

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 preserve 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.
6. To discourage the movement of heavy-duty commercial vehicles throughout the neighborhood.

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 the 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 or business that either resides or owns real property within the boundaries of the Association as set forth in the charter. Each household or business within the neighborhood, attending Barrio Nopal Association meetings as a resident or a representative, shall have not more than two votes.
 - b. An Associate Member shall be a person, business, agency, or organization interested in the progress of the neighborhood. Associate Members that do not own, rent or 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. The term of office shall begin at the close of the annual meeting at which they are elected. Should there be no candidate to oppose an incumbent, then the incumbent may seek to remain in office. The officers shall not hold more than two consecutive two year terms. 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 of the Association, and act as official spokesperson for the Association.
 - b. The Vice President shall, in the absence of the President, assume all duties of that office and shall be responsible for publicity, and fund-raising upon the approval of the President.
 - c. 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 produce the agenda, transcribe the minutes of each meeting and transfer one copy of each set of minutes to the President. Copies shall be transferred within twenty-five (25) calendar days of the respective meeting or transaction occurrence. The Secretary shall notify Neighborhood Services, in writing, of any change of officer(s).
 - d. 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.
2. The Neighborhood Council shall be composed of a minimum of five (5) 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 Charter. Duly elected Neighborhood Council members shall serve for a period of two (2) years. Should there be no candidate to oppose an incumbent the incumbent may seek to remain an additional term. A council member shall not hold more than two consecutive two year terms.
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.

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. 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. An annual meeting shall be held at a time and place designated by the President.
 - a. A moment of silence shall be observed at the beginning of all meetings.
 - b. A minimum of five (5) Voting Members may call for a special meeting at any time.
 - c. The Voting Members present shall constitute a quorum and shall include a minimum of nine (9) members including three (3) who are officers or council members.
 - d. At least a five (5) day notice shall be provided in advance of any Association meeting.
 - e. Prior to a scheduled meeting officers will meet for discussion and to establish the agenda.
2. The Neighborhood Officers and Council Members 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 members.
5. The Neighborhood Council, with the President, shall determine times and places of necessary meetings.
6. Person(s) creating a disturbance shall be politely asked to desist or leave.

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

1. The President, Treasurer, and two (2) of Neighborhood Council members shall be nominated and elected at the annual meeting of each even-numbered year. The Vice President, Secretary, and three (3) 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 obtained from the sign-in 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 newly elected Officers (whose terms begin at the close of the Annual Meeting), all documents, records, and any pertinent materials in the possession of outgoing Officers shall be transferred within fifteen (15) days, to the newly elected Officers.
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 a 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.
9. Any Officer or Council Member who is absent for three (3) unexcused, consecutive meetings of the Association shall be subject to elimination.
10. Members who have attended a minimum of four (4) of the Association meetings during the previous twelve (12) months will be eligible to vote, or run for office at election time.

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 Officers and Council Members present. The number of Officers and Council Members present shall not be less than three (3).
3. Financial records, funds, and property of the Association shall be audited at least once a year by a committee of at least two (2) Officers or Council Members chosen by the President.
4. If it becomes necessary for the Treasurer to relinquish office, the records and funds shall be audited by a committee of at least two (2) Officers or Council Members 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 Association shall keep an updated inventory list of all physical items. These items shall not be loaned for any purposes other than those of the Barrio Nopal Association. Letters for stored items shall be required from all who store such items.

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.

ARTICLE VIII VALIDATION

No Officers, representatives, spokespersons, or members shall have any financial liability of the Association.

We, the Officers of the Barrio Nopal Association, attest that the Charter and Bylaws were properly approved by a majority vote of Voting Members at the meeting held on: May 12, 2016

President Carole Maluf
Carole Maluf

Vice President David V Barfuss
David Barfuss

Secretary DeJon L. Giffin
DeJon Giffin

Treasurer Margie Mortimer
Margie Mortimer

Date Amended May 12, 2016

Date Adopted September 10, 2012