



**OFFICE OF THE CITY CLERK
COUNCIL ACTION FORM**

SUBJECT: Resolution 22-11076 Establishing Council Committees

Council Meeting Date: 9.26.2022

Vote: Approved 9-1, Choriki opposed, Purinton absent/excused

**Shaw, Gulick, Neese, Owen, Joy, Choriki, Tidswell,
Purinton, Boyett, Rupsis, Mayor Cole**

RESOLUTION 22-11076

A RESOLUTION ESTABLISHING STANDING COUNCIL COMMITTEES

WHEREAS, the City desires to have a more comprehensive approach to policy making, and

WHEREAS, Section 2-223, Billings, Montana City Code, authorizes the city council to create from its number council committees as needed.

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BILLINGS, MONTANA, AS FOLLOWS:

1. The following standing Council committees are established:
 - a. Budget & Finance Committee
 - i. Three Council Members appointed by the Mayor
 - ii. Scope: This committee focuses on development of the CIP and city budget in conjunction with staff; budget amendment process; debt issuance; and contracts relating to budget and finance items like cost allocation, fee studies, audits, and other professional services.
 - b. Legislative Committee
 - i. Five Council Members appointed by the Mayor
 - ii. Scope: This committee oversees the development of legislative proposals on behalf of the city of Billings; tracks relevant legislative committees, sub-committees, and policy developments; serves as a liaison to Billings-area legislators, and coordinates testimony among the Mayor, Council Members, and City Administrator.
 - iii. This committee may focus on federal legislation as the need arises, or when asked to do so by a majority vote of council.
 - iv. This committee is specifically prohibited from expressing a formal city position on any legislation without approval from City Council.
 - c. Local Affairs Committee
 - i. Two Council Members appointed by the Mayor
 - ii. Scope: This committee is jointly established with consent and participation of the Yellowstone County Commission and the Billings Public Schools Board. This committee focuses on areas of shared importance among local government bodies, including public safety, emergency planning, education and workforce,

- economic development, long-term planning, and coordination of state and federal grant requests.
- iii. Lack of participation from any of the joint entities shall not prohibit the formation or operation of this committee.

d. Council Operations

- i. Mayor, Deputy Mayor, and Mayor Pro Tempore
- ii. Scope: this committee oversees general Council operations and logistics, including agenda development, Council meeting rules, strategic planning processes, new member orientation, and City Administrator annual review processes.

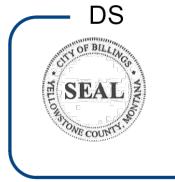
2. The purpose of these standing committees is for Council to explore policy and finance issues in depth. Committee meetings are open to the public and public comment is taken during the meetings. Minutes will be kept in accordance with all Montana open meeting laws.
3. Council Member terms on the committees are two years, beginning the January after each municipal election, except that:
 - a. Terms for the initial establishment of the committees will be from the effective date of this resolution through December 2023;
 - b. Council members are not permitted to remain on the same committee for two consecutive terms; and
 - c. Member terms on the Council Operations Committee shall last for the time period that a Council Member is elected to the designated leadership positions.
4. Except for the Council Operations Committee, no two Council Members from the same Ward shall sit on a committee at the same time. The Mayor shall only sit on the Council Operations Committee, but shall be considered an ex officio member of all remaining committees. Council Members are free to attend any committee meeting they wish and may be requested to participate in an advisory role on specific matters within a committee's jurisdiction.
5. No committee is authorized to take binding action on behalf of the City of Billings or speak on behalf of City Council. The sole purpose of the committees is to provide recommendations to the full Council. Committees may request the City Administrator provide staff support necessary to the work of the committee.
6. Within 30 days of the effective date of the resolution, Council Members shall be appointed to the committees and each committee shall hold an organizational meeting to establish the general rules of the committee, including meeting date, time, and place. The committee shall report their proposed rules to the Council and, in that report, shall indicate whether staff support is requested. Committee

rules shall be reviewed annually, and any proposed changes shall be submitted to Council.

7. **EFFECTIVE DATE.** This resolution shall be effective upon adoption.

ADOPTED AND APPROVED by the City Council of the City of Billings, Montana, on the 26th day of September, 2022.

CITY OF BILLINGS



ATTEST:

By:  Denise Bohlman
Denise R. Bohlman, City Clerk
D503C2218DC34F0

DocuSigned by:
By:  William A. Cole
William A. Cole, Mayor
2CA11D5423884EE

Item 7.

City Council Regular

Date: 09/26/2022
 Title: Resolution establishing Council committees
 Presented by: Gina Dahl
 Department: Legal
 Presentation: No
 Legal Review Not Applicable

Res. ZZ-11076

COUNCIL ACTION	approval
9-1, Choriki opposed	
Purinton absent/excused	
SEP 26 2022	
db	
CITY CLERK	

RECOMMENDATION

Staff recommends Council adopt the resolution establishing Council committees.

BACKGROUND (Consistency with Adopted Plans and Policies, if applicable)

In April 2022, Councilmember Shaw presented a Council Initiative to establish a legislative and county relations committee. Since that time, Councilmembers Owen and Shaw worked together to present an updated proposal to establish a legislative, budget and finance, local affairs, and Council operations committee. They provided a draft resolution setting forth the purpose, scope, and term for the committees which was presented at the September 19 work session. City staff advised Council that a formal resolution is not necessary to create committees of Council. Council agreed the resolution is appropriate and should be placed on a regular business meeting agenda for formal consideration.

At the September 19 work session, Council members had questions about the logistics of public notice and archiving records of committee meetings. There was also a concern expressed about the committee meetings if a quorum of Council was present.

City code section 2-223 requires that any Council committees must comply with all applicable open public meetings laws. Therefore, notice of any committee meetings must be provided to the public, the public must be allowed to participate, and minutes of any meetings must be kept in accordance with the law.

In order to provide notice of any committee meetings, the committee should develop an agenda in advance of the meeting and provide it to the clerk's office for publication. The clerk's office must be advised of the meeting sufficiently in advance so that notice of the agenda can be provided to the public. This is at least 48 hours in advance of the meeting but the Clerk generally requests the agendas be published 5 business days prior to the meeting. The agenda for these committee meetings should also provide an opportunity for public comment.

To satisfy the requirements of state law and city code, minutes shall include the following:

- (1) Date, time, and place of meeting;
- (2) A list of the individual members of the public body, agency, or organization in attendance;
- (3) The substance of all matters proposed, discussed, or decided; and
- (4) At the request of any member, a record by individual members of any votes taken.

Minutes must be open and available to the public. Following any committee meeting, the minutes should be provided to city staff so the documents can be stored and made available to the public on the City website. The City website will need to be updated to provide a webpage for Council committees with links to the agendas and minutes. If the committee decides to keep an electronic recording of the meeting as the official minutes, state law (2-3-212) requires a log or time stamp for each main agenda item for the purpose of providing assistance to the public in accessing that portion of the meeting. If the committee decides the official minutes will be a recording of the committee meeting, it will need to be determined what type of recording will be made and what type of equipment will be used to make the recordings. City Administration will need to determine which staff will be responsible for the creation of the webpage and posting/storing the materials.

It will be important for the committee members to understand the purpose and scope of the committees. It is possible that a quorum of Council members will be present at a committee meeting and any action taken by a quorum of Council is only appropriate at a regular business meeting. The proposed resolution establishing the committees sets forth the purpose and scope of the committees so that Council members appointed to each committee will understand their role as well as the purpose of the committee.

ALTERNATIVES

City Council may:

- Approve; or,
- Not Approve

FISCAL EFFECTS

The fiscal effects include Council and city staff time and resources to make the changes required to implement the Council committees.

Attachments

Resolution

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coleb@billingsmt.gov

Mayor

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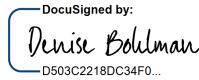
Denise Bohlman

bohlmand@billingsmt.gov

City Clerk

City of Billings

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Deputy City Clerk

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Signing Complete	Security Checked	9/28/2022 8:17:49 AM
Completed	Security Checked	9/28/2022 8:17:51 AM
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