

Exhibit B: Certificate of the Amended Charter

FOR THE CITY OF BOZEMAN AMENDED CHARTER 2026

PREAMBLE

We, the people of the City of Bozeman, under the constitution and laws of the State of Montana, in order to secure the benefits of local self-government and to provide for an honest, accountable, and responsive commission-manager government, do hereby adopt this charter and confer upon the city the following powers, subject to the following restrictions, and prescribed by the following procedures and governmental structure. By this action, we affirm the values of self-governance, representative democracy, human rights, professional management, leadership, public engagement, and regional cooperation.

ARTICLE I POWERS OF THE CITY

Section 1.01. Powers of the City.

The City of Bozeman shall have all powers possible for a city with self-governing powers to have under the constitution and laws of the State of Montana as fully and completely as though they were specifically enumerated in this charter. The city exercises three branches of government: legislative, executive and judicial powers.

Section 1.02. Construction.

- a) **Powers.** The powers of the city under this charter shall be construed liberally in favor of the city, and the specific mention of particular powers in the charter shall not be construed as limiting in any way the general power granted in this article.
- b) **Priority Construction.** As provided by Article XI, Section 5 of the Constitution of Montana, provisions herein establishing executive, legislative, and administrative structure and organization are superior to statutory provisions.

Section 1.03. Intergovernmental Relations.

The City of Bozeman may participate by contract or otherwise with any governmental entity of the State of Montana or any other state or states or the United States in the performance of any activity which one or more of such entities has the authority to undertake.

ARTICLE II CITY COMMISSION

Section 2.01. General Powers and Duties.

All powers of the city shall be vested in the city commission, except as otherwise provided by law or this charter, and the commission shall provide for the exercise thereof and for the performance of all duties and obligations imposed on the city by law.

Section 2.02. Eligibility, Terms, and Composition.

- a) **Eligibility.** Only registered voters as defined pursuant to Article IV, Section 2 of the Montana Constitution, whose principal residence is in the City of Bozeman, shall be eligible to hold the office of commission member or mayor.
- b) **Terms.** The term of office of elected officials shall be four years elected in accordance with Article VII.

Sub-option 1: Whether the City Commission is comprised of four or six commissioners.

The Study Commission presents this question to the voters, allowing voters to determine whether the city commission should be composed of four or six members, in addition to the mayor. In this sub-option, voters will choose whether to retain the current number of commissioners at four or whether to add two additional commissioners for a total of six commissioners.

This sub-option will only take effect if the amended charter is also approved by the voters. The selection receiving the most votes will be included in this charter if the amended charter is approved by the voters. The text of the option not chosen by voters will be deleted from the charter following the election.

SELECTION 1:

- c) **Composition.** The commission shall be composed of **FOUR** members elected by the voters of the city in accordance with provisions of Article VII, and the mayor elected as provided in §2.03(b).

OR

SELECTION 2:

- c) **Composition.** The commission shall be composed of **SIX** members elected by the voters of the city in accordance with provisions of Article VII, and the mayor elected as provided in §2.03(b).

Sub-option 2: Whether City Commissioners may live anywhere within the city limits or must reside within the ward they represent

The Study Commission presents this question to the voters, allowing them to determine whether the members of the city commission, excluding the mayor, may live anywhere within city limits, or must reside within the ward they represent. This question is independent of whether the commission consists of four or six members. If voters determine to elect city commissioners by wards, this charter must contain the method of election to be determined by the voters in Sub-option 3 (Section 7.03), below.

This sub-option will only take effect if the amended charter is also approved by the voters. The selection below that receives the most votes will be included in this charter only if this charter is approved by the voters. The text of the option not chosen by voters will be deleted from the charter. If voters choose to elect commissioners at-large (Selection 1), the text of Sections 7.03 and 7.04 below will be deleted from the charter.

SELECTION 1:

- d) **Residency Requirements for Commissioners:** City commissioners may live anywhere in the City of Bozeman and shall be elected at large pursuant to Section 7.03.

OR

SELECTION 2:

- d) **Residency Requirements for Commissioners:** City commissioners are required to reside within the ward they represent and shall be elected by wards pursuant to Section 7.03.

Section 2.03. Mayor

- a) **Powers and Duties.** The mayor shall be a voting member of the city commission and shall attend and preside at meetings of the commission; represent the city in intergovernmental relationships; present an annual state of the city message; add an item to the commission agenda prepared by the city manager; assign, subject to the consent of the commission, agenda items to sub-committees of the commission; and perform other duties specified by the commission. The mayor shall be recognized as head of the city government for all ceremonial purposes and by the governor for purposes of military law but shall have no administrative duties and shall not interfere with the administration of the city as provided in §2.05(c), below. The mayor shall not have any appointment power to city boards except where required by state law.
- b) **Mayor Elected At Large.** At a regular city election, the voters of the city shall elect a mayor at large for a term of four years.
- c) **Appointing a Vice Mayor.** In January following each regular city election, the commission shall appoint a vice mayor from among its members who shall serve and function as mayor during the absence of the mayor. The vice mayor shall serve a term of two years which ends at the beginning of the first regularly scheduled meeting in January following the next regular city election.

Section 2.04. Compensation; Expenses.

The city commission shall appoint a city compensation board to recommend to the city commission the annual salaries of the mayor and commissioners. The compensation board shall include: two commissioners; the city's financial director; and four Bozeman residents who are registered voters and have their primary residence in the city. The two commissioners and financial director shall serve as non-voting, ex-officio members. Meetings of the compensation board shall be open to the public and publicly noticed.

The compensation board recommends compensation for commissioners and the mayor to the city commission, taking into consideration the duties and obligations of the commission. The city commission shall adopt salaries for the mayor and commissioners by ordinance prior to the filing period for the next municipal election. No ordinance to increase such salary shall become effective until the date of commencement of the terms of commission members elected at the next municipal election.

The mayor and commission members shall receive reimbursement for their actual ordinary and necessary expenses incurred in the performance of their duties of office.

Section 2.05. Prohibitions.

- a) **Holding Other Office.** Except where authorized by law, no commission member shall hold any other elected public office during the term for which the member was elected to the commission. No commission member shall hold any other city office or city employment during the term for which the member was elected to the commission. No former commission member shall hold any compensated appointive office or employment with the city until one year after the expiration of the term for which the member was elected to the commission, unless granted a waiver by the board of ethics. Nothing in this section shall be construed to prohibit the commission from selecting any current or former commission member to represent the city on the governing board of any regional or other intergovernmental agency, or any city board.
- b) **Appointments and Removals.** Neither the city commission nor any of its members shall in any manner control or demand the appointment or removal of any city administrative officer or employee whom the city manager or any subordinate of the city manager is empowered to appoint, but the commission may express its views and fully and freely discuss with the city manager anything pertaining to appointment and removal of such officers and employees.
- c) **Interference with Administration.** Except for the purpose of inquiries, and investigations under Section 2.09, the commission or its members shall communicate with city officers and employees who are subject to the direction and supervision of the city manager through the city manager, and neither the commission nor its members shall give orders to any such officer or employee, either publicly or privately.

Section 2.06. Vacancies; Forfeiture of Office; Filling of Vacancies.

- a) **Vacancies.** The office of a commission member or mayor shall become vacant upon the officeholder's death, resignation, or removal from office or forfeiture of office in any manner authorized by law. If the mayor is permanently incapacitated, dies, resigns from office, or is removed from office, the vice mayor shall succeed as mayor until the next municipal election; and the commission vacancy created therein shall be filled pursuant to this section. A new vice mayor shall be appointed as provided for in §2.03(c).
- b) **Forfeiture of Office.** The mayor or a commissioner shall forfeit that office if the mayor or commissioner:
 - 1) Fails to meet or maintain the eligibility requirements,
 - 2) Violates any provisions expressly prohibited in this charter,
 - 3) Is convicted of a felony, or
 - 4) Fails to attend three consecutive regular meetings of the commission without being excused by the commission.
- c) **Filling of Vacancies.** A vacancy in the city commission shall be filled within 60 days of the occurrence of the vacancy by vote of the existing city commissioners. Commissioners must hold a public forum with applicants for the vacant commission position. This appointment will be in place until the next municipal election. The vacancy shall otherwise be filled, pursuant to state law.

Section 2.07. Judge of Qualifications.

The city commission shall be the judge of the grounds for forfeiture of a member's office, pursuant to §2.06(b). To exercise these powers, the commission shall have power to subpoena witnesses, administer oaths and require the production of evidence. A member charged with conduct constituting grounds for forfeiture of office shall be entitled to a public hearing on demand and notice of such hearing shall be published electronically and in one or more newspapers of general circulation in the city pursuant to state law.

Section 2.08. City Clerk.

The city commission or the city manager, as designated by ordinance, shall appoint an officer of the city who shall have the title of city clerk. The city clerk shall give notice of commission meetings to its members and the public, keep the journal of its proceedings and perform such other duties as are assigned by this charter, by the commission or by state law.

Section 2.09. Investigations.

The city commission may make investigations into the affairs of the city and the conduct of any city department, office, or agency and for this purpose may subpoena witnesses, administer oaths, take testimony, and require the production of evidence. Failure or refusal to obey a lawful order issued in the exercise of these powers by the commission shall be a misdemeanor punishable pursuant to state law.

Section 2.10. Procedure.

The city commission shall, by ordinance, establish its rules of procedure and time and place of meetings, in accordance with state law.

Section 2.11. Action Requiring Ordinance.

In addition to other acts required by law or by specific provision of this charter to be done by ordinance, those acts of the city commission shall be by ordinance which:

- 1) Adopt or amend an administrative code or establish, alter, or abolish any city department, office, or agency;
- 2) Provide for a fine or other penalty or establish a rule or regulation for violation of which a fine or other penalty is imposed;
- 3) Levy a new tax;
- 4) Grant, renew, or extend a franchise;
- 5) Convey, lease or authorize the conveyance or lease of any lands of the city;
- 6) Amend or repeal any ordinance previously adopted; or
- 7) Adopt, with or without amendment, ordinances proposed under the initiative power.

Acts other than those referred to in the preceding list may be done either by ordinance or by resolution.

Section 2.12. Ordinances in General.

Ordinances, regular, emergency, and technical regulations, will be proposed, published, and approved in accordance with state law. In addition to the requirements of state law, ordinances, administrative regulations, resolutions, and the Bozeman Municipal Code will be published electronically.

ARTICLE III

CITY MANAGER

Section 3.01. Appointment; Qualifications; Compensation.

The city commission, by a majority vote of its total membership, shall appoint a city manager for an indefinite term and fix the manager's compensation. The city manager shall be appointed solely based on education and experience in the accepted competencies and practices of local government management. The manager need not be a resident of the city or state at the time of appointment but may reside outside the city while in office only with the approval of the commission. The commission must conduct an annual comprehensive performance evaluation of the city manager.

Section 3.02. Removal.

If the city manager declines to resign at the request of the city commission, the city commission may suspend the manager by a resolution approved by the majority of the total membership of the city commission. This resolution shall set forth the reasons for suspension and proposed removal. A copy of such resolution shall be served immediately upon the city manager. The city manager shall have fifteen days in which to reply thereto in writing and, upon request, shall be offered a public hearing, which shall occur not earlier than ten days nor later than fifteen days after such hearing is requested. After the public hearing, if one is requested, and after full consideration, the city commission, by a majority vote of its total membership, may adopt a final resolution of removal. The city manager shall continue to receive full salary until the effective date of the final resolution of removal.

Section 3.03. Acting City Manager.

The city manager shall designate a city officer or employee to exercise the powers and perform the duties of city manager during the manager's temporary absence or disability. The city commission may revoke such designation at any time and appoint another officer of the city to serve until the city manager returns.

Section 3.04. Powers and Duties of the City Manager.

The city manager shall be the chief executive officer of the city, responsible to the commission for the management of all city affairs placed in the manager's charge by or under this charter. The city manager shall:

- 1) Appoint and suspend or remove all city employees and appointive administrative officers provided for by or under this charter, except as otherwise provided by law, this charter, or personnel rules adopted pursuant to this charter. The city manager may authorize any administrative officer subject to the manager's direction and supervision to exercise these powers with respect to subordinates in that officer's department, office or agency;
- 2) Direct and supervise the administration of all departments, offices, and agencies of the city, except as otherwise provided by this charter or by law;
- 3) Attend all city commission meetings unless excused. The city manager shall have the right to take part in discussion but shall not vote;
- 4) See that all laws, provisions of this charter, and acts of the city commission subject to enforcement by the city manager or by officers subject to the manager's direction and supervision are faithfully executed;

- 5) Prepare and submit the annual budget and capital program to the city commission, and implement the final budget approved by the commission to achieve the goals of the city;
- 6) Submit to the city commission and make available to the public a complete report on the finances and administrative activities of the city at the end of each fiscal year;
- 7) Make such other reports as the city commission may require concerning operations;
- 8) Keep the city commission fully advised as to the financial condition and future needs of the city;
- 9) Make recommendations to the city commission concerning the affairs of the city and facilitate the work of the city commission in developing policy;
- 10) Provide staff support services for the mayor and commission members subject to the provisions regarding the city clerk under §2.08;
- 11) Assist the commission in developing long-term goals for the city and strategies to implement these goals;
- 12) Encourage and provide staff support for regional and intergovernmental cooperation;
- 13) Promote partnerships among commission, staff, and citizens in developing public policy and building a sense of community;
- 14) Perform such other duties as are specified in this charter or may be required by the city commission;
- 15) Prepare the commission agenda; and
- 16) Appoint members of temporary advisory committees established by the city manager or the city commission.

ARTICLE IV JUDICIAL BRANCH

Section 4.01. General Provisions.

Pursuant to the Constitution and the laws of Montana, the municipal court exercises judicial authority on behalf of the city. The court, in exercising its judicial authority, shall act separately and independently from the legislative and executive branches.

ARTICLE V DEPARTMENTS, OFFICES AND AGENCIES

Section 5.01. General Provisions.

- a) **Creation of Departments.** The city commission may establish city departments, offices, or agencies in addition to those created by this charter and may prescribe the functions of all departments, offices, and agencies. No function assigned by this charter to a particular department, office, or agency may be discontinued or assigned to any other unless this charter specifically so provides.
- b) **Direction by City Manager.** All departments, offices, and agencies under the direction and supervision of the city manager shall be administered by an officer appointed by and subject to the direction and supervision of the city manager. With the consent of the commission, the city manager may serve as the

head of one or more such departments, offices, or agencies or may appoint one person as the head of two or more of them.

Section 5.02. Personnel System.

Consistent with all applicable federal and state laws, all appointments and promotions of city officers and employees shall be made solely based on merit and qualifications demonstrated by a valid and reliable examination or other evidence of competence.

Section 5.03. Legal Officer.

- a) **Appointment.** There shall be a legal officer of the city appointed by the city manager subject to confirmation by the city commission.
- b) **Role.** The legal officer shall serve as chief legal adviser to the commission, the manager and all city departments, offices and agencies shall represent the city in all legal proceedings and shall perform any other duties prescribed by state law, by this charter, or by ordinance.

Section 5.04. Land Use, Development, and Environmental Planning.

Consistent with all applicable federal and state laws with respect to land use, development, and environmental planning, the city shall:

- 1) Designate an agency or agencies to carry out the planning function and such decision-making responsibilities as may be required by law;
- 2) Adopt a land use plan and determine to what extent zoning and other land use regulations must be consistent with the plan;
- 3) Determine to what extent the land use plan and zoning and other land use regulations must be consistent with regional plan(s); and
- 4) Adopt development regulations to implement the land use plan.

The designated agency, the city manager, and the mayor and commission shall seek to act in cooperation with other jurisdictions and organizations in their region to promote integrated approaches to regional issues.

ARTICLE VI FINANCIAL MANAGEMENT

Section 6.01. Fiscal Year.

The fiscal year of the city shall begin and end as provided by state law.

Section 6.02. Submission of Budgets and Budget Message.

The city manager shall submit to the city commission a preliminary budget for the ensuing fiscal year and an accompanying message and a final budget, both in a timely manner. The publication requirements must conform to the provisions of state law for a municipality and be available electronically.

Section 6.03. Budget Message.

The city manager shall submit a budget message with the recommended budget. The budget message shall provide an overview of the recommended budget and explain its relationship to the city's strategic priorities, organizational goals, service objectives, and fiscal sustainability. The budget message shall identify significant

operational, financial, and policy issues addressed in the recommended budget and explain material changes from the prior year. The message may also discuss economic, demographic, legislative, organizational, or other factors affecting the city's financial condition, operations, or service delivery.

The budget message shall be prepared in accordance with applicable law and informed by generally recognized principles of government budgeting, financial management, and fiscal transparency.

Section 6.04. Budget.

- a) **Statutory Provisions.** The preliminary operating budget, the final budget, and amended budgets must be prepared in accordance with state laws governing municipal budgets as then in effect.
- b) **Unreserved Fund Balance.** A minimum level of budgeted general fund unreserved fund balance shall be established by ordinance and shall be in accordance with industry recommended practice on appropriate levels of unreserved fund balance in the general fund. This provision does not limit appropriations in case of emergency, pursuant to state law.

Section 6.05. Adjusting Appropriations.

- a) **Reduction of Appropriations.** In addition to the requirements of state law, if at any time during the fiscal year it appears probable to the city manager that the revenues or fund balances available will be insufficient to finance the expenditures for which appropriations have been authorized, the manager shall report to the city commission without delay, indicating the estimated amount of the deficit, any remedial action taken by the manager, and recommendations as to any other steps to be addressed. The commission shall then take such further action as it deems necessary to prevent or reduce any deficit and, for that purpose, it may by ordinance reduce or eliminate one or more appropriations.
- b) **Transfer of Appropriations.** In addition to the requirements of state law, at any time during or before the fiscal year, the city commission may by resolution transfer part or all of the unencumbered appropriation balance from one department, fund, service, or organizational unit to the appropriation for other departments or organizational units or a new appropriation as provided by state law. The city manager may transfer funds among programs within a department, fund, service, or organizational unit and shall report such transfers to the commission in writing in a timely manner.
- c) **Limitation; Effective Date.** In addition to the requirements of state law, no appropriation for debt service may be reduced or transferred, except to the extent that the debt is refinanced and less debt service is required, and no appropriation may be reduced below any amount required by law to be appropriated or by more than the amount of the unencumbered balance thereof. The supplemental and emergency appropriations and reduction or transfer of appropriations authorized by this section may be made effective immediately upon adoption.

Section 6.06. Administration and Fiduciary Oversight of the Budget.

The city commission shall provide by ordinance the procedures for administration and fiduciary oversight of the budget.

Section 6.07. Capital Program.

- a) **Submission to City Commission.** The city manager shall prepare and submit to the city commission a multi-year capital program in alignment with the budget process and at least biennially.
- b) **Contents.** The capital program shall include the following and be revised and extended each year regarding capital improvements still pending or in process of construction or acquisition.:
 - 1) A clear general summary of its contents;
 - 2) Identification of the long-term goals of the community;
 - 3) A list of all capital improvements and other capital expenditures which are proposed to be undertaken during the fiscal years next ensuing, with appropriate supporting information as to the necessity for each;
 - 4) Cost estimates and recommended time schedules for each improvement or other capital expenditure;
 - 5) Method of financing upon which each capital expenditure is to be reliant;
 - 6) The estimated annual cost of operating and maintaining the facilities to be constructed or acquired;
 - 7) A commentary on how the plan addresses the sustainability of the community and the region of which it is a part; and
 - 8) Methods to measure outcomes and performance of the capital plan related to the long-term goals of the community.

Section 6.08. City Commission Action on Capital Program.

- a) **Notice and Hearing.** The city commission shall publish the general summary of the capital program and a notice of public hearing consistent with the requirements of state law.
- b) **Adoption.** The city commission by resolution shall adopt the capital program for the ensuing fiscal year, with or without amendment after the public hearing.

Section 6.09. Independent Audit.

The city commission shall provide for an independent annual audit of all city accounts in accordance with state law and may provide for more frequent audits as it deems necessary. Such audits should be conducted in accordance with current industry standards. No accountant or firm may provide any other services to the city during the time it is retained to provide independent audits to the city; however, the city commission may waive this requirement by a unanimous vote at a public meeting.

ARTICLE VII ELECTIONS

Section 7.01. Initiative; Citizen Referendum, and Recall.

The powers of initiative, citizen referendum, and recall are hereby reserved to the electors of the city as provided by state law. In verifying petitions for initiatives and referendums, the percentage of signatures required under state law shall be reduced in proportion to the number of inactive registered voters as most recently certified by the county election administrator pursuant to state law.

Section 7.02. City Elections Schedule.

- a) **Regular Elections.** Regular city elections shall be held and administered in odd numbered years, pursuant to state law. Candidates shall run for office without party designation.
- b) **Beginning of term.** The terms of new commission members shall start at the beginning of the first regularly scheduled meeting in January after their election.

Section 7.03. Method of Electing Commission Members.

- a) Commission members shall be elected at-large.

This will be the Charter language if voters choose selection 1 of Sub-Option 2 to not have wards

Sub-option 3: Method of Electing Commission Members if the ward system is approved.

If voters choose selection 2 of Sub-Option 2 (§2.02(d)) to elect commissioners by wards, the Study Commission presents this additional question allowing voters to determine the method of who elects each ward's commissioner. Voters will choose whether commissioners elected by ward are elected only by voters residing within the ward the commissioner represents, or at-large by all voters of the city. If voters choose Selection 1 of Sub-Option 2 (§2.02(d)) to continue electing commissioners at-large with no wards, this sub-option shall have no effect.

This Sub-Option will only take effect if the amended charter is approved by the voters, and if voters choose to elect commissioners by wards. If voters choose to elect commissioners by wards, 7.03 (a) above will be deleted from the charter.

If voters choose to elect commissioners by wards, the selection below that receives the most votes shall be included in this charter and the selection not chosen will be deleted. If voters do not choose to establish wards as provided for in Sub-Option 2 (§2.02(d) above), Section 7.04 will also be deleted from the Charter.

SELECTION 1:

- a) Commission members must reside within the ward which that office of commissioner represents and shall be elected at-large.

OR

SELECTION 2:

- a) Commission members must reside within the ward which that office of city commissioner represents and shall be elected only by the voters whose voter registration address is within the ward.

Section 7.04. Wards; Adjustments of Wards.

- a) **Number of Wards:** There shall be [four or six] city commission wards.

- b) **Ward Advisory Board:** The city commission shall establish a ward advisory board consisting of five members to recommend ward boundaries. The ward advisory board shall choose a chairperson from among its members. No member of the ward advisory board shall be employed by the city or hold any other elected or appointed position in the city. The ward advisory board must be appointed by the city commission and must divide the city into **[four or six]** wards (i) following adoption of this Charter; (ii) after each decennial census; or (iii) if the city determines that the population disparity between wards exceeds ten percent (10%).
- c) **Criteria for Establishing/Adjusting Ward Boundaries:** The population of city residents within a ward must be as equal as practicable, with no deviation exceeding ten (10%) percent of the average population for all city commission wards. Each ward shall be compact, contiguous, use natural/physical geographic boundaries, and respect precinct, neighborhood, and census boundaries where possible. A ward may not be established or modified in a way that affects the term of office of any city commissioner who has been elected. Ward boundaries may not be changed between the date that is six months prior to a city commissioner's primary election and the date of the corresponding general election.
- d) **Timeline and Process:** The board shall conduct its work in an open, transparent manner, with all meetings open to the public, and shall hold a minimum of two (2) public hearings before finalizing any ward map. Ward boundaries shall be reviewed within twelve (12) months following the publication of each decennial federal census thereafter or sooner if the population disparity between wards is found to exceed ten percent (10%). Upon adoption of the boundaries by ordinance, the ward boundaries shall become legally effective for the next scheduled municipal election. The ward advisory board's term shall end upon adoption of the ward boundaries by ordinance of the city commission.

ARTICLE VIII

ROLE OF PUBLIC ENGAGEMENT IN LOCAL GOVERNANCE

Section 8.01. Public Engagement as an Essential Part of Civic Infrastructure.

The active, informed, broad-based engagement of community members, both individually and collectively, is an essential element of healthy civic life and a thriving local democracy.

Public engagement is an integral part of effective and trusted governance. The city shall ensure engagement meets the goals and principles of this section. Engagement may include a variety of formats such as face-to-face meetings, virtual interactions, and online communication. Public engagement in the creation or amendment of public policy ensures two-way communication between the city and the community. The city encourages collaboration in public engagement efforts with other government jurisdictions and authorities, neighborhood associations, city boards, community-based organizations, civic groups, and residents.

Section 8.02. Governmental Structures to Support and Coordinate Engagement.

Neighborhood associations, the Inter-Neighborhood Council and city boards are essential partners in municipal decision-making. The city shall adapt existing governmental structures and establish new governmental structures to oversee, support, coordinate, track, and measure public engagement.

Section 8.03. Principles of Public Engagement.

To ensure public engagement centers on the needs and goals of community members, and in accordance with state law, the city upholds the following principles:

- 1) **Public Participation.** Engagement provides opportunities for residents to participate in matters of significant public interest. All city meetings and hearings shall be conducted in a transparent manner, publicly announced in advance, and open to the public. The city shall be proactive in outreach to bring in diverse voices, partner groups, and ideas by using a variety of engagement techniques to make participation accessible.
- 2) **Transparency.** Effective, transparent communication ensures community members can engage in major decisions regarding public policy, and that the city shares results and explains how public input affects decisions.
- 3) **Accountability.** The city shall provide opportunities for public input regarding major decisions. The city shall explain the purpose, scope, and how input will be considered.
- 4) **Collaboration.** Collaboration and communication between residents and city officials support informed public participation and effective local governance.

Section 8.04. Neighborhood Associations.

- a) **Purpose.** Neighborhoods make valuable contributions to the governance of the city. The city seeks to strengthen neighborhood participation where it exists and encourage participation city-wide. The city should support neighborhood associations to promote two-way communication, encourage public involvement in planning and policy development, strengthen neighborhood leadership, and enhance transparency and trust. Neighborhood associations speak to the needs of their neighborhoods and inform city decision making.
- b) **Recognition of Neighborhood Associations.** The city shall support the creation and maintenance of resident-led neighborhood associations. The city commission shall establish by ordinance minimum recognition requirements for neighborhood associations that support participation, deliberation, and communication between residents and the city. These requirements shall include, but not be limited to:
 - 1) Clear geographic boundaries developed in partnership with the neighborhood and the Inter-Neighborhood Council;
 - 2) Membership of a neighborhood association shall be open to all residents, property owners, business owners, and nonpartisan organizations located within a neighborhood association's boundary;
 - 3) A majority of a neighborhood's leadership, as defined by the neighborhood association's bylaws, shall be residents of the neighborhood and only residents of the neighborhood may serve as the neighborhood association's Inter-Neighborhood Council representative;
 - 4) Adherence to established by-laws to ensure democratic voting procedures, continuity of governance, and the ability for a neighborhood association's selected representative to vote as a member of the Inter-Neighborhood Council;
 - 5) A copy of the neighborhood association's by-laws and all amendments shall be filed with the city;
 - 6) Periodic meetings, including an annual meeting;

- 7) Demonstrating it has a means of regular, accessible, and two-way communication with all residents in the neighborhood;
- 8) Capacity to develop and transmit advisory input on neighborhood and citywide issues to the Inter-Neighborhood Council.

A neighborhood association shall maintain compliance with the minimum standards established by ordinance to continue to be recognized by the city and to be eligible to elect members to the Inter-Neighborhood Council.

- c) **City Liaison.** The City shall designate a full-time, fully dedicated staff member to serve as a liaison to the Inter-Neighborhood Council and neighborhood associations. The staff liaison shall support coordination, leadership development, training, communication, and assist in facilitating participatory planning, budgeting, and policy engagement processes.
- d) **Inter-Neighborhood Council.** There is hereby established an Inter-Neighborhood Council to be composed of representatives selected by each recognized neighborhood association.
 - 1) Purpose and Role. The Inter-Neighborhood Council shall provide a forum for neighborhood associations to gather, deliberate, share information, and develop recommendations to the city commission and city manager on neighborhood and city-wide issues;
 - 2) Representatives to the Inter-Neighborhood Council selected by their Neighborhood Association are not bound by, but are expected to observe the City and State Code of Ethics in the performance of their obligations;
 - 3) The Inter-Neighborhood Council shall adopt by-laws governing the conduct of business emphasizing deliberation, transparency and participation. Such by-laws shall be approved by the city commission, or as designated by ordinance;
 - 4) A vacancy for the Inter-Neighborhood Council shall be filled by appointment from the affected neighborhood association;
 - 5) The city shall appoint a city commissioner as a non-voting liaison to the Inter-Neighborhood Council;
 - 6) The Inter-Neighborhood Council shall meet on a regular basis to foster dialogue between neighborhoods, the city commission and city manager;
 - 7) The City shall consult the Inter-Neighborhood Council during the formative stages of citywide planning efforts, policy initiatives, and budget discussions that affect neighborhood associations;
 - 8) The city commission and city manager shall provide timely responses to recommendations submitted by the Inter-Neighborhood Council, including an explanation of how such input was considered and the reasons for divergence;
 - 9) The staff liaison shall work with the Inter-Neighborhood Council to expand the neighborhood program city-wide and develop boundaries to include more residents in a Neighborhood Association.

Section 8.05. City Boards.

The city commission may create boards, commissions, agencies or committees ("City Boards") as are required by state law or as desired by the city commission.

- a) Purpose.** City boards assist the city by providing guidance, representing community perspectives, increasing transparency, and reviewing policies. City boards serve as valuable platforms for early public engagement on issues and decisions. Opportunities for resident engagement on city boards strengthens decision-making and public trust. Unless otherwise required by law, city boards provide advice and recommendations to the city commission; encourage public participation in civic affairs; and assist in public education.
- b) Powers.** Unless otherwise required by law, city boards are advisory only. They have no administrative authority unless specifically required by law, or interlocal agreement.
 - 1) City boards shall be established, which shall specify the purpose of each board and the number, desired skills and necessary experience of its members. Each board, in collaboration with city staff and its commission liaison, shall establish annual priorities and public engagement processes.
 - 2) Recommendations to the city commission shall reflect the majority position of the city board. When appropriate, minority perspectives may be submitted.
- c) Appointments, Compensation, Terms and Qualifications.**
 - 1) Except as otherwise required by law or authorized by this charter, city boards will be established by the city commission, and members will be appointed by the commission or by the mayor, following public solicitation advertised at least twice annually or when a vacancy arises.
 - 2) To ensure city boards represent the community, the city shall encourage participation from residents with relevant expertise, knowledge, experience and perspectives.
 - 3) Subcommittees of city boards, commissions, or committees may be appointed by the city commission without the necessity of public solicitation.
 - 4) The city commission may authorize the city manager to establish special ad hoc commissions for specific purposes without public advertisement.
 - 5) Except where prohibited by law, the terms on all boards shall be staggered.
 - 6) Board, commission or committee members shall serve without compensation.

ARTICLE IX GENERAL PROVISIONS

Section 9.01. Conflicts of Interest; Board of Ethics.

- a) Conflicts of Interest.** The use of public office for private gain is prohibited. The city commission shall implement this prohibition by ordinance, the terms of which shall include, but not be limited to: acting in an official capacity on matters in which the official has a private financial interest clearly separate from that of the general public, the acceptance of gifts and other things of value, acting in a private capacity on matters dealt with as a public official, the use of confidential information, and appearances by city officials before other city agencies on behalf of private interests. This ordinance shall include a statement of

purpose and shall provide for reasonable public disclosure of finances by officials with major decision-making authority over monetary expenditures and contractual and regulatory matters and, insofar as permissible under state law, shall provide for fines and imprisonment for violations.

- b) **Board of Ethics.** The city commission shall, by ordinance, establish an independent board of ethics pursuant to state law. The city commission shall appropriate sufficient funds to the city manager to provide annual training and education of city officials, city boards, the Inter-Neighborhood Council, and employees, regarding the state and city ethics codes. City officials, board members, and employees shall take an oath to uphold the state and city ethics codes.

Section 9.02. Campaign Finance.

In order to combat the potential for, and appearance of, corruption and to preserve the ability of all qualified citizens to run for public office, the city shall, insofar as is permitted by state and federal law, have the authority to enact ordinances designed to limit contributions and expenditures by candidates for locally elected office. Ordinances pursuant to this section may include but are not limited to limitations on candidate and candidate committees that affect the amount, time, place, and source of financial and in-kind contributions; and voluntary limitations on candidate and candidate committee expenditures tied to financial or non-financial incentives.

ARTICLE X CHARTER AMENDMENT

Section 10.01. Proposal for Amendment.

Amendments to this charter may be framed and proposed:

- 1) In the manner provided by state law, or
- 2) By ordinance of the commission containing the full text of the proposed amendment, or
- 3) By report of a study commission created pursuant to state law, or
- 4) By the voters of the city. Proposal of an amendment by the voters of the city shall be by petition containing the full text of the proposed amendment and shall be governed by the same procedures and requirements prescribed in Section 7.01 for initiative petitions until such time as a final determination as to the sufficiency of the petition is made, except that there shall be no limitation as to subject matter and that the petition must be signed by registered voters of the city equal to that required by state law. In verifying petitions, the percentage under state law shall be applied to only active voters as certified by the county election administrator.

Section 10.02. Election of Amendment.

Upon delivery to the election authorities of the report of a charter commission or delivery by the city clerk of an adopted ordinance or a petition finally determined sufficient, proposing an amendment pursuant to Section 10.01, or as otherwise provided by state law, the election authorities shall submit the proposed amendment to the voters of the city at an election, pursuant to state law.

Section 10.03. Adoption of Amendment.

If a majority of those voting upon a proposed charter amendment vote in favor of it, the amendment shall become effective at the time fixed in the amendment or, if no time is therein fixed, 30 days after its adoption by the voters.

ARTICLE XI TRANSITION AND SEVERABILITY

Section 11.01. Officers, Employees and Elected Officials.

- a) **Rights and Privileges Preserved.** Nothing in this charter except as otherwise specifically provided, shall affect or impair the rights or privileges of persons who are city officers or employees at the time of its adoption.
- b) **Continuance of Office or Employment.** Except as specifically provided by this charter if, at the time this charter takes full effect, a city administrative officer or employee holds any office or position which is or can be abolished by or under this charter, he or she shall continue in such office or position until the taking effect of some specific provision under this charter directing that he or she vacate the office or position. Elected officials serving at the time this charter is approved by the voters shall continue in office for the balance of their term.
- c) **Personnel System.** An employee holding a city position at the time this charter takes full effect, who was serving in that same or a comparable position at the time of its adoption, shall not be subject to competitive tests as a condition of continuance in the same position but in all other respects shall be subject to the personnel system provided for in Section 5.02.

Section 11.02. Pending Matters.

All rights, claims, actions, orders, contracts, and legal administrative proceedings shall continue except as modified pursuant to the provisions of this charter and in each case shall be maintained, carried on, or dealt with by the city department, office, or agency appropriate under this charter.

Section 11.03. State and Municipal Laws.

All city ordinances, resolutions, orders, and regulations in force when this charter becomes fully effective shall be updated to conform with this charter pursuant to state law. Any ordinance or resolution required to be established pursuant to this charter shall be completed as required by state law.

Section 11.04. Schedule.

- a) **Mayor Election.** §2.03(b) shall be effective for the 2029 city election, with the term of the elected mayor beginning with the first commission meeting in January 2030.
- b) **Vice Mayor Selection.** §2.03(c) shall take effect at the first commission meeting in January 2028 with said vice mayor serving until the beginning of the first commission meeting in January 2030.
- c) **Sub-Options.**
 - 1) If the voters determine to increase the number of commission members as provided for in Sub-Option 1, the election of the two new commissioner positions shall be as follows: one commissioner shall be

elected during the 2029 general election to a term of four (4) years and one commissioner shall be elected during the 2029 general election to a term of two (2) years. The two-year term position shall be elected as a four-year term beginning in 2031 and continuing every four years thereafter.

- 2) If voters determine to have commissioners represent residents by wards as provided for in Sub-Option 2, the city commission must establish wards as described in Section 7.04 so that elections occurring at the 2029 general election are based on wards.

- (b) **Time of Taking Full Effect.** The charter shall be in full effect for all purposes pursuant to the schedule established by state law.

Section 11.05. Severability.

If any provision of this charter is held invalid, the other provisions of the charter shall not be affected. If the application of the charter or any of its provisions to any person or circumstance is held invalid, the application of the charter and its provisions to other persons or circumstances shall not be affected.