

# Ortega Park Neighborhood Association

(OPNA)

Version 2.0

## **BYLAWS**

### ARTICLE I

#### NAME

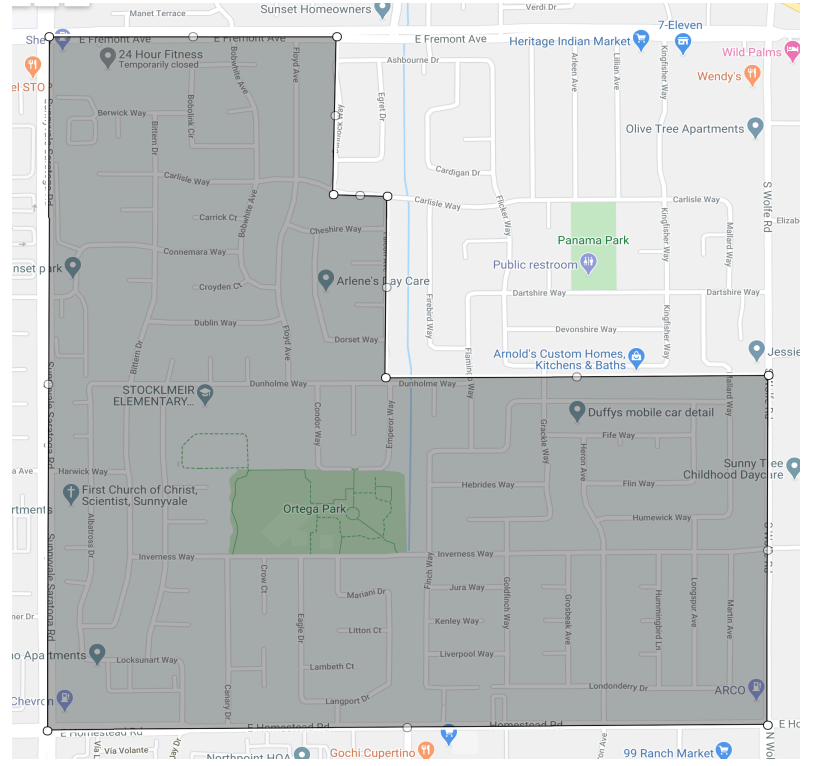
The name of the group shall be Ortega Park Neighborhood Association, hereafter referred to as OPNA. Each person in the group will be referred to as a MEMBER, but OPNA is a non-membership group as defined by the State of California. OPNA is a voluntary neighborhood group with no formal incorporation and no dues.

### ARTICLE II

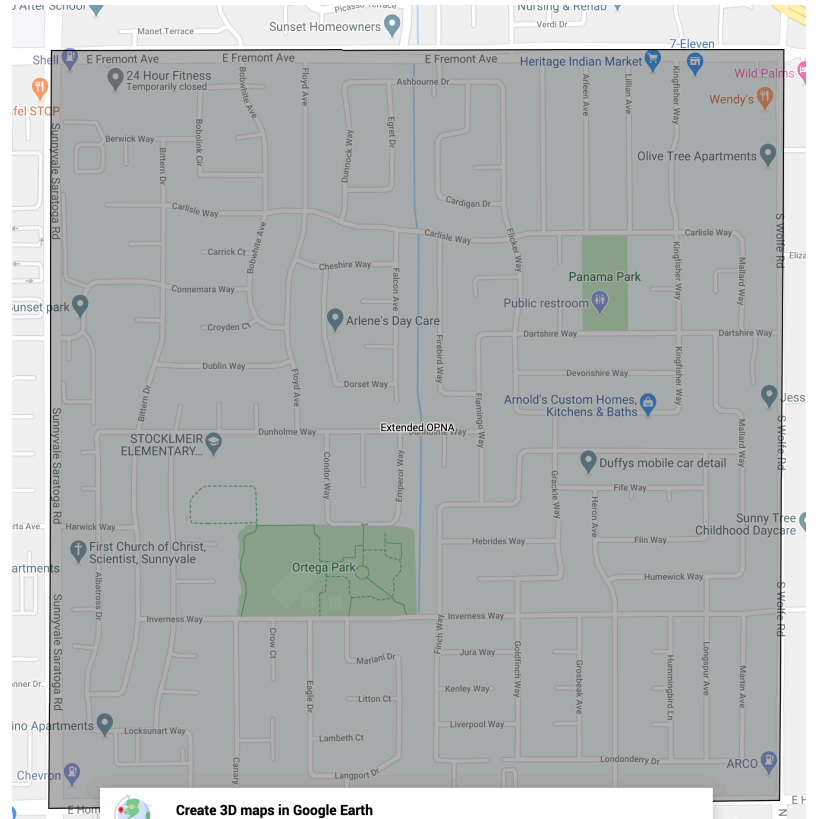
#### BOUNDARIES

OPNA is located solely within the city limits of the City of Sunnyvale in a south central part of the city.

Official OPNA boundaries are bounded by the streets:  
 Dunholme/Durshire Way on North  
 except to the west of Dunnock way/Falcon Ave where it would be  
 Fremont Ave on North,  
 Sunnyvale-Saratoga Road on West,  
 Homestead Road on South and  
 Wolfe Road on East



Extended OPNA boundaries are bounded by the streets  
 Sunnyvale-Saratoga Road on West,  
 Homestead Road on South,  
 Wolfe Road on East and  
 Fremont Avenue on North.



## ARTICLE III

### PURPOSE

The purpose of this association shall be to provide a venue for the expression of the desires of the people living within OPNA and property owners within OPNA. OPNA shall serve as a base for communication among members of this community.

OPNA supports the following goals:

1. To promote community involvement and participation by the members.
2. To establish and maintain an adequate line of communication between the City of Sunnyvale - its programs, processes and governance - and the residents of the community.
3. To educate members of the community on issues and events.
4. To promote safety in the neighborhood and to help keep the area clean and attractive.
5. To provide a forum for the discussion of issues related to the neighborhood.

## ARTICLE IV

### MEMBERSHIP AND MEETINGS

**Section 1. Eligibility.** In order to be Eligible for Membership, a person must be at least 18 years of age, must subscribe to the goals of the neighborhood association, and must either reside within, or own property within, the Extended OPNA boundaries.

**Section 2. Electronic mailing list aka listserv.** Membership is bestowed once an individual is accepted into the listserv. Application is accomplished via email with the individuals full name and street address or validation of boundary. Persons are accepted if they meet the eligibility requirement above. PO Box addresses are not accepted in lieu of a street address or boundary validation. Only personal email addresses are accepted; no business email addresses.

**Section 3. Loss of Membership.** Any MEMBER who no longer resides or owns property within the extended boundaries of OPNA is immediately no longer a MEMBER of OPNA. They should notify the elected OFFICERS and withdraw from the listserv promptly. Members may also voluntarily exit from the association. OFFICERS shall remove the member from the list immediately upon receipt of such notification.

**Section 4. Member Classes.** The Association shall have two classes of members with the following qualifications and rights:

(a) VOTING MEMBER. Voting Membership is restricted to members who reside or own property within the official boundaries of OPNA. Only VOTING MEMBERS are entitled to Vote for OFFICERS election or changes to bylaws or agenda items in meetings.

(b) Extended MEMBERS. All other Members who reside or own property within the extended boundaries of OPNA and are not VOTING MEMBERS may participate only in neighborhood discussions, events and polls.

MEMBER name list (no email or physical address/location) with their associated voting class shall be accessible to all members on the listserv at the time of any voting announcement.

**Section 5. Voting.** Each VOTING MEMBER shall have the right to cast a vote each, upto a maximum of five votes per household.

**Section 6. Polling.** Upon the discretion of the President, occasional ad hoc polls of the MEMBERS may be taken to determine the wishes of the MEMBERS. Polling has no standing as a formal vote. Each VOTING MEMBER and Extended MEMBER shall have the right to submit one response per poll.

**Section 7. Voting Method.** All Voting and ad-hoc Polling shall be done via appropriate electronic polling mechanisms chosen after review by all OFFICERS. Voting will be decided by a simple majority. The votes shall be counted immediately after close of polls by two VOTING MEMBERS, designated by the President. The results shall be recorded, ratified by all OFFICERS and published on listserv. A response from a minimum of 10 VOTING MEMBERS is required to validate any vote or ad-hoc poll. All online voting and ad-hoc polling will have a mandatory 2 week poll period. Under exceptional circumstances, the President may shorten that deadline for ad-hoc Polls only.

**Section 8. Annual Meeting.** Annual meetings will be held in October and must be announced to the group at least 2 weeks before the scheduled meeting with a written agenda.

**Section 9. Special Meetings.** The President may call a special meeting a) upon the written request of the other OFFICERS or b) upon the request of at least 10 of the VOTING MEMBERS. Notice must be given 2 weeks prior to the meeting stating the time, place, reason for the meeting and the agenda.

**Section 10. Meeting Location and Proceedings.** Unless otherwise preferred by VOTING MEMBERS, all meetings shall be conducted online. Along with the announcement for any meetings, the President may poll members' availability for an in person live meeting in lieu of an online meeting. Depending on the VOTING MEMBERS preference, the President shall announce the location(in-person) or login details(online) for the meeting in the listserv at least a week in advance of the meeting. Any in person meeting shall be conducted only at a location within the extended OPNA boundary. Robert's Rules of Order (Revised) will govern the meetings proceedings and only business mentioned in the notice of the meeting shall be conducted or voted on. Meeting minutes shall be made available to all members and archived on listserv. The written minutes shall be distributed electronically to the VOTING MEMBERS within a week of the meeting.

**Section 11. Quorum.** A quorum of at least 10 VOTING MEMBERS is required to validate any voting at meetings

## ARTICLE V

### OFFICERS & ELECTIONS

**Section 1. Nominations and Elections.** Elections for OFFICERS will be conducted online.

- Nominations for OFFICERS shall be open starting the first sunday of Oct until third saturday of Oct. A VOTING MEMBER may self nominate or be nominated by any other VOTING MEMBER.
- Final list of nominations and online polling method shall be announced by the Secretary within one week after the close of nominations.
- Voting for new OFFICERS shall start immediately from the time of announcement
- Polling shall close on the second saturday of November and verified results to be announced by third saturday of November.
- Upon completion of the voting ratification, existing OFFICERS will turn over all documents and access within 15 days of new OFFICERS term.

**Section 2. Officers.** The positions of President, Vice President, and Secretary/Treasurer - collectively referred to as OFFICERS - shall be filled by election at the annual meeting. Only eligible VOTING MEMBERS who have lived within the official boundaries and have been a voting member for at least one year may become OFFICERS but OFFICERS must make their primary/legal residence within official OPNA boundaries.

The OFFICERS shall be empowered to meet independently of the membership to conduct the business of the association, plan meetings, invite speakers, set the association calendar, reserve meeting places, and otherwise conduct business that does not immediately involve the entire membership.

OFFICERS shall not operate any generic fund or financial account for OPNA. Funds collected towards a specific event or program shall be spent only for the event or program and any excess funds shall be distributed to Sunnyvale Community Services, or a local City equivalent charity.

OFFICERS will also act as the moderators for the listserv.

**Section 3. Term of Office.** The term of office shall be for one year, beginning January 1st and ending December 31st, for all OFFICERS.

**Section 4. Term Limits.** An OFFICER may serve up to four consecutive terms in the same position.

**Section 5. Vacancies.** In the event that an office becomes vacant, the remaining OFFICERS may designate a temporary substitute VOTING MEMBER to serve the remainder of the term. At the next regular meeting, the VOTING MEMBERS shall vote to approve the designated substitute or select another.

**Section 6. No Confidence voting.** In an annual or special meeting, a vote of No Confidence may be applied to any OFFICER, provided a quorum is reached and a majority opinion is reached. This is effectively a recall and like a regular vote of OFFICERS, the results must be ratified by all other OFFICERS.

**Section 7. Compensation.** OFFICERS shall not receive any salary or stipend for their services. OFFICERS shall receive no benefits from holding office.

**Section 8. Duties of President.** The President shall coordinate activities of the association, OPNA correspondence, and approve all OPNA newsletters, flyers, web postings, and external email. The President presides at all meetings (except a No Confidence meeting for their office). They are responsible for organizing neighborhood events, meetings, creating the agenda and providing a written electronic report of activities at the annual meeting.

**Section 9. Duties of Vice President.** The Vice President shall temporarily stand in for the President in the case of temporary illness, recall or vacation of office. The Vice President shall be responsible for maintaining the OPNA MEMBERS list and applying for city grant monies. The Vice President along with the Secretary/Treasurer will share

with members, details of any funds collected from members towards organizing events and corresponding expense reports.

**Section 10. Duties of Secretary/Treasurer.** The Secretary/Treasurer shall be responsible, along with the other OFFICERS for sending out flyers, announcements, newsletter, meeting minutes etc. The Secretary/Treasurer shall act as the treasurer for any events if no other VOTING MEMBER volunteers.

**Section 12. Committees.** Ad hoc committees may be formed at the discretion of the President, following the wishes of the VOTING MEMBERS. These activities may encompass: programs and projects of the association, report generation or fund-raising. These activities and the names of those appointed must be announced at the commencement of the activity and be a part of the President's written electronic annual report.

## ARTICLE VI

### CONDUCT & SPEECH

**Section 1. Civility.** All listserv contributions should be civil. Healthy disagreement can and should be expressed, but with civility.

**Section 2. Behavior.** Personal attacks and name calling will not be tolerated, nor will messages that are personal in nature not relating to the goals of OPNA. A personal attack is defined as an abusive remark on or relating to someone's person instead of providing evidence when examining another person's claims or comments. It is more than criticism. Sustained personal attacks constitute harassment. Name calling is defined as the use of an adjective used to define a person's character and is blatant. Personal attacks and name calling can be reasons for suspension from the group.

Users should exercise both common sense and courtesy in the messages they transmit in the Community and may not use the Community to transmit defamatory, obscene, and otherwise offensive communications.

**Section 3. Political.** OPNA prohibits endorsements of political candidates or ballot propositions (local, county and state). Announcements of candidate events are allowed if the announcement contains no language of support or non-support for the candidate. Equal time shall be given to all political candidates if OPNA conducts any type of candidate forum

**Section 4. Discussions.** In line with the stated goals of OPNA, discussions of local, regional, state or national policy that might affect the neighborhood are encouraged, but lengthy discussions should be taken offline.

**Section 5. Moderation.** OFFICERS shall act as the listserv moderators. Moderators will use good discretion in administering warnings that neither restrict speech, nor tolerate personal attacks or name calling, nor have a chilling effect upon healthy criticism of ideas. Moderator warnings will always be adjudicated fairly and without bias.

**Section 6. Consequences.** All members are expected to follow public decorum and the outlined conduct listed above. Any complaints can be brought to the moderators attention who will appropriate the next course of action. This is a community engagement forum and as such will strictly enforce the appropriate code of conduct. Attacks, excessive off-topic postings, ignoring bylaws may have the following consequences: 1st time: warning, 2nd time: final warning, 3rd time: limit posting rights to read only on listserv . Do not attack inappropriate posters. You may send your comments to the moderators. Moderators may provide direct warnings to problem posters.

Please note: the goal here is not to remove or mute MEMBERS from the listserv. Anyone who is warned should feel free to discuss their situation with the moderators.

## ARTICLE VII

### AUTHORITY & MODIFICATION OF BYLAWS

Bylaws have standing. The provisions of the Bylaws may not be changed outside of the annual or a special meeting. No poll, lobbying effort or insurgence supersede these Bylaws. A change to the Bylaws requires an update to the Bylaws or the changes have no standing. A vote for a change to the Bylaws requires a meeting of the VOTING MEMBERS as described in ARTICLE IV - Section on Annual Meetings and Special Meetings.

## ARTICLE VIII

### DISSOLUTION OF OPNA

Should the VOTING MEMBERS decide OPNA is no longer useful, it may be dissolved at any time by mutual consent of two-thirds of participating VOTING MEMBERS after calling a special meeting. At the time of dissolution, any OFFICER may cancel the listserv.



Ref : Original version 1.0 of the bylaws were approved on Mar 9 2005 -  
[https://groups.io/g/opna/files/OPNA\\_By-laws\\_v1.pdf](https://groups.io/g/opna/files/OPNA_By-laws_v1.pdf)