

1 (Published in the Topeka Metro News _____)
2

3 ORDINANCE NO. _____
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5 AN ORDINANCE introduced by City Manager Brent Trout, concerning Citizen
6 Advisory Council and Neighborhood Improvement Associations,
7 amending § 2.25.040 and § 2.25.050, repealing § 2.25.060 and
8 renumbering sections of Chapter 2.25.
9

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

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

14 **Citizen Advisory Council.**

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

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

24 (c) Members; Terms; Voting. The CAC shall consist of one member ~~elected~~
25 ~~by~~ of each certified neighborhood improvement association (NIA) and three at-large
26 members. All such members shall have full voting rights throughout their term on the
27 CAC. Each CAC member shall serve a three-year term, which shall begin in January,
28 with the exception of those representatives who are filling the remainder of an unexpired

29 term.

30 (1) Certified NIA members. ~~The~~ Each certified NIA shall elect one of its
31 members to serve as its representatives on the CAC. The individual selected
32 must be an active and eligible voting members of the NIA they represent. The
33 ~~NIA representative members will have three-year terms. No person can be the~~
34 ~~NIA representative members on the CAC for~~ shall not serve more than two
35 consecutive terms on the CAC. ~~NIA representatives to the CAC shall be elected~~
36 ~~at NIA annual meetings. An NIA may also elect an alternate CAC representative~~
37 ~~who may represent the NIA's in the event the NIA's CAC representative member~~
38 ~~cannot attend a CAC meeting and may also designate additional alternates to~~
39 ensure that the NIA is represented at CAC meetings. ~~Except, in the event a~~
40 ~~representative cannot complete their entire term, a substitute can be elected at~~
41 ~~any regular NIA meeting.~~ An NIA may elect a substitute CAC representative to
42 complete the unexpired term of the any NIA's representative member who is
43 unable to complete the remainder of the term.

44 (2) At-Large members. The three at-large members of the CAC shall
45 be appointed ~~for three-year terms~~ by the Mayor, with confirmation by the City
46 Council. ~~The at-large members will have three-year terms.~~ At-large members
47 shall not serve beyond the end of their appointed three-year term and, . ~~Upon~~
48 ~~expiration of a such term,~~ the position shall remain vacant until a successor is
49 appointed. ~~No at-large member of the CAC shall serve more than two~~
50 ~~consecutive terms.~~ One at-large member must come from a ~~low and~~
51 ~~moderate~~ low-to-moderate income (LMI) area not represented by a certified NIA

52 or be an LMI citizen of Topeka not residing in an NIA area, ~~and~~ Two at-large
53 members must come from disciplines such as construction trades, architecture,
54 appraising, real estate sales, public finance, mortgage lending, legal, real estate
55 development, residential property management, commercial banking,
56 construction material suppliers, fund raising, neighborhood planning, zoning,
57 engineering, health or ~~other disciplines relevant to housing and neighborhood~~
58 ~~development~~education.

59 (d) Meetings; Officers; Bylaws. ~~At the first annual~~November meeting of the
60 CAC, the voting members will elect a chair and vice-chair, whose terms officially start in
61 January, to conduct the meetings in accordance with Robert's Rules of Order. The
62 ~~Director of Neighborhood Relations will establish bylaws and,~~The CAC chair may
63 designate a CAC member as the group's parliamentarian. The CAC chair, in
64 consultation with the CAC vice-chair and Community Engagement Division staff, will
65 prepare the agenda for each meeting. The CAC will meet quarterly each year unless a
66 special meeting is requested by the Director or the City Council. Community
67 Engagement Division staff will create the meeting minutes, which shall be reviewed by
68 the CAC chair and vice-chair prior to distribution. Community Engagement Division staff
69 shall create and update contact information for CAC members, which shall include the
70 primary and one alternate representative per NIA and at-large appointees; maintain
71 attendance records; and record and maintain minutes of each meeting. The CAC, in
72 consultation with the Community Engagement Director, will conduct an annual review of
73 the established bylaws and present any proposed revisions to the full membership for
74 approval during the third quarter of each calendar year. The CAC will meet at a date,

75 time and place determined by the CAC, which shall include both regular and special
76 meetings. A quorum of the CAC shall consist of those voting members present, and a
77 simple majority of voting members present shall decide any question. ~~Department staff~~
78 ~~shall keep attendance records and minutes of each meeting.~~

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

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

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

87 **Neighborhood improvement associations.**

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

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

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

96 (3) At the organizational meeting, a petition shall be signed by at least 25
97 residents, property owners, businesses and persons having a definable interest

98 in the area requesting certification.

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

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

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

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

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

120 (1) To identify needs, define objectives and express preferences about

121 activities proposed in the community development block grant funding
122 application.

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

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

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

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

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

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

141 **~~Neighborhood improvement association districts.~~**

142 ~~The Mayor will establish neighborhood improvement association (NIA) districts~~
143 ~~for the purpose of assigning rotating voting rights for NIA representatives to the Citizen~~

144 ~~Advisory Council. Each NIA district will consist of at least two NIAs. To the extent~~
145 ~~possible, NIA districts will consist of NIAs whose boundaries are contiguous.~~

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

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

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

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

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

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

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

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

163 PASSED AND APPROVED by the Governing Body on _____.

164
165 CITY OF TOPEKA, KANSAS

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169 _____
170 Michelle De La Isla, Mayor

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ATTEST:

Brenda Younger, City Clerk