

BYLAWS FOR THE UPPER BOGGY CREEK PLANNING TEAM

Preamble

The Upper Boggy Creek Neighborhood Planning Team exists to guide the implementation of the Upper Boggy Creek Neighborhood Plan (the Plan) initially adopted in 2002. The vision statement for the Plan states "The Plan Area seeks to be an attractive, human-scaled, pedestrian- and cyclist-oriented group of neighborhoods. The neighborhoods also seek to limit commercial encroachment into residential areas, reduce the negative effects of traffic, enhance the physical and environmental beauty, and preserve and enhance the existing unique character of each distinct neighborhood."

The Plan includes six goals: preserving the Community Character of each neighborhood, ensuring changes in Land Use are appropriate for the neighborhood, supporting Housing preservation and affordability, improving Transportation and mobility for all modes on all streets, providing Parks and Open Space accessible and inviting to all residents, and to develop Services that enhance the neighborhood.

The NPCT works within the following bylaws, and with all residents and business owners in the Plan area, to pursue these goals and manifest this vision equitably across all the neighborhoods of the Upper Boggy Creek Plan Area.

Section 1 - Definition

1. A 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.
2. This organization shall be known as the Upper Boggy Creek Planning Team (UBCPT).
3. This organization serves as the Upper Boggy Creek Neighborhood Plan Contact Team.

Section 2 - Roles and Responsibilities

1. The role of the UBCPT shall be to review and make recommendations on all proposed amendments to the Upper Boggy Creek Neighborhood Plan and to support implementation of the plan.
2. When appropriate the UBCPT may decide to initiate a plan amendment.
3. When appropriate the UBCPT may give written approval to allow a plan amendment application for an individual property within the planning area to be filed out of cycle.
4. The UBCPT will track the ongoing implementation of the action items in the Upper Boggy Creek Neighborhood Plan.

Section 3 - Boundaries

1. The boundaries are roughly I-35 on the west, Martin Luther King, Jr. Boulevard (MLK) on the south from I-35 to Stafford Street; then north to Manor Road and eastward along Airport Boulevard; north along Airport Boulevard south of Mueller property near access to I- 35; to include neighborhoods south of the former Robert Mueller Municipal Airport. The area includes five neighborhood associations in three subdistricts. Subdistrict One contains the Wilshire Wood/Delwood I and Delwood II Neighborhoods; Subdistrict Two contains the Cherrywood

BYLAWS FOR THE UPPER BOGGY CREEK PLANNING TEAM

Neighborhood and the Scheiffer-Willowbrook Neighborhood; and Subdistrict Three contains the Holy Cross Neighborhood and the Blackland Neighborhood.

2. See Attachment A for a map of UBCPT boundaries.

Section 4 - Membership

1. Membership of the UBCPT shall to the greatest extent practicable include at least one representative from each of the following groups within the neighborhood planning area:
 - a. Property owners
 - b. Residential renters
 - c. Business owners
 - d. Neighborhood organization members owning or renting property within the neighborhood plan area.
2. A general member is defined as anyone who meets the criteria in paragraph 4.1 above.
3. A voting member is a general member who has been appointed by their NA or been elected through the at-large process.
4. Four (4) representatives appointed by each of the six (6) neighborhood associations within the UBC Neighborhood Planning Area and four (4) at-large positions appointed per paragraph 4.8 below.
5. Each neighborhood association may appoint up to one homeowner, one renter, one resident (homeowner or renter), and one business/institutional (commercial, religious, community organization or non-profit) representative as a voting member.
6. Neighborhood associations are responsible for designating their representatives to serve as voting members. The neighborhood association President must affirm appointees to the UBCPT Chair.
7. Neighborhood appointees shall become voting members at the next regular meeting of the UBCPT upon recognition by the UBCPT Chair.
8. At-Large Voting Members
 - a. A general member may self-nominate or be nominated by any general member of the UBCPT.
 - b. At-large nominee eligibility:
 - i. Must meet at least one criteria in paragraph 4.1 above.
 - ii. Must reside in Travis County.
 - iii. Must have attended at least two (2) UBCPT regular meetings within the previous 2 years.
 - iv. Cannot be serving as an officer in a neighborhood association within UBC planning area.
 - c. Nominee eligibility and interest shall be affirmed by UBCPT Executive Committee.
 - d. At-large voting member nominees shall become voting members at the next regular meeting of the UBCPT upon simple majority election of the current voting members.
 - e. Any one neighborhood association boundary may not have greater than 1 At-large Voting Member.
9. The Secretary will make a notation in the minutes of each meeting of the names of absent representatives. The secretary will contact absent representatives, and when applicable the neighborhood association President to report the lack of representation.
10. The UBCPT membership list shall be updated annually and a copy shall be provided to the City of Austin Planning and Zoning Department by September 1 of each year. The membership list

BYLAWS FOR THE UPPER BOGGY CREEK PLANNING TEAM

shall list current officers and eligible voting members as well as contact information.

11. No general or voting member shall purport to represent UBCPT unless authorized by UBCPT.
12. Upon request, any general or voting member shall receive a copy of the adopted bylaws of the UBCPT.

Section 5 - Removal of Voting Members

1. Any UBCPT voting member who no longer meets the membership criteria of Section 4.1 shall be removed from the UBCPT.
2. An individual's voting membership on the UBCPT shall, at the body's discretion, lapse on the third (3rd) successive absence from a regularly scheduled UBC meeting, unless extenuating circumstances have been communicated to the UBCPT Chair.
3. 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. The Secretary shall communicate this information to the individuals, and when applicable, the neighborhood association President, when that voting membership is at risk of lapsing within 30 days.

Section 6 – Quorum and Decision Making

1. A quorum of eligible voting members must be present in order to make a decision at a UBCPT meeting. A quorum is established when at least six (6) voting members AND at least four (4) of the six (6) neighborhood associations have at least one representative present.
 - a. If quorum is not achieved for two (2) consecutive regular or special called meetings, the Executive Committee shall review the voting membership roll per Section 5 above.
2. The ability to participate in decision making shall be granted to any voting member who:
 - a. Meets the voting membership criteria as outlined in section 4; and
 - b. Is at least 18 years of age.
3. Decisions of the UBCPT will be made by a vote according to the following rules:
 - a. Majority rule;
 - b. Any member who is present at the meeting and eligible to vote as described under Subsection 6.2 gets to vote; and
 - c. One vote per property owner regardless of the number of properties owned in the planning area.
4. The names of voting members participating in decision making shall be noted in the minutes.

Section 7 - Meetings

1. Unless otherwise specifically defined in these bylaws, all affairs of the UBCPT shall be generally governed by Robert's Rules of Order, current edition.
2. The UBCPT shall hold regular meetings quarterly.
3. At the first meeting of every calendar year, the next four regular meeting dates shall be reviewed to address schedule conflicts. The regular meeting dates, and addresses if known, shall be affirmed and noticed to the general membership in accordance with section 8.
4. Meetings may be held on an as-needed basis when an application to amend the Upper Boggy

BYLAWS FOR THE UPPER BOGGY CREEK PLANNING TEAM

Creek Neighborhood Plan has been submitted to the City of Austin.

5. Special meetings of the UBCPT may be called by any member of the executive committee.
6. UBCPT meetings shall be open to the public. Visitors and general members shall be invited to participate in the discussion of the matters at hand, but only voting members of the UBCPT will be eligible to vote.
7. Approved minutes of meetings and a record of attendance must be kept for all meetings of the UBCPT and shall be forwarded to the Planning and Zoning Department upon request.

Section 8 - Meeting Notification

1. At a minimum, meeting notification will be publicized through:
 - a. Direct notification of all general and voting members via e-mail, phone, listserv, or website;
 - b. The meeting schedule shall be described in the Community Registry entry for the Contact Team; and
 - c. Meeting notification shall be provided to City staff for dissemination to the general public through a centralized Contact Team website, or other means.
2. Voting members representing neighborhood associations shall publicize meetings in their neighborhoods using whatever reasonable means that are available, for example, but not limited to, newsletters, flyers, mailings, e-mail and telephone.
3. Notices shall be distributed not less than seven days before the meeting date.
4. The meeting notice will include a meeting agenda.
5. Failure to receive a meeting notice does not invalidate the meeting. The provisions of this section, however, must be complied with in good faith.

Section 9 - Officers and Duties and Executive Committee

1. The officers of the UBCPT must be voting members and shall be: Chair, Vice-Chair and Secretary.
2. Duties of the officers are as follows:
 - a. The Chair shall be responsible for the operation of the UBCPT 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 UBCPT. 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 UBCPT.
 - b. The Vice-chair shall assist the chair in preparing meeting agendas and conducting meetings and shall assume all duties of the Chair when required.
 - c. The Secretary shall maintain all written records as directed by the Chair, the executive committee or the UBCPT membership.
3. The executive committee shall be composed of the officers and the chair of any standing committee of the UBCPT (as formed below).
4. The executive committee shall be responsible for the management of the affairs of the UBCPT. The duties shall include updating the annual membership list, holding UBCPT meetings,

BYLAWS FOR THE UPPER BOGGY CREEK PLANNING TEAM

conducting elections as called for in the bylaws, and representing the UBCPT in communications with the City of Austin. It shall also act for the UBCPT in matters specifically delegated to it. It may act for the UBCPT between regular meetings on any matter determined urgent. Any such action shall be reported at the next regular meeting of the UBCPT and none of its actions shall conflict with actions taken or policies formulated by the UBCPT.

Section 10 - Nomination, Election and Term of Officers

1. The UBCPT shall elect officers in the first regular meeting of every year if terms expire or vacancies occur.
2. The membership of the UBCPT shall nominate one or more eligible voting members from the UBCPT for each office for the coming year. All candidates must be qualified voting members of the UBCPT.
3. Officers will be elected by a majority vote of the UBCPT voting members.
4. The terms shall be for two years.
5. 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 they are due to take office.

Section 11- Removal and Vacancies of Officers

1. Any elected officer may be removed from office for good cause. Removal shall be debated by the UBCPT and shall require a three-fourths ($\frac{3}{4}$) vote of the quorum, providing that a resolution proposing the consideration of the removal as an officer has been adopted at a preceding meeting and that notice of the vote for removal as an officer has been included in the call to the meeting at which the vote is to be taken.
2. They are still a voting member
3. 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- Committees

1. The UBCPT chair, with the approval of the executive committee, may appoint standing committees to help conduct the business of the UBCPT. The chair of a standing committee will serve as a non-voting member of the executive committee.
2. The chair and/or executive committee may appoint special committees or subcommittees to help conduct specialized business of the UBCPT.
3. Committees shall report to the UBCPT and these reports shall be entered into the minutes.

Section 13 – Finances

1. The UBCPT may not collect or charge dues of its general members.
2. The UBCPT may only accept in-kind donations that aid in the prescribed roles and responsibilities of the UBCPT as defined in section 2.

BYLAWS FOR THE UPPER BOGGY CREEK PLANNING TEAM

3. In-kind donations that create a conflict of interest as defined in section 14 are not permitted.

Section 14 – Conflict of Interest

1. If a voting member of the UBCPT 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 project, the member cannot participate in any decision concerning the project, including the decision of the UBCPT 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:
 - i. A person owns at least a part of or is invested in the property, or the business developing the property.
 - ii. A person has worked for someone involved in the project over the past year.
 - iii. A person has a business that would directly benefit from the project.
 - iv. A person serves on the board of directors, corporate officer, or any other board overseeing the project.
 - v. A person owes money to anyone involved in the project.

Section 15 - Amendments

1. These bylaws may be amended by a two-thirds majority vote of a quorum at a regular UBCPT 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 16 - Effective Date

1. These bylaws of the Upper Boggy Creek Planning Team shall become effective on December 2, 2003.
2. Revised August 24, 2015
3. Revised January 22, 2018
4. Revised September 30, 2019