

**RESOLUTION ESTABLISHING A STANDING ENVIRONMENTAL POLICY
ADVISORY COMMITTEE
NO. 2023-008**

WHEREAS, the City of Commerce City (“City”), by and through the City Council of the City of Commerce City (“City Council”), on June 7, 2021, approved and adopted Resolution 2021-38, establishing the Environmental Policy Advisory Committee (“EPAC”);

WHEREAS, EPAC was created as an advisory committee with limited duration to enhance the efforts of community organizations and grassroots movements in furthering environmental justice, elevating the voices of historically disengaged community members, and providing policy design reflective of the concerns, needs, and desires of the community;

WHEREAS, EPAC was charged with providing recommendations to City Council to improve environmental quality outcomes across a broad spectrum of environmental concerns and issues;

WHEREAS, EPAC has held community meetings, training sessions and a Business Outreach meeting to solicit feedback and additional sustainability strategies;

WHEREAS, since its inception the EPAC has developed 124 strategies, prioritized recommendations, and produced measurable goals to further environmental restoration and protection to enhance community health and economic development, all summarized in the EPAC Action Plan for Sustainability, to be presented to City Council on January 9, 2023;

WHEREAS, in recognition of the progress made by EPAC and the value it has contributed to Commerce City and the City Council, the City Council has resolved to make it a standing committee so that the City may continue to receive the contributions and added value of EPAC efforts; and

WHEREAS, pursuant to Section 11.1 of the City Charter, the City Council is authorized to create advisory commissions and appoint members to such commissions as set forth in the Charter, the Commerce City Revised Municipal Code, and the City of Commerce City Council Policies.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF COMMERCE CITY, COLORADO, AS FOLLOWS:

SECTION 1. Findings. The recitals to this resolution are incorporated as findings of the City Council. This resolution is found to be necessary for the preservation of the public health, safety, and welfare and in the public interest.

1. Committee Established. An advisory committee known as the Commerce City Environmental Policy Advisory Committee (“EPAC”) was established pursuant to Section 11.1 of the City Charter by Resolution 2021-38 on June 7, 2021. The duties of EPAC, described below, previously scheduled to be completed by the end of December 2022, are hereby extended indefinitely, and EPAC shall now be a permanent committee, for as long as the City Council deems appropriate.

2. Functions. The EPAC shall perform the following functions and duties:
 - a. Provide recommendations to City Council, implementation of future policies, procedures, and standards to improve environmental quality outcomes in an equitable manner within Commerce City. Such policy recommendations may include but are not limited to: community wide energy efficiency and energy reduction strategies, greenhouse gas reduction strategies, water use reduction strategies, long term water quality management strategies, brownfield remediation, municipal operations, land use policy, air quality regulation, and health equity outcomes.
 - b. Advise the City Council, upon request, on meaningful methods and strategies to engage historically underrepresented and marginalized communities as it pertains to the formation of community wide environmental policy.
 - c. Attend scheduled stakeholder workshops and community wide meetings as designated committee representatives.
 - d. Help facilitate conversations with the community on the City's efforts to address environmental justice concerns in the community and to receive input from the community.
 - e. Analyze data, and draft policy pertaining to environmental outcomes in the City.

3. Authority. All formal positions adopted by the EPAC shall require the taking of a roll call vote, with 50% of the current membership plus one voting in favor of any motion to pass. The Committee shall have no authority to vary the direction of the City Council, to comment on any land use applications except upon the request of the City Council, the Planning Commission, or the City Manager, or to direct City staff.

4. Membership. The EPAC shall be comprised of eleven (11) members, with three (3) alternates. Members shall be, to the extent possible, from diverse economic groups, age groups, genders, nationalities, languages, abilities, and city wards. Membership shall further meet the following criteria:

- a. At least one (1) representative from each ward in the City;
- b. No more than five (5) members residing north of East 88th Avenue;
- c. No more than two (2) members may be owners of property within the City, but hold a primary residence outside of the City; and
- d. At least one (1) member will consist of representatives from nonprofit and community organizations.

Members shall serve without compensation. Each member shall be a resident of the City, or an owner of property in the City. Members must attend at least 75% of all meetings. City employees and Council members, their immediate family members, and other elected officials are not eligible for membership.

5. Meetings. Notice of any meeting of the committee, and the agenda for such meeting, shall be publicly noticed in compliance with City Council policy, and shall make best efforts to post the same on the city’s website.

6. Quorum. Fifty percent (50%) of the membership plus one shall constitute a quorum.

7. Appointment. Members shall be appointed and vacancies shall be filled by the City Council in accordance with the Charter and criteria established by applicable Council Policies, as amended from time to time, and shall include broad representation of interests, diversity, and geographical representation.

8. Applicability of Charter, Code, and Council Policies. The Committee and its membership and appointments shall be subject to the requirements of the City Charter, as amended, the Commerce City Revised Municipal Code, as amended, and applicable Council Policies, as amended.

SECTION 2. Repealer. All other resolutions or portions thereof inconsistent or conflicting with this resolution or any portion hereof are hereby repealed to the extent of such inconsistency.

SECTION 3. Effective Date. This Resolution shall be effective immediately upon passage.

RESOLVED AND PASSED THIS 6TH DAY OF FEBRUARY, 2023.

CITY OF COMMERCE CITY, COLORADO

Benjamin A. Huseman, Mayor

ATTEST

Dylan A. Gibson, City Clerk