

DRAFT

ORDINANCE NO.

**AN ORDINANCE OF THE CITY OF SAN JOSE
AMENDING PART 21 OF CHAPTER 2.08 OF TITLE 2 OF
THE SAN JOSE MUNICIPAL CODE TO ESTABLISH THE
CLIMATE ADVISORY COMMISSION AND MERGE IT
WITH THE CLEAN ENERGY COMMUNITY ADVISORY
COMMISSION**

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SAN JOSE:

Part 21 of Chapter 2.08 of Title 2 of the San José Municipal Code is hereby amended to read as follows:

Part 21

Climate Clean Energy Community Advisory Commission

2.08.2100 Commission Established

The Climate Clean Energy Community Advisory Commission is hereby established and will become effective January 1, 2024 when it merges with and replaces the Clean Energy Community Advisory Commission.

2.08.2110 Number of Members

The commission shall consist of eleven ~~nine~~ (11~~9~~) members.

2.08.2120 Special Eligibility Requirements

- A. Members shall be residents of the City unless the City Council specifically authorizes a nonresident for an expert member in Subsection (C) below.
- B. Whenever possible, at least five (5) members shall be community representatives who must be from different Council Districts.
- ~~C.B.~~ Whenever possible, at least ~~three six~~ (36) members shall have expertise in one (1) of the following categories: clean energy, power planning, transportation, finance, climate science, planning and building, and environmental law.
~~community outreach, policy advocacy, clean energy programs, industry, labor, education, not for profits, environmental associations, and advocacy organizations~~
- D. Whenever possible, at least one (1) member shall be a representative from a climate, environmental advocacy, or community-based organization.
- E. Whenever possible, at least one (1) member shall be a representative from a labor, business, or educational institution.
- F. Whenever possible, at least one (1) member shall be a youth representative between the ages of 14 and 21.

2.08.2130 Functions, Powers, and Duties

The Commission shall have the following functions, powers, and duties:

- A. Advise and make recommendations to the City Council and the City Manager, or designee, on all aspects of San José Climate Smart plan, with a focus on the

Pathway to Carbon Neutrality by 2030 and climate adaptation; and provide feedback on staff recommendations to the City Council, and Transportation and Environment Committee, when appropriate; Clean Energy start-up and operations.

~~B. Provide feedback and input on the development of clean energy program strategy and operating principles or models.~~

~~C. Inform the prioritization and development of energy programs.~~

~~D. Identify areas of concerns and innovative opportunities for reducing carbon emissions.~~

~~E. Monitor best practices of other community choice energy programs, legislative and regulatory issues, and new energy developments.~~

~~B.F. Serve as a community voice in matters Be liaisons to the community for purposes of advocacy and outreach related to San José's Climate Smart initiatives.~~

~~C. Advise and make recommendations to the City Council and the City Manager, or designee, on San José Clean Energy's services and product offerings, Integrated Resource Plan, and programs.~~

2.08.2140 Appointment Process

A. The members of the Clean Energy Community Advisory Commission with unexpired terms as of January 1, 2024 shall continue to serve as Climate Advisory Commissioners until their seats become vacant under Part 1 of this Chapter.

AB. The Council Appointment Advisory Commission shall review all applicants and make a nomination to the City Council for all members of the Climate Advisory Commission. ~~of the six (6) special eligibility seats noted in 2.08.2120 B above.~~ If the Council Appointment Advisory Commission is unable to meet, members of the Climate Advisory Commission ~~the six (6) special eligibility seats noted in 2.08.2120 B above~~ may be appointed ~~to the Commission~~ upon the Mayor's nomination to the City Council and the City Council's approval of such nomination.

~~**B.** The remaining three (3) members shall be appointed to the Commission upon the Mayor's nomination to the City Council and the City Council's approval of such nomination.~~

PASSED FOR PUBLICATION of title this _____ day of _____, 2023, by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

MATT MAHAN, Mayor

ATTEST:

TONI J. TABER, CMC
City Clerk