

Oak Hill Neighborhood Planning Contact Team By-Laws

ARTICLE I Name and Purpose

- Sec. 1 This association shall be known as the Oak Hill Neighborhood Planning Contact Team, hereafter the Oak Hill NPCT.
- Sec. 2 The purpose of the Oak Hill NPCT is to provide a method for qualified individuals designated by the developers of the original Oak Hill Neighborhood Plan to perpetually uphold the implementation of the plan vision, goals, and recommendations that resulted from the planning process. The responsibilities of the Oak Hill NPCT are to discuss and provide a recommendation to City Staff, the Planning Commission, and the City Council on any proposed neighborhood plan amendments in (text or map changes), or development related to, the Oak Hill Neighborhood Plan . The Oak Hill NPCT may submit an application to the Neighborhood Planning & Zoning Department to amend the Oak Hill Neighborhood Plan at any time.¹
- Sec. 3 The Oak Hill NPCT primary area of activity falls within the boundaries of the Oak Hill Neighborhood Planning area, which is roughly bordered by Barton Creek Preserve to the north, Highway 1 (MoPac) to the east, Slaughter Lane to the South, and FM 1826 over to Thomas Cook on the West, including the neighborhoods of Granada Hills, Granada Estates, Granada Oaks, and South View Estates. Figure 1 shows the exact boundaries of the Oak Hill NPCT on a map.

ARTICLE II Membership

- Sec. 1 The neighborhood plan contact team or neighborhood planning team shall be limited to the persons, or their representatives, from the following groups within a neighborhood plan area:²
- (a) property owners
 - (b) non-property owner residents
 - (c) business owners
 - (d) neighborhood associations / homeowners associations / property owners associations

¹ Amended 3/24/2010 to clarify who can bring issues before the NPCT

² Amended 3/24/2010 to clarify who can, and cannot, become a member of the NPCT

- Sec. 2 Membership in the Oak Hill NPCT shall consist of two categories: General Members and Board Members.
- (a) General Members shall consist of those people meeting the qualifications in Article II, Section 1.
 - (b) Board Members shall consist of General Members who have been elected to Board status by the general membership.³
- Sec. 3 There shall be 16 Board members. The term of office of each Board member shall be (2) two years with staggered terms of office. Board members will be selected in an election to be held annually with half of the Board members being up for election each year. There shall be no fewer than 2 members each elected from East Oak Hill and West Oak Hill every year.⁴
- Sec. 4 No more than (1) person representing each household, subdivision, apartment complex, business, or property in the Oak Hill NPCT area shall serve on the Oak Hill NPCT as a Board Member at a given time. Neighborhood Associations / Homeowners Associations containing greater than 200 households are allowed up to (2) Board Members.⁵
- Sec. 5 General membership shall become effective following the attendance of two (2) consecutive meetings, and the new member's name shall be noted in the minutes by the Secretary of the Oak Hill NPCT.
- Sec. 6 The identification of qualified voting members at any meeting where a vote is to occur, must be acknowledged at each meeting prior to a vote taking place.⁶
- Sec. 7 Any Board member who does not attend two of three consecutive, regular monthly meetings as defined in Article VII, Section 1, shall be subject to losing their Board membership upon a two-thirds majority vote of the Board members at the beginning of the net regular meeting where a quorum exists.^{7 8}

³ Amended 3/24/2010 throughout the document changing the term "Voting Members" to "Board Members"

⁴ Amended 3/24/2010 to clarify the number of Board Members and to remove verbiage only relative to the initial formation of the NPCT

⁵ Amended 3/24/2010 to allow neighborhoods with more than 200 households to have up to two representatives on the Oak Hill NPCT Board; Also added apartment complexes to be covered under the limit

⁶ Refers to All voting members whether they are Board members or General Members

⁷ Amended 3/24/2010 to require a 2/3 majority vote to remove a member that has not exhibited good attendance

⁸ Amended 3/24/2010 to delete Section 8 which was only applicable to the initial election of Board members

ARTICLE III Officers

Sec. 1 The affairs of the Oak Hill NPCT shall be managed by its Board Members, or the Officers of the Association as directed by the Board Members.

Sec. 2 The Officers of the Oak Hill NPCT shall be: Chair, Vice-Chair, and Secretary-elected by and from Board members.

Sec. 3 The terms of the Officers shall be one (1) year.

Sec. 4 Duties of the Chair are as follows:

The chair shall be responsible for the operation of the 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 prepare meeting agendas and making the agendas available seven (7) days prior to any meeting for which an agenda is prepared.⁹

Sec. 5 Duties of the Vice Chair are as follows:

The Vice-Chair shall assist the Chair in preparing meeting agendas and conducting meetings and shall assume all duties of the Chair when required. The Vice-Chair shall be responsible for updating the City of Austin's Community Registry each year. The Vice-Chair will succeed to the Chair if that position is vacated during the term of office.¹⁰

Sec. 6 Duties of the Secretary are as follows:

The Secretary shall maintain all written records as required by the bylaws, and produce all written communications as directed by the Chair, the Vice-Chair, or the NPCT Board Members. The Secretary shall be responsible for maintaining the attendance records of each NPCT voting member. The Secretary shall maintain a current roster of Oak Hill NPCT members, which will include name, physical address, email, telephone number, stakeholder category, subdivision, apartment complex, Homeowners Association or Neighborhood Association, and Oak Hill section (West or East). Within two weeks of a meeting, the secretary shall distribute electronic copies of minutes from the previous meeting using email or the website. No less than two (2) weeks in advance of a vote of the General Members, the secretary will notify those eligible to vote.¹¹

⁹ Amended 3/24/2010 to add the duty of the Chair to make Meeting Agendas available seven days in advance

¹⁰ Amended 3/24/2010 to move the Vice Chair duties to Section 5 with no change in duties

¹¹ Amended 3/24/2010 to move the Secretary duties to Section 6 and added additional reporting responsibilities, such as keeping track of all potential General Members and Board Members who may be voting

ARTICLE IV Elections and Procedures

- Sec. 1 The election of Board Members and Officers of the Oak Hill NPCT shall be held at the September meeting of each calendar year.¹²
- Sec. 2 The nominee for each Officer receiving the majority of votes of the Board Members present at the meeting shall be declared elected. Board Members are elected by General Members with each General Member casting eight (8) votes. General Members may cast only one vote per candidate.¹³
- Sec. 3 A quorum for the transaction of business of the Oak Hill NPCT shall be defined as attendance of eight (8) of the Board Members. The act of the simple majority of the Board Members present at a meeting at which a quorum is present, and provided notice of such meeting was provided according to Article VII of these By-laws shall be the act of the Oak Hill NPCT. In the absence of the Chair and the Vice Chair, the attending Board Members shall choose a Chair to preside over the meeting.¹⁴
- Sec. 4 A vacancy of a Board Member position shall occur upon death, resignation, or failure to meet the qualifications in Article II, Section 1 or Article II, Section 7. The remaining Board Members shall elect a replacement to fill the unexpired term providing the candidate meets the terms of Article II, Section 1 and Article II, Section 5.
- Sec. 5 No Officer or member of the Oak Hill NPCT shall receive any compensation for services, except as may be provided for in these by-laws.
- Sec. 6 There shall be no prohibition against an Officer succeeding them self in office. No Officer shall remain in the same office for more than four (4) consecutive years.¹⁵
- Sec. 7 At least two months prior to each annual election, the Chair shall notify all neighborhood and homeowners associations within the Oak Hill planning area that are registered with the City of Austin, the Oak Hill Association of Neighborhoods, and the Oak Hill Business and Professional Association of the elections and invite each group to submit the name of a general member for one of the eight positions. These nominees shall be considered along with other nominees from the Board Membership and the General Membership.

¹² Amended 3/24/2010 to change the month of Board elections to September from January so that the Board members can become familiar with the process of NPCT membership prior to receiving NPCT casework

¹³ Amended 3/24/2010 to clarify the process for electing Board members

¹⁴ Amended 3/24/2010 to require meetings be conducted per Article VII and clarifies some of the quorum requirements

¹⁵ Amended 3/24/2010 to change one word from "person" to "officer" and inserted the word "same" so that it will be allowable for officers to serve in other capacities for the Board

- Sec 8.1 Plan amendments or other changes to the Oak Hill Combined Neighborhood Plan as well as other business to be voted on by the Oak Hill Planning Neighborhood Contact Team shall be voted on at regularly scheduled meetings or special meetings where a quorum of Board Members is present.
- Sec. 8.2 When the matter involves a proposed amendment to the Oak Hill Combined Neighborhood Plan, the Chair shall ascertain that the neighborhood(s) directly impacted by the change have been notified of the proposal and the meeting by the party proposing the amendment at least 14 days prior to the meeting.
- Sec. 8.3 Representatives of the various neighborhood associations, General Members and other interested residents, property owners and business owners shall be allowed to speak on the issue.
- Sec. 8.4 The Chair or acting Chair for the meeting may limit discussion of an issue to no less than three (3) minutes per person.
- Sec. 8.5 After a reasonable period of open discussion, the Chair or acting Chair for the meeting may terminate discussion of an issue and call for a vote on the issue with the concurrence of 2/3 of the Board Members present. If 2/3 of the Board Members do not concur, discussion will be allowed to continue until such time as 2/3 of the Board Members present agree to put the matter to a vote.
- Sec. 8.6 The Chair shall not call for a vote until at least one representative from each interested party directly affected by the issue has had the opportunity to express their views.
- Sec. 8.7 The Oak Hill Planning Neighborhood Contact Team Board Members should strongly consider the comments from neighborhood associations in their decisions to approve or disapprove any zoning changes, resolutions or other matters to be voted upon.
- Sec. 8.8 A majority of the Board Members present for a vote shall be required for the issue to be approved.¹⁶

ARTICLE V Voting

- Sec. 1 General Members shall vote only on By-law changes and in the annual election to fill the expiring terms of Board Members.
- Sec. 2 Board Members of the Oak Hill NPCT shall be entitled to one (1) vote on each matter submitted to a vote of the members.
- Sec. 3 Voting by proxy is only allowed two (2) times per calendar year. The proxy shall be assigned to a general member. A notice of an assignment of the proxy shall be sent by written or electronic means to the Secretary prior to the meeting

¹⁶ Amended 3/24/2010 to require that a tally of all voting Board members present for the meeting shall be required even though they may not be in the room for a particular vote

at which the vote is taken.¹⁷

ARTICLE VI Conflict of Interest

Sec. 1 A Board Member of the Oak Hill NPCT who has an interest in a development that requires a plan amendment, the Board Member must follow these rules:

If a Board Member has a substantial interest (see below) in a project, the Board Member cannot participate in any decision or vote concerning the project, including the decision of the Oak Hill NPCT to recommend an application for a plan amendment, or the decision to support or not support the project.

If a Board Member has a substantial interest in a proposed project, the Board 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.

A Board 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 is defined as: any of the following:

- a) The person owns at least a part of, or is invested in the property, or business developing the property.
- b) The person who lives at, or owns property, within 300 feet of the property under consideration.
- c) The person has worked for someone involved in the project over the past year.
- d) The person has a business that would directly benefit or suffer from the project.
- e) The person serves on the board of directors, is a corporate officer, or any other board overseeing the project.
- f) The person owes money to anyone involved in the project

Conflict of Interest as it relates to the Plan Amendment Process is specifically addressed in Ordinance 030320-23 of the City Code.

ARTICLE VII Meetings

Sec. 1 The membership of the Oak Hill NPCT shall meet throughout the year. The membership must meet at least twice per calendar year, and if not, the Oak Hill NPCT shall be declared dissolved. The meetings shall be at place and time as to be determined by a simple majority of the Board Members of the Oak Hill NPCT present at a regularly scheduled meeting.¹⁸

¹⁷ Amended 3/24/2010 to clarify the Proxy submittal process and to limit the proxies to 2 times per year

¹⁸ Amended 3/24/2010 to clarify that the meetings must be held on a regular basis

- Sec. 2 Special meetings of the Oak Hill NPCT shall be called by the Chair, a majority of the Officers, or not less than three (3) Board Members by electronic notification presented to the Chair or Vice-Chair. Upon verification by the Secretary that the requirements of the request have been fulfilled, the Chair or Vice-Chair shall electronically mail a notice to the membership stating the purpose, place, date and time of such special meeting no less than seven (7) days prior to the date of such meeting, and such notice requirement is met if it is posted to the electronic bulletin board of the Oak Hill NPCT. In case of emergency, the seven (7) days notice period may be waived by the concurrence of a majority of the Officers. In such event, all means practicable shall be utilized to notify each member of the Oak Hill NPCT of the emergency meeting.
- Sec. 3 At any meeting of the members, a majority vote of those present who have been acknowledged as meeting the criteria of membership in good standing of these By-laws shall be the act of the Oak Hill NPCT.

ARTICLE VIII Committees

- Sec. 1 The Chair may appoint any committees of any number of members or nonmembers, as he or she may deem necessary.
- Sec. 2 Committees of the NPCT may not transact business for the NPCT.¹⁹

ARTICLE IX Dues and Finances

- Sec. 1 No dues are required to be paid to act in the capacity of an Oak Hill NPCT member.
- Sec. 2 All Officers, at the expiration of their term of office, shall deliver to their successors all books, papers, monies and other properties of the Oak Hill NPCT.

ARTICLE X Revision of By-Laws

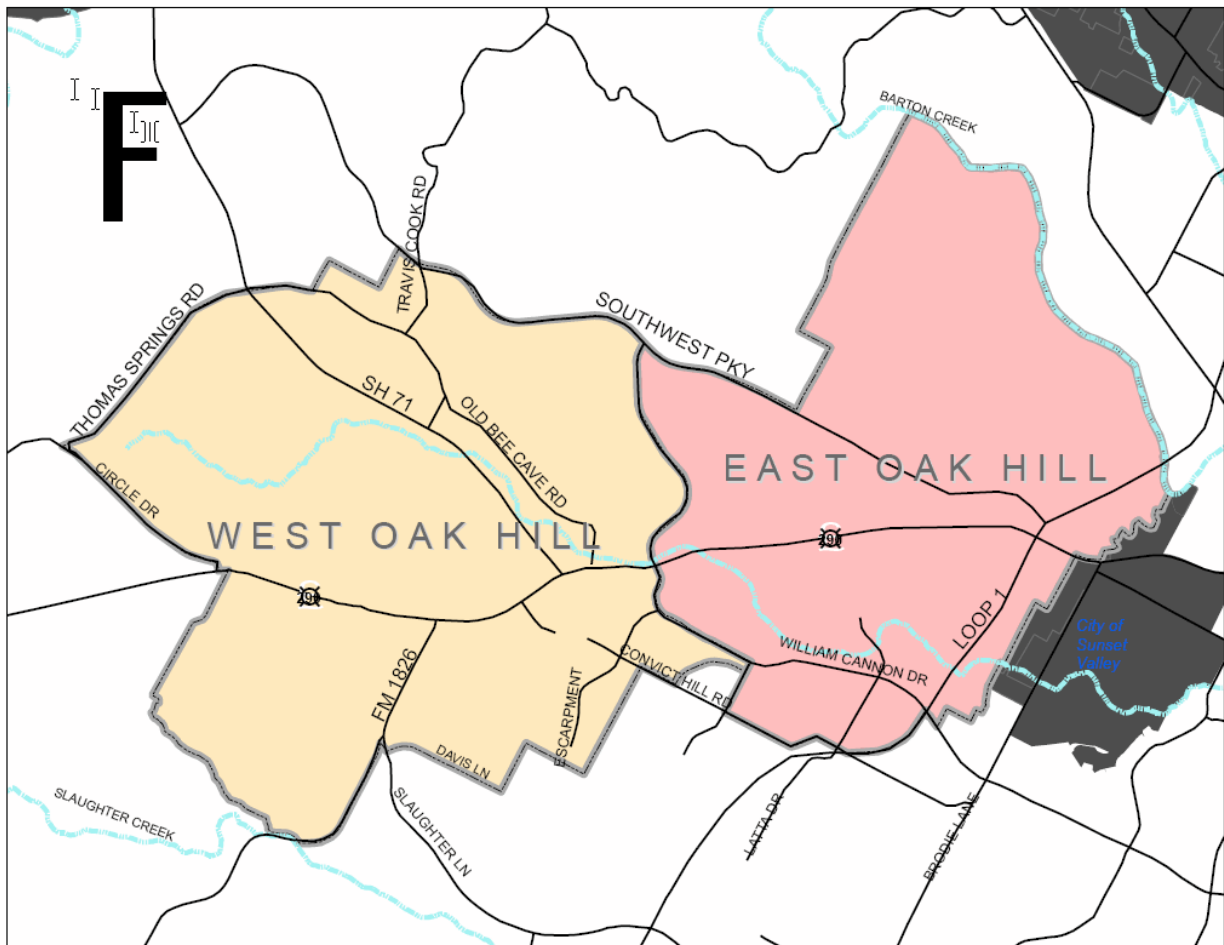
- Sec. 1 These by-laws may be altered, amended or repealed, and new by-laws may be adopted by action of a three-fifths (3/5) majority of the General Membership present, provided that at least fourteen (14) days' written notice is given of intention to alter, amend, repeal, or to adopt new by-laws at such meeting. Such notice shall specify the changes to be proposed, using the same wording as in the proposed change(s).

¹⁹ Amended 3/24/2010 to add this Section to remove any perceived authority of Committees of the NPCT.

ARTICLE XI Rules of Order

Sec. 1 Where not in conflict with these by-laws, Roberts Rules of Order, Revised, shall be the parliamentary authority for all matters of procedure.

Figure 1



NOTE

The footnotes contained in this document are for historical reference only and do not constitute a part of the By-laws