

**BYLAWS OF THE CITY OF LINCOLN
VETERANS MEMORIAL GARDEN COUNCIL**

ARTICLE I - NAME

The name of the Council shall be the Veterans Memorial Garden Council.

ARTICLE II - PURPOSE

The purpose of the Council shall be to recommend policy to the Director of Parks and Recreation, the City Council and the Mayor on issues relating to the development, design, programming and preservation of the Veterans Memorial Garden area and all memorials contained in the Garden.

ARTICLE III - POWERS

The Council shall prepare and submit all recommendations to the Director of Parks and Recreation. The Director of Parks and Recreation shall forward all recommendations to the Mayor and City Council. The Council shall also act in an advisory capacity and make recommendations to the Parks and Recreation Foundation regarding the acceptance of gifts and expenditure of funds by the Parks and Recreation Foundation associated with the Veterans Memorial Garden account. The Council shall have no power to expend funds of the City or to incur indebtedness.

ARTICLE IV - MEMBERSHIP

Section 1. The Council shall consist of eleven members. Seven members shall be veterans. Four members need not be veterans. All members shall serve without compensation. All members of the Council shall be appointed for a three-year term, except for initial appointments, which may be for terms of one, two or three years. At the end of a term, members may be reappointed for an additional three-year term. However, no member shall serve more than two consecutive terms or six consecutive years. Vacancies occurring on the Council shall be filled in the same manner as provided for in the original appointment. An individual appointed to fill a vacancy on the Council shall serve out the remainder of term of the member they are replacing

Section 2. The Mayor shall appoint all members of the Veterans' Memorial Garden Council subject to the approval of the City Council. Whenever a vacancy occurs on the Veterans' Memorial Garden Council, the Veterans' Memorial Garden Council shall present a list of candidates to the Mayor for consideration to fill the vacancy. The Mayor may also solicit names from the City Council or the Parks and Recreation Advisory Board. The Mayor may appoint any person to the vacancy that he or she believes best serves the interests of the City of Lincoln and the veterans' community in Lincoln.

Section 3. The Council may, upon a two-thirds vote of the members by written ballot, recommend to the Mayor and City Council, the removal of any Board member for malfeasance or nonfeasance of duty. Failure to attend two regular meetings in any twelve-month period without notification of absence may be considered nonfeasance.

Section 4. It shall be the duty of each member to endeavor to participate in the Council's activities to fulfill its purposes.

ARTICLE V - OFFICERS

Section 1. The officers of the Council shall be Chairperson and Vice-Chairperson. These officers shall perform the duties prescribed by these Bylaws and by the parliamentary authority adopted by the Council.

Section 2. All officers shall be elected by a majority vote of the Council at its annual meeting, which shall occur during the last calendar quarter of each year. The Chairperson shall appoint a Nominating Committee during the second quarter meeting consisting of three Council members. The Nominating Committee shall present a slate of officers at the meeting preceding the annual meeting at which the election will be held. New officers shall assume the duties of their offices at the conclusion of the annual meeting.

Section 3. The Chairperson and Vice Chairperson shall not serve in any elected office for more than two consecutive terms. No person shall hold more than one elected office at any one time. These limits do not apply to the chairs of committees.

Section 4. Duties. The Chairperson shall, in general, supervise and direct the business and affairs of the Council. The Chairperson shall preside at all meetings of the Council, and develop and/or approve the monthly agenda. The Chairperson shall have the authority to perform such other duties applicable to the office as prescribed by the Council.

The Vice Chairperson, in the absence of the Chairperson, shall perform all the duties of the Chairperson.

Section 5. Staff Support. Staff support may be provided by the Parks and Recreation Department and may include the liaison officer and staff secretary. The staff secretary shall keep accurate minutes of all meetings of the Council; have charge of the Council's correspondence and keep files and records thereof; prepare and forward all reports; keep a continuous record of attendance at all meetings; and do and perform such other acts and duties requested by the Council. The staff secretary shall present all minutes and correspondence of the Council to the Director of Parks and Recreation for preservation of the official records of the Council. The Director of Parks and Recreation shall maintain the official files of the Council in accordance with all laws relating to public records.

Minutes and other records of committee meetings and additional communications, such as flyers, brochures, newsletters, etc., will be the responsibility of the Council and not the staff secretary. Each fiscal year, the liaison officer will communicate to the Council Chair any limitations on the staff secretary's availability for support, such as the number and timing of meetings for which the staff secretary is available. The Council Chair may delegate to an individual or committee the responsibility for communications beyond those supported by the staff secretary. Likewise, if the staff secretary is unavailable for a Council meeting or other Council function, the Chair may appoint an ad hoc secretary to keep the official attendance and other records for that function.

ARTICLE VI - MEETINGS

Section 1. The Council shall meet on a quarterly basis. An annual meeting shall be held during the last calendar quarter of each year. The annual meeting may coincide with the quarterly meeting. The dates of the quarterly meetings for the coming year will be set at the annual meeting. The Council may meet more frequently if needed.

All meetings, whether annual, quarterly or special, will be in a public place supported by public funds and open to the general public. Written notice of the time and place of the meeting shall be sent by the staff secretary to the City Clerk, not less than seven days before the meeting. The Council will provide advance notice of meetings to members of the veterans community who request such notification. This general notice need not be written and may be via telephone, electronic mail or other suitable medium.

Section 2. Special meetings may be called by the Chairperson of the Council or upon written request signed by a majority of the Council members and filed with the staff secretary. The purpose of the meeting shall be given as provided in Section 1. Except in cases of emergency, at least two days notice shall be given.

Section 3. A quorum shall consist of a majority of the presently appointed voting members.

Section 4. Voting by proxy or absentee ballot shall not be allowed. The vote on motions moved and seconded shall be by verbal or written vote. No motion shall be deemed to have passed unless it receives a simple majority vote of a quorum of voting members.

ARTICLE VII –COMMITTEES

Section 1. Standing committees shall be designated by resolution adopted by the Council, at the annual Council meeting. Except as provided in such resolution, the Chairperson may appoint committee members from among the Council members or the community at large. The Council Chairperson shall appoint a Council member to serve as Committee Chairperson, unless otherwise approved by resolution of the Council.

Section 2. The Council may designate special committees for temporary purposes as the need arises. The Council Chairperson shall appoint members of a special committee from among the Council members or the community at large. The Council Chairperson shall appoint a committee chairperson who need not be a member of the Council.

Section 3. Each committee shall include a minimum of one voting member of the Council. Additionally, the Chairperson may appoint citizens at large or qualified professionals to serve as voting members of the individual committee without remuneration.

Section 4. Each member of a committee shall continue as such until the next annual meeting and until his or her successor is appointed. Any vacancy on a committee shall be filled by appointment by the Council Chairperson for the remainder of the term.

Section 5. The committee Chairperson shall call and preside over all meetings of that committee. If a Chairperson is absent, the committee members shall elect a temporary committee Chairperson to chair the committee meeting. The committee Chairperson shall provide written reports of committee meeting proceedings to all Council members.

ARTICLE VIII - PARLIAMENTARY AUTHORITY

Robert's Rules of Order, Newly Revised, shall govern Council proceedings in all cases to which they are applicable and not inconsistent with these bylaws or any special rules of order the Council may adopt or any City of Lincoln Administrative Regulation.

ARTICLE IX - AMENDMENTS OF BYLAWS

The Lincoln City Council may amend these Bylaws in accordance with their established procedures. Proposed amendments may be approved for recommendation to the City Council at any regular meeting of the Veterans Council by a two-thirds vote, provided that the proposed amendment has been submitted in writing at the previous regular meeting.

ARTICLE 10 - SUSPENSION OF BYLAWS

The Lincoln City Council may, by a two-thirds vote, suspend all or any part of these Bylaws when to do so would not be in conflict with the laws of the State of Nebraska or federal law.

It is hereby certified that these Bylaws were unanimously adopted by the Lincoln City Council at a duly called meeting held the ___ day of _____, 2002.

Version approved at open meeting May 15, 2002

GENERAL FACT SHEET

02R. 250

BILL NUMBER

BRIEF TITLE
Adoption of By-laws for the Veterans
Memorial Garden Advisory Council

APPROVAL DEADLINE

REASON
To adopt by-laws for the newly reconstituted Veterans Memorial
Garden Advisory Council

DETAILS

POSITIONS/RECOMMENDATIONS

| | | |
|--|---|--|
| The proposed resolution will adopt by-laws for a newly reconstituted Veterans Memorial Garden Advisory Council. | Sponsor | |
| | Program Departments, or Groups Affected | All automated departments Veterans Memorial Garden Advisory Council |
| | Applicants/ Proponents | Applicant Lynn Johnson City Department Parks & Recreation Department Other |
| Discussion (Including Relationship to other Council Actions) Over the past several years there have been two groups associated with the Veterans memorial Garden. The Veterans Memorial Garden Advisory Board provides recommendations to the Mayor and the Parks and Recreation Department regarding maintenance, improvements, and special events. The Veterans Memorial Garden Committee is a separate private organization involved in fund-raising, improvements and special events. | Opponents | Groups or Individuals Basis of Opposition |
| | Staff Recommendations | <input checked="" type="checkbox"/> For <input type="checkbox"/> Against Reason Against |
| | Board or Commission Recommendation | BY Parks & Recreation Adv. Board <input checked="" type="checkbox"/> For <input type="checkbox"/> Against <input type="checkbox"/> No Action Taken <input type="checkbox"/> For with revisions or conditions (See Details column for conditions) |
| | CITY COUNCIL ACTIONS (For Council Use Only) | <input type="checkbox"/> Pass <input type="checkbox"/> Pass (As Amended) <input type="checkbox"/> Council Sub. <input type="checkbox"/> Without Recommendation <input type="checkbox"/> Hold <input type="checkbox"/> Do not Pass |

DETAILS

POLICY/PROGRAM IMPACT

| | | |
|--|--|---|
| <p>There has been a desire to integrate the two groups into a single advisory body with working subcommittees. The proposed advisory council structure and associated by-laws were developed through a mediation process involving members of both groups.</p> | <p>POLICY OR PROGRAM CHANGE</p> <p><input type="checkbox"/> NO <input checked="" type="checkbox"/> YES Reconstitute current Veterans Memorial Garden Advisory Board.</p> | |
| | <p>OPERATIONAL IMPACT ASSESSMENT</p> <p>Improved coordination between individuals and groups interested in the Veterans Memorial Garden</p> | |
| | <p>FINANCES</p> | |
| | <p>COST AND REVENUE PROJECTIONS</p> | <p>COST of total project: \$ -0-</p> <p>COST of this Ordinance/Resolution \$ -0-</p> <p>RELATED annual operating Costs \$ -0-</p> <p>INCREASE REVENUE EXPECTED/YEAR \$ -0-</p> |
| | <p>SOURCE OF FUNDS</p> | <p>CITY [Approximately]</p> <p>_____ \$ _____ %</p> <p>_____ \$ _____ %</p> <p>_____ \$ _____ %</p> <p>NON CITY [Approximately]</p> <p>_____ \$ _____ %</p> <p>_____ \$ _____ %</p> <p>_____ \$ _____ %</p> |
| | <p>BENEFIT COST</p> <p><input type="checkbox"/> Front Foot</p> <p><input type="checkbox"/> Square Foot</p> | <p>Average Assessment</p> <p>\$ _____ \$ _____</p> |

APPLICABLE DATES:

FACT SHEET PREPARED BY: Lynn Johnson, Director, Lincoln Parks and Recreation Department

REVIEW BY:

REFERENCE NUMBER