

**BY-LAWS
of the
PUBLIC WORKS CITIZENS ADVISORY COMMITTEE**

ARTICLE I

Section 1. Name. The name of the organization is the Public Works Citizens Advisory Committee, hereinafter referred to as the Committee.

Section 2. Purpose. The Public Works Advisory Committee is established to advise the Director of Public Works concerning major policy decisions pertaining to Solid Waste, Recycling, Wastewater, Street Repair, and other issues related to the scope of responsibilities of the Public Works Department.

Section 3. Powers. In order to perform the duties enumerated in Section 2 above, the Committee shall have the following authority:

1. To adopt by-laws to facilitate the attainment of its purpose and function.
2. To plan, initiate, and coordinate community-wide efforts to achieve its goals.
3. To advise, as requested by the City Manager or Director of Public Works, on all pertinent aspects, issues, and policies regarding the operation and maintenance of Public Works.
4. To request the City to appoint, assign or delegate such staff as may be required for the fulfillment of Committee duties.
5. To make recommendations to the Director of Public Works regarding measures which it deems necessary to accomplish its objectives.

ARTICLE II

Section 1. Membership. The Committee shall consist of eleven (11) members appointed by the Director of Public Works, two (2) of which shall be youth representatives, two (2) from the North Voting District, two (2) from the Central Voting District, two (2) from the South Voting District, and three (3) members at large. Additionally, there will be four (4) ex officio members consisting of Public Works Division heads or their designee. The ex officio members shall not be entitled to vote on committee matters.

Section 2. Terms. The Director of Public Works shall appoint members for the Committee for two (2) year terms except appointments to fill vacancies, which shall be for the length of the unexpired terms. Appointed members of the Committee shall be eligible to serve for two (2) consecutive full two (2) year terms. Youth representatives shall serve for one-year terms.

Subcommittee officers and subcommittee chairpersons shall serve a one-year term of office and may be re-elected to additional terms by majority vote of Committee.

Section 3. Resignation and Removal. By a two-thirds affirmative vote of the Committee any member may be recommended for removal to the Director of Public Works for:

1. Failure to participate in the work of the Committee, or
2. Absence of a Committee Member from three (3) meetings within a 12-month period without formal consent of the Committee as noted in its official minutes will constitute the voluntary resignation of the absent member and the position will be declared vacant.

By a two-thirds affirmative vote of the Committee any officer of the full Committee or subcommittee Chairperson/Vice Chairperson may be removed from office with cause.

Any member or officer of the Committee may resign at any time by giving written notice to the Chairperson. Such resignation will take effect on the date of receipt of such notice or at any later date specified therein, and unless otherwise specified therein, the acceptance of such resignation shall not be necessary to make it effective.

Section 4. Vacancies. Any vacancy on the Committee shall be filled by appointment of the Director of Public Works for the unexpired term.

Section 5. Committees.

1. The Committee may establish subcommittees as necessary to carry out functions and purpose of the Committee.
2. The Chair of the Committee shall make all subcommittee assignments and select the subcommittee chairperson.
3. Meeting minutes are to be taken at each committee/subcommittee meeting. Staff will attend on an as needed basis.

Section 6. Other Committees.

1. Nominating Committee. The Nominating Committee shall be composed of two elected members. The Nominating Committee shall:
 - a. Present to the Committee the names of persons to fill vacancies on the Committee resulting from expiration of a term of office, resignation or removal. When practicable, the Nominating Committee shall meet within two (2) weeks of notification of a vacancy, and shall, at the next regular meeting of the Committee, present for consideration of the Committee the names of

persons to fill such vacancies. All nominations shall address current Committee needs and be in compliance with Committee by-laws.

- b. At the initial CAC meeting, a Chairperson pro tem shall be proposed and voted on by the CAC members present. This will be a six-month position with the purpose of allowing the CAC members an opportunity to get to know each other before selecting permanent Chairperson and Vice Chairperson positions.

ARTICLE III

All regular and special meetings of the Committee shall be open meetings to which the public and the press shall be admitted in compliance with the Virginia Freedom of Information Act. Meetings shall be held at facilities that are accessible to persons with disabilities. A committee member, other than the Chairperson, must make a motion, which must be seconded by a member of the Committee and voted to close the meeting.

Article III Section 1. Meetings. Committee meetings shall be held on a regular schedule and shall be open to the public. Meetings shall generally be held once per month on the date and time designated by the members or as deemed necessary by the Director of Public Works. The Committee may elect not to schedule the monthly meeting in July, August and December to accommodate members' vacation and holiday plans. If the Director of Public Works and the Committee Chairperson deem it necessary or desirable, a scheduled meeting may be canceled or rescheduled upon giving notice, unless a public meeting has previously been advertised.

Any regular meeting may be adjourned, or any item on the agenda may, unless otherwise provided by ordinance, be continued to the next or any subsequent regular meeting of the Committee.

Section 2. Special Meetings. Special meetings of the Committee shall be held when called by the Chairperson of the Committee or the Director of Public Works or his/her designee. The notice of a special meeting shall state the purpose of business to be transacted during such special meeting. No other business may be transacted at a special meeting other than stated in the notice.

Section 3. Open Meetings. The date, time and location along with the meeting notice shall be advertised at the Public Works Department.

Section 4. Quorum. A quorum may consist of five members of the committee for all matters. In absence of a quorum at any meeting, any member present shall adjourn such meeting to the next regular meeting date.

Section 5. Transaction of Business. Every act or decision performed or made by a majority of the members present at a duly held meeting at which a quorum is present shall be regarded as an act of the entire Committee.

Section 6. Time Duration. Meetings shall commence promptly at the time designated by the members. A meeting shall last no longer than two hours from the time it commences, unless a majority of those members present at a duly held meeting vote to allow such meeting to continue.

Section 7. Procedure for Public Meetings. The procedure for Public meetings shall be as follows:

1. The Chairperson shall open the Public meeting.
2. Staff will make its report and preliminary recommendations.
3. The Chairperson shall call for presentation of written protests and/or endorsements.
4. The Chairperson shall call for public comment.

Section 8. Voting Rights.

1. All appointed members of the Committee shall have one vote equal in weight.
2. All voting shall be by voice vote, provided, however, that the Chair of the Committee may, at his/her discretion, call for a roll call vote or a secret ballot.
3. A member may be permitted to abstain from voting only when she/he has a disqualifying financial conflict of interest or to avoid the appearance of impropriety in the matter. Where she/he is aware of such disqualifying financial conflict of interest, or potential appearance of impropriety, she/he shall state his/her disqualification upon calling the matter on the agenda. If a member becomes aware of disqualifying financial interest or potential appearance of impropriety during the meeting of that matter, she/he shall immediately disqualify him/herself. A disqualified member shall not participate in discussion or voting in the matter.
4. Adoption of a motion shall be by a simple majority of the members present, except as otherwise noted herein.
5. The Chairperson shall vote on all matters, except when she/he has a disqualifying financial interest or to avoid the appearance of impropriety.

Section 9. Member Duties. The duties are as follows:

1. Chairperson. The Chairperson, elected by Committee majority, shall serve as the Chief Executive Officer of the Committee, shall act as a spokesperson for the Committee at public functions, and shall perform all other duties as deemed necessary

by the Director of Public Works. The Chairperson shall preside at all regular meetings and shall call all special meetings of the Committee. The Chairperson shall decide on all points of order and procedure during the meetings, and his/her decision shall be final unless overruled by a majority of the members present. The Chairperson position is a two-year term. An individual cannot serve as Chairperson for more than two term limits (four years) consecutively. Chairperson terms cannot surpass the length of an individual's Committee appointment. In regards to filling chairperson vacancies, appointments shall fulfill the remaining term of the original vacancy.

2. Vice Chairperson. The Vice Chairperson, elected by Committee majority, shall act in the place and instead of the Chairperson in the event of the Chairperson's absence, inability or refusal to act, and shall exercise and discharge such other duties as may be required by the Committee. The Vice Chairperson shall be elected by a majority of the appointed members. In the absence of both Chairperson and Vice Chairperson from any meeting, an acting Chairperson shall be elected pro tem from among the members present. The Vice Chairperson position is a two-year term. An individual cannot serve as Vice Chairperson for more than two term limits (four years) consecutively. Vice Chairperson terms cannot surpass the length of an individual's Committee appointment. In regards to filling chairperson vacancies, appointments shall fulfill the remaining term of the original vacancy.
3. Committee Members. Members shall attend all official meetings of the Committee and be active and involved. Each Committee member shall be a liaison to the citizens of Newport News to further the goals and objectives of the Committee.
4. City Staff. The Staff of the City Public Works Department shall serve as Secretary by preparing reports, studies and recommendations necessary to assist the Committee in the conduct of its business. As required, Public Works may enlist the assistance of other Departments. Staff shall be responsible for preparing agendas and minutes and keeping records pertaining to the Committee business and shall attend the Committee meetings. Records are open and available upon request.
5. Director of Public Works or his/her designee. Shall be administratively responsible for the Committee, providing staff support and an oversight function.

Section 10. Roberts Rules of Order. In all matters not covered by these by-laws or standing rules of the Committee, Roberts Rules of Order, current revised edition, shall apply.

Section 11. Reports. Any member of a subcommittee, through the Chairperson, may make or request from staff a verbal or written report on any subject under consideration. Staff shall be provided a minimum of three weeks to respond after receipt of written request and additional time will be provided if complexity of the issue requires further investigation. Such reports must appear on the next practicable agenda.

ARTICLE IV

Section 1. Fiscal Year. All functions handled in cooperation with the City of Newport News such as financial accounting, shall be maintained on the City's fiscal year, beginning July 1 and ending June 30.

ARTICLE V

Section 1. Amendments. These by-laws may be amended by a two-thirds vote of the entire Committee, if notice of proposed amendments are presented in writing 15 days in advance.

These by-laws shall be reviewed annually by the entire Committee. Revisions and/or amendments to the by-laws (as voted on by the Committee) shall be presented to the Department of Public Works staff for coordination and administrative adoption.

ARTICLE VI

Section 1. Conflicts. In the case of any conflict between City Ordinance or local, state and federal legislation, the local legislation will control.

Revised September 2003
Revised February 2004
Revised February 2005
Revised August 2005
Revised September 2005
Revised November 2006
Revised November 2007
Revised May 2009
Revised June 2009