



January 27, 2015

TDHCA  
221 East 11<sup>th</sup> Street  
Austin, Texas 78701-2410

Attention: Director of Multifamily Finance (Neighborhood Input)  
By Facsimile 512-475-1895

Greetings:

Attached please find the Bylaws and 2015 Quantifiable Community Participation  
Neighborhood Information Packet for Marbach Oaks Neighborhood Association, in support of  
the application of Medio Springs Ranch Apartments.

Very truly yours,



Stephen J. Poppoon

Attachments

1618 Lockhill Selma, San Antonio, Texas 78213 Ph. 210-573-0178 [usamericancommunities.com](http://usamericancommunities.com)



# 2015 Quantifiable Community Participation (QCP) Neighborhood Information Packet

Following are materials to assist Neighborhood Organizations in determining if they are a qualified Neighborhood Organization for the purpose of providing input for Quantifiable Community Participation ("QCP") and how to provide that input as provided under the State of Texas Qualified Allocation Plan ("QAP"). The materials include:

- ❖ Requirements for QCP Submission
- ❖ QCP Form
- ❖ Required Attachments
- ❖ Boundary Map Example

Este paquete contiene materiales e información para asistir a Organizaciones Vecindarias a determinar si califican para dar aportación a la Participación Cuantitativa Comunitaria ("QCP") y como proporcionar esa aportación según el State of Texas Qualified Allocation Plan ("QAP"). Si usted necesita asistencia o tiene preguntas sobre los requisitos del QAP, la plantilla, u otras preguntas con respecto al ciclo del Housing Tax Credit, favor de comunicarse con la División Multifamily Finance Production al 512-475-3340.

**If you have questions regarding the QCP requirements, please contact Nicole Fisher in the Multifamily Finance Production Division by email at [nicole.fisher@tdhca.state.tx.us](mailto:nicole.fisher@tdhca.state.tx.us), by phone at (512) 475-2201, or by fax at (512) 475-1895.**

## REQUIREMENTS FOR QCP SUBMISSION

Should there be any conflict between this guidance and the QAP, the QAP takes precedence.

Quantifiable Community Participation, referred to as "QCP", is one of many selection criteria by which applications competing for Housing Tax Credits are reviewed and scored. This scoring item ensures that qualified neighborhood organizations have input in the development that occurs in their community and serves the purpose of encouraging community participation from neighborhood organizations whose boundaries contain the proposed development site. Pursuant to §2306.6710(b)(1)(B) and §2306.6725(a)(2), Texas Government Code, the Texas Department of Housing and Community Affairs (the "Department" or "TDHCA") is required to rank applications

using a competitive scoring system. QCP may qualify an Application for up to 9 points. Written statements from any qualified Neighborhood Organization in existence prior to the Pre-Application Final Delivery Date (January 8, 2015), whose boundaries contain the development site and which are on record with the state or county in which the development is to be located can be included in the QCP score.

❖ **DEADLINES**

In order for its statement(s) to be eligible for points, a Neighborhood Organization must have been in existence prior to **January 8, 2015**. All submissions (letters of support, opposition, or neutrality as well as any requests to be on record with the Department) must be received by the Department no later than **5:00 pm on February 27, 2015**. Submissions should be addressed to the Texas Department of Housing and Community Affairs, "Attention: Director of Multifamily Finance (Neighborhood Input)". Statements should be sent to:

Attention: Housing Tax Credit Program Manager, Neighborhood Input  
PO Box 13941 (MC 332-10)  
Austin, TX 78711-3941

For overnight delivery or courier delivery **DO NOT** use the PO Box address. Use the following physical address:

221 East 11<sup>th</sup> Street  
Austin, TX 78701-2410

Forms and attachments may also be faxed to (512) 475-1895 or toll free at (800) 733-5120.

❖ **DEFINITION OF "NEIGHBORHOOD ORGANIZATION" [2306.004(23-a) TX Govt. Code]**

An organization that is composed of persons living near one another within the organization's defined boundaries for the neighborhood and that has a primary purpose of working to maintain or improve the general welfare of the neighborhood. A Neighborhood Organization includes a homeowners' association or a property owners' association. For purposes of QCP, "persons living near one another" means two or more separate residential households.

In addition, the Neighborhood Organization must certify to the following:

- At least 80% of the current membership resides or owns real property within the boundaries of the Neighborhood Organization; and
- None of the following individuals participated in the deliberations or voted on the decision to provide a statement with respect to the proposed development: the development owner, architect, attorney, tax professional, property management company, consultant, market analyst, tenant services provider, syndicator, real estate broker or agent or person receiving fees in connection with these services, current owners of the property, developer, builder, or general contractor associated with the proposed development.

❖ **SUBMISSION REQUIREMENTS**

A Neighborhood Organization must submit the following:

- Completed Qualified Neighborhood Organizations Evidence of Quantifiable Community Participation form ("QCP form")
- Documentation that the organization is on record with the county or Secretary of State OR a request to be on record with the TDHCA. If requesting to be on record with TDHCA, registry with TDHCA is for one year. Organizations that were previously on record with TDHCA must request to be on record for the current Application Round. To be on record with TDHCA, the Neighborhood Organization must have submitted

required registration information to TDHCA by 5:00 pm on January 28, 2015, (County, Secretary of State and TDHCA registry may require additional documentation to be submitted upon request.) Note that Neighborhood Organizations that are not on record with the state or county as of January 28, 2015 will not be required to be notified by Applicants.

- Evidence that the Neighborhood Organization was in existence (ex: bylaws, articles, newsletter, minutes, etc.) prior to January 8, 2015 is required for TDHCA registry. If the documentation submitted for being on record with the county or Secretary of State is dated after January 8, 2015, evidence of existence by January 8, 2015 is also required.
- Boundary Map - The boundary map should be legible, clearly marked with the geographical boundaries of the Neighborhood Organization, and indicate the location of the proposed Development. The written description and boundary map should have the same geographical boundaries as the map. The map must show the street names or identify the landmarks (for instance, railroad tracks or a creek) that make up the boundaries. This documentation is subject to the Department's approval. A street-level map can be created at <http://www.mapquest.com> or at <http://maps.google.com>. Please contact the Department if assistance is needed to create an appropriate map.

#### ❖ ADDITIONAL INFORMATION

TDHCA may request that the organization provide additional information or documentation that it deems relevant to clarify information contained in the organization's form and/or enclosures. If the Department determines additional information is needed, staff will request information in an Administrative Deficiency Notice by e-mail or facsimile to the e-mail addresses or facsimile numbers provided on the form. If the deficiencies are not clarified or corrected to the Department's satisfaction within five business days from the date the notice is sent to the organization, the organization's form may not be considered further for scoring and the organization will be so advised. This deficiency process does not, however, extend any deadline associated with the "Quantifiable Community Participation" process. An organization may not submit additional information or documentation after the original submission of the QCP documentation except in response to the Department specifically requesting additional information.

Any statement of opposition from a Neighborhood organization may be challenged if it is contrary to findings or determinations (including zoning) made by a city, county, school district, or other local governmental entity. If any such statement is challenged, the challenger must declare the basis for the challenge and the Neighborhood Organization will be given seven calendar days to provide support for its statements.

Any submission determined to be ineligible for QCP scoring will be summarized for the Department's Board as public comment but will not be scored for QCP.

#### **INSTRUCTIONS FOR COMPLETING THE QCP FORM**

If an organization is eligible to provide input on more than one Development, each Development must be addressed in a separate submission.

#### ❖ Part 1: Development Information

- This section of the form requests basic information regarding the proposed affordable housing development for which the Neighborhood Organization wishes to provide comment. Please enter the Development Name and address. (If a street address is not available, descriptions such as "the southwest corner of Smith St and Jones Rd" are acceptable.)

❖ **Part 2: Neighborhood Organization Information**

- This section of the form requests information about the Neighborhood Organization that is providing input on a specific property. If the Neighborhood Organization has submitted comment during a past Application Round, provide the year the comment was submitted. If the organization is currently on record with the county or the Secretary of State, evidence of such is required to be attached to this form. To be on record with TDHCA, the organization must have submitted the required documentation by January 28, 2015.

❖ **Part 3: Neighborhood Organization Contact Information**

- This section of the form requests contact information for two individuals *who have authority to sign on behalf of the organization* in case the Department needs to contact these individuals for additional information. Information about other members of the Neighborhood Organization may be required if the two contacts listed here do not reside within the Neighborhood Organizations boundaries.

❖ **Part 4: Reason for Support or Opposition**

- This section of the form requests the Neighborhood Organization to indicate whether they support or oppose the proposed development for which the input is being provided. A clear reason or reasons for the Neighborhood Organization's support or opposition is required in order for the statement to qualify for points.

❖ **Part 5: Written Boundary Description**

- This section of the form requests a written boundary description of the Neighborhood Organization's boundaries. In order for the comment to count for the QCP score, the boundaries of a Neighborhood Organization must be complete and include the Development Site. A boundary map, showing each boundary consistent with the description, should be attached to this form. If boundaries are not visible on the map or do not match the description, the Department will issue an Administrative Deficiency to request clarification. If the Development Site is not located within the boundaries, no QCP points will be awarded for the letter. The letter will still be presented to the Department's Governing Board as part of public comment.

❖ **Part 6: Certifications**

- This section of the form requests that the individuals with authority to sign on behalf of the Neighborhood Organization certify to the information presented on this form and that the Neighborhood Organization meets the requirements to qualify for purposes of Quantifiable Community Participation.
- This certification includes statements regarding the membership of the neighborhood Organization as well as its boundaries and should be carefully reviewed.
- The form requires the signature, printed name, date and title for both the 1st and 2nd Contact to be considered complete.

If any of the above items (by-laws, boundary maps, etc.) were previously submitted (between January 2 and January 28, 2015) in order for a Neighborhood Organization to be on record with the TDHCA, they will not be required to be submitted again. If this is the case, please indicate on this form that such documentation was previously submitted.

**QUALIFIED NEIGHBORHOOD ORGANIZATION EVIDENCE OF QUANTIFIABLE COMMUNITY PARTICIPATION**

**Texas Department of Housing & Community Affairs**

**Read each item carefully before completing the blanks. Certify to each requirement by signing the last page. All attachments must be included in QCP submission package.**

<b>Part 1: Development Information</b>	
Development Name:	Medio Springs Ranch Apartments
Development Street Address:	The southeast corner of Marbach Road and Marbach Oaks
Development City:	San Antonio TX
Development County:	Bexar
TDHCA # (for office use only):	

<b>Part 2: Neighborhood Organization Information</b>	
Neighborhood Organization Name:	Marbach Oaks Neighborhood Association
This organization also made a submission to TDHCA in prior HTC Application Rounds: (Y/N) <u>  n  </u>	
IF YES, provide the years that the organization made submissions prior to 2015: _____	
The Neighborhood Organization is a (select one of the following):	
<input type="checkbox"/>	Homeowners Association
<input checked="" type="checkbox"/>	Property Owners Association
<input type="checkbox"/>	Resident Council and our members occupy the existing development
<input type="checkbox"/>	Other (explain): _____
As of February 27, 2015, this Neighborhood Organization is on record with (select one of the following):	
<input checked="" type="checkbox"/>	County
<input type="checkbox"/>	Secretary of State
<input checked="" type="checkbox"/>	Texas Department of Housing & Community Affairs (If prior to January 28, 2015)

<b>Part 3: Neighborhood Organization Contact Information</b>			
<b>1st Contact Information</b>			
Name:	Bill Sadler		
Title:	President		
Physical Address:	5307 Hwy 290 Bldg # Ste 10		
Mailing Address (if different from above):			
City:	Austin	Zip Code:	78735
Phone:	512-653-4486	Email:	bsadler@endurecc.com

**QUALIFIED NEIGHBORHOOD ORGANIZATION EVIDENCE OF QUANTIFIABLE COMMUNITY PARTICIPATION**

Texas Department of Housing & Community Affairs

**Part 3: Neighborhood Organization Contact Information (continued)**

**2nd Contact Information**

Name:	James Lifshutz		
Title:	Secretary		
Physical Address:	215 W. Travis		
Mailing Address (if different from above):			
City:	San Antonio	Zip Code:	78205
Phone:	210-226-6621	Email:	james@lifshutz.com

**Part 4: Reason for Support or Opposition**

The Neighborhood Organization  Supports  Opposes the Application for Competitive Housing Tax Credits

for the above referenced development for the following reasons:

Previous properties built by the developer have won numerous awards for quality of design and construction and are energy efficient

The residents will be screened for past rent history, criminal background and credit

The property will be inspected annually and will have reserves for necessary capital improvements

**Part 5: Written Boundary Description**

Provide a written boundary description of the geographical boundaries of the Neighborhood Organization. (Example: North boundary is Main St, East boundary is railroad track, South boundary is First St, West boundary is Jones Ave.) Boundary description MUST match the boundary map.

The neighborhood association is at the southeast and southwest corners of Marbach Road and Marbach Oaks in western Bexar County. It is bounded on the north by Marbach Road and stretches along both sides of Marbach Oaks.

**QUALIFIED NEIGHBORHOOD ORGANIZATION EVIDENCE OF QUANTIFIABLE COMMUNITY PARTICIPATION**


**Texas Department of Housing & Community Affairs**

**Part 6: Certifications**

By signing this form, I (we) certify to the following:

- This organization certifies that the two contacts listed have the authority to sign on behalf of the Neighborhood Organization.
- This organization certifies that the organization was formed before January 8, 2015.
- This organization certifies that the boundaries of this organization include the proposed Development Site in its entirety. This organization acknowledges that annexations after February 27, 2015 may not be considered eligible boundaries and a site that is only partially within the boundaries may not satisfy the requirement that the boundaries contain the proposed Development Site.
- This organization certifies that it meets the definition of "Neighborhood Organization"; defined as an organization of persons living near one another within the organization's defined boundaries that contain the proposed Development Site and that has a primary purpose of working to maintain or improve the general welfare of the neighborhood.
- This organization certifies that none of the following individuals participated in the deliberations or voted on the decision to provide a statement with respect to the proposed development: the development owner, architect, attorney, tax professional, property management company, consultant, market analyst, tenant services provider, syndicator, real estate broker or agent or person receiving fees in connection with these services, current owners of the property, developer, builder, or general contractor associated with the proposed development.
- This organization certifies that at least 80% of the current membership resides or owns real property within the boundaries of the Neighborhood Organization.

This organization certifies that all certifications contained herein are true and accurate. (First and Second Contacts must sign below):

<p align="center">1<sup>st</sup> Contact Signature</p> <p>Bill Sadler</p>	<p align="center">Date</p> <p>President</p>
<p align="center">1<sup>st</sup> Contact Printed Name</p> <p></p>	<p align="center">Title</p> <p align="center">01.26.2015</p>
<p align="center">2<sup>nd</sup> Contact Signature</p> <p>James Lifshutz</p>	<p align="center">Date</p> <p align="center">Secretary</p>
<p align="center">2<sup>nd</sup> Contact Printed Name</p>	<p align="center">Title</p>



**QUALIFIED NEIGHBORHOOD ORGANIZATION EVIDENCE OF QUANTIFIABLE COMMUNITY PARTICIPATION**


**Texas Department of Housing & Community Affairs**

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By signing this form, I (we) certify to the following:

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- This organization certifies that none of the following individuals participated in the deliberations or voted on the decision to provide a statement with respect to the proposed development: the development owner, architect, attorney, tax professional, property management company, consultant, market analyst, tenant services provider, syndicator, real estate broker or agent or person receiving fees in connection with these services, current owners of the property, developer, builder, or general contractor associated with the proposed development.
- This organization certifies that at least 80% of the current membership resides or owns real property within the boundaries of the Neighborhood Organization.

This organization certifies that all certifications contained herein are true and accurate. (First and Second Contacts must sign below):

 _____ 1 <sup>st</sup> Contact Signature	1/26/2015 _____ Date
Bill Sadler _____ 1 <sup>st</sup> Contact Printed Name	President _____ Title
_____ 2 <sup>nd</sup> Contact Signature	_____ Date
James Lifshutz _____ 2 <sup>nd</sup> Contact Printed Name	Secretary _____ Title

**QUALIFIED NEIGHBORHOOD ORGANIZATION EVIDENCE OF QUANTIFIABLE COMMUNITY PARTICIPATION**

**Texas Department of Housing & Community Affairs**

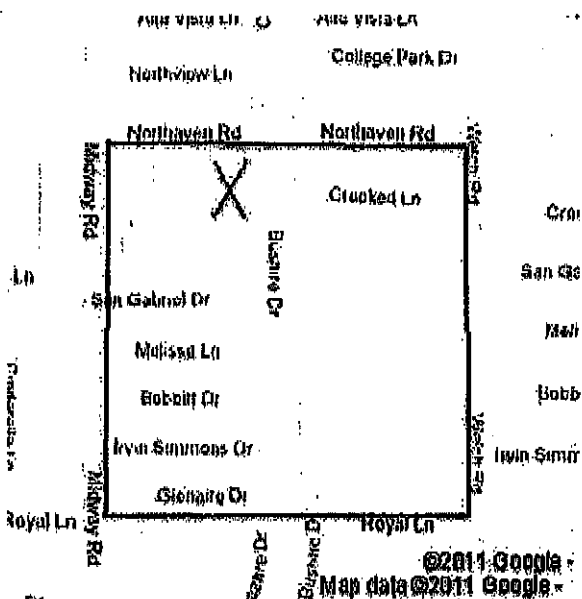
**REQUIRED ATTACHMENTS**

*(Only if not previously submitted to register with TDHCA)*

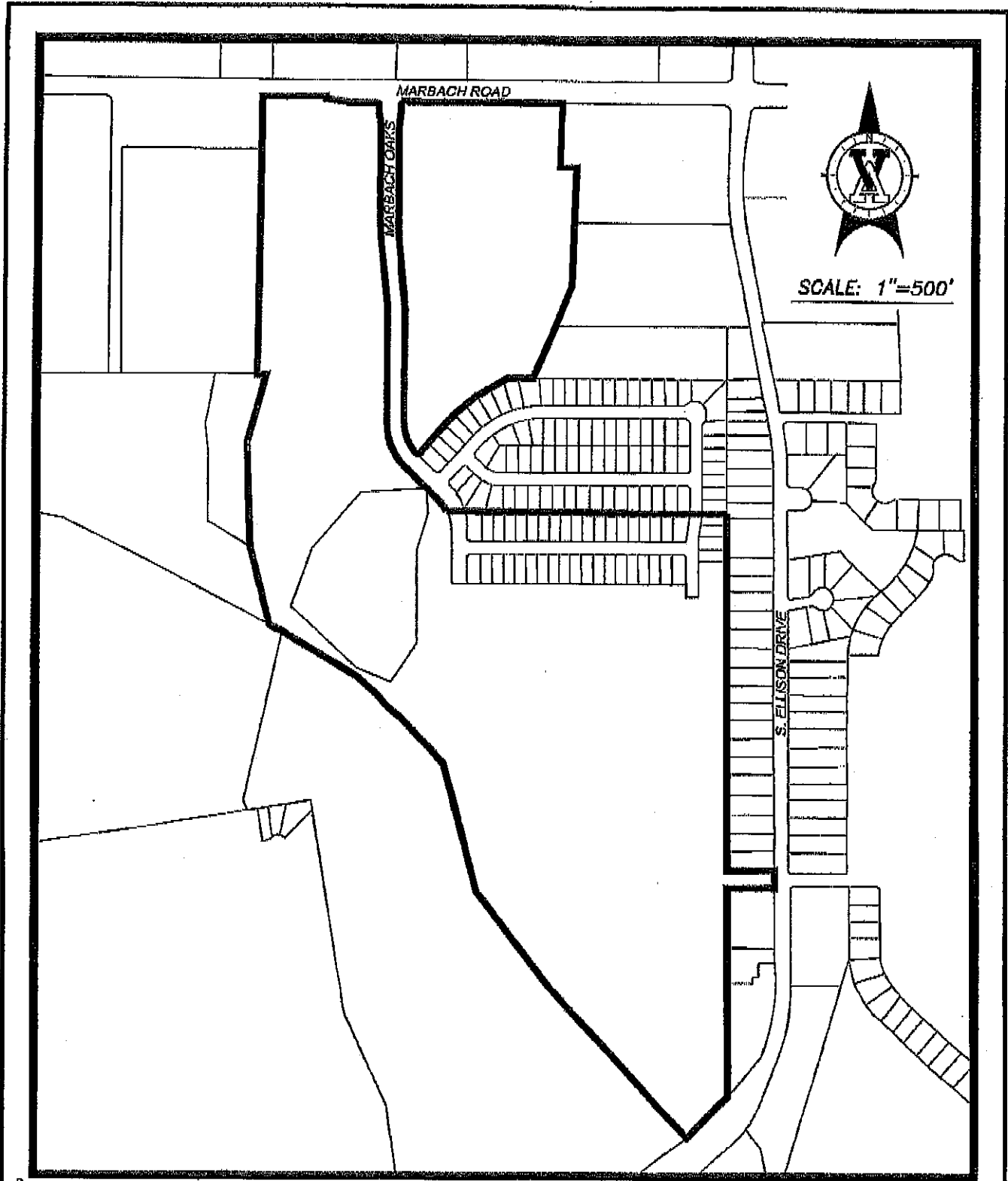
In addition to the information requested on the form, please attach the following items and include with your submission to the Texas Department of Housing & Community Affairs:

1. Documentation to support the selection of being on record with the County or Secretary of State (ex: letter from county clerk or judge acknowledging the Organization, letter from the Secretary of State stating the incorporated entity is in good standing.)
2. Evidence of the Neighborhood Organization's existence (ex. bylaws, newsletter, minutes, etc.)
3. Boundary Map: The boundary map should be legible, clearly marked with the geographical boundaries of the Neighborhood Organization, and indicate the location of the proposed Development.

Example:



The solid line indicates the Neighborhood Organization's boundary.  
The X indicates the development site.



NEIGHBORHOOD EXHIBIT 1

SAN ANTONIO, TEXAS

ATTACHMENT: \_\_\_\_\_ DATE: JAN. 2015



**VICKREY & ASSOCIATES, INC.**  
**CONSULTING ENGINEERS**

12840 Country Parkway San Antonio, Texas 78216  
 Telephone: (210)348-3271  
 Firm Registration No.: F-159

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## ARTICLE 1- NAME

SECTION 1. The name of this organization shall be the *Marbach Oaks Neighborhood Association*.

## ARTICLE 2-OFFICE

SECTION 1. The Association's principal office shall be the residence or office of the Association's President. The Executive Committee may designate another location at its discretion.

## ARTICLE 3- BOUNDARIES

SECTION 1. The boundaries of the Association are as set forth in the attached Exhibit A.

## ARTICLE 4- OBJECTIVES/PURPOSE AND ADOPTION OF BYLAWS

SECTION 1 The purpose of the Association is to provide an organized framework to promote, preserve, and enhance the quality of life and values in the neighborhood by:

- extending opportunities to residents, landowners, entrepreneurs, and other interested parties through education about neighborhood and community affairs and local topics of immediate interest,
- elevating and promoting the image of the neighborhood,
- creating a safe living environment 24 hours a day,
- encouraging the neighborhood to become involved in community affairs,
- having an effective unified voice to address issues that impact the neighborhood,
- conducting social activities that create a greater sense of neighborhood pride,
- enhancing property values,
- promoting a sense of pride and identity among the residents,
- establishing a direct line of communication with members of the Bexar County Commissioners Court and other agencies,
- establish relationships with other neighborhood associations and coalitions,
- familiarizing residents, landowners and interested parties about the Association and its purposes, and providing a forum for the airing of grievances.
- Blending the development of the commercial and residential parcels of the association and maintaining high design and construction standards

## ARTICLE 5- LEGAL STATUS/POLICIES

SECTION 1 The Association shall be organized and operated not for profit. No part of any Association net income shall ever be payable to any member.

SECTION 2 The Association does not have nor shall exercise any authority either expressly, by interpretation, or by operation of law, nor shall it directly or indirectly engage in any activity that would prevent qualifying as a corporation described in Section 501 of the Internal Revenue Code.

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Marbach Oaks Neighborhood Association

## ARTICLE 6- MEMBERSHIP AND DUES

### SECTION 1. MEMBERSHIP CATEGORIES

- a. Resident Membership - Any resident (18 years old or older), living in the neighborhood (defined in Article 3, Boundaries), shall be eligible for Resident Membership. Resident Members shall have the privileges of voting, holding office, serving on committees, and speaking on the floor at membership meetings.
- b. Non-Resident Membership - Any person (18 years old or older), owning property but not residing in the Marbach Oaks Neighborhood (defined in Article 3, Boundaries), shall be eligible for Non-Resident Membership. Non-Resident Members shall have all the privileges of "Resident Membership" with the exception of holding office.
- c. Associate Membership - Associate Membership shall be open to persons who are interested in the objectives of the Association. Associate Members shall have all of the privileges of "Resident Membership" with the exception of holding office or voting.
- d. Classes of Membership - Within the three above described categories of membership,
- e. there shall be the following classes of membership:
  1. Individual
  2. Family
  3. Business, Club or Organization
  4. Benefactor
  5. Sustaining
- f. Business, Club or Organization Membership - Where membership involves a business, club or organization, such group shall, on being accepted into membership, immediately file with the Secretary of the Association the name and address of its representative, who shall be entitled to cast its one vote in general membership meetings.

### SECTION 2. MEMBERSHIP DUES

- a. Annual dues for each category of membership shall be recommended by the Board of Directors and approved by a majority vote of the members in attendance at the meeting at which a dues change is considered. Dues shall be paid by December 15th for the following calendar year. Members shall be considered in arrears if their dues are not paid by January 1<sup>st</sup>.
- b. Membership Dues - Annual dues shall be set by the Board of Directors by class of membership.
- c. The Board of Directors may cancel, by majority vote, the membership of any member whose conduct is deemed prejudicial to the objectives, welfare, or character of the Association, including any member of the Board of Directors, provided notice of such alleged misconduct shall first be mailed to the said member at least 10 days prior to the meeting of the Board at which said misconduct is to be considered. The Member may appear in person to challenge the proposed action of the Board.
- d. Any individual can petition Board of Directors for a waiver of the membership dues.

## ARTICLE 7- SOURCES OF REVENUE

SECTION 1 Annual dues for each category of membership shall be recommended by the Board of Directors and approved by a majority vote of the members in attendance at the meeting in which a dues change is considered. Dues shall be paid by December 15 for the following calendar year. New members shall pay prorated dues for the months between their initial membership and December. Members shall be considered in arrears if their dues are not paid by January 1st. The Association may engage in fundraising activities related to its purposes. The Board of Directors may accept, on behalf of the Association, any contribution, gift, bequest, or device for the general purposes or for any special purpose of the Association. The Board of Directors may also decline any contribution, gift, bequest or device.

## ARTICLE 8- MEETINGS

SECTION 1 Regular meetings of the Association shall be held quarterly. The President can call a special meeting of the officers or membership.

SECTION 2 The Board of Directors shall meet as required, usually on a monthly basis. These meetings shall be open to interested members of the association. Special meetings may be called by the President or any five members.

SECTION 3 Any action required or permitted to be taken at a meeting of the Board of Directors, or other committee designated by the Board, may be taken without a meeting if a consent in writing, setting forth the action so taken, is signed by all the members of the Board of Directors or Committee, as the case may be. Such consent shall have the same force and effect as a unanimous vote as a meeting. Subject to applicable notice provisions, the Board of Directors or members of any committee designated by the board may participate in and hold a meeting by means of conference telephone or similar communications equipment by means of which all persons participating in such meeting shall constitute presence in person at such meeting, except where the person's participation is for the express purpose of objecting to the transaction of any business on the ground that the meeting is not lawfully called or convened.

## ARTICLE 9- BOARD OF DIRECTORS

SECTION 1 The affairs of this association shall be under the management of a Board of Directors. Directors shall serve without pay.

SECTION 2 The Board of Directors shall consist of a maximum of five elected At-Large Directors, four current elective Officers, and the immediate Past President.

SECTION 3 The first annual election for Officers and At-Large Directors shall be held during the last week in January, and in such meetings one-third of the Directors will be elected for a one year term, one-third of the Directors will be elected for a two year term, and one-third of the directors will be elected for a three year term. The Directors named in the charter of this association, and any Directors that have been elected by the Board of Directors to fill the vacancies from time to time, shall serve until the annual election the last week of January, or

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Marbach Oaks Neighborhood Association

until their successors are elected. Thereafter, one-third of the Directors shall be elected each year at the annual membership meeting, to hold office for a term of three years or until the election of their successors. Directors elected at the annual membership meeting shall take office at February 1 following their election. Any Director or Officer may be removed either for or without cause, at any annual or special meeting of members by the affirmative vote of a majority in number of the persons constituting a quorum at the meeting. An Officer or Director may resign by letter addressed to the Board of Directors at any time. Vacancies in the Board of Directors shall be filled by vote of a majority of the members of the Board of Directors at the meeting at which the vote is taken. The person or persons so appointed to fill such vacancies shall hold office until the conclusion of the term of the vacating office holder. Nominations for Officers and Directors presented at the annual membership meeting shall be made by a Nominating Committee of at least five members appointed by the President prior to the election. Nominations may also be made from the floor.

**SECTION 4** The Officers and Directors present at any meeting of the Board of Directors shall constitute a quorum to transact business, provided at least a majority of the Board of Directors is present.

**SECTION 5** At the annual membership meetings, the members shall elect from the membership a President, President-Elect, Secretary, and Treasurer, who shall hold office for one year, and until others are chosen and qualified for their places, except the Officers elected at the first meeting of the Board of Directors of this association shall serve until the last day of January, and until others are chosen and qualified for their places. These shall take office February 1 of each year for the next year. Officers shall serve without pay. In the event of vacancy in any office, the Board of Directors shall fill such vacancy from its number.

**SECTION 6** The Board of Directors shall make an annual report to the annual membership meeting.

**SECTION 7** No Officers or Directors shall be eligible for, or be elected to a third consecutive term to the same office.

**SECTION 8** Meetings of the Board of Directors, other than the annual meeting, may be called at any time by the President or Secretary, by notice in writing to each Director and Officer, at least two days before such meeting.

**SECTION 9** If a member of the Board of Directors has three or more successive unexplained absences from meetings of the Board of Directors, the Board of Directors shall have the authority, at its discretion to remove the Director from the Board. The Director will be given notice of the proposed action to remove him or her from the Board, and will be given a reasonable opportunity to defend him or herself.

**SECTION 10** The Association shall have the following standing committees:

1. *Membership Committee* - The Membership Committee shall be responsible for all matters pertaining to membership, working with the general membership to enlarge the Association,

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Marbach Oaks Neighborhood Association

keeping a roster of members and supplying information to the Board and Committees, introducing new members, and, in the name of the Association, taking note of significant events in the lives of members. This Committee shall report regularly at meetings of the Board and the general membership and shall prepare a roster of the membership for distribution at the November meeting. The Membership Chairperson shall be responsible for collecting the annual dues of the organization.

2. *Finance Committee* - This Committee, chaired by the Treasurer, shall be responsible for preparing the Association's Annual Budget which shall be presented no later than the final meeting of the Board preceding the budget year. It shall assist the Treasurer in every way possible and work with the other committees and the Board on matters pertaining to finances of the Association.

3. *Planning Committee* - The Planning Committee shall develop and bring to the Board recommendations for short- and long-term projects in which the Association might engage to advance its purposes. The Planning Committee shall be the recipient of then ideas and suggestions of any person or organization, member or non-member, who has an idea or project to propose. On the Board's recommendation, an ad hoc committee shall be appointed to initiate action on the proposal.

## ARTICLE 10- OFFICERS

SECTION 1 The officers of the Association shall be: President, Vice President, Secretary, and Treasurer.

SECTION 2 Officers shall assume their duties in February and shall serve for one (1) year or until their successors are duly elected. Officers shall not serve in the elected office for more than two (2) consecutive terms. The term limit condition can be waived by a simple majority of the members in attendance at the time of nominations.

SECTION 3 Any regular or business member of the Association is eligible for election to office.

SECTION 4 Officers shall be elected at March meeting by a simple majority of the regular and business members in attendance.

SECTION 5 At the February meeting, the President shall appoint a Nominating Committee of at least three (3) members. The Nominating Committee shall present a slate of one or more nominees for each office at the March meeting. Nominations from the floor shall be allowed at this time also.

SECTION 6 Vacancies in office shall be handled as follows:

- In the event the President is unable to complete his or her term; the Vice President shall become the President for the unexpired portion of the time.



• Vacancies in offices other than the President shall be filled for the expired term by the Board of Directors. Unexcused absences as determined by the Board of Directors from three consecutive meetings shall constitute a vacancy of office.

## ARTICLE 11 - DUTIES OF OFFICERS

**SECTION 1** The President shall be the principle officer of the Association and shall:

- preside at the meetings of the Association and when presiding at general meetings shall report to the membership on board actions;
- represent the Association to all publics, except that the President may ask another Officer, Board or Committee member to represent the Association as required;
- appoint standing and special committees and the designate chairs;
- identify members for special assignments;
- sign with the Secretary or any other officer authorized by the Board, any contracts or other legal documents expressly authorized by the Board;
- sign with the Treasurer all withdrawals of funds from Association bank accounts, and
- with the assistance of members set the agenda for the Association.

**SECTION 2** The Vice President shall assist the President, represent the President when so requested by the President, be empowered by the Board to sign any documents requiring the President's signature, in the absence of the President, and perform duties as asked by the President or the Board.

**SECTION 3** The Secretary shall:

- keep minutes and other appropriate records of the Association;
- sign with the President any contracts authorized by the Board, and
- perform other duties as requested by the President or Board.

**SECTION 4** The Treasurer shall:

- have charge of all Association funds/bank accounts;
- sign with the President all withdrawals of funds;
- shall have authority to spend discretionary funds up to \$50.00 without prior board approval between Board of Directors meetings;
- perform other duties as requested by the President or Board;
- present a complete account of Association funds identifying the source of funding and disbursement, at monthly meetings to the Board, at the quarterly meetings of the membership and;
- prepare an annual statement accounting for Association funds.

**SECTION 5** Directors at Large shall:

- Serve as chairs of standing committees as appointed by the President.
- Provide advice and assistance in carrying out Association activities.
- Be responsible for preparing and distributing the Association newsletter.
- Perform such other duties as requested by the President or the Board of Directors.

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Marbach Oaks Neighborhood Association

SECTION 6 Each officer shall deliver to his or her successor within fifteen (15) days after retiring from office, all records, papers, and other property belonging to the Association.

SECTION 7 The Board of Directors shall maintain a budget and the Treasurer shall present it for general membership approval.

#### ARTICLE 12- PARLIAMENTARY AUTHORITY

SECTION 1 The rules contained in the current edition of Robert's Rules of Order Newly Revised shall govern the Association in all cases in which they are not inconsistent with these bylaws and any special rules adopted by the Association. A quorum at a Board of Directors meeting shall be a majority of Board members. A quorum at a general association meeting shall be at least 25% of the voting membership.

#### ARTICLE 13- AMENDMENTS

SECTION 1 These articles may be amended by a two thirds vote of the members present at any general meeting, provided that a notice has been given to the membership at a previous meeting voting by proxy will be permitted. Proxy ballots must be presented by a member in attendance.

#### ARTICLE 14- AUDITS

SECTION 1 At least one month prior to the annual election, the President shall appoint, with the approval of the Board of Directors, a committee of members or non-voting members to comprise an Audit Committee. These members cannot be members of the Board of Directors. The Committee's duties shall be to audit the Treasurer's books and/or records. The report of the audit results shall be made at the regular membership meeting prior to the actual elections. A copy of the report shall be given to each member of the Board of Directors and a copy for the permanent file kept by the Secretary.

#### ARTICLE 15- DISSOLUTION

SECTION 1 The Association may be dissolved in the same manner as the procedure outlined in Article XIII, provided that the disbursement of all moneys and properties be acted upon prior to dissolution, and in accordance with the requirements of the Articles of Incorporation and Texas Non-profit Corporation Act then in existence.

Approved by the membership on December 1, 2014 as witnessed by,

President

Secretary

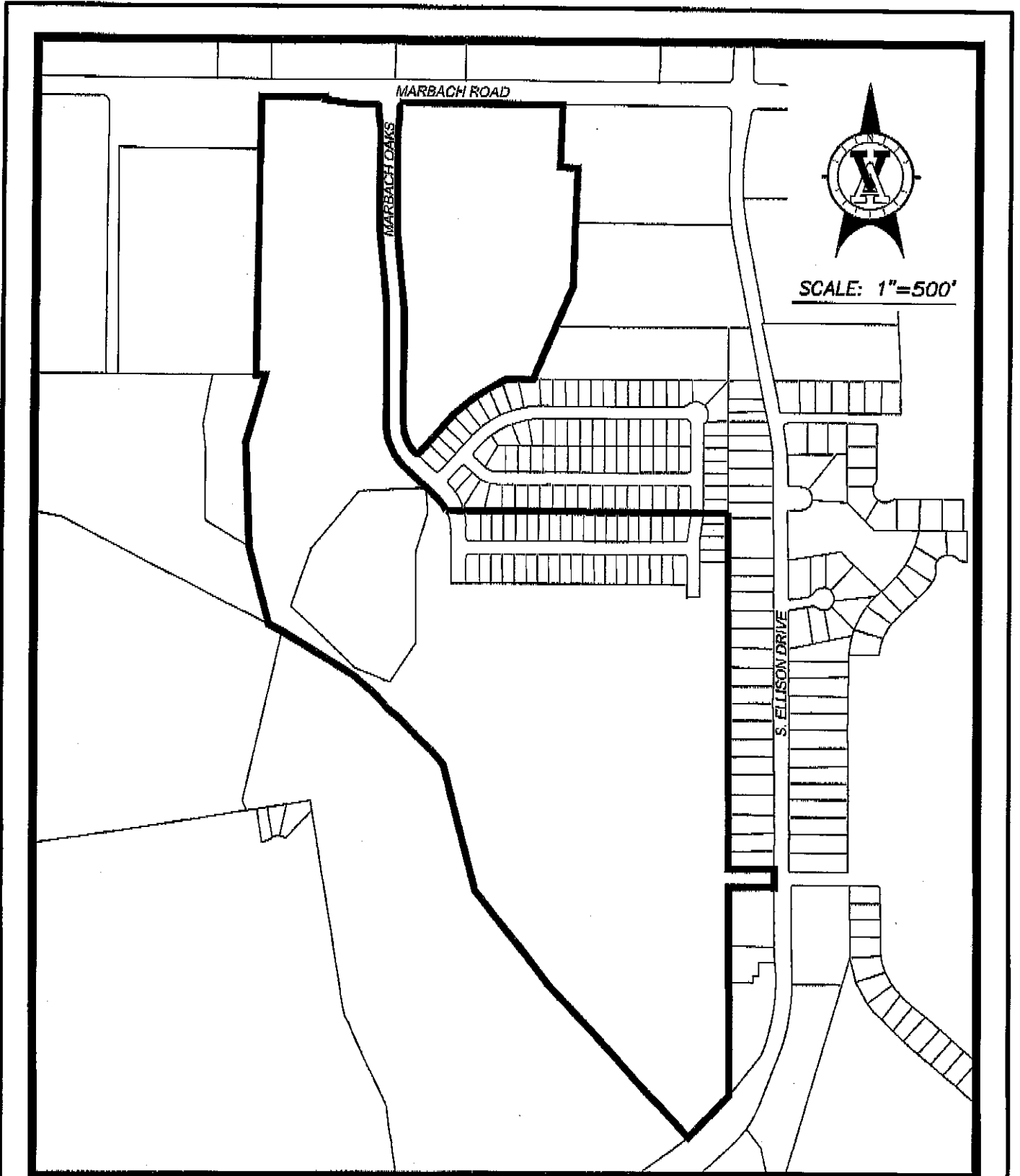
  
Bill Sadler, President  
9604 Marbach Place Ventures, Ltd

  
James Lifshutz, General Partner  
Marbach-Medio Partners, Ltd.

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Marbach Oaks Neighborhood Association

**Exhibit A  
Boundary Map**



NEIGHBORHOOD EXHIBIT 1

SAN ANTONIO, TEXAS



**VICKREY & ASSOCIATES, INC.**  
**CONSULTING ENGINEERS**

12940 Country Parkway San Antonio, Texas 78216  
 Telephone: (210)349-3271  
 Firm Registration No.: F-159

ATTACHMENT:

DATE: JAN. 2015

01/27/2015 11:54 AM  
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**MARBACH OAKS NEIGHBORHOOD ASSOCIATION BYLAWS**  
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