

# San José Charter Review Commission Recommendation Memo

*Drafted April 19th, 2021; Revised July 2nd, 2021*

## 1) Proposal Name

<b>Proposal Name:</b>	Create a <b>Climate Action Commission</b>
<b>Submitted by:</b>	Magnolia Segol, Veronica Amador, Rick Callender, and Sherry Segura
<b>Date submitted:</b>	<i>Oct. 29, 2021, Revised Nov. 12, 2021</i>

## 2) Proposal Details

<p><b>1) What problem(s) are you trying to address?</b> <i>Before suggesting a solution, it is important to be clear about the problem you aim to solve.</i></p>	<p>The Charter Commission has heard from several residents since its first meeting on January 11th, 2021 <b>residents are asking for greater inclusion in the creation of climate change mitigation strategies on a city level.</b></p> <p>In 2017, Current Mayor Sam Liccardo signed the <a href="#">Chicago Climate Charter</a> (mayors, working with their residents and local leaders, shall drive concrete solutions to climate change) alongside mayors of 40 major U.S. cities. In doing so, Mayor Liccardo, along with the other mayors, prioritized the following directives:</p> <ol style="list-style-type: none"> <li>1. Reduce greenhouse gas emissions by a percentage equal to or exceeding their home nation’s commitment</li> <li>2. Track, measure, and report the data</li> <li>3. Empower cities through collective action</li> <li>4. Engage all communities, especially nontraditional voices, in policy formation</li> <li>5. Integrate climate risks into infrastructure and emergency planning</li> <li>6. Support policies and actions that incorporate the cost of carbon and support those most affected</li> <li>7. Partner broadly for robust solutions for climate resiliency</li> </ol> <p><b>Climate change is expected to impact people of all ages, for generations, but underserved communities first and most.</b> Climate change poses immediate and long-term threats to the City’s economy, public health sustainability, security, and quality of life, especially those of low-income with the least resources. The potential adverse effects of global warming include a rise in sea levels resulting in the displacement of businesses and residences, especially those living in the Alviso Community in District 1.</p> <p>“The largest impact of climate change is that it could <b>wipe off up to 18% of GDP off the worldwide economy by 2050</b> if global temperatures rise by 3.2°C, the Swiss Re Institute warns.” - <a href="#">World Economic Forum</a></p>
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	<p><b>“Climate change is going to amplify the already existing divide between those who have resources and those who do not, Eliot Levine, Director of the Environment Technical Support Unit at Mercy Corps.” - <a href="#">Global Citizen</a></b></p> <p>The PMLAI Subcommittee believes the City of San Jose should collaborate more with its very intelligent and climate conscious and caring residents to take coordinated actions to prepare city services and residents for the ongoing impacts from climate change. Residents of all ages but especially our youth deserve to have an organized, city supported platform to independently study, create, and recommend policy and programs to the City Manager and to the City Council that address the impacts of global warming and climate change.</p>
<p><b>2) How has this problem possibly benefited or burdened people, especially BIPOC, low-income, undocumented and immigrant, those experiencing houselessness, etc.?</b> <i>Is there data that speaks to the impact of this problem? What does the disaggregated data tell us?</i></p>	<p><b>The facts and data:</b></p> <ol style="list-style-type: none"> <li>1. According <a href="#">U.S. Census Data</a>, approximately 88,152 (8.7%) San Jose residents are considered to be living in poverty.</li> <li>2. Data from the U.S. Census Bureau’s <a href="#">American Housing Survey</a>, which tracks whether households have heating and cooling, shows that just over 47% of the Bay Area’s 1.7 million households had air conditioning in 2019, the last year of published data.</li> <li>3. In the second half of the 2010s, the share of Bay Area households with air conditioning increased more than 10 percentage points, from 36% in 2015 to 47% in 2019.</li> <li>4. “Higher temperatures will increase annual electricity demand for homes, driven mainly by the increased use of air conditioning units,” a <a href="#">statewide climate change assessment</a> report said.</li> <li>5. The effects of climate change can be expected to shave 11 percent to 14 percent off global economic output by 2050 compared with growth levels without climate change, according to a <a href="#">report from Swiss Re</a>, one of the world’s largest providers of insurance to other insurance companies. That amounts to as much as \$23 trillion in reduced annual global economic output worldwide as a result of <a href="#">climate change</a>.</li> <li>6. “There is no doubt that global demand for space cooling and the energy needed to provide it will continue to grow for decades to come,” according to a <a href="#">2018 report by the International Energy Agency</a>, a global consortium of countries that advocates for clean energy and energy security. “If left unchecked, energy demand from air conditioners will more than triple (globally) by 2050.”</li> </ol> <p><b>How it impacts San Jose Residents:</b></p> <ol style="list-style-type: none"> <li>1. 2017 Coyote Creek Floods “...heavy rain caused a deluge that put hundreds of San Jose households underwater, displaced 14,000 people in three neighborhoods and left behind \$100 million in damages” - <a href="#">San Jose Spotlight</a></li> <li>2. “Red-flag warning called or much of Bay Area as dry-lightening threat approached.” - <a href="#">San Jose Mercury News, 09/09/21</a></li> <li>3. “As climate change makes <i>heatwaves</i> increasingly common, poor neighborhoods in the <i>Bay Area</i> and across the country are experiencing hotter ...” - <a href="#">San Jose Mercury News, 07/09/21</a></li> <li>4. “2nd heat wave heading to Bay Area could bring record-high temps” - <a href="#">ABC 7 News, 06/22/21</a></li> <li>5. “Here’s why the Bay Area has yet to see terrible air quality this fire season...” - <a href="#">San Francisco Chronicle 09/16/21</a></li> <li>6. “Hazardous Air: San Jose Closes Parks; ‘We Have Smoke Coming At Us From Virtually All Directions’” - <a href="#">CBS SF Bay Area</a></li> </ol>

7. “Wildfires made California air quality among worst in the world ...” - [San Jose Mercury News, 03/17/21](#)

**Impacts of extreme and unpredictable weather events has already been felt locally and with increasing occurrence**, while the City of San José Climate Smart Program only addresses electrification and future building standards, there is a gap to address the current and very immediate impacts of the climate crisis, especially fiscally for the least resourced communities.

**3) What change are you proposing?**

*Describe the revision to [San José’s Charter](#) that you are proposing. Include relevant Charter section numbers.*

The PMLAI Subcommittee of the Charter Review Commission recommends:

1. Create a “**Climate Action Commission**” (CAC) in the City Charter, or municipal code, composed of a combination of 17 community members and Special Eligibility Seats to study, create reports, and recommend policy and programs that help to address and mitigate the impacts of Climate Change:
  - a. MEMBERSHIP:
    - i. Ten (10) District Representatives (1 per district) and 1 Citywide appointed by Council and the Mayor,
    - ii. Up to two (2) individuals nominated by and representing the interests of Muwekma Ohlone Tribe (county residency requirement only),
    - iii. Up to Three (3) individuals representing fields of Science, Ecology, Biology, Food Systems, or from Community Based Non-profits (county residency requirement only),
    - iv. One (1) Attorney-at-Law (county residency requirement only).
2. Similar to the Housing and Community Development Commission collaboration with the City Staff of the Housing Department, the CAC may be supported by, or receive reports from any of the following departments/other commissions but not limited to the Youth Commission, Senior Citizens Commission, Environment Service Department, Climate Smart Program, Department of Transportation, as necessary to ensure informed decisions on policy or program recommendations to Council.
3. Before making a policy or program recommendation, the CAC will conduct public hearings on their recommendations to solicit community feedback.
4. *Sample Work Plan* that aligns with the [Chicago Climate Charter](#), signed by current Mayor Sam Liccardo, alongside mayors of 40 major U.S. Cities. That prioritized the following directives:
  - a. Reduce greenhouse gas emissions by a percentage equal to or exceeding their home nation’s commitment
  - b. Track, measure, and report the data
  - c. Empower cities through collective action
  - d. Engage all communities, especially nontraditional voices, in policy formation
  - e. Integrate climate risks into infrastructure and emergency planning

	<ul style="list-style-type: none"> <li>f. Support policies and actions that incorporate the cost of carbon and support those most affected</li> <li>g. Partner broadly for robust solutions</li> </ul>
<p><b>4) Is this change feasible?</b> <i>Think through the revision you are proposing. Is it legally possible? Is it practical? If there are questions you cannot answer, list them here.</i></p>	<p>YES, the City of San José currently supports 29+ Boards and Commissions, that all have various powers and duties to study, create, and recommend policy and/or programs to Council. The CAC would follow a similar form and structure.</p> <p>“Boulder climate action could save millions of lives each year by 2040” - Reuters</p>
<p><b>5) Who might benefit from or be burdened by this change?</b> <i>Is there data that speaks to the potential impact of this change? What are the potential unintended consequences of this change?</i></p>	<p><b>BENEFIT:</b> The people of San José for generations to come. There are no shortages of Climate impact headlines in the news at the moment, with the most recent <a href="#">Intergovernmental Panel on Climate Change Report</a> and 2021 United Nations Climate Change Conference (COP26)</p> <p><b>BURDEN:</b></p> <ol style="list-style-type: none"> <li>1. City Staff time from associated Departments, such as but not limited to Offices of the City Clerk, City Attorney, Environmental Services Department, etc. would need to be allocated for support, reporting, and implementation should Council accept any of the policy or program recommendations from the CAC.</li> </ol>
<p><b>6) What are the arguments against this proposal?</b> <i>Summarize the arguments you expect or data you have found in opposition to this recommendation.</i></p>	<ol style="list-style-type: none"> <li>1. <b>Argument 1:</b> Duplication and redundancy with San Jose's Clean Energy Community Advisory Commission.  <b>Answer:</b> The San Jose’s Clean Energy Advisory Commission, <b>DOES NOT ADDRESS CLIMATE CHANGE.</b> It provides feedback and input on the development of strategy and operating principles or models, informs the prioritization and development of energy programs, particularly electrification.  Furthermore, clean energy is a highly important and very technical subject that requires commissioners to have a particular interest in energy, so we think this commission is more useful as a stand-alone commission with it’s somewhat narrow focus.</li> <li>2. <b>Argument 2:</b> Duplication and redundancy with Climate Smart Program.  <b>Answer:</b> We have other problems that impact our local resilience like food insecurity, water insecurity, energy cost and availability (especially during heatwaves), fire, additional cooling centers needed, etc. We need a separate resident-led commission set up to address the</li> </ol>

	<p>broad and unanticipated threats that will result from global heating and regional climate change. For example, greater <b>accountability</b> in reporting fossil fuel use and in mitigating the effects of climate change in San Jose is needed, among many other suggestions shared by residents.</p> <p>The Climate Smart program sits at a policy level and reflects specific city programs. It has low public participation in its public facing programs. It does not take regular public input through hearing and testimony. The gold standard would be to solicit ideas from the residents of the City of San Jose, with their lived experience, professional education, intellectual resources, and powerful desire to not suffer in natural and man-made disasters. <b>We think the lack of community engagement and empowerment to participate in finding solutions</b> and presenting those solutions to city council, city manager, and the mayor <b>is what is causing the apathy in participating in the public facing Climate Smart programs.</b></p> <p>This proposal works to support the Mayor’s Chicago Climate Charter goals, and resolve the problem with Climate Smart, and thus would support and enhance Climate Smart by providing it with public feedback and additional proposed solutions.</p>
<p><b>7) Must this be a Charter revision?</b> <i>Can this problem be addressed without changing the charter (e.g., Council action, cultural change)? If not, should this be a policy recommendation to be included in the Commission’s report?</i></p>	<p>There is nothing more worthy of being added to the City Charter than a resident-led, city supported, official commission that presents solutions to climate resilience, adaptation and mitigation due to climate change. This proposal could be approached in one of two ways:</p> <ol style="list-style-type: none"> <li><b>1. Charter Revision:</b> This would give the Climate Action Commission more permanence, protection, and its work more reverence. If approved by voters this sets a clear priority that climate resilience, adaptation, and mitigation is important to the future wellbeing of our city and its people. Having the Climate Action Commission placed in our City Charter would prioritize its work, thus ensuring that it is well staffed and resourced for what it needs to do.</li> <li><b>2. Policy Recommendation:</b> In lieu of a vote by the People of San Jose as required by a Charter Revision, this proposal could be addressed with a “Policy Recommendation” by Council. This would enable the Commission to get started right away, however, unless specifically given proper staff support and/or resources, the commission could struggle to achieve its most equitable outcomes.</li> </ol> <p>An example of the dire urgency is that in June of this year (2021) an extreme heat event in Western Canada actually cooked to death over 1 billion clams, mussels, and other marine animals that lived on a beach. An FLIR thermal imaging camera found surface temperatures topping 125 degrees Fahrenheit, hotter than reported by weather stations. Lytton, British Columbia, broke Canada's all-time record reported by weather stations on June 30 when the temperature topped 121 degrees. The town was all but destroyed in a deadly wildfire. As a result, <b><u>there were 719 deaths reported to the province's coroners between June 25 and July 1, 2021.</u></b></p>

8) Are there other examples of this change?

*If you have found other examples of this change, please share them and any outcomes that have been observed.*

1. The City and County of Honolulu has voter-approved Charter language that created a **Climate Change Commission which sits in their City Charter.**

Citizen-oriented climate change commissions are now operating in many cities across the state of California, the country, and the world. Such as Vermont, Virginia, Los Angeles, San Francisco, Oakland, Alameda, Berkeley, Chico, Solano Beach, Petaluma and San Anselmo. Many nations in Europe have climate action commissions, particularly those who are part of the EU.

2. Chicago Climate Charter, this report contextualizes the North American Climate Summit in the broader arc of climate action, outlines the commitments made by signatories to the Chicago Climate Charter, and provides recommendations for cities seeking to accelerate their sustainability efforts.

### 3) Proposal Research & Citations

*List below the results of any research conducted to inform this memo.*

#### List of citations

*All data must be cited so that Commissioners who are not part of the Subcommittee in question may locate the source of information as needed.*

#### [Chicago Climate Charter signed by Mayor Sam Liccardo 2017](#)

#### **Climate Change 2021: The Physical Science Basis (Working Group I)**

The Working Group I contribution to the Sixth Assessment Report addresses the most up-to-date physical understanding of the climate system and climate change, bringing together the latest advances in climate science, and combining multiple lines of evidence from paleoclimate, observations, process understanding, and global and regional climate simulations. Note that there are two additional Working Groups who are in the process of drafting reports (“Impacts, Adaptation and Vulnerability” and “Mitigation of Climate Change”). All three reports make up the full Sixth Assessment Report.

#### **Summary documents for The Physical Science Basis report**

- [Climate Change 2021: The Physical Science Basis - Summary for Policymakers](#) *The IPCC’s 42-page summary, which is less technical and geared towards policymakers.*
- [Headline Statements from the Summary for Policymakers](#) *A 2-page bullet-point summary of the report headlines and main points. Published by the IPCC.*
- [World Resources Institute’s “5 Big Findings from the IPCC’s 2021 Climate Report”](#)
- [New York Time’s “A Hotter Future Is Certain, Climate Panel Warns. But How Hot Is Up to Us.”](#)
- [NPR’s A Major Report Warns Climate Change Is Accelerating And Humans Must Cut Emissions Now](#)
- [New York Times “Climate Change Could Cut World Economy by \\$23 Trillion in 2050, Insurance Giant Warns”](#)

#### **Bay Area impacts and projects, based on IPCC’s The Physical Science Basis report**

- [Regional fact-sheet for North and Central America](#) *IPCC’s summary of regionalized anticipated impacts.*

	<ul style="list-style-type: none"> <li>• <a href="#">ABC7 News: UN climate report puts focus on sea level rise threat to San Francisco Bay</a> Recent news report from ABC discussing more local impacts on the SF Bay Area.</li> <li>• <a href="#">California’s Fourth Climate Change Assessment: San Francisco Bay Area Region Report</a> (2019) <i>Not in response to the recent IPCC report, but a helpful resource focusing on Regional Climate Science, Social Systems and Built Environment, and Natural and Managed Resource Systems.</i></li> </ul>
<p><b>Any speakers who presented to the subcommittee must be listed.</b> <i>Include name, title, affiliations, etc., along with a brief summary of the information presented by them.</i></p>	<p><i>The following speakers spoke to our subcommittee on 9/13/21:</i></p> <ol style="list-style-type: none"> <li>1. <b>Michael Mastrandrea</b> is an interdisciplinary scientist focused on managing climate risks and the design and implementation of energy and climate policy in California and beyond. He is Research Director of the Climate and Energy Policy Program and a Senior Research Scholar at the Stanford Woods Institute for the Environment. He also serves as Chief Advisor for Energy and Climate Research at the California Energy Commission. Prior to joining Woods, he was Director of Near Zero and a Senior Research Associate at the Carnegie Institution for Science. He was part of the leadership team for the Intergovernmental Panel on Climate Change Fifth Assessment Report, where he helped lead the development of two international scientific assessments of climate change science and policy options. He has also served as an author for the Fourth U.S. National Climate Assessment and as an associate editor for the California Fourth Climate Change Assessment. Mastrandrea sits on the Editorial Board and is a Managing Editor for the journal Climatic Change. He holds a Ph.D. from Stanford’s Emmett Interdisciplinary Program in Environment and Resources, and a B.S. in Biological Sciences from Stanford.</li> <li>2. <b>Matthew Gonser</b>, AICP, CFM, Chief Resilience Officer   Executive Director, Office of Climate Change, Sustainability and Resiliency City and County of Honolulu</li> <li>3. <b>Cat Woodmansee</b> has worked as a field biologist, a computer scientist, and currently is an environmental activist.</li> </ol> <p><i>The following speakers spoke to our subcommittee on 9/24/21 about San Jose’s Climate Action Plan and some environmental programs:</i></p> <ol style="list-style-type: none"> <li>4. <b>Kerry Romanow</b>, Environmental Services Department, Administrative Assistant, City of San Jose</li> <li>5. <b>Julie Benabente</b>, Deputy Director, Climate Smart, Environmental Services Department</li> <li>6. <b>Yael Kisel</b>, Climate Smart Analytics Lead &amp; Projects Coordinator City of San José   Environmental Services Department</li> <li>7. <b>Lori Mitchell</b>, Director of the San Jose Clean Energy Program.</li> <li>8. <b>Jessica Zenk</b> is Acting Deputy Director for the City of San Jose Department of Transportation, working on planning, designing and building a more accessible and sustainable transportation for the City of San Jose.</li> </ol> <p><i>The following speakers spoke to the entire commission on 10/25/21 in addition to being interviewed at a subcommittee level:</i></p> <ol style="list-style-type: none"> <li>9. <b>Meredith Muller</b>, middle school science and math teacher. Permaculturalist, second generation San Jose resident.</li> <li>10. <b>Kathryn Mathewson</b>, Master’s Degree from UC Berkeley in Landscape Architecture and Environmental Planning and undergraduate degree in Biology.</li> </ol>

<p><b>Relevant Links</b> <i>Provide links or locations of the information in this research as much as possible, otherwise provide attachments.</i></p>	<p>Honolulu 2016 Charter Amendments, see #7, p.6: <a href="https://www.honolulu.gov/rep/site/clk/clk_docs/2016_Charter_Amendments_Brochure-FINAL.pdf">https://www.honolulu.gov/rep/site/clk/clk_docs/2016_Charter_Amendments_Brochure-FINAL.pdf</a></p> <p>League of Women Voters Pros/Cons Guide (direct link to proposal #7): <a href="https://www.lwv-hawaii.com/procon2016.pdf#page=4">https://www.lwv-hawaii.com/procon2016.pdf#page=4</a></p> <p>Honolulu Charter was amended to include Section 6-107. Office of Climate Change, Sustainability and Resiliency and established the Climate Change Commission (direct link to charter section): <a href="https://www.honolulu.gov/rep/site/cor/rch/Charter_2017_Ed_01.04.21_Clean_01.15.21.pdf#page=50">https://www.honolulu.gov/rep/site/cor/rch/Charter_2017_Ed_01.04.21_Clean_01.15.21.pdf#page=50</a></p> <p>Additional Honolulu Commission details added in 2020: <a href="https://hnl.doc.ehawaii.gov/hnl.doc/document-download?id=9213">https://hnl.doc.ehawaii.gov/hnl.doc/document-download?id=9213</a></p> <p>San Jose Climate Impacts:</p> <ol style="list-style-type: none"> <li>1. <a href="https://sanjosespotlight.com/three-years-later-coyote-creek-flood-victims-still-fighting-for-justice/">https://sanjosespotlight.com/three-years-later-coyote-creek-flood-victims-still-fighting-for-justice/</a></li> <li>2. <a href="https://www.kqed.org/news/11788730/nearly-two-years-after-coyote-creek-floods-lawsuit-drag-on">https://www.kqed.org/news/11788730/nearly-two-years-after-coyote-creek-floods-lawsuit-drag-on</a></li> <li>3. <a href="https://www.kqed.org/news/11612712/the-san-jose-flood-what-went-wrong-and-how-the-city-plans-to-fix-it">https://www.kqed.org/news/11612712/the-san-jose-flood-what-went-wrong-and-how-the-city-plans-to-fix-it</a></li> <li>4. <a href="https://en.wikipedia.org/wiki/August_2020_California_lightning_wildfires">https://en.wikipedia.org/wiki/August_2020_California_lightning_wildfires</a></li> <li>5. <a href="https://sanfrancisco.cbslocal.com/2020/08/16/rare-august-thunderstorm-rolls-through-san-francisco-bay-area-lightning-strikes-sparks-widespread-wildfires/">https://sanfrancisco.cbslocal.com/2020/08/16/rare-august-thunderstorm-rolls-through-san-francisco-bay-area-lightning-strikes-sparks-widespread-wildfires/</a></li> <li>6. <a href="https://www.mercurynews.com/2021/07/30/heat-hits-poor-neighborhoods-the-hardest/">https://www.mercurynews.com/2021/07/30/heat-hits-poor-neighborhoods-the-hardest/</a></li> <li>7. <a href="https://www.nytimes.com/2021/04/22/climate/climate-change-economy.html">https://www.nytimes.com/2021/04/22/climate/climate-change-economy.html</a></li> </ol>