

**Unitarian Universalist Church of Berkeley  
Board of Trustees Meeting Agenda  
Wednesday, November 1, 2023**

**Via Zoom:** <https://zoom.us/j/91070175965?pwd=d2FUcWZCQjYzVEF2MFZabWJQQVRrUT09>

**7:15 1. CALL TO ORDER & OPENING RITUALS**

- a. Chalice reading & lighting – David Rosales
- b. Board Covenant reading – Beth Pollard
- c. Land Acknowledgement Statement – Helen Tinsley-Jones
- d. Widening the Circle Statement – Cordell Sloane

**7:25 2. CONSENT AGENDA – Items may be approved in one motion unless a Board member requests an item be removed for question or placement under discussion/action**

- a. Approve agenda
- b. Approve October 2023 Board Meeting minutes
- c. Accept monthly Executive Director’s report.
- d. Accept monthly Treasurer’s report
- e. Accept monthly Freestone Oversight Committee report

**7:30 3. MINISTER’S REPORT**

**7:40 4. ANNOUNCEMENTS/LISTENING**

- a. Board or staff announcements, Board Listening Presence
- b. Congregants who wish to speak to the Board on agenda items or other matters.

**8:00 5. DISCUSSION ITEMS**

- a. Endowment Committee Recommendation Re: Ann Lane Bequest (Anita Mermel)
- b. Transylvanian Church Collaboration
- c. Beacon article recommendations

**8:15 6. BOARD COMMITTEE MEMBER/LIAISON REPORTS**

**8:30 7. CLOSING COMMENTS**

**8:35 8. ADJOURNMENT**

## **Aspirational Covenant of the UUCB Board of Trustees**

Approved September 2019, updated May 2020

We as the UUCB Board of Trustees agree:

- To stay committed to connection even when we disagree;
- To recognize the fullness of our power, and the many responsibilities that power entails;
- To listen actively to each other and the congregation, and to seek out opportunities to do so;
- To be caring, respectful, present and open-minded;
- To work together to make the changes the congregation needs, as we keep the best interests of the congregation above our own and to live into our mission;
- To support and trust each other in our work;
- To remember the goal of our work is to build a thriving, loving congregation;
- To be unafraid in the face of hard decisions, to be unafraid of making mistakes, knowing that we will learn from them if we do, and to be unafraid of challenging sacred cows; and
- To come to decisions we all feel we can support while recognizing diverse views.

## **Land Acknowledgement Statement**

As we begin, we want to acknowledge that this church occupies land in Huchiu, the unceded territory of the Chochenyo-speaking Ohlone people. We understand that we continue to benefit from the seizure and occupation of this land. We acknowledge and embrace our responsibility to take restorative action. We affirm that this is deeply felt and commit our congregation to be in right relationship with Indigenous communities, aligning in solidarity, supporting Indigenous projects, and caring properly for the land.

## **Widening the Circle Vision Statement**

We, the trustees of UUCB, commit ourselves to championing racial justice embodying anti-racist practices, and confronting and dismantling white supremacy culture and all forms of oppression (including but not limited to racism, sexism, ableism, homophobia, transphobia, classism, ageism, xenophobia and religious oppression (including anti-Semitism and Islamophobia) in everything we do.

## **Mission Statement of the Unitarian Universalist Church of Berkeley**

The mission of the Unitarian Universalist Church of Berkeley is to create loving community, inspire spiritual growth, and encourage lives of integrity, joy and service.

## **Vision Statement of the Unitarian Universalist Church of Berkeley**

The Unitarian Universalist Church of Berkeley is a welcoming and vibrant congregation. We joyously support spiritual development guided by individual faith, reason, and conscience. We are committed to serving one another, the church community, the community at large, and the global community. We foster a spirit of generosity and trust that encourages care for our church home and affirms diversity and relationships consistent with Unitarian Universalist principles.

**Unitarian Universalist Church of Berkeley Board of Trustees Meeting  
Wednesday, October 4, 2023**

**Meeting Conducted via Zoom Video Conference**

**Minutes – Draft**

**ATTENDEES**

Voting members: Michael Armstrong, Bill Brown, Kay Fairwell, Pier Ho, Randall Hudson, Beth Pollard, Cordell Sloan, Helen Tinsley-Jones

Absent: David Rosales

Ex officio members: Rev. Marcus Liefert, Tess O’Riva (Executive Director), Selene Fabiano (Secretary), Carolyn James (Treasurer)

Visitors: Barbara Cullinane, Jean Gleason, Anne Greenwood, Sheldon Jones, Larry Nagel, Sheila Tarbet, Marta Tobey, Grace Ulp, Dave Wemmer

A quorum being present, the meeting was called to order by Helen Tinsley-Jones, co-president, at 7:19 p.m. Pier did the chalice lighting and reading, Helen read the Board covenant, Michael read the land acknowledgement, and Michael read the Widening the Circle Vision Statement.

**CONSENT AGENDA**

**A motion for the following (M \_Michael\_/S Pier \_\_) passed unanimously:**

- Approve agenda
- Approve Sept 2023 Board Meeting minutes
- Accept Sept 2023 Executive Director report
- Accept Sept 2023 Treasurer’s report
- Accept the Freestone Oversight’s Committee Report

**MINISTER’S REPORT**

The Committee on Ministry (COM), formed last month, had its first meeting. The COM will meet on a monthly basis and stagger the three-year terms so not all the members go off at the same time. Dave Roberts volunteered to be chair.

Rev. Marcus has been holding individual meetings with leaders and is now in the process of setting up small group discussions. There was a quick and positive response to his request for

small group hosts. Rev. Marcus' plan is to report back on themes from these groups in June and will use some of the material in his sermons next fall.

Article in the Kensington Outlook announcing the beginning of the beginning of Rev. Marcus' ministry at UUCB. An article announcing the beginning of Rev. Marcus's ministry was recently featured in the Kensington Outlook.

Rev. Marcus will be away on 10/15 during which time he will lead the chapter minister's group which has semi-annual retreats.

## **ANNOUNCEMENTS/LISTENING**

### **Board or Staff Announcements:**

#### Masking survey results

Tess reported that 101 people responded to the masking survey. Based on the survey results, the masking mandate at UUCB has been eliminated; this change was announced to all congregants in a single-subject email. The email also reminded people to stay home if they are sick or experiencing any symptoms. Masks will still be available at the welcome table. The Fireside room is being held as a place where people can watch the service if they don't feel comfortable being in the sanctuary.

#### Personnel announcements

Tess reported that she hired a new facilities manager whose work schedule will be Tuesday-Friday.

Statement from the Board, read by Co-President Pier: A confidential personnel concern was brought to the minister and the board in March 2023. The church followed its HR processes, which in this instance included hiring an independent investigator. The investigation concluded that the original concern was not substantiated by any reasonable evidence. Though there were no major findings, the results of the investigation did indicate a few areas for improvement. As of this meeting, the recommendations have been implemented, and the board has accepted the final report and considers the matter resolved.

### **Report from Board listening presence:**

Randall reported that there was some confusion and concern that the Breeze database was not reflecting pledges accurately. There has been some follow-up to get this straightened out. He also noted that there have been many enthusiastic comments regarding Rev. Marcus' presence at UUCB, as well as his sermons.

Michael Armstrong will be the listening presence in November.

### **Congregants who wish to speak to the Board:**

Anne Greenwood thanked the board and Rev. Marcus for their letters that she brought to our partner church in Homoródújfalu, Transylvania. The minister was delighted by Rev. Marcus' letter and wants to establish connection with Marcus. Anne expressed her interest in members of UUCB's BOT meeting with the Homoródújfalu church council via Zoom. UUCB has a long history with our partner church and Anne would like to include more of our respective congregations in this partnership. The Homoródújfalu church gave Anne a plywood folk art painting which she hopes can be displayed at UUCB.

Helen thanked Anne for renewing and strengthening the connection we have with our partner church. More information about our partnership with this church in Transylvania can be found on the UUCB website: <https://uucb.org/partner-church2/>

### **DISCUSSION/ACTION ITEMS:**

#### **a. Empowerment and Expectations at UUCB**

Tess shared a document providing guidelines for congregant and staff interactions and communication in the post-pandemic world. The document states that UUCB staff work for the mission of UUCB, not the congregants. She stressed that the partnership between the staff and the congregation is really important, especially now that the staff is so busy with rentals (part of our efforts towards financial sustainability). Tess wants to counter unrealistic expectations regarding how much the staff can do, and urges members to help one another and to be as self-sufficient as possible. Tess is also working on updating the "How Things Work at UUCB,"

Rev. Marcus thanked Tess for work on clarifying expectations, noting that a lack of clear expectations regarding staff capacity is an issue in many churches.

#### **b. UUCB Safety Policy Discussion Recommendation**

Pier reported that a revision to UUCB's current Safety Policy is needed. Our recently re-established Safety Response Team currently consists of Rev. Marcus, Pier (board liaison), Barbara Cullinane, Tess, and Heaven. The first step is to form a temporary committee to review and update the policy.

Rev. Marcus noted that it's important to separate out governance function and policy which falls under the board's purview and the operationalizing of the policy for which he, Tess, and volunteers are responsible. Rev. Marcus is planning to form a Conflict Response Team to address issues included in the Safety Policy that are more related to conflict/uncomfortable situations than safety.

#### **Discussion**

- Some important information in the Safety Policy is not generally known or even known to the people responsible for enforcing the policy.

- Revising the policy and re-educating the congregation is a process, not a one-time event.
- Important to differentiate between board policy and the more flexible, operational procedures.
- This is a process. No board actions to be taken right now.

### c. Green Sanctuary proposal

Sheila Tarbet provided a presentation on the UUA’s “Green Sanctuary 2030: Mobilizing for Climate Justice” program and UUCB’s Green Sanctuary Proposal.

Green Sanctuary 2030 provides structure, leadership and support for the UU community to engage in an ambitious environmental and climate justice movement. To participate in the Green Sanctuary campaign, UU congregations are asked to plan and carry out the following four campaigns:

1. Congregational transformation. This involves moving the responsibility and passion from a small group to the congregation as a whole.
2. Mitigation. Lowering our carbon footprint (e.g. electrification) at UUCB and beyond the walls of the sanctuary.
3. Adaptation and resilience – acknowledging the climate is changing; need to adapt to it and develop resilience so we can thrive in the midst of this change; resilience includes developing emotional resilience, as well as cooling centers for hot days
4. Justice. Recognizing the intersectionality of the climate crisis with other social justice issues, and doing some frontline work.

There are also 4 stages in the process:

1. Congregational profile. Cynthia Greenleaf and Sheila Tarbet have created this for UUCB and are asking for the board’s approval to send it to the UUA
2. Opportunity assessment
3. Action plan
4. Progress report to the UUA

Sheila indicated that the Climate Justice Committee (CJC) would like the board’s support to go forward and welcomes the board’s ideas and participation.

### Discussion

- This is an exciting opportunity to widen the circle of involvement at UUCB.
- The profile is a really valuable document for our church – has lots of history and information.
- Big thanks to Sheila and the CJC.
  - A Board role would be to consider a vision and policies that advance UUCB’s climate justice work . Beth offered to assist if or when that’s of interest.

•  
Questions and Answers

**Q:** Would there be specific goals that we would be working towards?

**A:** Yes. The goals will come out of the Opportunity Assessment and Action Planning process. We think this will help give us a focus and allow the congregation to channel its energy. An example of a justice goal might be developing a partnership with Urban Tilth in Richmond.

**Q:** Is there any funding for this from UUA?

**A:** No.

**Q:** Will staff be involved?

**A:** Tess met with us and has been doing things like buying non-polluting soaps and recycled paper. We don't want to take a lot of staff time but would welcome their ideas and participation.

**Action:**

**Motion (M- Helen / S -Beth ) to endorse the CJC's engagement in UUA Green sanctuary– the 1<sup>st</sup> step of which is submitting the congregational profile. Motion passed unanimously.**

d. Beacon Article topic suggestions

David will be writing the article. A recap of the “Start-up” workshop would be a good topic.

**BOARD COMMITTEE MEMBER/LIAISON REPORTS**

Nominating Committee. Michael reported the 2023-24 Nominating Committee has met twice. They met with outgoing committee members to talk about best practices, made agreements about the procedures, and began reviewing the membership list for potential candidates.

Chalice Circles. Michael reached out to Natalie, Lisa, and Lenore and will attend one of their meetings.

Governance Manual. Kay reported that she and Beth have met and think there are ways to make the manual more concise. Their focus is to separate governance from administration. They plan to finish by the end of 2023, share a draft in January, and have a version in February 2024. Beth and Kay will do most of the work and will tap expert assistance as needed.

WTCC. Beth shared three items: 1. The WTCC wants to lift up the Music department's work in bringing music by musicians and composers from a variety of backgrounds; 2. The WTCC is requesting examples of where UUCB has as widened the circle so they can highlight those; 3. Expressed concern regarding the availability of childcare. It's harder to widen the circle, if

families show up for service and there's no childcare. Beth asked about the budget allotment for childcare workers and the status of getting more childcare workers.

#### Discussion

Tess reported that Heaven recently on-boarded a new childcare worker who can work on Sundays. UUCB has 3 childcare workers; the hope is to have 4. UUCB is trying to be innovative. Tess recently asked Heaven to create have a list of finger-printed members who can volunteer to help with childcare. In addition, they are targeting adolescent children of UUCB members. It's a win-win. The teens get work experience and pay in a safe environment. Interested teens should contact Tess and she will help them with the necessary paperwork.

Several people believe the challenge is less about the hourly wage for our childcare workers (\$20/hour) and more about the schedule (i.e. not everyone wants to work 3 hours on Sunday). Others believe the \$14,000 budget line item doesn't cover that much and that \$20/hour is below market rates.

Family Ministry. Pier reported the new RE model is going well, although attendance is still low. Youth group is going very well. The FM is looking for more RE educators.

SJC. Helen reported Indigenous People's Day, a state and national holiday that celebrates indigenous cultures and traditions, is October 9<sup>th</sup>. Social Justice Sunday will be held on Oct 22<sup>nd</sup> (10-2PM) and will celebrate diversity with games, food, singing, dancing, award-winning film. Check the website for additional information.

### **CLOSING COMMENTS**

Helen thanked everyone for coming, noting this was a "great news" meeting that highlighted the great work we're doing and the ways we're reaching out to the community and widening our circles.

### **ADJOURNMENT**

The meeting adjourned at 9:16PM.

Respectfully submitted,

Selene Fabiano, Secretary

### **UPCOMING EVENTS AND BOARD RESPONSIBILITIES**

Next Board Meeting: 11/1/23





End (Limitation)	Topic	Action/Discussion/Information
		<ul style="list-style-type: none"> <li>• The Facilities office has been remodeled to provide a desk for both Peter and James. Our IT consultant has been in multiple times to ensure the network and all computers are working properly.</li> <li>• Peter has installed a new keypad for entry into the back door. All Trusted Users should have received the new code. Trusted Users sign a document attesting that they accept the responsibility of the security of our campus when they are using the building outside business hours.</li> <li>• Current projects are fixing the Rose Garden gate, replacing the ancient pump on the fountain, and prioritizing the other 41 projects on the list.</li> </ul>
<p align="center"><b>Community</b> (People are loved, valued, &amp; connected)</p>	<p align="center"><b>Admin &amp; Operations</b></p>	<ul style="list-style-type: none"> <li>• After 3 months of attempts and hours paid to consultants, AT&amp;T does not have a program that is compatible with our current system. We await Sonic to get into our area but will remain on Comcast until then. In the meantime, Infrastructure Nerds will be reviewing all Wi-Fi extenders on campus to ensure they are up to date and as fast as possible.</li> <li>• Janae has accepted the position of full time Office Administrator, since Caitlyn took a step back to pursue her Sound Engineering business and spend more time with baby August. She is still currently working on the sound upgrades in the Sanctuary and is available for sound engineering gigs and concerts. Janae works Mon-Fri and is in the office on Tuesdays and Thursdays. At this time, she is also still handling all the rentals!!</li> <li>• Facilities staff have solidified their schedules: James is on campus Sun-Thurs, usually 8-3:30. Peter will be 11-7:30 Tues-Friday. I (as Facilities Director) am now on campus 2-3 Sundays a month and will be taking the subsequent Mondays off. I can be found in the office on Tuesdays and Thursdays and some Fridays by appointment.</li> <li>• Enthusiastic conversation at Program Council regarding Expectations &amp; Empowerment document. There needs to be more work to communicate the nuances of how staff and congregants interact. It's difficult to do that in a document, and many people feel that they don't know when it's okay to reach out to staff anymore. It was pointed out that it is a culture change to tell people that directly assigning things to staff is problematic, although the statement that staff cannot work for 326 people was generally accepted. Everyone also seems to appreciate the clarification that <i>staff work for the mission of UUCB</i>.</li> <li>• In lieu of pursuing distribution of the E&amp;E document, included with this report is a current guideline on Who Does What to help guide congregants in their mission-based work.</li> </ul>



**Who Does What?**  
**A brief and evolving guide to UUCB staff responsibilities**

Issue/Area	First Contact	Staff Contact
Announcements, Communication & Outreach	After approval of Program Chair (if applicable), send to Staff	Charis Domador <a href="mailto:connections@uucb.org">connections@uucb.org</a>
Breeze support (member & visitor database)	Lonnie Moseley ( <a href="mailto:membership@uucb.org">membership@uucb.org</a> ) trains people how to use the system to find people and create a directory	Charis Domador <a href="mailto:connections@uucb.org">connections@uucb.org</a>
Building Scheduling/Use	Check UUCB calendar: <a href="https://uucb.org/the-week-ahead-at-uucb/church-calendar-2/">https://uucb.org/the-week-ahead-at-uucb/church-calendar-2/</a> Contact: Your Program Council Rep	Janae Heard <a href="mailto:janae@uucb.org">janae@uucb.org</a> (formerly <a href="mailto:administrator@uucb.org">administrator@uucb.org</a> )
Child Care		Heaven Walker <a href="mailto:family.ministry@uucb.org">family.ministry@uucb.org</a>
Facility Maintenance Issues (repairs, hazards, etc):	Urgent (leak, toilet blocked, safety issue): Go to staff immediately Non-urgent: Submit Yellow Sheet/Facilities Request form: <a href="https://docs.google.com/forms/d/e/1FAIpQLSep-HHBwywqx-bxAJlSqCxIARdOFX4-KIccTIUAhIvIEj12hA/viewform">https://docs.google.com/forms/d/e/1FAIpQLSep-HHBwywqx-bxAJlSqCxIARdOFX4-KIccTIUAhIvIEj12hA/viewform</a>	Peter Barnholdt <a href="mailto:peter@uucb.org">peter@uucb.org</a>
Facility/Grounds Care & Cleanliness	Submit Yellow Sheet/Facilities Request form: <a href="https://docs.google.com/forms/d/e/1FAIpQLSep-HHBwywqx-bxAJlSqCxIARdOFX4-KIccTIUAhIvIEj12hA/viewform">https://docs.google.com/forms/d/e/1FAIpQLSep-HHBwywqx-bxAJlSqCxIARdOFX4-KIccTIUAhIvIEj12hA/viewform</a>	James Jackson <a href="mailto:james@uucb.org">james@uucb.org</a>
Family Ministry Programs/RE	Robin Cooper, FM Committee Chair <a href="mailto:rocooper3@yahoo.com">rocooper3@yahoo.com</a>	Heaven Walker <a href="mailto:family.ministry@uucb.org">family.ministry@uucb.org</a>
Finding a Program or Group	<a href="https://uucb.org/about-us/governance/program-council/program-council-clusters/">https://uucb.org/about-us/governance/program-council/program-council-clusters/</a>	Charis Domador <a href="mailto:connections@uucb.org">connections@uucb.org</a>
HR/Personnel	Tess Snook O'Riva <a href="mailto:ted@uucb.org">ted@uucb.org</a>	Rev. Marcus <a href="mailto:revmarcus@uucb.org">revmarcus@uucb.org</a>

Memorial Wall/My Wishes		Tess Snook O'Riva <a href="mailto:ted@uucb.org">ted@uucb.org</a>
Music, Choir, & Guest Musicians		Bryan Baker <a href="mailto:bryan.baker@uucb.org">bryan.baker@uucb.org</a>
Office Administration, Key Management, Email Issues, Name Badges & Office Supplies	(inquiries that come through the website need acknowledgment)	Janae Heard <a href="mailto:janae@uucb.org">janae@uucb.org</a>
Pastoral Care	<a href="mailto:pastoralcare@uucb.org">pastoralcare@uucb.org</a>	Rev. Marcus <a href="mailto:revmarcus@uucb.org">revmarcus@uucb.org</a>
Pledge/Donation History & Questions	Deposit Team <a href="mailto:depositteam@uucb.org">depositteam@uucb.org</a>	Tess Snook O'Riva <a href="mailto:ted@uucb.org">ted@uucb.org</a>
Reimbursement Requests	Send form to your program chair, who approves and forwards to staff. <a href="https://uucb.org/wp-admin/admin-ajax.php?juwpfisadmin=false&amp;action=wpfd&amp;task=file.download&amp;wpfd_category_id=1009&amp;wpfd_file_id=105082&amp;token=5dbb8eadbdc7d9167c5ae8fe5d70f915&amp;preview=1">https://uucb.org/wp-admin/admin-ajax.php?juwpfisadmin=false&amp;action=wpfd&amp;task=file.download&amp;wpfd_category_id=1009&amp;wpfd_file_id=105082&amp;token=5dbb8eadbdc7d9167c5ae8fe5d70f915&amp;preview=1</a>	Diana Steinbach <a href="mailto:financeadmin@uucb.org">financeadmin@uucb.org</a>
Reservations & Rentals	For personal events or rental referrals, see <a href="https://docs.google.com/forms/d/e/1FAIpQLSfes7CpCSBvJ_QcUV-niiETdAuUrI0e9VsHOEkoWdykZ4G2pg/viewform">https://docs.google.com/forms/d/e/1FAIpQLSfes7CpCSBvJ_QcUV-niiETdAuUrI0e9VsHOEkoWdykZ4G2pg/viewform</a>	Janae Heard <a href="mailto:janae@uucb.org">janae@uucb.org</a>
Room Setup (Tables, chairs, A/V, etc.)	Submit Green Sheet/Setup form: <a href="https://docs.google.com/forms/d/e/1FAIpQLScbq1wk3eEA-PVixeybYxtfpVTlwXjE8ASVGtk62OQGVFfiCw/viewform">https://docs.google.com/forms/d/e/1FAIpQLScbq1wk3eEA-PVixeybYxtfpVTlwXjE8ASVGtk62OQGVFfiCw/viewform</a>	Janae Heard <a href="mailto:janae@uucb.org">janae@uucb.org</a>
Volunteer Opportunities	Lonnie Moseley <a href="mailto:membership@uucb.org">membership@uucb.org</a>	
Website Management	Charis Domador <a href="mailto:connections@uucb.org">connections@uucb.org</a>	
Worship	<a href="mailto:worshipassociates@uucb.org">worshipassociates@uucb.org</a>	Rev. Marcus <a href="mailto:revmarcus@uucb.org">revmarcus@uucb.org</a>

**TO: UUCB Board of Trustees**  
**FR: Carolyn James, Treasurer**  
**RE: Report for Board Meeting – November 1, 2023**

### **Tax Filings:**

This month, I have been focused on the issue of delinquent tax filings for two trusts, for which the church is the trustee with the responsibility to file annual tax returns.

#### *Calkins Trust:*

This month, an ad hoc team comprised of myself, Lucinda Young, Smiley Nelson, and the Endowment Committee members, has been working on the Calkins Trust tax issues. The Endowment Committee is the named trustee responsible for managing the trust and ensuring that annual returns are filed. The beneficiaries of the trust are UUCB, the UU Service Committee, and surviving members of the Calkins family (formerly two individuals, now down to one remaining beneficiary). The last return filed for the trust was likely 2017. (After some sleuthing, Smiley and I have found copies of returns through 2016, and have requested a copy of the 2017 return from the CPA firm that likely prepared it).

I completed an accounting of the distributions made from the trust, and expenses paid by the trust, for the five delinquent years (2018 – 2022). I have also compiled the 1099's and investment statements for all five open years. Lucinda has read through the various voluminous trust documents to clarify some questions about the trust. We are ready to hand the package off to a tax professional to prepare the returns. The Endowment Committee is selecting a preparer. Taxes owed by the trust, and tax preparation fees, will be paid out of the trust's investment assets. Penalties and interest should be paid by the church.

#### *FUCB Pooled Income Trust:*

I have started working on this trust, which also has delinquent tax filings due, likely for the same years (2018 – 2022). This is a split interest trust, with the church as trustee, and former minister Boekke and the church as beneficiaries. I'm at an early stage but will update next month.

### **Finance Committee**

We held our regular monthly meeting and received several updates from Tess:

*Parsonage:* Expenditures for the parsonage to date have totaled about \$222K. This included the payoff of the mortgage for acquiring the property (\$135K), and ~\$87K in renovation projects. This total does not include a required sewer lateral replacement (\$8K) nor replacement of a hazardous electrical fuse box (\$8K) currently underway. The property is bringing in rental income to help defray these costs.

*Year-end closing:* Tess continues to work with Kevin Brower on closing FYE 6/30/22, expected within the next week or so. Then they will move on to closing FYE 6/30/23, expected by January. The regular income and expense accounting is done, but the holdup is with trueing up our special restricted and earmarked funds.

*Upcoming Issues:* The Fire Department will be ending its lease arrangement with us in 2024. Tess has been tasked with laying out our options for what to do with the space and temporary buildings, and the costs associated with various alternatives.

# Report from the Freestone Oversight Committee

Larry Nagel  
UUCB Board of Trustees Meeting  
November 1, 2023

# The Freestone Oversight Committee (FOC)

- Beth Pollard (Board Rep)
- David Wemmer (Freestone Committee Rep)
- Alan Davis (Freestone Committee Rep)
- Tom Tripp
- Susan Lankford
- Larry Nagel

The Board may choose to add more members as necessary



# FOC Report Summary

FOC meetings on October 11 and 25 on following topics:

- Wildfire fuel reduction on the access road and the dome
- Possible daytime use by UUCB members
- Conservation Easements
- Encroachment by neighbors
- Fundraising

# Wildfire Fuel Reduction - 1

- Because of the lack of volunteers, the work details for fuel reduction have not been effective and there is an unacceptable amount of grass and brush around the dome and along the ingress and egress road.
- We still have a month of fire season left, and UUCB as the owner of Freestone has a legal and moral obligation to keep the property clear of brush and in conformance with all county and state fire codes.

# Wildfire Fuel Reduction - 2

- Because of this, the FOC voted unanimously to ask Tess O'Riva, UUCB Executive Director, to take steps to see that excess vegetation is removed in keeping with fire safety requirements.
- The cost of the fuel reduction will be borne by UUCB.
- Wildfire fuel reduction is underway, just in time for the first Red Flag Day of the fire season.

# Possible Daytime Use by UUCB Members

- The FOC anticipates receiving a proposal from the Freestone Committee for daytime use of Freestone by UUCB groups
- The proposal will include limits on number of people and light/day hours only, as well as cordoning off of deck areas where there are safety concerns, and having a knowledgeable and responsible on-site monitor.

# Conservation Easement (CE) Applications

- Applications are being submitted for conservation easements:
  - Natural Resources Conservation Service (NRCS) Agricultural Conservation Easement Program (ACEP)
  - California Wildlife Conservation Board Easement
- One neighbor has declined participating in the easement application and the other neighbor's position is not known at this time.
- The Freestone Committee is still considering proceeding with the sale of lots 1 & 2 in the near future.

# Villa Encroachment and CE Coordination

- The Freestone Committee reached out to the neighbor whose house (the Villa) appears to encroach onto our dome property.
- Freestone Committee representatives are contacting the realtor for the neighbor after not hearing back from the neighbor.
- The Villa property is for sale which will complicate conservation easement coordination.

# Status of Freestone Fundraising

- The Freestone Committee has received two congregant donations totaling \$3,434. These funds will be kept separate from the Contingency Loan Fund. The Freestone Committee is requesting congregant donations in hopes of raising sufficient funds to perform the minimum amount of repairs to open the dome for overnight use.
- The Freestone Committee is exploring, with Tess, selling congregant donated items on E-Bay for a commission.

# FY 2023-24 Freestone Contingency Loan Fund

Expenditure	Amount	Approve Date	Notes
Vacation rental property manager certification County fee	\$116.00	FOC August 30, 2023	Reimburse Michael DeWitt
<b>County recorders fee related to VRP</b>	\$19.50	FOC August 30, 2023	Reimburse David Wemmer
<b>Lescure Engineers</b>	\$1,810.00	FOC August 30, 2023	Completion of mapping; driveway analysis and mapping; including road permitting and septic system
<b>Total</b>	<b>\$1,945.00</b>		
FY 2023-24 Limit	\$7,500.00		



## Discussion/Questions

October 23, 2023

To: Board of Trustees

Fr: Endowment Committee, via Anita Mermel, Chair of EC

Subject: Future Disposition of the endowed **Ann Lane Memorial Fund (# 611312)**

Executive Summary:

In 2020 UUCB received an estate gift of \$250,000 from the Petczo One Family Trust and deposited said gift into a newly named endowed fund in our UUCEF portfolio to allow for three years of undisturbed growth in its value. Now, three years later, the Endowment Committee is responding to the Board's question of **how UUCB should direct fund #611312**, with a current value of \$275,672 (as of 09/30/23).

**The Endowment Committee recommends that the initial gift corpus and all growth be transferred into UUCB's donor-designated permanent endowment fund #610028, known formally as UU Church of Berkeley fund.** This fund captures multiple gifts of permanent endowment whose use has not been restricted by the donor, and perfectly meets the criteria set out in the donor's will.

**Simultaneously and in parallel, the EC recommends that the Board appoint a Recognition Task Force, to run for no more than a year, to think through, recommend, and implement how UUCB publicly acknowledges gifts of treasure (financial) and of time/creativity to UUCB and to the wider mission of our Congregation.**

Background

In May 2020, UUCB received a \$250,000 gift from the Petczo One Family Trust, "to be placed in its endowment fund". After considerable sleuthing with Petczo family law firms in Massachusetts and some of our elder UUCB members, the Endowment Comm concluded that this gift was likely associated in some way with former UUCB member Ann Lane. The Petczo One Family Trust, executed by Theodore and Susanna Petczo in 2009, named UUCB among eight other beneficiaries. Ann Lane was sister to, and predeceased, Susanna. We concluded that Susanna and her husband Theodore were either carrying out Ann's wishes, or honoring her on their own by making this very generous bequest to UUCB.

Following UUCB gift acceptance policies, this gift, per its Trust's instructions, was clearly intended to become part of our permanent endowment, and as no restrictions were presented, it was to be unrestricted in its use. In 2020, the Endowment Committee recommended, and the Board accepted, a two-step process for the gift's future.

1) First, consistent with best practices in managing endowments so that they grow over time, none of the growth in this fund, if any, was to be used until three years had elapsed from when it was first invested. A temporary endowed fund (Ann Lane Memorial Fund) was created within our UUCEF portfolio, with a discrete fund number (611312).

2) A decision was deferred until 2023 as to how to treat the fund moving forward. The fund is now valued at \$275,672. The choices are the following and **the EC highly recommends choice A:**

**A) Roll the original gift plus accrued growth (\$275,672) into our existing pooled fund, 610028 "UU Church of Berkeley"(current value: \$80,420). This complies with the terms of the Petczo gift: permanently endowed, and unrestricted in use.**

This recommendation is based on the fact that nowhere in the gift's legal documents does it state that a named fund should be created. In fact, Ann Lane's name was not ever mentioned in the Trust; only our internal sleuthing uncovered the familial ties. Moreover, the bequest's language fits completely within fund 610028's definition as a permanently endowment fund, with no restrictions placed on the use of its payouts. This path would be consistent with UUCB gift receipt policies, and is the path the church has chosen for previous estate and memorial gifts that have met the same criteria. This path would also mean that moving forward, the 13Q rolling average payout of the greatly enlarged UU Church of Berkeley Fund will automatically go to Ladd Griffith Building Maintenance until which time the Board changes that policy.

B) Permanently keep the \$275,672 in the separate fund (Ann Lane Memorial Fund, #611312).

If option B is adopted, the Board will then have to make an additional decision:

- (i) Adopt the current policy of our other unrestricted permanently endowment funds, and have the annual payout of this Fund go to the Ladd Griffith Building maintenance fund each year, OR
- (ii) Direct that this fund's annual 13Q rolling-average payout go to an as-yet-undefined purpose.

The Endowment Committee anticipates that a good number of legacy gifts designated for endowment will be received by UUCB over the next decade. Unless they are restricted in any way, the EC would recommend channeling each into our existing 610028 "UU Church of Berkeley Endowed fund, as per current policy. Similarly, the church can expect large legacy gifts that will **not** specify any language indicating "in perpetuity", "forever" or "endowment", and these, following policy, should be directed to the Board Designated Quasi Endowment fund, #610888. We see no obligation to create a long string of new "named" endowed funds solely to honor the benefactor. It might be argued that few persons see reports of funds and expenditures other than those involved in the financial matters of the church. Such naming of funds is not the best way to honor our legacy donors. And, it would be a greater burden on the staff and volunteers who manage our finances to have numerous funds with identical purposes.

That said, the Endowment Committee would like to see the generosity of these departed members honored in some visible way. While we have discussed creating a permanent memorial wall or plaque to honor our major donors, legacy and living, this has met with some resistance from several members (You might hear, "But what about those who don't have a lot of money but have donated their time?"). Long-term visible acknowledgement of our members' contributions raises sensitive considerations that will need to be discussed further. **As a consequence, we strongly recommend that the Board appoint a Recognition Task Force.** We suggest that this might run for no more than one year and that it be tasked to think through, recommend, and implement how UUCB publicly acknowledges gifts of treasure (financial) and of time/creativity to UUCB and to the wider mission of our Congregation.