BY-LAWS OF THE

BLOOMINGTON REDEVELOPMENT COMMISSION

Revised: November 6, 2000

ARTICLE I: THE REDEVELOPMENT COMMISSION

A. NAME: The name of the commission shall be the Bloomington Redevelopment Commission, hereinafter referred to as the "Commission" (IC 36-7-14-3 (a)).

B. OFFICE: The office of the Commission shall be in the office of the Department of Housing and Neighborhood Development, Suite 130, 401 North Morton Street, Bloomington, Indiana 47403.

C. JURISDICTION: All of the territory within the corporate boundaries of the municipality constitutes a taxing district for the purposes of levying and collecting special benefit taxes for redevelopment purposes, as provided under Indiana Code 36-7-14 (IC 36-7-14-3 (b)). All of the taxable property within the taxing district is considered to be benefited by redevelopment projects carried out under IC 36-7-14, to the extent of the special taxes levied under IC 36-7-14 (IC 36-7-14-3 (c)).

ARTICLE II: MEMBERSHIP

A. APPOINTMENT: The Commission shall consist of five (5) appointed members. Three (3) members shall be appointed by the Mayor of the City of Bloomington, and two (2) members shall be appointed by the Common Council (IC 36-7-14-6.1 (a)).

B. TERMS: Each commissioner shall serve for one (1) year from the first day of January after his or her appointment, and until his or her successor has been appointed and is qualified. If a vacancy occurs, a successor shall be appointed in the same manner as the original commissioner, and shall serve for the remainder of the vacated term (IC 36-7-14-7 (a)).

C. OATH: Each commissioner shall, before beginning his or her duties, take and subscribe an oath of office in the usual form given by the Mayor or the City Clerk, to be filed with the City Clerk (IC 36-7-14-7 (b)).

D. BOND: Each commissioner shall, before beginning his or her duties, execute a bond payable to the State, with surety to be approved by the Mayor. This bond shall assure the faithful performance of the commissioner's duties, and the accounting for all monies and property that may come into the commissioner's hands or under his or her control. The cost of this bond shall be paid by the Redevelopment Commission (IC 36-7-14-7 c)).

E. AGE & RESIDENCY: A commissioner must be at least eighteen (18) years of age, and a resident of the City of Bloomington, (IC 36-7-14-7 (d)).

F. DISQUALIFICATION: A commissioner who ceases to be qualified forfeits his or her office (IC 36-7-14-7 (e)).

G. CONFLICT OF INTEREST: No commissioner shall participate or vote in any hearing or decision of the Commission involving any matter in which that commissioner is directly or indirectly interested in a financial sense. In the event that any commissioner disqualifies himself or herself, or that any commissioner's eligibility is challenged by any member of the public, such fact shall be entered on the records of the Commission, and shall appear in the minutes of the Commission.

A commissioner may not have a pecuniary interest in any contract, employment, purchase, or sale involving the Commission within the scope of its duties and jurisdiction. However, any property required for redevelopment purposes in which a commissioner has a pecuniary interest may be acquired, but only by gift or condemnation (IC 36-7-14-10 (a)). A transaction made in violation of this section is void (IC 36-7-14-10 (b)).

H. REMOVAL: Redevelopment commissioners shall serve at the pleasure of the appointing authority, who may summarily remove its appointees from office at any time (IC 36-7-14-9 (a)).

ARTICLE III: OFFICERS AND EMPLOYEES

A. OFFICERS: The officers of the Commission shall be a president, vice-president, and secretary. These officers are elected by the Redevelopment Commission, and shall serve from the date of their election until their successors are elected and qualified (IC 36-7-14-8 (a)).

B. PRESIDENT: The president shall preside at all meetings and, on behalf of the Commission, shall exercise general supervision over the administration of the affairs of the Commission, including the execution of resolutions, contracts, and agreements, the appointment of committees and representatives, the determination of points of order and procedure, the signing of all official documents, and perform such other duties as ordered by the Commission.

C. VICE-PRESIDENT: The vice-president shall have the authority to act as president of the Commission during the absence of the president.

D. SECRETARY: The secretary shall co-sign all documents. In the event of the absence of both the president and vice-president, the secretary shall preside over scheduled meetings. The executive director shall act in the capacity of recording secretary.

E. EXECUTIVE DIRECTOR: The executive director shall be appointed by the Mayor with the approval of the Commission, and shall act as director of the Housing and Neighborhood Development Department. The executive director shall be the administrative head of the commission, and shall, through the office of the Housing and Neighborhood Development Department, have general supervision over the administration of its business and affairs, subject to the direction of the Commission. He or she shall be charged with management of the affairs of the Commission. He or she shall not be a commissioner.

The executive director shall keep all records of the Commission, and shall act as or appoint a designee to act as recording secretary at meetings of the Commission, and shall record all votes, and keep a record of the proceedings of the Commission.

F. ADDITIONAL PERSONNEL: The Commission may from time to time employ such personnel as it deems necessary to exercise its powers, duties, and functions. The selection and compensation of such additional personnel shall be determined by the Commission subject to the laws of the State and the City of Bloomington.

G. VACANCY: Should the office of the president become vacant, the vice-president shall succeed to the presidency for the unexpired term of the president, and a new vice-president shall be elected from the membership. Should the office of vice-president or secretary become vacant, the Commission shall elect a successor from among its membership at the next regular meeting, and such election shall be for the unexpired term of said office.

ARTICLE IV: MEETINGS

A. REGULAR MEETINGS: Unless otherwise announced, all regular meetings, as established in the annual schedule, shall be held at 5:00 p.m. local time on the first Monday of each month, in the McCloskey Conference room, Showers City Hall, 401 North Morton Street, Bloomington, Indiana. The president of the Commission shall preside over all regular meetings of the Commission, except as otherwise specified in these By-Laws.

B. SPECIAL MEETINGS: Special meetings may be called as required by the president of the Commission or by the executive director. The executive director shall notify all members of the Commission either by phone or in writing as necessary as to the date, time, and purpose of such meeting, not less than two (2) days in advance of the meeting. Public notice of special meetings shall be posted in Showers City Hall at least forty-eight (48) hours before any such special meeting. The president of the Commission shall preside over all special meetings of the Commission, except as otherwise specified in these By-Laws.

At special meetings, no business shall be considered other than as outlined in the order of business for the special meeting.

C. <u>ANNUAL MEETING:</u> The annual meeting shall be held on the first day of January that is not a Saturday, Sunday, or legal holiday. The annual meeting shall be used for organization of the Commission, including the election of the president, vice-president and secretary, and the seating of new members. At the annual meeting, a new schedule of regular meetings for the calendar year shall be promulgated and approved by the Commission (IC 36-7-14-8 (a)).

D. <u>QUORUM</u>: Three (3) of the commissioners shall constitute a quorum for the purpose of convening any meeting, and the concurrence of three (3) commissioners shall be required to authorize any action (IC 36-7-14-8 (c)).

E. <u>VOTING</u>: Except as otherwise provided by law or by these By-Laws, every member of the Commission shall have the right at all meetings of the Commission to one (1) vote. Voting shall be by voice vote.

F. <u>ORDER OF BUSINESS</u>:

I. Roll Call
II. Approval of Minutes
III. Examination of Claims
IV. Report of Officers and Committees
V. Unfinished Business
VI. New Business
VII. Other Business/General Discussion
VIII. Adjournment

G. <u>MINUTES</u>: All minutes and all tape recordings of the proceedings, and all exhibits submitted by petitioners, remonstrators, and staff shall be public records, and shall be filed in the office of the Housing and Neighborhood Development Department. All such materials shall be held by the Housing and Neighborhood Development Department for a minimum period of three (3) years.

<u>ARTICLE V: FINANCES</u>

A. <u>FUND MANAGEMENT</u>: The officers of the City charged by law for the performance of duties in respect to the funds and accounts of the City, shall perform the same duties with respect to the funds and accounts of the Commission except as otherwise provided for in these By-Laws, and such officers shall receive no compensation for performing such duties in addition to that paid them by the City.

B. PROCEEDS AND PAYMENTS: All gifts, donations, proceeds of sales, or payments whatsoever which are given or paid to the Commission or to the City for redevelopment purposes shall belong to the appropriate redevelopment fund, to be used by the Commission for the programs they administer. All such funds shall be turned over to the City controller, who shall deposit the same to the credit of the appropriate redevelopment fund. With the exception of the General Fund, all money remaining in any redevelopment fund at the end of that fund's fiscal year shall continue to belong to such fund for the following fiscal year.

C. CLAIMS ADMINISTRATION: All claims presented to the Commission for payment shall be processed by the Housing and Neighborhood Development Department's account clerk through the executive director. Prior to issuance of any warrants or disbursement of funds for any claim, a claim list shall first be reviewed and signed by three commissioners. All claims paid during the previous month shall be reviewed for comment by the full Commission at the regular monthly meeting during the examination of claims.

D. STATEMENT OF EXPENSES: A monthly statement of expenses for the Community Development Block Grant program and the administrative accounts for the previous month shall be prepared by the account clerk and delivered to the Commission during the examination of claims. The statement of expenses shall contain the following parts:

I. Beginning Balance
II. Previous Months's Expenses
III. Current Encumbrances
IV. Current Balance

ARTICLE VI: AMENDMENTS

A. AMENDMENTS OF THE BY-LAWS: The By-Laws of the Commission shall be amended only by approval of at least three (3) commissioners at any regular meeting, or a special meeting which has been called for that purpose.