

**ORDINANCE NO. 20160128-084**

**AN ORDINANCE AMENDING CITY CODE TITLE 25 REGARDING NEIGHBORHOOD PLAN CONTACT TEAMS.**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**

**PART 1.** Subsection (E) of City Code Section 25-1-805 (*Neighborhood Plan Contact Team*) is amended to read as follows:

- (E) The neighborhood plan contact team shall submit new bylaws or changes in existing bylaws to the director. The bylaws shall [~~be based upon a standardized template provided by the director and shall~~] address roles and responsibilities, boundaries, membership, decision-making, meetings and meeting notification, officers and duties, amendments to the bylaws, finances, and conflicts of interest. The bylaws shall be consistent with the standardized bylaws template and instructions provided by the director.

**PART 2.** City Code Section 25-1-805 (*Neighborhood Plan Contact Team*) is amended to add a new Subsection (G) to reads as follows:

- (G) Neighborhood plan contact teams shall have dispute resolution as follows:
- (1) Filing complaints. A person who meets the membership requirements described under Subsection (B) and believes that the neighborhood plan contact team has violated the provisions of this section may file with the director a request to have the director investigate and mediate the complaint. Such complaints shall be in writing and shall identify the neighborhood plan contact team alleged to be violating the provisions of this section. All complaints must be filed within 45 days following the occurrence of an alleged violation.
  - (2) Investigation. The director shall review with the charging party the allegations contained within the complaint and, if warranted based on the requirements of this chapter, shall conduct a prompt and full investigation of the matter stated in the complaint through interviews with the charging party, contact team officers, and through review of all available documentation. The director shall determine in writing whether dispute resolution is warranted within 14 days of receiving a complaint and shall render a written

report identifying issues to be addressed through dispute resolution within 28 days of receiving the complaint.

- (3) **Informal Dispute Resolution.** If after investigation it is determined that there is reasonable cause to believe that dispute resolution is warranted, the director shall endeavor to eliminate any such alleged violations by informal methods of conference, conciliation, and persuasion. All informal dispute resolution and determinations of the director must be completed within 30 days after the director provides the written report.
- (4) **Formal Dispute Resolution.** If, after determining that there is reasonable cause to believe that dispute resolution is warranted, and the director is unable to secure from the respondent an acceptable conciliation agreement, the director shall present a report to the Planning Commission within 30 days of completing the informal dispute resolution. If after review of the report the Planning Commission agrees with the report of the director, the Planning Commission may recommend a more formal mediation or dispute resolution process. The Planning Commission shall set a deadline for the completion of formal mediation based on the complexity and circumstances of a specific case and shall identify a neutral third party to conduct the dispute resolution process.
- (5) **Remedy.**
  - (a) In cases where the informal and formal dispute resolution processes initiated by the City are unable to secure from the respondent an acceptable conciliation agreement, the Planning Commission may recommend that the director and the City discontinue recognition of the neighborhood plan contact team under the provisions of this chapter until a conciliation agreement acceptable to the Planning Commission is reached.
  - (b) In the event the City discontinues recognition of a neighborhood plan contact team, special designation of the organization as a neighborhood plan contact team will be removed from the City of Austin Community Registry, the neighborhood plan contact team will no longer be granted the authority to initiate Neighborhood Plan amendments, and the neighborhood plan contact team will no longer have access to any special resources or authority through the City based on its status as a neighborhood plan contact team.

- (c) If recognition of a neighborhood plan contact team is discontinued for more than six months, the director may take action to initiate a new neighborhood plan contact team for the planning area under the provisions of City Code Section 25-1-805(A)-(C). In the event that the director takes action to initiate a new neighborhood plan contact team, the initial officers of the new neighborhood plan contact team may not have served as officers of the previous neighborhood plan contact team at the time when recognition was discontinued.
- (6) Appeal. Charging parties and respondents may appeal the determination of the director and of the Planning Commission under this subsection to the City Council. Actions that are appealable include the director's determination that dispute resolution is warranted; findings/determinations that come out of the informal dispute resolution process; and discontinuation of recognition of a neighborhood plan contact team.

**PART 3.** This ordinance takes effect on February 8, 2016.

**PASSED AND APPROVED**

\_\_\_\_\_, January 28, 2016

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Steve Adler  
Mayor

**APPROVED:** \_\_\_\_\_  
Anne L. Morgan  
City Attorney

**ATTEST:** \_\_\_\_\_  
Jannette S. Goodall  
City Clerk