

Article XXIV

Department of Neighborhoods and Neighborhood Councils

Sec. 240. Purpose

To promote more citizen participation in government and to make government more responsive to local needs, a Citywide system of neighborhood councils, and a Department of Neighborhoods shall be created. These neighborhood councils shall include representatives of the many diverse interests in communities and shall have an advisory role on issues of governance. The Department of Neighborhoods shall implement and oversee the system of neighborhood councils. The City should assist neighborhoods in obtaining the staff, skills, training, equipment, and resources they need to hold elected officials accountable, communicate with each other, better understand each other's differences, organize neighborhood improvement projects, and make their neighborhoods and their city better places in which to live.

Sec. 240.1. Department Organization

The Department of Neighborhoods shall have the duties and responsibilities set forth in this article and elsewhere in this Charter. Such duties and responsibilities shall include:

- (a) Prepare a plan for the creation of a citywide network of neighborhood councils to ensure that every part of the city is within the boundary of a neighborhood council. The plan shall be designed to promote maximum public participation, civic engagement, and neighborhood empowerment, and to provide neighborhoods with the support they need to become as self-sufficient as possible.
- (b) Provide each neighborhood council and/or each neighborhood council cluster with the funds and support necessary to conduct its activities.
- (c) Assist neighborhoods in preparing petitions for recognition, identifying boundaries that shall not divide traditional communities, and organizing themselves.
- (d) Arrange leadership, cultural awareness, dispute mediation, civics, communications, equipment, and any other training necessary and useful for neighborhood councils= officers and staff.
- (e) Arrange Congress of Neighborhoods meetings if requested to do so by the neighborhoods.
- (f) Create and maintain an internal and external information and communication network, including a citywide database of information useful to neighborhood councils.
- (g) Identify and receive grants, gifts, and appropriations, and assisting the neighborhood councils in securing same.
- (h) Assist neighborhood councils in hiring and/or administering staff if requested by the neighborhood clusters.
- (i) Provide information to the neighborhood councils as requested.
- (j) Assist the neighborhood councils and neighborhood council clusters with the election or selection of their officers, including the provision of necessary resources.
- (k) Performing other duties and responsibilities directed by the City Council or Mayor.

Sec. 240.2. Board of Neighborhood Commissioners

- (a) There shall be a board of eleven (11) Commissioners to be known as the Board of Neighborhood Commissioners (hereinafter referred to as the ABoard@). The Mayor shall appoint all Commissioners, subject to confirmation by the City Council. The Commissioners may be removed by the Mayor at will. The number of Commissioners may be increased from time to time as prescribed by ordinance.
- (b) The Board shall be responsible for policy setting and policy oversight, including the approval of contracts and leases, adoption of all rules and regulations, but shall not be responsible for day-to-day management.
- (c) Six (6) members of the Board shall constitute a quorum. The powers conferred in this section shall be exercised by order of the board adopted by a majority of its members.
- (d) The members of the Commission shall be reimbursed for expenses incurred in the performance of their official duties.

Sec. 240.3. General Manager

- (a) **There shall be a general manager of the Department of Neighborhoods who shall be appointed by the Mayor, subject to confirmation by the City Council, and may be removed by the Mayor at will.**
- (b) **The general manager shall be responsible for the day-to-day management of the Department.**
- (c) **The general manager director shall appoint and discharge office staff members and prescribe their duties. Non-clerical personnel of the Office shall serve at the pleasure of the general manager, shall not be subject to civil service requirements or procedures, and shall have no property interest in their employment.**

Sec. 241. Approval of the Plan for Creation of Citywide Network of Neighborhood Councils

The Commission shall approve the plan for the creation of a Citywide network of Neighborhood Councils as set forth in this Article, and in conformance with the following:

- (a) The Commission shall seek public input in the formulation of the plan.
- (b) The plan shall contain a statement of goals, policies and objectives of the Neighborhood Council system, and shall contain specific regulations to implement the plan.
- (c) The regulations shall establish the method by which boundaries of neighborhood councils will be determined. The system for determining boundaries shall maintain neighborhood boundaries to the maximum extent feasible, and may consider community planning district boundaries where appropriate.
- (d) The regulations must ensure that all areas of the City are given an equal opportunity to form neighborhood councils, and shall provide a mechanism by which neighborhood councils are officially recognized or certified.
- (e) The regulations shall establish the procedure and criteria for certification of neighborhood councils.
- (f) The regulations shall describe the procedures for Congress of Neighborhoods meetings.
- (g) The regulations shall require that neighborhood councils adopt fair and open procedures for the conduct of their business.

- (h) The Mayor and City Council shall provide for the creation of the Department of Neighborhoods and Neighborhood Commission within ninety (90) days of the effective date of this Article.
- (i) The Commission shall complete development of the plan and formally adopt the plan and all necessary regulations within six (6) months of the establishment of the Department and Commission.

Sec. 242. Certification of Neighborhood Councils

- (a) Each neighborhood council seeking official certification from the City shall submit an organization plan and by-laws to the Neighborhood Commission showing, at a minimum:
 - (1) selection of neighborhood council officers will be open and non-discriminatory to everyone who lives, works, or owns property in the area (Athe stakeholders@);
 - (2) assurances that the officers of the neighborhood council will reflect the diverse interests within their area;
 - (3) a system through which the neighborhood council will communicate with stakeholders on a regular basis;
 - (4) a system for financial accountability of its funds;
 - (5) guarantees that all meetings will be open and public, and permit every stakeholder to participate in the conduct of business, deliberations and decision-making.
- (f) Neighborhood Council Clusters. The Department of Neighborhoods shall assist the neighborhood councils in clustering themselves into groups of not more than 150,000 residents, and of approximately equal populations. The officers of the neighborhood councils will submit a petition to the Neighborhood Commission, its organization plan and by-laws, which will include at a minimum:
 - (1) the method of electing or selecting the officers of the neighborhood council clusters, who will be responsible for the handling of funds and maintaining the office;
 - (2) a system through which the neighborhood council cluster will communicate with each of its neighborhood councils on a regular basis;
 - (3) a system for financial accountability of its funds;
 - (4) rules that all meetings will be open and public.
- (c) Petitioning for Certification and Approval by the Board. Neighborhoods may petition for certification in accord with the rules enacted by the Neighborhood Commission. The Commission may grant, by majority vote, certification of the neighborhood councils as official neighborhood councils upon receiving their petitions for certification as provided in this Article. The Commission may also revoke, by majority vote, the certification.

Sec. 243. Early Warning System

- (a) Responsibility for Notification.
 - (1) **It shall be mandatory for the City Council and all Boards and Commissions, before any final action is taken on matters before them, to provide notice to the affected neighborhood council cluster offices as soon as possible, and at least thirty (30) days in advance whenever practicable, so that the neighborhood councils and their clusters would have adequate time to be informed, establish a position, and express their opinions.**

- (2) For matters of Citywide jurisdiction or impact, the City Council and all Boards and Commissions must provide notice as described in sub-section (1) to all neighborhood council cluster offices.
 - (3) Those persons responsible for public notification in the City Council and in each Board or Commission shall be required to ensure that the information is made available to the neighborhood council offices as soon as possible and at least thirty (30) days in advance wherever practicable.
 - (4) Neighborhood Councils may express the views of their members with respect to any matter of concern, and the City Council and every Board, Commission or other public body shall afford them a reasonable opportunity to be heard.
- (b) Notices to be Provided.
- (1) Agendas and notices of meetings of the City Council, City Council committees, and city boards or commissions.
 - (2) Communications and motions referred to a City Council committee.
 - (3) City Council motions that are placed on the next available Council agenda without referral to a City Council committee.
 - (4) Applications for discretionary approval, to the affected cluster offices, as soon as practicable after they are filed.
 - (5) Proposals and matters formally entered into the city's commission system for formal decision.
- (f) Exceptions to the Early Warning System shall include:
- (1) Actions involving formally declared City emergencies.
 - (2) City matters requiring urgent action or determination.
 - (3) Actions that regularly require a determination in less than thirty (30) days.
 - (4) Notwithstanding such exceptions, notices required to be given by this Charter shall be given as soon as practicable.

Sec. 243.1. Monitoring of City Services

Neighborhood Councils and neighborhood council clusters shall be responsible for monitoring the delivery of City services in their respective areas, including periodic meetings with responsible officials of City departments, and may require the attendance of such officials at such meetings.

Sec. 244. Delegation of Authority

The City Council may delegate its authority to neighborhood councils or neighborhood council clusters to hold legally required public hearings prior to making a decision on a matter of local concern.

Sec. 245. Annual City Budget Priorities

Each neighborhood council may present an annual list of priorities for the city budget. The neighborhood councils shall be informed by the Mayor of the deadline for submission so that it might be considered in a timely fashion. The Mayor shall be required to include those suggestions as part of the annual budget documents that are transmitted to the City Council.

Sec. 245.1. Appropriation

The Mayor and City Council shall appropriate sufficient funds for the Department of Neighborhoods and for the start-up and functioning of neighborhood councils and

neighborhood council clusters. There shall be an appropriation for this purpose for the first two years after the effective date of the Charter provisions concerning neighborhood councils and the Department of Neighborhoods. Such funds shall be appropriated into a special fund to be established by ordinance. The Mayor and City Council shall thereafter appropriate funds for these purposes at least one year in advance of each subsequent fiscal year.

Sec. 246. Transfer of Powers

Notwithstanding any other provision of this Charter, the Mayor and City Council shall not transfer powers, duties or functions of the Department or Commission to any other department, office, bureau or other agency, without an amendment to this Charter being approved by the voters.

Sec. 247. Review

No later than five years after the adoption by the Commission of the plan for a Citywide Network of Neighborhood Councils, a review shall be conducted by an independent commission created by ordinance, and composed of fifteen (15) members appointed as follows: five by the Mayor, five by the City Council, and five by the neighborhood councils. The members appointed by the neighborhood councils shall be determined at a Congress of Neighborhoods meeting.