

ORDINANCE NO.

14566 FILE OF

CITY COUNCIL

BILL NO. 2 - 2008

JANUARY 16, 2008

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AN ORDINANCE

Creating an Environmental Advisory Council by providing operating procedures and stating the powers of the Council.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ALLENTOWN:

**SECTION ONE:** That the following be added as Article 177, Environmental Advisory Council, in the Codified Ordinances:

**ARTICLE 177 ENVIRONMENTAL ADVISORY COUNCIL**

1. **Purpose**
2. **Establishment; Composition**
3. **Chairman; Compensation**
4. **Powers and Duties**
5. **Annual Report**

**1. PURPOSE**

Allentown City Council and the Administration of the City of Allentown deem it to be in the best interest and the general welfare of the citizens and residents of the City of Allentown to be advised as to environmental issues within the City of Allentown; to encourage sustainable design and the **reduction of greenhouse gas emissions including the** use of renewable energies, the protection and preservation of natural resources within the City of Allentown, maintaining possible uses of open land in the City of Allentown, **assist in creating a greenhouse gas inventory and the promotion of community environmental programs.**

**2. ESTABLISHMENT; COMPOSITION**

The Environmental Advisory Council shall be composed of seven (7) residents of this City **as follows:**

- 1) All **Five (5)** Council members shall be appointed by the Mayor, with the approval of City Council;
- 2) **Two (2)** Council members shall be appointed by **City Council** with the

approval of the Mayor.

1. The Council members' terms of office shall expire on the first Monday in January following the last year of their term in office unless City Council or the Mayor (as applicable) has failed to reappoint or replace the member, in which case the members' term shall continue until reappointment or replacement.

3) Unless removed from office by other Council members due to nonfeasance, duly appointed Council members shall serve a term of three (3) years, except that initial appointments shall be so staggered that the terms of approximately one-third of the membership shall expire each year;

4) A member of the Allentown Planning Commission is to be a liaison to the Environmental Advisory Council. The Planning Commission member, as liaison, is to be in a non-voting capacity with the Environmental Advisory Council, and the liaison to the Environmental Advisory Council is to be selected by the Chairperson of the Allentown Planning Commission.

### **3. CHAIRMAN; COMPENSATION**

The Chairperson of the Council shall be appointed by the Mayor and City Council taking into account the recommendation of the EAC . Approval of EAC's recommendation shall be deemed given if no objection is raised by City Council or the Mayor within 20 days of being notified by the Council.

Environmental Advisory Council members shall receive no compensation for their services.

The Environmental Advisory Council is to be advisory to and shall coordinate its activities with the elected officials, Planning Commission and other such local governmental agencies.

### **4. POWERS AND DUTIES**

1) Identify environmental problems, research solutions, and make recommendations to Allentown City Council and City of Allentown Departments and Administration;

2) Recommend plans and programs to the appropriate agencies for the promotion and conservation of the natural resources and for the protection and improvement of the quality of the environment within the City of Allentown and its surrounding areas;

3) Make recommendations as to the possible use of open land areas and/or environmentally sensitive lands within the City of Allentown and its surrounding areas;

2. Promote community environmental programs;

4) Advise the appropriate local governmental agencies in the acquisition of property, both real and personal;

5) Review subdivision and land development plans as appropriate;

6) Advise Allentown City Council and City of Allentown Departments and Administration upon climate action planning including creating a greenhouse emission inventory and promoting energy conservation and renewable energy.

7) To undertake such environmental tasks as requested by Allentown City Council and City of Allentown Departments and Administration.

## 5. ANNUAL REPORT

The Environmental Advisory Council shall keep records of its meetings and activities, and shall make an annual report which shall be printed in the annual municipal report (if applicable) or otherwise made known and available. Minutes of each meeting shall be forwarded to Allentown City Council and the City of Allentown Administration.

SECTION TWO: Three (3) years from the date of enactment of this Ordinance, a review shall be conducted by City Council of the work of the Environmental Advisory Council and a determination shall be made concerning renewal or non-renewal of the Environmental Advisory Council for another three (3) year period.

SECTION THREE: That this amended Ordinance take effect ten (10) days after final passage.

SECTION FOUR: That all Ordinances inconsistent with the above provisions are repealed to the extent of their inconsistency.

Amendment to enable Council members to recommend their chair; clarification of purpose, powers and duties of the Council

	Yea	Nay
W. Michael Donovan	X	
Jeanette Eichenwald		
Julio A. Guridy	X	
David M. Howells, Sr.		
Tony Phillips	X	
Peter G. Schweyer	X	
Michael D'Amore, President	X	
TOTAL	5	0

	Yea	Nay
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Jeanette Eichenwald		
Julio A. Guridy	X	
David M. Howells, Sr.		
Tony Phillips	X	
Peter G. Schweyer	X	
Michael D'Amore, President	X	
TOTAL	5	0

**I hereby certify that the foregoing Ordinance  
was passed by City Council and signed by His  
Honor the Mayor on the 8<sup>th</sup> day of February,  
2008**

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**CITY CLERK**

## LEGISLATIVE TEMPLATE:

### **CREATING AN ENVIRONMENTAL ADVISORY COUNCIL, PROVIDING OPERATING PROCEDURES AND STATING THE POWERS OF THE COUNCIL**

- What Department or bureau is Bill originating from? Where did the initiative for the bill originate?
  - This began as an initiative of the Mayor, handled through Public Works.
- Summary and Facts of the Bill
  - In 1973 the General Assembly passed and the Governor signed into law Act 148, giving municipalities the authority to establish ENVIRONMENTAL ADVISORY COUNCIL (EAC) by ordinance. In 1996, the Act was amended. Under this law, EACs can **advise** a municipality's governing body, commissions, and boards concerning the protection, conservation, management and use of the municipality's natural resources.
  - EACs have the ability to promote action on environmental issues by **providing information** to public officials, planning commissions and recreation and parks boards to help them and the public understand the environmental consequences of the decisions they make.
- Purpose
  - What does the Bill do – what are the specific goals/tasks the bill seek to accomplish
    - This bill creates the EAC (ENVIRONMENTAL ADVISORY COUNCIL) and establishes how it shall be formed and how it will operate.
  - What are the Benefits of doing this/Down-side of doing this
    - The benefits are establishing a resource for the city governance to use to understand the environmental impact of decisions that they make. Also, it offers an entry point for citizens to question the impact of plans and developments within the city. It is a way of protecting the future.
    - Its possible downside is creating a barrier to change, depending on the make-up of the board, as well as creating another layer of government for planners and citizens to address.
  - How does this Bill relate to the City's Vision/Mission/Priorities
    - It is essential that the city protect its environmental resources, and begin to pro-actively examine the impact, long term and short term, that our actions have on the future. Informed decisions must be made with the understanding that there are consequences to our actions which must be considered, and weighed before taking action.
- Financial Impact
  - Cost (Initial and ongoing)
    - Small costs for paper and office supplies, incidental costs for advertising meetings, and use of meeting rooms.
  - Benefits (initial and ongoing)
    - While this may make some projects more costly, in the long run it should help preserve the environment of the city, help in maintaining the value of real estate, and the lure that the city holds to its residents, and support business in attracting and retaining employees.
- Funding Sources
  - Make sure bill gives specific accounts if money is moved around
    - Money will need to come from Community Development/Planning to underwrite the small and incidental expenses
- Priority status/Deadlines, if any
  - This is a priority for the Mayor. We want to have this approved in January 2008.
- Why should Council unanimously support this bill?
  - It is in the best interest of the City to monitor proposed changes to the environment, and to have a panel of concerned, aware, interested and educated citizens to inform them of potential threats and outstanding issues relative to the environment.
  - It is asking a great deal to expect the members of Council to be experts in the Environment.
- Committee Action
- Public Comments
- Body/Text of the Bill

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