



# CITY AND COUNTY OF SAN FRANCISCO ENERGY EFFICIENCY COORDINATING COMMITTEE BYLAWS

As Established on XX XX, 2016

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## Article I - Identification

### Section 1: Name

The Energy Efficiency Coordinating Committee.

### Section 2: Office

The Energy Efficiency Coordinating Committee shall receive technical and policy support from the San Francisco Department of the Environment which is located at 1455 Market Street, Suite 1200, San Francisco, California, 94103. The telephone number for the Committee is (415) 355-3709.

### Section 3: Compliance with Applicable Laws

The Committee shall comply with all applicable laws, including but not limited to the Ralph M. Brown Act (Cal. Government Code Section 54950 *et seq.*), the Political Reform Act of 1974 (Cal. Government Code Section 81000 *et seq.*), the San Francisco Charter, the San Francisco Sunshine Ordinance (San Francisco Administrative Code Section 67.1 *et seq.*), the Compensated Advocacy and Officeholder Accounts initiative (San Francisco Administrative Code App. 11); and the Improper Government Activities Ordinance, San Francisco Administrative Code Section 16.400 *et seq.*

## **Article II – Energy Efficiency Coordinating Committee**

### Section 1: Number

The Energy Efficiency Coordinating Committee shall consist of seven voting members appointed by the Board of Supervisors, pursuant to San Francisco Administrative Code Section 2, Chapter 5, Article IX, as follows:

- (1) Seat 1: A person recommended by a community-based organization that deals primarily with environmental justice.
- (2) Seat 2: A person recommended by a community-based organization that deals primarily with environmental justice.
- (3) Seat 3: A person with experience with vocational education and training issues in the city's diverse communities related to age, gender, race and immigration, recommended by a community-based organization that works with under-employed, low wage workers in underserved communities of color.
- (4) Seat 4: A person with experience with building or operating multi-family housing, recommended by a community-based organization.
- (5) Seat 5: A person with a background in labor organizing, recommended by the Director of the Office of Economic and Workforce Development with input from the Mayor's Construction Workforce Advisory Committee.
- (6) Seat 6: A person with a background in research and/or education on green sector industries who is currently employed at an economic development consulting firm and/or university, recommended by the Executive Director of the Office of Community Investment and Infrastructure.
- (7) Seat 7: A person who has owned, operated or worked for a small business, recommended by the Executive Director of the Office of Small Business.

Representatives from the Office of the Mayor, the Department of the Environment, the Public Utilities Commission, the Office of the Controller, the Office of Economic and Workforce Development, the Department of Public Health, and the Office of Contract Administration shall serve as non-voting members of the Committee.

### Section 2: Term of Appointment

- A. The initial term of each voting member of the Committee shall expire one year after the inaugural meeting of the Committee. Voting members may serve additional one-year terms, if the Board of Supervisors extends the operation of the committee.
- B. Voting members of the Committee shall serve at the pleasure of the Board of Supervisors.
- C. If a vacancy occurs during the term of office of any voting member, the Board of Supervisors shall appoint a successor for the unexpired term of the office vacated.

### Section 3: Compensation

Committee members shall serve without compensation.

#### Section 4: Oath of Public Office

Acceptance of the Oath of Public Office constitutes the Committee's sworn responsibility to the public trust. Members are required to serve well and to faithfully discharge their duties and responsibilities diligently and in a manner consistent with the laws of the City and County of San Francisco, and all applicable state and federal laws.

#### Section 5: Duties and Responsibilities

The purpose of the Energy Efficiency Coordinating Committee is to create and maintain a high-level discussion between the community and the City on the following issues: spending and allocating energy efficiency funds, compiling a comprehensive list of energy efficiency programs operated by the utilities or the City, helping drive policies that support the retrofit of the building stock of the City, and understanding how the City will use "cap-and-trade" funds from the State allocated to environmental justice and disadvantaged communities for City projects.

The Energy Efficiency Coordinating Committee shall:

1. Advise the Board of Supervisors on policy regarding energy efficiency programs, and the spending and allocation of new monies, including revenue received from the State cap-and-trade program for such purposes.
2. Hold hearings and submit recommendations to the Board of Supervisors, the Mayor, and other City officers and departments on the spending and allocation of energy efficiency funds.
3. Compile and evaluate the inventory of existing energy efficiency programs and policies across City departments and utilities, and shall identify policy and programmatic gaps in those programs and make recommendations to address them.
4. Advise on implementing the energy efficiency recommendations outlined in the September 2012 report by the Mayor's Renewable Energy Task Force.

The Committee's recommendations shall be shaped by the following policies:

1. The City should give priority in connections with energy efficiency spending to low income communities and communities that are disproportionately impacted by localized health and economic threats of toxic pollution.
2. The City should maintain and monitor the effectiveness of policies that ensure jobs and other economic benefits in energy efficiency and green sector industries specifically benefit low income San Francisco residents in targeted environmental justice communities
3. The City should have a model of interdepartmental collaboration and action and a targeted set of metrics upon which energy efficiency programs will be evaluated.
4. The City should design and implement energy efficiency policies and programs to achieve health benefits in targeted environmental justice communities.

## Section 6: Report

No later than one year after the inaugural meeting of the Committee, the Committee shall submit to the Board of Supervisors a set of recommendations and policy standards for how the City should equitably spend energy efficiency monies throughout the City and align City programs with other utility and regional programs.

## Section 7: Absences

If a voting member provides prior notification of absence from Committee meetings to the President of the Committee, then such absence is considered an excused absence. If no prior notice is received by the President or staff, then the minutes shall note that the absence is unexcused.

Any voting member who misses three regular meetings of the Committee within a six-month period without the express approval of the Committee at a meeting within shall be deemed to have resigned from the Committee 30 days after the third unapproved absence.

## **Article III - Officers**

### Section 1: Officers

The officers of the Committee are a President and Vice-President. The President and Vice-President shall serve at the pleasure of the Committee.

### Section 2: Term of Office

The term of each office shall be one year or until the successors are duly elected.

### Section 3: Nomination and Election of Officers

A. Nominations and elections for the officers of the Committee shall be conducted at the inaugural meeting of the Committee, or as soon thereafter as practicable, and shall be held once each calendar year thereafter.

B. If the office of the President is vacated before the expiration of a term, the Vice President shall serve as President until the next regular meeting. The Committee shall conduct an election for President at the next regular meeting to fill the vacancy. If the Vice President is elected as President, there shall be an election for a new Vice President at that meeting. If the office of Vice President is vacated before the expiration of a term, it shall remain vacant until the next regular meeting, at which time an election shall be held. Any Committee members nominated at a meeting at which a special election is held shall be candidates for office.

### Section 4: General Duties and Responsibilities of the President

The President shall preside at all meetings of the Committee. The President, working with staff, shall oversee the preparation and distribution of the agenda for all regular Committee meetings. The President shall be accountable to the Committee as a whole in setting policy and shall also perform such other duties as may be assigned by the Committee. The President (and/or his/her designee) shall serve as the liaison to the media and the other departments, agencies and commissions of the City and County of San Francisco, as necessary.

## Section 5: General Duties and Responsibilities of the Vice-President

The Vice-President shall perform the duties and responsibilities that may be delegated by the President. In the absence or disability of the President, the Vice-President shall perform the duties as described above, in Section 4 of this article.

### **Article IV - Committee Staff**

#### Section 1: Policy Advisor

The Policy Advisor to the Committee is appointed by the Director of the Department of the Environment and shall oversee the technical and policy support to the Committee.

#### Section 2: Committee Affairs Manager

The Committee Affairs Manager shall be the Commission Affairs Manager for the Department of the Environment. Under the supervision of the President, which supervision may be delegated to the Policy Advisor, the Committee Affairs Manager is responsible for the proper recording and distribution of all Committee actions, correspondence, and agendas, and ensuring that the Committee meetings are properly publicly noticed and held at locations which are accessible to persons with disabilities. The Committee Affairs Manager shall also perform such other duties as may be assigned by the Committee and Policy Advisor, including but not limited to: conducting research, assisting committee chairs and officers, making recommendations on assigned projects, answering questions from the public about Committee activities and procedures, helping prepare presentations before the Committee, and representing the Committee at public gatherings, as appropriate.

#### Section 3: Legal Advisor

The City Attorney, or his or her designee, shall be the legal advisor to the Committee. If the City Attorney determines in writing that he or she cannot, consistent with the Rules of Professional Conduct, provide advice sought by the Committee, the City Attorney may recommend that the Committee retain outside counsel.

### **Article V – Meetings of the Committee**

#### Section 1: Quorum

At all meetings of the full Committee, the presence of a majority of the members shall constitute a quorum for all purposes. The affirmative vote of a majority of the members shall be required for the approval of any matter, regardless of the number of vacancies on the Committee or number of members present at the meeting. Based on a membership of seven, four members constitute a quorum. Likewise, four affirmative votes are required for the approval of any matter.

#### Section 2: Voting and Abstention

Each member present at a Committee meeting shall vote “yes” or “no” when a question is put, unless excused from voting by a motion adopted by a majority of the members present, or unless the member has a conflict of interest which legally precludes participation in the vote. Whether a Committee member has a conflict of interest which precludes participation in a vote is determined on a case by case basis and, to the extent possible, in consultation with a legal advisor from the City Attorney’s office.

### Section 3: Public Participation

The Committee shall hold meetings open to the public and encourage the participation of interested persons. Each person wishing to speak on an item before the Committee shall be permitted to be heard once for up to three minutes. Time limits shall be applied uniformly to members of the public wishing to testify. The total time for public comments may be limited by the President in a manner consistent with the San Francisco Sunshine Ordinance. Each agenda for regular meetings shall provide an opportunity for members of the public to directly address the Committee on items of interest to the public that are within the Committee's jurisdiction. The Public Comment opportunity shall appear on the agenda after "New Business"; except that, at the President's discretion, the Public Comment can be heard earlier in the agenda.

Speakers at Committee meetings are requested, but not required, to identify themselves and fill out cards placed near the public microphone. The information is used to help prepare the minutes of the meeting.

The Committee will not tolerate disruptive or inappropriate conduct. The President or presiding officer shall order removed from the meeting room any person who engages in such conduct or interrupts the orderly course of the meeting.

### Section 4: Audio Recordation

Each meeting of the Committee, including any closed session, shall be audio recorded.

### Section 5: Meeting Minutes

Minutes shall be taken at every regular and special Committee meeting, shall be available to the public as required by law, and shall be approved by the majority vote of the Committee.

If provided by the public commenter, written summaries of public comments that are 150 words or less will be appended to the minutes. The minutes will clearly state that such comments are public comments and do not represent the comments of the Committee, any Department, the City and County of San Francisco or any employee or agency thereof.

### Section 6: Regular Meetings

Beginning March 2016 the regular Committee meetings shall be held monthly on the third Monday of each month at 3:00 p.m., except in the case of a City-recognized holiday, when the meeting shall be held on the first following Wednesday. Meetings shall be held at City Hall, 1 Dr. Carlton B. Goodlett, Jr. Place, Room 421, in the City and County of San Francisco. This information shall be posted on the Committee's website.

### Section 7: Special Meetings

The President of the Committee may call special meetings to address specific matters.

### Section 8: Agenda Preparation

The agenda for meetings is prepared through the joint effort of the President, the Policy Advisor, and the Committee Affairs Manager. The Committee Affairs Manager shall work with the President, committee Chairs, Policy Advisor and the Committee's legal advisor to develop the agenda. The agenda

shall consist of items requested by the President, the Policy Advisor or the Committee. The agenda shall contain form language required by law.

The agenda shall refer to explanatory public documents that have been provided to the Committee members prior to the preparation of the agenda, and shall state that the documents are available for public inspection at the Committee's office during normal office hours. Explanatory documents of one page or less shall be posted with the agenda.

#### Section 9: Mailing and Posting of Agendas for Regular and Special Meetings of the Committee

Notices and agendas of all regular and special Committee meetings shall be posted at the San Francisco Main Library Government Information Center, the meeting site, the Committee's website, the Committee's office and mailed to each Committee member and any person who files a written request for such notice with the Committee. Agendas for regular meetings shall be mailed and posted at least 72 hours before the meeting.

#### Section 10: Special Meeting at Alternative Location

In the case of a special meeting held at a location other than the regular Committee meeting place, notice (but not the agenda) shall be given in the manner stated in section 10 above, 15 days before the meeting. Agendas for a special meeting at an alternative location shall be given in the manner stated in section 10 above.

#### Section 11: Cancellation, Continuing or Rescheduling Meetings

Notice of a cancellation, continuance or rescheduling will be provided to the public as soon as reasonably possible. The notice shall be posted at the San Francisco Main Library Government information Center, at the meeting site and on the Committee's website. If time permits, notice of the meeting change shall be provided to any person who files a written request for such notice with the Committee.

### **Article VI – Sub-Committees**

#### Section 1: Membership of Sub-Committees

Sub-committee members shall be appointed by the President of the Committee for one-year terms. Each sub-committee shall have no more than three members. When a sub-committee member will be absent from a sub-committee meeting, the President of the Committee may appoint another member of the Committee to serve on the sub-committee for that meeting.

#### Section 2: Sub-Committee Chairs

It is the policy of the Energy Efficiency Coordinating Committee to appoint individual Committee members to perform specific tasks or functions related to matters which are brought before the Committee for action. The President may appoint individual Committee members to serve as Sub-Committee Chair for a specified period of time.

### Section 3: Sub-Committee Meetings

Sub-committees shall meet at regularly scheduled times and places, as established by resolution or motion of the Committee. Meeting times shall be posted on the Committee's website. Agendas of sub-committee meetings shall be noticed in accordance with Article VI sections (9) and (10). Sub-committee meetings will be generally conducted in the same manner as regular Committee meetings pursuant to Article VI sections (2) (3), (7), (8), (11), and (12).

### Section 4: Sub-Committee Quorum

A majority of the members of a sub-committee shall constitute a quorum. The affirmative vote of the majority of the members shall be required for the approval of any matter, regardless of the number of vacancies on the sub-committee or number of members present at the meeting.

### Section 5: Minutes

Minutes for sub-committee meetings will reflect the time the meeting was called to order and adjourned, the names of members attending the meeting, the roll call vote on each action item considered at the meeting, and any other items necessary for preserving a record of the meeting. Minutes shall be approved by a majority vote of the sub-committee.

### Section 6: Establishing Sub-Committees

The Committee and/or the President, at his or her discretion, may establish sub-committees or task forces on an ad-hoc basis to perform tasks or functions as necessary.

## **Article VII - Parliamentary Procedures**

At the discretion of the President of the Committee or the sub-committee Chair, and except where the Charter or other rules provide to the contrary, meetings shall be governed by Robert's Rules of Order.

## **Article VIII - Codes of Ethics**

In accepting the Oath of Office, Committee members shall maintain the highest standards of professional and personal conduct. They shall support the mission, goals and objectives of the Energy Efficiency Coordinating Committee; instill in the public a sense of confidence about the Committee's conduct and intentions; uphold all laws and regulations; refrain from using their official positions to secure special advantage or benefit for themselves or others.

## **Article IX - Amendment of Bylaws**

These bylaws shall be reviewed as necessary and may be amended at any meeting of the Committee by a majority vote, provided such proposed amendments are circulated in writing to all Committee members and the intent to revise the bylaws is noticed to the public at least ten (10) days prior to such meeting.