

TITLE

AN ORDINANCE TO AMEND TITLE 2, TITLED "BOARDS AND COMMISSIONS," OF THE CODE OF ORDINANCES, CITY OF OAK RIDGE, TENNESSEE, BY DELETING CHAPTER 2, TITLED "ENVIRONMENTAL QUALITY ADVISORY BOARD," AND SUBSTITUTING THEREFORE A NEW CHAPTER 2 OF THE SAME TITLE TO ADDRESS UPDATES REQUESTED BY EQAB.

WHEREAS, the Environmental Quality Advisory Board (EQAB) has requested changes to their bylaws, which changes require an amendment to their enabling ordinance; and

WHEREAS, the changes to the enabling ordinance are: elimination of the Oak Ridge Municipal Planning Commission representative, clarification regarding quorum and voting due to the shared vote by the two student members, elimination of the annual report due to Council, and simplification of the attendance policy to reference City Council's policy for boards and commissions; and

WHEREAS, the requested changes to the bylaws will be presented to City Council by resolution for approval along with second reading of this ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF OAK RIDGE, TENNESSEE:

Section 1. Title 2, titled, "Boards and Commissions," of the Code of Ordinances, City of Oak Ridge, Tennessee, is hereby amended by deleting Chapter 2, titled "Environmental Quality Advisory Board," in its entirety and substituting therefor a new Chapter 2, titled "Environmental Quality Advisory Board," which new title shall read as follows:

TITLE 2
BOARDS AND COMMISSIONS, ETC.

CHAPTER 2
ENVIRONMENTAL QUALITY ADVISORY BOARD

§2-201. Definition.

As used in this chapter, the term board shall mean the environmental quality advisory board created by this chapter.

§2-202. Created; composition.

There is hereby created an environmental quality advisory board for the city consisting of twelve (12) members who shall be appointed by the city council. Two (2) members of the board shall be high school students. All members shall have one vote except the high school students shall share one vote, either from a consensus if both are present at the meeting or individually if only one student is present. If no consensus is possible, then no vote shall be recorded for the students. For clarification purposes, the board has eleven (11) possible total votes due to the student members sharing one (1) vote.

§2-203. Terms of members.

Of the members first appointed to the board, four (4) shall serve until September 30, 1974; three (3) until September 30, 1975; and three (3) until September 30, 1976. Thereafter all appointments to the board, with the exception of the high school student

members, shall be for terms of three (3) years and all terms shall commence on October 1. The high school student members of the board shall serve two-year terms of office. Of the students first appointed after the adoption of this amendment, one (1) shall serve until May 31, 1999, and one shall serve until May 31, 2000. Thereafter, all appointments of high school student members shall be for two years and all terms shall commence on June 1. If a successor has not been named at the expiration of a member's term, the member shall continue to serve until his or her successor is appointed. Whenever a vacancy occurs, an appointment shall be made for the remainder of the unexpired term.

As of April 1, 2011, all current members' terms (except for student members which shall remain unchanged) shall be extended through to the following December 31, and all subsequent terms shall commence on a date established by resolution of City Council with the term lengths and staggered appointments remaining the same.

§2-204. Designation and term of chairperson and vice-chairperson.

The board shall elect from its membership a chairperson, vice-chairperson and secretary.

§2-205. Compensation.

Members of the board shall serve without compensation but may be reimbursed for all necessary expenses incurred in the course of their duties in accordance with the appropriations made by the city council.

§2-206. Functions.

The function of the board shall be to serve as an advisory body to the city council. When requested by city council, the board shall give advice and assistance in matters contributing to a quality environment; and further, upon request, it shall advise the city manager and the municipal planning commission on specific environmental matters.

§2-207. Meetings; quorum.

The board shall hold public meetings at such regular intervals and places as it may designate. Six (6) members of the board shall constitute a quorum. For purposes of a quorum, the student members count as only one member because they share one vote and cannot vote separately. For clarification purposes, if one or both student members are present at a meeting, five other members must be present for there to be a quorum of the board. All actions shall require the concurring vote of a majority of the members present at a duly constituted meeting, with the student members again counting as only one member for the purposes of calculating a majority vote. For example, if eight members are present at a meeting, including both student members, a majority for voting purposes is four instead of five because the students only count as one regardless of whether one or both are present at the meeting and regardless of whether or not there is a consensus for the student members' vote.

§2-208. Powers.

In the performance of its function, the board is authorized to adopt bylaws and rules of procedure for the conduct of its authorized activities; the board will recommend for approval and authorization by the city council a proposed annual work program involving studies for the preservation and improvement of the environment, it shall issue reports and findings on such studies. The board is further authorized to make specific recommendations on environmental questions referred by the city council, city manager, or municipal planning commission.

§2-209. Availability of city facilities and personnel to assist the board.

Subject to the approval of the city manager, the facilities and personnel of the city shall be made available to assist the board in carrying out its functions.

§2-210 Attendance policy.

Members of the board are subject to the attendance policy adopted by city council for boards and commissions.

Section 2. This ordinance shall become effective ten (10) days after adoption on second reading, the welfare of the City of Oak Ridge requiring it.

APPROVED AS TO FORM AND LEGALITY:

Kenneth R. Krushenski, City Attorney

Thomas L. Beehan, Mayor

Diana R. Stanley, City Clerk

First Reading: _____
Publication Date: _____
Second Reading: _____
Publication Date: _____
Effective Date: _____