



Office of the City Manager

16

CONSENT CALENDAR
January 18, 2022

To: Honorable Mayor and Members of the City Council
 From: Dee Williams-Ridley, City Manager
 Submitted by: Jordan Klein, Director, Planning and Development Department
 Subject: Commission Reorganization: Creating the Environment and Climate Commission

RECOMMENDATION

1. Adopt an Ordinance repealing and re-enacting Berkeley Municipal Code Chapter 3.40 (formerly Zero Waste Commission) to create the Environment and Climate Commission (ECC),
2. Adopt a Resolution rescinding Resolution No. 55,661-N.S., establishing the Berkeley Energy Commission, and Resolution 58,997-N.S., establishing the Community Environmental Advisory Commission.

FISCAL IMPACTS OF RECOMMENDATION

No direct fiscal impacts, but this reorganization is designed to reduce staff time dedicated to commission secretary activities and increase efficiency by consolidating three commissions into one.

CURRENT SITUATION AND ITS EFFECTS

At a Special Meeting on June 15, 2021, the City Council referred to the City Manager and City Attorney the reorganization of certain existing City commissions. Council asked staff to develop recommendations for the transition and effective dates of the newly consolidated commissions and return to Council with proposed changes to enabling legislation. This report and ordinance address the portion of the reorganization referral to consolidate the Energy Commission, Zero Waste Commission and the Community Environmental Advisory Commission (CEAC) into a new commission called the Environment and Climate Commission.

Integration of the three commissions that focus on energy and climate action (Energy Commission), pollution prevention and hazardous materials management (CEAC) and most efficient use of materials and waste reduction (Zero Waste) into one commission will enhance interdepartmental collaboration and help create coordinated programs and policies related to the environment and climate.

Staff met with all three commissions to discuss the consolidation and proposed functions of the new commission and the proposed timeline and implementation plan for 2022.

January

- Enabling legislation for new Environment and Climate Commission considered by Council

March

- The three existing commissions complete their regularly-scheduled meetings
- Current commission appointments expire
- Councilmembers appoint nine (9) commissioners to new commission

April

- New Environment and Climate Commission will begin to meet on a schedule which will include 10 meetings per calendar year

The proposed enabling legislation includes a provision that all prior service on the commissions now being consolidated count toward the eight-year limit of service. A body of nine commissioners meeting monthly will allow meaningful participation by all appointees while achieving the staff efficiencies intended by the referral.

As written in the proposed ordinance, the function of the new commission would be:

The Environment and Climate Commission shall be an advisory board and shall review and advise the City Council on matters related to emerging issues, policies, projects, programs, planning efforts, activities, and funding of environmental sustainability and climate change mitigation, adaptation and resilience including:

- Achieve zero waste and promote circular economy
- Advance green buildings and resource efficiency
- Decarbonize buildings and transportation
- Engage and educate the community
- Protect animal welfare
- Reduce greenhouse gas emissions
- Reduce toxics and prevent pollution
- Support environmental justice

BACKGROUND

As described in the report to Council on June 15, 2021, Commissions provide an important mechanism for residents to shape public policy and provide input on City business. However, the City of Berkeley maintains far more commissions than other cities of similar size, with a significant investment of City resources to staff all 37 commissions. Some commission secretaries report spending upwards of 20+ hours per week on commission business, which takes valuable time away from addressing other pressing City priorities. The local public health emergency created by the global COVID-19 pandemic has required City staff to shift to new roles and maintain an Emergency Operations Center since January 2020; recovery from the pandemic will continue to demand the full attention of our City staff for the foreseeable future. Given the

uncertainties that the City faces in recovering from the COVID-19 pandemic and the demands that this recovery places on City staff, Council deemed it an appropriate time to consider how best to consolidate commissions in a manner that helps the City to achieve its core mission.

Each of the affected current commissions provided feedback that was considered in the development of the functions for the CEE.

- The Zero Waste Commission provided extensive feedback, including criteria for service, definitions, goals, and detailed functions. The complete recommendations (see Attachment 2) were unanimously approved at the Commission's October 25, 2021 regular meeting. [Motion/Second: de Tournay/Poliwka. Ayes: de Tournay, Poliwka, Sherman, Doughty, Schueler, Curtis, Ulakovic; Noes: None. Abstain: None. Absent: Stein, Grubb.]

Staff did not include in the ordinance proposed for adoption with this item ZWC's complete list of recommended functions specific to zero waste policy, instead providing a more general description consistent with those provided for all functional areas. Staff incorporated a modified version of the recommended service criteria for Commissioner appointments to minimize administrative and logistical challenges for staff and Councilmembers.

- CEAC offered a number of suggestions to staff regarding consolidation and functions for the new commission. Among them, staff was able to incorporate the addition of public outreach to functions section of ordinance and the inclusion of suggested backgrounds for appointed commissioners.

At its meeting November 10, 2021, CEAC unanimously approved a motion to send its recommendations for commission reorganization to the City Council. [Motion/Second: Hetzel/Gould. Ayes: Simmons, Varnhagen, LaBonte, Guo, Hetzel, De Leon, Gould. Noes: None. Abstain: None. Absent: None.] Those recommendations, framed as a Commission report and draft ordinance, are included as Attachment 3 to this staff report.

- Energy Commission offered a number of suggestions. At its meeting on December 1, 2021, the Commission unanimously voted to support a recommendation to specify expertise and commitment for appointees, specifically, "*City Council shall appoint representatives with appropriate expertise and demonstrated commitment to the areas outlined in the functions section.*" [Motion/second: Wolf/Gil. Ayes: de Tournay Birkhahn, Paulos, Leger, Moore, Guliasi, Gil, Zuckerman. Noes: None. Abstain: None. Absent: None.] This language is included in staff's proposed ordinance.

ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS

The consolidation of the three commissions into one focusing on Environment and Climate will facilitate the development of integrated environmental programs and

policies and support interdepartmental collaboration that will help the City meet climate goals.

RATIONALE FOR RECOMMENDATION

Commission consolidation will reduce staff time dedicated to commission secretary activities, freeing up time to be allocated to implementation of Council referrals and strategic plan priority projects. The consolidation of these commissions into one will also place an emphasis on integrated environmental policies and programs.

CONTACT PERSON

Billi Romain, Manager, Office of Energy & Sustainable Development, Planning Department, 510-981-9732

Attachments:

- 1: Ordinance
2. Resolution
- 3: Recommendations from Zero Waste Commission
- 4: Recommendations from CEAC

ORDINACE NO. -N.S

REPEALING AND RE-ENACTING BERKELEY MUNICIPAL CODE CHAPTER 3.40
CREATING THE ENVIRONMENT AND CLIMATE COMMISSION

BE IT ORDAINED by the Council of the City of Berkeley as follows:

Section 1. That Berkeley Municipal Code Chapter 3.40 is repealed and re-enacted to read as follows:

ENVIRONMENT AND CLIMATE COMMISSION

Sections:

- 3.40.010 Established--Membership--Appointment.
- 3.40.020 Council representatives – Functions.
- 3.40.030 Organization, meetings, rules and procedures.
- 3.40.040 Functions.

3.40.010 Established--Membership--Appointment.

A. An Environment and Climate Commission is established. The commission shall consist of nine members. Appointments to the commission shall be made, and vacancies on the commission shall be filled, in accordance with the provisions of Sections 2.04.030 through 2.04.130. City Council shall appoint representatives with appropriate expertise and demonstrated commitment to the areas outlined in the functions section 3.04.40.

B. For purposes of determining term limits under Section 3.02.040, a commissioner's service on the Zero Waste Commission, the Energy Commission or the Community Environmental Advisory Commission shall be counted toward their service upon their appointment to the Environment and Climate Commission.

3.40.020 Council representative as commission liaison.

The City Council may appoint one of its members to act as a non-voting, uncompensated liaison representative to the Environment and Climate Commission. The functions of such liaison representatives are:

- A. To attend meetings of said commission;
- B. To advise the Council of the background, reasons and rationale behind decisions and recommendations of said commission; and
- C. On request of any member of said commission, to advise the commission of policies, procedures and decisions of the council that may bear on matters under discussion by the commission.

3.40.030 Organization, meetings, rules and procedures.

A. The commission annually shall elect one of its members as the chairperson and one of its members as the vice-chairperson. One or more officers or employees of the City designated by the City Manager shall serve as secretary of the commission.

B. The commission shall establish a regular place and time for meeting. All meetings shall be noticed as required by law and shall be scheduled in a way to allow for maximum input from the public. The frequency of commission meetings shall be as determined by City Council Resolution. The scheduling of special meetings in addition to those established by City Council resolution, except special meetings that take the place of cancelled regular meetings, shall be subject to approval by the City Council. A request for a special meeting shall include the reason for the proposed meeting and should be expedited on the City Council's agenda, or in the alternative, placed before the Agenda Committee for approval.

C. The commission may make and alter rules governing its organization and procedures which are consistent with this Chapter or any other applicable ordinance of the City.

D. A majority of the members appointed to the commission shall constitute a quorum and the affirmative vote of a majority of the members appointed is required to take any action.

E. The commission shall keep an accurate record of its proceedings and transactions.

3.40.040 Functions.

A. The Environment and Climate Commission shall be an advisory board and shall review and advise the City Council on matters related to emerging issues, policies, projects, programs, planning efforts, activities, and funding of environmental sustainability and climate change mitigation, adaptation and resilience. Its scope will include work to advance the goals of achieving zero waste and promoting circular economy; advancing green buildings and resource efficiency; decarbonizing buildings and transportation; engaging and educating the community; protecting animal welfare; reducing greenhouse gas emissions; reducing toxics and preventing pollution; and supporting environmental justice

B. Environment and Climate Commission shall have the authority to adopt the minutes of the final meetings of the Zero Waste Commission, the Energy Commission and the Community Environmental Advisory Commission.

Section 2. Copies of this Ordinance shall be posted for two days prior to adoption in the display case located near the walkway in front of Council Chambers, 2134 Martin Luther King Jr. Way. Within 15 days of adoption, copies of this Ordinance shall be filed

at each branch of the Berkeley Public Library and the title shall be published in a newspaper of general circulation.

RESOLUTION NO. ##,###-N.S.

RESCINDING RESOLUTION NO. 55,661-N.S., ESTABLISHING THE BERKELEY ENERGY COMMISSION, AND RESOLUTION 58,997-N.S., ESTABLISHING THE COMMUNITY ENVIRONMENTAL ADVISORY COMMISSION.

WHEREAS, on June 15, 2021 the City Council directed staff and the City Attorney to bring forward actions to consolidate certain existing City Boards and Commissions; and

WHEREAS, the Council asked that Berkeley's existing Zero Waste Commission, Energy Commission, and Community Environmental Advisory Commission be consolidated into one new body; and

WHEREAS, on November 27, 1990 the City Council adopted Resolution 55,661-N.S. which established the Berkeley Energy Commission; and

WHEREAS, on June 3, 1997 the City Council adopted Resolution 58,997-N.S. which established the Community Environmental Advisory Commission; and

WHEREAS, on January 18, 2022 staff brought forward an Ordinance to amend BMC Chapter 3.40 to replace the previous Zero Waste Commission with a new Environment and Climate Commission, and to also encompass the scopes of work previously under the Energy Commission and Community Environmental Advisory Commission.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that Resolution No. 55,661-N.S., which established the Berkeley Energy Commission, and Resolution 58,997-N.S., which established the Community Environmental Advisory Commission, are hereby rescinded.

Enabling Language for the Successor Commission to the Zero Waste Commission

Section 1: Criteria for Service

1. Three members of the successor commission shall have at least two years (or full-time equivalent basis) of professional experience in waste reduction, reuse/repair, recycling, composting, and/or waste management.

Section 2: “Zero Waste” shall be defined as follows:

- A. The conservation of all resources by means of responsible production, consumption, reuse, and recovery of products, packaging, and materials without burning and with no discharges to land, water, or air that threaten the environment or human health.
- B. The zero waste approach seeks to minimize waste and reduce the use of natural resources and energy by ensuring that products and packaging are made to be reused, repaired or recycled back into nature or the marketplace.
- C. Zero waste is a philosophy and design framework that promotes reuse, recycling, and conservation programs. More importantly, this framework emphasizes sustainability by considering the entire life cycle of products, processes, and systems. Zero waste does not mean blind pursuit of zero waste to landfills without attention to instances in which such pursuit inadvertently causes greater harm to land, water, air, or climate than landfilling small amounts of waste.

This comprehensive systems approach promotes waste prevention by:

- Having products and packaging designed for the environment,
 - Reducing the materials used in products and packaging,
 - Using less toxic, more benign materials in production and manufacturing, in alignment with the precautionary principle,
 - Providing longer product lives by developing more durable products, and
 - Having products that are repairable and easily disassembled at the end of their useful life.
- D. The hierarchy of zero waste approaches is set forth below:
 - a. Re-think/Re-design
 - b. Reduce
 - c. Reuse/Repair
 - d. Recycle/Compost
 - e. Materials Recovery
 - f. Residuals Management
 - g. Unacceptable

[EDITOR'S NOTE: UNLESS THERE ARE REASONABLE OBJECTIONS, WE PROVIDE THE LONGER VERSION OF (D) HERE]

E. The hierarchy of zero waste approaches is set forth below:

Rethink / Redesign

- Design and purchase products from reused, recycled or sustainably-harvested renewable, non-toxic materials to be durable, repairable, reusable, fully recyclable or compostable, and easily disassembled
- Shift funds and financial incentives to support a circular economy, with greater economic and social equity and justice, over the harvesting and use of virgin natural resources
- Enact new incentives for cyclical use of materials, and disincentives for wasting
- Facilitate change in how end users' needs are met from "ownership" of goods to "shared" goods and provision of services
- Support and expand systems where product manufacturing considers the full life-cycle of their product in a way that follows the Zero Waste Hierarchy and moves towards more sustainable products and processes. Producers take back their products and packaging in a system that follows the Zero Waste Hierarchy.
- Identify and phase out materials that cause problems for closed loop systems.
- Facilitate and implement policies and systems to encourage and support local economies, with greater economic and social equity and justice
- Re-consider purchasing needs and look for alternatives to product ownership
- Provide information to allow for informed decision-making
- Be aware of and discourage systems that drive needless consumption

Reduce

- Plan consumption and purchase of perishables to minimize discards due to spoilage and non-consumption
- Implement sustainable purchasing that supports social and environmental objectives as well as local markets where possible
- Minimize quantity and toxicity of materials used, following the precautionary principle
- Minimize ecological footprint required for product, product use, and service provision
- Choose products that maximize the usable lifespan and opportunities for continuous reuse
- Choose products that are made from easily recycled materials
- Prioritize the use of edible food for people
- Prioritize the use of edible food for animals

Reuse / Repair

- Maximize reuse of materials and products
- Maintain, repair or refurbish to retain value, usefulness and function
- Remanufacture with disassembled parts; dismantle and conserve "spare" parts for repairing and maintaining products still in use
- Repurpose products for alternative uses

Recycle / Compost

- Support and expand systems to keep materials in their original product loop and to protect the full usefulness of the materials
- Maintain diversion systems that allow for the highest and best use of materials, including organics
- Recycle and use materials for as high a purpose as possible
- Develop resilient local markets and uses for collected materials wherever possible
- Provide incentives to create clean flows of compost and recycling feedstock
- Support and expand composting as close to the generator as possible (prioritizing home or on site or local composting wherever possible)
- Whenever home/decentralized composting is not possible, consider industrial composting, or if local conditions require or allow, anaerobic digestion

Material Recovery

- Maximize materials recovery from mixed discards and research purposes after extensive source separation
- If conditions allow, recover energy using only systems that operate at biological temperature and pressure

Residuals Management

- Examine materials that remain and use this information to refine the systems to rethink, reduce, reuse, and recycle in order to prevent further discards
- Ensure minimization of impacts by means of biological stabilization of fermentable materials.
- Encourage the preservation of resources and discourage their destructive disposal or dispersal
- Plan systems and infrastructure to be adjusted as discards are reduced and its composition changes
- Minimize gas production and release and maximize gas collection
- Use existing landfill capacity and maximize its lifespan. Ensure it is responsibly managed
- Contain and control toxic residuals for responsible management

Unacceptable

- Do not support policies and systems that encourage the destructive disposal of organics and/or the destruction of recyclables
- Do not support energy and destructive disposal systems that are dependent upon the continued production of discards
- Do not allow the incineration of discards
- Do not allow toxic residuals into consumer products or building materials

Section 3: In support of the City's zero waste goals, policies, programs, and infrastructure, the successor commission shall:

- A. Receive and review monthly reports concerning zero waste issues submitted by zero waste staff.
- B. Provide thought leadership, advocacy, and public engagement regarding zero waste.
- C. Develop and periodically update strategic plan, regularly review plan progress, prioritize and refine strategies as needed, and, make recommendations on an ongoing basis to the City Council concerning:
 - i. Zero waste education and outreach;
 - ii. Zero waste goals, both interim and long-term; in order to meet or exceed State of California and Alameda County requirements, such goals shall include, at minimum:
 - a. Reduction in per capita waste generation (weight basis) of 20% by 2032 over baseline of 2022
 - b. Increase in local employment in reuse/repair/upcycling businesses and enterprises by 20% by 2032 over baseline of 2022
 - c. Increase landfill diversion from residential sector to 75% by 2027
 - d. Increase landfill diversion from commercial sector to 85% by 2027
 - e. Increase landfill diversion from City government to 85% by 2027
 - iii. Zero waste policy regarding:
 - f. Infrastructure ownership, operations, and services
 - g. Capital and operations financing and rate setting
 - h. Alignment of funding for materials collection and processing, including reusables/repairables, recyclables, compostables, and residuals (to landfill), with the zero waste hierarchy
 - i. Materials collection requirements
 - j. Enforcement
 - iv. Zero waste program staffing levels and needs
 - v. Evaluation of the proper and most effective departmental roles and responsibilities, specifically regarding the appropriateness of continuing to burden the Public Works Department with carrying out tasks beyond its core mission and competency, namely,
 - a. changing the purchasing and discard behavior of residents and businesses,
 - b. formulating policy regarding product and packaging restrictions,
 - c. applying pressure and influence further upstream in the extraction, production, and distribution supply chain to reduce greenhouse gases, and
 - d. linking materials management with stimulation of local economic development and social capital.

As such, at least every five years evaluate whether these areas of responsibility should be housed in a department of the environment, office of sustainability, economic development department, energy and resource conservation office, or other department.



Community Environmental Advisory Commission

ATTACHMENT 4

To: Berkeley City Council

From: Michelle De Leon, Chairperson, Community Environmental Advisory Commission (CEAC)
Ben Gould, Vice Chair, CEAC
Fred Hetzel, Commissioner, CEAC

Subject: Recommendations for commission reorganization - Environment and Climate Commission

RECOMMENDATION

Consider the attached draft ordinance as language for the new Environment and Climate Commission (ECC), and recommend that Council adopt updates to Resolution No. 68,705-N.S. to classify the ECC as a Category A commission, able to meet on its own schedule, for the first year of operation, with review after 12 months.

BACKGROUND

In February 2020, CEAC adopted a recommendation to City Council to update the mission and purpose of the Commission to better align with the work CEAC commissioners have been doing for the past 7+ years – a broad range of pollution management, climate mitigation, green infrastructure, and environmental justice work. With the Covid-19 pandemic, adoption of the recommendation was postponed, and City Council subsequently directed staff to merge CEAC with the Energy and Zero Waste Commissions into a new Environment and Climate Commission.

CEAC commissioners' work in developing this earlier language aligns well with the overall scope and mission of the new ECC. This draft ordinance uses the broadly encompassing language developed originally by CEAC, and adds the core responsibilities of the Zero Waste and Energy commissions.

RATIONALE FOR RECOMMENDATION

The City of Berkeley currently benefits from a diversity of commissions dedicated to environmental issues, including the Energy Commission, which addresses energy and climate protection; the Zero Waste Commission, which addresses waste and materials management; and the Community Environmental Advisory Commission (CEAC), which, officially, addresses pollution prevention and hazardous materials management. In addition, the City of Berkeley has a Transportation Commission, which addresses transportation including public transit and shared mobility.

CEAC Recommendations for Commission reorganization:
Environment and Climate Commission

However, the City of Berkeley has lacked a commission dedicated to addressing holistic sustainability, climate adaptation, and environmental justice issues. Over the past decade, CEAC has taken on that role, considering such range of topics as fire safety resiliency, equitable access to environmental health information, green stormwater infrastructure, local biodiversity, sustainable transportation, green buildings, and more. CEAC has successfully developed effective recommendations for Council in those areas, playing a leadership role in kick-starting Berkeley's efforts to move to gas-free new construction, supporting the expansion of free-floating car sharing in Berkeley, proposing new bird-safe building standards, and more.

CEAC's proposed ordinance incorporates the mission-critical aspects into the scope of the new ECC. CEAC's current scope includes the prevention of pollution; air, water, and soil quality; hazardous chemicals and toxics management; and outreach to, and education of, the public, small businesses, and industry about topics under its scope. CEAC's proposed expanded scope would add climate change mitigation, adaptation, and resiliency; environmental justice and health; green buildings, energy and water conservation and efficiency; stormwater management; and ecosystems, agroecology, biodiversity, green space, and wildlife.

Under the updated ECC proposal, new elements are added to incorporate the responsibilities brought from the Zero Waste and Energy commissions. These include: zero-carbon and renewable energy; zero-emission transportation; and zero waste, including the reduction, reuse, recycling, and composting of materials. Other elements of Zero Waste and Energy commissions, such as preventing pollution (through prevention of waste generation in the first place) and energy efficiency, are incorporated into some of the earlier language developed above.

The scope of ECC's outreach is expanded to incorporate all the responsibilities of the ECC, helping the new commission continue to play an important role in public engagement and input on the city's climate and environmental initiatives. This public engagement includes serving the City Manager in an advisory capacity in the development of policy, project, or programmatic proposals substantially related to climate or the environment, as well as reviewing and providing comments on staff progress reports on the implementation of such policies, projects, or programs.

CEAC's ability to address this wide range of topics has benefitted from Councilmembers appointing an interdisciplinary, intersectional, and diverse range of experts and community leaders to leverage their combined expertise. With the new combined commission and expanded scope, the commission is in even greater need of an even wider diversity of backgrounds. However, at the same time, with such a large scope it is also critical that the commission be fully appointed as much as possible. In order to balance these competing needs, section 3.40.060 of this proposed ordinance suggests Councilmembers *consider*, but not *require*, individuals with specific backgrounds in a list of topics (encompassing the full scope of the ECC's responsibilities), in order to help

CEAC Recommendations for Commission reorganization:
Environment and Climate Commission

guide Councilmembers towards diverse appointments without risking prolonged vacancies due to challenges recruiting qualified applicants with specific expertise.

Lastly, given the scope of the commission, we recommend allowing the commission initial flexibility in experimenting with meeting frequency, subcommittees, and other structural approaches to meeting its expansive responsibilities. Resolution No. 68,705-N.S. establishes meeting limits for city commissions; to give ECC the opportunity to determine what meeting frequency works best for fulfilling its responsibilities, we suggest making it a Category A commission with the ability to meet on its own schedule, subject to review after one year to determine whether an expanded meeting schedule is required (in contrast to the 10 meetings/year restriction currently imposed on each of CEAC, Energy, and Zero Waste commissions).

CONTACT PERSON

Mitchelle De Leon, Chair, Community Environmental Advisory Commission

Attachments:

1: Ordinance No. XX,XXX-N.S. Amending BMC Title 3 to replace the Zero Waste Commission with the Environment and Climate Commission.

ORDINANCE NO. -N.S.

AMENDING BERKELEY MUNICIPAL CODE TITLE 3 TO REPEAL AND REPLACE THE ZERO WASTE COMMISSION WITH THE ENVIRONMENT AND CLIMATE COMMISSION

BE IT ORDAINED by the Council of the City of Berkeley as follows:

Section 1. That the Berkeley Municipal Code Chapter 3.40 is added to read as follows:

**Chapter 3.40
ENVIRONMENT AND CLIMATE COMMISSION**

Sections:

- 3.40.010 Established – Number of members – Appointment procedure
- 3.40.020 Council liaison representative
- 3.40.030 Commission liaison representative
- 3.40.040 Officers, meetings, and procedures
- 3.40.050 Functions
- 3.40.060 Membership – criteria for guiding appointments

3.40.010 Established

A Environment and Climate Commission is established. The commission shall consist of nine members. Appointments to the commission shall be made by councilmembers and vacancies on the commission shall be filled by councilmembers in accordance with the provisions of Sections [2.04.030](#) through [2.04.130](#), enacted as Ordinance 4780-NS by the voters of the City.

3.40.020 Council liaison representative

The City Council may appoint one of its members to act as a liaison representative to the commission. The functions of such liaison representative are:

- A. To attend the meetings of the commission;
- B. To advise the Council of the background, reasons and rational behind decisions and recommendations of said commission; and
- C. On request of any member of the commission, to advise the commission of policies, procedures and decisions of the council that may bear on matters under discussion by the commission. The council liaison representative shall have no power to vote and shall receive no additional compensation. (Ord. 4576-NS § 6, 1972)

3.40.030 Commission liaison representative

CEAC Recommendations for Commission reorganization:
Environment and Climate Commission

The Commission may designate one of its members to act as a liaison representative to any other board, commission, or committee of the City. Liaisons may:

- A. Attend meetings of such other board, commission, or committee;
- B. Advise the Commission of the actions and reasons behind those actions of such other board, commission, or committee; and
- C. Advise such other board, commission, or committee as to the decisions, discussions, and proposals of the Commission; and
- D. Establish collaborative efforts with such other board, commission, or committee in developing plans, strategies, proposals, and recommendations.

3.40.040 Officers, meetings, procedures

- A. The Commission shall elect one of its members as Chair and one of its members as Vice-Chair who shall hold office for one year and until their successors are elected unless their terms as a member of the Commission expire sooner. The Chair and Vice-Chair shall be elected at the first business meeting of the Commission, and on an annual basis thereafter.
- B. One or more officers or employees of the City, involved in the implementation of the City's climate or environmental programs, shall be designated by the City Manager as Secretary of the Commission.
- C. The commission shall establish a regular place and time for meeting. All meetings shall be noticed as required by law and shall be scheduled in a way to allow for maximum input from the public. The frequency of meetings shall be as determined by City Council resolution.
- D. The Commission may make and alter rules governing its organization and procedures which are not inconsistent with this or any other applicable resolution or ordinance of the City, or other provision of law.
- E. A majority of Commission members actually appointed shall constitute a quorum. An affirmative vote of the majority of members present at a regularly called meeting shall be required to take action. The commission secretary shall keep an accurate record of its proceedings and transactions. The commission shall submit an annual report to the City Council with a copy to the City Manager.

3.40.050 Functions

The functions of the Commission shall be as follows:

- A. Develop plans, prioritize strategies, and make recommendations to the City Manager and City Council for addressing:
 - 1. Climate change mitigation, adaptation, and resiliency; and

CEAC Recommendations for Commission reorganization:
Environment and Climate Commission

2. Environmental justice and health; and
 3. Green buildings, energy and water conservation, and efficiency;
 4. Zero-carbon and renewable energy; and
 5. Zero-emission transportation; and
 6. Equitable access to clean energy and transportation technologies; and
 7. Zero waste, including the reduction, reuse, recycling, and composting of materials; and
 8. The prevention of pollution; and
 9. Air, water, and soil quality; and
 10. Stormwater management; and
 11. Ecosystems, agroecology, biodiversity, green space, and wildlife; and
 12. Hazardous chemicals and toxic materials; and
 13. Outreach to, and education of, the public, small businesses, and industry about environmental, sustainability, and climate issues and initiatives.
- B. Collaborate with other commissions on the development of plans, strategies, proposals, and recommendations to the City Manager and City Council.
- C. Provide for citizen input in the development of and implementation of the City's climate and environmental programs through:
1. Act in an advisory capacity to the City Manager on all proposed policies, projects, or programs, including land use and other policy or infrastructure proposals, that have the potential to substantially impact pollution, energy, waste, water, environmental health, environmental justice, climate adaptation, or resiliency.
 2. Review and comment on staff progress reports on the implementation of policies, projects, or programs related to climate or environmental efforts, including inspection activities of the major generators of hazardous waste and pollution.
- D. Maintain active communication and participation with local communities and institutions, including but not limited to UC Berkeley, Lawrence Berkeley National Laboratory, UC Berkeley student organizations, Bayer, labor organizations, and local nonprofit organizations, on environmental and sustainability issues and initiatives.
- E. Work with City staff to implement the provisions of this Section.
- F. Receive and review quarterly reports concerning hazardous material and waste issues submitted by the City Manager.
- G. Make recommendations to Council for new regulations, programs, or ordinances; conduct other activities as determined by the Commission membership consistent with the Commission's quasi-legislative duties.

3.40.060 Membership – Criteria for guiding appointments

CEAC Recommendations for Commission reorganization:
Environment and Climate Commission

A. Each Councilmember shall appoint one member of the Environment and Climate Commission, in accordance with Ordinance No. 4780-N.S.

B. The following desirable criteria may guide, but not restrict, councilmembers in making appointments:

1. Experience in environmental justice
2. Experience in climate change mitigation, adaptation, and/or resiliency
3. Experience in renewable energy
4. Experience in zero waste
5. Experience in water management
6. Experience in ecology or biodiversity
7. Experience in green buildings
8. Experience in toxic / hazardous waste or pollution management
9. Experience in sustainable transportation

