

BYLAWS OF THE
DULUTH TREE COMMISSION

ARTICLE I
ORIGIN AND PURPOSE

Section 1. Origin. The Duluth Tree Commission (the Commission) was created by the Duluth City Council (the City Council) pursuant to ordinance amending Chapter 2 of the Duluth City Code, 1959, as amended, to add a new Article XXIII.

Section 2. Purpose. The City Council established the Commission to act as an advisory group for the City Forestry Program, by recommending and advising the City Administration and the City Council on policies, budgetary concerns and technical tree related issues having an impact on boulevard tree placement and replacement, management, maintenance and removal, reforestation, urban forest management and tree preservation.

Section 3. Mission Statement. The mission of the Commission is to educate and inform the public and act as advocate for the preservation, protection and promotion of Duluth's urban forest and to advise the City on the management of this forest.

ARTICLE II
MEMBERSHIP

Section 1. Number and Appointment. The Commission shall consist of nine (9) members who shall be appointed by the Mayor subject to confirmation by the City Council. All members shall be citizens of the City of Duluth. Two (2) members of the Commission shall be professionally engaged in an occupation relating to forestry, landscaping, tree or plant nursery, architecture or an allied or related profession, and seven (7) shall be a broad cross section of interested citizens. The City Forester shall be an ex-officio non-voting member of the Commission.

Section 2. Term. Members shall be appointed for three (3) year terms which shall expire on August 31 of the appropriate year. Members shall serve until their successors are appointed and qualified except when a member resigns pursuant to

Section 4 of this Article. No member shall be eligible to serve more than two (2) consecutive full terms.

Section 3. Vacancies/Attendance. Vacancies shall be filled for the unexpired term by appointment by the Mayor subject to confirmation of the City Council. If any member fails to attend three (3) meetings in a rolling twelve-month period without prior notice of such absence to the Chair or the City Forester, the member shall be deemed to have voluntarily resigned and the term of said member shall be deemed vacant. The Commission may grant a waiver to the attendance requirement.

Section 4. Resignation. A member may resign at any time by delivering a written resignation to the Mayor with a copy delivered to the Secretary.

Section 5. Compensation. The members shall serve as such without compensation.

ARTICLE III OFFICERS

Section 1. Election of Officers. At its September meeting, the members shall annually elect from among its number a Chair and a Vice Chair. The City Forester or his/her designee who may be a member of the Commission shall serve as Secretary.

Section 2. Terms of Office. The Chair and Vice Chair of the Commission shall assume responsibility at the October meeting of the calendar year and shall hold office for one (1) year or until their successors are chosen and qualify in their stead. No member shall hold the office of Chair or Vice Chair for more than two (2) consecutive years.

Section 3. Chair. The Chair shall preside at all meetings of the Commission and have the right to vote on all matters of business transacted by the Commission. The Chair, working with the City Forester, shall prepare the agenda for the meetings of the Commission.

Section 4. Vice Chair. The Vice Chair shall perform the duties of the Chair whenever, for any reason, the duly elected Chair cannot perform. The Vice Chair will

perform such other duties as the Commission shall from time to time prescribe.

Section 5. Secretary. The Secretary shall attend all meetings of the Commission and record or cause to be recorded all votes and minutes of the proceedings in a book kept for that purpose. The Secretary shall distribute meeting minutes to the City Council, Planning Commission, Parks and Recreation Commission and, upon request, to the general public. The Secretary shall be responsible for keeping official copies of all minutes, motions, articles and other business of the Commission. The Secretary will give or cause to be given notice of all meetings of the Commission and shall perform such other duties as may be prescribed by the Commission or the Chair under whose supervision the Secretary shall be.

ARTICLE IV MEETINGS OF COMMISSION

Section 1. Regular Meetings. The regular meeting of the Commission shall be held on the third Monday of the month, with the exception of the month of December, in Room 106A, City Hall unless prior notification is given of an alternative site by the Secretary. The time of the meeting shall be 7:00 p.m. Alternative days, times and places may be set for the regularly scheduled meeting if approved by the Commission at a regular or special meeting.

Section 2. Special Meetings. Special meetings of the Commission may be called by the Chair and shall be called by the Chair at the written request of five (5) voting members. The call for such meeting must state the purpose of the meeting and no other business shall be settled at that meeting.

Section 3. Notice of Meetings. Written notice of a meeting of the Commission stating the time and place shall be mailed at least five (5) days prior to the meeting to each member at the last known address of such member. Written notice of a special meeting stating the time and place thereof shall be mailed at least three (3) days prior to the special meeting to each member to the last known address of such member. Every notice of any special meeting shall state the purpose or purposes for which the meeting has been called and the business transacted at all special meetings shall be confined to the purpose in the call. Notwithstanding the above, in the event of a

proposed bylaw amendment, notice of the proposed amendment shall be mailed to all members at least ten (10) days prior to the meeting at which they are to be voted upon as set forth in Article V.

Section 4. Waiver of Notice. Notice of the time, place and purpose of the meeting, whether required by law or these rules, may be waived by any member. Such waiver may be given at, before or after the meeting and may be given in writing or by attendance.

Section 5. Quorum. The presence at any meeting of a majority of the voting members actually appointed and serving at the time of the meeting shall constitute a quorum for the transaction of business.

Section 6. Voting. At all meetings of the Commission, each member present (with the exception of the ex-officio member) shall be entitled to vote. Each member shall have one (1) vote. All elections shall be had and all questions decided by a majority vote of those voting members present.

Section 7. Conducting Meetings. All meetings shall be conducted under Robert's Rules or Order.

Section 8. Order of Business.

- A. Call to Order
- B. Pledge of Allegiance
- C. Roll Call
- D. Presentations
- E. Approval of Minutes
- F. Old Business
- G. New Business
- H. Discussion
- I. Adjournment

All meetings of the Commission shall be advertised for the public to attend in accordance with the Minnesota Open Meeting Law.

ARTICLE V

BYLAW AMENDMENTS

Section 1. Amendments. The Commission may amend these bylaws at any regular or special meeting. Notice of the proposed amendment shall be mailed to all members at least ten (10) days prior to the meeting at which they are to be voted upon.

THESE BYLAWS WERE ADOPTED ON APRIL 15, 2002, BY RESOLUTION OF THE DULUTH TREE COMMISSION.

Its Secretary