



Environment and Climate Commission

ACTION CALENDAR
February 28, 2023

To: Honorable Mayor and Members of the City Council
 From: Environment and Climate Commission (ECC)
 Submitted by: Ben Gould, Chairperson, ECC
 Subject: Support for Youth Appointee to Environment and Climate Commission

RECOMMENDATION

Refer to the City Manager to evaluate the feasibility of, and subsequently prepare draft legal language to enable, a tenth voting Environment & Climate Commission (ECC) member, representing youth, nominated by a suitable body or individual and confirmed by a suitable board of elected officials.

If feasible, the ECC recommends that a youth representative be nominated by the BUSD Student Director and confirmed by the full BUSD Board of Directors, in alignment with the recommendation passed by the Youth Commission.

POLICY COMMITTEE RECOMMENDATION

On January 30, 2023, the Agenda and Rules Committee adopted the following action: M/S/C (Arreguin/Bartlett) to send the items from the Youth Commission, Environment and Climate Commission, and Councilmember Harrison to the City Council with a qualified positive recommendation that the item proposed by Councilmember Harrison be adopted as revised to state that the full City Council will appoint the members to the two youth seats on the Environment and Climate Commission, and that the Berkeley Unified School District Board of Directors will provide recommendations to the City Council on candidates for the youth seats. Vote: Ayes – Bartlett, Arreguin; Noes – None; Absent - Hahn.

FISCAL IMPACTS OF RECOMMENDATION

Some staff time to review existing law and develop proposal. If enacted, having an additional ECC commissioner could result in slightly increased demands on staff time for ECC.

CURRENT SITUATION AND ITS EFFECTS

With no youth voice on the Environment and Climate Commission, City staff and commissioners lack valuable perspective and insight into the perspectives of an important community demographic, which stands to be the most significantly impacted by the Commission's recommendations and City action (or lack thereof) on climate and environmental issues.

Historically, the ECC's predecessor commissions have been unsuccessful in engaging youth constituencies and stakeholders. Without youth perspectives, City policymaking is biased towards community members who have the time and resources to engage in local governance – typically older, wealthier residents, who are unlikely to directly experience some of the longer-term environmental consequences of climate policy.

The feasibility analysis and draft language from City staff should consider existing law in BMC 2.04.030 through 2.04.120, including:

- BMC 2.04.050, which establishes commissions at nine members,
- BMC 2.04.060 and related provisions, which restricts appointments to individual City Council members,
- BMC 2.04.140 and 2.04.145, which requires affidavits of residency for all commissioners, and
- BMC 2.04.040 (B) (2), which provides provisions for City Council majority appointment where the number of commission members is greater than nine.

At the Environment and Climate Commission meeting of Wednesday, September 28, 2022, ECC voted 6-2-0-0 to: Approve recommendations in support of Youth Member proposal and recommend one appointee nominated by BUSD Student Director and confirmed by the full BUSD Board of Directors, in alignment with the original May 9, 2022 Youth Commission proposal. M/S/Hedlund/Gould: Ayes: Ranney, McGuire, Tahara, Guliasi, Lunaparra, Gould. Noes: Hedlund, Allen. Abstain: None. Absent: None.

BACKGROUND

The City of Berkeley established a Youth Commission in 1979, with the stated goal of “giving] youth a voice in effecting City policy and services.” However, environment and climate change issues are critical matters affecting all youth, yet youth have no institutionalized process for interacting or engaging with City environmental policy, and City Council has consistently failed to appoint any individuals under the age of 18 to the Environment and Climate Commission (ECC) or its predecessor commissions (the Energy Commission [EC] and the Community Environmental Advisory Commission [CEAC]). To date, the Youth Commission is the primary, and possibly only, City body to which individuals under 18 are appointed on a regular basis.

In May 2022, the Youth Commission passed a recommendation to establish a youth appointee to the ECC. However, the item has not yet been taken up by City Council.

ENVIRONMENTAL SUSTAINABILITY AND CLIMATE CHANGE

Supporting greater engagement of marginalized non-voting community members in environmental policymaking will result in more diverse perspectives and likely to produce better policymaking and feedback for staff, improving environmental sustainability overall.

RATIONALE FOR RECOMMENDATION

The proposal would expand youth involvement in city policymaking and allow ECC to better reflect and represent the broad interests of the community, without imposing an undue burden on City staff, Council, or otherwise impairing the functioning of the commission.

ALTERNATIVE ACTIONS CONSIDERED

The ECC considered asking the Youth Commission to send a nonvoting liaison to bridge the two commissions, but determined that a nonvoting position limited to public comment was unlikely to be effective at recruiting and sustaining interest from young people.

The ECC considered having the youth member be nominated by the Youth Commission and approved by the City Council, but determined that BUSD was better equipped to engage a wide range of students and youth, and having BUSD make the appointment would align with Berkeley's laws allowing 16- and 17-year-old youth to vote in School Board elections.

CITY MANAGER

The City Manager supports youth participation in the City's boards and commissions. Currently, a student/youth in Berkeley may be appointed by the Mayor or a Councilmember to 26 of the City's 30 commissions. With regards to expanding the number of seats on the Environment and Climate Commission (ECC) to reserve seats for persons between 12 and 19 years old, there are some potential alternatives or considerations that the Council may wish to weigh.

- Raise the lower end of the age range from 12 to 14 or limit the designated seats to high school students. Commissions often meet until 9pm or 10pm in the evening, which may be difficult for middle school students. If the students are not able to attend regularly for the duration of the meeting, their absence can affect the quorum of the commission and the commission's ability to conduct business.
- Modify the ECC enabling legislation to require that one or two of the nine seats on the ECC to be filled with a "student" as defined. There are other city commissions that have reserved seats for certain interest groups or categories of commissioners (Mental Health Commission, Design Review Commission).
- Consider adding the additional seats as part of a pilot program or add a sunset date to evaluate the impact and effectiveness of the additional reserved appointments to determine if permanently expanding the membership is the best course of action.
- Clarify the intent to limit this practice to the ECC. Significant expansion of this practice would cause a large shift in how commission appointments are made and could result in requests for reserved seats from other agencies or interest groups.

ENVIRONMENTAL SUSTAINABILITY AND CLIMATE CHANGE

Supporting greater engagement of marginalized non-voting community members in environmental policymaking will result in more diverse perspectives and likely to produce better policymaking and feedback for staff, improving environmental sustainability overall.

CONTACT PERSON

Ben Gould, Chair, Environment and Climate Commission
Billi Romain, Secretary, Environment and Climate Commission