

Bylaws of the Chestnut Neighborhood Plan Contact Team

Section 1—Definition

- A. The Neighborhood Plan Contact Team 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 Chestnut Neighborhood Plan Contact Team (Chestnut NPCT).

Section 2—Roles and responsibilities

- A. The role of the Chestnut NPCT shall be to serve as the City’s contact for all proposed amendments to the Chestnut Neighborhood Plan, to review and make recommendations on those proposed amendments, and to advocate for and work toward implementing the plan.
- B. When appropriate the Chestnut NPCT may decide to initiate a plan amendment.
- C. The Chestnut NPCT members are to serve as community points of contact on matters related to plan implementation and other City of Austin planning initiatives.
- D. It is also the responsibility of the Chestnut NPCT to work on behalf of all stakeholders in the neighborhood planning area.

Section 3—Boundaries

North: **MLK Blvd**

South: **12th St**

East: **Austin Northwestern Railroad Tracks**

West: **East side of Chicon**

Section 4—Membership in the Chestnut Neighborhood Plan Contact Team

- A. Membership in the Chestnut NPCT shall be open to anyone who lives or owns property or owns a business within the boundaries of the neighborhood planning area; the membership 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 property within the neighborhood plan area.
- B. No member shall purport to represent the Chestnut Neighborhood Plan Contact Team unless authorized to do so.
- C. Each member of the Chestnut NPCT shall be provided a copy (electronically or on paper) of the adopted Chestnut Neighborhood Plan Contact Team bylaws.
- D. Voting membership shall be granted to any individual who meets the criteria as outlined above in Section 4A and has previously attended a total of **one (1)** NPCT meeting.
- E. Voting membership shall become effective at the beginning of the **second** attended meeting and the new member’s name shall be noted in the minutes.

Maintaining Membership

- F. Members must provide current contact information to maintain voting membership.

- G. Members must attend 1 meeting per calendar year to maintain voting membership.
- H. The Chestnut NPCT list of voting members shall be updated annually and a copy of the updated list shall be forwarded to the City of Austin Neighborhood Planning and Zoning Department as close to September 1st as possible.

Section 5—Removal of members from the Chestnut NPCT.

- A. Any Chestnut NPCT member who no longer meets the membership criteria of Section 4A shall be removed from the Chestnut NPCT voting membership.
- B. An individual's voting membership on the Chestnut NPCT shall lapse after failing to attend 1 meeting per calendar year, unless there are extenuating circumstances that have been approved by a) the chair or b) a majority of the executive committee.
- C. The Secretary will be responsible for keeping track of whose voting memberships may expire. The Secretary shall communicate this information to the Chestnut NPCT officers and to the individuals whose memberships are at risk of lapsing as soon as reasonably possible.

Section 6—Decision Making

- A. Consensus: Decisions of the Chestnut NPCT will be made by consensus as much as possible.
- B. When consensus is not possible, decisions of the Chestnut NPCT will be made by voting according to the following rules:
 - 1) Majority rule
 - 2) Any person of legal age gets to vote, but only one person per address may vote.
 - 3) For neighbors who have received a 500-foot legal notification letter and who meet the membership criteria laid out in Section 4, receipt of a 500-foot notice counts as having attended one required meeting and confers voting privileges on matters regarding the case detailed on the notice they received.
 - 4) One vote per property owner regardless of the number of properties owned in the planning area.
 - 6) Members agree that even if they don't like the outcome of a vote or feel the overall direction/decision is not the best one possible, they will commit themselves to living with, supporting, and not undermining the decided direction/decision.
 - 7) For a vote taken at a meeting or over email to be valid there must be either a quorum of 7 voting members or 1/3 of the voting membership, whichever is smaller, present at the time of the vote.
 - 8) An email vote must be open for a minimum of 48 hours and a maximum of 120 hours to ensure members have ample notice of the vote otherwise it is not valid.
 - 9) Final vote counts will be recorded in NPCT meeting minutes and sent out via email but the identity of voters shall not be recorded in NPCT meeting minutes to protect anonymity.
 - 10) Members may cast votes via email directly to the member of the executive committee who opened the vote to protect anonymity.

Section 7—Meetings

- A. Meetings of the Chestnut NPCT shall be open to the public. Community stakeholders are invited to participate in the discussion of the matters at hand, but only members who meet the voting eligibility requirements defined in Section 4 and Section 6B may vote.
- B. Chestnut NPCT shall hold meetings on a once every two months; between meetings, business will be conducted primarily through email and by telephone.
- C. Meetings can be held on an as-needed basis when an application to amend the Chestnut Neighborhood Plan has been submitted to the City of Austin.
- D. Special meetings of the NPCT may be called by any member of the contact team.

- E. Decisions can be made either at a meeting or at the option of the chair, or a majority of the executive committee, by email.
- F. The Chestnut NPCT shall meet at least once per year to elect officers.
- G. Voting members do not have a greater right or privilege over nonvoting members to speak at a public meeting of the Chestnut NPCT.
- H. Approved minutes of meetings, which shall include a list of members present, must be kept for all meetings of the NPCT and shall be forwarded to the Neighborhood Planning and Zoning Department upon request.
- I. Meeting discussions will be conducted in a conversational format with special regard for a dialogue that is mutually respectful and considerate.
- J. Members may be allowed to participate in meetings remotely via teleconference, video conference, or on-line meeting technology.

Section 8—Meeting Notification

- A. All quarterly meetings will be publicized in the neighborhood using whatever means are available and reasonable, such as, for example, fliers, mailings, newsletters, print publications, and/or neighborhood listserves, email, or phone calls.
- B. Notices shall be distributed not less than ten (10) days before the quarterly meeting date.
- C. Notices shall be distributed as soon as reasonably practical before the date of any specially called meetings.
- D. Failure to receive a meeting notice does not invalidate the meeting. However, the provisions of this section must be complied with in good faith.

Section 9—Officers and Duties

- A. The officers of the Chestnut NPCT shall be, at a minimum: chair, vice-chair, and Secretary
- B. Duties of the officers are as follows:
 - 1) The chair shall be responsible for the operation of the Chestnut 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 NPCT. The chair shall have the primary responsibility for leading the long-term and short-term planning efforts of the neighborhood and shall also have specific duties as spelled out elsewhere in these bylaws and as delegated by the NPCT. The chair shall also 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 Section 6C of these bylaws. The secretary shall produce all written communications as directed by the chair, the executive committee, or the NPCT membership. See Section 6C.
 - 4) The secretary shall submit annually to the City of Austin Planning & Development Review a list of the current officers and voting members and contact information.
 - 5) The secretary shall annually submit to the City of Austin Planning & Development Review bylaws based upon a standardized template addressing rights and responsibilities, boundaries, membership, decision making, meetings, meeting notification, elections and duties of officers, finances, conflicts of interest, and amendments to the bylaws.
 - 6) The attendance keeper shall maintain all attendance records including current addresses and, if required, voting status of members.

Section 10—Nomination, Election, and Term of Officers

- A. Officers will be elected by the Chestnut NPCT voting members by a majority vote. All candidates must be qualified voting members of the Chestnut NPCT.
- B. Officer terms shall be for one (1) year.

- C. The Secretary will notify the Planning and Development Review 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. Removal shall be considered by the Chestnut NPCT and shall require a two-thirds vote of members eligible to vote and present at a meeting of the Chestnut NPCT, providing that a resolution proposing consideration of the removal had been adopted at a preceding meeting and that notice of the vote for removal was 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.

Section 12—Executive Committee

- A. The executive committee shall be composed of the officers of Chestnut NPCT.
- B. If there are any standing committees as part of the Chestnut NPCT, the chair of those committees will be a member of the executive committee.
- C. The executive committee shall be responsible for the management of the affairs of the Chestnut NPCT. The duties shall include updating the annual membership list, holding Chestnut NPCT meetings, conducting elections as called for in the bylaws, and representing the Chestnut NPCT in communications with the City of Austin. It shall also act for the Chestnut NPCT in matters specifically delegated to it. It may act for the Chestnut NPCT between regular meetings on any matter determined urgent. Any such action shall be reported at the next regular meeting of the Chestnut NPCT and none of its actions shall conflict with actions taken or policies formulated by the Chestnut NPCT.

Section 13—Committees

- A. The Chestnut NPCT chair, with the approval of the executive committee, may appoint project-based standing committees to help conduct the business of the Chestnut NPCT. The chair of a standing committee will serve as a voting member of the executive committee.
- B. The Chestnut NPCT chair with the approval of the executive committee may appoint ad-hoc committees or subcommittees to help conduct specialized business of the Chestnut NPCT.
- C. Committees shall report to the Chestnut NPCT and these reports shall be entered into the minutes or meeting summaries.
- D. Committees can be standing or ad-hoc in nature.

Section 14 —Finances

- A. The Chestnut NPCT may not collect or charge dues of its membership.
- B. The Chestnut NPCT may only accept in-kind donations that aid in the prescribed roles and responsibilities of the Chestnut NPCT defined in Section 2.
- C. In-kind donations that create a conflict of interest (see Section 15) are not permitted.

Section 15—Conflict of Interest

- A. If a voting member of the Chestnut NPCT, or a member of that person's immediate family, 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 or voting concerning the project, including the decision of the Chestnut 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 & Development Review.
- 3) 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.

Substantial interest means that the person:

- 1) owns at least a part of or is invested in the property or in the business developing the property.
- 2) has worked for someone involved in the project over the past year.
- 3) has a business that would directly benefit from the project.
- 4) serves on the board of directors, as a corporate officer, or on any other board overseeing the project.

OR

- 5) owes money to anyone involved in the project.

Section 16—Amendments

- A. These bylaws may be amended by a two-thirds majority vote of those present at a regular Chestnut NPCT meeting, providing that a resolution proposing the amendment has been adopted at a preceding regular meeting (or has been communicated by email and agreed upon by a majority of the Chestnut NPCT membership) 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 Chestnut Neighborhood Plan Contact Team shall become effective on October 17, 2009.