

# Bloomington Environmental Commission Hand...

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**1. Mission of the Environmental Commission and Statutory Authority**

- A. The mission of the Environmental Commission (EC) is to promote the stewardship and preservation of the City’s environment and natural resources by seeking out and responding to emerging issues, addressing them with sound long-term policy recommendations, and increasing local environmental awareness and engagement.
- B. The Commission actively participates in the city planning process; researches and reports on environmental topics; develops educational outreach activities and materials; responds to inquiries from residents; and coordinates with other municipal boards, commissions, and outside organizations on issues of mutual interest.
- C. The Commission has been granted statutory authority to conduct activities and adopt rules and regulations for the conduct of its business through the City of Bloomington Municipal Code (BMC) 2.02.05.

**2. Commission Power and Duties**

- A. The Commission shall have the following powers and duties, according to BMC 2.02.09:
  - 1. To adopt administrative rules and regulations for the conduct of its business.
  - 2. To encourage, conduct, synthesize, and report on studies, investigations, and research relating to emerging issues in Bloomington, and make recommendations to the appropriate public and private bodies.
  - 3. To collect and disseminate information through outreach efforts that encourage engagement and personal commitment to strengthening Bloomington’s environmental health.
  - 4. To collaborate with all departments and governmental branches of the city of Bloomington concerning the impacts of their operations and policies on the city’s environment and natural resources, through the development and distribution of reports, memos, and resolutions.
  - 5. To work with city staff to apply for, provide input on, accept, receive, and administer grants or other funds or gifts from public or private agencies for the purpose of carrying out any of the provisions or purposes of this section. Such funds received by the commission pursuant to this subdivision shall be deposited in accordance with the administrative regulations of the commission.

6. To cooperate with partners or groups within or outside of Bloomington on matters of environmental well-being such as responsible stewardship of biodiversity, air and water quality, and land use.
7. To submit an annual written report to the mayor and the common council.

### **3. Commissioner Responsibilities**

#### **A. Qualifications to Serve on Commission**

1. As stated in the BMC, preference for appointments to the EC shall be given to persons with expertise in environmental fields.
2. All appointments shall be made from residents of the city.

#### **B. Role and Responsibility of Commissioners**

1. Commissioners are expected to advise and participate in the Commission voting process in regard to issues or activities that come before it, fall within the scope of its duties, and assist in the fulfillment of its mission.
2. Members shall vote on all questions before the commission except in situations where there is a conflict of interest or for other good cause. If a member fails to vote upon any matter, any other member may raise the question and insist that the non-voting member either vote or state the reason for not voting and be excused.
3. It is the responsibility of Commissioners to attend meetings regularly or provide appropriate and timely notice if unable to attend. Commissioners shall not attend more than fifty percent (50%) of the meetings per year virtually, nor exceed two (2) consecutive meetings virtually.
4. Commissioners shall review and provide meeting material in advance of a meeting. Commissioners are expected to maintain knowledge of overall City of Bloomington and City Council goals and priorities, along with staying informed on current community-wide environmental issues.

#### **C. Ethical Policy and Expectations**

1. Appointees to the EC shall comply with a code of conduct that is maintained by the clerk's office. The clerk's office shall present the

code of conduct to each appointee for review and signature. Violations of the code of conduct are considered cause for removal.

2. As appointed public representatives, Commissioners must hold themselves to the highest ethical standards when conducting commission business. Commissioners are expected to make their best efforts to avoid conflicts of interests.

#### **D. Conflicts of Interests**

1. Commissioners are expected to perform their duties in an impartial manner, free of personal interest (economic or otherwise), either directly or through other personal relationships. A conflict of interest can occur if information gained from Commission activities is used for personal gain.
2. Typically, conflicts of interest are caused by financial interests, occupational concerns, or personal relationships. Commissioners should remove themselves from situations that constitute a conflict of interest. In addition, Commissioners may not accept gifts from lobbyists or anyone doing business with the City of Bloomington, the City Council, or the Commission.

#### **E. Public Positions and Statement Policy**

1. Commissioners shall not conduct themselves independently of the Commission or represent the Commission on anything that has not been voted on by the Commission. This is including but not limited to public statements or distributing material on behalf of the Commission.
2. When speaking with the media, or submitting public comment, Commissioners should proactively clarify their comments to be those of an individual member of the community and are not on the behalf or representative of the positions of the Commission unless previously approved by a majority vote of the commission and the Office of the Mayor.

#### **F. Term Limits & Time Commitment**

1. The terms for this commission shall be for a period of two years. A Commissioner may re-apply to serve an unlimited number of terms.
2. Commissioners are expected to commit a reasonable amount of time to the Commission. This includes attending and contributing

to discussions at monthly public, working group, and ad hoc meetings, or events as they arise. It is also an expectation of commissioners to review materials ahead of time to prepare for each respective meeting.

#### **G. Cause for Removal**

1. Additionally, in accordance with Bloomington Municipal Code 2.02.050, there is cause for removal, subject to the decision of the appointing authority, upon the failure of attendance of three consecutive regularly scheduled meetings or four regularly scheduled meetings in any twelve-month period. If there are extenuating circumstances that limit the attendance of a Commissioner, said Commissioner should provide circumstances in writing to appointing authority within five (5) business days before the formal decision to remove is reached. More information about attendance policies may be found in Bloomington Municipal Code 2.02.050.

### **4. Commission Officers**

#### **A. Chairperson Duties**

1. The Chairperson (Chair) presides over all meetings, including:
  - a. Calling meetings to order at scheduled time;
  - b. Verifying presence of quorum;
  - c. Processing all motions;
  - d. Facilitating meetings and keeping track of time;
  - e. Conducting meetings in a fair and equitable manner;
  - f. Maintaining neutrality to facilitate debate;
  - g. Ensuring adherence to rules of order and decorum among members;
  - h. Ensuring the work of the Commission maintains consistent with intended mission and purpose, and,
  - i. Crafting the Annual Report and presenting it to the City Council and Mayor.
2. The Chair, unless decided and voted on otherwise, shall be the public representative for the Commission in all matters relating to positions and statements to outside parties. The Chair is the face of the Commission and shall represent the Commission in matters including, but not limited to: public speaking engagements,

presenting at City Council and Commission meetings, and moderating city-wide special events.

#### **B. Vice-Chair/Treasurer Duties**

1. The Vice-Chair assumes the role of Chair in their absence. They should also work in collaboration with the Chair to facilitate Commission business. Vice-Chair is responsible for the maintaining and guidance of EC Chairs. Any issues not able to be handled at their level may then be escalated to the Chair and/or Steering Committee. As Treasurer, they will keep account of all Commission funds, including evaluating and approving requests for funds by Commissioners and working groups.

#### **C. Secretary Duties**

1. The Secretary takes minutes at meetings, and provides minutes to staff liaison in a timely fashion via email, no later than 10 days before the next scheduled public meeting. The minutes include record of motions and votes, attendance, and general themes of conversations had, including the names of any guests or members of the public who contribute.

#### **D. Election of Commission Officers**

1. Election of officers is held in June, with new officers' terms beginning in July and lasting one calendar year. Election of commission officers are taken in the order listed in the bylaws: Chair, Vice-Chair/Treasurer, and then Secretary.
2. Nominations shall be taken from the floor at the June meeting.
3. Elections are decided by majority vote. If there is a tie, the Chair will cast the deciding vote. If the sitting Chair is a candidate for the office involved in a tie, the Vice-Chair will cast the deciding vote. If there is only a single nominee for each office, the entire slate can be elected by acclamation.

### **5. Commission Meetings**

#### **A. Meeting Logistics**

1. The Commission generally meets the third Thursday of each month at 6:00 p.m. in the Showers City Hall, 401 N. Morton Street. Special meetings may be called as necessary. All meetings are open to the public. In addition to discussion of pertinent environmental issues

in the City, the Commission is often addressed by guest speakers regarding particular environmental topics.

## **B. Types of Meetings**

1. Most meetings of the Commission are regular, monthly meetings. However, under extenuating circumstances a special meeting of the Commission may be called by the chair, the mayor, or by a majority of the members then serving on the EC requesting such meeting in writing. Upon receiving such a request, the chair shall call a special meeting to be held within twenty (20) days. The special meeting must nevertheless comply with the Open Door Law notice requirements and have a posted agenda and be accessible to the public. The special meeting should also be noted in the City's online event calendar.

## **C. Meeting Procedures**

1. Standing rules that govern the Commission and its meetings are contained in the authorizing legislation for the Commission and subsequent updates to that legislation (Ordinances 71-39, 72 35, and 83-6). Commission meetings generally adhere to the following rules:
  - a. Meetings follow [Robert's Rules of Order](#)<sup>1</sup>.
  - b. Meeting agendas may be revised to include new discussion points, presented only by Commissioners, prior to the agenda being voted on for approval by the Commission.
  - c. A period of public comment has been established at the beginning of each meeting. During this time, comments may be made on any topic. Public comment on each non-agenda item is generally limited to five minutes per person.
  - d. New issues raised by Commissioners or brought to the attention of the Commission by the general public, during the course of the meeting, may be placed on the agenda of the next regular, monthly Commission meeting.
  - e. A Commissioner may also suggest agenda topics by contacting a member of the Steering Committee. During discussion at the subsequent meeting, it will be decided if the issue merits further attention by a staff member or

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<sup>1</sup> Robert's Rules of Order Link: <http://www.rulesonline.com/index.html>

Commissioner or if it can be resolved at the present meeting.

- f. Commission resolutions are passed by voice roll call vote. They are recorded in the minutes of the meeting and a copy will be placed in a permanent file that is maintained by the staff liaison.

#### **D. Electronic and Hybrid Meetings**

##### 1. Section 1

- a. The provisions of the Act, including definitions, apply to this resolution.
- b. This resolution shall be known as the “Electronic Meetings Policy” and applies to the Commission and any of its committees.

##### 2. Section 2

- a. Subject to Sections 3 and 5, any member may participate in a meeting by any electronic means of communication that:
  1. allows all participating members of the governing body to simultaneously communicate with each other; and
  2. other than a meeting that is an executive session, allows the public to simultaneously attend and observe the meeting.
- b. A member who participates by an electronic means of communication may participate in final action only if the member can be seen and heard.
- c. All votes taken during a meeting at which at least one (1) member participates by an electronic means of communication must be taken by roll call vote.

##### 3. Section 3

- a. At least five (5) of EC members must be physically present at a meeting at which a member will participate by means of electronic communication. Not more than fifty percent (50%) of the members may participate by an electronic means of communication at that same meeting.
- b. A member may not attend more than a fifty percent (50%) of the meetings in a calendar year by an electronic means of communication unless the member’s electronic participation is due to:

1. military service;
  2. illness or other medical condition;
  3. death of a relative; or
  4. an emergency involving actual or threatened injury to persons or property.
- c. A member may attend two (2) consecutive meetings (a set of meetings) by electronic communication. A member must attend in person at least one (1) meeting between sets of meetings that the member attends by electronic communication, unless the member's absence is due to:
1. military service;
  2. illness or other medical condition;
  3. death of a relative; or
  4. an emergency involving actual or threatened injury to persons or property.
- d. A member who plans to attend a meeting by any electronic means of communication shall notify the presiding officer and relevant staff within two (2) days before the meeting so that arrangements may be made for the member's participation by electronic communication and so that notices may be prepared.
4. Section 4
- a. The memoranda and any minutes prepared for a meeting at which any member participates by electronic means of communication must:
1. identify each member who:
    - A. was physically present at the meeting; and
    - B. participated in the meeting by electronic means of communication; and
    - C. was absent; and,
  2. identify the electronic means of communication by which:
    - A. members participated in the meeting; and
    - B. members of the public attended and observed the meeting, if the meeting was not an executive session.
5. Section 5

- a. No member of the Commission may participate by means of electronic communication in a meeting if the Commission is attempting to take final action to:
    - 1. adopt a budget;
    - 2. make a reduction in personnel;
    - 3. initiate a referendum;
    - 4. impose or increase a fee; or
    - 5. impose or increase a penalty.
6. Section 6
- a. In the event the governor declares a disaster emergency under IC 10-14-3-12 or the executive (as defined in IC 36-1-2-5) of a political subdivision declares a local disaster emergency under IC 10-14-3-29, the Commission may meet by any means of electronic communication if the following requirements of IC 5-14-1.5-3.7 are satisfied:
    - 1. At least a quorum of the members of the Commission participate in the meeting by means of electronic communication or in person.
    - 2. The public is able to simultaneously attend and observe the meeting. However, this subdivision does not apply to a meeting held in executive session.
    - 3. The memoranda and any minutes prepared for a meeting held under this section must:
      - A. state the name of each member of the Commission who:
      - B. participated in the meeting by using any electronic means of communication; and
      - C. was absent; and
    - 4. identify the electronic means of communication by which:
      - A. members of the Commission participated in the meeting; and
      - B. members of the public attended and observed the meeting, if the meeting was not an executive session.
    - 5. All votes taken during a meeting under this section must be taken by roll call vote.

7. Section 7

- a. At any meeting of the Commission where any member participates by an electronic means of communication, members of the public shall be able to attend and observe the meeting via electronic means. Subject to the Commission's rules for making public comment, members of the public may also participate in the meeting via electronic means.
8. Section 8
    - a. At any meeting of the Commission where any member participates by an electronic means of communication, staff members may also participate in the meeting via electronic means, provided there is no actual need for a staff member to be physically present at a particular meeting. Such need shall be determined in the sole discretion of the presiding officer.

#### **E. Meeting Packets and Deadlines**

1. The meeting agenda, minutes of the previous meeting, and any additional information for the Commission's knowledge is emailed to all Commissioners during the week of the monthly meeting by the Staff Liaison. Commissioners who wish to propose additions to the agenda should do so no later than 10 days before the meeting by emailing the Staff Liaison in the Department of Planning & Transportation.

#### **F. Quorum Determination**

1. The Chair of the Commission will determine whether there is a quorum prior to the start of the meeting. A quorum means that a majority of the members serving on the Commission are in attendance, with a minimum of five (5) commissioners present. No official votes may be taken unless there is a quorum. A sub-committee (or working group) shall have a quorum of a majority of its members and a minimum of two (2) commissioners present. Public notice requirements adhere to open door laws.
2. If quorum is not met in a reasonable time allotment, the Chair may cancel the meeting and reschedule it for a day that is sufficient with

the amount of time needed for public notice, dictated by [Indiana's Open Door Law](#)<sup>2</sup> (IC 5-14-1.5).

## **6. Working Groups**

### **A. About Working Groups**

1. All working groups developed by the Commission are advisory in nature. The purpose of the working groups is to investigate issues, prepare reports, and/or recommend actions to the Commission. All working group recommendations, correspondence, or public events must be approved in advance by the entire Commission.

### **B. Duties of Working Group Chairs**

1. The chair of a working group convenes meetings; sets the agenda; facilitates discussion; takes minutes or ensures that another member takes minutes; drafts committee reports and/or recommendations for submission to the full commission; submits budget requests; and reports on working group activity during the regular monthly meeting of the Commission.
2. Working group chairs may not enter into agreements or contracts, commit Commission funds, send correspondence, or prepare material for public consumption without approval of the full Commission. Drafts of written material and/or signage must be submitted to the Commission no later than Wednesday of the week preceding the meeting. The chair of a working group may not encumber Commission funds without prior approval from the Chair and Staff Liaison.

### **C. Duties of Working Group Members**

1. A member of a working group has the same responsibility to a Commission working group as they do to the commission as a whole. Members are required to attend all meetings. Failure to attend more than 25% of the meetings within a single calendar year will constitute resignation from a working group.
2. When a working group sponsors a special public event, such as Eco-Heroes or staffing a table at the Master Gardener Show, all

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<sup>2</sup> Indiana Open Door Law (IC 5-14-1.5) Link:  
<https://www.in.gov/cji/behavioral-health/files/lcc-coordinator-documents/IC-5-14-1.5-open-door-policy.pdf>

members should make themselves available to help for the duration of the event.

## 7. Commission Vacancies

### A. Process

1. The Commission is made up of 12 members: six (6) appointed by the City Council, and six (6) appointed by the Mayor. Residents of the City of Bloomington may apply to fill a vacancy on the City website or contact the City Clerk's office. The City Council or Mayor evaluates applicants and conducts an interview before determining whether the applicants are qualified to serve on the Commission.

### B. Identification of Qualified Candidates and Recruitment by Commissioners

1. Commissioners are also encouraged to identify qualified candidates through recruitment. Commissioners should direct qualified candidates to the City website to apply.

### C. Orientation of New Commissioners

1. There is no formal orientation process for new Commissioners. However, new Commissioners may meet with the Staff Liaison to review processes and history of the EC. Additionally, there are several resources that new Commissioners may use to familiarize themselves with the work of the Commission. These include:
  - a. This handbook.
  - b. [The Commission's website](#)<sup>3</sup>, which contains information about the Commission and a selection of its publications.
  - c. [The Unified Development Ordinance \(UDO\) of the City of Bloomington](#)<sup>4</sup>, accessible as Title 20 of the BMC. The UDO contains all land use and development regulations of the City.
  - d. [The 2018 Comprehensive Plan](#)<sup>5</sup>.
  - e. The [Bloomington Environmental Action Plan \(BEAP\)](#)<sup>6</sup>. The BEAP is the Commission's long-range strategic plan to mitigate the effects of climate change and reduce the city's level of greenhouse gas emissions. It's the culmination of

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<sup>3</sup> Environmental Commission Website Link: <https://www.bloomington.in.gov/boards/environment>

<sup>4</sup>Unified Development Ordinance Webpage Link: <https://bloomington.in.gov/planning/udo>

<sup>5</sup> City of Bloomington Comprehensive Plan Link: <https://bloomington.in.gov/planning/comprehensive-plan>

<sup>6</sup> Environmental Commission Reports Page Link: <https://bloomington.in.gov/boards/environment/reports>

several years of work by members of the Commission and other interested stakeholders in the community. It's available on the Commission's website, under "Reports."

- f. [Other boards and commissions of the City of Bloomington](#)<sup>7</sup>.
- g. A list of current commissioners and their contact information, accessible from the Staff Liaison.

## **8. Commissioner Resignation**

### **A. Process**

1. In the event that a Commissioner is unable or unwilling to fulfill their duties on the Commission, they may resign before the end of their term. The Commissioner must submit to the Planning & Transportation Staff Liaison a short letter of resignation that includes (1) their intent to resign, (2) the effective date of their resignation, and (3) their current address. This may be written in the form of an email.

## **9. Role of Department and Commission Staff**

### **A. Role of Department of Planning & Transportation**

1. Selected staff of the Department of Planning & Transportation provide support services to the Commission. The Senior Environmental Planner serves as a liaison between the Department and the Commission.

## **10. Relationships with Other Commissions and Organizations**

### **A. Formal and Informal Links with Environmental Organizations and Other Boards and Commissions**

1. The Commission maintains both formal and informal links with many other environmentally related organizations in the City of Bloomington. The Commission retains standing positions to the Tree Commission, the Bloomington/Monroe County Metropolitan Planning Organization Citizen Advisory Committee, and the Parks Department's Environmental Resources Advisory Committee. The Commission may also be asked for recommendations for appointment by committees such as the Environmental Resources Advisory Committee (ERAC). In addition, the Commission has

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<sup>7</sup> City of Bloomington Boards and Commissions Webpage Link: <https://bloomington.in.gov/boards>

historically maintained informal links with several other organizations, including the Monroe County Solid Waste Management District (MCSWMD), the Bloomington Commission on Sustainability (BCOS), the Deer Task Force and the Bloomington Parks Board.

## **11. Design Standards for Commission Publications and Correspondence**

### **A. Standardized Template for Outreach Materials and Publications**

1. To create uniformity and increase recognition, the EC is encouraged to use standardized templates set by the Office of the Mayor for its correspondence, outreach materials, and reports. The EC shall follow digital accessibility guidelines as outlined by the City of Bloomington Information and Technology Services Department.

## **12. Communication with City Council and the Mayor**

### **A. Recommendations to City Council and the Mayor**

1. From time to time, the Commission prepares reports and materials that could be of interest to the City Council and/or the Mayor. These often include making recommendations, e.g., for a change in City policy or procedure. These recommendations should be presented in a professional format to the City Council and/or the Mayor, which could include a report with a cover letter or a presentation at a public meeting.

### **B. Annual Reports**

1. At the end of every year, the Chair of the Commission is responsible for submitting an Annual Report to the Mayor and City Council. This annual report should consist of summaries of the Commission's activities and projects over the past year. To aid in the production of the Annual Report, working group chairs should submit to the Chair of the Commission a short summary of their working group's activities over the past year, no later than December.

## **13. Legislation and Lobbying**

### **A. Obtaining Legislative Position Information from City Council**

1. Information about legislative positions of the City Council and other important information regarding Council meetings may be found in

the *Legislative Packets* distributed weekly and available on the [Council's webpage](#)<sup>8</sup> under the Council Meetings section. [Archived meeting minutes](#)<sup>9</sup> are also available.

## **B. Recommending a Position of Commission Interest**

1. The City Council generally meets on a Wednesday at 6:30 PM in the Council Chambers of City Hall. On occasion, the Council may be discussing legislation of interest to the Commission; e.g., debating whether to approve a Planned Unit Development (PUD) in an environmentally sensitive area. In such cases, Commissioners are encouraged to voice their opinions: this could be in the form of (1) presenting a personal position during the "public comment" period, (2) presenting a Commission position during the "presentations from boards and commissions period," so long as the position has been voted on and approved by a majority of the Commission, or (3) drafting a letter to the Council from the Commission, so long as the letter has been voted on and approved by a majority of the Commission.
2. Commission positions may also be recommended to other legislative bodies or organizations of interest, such as the Indiana state legislature. Again, any position from the Commission as a whole, regardless of audience, must be voted on and approved by a majority of the Commission and the Office of the Mayor.

## **C. Lobbying**

1. On certain occasions, the Commission may decide to lobby in support of or against a particular issue or piece of legislation that could have an impact within our jurisdiction; e.g., in support of a City of Bloomington ordinance requiring recycling at multi-family apartment buildings or against a State of Indiana bill to reduce regulation of logging on private property. When an individual Commissioner wishes to lobby on behalf of the Commission, the action must be voted on and approved by a majority of the Commission.

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<sup>8</sup> City of Bloomington Common Council Webpage Link: <https://www.bloomington.in.gov/council>

<sup>9</sup> City of Bloomington Common Council Meeting Minutes Webpage Link: <https://www.bloomington.in.gov/council/meetings>

## 14. Miscellaneous

### A. Commission Webpage

1. The Commission retains a [webpage through the City of Bloomington website](#)<sup>10</sup>.

### B. The History of the Environmental Commission

1. The EC was established in 1971 by municipal ordinance as the Environmental Quality and Conservation Commission and has evolved into the EC. A comprehensive history of the EC may be found on the Commission's webpage.

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<sup>10</sup> Bloomington Environmental Commission Webpage Link:  
<https://www.bloomington.in.gov/boards/environment>