

From: Ruffatto, Peter M. <pruffatto@cob.org>
Sent: Wednesday, December 4, 2019 8:52 AM
To: Karen Steen
Cc: Blackburn, Vanessa A. <vablackburn@cob.org>
Subject: RE: Responses to Questions Posed

Hi Ms. Steen,

The City has never viewed the neighborhood association meetings as governance meetings of the City as a municipal entity. Whether those meetings would fall under the OPMA for some other reason would depend on the meeting itself. Because I am not the legal counsel for the neighborhood association, I do not advise the neighborhood associations on the matter in the sense suggested by your question. In my opinion, however, the OPMA would not be applicable to their meetings given the scope of the OPMA.

Peter M. Ruffatto
City Attorney
210 Lottie Street
Bellingham, WA 98225
360 778-8270
pruffatto@cob.org

Subject to public disclosure under RCW 42.56, the preceding message may be protected by attorney-client or other privilege and should be treated as confidential. If you believe it was sent to you in error, please delete it. Thank you.

From: Karen Steen
Sent: Tuesday, December 3, 2019 6:24 PM
To: Ruffatto, Peter M. <pruffatto@cob.org>
Subject: RE: Responses to Questions Posed

Mr. Ruffatto,

Thank you and City staff for this information. On initial read, I have this question: does COB advise or require Neighborhood associations recognized for MNAC membership to comply with

Chapter 42.30 RCW OPEN PUBLIC MEETINGS ACT? I assume not from the information your legal staff provided; still, I'll appreciate if you can confirm or disconfirm my understanding.

Thank you,

Karen Steen

Lettered Streets resident

From: Ruffatto, Peter M. <pruffatto@cob.org>

Sent: Tuesday, December 3, 2019 4:25 PM

To: Karen Steen

Cc: Blackburn, Vanessa A. <vablackburn@cob.org>

Subject: Responses to Questions Posed

To Ms. Steen:

Attached are two documents. The first contains responses to the questions you posed. The second is a form used for reimbursement purposes. These responses were prepared with assistance from City staff.

If any of these responses require clarification, feel free to call me directly, and I will do my best to provide further information.

Sincerely,

Peter M. Ruffatto

City Attorney

210 Lottie Street

Bellingham, WA 98225

360 778-8270

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From: Karen Steen

Sent: Friday, November 29, 2019 1:47 PM

To: Ruffatto, Peter M. <pruffatto@cob.org>

Subject: COB requirements for recognized neighborhood associations

Dear Mr. Ruffatto,

I am writing to inquire about COB requirements and oversight of Neighborhood Associations for purposes of providing them supportive funding and recognition for MNAC membership. I first requested this information from Vanessa Blackburn in September, then specified my inquiry in subsequent emails to her. I understood Ms. Blackburn referred my concerns and questions to the COB legal department. To date, I've not received a reply from either of you.

I will appreciate if you address these questions for me:

1. Does COB have explicit requirements or expectations for NA's to be recognized for MNAC membership? For supportive funding and small project grants?
2. Does COB review NA Bylaws for compliance with the codified purpose for MNAC? municipal funding support? WA RCW's regarding corporations?
3. Does COB have the authority to require that recognized NA's comply with WA RCW's regarding corporations?
4. Has the COB legal department reviewed the recently revised Bylaws for Lettered Streets Neighborhood Association? The process by which these Bylaws were revised? These were concerns I specified for Ms. Blackburn and understood she referred to your legal department.

I hope you will provide me this information soon. It's been two months since I first contacted COB with my questions, and time is of essence in this matter. Please contact me if you need clarification or additional information to address my questions.

Sincerely,

Karen Steen, Lettered Streets resident

Questions Posed in 11/29/19 Email Message with Responses in Bold

1. Does COB have explicit requirements or expectations for NA's to be recognized for MNAC membership? For supportive funding and small project grants?

The Mayor's Neighborhood Advisory Commission (MNAC) is composed of one primary and one alternate representative of each of the neighborhoods of the city, typically recommended to the Mayor by the neighborhood association. It is not a requirement that appointees are recommended by the neighborhood associations, but Mayor Kelli Linville has always preferred to appoint representatives based on recommendations from the association. Terms of office for primary

representatives are for two years. The Mayor has the authority to increase the membership of the Commission by recognizing additional neighborhoods.

The City of Bellingham requires that financial or material support be in the public interest and allowable by law. As such, the City establishes the general administrative rules for providing this support. The City may provide limited monetary awards, other funding, or material assistance to Neighborhood Associations to carry out their approved projects and mission, for these purposes:

- **to help develop, improve and maintain high public involvement in the Neighborhood Association**
- **to accomplish projects of priority to the neighborhood which contribute to the general good and quality of life**
- **for activities or projects that assist the association in effectively addressing neighborhood issues and concerns as they affect the City**
- **for neighborhood activities and projects consistent with the City's service mission**

The following forms must be provided to the Mayor's Office on an annual basis for neighborhoods to remain in compliance with City policy:

- **Articles of Incorporation & most recent Neighborhood Bylaws**
- **Names & Contact Info of all Officers when elected or appointed**
- **Copy of Nonprofit Filing - Secretary of State**
- **Authorized Signature Form**
- **Schedule of neighborhood meetings for online roster.**

The attached form contains additional direction to neighborhood associations related to use of City funds for reimbursement purposes.

2. Does COB review NA Bylaws for compliance with the codified purpose for MNAC? municipal funding support? WA RCW's regarding corporations?

The neighborhood associations, as entities, are not governed by the City. The activities of neighborhood associations are broader than the function of MNAC, the latter being a mechanism for information sharing. The City of Bellingham keeps a copy of neighborhood bylaws on file but does not review them for MNAC participation nor for municipal funding support. MNAC membership is at the discretion of the Mayor. Funding support is provided for specific purposes as listed above.

3. Does COB have the authority to require that recognized NA's comply with WA RCW's regarding corporations?


The City of Bellingham requires that neighborhood associations that seek reimbursement maintain a nonprofit filing status with the Secretary of State. The City does not exercise governance authority over neighborhood associations, which are independent entities under State law.

4. Has the COB legal department reviewed the recently revised Bylaws for Lettered Streets Neighborhood Association? The process by which these Bylaws were revised? These were concerns I specified for Ms. Blackburn and understood she referred to your legal department.

The City of Bellingham does not oversee or review the process by which neighborhood bylaws are created or revised. Neighborhood associations that file for a nonprofit status with the Secretary of State must abide by state law to maintain that status. The COB legal department has not reviewed the bylaws of any neighborhood association. The COB legal department has not revised bylaws for any neighborhood association or devised a process for neighborhoods to follow in creating or revising their bylaws.

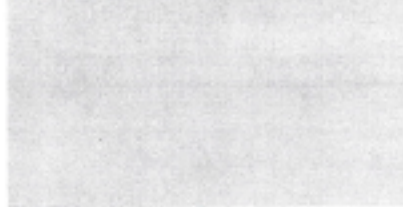
2019 City of Bellingham Neighborhood Services Support Reimbursement Request

PLEASE NOTE: Proof of purchase AND payment for all listed expenses must be attached to this request

Make Check Payable To:		Neighborhood	Vendor #	PO #	Funding Year
Make Check to:				2	2019
					
Date	Vendor	Description	Link List Code	Amount	
<i>Be sure to always include an affidavit for reimbursement, unless in conjunction with organizational expenditures annual budget report.</i>					
Total Reimbursement Request					

Annual limit = \$2,000

REMARKS FOR CITY OF BELLINGHAM ACCOUNTING USE



I certify that the materials have been furnished, the services rendered, or the labor performed as described herein, and that this claim is a just due and unpaid obligation against the City of Bellingham and that I am authorized to collect same and certify to said claim.

 Prepared By
 (Neighborhood Association Signature)

 Date

 Approved By
 (City of Bellingham Signature)


 Date

* See back of form for instructions

Guidelines for Neighborhoods

1. Designated Neighborhood Association committees must complete all required items
2. **DOCUMENTATION OF PURCHASE AND PAYMENT MUST BE ATTACHED** (i.e., original cash register receipt, invoice with item balance owed, cancelled check)
- NOTE: Verification of payment must be consistent with expenses described on reimbursement form and in compliance with City policy for allowable expenses
3. Reimbursement requests must be signed, dated and certified (signature will be accepted, it will expire 90 DAYS AFTER DATE OF FILING)
4. Submit reimbursement form and attachments to:

City of Bellingham Mayor's Office
218 Lehto Street
Bellingham, WA 98225

<p>The City of Bellingham requires that financial or material support be in the public interest and as follows by law. As such, the City shall have the general administrative rules for providing this support. The City may provide limited monetary awards, cost sharing, or material assistance to Neighborhood Associations to carry out their approved projects and actions for these purposes:</p> <ul style="list-style-type: none">- to help develop, improve and maintain high public involvement in the Neighborhood Association- to carry out projects of priority to the neighborhood which contribute to the general good and quality of life- to act in ways or projects that assist the association in effectively addressing neighborhood issues and concerns as they affect the City- for neighborhood activities and projects consistent with the City's overall strategy	
<p>Allowable Expenses - Neighborhood Association Support Services</p> <ul style="list-style-type: none">- Neighborhood Association meeting preparation, printing, and/or mailing- Neighborhood Association training and public development and/or maintenance- Events that are part of a City sponsored program (Night Out Against Crime)- Events attended by Neighborhood Association members- Evaluation services for Neighborhood Association meetings- Fees paid for workshops or training to increase association effectiveness- Mission services for dispute resolution in City sponsored issues- Professional consultation for services that improve association effectiveness	
<p>The City will not provide reimbursement assistance for the following expenses:</p> <ul style="list-style-type: none">- Alcohol or tobacco reimbursements- Food or beverage (except reasonable expenses of District Night Out Activities)- Any out-of-pocket support of religious, political party, political campaign, or any legal action or lawsuit- For the exclusive use of individuals to the exclusion of the association- Other use prohibited as of public funding as determined by the City	