

Frank Wilhelme

1) Article 2 entitled, Enabling Authority carries the following statement: "The COC was established by resolution of the Ann Arbor City Council on February 1, 2021." I believe it is important that this section also make reference to City Council Resolution (20-1478) passed on October 5, 2020. This Resolution contains a great deal of background about the effort to establish a central park and commons and makes specific reference to the formation of the Council of the Commons in the final "Resolved" clause: "That the City Council declares the formation of the Ann Arbor Center of the City- Council of the Commons; herein referred to as the Commons Council."

Response: Bylaws revised.

2) Article 5 entitled, Ethics and Conflicts of Interest states the following in section 5.2: "A member of the COC shall not solicit or accept gratuities, favors, or anything of monetary value from persons or entities in a position to benefit from a decision of the COC." As a board member of the Library Green Conservancy, a 501c3 nonprofit organization, I am involved in raising private gifts for the establishment of the park and commons. I don't believe my LGC fundraising activities are in conflict with section 5.2, but I thought I should bring it to your attention.

Response: At present, this would not present an issue. If the Library Green Conservancy were to, for example, seek a contract with the City to manage some aspect of the Center of the City, then recusal may be appropriate.

3) Article 8 entitled, Agenda and Order of Business in section 8.2 indicates "public comment" on the Agenda comes before "regular business." At our April 1st meeting, we had public comment at the very end of the meeting. I just wanted to flag that difference.

Response: Public comment can be placed in either spot on the agenda, in the COC's preference.

Alan Haber

Article 2, The Council of the Commons was established by resolutions of the City Council on October 5, 2020 and February 1, 2021

Response: Bylaws revised.

Article 3.2 delete last sentence fragment "By City Council Resolution."

3.3. The Council of the Commons shall issue its annual report before the end of each fiscal year.

Response: Bylaws revised.

Article 4.1 ...shall have an initial 13 members... (the Accelerating Resolution indicated the initial members were not considered necessarily all the members. There is no limit on the number of members.

Response: The City Council resolution of February 1, 2021 (R-21-044) restating the purpose and membership controls, and sets the number at 13.

4.7 (1) attendance may be by virtual "zoom" or similar technology.

Response: This would be determined by the Open Meetings Act and City policies rather than the bylaws.

4.9. The Council of the Commons may add additional voting members, subject to the disapproval of the City Council.

- (1) a member of an Ann Arbor Area indigenous Tribal community
- (2) a member of the Ann Arbor African American Community,
- (3) others whom the Council of the Commons may determine would add special quality or competence to its functioning

Response: The City Council resolution of February 1, 2021 (R-21-044) restating the purpose and membership controls.

Article 5.1 (1), (2). (3) insert "materially" before "beneficial"

Response: These are the standard ethics bylaws provisions.

Stephen Borgsdorf

1. The relevant City Council resolution R-20-397 defines the composition of the CoC. We cannot add members or otherwise alter the membership; that would have to come from City Council. (To the extent that the committee wants to engage others, perhaps form a committee under 9.1.)

Response: The City Council resolution of February 1, 2021 (R-21-044) restating the purpose and membership controls.

2. The Resolution provides for 12 members, but only 11 voting members. The City Administrator (or his designee) doesn't get a vote. (I think Tom Crawford indicated his assent with the various items under discussion, but the minutes of last night's meeting should reflect 11 votes.)

Response: The City Council resolution of February 1, 2021 (R-21-044) restating the purpose and membership controls, and sets the number at 13.

3. A few nits in the document:

Section 3.2 - Stray last sentence.

Section 4.3 - Should it say "All members of the CoC shall serve without compensation."

Section 6.1 - The last sentence is goofy but I'm not sure how to fix it.

Section 7.10 - Missing word "The ___ shall keep minutes..."

Response: Bylaws revised.

5.9 delete the whole section, or define what is meant or anticipated by "potential or actual petitioner". There is nothing in the functions or purposes that suggests the Council of the Commons is receiving petitions.

- 5.11. delete "petitioners"

Response: These are standard bylaws provisions. If an outside entity were to submit a proposal to the COC for review and possible recommendation to Council, the entity would qualify as a petitioner for purposes of these sections.

Article 6.1. change "3" to "2" in successive terms

Response: This change could be adopted by the COC if desired.

Article 7.8 ...the presence of 7, or 1 more than 50% of the voting members, ..

Response: This change could be adopted by the COC if desired.

7.10 The Staff Liaison shall keep minutes

Response: Bylaws revised.

(1) an audio record shall be kept of all regular and special meetings, available to the public

Response: This would be determined by City policies rather than the bylaws.

7.12. ...may speak up to 3 minutes. (not limited to 2 minutes)

Response: This change could be adopted by the COC if desired.

7.13. Non-voting members of Council of the Commons Committees and of the Public may granted speaking rights on specific Agenda items on approval of the Council of the Commons members by majority vote

Response: Nonvoting members generally have the right to discuss agenda items in the same manner as voting members. Public comment occurs at public comment time. The COC can always amend the agenda to add additional public comment.

Article 8.2. after (5) public comment add new (6) and new (7)

(6) Report from Initiating Committee. (Comparable to the regular Downtown Citizens Advisory Commission report at the beginning of each DDA Board meeting)

(7). Report from Block Group (an important group of "Neighbors which should give a regular report to the Council of the Commons

(8) Communications (Communication should be heard before the regular

business

(9). Regular business

(10) Adjournment

Response: This change could be adopted by the COC if desired.

Article 9.1. replace "Commission" with the "Chair of the Council of the Commons" shall consult

Response: Bylaws revised.

Article 10.3. The Council of the Commons shall establish a "Parliamentary Procedures Committee" to explore alternative consensual decision making methods appropriate to the principles and practices of commoning such as "sociocracy" and "loomio" and others, and if the Committee determines improved methods of decision making would be appropriate, it shall make a report of such to the Council of the Commons as a whole, suggesting amendments to the by-laws as may be appropriate.

Response: This change could be adopted by the COC if desired. However, prior to establishing such a standing committee, it is recommended to discuss with the COC as a whole. This task may be best assigned to a work group of 3 or 4 people, which would not be required to hold meetings noticed in accordance with the Open Meetings Act, and could therefore meet and communicate more freely with each other and members of the public. The work group could then present regular updates and have the full body discuss at the COC's meetings.

Article 12.2. (1) The City Attorney's Office shall issue a written response to questions on which

The Council of the Commons seeks consultation.

Response: The Attorney's Office will assist and advise as needed, but the bylaws cannot direct this.