



**CITY OF GREAT FALLS
COMMISSION AGENDA REPORT**

Item: *REMOVAL OF A MEMBER OF THE GREAT FALLS TRANSIT DISTRICT BOARD.*

From: Sara Sexe, City Attorney

Initiated By: Greg Doyon, City Manager

Presented By: Sara Sexe, City Attorney

Action Requested: The City Commission remove Timothy Braulick as a member of the Great Falls Transit District Board.

Suggested Motion:

1. Commissioner moves:

“I move that the City Commission remove Timothy Braulick as a member of the Great Falls Transit District Board.”

2. Mayor requests a second to the motion, Commission discussion, public comment, and calls for the vote.

Background:

Recently, the Great Falls Transit District Board reported to City staff that Board Member Timothy Braulick has not attended a regularly scheduled monthly Transit Board meeting since April 27, 2016. Since that time, the Board has conducted 6 regularly scheduled meetings. That is half of the meetings for the calendar year. No explanation was provided for Mr. Braulick's absence.

The Official Code of the City of Great Falls (OCCGF) provides the following:

§2.56.020 - Removal of members of boards, commissions and councils.

A member of any board or commission or council, who misses more than one-third (1/3) of the regular meetings in a calendar year without a health or medical excuse, shall lose his/her status as a member of such board, commission or council and shall be replaced by the City Commission. Such removal must be preceded by delivery of a copy of a notice of removal stating the reasons therein to such member at least ten (10) days prior

to a hearing thereon before the City Commission, should such member request a hearing on the removal.

(Ord. 2793, 2001).

On October 11, 2016, a notice letter was sent to Mr. Braulick from City Manager, Greg Doyon. The notice letter provided him with the language of the code section stated above. Additionally, the letter informed Mr. Braulick that he had an opportunity to provide an explanation for his absences. The opportunity to provide an explanation terminated on October 21, 2016, and the City received no response from Mr. Braulick.

On October 26, 2016, the City Manager sent another notice letter to Mr. Braulick informing him of this hearing on November 15, 2016. The letter also informed Mr. Braulick that City staff would be recommending that he be removed from his position as a member of the Transit District Board.

Mr. Braulick has not attended half of the regularly scheduled monthly meetings for the Transit District Board. Mr. Braulick has provided no explanation for his absences. Notice was properly given to Mr. Braulick of this hearing and what the staff's recommendation would be. Therefore, the staff recommends that Mr. Braulick be removed from the Great Falls Transit District Board. Advertisement for a replacement board member has already begun.

Recommendation:

City Staff recommends that the City Commission remove Timothy Braulick from the Great Falls Transit District Board.

Alternatives:

The Commission could maintain Timothy Braulick as a member of the Great Falls Transit District Board. However, staff does not recommend this alternative.

Attachments/Exhibits:

City Manager's notice letter dated October 11, 2016.

City Manager's notice letter dated October 26, 2016.

CC: Timothy Braulick
Great Falls Transit District Board



P.O. Box 5021, 59403-5021

October 11, 2016

Mr. Timothy Scott Braulick
1312 14th Street South
Great Falls, MT 59405

Dear Mr. Braulick:

It was brought to our attention that you have missed a significant amount of Transit District Board meetings this year. According to the record the last Board meeting you attended was on April 27, 2016. No excuse was provided to the Board so these absences are considered unexcused at this time.

It is imperative that a Board member be in attendance for all meetings to provide input and recommendations on behalf of the City. This letter is to provide you the opportunity to provide justification allowed under the Official Code of the City of Great Falls (OCCGF) for the absences. If you are unable to provide this, we are kindly asking that you consider resigning from this Board as the City's Representative before being replaced by the City Commission.

All City Board, Commission and Council Members are required to follow the Attendance Policy as adopted in Ordinance 2793. Ordinance 2793 is located in Title 2 of the Official Code of the City of Great Falls (OCCGF); the full text of the Ordinance is as follows:

Chapter 56

BOARDS/COMMISSIONS/COUNCILS ATTENDANCE

2.56.010 Scope

The provisions of this chapter shall apply to all boards, commissions and councils appointed by the City Commission except as follows: Where a conflicting provision appears in state statutes or in city ordinances relating to a particular board, commission or council, the specific statute or ordinance shall apply. (Ord. 2793, 2001)

2.56.020 Removal of members of boards, commissions and councils A

member of any board or commission or council, who misses more than one-third (1/3) of the regular meetings in a calendar year without a health or medical excuse, shall lose his/her status as a member of such board, commission or council and shall

be replaced by the City Commission. Such removal must be preceded by delivery of a copy of a notice of removal stating the reasons therein to such member at least ten days prior to a hearing thereon before the City Commission, should such member request a hearing on the removal. (Ord. 2793, 2001).

We look forward to your response. If a response is not received by October 21, 2016 we will proceed in accordance with 2.56.020.

Sincerely

A handwritten signature in black ink, appearing to read 'G. Doyon', with a long horizontal flourish extending to the right.

Gregory T. Doyon
City Manager

Cc: Great Falls Transit District Board
Jim Helgeson, Great Falls Transit District General Manager



P.O. Box 5021, 59403-5021

October 26, 2016

Mr. Timothy Scott Braulick
1312 14th Street South
Great Falls, MT 59405

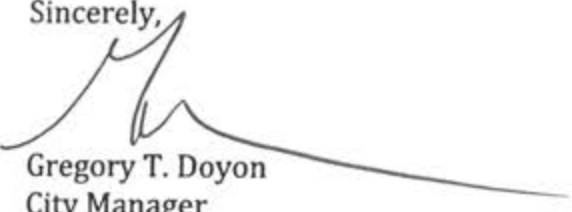
Dear Mr. Braulick:

A letter was sent to you on October 11, 2016 requesting a reason for unexcused absences for the Great Falls Transit District Board Meetings. According to the meeting records you have missed the following meetings this year:

May 18, 2016
June 22, 2016
July 20, 2016
August 24, 2016
September 28, 2016

Since the City has not received a response from you regarding this request; we will move forward with recommending the City Commission remove you from the Board as the City's Representative. The City Commission will be reviewing this recommendation during the November 15, 2016 Commission Meeting. If you wish to address the Commission you may do so during this time.

Sincerely,



Gregory T. Doyon
City Manager

Cc: City Commission
Great Falls Transit District Board
Jim Helgeson, Great Falls Transit District General Manager