

ORDINANCE NO. 751

AN ORDINANCE ADOPTING A NEW CHAPTER 2.22 OF THE TROUTDALE MUNICIPAL CODE REGARDING NEIGHBORHOOD ASSOCIATIONS

THE TROUTDALE CITY COUNCIL FINDS AS FOLLOWS:

1. It is in the City's interest to foster a partnership of open communication between the City and neighborhoods in the City.
2. Acknowledging neighborhood associations by adopting an ordinance that recognizes them furthers open communication between residents, property owners, businesses and the City.
3. Recommendations on City matters from neighborhood associations are similar to recommendations from interested citizens or business owners. Neighborhood associations are not advisory committees of the City, charged with the responsibility of making recommendations to the Council on City matters.
4. While the City is interested in acknowledging neighborhood associations, if the citizens in the neighborhoods decide to form the association, the City does not have staff time or financial resources to devote to neighborhood associations.
5. Neighborhood associations may be created and will be acknowledged by the City, however, absent a specific budget appropriation for neighborhood associations, City staff will not devote time, resources or City funds to neighborhood associations.


NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF TROUTDALE

Section 1. Chapter 2.22 of the Troutdale Municipal Code is hereby adopted to read as set forth in Attachment 1.

YEAS: 4

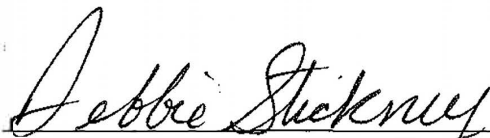
NAYS: 0

ABSTAINED: 0



Paul Thalhofer, Mayor
May 27, 2004

Date



Debbie Stickney, City Recorder
Adopted: May 25, 2004

**TROUTDALE MUNICIPAL CODE
CHAPTER 2.22 – NEIGHBORHOOD ASSOCIATIONS**

Chapter 2.22 NEIGHBORHOOD ASSOCIATIONS

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Section 2.22.010 Findings.

The city council of the City of Troutdale believes there exists a need to maintain channels of communication with the people of Troutdale on matters affecting the livability of their neighborhood and the community in general. It is the intent of the city council, through the creation of neighborhood associations, to foster a partnership of open communication between the city and its neighborhoods; to enhance the environment in which citizens are afforded an opportunity to participate in government decisions; to foster cooperation and consensus among diverse interests; to assist the city and neighborhood residents in developing solutions to mutual problems; and to develop in the citizens a sense of personal pride and responsibility for their neighborhood. A neighborhood association is not a city committee or a governing body that has been given the authority to make decisions or to issue advice or recommendations regarding city policies or administration.

Section 2.22.020 Definition.

A neighborhood association is a group of residents, property owners, businesses and non-profit organizations within the boundaries established by the affected residents, property owners, businesses and non-profits of the “neighborhood” for the purpose of considering and acting upon a broad range of issues affecting their neighborhood’s livability and to foster open communication and partnership with the city.

Section 2.22.030 Authority to form.

The residents, property owners, and representatives of businesses and nonprofit organizations of any city area not recognized currently may form a neighborhood association. Associations shall make application with the city for formal recognition as a neighborhood association under the provisions of this ordinance. Upon receipt of application of an association, city staff shall issue a full report and recommendation to the city council. Recognition of a neighborhood association shall be done by adoption of a resolution by the council. When making decisions and deliberating official city business,

the council will consider the recommendations of affected neighborhood associations that have been officially recognized by council in the same manner that the council considers recommendations or testimony from other interested citizens, groups or organizations.

Section 2.22.040 Bylaws.

Each neighborhood association shall adopt bylaws, which will at a minimum include rules governing process and procedure for:

- (a) Election and term of officers;
- (b) Information presented to the public;
- (c) Membership and voting requirements, which shall state that at a minimum a majority of the association's officers must be present in order for a quorum to exist and for a vote to be valid;
- (d) Neighborhood boundaries which shall be in substantial conformance to the city's adopted neighborhood association map;
- (e) Frequency of meetings which shall be at least once per year;
- (f) Management of the neighborhood budget and records, including but not limited to maintenance of meeting sign-in sheets and other records required by the bylaws; and
- (g) Notifying members of association meetings, holding open meetings and retaining association records (the Public Records and Public Meetings laws may be a useful guide).

The initial bylaws shall be presented to the city council as part of the official recognition process, in accordance with section 2.22.030, and shall be filed with the city. Any bylaw changes must also be filed with the city.

Section 2.22.050 Membership.

The membership of neighborhood associations shall include all residents, property owners, business licensees, and representatives of nonprofit organizations within the neighborhood boundaries. All members of the neighborhood association may actively participate in meetings and activities. An association may elect to exclude membership for business licensees when a business association already exists within the boundaries of the neighborhood association.

Section 2.22.060 Boundaries.

Boundaries of associations shall substantially conform to the boundaries as shown on Attachment 1A, the City of Troutdale Neighborhood Association Map, adopted by reference herein, and may not overlap other city neighborhood association boundaries. Boundary changes may occur after residents in the affected area are given notice and the opportunity to vote as prescribed by the neighborhood association's bylaws. The city must be notified about any changes to neighborhood boundaries in writing within a reasonable time period. The city council and relevant city departments will be made aware of neighborhood boundary changes. In no case shall the boundary of an association be the same as the boundary of a single homeowner's association.

Section 2.22.070 Funding.

Membership fees shall be voluntary and shall not bar any resident from neighborhood association membership or voting privileges. Voluntary dues, contributions, contracts,

grants or subscriptions may be used by a neighborhood association as provided for in the neighborhood association's bylaws, as well as any applicable public funding requirements. The City is not required to, and does not intend to provide funding or resources, such as staff time, materials, supplies or postage, to neighborhood associations.

Section 2.22.080 Functions of Neighborhood Associations

The functions of a recognized neighborhood association include, but are not limited to:

- (a) Becoming a self-sustaining organization that will further the purpose and intent of this chapter.
- (b) Making a good faith effort to recruit a diverse and representative group of residents, property owners, and business and non-profit representatives to participate in and perpetuate the governance and operation of the neighborhood association.
- (c) Providing effective citizen participation in government by articulating, defining, and addressing neighborhood problems; by advising, consulting with, and cooperating with the various city departments, committees and council on matters affecting their respective neighborhoods, and by notifying and relaying information to residents, property owners, business and non-profit representatives.
- (d) Providing citizen input on the efficiency and effectiveness of the city's delivery of services. Making recommendations concerning particular actions, policies, plans, programs, projects, and other matters to city committees, commission and the council regarding the livability of the neighborhood, including, but not limited to, land use, housing, community facilities, human services, social and recreational programs, open space and parks, traffic and transportation, environmental quality, and public safety. Neighborhood association recommendations will be considered in the same manner that recommendations or testimony from other interested citizens, groups or organizations will be considered.
- (e) Establishing and following clear methods for reporting to the city actions which accurately reflect the neighborhood's position.
- (f) Assisting city staff in determining priority needs affecting the quality of life for the neighborhood.
- (g) Undertaking and managing projects to benefit the neighborhood association as may be agreed upon by the neighborhood association membership.
- (h) Maintaining current board rosters and providing the city with the names and addresses of each of the officers on their board who will receive all notices and other mailings from the city.

Section 2.22.090 Accountability.

- (a) Neighborhood associations shall be accountable to the membership of the neighborhood, which they represent. They shall be responsible for notifying the membership about meetings, elections, and other association events. All meetings of the neighborhood association or its board shall be open to the public. The neighborhood association shall make a good faith effort to seek the views of the people affected by proposed policies or actions and shall consider all proposed options before adopting any final recommendations.

(b) Officers will serve as liaison between city staff and the neighborhood association, and will be elected by the neighborhood association membership. Officers shall disclose conflicts of interest, as defined in ORS 244.020, and comply with the Oregon Government Standards and Practices laws governing public officials and employees (excluding economic interest filings).

(d) When a neighborhood association presents its official position on an issue to the city, it shall be prepared to identify whether the decision, was reached by the board, a poll of the general membership, or by a vote at a general membership meeting, and the vote tally for and against the position.

(e) The consensus view of a dissenting minority or minorities on any issue considered shall be recorded and transmitted along with any recommendations made by a neighborhood association to the city.

(f) Nothing in this chapter shall be considered as a limitation of any citizen's right to participate directly in the decision making process of the city government.

Section 2.22.100 Neighborhood association responsibilities.

(a) Notices and Public Information.

(1) Neighborhood associations shall undertake to notify affected neighborhood persons through the officers of the neighborhood association on policy or administrative decisions pertaining to a specific neighborhood.

(2) All neighborhood associations, whether they are registered as a non-profit or not, shall abide by Oregon laws in order to maintain official neighborhood recognition by the city council.

(b) Planning.

(1) The neighborhood association may participate in all planning efforts, which affect neighborhood livability.

(2) Neighborhood associations may seek outside sources of funding when appropriate for neighborhood projects.

Section 2.22.110 Office of Neighborhoods

(a) Subject to budget appropriations, the city may provide technical assistance to recognized neighborhood associations on a variety of issues, including, but not limited to, grant applications, outreach and communication, leadership training, and other ongoing programs.

(b) In order to facilitate citizen participation and improve communication, subject to budget appropriations, the city may assist neighborhood associations in the following ways:

(1) Notify interested persons of meetings, hearings, and other community events;

(2) Provide for the sharing of information and maintain reports, studies, data sources and other neighborhood related information;

(3) Provide referral services;

(4) Maintain an up-to-date list of neighborhood associations and their principal officers;

(5) Assist neighborhood associations to become officially recognized by the City Council and help rejuvenate activity in less active neighborhoods when appropriate;

(6) Assist in reproducing neighborhood newsletters when written material is supplied by the neighborhood association;

Attachment 1

- (7) Act as liaison between neighborhood associations and city, and help facilitate processes for citizen involvement;
- (8) Assist in contacts with other public agencies;
- (9) Assist in educational efforts relating to citizen participation;
- (10) Assist neighborhood associations in securing funding resources when appropriate; and
- (11) Provide and implement a review process for compliance of all neighborhood associations as set forth in this chapter.

Section 2.22.111 Review. Subject to budget appropriations, the city may perform an annual review of any and all neighborhood associations for the purpose of determining an association's compliance with this chapter. Such review shall be conducted as follows:

(a) **Dormant Status Review:** It is the intent and purpose of this chapter that all neighborhood associations are provided official recognition by the city which includes notice and opportunity to provide input on certain development applications, proposals and determinations and the opportunity to participate in government decisions in an advisory role. Associations failing to submit evidence to the city that at least one general membership meeting was held each calendar year and a current roster of officers may fall into a dormant status. Associations in dormant status shall be removed from all official city mailing lists and lose the opportunity to receive certain notifications as described above, until such time as they re-activate their status by providing evidence of a general membership meeting and a current list of officers. Notice of the dormant status determination shall be mailed to the last provided roster of officers.

(b) **Compliance Review:** All neighborhood associations are required to comply and abide by the terms and conditions set forth in this chapter in order to benefit from official recognition by the city. Failure to do so may result in the association's loss of official recognition by the city. Upon written receipt by the city of a complaint of an association failing to comply with this chapter, city staff may conduct a fact-finding study and attempt to resolve the complaint directly with the complainant and the association. Should the complaint remain unresolved and city staff makes an initial determination that the neighborhood association is out of compliance with this chapter, then city staff may recommend that the city council adopt a resolution to withdraw recognition of the neighborhood association and remove the neighborhood from all official mailing lists.

