Failed 2 (Banach, Sabbagh)-6

Young absent

ORDINANCE 98-05

TO AMEND TITLE 2 OF THE BLOOMINGTON MUNICIPAL CODE ENTITLED "ADMINISTRATION AND PERSONNEL"
(Review and Reauthorization Procedure for City Boards And Commissions)

WHEREAS, the Common Council believes that the tools and programs of government should be examined on a regular basis in order provide for a dynamic government that effectively serves the needs of the community; and

WHEREAS, City Boards and Commissions are one of the tools of local government which deserve regular examination;

NOW THEREFORE, BE IT HEREBY ORDAINED BY THE COMMON COUNCIL OF THE CITY OF BLOOMINGTON, MONROE COUNTY, INDIANA, THAT:

SECTION 1. Amend Section 2.08.020 General Provisions of the Bloomington Municipal Code by inserting part (14) which shall read as follows:

(14) Reports. All boards and commission shall submit an annual report to the City Council by the second Monday in January. This report shall detail the purpose and goals of the boards and commission, accomplishments of the year in meeting those goals, and plans for the new year.

SECTION 2. Amend Section 2.08.020 General Provisions of the Bloomington Municipal Code by inserting part (15) which shall read as follows:

(15) Review. The Common Council shall review all boards and commissions at least once every four years. These reviews shall be conducted in two review cycles, one of which shall operate in the second year and the other of which shall operate in the third year of the Council term. However, the Common Council shall review all boards and commissions existing on January 1, 1998 during the year 1998, and upon reauthorization, shall assign each board and commission to one of the aforementioned review cycles. These and future assignments shall be done in order to spread the work evenly between these two review cycles. The Common Council shall, in the enabling legislation, assign all boards or commissions established after January 1, 1998 to one of the review cycles. The initial review for new boards and commissions, however, shall be scheduled for no later than four calendar years after their inception.

SECTION 3. Amend Section 2.08.020 General Provisions of the Bloomington Municipal Code by inserting part (16) which shall read as follows:

(16) Length of Term and Reauthorization. All boards and commissions shall be subject to reauthorization by the Common Council in the year of their review. In order to conduct the reauthorization, the Common Council shall divide all boards and commissions into those which are local and those which are statutory.

Local boards and commissions shall include all those which are established under the City's general home rule powers and without specific statutory authority. All local boards and commissions shall have terms of four years and except for their initial terms, which are described below, their terms shall commence on the first day of January of the year following their review and reauthorization, and shall terminate on thirty-first day of December in the year of their next scheduled review. The initial term for local boards and commissions scheduled for review and reauthorization in 1998 shall commence upon reauthorization, and shall terminate on thirty-first day of December of the year of their scheduled review. And, the initial term for local boards and commissions established after January 1, 1998 shall commence with the inception date, as found in the enabling legislation, and shall terminate on the thirty-first day of December of the year of their scheduled review. Unless reauthorized by a vote of the Council in the year of their scheduled review, these local boards and commissions shall terminate at the end of that year.

Statutory boards and commissions shall include all those identified and specifically authorized by state statute, and shall be subject to the following

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reauthorization procedure. Prior to the end of the year in which the statutory board or commission is scheduled for review, the Council shall vote either to reauthorize the statutory board or commission, or to undertake all necessary measures to terminate it.

SECTION 5. Severability. If any section, sentence, or provision of this ordinance, or the application thereof to any person or circumstances shall be declared invalid, such invalidity shall not affect any of the other sections, sentences, provisions, or applications of this ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are declared to be severable.

SECTION 6. This ordinance shall be in full force and effect from and after its passage by the Common Council of the City of Bloomington and approval of the Mayor.

PASSED and ADOPTED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this ____ day of _____, 1998.

_____
TIMOTHY MAYER, President
Bloomington Common Council

ATTEST:

_____
PATRICIA WILLIAMS, Clerk
City of Bloomington

PRESENTED by me to the Mayor of the City of Bloomington, Monroe County, Indiana, upon this ____ day of _____, 1998.

_____
PATRICIA WILLIAMS, Clerk
City of Bloomington

SIGNED and APPROVED by me upon this ___ day of _____, 1998.

_____
JOHN FERNANDEZ, Mayor
City of Bloomington

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SYNOPSIS

This ordinance is sponsored by L. David Sabbagh and provides for the review and reauthorization of all city boards and commissions at least once every four years. In order to assist the Council in their determinations, all boards and commissions must submit reports in January of every year detailing their purposes, goals, plans, and accomplishments. The Council will then review these boards and commissions in review cycles that occur in the second and third years of the Council term and vote whether or not to reauthorize them. The termination of local boards and commissions would follow from the Council's failure to act, while the termination of statutory boards would begin with an affirmative vote of the Council to take the necessary measures to do so.