

BYLAWS OF THE
PARK ADVISORY COMMISSION - CITY OF ANN ARBOR, MICHIGAN

Article I Name

The name of this citizen board shall be the Park Advisory Commission.

Article II Enabling Authority

Ann Arbor City Charter, Section 5.17, provides that the City Council may create a citizen board for the Department of Parks and Recreation. The Park Advisory Commission was established by resolutions of the Ann Arbor City Council on August 17, 1981 and December 7, 1987.

Article III Purposes, Objectives, and Duties

Section 1. The purpose of the Park Advisory Commission ("PAC") shall be to provide a consistent and formal opportunity for public involvement and perspective regarding community park and recreation services and to provide advisory recommendations to the Parks and Recreation Manager, Field Operations Manager, Community Services Area Administrator, Public Services Area Administrator, the City Administrator and the Council. The operation of PAC shall not impair the authority or responsibility of Parks and Recreation Services. PAC shall be responsible directly to the Mayor and City Council.

Section 2. PAC is an advisory body and shall be limited to performing the tasks enumerated in these bylaws or otherwise delegated to it by City Council. By City Council resolution, PAC is charged with the following powers and duties:

- a) To provide advice and recommendations, as requested, to the Manager of Parks and Recreation Services, the Field Operations Manager, the Community Services Area Administrator, the Public Services Area Administrator, the City Administrator and City Council regarding:
 - 1. Park rules and regulations
 - 2. Community park and recreation services philosophy
 - 3. Park and recreation facility policies, including, but not limited to, fees and charges, hours of operations and scheduling
 - 4. Park maintenance and forestry standards
 - 5. Annual operating budget and review of quarterly financial statements
 - 6. Annual capital improvement budget
 - 7. Parkland acquisitions and Parkland easements or controls
 - 8. Park development/rehabilitation projects
 - 9. Capital improvement and acquisition funding, including millages, bond issues, or related programs
 - 10. Major new development projects (residential, transportation, commercial, etc.) which significantly impact park and recreation services
 - 11. Public information and interpretation of the total park and recreation program to the community
 - 12. Any matter which may be referred to the Park Advisory Commission by City Council or the City Administrator, or any park policy that is a matter of concern to a member of PAC or to the community.

Article IV Membership

Section 1. PAC shall be composed of twelve (12) members. Nine (9) members shall be voting members and three (3) members shall be non-voting.

Eight (8) voting members shall be appointed by the Mayor with the approval of City Council from among candidates who are residents of the City of Ann Arbor who have demonstrated their interest in Ann Arbor's parks and recreation services and who are able to make a time commitment to serve. One (1) voting member shall be appointed by and from the membership of the Recreation Advisory Commission.

Non-voting members shall consist of the Manager of Parks and Recreation Services and two (2) members of City Council who shall be appointed or removed at the discretion of the Mayor.

Section 2. All members of PAC shall serve without compensation.

Section 3. All voting members shall be appointed for a three-year term, except the member appointed from the Recreation Advisory Commission ("RAC") shall be appointed for a two-year term. In order to insure that approximately one third of the voting members' appointments expire each year, initial appointments shall be three (3) members for a one-year term, three (3) members for a two-year term (including the RAC member), and three (3) members for a three-year term.

Section 4. Consistent with City Charter § 12.2, all members of PAC shall be registered electors in the City of Ann Arbor, unless an exception is granted by a resolution concurred in by at least seven (7) members of City Council.

Section 5. Members whose term has expired shall hold over and continue to serve as members of the Board until a successor has been appointed. Consistent with City Code § 1:171, no member shall be allowed to hold over for more than sixty (60) days beyond the appointed term whether or not a successor has been appointed, except that City Council may extend terms for periods of ninety (90) days upon the recommendation of the Mayor and vote of at least six (6) members of Council.

Section 6. Consistent with City Code § 1:171, the Mayor shall notify City Council of the expiration of a member's term at least thirty (30) days prior and shall present to City Council all proposed reappointments no later than sixty (60) days after the expiration of the term.

Section 7. Consistent with City Code § 1:171, any vacancy on the Board occurring in the middle of a term shall be filled for the remainder of the term in the same manner as for full-term appointments.

Section 8. Members are expected to attend regularly scheduled meetings and to notify the Chair and the Manager of Parks and Recreation Services in advance if they expect to be tardy or absent. If a member misses more than three (3) regularly scheduled meetings in a twelve (12) month period, the Chair shall notify the Mayor and may recommend removal of the member.

Section 9. A member of the Board may be removed by City Council for cause following notice and a hearing.

Section 10. No person who has served on PAC continuously for 6 years shall be eligible for

reappointment to PAC until three (3) years have elapsed from the date his/her service ended.

Article V Ethics and Conflicts of Interest

Section 1. A PAC member shall abstain from discussion or voting on any matter where that member is involved in a real or apparent conflict of interest.

Section 2. A PAC member shall neither solicit nor accept gratuities, favors, or anything of monetary value from entities in a position to benefit from a decision of PAC.

Section 3. A PAC member shall not obtain, for himself/herself or for any person with whom he/she has business or family ties, any financial or beneficial interest in a matter which may be affected by a decision of PAC. This restriction shall apply during the member's tenure on PAC and for one year thereafter.

Section 4. A PAC member shall abstain from discussion or voting on any matter from which that PAC member, any member of his/her immediate family, his/her partner, or a person with whom PAC member has family or business ties may obtain a financial interest or other benefit.

Section 5. Except where it violates a confidence, a PAC member shall disclose all pertinent facts regarding any possible conflict, real or apparent, and those facts shall be recorded in the minutes of the proceedings. The member may then abstain from discussion and voting on the matter.

Section 6. PAC members shall complete an annual disclosure of organization affiliations and shall update this disclosure in writing at any time during the year when such affiliations change.

Section 7. PAC members shall comply with the ethical requirements of these bylaws in a manner consistent with all applicable laws governing conflicts of interest.

Article VI Officers

Section 1. The officers of PAC shall be a Chair and Vice-Chair. The officers shall be elected by secret ballot each year from among the voting members of PAC. The officers shall be elected for a one-year term by a majority of the voting members present. No member shall serve more than three (3) consecutive one-year terms in one office. The term of the officers shall run from the beginning of the first regularly scheduled meeting on or after September 1 of each year to the beginning of the first regularly scheduled meeting on or after September 1 of the following year.

Section 2. The Chair shall preside at all meetings and shall decide points of order and procedure subject to the provisions of these bylaws and in accordance with Robert's Rules of Order, as revised. The Chair shall have the privilege of discussing and voting on all matters before PAC. The Vice-Chair shall assume the duties of the Chair in the Chair's absence.

Section 3. When an office becomes vacant before the expiration of the current term, the vacancy shall be filled in the same manner as full-term offices and the new officer shall serve the remainder of the term. Should an officer resign or be removed from PAC, or otherwise become unable to fulfill his/her official duties before the expiration of his/her term, a replacement officer shall be elected at the next regularly scheduled meeting and shall serve for the remainder of the term. The replacement officer shall be elected in the same manner as for full-term officers. The Vice-Chair may be elected as replacement Chair, in which case a replacement Vice-Chair shall be elected at the same time.

Section 4. No individual may hold more than one (1) office at a time.

Article VII Meetings

Section 1. PAC shall conduct regularly scheduled meetings at least monthly. The schedule of regular meetings for the following year shall be determined by PAC before the end of the current year. Public notice of the year's schedule of regular meetings shall be posted at least forty-eight (48) hours prior to the first meeting of the year.

Section 2. Special meetings may be called by the Chair or by any five (5) of the voting members currently serving on PAC. The purpose of the special meeting shall be stated in the public notice for that meeting. At the special meeting, PAC may not conduct any business beyond the specific purpose stated in the public notice, except by unanimous consent of the voting members present. Public notice of the special meeting shall be posted at least eighteen (18) hours prior to the scheduled starting time.

Section 3. PAC may hold non-voting working meetings to carry on the work of PAC. Public notice of the working meeting shall be posted at least eighteen (18) hours prior to the scheduled starting time.

Section 4. Public notice of committee meetings shall be posted at least eighteen (18) hours prior to the scheduled starting time.

Section 5. Public notice of all meetings shall be posted at City Hall.

Section 6. Notice of each meeting shall be provided to all members of PAC at least forty-eight (48) hours prior to the scheduled starting time for all regular and special meetings and at least eighteen (18) hours prior for all rescheduled and committee meetings.

Section 7. The Chair may cancel a meeting due to weather, emergency, or other circumstances that may substantially limit the ability of members of PAC or the public to attend. The Chair shall give notice of cancellation to members of PAC at least two (2) hours prior to the scheduled meeting time, where practicable. The Chair shall post public notice of the cancellation as soon as practicable. The Chair may reschedule cancelled meetings with PAC's consent. Public notice for rescheduled regular or special meetings shall be posted at least eighteen (18) hours prior to the scheduled starting time.

Section 8. Five (5) members of the Commission shall constitute a quorum. A concurring vote of five (5) of the voting members currently serving on PAC is required for PAC to act on any matter except as otherwise permitted by these bylaws. If the effective voting membership of PAC is reduced because of a conflict of interest, a majority of the remaining voting members currently serving on PAC shall be required for an action of PAC. The right to vote is limited to members of PAC actually present at the time the vote is taken at a lawfully called meeting.

Section 9. Except for the election of officers, voting shall be by voice and a show of hands. If the vote is not unanimous, a roll call vote shall be taken and recorded in the minutes.

Section 10. PAC shall arrange to keep minutes of all meetings, which shall be a record of PAC's consideration and actions, and which shall include at a minimum a list of those members present and not present at each meeting; identifying information, where given, of all persons appearing before PAC; a copy of each resolution or other matter acted upon by PAC and a description of the outcome of each action. The minutes shall be filed in the Community Services Area and shall be a public

record.

Section 11. All meetings of PAC and its committees shall be open to the public and conducted in accordance with the Michigan Open Meetings Act (PA 267 of 1976), as amended. Closed sessions may be called for purposes listed in the Open Meetings Act.

Section 12. Public comment shall be allowed at all meetings. An individual may speak for up to three (3) minutes on any item listed on the agenda. The Chair may extend an individual's speaking time in his/her discretion. Public comment on non-agenda items may be limited in the Chair's discretion.

Article VIII Agenda and Order of Business

Section 1. Agendas for each PAC meeting shall be developed by the Chair and the Manager of Parks and Recreation Services or other delegated staff member. Agendas for all regular meetings shall be made available to the public and other PAC members at least forty-eight (48) hours before the meeting's scheduled starting time.

Section 2. The order of business at regular meetings shall be as follows. The order of business may be suspended or modified by a majority vote of those members present.

- a) Roll Call
- b) Approval of Agenda
- c) First Public Comment
- d) Approval of Minutes of Previous Meetings
- e) Presentations
- f) Reports
- g) Regular Business (Agenda Items)
- h) New Business (Non-Agenda Items)
- i) Second Public Comment (Not Limited to Agenda Items)
- j) Communications
- k) Closed Session
- l) Adjournment

Article IX Committees

Section 1. PAC may create standing or special committees to further the purposes, objectives, and duties of PAC. Standing committees may, but need not be, described in the bylaws. Committees shall be limited to performing the tasks delegated to them by PAC. Each committee shall include at least one (1) member of PAC and may contain other community members in PAC's discretion.

Section 2. Members of committees shall be appointed by the Chair in consultation with the Parks and Recreation Services Manager and approved by PAC.

Section 3. The Budget and Finance Committee is a standing committee that advises PAC on financial matters arising as part of the work delegated to PAC by City Council. The Chair of PAC shall nominate a chair of the Budget and Finance Committee, who shall be approved by a two-thirds majority of PAC.

Section 4. The Land Acquisition Committee is a standing committee of the whole of PAC that considers proposals to acquire land that arise as part of the work delegated to PAC by City

Council. The Chair of PAC shall serve as the chair of the Land Acquisition Committee.

Article X Parliamentary Authority

Section 1. The rules contained in the current edition of Robert's Rules of Order Newly Revised shall guide PAC except where they are inconsistent with these bylaws.

Section 2. PAC shall not adopt or follow any operating rules, regulations, or guidelines in addition to these bylaws.

Article XI Amendment of Bylaws

Section 1. Proposed amendments to these bylaws may be approved at any regular meeting by a two-thirds vote of the nine (9) voting members currently serving on PAC. Proposed amendments must have been submitted in writing at the previous regular meeting to be considered. Proposed amendments must be submitted to the Office of the City Attorney for review and shall not be effective until approved by City Council, which shall have final discretion to modify these bylaws.

Section 2. These bylaws shall be reviewed by PAC each September for possible amendment.

Article XII Miscellaneous

Section 1. Unless otherwise provided by City Council, the staff of the Community Services Area shall be the primary provider of administrative support and professional advice to PAC and the Manager of Parks and Recreation Services shall be the primary liaison between the Community Services Area and PAC.

Section 2. The Ann Arbor City Attorney's Office shall be the legal consultant to PAC.

Restated and Amended: Articles I – XII, 2009)
(Approved by City Council, _____ 2009)

Amended: Article V, Sections 3, 4, 5 and 6 - February 16, 1982

Amended: Article IV, Sections 1, 2, 6 and 7
Article V, Sections 4, 5, 6, 7, 8 and 9
Article VI, Sections 2, 4 and 7
Article VIII, Section 6, 9 and 10
Article IX, Section 2
September, 1990

Amended: Article V, Section 6 - February 15, 2000

Amended: Article III
Article IV, Sections 2, 4, and 6
Article V, Sections 1, 6, 7, 8, and 9
Article VI, Sections 3, 7, and 9

Article VIII, Section 4, 9, and 10
January 17, 2006