

Bylaws and Rules of Procedures
City of Phoenix

Environmental Quality and Sustainability Commission

Approved by the Environmental Quality and Sustainability Commission: March 20, 2008
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ARTICLE I – ORDINANCE AUTHORITY

The Environmental Quality Commission was created by City Ordinance G3033 as set forth in Chapter 2 of the Code of the City of Phoenix and as subsequently amended. The Environmental Quality Commission has evolved into the Environmental Quality and Sustainability Commission created by City Ordinance

ARTICLE II – POWERS AND DUTIES OF THE ENVIRONMENTAL QUALITY COMMISSION

A. Advisory Body. The Environmental Quality and Sustainability Commission is an advisory body to the City Council of Phoenix whose purpose is to provide advice to identify and advise the City and City Council on issues and opportunities related to the sustainability and the quality of the natural and urban built environment. The Commission shall identify environmental issues and problems affecting Phoenix and recommend to the Council appropriate positions or roles for the City of Phoenix in addressing those issues or problems in a manner which protects, restores, or enhances the natural and urban environments. Its powers are advisory only unless additional powers and authority is provided by ordinance or the City Ordinance. The Commission shall identify and advise the City and City Council on positions, roles, and actions in order to address sustainability and quality issues and opportunities that protect, restore, and enhance the natural and built environments.

B. Powers and Duties. The powers and duties of the Environmental Quality and Sustainability Commission shall be: to identify and advise the City and City Council in order to address

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sustainability and quality issues and opportunities which protect, restore, and enhance the natural and built environments including:

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1. ~~Recommend to the Council, after consultation with City Manager, an Environmental Resource Policy~~Policies to guide City actions ~~in the protection, restoration on sustainability and enhancement~~the quality of the natural and ~~urban~~built environments;

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2. ~~Recommend to the Council, City positions~~Methods to identify the effect of existing and proposed City actions on sustainability and the quality of the natural and built environments:

3. Revisions to and new City ordinances, regulations, policies, procedures, programs, and activities affecting sustainability and the quality of the natural and built environments;

~~2-4.~~ Positions on proposed State and Federal legislation, regulations, and programs affecting ~~the City~~sustainability and the quality of the natural and built environments;

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Recommend through

~~3-5. Consulting with the City Manager and other regional, state, national, and global experts on sustainability and the Council new City ordinances, regulations or policies to protect, restore or enhance quality of the natural and urban built environments;~~

~~4. Recommend through the City Manager to the Council changes in City procedures, programs or activities to protect, restore or enhance the natural and urban environments;~~

~~5-6. Foster/Fostering citizen involvement in the City, and other regional, national, and global activities which affect on sustainability and the quality of the environment:natural and built environments;~~

~~6. Assist the Council and City departments in developing systematic methods to identify the effect of proposed programs, actions, ordinances or resolutions on the environment and to mitigate adverse effects;~~

~~7. Make/Making available information and hold, holding regularly scheduled meetings, and holding hearings; on sustainability and the quality of the natural and built environments.~~

~~8. Consult with City departments and outside experts from within the State or from other states.~~

ARTICLE III – MEMBERSHIP AND OFFICERS

A. Membership. The Environmental Quality and Sustainability Commission shall consist of the number of fifteen (15) members established by the Ordinance creating or amending the Commission.

B. Appointment. Members shall be appointed by the City Council.

C. Term. Appointments shall be made for a term of three (3) years. Traditionally, EQC members have not served more than two consecutive terms. In the event a member becomes incapacitated, is removed, resigns, or is unable to perform the duties of the office or is otherwise removed, the City Council shall appoint another member to fill the unexpired term of that member.

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2. ~~Vice Chairperson-~~ The Vice Chairperson shall be nominated by the Mayor, and ~~confirmed~~appointed by the City Council to serve a one year term. The Commission ~~may~~shall recommend a Vice Chairperson to the Mayor. In ~~addition to such other~~ duties, if any, ~~as may evolve upon the event the~~ the Vice Chairperson ~~by virtue of the~~ office, or as assigned by the Chairperson, the Vice Chairperson shall preside over meetings of the Commission in the absence of the Chairperson. ~~In the event the Vice Chairperson is removed,~~ resigns, ~~becomes incapacitated,~~ or is unable to perform the duties of office ~~or is otherwise removed,~~ the Mayor ~~can~~shall appoint another Vice Chairperson, with approval of the City Council, to fill the unexpired term ~~of the Vice Chairperson being replaced.~~ The Vice Chairperson shall preside over Commission meetings in the absence of the Chairperson. Other duties of the Vice Chairperson shall include responsibilities assigned or approved by the Chairperson.

3. ~~Secretary-~~ The Manager of the ~~Office of Phoenix~~ Environmental Programs (OEP) of the ~~City of Phoenix~~ shall appoint ~~a member or members of the department's~~department staff to serve as Secretary and Staff to the Commission. ~~Neither the Secretary nor~~ Staff shall be members of the Commission. ~~The Secretary shall take all minutes of~~ Commission meetings and keep all Commission reports in accordance with applicable City ordinances and Arizona statutes. ~~The minutes of all Commission meetings shall be~~ provided to the Commission in summary form. The minutes shall be approved by the Commission before submittal to City Clerk Department Official Records. ~~Documentation~~ shall be kept and maintained ~~in OEP with Phoenix Environmental Programs.~~ The Secretary shall be responsible for sending meeting notices to Commission members and ~~for preparing meeting materials.~~ When issues of parliamentary procedures arise, ~~the Secretary and Staff shall be available to advise a Chairperson on such matters.~~

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for preparing meeting materials. When issues of parliamentary procedures arise, the Secretary and Staff shall be available to advise the Chairperson on such matters.

4. Legal Representation. The City Attorney, or his/her City Attorney designee, shall provide legal representation and advice to the Commission ~~as necessary~~.

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- F. H. Subcommittees. Subcommittees report to the Commission in an advisory capacity and ~~such~~ subcommittees shall exist only ~~soas~~ long as necessary to fulfill the purposes for which they were created.

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1. Number of Members. When the Subcommittee is formed, the Commission must approve the number of total members of the Subcommittee. A formal vote of the ~~full~~ Commission is required to increase or decrease the numbers on a Subcommittee. The number of Commission members on the Subcommittee must be ~~less than the number needed~~ for a quorum of the ~~full~~ Commission. ~~Subcommittees of three or five are recommended. Even numbered memberships should be avoided if possible.~~

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2. Membership. Membership of a Subcommittee is voluntary and must be approved by the ~~full~~ Commission. ~~Persons who are not~~ Non-commission members of the Commission are permitted to serve as voting members of the subcommittee with approval of the ~~full~~ Commission ~~only~~. Such persons shall submit a resume and letter of interest for consideration by the Commission.

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2. Members of the Commission that are not on the Subcommittee can attend a Subcommittee meeting only as a member of the public and shall only provide comments during the public comment period.

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3. Chairperson. The Commission shall elect ~~the~~ Subcommittee ~~chairs~~ Chairperson. The Subcommittee Chairperson ~~should~~ shall be a Commission member.

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4. Removal of Subcommittee Members. A Subcommittee member ~~may~~ shall be removed by the majority of the ~~full~~ Commission for nonattendance at three (3) consecutive Subcommittee meetings or ~~50~~ fifty percent of the Subcommittee meetings in a calendar

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year, conviction of a crime involving moral turpitude, repeated disruptive behavior after warning, or when in the opinion of the majority of the Commission, removal is in the best interest of the Commission.

5. Agenda Items. Items for the agenda may be proposed by any member of the Subcommittee ~~member~~. The Chairperson of the Subcommittee shall approve the agenda for each meeting.

6. Minutes. Minutes taken by the Commission Secretary shall be approved by the Subcommittee or the Commission ~~if necessary~~ before submittal to City Clerk Official Records.

~~G. Compensation and Indemnification. Members of the Environmental Quality Commission shall serve without compensation.~~

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ARTICLE IV – MEETINGS

A. Schedule-. When business needs to be conducted and a quorum can be obtained, the Commission ~~may~~shall meet monthly and at such other times when called by the Chairperson after consultation with Commission members, and the ~~staffing department~~.
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B. Quorum-. A quorum of the Commission shall consist of a majority of the number of members ~~established by. In the Ordinance creating or amending~~case that there are ~~member vacancies, quorum shall consist of a majority of the Commission~~number of actual ~~members~~. Any action voted on by a majority vote of the quorum present shall be considered an action of the Commission. ~~In the event a quorum is not present for a meeting, the Commission is prohibited from discussing~~taking any action on any items from the agenda and the meeting shall be rescheduled. ~~In the event a quorum is present at the beginning of a meeting and is not maintained throughout the meeting, no discussion may~~action shall be taken until the quorum is regained. ~~If a quorum cannot be regained, the meeting shall end~~.

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C. Open Meetings-. The Commission and its ~~subcommittees~~Subcommittees shall hold all meetings and conduct all business in accordance with Arizona Open Meeting Laws A.R.S. § 38-431 et seq. All meetings of the Commission, except Executive Sessions authorized by A.R.S. § 38-431.03, shall be open to the public.

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D. Procedure Not Contained in Bylaws-. All meetings of the Commission shall be, to the extent not in conflict with these bylaws, conducted according to the latest edition of ~~Roberts~~Robert's Rule of Order, with the exception that the Chairperson of the Commission or ~~subcommittee~~Subcommittee shall be permitted to vote on any motion.

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E. Proxy Voting, Telephonic Remote Technology Participation-.

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1. ~~4.~~ Proxy voting shall not be permitted.

2. ~~2.~~ ~~Telephonic participation~~ Remote Technology Participation, such as but not limited to, the telephone, computer, and mobile device, may be permitted where, in the opinion of the Chairperson, members can participate fully by ~~speaker phone or other~~ the remote technology device ~~or~~ and application.

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~~F. Agenda Items. Items for the agenda may be proposed by any member of the commission. The Chairperson shall approve the agenda for each meeting.~~

~~G. Requests for Special Reports . Requests for special studies or reports will be coordinated through the Phoenix Environmental Programs.~~

ARTICLE V – MISCELLANEOUS

~~A. Conflict of Interest. Any member of the Commission who has a substantial interest as defined in A.R.S. § 38-502 in the outcome of any matter brought before the Commission shall make known that interest and the minutes of the meeting shall reflect that the member made such fact known. A. Amending Bylaws . The member shall refrain from voting, discussing, or in any way participating in that matter. The Commission shall also follow conflict of interest law guidance in the City of Phoenix Ethics Handbook.~~

~~B. Amending Bylaws. These bylaws may be amended at any meeting of the Commission after not less than seven (7) calendar days notice has been given to all members of the~~

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Commission ~~members~~ and a copy of the proposed amendment sent with notice. Approval of the bylaws and ~~a changechanges~~ in the bylaws shall require a concurring vote of three-fifths of the number of members established by the ordinance creating the Commission.

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~~C. Requests for Special Reports. Requests for special studies or reports will be coordinated through the staffing department, OEP.~~

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