

City of Dayton, Ohio

# COMMUNITY & NEIGHBORHOOD DEVELOPMENT ADVISORY BOARD (CNDAB) POLICIES AND PROCEDURES



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# Table of Contents

<b>BOARD NAME</b> .....	<b>3</b>
<b>PURPOSE</b> .....	<b>3</b>
<b>ROLE OF THE CITY MANAGER</b> .....	<b>3</b>
<b>MEMBERSHIP</b> .....	<b>4</b>
<i>I. Composition</i> .....	<i>4</i>
<i>II. Appointing Agencies</i> .....	<i>4</i>
<i>III. Term Limits</i> .....	<i>4</i>
<b>CHAIRPERSONSHIP</b> .....	<b>4</b>
<i>I. Composition</i> .....	<i>4</i>
<i>II. Responsibilities</i> .....	<i>5</i>
<i>III. Staff to CNDAB</i> .....	<i>5</i>
<i>IV. Committees</i> .....	<i>5</i>
<b>MEETINGS</b> .....	<b>5</b>
<i>I. Date and Time</i> .....	<i>5</i>
<i>II. Quorum</i> .....	<i>6</i>
<i>III. Canceling/Changing the Date of a Meeting</i> .....	<i>6</i>
<i>IV. Special Meeting</i> .....	<i>6</i>
<i>V. Meeting Agenda Items</i> .....	<i>6</i>
<b>MEMBER RESPONSIBILITIES</b> .....	<b>6</b>
<i>I. Conflict of Interest</i> .....	<i>7</i>
<b>PARLIAMENTARY AUTHORITY</b> .....	<b>8</b>
<i>I. Obtaining the Floor</i> .....	<i>8</i>
<i>II. Point of Order</i> .....	<i>8</i>
<i>III. Voting</i> .....	<i>8</i>
<i>IV. Motions</i> .....	<i>8</i>
<i>V. Debate</i> .....	<i>9</i>
<b>AMENDMENTS TO THE POLICIES AND PROCEDURES</b> .....	<b>10</b>

## **BOARD NAME**

The name of this Board shall be the Community and Neighborhood Development Advisory Board, hereinafter referred to as CNDAB.

## **PURPOSE**

CNDAB is an advisory board to the City Manager and serves under the direction of the City Manager. The primary purpose of CNDAB is to:

- I. Review and recommend priorities for the City's use of federal funds from the U.S. Department of Housing & Urban Development (HUD), for both operating and capital programs/projects. These funds include, but are not limited to, Community Development Block Grant (CDBG), HOME Investment Partnership Program (HOME), Emergency Solutions Grant (ESG), and the Shelter Plus Care Program (S+C).
- II. CNDAB is the focal point for the development and implementation of the Consolidated Plan and the Annual Action Plan. The board serves as a public review process providing guidance, reviewing and recommending policies, making recommendations and advocating for the use of community resources.
- III. Review and recommend to the City Manager, based on the City's adopted Consolidated Plan, allocations and/or amendments to the planned use of the City's CDBG, HOME, ESG, and S+C programs.
- IV. CNDAB shall be used for citizen input and review for other capital resource allocation processes.

## **ROLE OF THE CITY MANAGER**

- I. City Manager may assign a charge to the CNDAB as well as prescribe additional tasks related to fulfilling the stated purpose of the Board.
- II. City Manager receives recommendations from the CNDAB on various issues, including but not limited to the HUD Consolidated Plan, Annual Action Plans, allocation processes and policies. Once the recommendations are received, the City Manager shall:
  - a. Review CNDAB recommendations;
  - b. Adopt or revise the recommendations, and inform the CNDAB of concurrence or changes;
  - c. Forward final recommendations to the City Commission.
- III. City Manager approves all member agency appointments to the CNDAB, as the need arises, but not less than on an annual basis. The City Manager has the discretion to decline any and all

agency appointments to the board. In those instances, the City Manager will request the appointing agency to submit another appointee.

## **MEMBERSHIP**

CNDAB shall be made up of 12 voting members. Nominations for board representatives are made by the Director of the Department of Planning, Neighborhoods, and Development. The City Manager appoints members.

### **I. Composition**

#### **12 Total Members**

7 At Large Members Representing LMI persons or households within their neighborhoods

- At minimum 1 Non-Native English Speaker

2 Public Housing (GDPM), CoC, or other LMI Representative Organization

4 City Staff

- OMB
- Public Works
- Planning, Neighborhoods, and Development- also serves as Chairman

### **II. Appointing Agencies**

By December 1<sup>st</sup> of term expiration year, the appointing agency for each entity represented on CNDAB will submit the name of the individual recommended for appointment as the voting member to the CNDAB Secretary.

The Director of the Department of Planning, Neighborhoods, and Development will verify the eligibility of members, and the slate will be submitted to the City Manager for approval.

In the event a member from an appointing agency resigns, their alternate will assume their role on the board until a written submission of their successor is provided to the Chairperson and that appointment is approved by the City Manager.

### **III. Term Limits**

The City Manager appoints members to the board for two-year staggered terms; in 2016, the City Manager will appoint members for two- or three-year terms.

## **CHAIRPERSONSHIP**

### **I. Composition**

The Director of the Department of Planning, Neighborhoods, and Development appoints the Chairperson to preside over CNDAB meetings; the Director of the Office of Management & Budget serves as the alternate Chairperson. When the alternate Chairperson is chairing a meeting, their alternate becomes a voting, seated CNDAB member. If the Director of the Office of Management and Budget is also the permanent member, the Department will be allocated two alternate positions.

## II. Responsibilities

The responsibilities of the chairperson are:

- Ensure the City Manager's directives are carried out;
- Chair meetings and develop the agenda in conjunction with the secretary and/or the most senior member of staff;
- Provide leadership and ensure the effective operation of the governing body;
- Ensure CNDAB's recommendations to the City Manager are submitted as approved.

## III. Staff to CNDAB

The Department of Planning, Neighborhoods, and Development shall staff the Secretary position to CNDAB. The Secretary is responsible for providing members with timely meeting notices, preparing agendas and recording meeting minutes. City staff, as directed by the Chairperson, shall present regular status reports and provide updates to the CNDAB on HUD programs and related issues.

## IV. Committees

The Chairperson may appoint ad hoc committees to perform specific tasks that arise and are related to the purpose of the Board. CNDAB members are expected to respect the Chairperson's decision in appointing them to a committee, recognizing that such an appointment is part of their responsibilities as a CNDAB member. The Chairperson will make every effort to balance such committees between staff and the public, and further, where possible, that those residents are geographically representative of the City.

All committees are responsible to and under the direction of the Chairperson. Any subject or duty assigned to a committee may be withdrawn at any time and assigned to a different committee. The Chairperson may further replace any and all members of a committee.

A committee cannot represent CNDAB to any outside person or organization except when clearly authorized to do so. Upon completion of its assigned task, a committee ceases to exist.

# MEETINGS

## I. Date and Time

The CNDAB shall meet on the second Monday of each month **at 4:30 p.m.** The Department of Planning, Neighborhood, and Development staff shall give written notice to Board Members stating the date, time, and place of each meeting, either by mail, electronic communication, or personal delivery, not less than five (5) days before the meeting.

Board meetings are open to the public and public comment is encouraged. The agenda will reflect a designated citizen's comment period prior to the CNDAB conducting any business; audience participation will be limited to comments directed to the Chairperson. However, if a resident wishes to address the CNDAB in regards to a particular subject in the midst of a meeting, they must either be assigned to the agenda at least (10) days prior to that meeting, be recognized by the Chairperson to speak, or be approved by a majority vote of the members present. The comments of residents speaking in the midst of a meeting must be relevant to the subject discussed at that time and the Chairperson has the authority to determine and enforce that relevancy.

Members of the public attending CNDAB meetings do not have the right to interrupt or heckle a member. Engagement in such behavior can be grounds for removal from the meeting at the discretion of the Chairperson.

## **II. Quorum**

A simple majority (51%) of seven (7) CNDAB members shall constitute a quorum for the transaction of business.

If a quorum is present, any vote issued by that quorum is valid. Until a quorum is present, no meeting can be called to order. The question as to the presence of a quorum must be raised at the time a vote is taken and cannot be raised later.

## **III. Canceling/Changing the Date of a Meeting**

A meeting may be canceled if the Chairperson determines that there are no business items pending that necessitate the meeting.

The Chairperson may also cancel a meeting due to extenuating circumstances, such as weather or the accepted knowledge that a quorum cannot be realized. Any Board member, or members, in disagreement with that decision may petition to have the meeting held.

A regularly scheduled meeting may be changed in the event that date falls on an observed holiday, local, state, federal election day, or other major community wide event. In that instance, staff will provide written notice stating that the meeting has been changed, informing members of the rescheduled date, time and place not less than ten (10) days before it is to be held.

## **IV. Special Meeting**

The Chairperson may call a special meeting, provided that written notice stating the date, time, and place of the meeting is mailed, faxed, or personally delivered to Board members not less than five (5) days before the meeting. Written notice is not required if announcement of the special meeting is made at a meeting where a quorum of the members is present; however those members not in attendance will be informed of the special meeting by phone or e-mail.

If a Board member wishes to call a special meeting, they may contact the CNDAB Secretary for a petition form requesting that the meeting be held. The petitioners must secure nine (9) of the board's signatures and present the petition to the Chairperson at least seventy-two (72) hours before the special meeting is scheduled to occur. The Chairperson, upon receipt, is required to inform the remainder of the CNDAB's membership as to the time, date, location, and purpose of the meeting.

## **V. Meeting Agenda Items**

Members shall contact the Chairperson to place items on the agenda, not less than ten (10) days before the meeting.

# **MEMBER RESPONSIBILITIES**

All CNDAB members are expected to:

- Attend scheduled meetings on time;
- Keep alternates informed of all pertinent actions, issues and discussions;
- Respect other members, by not engaging in side conversations when another board member is talking;
- Be mindful of the citywide perspective that represents the scope and responsibility of this Board;
- Inform the CNDAB Secretary of the following:
  - Inability to attend.
  - Alternates' ability/inability to attend scheduled meetings.

Members who are unable to attend a scheduled meeting shall notify the CNDAB Secretary and contact their alternate to attend the meeting for them, not less than twenty-four (24) hours before the meeting.

Members shall practice The Standard Code of Parliamentary Procedure and these policies and procedures during meetings. The Chairperson shall request that any member whose conduct violates these rules and/or disrupts the transaction of business must leave the meeting.

#### **I. Conflict of Interest**

Members have both a legal and moral duty to disclose any conflicts of interest arising from matters discussed and decisions levied by the CNDAB, where they have a personal financial interest in such decisions. In those instances, members are expected to announce that they recuse themselves from the matter, and though allowed to respond to questions posed to them by other board members or the public, they are not allowed to initiate comments or vote on the matter.

No member of the Board shall participate in the selection, award, or administration of a contract supported by CDBG, HOME, ESG, or S+C funds, if a conflict of interest, real or apparent, is involved. Such a conflict would arise when a member, any member of the immediate family of a Board member, a partner of a member, or an organization which employs or is about to employ, any of the foregoing, has a personal, financial or other interest in the firm selected for award.

## PARLIAMENTARY AUTHORITY

All matters not covered by CNDAB Policies and Procedures shall be governed by The Standard Code of Parliamentary Procedure.

### **I. Obtaining the Floor**

Each member shall obtain the right to speak by raising his/her hand and addressing the Chairperson by the applicable title, i.e., Mr./Ms. Chairperson. The Chairperson shall then announce the member's name thereby assigning his/her the right to speak. Where two or more members address the Chairperson simultaneously, the Chairperson shall decide which member to recognize and give preference to one who has not spoken. A member shall not be interrupted after obtaining the right to speak, except by a point of order. At the conclusion of their statement, a speaker may choose whether to respond to questions on a case by case basis.

### **II. Point of Order**

A Point of Order is the claim that The Standard Code of Parliamentary Procedure or CNDAB Policies and Procedures are being violated. A member may request that the Chairperson enforce these rules, without waiting for recognition, by saying, "Point of Order!" The Chairperson shall then ask the member to state his/her point. If the point is correct, the Chairperson states, "The point of order is taken" and corrects the violation. If the point is incorrect the Chairperson says, "The point is not taken" and explains his/her decision to reject the point of order.

A member who believes that the Chairperson is mistaken or unfair may make a motion to appeal to have the board decide by vote whether the Chairperson's decision should be upheld or overruled. If seconded, the Chairperson may state the reason for his/her ruling, if the explanation of the Chairperson satisfies the member who made the appeal, he may withdraw it. If not, the appealing member then states his/her reason for the appeal. An appeal is permissible only immediately after a Chairperson's decision has been rendered.

### **III. Voting**

- All members approved for appointment to CNDAB may vote.
- Alternates shall vote only in the absence of the appointed CNDAB member.
- Motions shall be adopted by a majority vote of those present, with the Chairperson voting only in the event of a tie.

Voting by proxy, by which an absent member authorizes a different party to cast their vote for them, is prohibited. Members or their duly appointed alternates must be present to have their vote tabulated.

Like any other board member, the Chairperson cannot be required to cast a vote.

### **IV. Motions**

The person who proposes a motion has the first opportunity to comment on it and is also allowed to speak last on the matter after all other members who desire to participate in the discussion have done so.

In order to avoid confusing members, motions must be stated in the affirmative. For example, the motion "I move that we do not permit any member to remain on the CNDAB who has not been present at three consecutive meetings and has not been excused," must be rephrased and

stated in the affirmative. "I move that any member of the CNDAB who misses three consecutive meetings without being excused, be removed from the committee."

All discussion must be relevant to the motion before the board. A member is given the floor only to discuss the pending question.

Any motions that seek to limit the rights of members to propose, discuss and decide proposals, including motions to close debate, to limit debate, to suspend the rules or table a motion, require a two-thirds vote.

If the Chairperson believes that a motion is comprised of two or more independent parts, they have the discretion to divide it into separate motions and have them voted on separately.

A motion to end debate cannot be combined with a motion itself. For example, the motion "I move that the CNDAB allocate \$10,000 to the CityFolk Festival and that debate be closed," is out of order.

While amendments to a motion may be hostile to that motion, nullifying it or completely changing its effect, an amendment to a motion must always be relevant to and have direct bearing on the motion under consideration. The Chairperson shall rule those amendments that do not have such bearing, "out of order" because "they are not germane to the motion."

The Chairperson has the authority to request that a vote on ending the debate of an issue be taken.

The Chairperson has the right to stem delaying tactics - such as the asking of pointless questions, making unnecessary motions, or talking around a point - by stating that such conduct is out of order.

The Chairperson has the authority to request that any motion be submitted in writing.

When a motion has been voted on and lost, the same, or substantially the same motion, cannot be proposed again at the same meeting.

The Chairperson cannot propose motions or nominate candidates. This is a point of parliamentary rule, to prevent the Chairperson from unduly influencing the manner in which the CNDAB conducts business, as well as its selection of representatives.

## V. Debate

Chairperson, whenever possible, should alternate between the proponents and opponents of a motion. In order to discern this, the Chairperson may ask a member seeking recognition to be heard, which viewpoint, if either, the member plans to represent.

Debate must be fundamentally impersonal. All discussion is addressed to the Chairperson and never to a particular individual. The Chairperson has the responsibility of controlling and expediting a debate, while protecting the rights of the speaker by insisting that the Board is attentive and respectful to their comments.

## **AMENDMENTS TO THE POLICIES AND PROCEDURES**

No amendments may be adopted that are in conflict with the Codified Ordinances of the City of Dayton or Community Development Block Grant, HOME Investment Partnership, Emergency Solutions Grant programs, or any applicable HUD regulations.

In order to recommend amendments to the Policies and Procedures of CNDAB, the following conditions must be met:

- Members must be allowed at least (14) days to review prospective changes in writing;
- Prospective changes will be written as individual items and voted on as such;
- A quorum must be present and an affirmative two-thirds vote of the voting members present must be achieved in order to forward the proposed amendment to the City Manager.

Any amendment to the policies and procedures voted upon by the CNDAB shall be forwarded to the City Manager for approval. The Chairperson shall communicate the City Manager's decision to either adopt or decline the recommended policy or procedure change to CNDAB.

If the City Manager adopts the recommended changes, staff will prepare the amended text for inclusion into the policies and procedures and distribute them to the CNDAB members and alternates.