

CITY OF BLOOMINGTON

PARKING COMMISSION

Parking Resolution 18-03

To Amend the Commission's ByLaws

WHEREAS, the City of Bloomington Common Council in November of 2016 adopted Ordinance 16-22 ("Ordinance") amending Title 2 of the Bloomington Municipal Code; and

WHEREAS, Ordinance 16-22 requires the Commission to adopt rules and regulations for the conduct of its business; and

WHEREAS, On March 27, 2017, the Commission adopted by-laws governing the conduct of its business; and

WHEREAS, the Commission desires to amend its by-laws to clarify provisions and streamline the adoption of resolutions;

NOW THEREFORE BE IT RESOLVED that the Members of the Bloomington Parking Commission hereby amend the Bylaws of the Bloomington Parking Commission, a copy of which is attached hereto as Exhibit A.

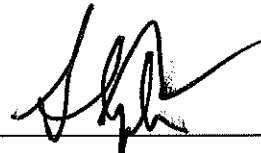
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APPROVED this 28th day of March, 2019, by the Parking Commission, at a regular meeting of the Bloomington Parking Commission at which two-thirds of the Members were present and voting.

We the below-signed, do hereby certify that the above is a true and correct copy of the resolution.

X 
Chair, Parking Commission

Adrienne Evans Fernandez, Council Appointee

X 
Secretary, Parking Commission
Stephen Volan, Council Member

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EXHIBIT "A"
BY-LAWS AS AMENDED

City of Bloomington, Indiana
Parking Commission
BYLAWS

Article I.
MEMBERS

I.1. Appointment. Bloomington Municipal Code (BMC) §2.12.110 (b), or its successors specifies the appointment mechanism. BMC §2.08.020 or its successors specifies filling of vacancies.

I.2. Qualifications of Voting Membership. BMC §2.12.110 (c), or its successors, specifies the composition of the Commission and Qualifications for voting Membership.

I.3. Appointment of Non-Voting Advisory Members. BMC §2.02.040, or its successors, sets forth the guidelines and requirements to expand the Commission by adopting and filing with the City of Bloomington Common Council a motion which states the Commission's intention to expand membership by as many as four (4) non-voting advisory Members. As directed by BMC §2.08.020 (2), the motion shall set forth the initial period of staggered terms and, after that period, the terms shall be the same length as other positions on those entities.

I.4. Meetings. The commission shall meet at least one time each month unless the Commission votes to cancel a meeting. Changes to dates and times may be approved by the Chairperson including cancellations and the scheduling of the special meetings.

I.5. Attendance. Members shall give prior notice to the Chairperson or to the staff liaison appointed by the Transportation and Traffic Services Division of the Planning and Transportation Department if they are unable to attend a regular or special meeting.

I.6. Resignation. Resignations shall be in writing by the resigning Member and shall be conveyed to the Chairperson and the appointing office of the resigning Member.

I.7. Removal of Members. Except for appointees who serve at the pleasure of the Mayor, a member of the Commission may be removed for cause. Cause shall include, but not be limited to, failure to attend three consecutive regularly-scheduled meetings of the commission or four regularly-scheduled meetings in any twelve-month period, provided that any member may submit in writing to the appointing authority any extenuating circumstances. Such written submission shall be made within five business days before the formal decision to remove is reached. Acceptance of extenuating factors by the appointing official or body puts the member on notice that further excessive absenteeism shall result in removal. The Chairperson shall provide notice of

absenteeism of Mayoral appointees to the Office of the Mayor. *BMC §2.08.20 (4)*.

I.8. Vacancies by Death In the event that a vacancy occurs through resignation or death, the appointing authority shall appoint a person to fill the unexpired term of the resigned or deceased member. If a Member's term has expired, but the appointing authority has failed to act, the appointment of the Member whose term has expired carries over for sixty days or until the appointing authority reappoints or appoints a successor. *BMC § 2.08.20 (5)*.

Article II. MEETINGS

II.1. Regular Meetings. Regular meetings of the Commission shall be held monthly.

II.2. Annual Meeting. The regular meeting in February shall be known as the annual meeting and shall be to elect officers and for any other business that may arise.

II.3. Special Meetings. *BMC §2.08.020 (11)* or its successors specifies requirements for calling special meetings. A special meeting of the Commission or council may be called by the Chairperson, the Mayor, or by a majority of the duly appointed Members the Commission requesting such meeting in writing to the Chairperson. Upon receiving such request, the Chairperson shall thereafter call a special meeting to be held within twenty days. Notice of special meetings must be given in advance and the purpose of a special meeting shall be set forth in the notice thereof. Public notice of the date, time, and place of any meetings, executive sessions, or of any rescheduled or reconvened meeting, shall be given at least forty-eight (48) hours (excluding Saturdays, Sundays, and legal holidays) before the meeting.

II.4. Notice. Notice of each regular meeting shall be conveyed to Commission Members before each meeting and shall include the agenda. The news media shall also be notified in accordance with I.C. 5-14-1.5-1 through 7 or its successors.

II.5. Quorum. *BMC §2.08.020 (7)* or its successors specify requirements for a quorum. A majority of the duly appointed Members, excepting the nonvoting appointed and *ex officio* Members, shall constitute a quorum for purpose of conducting the official business of the Commission.

II.6. Parliamentary Procedure. *BMC §2.08.020 (8)* or its successors specifies requirements for Parliamentary Procedure.

II.7. Conduct of Meetings. The order of business of all meetings shall be as follows:
(a) Call to Order;
(b) Approval of Minutes;

- (c) Reports from Commissioners and City Offices including, but not limited to:
 1. Office of the City Controller;
 2. Department of Public Works;
 3. Parking Enforcement Division of the Police Department;
 4. Office of the City Clerk;
 5. Department of Planning & Transportation;
- (d) Reports from the Public;
- (e) Discussions of Topics Not the Subject of Resolutions;
- (f) Discussion of Resolutions;
- (g) Member Announcements;
- (h) Adjournment.

The Chairperson may limit the length of time and number of times an individual may comment during public comment. The Chairperson shall explain the limits prior to hearing any public comment. This also may include limitations on repetitive or redundant comments to help ensure each individual has an opportunity to provide their comments.

II.8. Votes. Each voting Member shall be entitled to one vote. Routine business may be conducted by voice vote. The outcome of a vote shall be determined by the majority of the duly appointed Members present and eligible to vote and voting. In no event shall less than four votes cast in the affirmative carry a motion or adopt a Resolution of the Commission. A member who wishes not to vote may remain silent during a voice vote or roll call vote, or may submit a blank ballot during a ballot vote. No member may be forced to vote.

II.9. Minutes. A digital recording of all meetings shall be kept and available for review by Members and the public within a reasonable period of time after a meeting.

Article III. RESOLUTIONS

III.1. Resolutions. The Commission shall have the authority to adopt resolutions. No resolution shall be adopted without at least two-thirds of the duly appointed Members present

III.2. Recommendations. Published recommendations of the Commission and the Annual Report shall be adopted and approved by Resolution.

III.3. Recorded Votes. For Resolutions considered by Commission, the Secretary shall call the roll and record the votes of each duly appointed and voting Member, the results which shall be published in the minutes of the Commission's meeting.

III.4. Annual Report. BMC §2.12.110 specifies that the Commission shall submit an annual report of its activities and programs to the Mayor and Common Council by September 30 of each year. Such report shall be approved by the Commission by Resolution.

Article IV. OFFICERS

IV.1. Positions. Officers of the Commission may include but are not limited to the Chairperson, the Vice-Chairperson, and the Secretary.

IV.2. Eligibility. All officers shall be members of the Commission and no member shall hold more than one office at a time. The Chairperson shall have been a member for at least six months prior to becoming Chairperson, unless no current Members have been appointed for a period longer than six months.

IV.3. Election. All officers shall be elected at a regular meeting by a majority of the current membership of the Commission.

IV.4. Term. Officers shall be elected to serve for one year or until their successors are elected, and their terms of office shall begin at the close of the meeting at which they are elected. Officers shall deliver to their successors all accounts, papers, records, and other Commission property within two weeks of their expired term.

IV.5. Removal. An Officer of the commission may be removed from office for cause. Cause shall include, but not be limited to, misuse of office, improper representation of the commission, failure to carry out minimum duties of office, failure to attend three consecutive regularly scheduled meetings in any twelve month period or four regularly scheduled meetings in any twelve month period without just cause as determined by the Commission; provided, that any member may submit in writing to members of the commission any extenuating circumstances. Such written submission shall be made within five business days before the formal decision to remove is reached. A member or members of the commission shall submit a signed statement outlining the charges to the Commission and, following the proper procedure, cause is established. Proper procedure includes distribution of the statement to all Commission members. Decision as to removal will be made by majority vote at the next scheduled meeting. Removal from office is not a vote for dismissal from the Commission.

IV.6. Vacancies. If an office becomes vacant, the term shall be filled by election at the next regular meeting. If the Officer resigns from the office giving advance notice, the election shall take place at the next regular meeting after the resignation is submitted.

IV.7. Chairperson. The Chairperson shall prepare the agenda for all meetings, and preside over all meetings (except when they designate another person or the Vice-Chairperson). The Chairperson shall distribute the agenda and related documents no less than 48 hours prior to a scheduled meeting. The Chairperson shall be responsible for preparing and submitting the Commission's annual report, as required by §III.4 above.

IV.8. Vice-Chairperson. The Vice-Chairperson shall serve as the Chairperson in the absence of the Chairperson; shall perform all duties that may be delegated by the Chairperson; shall aid the Chairperson on request; shall post notice of vacancies of the Commission's Advisory Committee positions and the requirements thereof; and shall

perform such other duties applicable to the office as prescribed by the parliamentary authority adopted by the Commission. In the absence of the Secretary, the Vice-Chairperson shall serve as or appoint a Member to serve as Secretary.

IV.9. Secretary. The Secretary shall keep for every meeting written minutes in which the results of any vote are recorded and, when appropriate, specific findings of facts and conclusions, and shall handle the correspondence of the Commission. A copy of all minutes, committee reports, etc. are to be kept on file in the Transportation and Traffic Services Division of the Planning and Transportation Department or its successor.

IV.10. Executive Committee. The Executive Committee shall consist of the Chairperson, the Vice Chairperson, and the Secretary. The Executive committee shall meet with the Planning and Transportation Department staff liaison to discuss the business and set the agenda in advance of a regular meetings and recommend to the Common Council candidates for nonvoting, advisory membership.

IV.11. Staff Liaison Duties. The Planning and Transportation Department staff liaison shall provide notice of all Commission meetings as required by the Indiana Open Door Law; provide and report in a timely manner on all data requests regarding the City's parking inventory, including usage, capital and operating costs, so long as the data is released in a manner consistent with exemptions from disclosure of public records set forth in Indiana Code § 5-14-3-4; and provide other support for Commission activities as agreed to by the Director of Planning and Transportation or its successor.

Article V. ADVISORY COMMITTEE

V.1. Appointment. BMC §2.02.040 or its successors specifies the appointment mechanism of Advisory Committee members.

V.2. Notice of Vacancy. The Vice-Chairperson shall post notice of vacancy with the Office of the City Clerk.

V.3. Residency Requirement. BMC §2.08.20 or its successors specifies all appointments to city boards, commissions and councils shall be made from residents of the city except those positions that are directed otherwise by state law or city ordinance.

V.4. Terms. As directed by BMC §2.08.020 (2), the motion shall set forth the initial period of staggered terms and, after that period, the terms shall be the same length as other positions on those entities.

Article VI. APPROPRIATIONS

VI.1. Appropriations. BMC §2.12.110 or its successors specifies that the Commission may apply for appropriations through the Mayor, apply for grants, gifts or other funds from public or private agencies. All monies shall be placed on deposit in accounts designated by the City Controller and may be disbursed by Resolution of the Commission. The Vice-Chairperson shall prepare an annual statement of appropriations, grants, gifts, and expenditures to be presented to the Members at its annual meeting.

**Article VII.
AMENDMENT OF BYLAWS**

VII.1. Amendment. A two-thirds (2/3) majority of the duly appointed Members of the Commission may vote to amend these by-laws only after discussing proposed amendments during at least two regularly scheduled Commission meetings that have been called with proper notice.

Bylaws of the City of Bloomington Parking Commission, adopted March 28, 2019.