

## **BOARDS AND COMMISSIONS PERIODIC REVIEW QUESTIONNAIRE**

**DATE PREPARED:** June 24, 2008

**BOARD NAME:** Air Quality Advisory Board

**LIST OF MEMBERS:** Eric Levine [Chair]  
Greg McMaster [vice Chair]  
Dale Adamy  
Kip Carrico  
Dave Dietrich  
Jeff Engell [resigned June 11, 2008]  
Dennis Georg  
Katrina Winborn  
Nancy York

**1. Are the current duties of the board, as defined by City Code, realistic? If not, what duties would you suggest be added and/or deleted?**

- Duties are realistic, with the following exception.
- The City Charter stipulates that the AQAB “shall coordinate its work with the Transportation Board, Natural Resources Advisory Board and the Planning and Zoning Board, recognizing that certain transportation and land use decisions, policies and programs affect future air.” The boards AQAB is to coordinate with, however, do not have complementary language in their charters calling for coordination with the AQAB. As a result, AQAB invitations to coordinate with other boards have been declined. The remedy is to add complementary language to the other Board charters.
- The AQAB suggests the following minor revisions to the City Charter, Sec. 2-93 [AQAB Functions], in order to remove antiquated provisions:

The duties and functions of the Board shall be to advise the City Council regarding policies, plans and programs to improve and maintain the City's air quality. The Board may, without limitation, review air quality indicators, review and recommend revisions, as needed, to the Air Quality Plan and to any other City plans that may have significant impacts on air quality; advise the Governor-designated lead agency for air quality planning on matters pertaining to the Fort Collins element of the State Implementation Plan, and convene ad hoc citizen task groups to provide additional technical expertise to the Board for the planning of specific action strategies.

**2. Is the board’s workload (annual work plan) too much; too little; about right? Explain.**

- Between “about right” and “too much,” although the work plan is well managed. The Board prioritizes its work program in order to focus on the most important issues and

- keep Board-member motivation high.
- It is frustrating, however, that important air-quality-related issues sometimes detour around the Board. Recent examples include hookah bars, Regional Transportation Authority, uranium mining, ozone, green building program, Dial-a-Ride service levels, and zoning for shopping centers on I-25.
  - In addition, issues are sometimes presented to the Board too late in the process for any recommendations to be effective or useful. Recent examples include West Nile Virus, the Green Building program, and Building Code revisions. The Board is interested in determining how it could have earlier notice on issues, so there is time to weigh in on them and Council would have time to consider their input and recommendations earlier in the process. Because any ideas that are presented at first reading are more difficult to accommodate than those presented at a work session, one possibility is to provide recommendations prior to work sessions, rather than wait for first reading. To that end, the Board plans to study the six-month calendar for applicable issues that are going to work session.

**3. Does the board effectively accomplish its annual work plan?**

- Although a few issues on the work plan are not fully addressed, the Board is committed to addressing its highest priorities and is generally satisfied that it is doing so. Board members intend to take on fewer items and take them on in a more coherent fashion.
- Board members take opportunities to represent the AQAB on groups that go into more depth on issues, such as the Climate Task Force and the West Nile Virus Technical Advisory Committee.
- To Board members, however, an important aspect of “effectiveness” is whether their advice and recommendations are on target, i.e., are they relevant and useful to the Council. There is a perceived need to better connect with the Council, which is further discussed as a communications issue, below.

**4. Are board meetings conducted in an effective manner? What could be done to improve board meetings?**

- Board meetings are conducted effectively.
- Some Board members desire more written communication prior to presentations at Board meetings.

**5. Is the current size of the board appropriate?**

- A nine-member Board is appropriate. Please note high percentage of attendance!

**6. Are communications between the Board and Council effective? What could be done to improve these communications?**

- Board members do not feel their communication of written recommendations to the Council is effective, or, if it is effective, they have no way of knowing it. Board members desire some form of systematic closure on recommendations to Council, in order to improve the Board’s effectiveness and usefulness to the Council over time.

- The rules are understood, as per the Boards & Commissions Manual: The Council may respond to written memorandums from the Board if Council so chooses, but there is no obligation to respond, or even to acknowledge Board communications. This leaves the Board not knowing whether a given recommendation has been accepted, rejected, or even read, by the Council. It is frustrating to suspect that the Board's recommendation has gotten lost among the many materials in the Council weekly packet, in effect routed into a black hole.
- The Air Quality Advisory Board would like to discuss the following suggestions on communication:
  - 1) Revamp the process by which citizen advisory board input is delivered to the Council. At a minimum, determine a way to distinguish such input from the other materials in the Council packet.
  - 2) Provide a regular opportunity during the staff presentation at Council meetings for a representative of interested boards & commissions to offer their input or recommendation to the Council. Offering their input in a public forum would more effectively communicate each board's recommendation and would give the Council opportunity to ask questions.
- AQAB members also intend to take the following actions to improve its communication with the Council:
  - 3) The Board will present its recommendations orally at Council meetings as part of the citizen input time, unless offered the opportunity to do so as part of the staff presentation, in addition to its usual written communication.
  - 4) The Board will consider changing its meeting date, currently Tuesday night, so that Council members could be available to attend certain AQAB meetings and the AQAB would be available to present to Council.
  - 5) Board members will increase contact with Council members to inform and discuss issues.

## 7. Other comments

- AQAB members believe that more-efficiently coordinating the boards and commissions regarding policy would improve the usefulness of their input to the Council. For example, when staff makes presentations to several boards, the discussion and recommendations of each board should be made available to the next board in sequence. It would be useful if the Chairs of Boards and commissions were given opportunity to discuss issues together, in order to better see the whole.

### **Attachments:**

- . **City Code description of duties**
- . **Current Work Plan**
- . **Current Annual Report**
- . **Current Bylaws**

## **Air Quality Advisory Board duties,** **excerpted from the City Charter**

### Sec. 2-93. Functions.

The duties and functions of the [Air Quality Advisory] Board shall be to advise the City Council regarding policies, plans and programs to improve and maintain the City's air quality. The Board may, without limitation, biennially review air quality indicators and recommend adjustments to the Air Quality Action Plan; review and recommend revisions, as needed, to the Air Quality Policy Plan and to any other City plans that may have significant impacts on air quality; and advise the Governor-designated lead agency for air quality planning on matters pertaining to the Fort Collins element of the State Implementation Plan. The Board may also convene ad hoc citizen task groups to provide additional technical expertise to the Board for the planning of specific action strategies.

(Ord. No. 78, 1994, 6-7-94; Ord. No. 8, 1999, 1-19-99)

### Sec. 2-94. Coordination with other boards.

The Board shall coordinate its work with the Transportation Board, Natural Resources Advisory Board and the Planning and Zoning Board, recognizing that certain transportation and land use decisions, policies and programs affect future air quality.

(Ord. No. 78, 1994, 6-7-94)

# **Air Quality Advisory Board – 2008 Work Plan**

## **Highest priority**

### **1. Climate and Sustainability**

- Review the report of the Climate Task Force and make recommendations regarding air quality and climate adaptation needs for Fort Collins.
- Track progress on establishing a Fort Collins trash utility.

### **2. Communication and Outreach**

- Provide enhanced education of air quality issues (idling, wood smoke, ride-sharing, renewable energy, energy conservation, indoor air quality).
- Review and promote a Report to Public on air quality issues (including metrics).

### **3. Air Quality**

- Review Air Quality Plan and recommend changes
- Review the Transportation Master Plan with respect to air quality concerns and recommend changes.
- Track development of the ozone compliance plan for the North Front Range region and make recommendations on local actions to reduce ozone.
- Review the City's response to West Nile Virus and make recommendations on the funding and other elements of the WNV program.

### **4. Mobility Management**

- Select a limited number of recommendations in the 2006 Mobility Management Best Practices Study for further study, and prepare recommendations for Council.
- Broaden communication and collaboration with other organizations (PSD, CSU, etc.) and other boards (T-Board, NRAB) to better understand barriers and opportunities to a strong multi-modal transportation system.

## **Middle priority**

- Examine data on air pollution emissions from the City's vehicle fleet and recommend goals for improvement, including reduction of diesel emissions.
- Suggest three locations where grade-separated road crossings would be viable in Fort Collins.
- Provide input to the development of FC MOVES, a new mobility metrics system for Fort Collins
- Provide input on design of air quality citizen survey and review results.
- Recommend green building, sustainable design, and energy conservation practices that would best improve air quality.
- Track the efforts to form a Regional Transportation Authority and recommend a platform of principles that support air quality.

## **Lower priority**

- Study and make a recommendation regarding the smoking vehicle hotline in Fort Collins
- Review and provide input to air quality marketing efforts (Track to Win, etc.).
- Evaluate regulation and enforcement of fugitive dust from construction sites.

# **Air Quality Advisory Board – 2007 Annual Report**

In 2007, the air Quality Advisory Board held twelve regular meetings and hosted one public meeting.

## ***The Board took the following actions:***

- Requested that the Fleet Manager develop an inventory of air pollution emission from the City's fleet of vehicles, in order to prioritize City investments in cleaner vehicles.
- Sent a letter to the Colorado Department of Public Health and Environment requesting that data from the Fort Collins air quality monitoring sites be forwarded to the Coloradoan, to be published on its weather page.
- One Board member represented the QAB on the City's Climate Task Force.
- Held a public meeting, called the "Air Quality Report to the Public," with two major purposes: to report to the community the state of Ft. Collins air and to gather public input on air quality issues.
- Asked the Transportation board to form a joint, ad-hoc committee with the Air Quality Advisory Board in order to advance issues the two boards have in common.
- Recommended that the City council develop and adopt an implementation plan for a City of Fort Collins trash collection utility.
- Recommended that the City of Fort Collins reconvene the West Nile Virus Task Force, to review the existing City policy and recommend any appropriate changes.
- Recommended priorities for the 2008-09 City budget.
- Recommended that the City Council adopt the revised Fort Collins Bicycle Plan and work to develop a comprehensive community bicycle plan in 2008.

## ***In addition, the Board received information and updates and discussed the following programs and issues:***

- Mobility Management / Transportation Demand Management / VMT reduction
- Fort Collins Air Quality Plan
- Compliance with national Ozone standards
- City Council Legislative Agenda
- State Mercury ruling
- FC MOVES, a proposed revision of the City's transportation indicators
- Radon Awareness Month

# **Bylaws of the Air Quality Advisory Board**

## ARTICLE I Name and Organization

The Board was created by the Council of the City of Fort Collins and named the Air Quality Advisory Board.

## ARTICLE II Purpose and Functions

- Section 1. The purpose of this board is to advise the Council of the City of Fort Collins, Colorado. Its functions include, without limitation:
- a. To advise the Council on matters pertaining to policies, plans, and programs to maintain and/or improve the City's air quality.
  - b. To review air quality indicators and recommend adjustments to the Air Quality Action Plan at least every two years.
  - c. To review and recommend revision of the Air Quality Policy Plan, and review and recommend revisions to other City plans that may have significant impacts on air quality, as needed.
  - d. To advise the Governor-designated lead agency for air quality planning on matters pertaining to the Fort Collins element of the State Implementation Plan.
  - e. The board shall coordinate its work with the Transportation Board and the Planning and Zoning Board, recognizing that certain transportation and land use decisions, policies, and programs affect future air quality.
  - f. To promote citizen participation and public education on citywide air quality issues.
  - g. To perform such other duties and functions and have such other powers as provided by the Council.
  - h. To convene ad-hoc citizen task groups to provide additional technical expertise to the Board for the planning of specific action strategies.

## ARTICLE III Board Composition

- Section 1. The membership of the Board consists of nine members, and each member shall have one vote.

- Section 2. Each member shall serve without compensation for a term of four (4) years, unless a member's Council appointment specifies a shorter term. Each member shall be subject to removal by the City Council. If a vacancy occurs on the board, it shall be filled by the City Council for the remaining unexpired portion of the term. No member shall serve more than two (2) consecutive four-year terms.
- Section 3. Each year in April or May the Board shall elect from among its members a chair and a vice-chair, who shall serve one-year terms. There shall be no limitation on the number of terms the chair or vice-chair may serve.
- Section 4. Election of the chair and vice-chair shall be by simple majority of the members present at a regularly scheduled meeting of the Board.
- Section 5. In the event that the chair does not serve his/her entire term, the vice-chair shall serve until a new chair is elected or until the term is completed. In the event that the vice-chair does not serve his/her entire term, a new vice-chair shall be elected to serve the remainder of the term.
- Section 6. The Natural Resources Department staff and the City Attorney shall be support staff to the Board.

#### ARTICLE IV Rules of Operation

- Section 1. The Board shall be guided in its operations by these bylaws, as may be from time-to-time amended. A current copy of the bylaws shall be filed with the City Clerk, and they are subject to the approval of the City Council.
- Section 2. Decisions are to be reached by consensus, except that Roberts Rules of Order, latest edition, shall govern the procedures of the Board whenever any member requests it for any portion of any meeting.
- Section 3. The Board shall operate according to the Boards and Commissions Manual issued by the City Clerk's office.
- Section 4. A quorum shall consist of five members present at a regular or special meeting of the Board. A meeting may be held without a quorum, but any decisions reached at such a meeting shall be subject to approval by a majority of the Board's members.

Section 5. A standard agenda shall be used, incorporating the elements below. The order of agenda items is at the discretion of the chair.

Convene, call the roll, and approve the minutes  
Review action log from previous meeting  
Committee reports  
Staff reports  
Unfinished business  
New business  
Clear "bike rack," update action log  
Draft next agenda  
Announcements  
Adjourn

Section 6. The agenda shall include a realistic time limit for each agenda item. The chair shall take the lead to keep the meeting on schedule. The meeting end time may be extended with the consent of the majority.

Section 7. To assure adequate time for review, the Board will generally take action on only those items that have been included in the pre-meeting mail out. The mail-out materials shall frame the discussion of such items and what action is expected by the Board.

Section 8. The Board will use a "bicycle rack" to store miscellaneous comments or ideas that arise during a meeting and will decide how to handle them following completion of the agenda.

#### ARTICLE V Meetings

Section 1. The Board shall hold a regular meeting at least monthly, at a time and place agreed by its members. Special meetings of the Board may be called at the discretion of the chair.

Section 2. Notice of all meetings shall be posted and distributed in accordance with City policy and applicable law.

Section 3. The meeting agenda with a time limit for each item shall be prepared by staff in consultation with the chair. Agenda items may be suggested to the chair or staff liaison at any time.

Section 4. An agenda and related papers should be delivered to each Board member at least seven days prior to each regular Board meeting. Agenda and materials for special meetings should be delivered to each Board member at the earliest possible date.

Section 5. The Board may hold work sessions as needed for information gathering purposes only. A quorum need not be present at work sessions; neither will minutes be taken at work sessions. Notice of work sessions will be posted according to City policy and applicable law.

#### ARTICLE VI General Responsibilities

Section 1. The Air Quality Advisory Board is advisory to the City Council. It does not function in a policy-setting or decision-making role except to the extent authorized by the City Council.

Section 2. The Council-established attendance policy states that, by accepting appointment, Board members demonstrate their intention and ability to attend meetings. If a member experiences recurring attendance problems, the chair or vice chair should contact the City Clerk's office so that it can work with the Council liaison to address the issue. Either of the following shall automatically cause a member's appointment to be terminated, and shall create a vacancy on the Board: (a) three consecutive absences from regularly scheduled meetings, or (b) four absences from regularly scheduled meetings in any calendar year, if, prior to the meetings where absences occurred, no written notification of any such absence has been submitted to the staff liaison, the chair, or the vice chair. In the event that a vacancy occurs by reason of this policy, the staff liaison and the chair or vice chair shall immediately notify the City Clerk's Office, so that the vacancy can be filled by the Council.

Section 3. In the event a member wishes to resign from the Board, that member shall send a letter of resignation to the City Council with a copy to the Natural Resources Department.

Section 4. The Board is to be proactive in pursuing its mission, and each member is responsible for fostering this proactive approach.

Section 5. Members and staff are accountable for assignments they agree to accept. An action log shall be maintained and updated each month and included in the minutes.

Section 6. Members are encouraged to publicize their affiliation and activities with the Board. When making a public statement, especially to the news media, members may identify themselves as Board members and state that their views and opinions are not necessarily those of the Board, unless those views and opinions are previously approved by a majority of the Board.

## ARTICLE VII Duties of Officers and Staff Secretary

- Section 1. The chair shall:
- a. Preside over all meetings of the Board
  - b. Assure that Article IV (rules of operation) and City Policy are adhered to at all meetings.
  - c. Consult with the staff liaison on agenda preparation.
  - d. Appoint committees as provided for by Article XI of these bylaws and appoint such other committees, as he/she deems necessary to carry out the functions of the Board.
  - e. Serve as principal liaison to City Council or appoint another qualified person to serve in this capacity.

- Section 2. The vice-chair shall:
- a. Assume the duties of the chair in his/her absence.
  - b. Carry out other duties as assigned by the chair.

- Section 3. The staff secretary shall:
- a. Keep the minutes of each meeting and retain them in a permanent file. The minutes shall show how each member voted on any motion that is not decided unanimously.
  - b. Maintain permanent files in the offices of the Natural Resources Department. A copy of such files will also be maintained by the City Clerk.
  - c. Be custodian of all records of membership.
  - d. Transmit reports as required by the chair.
  - e. Transmit minutes and notices of meeting to all members of the Board.

## ARTICLE VIII Public Participation

- Section 1. All meetings of the Air Quality Advisory Board shall be public meetings open to the public at all times according to City policy and applicable law.
- Section 2. The Board shall consider the need for public participation and input in all Board processes.

## ARTICLE IX Relations with the City Council

- Section 1. Minutes of all meetings of the Board shall be distributed to the City Manager, City Clerk, and Council members according to City guidelines.
- Section 2. The Board will communicate its recommendations directly to City Council.

ARTICLE X Goals and Objectives and Evaluation of Accomplishments

- Section 1. On or before January 31 of each year, the Board shall file a report with the City Clerk setting forth the Board's activities and an evaluation of the Board's accomplishments during the previous year. On or before November 30 of each year, the Board shall file a work plan with the City Clerk for the following year.

ARTICLE XI Committees

- Section 1. The Board shall organize itself into committees as needed.
- Section 2. Each committee shall report its findings and recommendations to the Board.

ARTICLE XII Amendments

- Section 1. These by-laws may be amended in any of the following ways: (a) by a two-thirds vote of members attending, (b) by a majority vote of members attending, provided that notice of intent to move an amendment, together with the substance of the amendment, has been given at the previous meeting or in the call of the present meeting, or (c) by a vote of a majority of the entire membership.
- Section 2. To the extent permitted by law, any of the foregoing by-laws may be temporarily suspended, for a specified period of time, by a unanimous vote of all members present at any meeting, and the vote on such suspension shall be taken by yeas and nays and entered in the official record.

ADOPTED: February 27, 1995

REVISED: January 2, 2001