



Commission approval date: _____
City Council approval date: _____

BYLAWS OF THE PARK ADVISORY COMMISSION

Article 1 NAME

The name of this citizen board ~~shall be~~ the Park Advisory Commission ("PAC").

Article 2 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. ~~PAC~~~~The Park Advisory Commission~~ was established by resolutions of the Ann Arbor City Council on August 17, 1981 and December 7, 1987.

Article 3 PURPOSE, OBJECTIVES, AND DUTIES

3.1 The purpose of ~~the Park Advisory Commission~~ ("PAC") ~~shall be~~ is 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 the Manager of Parks and Recreation Services, the City Administrator, or the City Council.~~ PAC ~~shall be~~ responsible directly to the Mayor and City Council.

Commented [FC1]: Charter provision 5.17

3.2 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:

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.

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- (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 4 MEMBERSHIP

4.1 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.

Commented [FC2]: Charter section 12.2

Non-voting members ~~shall~~ consist of the Manager of Parks and Recreation Services, ~~the Director of Recreation of the Ann Arbor Public Schools*~~, and two ~~(2)~~ members of City Council who shall be appointed ~~or removed at the discretion of~~ the Mayor.

4.2 All members of PAC ~~shall~~ serve without compensation.

4.3 ~~All~~ ~~Each~~ voting members ~~shall be~~ appointed ~~for to~~ a three-year term, except the member appointed from the Recreation Advisory Commission ("RAC") ~~shall be~~ appointed ~~for to~~ a two-year term. ~~Appointments shall be staggered so that one third of the non-RAC voting members' terms expire each year. 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.~~

4.4 Consistent with City Charter § 12.2, ~~all~~ ~~each~~ members of PAC shall be ~~a~~ registered electors in the City of Ann Arbor ~~at the time of appointment~~, unless ~~this requirement is waived~~ ~~an exception is granted~~ by a resolution concurred in by at least seven ~~(7)~~ members of City Council.

Commented [FC3]: Charter section 12.2

4.5 ~~A~~ ~~M~~ members whose term has expired ~~shall may~~ hold over and continue to serve as members of ~~the Board~~ PAC 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.

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4.6 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.

4.7 Consistent with City Code § 1:171, any vacancy on ~~the Board~~PAC 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.

4.8 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.

4.9 Consistent with City Code § 1:171, A member of ~~PACthe Board~~ may be removed for cause by the Mayor with the approval of City Council ~~for cause following notice and a hearing.~~

4.10 No person who has served on PAC continuously for ~~six (6)~~ years shall be eligible for reappointment to PAC until three ~~(3)~~ years have elapsed from the date ~~his/her~~the person's service ended.

Article 5

ETHICS AND CONFLICTS OF INTEREST

5.1 ~~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.~~A PAC member shall abstain from discussion or voting on any matter in which that member has a real or apparent conflict of interest. Decisions regarding conflicts of interest shall be evaluated on a case-by-case basis with reasonable application of the principles provided in this article. A conflict of interest shall at a minimum include, but is not necessarily limited to:

- (1) Discussing, voting on, or otherwise acting on a matter in which a member or any person in the member's immediate family, the member's partner, or an entity with whom the member has family or business ties has a direct financial or beneficial interest.
- (2) Discussing, voting on, or otherwise acting on a matter involving work on property which is owned by that member or which is adjacent to property owned by that member.
- ~~(4)~~(3) Discussing, voting on, or otherwise acting on a matter when the member's employee or employer is an applicant or agent for an applicant, or has a direct financial or beneficial interest in the outcome.

5.2 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.

5.3 A PAC member shall not obtain, for ~~himself/herself~~the member or for any person with whom ~~he/she~~the member 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

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tenure on PAC and for one year thereafter.

~~5.4 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.~~

~~5.4 A PAC shall disclose the general nature of any potential conflict, real or apparent, and, except when it violates a confidence, shall disclose all pertinent facts relating to the potential conflict. These disclosures shall be made prior to discussion and voting when possible and shall be recorded in the minutes of the proceedings. If the member believes that the potential conflict warrants abstention, the member may abstain from discussion and voting on the matter. 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.~~

~~5.5 A member who cannot vote due to a conflict of interest shall, during deliberation of the matter before PAC, leave the meeting or the area where the members sit until action on the matter is concluded.~~

~~5.6 PAC members shall comply with the ethical requirements of these bylaws in a manner consistent with all applicable laws governing conflicts of interest. When a question has arisen as to whether a member is ineligible to participate in discussion or vote on a matter because of a conflict of interest, PAC may determine that the member is ineligible due to a conflict of interest by a vote of a majority of the other members present. Upon such a determination, the ineligible member shall not participate in discussion or vote on the matter.~~

~~5.7 PAC members shall complete an annual disclosure of organization affiliations that could conceivably present a conflict of interest and shall update this disclosure in writing at any time during the year when such affiliations change.~~

~~5.8 Members shall not act, hold themselves out, or permit themselves to be perceived as official representatives or spokespersons for PAC without authorization from PAC or the Chair. When communicating for personal purposes on matters that may relate to PAC's business, members shall clearly indicate that their statements are made in a personal capacity and do not necessarily reflect the views of PAC. Whenever a member is asked to speak on behalf of PAC, the member shall seek permission of PAC or the Chair in advance.~~

~~5.9 To maintain public confidence in the objectivity of PAC and to avoid the appearance of bias or prejudice, a member shall not speak or appear before PAC on behalf of or as a representative of a potential or actual petitioner. A member should avoid speaking or appearing before another entity on behalf of or as a representative of a potential or actual petitioner and shall inform PAC and recuse themselves from such a petition if the member does so. Outside of a PAC meeting, a member shall not advise an actual or potential petitioner regarding a petition, except to inform the petitioner of factual procedures of PAC. This section does not preclude a member from discussing a petition within the scope of the PAC's duties at a PAC meeting.~~

~~5.10 Members of PAC shall communicate with City staff through the PAC's designated staff liaison, unless otherwise authorized by the City administration, and shall follow applicable City administrative policies.~~

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5.11 Members shall conduct themselves in a fair, courteous, and understanding manner at all times in the discharge of their duties, and shall avoid exchanges or actions based upon personal differences. Members shall be respectful of other members, the public, petitioners, and City staff.

Article 6 OFFICERS

6.1 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~~full terms in one office. The term of ~~the each~~ 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. Elections of officers shall be held no later than August of each year.

6.2 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 ensure that all meetings are conducted in an efficient and respectful manner.~~ 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.

6.3 When an office becomes vacant before the expiration of the current term ~~(whether by resignation, removal, incapacity, or other circumstance), the vacancy shall be filled by election in the same manner as for full-term officers and the new officer shall serve the remainder of the term. The replacement officer shall be elected at the next regularly scheduled meeting or as soon as practicable. 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.

6.4 No individual may hold more than one ~~(1)~~ office at a time.

Article 7 MEETINGS

7.1 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. A change in the schedule of regular meetings must be approved by the PAC and notice of the change shall be posted within three days after the meeting at which the change is approved.

7.2 Special meetings may be called by the Chair or by written concurrence of any five

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~~(5) of the three~~ voting members ~~currently serving on PAC.~~ ~~Except when the special meeting is a rescheduled regular meeting,~~ 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.

7.3 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.

7.4 ~~Public notice of regularly scheduled committee meetings shall be posted in the same manner as the schedule of regular PAC meetings.~~ Public notice of ~~nonregularly scheduled or special~~ committee meetings shall be posted at least ~~eighteen (18)~~ hours prior to the scheduled starting time.

7.5 Public notice of all meetings shall be posted at City Hall ~~or at any location designated by the City Administrator or City Council.~~

7.6 ~~When practicable, meetings shall be scheduled to allow the staff liaison to provide notice to all members of PAC at least 48 hours in advance. 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.~~

7.7 ~~The Chair may cancel a meeting if there is no business on the agenda or if it is clear that a quorum will not be present.~~ 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 ~~and the staff liaison~~ at least two ~~(2)~~ hours prior to the scheduled meeting time, ~~where when~~ practicable. The ~~Chair-staff liaison~~ shall post public notice of the cancellation as soon as practicable. The Chair may reschedule cancelled meetings with PAC's consent. ~~Cancelled regular meetings may be rescheduled in the same manner as special meetings. Public notice for rescheduled regular or special meetings shall be posted at least eighteen (18) hours prior to the scheduled starting time.~~

7.8 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.

7.9 ~~Except for the election of officers, v~~oting shall be by voice and a show of hands. ~~The Chair shall declare the outcome of each vote.~~ If the vote is not unanimous, ~~any voting member may request~~ a roll call vote, ~~which~~ shall be taken and recorded in the minutes.

7.10 PAC shall ~~arrange to~~ keep minutes of all ~~regular and special~~ meetings ~~in accordance with City administrative policies and direction,~~ ~~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.~~

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~~The minutes shall be filed in the Community Services Area and shall be a public record.~~

7.11 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.

7.12 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 open for public comment~~. The Chair may extend an individual's speaking time in ~~his/her~~ the Chair's discretion. Public comment on non-agenda items may be limited in the Chair's discretion.

Article 8 AGENDA AND ORDER OF BUSINESS

8.1 Agendas for each PAC meeting shall be developed by the Chair and the ~~Manager of Parks and Recreation Services or other delegated staff member~~ staff liaison in consultation with members of PAC as needed. ~~To the extent practicable, A~~ 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.

8.2 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.

- (1) Call to Order
- (2) Roll Call
- (3) Approval of Agenda
- (4) First Public Comment
- (5) Approval of Minutes of Previous Meetings
- (6) Presentations
- (7) Reports
- (8) Regular Business ~~(Agenda Items)~~
- (9) Land Acquisition Matters ~~New Business (Non-Agenda Items)~~
- (10) Second Public Comment (Not Limited to Agenda Items)
- (11) Communications
- (12) Closed Session
- (13) Adjournment

Article 9 COMMITTEES

9.1 PAC may create standing or special committees to ~~further the purposes, objectives, and duties~~ assist in the work 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 non~~ members in PAC's discretion.

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

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~~9.3 In creating each committee, the Commission shall consult with City staff to review the necessity of creating the committee and whether adequate resources exist to support the committee. Committees are subject to applicable City's administrative policies and procedures.~~

9.4 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.

~~9.5 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.~~

9.5 PAC may create a standing Skatepark Advisory Committee to the extent authorized by agreement between the City and the Friends of the Ann Arbor Skatepark ("Friends"). The committee should include representation from City park staff, Washtenaw County Parks and Recreation Commission staff, and the Friends. PAC shall have final discretion to appoint members, but Friends may nominate Friends representatives for membership. The committee shall advise PAC and, through PAC, advise City staff and City Council on the operation, maintenance, and upkeep of the Ann Arbor Skatepark, including advising on:

- (1) Skatepark operations.
- (2) Skatepark alterations or additional amenities.
- (3) Organizing and hosting educational and special events at the Skatepark.
- (4) Developing and distributing promotional materials and event advertising regarding the Skatepark.
- (5) Distributing Skatepark rules and other educational materials to Skatepark users.
- (6) Feedback regarding misuse of the Skatepark.
- (7) Fundraising to support additional approved amenities, programs and improvements at the Skatepark.
- (8) Developing a robust volunteer base to assist the City with the maintenance and operations of the Skatepark, along with developing set volunteer work days where volunteers will work under the general supervision of the City.

Article 10

PARLIAMENTARY AUTHORITY

10.1 The rules contained in the current edition of Robert's Rules of Order Newly Revised shall guide PAC; ~~however, parliamentary procedure shall be flexible and may be adjusted in the Chair's discretion to best serve the needs of PAC. Nevertheless, all parliamentary procedures except where they are in must be~~ consistent with these bylaws and applicable City policies.

10.2 PAC shall not adopt or follow any operating rules, regulations, or guidelines not expressly prescribed by these bylaws.

Article 11

AMENDMENT OF BYLAWS

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11.1 Proposed amendments to these bylaws may be approved at any regular meeting by a two-thirds vote of ~~all 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 prior to adoption by PAC. After adoption by PAC, the bylaws are and shall not be effective until approved by City Council, ~~which shall have final discretion to modify these bylaws.~~

11.2 These bylaws shall be reviewed by PAC ~~each September~~annually for possible amendment.

Article 12
MISCELLANEOUS

12.1 ~~Unless otherwise provided by City Council, the staff of t~~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 or designee shall be the primary liaison between ~~the Community Services Area and PAC and City staff. The City Administrator has final discretion regarding staffing.~~

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

*Per Council Resolution R-335-8-81 the Director of Recreation and Education of the Ann Arbor Public Schools is a non-voting member. Since at least 2000 this has not been the practice.

~~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~~