

RESOLUTION NO. 2318

A RESOLUTION ESTABLISHING THE OFFICE OF NEIGHBORHOOD ASSOCIATIONS;
ADOPTING THE ROLES AND RESPONSIBILITIES OF THE NEIGHBORHOOD
ASSOCIATION OFFICE; ADOPTING THE NEIGHBORHOOD ASSOCIATION RECOGNITION
REQUIREMENTS; AND ADOPTING THE RECOMMENDED BYLAWS

WHEREAS, the City of Bend identified improving its citizen involvement program as a primary issue in *Council Goals and Objectives 2000*; and

WHEREAS, the Bend City Council has communicated an intent to establish a neighborhood association program that will facilitate neighborhood involvement and will equip citizens to understand and participate in the processes that affect their neighborhoods; and

WHEREAS, the City of Bend has committed financial and staff resources to the development of a neighborhood association program

THE CITY COUNCIL DOES RESOLVE AS FOLLOWS:

1. The City of Bend Office of Neighborhood Associations is hereby established.
2. The Roles and Responsibilities of the Neighborhood Association Office, attached to this resolution as Exhibit "A", are hereby adopted.
3. The Formal Recognition Requirements, attached to this resolution as Exhibit "B", are hereby adopted.
4. The Recommended Bylaws, attached to the resolution as Exhibit "C", are hereby adopted as the minimum standards by which Neighborhood Associations shall operate.

ADOPTED by the City Council this and approved by the Mayor on this 18th day of July, 2001.

YES: 7 NO: 0

Bill Friedman, MAYOR

ATTEST:

Patricia Stell, City Recorder

Exhibit A

**Roles and Responsibilities of the
Neighborhood Association Office**

It is the responsibility of the Office of Neighborhood Associations staff to see that information pertaining to City matters is provided to the Neighborhood Associations and information regarding Neighborhood Association concerns is provided to City staff. The role of the Office of Neighborhood Associations staff is that of a neutral communicator, coordinator and facilitator.

Key Areas of Responsibility:

Administrative Support

Education

Resources & Funding Information

Communication Liaison

Technical Assistance

Specific Responsibilities:

1. Act as an information clearinghouse and resource to Neighborhood Associations;
2. Provide orientation on Office of Neighborhood Associations program structure and procedures to Neighborhood Association officers and other interested citizens;
3. Facilitate open communication among City departments, other participating government agencies, and Neighborhood Associations;
4. Assist Neighborhood Associations in planning, developing and coordinating programs for their neighborhoods;
5. Process requests from Neighborhood Associations seeking recognition from the City;
6. Maintain a current listing of all Neighborhood Associations and officers for each Association;
7. Publicize the initial meetings of the Neighborhood Associations, and assist each new Association with the development of a communication strategy;
8. Respond to complaints about Neighborhood Associations pertaining to their activities, policies or actions and advise Neighborhood Associations in the resolution of these complaints per the grievance process outlined in the recommended bylaws.
9. Assist with the coordination of the City's outreach activities that specifically involve Neighborhood Associations;
10. Report to the City Manager and City Council on activities and concerns relating to the Office of Neighborhood Associations. Assist Neighborhood Association Officers in procedure for addressing City Council if requested by the officers;
11. Assist Neighborhood Associations in organizational development, maintenance and the implementation of projects;
12. Develop annual and long-range work plans and the associated budget recommendations for the Office of Neighborhood Associations;
13. Promote communication and collaboration among Neighborhood Associations, the City and other participating agencies;
14. Attend Neighborhood Association meetings when appropriate;
15. Administer any City of Bend Neighborhood Matching Grants Programs.

Exhibit B**Neighborhood Association Recognition Requirements**

Purpose of a Neighborhood Association

The purpose of the Office of Neighborhood Associations Program is to facilitate neighborhood involvement and give citizens a voice in decision-making as it affects their neighborhoods. It is the intent of this Program to provide an effective mechanism whereby the citizens of the city sharing common neighborhood identity, goals, and concerns may form organizations and become officially recognized as advisory bodies to the City Council to all boards and commissions engaged in community planning and development so that they may be more informed and bring their comments forward more efficiently.

Definition of Neighborhood Association

The purpose of a neighborhood association is to equip citizens to understand and participate in the processes that affect their neighborhood. The City of Bend recognizes that public participation through neighborhood associations can produce benefits for the general health, welfare, and pride of the total community.

Therefore, neighborhood associations are formally recognized organizations which offer an opportunity for citizens to participate in decision-making for their neighborhood. Participation is voluntary and open to all citizens who live or own property within its boundaries.

Most neighborhood associations are concerned with issues that affect the quality of life in their community. This can include issues such as land use, crime prevention, fire prevention, "Welcome Wagon" services, sidewalks, litter and parks. Neighborhood associations can also strengthen person-to-person contact by sponsoring neighborhood festivals and block parties.

Authority to Form - Council to consider recommendations

The residents and property owners of any city neighborhood may form such an organization and seek formal City recognition, thereby enabling them to make recommendations to the City, in accordance with the neighborhood association bylaws.

Procedure for Forming a Neighborhood Association

Residents interested in forming a neighborhood association should contact the Neighborhood Association Office for assistance. Meetings shall be held to gauge interest in forming an association. If meeting participants who qualify as members (see Item 2) agree to form an association, a formal request may be made to the

Neighborhood Association Office. The request will be reviewed by the Neighborhood Association Office and forwarded with its recommendation to the City Council. Once the group has been recognized by council resolution, the City shall consider the association the official citizen organization for that area of the city. This process will formally recognize bylaws and boundaries of neighborhood associations.

Notice of Official Recognition

Upon formal recognition by the city, a letter from the mayor and also signed by the Neighborhood Coordinator shall be sent to all neighborhood association officers for distribution to property owners, residents and businesses within the neighborhood. The mayor's letter shall include the following:

- a. A statement encouraging all property owners, residents, and businesses within the newly recognized neighborhood to participate in meetings and other activities leading to proposals and recommendations to city government.
- b. A description and map of neighborhood boundaries.
- c) The names, addresses, and telephone numbers of all officers of the neighborhood association.
- d. The name and contact information of the City of Bend Neighborhood Association Coordinator.

Basic Requirements

Neighborhood Associations that are officially recognized by the City of Bend will be eligible for the range of services provided by the Neighborhood Association office as referenced in the Roles and Responsibilities of the Neighborhood Association Office. The City Council will consider all applications for formation of a Neighborhood Associations where the applications meet the following requirements:

1. **Bylaws**

All neighborhood associations will adopt bylaws which will govern rules of procedure, selection of spokesperson, information presented to the press, residency requirements, frequency of meetings, liaison with any city entity and other participating agencies, allocation of neighborhood budgets, and channels for presentations before all City Boards and the City Council. Bylaws will be presented to the City Council for formal recognition. A copy of the bylaws must be filed with

the Neighborhood Association office.

2. Membership

Any person who lives, or owns any real property, or any legal entity who operates a place of business or institution, within the recognized boundaries of the neighborhood, and any person meeting this criteria shall be considered a member of the neighborhood association. An active member is defined as one who has attended at least one general or special meeting within the last calendar year. All neighborhood associations shall be responsible for maintaining up-to-date active membership lists and an updated copy shall be filed with the Neighborhood Association office.

3. Boundaries

Boundaries of the neighborhood associations will be defined by neighborhood associations and the Neighborhood Association office staff, and may be modified as noted in the bylaws. The boundaries must be clearly stated in the neighborhood association's bylaws and should not overlap those of any other neighborhood association. Disputes between neighborhood associations will be arbitrated as noted in the model by-laws. Neighborhood associations should incorporate a minimum of three thousand (3,000) residents and should not exceed six thousand (6,000). However, Neighborhood Associations with less than 3,000 or greater than 6,000 residents will be considered for approval on a case by case basis. Excepted from this guideline is the downtown neighborhood, which shall include the downtown commercial zones and all adjacent residential areas.

4. Funding

No membership fees shall be levied. A neighborhood association may use contracts, grants, fundraisers and voluntary contributions.

5. Meeting Requirements

Meetings shall be conducted in accordance with the neighborhood association bylaws.

6. Public Meetings/Public Records Law

All neighborhood associations must abide by the State of Oregon open meeting and public records laws, as outlined in the neighborhood association handbook. Neighborhood Associations must keep minutes.

7. Grievance Resolution

Bylaws shall include provisions relating to the resolution of grievances concerning the activities, policies, or recommendations of the neighborhood association including who is eligible to submit a grievance, a process for the receipt of complaints, and a procedure for final resolution.

8. Annual Reporting

All neighborhood associations must annually submit a copy of the dates of all meetings held in the past year and the names, addresses and phone numbers of the association's current officers and active members.

9. Procedures for Annual Review of Neighborhood Association Status

Within 30 days following an annual general meeting for electing officers,

all neighborhood associations shall provide the Neighborhood Association Office with evidence of compliance with the requirements set forth in the bylaws and resolution. To assist with this, the Neighborhood Association Office will provide a compliance form. The completed compliance form will be reviewed by the Neighborhood Association Office. If the completed form indicates noncompliance, the association will be asked to take corrective action. If corrective action is found necessary and such action is not taken within 60 days of notification by the Neighborhood Association Office, the City Council will be advised of the non-compliance and may elect to suspend recognition of the neighborhood association.

Exhibit C

Recommended Bylaws

Office of Neighborhood Associations

These recommended bylaws outline the information that should be included in your neighborhood association bylaws. Neighborhood associations are free to create bylaws that are reflective of their own organization. These represent the minimum standards by which an association shall operate. Additions or alterations to the recommended bylaws shall be reviewed by the Bend City Attorney to ensure substantial conformance with the intent of the recommended bylaws.

ARTICLE I Purpose

Section 1 Name of Organization: The name of the organization shall be the Sample Neighborhood Association (SNA).

Section 2 Purpose of SNA: The purposes for which SNA is organized are:

- a. To enhance the livability of the area by establishing and maintaining an open line of communication and liaison between the neighborhood, the City of Bend, other participating agencies, and other neighborhoods.
- b. To provide an open process by which all members of the neighborhood may involve themselves in the affairs of the neighborhood.
- c. To perform all of the activities related to said purposes.
- d. To be organized exclusively for educational, social and charitable purposes.
- e. Nothing in these bylaws shall preclude an association from forming as a non-profit organization.

ARTICLE II Membership

Section 1 Membership Qualifications: Membership in SNA shall be open to any person who lives on or owns any real property, or any legal entity who operates a place of business or institution, within the recognized boundaries of the SNA, any person meeting this criteria shall be considered a member of the SNA.

Section 2 An active member is defined as one who has attended at least one general or special meeting within the last calendar year.

Section 3 Membership Voting: All residents, property owners, or businesses located with SNA boundaries shall have one vote per member household, property, or business entity, each to be cast during attendance at any general or special meeting. One representative from each government agency or nonprofit organization located within SNA boundaries shall have the same privilege as the residents listed above.

ARTICLE III Dues:

Charging of dues or membership fees shall be prohibited; however, voluntary contributions and fundraising activities are encouraged.

ARTICLE IV Membership Meetings

Section 1 General Membership Meetings: There shall be at least two general membership meetings yearly. The meetings shall be convened in the fall and spring and upon any day decided by the majority vote of the neighborhood officers. Notification for all general meetings shall require fourteen (14) days advance written, E-mail, or telephone notice to all active members of SNA and public notice. Reasonable attempt to notify all SNA members through public notice or any other methods deemed reasonable by SNA shall be made prior to meetings at least seven (7) days in advance.

Section 2 Special Membership Meetings: the chairperson may call Special meetings of the membership or the vice chair in the chair's absence as deemed necessary. Reasonable attempt to notify all SNA members through public notice or any other methods deemed reasonable by SNA shall be made prior to meetings at least seven (7) days in advance.

Section 3 Agenda: The chairperson shall prepare the agenda for general and special meetings of the membership. Any member of SNA may make a motion to add an item to the general or special agendas at those respective meetings. Adoption of that motion requires a second and majority vote. Any non-member may request to add an item to the agenda by submitting the item in writing to the SNA officers at least seven (7) days in advance of the membership meetings. The chairperson shall place the item on the agenda only if the majority of the officers agree to do so.

Section 4 Quorum: A quorum for any general or special meeting of SNA shall be a minimum of ten (10) members in attendance. Unless otherwise specified in these bylaws, decision of SNA shall be made by a majority vote of those members present at any meeting.

Section 5 Participation: Any general, special, officer or committee meeting is open to any person to observe. However, only members may participate in discussion and are entitled to vote. Non-members may participate in discussion if an item from a non-member has been placed on the agenda per the requirements of Section 3, Article IV. The presiding officer may regulate the order and length of appearances and limit appearances to relevant points. All actions or recommendations of the general or special meetings shall be recorded in the minutes, including minority reports. The Neighborhood Association Office shall notify the City of any recommendations contained therein.

Section 6 Procedures: The SNA shall follow Robert's Rules of Order (Revised) in all areas not covered by the bylaws.

ARTICLE V Neighborhood Officers

Section 1 Number of Neighborhood Officers: The Neighborhood Officers shall determine the exact number of officer positions annually. There shall be at least three (3) officers and the SNA may add additional officers as needed.

Section 2 Terms of Office: Each officer shall hold office for a term of one (1) year for which he/she is elected or appointed and until his /her successor has been elected or appointed to take office. The association will identify the date for annual election of officers with submission of their bylaws for City Council approval.

Section 3 Eligibility for Officer Service: Only persons eligible for SNA membership shall be qualified to hold an elected or appointed position.

Section 4 Duties of Officers: the officers shall manage the affairs of SNA in the interim between general meetings. The officers shall be accountable to the membership; shall seek the views of all affected by any proposed policies or actions before adopting any recommendation on behalf of SNA; and shall strictly comply with these bylaws.

Section 5 Election of Officers: Officer members shall be elected annually by a vote of the membership at its annual meeting. The names of all candidates for the officer slate shall be placed in nomination. Secret written ballots shall be used for voting for officers. Election requires a majority vote of the membership present.

Section 6 Officer Vacancies: The officers may fill any vacancy on the SNA or committee by majority vote of the officers in cases involving absences by an officer or committee member from three (3) consecutive meetings, or if a position is vacated for any reason. A member appointed to fill a vacancy shall serve the remainder of the unexpired term and until his/her successor is elected or appointed.

Section 7 Duties of Officers:

- a. Chairperson: The chairperson shall prepare the agenda and preside at all meetings of the officers and membership; shall appoint members of committees, who are not elected, with a majority approval of the officers except for members of the Grievance Committee. The Chairperson shall make all necessary reports to the City of Bend in compliance with the Neighborhood Association Recognition Ordinance. Upon leaving office, the chairperson shall serve in an advisory capacity to the current officers for a period of one year.
- b. Vice Chairperson: The first alternate shall assist the chairperson; in the chairperson's absence shall function as

chairperson.

- c. Secretary/Treasurer: The secretary/treasurer shall keep minutes and written records of majority and minority opinions expressed at all meetings; shall be responsible for all correspondence of SNA; shall make records of SNA available for inspection at any reasonable time. The secretary/treasurer shall also be held accountable for all funds and shall give an accounting at each general meeting; shall receive, safekeep and disburse SNA funds, but such disbursement shall require the signature of the Chairperson. This position may be divided into separate secretary and treasurer function if the SNA so desires.
- d. The SNA may establish additional Committee Chairpersons to serve with the officers as necessary.

Section 8 Officer Meetings: The officers shall meet at least fourteen (14) days prior to any general or meeting and at any other time the chairperson may designate. These meetings shall be open session; however, only officers shall be entitled to vote. A majority of the officers shall constitute a quorum for officer meetings; decisions shall be made by majority vote. The officers shall be notified of said meetings in writing, by E-mail or by telephone in advance. A majority of officers, by signed petition, may call an officer, general or special meeting.

Section 9 Emergency Powers of the Officers: In such cases where the officers are required to provide neighborhood response before a question can be presented to the membership, the officers must indicate to the questioner that this is the case, and shall present the action taken at a special or general meeting within fourteen (14) days, or within a lesser time for ratification by the membership where circumstances dictate.

Section 10 Resignation and Removal: Any Officer member may be removed from office by an affirmative vote of two thirds of the members of the association present at the meeting, the notice of which shall have specified the proposed removal. In addition, Officer members failing to attend three (3) consecutive meetings shall be automatically deemed to have resigned.

ARTICLE VI Committees:

The officers shall establish both standing and ad hoc committees, as they deem necessary. Committees shall make recommendations to the officers for officer actions. Committees shall not have the power to act on behalf of the organization without specific authorization from the officers.

ARTICLE VII Conflict of Interest

Section 1 Definition: A conflict of interest exists for an officer whenever the officer holds a personal financial interest which will be impacted by the action or inaction by SNA on a proposal before the membership or officers. A personal financial interest shall include a financial interest held by the officer and/or by members of their immediate family. A personal financial interest includes an ownership interest above 5% of a business, which will be impacted by the decision of SNA. Examples of personal financial interest would include Employment by SNA; ownership of property the use or control of which is being considered by SNA; plans to purchase property the use or control of which is under discussion by SNA, etc.

Section 2 Declaring the Conflict of Interest: Whenever an officer determines that they have a conflict of interest relating to an item under discussion, they must inform the body (membership or officers) hearing the proposal that the conflict of interest exists.

Section 3 Abstention from Voting: Officers shall not vote on matters in which they have a conflict of interest.

ARTICLE VIII Grievance Procedures

Section 1 Eligibility: A person or group adversely affected by a decision or policy of SNA may submit in writing a complaint to any member of the Grievance Committee.

Section 2 Complaint Receipt: Within seven (7) days of receipt of the complaint, the committee shall arrange with the petitioner a mutually acceptable place, day and hour for a review of the complaint, and will, in writing, within thirty (30) days, recommend a resolution of the grievance to the officers.

Section 3 Final Resolution: The committee shall attempt to resolve the complaint and shall submit a report of their recommendation and/or action to the complainant, officers and membership within fourteen (14) days. If the committee, officers and petitioner cannot reach agreement, attempts shall be made to resolve the complaint through mediation. If these attempts are not successful, final resolution of the complaint shall be by vote of a majority of the membership at a general or special meeting.

ARTICLE IX Indemnification:

SNA shall indemnify an officer who may be party to a proceeding as a result of the individual being or having been an officer to the fullest extent provided by the laws of the State of Oregon now in effect or later amended.

ARTICLE X Procedure for Consideration of Proposals

Section 1 Submission of Proposals: Any person, group, which is not a member of the SNA, may propose in writing items for consideration and/or recommendation to the SNA chair. The officers shall decide whether the proposed items shall be heard by the SNA and, if so, which meeting is most appropriate for the item to be heard.

Section 2 Any SNA member or City Department may notify in writing items for consideration and/or recommendation to the SNA chair. The SNA chair shall then schedule the item at a meeting that is mutually acceptable to the officers and the proposer.

Section 3 Notification: The proposer and members directly affected by such proposals shall be notified in writing of the place, day and hour the proposal shall be reviewed not less than seven (7) days in advance by telephone, E-mail, or mail and also by public notice.

Section 4 Attendance: The proposer may attend this meeting to make a presentation and answer questions concerning the proposal.

Section 5 SNA minutes shall be available to the public and a copy of the SNA minutes will be submitted to the Office of Neighborhood Association office.

ARTICLE XI Boundaries

Section 1 Boundaries: Boundaries of SNA shall be defined as follows: Beginning at the _____.

Section 2 Boundary Amendments: Boundaries of the SNA shall be reviewed if the SNA membership exceeds 6000, or upon request by the SNA or adjacent neighborhoods to the Neighborhood Association Office. If the boundaries need to be amended, the Neighborhood Association Office shall work with the SNA and other requesting parties to establish revised boundaries. The revised boundaries shall be voted on and adopted with a majority vote of the members in attendance at a SNA meeting and subject to City Council Approval.

ARTICLE XII Public Meetings / Public Records Requirement:

SNA shall abide by all Oregon statutes relative to public meetings and public records. Official action(s) taken by SNA must be on record or part of the minutes of each meeting. The minutes shall include a record of attendance and the results of any vote(s) taken. A summary of discussion, including all dissenting views, should be transmitted along with any recommendation made by SNA to the City.

ARTICLE XIII Non-Discrimination

SNA shall afford equal opportunities for participation in the Neighborhood Association to all persons who meet the membership qualifications regardless of race, color, religion, sex, age, handicap, familial status, or national origin.

ARTICLE XIV Adoption and Amendment of Bylaws:

All amendments to these bylaws must be proposed in writing and submitted to the SNA chair, who will then distribute copies of the proposed amendment/s to active members at least thirty (30) days before voting on their adoption. Reasonable attempts to notify all SNA members of the proposed amendments through public notice or any other methods deemed reasonable by the SNA shall be made at least seven (7) days prior to voting. This notice shall specify the date, time, and place for consideration of the proposed amendment/s. Adoption of, and amendments to, these bylaws shall require a two-thirds (2/3) vote by the members present at a general meeting, and must be ratified by the Bend City Council prior to becoming amended.