

CITY OF HIGH POINT

AGENDA ITEM



Title: Ordinance Amendment to Chapter 3, Article C of the Code of Ordinances (Citizens Advisory Council)

From: Michael E. McNair, Director

Meeting Date: September 18, 2017

Public Hearing: N/A

Advertising Date N/A

Advertised By: N/A

Attachments: Ordinance Amendment to Chapter 3, Article C of the Code of Ordinances (Citizens Advisory Council)

PURPOSE/BACKGROUND:

Council is requested to adopt and implement an Amendment to Chapter 3, Article C of the Code of Ordinances – Citizens Advisory Council.

BUDGET IMPACT:

There is no budget impact.

RECOMMENDATION / ACTION REQUESTED:

The Community Development and Housing Department recommends adoption the Ordinance Amendment.

**AN ORDINANCE AMENDING TITLE 2 - GOVERNMENT AND ADMINISTRATION -
CHAPTER 3 - BOARDS AND COMMISSIONS – ARTICLE C CITIZENS ADVISORY
COUNCIL**

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of High Point that Chapter 3, Article C of the Code of Ordinances of the City of High Point is amended as follows:

ARTICLE C - Citizens Advisory Council

Sec. 2-3-31. - Creation; purpose.

- (a) A ~~citizens advisory council~~ **“CAC”** of the City of High Point, North Carolina is hereby created.
- (b) The purpose of the ~~citizens advisory council~~ **CAC** is to provide two-way communication between ~~the mayor and~~ city council and the citizens of High Point. It shall serve as a forum to hear and screen citizens concerns and priorities and also serve as an advisory body to ~~the mayor and~~ the city council to study, advise and recommend on concerns of the city and its citizens.

Sec. 2-3-32. - General scope.

Meaningful citizens involvement is based on the effectiveness of local government and residents to work toward mutually shared goals and priorities; a clear understanding of how priorities are established; and how priorities, level of services and financial resources interrelate. It is clearly understood that the ~~citizens advisory council~~ **CAC** has no official legislative or directive function in city government. In harmony with provisions of the city charter, it is understood that the city council is the only authorized legislative body in the city and that the city manager is the single administrative authority for directing the implementation by city staff of programs and policies as determined by the city council. The ~~citizens advisory council~~ **CAC** shall be an advisory body to ~~the mayor and~~ the city council and no other power or duties are to be implied herein.

Sec. 2-3-33. - Functions of ~~council~~ CAC.

The functions of the ~~citizens advisory council~~ shall be as follows:

- (1) *Relationship of ~~citizens advisory council~~ CAC to mayor and city council.* The ~~citizens advisory council~~ **CAC** may have a role in advising ~~the mayor and~~ city council in ~~their~~ **the** setting of priorities for the city.
- (2) *Communications to ~~between~~ city council and citizens at large. There shall be maintained an* **The CAC shall encourage and establish effective** and adequate means of two-way communications between citizens of the community and the city council.
- (3) *Receiving of petitions and requests.* The ~~citizens advisory council~~ **CAC** shall serve as a body for the receiving of requests and petitions on behalf of citizens for further

consideration. (This in no way is intended to prevent citizens from taking requests, concerns and petitions directly to city council.)

- (4) *Public hearings.* The ~~citizens advisory council~~ **CAC** shall organize and conduct **at least one** public hearings **per year** in cooperation with the city council for the citizens of High Point ~~with a minimum of three (3) meetings per year.~~
- (5) *Reports to city council.* The ~~citizens advisory council~~ **CAC** shall report to ~~the mayor and city council~~ **not less than** quarterly on its activities through a written performance report prepared by staff and approved by the ~~citizens advisory council~~ **CAC**.
- (6) *Duties and responsibilities generally.* The ~~responsibilities of the citizens advisory council~~ **CAC shall advise** ~~will be to assist in providing input into the goals which are to be developed by the city council;~~ **on the** establishment of a communications network between ~~the citizens and city council;~~ to hear the concerns **and petitions** of citizens and receive petitions from throughout the community and to forward them with or without recommendation to ~~the mayor and city council for their~~ **council's** consideration. **The CAC** ~~It shall also assist in providing~~ **provide** input for the city's community development program, by way of goal formulation, identification of community development target areas and establish**ment of programs** and funding priorities ~~and by~~ **forwarding** these recommendations to the city council.

Sec. 2-3-34. - Composition.

The ~~citizens advisory council~~ **CAC** shall be composed of nine (9) members.

(Ord. No. 89-36, § 1, 4-6-89; Ord. No. 00-128, § 1, 12-21-00)

Sec. 2-3-35. - Members; selection procedure.

- (a) The **nine** members of the ~~citizens advisory council~~ **CAC** shall be **nominated by the mayor and each member of city council (one each)** ~~selected for membership in the following manner: The mayor shall nominate one (1) member. Eight (8) nominations are to be made by city councilpersons of which one (1) nomination will be made by the six (6) ward representatives, and one (1) each shall be nominated by the two (2) at-large council representatives.~~ All nominees shall be appointed with confirmation or approval of the city council.
- (b) If ~~any~~ **nominees are** **is** not accepted by city council, the person making the original nomination shall submit an alternate nomination.

(Ord. No. 89-36, § 2, 4-6-89; Ord. No. 00-128, § 2, 12-21-00)

Sec. 2-3-36. - Term of office.

The term of office for each member shall be as follows:

- (1) All members will serve a two-year term, **beginning June 1st.**

- (2) No member shall serve more than three (3) consecutive two-year terms; **partial terms of office of less than a full two-year term shall not be considered a two-year term and shall not apply to the term limits of this section.**
- (3) **The term of office for those members appointed by the mayor and those appointed by the council persons representing wards 2, 4, and 6 shall expire in even numbered years (effective May 2018).**
- (4) **The term of office for those members appointed by the at large representatives and those appointed by councilperson representing wards 1, 3, and 5 shall expire in odd numbered years (effective May 2019).**

(Ord. No. 89-36, § 3, 4-6-89)

Sec. 2-3-37. - ~~Same~~; **R**emoval of members.

(a) A member of the ~~citizens advisory council~~ **CAC** shall be removed by the council for any of the following reasons:

- (1) *Ceasing to be a citizen of High Point.* Any ~~citizens advisory council~~ **CAC** member who removes his/her residence from the City of High Point during his/her term shall automatically cease to be a member of the ~~citizens advisory council~~ **CAC** on the date of his/her move from the city.
- (2) *Ceasing to be a citizen of a ward.* Any member nominated by a ward councilman or as a CAC ward representative who moves his/her residence from the ward shall automatically cease to be a member of the ~~citizens advisory council~~ **CAC** on the date of his/her move from the ward.

(b) City Council may consider removal of a member whose conduct brings ~~(3) Any conduct that may bring discredit to the citizens advisory council CAC, city council or City of High Point. Any member who is alleged of bringing discredit to the citizens advisory council CAC, city council or City of High Point.~~

(c) (4) ——— Absenteeism(three (3) meetings). City Council may consider removal of a member for excessive absenteeism. ~~Prior notification is required when absences are anticipated. Any member who misses three (3) consecutive unexcused CAC meetings shall be subject to removal.~~

~~(5) Removal of member. An affirmative vote of at least three fourths (¾) of the CAC members present shall be required to cause removal of a member.~~

(Ord. No. 89-36, § 4, 4-6-89)

Sec. 2-3-38. - ~~Same~~; **M**ethod of filling vacancies.

~~A vacancy on the citizens advisory council CAC arising out of resignation, removal or for whatever reason shall be filled in the following manner. A vacancy on the council CAC shall be~~

replaced filled by the entity making the original nomination by the same procedure city council as set out forth in section 2-3-35.

Sec. 2-3-39. - Standing sub-committees.

(a) ~~The standing sub-committees of the council~~ CAC shall be as follows:

- (1) ~~Environmental affairs;~~
- (2) ~~Housing;~~
- (3) ~~Planning and development; and~~
- (4) ~~Human resources.~~

(b) ~~Additional s~~ Sub or ad hoc committees shall be formed as needed.

Sec. 2-3-40. - Work plan.

Each sub-committee shall ~~make reports~~ on its accomplishments at each meeting of the ~~citizens advisory council~~ CAC.

Sec. 2-3-41. - Chairmen of standing sub-committees.

Chairmen of standing sub-committees shall be selected by the chairman of the ~~appointment of the citizens advisory council CAC chairman or elected by the committees them with method of selection at the discretion of the chairman. Chairmen of the committees, whether appointed or elected, shall be subject to the approval of the council membership.~~

Sec. 2-3-42. - Officers.

- (a) *Chairman.* A chairman shall be elected by the ~~citizens advisory council~~ CAC from among its members. The term of the chairman shall be for one (1) year and the chairman shall be eligible for re-election for one (1) consecutive term. The chairman shall preside at all ~~council~~ CAC meetings and decide all matters of order and procedure, subject to ~~council~~ CAC by-laws and procedures, unless directed otherwise by a majority of the ~~council~~ CAC in session at the time. The chairman shall appoint any committees found necessary to consider any matters properly before the ~~council~~ CAC or to perform any of its duties with the approval of the ~~council~~ CAC.
- (b) *Vice-chairman.* A vice-chairman shall be elected by the ~~council~~ CAC from among its members, in the same manner and for the same term as the chairman. The vice-chairman shall serve as acting chairman in the absence of the chairman or when requested to do so by the chairman, and at this time the vice-chairman shall have the same powers and duties as the chairman.
- (c) *Secretary.* A secretary shall be elected by the ~~council~~ CAC from its members in the same manner and the same term as the chairman. The secretary, subject to the direction of the chairman and the ~~citizens advisory council~~ CAC, shall keep all records, and be responsible for all correspondence of the ~~council~~ CAC. The secretary shall keep minutes of each ~~council~~ meeting and hearing, every resolution acted upon by the ~~council~~ CAC and all votes of the ~~council~~ CAC upon any ~~resolution or other~~ matter, indicating the names of members absent or failing to vote.

Sec. 2-3-43. – Executive committee.

- (a) The executive committee of the ~~citizens advisory council~~ CAC shall consist of the officers of the ~~council~~ CAC and the chairmen of the standing sub-committees.
- (b) Powers and duties. The executive committee shall have the authority within the scope of these by-laws:
 - (1) To implement policy and make decisions in the administration of the program;
 - (2) To perform any of the duties of the ~~council~~ CAC in situations calling for immediate action or attention; and
 - (3) To perform any other duties and functions as the ~~council~~ CAC may from time to time authorize;
- (c) The ~~citizens advisory council~~ CAC can rescind, revoke or modify any action of the executive committee, unless action has been approved by the city council.

Sec. 2-3-44. – Meetings.

- (a) Regular meetings. Regular meetings of the ~~citizens advisory council~~ CAC shall be held each month on a date, time, and place approved by the ~~council~~ CAC.
- (b) Special meetings. Special meetings shall be called by the chairman or vice-chairman with the approval of the executive committee. Adequate notice shall be given of the business to be discussed. The chairman shall call a special meeting upon request of the mayor without approval of the executive committee. No published notification of special meetings is required.
- (c) Sub-committee meetings. All sub-committees shall meet as often as required to carry out their assigned responsibilities.
- (d) All meetings of the ~~citizens advisory council~~ CAC shall be open to the public.

Sec. 2-3-45. – Members at large.

All members of the ~~citizens advisory council~~ CAC shall perform their duties and responsibilities as requested by the chairman and serve on at least one (1) or more of the standing ~~citizens advisory council~~ CAC sub-committees.

Sec. 2-3-46. – Quorum; voting.

- (a) *Quorum.* The ~~citizens advisory council~~ CAC shall not conduct any official business unless a quorum is present.
- (b) *Voting procedure.* Unless otherwise specified in the by-laws and procedures, the affirmative vote of a majority of those members present and voting shall be necessary to pass a motion (providing a quorum is present). The chairman shall be entitled to vote on any matter coming before the ~~citizens advisory council~~ CAC.

(Ord. No. 91-71, § 1, 11-21-91)

Sec. 2-3-47. - Conduct of meetings.

The order and conduct of the meetings shall may be in accordance with Robert's Rules of Order, Revised at the discretion of the CAC.

Sec. 2-3-48. - ~~Amendments of by-laws.~~ Rules of procedure.

~~The rules may within the limits allowed herein be amended at any time by an affirmative vote of eight (8) members of those present, and provided that the amendment be presented in writing at least two (2) weeks preceding the meeting at which the vote is taken.~~ The CAC shall adopt any rules and regulations as may be necessary for the proper discharge of its duties, which shall be reported to the city council, and filed with the city clerk.

(Ord. No. 91-71, § 2, 11-21-91)

Sec. 2-3-49. - ~~Same; m~~ Meetings, quorum and voting.

Meetings of the executive committee can be called by the chairman, vice-chairman, or by any two (2) voting members of the committee for a specific date, time and place. The presence of at least a majority of the voting members shall constitute a quorum, and the affirmative vote of a majority of voting members shall be necessary to pass a motion.

Sec. 2-3-50. - ~~Same; reports~~ Minutes.

The executive committee shall record minutes of each executive committee meeting and shall furnish, within a reasonable time, copies of those minutes to each ~~citizens advisory council~~ CAC member. The minutes of the ~~executive committee~~ CAC shall be submitted to the council by the next meeting of the council.

Sec. 2-3-51. - Staff support.

Staff assistance will be made available from the department of community development as requested by the chairman.

Secs. 2-3-52—2-3-55. - Reserved.

Adopted this the 18th day of September, 2017.

Mayor William S. Bencini, Jr.

ATTEST:

Lisa B. Vierling, City Clerk