

CITY OF DULUTH
INDIGENOUS COMMISSION
BYLAWS

Article I - Identity

Name: This organization shall be known as the Indigenous Commission of the City of Duluth (the Commission).

Address: 407 City Hall, Duluth, Minnesota 55802

Article II - Origin and Power

Establishment: The Commission was created by the Duluth City Council (City Council) pursuant to Ordinance 9529, amending Chapter 2 of the Duluth City Code, 1959, as amended. The Commission serves in an advisory capacity to the City Council and Administration.

Article III - Duties and Objectives

Duties: The Commission is designed to serve in an advisory capacity to the City Council and Administration.

Objectives: The objectives of the Commission are to guide in the development of policy, planning and services, so as to ensure the Indigenous community is incorporated in the decision making, future planning and stewardship of the City of Duluth. To achieve these objectives, the Commission will develop approaches in the following areas:

Relationships

- Increase public understanding and acceptance of the Indigenous community and culture
- Develop process to institutionalize dialogue with the City Council, Mayor's office and City departments
- Create Indigenous community involvement in other aspects of City and community affairs

Information

- Develop research and information on the Indigenous community
- Establish community development objectives and policies
- Develop a strategic plan for the Indigenous community

Participation

- Review all matters relating to or affecting the services, facilities, policies and issues that are of concern to the Indigenous Commission and the Indigenous community
- Serve as a forum for citizen involvement and expression on issues affecting the community
- Resource development, including assistance with identification and application for funds on behalf of the Indigenous community
- Make recommendations to the City Council regarding provisions of the Consolidated Plan and the Analysis of Impediments to Fair Housing
- Draft and recommend to the City Council for adoption, resolutions and ordinances empowering and promoting Indigenous community development

Article IV - Membership

Number: The Commission shall consist of 11 members and shall reflect Indigenous diversity in the area. A majority of the members shall reside within the City of Duluth. The Commission membership will be appointed by the Mayor, subject to confirmation by the City Council. Members shall serve until their successors are appointed and confirmed.

Terms: Members shall be appointed for terms of three years and can serve no more than two consecutive terms. Any vacancy in membership shall be filled by appointment by the Mayor, subject to confirmation by the City Council, and such vacancy appointments shall be for the unexpired term of the vacating members.

Removal: Members shall be subject to removal by the Mayor, for cause, but only after Council approval, after notice and opportunity for a hearing before the Council.

Absenteeism: If any member fails to attend three consecutive regular meetings of the Commission without satisfactory explanation, notice of such failure shall be forwarded to the Mayor and Council with the request for removal of such member from the Commission.

Expenses: Members shall serve as such without compensation. Staff support, including clerical services and incidental expenses, shall be provided by the City.

Article V - Officers and Duties

Titles: The Officers of this Commission will be comprised of a Chair, Vice-Chair, and a Secretary.

Chair: The Chair shall preside at all meetings, appoint committees, rule on procedural questions subject to reversal by a two-thirds vote of members in attendance, exercise the same voting rights as the other Commissioners and carry out such other duties as are assigned by the Commission. A Vice-Chair shall act in absence or inability of the Chair.

Secretary: The Secretary, in cooperation with City staff, shall be responsible for notifying all members of meetings, circulating agendas, keeping on file all files, official records and reports of the Commission, keeping written record of Commission meetings, transactions and actions, serving required notice of all public hearings and public meetings, maintaining and circulating minutes, reporting on and attending to correspondence of the Commission and carrying out such other duties as are assigned by the Commission.

Article VI - Election of Officers

Terms: Officers shall be elected by secret ballot at the annual meeting of the Commission. Terms of office shall be for one year and no member shall hold the office of Chair for more than two years consecutively. Officers shall serve until replaced by a duly elected officer in accord with these procedures.

Nominating Committee: The presiding Chair may appoint a nominating committee; nominations may also come from the floor.

Majority Required: Candidates for office who receive a majority vote of total membership shall be declared duly elected.

Vacancies: Vacancies occurring in offices of the Commission shall be filled forthwith by regular election procedure at the next regular Commission meeting.

Article VII - Meetings

Annual Meeting: An annual organizational meeting shall be held in January of each year. Election of officers shall be conducted and proposed amendments to bylaws may be acted upon.

Regular Meetings: Regular meetings of the Commission shall be held on the third Monday of the Month, at a time and place agreed upon by the Commission at a prior meeting. In the event that the regular meeting day falls on a legal holiday, the meeting shall be held on the following day.

Public Hearings: Public hearings will be conducted on a quarterly basis and may, at the discretion of the Commission, coincide with a regular meeting. The place, time and date will be set by the Commission.

Special Meetings: Special meetings may be called at the discretion of the Chair or Vice-Chair, or at the written request of at least five members, who shall convey such request to the Secretary. The call for such meeting shall state the purpose of the meeting and no other business shall be settled at that meeting.

Notice of Meetings: Written notice of a meeting of the Commission, stating the time and place, shall be mailed at least ten days prior to an annual meeting, at least five days prior to a regular meeting, and at least five days prior to a special meeting. Meeting notices shall be sent to each member at the last known address of such member.

Article VIII - Pre-Meeting Procedures

Agenda: The agenda shall be developed by the Executive Committee, stated in writing, and distributed by the Secretary of the Commission. Additionally, upon request of any three members of the Commission, the Executive Committee shall place a matter on an agenda.

Public Request to have Matters Placed on the Agenda: Any member of the public may request that a matter be placed on an agenda of the Commission. The request shall be made in writing and submitted to the Secretary. Pertinent written information and documentation shall be provided along with the request.

Reference to Committee: The Executive Committee may refer any matter requested to be placed on an agenda by the public to a Commission standing committee. The Commission standing committee shall meet and consider the matter and report thereon to the Commission at the next meeting of the Commission. Additionally, upon written request of any three members of the Commission to the Secretary, the Executive Committee shall refer a matter to the Commission standing committee.

Reports: The Executive Committee shall develop the necessary information and distribute it to the Commission members prior to all meetings. The necessary information shall be comprised of information pertinent to an agenda issue requiring a decision by the Commission.

Withdrawal: If a member of the public who requested to have a matter placed on the agenda later desires to have the matter withdrawn from the agenda, such request shall be submitted to the Secretary in writing. The Executive Committee shall decide whether

or not to withdraw the matter. In the event the matter is withdrawn, if any public notice has been given, any persons appearing at the noticed hearing shall be entitled to be heard at said meeting in accordance with Article IX.

Article IX - Meeting Procedure

Rules of Order: Robert's Rules of Order, as most recently revised, shall govern meeting procedure.

Quorum: A majority of the total membership of the Commission (6) shall constitute a quorum for meeting purposes.

Voting: At all meetings of the Commission, each member present shall be entitled to one vote. All questions shall be decided by a majority vote of those members present.

Conflict of Interest: Whenever a Commission member shall have a direct or indirect personal or financial interest being considered before the Commission, such member shall declare such interest and shall not participate in any hearing on said matter; and shall in no event vote upon said matter. When there is question as to the existence of a conflict of interest, the presiding ~~Co~~-Chair shall make a ruling thereon.

Suspension of Rules: The Commission may temporarily suspend rules by three-fourths vote of Commission members in attendance.

Public Participation: The public shall be given an opportunity to speak on all agenda items pursuant to written provisions below.

Dispensation: A motion must be made and passed to dispense with any agenda item.

Non-Agenda Matters: An item may be placed on the agenda by request of three Commission members in attendance. The Commission may then determine what may be the most appropriate course of action regarding the item.

Tabling: A tabling motion, if passed, has the effect of laying the matter over until the next regular meeting unless otherwise specified.

Time Limits: The presiding Chair shall develop time limits on speakers, presentations and public commentary.

Order of Appearance: The presiding Chair will decide on order of presentations and of persons desiring to speak.

Article X - Committees

Standing: There shall be standing committees of at least three Commission members each, appointed by the Executive Committee for the purposes of determining policies of the Commission and executing its orders and meeting, deciding and reporting of all other matters referred to such committees. The members shall be appointed at the next regular meeting following the annual meeting and shall serve for the term of one year or until a successor is appointed. Each standing committee shall elect a chair to represent its work. No officers of the Commission may serve as a chair of a standing committee.

Special Committees: The Executive Committee may appoint such special committees and chairs thereof as it may from time to time deem necessary.

Executive Committee: The Executive Committee shall be comprised of the Officers of the Commission. The Executive Committee is responsible for the development of the agenda for all meetings. Other duties include developing the necessary information for the Commission to address issues. The Executive Committee will meet no later than one week before the regular Commission meeting.

Article XI - Amendment of Bylaws

These bylaws may be amended at the annual meeting by two-thirds vote of commissioners in attendance and notice and copies of any proposed amendments shall be given all commissioners along with the meeting notice. No interim amendments to the bylaws shall be allowed unless each commissioner receives at least 30 days' written

notice of intent to amend, including the date, time and place such amendment will be voted on, and an exact copy of the amendments proposed. Interim amendments require two-thirds vote of the entire membership of the Commission for passage.

Article XII - Effective Date

These bylaws are adopted by the City of Duluth Indigenous Commission on _____.

Secretary