

January 28, 2008
Date

APPROVING RECOMMENDATIONS FROM THE
NEIGHBORHOOD REVITALIZATION BOARD REGARDING
FAIRGROUND NEIGHBORHOOD MEDIATION

WHEREAS, on November 19, 2007 by Roll Call No. 07-2227 the City Council requested that the Neighborhood Revitalization Board (NRB) mediate a dispute between Fairground Neighborhood for Community Improvement (FNCI), a City of Des Moines Recognized Neighborhood Association, and Fairground neighborhood residents regarding the denial of membership status and voting privileges at FNCI's meeting on November 13, 2007; and

WHEREAS, an NRB subcommittee appointed to mediate the conflict met four times in duly-noticed open sessions to gather information, hear viewpoints and concerns of all interested parties, and draft findings and recommendation to the City Council. At its January 9, 2008 meeting the NRB as a whole voted unanimously to approve and forward the recommendation to the City Council; and

WHEREAS, the NRB's report of the mediation and recommendation to City Council are attached hereto.

NOW, THEREFORE, BE IT RESOLVED as follows:

1. As a condition of retaining its status as a Recognized Neighborhood Association, the FNCI shall
 - (a) amend its bylaws to clarify membership and voting privileges;
 - (b) remove FNCI's requirement that its members join any other organization;
and;
 - (c) hold new elections for officers pursuant to the amended bylaws.
2. As a condition to retaining recognized status, no Recognized Neighborhood Association shall require that its members belong to any other organization.
3. Community Development Department staff shall send a letter to FNCI mandating the conditions, as stated herein, which it must meet in order to maintain Recognized Neighborhood Association status. FNCI shall reply to staff on or before February 29, 2008, stating its intentions regarding whether and by what means it intends to comply with those conditions.



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4. The NRB is directed to review the City's Neighborhood Recognition Policy and to recommend to Council any changes that it considers necessary or advisable to ensure that each Recognized Neighborhood Association conducts its affairs in an open and inclusive manner, ensuring maximum opportunity for resident participation in recognized neighborhood affairs.

5. Community Development Department staff as part of its annual survey shall require all Recognized Neighborhood Associations to submit copies of their most recent bylaws.

Moved by _____ to adopt.

(Council Communication No. 08-044)

APPROVED AS TO FORM:

Michael F. Kelley
Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
HENSLEY				
KIERNAN				
MAHAFFEY				
MEYER				
VLASSIS				
TOTAL				

MOTION CARRIED APPROVED

Mayor

CERTIFICATE


I, DIANE RAUH, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

City Clerk

NEIGHBORHOOD REVITALIZATION BOARD

To: Mayor and Members of the City Council

From: Tim Hielkema, Chair 
Neighborhood Revitalization Board

Date: January 10, 2008

Re: Fairground Mediation Recommendations

By Roll Call No. 07-2227 on November 19, 2007, the City Council requested that the Neighborhood Revitalization Board mediate the dispute in the Fairground neighborhood regarding the denial of membership and subsequent voting privileges to approximately 30 people.

In response to this request from Council, the Neighborhood Revitalization Board appointed a subcommittee to mediate the conflict. The subcommittee members include Frank Owens, Tim Hielkema, Kimberly Hansen and Nadine Hogate. The subcommittee has met 4 times, on November 26, December 12, December 19 and December 21 in order to gather information and draft a recommendation to Council.

After much consideration, it is the finding of the Neighborhood Revitalization Board that the events that occurred at the November 13, 2007 Fairground Neighborhood for Community Improvement (FNCI) meeting were in violation of the association's own by-laws.

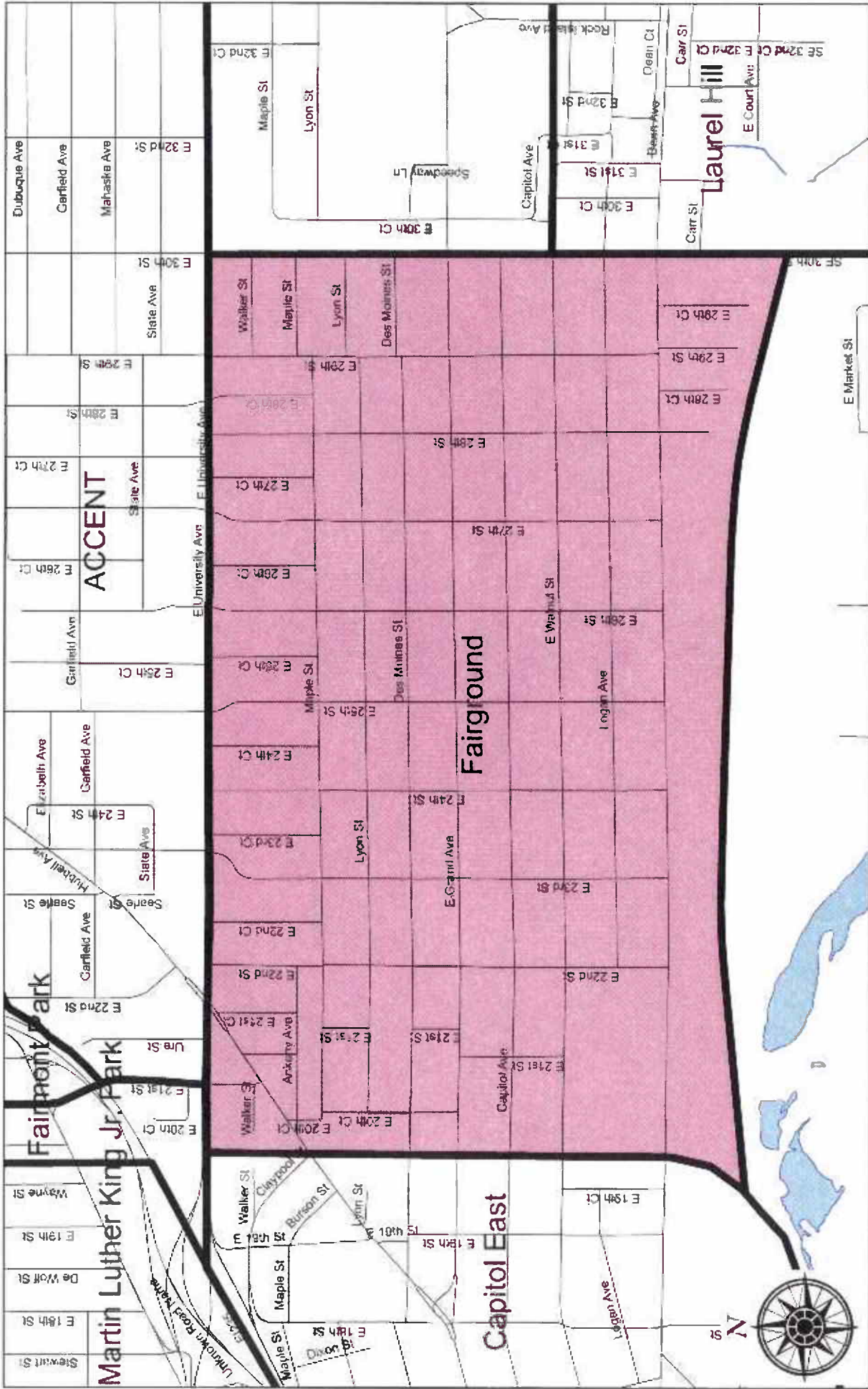
- By-laws indicate that a person who lives within the boundaries of FNCI and who supports the mission statement and goals becomes a member upon paying dues.
- By-laws do not define what it means to support the mission of FNCI.
- By-laws do not indicate that there is a waiting period or other requirements in order to become a member- only pay dues.
- The offer was made to pay on the spot the dues of the approximate 30 residents who were in attendance that were not paid members.
- Those people were not allowed to join on the spot and as a result were not allowed to vote.
- It was also indicated at the December 12 mediation that a person can join at any time.

The City's Neighborhood Recognition Policy assumes that all neighborhood associations follow their by-laws. Therefore, since it has been found that FNCI violated it's by-laws, it is the recommendation of the NRB that the City Council find FNCI in violation of the Neighborhood Recognition Policy and require FNCI to hold new elections. This will allow those who were denied the opportunity to join the organization prior to a new election. The FNCI by-laws should also be amended to clarify membership and voting privileges.

Additionally, the NRB finds the by-laws of FNCI, in general, to be troubling. They do not encourage inclusion, transparency or participation. The tone of the by-laws is adversarial and confrontational, specifically in reference to working with the City and County. While the NRB strongly supports the advocacy role of neighborhood associations, it is our belief that our neighborhoods and, ultimately the City as a whole, will be stronger if neighborhood associations view their relationship with the City and County as a partnership. The NRB recommends that the City Council require that FNCI amend their by-laws to be more inclusive, transparent and participatory in order to maintain their status as a Recognized Neighborhood.

Furthermore, the NRB believes that FNCI's affiliation with Citizens for Community Improvement (CCI) actually hinders the group's ability to develop its own leadership, capacity and self-sufficiency. The requirement that members join both organizations is also a barrier for some residents who are not interested in becoming members of CCI. The NRB recommends that the City Council prohibit Recognized Neighborhood Associations from requiring members to have an affiliation with a secondary organization.

This mediation process has brought to light several broader issues relating to the City's Neighborhood Recognition Policy. The NRB would like to request additional time to do a review of the Neighborhood Recognition Policy in order to make a more complete recommendation to the City Council. In the interim, we request that the Council direct staff to go forward with the 2008 Annual Survey, with the requirement that all neighborhoods submit a copy of their by-laws, including an effective date.



Fairground Neighbors for Community Improvement