



Community Environmental Advisory Commission

MEMORANDUM

June 24, 2011

To: Honorable Mayor and Members of the City Council
From: Community Environmental Advisory Commission
Submitted by: Nabil Al-Hadithy, Secretary
Subject: Consolidation of City Commissions

On May 31, 2011, the City Manager submitted a recommendation to Council for consolidation of commissions. The Community Environmental Advisory Commission (CEAC) was proposed to merge with Energy and Zero Waste Commissions. The attached communication from the CEAC is in response to this debate.

On June 2nd 2011, the CEAC voted to authorize the Chair to write an off agenda report to the CEAC that reflected their opinions listed below. The vote was as follows: Motioned/ Seconded/Carried (Cowles/Banales). Votes: Ayes: Banales, McDonald, Hernandez, Cowles, Bartlett, Gomberg. Noes: None. Abstain: None.

The communication is attached:

Dear Councilmembers:

Thank you for the opportunity to share the Community Environmental Advisory Commissions' (CEAC) position and recommendations regarding the City Manager's proposal for reducing costs to the city budget from commissions. Since its inception, the Community Environmental Advisory Commission (CEAC) has played a key role in promoting clean air, water, and soil, as well as promoting the health of Berkeley residents by reducing exposure to environmental contaminants. It has also been an innovator on the cutting edge of many topics. Some notable accomplishments are:

- Produced the nation's first nanoparticle regulation.
- Crafted the first nuisance ordinance to provide a recourse process for residents whose health is endangered by wood smoke.
- Preserved free disposal services for Berkeley household hazardous wastes, coordinated through Councilmember Wozniak and Alameda County Household Hazardous Waste.
- Evaluated and supported Lawrence Berkeley National Lab funding to clean-up legacy contamination.
- Assessed the life cycle environmental impacts of biofuels.
- Investigated toxics pollution including arsenic in playground and asbestos in building structures.

At the June 2nd CEAC commission meeting, commissioners discussed the City Manager (CM) proposal to (a) reduce the number of meetings from 10 to 6, and (b) potentially consolidate with the Energy Commission and Zero Waste Commission. The Chair was authorized to communicate the CEAC'S concerns with the CM's proposal prior to the June 28th Council Meeting. The CEAC's concerns with the proposal are primarily with consolidation, and are as follows:

- **CONSOLIDATION WOULD LIMIT COUNCIL'S ABILITY TO ADDRESS THE ENVIRONMENT.** Critical environmental issues that face Berkeley include the impact of urban runoff on watershed health (both surface and groundwater), water supply (e.g. water conservation, rain harvesting), environmental impacts of climate change (e.g. sea-level rise), soil remediation (e.g. for urban agriculture), improving local air quality (e.g. Bay Area exceeds state standards for fine particulate matter), and protection from environmental hazards (e.g. radioactivity, polluting chemicals, household hazardous waste and nanoparticles). While there may appear to be overlap among commissions on some issues, CEAC is the only one whose *primary* mission is to address the environment.
- **CONDOLIDATION WOULD LIMIT A USEFUL PUBLIC FORUM.** Full commission meetings are a critical forum for gathering information from city staff and members of the public, by way of hearings, presentations, and workshops. This information then gets passed along to Council ultimately in the form of a report or informal letter. The CEAC is concerned that the scope of a consolidated commission, even if limited to the Energy and Environment commissions (and not including Zero Waste), may be too broad to be effective. The CEAC is also concerned that environmental issues that do not overlap with energy (or solid waste) would have a limited forum for discussion.

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The CEAC fully understands the fiscal impacts to the City's budget and recognizes the importance of reducing costs due to staff time and other operational expenses. The CEAC recommends the following cost saving measures:

- **PRIORITIZE AND RESTRICT NUMBER OF AGENDA ITEMS.** The CEAC could institute a prioritization process to limit the number of topics that require extensive staff research. One proposal for accomplishing this is to have the commission in January or February of each year adopt 4 main topic areas that the commission would study for the upcoming year – identified with input from Council, staff, and the public. Some flexibility would be given to address topics that may arise over the course of the year, but the bulk of the CEAC's time would be devoted to these selected topics.
- **BETTER COORDINATION.** An area where the CEAC can improve effectiveness is in better coordinating with Council members and other commissions. Commissioners will be encouraged to meet with their appointer on a more periodic basis, at minimum once per year. Liaisons to other commissions would review the agenda packets of other commissions, attend a select number of meetings, and identify areas where commissions could coordinate efforts.
- **REDUCE NUMBER OF MEETINGS.** The CEAC could reduce its number of meetings to as few as 6 per year (although we believe cutting to 8 would be more prudent given the commission's workload). However, to compensate, more work likely would be shifted to subcommittees and the length of individual meetings would need to be extended some.
- **REDUCING STAFF CLERICAL WORK.** The CEAC recognizes the crucial role the Secretary plays in communicating between the commission, council, staff, and outside agencies. However, commissioners could take on responsibility for some clerical duties. The Chair and Vice Chair can take a more proactive role in agenda packet preparation with input from the Secretary. Also, a commissioner could be elected to format documents, post information to the website, and perform other clerical work, though initial training may be needed.
- **DEDICATE TIME TO SEEKING GRANTS.** One issue which the CEAC has explored and could implement as an ongoing practice is dedicating part of each meeting to an ongoing search for grants which could be referred to city staff (we have previously discussed criteria for determining the cost effectiveness of a grant). Additionally, the commission could track federal and state environmental policies impacting Berkeley.

If Council votes to implement consolidation, the CEAC recommends that Council consider the following:

- **EXPERTISE.** Council and the City Manager (CM) should consider the expertise that would be required of a consolidated commission. Recruiting an expert in one area of environmental policy (e.g. water, air, or epidemiology) is challenging enough. Finding experts conversant on both energy and environmental policy will be tough. Council & CM should consider whether a commission of nine members would be capable of drawing on diverse experiences and expertise. Additionally, Council & CM should

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consider that a consolidated commission will require staff expertise in both of these areas, too.

- **PROCESS.** Council and the CM should include the consolidated commissions, or at minimum the commission chairs, in the process determining the details of how consolidation would work. Issues that may arise include whether 10 full commission meetings are sufficient, the size of the commission, the writing of a new mission statement, and the timeline over which consolidation would occur. A “one-size fits all” approach may not work for all commissions to be consolidated.

The CEAC asks that Council & the CM take into account the suggestions made in this letter, and consider the potential impacts of the City Manager’s proposal. Berkeley has received many accolades as a “Green City,” but faces significant environmental challenges including the implementation of the Climate Action Plan, preparation and implementation of a Watershed Management Plan, and meeting updated CEQA guidelines for air quality. The CEAC is currently busy examining all three of these topics, but the ability to handle this workload could be hampered by consolidation. Council should weigh whether a consolidated commission, or three, more coordinated and independent commissions (CEAC, Energy, and Zero Waste) will provide better depth in informing the city’s environmental, energy, and solid waste needs. The CEAC believes the answer is the latter: cost saving measures should be employed but the CEAC should remain an independent commission. If consolidation is pursued, the CEAC requests that commissions to be consolidated be included in discussions over how consolidation would work. The CEAC thanks the Council and the City Manager for their consideration.

Sincerely,

A handwritten signature in black ink that reads "Brian McDonald". The signature is written in a cursive, flowing style.

Brian McDonald

Chair