

ORDINANCE NO. 7,856-N.S.

AMENDING BERKELEY MUNICIPAL CODE CHAPTER 3.82 MODIFYING MEMBERSHIP AND APPOINTMENT PROCEDURES FOR 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 3.82 is amended to read as follows:

ENVIRONMENT AND CLIMATE COMMISSION

Sections:

- 3.82.010 Established--Membership--Appointment.
- 3.82.020 Council representative as commission liaison.
- 3.82.030 Organization, meetings, rules and procedures.
- 3.82.040 Functions.

3.82.10 Established--Membership--Appointment.

A. An Environment and Climate Commission is established. The commission shall consist of eleven members.

B. One member of the Commission shall be appointed by each City Councilmember, 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 members with appropriate expertise and demonstrated commitment to the areas outlined in the functions section 3.82.040.

C. Two members of the Commission shall be appointed by the Berkeley City Council as a body with candidates recommended by the Berkeley Unified School District Board of Directors and subject to the following:

(1) The following desirable criteria may guide, but not restrict, the Council in appointing candidates to the Commission:

- i. Appointees to be residents of the City;
- ii. Appointees to be between the ages of sixteen and twenty-five;

(2) Appointees shall have demonstrated commitment or interest in the areas outlined in Section 3.82.040.

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

3.82.020 Council representative as commission liaison.

The City Council and School Board 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 and School Board 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 and School Board that may bear on matters under discussion by the commission.

3.82.030 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.

3.82.040 Functions.

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 advancing green buildings and resource efficiency; decarbonizing buildings and transportation; engaging and educating the community; addressing the impacts and welfare of all species, including animals, insects, and plants; reducing greenhouse gas emissions; reducing toxics and preventing pollution; and supporting environmental justice.

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 the Maudelle Shirek Building, 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.

At a regular meeting of the Council of the City of Berkeley held on February 28, 2023, this Ordinance was passed to print and ordered published by posting by the following vote:

Ayes: Bartlett, Hahn, Harrison, Humbert, Kesarwani, Robinson, Taplin, Wengraf, and Arreguin.

Noes: None.

Absent: None.

