

ORDINANCE NUMBER 3312

AN ORDINANCE AMENDING CHAPTER 1.18 OF THE MISSOULA MUNICIPAL CODE TO BE ENTITLED NEIGHBORHOOD COUNCILS AND THE COMMUNITY FORUM. TO GENERALLY REVISE AND UPDATE THE PROVISIONS OF THE ORDINANCE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MISSOULA THAT CHAPTER 1.18 MISSOULA MUNICIPAL CODE BE ESTABLISHED TO STATE AS FOLLOWS:

Section 1. Section 1.18.010 Purpose

- A) The City of Missoula recognizes that our democracy is enriched by the active participation of an informed citizenry. Therefore, it is the purpose of this ordinance to strengthen neighborhood participation in City governance where such participation exists, and to encourage and support neighborhood participation in City governance where it does not yet exist.
- B) Pursuant to Article VI, Section 6.1(2) of the Missoula City Charter, Neighborhood Councils are hereby established to provide a structure for increased citizen participation in the governance of the City, and to build cooperation and improved communication between citizens and City officials.
- C) Pursuant to Article VI, Section 6.1(4) of the Missoula City Charter, a Community Forum is hereby established to provide an arena for Neighborhood Councils to come together, share information, and make recommendations to the City government on neighborhood or citywide issues.
- D) Neighborhood Councils and Leadership Teams are encouraged to build opportunities for neighborhood communication, neighborhood-initiated projects, interaction, and problem-solving.

Section 2. Section 1.18.020 Definitions

- A) Neighborhood Council - all residents and one representative of all businesses, schools, neighborhood associations, churches, and other organizations physically located in one of the neighborhood districts.
- B) Community Forum - a body consisting of one representative and one alternate elected by each Neighborhood Council.
- C) Regularly or regular basis - reporting information on neighborhood and citywide issues with sufficient frequency and consistency for citizens to engage in informed participation in the City policy making process.
- D) Timely or timely manner - reporting information on neighborhood and citywide issues in sufficient time for citizens to engage in informed participation in the City policy making process.
- E) Modified town meeting process - consists of three key features: (1) all members of the Neighborhood Council, as defined in (A) above, who attend meetings shall participate in the conduct of business and the process of deliberation and decision making; (2) each leadership team shall make every reasonable effort to provide members with timely notice regarding the location and agenda of all Neighborhood Council meetings; (3) Neighborhood Council meetings shall be conducted by a moderator selected by the Neighborhood Council.

- F) Neighborhood Liaison—A liaison under the supervision of the City Clerk who facilitates communication between the City government and the Neighborhood Councils and the Community Forum, pursuant to Article VI, Section 6.2(8) of the Missoula City Charter.
- G) Vacant position—A Community Forum Representative, Community Forum Alternate, or Neighborhood Council Leadership Team member's position shall be considered vacated if one or more of the following conditions apply: (1) the member no longer resides within the Neighborhood Council boundaries; (2) the member has submitted written resignation (via U.S. mail or email) to the Neighborhood Liaison of his/her resignation; (3) the member has abandoned the position demonstrated by a failure to respond to three or more written attempts by the Neighborhood Liaison to contact the member.

Section 3. Section 1.18.030 Authority

- A) Each Neighborhood Council and the Community Forum may advise the City government on neighborhood and citywide issues.
- B) Each Neighborhood Council and the Community Forum shall adopt bylaws governing the conduct of its business. Such bylaws shall be approved by the City Council.
- C) Each Neighborhood Council may modify its boundaries in cooperation with any other affected Neighborhood Councils in accordance with their respective bylaws, subject to the approval of the Community Forum.
- D) Each Neighborhood Council and the Community Forum may submit a budget proposal each year pursuant to the City-established review processes and procedures for consideration, review and approval by the Mayor and City Council. Neighborhood Councils and the Community Forum may spend any monies allocated and approved by the City Council in accordance with State Law and City purchasing policies and procedures. Neighborhood Council and Community Forum spending is subject to the oversight of the City Council.
- E) Each Neighborhood Council and Community Forum may apply for, receive and expend grant funds and other donations in accordance with State Law and City purchasing policies and procedures.
- F) Each Neighborhood Council and the Community Forum may act, in accordance with law, to increase citizen participation in the governance of the City and to enhance communication between citizens and City officials.
- G) The Neighborhood Councils, the Community Forum, or the Neighborhood Liaison shall have the authority to call a meeting of a Neighborhood Council.

Section 4. Section 1.18.040 Duties

- A) Each Neighborhood Council and the Community Forum shall advise the City government on neighborhood and citywide issues. Each Neighborhood Council or the Community Forum shall determine the issues on which advice will be given. Those members of a Neighborhood Council or the Community Forum who disagree with advice to be given to the City government shall have a reasonable opportunity to produce a minority report. If such a minority report is produced, it shall accompany the advice submitted to the City government.

- B) The Community Forum shall be a venue for Neighborhood Councils to share skills and information. The Community Forum shall be a place for neighborhoods to discuss neighborhood issues with multi-district or citywide implications, and shall be a place where neighborhoods may seek community-wide support for projects and goals. The Community Forum shall observe the operation of the Neighborhood Councils system and make recommendations for changes to Neighborhood Councils, City officials, and the City Council.
- C) Each Neighborhood Council and the Community Forum shall report to the City government regarding concerns and interests of the residents in the neighborhoods and in the City as a whole on a regular basis, and in a timely manner.
- D) Each Neighborhood Council shall make every reasonable effort to provide eligible members with timely information regarding City-initiated projects which impact the neighborhood.
- E) All residents and one representative from each business, school, and other organizations physically located in a neighborhood district shall be eligible for voting and decision making in the Neighborhood Council. No person shall have more than one vote.
- F) Each Neighborhood Council shall elect one person and one alternate to serve as its representative on the Community Forum.
- G) Each Neighborhood Council and the Community Forum shall strive to increase citizen participation in the governance of the City.
- H) Neighborhood Councils and Leadership Teams are encouraged to build opportunities for neighborhood communication, neighborhood-initiated projects, interaction, and problem-solving.

Section 5. Section 1.18.050 Leadership Team

- A) Each Neighborhood Council shall elect a leadership team in accordance with its bylaws to perform administrative functions on behalf of the Neighborhood Council.
- B) Each Neighborhood Council shall strive to have a leadership team that consists of between five and seven persons. Each Neighborhood Council shall structure the team according to the Council's needs.
- C) The functions of a leadership team shall include, but shall not be limited to: convening and administering Neighborhood Council meetings; establishing a nominating committee to seek candidates for leadership team positions and for the Community Forum representative and alternate; appointing replacements for leadership team positions, and Community Forum representative and alternate positions, when such positions become vacant prior to regularly scheduled Neighborhood Council general meetings or elections; communicating with City government as directed by the Neighborhood Council and with Neighborhood Council members; communicating with the Community Forum and with the Neighborhood Liaison; assisting in establishing and implementing communication system components such as telephone trees, an annual survey, neighborhood kiosk; promoting participation in City governance; and establishing committees to carry out these and other functions as appropriate. In the event that the Leadership Team has appointed any replacement as provided for above,

elections shall be held for that appointed position at the next general Neighborhood Council meeting.

- D) Neighborhood Councils and Leadership Teams are encouraged to build opportunities for neighborhood communication, neighborhood-initiated projects, interaction, and problem-solving.

Section 6. Section 1.18.060 Meetings

- A) Neighborhood Council meetings shall be conducted using a modified town meeting process. All members of the Neighborhood Council, as defined in Section 1.18.020(A) above, who attend meetings are encouraged to participate in the conduct of business and the process of deliberation and decision making.
- B) Each Neighborhood Council and the Community Forum shall establish rules for decision making and adopt bylaws subject to the approval of the City Council. Suggestions for bylaws may be found in the Neighborhood Councils handbook.
- C) Each Neighborhood Council shall meet with the residents of its neighborhood district on a regular basis.
- D) All Neighborhood Council and Community Forum meetings shall be noticed and conducted in accordance with relevant city, state, and federal statutes including the Montana Open Meeting Law, Public Participation in Government Operations statute, and the Americans with Disabilities Act, and in accordance with Neighborhood Council or Community Forum bylaws. Each Neighborhood Council and the Community Forum shall be responsible for fulfilling city, state, and federal meeting notification and location requirements. Official records including meeting minutes, agendas and bylaws of Neighborhood Councils and the Community Forum shall be filed by the City Clerk in accordance with state law.
- E) All decisions regarding budget proposals; election of leadership team members; election of the Community Forum representative; and advice to the City government shall be made by a meeting of the Neighborhood Council.

Section 7. Section 1.18.070 Boundaries

- A) Every part of the City shall be included in a neighborhood district. Neighborhood district boundaries shall not overlap.
- B) Initial boundaries for each neighborhood district shall be established as delineated in the Neighborhood Council Proposal Map of March 19, 1997.
- C) Each Neighborhood Council may change its boundaries in accordance with its bylaws, subject to the approval of the Community Forum.
- D) Each Neighborhood Council shall review its boundaries as needed. Neighborhood Councils shall make recommendations to the Community Forum for boundary changes, which are consistent with each Neighborhood Council's minutes and documented on a map.

Section 8. Section 1.18.080 Responsibilities of the City

- A) The City of Missoula shall work with each Neighborhood Council and the Community Forum to strengthen neighborhood participation in City governance

where such participation exists, and to encourage and support neighborhood participation in City governance where it does not yet exist.

- B) The City of Missoula shall provide information on City and neighborhood issues to all Neighborhood Councils and the Community Forum regularly and in a timely manner. The City shall make every reasonable effort to provide Neighborhood Councils and the Community Forum timely information regarding City-initiated projects which impact their neighborhood. Any additional notification shall be made at important project milestones (if any) and whenever communications are required by ordinance.
- C) To ensure that the City is able to comply with paragraph (B) above, the City of Missoula shall examine its project development schedules and alter these schedules to conform with the following standard: that project development schedules include early notification and time sufficient to enable citizens to participate in an informed manner in the policy making process concerning projects under development. All project development schedules initiated one year following this examination shall conform to the standard contained in this paragraph, except projects initiated during and in response to a City emergency. Such emergency projects shall be exempt from the communication process described in this ordinance.
- D) The City-initiated projects to which paragraphs (B) and (C) above refer include, but are not limited to:

Wastewater Facilities Plan Updates Amendments to Zoning Plans Annexations (10 parcels or more) Annual Sidewalk Program Annual Street Maintenance Program CIP Hearings Community Development Block Grant Special Meetings Comprehensive Planning Changes SID Maintenance Districts (perpetual) Zoning and Rezoning Requests and proposals Legal Notifications from City Clerk New Special Improvement Districts Park Development Projects Subdivision Proposals Annual Snow Removal Plan Modifications Street Vacations Transportation Master Plan Amendments Non-motorized Master Plan Modifications and Implementation of Major Projects Annual Transportation Improvement Program
- E) Pursuant to Article VI, Section 6.2(8) of the Missoula City Charter, the city shall designate a liaison between City government and the Neighborhood Councils and the Community Forum. This position shall be known as the Neighborhood Liaison. The Neighborhood Liaison shall report directly to the City Clerk. The Neighborhood Liaison shall work directly with Neighborhood Councils and the Community Forum to: strengthen neighborhood participation where it exists and encourage neighborhood participation where it does not yet exist; train participants; promote inclusiveness; facilitate communication between Neighborhood Councils, the Community Forum, and the City of Missoula; and in general coordinate the functioning of the Neighborhood Council system.
- F) The City Council shall provide funding reasonable and sufficient to support the efforts associated with the formation and operations of Neighborhood Councils and the Community Forum.

Section 9. Section 1.18.090 Implementation

- A) Nothing in this ordinance shall preclude any individual or individuals from access to, or participation with, the City Council, the Mayor, or City departments.

Section 10. Severability. If any section, subsection, sentence, clause, phrase or word of this

ordinance is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The council hereby declares that it would have passed this ordinance and each section subsection, sentence, clause, phrase, and words thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases or words have been declared invalid or unconstitutional, and if for any reason this ordinance should be declared invalid or unconstitutional, then the remaining ordinance provisions will be in full force and effect.

PASSED by a unanimous vote and

APPROVED BY THE MAYOR THIS 23rd DAY OF January, 2006.

ATTEST:

APPROVED:

/s/ Martha L. Rehbein

/s/ John Engen

Martha L. Rehbein, City Clerk

John Engen, Mayor

(SEAL)