

# Clearwater Park Commission By-laws

## Section 1: Introduction

The by-laws outlined below are approved procedures for the Clearwater Park Commission. Members should review and understand City Code Part 1, Chapter 2, Article VI, Division 5 - Park Commission included in the appendix of these by-laws. In the event of a conflict between the City Code and the Clearwater Park Commission by-laws, the City Code will prevail.

Some components of these by-laws are common across all City boards and commissions. From time to time the City Council may make changes to board and commission by-laws and will notify the board and commission of these changes. Boards and commissions should consult with the City Administrator if they want to propose a change to the by-laws. Proposed by-law amendments should be announced one meeting prior to voting on the proposed change. By-law amendments require the approval of a majority of the voting Park Commission members and approval by the City Council.

In addition to the City Code and these by-laws, the Clearwater Park Commission will be guided by those policies and procedural documents applicable to the Clearwater Park Commission or City advisory boards in general. Copies of these documents will be made available to members at the beginning of their service with the Clearwater Park Commission.

## Section 2: Mission and Business Address

Refer to City Code Part 1, Chapter 2, Article VI, Division 5 - Park Commission for the Clearwater Park Commission purpose and duties.

## Section 3: Membership

### Membership Composition

Refer to City Code Part 1, Chapter 2, Article VI, Division 5 - Park Commission.

### Terms of Membership

Refer to City Code Part 1, Chapter 2, Article VI, Division 5 - Park Commission.

### Contact Information

Clearwater Park Commission members are required to provide a mailing address, phone number, and an email address to the City Administrator. This contact information is available to City staff and members of the public. Park Commission members may have a city email address assigned to them for Park Commission business upon request to the City Administrator.

### Responsibilities

Clearwater Park Commission members are expected to be present and adequately prepared for all meetings and to actively participate in meeting discussions. Members who are unable to complete assigned tasks should notify the Chair and City Administrator as soon as possible.

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## Attendance

If a member cannot attend a regular meeting, he or she should notify the City Administrator as soon as possible and ideally no later than three hours prior to the start of the meeting.

## Resignation or Removal

The Clearwater Park Commission may ask the City Council to review a member's appointment based on the member's failure to perform the responsibilities outlined above.

## **Section 4: Meetings**

### Meeting Notice

All board and commission meetings are open to the public. To comply with legal requirements and ensure accessibility to the public, the City Administrator gives official notice of all Clearwater Park Commission meetings on the City's website and at City Hall.

### Regular Meetings

Regular meetings of the Clearwater Park Commission are held at Clearwater City Hall or another officially noticed location on the second Monday of each month. A regular meeting may be rescheduled by the Clearwater Park Commission at a prior meeting.

### Annual Meeting

In January, the Clearwater Park Commission will hold an annual meeting to:

- Elect officers for the upcoming year,
- Review and update by-laws as necessary, and
- Affirm the regular meeting schedule for the upcoming year.
- Annual budget meeting in July.

### Special Meetings

Special meetings of the Clearwater Park Commission may be called by the Chair, City Council, City Administrator or by the directive of a majority of the Clearwater Park Commission voting members. Members will be notified of the special meeting by written or email communication at least three calendar days in advance of the meeting. To comply with the open meeting law and to ensure accessibility to the public, the City Administrator posts official notice of all special meetings.

### Cancelling Meetings

Meetings of the Clearwater Park Commission can be cancelled by the Chair, City Administrator or by the directive of a majority of the Clearwater Park Commission voting members. Meetings may be cancelled for insufficient business, lack of quorum, conflict with a holiday, inclement weather or in the event of a community emergency.

### Quorum

Three members must be present to constitute a quorum.

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## Meeting Agendas

Meeting agendas will be prepared by the City Administrator in consultation with the Park Commission Chair. Members may request that items be added to the agenda. Members that request for items to be added will be required to provide supporting documentation to the City Administrator by the Wednesday prior to a regularly scheduled meeting. The meeting agenda and related materials will be sent electronically the Thursday prior to the scheduled regular meeting.

## Meeting Proceedings

During regular meetings, business will be conducted in the order listed below. The order of business may be changed with the support of a majority of the voting members.

- Call to Order
- Pledge of Allegiance
- Roll Call
- Approval of agenda
- Approval of minutes from preceding meeting
- Public Forum
- Commission Business Action Items & Recommendations
- Reports
- Set Next Meeting Date
- Adjournment

Meetings will be conducted according to the latest edition of *Roberts Rules of Order*.

## Public Forum

During Public Forum the Chair will ask to hear from those in attendance who would like to speak about something not on the agenda that is relevant to the Clearwater Park Commission. Individuals must limit their presentations to three minutes. Chair has the right to limit the number of speakers making similar statements and to limit comments related to matters previously discussed. The Clearwater Park Commission is not required to respond to the comments. In order to maintain a respectful environment for all those in attendance, disruptive behavior such as the use of signs, clapping, cheering or booing is not allowed.

## Motions and Voting

A simple majority of voting members present and voting will decide all motions before the Clearwater Park Commission. At the request of a member, a roll call vote will be taken when there is a divided vote on any item. A tie vote on any motion will result in a failure to pass.

## Meeting Minutes

The Park Commission Secretary will prepare minutes for the Clearwater Park Commission meetings. The minutes will include which members were present and absent, a summary of each item discussed and any motions proposed, and the votes on those motions. If the Park Commission Secretary is not present to record minutes, the Clearwater Park Commission will appoint a secretary to prepare the minutes. The secretary will prepare draft minutes within two weeks of the meeting date and forward the draft to the City Administrator. Approved minutes will be posted on the City's website. The City Administrator may provide a staff person to act as Park Commission Secretary in accordance with City Code Section 2-253.

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## Section 5: Officers

The Clearwater Park Commission will hold elections for the officer positions of Chair, Vice Chair, and Secretary at the annual meeting in January. The Chair may make and second motions and vote on all motions. The duties of the Chair include but are not limited to:

- Assist in the preparation of the agenda in consultation with the City Administrator.
- Lead the meeting in accordance with the agenda and facilitate discussion on agenda items.
- Invoke a reasonable time limit for speakers during public testimony.
- Ensure that the bylaws are followed and actions are properly taken.
- Maintain meeting decorum.
- Extend meetings or schedule special meetings as necessary.
- Cancel meetings, in consultation with the City Administrator.
- Facilitate the development of the annual work plan.
- Develop annual calendar of anticipated agenda items for each month.
- Consult with members regarding attendance issues.
- Encourage active participation by Clearwater Park Commission members and members of the public.

The Vice Chair performs the duties of the Chair in his/her absence. If both the Chair and the Vice Chair are absent, an acting chair may be assigned in advance by either officer or at the meeting by a majority vote of the members.

The City Staff Liaison shall serve as Secretary.

## Section 6: City Staff Liaison

The City Administrator or designee shall be the City Staff Liaison and will serve as Secretary to the Commission. The Staff Liaison is expected to work cooperatively with Clearwater Park Commission members. Members may not direct City staff but can request assistance through the Staff Liaison to carry out the Clearwater Park Commission mission. The duties include but are not limited to:

- Work with Chair to prepare and distribute meeting agendas.
- Prepare meeting minutes.
- Post meeting and other legal notices as required by statute.
- Reserve meeting rooms and other needed meeting equipment.
- Provide technical expertise and access to City resources.
- Work with Chair to ensure bylaws are followed and annual work plans are submitted.
- Relay information or directives from City Council meetings or work sessions relevant to the Clearwater Park Commission in collaboration with City Council Liaison.
- Respond to Clearwater Park Commission inquiries in a timely manner.
- Forward information to and between Clearwater Park Commission members.
- Provide orientation materials to new members and Chair.
- Handle funds allocated to the Clearwater Park Commission in accordance with its directives, City policies and legal requirements.
- Serve as the custodian of Clearwater Park Commission records.

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## Section 7: Committees and Working Groups

### Introduction

Committees or Working Groups may be established by a majority vote of the Clearwater Park Commission to study issues in greater depth and report findings. Committees or Working Groups present their analysis to the Clearwater Park Commission for discussion and recommendations. The Clearwater Park Commission has the sole authority to make final recommendations on all matters on which a Committee or Working Group has given guidance. The Clearwater Park Commission defines the scope and the duration of the Committee or Working Group's mission. In no case may the Committee or Working Group exceed the authority granted by the Clearwater Park Commission.

Committee and Working Group participants may not include enough voting Clearwater Park Commission members to constitute a quorum for the Clearwater Park Commission. Committees or Working Groups may be designated as standing (ongoing) or temporary in nature.

### Definitions

Committees and Working Groups may be comprised of two or more people, one of whom is the chair appointed by the Clearwater Park Commission. Committees or Working Groups are led by a Clearwater Park Commission member, but will also include members of the public.

### Working Group Announcement

Notice will be given to the public of the formation of any Working Group, including a press release from the City to local media outlets. Individuals will have a minimum of 14 days after the public notice to express interest in joining before members are selected.

### Public Access

Based on the potential public interest in the topic, some Committee and Working Group meetings may be designated as public meetings by the Clearwater Park Commission or the City Council. If a Committee or Working Group's meetings are designated as public meetings, official meeting notices, written agendas and written minutes are required. Refer to Section 4 of these bylaws for additional information on meeting notices.

### Appointments and Chair Assignments

Committees: The Clearwater Park Commission Chair will ask for Committee volunteers from the Clearwater Park Commission membership. A majority vote may approve the Committee appointments once sufficient volunteers are established. A temporary Committee Chair will be appointed by the Park Commission at the time of Committee formation. The Committee will elect its own chair and notify the Park Commission Chair.

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Working Groups: The Clearwater Park Commission Chair will ask for volunteers from the Clearwater Park Commission to serve as the Working Group Chair. The Working Group Chair is approved by a majority of the Clearwater Park Commission members. The Working Group Chair will recommend other Working Group members. By definition, those members will include individuals outside of the Clearwater Park Commission. The Chair may also nominate a co-chair who is not a Clearwater Park Commission member. Working Group appointments will be made by a majority vote of Clearwater Park Commission members.

The duties of the Committee or Working Group Chair(s) include but are not limited to:

- Set the meeting schedule and, if required, notify the City Administrator for public notification.
- Prepare and distribute a written meeting agenda, if required.
- Lead the meeting in accordance with the agenda and facilitate discussion on agenda items.
- Ensure that this section of the bylaws and Clearwater Park Commission directives are followed.
- Maintain meeting decorum.
- Recommend members and notify Clearwater Park Commission of changes in membership (Working Group only).
- Report on the Committee or Working Group's activities at each regular Clearwater Park Commission meeting.
- Communicate to the Committee or Working Group any directives, questions or input from the Clearwater Park Commission.

## Resignation or Removal

A Committee or Working Group member may voluntarily resign by submitting his or her written resignation to the Chair of the Committee or Working Group. A Committee or Working Group member may be removed by a majority vote of the Clearwater Park Commission.

## Disbanding

A Committee or Working Group may be disbanded at any regular meeting of the Clearwater Park Commission by a majority vote of the members. Committees or Working Groups will automatically be disbanded if no member of the Clearwater Park Commission is available to serve or appropriate volunteer membership cannot be established.

## **Section 8: Communication**

### Applicability

This section applies to all types of media and communication methods including face-to-face, telephone, email and social media.

### Communication Between Members Outside of Meetings

Clearwater Park Commission-related communication between members when a quorum of voting members is present constitutes a violation of open meeting laws if it takes place outside of publicly-noticed meetings. Members are prohibited from discussing Clearwater Park Commission business in such a situation. Since email communication is common outside of meetings, the following email protocol is adopted:

- Any email communication intended for a majority of Clearwater Park Commission members should go through the City Administrator so that an appropriate record can be established.
- Members should not respond "reply all" to group messages.
- Members should not blind copy (bcc) other members.

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Members must not engage in a serial discussion of Clearwater Park Commission business. A serial discussion occurs when members discuss official business with a majority of voting members through successive communications. Serial communication can occur through a combination of communication methods such as face-to-face, email, telephone or on a social media site.

## Communication with the Public Outside of Meetings

Clearwater Park Commission members are encouraged to share their work with members of the public within the guidelines noted in the paragraph below.

When communicating Clearwater Park Commission business with the public, members should understand and convey the following:

- The deliberations and decisions of the Clearwater Park Commission will be based solely on information contained in the public record presented to all Clearwater Park Commission members participating in the deliberation or action.
- The member's comments do not represent the opinion or viewpoint of other commissioners or the Clearwater Park Commission as a whole.

Members should exercise care not to communicate how they intend to vote on any pending matter or give the appearance any matter has been pre-decided.

## Public Announcements and Press Releases

The City Council Liaison will approve and coordinate any public announcements, press releases or other media contact desired by the Clearwater Park Commission.

## **Section 9: Financial Transactions**

All financial expenditures by the Clearwater Park Commission must relate to the Clearwater Park Commission mission and be covered under the Clearwater Park Commission budget. All expenditures must be approved in advance by the City Council. The City Administrator is responsible for ensuring that all approved expenditures or reimbursements meet the criteria above as well as other City financial policies. Expenditures that do not meet the criteria above will not be reimbursed. The Clearwater Park Commission does not have the authority to execute contracts or to otherwise financially obligate the City of Clearwater. Any contract related to Clearwater Park Commission business will be managed by the City Administrator and may be subject to City Council approval.

## **Section 10: Ethical and Respectful Conduct**

### Conflict of Interest

Members may not use their position on the Clearwater Park Commission for personal benefit. The interests of the Clearwater Park Commission must be the first priority in all decisions and actions. Any member who has a financial interest in, or who may receive a financial benefit as a result of, any Clearwater Park Commission action or decision must disclose this fact as a conflict of interest. A member who has disclosed a conflict of interest should abstain from discussion and voting on the matter.

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## Gifts

Clearwater Park Commission members may not receive personal gifts from any “interested person” in conjunction with their board or commission duties. An “interested person” is a person, or representative of a person or an association, who has a direct financial interest in a recommendation under the Clearwater Park Commission’s purview. This section does not apply to lawful campaign contributions. The Clearwater Park Commission may recommend acceptance of general gifts or donations through the City’s donation policy.

## Respectful Behavior

The City of Clearwater is committed to providing a work environment free from violence for all elected and appointed officials, employees and visitors. The City does not tolerate any form of violence in the workplace including threats or intimidating actions by or against any of the groups cited above. Violence and threats may include, but are not limited to:

- Any act which is a physical assault
- Any threat, behavior or action which is interpreted by a reasonable person to carry the potential to harm or endanger the safety of others, or result in an act of aggression, or destroy or damage City property.

The City Administrator has the right to call for the immediate removal of anyone who threatens or commits an act of violence on City property. In the absence of the City Administrator this right will be the responsibility of the Council Liaison.

Respectful behavior also includes how Clearwater Park Commission members relate to each other, City staff and members of the public. Members share a joint responsibility in modeling, monitoring and addressing behavior within the group.

During Clearwater Park Commission interactions, members should strive to:

- Treat people with courtesy, politeness and kindness
- Encourage others to express their opinions and ideas
- Listen to what others have to say
- Use the ideas of others to improve decisions and outcomes
- Recognize cultural differences

Members should avoid:

- Speaking over or cutting off another individual’s comments
- Insulting, disparaging or putting down people or their ideas
- Bullying other members by displaying a pattern of belittling, demeaning, judging or patronizing comments.

## How to Report

Members are encouraged to report cases of unethical conduct to the City Administrator or City Council Liaison.