

Bylaws

for

THE NORTH UNIVERSITY NEIGHBORHOOD PLANNING TEAM (NPT)

Adopted on March 8, 2006

SECTION I

Purpose

The North University Neighborhood Planning Team (NPT), shall:

- (1) act as an educational resource for residents in land use matters;
- (2) review developments in the NCCD and ensure compliance with Ordinance No. 040826-58 of the City of Austin;
- (3) establish and implement the CACNP as it applies to the North University Neighborhood Planning Area; and
- (4) review and make recommendations on all land use cases that may impact the North University Neighborhood Planning Area and review and make recommendations for all proposed amendments to the Central Austin Combined Neighborhood Plan as they apply to the North University Neighborhood Planning Area.

SECTION II

Members

Eligibility.

- a. Boundaries. The boundaries of the NPT shall be the NCCD as defined in Ordinance No. 040826-58 of the City of Austin, consisting of the area bounded by 38th Street to the north, San Jacinto and 27th Street to the south, Guadalupe Street to the west, and Duval Street to the east in the City of Austin, Travis County, Texas.
- b. Qualifications. Individuals who reside within the defined boundaries, and are Members in good standing of the North University Neighborhood Association may become Members of the NPT.

- c. Effective Date. Qualified individuals shall become Members in good standing thirty days after communicating to the Secretary their intent to join the NPT.
- d. Agreement. By joining, NPT Members agree to abide by the Bylaws herein.
- e. Communication with the Public and the Applicant. NPT Members may not publicly speak or communicate a position outside an NPT Meeting on a matter which is subject to the Purposes set out in Section I (2)(4) without first having such communication approved by vote at an NPT Meeting, excepting emergency requests for postponements.
- f. Loss of Eligibility. Members of the NPT is encouraged to participate through regular meeting attendance, group discussion, group communication, or other activity in support of the NPT. Members who do not show evidence of active participation for 6 months shall lose their Membership without further notification. Such individuals may again become Members in good standing thirty days after communicating to the Secretary their intent to re-join the NPT.
- g. Rights of Members. Only NPT Members in good standing may hold office, introduce motions, or vote.

SECTION III

Meetings and Public Hearings

Agenda. An agenda for each meeting shall be prepared by the Chair in consultation with the other NPT Officers and NPT Members. Any NPT Member can place an item on the agenda for discussion, if such item is given to the Chair three days prior to the meeting. Members not meeting this prior notice requirement may discuss any item in New Business. The agenda must be e-mailed to all NPT Members in good standing not less than one day prior to the meeting.

Quorum. A minimum of three NPT Members including one Officer, but not fewer than twenty percent (25%) of the NPT Members in good standing shall constitute a quorum. Any act of a majority of the Members present at any meeting and constituting a quorum shall be the act of the NPT.

Voting. Members must be present to cast votes. Proxy voting is prohibited. All matters shall be decided by the affirmative vote of a majority of the NPT Members of the Association present in person and voting, except as otherwise expressly provided herein.

Meeting Records. Minutes for every meeting shall be recorded and maintained by the Secretary.

Regular Meetings. Regular meetings shall be held at 6:30 p.m. on the second Wednesday of each month at the AGE building located at 3710 Cedar St., Austin, Texas.

Special Called Meetings. Special Called Meetings may be called by three Members, of the NPT, one of whom must be an Officer.

Notice of Meeting. A notice giving the date, time, place, and agenda of each Meeting of the NPT shall be given 5 days prior to the meeting if by electronic means or hand delivery, and 7 days prior if deposited in U.S. mail. Such notice shall be sent to:

- 1) all NUNA Members in good standing who have provided e-mail addresses for the purpose of receiving notices; and
- 2) all NPT Members in good standing; and
- 3) all Members of the Executive Committee of the North University Neighborhood Association.

If practicable, notice shall also be published in regular communications to all NUNA members.

Annual Meetings. The Annual Meeting for the election of officers shall be held at the date, time, and place of the Regular Meeting in April.

Two Public Hearing Limit Per Meeting There will be no more than two hearings scheduled in any meeting of the NPT. In no case shall a Land Use Presentation Hearing and a Land Use Action Hearing occur at the same meeting for the same property. Scheduling will be first-come, first-served. Applicants who have submitted the materials described in the respective Applicant Requirements sections first and before the deadline will be scheduled first.

Land Use Presentation Hearing The purpose of the Land Use Presentation Hearing is to initiate a recommendation in a land use matter or Neighborhood Plan Amendment. No action will be taken at any Land Use Presentation Hearing. This is a public hearing to collect facts, receive a proposal from an applicant, obtain community input, and to register contact information from interested parties. Land Use Presentation Hearings can be held concurrent with and at the date, time, and place of any Regular Meeting, Special Called Meeting, or Annual Meeting. The Secretary shall collect contact information from interested parties attending the hearing.

Informal discussion with project stakeholders in NPT Regular and Special Called Meetings is encouraged. Such discussions in any meeting that does not qualify as a Land Use Presentation Hearing would still require a future Land Use Presentation Hearing to initiate a recommendation.

Notice of Land Use Presentation Hearing. A notice giving the date, time, place, and agenda of each Notice of Land Use Presentation Hearing of the NPT shall be given 5 days prior to the meeting if by electronic means or hand delivery, and 7 days prior if deposited in U.S. mail. The notice shall briefly describe the action to be considered. Such notice shall be sent to:

- 1) all NUNA Members in good standing who have provided e-mail addresses for the purpose of receiving notices; and
- 2) all NPT Members in good standing; and
- 3) all Members of the Executive Committee of the North University Neighborhood Association; and
- 4) all registered owners of properties falling within 300' of any affected property; and
- 5) all residents of properties falling within 300' of any affected property; and
- 6) a representative designated to receive such notices from the Department of Neighborhood Planning and Zoning of the City of Austin.

Applicant Requirements for Initiating a Land Use Presentation Hearing. Prior to the NPT scheduling a Land Use Presentation Hearing, an applicant must provide the following written and/or electronic materials no fewer than 14 days prior to the Regular Meeting date at which the case is to be heard:

- 1) a statement of full intent for the proposal; and
- 2) a written statement from an employee of The City of Austin's Watershed Protection and Development Review staff listing all the regulatory processes that will be needed to legally permit and fully implement the proposal; and
- 3) all supporting materials needed for the application of regulatory processes identified by the statement of the employee of The City of Austin's Watershed Protection and Development Review; and
- 4) a data file in a format specified by the NPT Chair including the name and mailing address of all current registered owners of properties falling within 300' of any affected property as maintained by Travis County Appraisal District; and
- 5) a map showing building outlines and affected property with indication of the 300' radius, showing current uses, current zoning, and trees 19 caliper inches or greater located on the property; and
- 6) if for Variance, a complete Board of Adjustment application and supporting plans or documents as requested; or
- 7) if for Zoning Change, a complete Zoning Change application and supporting plans or documents as requested; or
- 8) if for Neighborhood Plan Amendment, a complete Neighborhood Plan Amendment application, Future Land Use Maps, both current and proposed, a list of Plan Recommendations obtained from the CACNP within a radius of 300' around the property, and supporting plans or documents as requested; or

- 9) if for Site Plan, or a Site Plan for a Conditional Use Permit, a complete Site Plan application and supporting plans or documents as requested; or
- 10) if for Historic Zoning Designation, a complete Historic Zoning Designation application and supporting plans or documents as requested. Materials listed in item 5 are not required for Historic Zoning Designation.

Land Use Action Hearing The purpose of Land Use Action Hearings is to act on and issue recommendations on specific proposals presented introduced at a prior Land Use Presentation Hearing. If in the opinion of the Chair, or a majority of the NPT Members present, there are substantive changes to the proposal first heard at the Land Use Presentation Hearing, which render aspects of the prior proposal invalid, then action must be deferred to a future Land Use Action Hearing.

Notice Requirements of Land Use Action Hearing. A notice giving the date, time, place, and agenda of each Land Use Action Hearing of the NPT shall be given 5 days prior to the meeting if by electronic means, and 7 days prior if deposited in U.S. mail. The notice shall briefly describe the action to be considered. Such notice shall be sent to:

- 1) all NPT Members in good standing, and
- 2) all Members of the Executive Committee of the North University Neighborhood Association; and
- 3) to other parties of interest either registered at the Land Use Presentation Hearing or expressed an interest by other contact.

SECTION IV

Conflicts of Interest

“Interest” is defined, with respect to this Section IV, as an NPT Member or Officer having, either directly or indirectly:

- a. Ownership in or an investment in any property before the NPT regardless of the amount of ownership or investment; or
- b. A financial or business relationship with any applicant or any person or business associated with the applicant or the property at issue regardless of the amount of or type of financial or business relationship; or
- c. Past or present employment by any applicant or any person or business associated with the applicant or the property at issue, including, but not limited to, being a corporate officer or member of the board of directors; or
- d. A known or expected future business, employment, or financial interest or relationship related to the applicant, the property at issue, or any person or business associated with the applicant or the property at issue; or

- e. Indebtedness to the applicant or any person or business associated with the applicant or the property at issue regardless of the amount of the indebtedness;
- f. Any other direct or indirect relationship with an applicant, property at issue, or any person or business associated with the applicant or the property at issue that may hinder an NPT Member's or Officer's objectivity in a decision before the NPT.

An "Interest" shall not include being a neighbor of a property or of an applicant.

NPT Members and Officers are highly encouraged to disclose any Interests they may have, regardless of how insignificant, in order to ensure the integrity of any decision made by the NPT. If an NPT Member or Officer has an Interest or a reasonable expectation that they may have or will have an Interest, the NPT Member or Officer must:

1. Immediately disclose such Interest to the other NPT Members and Officers. Such disclosure must occur, at the latest, prior to the Land Use Hearing. The NPT Member or Officer with the Interest must also disclose such Interest in any correspondence, contact, or discussion pertaining to the project in which the Interest has arisen.
2. If an NPT Member or Officer has an Interest, the NPT Member or Officer cannot participate in any decision concerning the property at issue, including, but not limited to, the decision of the NPT to submit an application for a plan amendment or the decision to support or not support the project at issue on the property.

Notwithstanding the previous paragraphs, an NPT Member or Officer with an Interest may petition that their Interest be deemed insignificant. An insignificant Interest is an Interest whereby the NPT Member's or Officer's decision related to the property at issue will not be biased, influenced, or prejudiced in any way because of the Interest. A finding of an insignificant Interest can only be done with a unanimous vote of the NPT Membership at the Land Use Hearing for the property at issue.

In the event that an Interest is not disclosed and such NPT Member or Officer participates in the decision related to the property at issue (including, but not limited to, the Land Use Hearing), then the NPT's decision related to such property shall be null and void and the applicant must reapply with the NPT for a new decision with respect to the property at issue.

Furthermore, in the event that an Interest arises for an NPT Member or Officer within twelve (12) months after a decision is made, then the NPT may declare its previous decision null and void in its sole and exclusive discretion and take whatever action the NPT deems reasonable with respect to the property at issue. Such decision to negate a previous decision by the NPT shall be done by a two-thirds (2/3) vote of the NPT Membership at any Regular or Special Called Meeting. The NPT Member or Officer with the Interest is encouraged to attend such meeting to discuss their Interest.

SECTION V

Officers

Officers. The officers of the NPT shall be a Chair, Vice Chair, and Secretary. The officers shall be elected at large by the NPT Membership at the Annual meeting.

Terms of Office. Each officer shall serve a term of one year commencing upon election in April. Notwithstanding any other provision hereof, each officer shall serve until his or her successor is elected and qualified.

Chair

Presides over meetings and oversees the running of the NPT.

Vice-Chair.

Assists the Chair and may occasionally perform to the duties of Chair as assigned.

Secretary.

Records and maintains the minutes, membership records, and records the contact information on interested parties.

Election. The officers shall be elected by the NPT Membership at the following annual meeting in April.

SECTION VI

Parliamentary Procedure

Robert's Rules. When not inconsistent with these Bylaws, *Robert's Rules of Order Newly Revised* shall be the parliamentary authority for all matters of procedure. These rules may be suspended at any meeting by a majority vote.

SECTION VII

Prohibited Actions

Political Endorsements. The NPT shall not endorse any candidates for political office.

SECTION VIII

Adoption and Amendment of Bylaws

Adoption. These Bylaws shall become effective upon approval of two-thirds (2/3) of the NPT Membership present at the meeting of the NPT at which their adoption is moved.

Amendments These Bylaws may be amended or repealed and a new Bylaw may be adopted by a two-thirds (2/3) vote of the NPT Membership at any Regular or Special Called Meeting, provided that written notice of the proposed amendment, repeal, or new Bylaw shall have been given as required in Section III "Notice of Meeting."