

**BYLAWS OF THE
ENVIRONMENTAL SUSTAINABILITY
COMMISSION
CITY OF TRACY, CALIFORNIA**

WHEREAS, the City Council has established an Environmental Sustainability Commission for the purpose of advising the Council on the issues related to the sustainability, environment stewardship and opportunities for advancement on those fronts; and

WHEREAS, the Environmental Sustainability Commission is advisory to the City Council.

NOW, THEREFORE, these Bylaws govern the conduct of the meetings and the transaction of its affairs.

A. PURPOSE

1. The purpose of the Commission is to develop comprehensive, integrated environmental policies for implementation by the City to protect and enhance the City's air, water, and land.
2. The Commission is limited to performing tasks enumerated in its enabling Resolution No. 2023-068, these bylaws, and otherwise delegated to it by City Council. The Commission is responsible to the City Council and is charged with:
 - 2.1. Acting as an advocate for protecting, preserving, and enhancing the environment as it relates to issues under consideration by the City Council and Planning Commission.
 - 2.2. Serving in an advisory role to the City Council and all Boards and Commissions, as may be requested from time to time, on environmental and sustainability policy issues. The Commission may recommend new ordinances, amendments to existing ordinances, and other actions it deems appropriate.
 - 2.3. Providing a means for promoting discussion and education on issues related to the environment and sustainability.
 - 2.4. Preparing an annual report to be presented to the City Council which includes, but is not limited to these items:
 - Climate, Air and Energy
 - Stormwater
 - Urban Forest and Biodiversity
 - Consumption and Waste; including Recycling
 - Water and Conservation Resource
 - Protection and Preservation

B. ROLE AND RESPONSIBILITIES

The role of the Environmental Sustainability Commission is to provide citizen, youth, and community perspective and input on the development on emerging policy issues related to environmental sustainability, updates to the Climate Action Plan, and receive periodic progress reports from staff on meeting climate action goals.

C. MEMBERSHIP GUIDELINES

1. **Membership.** The Environmental Sustainability Commission shall consist of seven (7) members. The composition of the Commission will include five (5) adult residents, and two (2) youth residents (that are considered high school students up to and including their senior graduating year) with desirable backgrounds and expertise in specified areas of environmental sustainability practices, such as the water, wastewater, solid waste, Climate Action, landscape/urban forest, and/or sustainable energy.
2. **Term.** Each adult member shall serve a four-year term. To provide for Commissioner's terms to expire in a staggered manner, for the appointments of the initial Commissioners on the Environmental Sustainability Commission only, the City Council at its discretion will appoint two (2) Commissioners for a two-year term and three (3) Commissioners for a four-year term. After the expiration of the initial two-year and four-year terms, the terms will be four years for the adult Commissioners, and one-year term for the youth Commissioners.
3. **Attendance.** If a member of the Environmental Sustainability Commission fails to attend two (2) regular meetings in any calendar year, his or her position on the Environmental Sustainability Commission shall automatically become vacant and the staff liaison shall so inform the City Clerk. Absences may not be excused, subject to Section 4 below. For quorum confirmation, a member who is unable to attend a meeting shall inform the staff liaison designated by the relevant City Department at least 48 hours before the next meeting.
 - 3.1. **Teleconferencing.** If a member of the Environmental Sustainability Commission chooses to participate remotely via teleconferencing, the member must abide by either: 1) teleconferencing rules under the Brown Act, or 2) use a justified excuse under AB 2449. If the member chooses to remotely participate under AB 2449, the member may only do so for two (2) regular meetings.
4. **Leave of Absence.** An Environmental Sustainability Commission member may submit a written request to the City Council for a leave of absence of up to six months, which may be approved in its discretion.
5. **AB 1234 Training and Form 700 Completion.** If a member of the Environmental Sustainability Commission who is required to complete AB 1234 training (State Mandated Ethics Training) and/or is required to complete form 700 (Statement of Economic Interest), does not do so in a timely manner, the City Clerk's Office will send two written notices at least 10 days apart to the member. If the member does not complete the required training and/or form and provide proof of compliance to the City Clerk's Office, within 30 days of receiving the second written notice, his or her appointment will automatically terminate.

D. QUORUM

A quorum of the Environmental Sustainability Commission shall consist of a majority of the members (including any vacancies). A quorum must be present in order for the Environmental Sustainability Commission to hold a meeting.

E. APPOINTMENT OF OFFICERS

1. The officers of the Environmental Sustainability Commission shall be:
 - 1.1. The Chairperson and
 - 1.2. The Vice-Chairperson.
2. The Chairperson shall:
 - 2.1. Preside at all regular and special meetings.
 - 2.2. Rule on all points of order and procedure during the meetings.
3. The Vice Chairperson shall assume all duties of the Chairperson in his or her absence or disability.
4. In case of the absence of both the Chairperson and Vice Chairperson from any meeting, an Acting Chairperson shall be elected from among the members present.
5. Appointment of officers. The officers will be selected by the membership for a one-year term. The annual appointment of members shall take place at the last regular meeting in June of each year. The terms of members shall commence as of July 1st following the election and shall continue through June 30th of the following year. In the first year of formation, the election of officers shall take place at the first regular meeting.

F. DUTIES OF THE COMMISSION

1. Develop an annual work plan and presentation to the City Council.
2. Review and update from time to time, as necessary the Sustainability Action Plan
3. Develop policies and plans to provide for and advocate for environmental protection within the City of Tracy
4. Develop policies and plans for environmental awareness in cooperation with other public and private agencies
5. Provide recommendations to the City Council on such matters that may be referred to the Commission by City Council

G. APPOINTMENT OF MEMBERS

Membership of the Environmental Sustainability Commission will be conducted in accordance with the process set forth by the City Council under Resolution No. 2021-200, or any subsequent Resolutions.

Adult Membership Appointment

The five (5) adult members will be appointed by City Council for a four-year term.

Youth Membership Appointment

The two (2) youth members will be selected by an interview panel of three (3) members. In compliance with the City of Tracy's Youth Advisory Committee recruitment process, the panel will consist of:

- One staff member from the Operations and Utilities Division
- One Youth Advisory Committee advisor
- One Environmental Sustainability Commission officer (should no officer be available, one additional staff member from the Operations and Utilities Division will be assigned to the panel)

H. MEETINGS

1. Regular meetings of the Environmental Sustainability Commission shall be held on the 4th Thursday of each month and shall begin at 7:00 p.m.
2. If the scheduled date of a regular meeting conflicts with a holiday period, staff shall reschedule that meeting to be conducted within that month.
3. Any regular meeting may be adjourned, or any item on the agenda continued to the next or any subsequent regular meeting of the Environmental Sustainability Commission, by a majority of the quorum. If a meeting is adjourned or an item is continued to a special meeting to be held on a date other than a regular meeting date, the time, place, and date of such special meeting shall be specified in the motion for adjournment or continuance.
4. All meetings are subject to the Brown Act as set forth in Government Code Sections 54950 and following. Accordingly, all meetings shall be noticed and agendas for all meetings shall be prepared and distributed in accordance with the current City Council meeting procedures and the Brown Act.
5. All meetings shall be conducted in accordance with City Council's Meeting Protocols and Rules of Procedures, section 5 Conduct of Meetings, which may be amended from time to time.

I. FUNDING

Any funding necessary for the operation of the Environmental Sustainability Commission shall be included in the City of Tracy budget, which shall be approved by the City Council.

J. ADMINISTRATIVE PROCEDURES AND POLICIES

City Boards and Commissions shall follow all applicable City administrative policies and procedures.

K. SUBCOMMITTEES

The Environmental Sustainability Commission may form ad hoc subcommittees in accordance with the Brown Act, and make appointments to that subcommittee, as it deems necessary. A quorum of Commission members may not be appointed to serve on a single subcommittee. Before forming a subcommittee, the Environmental Sustainability Commission shall establish a specific charge and term for the subcommittee.

L. STAFF LIAISON

The Environmental Sustainability Commission shall have a staff liaison designated by the relevant City Department. The staff liaison shall:

1. Receive and record all exhibits, petitions, documents, or other material presented to the Commission in support of, or in opposition to, any question before the Commission.
2. Sign all meetings minutes and resolutions upon approval.
3. Prepare and distribute agendas and agenda packets.

M. ADOPTION

This document, as adopted by City Council, on April 18, 2023, by Resolution 2023-068, and shall serve as the Bylaws for the Environmental Sustainability Commission.