

BY-LAWS

SANTA CRUZ COUNTY ENERGY COMMISSION

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1. DUTIES AND RESPONSIBILITIES

The Energy Commission is established under the authority of Government Code Section 31000.1 and pursuant to Sections 238.060 and 2.54 of the County Code. The Energy Commission is composed of five members representing each supervisorial district. Members are appointed by their district's respective Supervisor.

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

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.

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

- A. Regular meetings of the Energy Commission shall be held monthly on the third Wednesday of each month, convening at 4:30 p. m. in the Legislative Conference Room, 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 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 opportunity 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 super-majority of the Commission that there is an "emergency situation" (in accordance with the Brown Act definition); or 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 Roberts Rules of Order, Newly Revised.
 - J. Smoking shall be prohibited at all meetings of the Commission.

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.

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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 staff of the Commission at least one week in advance of the meeting.

B. Additions and Corrections to Agenda

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**

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 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**

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 04/01

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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:

- 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.**

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. 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;

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 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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