



**First Unitarian Universalist Church of San Antonio
Board of Trustees Meeting
April 21, 2021**

MINUTES

Dorothy Wallace called the meeting to order at 6:12 p.m. The Board met via Zoom teleconferencing.

PRESENT: Tess Bobo, Gale Morrow, Terry Palin, Donna Pereira, Troy Peters, Oscar Solis, Dorothy Wallace, Rev. Mark Skrabacz

ABSENT: Heather Hedquist

Rev. Mark read a poem by John Daniels as our opening words. The Board read our covenant and ends statements responsively. Oscar Solis was names Process Observer. The Board shared a brief check-in before finalizing the agenda.

The Consent Agenda was approved, with the note that April financial statements had not yet been completed. Included in the Consent Agenda:

- March Board Minutes
- Minister's Report
- President's Report
- Vice-President's Report
- Treasurer's Report
- Church Staff Meeting/Coordinating Team Notes

Rev. Mark reported that UU region leadership advised the Committee on Ministry (COM) that the full congregation did not need to approve the COM's congregational agreement. Instead, the Board could approve the document and share it with the congregation. **Troy moved and Donna seconded that the Congregational Agreement be approved as presented by the COM. The motion carried.** (text attached below)

Tess moved and Terry seconded that the proposed Racial Justice Statement be presented to the congregation for adoption at the annual meeting in May 2021. The motion carried.

We are a Racial Justice Congregation

We are a congregation committed to racial equality and justice, within ourselves, our church and the wider community.

Terry reported that the Website Design Committee met, rewriting and editing copy for web designer. Committee would like to commission new photography of church facility and staff for website. Existing funds budgeted for marketing may cover this expense. Terry expects that draft website will be ready for review early in the next fiscal year.

Gale and Dorothy reported that they had worked with the Facilities Team to prioritize maintenance and repair projects for what should happen before the church reopen, what should happen in FY 22, and what might be funded through a capital campaign for subsequent fiscal years. The annual meeting will include an overview of this plan. The Board discussed trying to ensure that ongoing maintenance investments are proactive rather than reactive in future years.

Donna reported that the stewardship campaign has so far yielded \$554,000 in pledges. The Board considered the FY22 budget, including discussion of whether there are sufficient funds for maintenance, repair and capital investments as we exit pandemic. There was also discussion of whether the current campus includes enough office space for expanding staff.

Gale moved and Terry seconded approval of the FY22 budget as presented. The motion carried. After discussion of the need to offer Congregational Administrator Kathy McFarlane some bookkeeping and financial training, **Troy moved and Terry seconded increasing budget line 577 (professional development) by \$250 and decreasing budget line 525 (capital reserve) by \$250. The motion carried.**

Donna presented the Finance Committee's proposal for a Restricted Use Gift Acceptance Policy. After discussion, **Terry moved and Donna seconded that the Board adopt the Restricted Use Gift Acceptance Policy as proposed. The motion carried.** Donna also explained the ongoing challenge of unused reserve funds, and the Board agreed to revisit the topic of managing or dispersing reserve funds.

Dorothy reviewed plans for the annual congregational meeting in May. She noted that annual reports had been requested late and were still coming in. She also asked that Board members share thoughts on what highlights of Board activity should be included in the Board's annual report. The proposed leadership slate for the FY22 Board is incomplete, and the Board discussed ideas for names to suggest to LDC and other recruitment tactics. Troy Peters volunteered to serve as Board Secretary.

A planned discussion of ministerial evaluation was tabled until the May Board meeting.

Given the large volume of pending activity, the Board agreed to meet twice in May, once on May 13 and again on May 19.

After a process observation from Oscar, Rev. Mark shared closing words and the meeting was adjourned.

[Minutes prepared by Troy Peters]

Our Community Agreement

In order to establish and maintain a sanctuary of safety and trust, these aspirational guidelines for our behaviors with each other have been created from our own experiences and for our own benefit. It is understood that our commitments may be made, broken and restored as a part of our process of growth.

Support our mission:

Model kindness to promote justice, equity and compassion

Share time, talent and treasure

Honor our past, embrace change, and celebrate successes

Communicate thoughtfully with others:

Practice patience and look for good intentions in each other's actions

Learn from and listen to each other

Speak honestly from our own experiences and perspectives

Respect the personal nature of comments that others may share

Honor differences:

Resist making assumptions about one another

Work toward forgiveness whenever we fall short of expectations

Speak directly to each other or request mediation to negotiate misunderstandings

Welcome the diversity among us with curiosity, acceptance and empathy

RESTRICTED USE GIFT ACCEPTANCE POLICY

I. Purpose of Policy

This purpose of this policy is to articulate the policies of the First Unitarian Universalist Church of San Antonio (FUUCSA) acceptance of charitable gifts other than for (1) pledges towards the annual operating budget or (2) payments towards a capital campaign, or (3) gifts to the Endowment or Community Responsibility Trusts. This policy explains how to determine if a Restricted Use Gift fits the criteria below, how to handle exceptions, and who is responsible for administering the gift.

II. Overview

In general, it is the policy of FUUCSA to accept all gifts that

- Fit within our mission and vision, and
- FUUCSA is capable of administering

FUUCSA reserves the right to decline gifts which are either too restrictive in purpose, or too difficult or costly to administer, or for purposes outside our missions.

III. Definitions

- a. Restricted Use Gift - the donor specifically designates their gift to a particular project, purpose, or capital need.
- b. Unrestricted Use Gift – any gift other than a Restricted Use Gift as defined above.

IV. Gift Acceptance Guidelines

- a. Gift Acceptance:
 - i. FUUCSA may accept assets of all types, including gifts of cash, marketable securities, interests in real estate, and tangible and intangible property.
 - ii. In considering whether to accept a Restricted Use Gift, the Board shall follow the additional guidelines below.
 1. There shall be a written agreement between the donor and FUUCSA regarding the intended use of the gift unless the gift is made by testamentary bequest or trust distribution and is accepted after the death of the donor. See last page for *Reserve Fund Donation Form*.
 2. The written agreement shall document the donor's commitment for the gift, the timeframe for contribution(s) of the gift, and the donor's intended use of the funds.
 3. The written agreement shall state the date by which the Restricted Use Gift must be fully expended (the End of Use Date). If no date is specified, then FUUCSA assumes that End of Use Date is two (2) years from the date the gift is received.
 4. The written agreement shall state that once the End of Use Date has passed, any remaining balance or value will automatically transfer to the general fund. The Board will then designate usage of any remaining balance or value.
 5. Acceptance of gifts outside the scope of this policy requires the approval of the Board, which shall thereupon consider amending or revising this Policy to include provisions dealing with such gifts.

V. Additional factors to consider when determining whether to accept a Restricted Use Gift.

- a. Values: whether the acceptance of the gift compromises any of the core values of FUUCSA
- b. Compatibility: whether there is compatibility between the intent of the donor and FUUCSA's use of the gift
- c. Public Relations: whether acceptance of the gift could damage the reputation of FUUCSA
- d. Primary Benefit: whether the primary benefit is to FUUCSA, versus the donor
- e. Form of Gift: Is the gift offered in a form that FUUCSA can use without incurring substantial expense or difficulty?

RESTRICTED USE GIFT ACCEPTANCE POLICY

- f. Effect on Future Giving: Will the gift encourage or discourage future gifts?
- g. Administration: Whether the restrictions on the gift are difficult or costly to administer.

FUUCSA reserves the right to decline gifts that are too restrictive in purpose, too difficult or costly to administer, or for purposes outside of our missions.

VI. Assets Accepted as Restricted Use Gifts:

- a. FUUCSA will consider accepting all asset types as Restricted Use Gifts, including cash; marketable securities; interests in real estate; tangible personal property; and intangible personal property (such as copyright interests or life insurance).
 - i. Cash: As a general rule, FUUCSA will accept cash for Restricted Use Gifts
 - ii. Marketable Securities, Tangible or Intangible Personal Property: As a general rule, FUUCSA will accept these assets as Restricted Use Gifts once we have determined that the assets are readily marketable (publicly-traded or otherwise marketable without substantial restriction).
 - iii. Interests in Real Estate: Gifts of interests in real estate may be accepted only with the approval of the Board. As a general rule, real estate or other interests in real property (leaseholds, life estates, easements, etc.) will be accepted only if:
 - 1. The property has no significant environmental concerns as determined by an outside consultant agreeable to both the donor and FUUCSA, or the cost of cleaning up any environmental concerns has been determined and found acceptable by the Board;
 - 2. The property has been physically inspected and evaluated by appropriate qualified experts of FUUCSA's choosing;
 - 3. The property has no mortgage, lien, or other encumbrance, such as leasehold or life estate interests or easements benefiting other parties, that would significantly diminish the asset's value or cause ownership or management to be costly or an administrative burden;
 - 4. FUUCSA has evaluated and approved the property based on other relevant criteria, including but not limited to: present market value based on an appraisal as determined by an appraiser agreeable to both the donor and FUUCSA within the last 12 months; marketability; cost of acquisition; income potential while the property is held; zoning; appreciation/depreciation potential; maintenance and repair expense; loan expense; property taxes, unrelated business income tax and other possible tax implications; marketing, commission and closing costs for a future sale; improvement, renovation or retrofitting costs; safety, other liabilities and appropriate insurance costs;
 - 5. The title and transfer documents are satisfactory to FUUCSA; and
 - 6. For gifts subject to a retained life estate, the donor or primary life beneficiary shall be responsible for all expenses other than capital expenditures during the life tenancy, including but not limited to maintenance, real estate taxes, assessments and insurance.
 - iv. Closely-Held or Restricted Securities or Limited Partnership Interests: As a general rule, gifts of closely-held or restricted securities or limited partnership interest will be not be accepted. FUUCSA will evaluate each such proposed gift on a case-by-case basis using criteria relevant to the proposed gift.

VII. FUUCSA's Responsibility to Donors

- a. Commitment to a Donor-Centered, Philanthropic Approach: FUUCSA, its staff and volunteer representatives shall endeavor to assist donors in accomplishing their philanthropic objectives in a donor-centered way. In many circumstances, this may involve the donor's professional advisors, as charitable support is often integrated with a donor's overall tax, estate and financial planning.
- b. Confidentiality and Anonymity: Information concerning all transactions between a donor and FUUCSA shall be made available only to church personnel with a need to know in the performance of their official

RESTRICTED USE GIFT ACCEPTANCE POLICY

functions; otherwise, such information shall be held by FUUCSA in strict confidence and may be disclosed only with the permission of the donor or the donor's designee. FUUCSA shall respect the wishes of any donor offering anonymous support and will implement reasonable procedures to safeguard such donor's identity.

- c. Ethical Standards: FUUCSA is committed to the highest ethical standards. FUUCSA will not participate in gift discussions if there is a question as to the title/ownership of the asset or the donor's legal competency to transfer an asset.

VII Legal Considerations

Limitation of Liability. No member, employee or volunteer of FUUCSA shall have any liability under this Agreement except as expressly provided in this Agreement

- a. Legal Compliance: FUUCSA shall comply with all local, state and federal laws and regulations concerning all charitable gifts it encourages, solicits or accepts.
- b. No Legal, Tax and Financial Advice: FUUCSA shall inform prospective donors that it does not provide, legal, tax or financial advice, and shall encourage prospective donors to discuss all charitable gift planning decisions with their own advisors before entering into any commitments to make gifts to FUUCSA.
- c. No Endorsement of Providers: FUUCSA shall not endorse legal, tax or financial advisors to prospective donors.
- d. Payment of Fees: It will be the responsibility of the donor to secure an appraisal (where required) and to pay for the advice of independent legal, financial or other professional advisers as needed for all gifts made to FUUCSA.
- e. No Preparation of Legal Documents: FUUCSA shall not prepare legal documents for execution by donors.
- f. No Finder's Fees or Commissions: FUUCSA shall not pay fees to any person as consideration for directing a gift by a donor to FUUCSA.
- g. Service as Executor or Living Trust Trustee: FUUCSA will not agree to serve as executor of a decedent's estate or as trustee of a living trust or other trust intended to serve as a person's primary estate planning document.

RESTRICTED USE GIFT ACCEPTANCE POLICY

Reserve Fund Donation Form

Name for Reserve Fund	
Account #	
Purpose of Reserve Fund	
Date Established	
Estimated date Reserve Fund should be completed	
Disposition of any monies remaining at completion	
Responsible Ministry	
Form completed by	
Date	

1. Note: If no estimated date Reserve Fund should be completed is specified, then FUUCSA assumes that End of Use Date is two (2) years from the date the gift is received.