

# Charter and Bylaws of the Barrio Nopal Association

## CHARTER

This neighborhood association is formed to provide open channels of communication for persons who reside, and/or rent, or own real property within the boundaries set in Article I in order that they may make informed decisions on issues which may affect the quality of life in this and other urban neighborhoods.

### ARTICLE I NAME AND BOUNDARIES

This neighborhood association shall be known as Barrio Nopal Association. The Association shall encompass the areas bounded on the: North by Valencia Rd., South by Los Reales Rd., East by Nogales Hwy, West by 12th Avenue.

### ARTICLE II PURPOSES

1. To ensure the preservation of the integrity of the neighborhood and to retain established land use patterns.
2. To provide a vehicle for neighborhood planning where open land exists which shall be in keeping with the character of the neighborhood.
3. To limit and control commercialization throughout the neighborhood.
4. To preserve and protect the environment of the neighborhood schools, parks and properties, when and as they are established.
5. To establish a cooperative alliance with the other neighborhood associations for the achievement of common goals.

### ARTICLE III ORGANIZATIONAL STRUCTURE

Membership qualifications, officers, and committees of the association and selection and duties thereof shall be defined by the bylaws.

### ARTICLE IV MEETINGS

There shall be an annual meeting and such other meetings as deemed necessary to conduct the business of this association. Circumstances of these meetings shall be determined by the bylaws.

### ARTICLE V TERM OF CHARTER

Upon approval, this charter shall remain in effect until revoked or amended by a 2/3 (two-thirds) majority of the voting members present at a meeting called for that purpose.

### ARTICLE VI DISSOLUTION OF ASSOCIATION

This Association may be dissolved by a 2/3 (two-thirds) majority of the voting members present at a meeting called for this purpose. Any assets of the Association shall be transferred to a successor organization or such other non-profit organization as designated by the voting members at the time of dissolution.

# BYLAWS of the BARRIO NOPAL ASSOCIATION

## ARTICLE I MEMBERSHIP

1. The membership of this Association shall be composed of two categories: Voting Members and Associate Members.
  - a. A voting member shall be a person who either resides or owns real property within the boundaries of the Association as set forth in the charter, or a business, agency, or organization that either rents or owns real property within the boundaries of the Association as set forth in the charter. Individuals, who attend Barrio Nopal Association meetings as residents or as representatives, shall have not more than one vote.
  - b. An Associate Member shall be a person, business, agency or organization interested in the progress of this neighborhood. Associate members that neither own, rent nor reside within the association boundaries shall not be accorded any voting rights.
  - c. Those persons under eighteen years of age applying for membership shall be Associate Members.
2. Dues are not required.

## ARTICLE II OFFICERS AND COUNCIL MEMBERS

1. The officers of this Association shall hold office for a term of two years or until their successors are elected. The term of office shall begin at the close of the annual meeting at which they are elected. The officers shall not hold more than two consecutive two year terms. Should there be no candidate to oppose an incumbent, then the incumbent may seek to remain in office an additional term. The duties of the officers shall be as follows:
  - a. The President shall call and preside at all Association meetings, act for and on behalf of the membership of the Association, appoint any special committees necessary for the operation of the business of the Association, and act as official spokesperson of the Association.
  - b. The 1<sup>st</sup> Vice President shall, in the absence of the President, assume all of the duties of that office and shall be responsible for publicity.
  - c. The 2<sup>nd</sup> Vice President shall, in the absence of the 1<sup>st</sup> vice President, assume all duties of that office, and shall be responsible for fundraising.
  - d. The Secretary shall keep a permanent record of all legal documents, legal transactions and formal meetings, including an attendance roster of all members and guests of the Association. The Secretary shall transcribe the minutes of each meeting and shall transfer one copy of each set of the minutes to the President and the Historian of the Association. Copies shall be transferred within twenty-five (25) calendar days of the respective meeting or transaction occurrence. The Secretary shall notify the Department of Neighborhood Resources, in writing, of any change of officer(s).
  - e. The Treasurer shall keep all financial receipts and a permanent record of all financial business of the Association. An up-to-date financial report shall be submitted at each meeting. The Treasurer shall serve as timekeeper.
  - f. The Historian shall keep a permanent record of all items, publicity, and history of the association.
  - g. The Sergeant At Arms shall be entrusted to maintain order at meetings assisting the President.

Person(s) creating a disturbance shall politely be asked to remove themselves from any meeting. In the absence, of the Sergeant of Arms, a Council Member will be appointed to assume those duties for the meeting.

2. The Neighborhood Council shall be composed of a minimum of ten (10) Voting Members; they shall be elected by the Voting Membership and serve in the capacity of gathering and disseminating information critical to the implementation of the purpose of the Charter. Duly elected Neighborhood Council members shall serve for a period of two (2) years.
3. All records of the officers and council members are the property of the Association.
4. Any officer or council member is subject to recall for just cause as determined by the neighborhood council. Recall may be accomplished by a 2/3 (two-thirds) majority vote of the voting members, at a regular neighborhood meeting specifically called for that purpose.

### ARTICLE III COMMITTEES

1. The President shall have the power to appoint committees as necessary to implement the purposes of the Charter and Bylaws.
2. A committee shall be: Any committee found necessary by the Neighborhood Association voting members who are in attendance.
3. Committee chairs shall be elected by a majority vote of the committee members who are in attendance at the committee meeting.
4. The President shall be an ex officio member of all committees. Ex Officio member is defined as a person who is not in charge of all committees, but is a part of all committees.

### ARTICLE IV MEETINGS

1. a. An Annual meeting, to be held in January of each year, shall be held at a time and place designated by the President.
  - b. A moment of silence shall be observed at the beginning of all meetings.
  - c. A minimum of five (5) Voting Members may call for a special meeting at any time.
  - d. The Voting Members present shall constitute a quorum and shall include a minimum of nine (9) members including three (3) officers.
  - e. At least a five (5) day notice shall be provided in advance of any Association meeting.
  - f. Prior to a scheduled meeting, officers will meet for discussion and to establish the agenda.
2. The Neighborhood Council shall meet when requested to do so by the President.
3. Fifty (50) percent of the members of the Neighborhood Council may call a special meeting.
4. A quorum of the Neighborhood Council shall be more than half of the membership of the Neighborhood Council.
5. The Neighborhood Council, with the President, shall determine times and places of necessary meetings.

ARTICLE V  
NOMINATION, ELECTIONS, ANNUAL REPORTS, AND INSTALLATION OF OFFICERS

1. The President, Second Vice President, Treasurer, Sergeant At Arms, and five (5) (or one half of the total number) of Neighborhood Council Members shall be nominated and elected at the annual meeting of each even numbered year. The First Vice President, Secretary, Historian, and five (5) (or one half of the total number) of Neighborhood Council Members shall be nominated and elected at the annual meeting of each odd numbered year.
2. Nomination of Officers and Neighborhood Council Members shall be made from the floor during the Annual Meeting.
3. Election of Officers and Neighborhood Council Members shall be held on the same day as nominations.
4. Elections will be by ballot, and they will be openly counted as soon as they are collected and verified. Verification will be derived from the sign-in sheet or from a registration sheet.
5. The Neighborhood Council shall be composed of Voting Members from each subdivision within the boundaries of the Association. If no Voting Member from any one of the subdivisions is willing to serve, then nominations and the election to fill that seat will be made at large.
6. Upon installation of the Officers, whose terms begin at the close of the Annual Meeting, all documents, records, and any materials pertaining to the duties of the office, as designated in the bylaws, which are in the possession of the outgoing Officer(s), shall be submitted to their newly-elected counterparts within fifteen (15) days of their installation.
7. Any vacancies occurring during the year, of any Officer or Council Member, shall be filled by appointment, by the Neighborhood Council, at a separate meeting held for that purpose, until the next voting cycle for that office.
8. In the case of the leave of absence of an Officer, all documents pertaining to the officer's various Neighborhood Association functions shall be transferred to the person appointed to fill the office for the duration of the absence. The transfer shall occur within fifteen (15) calendar days of the officer's leave of absence being approved.
9. Any Officer or Council Member who is absent for three (3) unexcused, consecutive meetings of the Association shall be subject to elimination.
10. The Department of Neighborhood Resources is to be kept informed of the Barrio Nopal Association Officer structure, including any changes of officer(s).

ARTICLE VI FISCAL RESPONSIBILITY

1. Withdrawal or disbursement of funds of the Association requires the signatures of the Treasurer and one other officer.
2. Withdrawals or disbursements amounting to \$100.00 or more require the majority approval of the Neighborhood Council Members present. The number, of Council Members present, shall not be less than five (5).
3. Financial records, funds, and property of the Association shall be audited at least once a year by a committee of at least two members of the Neighborhood Council, appointed by the President.
4. If it becomes necessary for the Treasurer to relinquish that office, the records and funds of the Association shall be audited by a committee of at least two members of the Neighborhood Council appointed by the President.

- 5. For reimbursement(s), an itemized sheet must accompany any request. This sheet must be signed and dated. A request for reimbursement should be previewed by the officers prior to the regular monthly meeting, and submitted for approval at the regular monthly meeting.
- 6. The Neighborhood Association shall keep an updated inventory list of all physical items. These items shall not be loaned for any other purposes, other than the Barrio Nopal Association's use. Letters for stored items shall also be required from all who store them.

ARTICLE VII AMENDMENT OF BYLAWS

- 1. These bylaws may be amended in concurrence with, or upon recommendation of the Neighborhood Council, by a two-thirds (2/3) majority of the entire council.
- 2. Proposed amendments shall be sent to all members of the council at least ten (10) days in advance of the meeting where action is to be taken, or shall have been read at the preceding meeting.

ARTICLE VIII VALIDATION

By our signatures affixed below, we, the current Officers of the Barrio Nopal Association attest that the Charter and Bylaws were properly approved by majority vote of Voting Members at the meeting held on September 10, 2012.

President Richard Kessler Date 9-17-12  
 (Richard Kessler)

Secretary Margie Mortimer Date 09.17.12  
 (Margie Mortimer)

Treasurer Carole Maluf Date 9-17-12  
 (Carole Maluf)