

ORDINANCE NO. 2275

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PLEASANTON CREATING AN ENERGY AND ENVIRONMENT COMMISSION BY ADDING A NEW CHAPTER 2.31 TO THE MUNICIPAL CODE, REPLACING THE COMMITTEE ON ENERGY AND THE ENVIRONMENT

WHEREAS, since the City has been concerned about the preservation of environmental quality and the conservation of energy, the City Council created the Committee on Energy and the Environment by Resolution No. 08-234 in 2008, and extended the committee's term on February 16, 2016, February 17, 2017, and June 4, 2019, until making it a permanent committee by Resolution No. 21-1201 in 2021; and

WHEREAS, the Committee on Energy and the Environment provided key guidance and insight into the development of Climate Action Plan (CAP) 2.0 adopted in March 2022, as well as the original CAP; and

WHEREAS, on October 17, 2023, February 20, 2024, and March 5, 2024, at duly noticed public hearings, the City Council considered commission and committee reorganization, and determined that the Committee on Energy and the Environment should be made a formal commission as these members will have an important and on-going role implementing the CAP 2.0, as well as working with staff to prepare an Energy and Environmental Priorities Plan to reflect community opportunities, needs and interests.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF PLEASANTON DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. Finds that the proposed amendments to the Pleasanton Municipal Code have no possibility to have a significant effect on the environment per Title 14 California Code of Regulations (CEQA Guidelines) § 15061(b)(3).

SECTION 2. Amends the Pleasanton Municipal Code as shown in Exhibit A, attached and incorporated by this reference, to create a new Energy and Environment Commission.

SECTION 3. Repeals Resolution Nos. 08-234 and 21-1201 to disband the Committee on Energy and the Environment, as it is being replaced with this new Energy and Environment Commission.


SECTION 4. The existing six regular members of the Committee on Energy and the Environment shall become commissioners on the new Energy and Environment Commission for the remainder of their respective terms, with the most recently appointed regular member serving as the alternate commissioner, the youth member serving in the same role, and current and prior service on the committee counting towards years served when calculating maximum number of years of service allowed on the commission.

SECTION 5. A summary of this ordinance shall be published once within fifteen (15) days after its adoption in "The Valley Times," a newspaper of general circulation published in the City of Pleasanton, and the complete ordinance shall be posted for fifteen (15) days in the City Clerk's office within fifteen (15) days after its adoption.

SECTION 6. This ordinance shall be effective thirty (30) days after its passage and adoption.

The foregoing Ordinance was introduced at a regular meeting of the City Council of the City of Pleasanton, California, on February 20, 2024, and adopted on March 5, 2024, by the following vote:

Ayes:	Councilmembers Arkin, Balch, Nibert, Testa, Mayor Brown
Noes:	None
Absent:	None
Abstain:	None



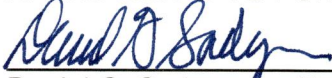
Karla Brown, Mayor

ATTEST:



Jocelyn Kwong, City Clerk

APPROVED AS TO FORM:



Daniel G. Sodergren, City Attorney

EXHIBIT A

Chapter 2.31 ENERGY AND ENVIRONMENT COMMISSION

2.31.010 Commission created. There is created an energy and environment commission.

2.31.020 Duties.

A. The energy and environment commission shall advise the city council in matters related to city energy and environmental services as outlined in the City's adopted Climate Action Plan (CAP).

B. The duties of the commission shall include the following:

1. Advise and assist in implementation of the adopted CAP and assist with subsequent updates to the CAP;
2. In collaboration City staff, prepare an Energy and Environmental Priorities Plan focusing on energy and environmental issues and strategies reflecting community opportunities, needs, and interest as identified in the CAP, and in consideration of available City resources to successfully implement priorities;
3. As identified in the CAP, promote and recommend strategies toward preservation, enhancement and sustainable utilization of environmental resources for use by residents and businesses of the City of Pleasanton;
4. As identified in the CAP, give special consideration to issues that may adversely affect those natural resources within the city.
5. Develop strategies that are measurable in a quantitative and qualitative fashion; and
6. Support the intent of the General Plan's environmental goals, policies and programs.

2.31.030 Membership—Appointments.

A. The commission shall have five regular commissioners, one youth member, and one alternate commissioner all of whom shall be residents of the city.

B. The five regular commissioners and the one alternate commissioner shall be selected from the community at large. The youth member shall be the minimum age of a high school freshman. The regular commissioners, the youth member, and alternate commissioner shall be appointed by the mayor, subject to the ratification by the city council, as provided in the adopted city council resolution establishing procedures for appointments to boards and commissions.

C. Commissioners shall be eligible to participate in all activities of the commission except that the alternate commissioner shall vote only in the event of an absence or conflict of interest of one of the regular commissioners.

D. The alternate commissioner may serve as a voting member on any subcommittee of the commission and may be designated as the commission's representative to other boards and commissions.

E. Commissioners shall be compensated as established by city council resolution, unless the youth member is unable to qualify for a work permit that allows for compensation.

2.31.040 Term of membership.

A. Regular commissioners shall be eligible to serve a maximum of eight years with two four-year terms.

B. Alternate commissioners shall be eligible to serve four-year terms and are not subject to a limit in the number of years served.

C. The youth member shall be eligible to serve a two-year term.

D. The term of a commissioner shall be consistent with and subject to city council resolution concerning limiting service on boards and commissions.

2.31.050 Maintenance of membership.

A. Persons appointed to the commission shall continue to serve as members of the commission except when:

1. The commissioner's term of office on the commission expires;
2. The commissioner voluntarily resigns from the commission;
3. The commissioner is absent from one-third of the regular meetings within a six-month period as provided in subsection C of this section;
4. The commissioner fails to maintain a primary residence in the city;
5. The commissioner fails to timely file any required Statement of Economic Interest;
6. The commissioner is employed by the city in a capacity related to the duties of the commission.

B. The secretary of the commission shall inform the council when any of the above occurs.

C. The following procedures shall apply to termination of office as a result of absences from commission meetings:

1. At the end of each six-month period, the secretary of the commission shall report the attendance record of each member of the commission to the city manager, who shall transmit the record to the city council.
2. The city manager shall notify, in writing, any commissioner who has been absent from one-third or more of the regular meetings during the course of a six-month period and request that the commissioner submit, in writing, to the city council the reasons for the absences.
3. The city council shall determine if the commissioner's reasons for the absences were justified. If the city council determines that the reasons for the failure of the member to attend the meetings in question were not justified, the city council shall terminate the term of office of the commissioner and declare the office vacant.
4. If the city council declares such office vacant, the city clerk shall notify the commissioner that the commissioner's term has been officially terminated.

2.31.060 Commissioner vacancies. Vacancies on the commission shall be filled as provided in the city council resolution establishing procedures for appointments to city boards and commissions.

2.31.070 Organization.

A. Commissioners shall meet in regular session and elect a chairperson and vice chairperson. The election shall be by a majority vote of the commission, to be held on the last meeting of each calendar year. The term of service for these offices shall be one year, beginning in January of each year. No commissioner shall serve more than two consecutive full terms as chairperson or vice chairperson of the commission.

B. The commission shall conduct its meetings and business in accordance with the Commissioner's Handbook as said handbook is amended from time to time.

C. The chairperson shall:

1. Preside at all meetings;
2. Appoint commissioners as needed to serve on subcommittees, ad hoc committees, and as representatives on other boards and commissions; and
3. Call special meetings.

D. The vice chairperson shall preside in the absence of the chairperson.

E. The city manager shall appoint a city employee to serve as staff liaison who shall also serve as secretary to the commission. The staff liaison/secretary to the commission shall keep true and accurate accounts of all action of the commission.

2.31.080 Meetings.

A. Regular meetings shall be held on the fourth Wednesday of every month at a time and place set by the commission. The commission may approve an alternate meeting date.

B. Special meetings may be called by the chairperson or by a majority of the commissioners, the city manager, and/or the city council, provided written notice is given 48 hours in advance of the special meeting to the following: each commissioner, local newspapers of general circulation, and anyone filing written request for notice with the city clerk. Notice of meetings shall comply in all respects with Section 54950 et seq., of the Government Code, known commonly as the Ralph M. Brown Act.

C. All meetings shall be open to the public and shall follow a prepared agenda. Minutes of all meetings shall be kept and filed with the city clerk.

D. Three commissioners allowed to vote need to be present to constitute a quorum and a vote to approve or deny shall only occur upon a majority vote of the commissioners present who are allowed to vote.

//