

**RESOLUTION NO. 1107-1221**

A RESOLUTION OF THE COUNCIL OF THE CITY OF AVONDALE, ARIZONA, AMENDING THE CITY OF AVONDALE SUSTAINABILITY COMMISSION BYLAWS.

**BE IT RESOLVED** BY THE COUNCIL OF THE CITY OF AVONDALE as follows:

SECTION 1. The City of Avondale Sustainability Commission Bylaws, Amended and Restated December 13, 2021 (the “Bylaws”), are hereby adopted in substantially the form and substance attached hereto as Exhibit A and incorporated herein by this reference.

SECTION 2. The Mayor, the City Manager, the City Clerk and the City Attorney are hereby authorized and directed to take all steps necessary to carry out the purpose and intent of this Resolution.

**PASSED AND ADOPTED** by the Council of the City of Avondale, Arizona, December 13, 2021.

  
Kenn Weise (Dec 15, 2021 12:04 MST)

Kenneth N. Weise, Mayor

ATTEST:

  
\_\_\_\_\_  
Marcella Carrillo, City Clerk

APPROVED AS TO FORM:

  
Nicholle Harris (Dec 28, 2021 15:00 MST)  
\_\_\_\_\_  
Nicholle Harris, City Attorney

EXHIBIT A  
TO  
RESOLUTION NO. 1107-1221

[Bylaws]

See following pages.

**CITY OF AVONDALE  
SUSTAINABILITY COMMISSION BYLAWS  
AMENDED AND RESTATED  
DECEMBER 13, 2021**

- I. Name.  
The name of this advisory body shall be the Sustainability Commission (the “Commission”).
  
- II. Powers and Duties of the Commission.  
The purpose of the Commission shall be to help identify specific environmental, social, and economic sustainability goals and practices to reduce costs and support a high quality of life for current and future generations of Avondale residents and to advise the City Council on these and other related issues. The Commission shall submit all projects requiring capital expenditure to the City Council for approval as part of the budget and capital improvement program process each fiscal year.
  - A. Advisory Body. The Commission shall act as an advisory body to the City Council, City Manager, Public Works Director, Development and Engineering Services Director and Finance and Budget Director and shall provide the same with guidance in the areas of environmental and sustainability policy, operations, and education.
  
  - B. Ad Hoc Committees. The Commission may appoint ad hoc committees as necessary to accomplish the Commission's purpose and duties. Ad hoc committees may work with other Boards, Commissions or Committees as necessary. Such Ad Hoc Committees shall automatically dissolve when their work is done and after their final report has been accepted by the Committee.
  
- III. Membership and Composition.
  - A. Number of Commission Members. The Commission shall be composed of seven voting members (collectively, the “Members”). The Commission shall also have one alternate member (“Alternate Member”) who shall attend and may participate in Commission meetings but shall not vote in any Commission meeting, except as provided in Section V(F) below. The reduction in the number of members as approved by City Council on December 13, 2021 does not remove any members prior to the expiration of the affected member's term of office.
  
  - B. Membership Eligibility and Appointment. Each of the Members and the Alternate Member shall meet all eligibility criteria as outlined in the City Council Rules of Procedure. At least one member may be a youth member between the ages of 13 and 17 years old. Appointment of Members and the Alternate Member shall be conducted according to the City Council Rules of Procedure.
  
  - C. Term. Unless appointed to fill a vacancy mid-term, each Member's term of office shall be three years, unless the Member resigns sooner or is removed from his/her position.
  
  - D. Term Limits. No Member may serve more than two consecutive terms; provided, however, that a Member appointed to fill a vacancy may serve two consecutive terms

after the conclusion of the unexpired term to which he or she was appointed.

- E. Vacancy. Any vacancy on the Commission shall be filled for the unexpired term by the Alternate Member if one has been appointed by the City Council per the established procedures. If an Alternate Member has not been so appointed, the position shall remain vacant until a new Member is appointed by the City Council to fill the vacancy. In cases of a vacancy due to the expiration of a Member's term, the Member shall remain seated until a successor is appointed.
- F. Attendance. All Members and the Alternate Member are required to attend all Commission meetings unless excused by the Chairperson. Three consecutive unexcused or unexplained absences from any regular or special meeting shall result in a vacancy in the position and the member shall be deemed to have resigned her/his position.
- G. Removal. Any Member or Alternate Member may be removed upon a vote of not less than five City Council members for any cause as determined by the City Council.

#### IV. Commission Officers and Staff.

- A. Chairperson and Vice-Chairperson. At the first regularly scheduled Commission meeting of each calendar year, the Commission shall elect a Chairperson and Vice-Chairperson from among the Members. The Chairperson and Vice-Chairperson shall assume responsibilities at the next scheduled meeting. The term of the Chairperson and Vice-Chairperson shall be for one year. Any Member serving as Chairperson or Vice-Chairperson shall be eligible for re-election; provided, however, that each Member may serve no more than two terms per office.
- B. Duties of the Chairperson and Vice-Chairperson. The Chairperson shall (i) preside at all Commission meetings, (ii) decide all points of order and procedure, (iii) appoint Commissions if necessary and coordinate the work of the Commissions, (iv) serve as a representative of the Commission to other governmental units on such matters as have been approved and designated by the Commission and (v) perform any duties as required by law, ordinance or these Bylaws. The Chairperson shall have the right to vote on all matters before the Commission and shall have the right to make or second motions in the absence of a motion or a second. The Vice-Chairperson shall act as an aid to the Chairperson and shall perform the duties of the Chairperson in his or her absence or inability to serve. In the absence of the Chairperson and the Vice-Chairperson, the City Staff Liaison shall call the meeting to order and a simple majority of the Members then present shall select an acting Chairperson for the meeting. If the Commission Members present are unable to select an acting Chairperson, the City Staff Liaison shall act as the Chairperson for the meeting but without voting privileges.
- C. Vacancy. A vacancy in the office of Chairperson shall be filled by the Vice-Chairperson. A vacancy in the office of Vice-Chairperson shall be filled by a vote of the Commission at the next meeting of the Members.
- D. Removal. The Chairperson or Vice-Chairperson may be removed from office at any time at a meeting of the Members by an affirmative vote of a three-fourths majority of Members, who must be present to vote.

- E. City Staff Liaison. The City Manager shall appoint a staff member to serve as the staff liaison to furnish support to the Commission as requested or as required to advise and furnish professional and technical advice.
- F. Legal Counsel. The Commission may request that the City Attorney, or authorized designee provide, legal advice and rulings on points of order, procedure, or other matters related to the Commission's duties.

V. Commission Meetings.

- A. Frequency. Commission meetings shall be held no less frequently than quarterly and shall be held at the City of Avondale Civic Center, Avondale, Arizona, unless posted differently at least 24 hours in advance.
- B. Additional Commission Meetings. Additional Commission meetings may be held on the call of the Chairperson or the request of two or more Members, or by giving notice to all the Members and the Alternate Member by telephone or personal delivery or by verbal comment during a regular meeting. All notices shall be given, and posted according to the Arizona Open Meeting Law at least 24 hours before the meeting.
- C. Ad Hoc Committee Meetings. Shall be held on an as-needed basis and shall be posted in compliance with the Arizona Open Meeting Law at least 24 hours before the meeting.
- D. Participation by the Public. Commission meetings shall be open to the public. For any matter under consideration, any person may submit written comments and if attending in person, may speak to the issue upon being recognized by the Chairperson and stating his or her name and, if applicable, the names of any person or organization on whose behalf he or she is appearing.
- E. Quorum. A Commission meeting where a majority of its Members are present shall constitute a quorum. A majority vote of those Members present shall be required to take official action. No action shall be taken at any meeting in absence of a quorum, except to adjourn the meeting to a subsequent date. The Alternate Member may not vote at any Commission meeting.
- F. Alternate Member Quorum. At a Commission meeting where a majority of the Members are not present and the Alternate Member is present, the Alternate Member may be counted to constitute a quorum to conduct the meeting. The

Alternate Member may also vote at the meeting. At a Commission meeting where a majority of the Members are present to constitute a quorum, the Alternate Member will not count towards the quorum and may not vote at the meeting.

G. Agenda. The agenda shall be prepared by the City Staff Liaison, reviewed by the Chairperson, and posted no less than 24 hours before the Commission meeting in accordance with the Arizona Open Public Meeting Law.

H. Minutes. Minutes of the proceedings shall be retained and filed with the City Clerk's Department who will, in turn, file and post the minutes according to applicable law.

I. Open Meeting Law. The Commission is subject to the Arizona Open Public Meeting Law.

VI. Amendments.

Recommendations for amendments to these Bylaws must be approved by the affirmative vote of a majority of the Members. The Commission will then forward the recommendations for amendments to the Bylaws to the City Council for its approval.