

BYLAWS AND RULES OF PROCEDURE
Sustainability Advisory Committee on Energy & the Environment ("SACEE")

ARTICLE I
NAME AND CREATION

Section 1. The name of the entity shall be the Sustainability Advisory Committee on Energy & the Environment of the City of Asheville.

Section 2. The Committee shall be a public body with all of its meetings subject to the open meetings laws of the State of North Carolina.

ARTICLE II
PURPOSE

To support the Mayor and Asheville City Council in integrating sustainable principles related to energy and the environment into City operations and the broader community consciousness, while promoting economic viability, environmental stewardship, and social responsibility:

- ***Policy Development:*** Provide guidance to the Mayor and Council on institutionalizing environmentally sustainable practices by evaluating and proposing policies that support City sustainability commitments.
- ***Education:*** Increase awareness of energy and environmental sustainability by developing and recommending activities aimed at promoting sustainable behaviors across the community.
- ***Partnership:*** Facilitate and encourage public and private partnerships that improve the effectiveness of efforts to create a more environmentally sustainable future.

ARTICLE III
MEMBERSHIP

Section 1. *Composition:* Membership on the Committee shall consist of 9 members who are appointed by the Asheville City Council. In light of the fact that SACEE advises City Council on a wide array of policy issues, it is critical that the Committee's membership reflect the racial, socioeconomic, gender, and geographic diversity present within the Asheville community. Additionally, the selection of members with the following professional qualifications and experiences is strongly recommended:

- a. Expertise in the field of energy management (i.e., production, conservation, application);
- b. Experience in the operation of a business within the City of Asheville;
- c. Experience in the construction industry within the City of Asheville; and
- d. Experience in the real estate development industry within the City of Asheville.

Section 2. *Removal:* Members of the Committee may be removed at the discretion of the Asheville City Council.

Section 3. *Attendance:* Failure to attend 75 percent or more of the Committee's regular meetings held during a 12-month period, unless excused, will result in the member's attendance being reported to the Asheville City Council. Poor attendance may be grounds for the member's removal from SACEE by City Council.

Section 4. *Term of office:* Members of the Committee shall be appointed for three year terms. Membership shall be staggered to ensure that the terms of all members shall not expire at the same time. Members may serve up to two consecutive terms. Members will be eligible for reappointment after having been off the Committee for at least (1) year.

ARTICLE IV **OFFICERS AND DUTIES**

Section 1. *Chair:* The Committee shall have a Chair, who shall be elected by a majority vote of the voting membership of the Committee. The term of office shall be for one (1) year, or until the successor is duly elected, beginning on July 1st of each year. The Chair shall be eligible for reelection. The Chair may appoint any sub-committees necessary to investigate any matter before the Committee.

Section 2. *Vice-Chair:* The Committee shall have a Vice-Chair who shall be elected by the Committee's members in the same manner and for the same term as the Chair and shall be eligible for reelection. The Vice-Chair shall serve as Chair in the absence of the Chair, and when serving as Chair shall have the same powers and duties as the Chair.

Section 3. *Secretary:* The City/County Manager or his or her designee will serve as Secretary to the Committee. The Secretary will: (1) keep all records; (2) conduct all correspondence of the Committee; (3) arrange for all required public notices to be given; and (4) take minutes at each Committee meeting which shall be kept in a permanent volume, for such duration as may be required by the North Carolina Municipal Records and Disposition Act. The minutes shall reflect all important facts pertaining to each meeting, every motion acted upon by the Committee, and all votes of members of the Committee upon any motion or upon the final determination of any question, indicating the names of members absent or failing to vote.

ARTICLE V **MEETINGS**

Section 1. *Number of Meetings:* There shall be at least 9 regular meetings of the Committee each year.

Section 2. *Regular Meetings:* At the beginning of each year, the Secretary, in conjunction with the members of the Committee, shall adopt a schedule of meetings and set a regular

meeting place for the year. The Committee may amend the schedule of meetings as deemed necessary.

Section 3. *Procedure:* Unless otherwise provided for by these Rules, Roberts Rules of Order will govern all points of order and procedure.

Section 4. *Agenda:* The Chair in consultation with the Secretary shall set the Agenda for each meeting.

Section 5. *Conduct of Meetings:* The order of business for meetings shall be as follows:

- a. The Chair shall preside over all meetings.
- b. The Chair of each appointed sub-committee may be called upon to present a report.
- c. The Chair may direct sub-committees to gather additional data, perform additional research or form additional subcommittees before voting on a report.
- d. The Committee, led by the Chair, shall vote on what action to take, if any, on all reports given.

Section 6. *Special Meetings:* Special meetings of the Committee may be called at any time by the Chair or Secretary. At least forty-eight (48) hours written, electronic, or oral notice of the time and place of the special meeting(s) shall be given by the Secretary to each member of the Committee and the local press.

Section 7. *Emergency Meetings:* The Chair, the Secretary, or any two voting members of the Committee may at any time call an emergency Committee meeting by signing a written notice stating the time and place of the meeting and the subject(s) to be considered. The notice shall be delivered to the Chair and each Committee member at least six hours before the meeting. Notice of the meeting shall be given to all media that has filed a written emergency meeting notice request with the City Clerk or the Secretary. This notice shall be given either by telephone or by the same method used to notify the Chair and Committee members, and shall be given at the expense of the party notified. Emergency meetings shall only be called because of generally unexpected circumstances that require immediate consideration by the Committee. Only business connected with the emergency may be considered at an emergency meeting.

ARTICLE VI

QUORUM

Section 1. A simple majority of voting members of the Committee, excluding vacancies, shall constitute a quorum.

Section 2. Once a quorum is established, it shall not be destroyed by one of the members leaving.

ARTICLE VII
VOTING AND CONFLICT OF INTEREST

Section 1. *Requirement:* All voting members are entitled to one vote, including the Chair. All voting members including the Chair must vote on all matters brought before the Committee unless excused by the remaining members according to law.

Section 2. *Exceptions:* A member who wishes to be excused from voting shall so inform the Chair, who shall take a vote of the remaining members. No member shall be excused from voting except upon matters involving a perceived or actual conflict of interest. In all other cases, a failure to vote by a member who is physically present for the meeting, or who has withdrawn without being excused by a majority vote of the remaining members present shall be recorded as an affirmative vote.

Section 3. *Roll Call:* All votes of the Committee shall be conducted in such way as to allow the minutes to reflect the vote of each Committee member. When a roll call vote is taken, the order of voting shall be alphabetical by last name of the Committee member except for the Chair, who shall vote last.

Section 4. *Majority:* The vote of a majority of the Committee's members shall be necessary to act on any matter before the Committee.

Section 5. *Conflict of Interest:* A Committee member may not take part in the hearing, consideration, discussion, or determination of any agenda item or issue in which the member is personally or financially interested. Such conflicts of interest must be disclosed to the Committee as a whole at the beginning of each meeting where a conflict of interest exists.

ARTICLE VIII
POWERS AND DUTIES

Section 1. *Authority:* Pursuant to Resolution/Ordinance No. 06-171, the Committee shall have the following powers and duties

- a. Develop rules and by-laws for the conduct of its business.
- b. Develop a vision for the community for achieving and maintaining sustainability in matters related to energy and the environment.
- c. Develop benchmarks and standards by which progress toward energy and environmental sustainability can be measured.
- d. Develop a program for increasing community awareness of energy and environmental sustainability issues through activities including outreach, education and publicity.

ARTICLE IX
PUBLIC ADDRESS TO THE COMMITTEE

Section 1. *Agenda:* The Committee will use the suggested agenda template provided. The Committee will include on every agenda a public comment period for all the meetings.

Section 2. *Time Limit:* Any person addressing the Committee shall be limited to a three-minute presentation. Any group of three (3) or more individuals, not including the speaker, making a presentation to the Committee may have a single spokesperson who will be allowed ten minutes to address the Committee. The Committee will receive written information from any individuals or groups that cannot conclude their presentations within these time limitations. These time limits can be increased by a majority vote of the Committee members in attendance at the meeting.

Section 3. *Prior to a Vote:* The public shall be allowed to comment on matters under consideration by the Committee prior to a final vote on the matter by the Committee.

Section 4. *Requests to be on Agenda:* Any individual or group who wishes to address the Committee may make a written request to the Secretary to be on the agenda. The Chair and the Secretary will determine, based upon completeness of the request and the other necessary business of the Committee, whether the matter will be placed on the agenda.

ARTICLE X
AMENDMENTS

These Rules may be amended by a majority vote of the members of the Committee. However, all amendments must be voted on at a regular meeting of the Committee and presented to the Committee in writing at the regular meeting preceding the meeting at which the vote is taken.

These Rules are adopted this _____ day of _____, 2015.

Secretary

Chair