

Changes to Chapter 2-1 of the City Code December, 2010

Section Amended	Impact of amendment
<p><i>DEFINITIONS</i> Committee of a board was not defined. (Section 2-1-2)</p>	<p>Adds a definition of a ‘committee’ as a body established by an affirmative vote of the board, consisting of at least three board members. It has to be named in the bylaws, along with its duties and must comply with the Open Meetings Act. If new committees are created after the bylaws are approved by the Council Audit and Finance Committee, you will have to submit a request to amend your bylaws. The definition distinguishes it from a working group that does not have to have all of its members be board members, consists of less than a quorum of the board, does not comply with Open Meetings, will not be supported by staff and is dissolved upon completion of the assignment given by the board. Council is trying to conserve staff resources but allow the board more flexibility is accomplishing its work.</p>
<p><i>DEFINITIONS</i> Joint Committee was not defined in the City Code. (Section 2-1-2)</p>	<p>Defines a ‘joint committee’ as a body established by council and comprised of members of two or more boards nominated and approved by an affirmative vote of each board respectively. It is intended to clarify that boards cannot create a joint committee. When council creates a joint committee, they will assign a specific project to them and upon completion, the joint committee is dissolved.</p>
<p><i>DEFINITIONS</i> Working Group was not defined in the City Code. (Section 2-1-2)</p>	<p>Defines a ‘working group’ as a body established by a vote of the board, consisting of less than a quorum of the board, to which the board delegates a defined matter or matters, for consideration and recommendation to the board. A working group is automatically dissolved after it reports its recommendations to the board. Allows a board to appoint a non-member or non-members to serve on a working group.</p>
<p><i>STAFF SUPPORT</i> (Section 2-1-7)</p>	<p>Clarifies that two liaisons are required for each board, each committee and each joint committee, including an executive to serve as executive liaison and a staff member to serve as board liaison.</p>
<p><i>COUNCIL AUDIT AND FINANCE COMMITTEE</i> Responsibilities - Council Audit and Finance Committee (Section 2-1-8)</p>	<p>Removes the AFC’s role of designating certain boards to conduct annual reviews. Prescribes the duties of the AFC to include directing the city auditor to assess risks related to boards and recommend possible audits.</p>
<p><i>ELIGIBILITY REQUIREMENTS AND REMOVAL</i> (Section 2-1-21)</p>	<p>Changes the training requirement to require board members to take training within 90 days of appointment and reappointment, and eliminates annual training. Since the online training has to be changed to reflect these Code changes, modules that are outdated will be pulled offline. Newly appointed and reappointed board members will take the modules available now and will be required to take the additional modules when they are revised.</p>
<p><i>CONFLICT OF INTEREST AND RECUSAL</i> (Section 2-1-24)</p>	<p>Adds a provision that members are required to disclose their conflicts during a committee meeting, in addition to the disclosure requirement for board meetings.</p> <p>Adds a provision that failure by a member to sign the attendance/conflict of interest sheet will result in the member being counted absent (unexcused absence) and any vote cast by the member will not be counted.</p>

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<p><i>ATTENDANCE REQUIREMENTS AND AUTOMATIC VACATION</i> (Section 2-1-26)</p>	<p>Clarifies that attendance is based on a “rolling” 12-month timeframe. Provides that attendance at committee meetings and working groups is not considered in determining compliance with attendance requirements. Liaisons should use and retain the same sign-in sheet for both board and committee meetings.</p> <p>Expands the reasons for an ‘excused absence’ to include the following:</p> <ul style="list-style-type: none"> • illness of or injury to a member of the board member’s immediate family; and • the birth or adoption of the board member’s child, for 90 days after the birth or adoption <p>Board member must notify the staff liaison of the reason for the absence not later than the next regular meeting of the board or next regular meeting after birth/adoption, if applicable.</p>
<p><i>OFFICERS AND COMMITTEES</i> (Section 2-1-42)</p>	<p>Allows the board, by a two-thirds vote, to reelect a person to serve in a designated office for an additional term. The number of terms an officer could serve could be the entire 9 years that the board member is allowed to serve.</p> <p>The dates of the officer terms and elections are changed in the bylaws to give council members additional time to make appointments after their election and to give board members time to get acquainted with new board members before an officer election is held. Elections will now be held at the October meeting and terms will run from November 1st to October 31st.</p> <p>Clarifies that a meeting of a committee or a joint committee shall be posted under the Open Meeting Act, but not meetings of working groups.</p>
<p><i>MEETING REQUIREMENTS</i> (Section 2-1-43)</p>	<p>Provides that a board shall annually approve a regular meeting schedule and file it with the city clerk for posting to the web. Schedule should include changes to accommodate holidays.</p> <p>A board may not call a meeting in addition to its regularly scheduled meetings, as identified in adopted meeting schedule, more often than once a quarter, unless a special called meeting is required to meet a statutory deadline or deadline established by council. Council is limiting the number of special meetings that require staff support.</p> <p>Clarifies that the liaison shall submit an agenda through the on-line agenda posting system.</p> <p>Clarifies that each board and committee shall keep and post minutes of their meeting through the on-line system. Designates the city clerk is responsible for the retention of all the information entered in the on-line system and the liaison is responsible for records retention of all other board documents.</p> <p>Adds a provision that after consulting with and receiving input from staff, the chair shall approve each final agenda prior to posting. However, it continues the requirement that two or more members may place an item on the agenda by oral or written request to the staff liaison at least five days before the meeting. If the chair wants to put an item on the agenda, he/she needs a co-sponsor, too.</p>

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<i>MEETING PROCEDURES</i> (Section 2-1-44)	Adds a provision that rules of procedure may not conflict with state or federal law, board bylaws or the City Code.
<i>ANNUAL REVIEW, REVIEW REPORT, AND WORK PLAN</i> (Section 2-1-46)	<p>Repeals and replaces the previous section pertaining to an annual review and report.</p> <p>Now all boards listed in Chapter 2-1 are required to conduct an annual internal review and submit a report. The chair must conduct the review and prepare the report using the template provided by city clerk. The review report must be filed by March 31 of each year.</p> <p><i>NOTE: The first review is due March 31, 2012 to allow the Auditor to complete the previous review process for all boards.</i></p> <p>The city auditor will review the internal review reports and information in the on-line system and make recommendations to the AFC on possible board audits.</p> <p>The content of the internal review has been simplified from the previous reporting requirements. The template will be created and put online in 2011.</p>
New Section (Section 2-1-148)	<p><i>RULES OF ORDER</i></p> <p>Provides that each citizen and board member attending a board meeting should observe decorum. It mirrors wording in the Code for decorum at council meetings. It gives the chair the responsibility and authority to maintain order at the meetings.</p>
New Section -- Applies to boards with 13 or more members (Early Childhood Council, Community Development Commission, Downtown Commission and Sustainable Food Policy Council) (Sections 2-1-123, 2-1-127, 2-1-141 & 2-1-170)	Larger boards were struggling to get enough affirmative votes when only a quorum was present. This provision is intended to address that problem: “If only a quorum is present at a meeting, a board action is adopted by an affirmative vote of two-thirds of the quorum. If more than a quorum is present at a meeting, a board action must be adopted by an affirmative vote of the number of members necessary to provide a quorum. “
Applies to Environmental Board and Urban Forestry Board (Sections 2-1-144 & 2-1-183)	Changes the name of the support department to reflect the current name -- Watershed Protection Department.
Applies to Library Commission (Section 2-1-150)	Aligns duties with other boards who advise council and not the city manager or librarian.
Applies to the Water and Wastewater Commission (Section 2-1-186)	Allows the commission to conduct an annual review of the commission’s goals and objectives, but does not require it to submit a formal report.
Applies to Renaissance Market Commission (Section 14-2-19)	Dissolves the commission

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Implementation Dates	<p>The ordinance changes are 10 days after passage.</p> <p>The revised bylaws are due to the OCC by March 1, 2011. This means the draft should be given to the board in January with their adoption on the January or February agenda. As soon as they are adopted, send to the OCC for submission to Audit and Finance. Once approved by AFC, the board will have to vote to approve the final version.</p> <p>The first internal review is due March 31, 2012. No annual reviews/reports have to be done in 2011. The auditor will continue with the scheduled audits and a review of the boards who were not reviewed in 2008 and 2009. Because of the information online, the auditor has the information needed.</p> <p>Election of officers will occur at first meeting in October.</p>