

I. BODIES SUBJECT TO ACT

Legislative & administrative bodies, state agencies, cities, counties, townships, school districts, etc.

Subordinate groups if the group is supported by public funds and is appointed to weigh options, discuss alternatives, present recommendations or a plan of action.

II. MEETINGS – if a body is subject to KOMA, the KOMA requirements apply only when the body has a "meeting" as defined by the act

- A. a gathering or assembly, in person or through use of a telephone or other medium for interactive communications
- B. by a majority of the membership of an agency or body
- C. for purpose of discussing the business or affairs of the body or agency

ELABORATION:

**A. gathering / assembly**

- 1. pre-arrangement not required;
- 2. informal discussions before/after/during recess covered
- 3. Serial communications = meetings in a series if they collectively involve a majority of the membership of body, share a common topic of discussion concerning the business or affairs of the body and are intended by any or all of the participants to reach an agreement on a matter that requires binding action to be taken by the body

B. **Majority** = next whole # greater than  $\frac{1}{2}$  total # members

**C. For purpose of discussing business/affairs of body**

- 1. social gatherings not necessarily subject to KOMA if no discussion of business of body
- 2. members attending a conference where items of general interest of discussed are not in violation of KOAM as long as the specific business of the body is not discussed

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## WHAT IS REQUIRED BY KOMA:

1. Notice of meeting must be given to those who have requested it
2. Agendas - KOMA does not require agendas to be created, but if a body creates one it should include the topics planned for discussion and must be made available to people requesting them
3. Minutes – KOMA does not require minutes
4. **Meetings Must Be Open**
  - a. any person may attend an open meeting
  - b. KOMA does not require that the public be allowed to speak
  - c. Secret ballots are not allowed – public has right to know how members vote
  - d. Cameras, recording devices must be allowed (subject to reasonable rules)
  - e. Meeting rooms must be accessible
  - f. Telephone conference calls are ok

Executive Sessions are permitted in certain limited circumstances. There is a specific procedure that must be followed to recess into executive session and request that the SAB **not attempt to recess into executive session without review and approval by the Legal Dept.**

## ENFORCEMENT

There are civil (not criminal) penalties – fines up to \$500 for each violation determined by district court, but only if an action is brought by the attorney general, a county or district attorney

Binding action taken may be voided – if meeting does not comply with KOMA

Violation of KOMA can be grounds for ouster from office  
Alleged violation of KOMA can be grounds for recall.

Feb. 2009



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**Energy Fair Sub-committee meeting  
January 29, 2009**

**In Attendance: Dickie Heckler (host), Laura Routh, Brian Sifton, Daniel Poull**

We discussed the issues that have prompted our re-evaluation of the Energy Fair, overall. The issues raised were low attendance; stale/low energy/enthusiasm of part of volunteers and vendors; west Lawrence location not drawing west Lawrence residence; schedule conflicts with football games and other events.

It seems that the target market/audience for the energy fair has historically been consumers of home improvement projects and energy infrastructure and the question was asked: what are we trying to tell them? Is the natural market for this information saturated if we can't get new attendees? If the energy fair is kept the same, the concern is that there will be fewer vendors, fewer attendees and less interest and energy from SAB members. LDR noted that a fair with a broader theme, i.e. a sustainability fair, might have more draw and thus garner more attendance and buzz.

An idea was proposed that SAB work with the Lawrence homebuilder's association to get the HBA to establish an energy-themed area at the home show, and get all previous energy fair participants signed up for that event. The home show typically gets really good turnout.

In lieu of the normally held energy fair event, we would then work with the HBA and the Chamber to promote the energy component of the Home show and host a different sustainability fair event, possibility in conjunction with the Little Green Fair, in downtown Lawrence in the fall (2009 or 2010—no date certain established).

The group agreed that a central (close to downtown) location for sustainability fair was preferable to the high school, so that the event could draw from organic foot traffic in the neighborhood. There was discussion of having a fair be a streetfair, whereby part of Mass or New Hampshire streets would be blocked off (i.e. as was done for the Wilco concert). It was noted that some of the trees of Mass. Street seem to be electrified during the Christmas season, thus having power for vendors seems feasible.

There was discussion of stakeholders for a downtown event, Little Green Festival (Allison...); Downtown Lawrence Association and the Chamber and the Grow Green task force was identified as possible allies. The Kansas Health Foundation was noted as a possible source of grant funds for such a project.

We identified a list of potential tasks/steps to take to flush out the sustainability fair idea further:

1. Meet with Energy Fair champions: staff, Steve Lane , Steve Hughes, and get their feedback.

2. Meet with HBA and Chamber about idea of merging energy fair vendors and resources with Home show (Daniel would contact Bobby Flory)
3. Meet with DLA and chamber about co-sponsoring sustainability fair downtown.
4. Propose and form steering committee structure whereby responsibility for fair and advertising, etc. would be borne by entire group (imagine slices of a pie with all stakeholders owning a piece of the pie and thus an equal amount of responsibilities for fair)
5. A list of other allies for a downtown sustainability fair were noted: Sunflower outdoor; KU, Sarah's fabrics; the Farmers Market.
6. A budget and timeline and fair structure and scope would be established by the steering committee.

A concern was noted that we needed to check in with staff to get their perspectives on this idea and ensure full buy-in from SAB before proceeding with even preliminary information gathering activities.

**It was agreed that we would send minutes to SAB and staff after review by subcommittee and discuss recommendations at next SAB meeting.**



**Waste Reduction and Recycling Division Report for the Sustainability Advisory Board (02/11/09)**

**FIBERS REPORT**

OLD CORRUGATED CONTAINERS (OCC)

Cardboard	Tons	Revenue
Current YTD	<b>109.09</b>	<b>\$2,080.50</b>
Prior YTD	90.96	\$11,126.59
Avg. Price/ton thru Jan 2009:	<b>\$19.07</b>	Avg. price/ton thru Jan 2008: \$122.32

OLD NEWSPAPERS (ONP)

Newspaper	Tons	Revenue
Current YTD	<b>59.42</b>	<b>\$1,380.86</b>
Prior YTD	67.55	\$8,106.00
Avg. Price/ton thru Jan 2009:	<b>\$23.24</b>	Avg. Price/ton thru Jan 2008: \$120.00

OFFICE WASTE PAPER (SOP)

No shipments in Jan of 2008 or 2009.

MIXED WASTE PAPER (MIX)

	Tons	Revenue
Current YTD	<b>13.11</b>	<b>\$65.53</b>
Prior YTD	9.85	\$934.69
Avg. Price/ton thru Jan 2009:	<b>\$5.00</b>	Avg. Price/ton thru Jan 2008: \$94.89

<b>TOTAL</b>	<b>YTD</b>	<b>TONS</b>	<b>REVENUE</b>
		<b>181.61</b>	<b>\$3, 526.89</b>
Prior YTD		168.36	\$20,167.27

**HOUSEHOLD HAZARDOUS WASTE (HHW) PROGRAM REPORT**

Month	HHW Drop-Offs	Battery Bags in Mail	Appt No Show	Home-bound	Saturday Collection	Abandoned Waste	Orphan Waste	SQG Inventory	SQG Drop-off	Product Reuse Appt
January	153	6	18	0	0	4	0	17	15	13
February										
March										
April										
May										
June										
July										
August										
September										
October										
November										
December										
<b>TOTAL</b>	<b>153</b>	<b>6</b>	<b>18</b>	<b>0</b>	<b>0</b>	<b>4</b>	<b>0</b>	<b>17</b>	<b>15</b>	<b>13</b>

**COMPOST PROGRAM**

The last day in 2008 for residential yard waste collection was Monday, December 22<sup>nd</sup>. Yard waste collection will resume in March 2009. The Christmas Tree-Cycling program collected live cut trees on Monday, January 5<sup>th</sup> and Monday, January 12<sup>th</sup> for reuse as wildlife habitat.

The Spring Compost Sale is scheduled for March 12, 13, and 14. Compost will be sold for \$10 per scoop, which is approximately 1 average truckload or 2-3 cubic yards. Self-loading will be free.

**YARD TRIMMINGS COLLECTION: YEAR TO DATE**

	<b>2008 TOTAL</b>	Jan 2009
Total Tons collected curbside	<b>11,244.15</b>	NA
Commercial YW received	<b>1,116</b>	1.9
Other YW received (Christmas Trees)	<b>20.46</b>	28.06 (2,245 trees)
Total tons this month	<b>12,380.61</b>	29.96
Average Preferred Container Compliance	<b>99.1%</b>	NA

## **EARTH DAY PARADE AND CELEBRATION UPDATE**

Planning for the Earth Day Celebration has begun. The Celebration and Parade will be on Saturday, April 18th. Once again, KU Environs will be coordinating the Parade and WRR host the Celebration. WRR has confirmed entertainment: Richard Renner (Recycle-Cycle) and Jumps 4 Kids (inflatables); and food: PJ's Concessions and Sno Balls. The new Earth Day page for the WRR website will launch soon and will allow for online registration for both the Celebration and Parade. Two other environmental events have decided to join us at South Park on April 18th: Animal Outreach of Kansas will host their "Great American Meat-Out" cook-out at the park and "Read Out, Speak Out, Sing Out, Dance Out, Act Out for Earth Care" will take place from 8 am to 8 pm in the west portion of South Park.

**Date:** February 12, 2009

**To:** **Lawrence City Commissioners**

**From:** Daniel Poull, Chair, Sustainability Advisory Board

**CC:** Roger Zalneraitis, City of Lawrence Economic Development Coordinator

**RE:** **Proposed Tax Abatement and Public Incentives Policy**

The Sustainability Advisory Board wishes to comment on the City's pending tax abatement and public incentive policy. As the SAB expressed<sup>1</sup> earlier in regard to the City's tax increment financing (TIF) and transportation development district (TDD) policies<sup>2</sup>, again, we believe that the City's proposed tax abatement and public incentive policies warrant stronger language regarding sustainability. To that end, we offer the following comments:

### **The Application Process**

Currently, the City's abatement/incentive application lacks opportunities for businesses to highlight their environmental performance or disclose the infrastructure impacts of a given proposed project. The language currently included in the policy--that a business should be "environmentally sound"--does not provide definable benchmarks which can be used to fairly and objectively evaluate applicants. Rather, we recommend that the City request the following specific environmental and infrastructure information on abatement applications: estimated water and energy usage; wastewater and solid waste generation; hazardous waste generator status and EPA ID#, if applicable; air, pre-treatment/discharge or NPDES permit #, if applicable, and any pollution prevention or energy conservation measures to be included in proposed project.

### **Overview of Applications**

We support overview of abatement applications by a subordinate body (i.e. the PIRC or ED Board) and respectfully request that a member of SAB be allowed to participate as a voting, ad-hoc member of such a body.

### **Reward Clause for LEED certification, etc.**

While we certainly support LEED certification as a possible facet of abatement or incentive assessment, we believe that there are also many other important (and perhaps less costly) ways that a company can demonstrate their commitment to sustainability. Many communities have begun to implement abatement policies which reward sustainability and encourage the development of "green collar"<sup>3</sup> jobs. We fully support this idea and believe it merits the Commission's consideration. However, we do not believe that it should be implemented at the exclusion of the information included in item 1, above.

### **Cost Benefit**

Whichever benefit cost or project evaluation model is implemented, we recommend that it include and be structured to consider the environmental and infrastructure impacts of a given abatement application.

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<sup>1</sup> see December 2008 CC meeting minutes, and SAB TIF/TDD memo submitted to Diane Stoddard May 7, 2008.

<sup>2</sup> [http://www.ci.lawrence.ks.us/web\\_based\\_agendas/2008/12-16-08/12-16-08h/encodevo\\_tif\\_tdd\\_ltr\\_frm\\_sab.pdf](http://www.ci.lawrence.ks.us/web_based_agendas/2008/12-16-08/12-16-08h/encodevo_tif_tdd_ltr_frm_sab.pdf)

<sup>3</sup> <http://www.gpace.org/?tag=kansas-blue-green-alliance>