

CITY OF ERIE ENVIRONMENTAL ADVISORY COUNCIL BYLAWS

ARTICLE 1. NAME OF COUNCIL

The name of this organization shall be the City of Erie Environmental Advisory Council (“EAC”).

ARTICLE 2. AUTHORIZATION

The authorization for the establishment of the EAC is set by the City of Erie Council Ordinance No. 1-2023.

ARTICLE 3. PURPOSE

The purpose of the City of Erie EAC is to propose and/or recommend solutions to environmental issues as identified by either City Council, the Mayor, the EAC members, and/or the general public, to carry out the duties as outlined in City of Ordinance Sect. 198.05.

ARTICLE 4. MEMBERSHIP

- 1) The EAC shall be composed of seven (7) residents of the City of Erie. Members shall be appointed in accordance with the following procedures:
 - (a) Four (4) members shall be appointed by City Council.
 - (b) Three (3) members shall be appointed by the Mayor.
 - (c) EAC members' terms of office shall expire on the first Monday in January following the last year of their respective terms.
 - (d) Duly appointed EAC members shall serve a term of three (3) years, except that initial appointments shall be so staggered that the terms of approximately 1/3 of the membership shall expire each year.
 - (e) Must have some knowledge and/or expertise in environmental matters.
 - (f) Members with a variety of backgrounds are recommended.
 - Examples: hydrologists, biologists, landscape architects, engineers, attorneys, educators, planners, and policy analysts or advocates.
 - (h) At least one member should have expertise/background in social, racial and/or environmental justice.
- 2) The City Council may select among themselves one Council member to attend meetings and to serve as a member of the EAC in a nonvoting capacity. The Council member cannot be an officer of the EAC and their presence shall not count towards determining a quorum.
- 3) Any vacancy on the EAC shall be filled by the Mayor or City Council dependent upon who made the original appointment for the vacant seat. In the event of the vacancy

of the Chair, the Vice-Chair shall automatically at the vacancy carry out the Chair's duties until the EAC elects a new chair.

- 4) The EAC Chairperson or a majority of the Members present at any duly scheduled EAC meeting may vote to "notify" (as defined below) any EAC member who is absent from any two (2) consecutive regular monthly EAC meetings or who is absent from three (3) regular monthly meetings during any twelve-month period without reasonable cause. The notification shall; (1) be written (2) be confirmed by email that includes a summary of the Member's attendance record; and (3) request the Member to reply by email within twenty calendar days or appear in person at the next regular monthly EAC meeting, whichever occurs later. If a Member notified as above fails to respond, or if the Member's reply in the judgment of the EAC Members present at a regular meeting indicates nonfeasance in office, the then staff lead of the EAC shall notify the Mayor and City Council of the situation, giving the relevant facts in the matter with a recommendation from the EAC to remove such EAC Member from office for neglect of duties.
- 5) Any appointed Member who thereafter relocates their residence from the City of Erie during the term of appointment shall forfeit his/her appointment resulting in a vacancy.
- 6) Throughout their term on the EAC, all EAC members must notify the EAC and the City Council of any potential conflicts of interest that could result in personal or professional gain either directly or indirectly to them, their families, or associates, by their involvement with the EAC.
- 7) In no instance shall an Advisory Council member serve for more than six (6) consecutive years. Upon completion of a Council member's second term which consists of (6) consecutive years, said member may continue as an honorary member, taking part in all phases of the Council membership, with the exception of voting.

ARTICLE 5. ASSOCIATE, NON-VOTING MEMBERS

- 1) To encourage community interest and provide broader input, the EAC shall select up to seven (7) Associate Members:
 - a) Up to two (2) City of Erie high school students.
 - b) Up to two (2) college students from the local colleges or universities.
- 2) Up to three (3) environmental experts who may or may not be a City of Erie resident. Associate Members may be recommended by EAC members or apply directly to the EAC via the website or in person during public comment during an EAC meeting.

- 3) Interested applicants for Associate Members will submit a letter to the EAC, describing their background, reasons for becoming a member and their agreement to at least a one-year commitment to attend meetings.
- 4) Government Liaisons
 - a) A member of Erie City Council.
 - b) A member of the City of Erie Planning Commission.
 - c) City of Erie Sustainability Coordinator.
 - d) Erie County Sustainability Coordinator.

ARTICLE 6. OFFICERS

- 1) The officers of the EAC shall consist of a Chair, Vice-Chair and Secretary.
- 2) The Chair shall preside at all meetings of the EAC and shall have the duties normally conferred by parliamentary usage of this office. He/She shall be an ex-officio member of all committees. He/She shall enforce all bylaws and regulations of the EAC. The Chair shall be elected by a simple majority of the EAC membership at the first EAC meeting each January or as otherwise decided by the EAC. The Chair shall prepare meeting agendas in coordination with the EAC City staff lead and the agenda shall be approved at the start of each meeting.
- 3) The Vice-Chair or other member as agreed upon by the EAC shall carry out the Chair's duties in case of absence, incapacity, or resignation of the Chair.
- 4) The Secretary, with the assistance of such staff as is available from the City, shall keep the minutes and records of the EAC.
- 5) The Staff Lead provides notice of all meetings to EAC members, arranges proper and legal notice of hearings, attends to correspondence of the EAC and such other duties as are normally carried out by a Staff Lead. The Staff Lead may delegate these duties to another member as agreed upon by the EAC.
- 6) Officers shall serve for one year or until their successors are elected.

ARTICLE 7. CODE OF ETHICS

- 1) It is the general responsibility of EAC members to perform their duties with integrity and impartiality and to avoid situations in which bias, prejudice, or personal gain could influence decisions. The overall success of EAC depends on all members adhering to these standards.

The EAC has adopted a Code of Ethics which shall apply to the following members: EAC members, board members, volunteers, and/or any other involved individual. The Code of Ethics is as follows:

- (a) Shall not disclose confidential information acquired in the course of their association or employment with EAC for the purpose of personal benefit or gain.
- (b) Shall not, for personal gain or for the gain of others, use information not available to the general public, or divulge confidential information without its authorized release; nor shall any employees receive compensation for consultation which substantially draws upon official ideas or data which are not disclosed to the general public.
- (c) Shall not hold financial interests that conflict with the performance of EAC's duty.
- (d) Shall require to act impartially and report fraud, abuse, and corruption to appropriate authorities, satisfy in good faith their obligations as citizens, and adhere to all laws and regulations that provide equal opportunity to all individuals regardless of race, religion, sex, national origin, age, or disability.
- (e) Shall conduct themselves in a professional manner to demonstrate the public's trust and confidence in their position as a community leader with EAC.
- (f) Shall not discriminate unfairly by the dispensing of special favors or privileges to anyone, whether for enumeration or not.
- (g) Shall not engage in or accept private employment or render private services when such employment or service is in direct conflict with EAC's official operations and duties.
- (h) Shall never falsify, forge, or improperly alter any Company document to ensure all transactions are recorded in their proper account.
- (i) Shall not ask for or receive any additional compensation, gift, favor, or reward from any source for service or work for which the officer or employee received compensation from EAC, with exception to offerings customary in scale and expense, in an appropriate setting, and/or an offering not intended, or does not appear to improperly influence a business decision.
- (j) Bribery. It is illegal for all EAC members to engage in bribery. Bribery, including, but not limited to, offering, giving, soliciting or receiving of any item of value as a

means of influencing the actions of another in the form of a gift, money, property, privilege or favor is a form of corruption.

(k) Compensation. Members shall receive no compensation for their services, but they may be reimbursed for expenses actually and necessarily incurred by them in the performance of their duties, provided that the expenses have the prior approval of the City's Managing Director.

2) Conflict of Interest. Members of councils, advisory boards, or committees of the City of Erie and its affiliated organizations or entities which make recommendations or decisions on financial matters must avoid any conflict or appearance of conflict between their own interests and those of the City, particularly as these interests relate to business relationships with the City, either individually, in a representative capacity, or as a result of a family relationship or close friendship. All members acknowledge the Conflict of Interest Policy and confirm that the members have read and understand its content by signing the Conflict of Interest Form.

ARTICLE 8. MEETINGS AND VOTING

- 1) Regular meetings. Regular meetings of the EAC shall be held at the Bagnoni Council Chamber, 626 State St, Erie at such times as will be determined by the membership of the EAC at their first meeting for each year. Notice of meetings of the EAC shall be posted as required by law and advertised in a newspaper of general circulation.
- 2) Special Meetings. Special meetings may be requested by the Chair, or by a majority of the EAC members. Such special meetings shall be held at the Bagnoni Council Chambers at such date and hour as may be designated by the person or persons authorized herein to call such a meeting. Notice of special meetings of the EAC shall be posted at the Erie City Hall and advertised in a newspaper of general circulation at least twenty-four hours prior to each meeting and the substance of the meeting shall be limited to the purpose originally stated for the special meeting.
- 3) Written or phone notice of such a special meeting shall be given by the Chair and/or Staff Lead to the EAC members at least twenty-four hours prior to the special meeting.
- 4) Quorum. In the event a quorum is not present at any meeting, the members may reschedule the meeting for a later date with the required notice. A quorum shall consist of four of the current voting members. The act of the majority of the members present at a meeting at which a quorum is present shall be the act of the EAC.

- 5) Voting. Each voting member is entitled to one vote, with the voting governed by parliamentary procedure according to Robert's Rules of Order.
- 6) Notes: Notes from meetings will be kept and copies of the meeting's notes will be sent to each member of the EAC and to the Secretary for City Council for distribution to City Council and the Administration.
- 7) A tabling motion, if passed, has the effect of laying the matter over until the next regularly scheduled meeting unless otherwise specified. The matter should be included on the agenda for the next EAC meeting.
- 8) All meetings not called to order for any reason within fifteen (15) minutes of the time designated may be cancelled.
- 9) Any Code of Conduct of the City approved by the City Council shall apply to the EAC and all of its meetings.
- 3) All meetings or portions of meetings shall be open to the public and subject to the Sunshine Act. The EAC may meet in closed session for any of the limited exceptions provided in section 707 of the Sunshine Act, as amended.

ARTICLE 9. DUTIES OF THE ENVIRONMENTAL ADVISORY COUNCIL

- 1) Provide objective advice on environmental matters to the Mayor and City Council and to any City agency or authority requested by the Mayor or City Council.
- 2) For each issue that the EAC reviews, it will generate a report to each member setting forth its findings and dissenting opinions if any.
- 3) The EAC shall submit an annual written report of its activities, goals and plans as required by applicable City ordinances.
- 4) The study of issues:
 - a) As the EAC hears issues from the community regarding the environment, the EAC will determine which issue(s) need to be explored or can be explored effectively. The EAC will keep City Council and the Administration informed of the issues and activities on which it has chosen to focus.
 - b) After receiving a request for a study from the City Council or Administration, the EAC will examine the issue and provide the City Council or Administration with a written report setting forth its recommendations and dissenting opinions (if any).
- 4) Subcommittees and special task forces may be formed by a majority vote of a quorum of EAC members at any regular or special meeting of the EAC. The EAC may appoint

associate, non-voting members of the general public to a subcommittee or special task force as it deems necessary and appropriate.

ARTICLE 10. ORDER OF BUSINESS

- 1) The order of business at regular meetings shall be:
 - a) Roll Call
 - b) Approval of minutes
 - c) Amendments to agenda
 - d) Introduction of visitors
 - e) Public Comment
 - f) Report of officers and committees
 - g) Old business
 - h) New business
 - i) Adjourn
- 2) The order of business at any meeting may be altered at the discretion of the Chair or presiding officer.
- 3) A motion from the floor must be made and passed in order to dispense with any item on the agenda.
- 5) Non-Agenda Matters. No binding or final action may be taken on any matter not on the written agenda except by unanimous vote of the members in attendance or two-thirds vote of the entire membership.

ARTICLE 11. AMENDMENTS

- 1) The EAC shall have the power to amend the bylaws by vote at any regular or special meeting which requires majority vote of a quorum. No amendment shall be recommended unless a copy of such proposed amendment has been included in or enclosed with the notice of such meeting.
- 6) The EAC shall not have the power to recommend any amendment to the bylaws which would alter the status of the Environmental Advisory Council

ARTICLE 12: EFFECTIVE DATE

March 27, 2024

City of Erie Conflict of Interest Policy

Statement of Policy: Members of councils, advisory boards, or committees of the City of Erie and its affiliated organizations or entities which make recommendations or decisions on financial matters must avoid any conflict or appearance of conflict between their own interests and those of the City, particularly as these interests relate to business relationships with the City, either individually, in a representative capacity, or as a result of a family relationship or close friendship.

Implementation of Policy:

Persons serving the City as volunteer members of such Councils, boards, or committees or as employees should be aware that their service may give rise to a conflict of interest (direct or indirect), or the appearance of or potential for a conflict of interest. The relationship between the City and those responsible for its care is one which implies an assumption of commonality of purpose.

In addition, a potential conflict of interest may exist when a person serving the City is in the position to use his/her status to influence decisions for their personal advantage or for the advantage of family members, relatives, or close friends.

If a business interest does or may affect the commonality of purpose, then such conflict must be disclosed to the chairperson, president and/or administrator. A person making this disclosure as a result of any conflict of interest or appearance of a conflict of interest shall be designated as an "interested party."

Once the disclosure has been made, the chairperson, president and/or administrator shall decide whether such duality of interest may undermine or impugn the best interests of the City. If so, the interested party shall be excluded from any deliberations concerning the issue. In reaching such a decision, the chairperson, president and/or administrator shall be guided by the needs of the City; the availability of quality goods or services to satisfy those needs; and the result of an open and informed selection process.

Each such case shall be reviewed upon its own facts and circumstances. If it is determined that the duality of interest creates a substantial conflict of interest, then the chairperson, president and/or administrator may refrain from entering into a relationship with the interested party until such time as the duality of interest ceases to exist.

This conflict of interest policy is to be made known to all persons now serving or hereafter selected to serve the City as members of councils, boards, or committees who are involved with City personal matters and to those employees who are involved in the selection of vendors or suppliers.



City Conflict of Interest Information and Compliance Statement

I have read and understand the City Conflict of Interest Policy and agree to abide by its terms and conditions.

Please describe below any relationships, positions, or circumstances in which you are involved that you believe could contribute to a conflict of interest as defined in the policy on Conflict of Interest or write "none" if there are not such conflicts:

I agree that if any situations arise of which I am aware that in any way contradict the above statements, I will immediately notify the chairperson, president and/or administrator of any conflict, real or potential, and make full disclosure thereof.

Date: _____

Signature: _____