**MEMORANDUM**

**Date: August 5, 2019**

**From: Jay Powell, Environmental Advocate, Sustainable Energy Advisory Board**

**To: City of San Diego Sustainable Energy Advisory Board (SEAB) and Stakeholders**

**Subject: The Dissemblance of the Sustainable Energy Advisory Board (SEAB)**

This memorandum summarizes a proposal to disassemble the City's Sustainable Energy Advisory Board (**SEAB**) and recommends rejection of that proposal..

**Background:** On July 18th the City Council Environment Committee voted to forward the recommendation by City Council District 2 Staff and the Director of the City of San Diego Boards and Commissions to disassemble the Sustainable Energy Advisory Board (**SEAB**) and consolidate that Board with the Community Forestry and the Wetlands advisory boards into a new 15 member "Environment Advisory Board."

The reasons advanced in the staff written report and oral presentations included the 2017 Independent Auditor's report recommendation to evaluate Boards and Commissions for potential consolidation to address the fact that the established Boards had seats that were either vacant or expired and some boards were having difficulty meeting quorum and fulfilling their duties.

Additional rationales advanced included that the three boards proposed for consolidation were operating in "silos" with narrow purposes and there needed to be a more "holistic" approach to their subjects and that the recommended consolidated board could be served by less allocation of staff time. Staff claimed in the oral presentation that *"hardly any policy recommendations (have been) coming to this committee or the City Council from these three boards."*

**Public testimony to the Environment Committee** July 18th meeting noted several concerns with the proposal including the broadness and differences in the subject areas of the three boards proposed for consolidation, that there would be a need for specialized subcommittees and very specific expertise needed in each of the diverse subject areas was not ensured from the proposed membership composition, and the fact that vacancies have not been filled leading to some difficulty reaching quorums for meetings. The assertion that the consolidation of these boards would result in savings in staff time and efficiency of operations was observed to be "*penny-wise and pound-foolish.".*

It was noted that the SEAB has provided recommendations to the City Council and Mayor on the energy policy issues and goals in the City's Climate Action Plan (**CAP**) including recommendations on Guiding Principles to form a **CCA** Energy District and on the SDG&E alternative proposal to achieve the CAP's 100% Renewable Energy Goal. In addition, SEAB submitted recommendations to the Mayor and City Council in 2015 to update the Municipal Code section outlining SEAB duties to include advising on the energy related goals in the CAP.

In an excerpt from the December 13, 2018 SEAB meeting minutes provided to the Environment Committee it was noted that SEA Board members expressed their concerns to the Director of Boards and Commissions, Joel Day that *"SEAB should not be consolidated with other advisory boards due to what would be a dilution of attention to energy goals which are major components of the City's Climate Action Plan."* They also "*urged the Mayor to make necessary appointments to vacant and expired seats...and to bring updates to the governing municipal code sections...made by SEAB in 2015 to the City Council."*

**Recommended Action:** The City Council should reject the recommendation to disassemble SEAB and refer the matter of consolidation and effectiveness of the currently designated boards back to the Environment Committee and/or other appropriate City Council committee(s) for the following reasons:

-  **Insufficient stakeholder and public outreach, review and response.** SEAB was not informed of the Environment Committee action until after the staff report was prepared and the item was already being docketed for committee action.

- **Materials provided for public review were incomplete.** The required implementing ordinance was not prepared for public review prior to the Environment Committee meeting (a fact noted by the City Attorney prior to public testimony).

- **Inaccurate representations made by staff regarding a lack of policy recommendations** **coming to the committee and City Council from SEAB.**

Recommendations and actions taken by SEAB are all documented in the SEAB official City website accessible to the public. Examples of policy recommendations provided to the Mayor, City Council and Environment Committee are cited above and were cited at the Environment Committee.

In addition, recommendations regarding development of strategies required in the CAP such as the Municipal Energy Strategy and the development of Energy Efficiency Ordinances have been provided to staff through working groups and full board review and adoption. SEAB has reviewed and monitors the performance of permit streamlining of solar energy systems and additional energy related priorities by the Development Services Department (**DSD)**. A majority of SEAB members participated in a one day workshop to inform the City of San Diego's participation in the national Solar Energy Innovation Network including input and recommendations for development of a "Feed In Tariff" proposal.

- **SEAB is already achieving goals and objectives of the "2020 Tactical Plan for Boards and Commissions"** (forwarded to SEAB by the Director of Boards and Commissions on June 13):

According to statements introducing this plan, "Boards and Commissions anchor (the City's) civic engagement strategy". The plan states that (the office) "ensures that our community stays at the center of the public policymaking process" and sets a goal to "promote public participation in decision-making and effective civic engagement".

SEAB has acted as a public forum for input from a variety of stakeholders, encouraging and hearing public testimony on issues in considering issues and arriving at policy recommendations.

Many of objectives in Goal #1 of the "Tactical Plan" have already instituted by SEAB. As an example, "General Operating Procedures" were adopted over three years ago.

SEAB has developed "Long Term Work Plan" priorities including implementation of each of the CAP energy goals and developing strategies to ensure sustainable growth in distributed energy resources (DER) systems to achieve its full potential to benefit all communities. These priorities have been integrated into annual work plans and calendared for presentations and evaluation of policy recommendations.

Items identified in the SEAB adopted Work Plan for review and recommendation will be adversely impacted by the dilution of the purposes and board composition as set forth in in the proposed Environment Advisory Board.

SEAB has provided Annual and Semi Annual report**s** to the Mayor and City Council as stipulated in the Municipal Code over the past five years.

- **Proposal is not in accord with the following stated goals and objectives of the** **"2020 Tactical Plan for Boards and Commissions"**

Tactical Plan Goal #1 objective to "Provide expedited filling of vacancies...." has not been fulfilled by the Mayor and City Council pursuant to Charter Article 5, Section 43 (c). Of the three current vacant designated seats on SEAB, one is vacant over two years, one is vacant nine months, one is vacant four months. All of these periods exceed the Charter requirement that seats shall be appointed by the Mayor or filled by City Council within 45 days of vacancy.

Tactical Plan Goal #3 objective regarding "Consolidation and phase out of defunct commissions" is not applicable to SEAB**.** SEAB is *not* "currently inactive" and has *not* "not met for more than one year" -- in fact, SEAB has met an average of 11 plus times per year over the past 5 years.

**Summary.** Dilution of the expertise and subject area charge assigned to SEAB in the proposed consolidation of boards is not in the best interests of helping the City achieve the energy goals set forth in the Climate Action Plan nor is it in best interests of carrying out the goals and objectives of the "2020 Tactical Plan for Boards and Commissions."

SEAB, by its current and recommended designated member seats provides a diversity of stakeholder view points and input. With continued focused City staff support and collaboration and dialogue with the Environment Committee SEAB can continue to serve as a public forum to promote public participation in decision-making and effective civic engagement to help achieve the energy goals of the City's Climate Action Plan.

The City Council should reject the recommendation to disassemble SEAB and refer the matter of consolidation and effectiveness of the designated boards back to the appropriate committees(s).

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