

## Advisory Committee on Environmental Sustainability Bylaws

### Article I. Name

The name of this Board shall be the Advisory Committee on Environmental Sustainability (ACES) whose members shall be appointed by City Council. (B.M.C. 2-61-010). (Resolution 2020-64).

### Article II. Purpose

The purpose of Broomfield's Advisory Committee on Environmental Sustainability (ACES) is to advise City Council and staff on sustainability issues, policies, and programs..

The Committee's founding resolution outlines the duties and responsibilities of ACES as follows (Resolution 2020-64 Section 5):

- A. The ACES is charged with reviewing the Chapter [the Environmental Stewardship Chapter to Broomfield's Comprehensive Plan] , reviewing and providing comments and recommendations for improvements on Broomfield current environmental sustainability policies, and reviewing information on existing programs in Broomfield and/or other communities.
- B. The ACES shall provide recommendations for new environmental sustainability policies and programs.
- C. The ACES shall make a recommendation to Council on establishing priorities and goals for environmental sustainability activities, including the management of waste, water, and energy, as well as other activities that support resource conservation and improved air and water quality.
- D. The ACES shall prepare a recommended action plan that sets forth and prioritizes recommended policies, and programs that continue the implementation of the goals and action steps of the Chapter.
- E. The ACES shall prepare recommended education and outreach programs that continue the implementation of the goals and action steps of the Chapter.
- F. The ACES may provide a forum for citizen comment on environmental sustainability issues.
- G. The ACES may recommend changes to the Broomfield Municipal Code to codify environmental sustainability programs or policies.
- H. The City & County Manager shall assign Broomfield Staff to provide assistance to the ACES.
- I. The ACES may request that the City and County Manager procure the services of professional consultants to assist it, if it deems such services necessary. If such services are requested, the City and County Manager shall only approve such requests, if City Council also approves.

### Article III. Members

**Section III.01 Membership.** ACES shall consist of 11 members plus 1 youth member, 1 alternate member and 1 youth alternate, 1 non-voting member of City Council and 1 alternate to such member.

**Section III.02 Appointment.** Appointments shall be by a majority vote of a quorum of the City Council members present at any regular or special meeting.

**Section III.03 Requirements.**

- (a) All members and the alternates of ACES shall be residents of Broomfield. If any member or alternate ceases to reside in the city, their membership shall immediately terminate.
- (b) Members of ACES shall serve without compensation and shall hold no other Broomfield municipal office.
- (c) In making appointments, City Council will give consideration to assure a balance of knowledge, perspective, and skill including, but not limited to, experience in sustainability, community organizing, in non-profit administration, in grant-making and development, and in business.

**Section III.04 Term Length.**

- (a) The term of office for members will be four-year overlapping terms.
- (b) Resident alternate members and all youth members shall serve a term of two years.
- (c) Members and alternates of ACES may continue to serve after the expiration date of their term of office until a successor is duly qualified and appointed by the City Council.
- (d) Members of ACES serve at the pleasure of the City Council. Any member of ACES may be removed from office by the City Council under the provisions of section 11.2 of the Charter.

**Section III.05 Alternate Member.** An alternate may serve in the place of an absent regular member with all the powers and duties of the absent member in accordance with the terms of this chapter.

**Section III.06 Term Limits.** A member may not serve more than two successive four-year terms as a member, but may be appointed as an alternate after serving two successive four-year terms. An alternate may serve any number of successive terms. For purposes herein, a member must have served for twenty-four months or greater in order to have served a term.

**Article IV. Officers**

**Section IV.01 Officers.** The officers of ACES shall consist of a chairperson and vice-chairperson.

**Section IV.02 Chairperson Duties.** The chairperson shall preside at the meetings of ACES, assist with setting meeting agendas, and shall perform other duties from time to time as may be assigned by ACES. The chairperson shall participate as needed in City Council meetings. In the absence of the chairperson, the vice chairperson shall perform the duties of the chairperson and should there be no vice chairperson, then a temporary chairperson shall be selected by ACES to perform the duties of the chairperson.

**Section IV.03 Vice Chairperson Duties.** The vice chairperson shall perform the duties of the chairperson in the absence of the chairperson and shall perform such other duties as may be assigned by ACES.

**Section IV.04 Officers' Terms of Office.** Officers shall be elected annually by majority vote of ACES at the first meeting following the City Council annual appointments of board and commission members, shall assume their duties upon election, and shall serve one-year terms. Officers must be members of ACES and may succeed themselves in office. No two offices may be held by the same person.

**Section IV.05 Officer Vacancies.** Whenever a vacancy occurs in any office, the same shall be filled for the balance of the unexpired term by election of ACES.

## **Article V. Meetings**

**Section V.01 Regular Meetings.** Regular meetings of ACES shall be held at the location as indicated in the public notice published at least twenty-four hours in advance of the meeting. Meetings shall be held monthly with additional meetings as needed. At such meetings ACES shall consider all matters properly brought before ACES as set forth on the agenda.

**Section V.02 Special Meetings.** Special meetings may be called by the chairperson or upon written request of three members of ACES. The notice of a special meeting shall set forth the time, place, date and purpose of the meeting published via public notice at least twenty-four hours in advance of the meeting.

**Section V.03 Open Meetings/Public Notice.** The Colorado Sunshine Law requires that all meetings at which public business is discussed where three or more members of ACES are present are public meetings open to the public at all times. ACES shall not conduct any closed meeting without first consulting with the City Attorney's Office concerning its propriety. Public notice of all meetings where ACES shall take formal action or at which a majority or quorum of ACES is expected to attend shall be given. The public notice shall be given no less than twenty-four hours in advance of the meeting and shall be located per regular city procedures.

**Section V.04 Records.** Staff shall keep all the records of ACES, including all meeting agendas, minutes, presentations, letters and any other materials or writings relating to the activities and business conducted by ACES. The minutes shall be published for ACES member review and approved at a subsequent meeting of ACES. The minutes will be posted as a public record.

**Section V.05 Colorado Open Records Act (CORA)** In the spirit of open government, the Colorado Open Records Act (CORA) requires that most public records be available to the public. The members are responsible for the efficient use of email as a method of business communication, keeping the potential of CORA requests in mind.

**Section V.06 Quorum.** With all member positions filled, seven members of ACES shall constitute a quorum for the transaction of business at any meeting. Otherwise, the majority of members shall constitute a quorum. In the case of an absence of a voting member of ACES, the alternate shall be counted towards quorum and allowed to vote on any regular business item before ACES. If all voting members of ACES are present, the alternate member shall not vote but is still granted all other privileges of a voting member.

**Section V.07 Manner of Acting.** The act of a majority of the members present at a meeting shall be the act of ACES council. No action shall be taken in the absence of a quorum.

**Section V.08 Conflict of Interest.** The provisions of the City & County of Broomfield's Ethics Code, Chapter 2-70 of the Municipal Code, apply to all activities of ACES and any subcommittees. The code "intends to prohibit the appearance of impropriety as well as actual conflicts of interest." (B.M.C. 2-70-010)

- (a) A conflict of interest shall arise when a member of the ACES stands or appears to gain financially or otherwise benefit themselves, their family, friends, or affiliated organizations. In such a case, ACES member shall disclose said interest to ACES on the record and abstain from discussion and voting on the matter.

- (b) It shall be a conflict of interest for an ACES member to discuss or vote on grant applications from an organization to which ACES member belongs or on whose board ACES member serves.

**Section V.09 Agenda.** ACES chairperson will prepare the agenda in consultation with staff for regular meetings. With a majority vote, ACES members may add items to the agenda at the beginning of the meeting.

**Section V.10 Attendance and Removal.** Each appointed member is expected to attend all regularly scheduled meetings. Members who have missed an excessive number of regularly scheduled meetings or who have three or more consecutive unexcused absences may be removed from their appointment by act of the City Council. Unexcused absences are those absences that were not communicated to the board chair or to staff assigned to ACES prior to a regularly scheduled meeting. Members may also be removed from office by the City Council under the provisions of section 11.2 of the Charter.

## **Article VI. Subcommittees**

**Section VI.01 Appointment.** ACES may identify appropriate subcommittees to conduct such activities as ACES may determine. Every such subcommittee shall limit its activity to the accomplishment of the purpose for which it was created and shall have no power to act except as is specifically conferred upon it by action of ACES. Upon completion of the duties for which any such subcommittee was appointed, such subcommittee shall stand discharged.

## **Article VII. Voting**

**Section VII.01 Method.** Voting shall be by voice or show of hand, except when a roll call vote is requested by any member. For the avoidance of doubt, the chairperson may vote on any matters that are a tie. Alternates may vote when an ACES member is absent. Council members and their alternates are not voting members.

**Section VII.02 Majority Approval.** A majority of the members present and voting shall be required to approve of issues before ACES.

## **Article VIII. Procedures**

**Section VIII.01 Rules of Procedure.** Meetings will be held in a manner that assures an orderly and focused discussion and facilitates the input of all members of ACES, consistent with Robert's Rules of Order Newly Revised. In the event of any conflict between these Bylaws and Robert's Rules of Order Newly Revised, the provisions of these Bylaws will govern.

## **Article IX. Adoption of Bylaws**

**Section IX.01** These bylaws shall be adopted by ACES and are effective upon the date of adoption set forth below.

ADOPTED August 13, 2023