

Neighborhood Plan Contact Team Bylaws Template Instructions
March 2016

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Planning and Zoning Department



About this Template

Article 16, 25-1-801 of the Austin Land Development Code defines neighborhood plan contact teams (NPCTs), and requires that NPCTs develop bylaws which are consistent with the standardized bylaws template and instructions provided by the Director of the Planning and Zoning Department.

Article 16, 25-1-805 requires bylaws to address:

- roles and responsibilities,
- boundaries,
- membership,
- decision-making,
- meetings and meeting notification,
- officers and duties,
- amendments to the bylaws,
- finances, and
- conflicts of interest.

This document serves as the standardized bylaws template and instructions referenced in Article 16, 25-1-805.

This document provides detailed guidance to help NPCTs distinguish between language that is *required* to be included in NPCT bylaws and language that can be tailored to the individual circumstances of a particular NPCT.

The purpose of the required language in this bylaws template is to ensure that:

- Neighborhood plan contact team bylaws are in compliance with City Code; and
- Neighborhood plan contact teams are meeting minimum acceptable thresholds related to including diverse representation of the planning area and conducting their business in a transparent manner.

If you have any questions, or the intent of instructions are unclear, please contact the Planning and Zoning Department neighborhood plan contact team coordinator for clarification.

Section 1-Definition

This section is required.

*A. The purpose of the definition is to define who the contact team is and that they are separate from any established or future neighborhood association, as required by LDC 25-1-801. **This language is required.***

*B. The name of the neighborhood plan contact team should be taken from the adopted neighborhood plan. (Example: if the name of your adopted plan is “The Totally Awesome Neighborhood Plan,” your contact team should be named the Totally Awesome Neighborhood Plan Contact Team. **This language is required.***

Exception: If the neighborhood plan is a combined neighborhood plan and the contact team represents one portion of the combined planning area, the name of the neighborhood plan contact team shall reflect only the planning area that the team represents and not the name of the full combined neighborhood plan.

This naming convention minimizes confusion for community members, NPA applicants, City officials, and others who may interact with the contact team.

The [adopted Neighborhood Plan or planning area name] Neighborhood Plan Contact Team By-laws

Section 1— Definition (Required)

- 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 [adopted Neighborhood Plan or planning area name] Neighborhood Plan Contact Team ([Contact Team name] NPCT).

Section 2—Roles & Responsibilities (Required)

- A. The role of the **[Contact Team name]** shall be to review and make recommendations on all proposed amendments to the adopted **[adopted Neighborhood Plan name]** and to support implementation of the plan.
- B. When appropriate the **[Contact Team name]** NPCT may decide to initiate a plan amendment.
- C. When appropriate the **[Contact Team name]** 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.
- E. It is also the responsibility of the **[Contact Team name]** NPCT to work on behalf of all stakeholders in the neighborhood planning area

Section 2-Roles and Responsibilities

*The purpose of the Roles and Responsibilities section is to specifically state the functions of the Contact Team. **This section is required.***

*A. Language is consistent with LDC 25-1-801 and 25-1-805 (F) which allows neighborhood plan contact teams to review proposed neighborhood plan amendments and submit a letter to the Director of PAZ stating its recommendation on the proposed amendment. **This language is required.***

*B. Language is consistent with LDC 25-1-803 which allows neighborhood plan contact teams to initiate Neighborhood Plan amendments. **This language is required.***

*C. Language is consistent with LDC 25-1-804 which allows neighborhood plan contact teams to file or allow for the filing of out of cycle plan amendments. **This language is required.***

*D and E. Language is consistent with the intent of LDC 25-1-805 **This language may be modified to better describe NPCT roles.***

Additional roles and responsibilities may be added to this section as long as those roles and responsibilities do not conflict with requirements of the Land Development Code.

Section 3—Boundaries (Required)

- A. North:
South:
East:
West:
(Optional: attach map)

Section 3-Boundaries

*The purpose of this section is to identify the planning area boundaries for which the contact team is responsible for. **This section is required.***

The boundaries must be taken directly from the adopted neighborhood plan and can only be changed by action of the City Council.

If the boundaries do not follow easily-identifiable physical features such as roads, creeks, or railroad lines, it is recommended that you use a map along with a verbal description to show the planning area boundaries. The PAZ Department can assist with the preparation of the map.

While the boundaries must match the planning area or combined planning area that has been adopted by City Council, the Contact Team may use this section to establish smaller subareas for the purposes of decision-making.

Section 4—Membership of the [Contact Team name]
(Required)

- A. Membership of the [Contact Team name] 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.
- B. No member shall purport to represent the [Contact Team name] unless authorized to do so by the Contact Team Chair.
- C. Each member of the [Contact Team name] shall be provided a copy of the adopted [Contact Team name] by-laws.

Section 4-Membership

*The purpose of this section is to establish the membership of the NPCT based on the intent of LDC 25-1-805 and to set minimum standards for inclusivity. **This section is required.***

*A. Establishes the minimum level of inclusivity as defined by LDC 251-805. Contact Teams may not establish rules or conduct their business in a way that excludes individuals who meet the eligibility requirement of the Land Development Code from attending contact team meetings and participating in contact team discussions. **This language is required.***

*B. Establishes who has authority to represent the team. **This language may be modified.***

*C. Describes which documents will be provided to contact team members. **This language may be modified.***

Neighborhood plan contact teams may include additional language to go above and beyond the inclusivity called for under the Land Development Code. For example: the contact team may include language that encourages diverse geographic representation.

Section 5—Removal of Members from the [Contact Team name] NPCT. (Required)

- A. Any [Contact Team name] NPCT member who no longer meets the membership criteria of Section 4A shall be removed from the [Contact Team name] NPCT.
- B. An individual’s membership on the [Contact Team name] NPCT shall lapse on the [meeting number] successive absence unless there are extenuating circumstances that have been communicated to the [Contact Team name] NPCT President/Chair.
- C. The Secretary will make a notation in the minutes of each meeting of the names of the individuals whose membership will lapse at the next scheduled meeting. The Secretary shall communicate this information to the individuals whose membership is at risk of lapsing within 30 days.

Section 5-Removal of Members

*The purpose of this section is to define conditions and procedure under which a member is removed from the NPCT. **This section is required.***

*A. Establishes automatic removal of contact team members who no longer meet the membership criteria defined under Section 4. **This language may be modified.***

*B. Establishes a threshold and process for removing members who are no longer participating actively on the team. Contact teams may choose to establish additional thresholds and processes for removal of members; provided those processes can be fairly and consistently applied (e.g. membership removed for violation of bylaws, etc.) **This language may be modified.***

*C. Establishes a process for documenting changes to membership that may occur. **This language may be modified.***

Section 6— Decision Making (Required)

- A. Decision Making Method. Decisions of the **[Contact Team name]** NPCT 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.B, Eligibility, gets to vote; and
 - c. One vote per property owner regardless of the number of properties owned in the planning area.

Section 6-Decision Making

*The purpose of this section is to define how decisions are made by the NPCT. **This section is required.***

A. Describes how decisions are made.

Voting. Under this option, contact teams would make decisions based on a majority vote of the eligible voting members present at a meeting.

*Contact teams may choose voting or may arrive at their own unique solution for decision making, as long as that method can be fairly and consistently applied. **This language may be modified.***

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

- 1) meets the membership criteria as outlined in Section 4;
- 2) has attended a total of 2 NPCT meetings (Members shall be able to participate in decision-making at the beginning of the 3rd meeting); and
- 3) is at least 18 years of age.

C. Quorum. A quorum of eligible members must be present in order to make a decision at an NPCT meeting. A quorum is established when at least **[minimum percentage]** of eligible decision-making members, as defined under Subsection 6.B., are present.

D. The names of eligible members participating in decision making shall be noted in the minutes.

Section 6-Decision Making, cont.

*B. Eligibility. Describes who is eligible to vote or otherwise participate in decision making. **This language may be modified; however, contact teams may not establish rules or conduct their business in a way that excludes individuals who meet the eligibility requirement of the Land Development Code from attending meetings and participating in contact team discussions. In addition, eligibility language must establish a minimum eligible age of 18 for individuals participating in decision making.***

*C. Quorum. Defines how many eligible members are required to be present at a meeting in order for a decision to be made. 50% would typically be defined as a quorum; however, the team may vary this percentage to ensure that they are able to carry out their work. **This language may be modified.***

*D. Requires that the minutes reflect the names of eligible members. **This language may be modified.***

Section 7—Meetings (Required)

- A. Meetings of the **[Contact Team name]** 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.B, are allowed to participate in decision-making.
- B. Meetings shall be held **(monthly/quarterly)** on the **[day]** day of the month from **[start time]** to **[end time]**.
- C. Unless otherwise noticed all meetings will be held at the **[meeting location.]**

Section 7-Meetings

*The purpose of this section is to establish meeting procedures and meeting expectations. Some contact teams rely on Robert's Rules of Order to conduct their meetings. Please consider the experience of the team in administering Robert's Rules before including this requirement in your bylaws. **This section is required.***

*A. Requires that NPCT meetings be open to the public. **This language may be modified as long as it continues to require NPCT meetings to be open to the public.***

*B. Establishes a standing meeting schedule for the contact team. **This language may be modified as long as bylaws clearly define a process for scheduling meetings, and Contact Teams hold at least 2 meetings per year.***

*C. Establishes a meeting location. Meetings must be held in a location that is accessible to the general public, ideally in a civic building such as a library, community center, or other public conference room. Meetings may also be held in a room within a local business or office, if an acceptable civic facility is not available. **This language may be modified as long as meetings will be held in an accessible, public location.***

- D. Meetings can be held on an as-needed basis when an application to amend the [Neighborhood Plan name] has been submitted to the City of Austin.
- E. Special meetings of the [Contact Team name] NPCT may be called by an elected officer with the consent of at least one additional member.
- F. The [Contact Team name] NPCT shall meet at least (once per year) to elect officers.
- G. Approved minutes of meetings and sign-in sheets, as a record of attendance, must be kept for all meetings of the [Contact Team name] 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.

Section 7-Meetings, continued

*D.-E. Specifies the circumstances under which additional meetings may be held on an as-needed basis. **This language may be modified.***

*F. Indicates that the NPCT will meet at least once per year to elect officers. **This language may be modified; however, a regular schedule for electing officers should be established.***

*G. Requires maintenance of written records of NPCT meetings. This minimum level of documentation allows for transparency. **This language is required.***

*H. Establishes minimum standards for meeting decorum. **This language may be modified.***

*I. Allows members to participate in meetings remotely. **This language may be modified.***

Section 8—Meeting Notification (Required)

- A. At a minimum, meeting notification will be publicized through:
 - a. Direct notification of all Contact Team members (including voting and non-voting) via e-mail, phone, listserv, or Contact Team 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.
- B. All meetings will also be publicized in the neighborhood using whatever reasonable means are available, for example: flyers, signs, newsletters, and/or neighborhood listserves.
- C. Notices of regular meetings shall be distributed not less than **[number of]** days before the meeting date. Notices of specially called meetings must be distributed not less than **[number of]** days before the meeting date.
- D. The meeting notice will include a meeting agenda.
- 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.

Section 8-Meeting Notification

*The purpose of this section is to clearly state how and when meetings will be publicized. **This section is required.***

*A. Describes the minimum level of notification that allows for adequate inclusivity. **This language is required.***

*B. Describes additional methods that will be used to notify the general public and members about upcoming meetings. **This language can be modified as long as it will result in additional inclusive notification.***

*C. Provides a deadline for notices to be distributed. **This language is required and bylaws must specify a deadline for notification of regular meetings which is at least 7 days ahead of a scheduled regular meeting.***

*D. Indicates that notice will include a meeting agenda. **This language may be modified as long as it will result in a notification that clearly indicates what will be discussed at the meeting.***

*E. Clarifies that meeting may still occur if particular individuals do not receive notification. However, notice needs to have been provided as described in this section prior to the deadline. **This language may be modified.***

Section 9—Officers and Duties (Required)

- A. The officers of the **[Contact Team name]** 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 **[Contact Team name]** 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 **[Contact Team name]** 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.

Section 9-Officers and Duties

*The purpose of this section is to define the types of officers on the NPCT and their roles and responsibilities. The NPCT is not required to include officer positions within their structure. However, to facilitate communication and collaboration with the City and plan amendment applicants, it is required that one person be identified as a primary contact for the NPCT. **This section is required.***

*A. Identifies the officers of the contact team. **This language may be modified.***

*B.1. Specifies the role of the Chair. **This language may be modified.***

*B.2. Specifies the role of the Vice Chair. **This language may be modified.***

3. The Secretary shall maintain all written records as required in Section 5C of these by-laws. The Secretary shall produce all written communications as directed by the Chair or the NPCT membership.
4. The Secretary shall submit annually to the City of Austin Planning and Zoning Department a list of the current officers and members eligible to vote and the contact information.
5. The Secretary 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.

*Section 9-Officers and Duties,
Continued*

*B.3. Specifies the role of the Secretary. It is recommended that prepared minutes (or meeting summaries) reflect the decisions of the team and not provide a full transcript of the meeting. The minutes should not contain the record keeper's or any meeting participant's opinions. **This language may be modified.***

*B.4. Indicates who will annually submit the list of Officers and Voting Members and contact information for contact team members to City Staff, as required by LDC2 5-1-805. **This language may be modified; however, the bylaws must indicate that this list will be provided to the Planning and Zoning Department on an annual basis.***

*B.5. Indicates who will annually submit the current bylaws of the contact team to City Staff, , as required by LDC2 5-1-805. **This language may be modified; however, the bylaws must indicate that the bylaws will be submitted to the Planning and Zoning Department on an annual basis.***

Section 10—Election and Term of Officers (Required)

- A. Officers will be elected by the **[Contact Team name]** NPCT using the decision making process described under Section 6. All candidates must be eligible members of the **[Contact Team name]** NPCT as defined under Subsection 6.B.
- B. Candidates must be listed in the agenda of the meeting at which the vote will occur.
- C. Officer terms shall be for **[number of]** years not to exceed **[number of]** consecutive terms.
- 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 they are due to take office.

Section 10- Election and Term of Officers

*The purpose of this section is to define the process for the nomination and election of the leadership of the NPCT. **This section is required***

*A. Indicates the process that will be used to elect Officers. **This language may be modified.***

*B. Indicates that candidates for Officer will be identified and information made available to members prior to the vote. **This language may be modified.***

*C. Indicates the length of terms for officers and provides an indication of any term limits. **This language may be modified.***

*D. Indicates that the contact team will submit the names of officers and contact information to the Planning and Zoning Department on an Annual basis. **This language may be modified.***

Section 11—Removal and Vacancies of Officers (Required)

- 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 **[Contact Team name]** NPCT and shall require (a two-thirds vote) of members eligible to vote and present at a meeting of the **[Contact Team name]** 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.
- 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 11-Removal and Vacancies of Officers

*The purpose of this section is to define the process for the removal of elected leadership. **This section is required.***

*A. Describes the threshold and process for removing elected leadership. **This language may be modified as long as the process can be fairly and consistently applied.***

*B. Describes the process for filling vacancies. **This language may be modified as long as the process can be fairly and consistently applied.***

Section 12—Executive Committee (Optional)

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

Section 12-Executive Committee

*The purpose of this optional section is to define the make-up and responsibilities of the executive committee. The general purpose of an executive committee is typically to allow for discussion by a subset of committee members in-between regularly scheduled NPCT meetings. **This section is optional.***

*A.-B. Describes the membership of the Executive Committee. **This language may be modified.***

*C. Describes the responsibilities of the Executive Committee. **This language may be modified.***

Section 13—Committees (Optional)

- A. The [Contact Team name] NPCT Chair may appoint project-based or standing committees to help conduct the business of the [Contact Team name] NPCT.
- B. Committees shall report to the [Contact Team name] NPCT and these reports shall be entered into the minutes or meeting summaries.
- C. Committees can be standing or ad-hoc in nature.

Section 13-Committees (Optional)

*The purpose of this optional section is to discuss the formation, responsibilities, and disbanding of any standing or special (i.e. ad hoc) committees. **This section is optional and the language may be modified.***

Section 14—Finances (Required)

A. The ***[Contact Team name]*** NPCT may not collect or charge dues of its membership.

B. The ***[Contact Team name]*** NPCT may only accept in-kind donations that aid in the prescribed roles and responsibilities of the ***[Contact Team name]*** NPCT as defined in Section 2.

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

Section 14-Finances

*The purpose of this section is to define the financial parameters of the NPCT. **This section is required.***

*A-C. These subsections ensure that the neighborhood plan contact team conducts its financial activities in a way that is consistent with the requirements of Land Development Code 25-1-805. **This language is required.***

Section 15—Conflict of Interest (Required)

- A. If a member of the [Contact Team name] 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 [Contact Team name] 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.

Section 15-Conflict of Interest

*The purpose of this section is to define conflict of interest as it relates to a vote or decision before the NPCT and the process by which the NPCT will determine if there is a conflict of interest. It is the responsibility of the NPCT, and not the City or its employees, to enforce any Conflict of Interest Provision that a NPCT includes in their by-laws. **This section is required.***

*A. This subsection describes the requirement for disclosure of a conflict of interest, and sets the parameters for participation by an individual with a substantial conflict of interest. **This language may be modified as long as the bylaws continue to require disclosure of conflict of interest and require that individuals with a substantial conflict of interest not participate in decision making. A member must disclose a conflict of interest even if the conflict of interest is outside of their normal role on the Contact Team.***

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.

Section 15-Conflict of Interest, continued

Substantial Interest: Identifies the conditions that would create a substantial conflict of interest.

This language may be modified to add conditions to this list as long as they are consistent with City Code.

Section 16—Amendments (Required)

- A. These bylaws may be amended by a (two-thirds majority vote) of those present at a [Contact Team name] NPCT 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-Amendments

*The purpose of this section is to define the process by which the by-laws of the NPCT can be amended. **This section is required.***

*A. Defines a process for amending the bylaws of the NPCT. **This language may be modified to establish an alternate process as long as the process can be fairly and consistently applied.***

Section 17—Effective Date (Required)

- A. These bylaws of the [Contact Team name] neighborhood plan contact team shall become effective on [insert date]

Section 17-Effective Date

*The purpose of this section is to state the date of the initial date of adoption for these bylaws. **This section is required.***

*The effective date will typically correspond with the date of the final community-wide meeting that is held to approve bylaws during the initial formation of the neighborhood plan contact team. The effective date may also indicate the dates of any subsequent amendments. **This language is required.***
