

**ORDINANCE NO. 1789**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GOLDEN ENACTING CHAPTER 2.50 OF THE GOLDEN MUNICIPAL CODE ESTABLISHING THE COMMUNITY SUSTAINABILITY ADVISORY BOARD**

WHEREAS, the Golden City Council recognizes the critical climate changes that are impacting our world; and

WHEREAS, state and local governments all over the country are responding to the global crisis by developing local sustainability programs; and

WHEREAS, the Golden City Council identified sustainability as Golden's top priority and received tremendous response from concerned citizens who donated their time to help develop a Golden Sustainability Initiative; and

WHEREAS, this citizen effort overwhelmingly recommended that the City Council establish a Sustainability Advisory Board.

THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GOLDEN, COLORADO:

Section 1. Community Sustainability Advisory Board, Chapter 2.50 of the Golden Municipal Code is enacted to provide as follows:

**2.50.010 Creation and Appointment.**

There is created a Community Sustainability Advisory Board for the City, which board shall be comprised of seven members, each of whom shall be a resident of the City. The seven members shall be appointed by the Mayor, with approval of a majority of the City Council. All members shall serve without compensation.

**2.50.020 Terms.**

Members shall serve terms of four years, except that upon the initial appointment by City Council, three members shall be randomly selected to serve initial terms of six years.

**2.50.030 Authority to Adopt Procedures**

The Sustainability Board shall have the authority to adopt Rules of Procedure governing its proceedings consistent with applicable requirements and provisions of the Golden Charter and Municipal Code, and will conduct all of its proceedings in accordance with such rules. The Rules of Procedure shall be posted and available to the public.

**2.50.040 Composition of the Board**

The Mayor and City Council are encouraged to strive to represent the following interests in the appointments to the Board:

- (a) Three members of the community at large.

- (b) One member who is a professional in the sustainability industry (e.g., renewable energy production, energy efficiency).
- (c) One representative of a public research facility.
- (d) One representative of the education profession.
- (e) One small business owner, or a representative of a medium or large business.

#### **2.50.050 Meetings**

The Rules of Procedure shall include the time and place of regularly scheduled meetings, which shall be open to the public. A record of all meetings will be kept at City Hall. The board may call special meetings, as it deems necessary, subject to public notice within reasonable time before the meetings. Such meetings shall be open to the public.

#### **2.50.060 Officers**

The board shall choose one of its members to act as chair and one member to serve as vice chair. The chair shall preside at all meetings of the board, except that in his/her absence, the vice chair shall preside. The City Manager shall provide a secretary to the board.

#### **2.50.070 Duties of the Board**

- (a) The primary purpose of the board is to assist the City in achieving the ten-year sustainability goals set by City Council in Resolution No. 1793, as may be amended from time to time.
- (b) The board shall be responsible for securing commitment and assistance from as many residents, visitors, building owners, and business owners and their employees as possible, and to this end shall:
  - i. Conduct all of its proceedings in such a manner as to secure broad public support.
  - ii. Plan, organize and sponsor public educational initiatives.
  - iii. Consider the need for public support when making recommendations to City Council.
  - iv. Develop and monitor a community outreach and communication plan.
- (c) The board shall keep the City Council advised of its progress and submit a written annual report to City Council and the community. The board shall prepare a ten-year plan to meet the goals in Resolution No. 1793.
- (d) The board shall recommend to Council changes to the Golden Municipal Code related to the goals in Resolution No. 1793.
- (e) Monitor and report on the City's internal sustainability and environmental programs. Advise the City Manager on programs to improve that effort and additional efforts and their anticipated results.
- (f) Provide leadership, monitoring, advice and reporting for City participation in state, national and international programs related to sustainability and improvement of the environment.
- (g) Review the designs of all proposed City construction projects and make recommendations for environmental enhancements.

**2.50. 080 Authority.**

In carrying out its duties, the advisory board shall have authority to conduct open public hearings, conduct investigations, studies and surveys, prepare maps, charts, exhibits, and reports as shall be necessary for the promotion of public interest and understanding of its programs and plans. Whenever a public hearing is held before the Sustainability Advisory Board, public notice shall be posted on the City's website and at such other location or venues as provided by City Council notice procedures, at least seven days in advance of the hearing.

Section 2. Survivability. If any article, section, paragraph, sentence, clause or phrase of this ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the validity or constitutionality of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance and each part or parts hereof irrespective of the fact that any one part or parts be declared unconstitutional or invalid.

Section 3. Repealer Clause. All other ordinances or portions thereof inconsistent or conflicting with this ordinance or any portion hereof is hereby repealed to the extent of such inconsistency or conflict.

Section 4. No Affect. The repeal or modification of any provision of the Municipal Code of the City of Golden by this ordinance shall not release, extinguish, alter, modify or change in whole or in part any penalty, forfeiture or liability, either civil or criminal, which shall have been incurred under such provision. Each provision shall be treated and held as still remaining in force for the purpose of sustaining any and all proper actions, suits, proceedings and prosecutions for enforcement of the penalty, forfeiture or liability, as well as for the purpose of sustaining any judgment, decree or order which can or may be rendered, entered or made in such actions, suits, proceedings or prosecutions.

Section 5. Public Purpose. This ordinance is deemed necessary for the protection of the health, welfare and safety of the community.

Introduced, read, passed and ordered published this 8<sup>th</sup> day of November, 2007.

Passed and adopted upon second reading and ordered published this 6th day of December, 2007.

  
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Charles J. Baroch  
Mayor



  
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Susan M. Brooks, MMC  
City Clerk

APPROVED AS TO FORM:



*for* James A. Windholz  
City Attorney

I, Susan M. Brooks, City Clerk of the City of Golden, Colorado, do hereby certify that the foregoing ordinance was introduced on first reading and read at a regular meeting of the City Council of said city, held on the 8th day of November, 2007, and was published as a proposed ordinance in the Golden Transcript, legal newspaper, as the law directs seven days or more prior to its passage. A public hearing was held on the 6th day of December, 2007 and the said proposed ordinance was read on second reading. The ordinance was passed by the City Council and ordered published in the aforesaid newspaper, as the law directs on the 6th day of December, 2007.

Witness my hand and official seal of the City of Golden, Colorado, this 9th day of December, 2007.



ATTEST:



Susan M. Brooks, MMC, City Clerk of  
the City of Golden, Colorado