



County of Santa Cruz

BOARD OF SUPERVISORS

701 OCEAN STREET, SUITE 500, SANTA CRUZ, CA 95060-4069
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JANET K. BEAUTZ
 FIRST DISTRICT

ELLEN PIRIE
 SECOND DISTRICT

MARDI WORMHOUDT
 THIRD DISTRICT

TONY CAMPOS
 FOURTH DISTRICT

JEFF ALMQUIST
 FIFTH DISTRICT

AGENDA: 4/17/01

March 29, 2001

BOARD OF SUPERVISORS
 County of Santa Cruz
 701 Ocean Street
 Santa Cruz, CA 95060

RE: PROPOSED REVISIONS TO CHAPTER 2.54 OF THE
 COUNTY CODE, RELATING TO THE COUNTY ENERGY
 COMMISSION, AND TO THE COMMISSION'S BYLAWS

Dear Members of the Board:

Attached is a letter from Henry Pielage, Chairperson of the County's Energy Commission, requesting that the Board make revisions to Chapter 2.54 of the County Code, relating to the Energy Commission, and to the Commission's Bylaws. These changes are proposed to more accurately reflect the Commission's current practices and to bring the Bylaws into conformance with Chapter 2.54. Accordingly, I recommend that the Board consider these proposed revisions at our meeting of April 17, 2001.

Sincerely,

TONY CAMPOS, Chairman
 Board of Supervisors

TC:ted
 Attachments

cc: Energy Commission
 County Counsel

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County of Santa Cruz⁰⁷³⁸

ENERGY COMMISSION

701 OCEAN STREET - ROOM 330, SANTA CRUZ, CA 95060

(831) 454-2709 FAX: (831) 454-2710

March 22, 2001

Board of Supervisors
County of Santa Cruz
701 Ocean Street
Santa Cruz, CA 95060

SUBJECT: Revision of Energy Commission By-Laws and Chapter 2.54 of the County Code

Dear Members of the Board;

At its meeting of March 21, 2001, the Energy Commission approved the attached proposed revisions to the By-Laws of the Santa Cruz County Energy Commission and to Chapter 2.54 of the Santa Cruz County Code relating to the Energy Commission. Strikeout/underline and "clean" versions have been provided for your review. The revisions to these documents bring them up to date with current practices and procedures and clear up inconsistencies that currently exist between the two documents. The Energy Commission is requesting that your Board approve these changes.

Sincerely,

HENRY PIELAGE, Chairperson
Santa Cruz County Energy Commission

cc: County Administrative Office

ORDINANCE NO. _____

ORDINANCE AMENDING SECTION 2.54
TO THE SANTA CRUZ COUNTY CODE RELATING TO THE
ENERGY COMMISSION

The Board of Supervisors of the County of Santa Cruz ordains as follows:

SECTION I

Section 2.54 of the Santa Cruz County Code is hereby amended to read as follows:

Chapter 2.54

ENERGY COMMISSION

Sections:

- 2.54.010** **Established - Statutory authority.**
- 254.020** **Membership.**
- 254.030** **Term of office.**
- 2.54.040** **Organization and procedures.**
- 2.54.050** **Powers and duties.**

2.54.010 **Established - Statutory authority.**

The energy commission is established under the authority of Government Code Section 31000.1, and in compliance with Section 2.38.060 of this code.

2.54.020 **Membership.**

The commission shall consist of five members, residents of the county, appointed by the board of supervisors. Each supervisor shall nominate one person who may reside within the supervisor's district.

2.54.030 **Term of office.**

Each member shall serve for a term of four years, commencing on April 1st of the year in which the member's nominating supervisor begins a full term.

2.54.040 **Organization and procedures.**

A. General Organization. The commission shall comply in all respects with Sections 2.38.110 through 2.38.250 of this code, unless otherwise provided herein.

B. County Staff. ~~The community resources agency~~ County staff, as determined by the county administrative officer, shall provide staff support for the commission. The director of the ~~community resources agency~~ designated department, or his/her designated representative, shall serve as administrative secretary to the commission. The administrative secretary shall receive copies of all reports and recommendations prepared by the commission, prepare and mail the agenda, take minutes of each meeting, and perform other duties as directed by the commission.

C. Staff Consultation. Staff members from ~~the county administrative office, planning department, mechanical services department and county counsel~~ other county departments shall be available to the commission as assigned by the respective department heads.

2.54.050 Powers and duties.

The commission shall exercise the following responsibilities in its efforts to provide policies and recommendations and action programs ~~designed to increase energy utilization efficiency through planning, building and development practices which are energy-conservative, economically equitable, and functionally compatible with other environmental goals:~~

A. Advise the board of supervisors on energy production, consumption and distribution, as related to the county, and specifically advise the board in establishing and supporting a comprehensive set of energy policies which reduce the rate of increase of energy consumption in the county while maintaining the quality of life;

B. Advise the board of supervisors in establishing a comprehensive set of energy policies to support and promote future nontraditional energy production, and to plan for development of needed levels of traditional energy in the county while maintaining the quality of life;

C. Recommend work programs to the board of supervisors within- appropriate county departments and agencies to maximize energy conservation;

D. Advise the board of supervisors as to support of federal and state legislation designed to reduce energy consumption and/or affect energy utilization in the county;

E. Provide information; to the board of supervisors on energy programs beneficial to the county's residential, commercial, industrial and transportation users;

F. Advise the board of supervisors on specific areas of cooperation with various public and private agencies and organizations to plan and implement effective energy conservation methods in the county;

G. Monitor and coordinate energy conservation activities of the county;

H. Exercise any other responsibilities which may be set forth in the commission's bylaws, approved by the board of supervisors.

SECTION II

This ordinance shall take effect on the 31st day after the date of final passage.


PASSED AND ADOPTED this d a y o f _____ 2001, by the Board of Supervisors of Santa Cruz County by the following vote:

AYES: SUPERVISORS
NOES: SUPERVISORS
ABSENT: SUPERVISORS
ABSTAIN: SUPERVISORS

Attest: _____
Clerk of the Board

Chair of the Board of Supervisors

Approved as to Form:



Marie Costa
Assistant County Counsel

SANTA CRUZ COUNTY ENERGY COMMISSION

1. DUTIES AND RESPONSIBILITIES

The Energy Commission is established under the authority of Government Code Section 31000.1 and pursuant to Sections 2.38.060 and 2.54 of the County Code. The Energy Commission is composed of five members representing each suoversorial district. Members are appointed by their district's respective Supervisor.

The Commission shall exercise the following responsibilities in its efforts to provide ~~policiesy recommendations and action programs designed to increase energy utilization efficiency through planning, building, and development practices which are energy conservative, economically equitable, and functionally compatible with other environmental goals:~~

- (a) Advise the Board of Supervisors on energy production, consumption, and distribution as related to Santa Cruz County and specifically advise the Board in establishing and supporting a comprehensive set of energy policies which reduce the rate of increase of energy consumption in Santa Cruz County while maintaining the quality of life.
- (b) Advise the Board of Supervisors in establishing a comprehensive set of energy policies to support and promote future non-traditional energy production and to plan for development of needed levels of traditional energy in Santa Cruz County; while maintaining the quality of life.
- (c) Recommend work programs to the Board of Supervisors within the appropriate County departments and agencies to that will maximize energy conservation.
- (d) Advise the Board as to Ssupport of federal and state legislation designed to reduce energy consumption and/or affect energy utilization in the Counts.
- (e) Provide information- to the Board on energy programs beneficial to the County's residential, commercial, 'industrial, and transportation users.
- (f) Advise the Board on specific areas of Ccooperateion with various public and private agencies and organizations to plan and implement effective energy conservation methods in this County.

2. MEETINGS

- A. Regular meetings of the Energy Commission shall be held ~~the first and monthly on the~~ third Wednesday of each month, convening at ~~34:30~~ 3:30 p. m. in the ~~Public Works~~ Legislative Conference Room, 4th 3rd Floor, Governmental Center, 701 Ocean Street, Santa Cruz, California.
- B. No meeting of this Commission shall be held in any facility that prohibits the admittance of any person, or persons, on the basis of race, religious creed, color, national origin, ancestry, sex, or ~~physical handicap~~ disability.
- C. Special meetings may be called by the Chairperson, or by a majority vote of the Commission during any regular or special meeting.
- D. The public shall be notified in advance of the time and place of regular and special meetings. Public participation in Commission meetings shall be allowed as follows:
 - 1. An oppportunity for members of the public to directly address the Commission on any item on the agenda of interest to the public shall be provided before or during

the Commission's consideration of the item.

2. In addition, the agenda will provide for community oral communications on items not on the agenda, which are within the subject matter jurisdiction of the Commission, at the beginning of each regular meeting agenda.
 3. The chairperson of the Commission may establish reasonable limits on the amount of time allotted to each speaker on a particular item, and the Commission may establish reasonable limits on the total amount of time allotted for public testimony on a particular item or the total amount of time allotted for community oral communications. When further discussion is required, the Commission may vote to allot time in the agenda of the following meeting.
- E. At least seventy-two (72) hours prior to each regular meeting, an agenda for the regular meeting shall be mailed to each Commission member, and to each representative of the news media and to each other person who has submitted a written request to the Commission for notification of meetings, and shall be posted at least seventy-two (72) hours prior to the regular meeting at a location that is freely accessible to the public. The agenda shall contain a brief general description of each item of business to be transacted or discussed at the meeting. No action or discussion shall be undertaken on any item not appearing on the posted agenda except that members of the Commission may briefly respond to statements made or questions posed by persons exercising their public testimony rights or ask a question for clarification, refer the matter to staff or to other resources for factual information, or request staff to report back at a subsequent meeting concerning any matter. Notwithstanding the foregoing, action may be taken on an item of business not appearing on the posted agenda upon a determination by a majority of the Commission that there is an "emergency situation" (in accordance with the Brown Act definition);- two-thirds vote of the membership of the Commission, or if less than two-thirds of the members are present, by unanimous vote of those members present, determine that there is need to take immediate action and the need for action came to the attention of the County subsequent to the agenda being posted; or when an item appeared on the agenda of, and was continued from, a meeting held not more than five days earlier.
- F. At least twenty-four (24) hours prior to each special meeting, an agenda for the special meeting shall be mailed to each Commission member and to each representative of the news media and to each other person who has submitted a written request to the Commission for notification of meetings; and shall be posted at least twenty-four (24) hours prior to the special meeting at a location that is freely accessible to members of the public. No business other than that listed on the agenda shall be considered at a special meeting.
- G. All subcommittees shall comply with the notice and agenda requirements otherwise applicable to the Commission in these by-laws, except for subcommittees composed solely of less than a quorum of the members of the Commission which are not standing subcommittees of the Commission with either a continuing subject matter jurisdiction or a meeting schedule fixed by resolution or other formal action of the Commission.
- H. A person shall not be required to register his, or her name or fulfill any other obligation as a condition to attendance at any meeting of this Commission, but may volunteer such information for inclusion in the Commission's minutes.
- I. The meetings will be conducted in accordance with Robert's Rules of Order, Newly Revised.
- J. Smoking shall be prohibited at all meetings of the Commission.

3. **VOTING**

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- A. A majority of the voting members shall constitute a quorum.
- B. All official acts of the Commission shall comply with Santa Cruz County Code Section ~~3.80.080 (d)~~ 2.38.150.

4. **OFFICERS**

- A. The officers of the Commission are the Chairperson and the Vice-Chairperson.
- B. The duties of the Chairperson are to preside over meetings, prepare agendas, represent the Commission, and be responsible for communication with the Board of Supervisors. The Vice-Chairperson shall assume these same duties in the absence of the Chairperson.

5. **AGENDAS**

A. Agenda Items

Commission members who wish to place items on the agenda shall give those items to the ~~Secretary~~ staff of the Commission at least one week in advance of the meeting.

B. Additions and Corrections to Agenda

~~The agenda will terminate with community oral communications.~~

- ~~(1) Citizens shall be given approximately five minutes each to express their concerns.~~
- ~~(2) When further discussion is required, the Commission may vote to allot time in the agenda of the following meeting.~~

At the beginning of the meeting, staff shall inform the Commission of any additions or corrections to the agenda, and inform the Commission of any requests for continuances of scheduled items. (Procedures for adding items to the agenda can be found under Section 2 E of these bylaws). The Commission may elect to continue items at this time or to consider the requests at the scheduled time for the item. Whenever there are only three members of the Commission present, the Commission may grant requests for continuances so that a full Commission may hear the item.

6. **SUBCOMMITTEES**

~~A.~~ Subcommittees may be appointed, as needed, by the Chairperson with the majority approval of the Commission. The Chairperson, with the majority approval of the Commission shall terminate the subcommittee when its function is no longer necessary.

7. **APPROVAL OF BY-LAWS**

These By-laws, and any subsequent amendments thereto, shall be approved by the Board of Supervisors pursuant to Santa Cruz County Code Section ~~3.80.080 (e)~~ 2.38.140.

8. **AMENDMENTS TO BY-LAWS**

Amendments to these By-laws may be recommended to the Board of Supervisors by a majority vote of the Commission.

9. STAFF CONSULTATION

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Pursuant to County Code Section 2.54.040 C, staff members from other County departments shall be available to the Commission as assigned by their respective department heads.

Revised 02/01

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ORDINANCE NO. _____

ORDINANCE AMENDING SECTION 2.54
TO THE SANTA CRUZ COUNTY CODE RELATING TO THE
ENERGY COMMISSION

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SECTION I

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Chapter 2.54

ENERGY COMMISSION

Sections:

- 254.010** **Established - Statutory authority.**
- 254.020** **Membership.**
- 2.54.030** **Term of office.**
- 2.54.040** **Organization and procedures.**
- 2.54.050** **Powers and duties.**

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The energy commission is established under the authority of Government Code Section 31000.1, and in compliance with Section 2.38.060 of this code.

2.54.020 **Membership.**

The commission shall consist of five members, residents of the county, appointed by the board of supervisors. Each supervisor shall nominate one person who may reside within the supervisor's district.

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Each member shall serve for a term of four years, commencing on April 1st of the year in which the member's nominating supervisor begins a full term.

2.54.040 **Organization and procedures.**

A. General Organization. The commission shall comply in all respects with Sections 2.38.1 IO through 2.38.250 of this code, unless otherwise provided herein.

B. County Staff. County staff, as determined by the county administrative office, shall provide staff support for the commission. The director of the designated department, or his/her designated representative, shall serve as administrative secretary to the commission. The administrative secretary shall receive copies of all reports and recommendations prepared by the commission, prepare and mail the agenda, take minutes of each meeting, and perform other duties as directed by the commission.

C. Staff Consultation. Staff members from other county departments shall be available to the commission as assigned by the respective department heads.

2.54.050 Powers and duties.

The commission shall exercise the following responsibilities in its efforts to provide policy recommendations and action programs:

A. Advise the board of supervisors on energy production, consumption and distribution, as related to the county, and specifically advise the board in establishing and supporting a comprehensive set of energy policies which reduce the rate of increase of energy consumption in the county while maintaining the quality of life;

B. Advise the board of supervisors in establishing a comprehensive set of energy policies to support and promote future nontraditional energy production, and to plan for development of needed levels of traditional energy in the county while maintaining the quality of life;

C. Recommend work programs to the board of supervisors within the appropriate county departments and agencies to maximize energy conservation;

D. Advise the board of supervisors as to support of federal and state legislation designed to reduce energy consumption and/or affect energy utilization in the county;

E. Provide information to the board of supervisors on energy programs beneficial to the county's residential, commercial, industrial and transportation users;

F. Advise the board of supervisors on specific areas of cooperation with various public and private agencies and organizations to plan and implement effective energy conservation methods in the county;

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SECTION II

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PASSED AND ADOPTED this _____ day of _____ 2001, by the Board of Supervisors of Santa Cruz County by the following vote:

AYES: SUPERVISORS
NOES: SUPERVISORS
ABSENT: SUPERVISORS
ABSTAIN: SUPERVISORS

Attest: _____
Clerk of the Board

Chair of the Board of Supervisors

Approved as to Form:



Marie Costa
Assistant County Counsel

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BY-LAWS**SANTA CRUZ COUNTY ENERGY COMMISSION****1. DUTIES AND RESPONSIBILITIES**

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Advise the Board of Supervisors in establishing a comprehensive set of energy policies to support and promote future non-traditional energy production and to plan for development of needed levels of traditional energy in Santa Cruz County while maintaining the quality of life.

Recommend work programs to the Board of Supervisors within the appropriate County departments and agencies that will maximize energy conservation.

Advise the Board as to support of federal and state legislation designed to reduce energy consumption and/or affect energy utilization in the County.

Provide information to the Board on energy programs beneficial to the County's residential, commercial, industrial, and transportation users.

Advise the Board on specific areas of cooperation with various public and private agencies and organizations to plan and implement effective energy conservation methods in this County.

2. MEETINGS

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- B. No meeting of this Commission shall be held in any facility that prohibits the admittance of any person, or persons, on the basis of race, religious creed, color, national origin, ancestry, sex, or disability.
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3. **VOTING**

- A. A majority of the voting members shall constitute a quorum.

B. All official acts of the Commission shall comply with Santa Cruz County Code Section 2.38.150.

4. **OFFICERS**

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a. **AMENDMENTS TO BY-LAWS**

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Revised 02/01

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