

TUCSON- PIMA COUNTY METROPOLITAN ENERGY COMMISSION

BYLAWS

ARTICLE I

Name

Section 1. The name of this organization shall be the Tucson-Pima County Metropolitan Energy Commission (MEC).

ARTICLE II

Legal Requirement

Section 1. The Tucson-Pima County Metropolitan Energy Commission was created by Resolution No. 1980-57. The Commission will function under the authority of the above-mentioned resolution and other stipulations as stated in the Tucson City Code and the Pima County Code.

ARTICLE III

Function and Purpose

- Section 1. To confer and advise the governing bodies of the City of Tucson and Pima County on community concerns relating to energy.
- Section 2. To support and sponsor community programs and projects to provide information and education to the community on improved use of energy.
- Section 3. To review and make recommendations on proposed legislation, whether local, state or federal, relating to energy and its use.
- Section 4. To act as an official advisory agency to the city and county governing bodies for technical questions and concerns related to energy.
- Section 5. To develop and encourage community efforts and resources for the conservation of energy, and development of alternative energy forms.
- Section 6. To determine, from contact with other jurisdictions, what energy programs are being proposed to promote energy savings, or to use more efficient energy alternatives, and make appropriate recommendations on adapting such programs to local use.
- Section 7. To study and make recommendations to government agencies and the private sector on possible demonstration programs involving new technology and/or personnel practices to dramatize and affect more efficient energy use.
- Section 8. To evaluate and make recommendations on any program, either for the government or for the private sector, that could:
Improve energy efficiency by promoting the best use of what we now have in the way of resources.
Inspire energy innovation for the proliferation of additional resources through new technology.
- Section 9. To simulate and encourage the cooperation of the other community groups in the area of energy and its use.
- Section 10. To cooperate with all federal, state, county and municipal agencies and nongovernmental organizations.

- Section 11. To render an annual report of the commission activities to the governing bodies of the city and county, and to file minutes of the commission meeting with the two (2) governing bodies.
- Section 12. To recommend such action to the governmental bodies of the city and county as the commission deems necessary or desirable to accomplish the above functions, and to effectuate its policies.

ARTICLE IV Membership, Appointments and Qualifications

- Section 1. In accordance with Resolution Article X adopted by the Mayor and Council, MEC shall be composed of sixteen (16) members, in which eight (8) shall represent Pima County and eight (8) shall represent the City of Tucson.
- Section 2. APPOINTMENT: Member of the Mayor and Council and the City Manager shall each appoint one (1) of the city members.
- Section 3. QUALIFICATIONS: The membership of the commission shall not be employees of the city or the county.
- Section 4. NONVOTING MEMBERS: The city or county may each appoint one (1) staff person to serve as an ex officio, nonvoting member. Other municipalities located in Pima County may participate in MEC by appointing one (1) representative who shall serve as an ex officio, nonvoting member.
- Section 5. TERMS: The terms of members of the Commission shall be two (2) years from the time of that member's appointment and are coterminous with the terms of the office of the mayor or members of the city council who appointed them, or until their successors on the body are appointed, except such members may be removed with or without cause prior to the expiration of their term by the mayor or members of the city council who appointed them or by such mayor's or member of the city council's successor in office. Members of the Commission shall be eligible for reappointment but in no event may an individual serve more than a total of eight (8) years. Once a member has served eight (8) years on a body, he may not be reappointed to the body until he has a break in service of at least one (1) continuous year.
- Section S. VACANCIES: Vacancies on the Commission shall be filled by appointment in the same manner in which members are initially appointed. Appointments to a vacated position shall be for the unexpired portion of the term.
- Section 6. REMOVAL: A member who fails to attend three (3) consecutive regularly scheduled meetings without excuse and/or who fails to attend at least for percent (40%) of the meetings called in a calendar year, the member's appointment shall be terminated. The Commission may by a two-thirds vote recommend to the appropriate governing body the removal of any member for reasonable cause. Such cause may include, but is not limited to malfeasance and misfeasance.

ARTICLE V Officers

- Section 1. The officers of this commission shall include Chairperson, Vice Chairperson, Secretary and Treasurer (to be filled when deemed necessary).
- Section 2. Two-thirds of the members of the Commission who are appointed and qualified must be present to hold election of officers.
- Section 3. The term of each elected officer shall be one year. No officer may hold the same office for more than two consecutive terms unless approved by the Commission by two-third majority.
- Section 4. Each elected officer shall hold office until a successor is elected and qualified. In the event that an officer's term on the Commission should expire prior to completion of his/her term of office, a nominating committee shall be formed to nominate a replacement.

ARTICLE VI Duties of Officers

- Section 1. Chairperson shall:
- a. Preside at meetings of the Commission, and ensure meetings are in compliance with all rules governing the Commission.
 - b. Insure that standing committees and other committees are established and chaired, and their tasks are expeditiously and effectively performed.
 - c. Serve as an ex-officio member of all committees with the exception of a nominating committee.
 - d. Be a spokesperson for the Commission.
 - e. Completion and submittal of the Annual Report.
- Section 2. The Vice Chairperson shall:
- a. Perform the duties of the Chairperson during absence.
 - b. Act in an advisory capacity to the Chairperson and perform such functions as assigned by the Chairperson.
- Section 3. The Secretary shall:
- a. Responsible for the preparation of the meeting minutes.
 - b. Perform such duties as assigned by the Chairperson.
- Section 4. The Treasurer shall:
Maintain adequate books of records regarding all money received and expended, which shall be subject to audit by the governing bodies of the city and county.
On or before March 1 of each year, prepare for submittal to the governing bodies of the city and county a detailed budget requesting funds for the next fiscal year commencing on July 1.
Prepare for submission to be filed with the governing bodies of the city and county a program and a financial report detailing all major activities, showing all funds received and all expenditures made and any unpaid indebtedness, within sixty (60) days of the end of each fiscal year, in such form as may be required by the governing bodies of the city and county.
Perform such duties as assigned by the Chairperson.

ARTICLE VII Removal of Officers

Section 1. The Commission may by a two-thirds vote of those Commissioners appointed and qualified at any one time, have power to remove any officer for reasonable cause. Such cause may include, but is not limited to malfeasance and misfeasance.

ARTICLE VIII Committees

- Section 1. All Commission meetings will be conducted in accordance with the Arizona Public Open Meeting Law, A.R.S. 38-431.
- Section 2. The standing committees shall be the Executive and Nominating.
- Section 3. Other standing committees or ad hoc committees shall be designated as deemed necessary by the Commission.
- Section 4. Membership and responsibilities shall be designated by the Commission.
- Section 5. A. Standing committees must be composed entirely of Commission members.
B. Ad hoc committees may be composed of one or more Commission members and any interested citizen/resident to serve as members.

ARTICLE IX Meetings

- Section 1. The Commission shall hold a minimum of 11 meetings per year.
- Section 2. A majority of the members of the Commission shall constitute a quorum.
- Section 3. A period of twenty minutes after the established meeting time will be allowed for a quorum.
- Section 4. The act of a majority of the Commissioners present at a meeting at which there is a quorum shall be the act of the Commission unless the act of a greater number is required by law or by these bylaws.
- Section 5. Member decision-making actions will be governed by the provisions of the Arizona law on Conflict of Interest, A.R.S. 38-501.

ARTICLE X Limitation of Powers

- Section 1. Neither the Commission nor any member may incur governmental expenses without the prior authorization of the governing body or bodies affected, nor may they obligate the City of Tucson, Pima County in any form.

ARTICLE XI Parliamentary Authority

- Section 1. The parliamentary authority of the Tucson-Pima County Metropolitan Energy Commission shall be Robert's Rules of Procedures, as applicable.
- Section 2. Operational authority of the Commission shall be the policies dictated in Resolutions creating the Commission and the Tucson Code, as applicable.

ARTICLE XII
Amendments

Section 1. These bylaws may be amended at any regular meeting of the Commission by a two-thirds vote of those present and voting, provided notice of the change has been given at least one week prior to the meeting at which voting takes place.