

**Bylaws of the East Riverside/Oltorf
Combined Neighborhood Plan Contact Team**

1.A. Definition: The Neighborhood Plan Contact Team (NPCT) is a group of neighborhood stakeholders charged with being stewards of the plan and upholding the implementation of the plan's vision, goals, and recommendations. The NPCT is a separate body apart from any existing or future neighborhood associations.

1.B. Name: This organization shall be known as the East Riverside/Oltorf Combined (EROC) Neighborhood Plan Contact Team (NPCT).

2.A. Roles and Responsibilities: The role of the EROC NPCT shall be to review and make recommendations on all proposed amendments to the EROC Neighborhood Plan, as well as continuing the formation and implementation of additional goals as identified in the Neighborhood Plan as adopted and/or as may be later established. The NPCT discusses and provides a recommendation to City staff, Planning Commission and City Council on any proposed neighborhood plan amendment that changes either the text or the map.

2.B. When appropriate the EROC NPCT may decide to initiate a plan amendment.

2.C. When appropriate the EROC NPCT may give written approval to allow a plan amendment application for an individual property within the planning area to be filed out of cycle.

2.D. EROC NPCT members serve as points of contact for the distribution of information regarding plan implementation, City of Austin planning initiatives, and other items of interest to residents and businesses within their specific Neighborhood Planning Areas (NPA) – Riverside NPA, Pleasant Valley NPA, and Parker Lane NPA. *See* § 13.A.-C. regarding the individual NPA Committees.

Prior to the NPCT submitting its formal recommendation to City staff regarding a plan amendment application, the City will organize a meeting where the applicant will provide details regarding the plans and proposals for the project, and take questions from the attendees. The City is responsible for notifying the property owners within 500 feet of the subject tract, residents who have a City utility account address within 500 feet of the subject tract, and registered environmental or neighborhood organizations whose declared boundaries are within 500 feet of the subject tract, subject to City ordinance.

2.E. It is the responsibility of the EROC NPCT to work on behalf of all stakeholders in the neighborhood planning area.

3. Boundaries of Plan Area

North:	Lady Bird Lake, formerly known as Town Lake
South:	Ben White Boulevard
East:	Grove Boulevard and Montopolis Drive
West:	IH 35

4. EROC Membership

4.A. Membership of the EROC NPCT shall to the greatest extent practicable include at least one representative from each of the following groups within the neighborhood planning area:

- (1) Property owners
- (2) Residential renters
- (3) Business owners
- (4) Neighborhood organization members owning or renting property within the neighborhood plan area.

4.B. No member shall purport to represent the NPCT unless authorized to do so by the NPCT.

4.C. Each member of the EROC NPCT shall be provided a copy of the adopted EROC NPCT bylaws by going to <http://www.austintexas.gov/page/adopted-neighborhood-planning-areas-0>

4.D. (1) Within the boundaries of the EROC Neighborhood Planning Area, entities such as corporations, government and/or quasi-government, or large businesses may file, on an annual basis, with the NPCT a written designation of a specific representative to participate on its behalf.

(2) If such corporation, government and/or quasi-government, or large business is a voting member, its designated representative must be empowered by such corporation, government and/or quasi-government, or large business to cast its vote at the time the vote is called.

(3) At the beginning of any called meeting, written designations of representatives who meet the qualifications of § 4.D.(1) and (2). above shall be tendered to the NPCT secretary as new voting members to be included with the minutes of the meeting. Any new voting member will not be eligible to vote on any matters during the meeting at which he/she becomes a voting member, but must wait until the next called NPCT meeting or electronic vote call.

5. Removal of Members from the EROC NPCT

5.A. Any EROC NPCT member who no longer meets the membership criteria of § 4.A. shall be removed from the EROC NPCT.

5.B. An individual's voting membership on the EROC NPCT shall lapse on the third successive absence or failure to respond to called notifications unless there are extenuating circumstances that shall be communicated to the secretary via written communication, including email, telephone, or in person.

5.C. The secretary will make a notation in the minutes of each meeting of the names of the individuals whose voting membership will lapse at the next scheduled meeting, physical or virtual.

The secretary shall communicate this information to the individuals whose membership is at risk of lapsing within thirty (30) days.

6. Decision Making

6.A. Decision Making Method. Decisions of the EROC NPCT will be made by a vote, according to the following rules:

- (1) Majority rule is based upon a quorum;
- (2) Any member who is eligible to vote as described under § 6.C. Eligibility, may vote; and
- (3) One vote per property owner regardless of the number of properties owned in the planning area.
- (4) Issues will be decided by a simple majority of the voting members based upon a quorum.

6.B. All owners of property, non-property owner residents, business owners and members of registered neighborhood associations within the EROC Planning Area may attend general meetings of the NPCT, but only voting members may vote on any issue and a simple majority,¹ after establishing a quorum, is required to pass any proposed motion.

6.C. Eligibility: The ability to participate in decision making shall be granted to any member who:

- (1) Meets the membership criteria as outlined in § 4.
- (2) Has attended a minimum of one physical meeting and followed the process outlined in § 6.F. below for joining the EROC NPCT. Any new voting member will not be eligible to vote on any matters during the meeting at which he or she becomes a voting member, but must wait until the next called NPCT meeting, whether physical or virtual.
- (3) Is at least eighteen (18) years of age.

6.D. Quorum: A quorum of eligible contact team members must participate in order to make a binding decision on an EROC NPCT issue. A quorum is based on 50% of the total number of eligible contact team members. A binding decision will be established when a quorum has voted, including virtual votes.

6.E. The names of eligible contact team members participating in decision making shall be noted in the minutes.

6.F. Process to Become a Voting Member: To be a voting member, interested stakeholders must attend an EROC NPCT physical meeting. Prior to the conclusion of the meeting, interested stakeholders must sign the attendance sheet, providing their name, address, phone number, email address, and Neighborhood Planning Area. Interested stakeholders must advise the secretary that they wish to join the EROC NPCT.

¹ A simple majority is a 51% majority after establishing a quorum, which is required for a binding vote, whether in person or by written communication, including email.

Upon the date of adoption of the February 2, 2006 bylaws, all currently listed participants shall automatically be members.

7. Meetings

7.A. Meetings of the EROC NPCT shall be open to the public. Community stakeholders are invited to participate in the discussion of the matters at hand, but only eligible members of the NPCT, as defined under Subsection 6.C. are allowed to participate in decision-making.

7.B. The Biannual Meetings shall be held in May and September beginning at 6:30 p.m. and ending at 8:30 p.m. at Ruiz Library, 1600 Grove Blvd., Austin, Texas 78741, or remotely, to conduct business, and on an as-needed basis. The specific meeting dates shall be determined by an online poll at least 1 month before the meeting. Virtual meetings may also be conducted on as-needed basis. (*See § 8.A. – D. for Meeting Notification.*)

7.C. Unless otherwise noticed all physical meetings will be held at Ruiz Library, 1600 Grove Blvd., Austin, Texas 78741.

7.D. Meetings may be held on an as-needed basis when an application to amend the EROC Neighborhood Plan has been submitted to the City of Austin.

7.E. Special meetings of the EROC NPCT may be called by an elected officer with the consent of at least one additional member.

7.F. EROC NPCT shall meet annually as per § 10.C. on the third Tuesday of September to elect officers and conduct business. The meeting will be held at Ruiz Library, 1600 Grove Blvd., Austin, Texas 78741. As indicated in § 10.C., officers are elected for a term of one year.

7.G. Approved minutes of meetings and sign-in sheets, as a record of attendance, shall be kept for all meetings of the NPCT and shall be forwarded to the Planning and Zoning Department upon request.

7.H. Meeting discussions, both physical and virtual, will be conducted in a conversational format with special regard for a dialogue that is respectful and considerate of all members in attendance.

7.I. Members may be allowed to participate in meetings remotely via teleconference, video conference, or on-line technology. If a voting member is unable to attend a meeting, voting may be by written communication (including email) to the NPCT secretary. Such written communication shall be included in the minutes.

7.I.(a) Proxy Voting. In order to appoint a proxy to vote on his/her behalf in the event of an upcoming absence or a health issue, a voting member must notify one of the officers or the chair of one of the NPA committees of the leave three (3) days prior to the proxy taking effect, or if an emergency, as soon as reasonably possible. Notification may be made by email, telephone, or in person. ***However, the proxy will not be effective until the signed and dated proxy form has been received by an officer or NPA committee chair via hand delivery, email, or U.S. 1st Class Mail.***

The executed proxy form may also be presented to an officer or NPA committee chair during a physical meeting prior to a vote. It is the responsibility of the officer or NPA committee chair receiving the executed proxy form to deliver it to the secretary as soon as practicable for inclusion in the minutes.

Voting members are limited to voting by proxy twice within one year. The appointing voting member may cancel the proxy for any reason prior to the end of the proxy term by notifying the proxy and the secretary of such revocation in writing via hand delivery, email, or U.S. 1st Class Mail.

The appointment of a proxy, whether used or not, will count as one proxy use. If a vote call (virtual or during a physical meeting) includes multiple issues, that vote call counts as one proxy vote. Proxy voting limits shall reset January 1st of each year.

A voting member is limited to holding one proxy at a time. A voting member may not have an extended absence and a proxy at the same time.

The proxy must be assigned to a current voting member. ***The proxy form must be signed and dated by the voting member assigning his/her voting rights and by the appointed proxy.*** The proxy form must include the following information: (1) name of the appointing voting member; (2) name of the appointed proxy and (3) the term of the proxy, which should not be longer than three months. The proxy form must include the following statements:

I, _____[appointing member]_____, a current voting member of the EROC NPCT, appoint _____ as my proxy to respond to all virtual called votes and any physical meeting votes. This proxy is effective beginning at midnight _____, 20__ , ending at midnight _____, 20__ .

Date: _____
_____ [Signature of appointing member]

I, _____[appointed proxy]_____, am a current voting member of the EROC NPCT. I agree to respond on behalf of _____[appointing member]_____ to virtual called votes or votes during physical meetings. I understand that if I do not respond on behalf of _____[appointing member]_____, to a virtual called vote or a vote during a physical meeting, it is registered as a missed vote by the appointing member.

Date: _____
_____ [Signature of appointing proxy]

7.J. Electronic calls for votes must be distributed by the Secretary via email to the voting contact team members only. Voting contact team members **MUST REPLY ALL TO SUCH EMAIL** in order for their votes to be counted. Votes must be clear. Posting comments only will count as a missed meeting/vote call.

If a voting member fails to reply all to such call for a vote, the vote will not be counted and the voting member will be considered to have missed an online vote call. To cure such an error, prior

to the deadline for submitting votes for such online vote call, the voting member must REPLY ALL and resubmit his/her vote

If a voting contact team member does not wish to vote on an item, he/she must REPLY ALL and state that he/she is abstaining from casting a vote on such item. No response or comments only to a called vote is considered a missed meeting/vote call.

Voting results will be posted to a public website.

7.K. All electronic calls for votes must include a reasonable (10-14 days) deadline for submitting votes. In the event an unexpected matter arises, a shorter time-frame may apply, but must be clearly set out in the email calling for a vote and must include the reason for the shortened timeframe.

7.L. All electronic calls for votes must include the phrase “VOTE REQUIRED” in the subject line and include the deadline for submitting votes.

7.M. Electronic vote calls may include more than one issue to be voted upon per email, but the vote call counts as one meeting/vote call.

8.A. Meeting Notification: At a minimum, meeting notification, for physical and virtual meetings, will be publicized through:

- (1) Direct notification of all contact team members via e-mail, phone, list-serve, or contact team website;
- (2) The meeting schedule shall be described in the Community Registry entry for the contact team; and
- (3) Meeting notification shall be provided to City staff for dissemination to the general public through a centralized contact team website, or other means.

8.B. All meetings, physical and virtual, may also be publicized in the neighborhood using whatever reasonable means are available, for example: flyers, signs, newsletters, and/or neighborhood list-serves.

8.C. Notices of regular meetings shall be distributed not less than seven (7) days before the meeting date. Notices of specially called meetings must be distributed not less than seven (7) days before the meeting date.

8.D. The meeting notice will include a meeting agenda.

8.E. Failure to receive a meeting notice does not invalidate the meeting. However, the provisions of this section must be complied with in good faith.

9. Officers and Duties

9.A. The officers shall be, at a minimum: chair, vice-chair, and secretary.

9.B. Duties of the officers are as follows:

- (1) The chair shall be responsible for the operation of the EROC NPCT and its officers pursuant to these bylaws. This shall include conducting meetings, representing the team at official functions, appointing subcommittees, and generally overseeing the business of the EROC NPCT. The chair shall have the primary responsibility for coordinating with the City of Austin planners on Neighborhood Plan related issues.
- (2) The vice-chair shall assist the chair in preparing meeting agendas and conducting meetings and shall assume all duties of the chair when required.
- (3) The secretary shall maintain all written records as required by § 5.C. of the bylaws, and produce all written communications as directed by the chair, the executive committee, or the NPCT membership.
- (4) The secretary shall submit annually to the City of Austin Planning & Zoning Department a list of the current officers and members eligible to vote and their contact information.
- (5) The secretary shall annually submit to the City of Austin Planning & Zoning Department bylaws consistent with the standardized template addressing roles and responsibilities, boundaries, membership, decision making, meetings, meeting notification, elections and duties of officers, finances, conflicts of interest and amendments to the bylaws.
- (6) To the extent practicable, the secretary shall submit the minutes to the contact team for review within seven (7) days after a meeting.

10.A. Nomination, Election, and Term of Officers: The membership of the NPCT shall nominate one or more eligible voting candidates from the NPCT for each office for the coming year. All candidates must be qualified voting members of the NPCT. Officers will be elected by the NPCT voting members by a majority vote. If no candidate receives a majority vote, there will be an immediate run-off election between the two candidates who received the most votes.

10.B. Candidates will be listed in the agenda of the meeting at which the vote will occur.

10.C. Officer terms shall be for one year and commence on the first day of the month following the election.

10.D. The secretary will notify the Planning and Zoning Department in writing of the names of the newly elected officers, their contact information, and the date the officers are due to take office.

11.A. Removal and Vacancies of Officers: Any elected officer may be recommended for removal from office for not fulfilling his/her duties as per § 9. Removal shall be considered by the EROC NPCT and shall require a two-thirds vote of members eligible to vote and present at a physical meeting of the EROC NPCT, providing that a resolution proposing the consideration of the removal has been adopted at a preceding meeting and that notice of the vote for removal has been included in the call to the meeting at which the vote shall take place.

11.B. Should vacancies occur outside the normal election process, candidates for the unfilled term shall be nominated from the floor and elected at the next scheduled meeting following the vacancy. The person elected to the vacated office will serve for the remainder of the term.

12.A. Executive Committee: The executive committee shall be composed of the officers of the EROC NPCT.

12.B. If there are any standing committees as part of the EROC NPCT, the Chair of those committees will be a member of the executive committee. As of the date of these bylaws, there are three standing committees: Pleasant Valley NPA, Riverside NPA, and the Parker Lane NPA.

12.C. The executive committee shall be responsible for the management of the affairs of the EROC NPCT. The duties shall include updating the annual membership list, holding EROC NPCT meetings, conducting elections as called for in the by-laws, and representing the EROC NPCT in communications with the City of Austin. It shall also act for the EROC NPCT in matters specifically delegated to it. It may act for the EROC NPCT between regular meetings on any matter determined urgent. Any such action shall be reported at the next meeting, physical or virtual, of the EROC NPCT and none of its actions shall conflict with actions taken or policies formulated by the EROC NPCT.

13.A. Committees: The EROC NPCT chair, with the approval of the executive committee, may appoint project-based or standing committees to help conduct the business of the EROC NPCT.

13.B Committees shall report to the EROC NPCT and these reports shall be entered into the minutes.

13.C. Committees can be standing or ad hoc in nature.

14.A. Finances: The EROC NPCT may not collect or charge dues of its membership.

14.B. The EROC NPCT may only accept in-kind donations that aid in the prescribed roles and responsibilities of the EROC NPCT as defined in § 2.

14.C. In-kind donations that create a conflict of interest (*see* § 15) are not permitted.

15.A. Conflict of Interest: If a member of the EROC NPCT has an interest in a development that requires a plan amendment, the member must follow these rules:

- (1) If a member has a substantial interest (*see* below) in a project, the member cannot participate in any decision concerning the project, including the decision of the EROC NPCT to recommend an application for a plan amendment or the decision to support or not support the project.
- (2) If a member has a substantial interest in a proposed project, the member must disclose this interest at the time a plan amendment application is discussed and at the time the recommendation letter for the project is submitted to the Director of the Planning and Zoning Department.
- (3) A member with a substantial interest in a project may participate in the discussion regarding the proposed amendment. However, participating in the decision regarding that change is not allowed.

- (4) Substantial interest means any of the following:
- a. A person owns at least a part of or is invested in the property, or the business developing the property.
 - b. A person has worked for someone involved in the project over the past year.
 - c. A person has a business that would directly benefit from the project.
 - d. A person serves on the board of directors, is a corporate officer, or is on any other board overseeing the project, or
 - e. A person owes money to or is owed money by, anyone involved in the project.

16.A. Amendments: These bylaws may be amended by a two-thirds majority vote of eligible contact team members, provided that a resolution proposing the amendment was adopted at a preceding regular meeting, physical or virtual, and that notice of the proposed amendment was given in the call for the meeting, physical or virtual, at which the amendment shall be voted upon.

17.A. Effective Date: The bylaws of the East Riverside/Oltorf Combined Neighborhood Plan Contact Team became effective on February 2, 2006. The 2006 bylaws were ratified with changes on September 17, 2012. The 2012 bylaws were ratified with changes on February 12, 2017. The 2017 bylaws were ratified with additional changes in order to come into compliance with the Land Development Code on April 19, 2017. These bylaws were ratified on March 28, 2018. The 2018 bylaws were amended to add a new section 7.I(a). These bylaws were ratified on June 18, 2020.