

**AMENDED AND RESTATED BYLAWS OF
THE PARKS AND PUBLIC LANDSCAPING ADVISORY BOARD**

**ARTICLE I
The Board**

Section 1. Introduction. These Bylaws ("Bylaws") of the Parks and Public Landscaping Advisory Board are adopted pursuant to the authority stated in Resolution No. 65, Series 2015.

Section 2. Office. The office of the Board shall be considered the Louisville City Hall, 749 Main Street, Louisville, CO 80027, or such other place in the City of Louisville, Colorado as the City Manager may designate from time to time.

Section 3, Purpose and Duties.

A. Advisory. Except as otherwise provided by City Charter or Municipal Code, the Board shall be advisory in character.

B Duties. The role of the Board will include, but not be limited to, advising the City Council on such matters as:

1. To advise City Council and staff on all matters concerning policy, care, management and planning on all City properties maintained by the Parks Division;
2. To advise City Council and staff in determining the community's needs and desires for parks and amenities;
3. To advise City Council and staff on park development and redevelopment, and review referrals for proposed landscape plans for public areas;
4. To advise City Council and staff on the capital and operating budget as it relates to the Parks Division.
5. To review and give comments on city landscape master plans, landscape ordinances and other appropriate landscape documents;
6. To hear appeals of decisions of the city forester concerning licensing of arborists and removal of trees as provided in Chapter 8.12 of the Louisville Municipal Code.

7. To educate the public regarding parks and public landscaping practices appropriate for Louisville.

ARTICLE II Members

Section 1. Number of Members. The Board shall consist of seven (7) members whom City Council shall appoint.

Section 2. Residency Requirement. Members shall be residents of the City at the time of their appointment and at all times while serving on the Board (Louisville Home Rule Charter Section 10-2c).

Section 3. City Employees. Members may not be employees of the City of Louisville at any time during their appointment to the Board.

Section 4. Term of Members. Each member shall be appointed for a three-year term. A member's term of office shall commence January 1 and shall expire December 31. Notwithstanding the foregoing, the City Council shall have the authority at the time of appointment to any vacancy to reduce the length of a member's term as necessary to avoid more than two thirds of members' terms expiring at the same time.

Section 5. Compensation. Members shall serve without compensation. Expenses actually incurred in the performance of the duties of office may be paid only if the expense and amount thereof are approved and authorized in advance by a writing signed by the City Manager. (Louisville Home Rule Charter Section 10-2e).

Section 6. City Liaison. The City Manager shall appoint a City staff member to act as liaison to the Board. Such liaison may advise the Board, make recommendations, and bring items for discussion. Such liaison is not a member of the Board, does not vote on matters before the Board, and may not be counted as a part of a quorum.

ARTICLE III Officers and Personnel

Section 1. Officers. The officers of the Board shall be a Chair, a Vice-Chair, and a Secretary.

Section 2. President. The Chair shall preside at all meetings of the Board.

Section 3. Vice President. The Vice-Chair shall perform the duties of the Chair in the Chair's absence or inability to act. In the event of the absence or inability to act of both the Chair and Vice-Chair, the remaining members shall select some other member of the Board to temporarily perform the duties of the Chair.

Section 4. Secretary. The Secretary may take meeting minutes and attest to all documents authorized to be executed by the Board. In the event of the absence of the Secretary, the Chair shall designate, in writing or verbally at a meeting of the Board, some other member of the Board to perform duties of the Secretary.

Section 5. Additional Duties. The officers of the Board shall perform such duties and functions as may from time to time be required or authorized by the Board or these Bylaws.

Section 6. Election of Officers. The officers of the Board shall be elected annually by the Board at its first meeting of each calendar year and shall assume their duties upon election. Officers shall hold their office for one year or until their successors are selected and qualified. If the office of the Chair, Vice-Chair, or Secretary is vacant, the Board shall select a successor from its membership to serve for the unexpired term of said office.

Section 7. Vacancies. At the end of any member's term the City Council shall advertise for interested applicants and interview persons regarding such vacancy. Appointments are made annually in December. Members may reapply for vacant positions.

Section 8. Mid-term Vacancies. If a Board member resigns his/her post mid-term, the City Council may invite applications and interview persons regarding such vacancy. The City Council may appoint an applicant to fill the vacancy for the remainder of the year. Such an appointee shall be required to then reapply for the position at the end of the year during the annual application process.

Section 9. Removal. A member may be removed during his/her term of office for cause by the City Council as defined in the Louisville Home Rule Charter and Resolution No. 16, Series 2009. Cause shall include but not be limited to:

- A. Violation of city or state ethics laws;
- B. Conviction of a felony or of any other crime involving moral turpitude;
- C. Unexcused absence from more than 25 percent of the regular meetings in any 12-month period;
- D. Neglect of duty or malfeasance in office;
- E. Knowing violation of any statute, ordinance, resolution, rule, policy or bylaw

- applicable to the board or commission;
- F. Knowing disclosure of confidential information, which is defined to mean information which is not available to the general public under applicable laws, ordinances and regulations, and which is obtained by reason of the board or commission member's position with the City;
 - G. Failure to maintain the qualifications of a board or commission member for the board or commission on which the member serves;
 - H. Behaving in a harassing, hostile, threatening or otherwise inappropriate manner, or unreasonably disrupting or interfering with the conduct of any meeting of a board or commission; or
 - I. Other grounds constituting cause as established by law.

ARTICLE IV Meetings

Section 1. Regular Meetings. The Board regular meeting time and location shall be determined at the first meeting of each calendar year. In the event any regular meeting falls on a legal holiday observed by the City of Louisville, the Board shall designate a new meeting time a minimum of one month prior to the holiday meeting date.

Section 2. Meeting Notice. The agenda for any meeting shall be posted a minimum of seventy-two hours in advance of the meeting in the following locations and will serve as notice of the meeting:

- A. City Hall, 749 Main Street
- B. Library, 951 Spruce Street
- C. Recreation Center, 900 West Via Appia
- D. Police Department/Municipal Court Building, 992 West Via Appia
- E. City Web Site at www.LouisvilleCo.gov

Section 3. Location of Meeting. Pursuant to Section 4-5(d) of the Louisville Home Rule Charter, all meetings of the Board shall occur in public buildings and public facilities accessible to all members of the public.

Section 4. Special Meetings and Business at Special Meetings.

A. Except for an emergency special meeting governed by Subsection B, each special meeting of the Board shall be called by an officer on the request of any three members of the Board, and shall be held on at least forty-eight hours written

notice. Notice of such special meeting shall be posted in the same manner as prescribed in Article IV, Section 2.

B. An emergency special meeting shall be called by the Secretary on the request of the Chair or any three members of the Board, and shall be held on at least twenty-four hours written notice to each member of the Board. Notice shall be posted at least twenty-four hours in advance of such emergency special meeting in the locations prescribed in Article IV, Section 2. An emergency special meeting shall not be called unless:

- (i.) Each member requesting the meeting has determined that the meeting is urgently necessary in order to take action on an unforeseen matter requiring immediate action; and
- (ii.) The basis for the determination described in Paragraph (i) is stated in the notice of the meeting.

C. All reasonable efforts shall be made to notify members. The notice need not be served if the member has waived the notice in writing.

D. The Board shall not take action on any item of business at any special meeting unless:

- (i.) The item to be acted on has been stated in the notice of the meeting; or
- (ii.) The item to be acted on is reasonably related to the item which was stated in the notice of the meeting.

Section 5. Quorum. The powers of the Board shall be vested in the members thereof in office from time to time. A majority of the members shall constitute a quorum for conducting business, but in the absence of a quorum, a lesser number may adjourn any meeting to a later time and date until a quorum is present. When a quorum is in attendance, action may be taken by the Board upon an affirmative vote of the majority of the members present, except in cases where a greater number is required by the Louisville Home Rule Charter or ordinances, or state laws applicable to the City.

Section 6. Open Meetings. In addition to the requirements of these Bylaws, the Board shall comply with all applicable provisions of the open meetings laws of the State of Colorado and the Louisville Home Rule Charter.

Section 7. Open Government.

A. Notice of meetings of the Board shall be provided to the public in accordance with the requirements of these Bylaws and other applicable provisions of the open meetings laws of the State of Colorado and the Louisville Home Rule Charter.

B. The agenda for any meeting of the Board shall contain an itemized list of all subjects on which substantive discussions are reasonably expected or which may be the subject of formal action.

C. The Board shall not engage in substantive discussions relating to, or take formal action on, any subject when that subject was not listed in the agenda for that meeting and is not substantially related to any subject listed in the agenda.

D. For purposes of Subsection C of this Section, a subject is not substantially related to a subject listed in the agenda when a person reading the agenda before the meeting would not have reasonably expected that the subject would be substantively discussed or formally acted upon at the meeting.

E. For purposes of this Section, "substantive discussions" means debate, deliberation or other discussion about the merits, benefits, advantages or disadvantages of any proposed or possible resolution of any issue that will be or may be the subject of formal action by the Board.

F. Each member of the Board shall participate in at least one City-sponsored open government-related seminar, workshop or other program at least once every two years. Such program shall conform to the requirements of Section 4-16(a) of the Louisville Home Rule Charter.

Section 8. Agendas and Meeting Materials.

A. To the extent possible, the agenda and all documents and materials requiring action by the Board at any meeting shall be provided each Board member seventy-two hours in advance of such meeting.

B. The Board shall make available to the public the agenda and all agenda-related materials. Such information will be available as follows:

- i. City Web Site at www.LouisvilleCo.gov
- ii. City Clerk's Office, City Hall, 749 Main Street
- iii. Library Reference Desk, 951 Spruce Street

C. For purposes of this Section, "agenda-related materials" means the agenda, all reports, correspondence and any other documents forwarded to the Board that provide background information or recommendations concerning the subject matter of any agenda item, excluding any documents or records which may or must be

withheld from disclosure pursuant to state or federal statutes or constitutional provisions, or common law.

D. Any document that is submitted to the Board during a meeting shall be immediately made available to the public either by making copies available to the public at the meeting or by displaying the document at the meeting so that the public can view the document. No discussion or consideration of such a document by the Board shall occur unless the document has been made available to the public as provided in this Subsection D. The foregoing shall not be construed to require the dissemination, display or disclosure of any document or record which otherwise may or must be withheld from disclosure pursuant to state or federal statutes or constitutional provisions, or common law.

Section 9. Public Records.

A. Public records of the Board shall be open for inspection during normal business hours in accordance with the provisions of the Colorado Open Records Act, and Section 5-5 of the Louisville Home Rule Charter. The Board shall strictly construe exceptions provided under the State statutes authorizing certain public records to be exempt from disclosure to the public. In the event of conflict among the various provisions of such laws, whichever law provides greater access to Board records and less expense to the person requesting the records shall control disclosure by the Board.

B. City Staff shall maintain a file of all studies, plans, reports, recommendations and resolutions made by the Board in the exercise of its duties.

ARTICLE V General

Section 1. Committees. The Chair may appoint members of the Board to such committees as deemed necessary to perform any functions for the purpose of advising the Board.

Section 2. Conflict of Interest; Code of Ethics. The members and officers of the Board shall comply with all applicable federal and state laws regarding conflicts of interest. The members, officers and employees of the Board shall also comply with the Code of Ethics set forth as Sections 5-6 through 5-17 of the City of Louisville Home Rule Charter ("Code of Ethics"). For purposes of application of such Code of Ethics only, the Board shall be considered a "public body" and a member of the Board shall be considered a "public body member."

Section 3. Amendment of Bylaws. The Bylaws of the Board may be amended only upon a majority vote of the members of the Board.

Section 4. Conflict of Law. Where any conflict exists between any provision of these Bylaws and the Louisville Home Rule Charter or City ordinances, such ordinances or statutes shall control over the provisions of these Bylaws and these Bylaws shall be deemed to have been amended to conform to such ordinances and statutes.

THESE BYLAWS ARE ADOPTED by the Parks and Public Landscaping Advisory Board this 3rd day of Nov 2016.



President/Chair



Secretary