

Adopted
Amended By Law
2006 2 24

Resolution



City Council
City of Wilmington
North Carolina

Introduced By: Sterling B. Cheatham, City Manager

Date: 04/04/2006

Resolution Acceptance of the Downtown Parking Advisory Committee Bylaws

LEGISLATIVE INTENT/PURPOSE:

On March 16, 2006, the Downtown Parking Advisory Committee voted unanimously to accept the committee's bylaws. A Chairperson and Vice-Chairperson were elected at the annual meeting.

THEREFORE, BE IT RESOLVED:

THAT, the Downtown Parking Advisory Committee by-laws attached hereto are hereby approved and shall be effective immediately.

Spence H. Broadhurst
Spence H. Broadhurst, Mayor

Adopted at a regular meeting
on April 4, 2006.

ATTEST:

Thelma Spicer Sidbury
City Clerk



CERTIFIED TO BE A TRUE COPY
CITY CLERK
Thelma Spicer Sidbury

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**BY-LAWS
CITY OF WILMINGTON
DOWNTOWN PARKING ADVISORY COMMITTEE**

Article I. Name

The name of this committee is the Downtown Parking Advisory Committee. (DPAC)

Article II. Purpose

The purpose of the committee is to actively advocate and advise Wilmington City Council on matters relating to the parking program. The overall goal is to balance the stakeholder and community interest with policy, programmatic needs and financial integrity of the parking program.

Article III. Membership

3.1 General. All members shall be appointed by City Council or by official committee of representation. Members shall either utilize public parking or be representatives of users who utilize public parking.

3.2 Number. The DPAC shall consist of 9 members. Membership categories are:

Two reps from Downtown Business Alliance (DBA) and recommended by DBA (appointed by City Council)

One (1) CBD office (appointed by City Council)

One (1) resident - HD recommended by ROW (appointed by City Council)

One (1) resident - CBD (appointed by City Council)

One (1) at-large member who resides in the City Limits (appointed by City Council)

One (1) rep from Wilmington Downtown, Inc (WDI) (appointed by WDI Committee)

One (1) rep from New Hanover County (appointed by County Commissioners)

One (1) rep from CFCC (appointed by CFCC Committee of Trustees)

3.3 Term. Members term limits shall be for three years, with a two-term limit. Terms should be staggered so as to ensure continuity among the Committee. A member shall hold office until reappointed or replaced by City Council. Vacancies due to death, resignation, or removal will be filled by appointment of City Council. A member may resign at anytime by delivering written notice to the Chairperson and City Staff.

3.4 Duties.

A. Advisory Committee. The Committee shall serve as liaison between City Council and the citizens of the City of Wilmington. The Committee shall generally work for a favorable opinion of, and support for the parking program. The Committee shall actively advise the City Council on matters affecting parking and serve only as an advisory committee. The Committee shall make general recommendations only, and shall not

directly exercise administrative or supervisory authority over parking program and/or staff. The Committee shall serve as a forum for the introduction of innovative and new ideas, concepts, programs, policies and procedures. The Committee members shall serve as liaison to their respective organizations and present recommendations from those organizations to the parking advisory committee.

B. City Staff. The City Manager shall designate one City staff member to serve as parking administrator. The administrator, with the assistance of other city staff, will oversee the day-to-day administration provided by the parking management contractor and will evaluate contract management proposals. The parking administrator will act as a liaison to the DPAC and its members. The parking administrator will be available to respond to questions and resolve complaints from the public which have not been resolved by the parking management contractor.

3.5 Conflict of Interest. No committee member shall participate in the hearing, consideration or determination of any case in which he or she has a conflict of interest ("conflict"). Members of the committee shall not seek to influence a decision, participate in any action or cast a vote involving any matter which is likely to result in a personal and/or financial gain. In applying this rule the following procedures shall govern:

- A. A Committee member who determines there is a conflict of interest shall declare to the Committee the existence of a conflict, and shall excuse himself/herself from the hearing of said matter by the Committee.
- B. A Committee member who believes that a conflict may exist on his/her part or the part of another member of the Committee shall declare the possible conflict, and ask for determination by the Committee. A majority of the Committee shall determine whether or not a conflict exists. In the event a member who has a conflict will not voluntarily excuse himself/herself, a majority vote of the Committee shall make the determination as to whether the member must excuse himself/herself.
- C. *Article III of Chapter 8 of the City Code* shall apply to all proceedings and activities of the Committee.

Article IV. Officers

Officers shall consist of a Chairperson, and Vice Chairperson, who shall be elected by the membership of the Committee at an annual meeting, for one-year terms. Officers may be elected for two consecutive terms.

4.1 Chairperson The members of the Committee shall elect a Chairperson. The Chairperson shall preside at all meetings and rule on all points of order and procedure in accordance with current edition of Robert's Rules of Order and Procedure of City Council Committees. The Chairperson shall appoint any committees found necessary to accomplish the duties of the Committee.

4.2 Vice Chairperson .The members of the Committee shall elect a Vice Chairperson. The Vice Chairperson shall serve as Chairperson in the absence of the Chairperson and, at such time, shall have the same powers and duties as the Chairperson.

4.3 Secretary City staff shall perform the duties of Secretary. The Secretary shall keep all records, minutes and correspondence of the Committee and generally supervise the clerical work of the Committee.

4.4 Elections Elections shall be held at the annual meeting. Members shall be notified by the Secretary in writing of the proposed election of officers at least seven (7) days prior to the annual meeting.

Article V. Meetings

5.1 Regular Meetings.

- A. Meetings shall be held the third Thursday of each month at 9 a.m.
- B. Annual meeting is to be held in January.
- C. Meetings will be held in accordance with General Statute 143-318.12.
- D. Under special circumstances, meetings can be changed with the approval of the committee.

5.2 Special Meetings. Special meetings may be called at any time by the Chairperson. At least forty-eight (48) hours notice of the time and place of special meetings shall be given by the Secretary, at the Chairperson's direction, or by the Chairperson to each member of the Committee, provided that this notice may be waived by written waiver executed by a majority of members of the Committee.

5.3 Cancellation of Meetings. Whenever there is no business to be presented for consideration by the Committee, the Chairperson may, in his discretion, dispense with a regular meeting by giving notice to all members prior to the time set for the regular meeting. If a quorum does not exist fifteen (15) minutes after the meeting is scheduled, the meeting will be cancelled.

5.4 Quorum. A majority of filled Committee member appointments shall constitute a quorum. A concurrence of at least a majority of those regular members present shall be required before any recommendation is made on any matter considered by the Committee. Alternates may assume the role of a member with approval of members present, but with no voting rights. If a quorum is otherwise present, written votes signed by a member may be accepted from members not in attendance by proxy.

5.5 Meeting Attendance. Prompt and faithful attendance at all meetings of the Committee and conscientious performance of the duties required of members shall be imperative to continuing membership on the Committee. Members missing three (3) meetings during any year with unexcused absences shall be excused from further service.

5.4 Conduct of Meeting. All meetings shall be open to the public. The order of business at regular meetings shall be:

Article VI. Administrative

- (a) determination of a quorum
- (b) approval of minutes
- (c) new business
- (d) parking administrator report
- (e) members' report from respective organization
- (f) old business
- (g) adjournment

The parliamentary authority for this committee will be *Robert's Rules of Order Revised*.

Article VII. Amendments

Amendments may be adopted by vote of a quorum of members and submitted to City Council.

We hereby certify that the foregoing constitute the Bylaws of the Committee, as approved and adopted on the April 7, 2006.

Carl B. Marsh
Chairperson

Betty Herganess
Secretary