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4 **ORDINANCE NO. 19165**  
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6 AN ORDINANCE introduced by Councilmember Deborah Swank. creating Chapter  
7 66, Article II in the Code of the City of Topeka establishing the  
8 Sustainability Advisory Board and amending Section 1 of  
9 Ordinance No. 19095 relating to nonstatutory boards and  
10 commissions and repealing said original section.  
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12 WHEREAS, the City of Topeka desires to promote of natural resource  
13 conservation and recycling to ensure economic and environmental quality in Topeka;  
14 and

15 WHEREAS, the City of Topeka hereby creates an advisory board to support,  
16 strengthen and expand recycling and resource conservation activities and programs.

17 BE IT ORDAINED BY THE COUNCIL OF THE CITY OF TOPEKA, KANSAS:  
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19 Section 1. That the Code of the City of Topeka, Kansas, is hereby amended  
20 by adding a section to be numbered 66-25, which said section reads as follows:

21 **Sustainability Advisory Board.**

22 There is hereby established the Sustainability Advisory Board, hereinafter  
23 referred to as the "Board." The Board shall serve as an advisory board to the Council,  
24 and shall involve volunteers and community members. The Board shall prepare and  
25 approve minutes of its meetings, and forward the same to the City Council. The Board  
26 shall adopt by-laws as deemed appropriate, provided such by-laws are not inconsistent  
27 with this article.

28 Section 2. That the Code of the City of Topeka, Kansas, is hereby amended  
29 by adding a section to be numbered 66-26, which said section reads as follows:

30 **Composition; appointments; terms.**

31           a.    Membership generally. The Sustainability Advisory Board shall consist of  
32 nine (9) members.

33           b.    Terms. Of the members of the Board first appointed, four (4) members  
34 shall serve one (1) year terms, five (5) members shall serve two (2) year terms. The  
35 mayor with the consent of the city council shall determine the terms of each appointed  
36 member. Persons appointed to the Board may be reappointed for one (1) additional two  
37 (2) year term. No person shall be permitted to serve more than two (2) full consecutive  
38 terms as a board member. A period of at least two (2) years shall lapse prior to a  
39 former member being eligible for reappointment. After the initial appointment of the  
40 Board, all members shall serve two (2) year terms unless appointed to fill out an  
41 unexpired term.

42           c.    Qualifications of members. At least five (5) of the nine (9) board members  
43 shall be currently licensed, have a degree in, be engaged in, or have substantial past  
44 experience in the fields of environmental assessment, waste reduction, recycling,  
45 energy conservation and/or natural resource conservation or a similar field relating to  
46 the environment or conservation.

47           d.    Compensation, removal. Members appointed to the Board shall serve  
48 without compensation. Members may be removed without cause by a vote of two-thirds  
49 (2/3) majority of the council. Members may be removed for cause by a majority vote of  
50 the council. Removal for cause shall include but not be limited to the following reasons:  
51 failure to attend four (4) Board meetings in one (1) calendar year or failure to attend  
52 three (3) consecutive Board meetings in one (1) calendar year. In the case of death,  
53 incapacity, resignation or disqualification of any member of the Board, the mayor, with  
54 consent of the city council, shall appoint another person to serve for the unexpired term

55 of the deceased, incapacitated, resigned or disqualified member in accordance with City  
56 of Topeka Code § 2-181.

57 e. *Ex officio nonvoting members.* In addition to the nine (9) voting board  
58 members, there shall be two ex officio nonvoting members which shall be the City  
59 Attorney and the Public Works Director or their designees.

60 Section 3. That the Code of the City of Topeka, Kansas, is hereby amended  
61 by adding a section to be numbered 66-27, which said section reads as follows:

62 **Purpose of the Sustainability Advisory Board.**

63 The mission of the Board is to promote environmental assessment and advocate  
64 for policies which support sustainability specifically including but not limited to  
65 environmental assessment, waste reduction, recycling, energy conservation and natural  
66 resource conservation in the City of Topeka and to enhance the quality of life by  
67 improving the City's efforts in these areas.

68 Section 4. That the Code of the City of Topeka, Kansas, is hereby amended  
69 by adding a section to be numbered 66-28, which said section reads as follows:

70 **Duties of the Sustainability Advisory Board.**

71 The Board shall advise the City staff and elected officials in the following ways:

72 a. Monitor and review present environmental assessment, waste reduction,  
73 recycling, energy conservation, and natural resource conservation efforts  
74 of the City.

75 b. Assist the City staff and elected officials to develop and establish goals  
76 and priorities for future environmental assessment, waste reduction,  
77 recycling, energy conservation, and natural resource conservation efforts.

78 c. Advise the City staff and elected officials on practical methods and

79 programs to reach their goals for future environmental assessment, waste  
80 reduction, recycling, energy conservation, and natural resource  
81 conservation efforts.

82 d. Serve as an information resource for the City staff and elected officials.  
83 Receive reports on environmental assessment, waste reduction, recycling,  
84 energy conservation, and natural resource conservation from staff of all  
85 affected City departments.

86 e. Maintain regular communication with the City staff and elected officials  
87 regarding Board activities and recommendations.

88 Section 5. That Section 1 of City of Topeka Ordinance No. 19095, is hereby  
89 amended to read as follows:

90 **Establishment.**

91 The following nonstatutory boards, commissions and other plural authorities are  
92 hereby established and made a part of the administrative code of the city, as authorized  
93 by Charter Ordinance No. 94, § 24 [App. A, § A2-72]: Cereal Malt Beverage License  
94 Review Board (TCC 10-91); Human Relations Commission (TCC 86-27); Mobile Home  
95 Craftsmen Board of Examiners (TCC 98-211); Board of Electrical Appeals (TCC 26-236  
96 et seq.); Board of Plumbing Examiners (TCC 26-236 et seq.); Board of Mechanical  
97 Examiners (TCC 26-236 et seq.); Board of Building and Fire Appeals (TCC 26-138);  
98 Board of Zoning Appeals (TCC 48-34.00 et seq.); Golf Course Advisory Board (TCC  
99 102-196 et seq.); Parks and Recreation Advisory Board (TCC 102-51 et seq.);  
100 Redistricting Commission (TCC 2-198); Citizen Advisory Council (TCC 42-4); Civil  
101 Service Commission (TCC 106-41); Topeka Planning Commission (TCC 110-27);  
102 Boards of Trustees of Fire and Police Pension Funds (TCC 106-204); Administrative

103 Review Board for Tax Exemptions (TCC 138-79); City of Topeka Americans with  
104 Disabilities Act Advisory Council (TCC 86-200); Sustainability Advisory Board (TCC 66-  
105 25). The council is hereby authorized to promulgate appropriate rules and regulations  
106 for such boards, commissions and authorities dealing with their organization and  
107 operation. No city employee shall be appointed to any board, commission, or plural  
108 authority unless the appointment is specifically authorized by ordinance. Unless  
109 otherwise provided, all members appointed to any board, commission, or plural  
110 authority shall be residents of the city. The mayor shall notify council members 30 days  
111 in advance of vacancies occurring on such bodies, shall solicit nominations from the  
112 council for filling such positions, and shall appoint members to such bodies from those  
113 nominated by the council. In the event no nominations are forthcoming, the mayor shall  
114 make such appointments as is in the best interest of or will best serve the mission of the  
115 board, commission, or authority. All appointments must be confirmed by the council.  
116 Unless otherwise provided for in this code, members will be appointed for a term of two  
117 years and shall not serve beyond the end of their appointed terms. Upon expiration of a  
118 term the position shall remain vacant until a successor is appointed.

119 Section 6. This ordinance shall take effect and be in force from and after its  
120 passage, approval and publication in the official City newspaper.

121 PASSED AND APPROVED by the City Council September 23, 2008.

122  
123 CITY OF TOPEKA, KANSAS

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126  
127 ATTEST: \_\_\_\_\_  
128 William W. Buntten, Mayor

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130 \_\_\_\_\_  
131 Brenda Younger, City Clerk