

## ARTICLE IX

### DEPARTMENT OF NEIGHBORHOOD EMPOWERMENT

#### Section

- 900 Purpose.
- 901 Department of Neighborhood Empowerment.
- 902 Board of Neighborhood Commissioners.
- 903 General Manager.
- 904 Development of the Neighborhood Council Plan.
- 905 Implementation of the Plan.
- 906 Certification of Neighborhood Councils.
- 907 Early Warning System.
- 908 Powers of Neighborhood Councils.
- 909 Annual City Budget Priorities.
- 910 Monitoring of City Services.
- 911 Appropriation.
- 912 Review.
- 913 Transfer of Powers.
- 914 Effect of Ordinances.

#### **Sec. 900. Purpose.**

To promote more citizen participation in government and make government more responsive to local needs, a citywide system of neighborhood councils, and a Department of Neighborhood Empowerment is created. Neighborhood councils shall include representatives of the many diverse interests in communities and shall have an advisory role on issues of concern to the neighborhood.

#### **Sec. 901. Department of Neighborhood Empowerment.**

The Department of Neighborhood Empowerment shall have the duties and responsibilities set forth in this Article and elsewhere in the Charter to implement and oversee the ordinances and regulations creating the system of neighborhood councils enacted pursuant to Section 905. Duties and responsibilities shall include:

- (a) prepare a plan for the creation of a system of neighborhood councils to ensure that every part of the City is within the boundary of a neighborhood council, and has an opportunity to form a neighborhood council (Plan);
- (b) assist neighborhoods in preparing petitions for recognition or certification, identifying boundaries that do not divide communities, and organizing themselves, in accordance with the Plan;
- (c) arrange Congress of Neighborhood meetings if requested to do so by recognized neighborhood councils;
- (d) assist neighborhood councils with the election or selection of their officers;
- (e) arrange training for neighborhood councils' officers and staff;
- (f) assist neighborhood councils to share resources, including offices, equipment, and other forms of support for them to communicate with constituents, other neighborhood councils and with government officials; and
- (g) perform other duties as provided by ordinance.

#### **Sec. 902. Board of Neighborhood Commissioners.**

(a) There shall be a board of seven commissioners to be known as the Board of Neighborhood Commissioners (board). Commissioners shall be appointed by the Mayor, and shall be from diverse geographic areas, as further specified by ordinance. Appointment and removal of commissioners shall otherwise be in accordance with Section 502.

(b) The board shall be responsible for policy setting and policy oversight, including the approval of contracts and leases and the promulgation of rules and regulations, but shall not be responsible for day-to-day management.

(c) The board shall operate in accordance with Sections 503 through 508 and 510 of the Charter.

### **Sec. 903. General Manager.**

- (a) There shall be a general manager of the Department of Neighborhood Empowerment who shall be appointed by the Mayor, subject to confirmation by the Council, and may be removed as provided in Section 508.
- (b) The general manager shall have those powers and duties set forth in Section 510.
- (c) The general manager shall appoint, discharge and prescribe the duties of staff, consistent with the civil service provisions of the Charter.

### **Sec. 904. Development of the Neighborhood Council Plan.**

The Department of Neighborhood Empowerment shall develop a Plan for a citywide system of neighborhood councils, in conformance with the following:

- (a) The Department of Neighborhood Empowerment 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, in draft ordinance format (Regulations) which, if adopted by ordinance, would be sufficient 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.
- (e) The Regulations shall establish the procedure and criteria for recognition or certification of neighborhood councils.
- (f) The Regulations shall not restrict the method by which the members of a neighborhood council are chosen, if the process otherwise satisfies the requirements of this Article.
- (g) The Regulations shall require that neighborhood councils adopt fair and open procedures for the conduct of their business.
- (h) The Mayor and Council shall provide for the creation of the Department of Neighborhood Empowerment and appointment of the general manager within 120 days of the effective date of this Article.

### **Sec. 905. Implementation of the Plan.**

The Department of Neighborhood Empowerment shall complete development of the Plan and present the Plan and all necessary Regulations for a system of neighborhood councils to the Council and Mayor within one year of the establishment of the department and commission. The Council shall consider the Regulations, and within six months after presentation of the Plan to Council may adopt ordinances to implement the Regulations as proposed, or as modified by the Council consistent with the requirements of the Plan set forth in Section 904. If implementing ordinances are not adopted within this time period, the Regulations shall become effective, and to the extent not inconsistent with law shall be binding upon all City departments and offices.

### **Sec. 906. Certification of Neighborhood Councils.**

(a) **By-laws.** Each neighborhood council seeking official certification or recognition from the City shall submit an organization plan and by-laws to the Department of Neighborhood Empowerment showing, at a minimum:

- (1) the method by which their officers are chosen;
- (2) neighborhood council membership will be open to everyone who lives, works or owns property in the area (stakeholders);
- (3) assurances that the members of the neighborhood council will reflect the diverse interests within their area;
- (4) a system through which the neighborhood council will communicate with stakeholders on a regular basis;
- (5) a system for financial accountability of its funds; and
- (6) guarantees that all meetings will be open and public, and permit, to the extent feasible, every stakeholder to participate in the conduct of business, deliberation and decision-making.

(b) **Petitioning for Certification and Approval.** Neighborhood councils may petition for certification or recognition in accordance with rules and procedures set forth in the Plan.

#### **Sec. 907. Early Warning System.**

The Regulations shall establish procedures for receiving input from neighborhood councils prior to decisions by the City Council, City Council Committees and boards and commissions. The procedures shall include, but need not be limited to, notice to neighborhood councils as soon as practical, and a reasonable opportunity to provide input before decisions are made. Notices to be provided include matters to be considered by the City Council, City Council Committees, and City boards or commissions.

#### **Sec. 908. Powers of Neighborhood Councils.**

Subject to applicable law, the City Council may delegate its authority to neighborhood councils to hold public hearings prior to the City Council making a decision on a matter of local concern.

#### **Sec. 909. Annual City Budget Priorities.**

Each neighborhood council may present to the Mayor and Council an annual list of priorities for the City budget. The Mayor shall inform certified neighborhood councils of the deadline for submission so that the input may be considered in a timely fashion.

#### **Sec. 910. Monitoring of City Services.**

Neighborhood councils shall monitor the delivery of City services in their respective areas and have periodic meetings with responsible officials of City departments, subject to their reasonable availability.

#### **Sec. 911. Appropriation.**

The Mayor and Council shall appropriate funds for the Department of Neighborhood Empowerment and for the startup and functioning of neighborhood councils for the first two years after the effective date of this Article. Funds shall be appropriated into a special fund to be established by ordinance. The Mayor and Council shall thereafter appropriate funds for the department and neighborhood councils at least one year in advance of each subsequent fiscal year.

#### **Sec. 912. Review.**

The Mayor and Council shall appoint a commission as prescribed by ordinance to evaluate the provisions of this Article, the Regulations adopted pursuant to this Article, and the efficacy of the system of neighborhood councils no later than seven years after the adoption of the Charter. The commission shall make recommendations to the Council regarding changes to the Charter or the Regulations, as it deems appropriate.

#### **Sec. 913. Transfer of Powers.**

Notwithstanding any other provision of the Charter, the Mayor and Council shall not transfer powers, duties or functions of the Department of Neighborhood Empowerment to any other department, office or agency pursuant to Section 514 during the first five years after implementation of the Plan pursuant to Section 905.

#### **Sec. 914. Effect of Ordinances.**

The Council may adopt ordinances concerning neighborhood councils consistent with requirements for the Plan set forth in Section 904 at any time, which ordinances shall supersede any inconsistent Regulations that have become effective pursuant to Section 905.