

## **Bylaws of the City of Sioux Falls Parks and Recreation Board**

### **Article I—Name**

The name of this Board shall be the “City of Sioux Falls Parks and Recreation Board.”

### **Article II—Purpose**

The purpose of this Board shall be to establish, improve, care for, regulate, and manage the system of public parks, zoological parks, parkways, and boulevards and to operate a system of public recreation, playgrounds, and children’s parks in and for the City in accordance with the empowering laws of the City of Sioux Falls as set forth in Sections 95.045–95.058 of the Code of Ordinances of Sioux Falls, SD, and the laws of the state of South Dakota, which are set forth in the South Dakota Codified Laws at SDCL 9-38-1 et seq.

### **Article III—Powers**

The Board shall have all of those powers and duties, and be subject to the limitations, as are provided by law and as are necessary to carry out its stated purpose. It shall also enjoy those privileges and immunities as are provided for in the laws of the state of South Dakota. In addition to those duties specifically set out in these Bylaws, the Board shall have the following duties:

(a) To initiate, review, and make recommendations for ordinances, policies, and rules governing the use of the city's public parks, swimming pools, and other facilities in connection therewith including the golf courses;

(b) To provide the City Council with a comprehensive parks and recreation system plan;

(c) To develop plans based upon projected growth and expansion of the city for future park needs, locations, and necessary facilities;

(d) To initiate and review parks and recreation programs, and to make recommendations to the Mayor and City Council for their adoption;

(e) To review and make recommendations to the Mayor and City Council on any matters affecting the establishment, improvement, maintenance, and regulation of the parks, including any proposed revisions to [Chapter 95](#) of the Code of Ordinances of Sioux Falls, SD, excluding the subchapter entitled, “Park and Recreation Board”, Section 95.045 through 95.070. Any Board recommendation to the Council shall be provided at least 48 hours in advance of any Council consideration on that matter unless the Council deems it necessary for the immediate preservation of the public peace, health, or safety.

Notwithstanding the previous sentence, any Board recommendation to the Council shall be provided at least seven days prior to Council consideration of

contracts involving public facilities or properties. Any contract or agreement for park purposes may be reviewed by the Board prior to council consideration; and  
(f) Advise and assist the Parks and Recreation Director relative to parks and recreation.

#### **Article IV—Members**

**Section 1.** The Board shall be comprised of seven voting members, each of whom shall be a registered voter of the City of Sioux Falls. Members shall be appointed by the Mayor with the advice and consent of the City Council and shall serve for five-year staggered terms. The Members shall hold office until their successors are appointed and qualified. Members may be reappointed for one additional five-year term.

**Section 2.** Appointments to fill vacancies for unexpired terms shall be made in the same manner as original appointments.

**Section 3.** The Board may, upon a vote of a quorum of its members, recommend to the Council the removal of any member for malfeasance or nonfeasance of duty. Failure to attend at least 50 percent of the regular meetings in any 12-month period, or failure to attend three consecutive meetings, may be considered nonfeasance.

**Section 4.** All members shall serve without compensation and shall not hold an elective office in the government of the City.

**Section 5.** Each member of the Board shall upon assuming office receive an orientation regarding, at a minimum, the form of City government, the City's conflicts of interest ordinance, the state open meeting laws, and the basic rules of parliamentary procedure. The Director of Parks and Recreation will request the City Clerk's Office to conduct Board member orientation on an as-needed basis for Board members.

#### **Article V—Officers**

**Section 1.** The officers of the Board shall be a president, a vice president, and a secretary.

**Section 2.** The Director of Parks and Recreation shall be the recording secretary of the Board. The recording secretary or his designee shall keep a full and accurate account of all of the meetings of this Board; file the record with the City Clerk; have charge of the Board's correspondence and keep files and records thereof; prepare and mail all notices of meetings of the Board; prepare and forward all reports as be required by the Board; keep a continuous record of attendance at all meetings; and do and perform such other acts as the Board may from time to time require. The records of the Board filed with the City Clerk

or copies of any records when duly certified by the City Clerk shall be competent evidence of the proceedings of the Board.

**Section 3.** The officers shall be elected at the first regular meeting of the Board in December of each year, each of whom shall serve until December 31 of the following year. Newly elected officers shall begin their terms at the meeting following their election. Officers may be elected to a maximum of two consecutive one-year terms. The vice president shall serve as president in the absence or disability of the president. In case of death or retirement of an officer, a successor shall be elected immediately.

### **Article VI—Meetings**

**Section 1.** The regular meeting of the Board shall be held on the third Wednesday of each month at 4 p.m., unless otherwise ordered by the Board. Written notice of the time and place of each meeting shall be sent by the Director to Board members and to the City Clerk not less than 24 hours before each meeting.

**Section 2.** Special meetings may be called by the president of the Board upon receipt of written or electronic requests from three members of the Board. The purpose of the meeting shall be stated in the requests. Except for emergencies, written notice of the time and place shall be given as set forth in paragraph 1 hereof.

**Section 3.** Four members of the board shall constitute a quorum. The act of a majority of the members shall constitute a duly authorized act of the Board.

**Section 4.** Telephonic attendance by Board members is allowed, but voting by proxy or absentee ballot shall not be allowed. An entire telephonic meeting is allowable, as long as the public has a chance for “meaningful participation” in the process. The City Attorney’s Office must be consulted before scheduling a telephonic meeting to ensure that requirements under state law are met.

### **Article VII—Voting**

The minutes shall show the vote of each member on every question. Every member present shall vote on every question, unless excused by the Board, or unless the member shall state that he or she has a personal interest which he or she believes sufficient to disqualify the member, which statement shall be made part of the minutes.

### **Article VIII—Motions and Resolutions**

Any proposition requiring a vote may be put orally or in writing in the form in which it will appear in the minutes.

When an appeal is taken from a decision of the chairperson by any member of the Board, the chairperson shall surrender the chair, and the recording secretary shall put the question thus:

*“Shall the decision of the chair stand as the judgment of the Board?”*

and unless a majority of the members present vote to the negative, the decision of the chairperson shall stand.

### **Article IX—Order of Business**

Excluding public input, the following order of business shall be followed and shall not be dispensed within any regular meeting, except by the vote, without debate, of a majority of the members present:

1. Roll call and determination of a quorum.
2. Reading, correction, and approval of the minutes of the preceding meeting.
3. Public input.
4. Unfinished business.
5. New business.
6. Items added after the agenda deadline.
  - a. The Parks and Recreation Board may include other such business as may come before this body.
7. Report of Director of Parks and Recreation.
8. Reading of communications to the Board.
9. Open Board discussion.
10. Adjournment.

Provided further that at the first regular meeting of the Board in December of each calendar year, the election of officers of the Board and the designation of

committees shall be the last items under New Business. Those elected will assume office at the meeting following their election.

**Article X---Annual Report**

The Board shall file a summary annual report of its activities with the City Clerk not later than January 31 of each year.

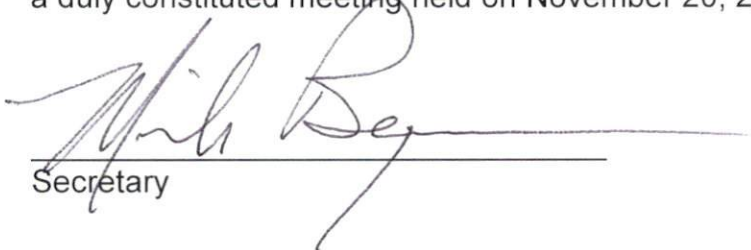
**Article XI—Parliamentary Authority**

The rules contained in the current edition of *Robert's Rules of Order, Newly Revised* shall govern the Board in all cases to which they are applicable and in which they are not inconsistent with these bylaws and any special rules of order the Board may adopt or any City of Sioux Falls Administrative Regulation.

**Article XII—Amendment of Bylaws**

These bylaws may be amended at any regular meeting of the Board by a two-thirds vote, provided that the amendment has been submitted in writing at the previous regular meeting.

It is hereby certified that these Bylaws were adopted by a majority of the Board at a duly constituted meeting held on November 20, 2018.

  
Secretary

Attest  
  
President

Dated 5/19/21