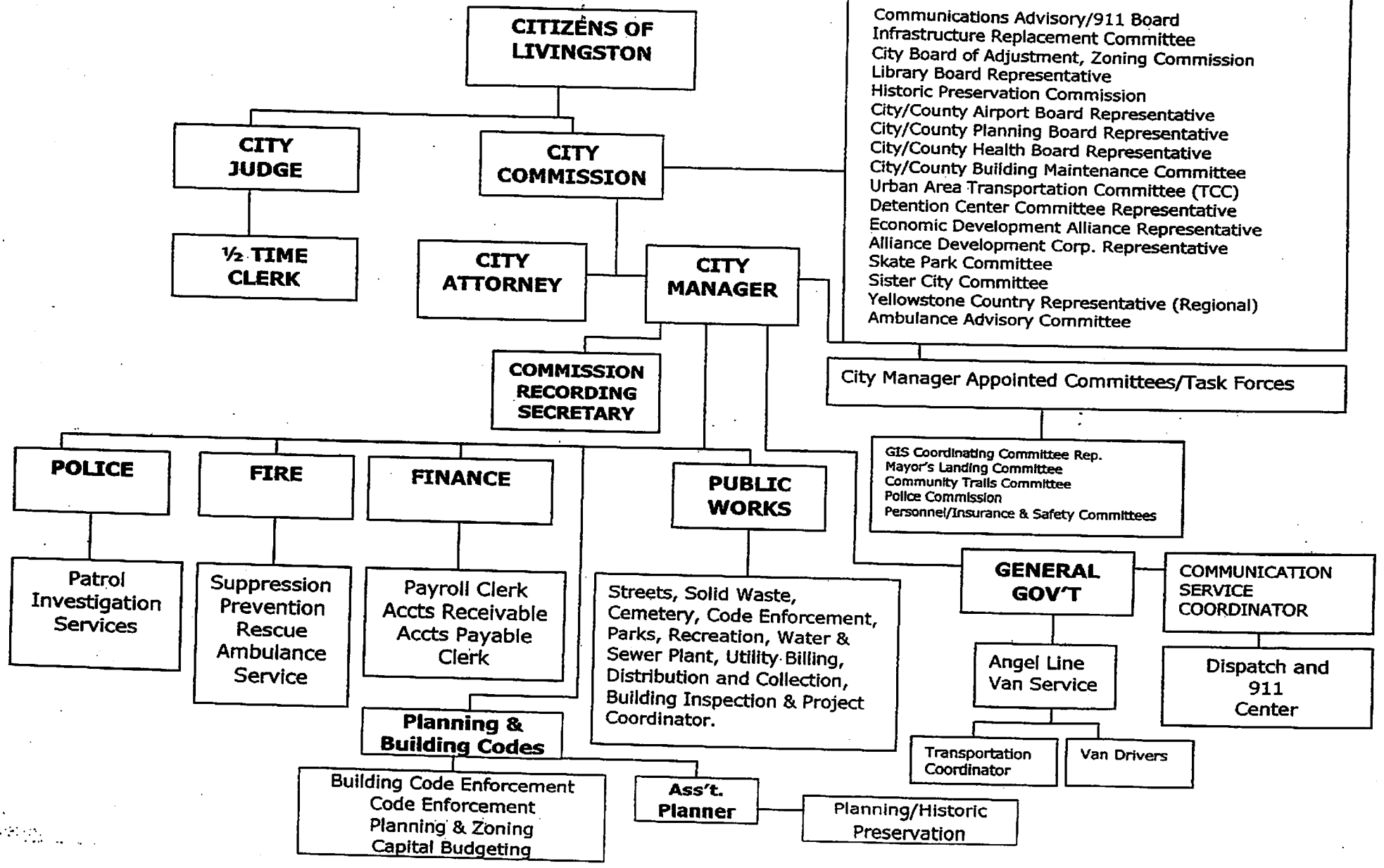
"Civics 101: Livingston, Montana"

Class Outline: February 11, 2010
Operations & Open Government at the City of Livingston

1). **Start Class with a quick review of the K-W-L exercise, AND what items of interest will be covered tonight. (how do departments interact with each other – how is flood zone set up – how to reduce needless conflict (City/County) – local government is perceived as resistant to change?**
2). Organizational Chart
   a). Leadership Team
      i. City Attorney
      ii. Finance Director
      iii. Police Chief
      iv. Assistant Police Chief
      v. Fire Chief
      vi. Public Works Director
      vii. Assistant Public Works Director
      viii. Human Resource Associate
      ix. Dispatch Coordinator
      x. Building/Planning/Code Enforcement Director
   b). Organizational Chart
      i. General Fund Departments
         1). Police
         2). City Court
         3). Fire
         4). Recreation
         5). Parks
         6). Cemetery (some Special Fund also)
         7). Administration
         8). Finance
         9). Street (also Special Funds)
         10). Law
         11). Legislative
         12). Bldg. Insp/Code Enforcement/Planning & Zoning/Hist.Pre.
         13). Dispatch (also Special Funds)
      ii. Enterprise Fund Departments
         1). Water
         2). Sewer
         3). Solid Waste
      iii. Boards & Commissions
3). Open Meetings (7-1-4141, 4142, 4143; MT Constitution Article 2. Sec. 8)
   a). Public Meeting Requirement
   b). Public *Participation* Requirement
   c). Participation
4). Open Records (MCA 7-1-4144)

7:20 p.m. – Tour Police/Dispatch

The City of Livingston



"Sunshine is the best disinfectant"

--Justice Louis Brandeis,
US Supreme Court

Montana Code Annotated 2009

Constitution of Montana -- Article II -- DECLARATION OF RIGHTS

Section 8. Right of participation. The public has the right to expect governmental agencies to afford such reasonable opportunity for citizen participation in the operation of the agencies prior to the final decision as may be provided by law.

Provided by Montana Legislative Services

Montana Code Annotated 2009

Constitution of Montana -- Article II -- DECLARATION OF RIGHTS

Section 9. Right to know. No person shall be deprived of the right to examine documents or to observe the deliberations of all public bodies or agencies of state government and its subdivisions, except in cases in which the demand of individual privacy clearly exceeds the merits of public disclosure.

Provided by Montana Legislative Services

Montana Code Annotated 2009

2-3-203. Meetings of public agencies and certain associations of public agencies to be open to public -- exceptions. (1) All meetings of public or governmental bodies, boards, bureaus, commissions, agencies of the state, or any political subdivision of the state or organizations or agencies supported in whole or in part by public funds or expending public funds, including the supreme court, must be open to the public.

(2) All meetings of associations that are composed of public or governmental bodies referred to in subsection (1) and that regulate the rights, duties, or privileges of any individual must be open to the public.

(3) The presiding officer of any meeting may close the meeting during the time the discussion relates to a matter of individual privacy and then if and only if the presiding officer determines that the demands of individual privacy clearly exceed the merits of public disclosure. The right of individual privacy may be waived by the individual about whom the discussion pertains and, in that event, the meeting must be open.

(4) (a) Except as provided in subsection (4)(b), a meeting may be closed to discuss a strategy to be followed with respect to litigation when an open meeting would have a detrimental effect on the litigating position of the public agency.

(b) A meeting may not be closed to discuss strategy to be followed in litigation in which the only parties are public bodies or associations described in subsections (1) and (2).

(5) The supreme court may close a meeting that involves judicial deliberations in an adversarial proceeding.

(6) Any committee or subcommittee appointed by a public body or an association described in subsection (2) for the purpose of conducting business that is within the jurisdiction of that agency is subject to the requirements of this section.

History: En. Sec. 2, Ch. 159, L. 1963; amd. Sec. 1, Ch. 474, L. 1975; amd. Sec. 1, Ch. 567, L. 1977; R.C.M. 1947, 82-3402; amd. Sec. 1, Ch. 380, L. 1979; amd. Sec. 1, Ch. 183, L. 1987; amd. Sec. 1, Ch. 123, L. 1993; amd. Sec. 1, Ch. 218, L. 2005.

Provided by Montana Legislative Services

Montana Code Annotated 2009

7-1-4141. Public meeting required. (1) All meetings of municipal governing bodies, boards, authorities, committees, or other entities created by a municipality shall be open to the public except as provided in 2-3-203.

(2) Appropriate minutes shall be kept of all public meetings and shall be made available upon request to the public for inspection and copying.

History: En. Sec. 17, Ch. 455, L. 1979.

Provided by Montana Legislative Services

Montana Code Annotated 2009

7-1-4142. Public participation. Each municipal governing body, committee, board, authority, or entity, in accordance with Article II, section 8, of the Montana constitution and Title 2, chapter 3, shall develop procedures for permitting and encouraging the public to participate in decisions that are of significant interest to the public.

History: En. Sec. 18, Ch. 455, L. 1979.

Provided by Montana Legislative Services

"Participate in decisions"

"Significant interest"

Montana Code Annotated 2009

7-1-4143. Participation. In any meeting required to be open to the public, the governing body, committee, board, authority, or entity shall adopt rules for conducting the meeting, affording citizens a reasonable opportunity to participate prior to the final decision.

History: En. Sec. 19, Ch. 455, L. 1979.

Provided by Montana Legislative Services

NOTICE OF WORK SESSION OF
THE LIVINGSTON CITY COMMISSION

PLEASE TAKE NOTICE that the Livingston City Commission will meet in a Work Session at 2:00 p.m. on March 3, 2010, in the Community Room of the City County Complex, 414 East Callender Street, Livingston, MT, for a goal setting and budget priorities workshop. The meeting will be open to the public. No official action will be taken. For further information contact Ed Meece, City Manager, 414 East Callender Street, Livingston, Montana, 59047, (406) 823-6000.

Please publish February 19, 2010 and February 25, 2010.

Pam Payovich
Administrative/Accounting Clerk
City of Livingston

Date: February 2, 2010

Livingston
City Commission Agenda
February 1, 2010
7:00 p.m.
Community Room

Please Turn Your Cellular Phone Off or on Vibrate!

NOTE: The public can speak about an item on the agenda during discussion of that item by coming up to the table or podium, signing in and then waiting to be recognized by the Chairman.
NOTE: "City Commissioners and Staff are reminded to disable the internet and email capabilities of their netbooks."

1. ***CALL TO ORDER.***

2. ***ROLL CALL.***

3. ***PLEDGE OF ALLEGIANCE.***

4. ***CONSENT ITEMS:***

   A. Approve January 19, 2009 (Tuesday) City Commission regular meeting minutes.
   Page 1

   B. Approve bills and claims for the second half of January 2010.
   Page 4

   C. Approve pre-paid claim to American Express due to due date.
   Page 12

5. ***PROCLAMATIONS:***

   None.

6. ***SCHEDULED PUBLIC COMMENT:***

   A. Lori Ryker – Artemis Institute.

7. ***PUBLIC HEARINGS:***

   None. Example - public hearing on a Budget Amendment ordinance.

8. ***ORDINANCES:***

   None.

14. ***CALENDAR OF EVENTS:***

February 1, 2010 – 7:00 p.m. – City Commission meeting – Community Room, City/County Complex.
February 2, 2010 – 4:00 p.m. – City/County meeting – Community Room, City/County Complex.
February 4, 2010 – 6:00 p.m. – *"Civics 101: Livingston"* Session #2 Operations & Open Government – Community Room, City/County Complex
February 9, 2010 – 3:30 p.m. – Historic Preservation Commission meeting – Community Room, City/County Complex.
February 9, 2010 – 7:30 p.m. – Board of Adjustments meeting – Community Room, City/County Complex.
February 10, 2010 – 1:00 p.m. – City Commission/Leadership Team - quarterly performance/mid-year budget review meeting – Community Room, City/County Complex.
February 11, 2010 – 6:00 p.m. – *"Civics 101: Livingston"* Session #3 Finance & Budgeting – Community Room, City/County Complex.
February 16, 2010 – (Tuesday) - 7:30 p.m. – City Commission meeting – Community Room, City/County Complex.
February 17, 2010 – 7:00 p.m. – City Planning Board meeting – Community Room, City/County Complex.
February 18, 2010 – 6:00 p.m. – *"Civics 101: Livingston"* Session #4 Public Works– Public Works Building, Bennett Street.

14. ***CITY COMMISSION COMMENTS.***

15. ***PUBLIC COMMENTS.***

16. ***ADJOURNMENT.***

Notice: An audio recording of the meeting may be purchased by contacting the Recording Secretary. The City does not warrant the audio recording as to content, quality or clarity.

If you need special accommodations to attend or participate in our meeting, please contact the Fire Department at 222-2061 at least 24 hours in advance of the specific meeting your are planning on attending.

Montana Code Annotated 2009

7-1-4144. Public records. (1) Except as provided in subsection (2), all records and other written materials in the possession of a municipality shall be available for inspection and reproduction by any person during normal office hours. The governing body may impose reasonable fees for providing copies of public records.

(2) Personal records, medical records, and other records which relate to matters in which the right to individual privacy exceeds the merits of public disclosure shall not be available to the public unless the person they concern requests they be made public.

(3) Except as provided by law and as determined by the chief law enforcement administrator, law enforcement records which relate to matters in which the right to individual privacy or law enforcement security exceeds the merits of public disclosure shall not be available to the public.

History: En. Sec. 20, Ch. 455, L. 1979.

Provided by Montana Legislative Services

(legal STANDARD Defined by Court opinions.)

City of Livingston, Montana
414 East Callender Street
Livingston, MT 59047
Telephone: (406)823-6001
Facsimile: (406)222-6823

REQUEST FOR PUBLIC RECORDS

NOTE: City of Livingston will attempt to respond within 10 business days.
Date:_____
To: City of Livingston, Montana
Re: Request for Public Records (Note Official Documents shall not leave the custody of the City of Livingston, however the documents may be viewed and/or copied)

Pursuant to Article II Section 9 of the Montana Constitution and 7-1-4144 Montana Code Annotated (MCA) I am requesting copies of the following records from the City of Livingston: (Describe the records you want, where they might be located, time frame, author, recipient, type, i.e., reports, letters, memoranda, forms, e-mail, etc.)

_____
_____
_____
_____
_____
_____
_____
_____

Fees: (Check one.)

____ I am willing to pay applicable fees for processing my request (10¢ per page and postage).

____ I am requesting a fee waiver. Justification for fee waiver is attached. (Attach separate sheet.)

Requested by:

_____
Name

_____
_____
_____
Address

_____/_____
Telephone/Fax

(Do not write below this line – for office use only)

Request Received By: _____
Title: _____
Date Received: _____ Date Response Due: _____

Transmitted for response to _____
Date of transmittal: _____
Transmittal received by _____
Date of Transmittal receipt: _____
Time extension to: _____ Extension Notice sent on:
_____ (date)

Date Response Made: _____ Number of Copies Made: _____
Amount of time (in hours) used to complete this request: _____
Number of Pages _____
Total Cost: 10¢ per page = $ _____

_____
Signature of Employee Responding

_____
Printed Name of Employee Responding
Date transmitted to Administrative Recording Secretary for dissemination: _____

Dissemination:

_____
Pam Payovich-Administrative Recording Secretary
Date of Dissemination to requestor: _____

Denial:
Request Denied on: _____ for the following reason: _____
_____
_____
_____.
Denial sent to requestor on the ____ day of _____, 20____.

_____
Edwin Meece – City Manager