




Office of the City Manager

ACTION CALENDAR
July 18, 2006

To: Honorable Mayor and
Members of the City Council

From:  Phil Kamlarz, City Manager

Submitted by: Sherry M. Kelly, Acting City Clerk

Subject: Adopt a Resolution placing an Advisory Measure on the November 7, 2006 Ballot that expresses the People's desired Goal of 80% Reduction in Greenhouse Gas Emissions by 2050 and advises the Mayor to work with the Community to Develop a Plan for Council adoption in 2007.

RECOMMENDATION

That Council: 1) review the ballot title and analysis as prepared by the City Attorney and the revised ballot text of the advisory measure proposed by Mayor Bates in consultation with the City Attorney, expressing the People's goal that greenhouse gas emissions be reduced 80% by the year 2050 and advising the Mayor to work with the community to develop a plan, to be adopted by the City Council in 2007, that sets a ten year target for reduction in greenhouse gas emissions and identifies actions by the City and its residents to achieve both the ten year target and the ultimate goal of an 80% reduction in emissions; and 2) adopt a Resolution placing the advisory measure with any revisions on the November 7, 2006 ballot.

FISCAL IMPACTS OF RECOMMENDATION

The cost of placing a measure on the ballot varies based on the length of the text. Each measure will cost approximately \$10,000. Funds to cover elections are included in the City Clerk Department budget for FY 2006 and FY 2007. The cost of implementing the goals of the plan will depend on the nature of the plan adopted by the Council and are unknown at this time.

CURRENT SITUATION AND ITS EFFECTS

At its meeting of June 13, 2006 the City Council approved the concept of placing an advisory measure on the November 7, 2006 ballot as presented by Mayor Bates and directed the City Attorney to prepare the text, ballot title and City Attorney's analysis. In order for this measure to appear on the November 7, 2006 ballot, the Council must adopt the enclosed Resolution, which includes the ballot question, the text of the measure as revised by the Mayor in consultation with the City Attorney and the City Attorney's analysis.

BACKGROUND

On May 23, 2006 Mayor Bates presented a proposal to place an advisory measure on the November 7, 2006 ballot that would support aggressive efforts to reduce greenhouse gas emissions and actively engage in climate-disaster preparations to address the potential local climate change impacts such as flooding, shortages of potable water, increased fire risk, loss of habitat and native species, and increased costs of energy. At its meeting of June 13, 2006 the Council considered the text of ballot language for this advisory measure and directed the City Attorney to prepare the text, ballot title and City Attorney's analysis. The enclosed Resolution includes the ballot question and City Attorney's analysis and the ballot text as revised by the Mayor in consultation with the City Attorney.

CONTACT PERSON

Cisco de Vries, Mayor Chief of Staff 981-7100
Manuela Albuquerque, City Attorney 981-6950
Sherry M. Kelly, Acting City Clerk, 981-6900

Attachments:

1. Resolution
 - Exhibit A: Text of Measure
 - Exhibit B: City Attorney's Analysis

RESOLUTION

SUBMITTING TO THE BERKELEY ELECTORATE AN ADVISORY MEASURE EXPRESSING THE PEOPLE'S GOAL OF 80% REDUCTION IN GREENHOUSE GAS EMISSIONS BY 2050 AND ADVISING THE MAYOR TO WORK WITH THE COMMUNITY TO DEVELOP A PLAN FOR COUNCIL ADOPTION IN 2007 WHICH SETS A TEN YEAR EMISSIONS REDUCTION TARGET AND IDENTIFIES ACTIONS BY THE CITY AND ITS RESIDENTS TO ACHIEVE BOTH THE TEN YEAR TARGET AND THE ULTIMATE GOAL OF 80% REDUCTION IN EMISSIONS

WHEREAS, the Berkeley City Council has elected to submit to the voters at the November 7, 2006 General Municipal Election, an Advisory Measure that declares the People's desired goal of 80% reduction in greenhouse gas emissions by 2050 and advises the Mayor to work with the community to develop a plan for Council adoption in 2007, which sets a ten year emissions reduction target and identifies actions that should be taken by the City and its residents to meet both the ten year target and the ultimate goal of 80 % reduction in emissions; and

WHEREAS, the Council has requested that the Alameda County Board of Supervisors consolidate the General Municipal Election with the Statewide General Election; and

WHEREAS, the Council desires to submit all measures to be placed upon the ballot at said consolidated election.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that the Board of Supervisors of Alameda County is hereby requested to include on the ballots and sample ballots the measure enumerated above to be voted on by the voters of the qualified electors of the City of Berkeley.

BE IT FURTHER RESOLVED, that the City Clerk is hereby directed to cause the posting, publication and printing of notices, pursuant to the requirements of the Charter of the City of Berkeley, the Government Code and the Elections Code of the State of California.

BE IT FURTHER RESOLVED, that the Registrar of Voters of Alameda County is required to perform necessary services in connection with said election.

BE IT FURTHER RESOLVED, that the City Clerk is hereby directed to obtain printing, supplies and services as required.

BE IT FURTHER RESOLVED, that the City Clerk is hereby authorized to provide such other services and supplies in connection with said election as may be required by the Statutes of the State of California and the Charter of the City of Berkeley.

BE IT FURTHER RESOLVED, that said proposed measure shall appear and be printed upon the ballots to be used at said election as follows:

CITY OF BERKELEY ADVISORY RESOLUTION	
Should the People of the City of Berkeley have a goal of 80% reduction in greenhouse gas emissions by 2050 and advise the Mayor to work with the community to develop a plan for Council adoption in 2007, which sets a ten year emissions reduction target and identifies actions by the City and residents to achieve both the ten year target and the ultimate goal of 80% emissions reduction? <u>Financial Implications:</u> Unknown costs, plan dependent.	YES
	NO

BE IT FURTHER RESOLVED, that the text of the measure be as shown on Exhibit A and the City Attorney's Analysis be as shown on Exhibit B, attached hereto and made a part hereof.

TEXT OF ADVISORY RESOLUTION-GLOBAL WARMING

EXPRESSING THE PEOPLE’S GOAL OF 80% REDUCTION IN GREENHOUSE GAS EMISSIONS BY 2050 AND ADVISING THE MAYOR TO WORK WITH THE COMMUNITY TO DEVELOP A PLAN FOR COUNCIL ADOPTION WHICH SETS A TEN YEAR EMISSIONS REDUCTION TARGET AND IDENTIFIES ACTIONS FOR THE CITY AND ITS RESIDENTS TO TAKE TO ACHIEVE BOTH THE TEN YEAR TARGET AND THE ULTIMATE GOAL OF 80% REDUCTION IN EMISSIONS

The People of the City of Berkeley hereby resolve as follows:

WHEREAS, scientific consensus has determined that Carbon Dioxide (CO₂) and other greenhouse gas emissions released into the atmosphere through the burning of fossil fuels are having disruptive effects on the Earth’s climate; and

WHEREAS, this understanding of humanity’s impact on the Earth’s climate is supported by the following international and national bodies:

- The Intergovernmental Panel on Climate Change, the international climate research community's most respected assemblage of scientists;
- The National Academy of Sciences, America’s most respected scientific institution;
- The American Meteorological Society, the American Geophysical Union, and the American Association for the Advancement of Science;

WHEREAS, the effects of global warming that we are now experiencing and the magnitude of the effects that are predicted by the scientific community are already causing a significant disruption of human and natural systems throughout the world; and

WHEREAS, the Intergovernmental Panel on Climate Change (IPCC) has determined that atmospheric concentrations of carbon dioxide need to be kept below 400 to 500 parts per million to avoid irreversible impacts of climate change; and

WHEREAS, a majority of the scientific community believes that there is a window within the next ten years whereby significant emissions reductions need to be achieved in order to avoid the most dangerous climate changes and keep atmospheric concentrations below the most damaging levels; and

WHEREAS, achieving greenhouse gas emission reductions required to protect the climate is of overriding importance not just to the community of nations but to the people who inhabit their cities and states as well; and

WHEREAS, state and local governments throughout the United States are initiating their own emission reduction targets and programs and that this leadership represents a remarkable bipartisan response; and

WHEREAS, 248 American cities, including Berkeley, have endorsed Seattle Mayor Greg Nickels’ Climate Protection Agreement which was unanimously endorsed by the US Conference of Mayors in July 2005; and

WHEREAS, Berkeley and 160 more U.S. local governments participate in ICLEI's Cities for Climate Protection campaign, an effort to develop and implement greenhouse gas reductions measures in cities and counties, that collectively represent more than 55 million people; and

WHEREAS, the City of Berkeley and the State of California will face serious consequences from global climate change in the coming years, including the potential inundation of low lying areas, more intense winter storms resulting in severe flooding, shortages of drinkable water, loss of habitat and diversity of species, reduction in food production, and increased costs of energy; and

WHEREAS, greenhouse gas reduction activities can contribute substantially to the achievement of Berkeley's highest priority goals, including but not limited to: economic and quality of life benefits such as reduced energy bills, green space preservation, air quality improvements, reduced traffic congestion, solid waste reduction, affordable and reliable water supplies, improved transportation choices, and economic development and job creation through energy conservation and new energy technologies; and

WHEREAS, the City itself is engaging in actions to reduce greenhouse gas emissions from City operations and facilities; and

WHEREAS, the People of Berkeley have supported, and encourage the development of, policies to reduce community greenhouse gas emissions such as residential energy efficiency standards, incentives for residents and businesses to reduce energy use, recycling and waste reduction programs, and improved transportation options; and

WHEREAS, the City of Berkeley has set an ultimate goal of achieving climate neutral greenhouse gas emissions in its Resolution N.S. 62,783 endorsing the Kyoto Protocol and calling for cities across America to join the City in addressing the problem of global warming.

WHEREAS Berkeley's tradition of environmental leadership and the global consensus that aggressive action is needed to halt dangerous climate change impels the City to exercise additional leadership in this area; and

NOW BE IT RESOLVED that the People of Berkeley believe that the City should have a goal of achieving an 80% reduction in community-wide greenhouse gas emissions by the year 2050; and

BE IT FURTHER RESOLVED THAT the Mayor should work with the community to develop a plan for adoption by the City Council in 2007 that sets a ten year emissions reduction target and identifies the actions that the City and its residents should take both to achieve both the ten year target and the goal of 80% reduction in emissions.

CITY ATTORNEY'S ANALYSIS

GLOBAL WARMING

This is an advisory measure. It expresses the People of Berkeley's opinions about the dangers to global climate from greenhouse gas emissions, and advises the Mayor of the City of Berkeley to work with the community to prepare a plan for City Council adoption in 2007 which would set greenhouse gas emissions reduction targets and lay out the significant actions that Berkeley residents and the City itself can take to achieve a significant reduction in greenhouse gas emissions over the next ten years towards achievement of a possible 80% reduction in greenhouse gas emissions by 2050.

Financial Implications: There actions to implement the plan will have a cost, which are unknown at this time and will depend on the nature of the plan developed by the Mayor and adopted by the Council.