

**Bylaws of the
Bouldin Creek Neighborhood Plan Contact Team**

Section 1—Name and Definition

- A. This organization shall be known as the Bouldin Creek Neighborhood Plan Contact Team (BCNPCT). BCNPCT means the individuals designated to implement the city-adopted Bouldin Creek Neighborhood Plan.
- B. The BCNPCT is a separate body apart from any existing or future neighborhood association with membership in the same city-designated planning area as the BCNPCT.

Section 2—Statement of Purpose, Roles and Responsibilities

- A. The purpose of the BCNPCT shall be to review and make recommendations on all proposed amendments to the Bouldin Creek Neighborhood Plan, and to support implementation of the plan.
- B. When appropriate the BCNPCT may decide to initiate a plan amendment.
- C. When appropriate, the BCNPCT may give written approval to allow a plan amendment application for an individual property within the planning area to be filed out of cycle.
- D. The BCNPCT in conjunction with the Bouldin Creek Neighborhood Association (BCNA) shall serve as community point of contact on matters related to plan implementation and other City of Austin planning initiatives that relate to neighborhood planning and the neighborhood plan.

Section 3—Boundaries of the Neighborhood Planning Area

North: Lady Bird Lake

South: Oltorf Street

East: South Congress Avenue

West: Union Pacific Railroad

Section 4—Membership

- A. BCNPCT membership shall be open to anyone who resides, owns property, or operates a business within the boundaries described in Section 3. Membership shall to the greatest extent practicable include at least one representative from each of the following groups within the planning area:
 - 1. Property owners;
 - 2. Residential renters;
 - 3. Business owners;
 - 4. Neighborhood organization members owning or renting property within the plan area.
- B. No member shall purport to represent the BCNPCT unless authorized to do so by the BCNPCT.
- C. There shall be no limit to the number of BCNPCT members.

Section 5—Removal of Members from BCNPCT

- A. Any member who no longer meets the membership criteria of Section 4.A shall be removed from the BCNPCT.
- B. An individual's membership on the BCNPCT shall lapse following the third, successive, unexcused absence.
- C. The Secretary will make notation in the minutes of each meeting the names of any individuals whose membership will lapse, if absent, at the next scheduled meeting. The Secretary shall, within 30 days of the meeting, communicate this information to those individuals whose membership is at risk of lapsing.

Section 6—Decision Making (Voting)

- A. Decisions of the BCNPCT shall be made by a vote, according to the following rules:
 - 1. Majority rule by those eligible members present.
 - 2. An issue brought before the BCNPCT by a property owner of the subject property will be considered a regular decision and will be determined by a majority vote. Decisions requested by an entity other than an individual Bouldin Creek Neighborhood Planning area property owner shall require a 75% majority vote for passage.
 - 3. Any member who is present at the meeting and is eligible to vote as described under subsection 6(B), “Eligibility,” gets to vote; and
 - 4. One vote shall be allowed per property or business owner, regardless of the number of properties or businesses any member may own in the planning area.
- B. Eligibility to participate in decision-making (voting) shall be granted to any individual who:
 - 1. meets the membership criteria as outlined in Section 4; and
 - 2. has attended at least one (1) meeting prior to this one without incurring membership lapse. (Voting eligibility shall become effective at the beginning of 2nd meeting); and
 - 3. is at least 18 years of age.
- C. Quorum. A quorum of eligible members as defined under subsection 6(B) must be present in order to make a decision at a BCNPCT meeting. A quorum is established when at least 50% of elected officers and one (1) additional eligible non-officer member is present.
- D. The names of eligible members participating in decision-making (voting) shall be noted in the minutes.

Section 7--Meetings

- A. Meeting of the BCNPCT shall be open to the public. Community stakeholders are invited to participate in discussion of agenda items, but only eligible BCNPCT members, as defined under subsection 6(B) may participate in decision-making (voting).
- B. Meetings of the BCNPCT shall be held in a public, accessible location within the neighborhood planning area. The BCNPCT shall meet at least two times per year, with officer elections held within the first quarter of the calendar year. If no additional new business occurs during the remainder of the calendar year, then a second meeting in the calendar fourth quarter meeting shall be called.
- C. Unless otherwise noticed, all meetings will be held in the customary location of Bouldin Creek Neighborhood Association general meetings.
- D. In periods of time of public health crisis and/or when the City of Austin Public Health Department issues orders or advisories to avoid in person meetings or congregations, electronic means of virtual assembly and video communication may supplant in person meetings.
- E. Meetings may be held as needed when an application to amend the Bouldin Creek Neighborhood Plan has been submitted to the City of Austin Planning Department and meets the city’s annual amendment schedule.
- F. Special meetings of the BCNPCT may be called by an elected officer with the consent of at least one additional member.
- G. The BCNPCT shall meet to elect officers during each calendar year’s first quarter.
- H. Approved minutes of meetings and sign-in sheets, as a record of attendance, shall be kept for all meetings of the BCNPCT and shall be forwarded to the City of Austin Neighborhood Planning and Zoning Department upon request.
- I. Unless otherwise specifically defined in these bylaws, all affairs of the BCNPCT shall be governed by the Robert’s Rules of Order, current edition.

- J. Members may be allowed to participate in meetings remotely via teleconference, video conference or on-line meeting technology if volunteer personnel, technology and on-line service subscriptions are available. However, members may only vote in person at the meeting location, unless the meeting is held pursuant to 7(D).

Section 8--Meeting Notification

- A. Meeting notification shall be publicized through:
 - 1. Direct notification to all contact team members (including voting and not-voting) via email, listserv, or contact team website (if existing);
 - 2. The meeting schedule shall be described in the community registry entry of the contact team; and
 - 3. Meeting notification shall be provided to City staff for dissemination to the general public.
- B. All meetings may also be publicized in the neighborhood using whatever reasonable means are available, including newsletter, listserv, websites, social media, etc.
- C. Notice of regular meetings shall be posted not less than seven days before the meeting date.
- D. Notice of special called meetings shall be posted not less than three (3) days before the meeting date.
- E. Meeting notice will include a description of meeting agenda topics, setting forth any issues for which a vote may be called.
- F. Failure to receive a meeting notice does not invalidate the meeting.

Section 9—Officers and Duties

- A. The officers of the BCNPCT shall be Chair, Vice-Chair, and Secretary.
- B. Duties of the officers are as follows:
 - 1. The Chair shall be responsible for the operation of the BCNPCT 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 BCNPCT. The Chair shall serve as public spokesperson for the BCNPCT. The Chair shall have the primary responsibility for leading the long-term and short-term planning efforts outlined in the Bouldin Creek Neighborhood Plan and shall also have specific duties as spelled out elsewhere in these bylaws and as delegated by the BCNPCT. The Chair shall have the primary responsibility for coordinating with the City of Austin planners on Neighborhood Plan related issues. The Chair is also responsible to make all reasonable efforts to notify BCNPCT members of issues as needed.
 - 2. The Vice-Chair shall assist the Chair in preparing meeting agendas and conducting meetings and shall assume all duties of the Chair in the absence of the Chair.
 - 3. The Secretary shall maintain all written records as required by the bylaws, and produce all written communications as directed by the Chair, the executive committee, or the BCNPCT membership. The Secretary shall provide the BCNPCT membership roster to parties as requested.
 - 4. The secretary shall submit annually to the City of Austin Planning and Zoning Department a list of current officers and members eligible to vote, along with their contact information.
 - 5. The Secretary shall annually submit to the City of Austin Planning and Zoning Department the BCNPCT's current operational bylaws consistent with the standardized template provided by the City of Austin Planning and Zoning Department 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.

Section 10—Nomination, Election, and Term of Officers

- A. Officers will be elected by simple majority rule of the BCNPCT members using the voting process described under Section 6. All candidates must be eligible BCNPCT members as defined under Subsection 6(B).
- B. Candidates shall be listed on the agenda of the meeting at which the vote will occur.
- C. Officer terms shall be for one (1) year, not to exceed three (3) consecutive terms. Officer terms begin upon election and officers serve until resignation, replacement, or reelection at the next annual election.
- D. The secretary will notify the Neighborhood Planning and Zoning Department in writing of the names of the newly elected officers, their contact information, and the date they are due to take office.

Section 11—Removal and Vacancies of Officers

- A. Any elected officer may be recommended for removal from office for not fulfilling their duties as per Section 9 or non-compliance with these bylaws. Removal shall be considered by the BCNPCT and shall require a two-thirds vote of members eligible to vote and present at a BCNPCT meeting, 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 agenda for the meeting at which the vote shall take place.
- B. Should an officer fail to maintain the membership eligibility as set forth in Section 4, resign their position, or be removed, causing a vacancy to occur outside the normal election process, candidates for the unfilled term shall be nominated from the floor and elected at the next meeting following the vacancy. The person elected to the vacated office will serve for the remainder of the term.

Section 12—Executive Committee

- A. The executive committee shall be composed of the officers and the chair(s) of any standing committee(s) of the BCNPCT.
- B. The executive committee shall be responsible for the management of the affairs of the BCNPCT. The duties shall include updating the annual membership list holding BCNPCT meetings, conducting elections as called for in the bylaws, and representing the BCNPCT in communications with the City of Austin. It shall also act for the BCNPCT in matters specifically delegated to it. It may act for the BCNPCT between regular meetings on any matters determined urgent. Any such action shall be reported at the next regular meeting of the BCNPCT and none of its actions shall conflict with actions taken or policies formulated by the BCNPCT. Any action taken by the executive committee between regular meetings that was not specifically delegated to the committee and that otherwise would have required a vote of the full BCNPCT membership must be made with unanimous consent of the executive committee. The vote and action must be conveyed in writing to the BCNPCT membership within 72 hours of the action unless a regular or special called meeting takes place within 7 days of the action.

Section 13—Committees

- A. The BCNPCT Chair, with a majority vote of members present, may appoint project-based, ad-hoc or standing committees to help conduct the business of the BCNPCT. The BCNPCT may name a

chair for any standing committee. The chair of a standing committee will serve as a voting member of the executive committee.

- B. Committees shall report to the BCNPCT and these reports shall be entered into the minutes.

Section 14—Finances

- A. The BCNPCT shall not collect or charge dues of its membership.
- B. The BCNPCT may only accept in-kind donations that aid in the prescribed roles and responsibilities of the BCNPCT as defined in Section 2.
- C. In-kind donations that create a conflict of interest as defined by Section 15 shall not be accepted.

Section 15—Conflict of Interest

- A. Substantial interest means any of the following:
 - 1. a person owns at least a part of or is invested in the property, or the business developing the property.
 - 2. a person has worked for someone involved in the project over the past year.
 - 3. a person has a business that would directly benefit from the project.
 - 4. a person serves on the board of directors, corporate officer, or any other board overseeing the project.
 - 5. a person owes money to anyone involved in the project.
- B. If a member of the BCNPCT has a substantial interest or has a relationship which may give the appearance of a substantial interest in a development that requires a plan amendment, the member:
 - 1. shall not participate in any decision concerning the project, including the decision of the BCNPCT to recommend an application for a plan amendment or the decision to support or not support the project; and
 - 2. shall 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; and
 - 3. may participate in the discussion regarding the proposed amendment but shall not be allowed to participate in the decision (voting) regarding that change.

Section 16—Amendments

- A. These bylaws may be amended by a two-thirds majority vote of those present at a regular BCNPCT meeting, providing that a resolution proposing the amendment has been adopted at a preceding regular meeting and that notice of the proposed amendment has been given in the call for the meeting at which the amendment shall be voted upon.

Section 17—Effective Date

- A. These bylaws of the BCNPCT as amended shall become effective on April 29, 2021 subject to a two-thirds majority vote.