

The City of Austin Cultural Arts Fundraising Programs (CAFP)

As part of their investment in the arts, cultural and creative industries of the community, the City of Austin manages funding programs to provide financial support to organizations and individuals for specific contracted services. They do this through a competitive application and review process. A few examples of the types of organizations awarded funding by CAFP are; Tapestry Dance Company, Center for Women and Their Work, Austin Shakespeare Festival, Hyde Park Theatre, Ballet Austin and One World Theatre.

2008-2009 CAFP Funding Awards

Last year, the CFAP awarded a total of \$5,486,606 to local organizations and individual artists around the Austin area. 23 new applicants received funding in 2009. Small, arts and cultural organizations are represented throughout the categories of CAFP-funded organizations (See Figure 1.1).

For new applicants, CAFP cannot award funding in excess of \$5,000. This amount can increase up to \$100,000, depending on the amount of years involved with the CFAP and the organizational budget .

CAFP Application Timeline

The following table provides a sample timeline for applications, review and final awards. The example is based on the 2008-2009 fiscal year. The deadline for 2009-2010 CAFP applications has passed already. However, if CHULA chooses to pursue the CAFP application, there will be ample time to ensure the development of a quality application package. The deadline for the 2010-2011 year is May 1st, 2009.

General Timelines*

March: Notification of application deadline. .

May 1st: Deadline for submitting applications and attachments.

May/June: Cultural Arts Staff reviews applications and requests clarifying information from applicants.

June/July/Aug: Review Panels meet to review and evaluate applications.

July/August: Funding recommendations are calculated by Cultural Arts staff based on panel scores, category requirements, and funding availability using the funding allocation matrix. Austin Arts Commission Review Committee audits the review panel process results and presents results to the entire commission for recommendations. Austin Arts Commission recommendations are forwarded to City Manager and City Council for final approval.

September: City Council approves City Budget.

End of September: Awards are publicized. Notification letters are mailed to all applicants. Applicants not recommended for funding are notified of the panel score and information about the appeal process.

CAFP Programs and Eligibility Requirements

I. Project Support Program

- Funding is available to smaller, nonprofit organizations and cultural organizations for specific arts/cultural projects.
- Funding is also available to other nonprofit organizations that meet the requirements for presenting quality arts programming for specific arts and cultural projects or who apply on behalf of unincorporated arts groups.
- Funding is available for specific arts/cultural projects.

* Eligibility for Project Support Program is based upon the organizational budget and project budget.

*Requests for organizations in the Project Support Program are allowed up to \$100,000. However, new applicants can be awarded no more than \$5,000 for the first year accepted into the CAFP.

I.I Minimum Requirements for All Organizations

- Organizations must be a 501c organization (as evidenced by a current IRS determination letter or copy of the most recent Form 990 filed with the IRS).
- Organizations must be located in Austin or its Extra-Territorial Jurisdiction (ETJ) and provide programs and services for citizens of Austin and/or the ETJ.
- Organizations must be at least a year old and have an active volunteer board of directors that meets at least three times a year.
- Public activities and services must occur within and for the benefit of the residents and visitors of Austin and/or its Extra-Territorial Jurisdiction (ETJ).
- Activities and services must be open to the public.

II. Project Support II Program

This is the sister program to the Project Support Program. The purpose of Project Support II Program is to provide support to micro and small arts and cultural organizations, other nonprofit organizations, sponsored projects and individual professional artists providing arts and/or cultural services.

* Eligibility for Project Support II Program is based upon the organizational budget and project budget.

*Requests for organizations in the Project Support II Program are allowed up to \$5,000

II.I Project Based Support Requirements for Organizations:

- Micro nonprofit arts and cultural organizations,
- Nonprofit organizations that meet the requirements for presenting quality arts programming,

- Smaller non-profit arts and cultural organizations who are implementing smaller, community based projects,
- New applicants – An organization or artist that has not received funding through the Cultural Arts Funding Programs for two cycles within the last five fiscal years,
- Sponsored projects of groups and individual artists.

II.II Eligibility Requirements for Organizations

In addition to the General Eligibility Requirements, applicants must also meet all of the following requirements:

- Organizations in operation for at least a year.
- Have qualified artistic, administrative and management leadership (professional or volunteer) capable of completing the proposed project.
- Proposed activities must start no earlier than the first day of the City of Austin's next fiscal year (October 1) and end no later than the last day of that same fiscal year (September 30)
- Be a 501c organization or be sponsored by a 501c organization
- Provide IRS Form 990 for the two most recently completed fiscal years. If you were not required to submit a 990, then submit a letter stating so.

III. Rules for the usage of CAFPP funds

What will be funded through the CAFPP?

- * Production costs
- * Artistic fees
- * Project coordination (including staffing)
- * Audience development
- * Outreach and marketing
- * Other direct costs specific to the project outlined in the application for funding.

The City of Austin will NOT fund:

- * Governmental agencies or public authorities.
- * Educational institutions, including public or private schools, colleges and/or universities.
- * Applicants that have a "delinquent" status with the Cultural Arts Funding Programs.
- * An operating deficit or budget shortfall projected for the funding period or incurred within previous fiscal periods.
- * Previously completed activities.
- * Cash reserves or endowments of any kind, as awarded funds are to be expended within the designated funding period.
- * Private events or any activities offered for the sole purpose of raising

Funding may not be used for...

- * Costs associated with the start-up of a new organization. +
- * Direct project costs incurred more than 60 days prior to the grant starting date. +
- * Fund-raising expenses. +
- * Consultants who are members of an applicant's staff or board.
- * Payments to students. +
- * Grant management costs, grant writing fees, application preparation costs, sponsorship fees, or any other grant preparation and management fees. They may be used as match, however.
- * Operating costs not associated with the project.
- * Purchase of awards, cash prizes, scholarships, contributions or donations. +

money in excess of the value of programs or services delivered.

* Programs and/or services of Austin-based arts and cultural organizations that benefit other cities or regions

* Applications that do not support nonprofit, public art activities or projects that benefit a for-profit business or activity.

* More than one application per eligible program.

* Sponsored projects that benefit the sponsoring organization or are an extension of the sponsoring organization's programs or services.

* Food or beverages for hospitality.

* Entertainment or reception functions.

* Existing deficits, fines, contingencies, penalties, interest or litigation costs. +

* Internal programs at colleges or universities. +

* Curriculum development or curricular activities. +

* Scholarly or academic research, tuition, and activities which generate academic credit or formal study toward an academic or professional degree. +

* Creation of textbooks / classroom materials.

The Application for the CAFP

I. The CAFP Application

The CAFP application consists of 7 sections. The application components are listed below.

Section 1 Summary Information

Applicant/Sponsor Name & Address
Sponsored Project
Project/Activity Title
Funding Program
Organization Budget Size
Artistic Discipline
Project Summary

Section 2 Applicant Information

Name, Address, and Telephone Number
Federal Tax I.D. Number
Contact/Project Director
Board Chair
Sponsored Contact/Project Director
List sponsored contact information here, if applicable.
Applicant/Sponsored Race Codes
Project Race Code
Arts Education Code
Project/Activity Title
Start Date/End Date

Section 3 Organizational Budget History (cash only; do not include in-kind amounts).

Section 4 COA Funding History

Section 5 Projected Budget

The Budget Itemization must follow the same format as the projected budget and break down income and expenses in detail.

Income

Include all earned and unearned revenue for this project. Provide an explanation of revenue sources in the detailed budget itemization.

Expenses

Include all expenses for this project. List cash expenses under cash column. List the dollar value of all donated programming space, goods and/or service hours under in-kind. All expenses must be fully explained in the budget itemization.

Section 6 Application Checklist

The Attachments/Checklist must be submitted with your application.

Attachment #1. Narrative

Narrative must be typed single spaced, on 8½" x 11" sheets of white paper one-sided only. Do not use smaller than 12-point type, and be sure to leave a minimum margin of 1" on both sides. **Failure to adhere to formatting criteria may result in a loss of points.** Submit no more than 5 pages and label as Attachment #1 - Narrative.

Collate and number each page in the upper right corner. Be sure to include the name of the organization and narrative question on each page.

Attachment #2, Budget Itemization

Each revenue and expense budget figure from Section 5, Projected Budget, must be itemized, including all payments to artists and in-kind. Indicate the source (for revenue amount) and use (for an expense amount) for each figure in the itemization. The itemization of all artists' payments should identify artists or groups who will be paid by name, and the fee for each (the fee for a group of artists along with the type and number of artists to be paid may be substituted for the listings of the artists' names). The itemization must be accurate and correspond with the projected budget in Section 5. You must indicate if amounts listed on lines 1 through 7 are pending or confirmed by placing a "p" or "c" next to the dollar amount. A Sample Budget Itemization is provided on pages 38-39.

Attachment # 3, Organizational History

In not more than one page, please provide a brief description of the applicant organization including history and activities. Be sure to include the organization's mission statement. If applicable, provide information on the sponsored individual or group as well.

Attachment # 4, Proof of Tax Exempt Status

Provide proof of tax exempt status. 501(c) organizations should submit a copy of their IRS tax determination letter. If you are a sponsored project without 501(c) status, then you must submit proof of incorporation with the State of Texas. Sponsored applicants not providing proof of incorporation with the State will be considered as individual artist applicants. The following items will not be accepted as proof of tax exempt status: articles of incorporation, bylaws, or proof of sales tax exemption.

Attachment #5, Board List

Provide a roster of your governing board, including names, addresses, telephone numbers, professions or areas of expertise, and ethnic make-up. For sponsored projects, list the sponsored organization's or individual's Advisory Board, if applicable.

Attachment #6, Form 990

Provide a copy of IRS Form 990 for your two most recently completed fiscal years. If you were not required to submit a 990, then include a letter stating so.

Attachment #7, Résumés/Bios

Provide the résumés or bios of key artists and decision makers involved throughout the project.

Attachment #8, Letters of Support

Provide no more than ten letters of support. Letters of support should be current, reinforce the worth of project activities, and come from the community/constituents served. Provide letters of support from key members of the collaboration/partnership to indicate the degree of their involvement and their commitment to the project. Letters of support from elected officials do not necessarily indicate general community support.

Attachment #9, Optional Documentation

Provide a concise but representative sample of materials (promotional materials, pamphlets, brochures, annual reports, programs, season brochure, catalogues, newsletters, digital videos, CDs, etc.), to acquaint panelists with your organization and its programs. Each item should be labeled and numbered in the right, top corner. You may submit as much documentation as will fit in a 9"x12" envelope. No "oversized" (larger than 9"x12") items may be submitted. The review panelists may not be aware of your organization or activities.

Section 7 Assurances

Please review carefully. Provide the signature of the contact person and of the Board Chair; include the meeting and signing dates. Also provide the signature of the sponsored group or individual if applicable.

Delivery Instructions:

- Applications must be hand delivered or mailed.
- Mailed applications must be postmarked by the U.S. Post Office or dated by a commercial carrier on or before the application deadline.
- Hand delivered applications must be dated and documented received by the City Purchasing Office on or before the application deadline. Late or significantly incomplete applications will not be accepted.
- Applications will be evaluated by review panels as submitted. Metered mail will not be accepted as proof of meeting deadlines. Faxed applications are unacceptable.
- Applications must be typed or word-processed.
- The original and three copies (total of four) of completed forms and required attachments must be collated and placed in its own envelope.
- Each envelope should be labeled with the organization's name (and sponsored project's name, if applicable) and identified according to the checklist.
- Three copies of the optional documentation requested should be submitted in separate envelopes labeled with the organization's name (and sponsored project's name, if applicable) and identified according to the checklist.
- The seven envelopes (four applications with attachments, and three documentation envelopes) are to be submitted in a single package.
- It is the applicant's responsibility to ensure that application sets are collated and assembled properly. Individual envelopes will not be opened and will be forwarded to reviewers as submitted. Envelopes will not be checked by staff prior to distribution.
- The Cultural Arts Division is not responsible for loss or damage of application materials. The City of Austin Cultural Arts Funding Programs reserves the right to retain a copy of application materials for archival purposes and its permanent record.
- All application materials are public records. Keep a complete copy of your application for your file.

II. Application Evaluation Criteria

Organizational applications to the Project Support II Program will be reviewed according to the following criteria. Each of the following three criteria total to a maximum score of 100 points. A score of at least 75 points must be earned for the application to receive a funding recommendation. It is not necessary to answer each individual question posed within the three categories, but your proposal must address each of the three areas.

The following criteria will be used for evaluation of applications:

I.I Artistic/Cultural Merit: 30 Points

- Does the proposed programming demonstrate quality artistic programs, projects, or services?
- Does the applicant have a history of providing programs and services of high quality?
- Does the organization produce/present quality work that contributes to the unique artistic/cultural landscape in Austin?
- Does the project use quality artists and/or culture bearers?
- To what degree does the applicant incorporate artists or artistic works from historically under served communities in their programming (or for

service organizations, provide services to historically underserved artists and/or communities)?

- If proposing the work on City property, how compatible is the art work within the context of the City of Austin Art in Public Places Collection?

I.II Administrative Capability: 20 Points

- Does the project adhere to and further the mission or goals of the organization?
- Does the organization/individual demonstrate skills needed to complete the proposed programming/project?
- Does the organization have a history of financial stability and sound financial practices?
- Is the project budget appropriate, complete, and reasonable for the proposed project?
- Does the project include an evaluation plan with appropriate use of tools to measure project effectiveness? (include samples)
- Does the project budget show a variety of revenues and/or support other than the City of Austin?
- If applicable, is the sponsoring organization capable of managing the administrative and financial aspects of the project?

I.III Economic, Cultural, and Social Impact: 50 Points

- Does the proposed programming/project meet identified social or cultural needs?
- Does the project market to a broad constituency, including residents and visitors, and have measurable goals to assess the outreach? (include samples)
- Is the proposed programming/project accessible to all audiences, both physically and economically?
- Does the organization/individual/project challenge, cultivate, and/or celebrate the arts and cultural “awareness” of a broad and diverse audience?
- Does the organization/project demonstrate a history of attracting a broad audience (or service constituency) and document such?
- Does the applicant demonstrate involvement of minority or other culturally underserved populations on its board, staff, and audience, and/or does it demonstrate efforts to diversify its audiences and administration?
- Does the programming/service provide an economic contribution to the community, including expansion of tourism, employment of local artists and/or leveraging of dollars?
- For educational programs/projects, does the proposed program/project meet the applicable following criteria?
 - o Does the proposed program/project relate to recognized State and Federal educational standards in the arts?
 - o Does the proposed program/project include appropriate measurements of student success?
- For early childhood or for adult education programs, such as workforce development, continuing education, or personal enrichment, does the proposed program/project clearly define expected student/learner outcomes related to the arts? Does the proposed program/project include appropriate measurements of student/learner success?

II. Narrative Criteria

The narrative is vitally important to the panel reviewers, as it tells the story of your project and includes details about the proposed activities. It is the

primary document that reviewers will use to evaluate the merit of your proposal based on the criteria outlined on the previous pages.

The narrative should include:

- A detailed description of the specific program activities for which funding is requested (who, what, when, where, why, and how).
- The narrative should address the total scope of activities for which funding is requested.
- Include things such as: major project activities; goals, objectives, outcomes; partners; schedules and timelines; target audience(s) and community(ies) served; key individuals and artists involved, etc.
- Should also provide a summary statement as to how your organization/project will support the encouragement, promotion, improvement, and/or application of the arts related to the presentation, performance, execution, and exhibition of any major art forms.

III. Post-Application

III.I Implementation

- Following the approval of the funding recommendation, the City will enter into a contract with the organization. The contract will establish procedures and responsibilities for both the City and the contractor.
- The organization will submit required revised budget information and reports and will follow contract procedures throughout the contract period.
- The City will conduct additional monitoring activities as required. These activities may include site visit by staff to verify compliance with contract requirements.

III.II Reports

A final report must be submitted within 30 days of completion of the project activities.

III.III Annual Review

An annual review will be conducted by the Cultural Arts Division staff to determine the appropriate tier for each applicant, which will be based on an average of the applicant's total expenses for the two most recently completed fiscal periods.

The Good, the Bad and the Ugly

There are pros and cons to deciding to pursuing a grant and/or fundraising program.

The 'cons' to the CAFP (and similar funding/grant programs)

- Participating in government-oriented funding/grant programs involves occasional bureaucratic hurdles and a substantial amount of paperwork, reports, etc.
- All components and stages in the process require time and energy and the level of commitment will determine success.
- The funds awarded to organizations have restrictive guidelines and rules governing the way the funds can be used. Good accounting and monitoring are needed to maintain accordance.
- The application process will require time/resources and there is no guarantee your organization will receive the award.

The 'Pros' to the CAFP (and similar funding/grant programs)

- The funding available through the CAFP begins at \$5,000.
- CAFP's alignment with CHULA's mission and vision, make this particular funding program an ideal 'start' to the fund/grant-seeking process.
- With this level of funding, CHULA has the potential to substantially impact the success of its projects. Many of the projects developed by CHULA (i.e., LittleBigArtists, Cherrywood Arts Festival, etc.) are eligible according to the CAFP evaluation Criteria.
- From a Public Relations perspective, receiving the CAFP award, will boost the awareness of CHULA and its projects to the public and local/city/state government. Inevitably the more exposure received through grant and funding programs will result in positive growth and organizational development.

Considering the emphasis on community, arts and education that the CHULA organization embrace and promote, as well as its history and solid reputation; I believe that the CHULA organization has a strong chance in receiving the CAFP award for the 2010-2011 year.

Attachment 2 to 2009-05-31 Minutes
CHULA Board Meeting
March 28, 2009

In Attendance: Jane Walton, Priscilla Boston, Kay McManus-Hereford, Lisa Schemanske, Sherri Whitmarsh, Mary Evelyn Daughety, Erika Allbright

Officer Elections: Chair/Priscilla, Vice-Chair/Mary Evelyn, Secretary/Erika with Lisa as backup, Treasurer/Jane

Expanded CHULA Board

Change – Board and Officers no longer all the same people
How to handle staggered terms – change to 4 elected positions per year
Having Chair slide to Vice Chair hasn't worked

Bylaws

Bylaws were changed two years ago, but never recorded on paper
Procedure to resign from Board needs to be clarified
Add sentence clarifying that the Board has the authority to appoint officers for partial terms. Language: “Board retains authority to fill any vacant position by appointment”.
Remove mention of staggered terms
Officers will be elected yearly and may be elected indefinitely
No need for a Bylaws Committee
Priscilla's vision: two vice-chairs; Arts, Landscape
Jane: vice-chairs of any numbers, could be co-vice-chairs

** Motion passed to revise by-laws as above**

CAF – How to govern?

Big project, traditionally falling under purview of vice chair
Lisa: what does CAF need from the Board?
Jane: Answer – policy issues and money/budget matters
CAF chair will have separate meetings – separate commitments to Board and CAF
New structure will create distance – mostly good, helps enforce boundaries
CAF will have own subcommittee (we wonder who)
CAF committee will report to the Arts vice-chair (or co-chair) (these chairs must be Board members). Jane offers to be CAF Lead, wants co-lead to be someone different.

2009 Projects

Budget - \$11K in bank. \$2200 is FLWR/G. Bennett Fund, \$3K CAF seed money
Leaves \$6K for 2009 projects
Grant writer(s) – we might hire one or more. Fee + % of grant

Suggestions from annual membership meeting reviewed for appeal, then triaged by estimated cost and time and whether it was an RFPable project. Several suggestions were combined.

1. Expand relationship with Mueller 'Hood. Don't want to expand CHULA target neighborhoods to include Mueller at this time. Will continue to look for opportunities to collaborate.
2. Sherri will take on Neighborhood Talent Repository
3. FroG asks to use CHULA to shelter funds. Needs contract, no politics. Jane will work one up
4. How much money can we commit for each project? Not resolved.

| 2009 Projects | Board Member Involved |
|--|-----------------------------------|
| Little Gardener/Big Gardener with Garden-sharing | Lisa and Priscilla |
| Little Artist/Big Artist | Sherry offers to help |
| Outdoor Movie Night at Patterson | Priscilla will reach out to Terry |
| Art for Patterson Park (Project Picnic expansion and refurbishment; new project involving bathroom pavilion) | |
| Park bench/picnic table at Willowbrook Reach | |
| 38.5 traffic island nearest Halfpenny | |
| MLK train station art | Mary Evelyn |
| Clarkson St. fence art | |

Next Meeting – May 17, 2009, 4:00-6:00

Attachment 3A to 2009-05-31 Minutes
[Articles of Incorporation]
[Begins on following page]

Attachment 3B to 2009-05-31 Minutes
CHULA League
Conflict of Interest Policy
November 15, 2005

Article 1, Purpose

The purpose of this conflict of interest policy is to protect the interest of CHULA League (CHULA) when it is contemplating entering into a transaction or arrangement that might benefit the private interest of an officer or director of CHULA or might result in a possible excess benefit transaction. This policy is intended to supplement but not replace any applicable state and federal laws governing conflict of interest applicable to non-profit and charitable organizations.

Article 2, Definitions

1. Interested person - Any director, principal officer, or member of a committee with powers delegated by a governing board, who has a direct or indirect financial interest as defined below, is an interested person.
2. Financial interest - A person has a financial interest if the person has, directly or indirectly, through business, investment, or family:
 - a. An ownership or investment interest in any entity with which CHULA has a transaction or arrangement,
 - b. A compensation arrangement with CHULA or with any entity or individual with which CHULA has a transaction arrangement, or
 - c. A potential ownership or investment interest in, or compensation arrangement with, any entity or individual with which CHULA is negotiating a transaction or arrangement.
3. Compensation - Includes direct and indirect remuneration as well as gifts or favors that are not insubstantial.
4. A Financial Interest is not necessarily a conflict of interest. Under Article 3, section 2, a person who has a financial interest may have a conflict of interest only if the appropriate governing board or committee decides that a conflict of interest exists.
5. A conflict of interest exists when there is a divergence between the private interests of a person and the person's obligations to CHULA, such that an impartial observer might reasonably question whether

actions or decisions taken by the person relating to that situation would be influenced by consideration of the person's private interest.

Article 3, Procedures

1. Duty to disclose - In connection with any actual or possible conflict of interest, an interested person must disclose the existence of the financial interest and be given the opportunity to disclose all material facts to the directors and members of committees with powers delegated by a governing board considering the proposed transaction or arrangement.
2. Determination of conflict of interest - After disclosure of the financial interest and all material facts, and after any discussion with the interested person, that person shall leave the governing board or committee meeting while the determination of a conflict of interest is discussed and voted upon. The remaining board or committee members shall decide if a conflict of interest exists. A simple majority of remaining members shall be sufficient to decide the existence of conflict of interest.
3. Procedures for addressing conflict of interest -
 - a. If the governing board or committee decides a conflict of interest does exist, the chairperson of the governing board or committee shall, if appropriate, appoint a disinterested person or committee to investigate alternatives to the proposed transaction or arrangement.
 - b. After exercising due diligence, the governing board or committee shall determine whether CHULA can obtain with reasonable efforts a more advantageous transaction or arrangement from a person or entity that would not give rise to a conflict of interest.
 - c. If a more advantageous transaction or arrangement is not reasonably possible under circumstances not producing a conflict of interest, the governing board or committee shall determine by a majority vote of the disinterested members whether the transaction or arrangement is in CHULA's best interests, for its own benefit, and whether it is fair and reasonable. In conformity with the above determination it shall make its decision as to whether to enter into the transaction or arrangement.

4. Violations of the Conflict of Interest Policy -
 - a. If a governing board or committee has reasonable cause to believe a member has failed to disclose actual or possible conflicts of interest, it shall inform the member of the basis of such belief and afford the member an opportunity to explain the alleged failure to disclose.
 - b. If, after hearing the member's response and making further investigation as warranted by the circumstances, the governing board or committee determines the member has failed to disclose an actual or potential conflict of interest, it shall take appropriate disciplinary and corrective action.

Article 4 - Records of Proceedings

1. The minutes of the governing board and all committees with powers delegated by a governing board shall contain:
 - a. The names of the persons who disclosed or otherwise were found to have a financial interest in connection with an actual or potential conflict of interest, the nature of the financial interest, any action taken to determine whether a conflict of interest was present, and the governing board's or committee's decision as to whether a conflict of interest in fact existed.
 - b. The names of the persons who were present for discussions and votes relating to the transaction or arrangement, the content of the discussion, including any alternatives to the proposed transaction or arrangement, and a record of any votes taken in connection with the proceedings.

Article 5 - Compensation

1. A voting member of a governing board who receives compensation, directly or indirectly, from CHULA for services is precluded from voting on matters pertaining to their own compensation.
2. A voting member of any committee whose jurisdiction includes compensation matters and who receives compensation, directly or indirectly, from CHULA for services is precluded from voting on matters pertaining to their own compensation.
3. A voting member of a governing board or any committee whose jurisdiction includes compensation matters, who receives compensation, directly or indirectly, from CHULA, either individually

or collectively, is prohibited from providing information to any committee regarding compensation.

Article 6 - Annual Statements

1. Each director, officer, and member of committees with powers delegated by a governing board shall annually sign a statement which affirms that such persons:
 - a. Have received a copy of the conflict of interest policy,
 - b. Have read and understand the policy,
 - c. Have agreed to comply with the policy, and
 - d. Understand that CHULA is a charitable organization, and in order to maintain federal tax exemption CHULA must engage primarily in activities which accomplish one or more of its tax exempt purposes.

Article 7 - Periodic Reviews

1. To ensure CHULA operates in a manner consistent with charitable purposes and does not engage in activities that could jeopardize its tax-exempt status, periodic reviews shall be conducted. The periodic reviews shall, at a minimum, include the following subjects:
 - a. Whether compensation arrangements and benefits are reasonable, based on competent survey information and the result of arm's length bargaining.
 - b. Whether partnerships, joint ventures, and arrangements with management organizations conform to CHULA's written policies, are properly recorded, reflect reasonable investment or payments for goods and services, further charitable purposes, and do not result in impermissible private benefit or an excess benefit transaction to any party.
 - c. When conducting periodic reviews, CHULA may, but need not, use outside advisors. If outside experts are used, their use shall not relieve the governing board of its responsibility for insuring periodic reviews are conducted.

This policy was adopted by the Board of Directors on 10 December 2005.

Jane Walton, Secretary

Attachment 3C to 2009-05-31 Minutes
CHULA League
Statements of Officers, Directors, and Committee Members
Regarding Conflict Of Interest

I affirm the following:

I am an officer, director, or committee member of CHULA League;

I have received a copy of the conflict of interest policy of CHULA League;

I have read and understand the policy;

I agree to comply with the policy, and

I understand that CHULA League is a charitable organization, and in order to maintain federal tax exemption CHULA must engage primarily in activities which accomplish one or more of its tax exempt purposes.

Signature:

Printed Name:

Date:

For Year:

Attachment 3D to 2009-05-31 Minutes
[Bylaws Marked Up]
[Begins on following page]

Attachment 3E to 2009-05-31 Minutes
[Texas Sales Tax Exemption Certificate]
[Begins on following page]

Attachment 3F to 2009-05-31 Minutes
[Home Depot Tax Exemption]
[Begins on following page]

Attachment 4A to 2009-05-31 Minutes

Cherrywood Art Fair 2009

Report to CHULA Board

30 May, 2009

Organization:

Chairman: Jane Walton

Co-Vice Chairs: Sherri Whitmarsh and Mary Evelyn Daughety

Artist Coordinator: Holli Brown

Administration: Jane Walton

Auction: Julie Bernal/Erika Allbright

Children's Art: Jennifer Ober (Lisa Schemanske to assist)

Decoration: Kay McMan

Graphics: Melissa Gable

Food:

Little Artist/Big Artist: (Kathy McTee, Lisa Schemanske, Mary Evelyn Daughety to assist)

Logistics: Rick Behal

Music: Luke Torn

Print/Signage: Sherri Whitmarsh

Publicity: Wendy Morgan/Scheleen Walker

Solicitation: Priscilla Boston

Volunteers: Sherri Whitmarsh/Mary Evelyn Daughety

Website: Jane Walton

Planning:

Solicitation meeting held last week.

Image identified for print material.

Scheduling meeting of executive committee in June.

MS Project plan with all tasks and due dates; will transfer to Google calendar.

Created a Google workspace with documents, and discussions for each domain.

Populating domains with details of job descriptions and tasks.

Website:

Have identified contractor (Andy Frascone)

Have narrowed the software down to 2, will select one this week.

Creating a story board with existing content and missing content.

Expect to have a "shell" up for review by the 15th of June.

Plan to cut over to new site by August 1.

Need existing hosting info.

Attachment 4B to 2009-05-31 Minutes

| | | |
|----------------------|-------|--------|
| CWAF 2009 Budget | | |
| | | |
| Booth and Jury Fees | 7,000 | |
| Food and Consignment | 1,100 | |
| Silent Auction | 5,000 | |
| Sponsorships | 4,000 | |
| | | 17,100 |
| | | |
| Supplies | 450 | |
| Printing | 2,700 | |
| Food | 950 | |
| Coordination | 3,300 | |
| Fundraising | 1,500 | |
| Maplewood | 1,500 | |
| Graphics | 1,500 | |
| Janitorial | 600 | |
| Music | 200 | |
| Rewards | 900 | |
| Security | 200 | |
| | | 13,800 |
| | | |
| Net | | 3,300 |

Attachment 5 to 2009-05-31 Minutes

**MEMORANDUM OF UNDERSTANDING
BETWEEN CHERRYWOOD URBAN LANDSCAPE AND ARTS (CHULA) LEAGUE
AND FRIENDS OF THE GREEN (FROG)
May 30, 2009**

The purpose of this agreement is to describe the understanding between the Cherrywood Urban Landscape and Arts League (CHULA), and Friends of the Green (FROG) about the use of funds reserved for improvements to Cherrywood Green.

Cherrywood Green is a pocket park located in the Cherrywood Neighborhood Association. FROG is an association of neighbors chartered to make improvements to Cherrywood Green. CHULA is an organization which is exempt from federal income tax under Section 501 (c) (3) of the Internal Revenue Code.

Funds will be donated to CHULA by various organizations and individuals for the purpose of improving Cherrywood Green. CHULA will place those funds in reserve, to be used exclusively for Cherrywood Green improvements.

To ensure that the funds are used as intended, FROG will create a fair method for approving invoices for payment, and will designate a single responsible party to submit approved invoices to CHULA. That party should not receive any benefits from the expenditures either directly or indirectly, to avoid the appearance of conflict of interest. CHULA will not expend any funds that are not clearly marked as approved by the designated party.

CHULA will segregate the funds intended for FROG in its books and records, and will make a regular accounting of the funds, at least annually, including the beginning balance of the funds, amounts received and expended, and remaining balance.

Signed:

Priscilla Boston, Chairman
Cherrywood Urban Landscape and Arts League
Date:

Mike Damal, President
Friends of Cherrywood Green
Date:

Attachment 6 to 2009-05-31 Minutes

**CHULA League
Profit & Loss**

May 2009

Cash
Basis

May 09

| | |
|--------------------------------|-----------------------|
| Other Income/Expense | |
| Other Income | |
| Art Fair | |
| Art Fair Expense | |
| Art Fair Fundraising Expense | <u>-250.00</u> |
| Total Art Fair Expense | <u>-250.00</u> |
| Total Art Fair | -250.00 |
| Other Program Income | |
| Other Income Cherrywood Green | <u>100.00</u> |
| Total Other Program Income | <u>100.00</u> |
| Total Other Income | -150.00 |
| Other Expense | |
| Program Expense Cherrywd Green | <u>218.30</u> |
| Total Other Expense | <u>218.30</u> |
| Net Other Income | <u>-368.30</u> |
| Net Income | <u><u>-368.30</u></u> |

CHULA League Balance Sheet

As of May 31, 2009

Cash
Basis

May 31, 09

ASSETS

Current Assets

Checking/Savings

Wells Fargo Checking

10,912.47

Total Checking/Savings

10,912.47

Total Current Assets

10,912.47

TOTAL ASSETS

10,912.47

LIABILITIES & EQUITY

Equity

Reserve - FROG

381.70

Reserve - G Bennett Tribute

1,621.00

Reserve - FLWR Project

120.82

Retained Earnings

9,161.15

Net Income

-372.20

Total Equity

10,912.47

TOTAL LIABILITIES & EQUITY

10,912.47

Attachment 7 to 2009-05-31 Minutes

| 2009 Projects | Board Coordinator | Budget |
|--|--------------------------|---------------|
| Little Gardener/Big Gardener with Garden-sharing | Lisa and Priscilla | |
| Little Artist/Big Artist | | |
| Outdoor Movie Night at Patterson | | |
| Art for Patterson Park (Project Picnic expansion and refurbishment; new project involving bathroom pavilion) | | |
| Park bench/picnic table at Willowbrook Reach | | |
| 38.5 traffic island nearest Halfpenny | | |
| MLK train station art | Mary Evelyn | |
| Clarkson St. fence art | | |
| FRoG Herb Garden | | |

Attachment 8 to 2009-05-31 Minutes
Proposed CHULA RFP Process

What We Fund

Projects nominated for consideration by CHULA members at the annual membership meeting in January, then selected as a project for that year by the Board members.

Principles to Guide the RFP Process

1. The process will be as simple and devoid of bureaucracy as possible, while ensuring accountability to CHULA mission and principles.
2. Projects should be completed by end of the calendar year.
3. Opportunity for input by interested individuals in the immediate CHULA neighborhood(s) should be built into all projects involving public landscapes.
4. Board member who has agreed to serve as coordinator on this project runs the process and serves as primary point of contact to CHULA.
5. Payment to individuals for services will occur as soon after completion of the project as possible.

Steps

1. Board determines amount of money for the project and Board coordinator for that project.
2. Minimum notification or opportunity will consist of sending an email to each CHULA neighborhood's listserve. ISSUE: Should all Board members join all listserves vs having one Board member do so (currently only Jane has)?
3. Once assigned Board member has selected the winner (now referred to as CHULA sub-contractor), Board Coordinator should send an email of notification re who she recommends as the winning individual/group to all members of the Board. If no objections, Board Coordinator should send letter of approval to CHULA sub-contractor along with a copy of the CHULA tax-exemption letter and the Home Depot account, and upload a copy of the approval letter to CHULA's Google Documents account.
4. Reimbursement for materials can occur throughout the life of the project, upon presentation of a receipt from the CHULA sub-contractor to the CHULA treasurer.

5. Payment to individuals for services (e.g. project leadership/coordination) will be made by the CHULA treasurer once the assigned Board member has indicated to the CHULA Board that the project has been completed.

Sample Text:

CHULA League is accepting funding requests with a budget of zero to \$_____ for the design, planting, and routine maintenance of an artfully landscaped bed in the middle of E. 38.5 street at Halfpenny Rd. Winning bids will show evidence of

- Consideration of the rules of the City of Austin for landscaped beds in a public roadway
- providing residents of homes on 38.5 between Cherrywood Rd on the west and Brookview on the east with the opportunity to influence the design and assist with installation of the landscaped bed
- a plan for achieving regular watering and maintenance of the landscaped bed
- providing a report on the design and the process undertaken to seek neighbor input and assure continued maintenance to the Steering Committee of the Cherrywood Neighborhood Association prior to installation