

SUSTAINABLE ENERGY ADVISORY BOARD (SEAB)

Staff Report on Notice of Action Items

Meeting #152

Thursday, April 11, 2019

Sustainability Department

9601 Ridgehaven Ct., San Diego, First Floor Auditorium

10:00 a.m.

VIII. Action Items/Discussion

1. Rescission of action taken by Sustainable Energy Advisory Board on February 14, 2019 to adopt SEAB Semiannual Report to Environment Committee of the City Council

City staff received the “SEAB Letter to Chair regarding Actions taken at February 14, 2019 meeting” from Jay Powell on March 6, 2019 and a formal complaint from a member of the public, represented by Briggs Law Corporation dated March 15, 2019, of a potential Brown Act violation. On the advice of the City Attorney, this rescission of action is placed on the agenda.

Attachments:

* 1. SEAB Letter to Chair regarding Actions taken at February 14, 2019 meeting 030619
  2. 2019-03-15\_Cure\_Request

1. Adoption of SEAB Semiannual Report to Environment Committee and City Council including recommended changes to the San Diego Municipal Code regarding makeup of Sustainable Energy Advisory Board

There is a Version A and a Version B of the SEAB Semiannual Report to Environment Committee of the City Council and each of those version's attaches copies of recommended changes to the Municipal Code.

Version A marked "noticed" (for the February 14 meeting) does not recommend changes to the membership and seat designations and it attaches the recommendations in markup form for changes to the Municipal Code (SDMC 26.04(b) that were adopted on May 14, 2015 by SEAB.

Version B marked "voted" (after screen changes made at the February 14 meeting) recommends changing an "At Large Seat" to a seat designated for "Cleantech San Diego" and attaches additional mark-up track changes to reflect that recommendation in the attachment of the recommendations for changes to the Municipal Code made on screen at the February 14 meeting. In addition, Version B inaccurately represents the designations of seats in the Municipal Code now in effect.

The letter that was sent to the Environment Committee and other addressees included the paragraph recommending the change in seat designation as reflected in Version B, but it did not include the error in listing of the current seat designations included in Version B (i.e., that error was corrected).  That letter did not include a copy of any recommended changes to the Municipal Code.

If the Board adopts Version B, the error in current designations would need to be corrected and the attached Marked Up copy of recommendations for changes to the Municipal Code would need to record the date of such recommendation to be April 11, 2019.

Attachments:

* 1. SEAB Report to Environment Committee w Attached Recommended Changes to Muni Code (Version A, noticed)
  2. SEAB Report to Environment Committee w Attached Recommended Changes to Muni Code (Version B, voted)

1. SEAB 2018 Standardized Report of City Boards-Commissions

There is also a Version A and a Version B of the SEAB 2018 Standardized Report of City Boards-Commissions. They differ only with respect to the recommendation to change SDMC 26.04(b) to reflect that one of the current at large seats is to be changed to a Cleantech San Diego seat for question 7, Concerns or Suggestions to Bring to the Council. In the Version A, this change would not be affected and in Version B, it would be affected, and otherwise the versions are identical.

Attachments:

* 1. SEAB 2018 Standardized Report of City Boards-Commissions (Version A, No CleanTech Designation Language)
  2. SEAB 2018 Standardized Report of City Boards-Commissions (Version B, CleanTech Designation Language)