



MEMORANDUM

To: Small Area Planning Joint Committee Members

From: Stevie Greathouse, Acting Division Manager
Planning and Zoning Department

Date: December 4, 2015

Subject: Back Up For December 9, 2015 Agenda Item 3.b.

Staff has been directed by City Council to conduct stakeholder involvement and initiate code amendments to modify the Land Development Code to add oversight and compliance requirements for neighborhood plan contact teams (NPCTs), and return to the City Council with a summary of stakeholder involvement and possible code amendment recommendation by January 28, 2016. The [November 4, 2015 memo to the Joint Committee](#) provides a detailed description of the background and input received.

Recommendations

Based on the input received, as well as discussion at the November 4, 2015 meeting of the Joint Committee, staff recommends the following:

1. **Modify Land Development Code.** Modify LDC 25-1, Article 16 as shown in **Attachment A** to formalize a complaint-based dispute resolution procedure for Contact Teams, and to clarify the role of the NPCT Bylaws Template; (**Notes:** The revisions included in **Attachment A** are in draft form and are subject to further review and revision by the Law Department as they make their way through the stakeholder review and Land Use Commission process. Current LDC Article 16 language is included as **Attachment B.**)
2. **Amend Bylaws.** Modify the existing NPCT bylaws template to specify minimum standards for membership inclusivity, meeting location, and meeting notification as shown in **Attachment C.** Require existing NPCTs to bring bylaws into substantial compliance with the revised bylaws template and/or report back to Council on status by December 31, 2016;
3. **Provide Web Support.** Identify 1/2 an additional FTE of staff support and a platform to develop and maintain a website that can be used as a clearinghouse for NPCT information, meeting announcements, and membership lists. Implement website and/or report back to Council on status by December 31, 2016;
4. **Provide Training.** Develop an NPCT member orientation manual and training materials, and make training available via the City website and future NPCT training sessions. Develop new training materials and/or report back to City Council on status by December 31, 2016;

5. **Consider Future Enhancements.** Continue to evaluate public involvement best practices through the CodeNEXT process, and consider future substantive changes to the Land Development Code that would provide for more equitable public involvement in plan implementation citywide.

Next Steps

Based on continued review of the stakeholder input, and discussion at the December 9 meeting of the Joint Committee, staff will refine this set of recommendations, work with Law Department staff to develop revised code language, and present a refined set of recommendations to the full Planning Commission, Planning and Neighborhoods Committee of City Council, and City Council in January 2016.

smg

Attachment(s)

cc: Matt Lewis, Greg Guernsey, Sue Edwards, Marc Ott, Neighborhood Plan Contact Teams

ORDINANCE NO. _____**AN ORDINANCE AMENDING CITY CODE TITLE 25 REGARDING NEIGHBORHOOD PLAN CONTACT TEAMS.****BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**

PART 1. Subsection (E) of City Code Section 25-1-805 (*Neighborhood Plan Contact Team*) is amended to read as follows:

- (E) The neighborhood plan contact team shall submit new bylaws or changes in existing bylaws to the director. The bylaws shall ~~[be based upon a standardized template provided by the director and shall]~~ address roles and responsibilities, boundaries, membership, decision-making, meetings and meeting notification, officers and duties, amendments to the bylaws, finances, and conflicts of interest. The bylaws shall be consistent with the standardized bylaws template and instructions provided by the director.

PART 2. City Code Section 25-1-805 (*Neighborhood Plan Contact Team*) is amended by adding a new Subsection (G) that reads as follows:

(G) Neighborhood plan contact teams shall have dispute resolution as follows:

- (1) Filing complaints. A person who meets the membership requirements described under Subsection (B) and believes that the neighborhood plan contact team for their area has violated the provisions of this section may file with the director a request to have the director investigate and mediate his/her complaint. Such complaints shall be in writing and shall identify the neighborhood plan contact team alleged to be violating the provisions of this section. All complaints must be filed within 180 days following the occurrence of an alleged violation.
- (2) Investigation. Upon the filing of a complaint, the director or his designee shall review with the charging party the allegations contained within and, if warranted based on the requirements of this chapter, shall conduct a prompt and full investigation of the matter stated in the complaint.
- (3) Informal Dispute Resolution. If after investigation it is determined that there is reasonable cause to believe that a charge is true, the director shall endeavor to eliminate any such alleged violations by

informal methods of conference, conciliation, and persuasion. All determinations of the director shall be made as promptly as possible.

- (4) Formal Dispute Resolution. If, after determining that there is reasonable cause to believe a violation occurred, and the director is unable to secure from the respondent an acceptable conciliation agreement, the director shall present his/her findings to the Planning Commission. If after review of the findings the Planning Commission agrees with the findings of the director, the Planning Commission may recommend a more formal mediation/dispute resolution process.
- (5) Remedy. In cases where the informal and formal dispute resolution processes initiated by the City are unable to secure from the respondent an acceptable conciliation agreement, the Planning Commission may recommend that the director and the City discontinue recognition of the neighborhood plan contact team under the provisions of this chapter until a conciliation agreement acceptable to the Planning Commission is reached.
- (6) Appeal. Charging parties and respondents may appeal the determination of the director and of the Planning Commission under this subsection to the City Council.

PART 3. This ordinance takes effect on _____, 2016.

PASSED AND APPROVED

§
§
§

_____, 2016

Steve Adler
Mayor

APPROVED: _____

Anne L. Morgan
City Attorney

ATTEST: _____

Jannette S. Goodall
City Clerk

ARTICLE 16. - NEIGHBORHOOD PLAN AMENDMENTS.

§ 25-1-801 - DEFINITIONS.

In this article:

- (1) DIRECTOR means the director of the Planning and Development Review Department.
- (2) NEIGHBORHOOD PLAN CONTACT TEAM means the individuals designated to implement an adopted neighborhood plan. The neighborhood plan contact team is a neighborhood organization that qualifies as an interested party for purposes of notice, appeal, and other processes if all other qualifications for interested party status are satisfied. The neighborhood plan contact team is a separate body apart from any other existing or future neighborhood organization.

Source: Ord. 20080306-073; Ord. 20091105-069; 20091217-053.

§ 25-1-802 - DIRECTOR'S REVIEW OF NEIGHBORHOOD PLAN.

The director shall conduct a general review of a neighborhood plan not earlier than five years after the adoption of the plan and may recommend amendments of a plan to the Planning Commission and council. The director shall include neighborhood stakeholder input in the review process.

Source: Ord. 20080306-073.

§ 25-1-803 - INITIATION OF NEIGHBORHOOD PLAN AMENDMENT.

A neighborhood plan amendment may be initiated by:

- (1) for an amendment regarding an individual property:
 - (a) the owner of the subject property;
 - (b) the council;
 - (c) the Planning Commission;
 - (d) the director; or
 - (e) the neighborhood plan contact team for the planning area in which the property is located;
or
- (2) for an amendment regarding an area-wide or subdistrict-wide recommendation:
 - (a) the council;
 - (b) the Planning Commission;
 - (c) the director; or
 - (d) the neighborhood plan contact team for the affected neighborhood plan area.

Source: Ord. 20080306-073; 20091217-053.

§ 25-1-804 - APPLICATION TO AMEND NEIGHBORHOOD PLAN.

- (A) A pre-application meeting between the director's staff and an applicant is required before the applicant may submit an application to amend a neighborhood plan to the director. At the meeting:
 - (1) the staff shall describe the application process to the applicant;
 - (2) the applicant shall describe the proposed neighborhood plan amendment to the staff;
 - (3) if the applicant is proposing a change to the future land use map, the applicant shall provide the staff with information regarding the proposed change, including the address, boundaries, acreage, current and proposed future land use map categories, and current and proposed uses; and
 - (4) if the applicant is proposing a text change, the applicant shall provide the proposed language and an explanation of the change.
- (B) For an application regarding an individual property, except as provided in Subsection (C):
 - (1) the director may accept an application to amend a neighborhood plan not earlier than one year after the adoption of the plan;
 - (2) after the one year anniversary of a plan adoption, the director may accept an application to amend a plan recommendation relating to an individual property not more frequently than once every 12 months; and
 - (3) an application may be filed only during the month established by the director under Section 25-1-811 (Map; Filing Dates).
 - (a) the application is submitted by a neighborhood plan contact team for the planning area in which the property is located; or
 - (b) a neighborhood plan contact team for the planning area in which the property is located has given written approval of the application.
 - (4) An applicant may not file an application for an amendment that is substantially the same as an application denied by council until one year after the council action denying the prior application
- (C) The director may accept an application regarding an individual property at a time other than as provided in Subsection (B) if the director determines that:
 - (1) prohibiting the filing would result in a hardship to the applicant, and the development proposed by the applicant will not adversely affect public health, safety, and welfare;
 - (2) a clerical error regarding the designated use of the subject property exists on the future land use map of the neighborhood plan or in the text of the plan;
 - (3) the person submitting the application has received a letter from the director of the appropriate City department stating that the project:
 - (a) is not subject to current City environmental regulations, but is proposed to be developed under current City environmental regulations;
 - (b) promotes the recruitment or retention of an employment center with 100 or more employees; or
 - (c) is a S.M.A.R.T. Housing certified project in which at least 40 percent of the proposed units are reasonably priced as provided in Section 25-1-703(C) and (D) (Program Requirements); or
 - (4) council has initiated the application.
- (D) An applicant may appeal a decision of the director under Subsection (C)(1) to the Planning Commission.
- (E) For an area-wide or subdistrict-wide application:

- (1) the director may accept an application to amend a neighborhood plan not earlier than two years after the adoption of the plan;
- (2) the director may accept an application not earlier than two years after the most recent council action on the plan; and
- (3) an application initiated by council may be filed at any time.

Source: Ord. 20080306-073; 20091217-053.

§ 25-1-805 - NEIGHBORHOOD PLAN CONTACT TEAM.

- (A) The director shall initiate the formation of a neighborhood plan contact team.
- (B) The neighborhood plan contact team shall to the greatest extent practicable include at least one representative from each of the following groups within a 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.
- (C) Representatives shall to the greatest extent possible be drawn from the group of persons involved in the development of the neighborhood plan.
- (D) The neighborhood plan contact team shall annually submit a list of its officers and members, including individual contact information and applicable membership category under Subsection (B), to the director.
- (E) The neighborhood plan contact team shall submit new bylaws or changes in existing bylaws to the director. The bylaws shall be based upon a standardized template provided by the director and shall address roles and responsibilities, boundaries, membership, decision-making, meetings and meeting notification, officers and duties, amendments to the bylaws, finances, and conflicts of interest.
- (F) Before the date on which the Planning Commission is scheduled to consider a proposed neighborhood plan amendment, the neighborhood plan contact team may submit a letter to the director stating its recommendation on the proposed amendment. The neighborhood plan contact team shall also identify any conflict of interest as defined in the bylaws of the neighborhood plan contact team.

Source: Ord. 20080306-073; 20091217-053.

§ 25-1-806 - NOTICE AND PUBLIC HEARING.

- (A) The director shall give notice of the filing of an application for a proposed neighborhood plan amendment under Section 25-1-133 (Notice Of Applications And Administrative Decisions).
- (B) The director shall conduct a community meeting on a proposed neighborhood plan amendment prior to the date on which the Planning Commission is scheduled to consider the amendment. The director shall give notice of the meeting under Section 25-1-132(A) (Notice of Public Hearing).
- (C) The Planning Commission and the council shall each hold a public hearing on a proposed neighborhood plan amendment.
- (D) This subsection prescribes notice for a public hearing on a proposed neighborhood plan amendment regarding an individual property.

- (1) For a hearing before the Planning Commission, the director shall give notice under Section 25-1-132(A) (Notice Of Public Hearing).
 - (2) For a hearing before council, the director shall give notice under Section 25-1-132(B)(2) (Notice Of Public Hearing).
 - (3) The applicant is responsible for the cost of notice, unless the applicant is a neighborhood plan contact team. In that event, the City is responsible for the cost of notice.
- (E) This subsection prescribes notice for a public hearing on a proposed neighborhood plan amendment regarding an area-wide or subdistrict-wide recommendation.
- (1) The director shall give notice of a public hearing before the Planning Commission or council to:
 - (a) each notice owner of property located within the proposed amendment boundaries;
 - (b) each City of Austin utility account address within the proposed amendment boundaries; and
 - (c) each neighborhood plan contact team and registered neighborhood organization within the proposed amendment boundaries and within 500 feet of the proposed amendment boundaries.
 - (2) The City is responsible for the cost of notice.

Source: Ord. 20080306-073; 20091217-053.

§ 25-1-807 - EXPIRATION OF APPLICATION.

- (A) A neighborhood plan amendment application expires if the director does not schedule the application for a public hearing:
 - (1) by the Planning Commission before the 181st day after the date of filing; or
 - (2) by the Planning Commission or council before the 181st day after the date on which the Planning Commission or council grants an indefinite postponement of a scheduled public hearing.
- (B) Except as provided in Subsection (D), a neighborhood plan amendment application expires if the council does not adopt an ordinance before the 361st day after council closes the public hearing on the application.
- (C) Except as provided in Subsection (D), a neighborhood plan amendment application initially submitted before the effective date of this section expires 180 days after the effective date of this section.
- (D) An applicant may file one request with the director and one request with council to extend an application that will expire under Subsection (B) or Subsection (C). The request must be in writing, be filed before the application expires, state good cause for the extension, and be for not more than 180 days.

Source: 20091217-053.

§ 25-1-808 - LAND USE COMMISSION PUBLIC HEARING AND RECOMMENDATION.

- (A) The Land Use Commission shall hold a public hearing on a neighborhood plan amendment application not later than the 90th day after the date the application is filed.
- (B) The Land Use Commission shall make a recommendation to the council on a neighborhood plan amendment application not later than the 14th day after the Land Use Commission closes the public hearing on the application.

- (C) If the Land Use Commission does not adopt a recommendation on an application, the Director shall forward the application to council without a Land Use Commission recommendation.
- (D) If the Land Use Commission does not hold a public hearing in accordance with Subsection (A), the applicant may file a written request for a hearing as prescribed in Section 25-2-282(E).
- (E) The Director shall report the Land Use Commission's recommendation on each neighborhood plan amendment application to the council.

Source: 20091217-053.

§ 25-1-809 - CITY COUNCIL HEARING AND RECOMMENDATION.

- (A) The council shall hold a public hearing on a neighborhood plan amendment application not later than the 40th day after the date of the Land Use Commission recommendation.
- (B) Section 25-2-283(C) shall apply to requests for postponement of the public hearing on a neighborhood plan amendment application.

Source: 20091217-053.

§ 25-1-810 - RECOMMENDATION CRITERIA.

- (A) The director may not recommend approval of a neighborhood plan amendment unless the requirements of Subsections (B) and (C) are satisfied.
- (B) The applicant must demonstrate that:
 - (1) the proposed amendment is appropriate because of a mapping or textual error or omission made when the original plan was adopted or during subsequent amendments;
 - (2) the denial of the proposed amendment would jeopardize public health, safety, or welfare;
 - (3) the proposed amendment is appropriate:
 - (a) because of a material change in circumstances since the adoption of the plan; and
 - (b) denial would result in a hardship to the applicant;
 - (4) the proposed project:
 - (a) provides environmental protection that is superior to the protection that would otherwise be achieved under existing zoning and development regulations; or
 - (b) promotes the recruitment or retention of an employment center with 100 or more employees;
 - (5) the proposed amendment is consistent with the goals and objectives of the neighborhood plan; or
 - (6) the proposed amendment promotes additional S.M.A.R.T. Housing opportunities.
- (C) The applicant must demonstrate that:
 - (1) the proposed amendment complies with applicable regulations and standards established by Title 25 (Land Development), the objectives of Chapter 25-2 (Zoning), and the purposes of the zoning district proposed for the subject property; and
 - (2) the proposed amendment is consistent with sound planning principles.

Source: Ord. 20080306-073; 20091217-053.

§ 25-1-811 - MAP; FILING DATES.

The director shall establish a map designating the area of the City for which an application to amend a neighborhood plan must be submitted in February and the area for which an application must be submitted in July.

Source: Ord. 20080306-073; 20091217-053.

Attachment C:
Neighborhood Plan Contact Team Bylaws Template with Recommended Modifications
December 4, 2015

Neighborhood Plan Contact Team Bylaws
Template with Instructions

Last Modified December 4, 2015

Planning and Zoning Department



About this Template

Article 16, 25-1-805 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 template 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.

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

Section 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 *[insert adopted Neighborhood Plan or planning area name here]* Neighborhood Plan Contact Team (*[insert Contact Team name here]* NPCT).

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 25-1-805. **This language is required.***

*B. The name of the neighborhood plan contact team should, to the greatest extent practicable, 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 city staff, applicants, and others who may interact with the contact team.

Section 2—Roles & Responsibilities

- A. The role of the [\[insert Contact Team name here\]](#) shall be to review and make recommendations on all proposed amendments to the adopted [\[insert adopted Neighborhood Plan name here\]](#) and to support implementation of the plan.
- B. When appropriate the [\[insert Contact Team name here\]](#) NPCT may decide to initiate a plan amendment.
- C. When appropriate the [\[insert Contact Team name here\]](#) 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 [\[insert Contact Team name here\]](#) 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

- 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 rather than a verbal description to show the planning area boundaries. The City 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.

Attachment C:

Section 4—Membership of the *[insert Contact Team name here]*

- A. Membership of the *[insert Contact Team name here]* 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 *[insert Contact Team name here]* unless authorized to do so by the Contact Team Chair.
- C. Each member of the *[insert Contact Team name here]* shall be provided a copy of the adopted *[insert Contact Team name here]* 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. **This language must be included in the bylaws.** 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.*

*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.

Attachment C:

Section 5—Removal of Members from the *[insert Contact Team name here]* NPCT.

- A. Any *[insert Contact Team name here]* NPCT member who no longer meets the membership criteria of Section 4A shall be removed from the *[insert Contact Team name here]* NPCT.
- B. An individual's membership on the *[insert Contact Team name here]* NPCT shall lapse on the *[insert meeting number]* successive absence unless there are extenuating circumstances that have been communicated to the *[insert Contact Team name here]* 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

A. Decision Making Method

Option 1. Voting. Decisions of the **[insert Contact Team name here]** 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 B, Eligibility, gets to vote; and
- c. One vote per property owner regardless of the number of properties owned in the planning area.

OR:

Option 2. Consensus. Decisions of the **[insert Contact Team name here]** NPCT will be made by consensus among members who are eligible to participate in decision making, as described under 6.B, Eligibility.

Section 6-Decision Making

*The purpose of this section is to define how decisions are made by the NPCT. Contact teams must select a method for decision making. Contact teams may choose voting or consensus or may arrive at their own unique solution for decision making, as long as that method can be fairly and consistently applied. **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.

Consensus. Under this option, contact teams would make decisions based on consensus of the eligible members present at the meeting.

Attachment C:

B. Eligibility. The ability to participate in decision-making through (vote/consensus/other method) 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.

Under these bylaws, a member meets the 2 meeting threshold for eligibility if they have received a 500 foot legal notification letter from the city concerning a proposed development application and have attended at least one additional NPCT meeting.

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 [insert minimum percentage] of eligible members 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.

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.

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

Section 7—Meetings

- A. Meetings of the *[insert Contact Team name here]* 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 described under 6b, are allowed to participate in decision-making.
- B. Meetings shall be held (*monthly/quarterly*) on the *[insert day]* day of the month from *[insert start time]* to *[insert end time]*.
- C. Unless otherwise noticed all meetings will be held at the *[insert 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 4 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.***

Attachment C:

- D. Meetings can be held on an as-needed basis when an application to amend the [\[insert Neighborhood Plan name here\]](#) Neighborhood Plan has been submitted to the City of Austin.
- E. Special meetings of the [\[insert Contact Team name here\]](#) NPCT may be called by an elected officer.
- F. The [\[insert Contact Team name here\]](#) 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 [\[insert Contact Team name here\]](#) 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

- 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, listserve, 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 shall be distributed not less than **[Insert number of]** days before the meeting date.
- D. 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 which is at least 7 days ahead of the scheduled 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

- A. The officers of the [\[insert Contact Team name here\]](#) 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 [\[insert Contact Team name here\]](#) NPCT and its officers pursuant to these by-laws. This shall include conducting meetings, representing the team at official functions, appointing subcommittees, and generally overseeing the business of the [\[insert Contact Team name here\]](#) 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.***

*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.***

Attachment C:

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/participate in decision making) and the contact information.
5. The Secretary shall annually submit to the City of Austin Planning and Zoning Department by-laws 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 by-laws.

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

- A. Officers will be elected by the [insert Contact Team name here] NPCT using the decision making process described under section 6. All candidates must be eligible members of the [insert Contact Team name here] NPCT as defined under 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 [Insert number of] years not to exceed [Insert 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.***

Attachment C:

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 [\[insert Contact Team name here\]](#) NPCT and shall require (a two-thirds vote/consensus) of members eligible to (vote/decide) and present at a meeting of the [\[insert Contact Team name here\]](#) NPCT, providing that a resolution proposing the consideration of the removal has been adopted at a preceding meeting and that notice of the (vote/decision) for removal has been included in the call to the meeting at which the (vote/decision) 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 [\[insert Contact Team name here\]](#) NPCT.
- B. If there are any standing committees as part of the [\[insert Contact Team name here\]](#) 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 [\[insert Contact Team name here\]](#) NPCT. The duties shall include updating the annual membership list, holding [\[insert Contact Team name here\]](#) NPCT meetings, conducting elections as called for in the by-laws, and representing the [\[insert Contact Team name here\]](#) NPCT in communications with the City of Austin. It shall also act for the [\[insert Contact Team name here\]](#) NPCT in matters specifically delegated to it. It may act for the [\[insert Contact Team name here\]](#) NPCT between regular meetings on any matter determined urgent. Any such action shall be reported at the next meeting of the [\[insert Contact Team name here\]](#) NPCT and none of its actions shall conflict with actions taken or policies formulated by the [\[insert Contact Team name here\]](#) 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.***

Attachment C:

Section 13—Committees (Optional)

- A. The *[insert Contact Team name here]* NPCT Chair may appoint project based standing committees to help conduct the business of the *[insert Contact Team name here]* NPCT.
- B. Committees shall report to the *[insert Contact Team name here]* 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

- A. The [\[insert Contact Team name here\]](#) NPCT may not collect or charge dues of its membership.
- B. The [\[insert Contact Team name here\]](#) NPCT may only accept in-kind donations that aid in the prescribed roles and responsibilities of the [\[insert Contact Team name here\]](#) 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 concerns 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

A. If a member of the *[insert Contact Team name here]* 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 *[insert Contact Team name here]* 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.***

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

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

- A. These bylaws of the *[insert Contact Team name here]* 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..
