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RULES OF PROCEDURE OF THE ENVIRONMENTAL SERVICES ADVISORY COMMITTEE

I. PURPOSE

The purpose of the Environmental Services Advisory Committee (hereinafter ESAC) is to advise the Mayor and Council on all Environmental Services Department (hereinafter ES) programs and services.

II. RESPONSIBILITIES AND DUTIES

- A. Act as the official advisory body on capital improvement program planning and rate structure formulation to City government;
- B. Annually review the revenue requirements and recommend rate adjustments as required;
- C. Promote the concerns of customers by ensuring that recommended rate adjustments are kept to a minimum and are consistent with adopted Mayor and Council plans and policies;
- D. Consult with the Mayor and Council from time to time as may be required relative to needs;
- E. Provide an annual report to the Mayor and Council on the operations;
- F. Review or make recommendations on policies affecting ES as appropriate.

III. AUTHORITY

ESAC was created (as the Solid Waste Advisory Committee) on April 23, 2001 by Resolution 18893. The name of the committee was changed and its role expanded on September 15, 2003 by Resolution 19682. The current role and configuration of ESAC was implemented on February 15, 2005 by Ordinance 10120.

IV. COMPOSITION

- A. ESAC consists of thirteen (13) members. The Mayor and Council Members shall each appoint one (1) member. The City Manager shall nominate six (6) members for final approval by Mayor and Council. Members shall be either residential or commercial customers and shall serve without compensation.
- B. Members shall have professional or technical competence in one or more of the following areas:

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1. Utility rate making.
2. Solid waste management and planning.
3. Business management.
4. Financial analysis.
5. Environmental protection.
6. Environmental engineering.
7. Recycling.
8. Neighborhood issues.

C. The term of members shall be in accordance with Tucson City Code section 10A-134, except that members nominated by the City Manager and approved by Mayor and Council shall serve 4 year terms from date of appointment.

V. OFFICERS

A. ESAC shall elect a Chair and a Vice-Chair from among its members. The terms of the Chair and Vice-Chair are one (1) year, which shall commence in February of each year. A simple majority of members present shall elect the Chair and Vice-Chair in advance of the commencement of the new term. A simple majority of members present may remove and replace the Chair or Vice-Chair at any time regardless of the remaining term.

B. The Chair shall:

1. Preside at all meetings of ESAC.
2. Work with the Executive Secretary to set the meeting agenda.
3. Declare votes.
4. Sign documents.
5. Have the power, with consent of the members, to create standing or temporary subcommittees of one or more members.

C. The Vice-Chair shall preside, in the absence of the Chair from any meetings, and perform all duties incumbent upon the Chair.

D. A Temporary Chair shall be elected by the members present at a meeting if the Chair and Vice-Chair are both absent. The Temporary Chair shall have the full powers of the Chair during the absence of the Chair and Vice-Chair.

E. ES shall provide an Executive Secretary. The Executive Secretary shall:

1. Keep a record of all meetings of ESAC, and its subcommittees when requested to do so.
2. Prepare, with the Chair, meeting agendas.
3. Coordinate and distribute meeting materials prior to the meetings.
4. Prepare such reports and gather such materials as may be necessary for ESAC to conduct its business as requested by ESAC.

5. Coordinate with the City Clerk the preparation and publication of meeting notices.
 6. Bring before ESAC information items that are appropriate to the furtherance of ESAC's duties.
- F. The City Attorney or a designated representative shall be the legal counsel for ESAC and its subcommittees.

VI. MEETINGS

- A. ESAC shall schedule at least one meeting a month but may hold as many meetings as necessary to conduct its business. A simple majority may vote to not hold a meeting in a given month.
- B. All meetings shall be open to the public.
- C. Seven (7) members present at a meeting constitutes a quorum. A simple majority of those members present is required to approve or deny any motion before ESAC.

VII. RULES

- A. These rules of procedure may be amended at any regular meeting of ESAC by a simple majority of members present. Any of these rules may be suspended by a simple majority of members present. Procedure inconsistent with these rules that proceeds without objection implies suspension.
- B. Copies of these rules shall be available through ES.
- C. Robert's Rule of Order Newly Revised, 11th Edition may be followed in all cases not addressed by these rules or superior rules (e.g. Ordinances, Statutes, City Charter, Arizona Constitution).

VIII. SUBCOMMITTEES

- A. Any subcommittees shall be composed of ESAC members.
- B. Upon creation of the subcommittee, the number of seats shall be specified and a quorum shall be 50% of the specified seats plus one. Subcommittees created prior to the adoption of these rules shall have the number of seats equal to the number of members appointed to the subcommittee when first created.
- C. Subcommittees shall comply with all the requirements of the Open Meetings law except the obligation to take minutes.

- D. No subcommittee shall have the power to commit ESAC to the endorsement of any plan or program without its submission to the body of ESAC.

IX. MOTIONS

A motion is a proposal for some type of action made by one member, seconded on by another, and then voted on by the full committee. The name of the members making and seconding a motion shall be recorded in the minutes of the meeting.

- A. Main Motions. The most common motions are the main motion – the first motion made and seconded.
- B. Substitute Motions. Substitute motions are made by another member after a main motion has been made and seconded, but before a vote on the main motion has been taken. When substitute motions are made, they must be voted on first before a vote can be taken on the main motion. If the substitute motion is passed, the main motion is dropped.
- C. Friendly Amendments. Friendly amendments to motions are requests to amend a motion. They can be proposed by members after a main motion has been made and seconded, but must be accepted/approved by the member whose motion they want to amend.
- D. Making Motions. There are six steps to processing motions. In instances where there are substitute motions, these six steps must be followed on the secondary motions before the main motion can be voted on.
 1. A member makes a motion.
 2. Another member seconds the motion. This member does not have to agree with the motion, but only agree that it should be discussed.
 3. The Chair may restate or have the motion restated, formally placing it before ESAC.
 4. Debate/discussion ensues.
 5. The Chair asks for a vote on the motion.
 6. The Chair announces the result of the vote.

X. CALL TO THE AUDIENCE

- A. ESAC may, but is not required to, have a call to the audience. Should ESAC provide for a Call to the Audience, any member of the public is allowed to address ESAC on any issue. During a Call to the Audience, speakers are limited to a five-minute presentation. Speakers must state their name and whom they represent, if anyone other than themselves.

- B. ESAC may not discuss or take action on matters raised during Call to the Audience which do not appear on the agenda.

XI. CONFLICT OF INTEREST

Any member who has a conflict of interest as provided by law related to any matter before ESAC shall refrain from participating in the meeting, shall so indicate to the Executive Secretary, and shall abstain from all proceedings, deliberations and voting on the matter.

XII. VOTING

- A. If any member of the body declines to vote or abstains from a vote, other than in the case of abstention due to conflict of interest pursuant to Section XI herein, a second roll call will be taken. If the member(s) continues to abstain, the abstention will be counted as an affirmative vote.
- B. When a roll call vote has commenced, no member may leave his seat until the vote is disclosed.
- C. A member may change his vote after the roll has been completed and before the announcement of the result, but not thereafter.