

East MLK Combined Neighborhood Plan Contact Team By-Laws (EMLKC NPCT)

1. Definition

- A. The Neighborhood Plan Contact Team (NPCT) means the individuals designated to implement an adopted neighborhood plan. The Neighborhood Plan Contact Team is a separate body apart from any existing or future neighborhood associations.
- B. This organization shall be known as the East MLK Combined Neighborhood Plan Contact Team (EMLKC NPCT).

2. Roles and Responsibilities

- A. The role of the EMLKC NPCT shall be to review and make recommendations on all proposed amendments to the East MLK Combined Neighborhood Plan and to support implementation of the plan. The Plan can be found ftp://ftp.ci.austin.tx.us/npzd/Austingo/emlk_bylaws.pdf
- B. When appropriate the EMLKC NPCT may decide to initiate a plan amendment.
- C. When appropriate the EMLKC 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.
- D. The members of the NPCT serve as community points of contact on matters related to plan implementation and other City of Austin planning initiatives and it is also the responsibility of the EMLKC NPCT to work to:
 - 1. Protect the environmental quality of our neighborhood
 - 2. Promote energy efficiency
 - 3. Improve neighborhood transportation - both public and private
 - 4. Improve neighborhood safety
 - 5. Promote affordable living development projects
 - 6. Provide strategies regarding growth
 - 7. Promote coordinated, timely strategies to help neighbors adapt to the current state of the economy and world and transition to a more self-reliant, resilient neighborhood, addressing food, water, shelter, and energy.
- E. The EMLKC NPCT will use common sense and community involvement to best represent the interests of the neighborhood planning area. Our intent is to uphold this area's values, encourage and facilitate participation, provide transparent procedures, and make good faith judgments to better the neighborhood and surrounding communities.

3. Applicable Boundaries

- A. This bylaws document applies to all entities within the following boundaries:
 - 1. North: Loyola Lane, Ed Bluestein Boulevard, and Little Walnut Creek
 - 2. South: The Austin & NW Railroad
 - 3. East: The former Missouri-Kansas Railroad right-of-way

4. West: Airport Boulevard, Anchor Lane and Manor Road

4. Membership

- A. As per the Land development Code Article 16 25-1-805 the EMLKC NPCT shall to the greatest extent practicable include at least one representative from each of the following groups within the neighborhood plan area:
 - 1. property owners;
 - 2. residential renters;
 - 3. business owners; and
 - 4. neighborhood organization members owning or renting property within the neighborhood plan area.
- B. No member shall purport to represent the EMLKC NPCT unless authorized to do so by the Steering Committee or Contact Team Chairperson or Co-Chairperson.
- C. Members will be referred to an electronic copy of the By-Laws or will be given a copy of the By-Laws when they become members.

5. Removal of Members

- A. Any EMLKC NPCT member who no longer meets the membership criteria of Section 4.A. shall be removed from the EMLKC NPCT.
- B. Voting membership of any EMLK NPCT member shall automatically lapse, without notice, on the third consecutive absence from a meeting without explanation of extenuating circumstances.
- C. The Chairperson, Vice Chairperson, or Secretary will inform a member who is in danger of having their membership lapse within 30 days of that lapse.

6. Decision Making

- A. Decisions of the EMLKC NPCT will be made by a vote, according to the following rules:
 - 1. Majority Rule
 - 2. Any member who is present and eligible to vote as described under Section 4.A.1-4 and Section 6.A.10. gets to vote
 - 3. Voting membership is limited to those at least 18 years old.
 - 4. No more than one vote per person on any given vote.
 - 5. Businesses are allocated one vote per physical address.
 - 6. One vote per property owner regardless of the number of properties owned in the planning area.
 - 7. The EMLKC NPCT reserves the right to verify voting eligibility.
 - 8. No proxy voting.
 - 9. The names of eligible members participating in decision making shall be noted in the minutes

10. The ability to participate in decision-making shall be granted to any member who has attended a total of 2 consecutive EMLKC NPCT meetings. Members shall be able to participate in decision-making at the 3rd meeting.

7. Meeting

- A. EMLKC NPCT meetings shall be open to the public. Visitors shall be invited to participate in the discussion of the matters at hand, but only qualified voting members of the EMLKC NPCT, as per Section 6, are eligible to vote.
- B. Meetings shall occur every other month on the third (3rd) Monday from 7 to 8:30. Meeting time shall extend to 9:00 PM on occasion as the Chairperson/s deems necessary.
- C. Unless otherwise noticed all meeting will be held at the St James Episcopal Church, 1941 Webberville Rd.
- D. Meetings can be held on an as-needed basis when an application to amend the East MLK Neighborhood Plan has been submitted to the City of Austin.
- E. Special meetings of the EMLKC NPCT may be called by the EMLKC NPCT Steering Committee or Chairperson/s for significant reasons with seven (7) days' notice provided two executives agree. All special meeting dates will be publicized to all active Neighborhood Association presidents and others in the neighborhood using whatever reasonable good faith means are available (phone calls, email, website, etc.)
- F. The EMLKC NPCT shall meet at least once per year to elect officers. The meeting will take place one year from when the last Chairperson was elected.
- G. Meeting notes and sign-in sheets, as a record of attendance, must be kept for all meetings of the EMLKC NPCT and shall be forwarded to the Planning and Zoning Department upon request.
- H. Meeting discussions will be conducted in a conversational format with special regard for a dialogue that is respectful and considerate of all members in attendance.
- I. Members may be allowed to participate in meetings remotely via teleconference, video conference, or on-line meeting technology.

8. Meeting Notification

- A. At a minimum, meeting notification will be publicized through:
 - 1. Direct notification of all Contact Team members (including voting and non-voting) 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. The Community Registry can be found at <https://austintexas.gov/neighbor/assocdetail.cfm?planningId=1197>.
 - 3. Meeting notification shall be provided to City staff for dissemination to the general public through a centralized Contact Team website, or other means.

- B. All meetings will be publicized using whatever reasonable means that are available, including but not limited to flyers, notices in community publications or e-newsletters, posted on community bulletin boards, electronic or otherwise, etc.
- C. Notices of regular meetings shall be distributed not less than 30 days before the meeting date. Notices of specially called meetings must be distributed not less than 7 days before the meeting date.
- D. Meeting agendas will be posted on the EMLKC NPCT Google Group at least 7 days before a scheduled meeting.
- E. Failure to receive a meeting notice does not invalidate the meeting. However, the provisions of this section must be in good faith.
- F. Meetings can be cancelled at the Chairperson/s discretion.

9. Officers and Duties

- A. The officers of the East MLK NPCT shall be, at a minimum: Chair and Vice-Chair. The EMLKC NPCT may have up to 3 Co-Chair-persons serving together. If the EMLKC NPCT has more than one Chair-person, the office of Vice-Chair is optional. The EMLKC NPCT may have up to 3 Co Vice Chair-persons.
- B. Duties of the officers are as follows:
 1. The Chairperson or Co-Chairpersons is/are responsible for the operation of the EMLKC NPCT pursuant to these bylaws, including preparing agendas, conducting meetings, representing EMLKC NPCT at official functions, appointing committees, and generally overseeing the business of the EMLKC NPCT. The Chair (or Chairs) shall have the primary responsibility for coordinating with the City of Austin Planning and Zoning Department on Neighborhood Plan related issues and other city departments, as appropriate, on other planning area initiatives; and producing in a timely manner all written communications as directed by the EMLKC NPCT, as a whole.
 2. The Vice Chair (or Vice-Chairs) is/are responsible for assisting the Chair (or Chairs) in preparing meeting agendas and conducting meetings; and assuming all duties of the Chair in the absence of the Chair (or Chairs) when necessary.
- C. Any necessary secretarial duties will be shared by members of the group.
 1. The NPCT membership list shall be updated annually and a copy shall reach the City of Austin Planning and Zoning Department by December 31st of each year.
 2. The EMLK NPCT shall annually submit to the City of Austin Planning and 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.

10. Election and Term of Officers

- A. Officers will be elected by the EMLKC NPCT using the decision-making process described under Section 6. All candidates must be eligible members of the EMLK NPCT as defined under Section 4.A.1-4.
- B. Candidates must be listed in the agenda of the meeting at which the vote will occur.
- C. Officer terms shall be for 1 year not to exceed 2 consecutive terms.
- D. The EMLKC NPCT Steering Committee or the out-going Chair/s will notify the 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.

11. Removal of Officers

- A. Any elected officer may be recommended for removal from office by any voting member for not fulfilling their duties as per Section 9. Removal shall be considered by the EMLKC NPCT and shall require a two-thirds vote of members eligible to vote and present at a meeting of the EMLKC NPCT, provided that a resolution proposing 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.
- 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. Steering Committee (optional)

- A. The EMLKC NPCT may have a Steering Committee if the members so choose. A Steering Committee is optional. The spirit of the Steering Committee is to ensure that a smaller body of individuals will plan and oversee the operation of the EMLKC NPCT and will represent the views of the larger body.
 - 1. The Steering Committee must make a good faith effort at all times to represent the intentions of the neighborhood and voting members.
 - 2. Decisions that involve the operation, agenda, meetings, and other oversight shall be made by the Steering Committee. Decisions that involve the larger issues of the neighborhood as described in Section 2, are made by voting members of the EMLKC NPCT at a regular meeting. However, on rare occasions of urgent and time-dependent issues as described in Section 2, wherein a regular meeting is not practical, the Steering Committee can decide such issues by majority vote.
 - 3. The steering committee may choose to, at their sole discretion, postpone any hearing or decision by a majority vote.
 - 4. Steering committee membership is subjected to the following restrictions:
 - 5. Membership is open to anyone who lives, owns property, or operates a business within the boundaries of the neighborhood planning area. Membership is additionally open to any Neighborhood Organization member as defined in Section 4. A. 4.

- a. The Steering Committee must consist of, at a minimum, a Chair and a Vice-chair, or all Co-Chair-persons serving.
- b. The number of steering committee members shall not exceed twelve people.
- c. No member of the EMLKC MPCT Steering Committee shall purport to represent the EMLKC Neighborhood Plan Contact Team unless authorized to do so.
- d. The Steering Committee as a whole or Chair-person or any Co Chair-person can authorize an individual member to represent the EMLKC NPCT.

13. Finances

- A. The EMLK NPCT may not collect or charge dues of its membership.
- B. The EMLK NPCT may only accept in-kind donations that aid in the prescribed roles and responsibilities of the EMLKC NPCT as defined in Section 2.
- C. In-kind donations that create a conflict of interest (see Section 14) are not permitted.

14. Conflicts of Interest

- A. If a member of the EMLKC Neighborhood Plan Contact Team has an interest in a development that requires a plan amendment, the member must follow these rules:
- B. A. If a member has a substantial interest in a project, the member cannot participate in any decision or voting concerning the project, including the decision of the EMLKC Neighborhood Plan Contact Team to recommend an application for a plan amendment or the decision to support or not support the project. *A substantial interest* is defined as:
 1. A person who owns at least a part of or is invested in the property
 2. A person that has a business that would directly benefit from the project
 3. A person that serves on a board of directors, as a corporate officer, or any other board overseeing the project
- C. 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.
- D. Note that a member with a substantial interest in a project may participate in the discussion regarding the proposed change. However, participating in the voting or decision regarding that change is disallowed.

15. Amendments to By-Laws

- A. Bylaws can be amended at any time by the voting members providing that a resolution proposing the change has been made at the preceding meeting and that the notice of the proposed change has been included in the announcement for the meeting at which the proposed amendment will be voted upon.
- B. Amending the bylaws requires a majority vote by the voting members.

16. Effective Date

These bylaws of the EMLKC Neighborhood Plan Contact Team shall become effective on September 17, 2018 at 12:00AM.

17. Liability

Neither the EMLKC NPCT nor its steering committee, executives, or members shall incur any liability in making recommendations, or any other city business, to the Planning Commission or the Austin City Council. The EMLKC NPCT has certain rights to initiate plan amendment cases; however, because a recommendation is not a legally enforceable decision, there are no liability issues with respect to any such action.