

(Published in the Topeka Metro News October 1, 2008)

ORDINANCE NO. 19165

AN ORDINANCE introduced by Councilmember Deborah Swank. creating Chapter 66, Article II in the Code of the City of Topeka establishing the Sustainability Advisory Board and amending Section 1 of Ordinance No. 19095 relating to nonstatutory boards and commissions and repealing said original section.

WHEREAS, the City of Topeka desires to promote of natural resource conservation and recycling to ensure economic and environmental quality in Topeka; and

WHEREAS, the City of Topeka hereby creates an advisory board to support, strengthen and expand recycling and resource conservation activities and programs.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF TOPEKA, KANSAS:

Section 1. That the Code of the City of Topeka, Kansas, is hereby amended by adding a section to be numbered 66-25, which said section reads as follows:

Sustainability Advisory Board.

There is hereby established the Sustainability Advisory Board, hereinafter referred to as the "Board." The Board shall serve as an advisory board to the Council, and shall involve volunteers and community members. The Board shall prepare and approve minutes of its meetings, and forward the same to the City Council. The Board shall adopt by-laws as deemed appropriate, provided such by-laws are not inconsistent with this article.

Section 2. That the Code of the City of Topeka, Kansas, is hereby amended by adding a section to be numbered 66-26, which said section reads as follows:

Composition; appointments; terms.

31 a. Membership generally. The Sustainability Advisory Board shall consist of
32 nine (9) members.

33 b. Terms. Of the members of the Board first appointed, four (4) members
34 shall serve one (1) year terms, five (5) members shall serve two (2) year terms. The
35 mayor with the consent of the city council shall determine the terms of each appointed
36 member. Persons appointed to the Board may be reappointed for one (1) additional two
37 (2) year term. No person shall be permitted to serve more than two (2) full consecutive
38 terms as a board member. A period of at least two (2) years shall lapse prior to a
39 former member being eligible for reappointment. After the initial appointment of the
40 Board, all members shall serve two (2) year terms unless appointed to fill out an
41 unexpired term.

42 c. Qualifications of members. At least five (5) of the nine (9) board members
43 shall be currently licensed, have a degree in, be engaged in, or have substantial past
44 experience in the fields of environmental assessment, waste reduction, recycling,
45 energy conservation and/or natural resource conservation or a similar field relating to
46 the environment or conservation.

47 d. Compensation, removal. Members appointed to the Board shall serve
48 without compensation. Members may be removed without cause by a vote of two-thirds
49 (2/3) majority of the council. Members may be removed for cause by a majority vote of
50 the council. Removal for cause shall include but not be limited to the following reasons:
51 failure to attend four (4) Board meetings in one (1) calendar year or failure to attend
52 three (3) consecutive Board meetings in one (1) calendar year. In the case of death,
53 incapacity, resignation or disqualification of any member of the Board, the mayor, with
54 consent of the city council, shall appoint another person to serve for the unexpired term

55 of the deceased, incapacitated, resigned or disqualified member in accordance with City
56 of Topeka Code § 2-181.

57 e. *Ex officio nonvoting members.* In addition to the nine (9) voting board
58 members, there shall be two ex officio nonvoting members which shall be the City
59 Attorney and the Public Works Director or their designees.

60 Section 3. That the Code of the City of Topeka, Kansas, is hereby amended
61 by adding a section to be numbered 66-27, which said section reads as follows:

62 **Purpose of the Sustainability Advisory Board.**

63 The mission of the Board is to promote environmental assessment and advocate
64 for policies which support sustainability specifically including but not limited to
65 environmental assessment, waste reduction, recycling, energy conservation and natural
66 resource conservation in the City of Topeka and to enhance the quality of life by
67 improving the City's efforts in these areas.

68 Section 4. That the Code of the City of Topeka, Kansas, is hereby amended
69 by adding a section to be numbered 66-28, which said section reads as follows:

70 **Duties of the Sustainability Advisory Board.**

71 The Board shall advise the City staff and elected officials in the following ways:

72 a. Monitor and review present environmental assessment, waste reduction,
73 recycling, energy conservation, and natural resource conservation efforts
74 of the City.

75 b. Assist the City staff and elected officials to develop and establish goals
76 and priorities for future environmental assessment, waste reduction,
77 recycling, energy conservation, and natural resource conservation efforts.

78 c. Advise the City staff and elected officials on practical methods and

79 programs to reach their goals for future environmental assessment, waste
80 reduction, recycling, energy conservation, and natural resource
81 conservation efforts.

82 d. Serve as an information resource for the City staff and elected officials.
83 Receive reports on environmental assessment, waste reduction, recycling,
84 energy conservation, and natural resource conservation from staff of all
85 affected City departments.

86 e. Maintain regular communication with the City staff and elected officials
87 regarding Board activities and recommendations.

88 Section 5. That Section 1 of City of Topeka Ordinance No. 19095, is hereby
89 amended to read as follows:

90 **Establishment.**

91 The following nonstatutory boards, commissions and other plural authorities are
92 hereby established and made a part of the administrative code of the city, as authorized
93 by Charter Ordinance No. 94, § 24 [App. A, § A2-72]: Cereal Malt Beverage License
94 Review Board (TCC 10-91); Human Relations Commission (TCC 86-27); Mobile Home
95 Craftsmen Board of Examiners (TCC 98-211); Board of Electrical Appeals (TCC 26-236
96 et seq.); Board of Plumbing Examiners (TCC 26-236 et seq.); Board of Mechanical
97 Examiners (TCC 26-236 et seq.); Board of Building and Fire Appeals (TCC 26-138);
98 Board of Zoning Appeals (TCC 48-34.00 et seq.); Golf Course Advisory Board (TCC
99 102-196 et seq.); Parks and Recreation Advisory Board (TCC 102-51 et seq.);
100 Redistricting Commission (TCC 2-198); Citizen Advisory Council (TCC 42-4); Civil
101 Service Commission (TCC 106-41); Topeka Planning Commission (TCC 110-27);
102 Boards of Trustees of Fire and Police Pension Funds (TCC 106-204); Administrative

Review Board for Tax Exemptions (TCC 138-79); City of Topeka Americans with Disabilities Act Advisory Council (TCC 86-200); Sustainability Advisory Board (TCC 66-25). The council is hereby authorized to promulgate appropriate rules and regulations for such boards, commissions and authorities dealing with their organization and operation. No city employee shall be appointed to any board, commission, or plural authority unless the appointment is specifically authorized by ordinance. Unless otherwise provided, all members appointed to any board, commission, or plural authority shall be residents of the city. The mayor shall notify council members 30 days in advance of vacancies occurring on such bodies, shall solicit nominations from the council for filling such positions, and shall appoint members to such bodies from those nominated by the council. In the event no nominations are forthcoming, the mayor shall make such appointments as is in the best interest of or will best serve the mission of the board, commission, or authority. All appointments must be confirmed by the council. Unless otherwise provided for in this code, members will be appointed for a term of two years and shall not serve beyond the end of their appointed terms. Upon expiration of a term the position shall remain vacant until a successor is appointed.

Section 6. This ordinance shall take effect and be in force from and after its passage, approval and publication in the official City newspaper.

PASSED AND APPROVED by the City Council September 23, 2008.

CITY OF TOPEKA, KANSAS

ATTEST:

William W. Buntten, Mayor

Brenda Younger, City Clerk