

RESOLUTION 55-2020-21

A RESOLUTION ESTABLISHING THE CLARKSVILLE SUSTAINABILITY BOARD

WHEREAS, the City Council finds that the City should establish a goal of becoming a “Sustainable Community” as more fully described herein; and

WHEREAS, the City Council finds that a “Sustainable Community” should have the general goals of stewardship and preservation of natural resources, minimizing use of materials or processes that cause pollution, maximizing use of renewable natural material resources and efficient renewable energy, and the exercise of environmental prudence;” and

WHEREAS, the City Council finds that these general goals of a “Sustainable Community,” and the public health and welfare, would best be served by the establishment of a “Sustainability Board;” and

WHEREAS, the City Council finds that establishment of such a board would focus the City’s efforts to become a measurably “Sustainable Community” by:

- A. Raising awareness and educating City officials, employees and the public regarding sustainability concepts, ideas, trends, and the benefits of employing sustainability measures, and the costs of failing to pursue such measures; and
- B. Developing and providing educational materials and providing advice to the City, its’ officials and employees, and to local businesses, and by providing input into City plans, policies, and operations, pertaining to sustainability initiatives, programs and actions; and
- C. Identifying opportunities for improved collaboration and enhanced coordination of sustainability initiatives, programs, and actions by and between all levels of government, across different departments and agencies, along with private business, in order to achieve sustainability goals and objectives; and
- D. Developing and proposing specific and measurable sustainability goals and objectives, and to identify specific actions and sustainability “best practices” that can be taken to achieve those goals and objectives; and
- E. To study, develop and recommend standards by which to measure progress toward the achievement of sustainability goals and objectives, and to report on same to governmental policy makers, on at least an annual basis, and as may otherwise be desired or requested; and

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF CLARKSVILLE, TENNESSEE, as follows:

1. There is hereby established a City of Clarksville, “Sustainability Board,” which shall be organized, and contain the members, and which shall have the purposes, powers, duties, and obligations, as set forth in Exhibit A, attached hereto and incorporated herein.

ADOPTED: March 4, 2021

Exhibit A

Article I: Establishment of the “Clarksville Sustainability Board”

1. Pursuant to Resolution duly adopted by the City Council of the City of Clarksville, there is hereby established and created an advisory board, which shall be known as the “Clarksville Sustainability Board.”

Article II: Purposes

2. The “Clarksville Sustainability Board” shall have the following purposes:
 - a. Raising awareness and educating City officials, employees and the public regarding sustainability concepts, ideas, trends, and the benefits of employing sustainability measures, and the costs of failing to pursue such measures; and
 - b. Developing and providing educational materials and providing advice to the City, its’ officials and employees, and to local businesses, and by providing input into City plans, policies, and operations, pertaining to sustainability initiatives, programs and actions; and
 - c. Identifying opportunities for improved collaboration and enhanced coordination of sustainability initiatives, programs, and actions by and between all levels of government, across different departments and agencies, along with private business, in order to achieve sustainability goals and objectives; and
 - d. Developing and proposing specific and measurable sustainability goals and objectives, and to identify specific actions and sustainability “best practices” that can be taken to achieve those goals and objectives; and
 - e. To study, develop and recommend standards by which to measure progress toward the achievement of sustainability goals and objectives, and to report on same to governmental policy makers, on at least an annual basis, and as may otherwise be desired or requested; and
 - f. To advocate with state and national level governmental agencies and departments, and private organizations, for increased funding and grants relating to sustainability programs, projects and initiatives for the benefit of the City and local private businesses.

Article III: Organization; Appointment; Staggered Terms; Initial Terms; Vacancy

3. The “Clarksville Sustainability Board” shall consist of seven (7) voting members. The Mayor of the City of Clarksville shall serve as an ex-officio non-voting member.
4. The Mayor of the City of Clarksville shall appoint six (6) voting members, each subject to the approval of the Clarksville City Council. Three (3) of these six members shall be current members of the City Council. One (1) of the six members shall be a member of the Montgomery County Commission who is not a member of the City Council. The remaining three (3) voting members shall be private citizens who do not hold any elected office, at least one of whom shall be a current member in good standing of an environmentally focused private non-profit organization. All of the voting members shall

be residents of the City of Clarksville. Terms for each voting member shall be three (3) years, except for initially appointed members, whose terms shall be as provided below to allow for staggered terms. After the initial appointments, terms for voting members shall continue to be staggered three (3) year terms. No voting member may serve more than two (2) consecutive three-year terms, except that members appointed to fill an unexpired term may fill the unexpired term plus two (2) additional consecutive three-year full terms.

5. Initial terms for voting members shall be as follows:

a. The City Mayor shall appoint, subject to City Council approval, one (1) City Council voting member who shall serve an initial term of one (1) year; and a second City Council voting member who shall serve an initial term of two (2) years; and a third City Council voting member who shall serve an initial term of three (3) years.

b. The City Mayor shall appoint, subject to City Council approval, one County Commission voting member who shall serve an initial term of three (3) years.

c. The City Mayor shall appoint, subject to City Council approval, one voting member who may not be an elected governmental office holder, who shall serve an initial term of one (1) year; and a second voting member, who may not be an elected governmental office holder, who shall serve an initial term of two (2) years; and a third voting member, who may not be an elected governmental office holder, and who must be a current member in good standing of an environmental focused private non-profit organization, who shall serve an initial term of three (3) years. The determination of whether this member is actually a current member in good standing of an environmental focused private non-profit organization shall be made by the City Mayor.

6. In case of vacancy occurring prior to the expiration of any voting member's term, due to death or resignation of a Board member, the Mayor shall appoint, subject to approval of the City Council, a new member to fill the unexpired term. Any member appointed to fill an unexpired term may only be appointed for two (2) additional full three (3) year terms, and the unexpired term shall not count as one of the two permissible consecutive full three (3) year terms to which a member may be appointed.

7. If any voting member of the Sustainability Board ceases to be a resident of the city, or refuses to continue service on the Board, or otherwise ceases to be a member of the Board for any reason before the expiration of his or her term, or fails to attend at least three (3) consecutive meetings, or fails to attend at least two-thirds ($2/3$) of all properly called meetings of the Board within any calendar year period, then the Board member shall be deemed to have forfeited their membership status, and a new voting member shall be appointed by the Mayor, subject to City Council approval, to serve the remainder of the former member's unexpired term.

Article IV. Removal

8. Any voting member of the Sustainability Board may be removed as a member of the Board prior to the expiration of their term in cases of permanent mental disability, or misfeasance, malfeasance, or nonfeasance in relation to their duties as a member of the Board, or for other just cause, by resolution of the City Council approved by a majority vote of the City Council. Prior to any such vote on removal of any member from the Board, said member shall have an opportunity to be heard on the issue of their removal, under oath in person, or through counsel, and/or by submission of relevant written or other evidentiary materials, and may cross examine any witnesses against them who shall be required to testify under oath, and may request the City Council to issue a subpoena compelling the attendance and testimony under oath of any witnesses with relevant knowledge as to any material issue, but the City Council may deny said request upon a majority vote. The date, time, and place for the hearing shall be as determined by the Mayor, or by resolution approved by majority vote of the City Council, except that the hearing may not be conducted less than ten (10) days after the presentment of a written notice to the Board member subject to removal, which written notice shall summarize the factual and legal basis constituting the alleged just cause for removal.

Article V: Officers

9. The voting members of the Sustainability Board shall elect officers for the Board. One voting member shall be elected to serve as chairman of the Board; one voting member to serve as vice-chairman of the Board; and one voting member to serve as secretary for the Board. Officers may not hold more than one office on the Board at the same time. Officers shall hold office for one-year periods. The City Clerk shall serve as custodian of records for the commission and shall record all meetings of the Board, and any of its' committees or sub-committees, and shall prepare the minutes of same. The City Attorney shall provide legal advice to the Board as may be required or requested.

Article VI: By-Laws

10. The Sustainability Board shall adopt and make public by-laws to govern the dates, times, and places for its' meetings, and any rules of procedure not otherwise inconsistent with the provisions herein as may be required to supplement or supplant most recent revised addition of Robert's Rules of Order, which shall govern the transaction of all business to come before the Board, and addressing any other matters appropriately addressed in the by-laws not otherwise inconsistent with the City Charter, the City Code, or the Resolution establishing the Sustainability Board together with this Exhibit thereto.

VII. No Compensation for Board Members

11. Members of the Sustainability Board shall not receive any monetary compensation for their service on the Board.

Article VIII. No Authority to Contract or to Bind City

12. The Sustainability Board shall have no authority to contract, or to be contracted with, or to bind or obligate the City in any way, by contract, promise or otherwise, and shall not have authority to appropriate City funds for any purpose, or spend City funds except as may be otherwise approved by the City Council through the City budgeting process.

Article IX: Open Records and Open Meetings

13. All records of the Sustainability Board shall be open and subject to public inspection in accordance with the Tennessee "Open Records" law, Tenn. Code Ann. Section 10-7-503, et seq., as may be amended from time to time; and all meetings of the Board or any committee or sub-committee thereof shall comply with the Tennessee "Open Meetings" law, Tenn. Code Ann. Section 8-44-101, et seq., as may be amended from time to time.

