

**DRAFT BY-LAWS OF THE
ENVIRONMENTAL COMMISSION - CITY OF ANN ARBOR, MICHIGAN**

Article I Name

The name of this citizen board shall be the **Environmental Commission**.

Article II Enabling Authority and Scope of Jurisdiction

(1) Intent. The Environmental Commission shall develop comprehensive, integrated environmental policies for implementation by the City to protect and enhance our air, water, land and public health. The Commission shall help to set goals and policies for the City and community to continuously improve the natural and built environment. The commission shall only act as an advisory group, and shall not have any regulatory authority. The Commission shall not involve itself in individual site development reviews, unless its opinion is requested by City Council through a council resolution.

(2) Other. The Environmental Commission is explicitly exempt from Sections 1:171(2) and (6) of the Code of the City of Ann Arbor.

- (a) Notice of Appointment (Sections 1:171(2)). The City Clerk shall notify Council at least 30 days prior to the expiration date of the term of office of any person serving on a board or commission. The City Council shall place on the table the name of all reappointments no later than 60 days after the expiration date of the term of office.
- (b) Tenure of Office (Sections 1:171 (6)). No member of this commission shall be allowed to hold over for more than 60 days beyond the term of office fixed by ordinance whether or not a successor has been appointed, except that Council may extend the term for periods of 90 days upon the vote of at least six members of Council.

(Ord. No. 7-00, 4/3/2000)
(City Code, Section 1:237. Environmental Commission)

Article III Purposes and Objectives

(1) Powers and Duties. The Environmental Commission shall have the following powers and duties:

- a) To advise and make recommendations to the City Council and City Administrator on environmental policy, issues and implications of all city programs and proposals on the air, water, land and public health.
- b) To publish and present an annual report on the City's "State of the Environment," using, whenever possible, measurable performance indicators to monitor long-term trends and to submit to City Council an annual work plan for the Council's review.
- c) To work collaboratively with other City commissions and committees that have responsibilities for specific issues, including but not limited to: Planning Commission; Energy Commission; Parks Advisory Commission; Natural Features Ordinance Committee; Bicycle Coordinating Committee; Indoor Clean Air Ordinance Task Force; and, Leslie Science Center Advisory Board.
- d) To advise the City Council and City Administrator on various environmental aspects of transportation issues, including implementation of city transportation plan, alternative transportation issues, alternative fuel vehicles, bicycling improvements, Clean City Program initiatives, parking issues and related transportation issues.
- e) To advise the City Council and City Administrator on solid waste policy and management issues including the reduction, reuse, recycling, and proper disposal of solid waste.

- f) To advise the City Council and City Administrator on environmental risk and pollution issues, including community right-to-know, emergency planning, pesticide and herbicide use and policies, pollution prevention, air and water pollution, indoor air quality, worker health and safety, environmental remediation and restoration, and environmental impact of city procurement policies.
- g) To advise the City Council and City Administrator on drinking water, sewer, water quality, flooding, and storm water management issues, including water treatment plant issues, waste water treatment plant issues, Huron River water quality, protection, restoration and improvement of Huron River tributaries.
- h) To advise the City Council and City Administrator on all matters related to sustainable development, clean production, and environmental technologies.
- i) To hold public hearings on environmental issues and concerns.
- j) To advise the City Council and City Administrator concerning effective advocacy for the City in regional, state and federal environmental matters.
- k) To advise the City Council and City Administrator on enhancing the awareness, understanding, commitment, and active involvement of local citizens in ensuring wise stewardship of the City's natural resources, now and in the future, through education, volunteerism, public/private partnerships, and incentive programs.
- l) To meet with and advise the City's Environmental Management Team and any other city personnel involved in environmental matters, other city commissions, other jurisdictions, and other environmental organizations to address regional and state environmental matters.
- m) To create ~~subcommittee~~Committees to help conduct the work of the Environmental Commission provided that the members of the ~~subcommittee~~Committee are members of the Environmental Commission.
- n) To have all other powers and duties granted by the City Council by resolution.

Article IV Membership

(a) The Environmental Commission shall consist of ~~44-13~~ members nominated and approved by the City Council for three (3) year terms. Two members so appointed shall be members of the City Council, one from each caucus. In making appointments of members of the Environmental Commission, the City Council shall appoint persons who, insofar as possible, have an interest in protecting and enhancing the well-being of the environment and public health of the community. The terms of office of the first Environmental Commission appointed hereunder shall be fixed by the City Council so that the terms of five members will be for one (1) year, three members will be for two (2) years, and three will be for three (3) years. After the initial Commission is formed, all members, except the City Councilmembers, thereafter will be appointed for three years. The City Councilmembers shall be appointed for a one-year term. A City Councilmember shall cease to be a member of the Environmental Commission if she/he ceases to be a member of the City Council. To help coordinate an integrated environmental policy, three members of the environmental commission shall be appointed to the commission from the following city committees or commissions: Planning Commission, Parks Advisory Commission, Energy Commission, or Natural Features Ordinance Committee.

~~(b)-(b)~~ The City Administrator, or her/his designee, shall be a non-voting ex-officio member of the Commission and provided adequate support staffing to the Commission.

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~~(c) Membership on the Commission is comprised of eight (8) At-large members, three (3) Commission representative from the Parks Advisory, Energy, and Planning Commissions, and two (2) City council members.~~

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~~(d) At-large members shall Chair or Co-chair a committee and provide support to one other committee.~~

- (e) At-large members shall attend at least 70% of monthly meetings each year and shall not miss two consecutive meetings without an excused absence.
- (f) Commission Representative members shall attend at least 70% of monthly meetings each year and shall not miss two consecutive meetings without an excused absence. Commission Representatives shall serve on Committees to the extent practicable. Commission Representatives may provide an alternate Commission Representative to report out to the Environmental Commission and participate in Environmental Commission discussions. Alternate Commission Representatives shall not vote on Environmental Commission matters.

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Article V Officers

Section 1. The officers shall be a Chair and Vice-Chair and shall not be a member of another commission. The Environmental ~~Staff person~~Coordinator shall be the ex-officio Recording Secretary of the Commission.

Section 2. The Chair shall preside at all meetings and hearings of the Commission and shall have the normal duties conferred by Robert's Rules of Parliamentary Order. The Chair shall have the privilege of discussing all matters before the Commission and to vote thereon. The Chair shall coordinate development of meeting agendas with the Environmental Coordinator. The Chair shall designate Committee chairs. The Chair shall coordinate development of an annual workplan for presentation to City Council. The Chair shall review the commission bylaws annually with the commission. The Chair shall work with the Environmental Coordinator to orient new commissioners.

Section 3. The Chair shall be elected by majority vote of members present beginning in September of each year with the term expiring at the Call to Order of the following September meeting of the Commission.

Section 4. The Vice-Chair shall be elected by the Majority of members present each September for the same term as the Chair. The Vice-Chair shall act for the Chair in his/her absence.

Section 5. Should the Chair resign during the term of office, the Vice-Chair shall immediately assume the duties of the Chair, and at the first regular meeting of the Commission thereafter, the Commission shall elect a Chair in the manner prescribed above.

Section 6. Should the office of Chair and Vice-Chair be vacant in September, both officers shall be elected in the manner prescribed above.

Section 7. Commission members shall not receive compensation or expense reimbursement.

Article VI Meetings of the Commission

Section 1. Regular monthly meetings shall be held at a time and location agreed upon by the majority vote of the Commission. The chair shall develop a proposed agenda in cooperation with the staff.

Section 2. The Chair or any ~~six-seven (67)~~ members of the Commission may call special meetings. The purpose of the meeting shall be stated in the call.

Section 3. The Recording Secretary shall give written or email notice of all meetings, both regular and special, to all members of the Commission at least forty-eight (48) hours in advance of the meeting.

Section 4. ~~Six-Seven (67)~~ members of the Commission shall constitute a quorum. The concurring vote of ~~five~~ SIX of the appointed members of the Commission shall be necessary to act on any issue before the Commission except as may be authorized by the By-Laws.

(a) A MEMBER OF THE COMMISSION SHALL NOT VOTE ON A QUESTION IN WHICH THE MEMBER HAS A FINANCIAL INTEREST, OTHER THAN THE GENERAL PUBLIC INTEREST, OR ON ANY QUESTION INVOLVING THE MEMBER'S OWN CONDUCT. IF A QUESTION IS RAISED UNDER THIS SECTION AT ANY COMMISSION MEETING CONCERNING THE ELIGIBILITY OF A MEMBER OF THE COMMISSION TO VOTE ON ANY MATTER, SUCH QUESTION SHALL BE FINALLY DETERMINED BY THE CONCURRING VOTE OF AT LEAST SIX MEMBERS OF THE COMMISSION, NOT INCLUDING SUCH MEMBER.

Section 5. The meetings shall be conducted in accordance with the 1967 Open Meetings Act 267 of the State of Michigan.

Section 6. All persons shall be allowed to address the Commission on any issue related to the Commission's purpose at a specified place in the order of business. Such person shall give their name and address for the records. The Chair may establish reasonable time limits for individual and group presentations.

Section 7. Order of Meeting

- A. Call to Order
- B. Roll call of members
- C. Special Presentations
- D. Public Commentary
- E. Reading and approval of minutes
- F. Unfinished business as listed on the agenda
- G. New business as listed on the agenda
- H. Commission proposed business
- I. Report of the Administrator and Council
- J. Items from the Environment Staff
- K. Items from the Park Advisory, Energy, Planning Commission Representative
- L. Reports of Officers and Committees
- M. Public Commentary
- N. Adjournment

Section 8. The Commission may, at its discretion, hold public hearings on matters it determines to be of significant public interest.

Section 9. Minutes shall be kept showing the record of all important facts pertaining to each meeting, which shall include, but not be limited to, the following: names and addresses of all persons appearing before the Commission; a copy of

each resolution acted upon by the Board; members present; members absent. The Recording Secretary shall cause any other details to be included within the record as may be ordered by the Commission or its Chair. Such records shall be filed in the Administrator's Office and shall be a public record.

Article VII Parliamentary Authority

The rules contained in the current edition of Robert's Rules of Order Newly Revised shall govern the Commission in all cases to which they are applicable and in which they are consistent with the By-Laws and any special rules of order the Commission may adopt.

Article VIII ~~Subcommittees~~Committees

Section 1. ~~Subcommittees-Committees~~ of the Commission shall be created as deemed necessary to carry on the work of the Commission.

Section 2. ~~Subcommittees-Committees~~ shall work under the Commission's supervision, be chaired by an Environmental Commissioner, and according to specific instructions and charge. The subordinate group shall not act independently of the Commission except as may be authorized by the By-Laws or within the charge to the ~~subcommittee~~Committee.

Section 3. Membership on ~~subcommittees-Committees~~ shall be composed of members of the Environmental Commission and appointments shall be made by the Chair of the Environment Commission, in consultation with Commissioners, and with the subsequent majority concurrence of the Commission membership. The Environmental Commission may appoint additional committee members who are not members of the Environmental Commission for a time certain, and the names and shall forward qualifications of committee members appointed by the Environmental Commission to City Council.

Section 4. ~~Subcommittees-Committees~~ shall prepare and submit a report to the Environmental Commission; this report shall address the following topics:

- A. A description of the way in which the reporting body undertook its charge,
- B. The facts identified and/or information obtained,
- C. The findings, conclusions, or recommendations derived from the facts or information.

Article IX Amendment of By-Laws

Section 1. These By-Laws can be amended at any regular meeting of the Environmental Commission by the concurring vote of ~~six-seven~~ (67) members, provided that the amendment has been submitted in writing at the previous regular meeting.

Section 2. The By-Laws of the Environmental Commission shall be reviewed each September and acted on accordingly. The Commission may approve the By-Laws at the September meeting without change. If acceptance of the By-Laws is not forthcoming, the status quo will remain in effect until amended and approved.