ORDINANCE NO. _____________

AN ORDINANCE introduced by City Manager Brent Trout, concerning Citizen Advisory Council and Neighborhood Improvement Associations, amending § 2.25.040 and § 2.25.050, repealing § 2.25.060 and renumbering sections of Chapter 2.25.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF TOPEKA, KANSAS:

Section 1. That section 2.25.040, Citizen Advisory Council, of The Code of the City of Topeka, Kansas, is hereby renumbered as 2.25.030 and amended to read as follows:

Citizen Advisory Council.

(a) Established. There is hereby established a Citizen Advisory Council (CAC) consisting of persons representing broad community interests, including establishing a sense of community through enhanced neighborhood engagement on matters related to housing, infrastructure and safety. The CAC will provide recommendations to the Department of Neighborhood Relations on issues described in the CAC bylaws.

(b) Purpose. The purpose of the CAC is to advise and provide recommendations to appropriate City departments/divisions, as well as the Governing Body, on issues described in the CAC bylaws and including allocation of City, County, State, Federal and Topeka housing trust funds.

(c) Members; Terms; Voting. The CAC shall consist of one member elected by each certified neighborhood improvement association (NIA) and three at-large members. All such members shall have full voting rights throughout their term on the CAC. Each CAC member shall serve a three-year term, which shall begin in January, with the exception of those representatives who are filling the remainder of an unexpired term.
Certified NIA members. Each certified NIA shall elect one of its members to serve as its representatives on the CAC. The individual selected must be an active and eligible voting members of the NIA they represent. The NIA representative members will have three-year terms. No person can be the NIA representative members on the CAC for shall not serve more than two consecutive terms on the CAC. NIA representatives to the CAC shall be elected at NIA annual meetings. An NIA may also elect an alternate CAC representative who may represent the NIA’s in the event the NIA’s CAC representative member cannot attend a CAC meeting and may also designate additional alternates to ensure that the NIA is represented at CAC meetings. Except, in the event a representative cannot complete their entire term, a substitute can be elected at any regular NIA meeting. An NIA may elect a substitute CAC representative to complete the unexpired term of the any NIA’s representative member who is unable to complete the remainder of the term.

At-Large members. The three at-large members of the CAC shall be appointed for three-year terms by the Mayor, with confirmation by the City Council. The at-large members will have three-year terms. At-large members shall not serve beyond the end of their appointed three-year term and Upon expiration of such term, the position shall remain vacant until a successor is appointed. One at-large member must come from a low and moderate low-to-moderate income (LMI) area not represented by a certified NIA
or be an LMI citizen of Topeka not residing in an NIA area, and Two at-large members must come from disciplines such as construction trades, architecture, appraising, real estate sales, public finance, mortgage lending, legal, real estate development, residential property management, commercial banking, construction material suppliers, fund raising, neighborhood planning, zoning, engineering, health or other disciplines relevant to housing and neighborhood development.

(d) Meetings; Officers; Bylaws. At the first annual November meeting of the CAC, the voting members will elect a chair and vice-chair, whose terms officially start in January, to conduct the meetings in accordance with Robert’s Rules of Order. The Director of Neighborhood Relations will establish bylaws and The CAC chair may designate a CAC member as the group’s parliamentarian. The CAC chair, in consultation with the CAC vice-chair and Community Engagement Division staff, will prepare the agenda for each meeting. The CAC will meet quarterly each year unless a special meeting is requested by the Director or the City Council. Community Engagement Division staff will create the meeting minutes, which shall be reviewed by the CAC chair and vice-chair prior to distribution. Community Engagement Division staff shall create and update contact information for CAC members, which shall include the primary and one alternate representative per NIA and at-large appointees; maintain attendance records; and record and maintain minutes of each meeting. The CAC, in consultation with the Community Engagement Director, will conduct an annual review of the established bylaws and present any proposed revisions to the full membership for approval during the third quarter of each calendar year. The CAC will meet at a date,
time and place determined by the CAC, which shall include both regular and special meetings. A quorum of the CAC shall consist of those voting members present, and a simple majority of voting members present shall decide any question. Department staff shall keep attendance records and minutes of each meeting.

Each NIA representative and each at-large member will have voting rights throughout their term.

The purpose of the CAC is to advise the Director of Neighborhood Relations of community needs as they relate to the allocation of City, State, Federal and Topeka housing trust funds.

Section 2. That section 2.25.050, Neighborhood improvement associations, of The Code of the City of Topeka, Kansas, is hereby renumbered as 2.25.040 and amended to read as follows:

**Neighborhood improvement associations.**

(a) The following method shall be used for the establishment and certification of neighborhood improvement associations (NIAs):

(1) Persons interested in forming an NIA shall set a date, time and place for an organizational meeting and notify all residents of this meeting, either by regular mail, e-mail, social media or by hand-delivered flier.

(2) At the organizational meeting, boundaries for the NIA shall be determined, officers shall be elected, and a date, time and place for regular future meetings shall be set.

(3) At the organizational meeting, a petition shall be signed by at least 25 residents, property owners, businesses and persons having a definable interest
in the area requesting certification.

(4) A letter requesting certification and the signed petition shall be submitted to the City Manager for approval.

(5) The association shall meet each year during the month of April each year specified in their bylaws to elect a president, vice-president, secretary and treasurer.

(6) A quorum for the transaction of business shall be those members present at least five (5).

(7) If an NIA wishes to extend or amend its boundaries, each resident of the area to be included in the expansion shall be notified by regular mail of the proposed expansion and given the opportunity at the NIA meeting to express their approval or disapproval. The lesser of fifty percent (50%) or 25 resident signatures from the area to be included in the expansion must be obtained in order to proceed, after which the expansion request will be processed in the same manner as an original request to establish an NIA (see numbers 1-4 above).

(b) Each year, on or prior to May 1st, the City Manager shall designate certain census tracts or portions thereof within the City as the community development (CD) target area. Neighborhood improvement associations may be established within the target area. They shall be established as set out in subsection (a) of this section. The NIA’s shall have the following responsibilities of these CD target area NIAs shall be as follows:

(1) To identify needs, define objectives and express preferences about
activities proposed in the community development block grant funding application.

(2) To act as a vehicle through which individual and group complaints concerning community development program performance are channeled to the Community and Economic Development Department Community Engagement Division staff.

(3) To develop annual neighborhood improvement plans and submit such plans to the Community Development Advisory Board Citizen Advisory Council and Community Engagement Director for funding consideration of additional funding allocations in the months of March and July of the current year.

(4) To otherwise participate in the development of programs related to community betterment.

(5) To annually elect two representatives to sit serve as members on and participate in the Community Development Citizen Advisory Council.

(6) To work directly with the Community Engagement Division staff of community and economic development on those community development programs existing in the NIA that are funded or sponsored by community development block grant funds.

Section 3. That section 2.25.060, Neighborhood improvement association districts, of The Code of the City of Topeka, Kansas, is hereby repealed.

Neighborhood improvement association districts.

The Mayor will establish neighborhood improvement association (NIA) districts for the purpose of assigning rotating voting rights for NIA representatives to the Citizen
Advisory Council. Each NIA district will consist of at least two NIAs. To the extent possible, NIA districts will consist of NIAs whose boundaries are contiguous.

Section 4. That section 2.25.070, Topeka housing trust fund, of The Code of the City of Topeka, Kansas, is hereby renumbered as 2.25.050.

Section 5. That section 2.25.090, Topeka housing trust fund, of The Code of the City of Topeka, Kansas, is hereby renumbered as 2.25.060.

Section 6. That section 2.25.100, Topeka housing trust fund, of The Code of the City of Topeka, Kansas, is hereby renumbered as 2.25.070.

Section 7. That section 2.25.110, Topeka housing trust fund, of The Code of the City of Topeka, Kansas, is hereby renumbered as 2.25.080.

Section 8. That original § 2.25.040 and § 2.25.00 of The Code of the City of Topeka, Kansas, are hereby specifically repealed.

Section 9. This ordinance shall take effect and be in force from and after its passage, approval and publication in the official City newspaper.

Section 10. This ordinance shall supersede all ordinances, resolutions or rules, or portions thereof, which are in conflict with the provisions of this ordinance.

Section 11. Should any section, clause or phrase of this ordinance be declared invalid by a court of competent jurisdiction, the same shall not affect the validity of this ordinance as a whole, or any part thereof, other than the part so declared to be invalid.

PASSED AND APPROVED by the Governing Body on ________________.

CITY OF TOPEKA, KANSAS

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Michelle De La Isla, Mayor
ATTEST:

Brenda Younger, City Clerk