



**SUSTAINABILITY COMMISSION**  
**CITY OF PALM SPRINGS, CALIFORNIA**  
[www.palmsprings-ca.gov](http://www.palmsprings-ca.gov)    [www.yoursustainablecity.com](http://www.yoursustainablecity.com)

<b>September 15, 2020 5:30 PM</b>	<b>MEETING AGENDA</b>	<b>Conducted by Video Conference</b>
---------------------------------------	-----------------------	--

<b>COMMISSIONERS</b>		
<b>Roy Clark, Chair</b>	<b>Jim Flanagan</b>	<b>Sandra Garratt</b>
<b>Robert McCann, Vice Chair</b>	<b>David Freedman</b>	<b>Greg Gauthier</b>
<b>Carl Baker</b>	<b>Jennifer Futterman</b>	<b>Lani Miller</b>

*City of Palm Springs Vision Statement: Palm Springs aspires to be a unique world-class desert community where residents and visitors enjoy our high quality of life and a relaxing experience. We desire to balance our cultural and historical resources with responsible, sustainable economic growth and enhance our natural desert beauty. We are committed to providing responsive, friendly, and efficient customer service in an environment that fosters unity among all our citizens.*

**Pursuant to Executive Order N-29-20, this meeting will be conducted by teleconference and there will be no in-person public access to the meeting location.**

- **To view/listen/participate in the meeting live, please use the following link:**  
<https://us02web.zoom.us/j/87064801181/> call 1-669-900-6833 Meeting ID: 870 6480 1181.
- **Written public comment may also be submitted to [cityclerk@palmspringsca.gov](mailto:cityclerk@palmspringsca.gov). Transmittal prior to the meeting is required. Any correspondence received during or after the meeting will be distributed to the Board/Commission as soon as practicable and retained for the official record.**
- **The meeting will be recorded and the audio file will be available from the Office of the City Clerk and will be posted on the City’s YouTube channel, as soon as practicable.**

Staff representatives: Patrick Tallarico, Manager, Office of Sustainability; Dan DeGarmo, Program Coordinator, Office of Sustainability

Please **MUTE OR TURN OFF** all audible electronic devices for the duration of this meeting. Thank you!

**CALL TO ORDER**

**ROLL CALL**

**WELCOME AND INTRODUCTIONS (5 MINUTES)**

**ACCEPTANCE OF AGENDA (10 MINUTES)**

**STAFF COMMENTS – Manager Tallarico (10 MINUTES)**

1. Council Meeting Topics
2. Greenhouse Gas Inventory
3. Demo Garden and Turf Conversion at the Airport
4. EV Charger Expansion Award Status
5. Potential Ban on Pesticides/Herbicides (*ref: C3 in February 18 meeting minutes*)

**PUBLIC COMMENTS:** This time is for members of the public to address the Sustainability Commission on Agenda items and items of general interest within the subject matter jurisdiction of the Commission. The Commission values your comments but, pursuant to the Brown Act, cannot take action on items not listed on the posted Agenda. Three (3) minutes are assigned for each speaker.

If participating virtually to provide comments, please try to minimize background noise at your location to ensure you can be heard. Please mute your microphone when you are not speaking.

**A. PRESENTATIONS (20 MINUTES)**

1. Palm Springs General Plan – David Newell, Planning Services
2. Safety Issues for 5G Network – Janet Hoffman

**B. MEETING MINUTES (5 MINUTES)**

July 21, 2020, regular Meeting Minutes

**C. OLD BUSINESS (15 MINUTES)**

1. Disposable Food Ware and Plastic Waste Reduction Ordinance and Outreach – Manager Tallarico
  - a. Reusable food ware grant from CalRecycle
  - b. Review and approve changes to draft ordinance
2. Climate Action Roadmap and Staff Report

**D. NEW BUSINESS (20 MINUTES)**

1. EV Charging Stations
  - a. Streamlined Permitting Process
2. Addition of CA Commercial Recycling and Organics Requirements to PS Municipal Code
  - a. Review and approve draft ordinance
3. Formation of Ad Hoc Subcommittee on Strategic Planning and General Plan Update
  - a. Commission input on General Plan Priorities

**E. SUBCOMMITTEE AND COMMISSIONER REPORTS (45 MINUTES)**

1. Standing Subcommittee on Solar and Green Building - Commissioners Freedman and Flanagan
  - a. Discussion and approval of research topics related to greenhouse gas reductions
  - b. SCE REACH Codes Webinar update
2. Standing Subcommittee on Waste Reduction – Manager Tallarico, Vice Chair McCann, Chair Clark, Commissioner Miller
  - a. SB 1383
3. Standing Subcommittee on World Environment Day – Commissioners Futterman, Garratt, Gauthier
4. Ad Hoc Subcommittee on Earth Day – Commissioner Baker
  - a. Dissolve current ad-hoc subcommittee or create new ad-hoc subcommittee in 2021
5. Ad Hoc Subcommittee on Walkability & Pedestrian Planning - Commissioners Gauthier, Futterman
  - a. Walkability Master Plan and Safe Routes to Schools Master Plan
6. Ad Hoc Subcommittee on Crosswalks and Pedestrian Safety – Commissioner Flanagan, Christine Hammond
  - a. Consider dissolving
7. Ad Hoc Subcommittee on Bicycle Routes and Cycling – Commissioner Flanagan
8. Ad Hoc Subcommittee on Night Sky – Vice Chair McCann and Commissioner Flanagan
9. Water Conservation – Commissioner Freedman
10. Wellness – Commissioner Baker
  - a. Smoking Ordinance and Restrictions for Outdoor Dining (update from HRC)
  - b. 3-4-50 Campaign
11. Desert Community Energy, Community Advisory Committee – Commissioners Baker, Freedman, Miller

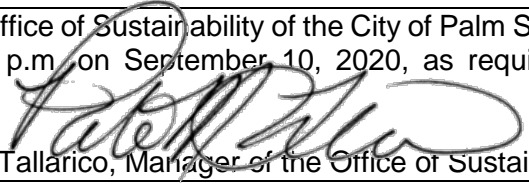
**F. COMMISSIONER COMMENTS AND UPCOMING AGENDA (10 MINUTES)**

**G. ADJOURNMENT** - The meeting of the Sustainability Commission will adjourn to the Regular Meeting of the Sustainability Commission to be held at 5:30 p.m. on Tuesday, October 20, 2020, in the City Hall Large Conference Room, 3200 E Tahquitz Canyon Way, Palm Springs CA 92262. The Sustainability Commission's regular meeting schedule is at 5:30 p.m. the third Tuesday each month except August unless otherwise noted or amended.

It is the intention of the City of Palm Springs to comply with the Americans with Disabilities Act (ADA) in all respects. If, as an attendee or a participant at this meeting, you need special assistance beyond what is normally provided, the City will attempt to accommodate you in every reasonable manner. Please contact the Office of the City Clerk at (760) 323-8204 at least 48 hours prior to the meeting to inform us of your needs and to determine if accommodation is feasible.

Pursuant to G.C. Section 54957.5(b)(2) the designated office for inspection of records in connection with the meeting is the Office of Sustainability, City Hall, 3200 E. Tahquitz Canyon Way, Palm Springs, CA 92262. Agenda and staff reports are available on the City's website [www.palmspringsca.gov](http://www.palmspringsca.gov). If you would like additional information on any item appearing on this agenda, please contact the Office of Sustainability at 760-323-8214.

AFFIDAVIT OF POSTING: I, Patrick Tallarico, Manager of the Office of Sustainability of the City of Palm Springs, California, certify this Agenda was posted at or before 5:30 p.m. on September 10, 2020, as required by established policies and procedures.



Patrick Tallarico, Manager of the Office of Sustainability



# City of Palm Springs

## Development Services Department Sustainability Division

**TO:** Sustainability Commission

**FROM:** Patrick Tallarico, Manager

**SUBJECT:** Update Summary

**DATE:** September 15, 2020

---

The Office of Sustainability would like to provide this update on activities since the last Commission meeting to help speed discussion at the in-person meeting. The following items can be discussed in more depth at the meeting, if desired by the Commission.

- **Past and Upcoming Council Meeting Topics**
  - September 10, 2020 – Resolution to support pursuit of grants with CalRecycle
  - September 24, 2020 – Disposable Food Service Ware Ordinance presentation (may move to early October) and Ordinance to allow Expedited Permitting for EV Charger installations in response to AB1236
  - October 7, 2020 – Recycling and Organics Management Ordinance
- **Greenhouse Gas Emissions Inventory Update** – See attached memo. PlaceWorks, the consultant assisting with the inventory update, has done the update of the 2010 data and found that results are not significantly different than the original inventory despite updates to calculation methods. We are still working with them to finalize 2018 data and will have that to discuss at the October meeting.
- **Demo Garden and Turf Conversion at the Airport** – Sustainability staff and the landscape architect met with the Landscape Subcommittee of the Airport Commission to present the preferred design for the demonstration garden and present the plan for the longer-term turf conversion efforts. The topic will go before the full Airport Commission on September 16<sup>th</sup>.
- **EV Charger Expansion Award Status** – The City received 11 responses to the Request for Proposal to provide the City with a low or no-cost solution to expanding and upgrading its EV infrastructure. The City is in negotiations with a preferred provider. When these negotiations are finalized, we will officially announce the award and bring the contract forward to Council for approval.
- **Potential Ban on Pesticides/Herbicides** – At the February Commission meeting, the group discussed whether and how it could proceed with restricting sale or use of certain pesticides/herbicides. At that meeting, the City agreed to check with Legal Counsel about whether local governments could pass such ordinances. The Feedback from Counsel was that State law pre-empts the City from regulating a prohibiting private sales/use of pesticides. We can and do prohibit the use of certain pesticides in our landscape maintenance contracts. Although we shared this feedback after the February meeting, we were not able to discuss it formally in March due to the meeting cancellation.

## MEMORANDUM

DATE September 10, 2020

TO Patrick M. Tallarico, Manager, City of Palm Springs Office of Sustainability

FROM Tammy L. Seale, Associate Principal, PlaceWorks  
Eli Krispi, Senior Associate, PlaceWorks

SUBJECT City of Palm Springs 2010 Greenhouse Gas Inventory Update

### Introduction

PlaceWorks is working with the City of Palm Springs (City) to update greenhouse gas (GHG) inventories and forecasts, in support of the City's ongoing General Plan update. This work includes an update to the community-wide and City operations 2010 inventories, preparation of a 2018 community-wide inventory, and preparation of a forecast for 2020. For the first stage of this work, PlaceWorks revised Palm Springs' existing GHG inventories for the calendar year 2010. This update applies to the community-wide GHG inventory (identifying emissions from the activities of community members, including residents, businesses, and visitors) and the City operations GHG inventory (identifying emissions from the City's government operations). This memo summarizes the results of the updated 2010 GHG inventories and the specific revisions that the PlaceWorks team made to the existing GHG inventories.

### Methodological Changes

PlaceWorks updated the GHG inventories, originally prepared in 2012, in accordance with the most recent applicable guidance documents, known as protocols. These protocols are recommended for local GHG inventories by the California Governor's Office of Planning and Research. They provide direction for standardized calculation methods, as well as recommended sources (known as sectors) of GHG emissions to include, allowing for greater accuracy and easier comparison between GHG inventories. The updated community-wide GHG inventory uses the United States Community Protocol for Accounting and Reporting of Greenhouse Gas Emissions (U.S. Community Protocol), which was first developed in 2012 and updated in 2019. The updated City operations GHG inventory relies on the Local Government Operations Protocol (LGOP), which was first developed in 2008 and was updated in 2010. Updates to both GHG inventories include recommendations from other relevant guidance documents where needed.

One major edit to the 2010 GHG inventories was to revise the global warming potentials (GWPs) used in all inventories to account for the relative difference in potencies of different GHGs. These numbers have changed as the science of GHGs have advanced. Palm Springs' existing inventories used GWPs from the Intergovernmental Panel on Climate Change's (IPCC) Second Assessment Report, released in 1995.

PlaceWorks updated these values to use the GWPs from the most recent IPCC report, the Fifth Assessment Report,<sup>1</sup> released in 2013. **Table 1** shows the differences in GWPs by gas.

**Table 1: Change in GWPs by GHG**

GAS	SECOND ASSESSMENT REPORT GWP	FIFTH ASSESSMENT REPORT GWP
Carbon dioxide (CO <sub>2</sub> )	1	1
Methane (CH <sub>4</sub> )	21	28
Nitrous oxide (N <sub>2</sub> O)	310	265

In addition to these universal edits to both inventories, PlaceWorks has made the following changes:

*Changes to both GHG inventories*

- Updated the Southern California Edison (SCE) emission factor (the figure that indicates the amount of GHGs produced per unit of electricity used) to more accurately reflect SCE’s mix of power sources in 2010.
- Updated the emission factor for on-road vehicles in the community-wide GHG inventory to be based on the specific mix of vehicle types present in Riverside County in 2010.
- Revised the calculation methods for fugitive emissions associated with wastewater processing, in accordance with the most recent available guidance.
- Consolidated some subsectors of GHG emissions to provide more streamlined data (see **Attachment 1** for a list of changes).

*Changes to the community-wide GHG inventory*

- Revised the GHG emissions for off-road equipment in the community-wide GHG inventory to reflect Palm Springs’ share of these emissions more accurately as a proportion of county-wide emissions.
- Removed GHG emissions associated with ozone-depleting substance substitutes from the community-wide GHG inventory. These sources of GHG emissions are not required under current protocol guidance, and accurate data sources for ozone-depleting substance substitutes are not available.
- Added carbon sequestration from natural lands and street trees, as recommended by the most recent version of the US Community Protocol.

---

<sup>1</sup> IPCC, 2013: *Climate Change 2013: The Physical Science Basis*. Contribution of Working Group I to the Fifth Assessment Report of the Intergovernmental Panel on Climate Change [Stocker, T.F., D. Qin, G.-K. Plattner, M. Tignor, S.K. Allen, J. Boschung, A. Nauels, Y. Xia, V. Bex and P.M. Midgley (eds.)]. Cambridge University Press, Cambridge, United Kingdom and New York, NY, USA, 1535 pp. 659–740.  
[https://www.ipcc.ch/site/assets/uploads/2018/02/WG1AR5\\_Chapter08\\_FINAL.pdf](https://www.ipcc.ch/site/assets/uploads/2018/02/WG1AR5_Chapter08_FINAL.pdf).

*Changes to the City operations GHG inventory*

- Removed GHG emissions associated with solid waste hauling from the City operations GHG inventory. These sources of GHG emissions are not required under current protocol guidance.
- Updated the emissions factor for solid waste to reflect current recommended methods.
- Updated the calculation process for fertilizer application to be consistent with current recommended methods.
- Removed GHG emissions from septic tanks, as these are not part of City facilities.

## Community-Wide GHG Inventory

Table 2 shows the results of the updated community-wide GHG inventory, organized by sector and subsector. Table 3 shows a comparison of the original and updated community-wide GHG inventory.

**Table 2: Updated Community-Wide 2010 GHG Inventory**

SECTOR	SUBSECTOR	GHG EMISSIONS (MTCO <sub>2</sub> E)
Residential buildings	Residential electricity	75,270
	Residential natural gas	73,420
	Residential propane	430
Commercial buildings *	Commercial electricity	82,110
	Commercial natural gas	46,560
Transportation	On-road vehicles	103,550
Off-road equipment	Off-road vehicles and equipment	240
Solid waste	Community-generated waste	16,840
	Former Palm Springs landfill	1,350
Water and wastewater	Water supply electricity	8,190
	Wastewater treatment electricity	1,140
	Wastewater treatment process emissions	24,110
Land use and sequestration	Fertilizer application	20
	Natural land sequestration	-840
	Street tree sequestration	-500
<b>Total</b>		<b>431,890</b>

\* This sector includes GHG emissions from municipal buildings and facilities, except for those concerned with water and wastewater activities. Those GHG emissions are now part of the “water and wastewater” sector.

Note: All values are rounded to the nearest 10.

**Table 3: Original and Updated Community-Wide 2010 GHG Inventory**

SECTOR	ORIGINAL GHG EMISSIONS (MTCO <sub>2</sub> E)	UPDATED GHG EMISSIONS (MTCO <sub>2</sub> E)	PERCENT CHANGE
Residential buildings	156,000	149,120	-4%
Commercial buildings	135,900	128,670	-5%
Transportation	87,240	103,550	19%
Off-road equipment	250	240	-4%
Solid waste	10,920	18,190	67%
Water and wastewater	24,040	33,440	39%
Land use and sequestration	380	-1,320	-447%
Ozone-depleting substances	16,860	- *	-
<b>Total</b>	<b>431,590</b>	<b>431,890</b>	<b>Less than 1%</b>

\* This source of GHG emissions is not included in the updated 2010 community-wide GHG inventory.

Note: All values are rounded to the nearest 10.

Overall, 2010 community-wide GHG emissions totaled 431,890 MTCO<sub>2</sub>e under the updated GHG inventory, a difference of less than 1 percent compared to the results of the original inventory. While the GHG emission level changed to some degree for all sectors due to these adjustments, some sectors saw more substantial changes:

- Transportation GHG emissions increased 19 percent from the GHG inventory adjustment. The original GHG inventory used miles-per-gallon averages to determine overall fuel use and GHG emissions, while the updated inventory uses factors for fuel use and GHG emissions that reflect the vehicle model types and years present in the Coachella Valley area. While this approach is more accurate, it did result in transportation-related GHG emissions being somewhat higher than the original inventory indicated (primarily from an increase in freight-related traffic).
- Solid waste GHG emissions rose 67 percent from the GHG inventory adjustment. This is partially because solid waste GHG emissions are methane (CH<sub>4</sub>), and as mentioned above, the updated GHG inventory uses more recent GWPs that reflect a higher relative potency of methane. It is also the result of using an updated calculation method that better reflects the full amount of GHG emissions generated by solid waste.
- Water and wastewater GHG emissions increased 39 percent from the GHG inventory adjustment. This is a result of using updated methods to calculate wastewater treatment process GHG emissions and the use of updated GWPs.
- Land use and sequestration GHG emissions fell 447 percent from the GHG inventory adjustment. This is due to a revised method for calculating GHG emissions from fertilizer, which resulted in fewer GHG emissions from fertilizer than in the original GHG inventory. The updated GHG inventory also added negative GHG emissions from natural lands and street trees sequestration, which were not in the original GHG inventory and helped to reduce GHG emissions in this category.



## City Operations GHG Inventory

Table 4 shows the results of the updated City operations GHG inventory, organized by sector and subsector. Table 5 shows a comparison of the original and City operations GHG inventory.

**Table 4: Updated City Operations 2010 GHG Inventory**

SECTOR	SUBSECTOR	GHG EMISSIONS (MTCO <sub>2</sub> E)
Buildings and facilities	Building electricity use	2,910
	Building natural gas use	980
	Cogeneration	4,170
	Water and wastewater electricity use	930
Outdoor lighting	Traffic signals	110
	Streetlights	240
	Outdoor lighting	60
Vehicle and equipment fleet	Vehicle fleet	1,040
	Off-road equipment	170
Employee commute	Employee commute	780
Solid waste disposal	Government-generated solid waste	380
	Former Palm Springs landfill	1,350
Fertilizer application	Public lands fertilizer	10
Refrigerants	Refrigerant use	310
Wastewater treatment	Wastewater treatment facility	24,090
<b>Total</b>		<b>37,530</b>

Note: All values are rounded to the nearest 10.

**Table 5: Original and Updated City Operations 2010 GHG Inventory**

SECTOR	ORIGINAL GHG EMISSIONS (MTCO <sub>2</sub> E)	UPDATED GHG EMISSIONS (MTCO <sub>2</sub> E)	PERCENT CHANGE
Buildings and facilities	9,340	8,990	-4%
Outdoor lighting	440	410	-7%
Vehicle and equipment fleet	1,290	1,210	-6%
Employee commute	1,020	780	-24%
Solid waste disposal	1,480	1,730	17%
Fertilizer application	160	10	-94%
Refrigerants	110	310	182%
Wastewater treatment	13,940	24,090	73%
Waste hauling fleet	1,470	- *	-
<b>Total</b>	<b>29,230</b>	<b>37,530</b>	<b>28%</b>

\* This source of GHG emissions is not included in the updated 2010 community-wide GHG inventory.

Note: All values are rounded to the nearest 10.

Overall, the City operations GHG emissions increased to 37,530 MTCO<sub>2</sub>e, an increase of 28 percent, because of the GHG inventory update. This is primarily due to increased GHG emissions from the wastewater treatment facility, which make up more than half of the City operations GHG emissions. GHG emissions changed for all sectors, although some experienced more significant changes.

- GHG emissions from employee commute declined 24 percent from the adjustment. The updated inventory relies on the vehicle model types and years present in the Coachella Valley area to calculate GHG emissions. Given the mix of vehicle types driven by City employees, the use of this more accurate dataset has caused a decline in GHG emissions in this sector.
- GHG emissions from solid waste disposal rose 17 percent due to updated data about the amount of solid waste generated at County facilities and the increased GWP of methane, as discussed above.
- Land use and sequestration GHG emissions fell 94 percent from the GHG inventory adjustment as a result of a new method for calculating GHG emissions from fertilizer, which caused fewer GHG emissions than in the original GHG inventory.
- Refrigerant GHG emissions increased 182 percent as a result of the GHG inventory adjustment due to the inclusion of refrigerant gases that were left out of the 2010 GHG inventory.
- Wastewater treatment emissions increased 73 percent after the GHG inventory adjustment because of the higher GWP of methane and revised methods to calculate GHG emissions from the wastewater treatment process.

## Next Steps

PlaceWorks will work with City staff to review and revise these updated GHG emissions. Additionally, PlaceWorks will prepare a 2018 community-wide GHG inventory to show how Palm Springs' GHG emissions have changed since this 2010 baseline. Data collection activities for the 2018 GHG inventory are currently ongoing, and calculation work will begin once data collection is complete.

## Attachment A: Subsector Organization Changes

As mentioned earlier, PlaceWorks has consolidated and reorganized some subsectors of GHG emissions to provide more streamlined results. This reorganization does not affect any calculations, only how the numbers are presented. **Table A-1** shows how subsectors for the community-wide GHG inventory have been reorganized, while **Table A-2** shows the reorganized subsectors for the City operations GHG inventory. Only emission sources included in the original GHG inventories are shown in these tables.

**Table A-1: Community-Wide GHG Inventory Reorganization**

ORIGINAL SECTOR	ORIGINAL SUBSECTOR	UPDATED SUBSECTOR	UPDATED SECTOR	
Residential buildings	Electricity	Residential electricity	Residential buildings	
	Natural gas	Residential natural gas		
	Propane	Residential propane		
Commercial buildings	Golf courses and country clubs - electricity	Commercial electricity	Commercial buildings	
	Golf courses and country clubs – natural gas	Commercial natural gas		
	Hotels, motels, and hospitality – electricity	Commercial electricity		
	Hotels, motels, and hospitality – natural gas	Commercial natural gas		
	Casinos and casino hotels – electricity	Commercial electricity		
	Casinos and casino hotels – natural gas	Commercial natural gas		
	Other commercial – electricity	Commercial electricity		
	Other commercial – natural gas	Commercial natural gas		
	Domestic water supply (Coachella Valley Water District) – electricity	Water supply electricity		Water and wastewater
	Wastewater treatment facilities (Desert Water Agency) – electricity	Wastewater treatment electricity		
	Agricultural/water pumping – electricity	Water supply electricity		
	Private City services – electricity	Commercial electricity		Commercial buildings

**CITY OF PALM SPRINGS**  
GHG INVENTORY | 2010 GHG INVENTORY UPDATE

ORIGINAL SECTOR	ORIGINAL SUBSECTOR	UPDATED SUBSECTOR	UPDATED SECTOR
Municipal buildings	Buildings and other facilities – electricity	Commercial electricity	Commercial buildings
	Buildings and other facilities – natural gas	Commercial natural gas	
	City services – electricity	Commercial electricity	
	Cogeneration plants – natural gas	Commercial natural gas	
	Wastewater treatment facilities (Palm Springs) – electricity	Wastewater treatment electricity	Water and wastewater
Transportation	On-road vehicles	On-road vehicles	Transportation
	Off-road vehicles	Off-road vehicles and equipment	Off-road equipment
Solid waste	Community generated waste – paper products	Community-generated waste	Solid waste
	Community generated waste – food waste	Community-generated waste	
	Community generated waste – plant debris	Community-generated waste	
	Community generated waste – wood and textile	Community-generated waste	
	Former Palm Springs landfill	Former Palm Springs landfill	
Fugitive emissions	Wastewater treatment facilities (Palm Springs)	Wastewater treatment process emissions	Water and wastewater
	Ozone-depleting substance substitutes	Not included	Not included
	Parks fertilizer application	Fertilizer application	Land use and sequestration
	Golf course fertilizer application	Fertilizer application	

**Table A-2: City Operations GHG Inventory Reorganization**

ORIGINAL SECTOR	ORIGINAL SUBSECTOR	UPDATED SUBSECTOR	UPDATED SECTOR
Municipal Buildings and Other Facilities	Major facilities electricity use	Building electricity use	Buildings and facilities
	Miscellaneous City-funded accounts	Building electricity use	
	Municipal facilities natural gas use	Building natural gas use	Refrigerants
	Municipal facilities refrigerant use	Refrigerant use	
Airport facilities	Airport facilities	Building electricity use	Buildings and facilities
Streetlights and traffic signals	Traffic signals/controllers	Traffic signals	Outdoor lighting
	Park and public spaces lighting	Outdoor lighting	
	Streetlights	Streetlights	
	Outdoor lighting	Outdoor lighting	
Water delivery	Water delivery	Water and wastewater electricity use	Buildings and facilities
	Wastewater treatment	Water and wastewater electricity use	
Wastewater treatment facilities	Emissions from incomplete combustion of digester gas	Wastewater treatment facilities	Wastewater treatment
	Emissions from wastewater treatment lagoons	Wastewater treatment facilities	
	Emissions from plant without nitrification/denitrification	Wastewater treatment facilities	
	Emissions from septic systems	Not included	
Cogeneration plants	Cogeneration facilities	Cogeneration	Buildings and facilities
Vehicle fleet	Municipal on-road fleet fuel	Vehicle fleet	Vehicle and equipment fleet
	Municipal off-road fleet fuel	Off-road equipment	
	Other municipal fuel	Off-road equipment	

**CITY OF PALM SPRINGS**  
GHG INVENTORY | 2010 GHG INVENTORY UPDATE

ORIGINAL SECTOR	ORIGINAL SUBSECTOR	UPDATED SUBSECTOR	UPDATED SECTOR
	Municipal vehicles refrigerant use	Refrigerant use	Refrigerants
Transit fleet	Waste transport fuel consumption	Not included	Not included
Employee commute	Municipal employee commute	Employee commute	Employee commute
Solid waste disposal	Municipal solid waste disposal	Government-generated solid waste	Solid waste disposal
Former Palm Springs landfill	Former Palm Springs landfill	Former Palm Springs landfill	
Fertilizer application	Nitrous oxide from fertilizers on municipal golf course	Public lands fertilizer	Fertilizer application
	Nitrous oxide from fertilizers on parks	Public lands fertilizer	

DRAFT

READ “THE INVISIBLE RAINBOW” – A history of electricity and of life by Arthur Firstenberg

WATCH “APOCALYPSE “ MOVIE by Sascha Stone google: “ Apocalypse Movie Sascha Stone “ which brings you to the film on YouTube

GOOGLE: U.S.NAVY 1972 REPORT ON ADVERSE HEALTH EFFECTS (122) OF EMFs” and click on “naval medical research institute Magda Havas”

GOOGLE: “CHD’S DAFNA TACHOVER CLEARS UP CONFUSION SURROUNDING 5G.....”

GOOGLE: AGE OF TRUTH TV/ CLAIRE EDWARDS, Dr. Dietrich Klinghardt: “ What’s really going on?”, Martin L. Pull, LED STREETLIGHTSs



## SUSTAINABILITY COMMISSION - REGULAR MEETING MINUTES

Tuesday, July 21, 2020

Pursuant to Executive Order N-29-20, by Governor Newsom, this meeting was conducted by teleconference and there was no in-person public access to the meeting location.

**CALL TO ORDER:** Chair Clark called the meeting to order at **5:30** p.m.

**ROLL CALL:** A quorum was present for this Regular Meeting of the City of Palm Springs Sustainability Commission.

### WELCOME AND INTRODUCTIONS

**AGENDA APPROVAL:** The agenda was presented by Chair Clark. A motion to approve as modified moving the Airport Turf Conversion item forward was made by Commissioner Baker and seconded by Vice Chair McCann and carried unanimously on an open vote.

	This Meeting	Present to Date	FY 2019/2020 Excused Absences	FY 2019/2020 Unexcused Absences
Roy Clark, Chair	X	43		
Robert McCann, Vice Chair	X	41		
David Freedman	X	53		
Jennifer Futterman	X	37	3	
Greg Gauthier	X	33	1	
John Goins	E	26	3	Resigned 7/21/2020
Carl Baker	X	19	2	
Jim Flanagan	X	12	1	
Lani Miller	X	11	1	
Sandra Garratt	X	8		

X = Present

E = Excused (notified Chair and Staff of absence)

L = Late

U = did not notify of absence

**CITY STAFF PRESENT:** Patrick Tallarico, Manager, Office of Sustainability; Daniel DeGarmo, Program Coordinator.

### COMMISSIONER COMMENTS

Commissioners were asked to share one new sustainability-themed insight gained during the past 5 months:

Chair Clark spoke on planning for global warming and climate change effects.

Commissioner Gauthier spoke on open space opportunities.

Commissioner Flanagan spoke on expanding brick and mortar merchant opportunities to the sidewalks and parking spaces in the streets.

Commissioner Miller spoke on the increase in carbon free and renewable energy in California.

Vice Chair McCann spoke on recharging Tahquitz Creek with treated wastewater to get year round flow through the creek.

Commissioner Baker spoke on reusable bags not being allowed in stores and the challenge to get people to use them again.

Commissioner Futterman spoke on how people are walking and biking more and leaving their cars at home. More people are using technology to accomplish tasks at home.

Commissioner Freedman spoke on being able to obtain vegetables from his home garden.

**STAFF COMMENTS** – Manager Tallarico submitted a written report (which was included in the meeting materials) on the following:

- Earth Day Follow up
- Pedestrian Safety and Safe Routes to Schools Master Plan Project Kick-Off
- Greenhouse Gas Inventory Kick-Off
- Plastics-Free July



- EV Charger Expansion RFP
- Climate Action Roadmap

Manager Tallarico also reported:

- That DCE launched in April 2020 and that we are pretty much on target for the opt down and opt out rates.
- He also stated that the City has gone through some reorganization and that the Office of Sustainability is now under the new Development Services Department, Sustainability Division. Flinn Fagg is the Director of the Development Services Department.
- The plastic bag ban has gone back into effect. Letters have been sent to retailers reminding them of the ban. They have until August to comply.
- Recycling Coordinator Gary Calhoun has retired.

## **PUBLIC COMMENTS**

1. Paul Ortega, Palm Springs, spoke on the Airport landscape design for the demonstration garden and medians. He expressed concern about maintenance and recommended a design with the least amount of required human intervention be selected.

## **A. MEETING MINUTES**

February 18, 2020 Regular Meeting minutes approval: Motion by Commissioner Gauthier to accept as presented, second by Vice Chair McCann. Motion passed unanimously on an open vote.

## **B. OLD BUSINESS**

1. Smoking Ordinance – Chair Clark reported that he had contacted Ron deHarte of the Human Rights Commission to see if anyone on the Commission was interested in helping to draft an ordinance with the Sustainability Commission. No one at the time was interested in participating, but since there are now three new members on the HRC, Mr. deHarte will ask again at the next meeting to see if anyone wants to participate in developing a draft ordinance.
2. Disposable Food Ware and Plastic Waste Reduction Ordinance Phasing and Next Steps – Manager Tallarico reported that he made a presentation to the City Council and that they were interested in moving forward with an ordinance. The Council did ask that a phased approach be considered and to push up the timeline for the polystyrene restrictions. Manager Tallarico reviewed his revised timeline for enforcement with the Commission. Some virtual outreach events with merchants have been planned.
3. Walkability Master Plan and Safe Routes to Schools Master Plan – Manager Tallarico reported that the consulting group on the plan has been gathering some data and doing research on safety trends. He stated that the Community Advisory Group will be moving forward also. Potential members of the advisory group were discussed. A report on Communications and Outreach has been developed by the consulting group. Outreach events may be done via telecommunications due to COVID 19 restrictions. Graphics designs were also presented.

## **C. NEW BUSINESS**

1. Recommendation for Demo Garden and Turf Conversion at the Airport – Manager Tallarico reported on the status of the demonstration garden design for the Airport. Todd Holmes from David Evans Inc presented two draft design concepts of the demonstration garden and turf conversion layout to the Commission and answered questions regarding the designs. Commissioners gave comments on their preference of two design concepts and turf options. The preferred plan will go to the Airport Commission and then the City Council for final approval after the Sustainability Commission approves the final design. The Commission recommended removing or minimizing the artificial turf feature. A copy of the two designs was included in the meeting materials.
2. Palm Springs General Plan Update – Chair Clark reported on the Steering Committee meeting from June 8, 2020, and Commissioner Freedman added information from the meeting on July 20, 2020. Greenhouse Gas reduction is one aspect of the General Plan that has been identified as an integral part of the plan.
3. Maintaining Open Space – Vice Chair McCann reported on Bel Air Greens golf course and the effort to

purchase the land. As the land is owned by the Agua Caliente Tribe, the purchase would be to purchase the lease from the current lease holder. The current lease holder has plans to develop the land rather than leave it as open land.

4. Looking Ahead – Manager Tallarico reported on projects that will be upcoming in the next year, including the plastics ordinance and SB1383 organics recycling. He also reported on the status of the greenhouse gas inventory currently under way. The Airport demonstration garden will also be moving forward this year. Manager Tallarico asked the Commissioners to think about these projects and provide feedback on them. Commissioners responded with their ideas and preferences.

**D. COMMISSIONER COMMENTS AND UPCOMING AGENDA DEVELOPMENT –**

- Commissioner Freedman requested that an agenda item be placed on the City Council meeting for the AB1236 ordinance regarding electric vehicle charger permits.
- Commissioner Freedman requested that David Newell from Planning present at the September meeting on the General Plan.
- Commissioner Miller requested that the Commission branch out and become more diverse in looking to fill vacant positions on the Commission.
- Commissioner Freedman reported on the launch of Desert Community Energy and the opt down and opt out figures. He also reported on the Desert Water Agency meeting figures.

- E. ADJOURNMENT** - The meeting of the Sustainability Commission adjourned at 7:27 PM by a motion from Vice Chair McCann and seconded by Commissioner Gauthier and approved by a unanimous vote. They adjourned to the Regular Meeting of the Sustainability Commission to be held at 5:30 p.m. on Tuesday, September 15, 2020, location to be determined. There is a possibility that the next meeting will be via telecommunication also. The Sustainability Commission's regular meeting schedule is at 5:30 p.m. the third Tuesday each month except August unless otherwise noted or amended.

Respectfully Submitted,

Patrick Tallarico, Manager, Office of Sustainability



# CITY COUNCIL STAFF REPORT

DATE: September 24, 2020 LEGISLATIVE

SUBJECT: PROPOSED ORDINANCE AMENDING THE PALM SPRINGS MUNICIPAL CODE REGARDING THE REUSABLE FOOD SERVICE WARE AND PLASTICS WASTE REDUCTION

FROM: David H. Ready, City Manager

BY: Department of Development Services, Sustainability Division

---

## SUMMARY

The Sustainability Division has been working with the Sustainability Commission to develop a comprehensive ordinance to reduce disposable food service ware and reduce waste from the use of certain plastics. This effort emerged from recommendations made by the Sustainability Commission in November 2018 to ban certain types of plastic food service ware. The City Council expressed support for a comprehensive ordinance at its July 9, 2020, meeting and requested that the City conduct additional outreach to affected stakeholders. Sustainability Division staff conducted this additional outreach in August and September and has developed this proposed ordinance for Council's consideration. This Staff Report includes updated information from these stakeholder sessions and an explanation of Ordinance features.

## RECOMMENDATION

Waive the reading of text in its entirety, read by title only, and introduce for first reading Ordinance No. \_\_\_\_\_ "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, ADDING CHAPTER 5.XX TO TITLE 5 OF THE PALM SPRINGS MUNICIPAL CODE REGARDING REUSABLE FOOD SERVICE WARE AND PLASTIC WASTE REDUCTION"

## BACKGROUND

Worldwide, over 400 million tons of plastic products are produced each year. About half of this total is composed of consumer products destined for disposal after only a single use. These "throw-away" products include straws, liquid stirrers, cups, lids, expanded polystyrene (EPS) food containers, disposable plates, eating utensils, and shopping bags.

Many of these items are small and are not easily recycled, so they often end up as trash in landfills or as litter in waterways and streets. These materials never fully degrade but rather degenerate into “microplastic” material that accumulates in the ocean, contaminates food supplies, or gets ingested by animals. Recently, scientists have even found microplastics in the air. Scientists recorded a daily rate of 365 microplastic particles per square meter falling from the sky in pristine areas of southern France where there were no other sources.<sup>1</sup>

The Sustainability Commission researched the growing threat of plastic waste and specifically focused on straws, polystyrene-composed packaging, and food service ware. A report by the Sustainability Commission Subcommittee on Waste Reduction in November 2018 (included as **Attachment A**) provides additional details on the problems associated with single-use plastics used by food service facilities.

Research conducted by the Sustainability Commission indicated that municipal bans are more effective than voluntary efforts. Some cities have seen a 40-60% reduction in certain types of plastic-related litter following implementation of their ordinances – higher rates for plastic bag bans. The City of Santa Cruz tried for 18 years to reduce plastics throughout the city on a voluntary basis but were not able to achieve their goals. They are one example of a city that ultimately decided to adopt mandatory requirements.

This research prompted the Sustainability Commission to pass a motion at its meeting on December 18, 2018, that recommended prohibiting the use of certain plastic and EPS (aka Styrofoam) items by commercial food providers. Specifically, the motion states:

**Motion:** Food or beverage products supplied by commercial food providers shall not be sold, packaged, distributed, or consumed with food service ware made of EPS foam, rigid polystyrene #6, and non-recyclable and non-compostable material in the City of Palm Springs.

The Sustainability Commission also recommended the best way to implement this prohibition was for the City to develop an ordinance that bans the use of items such as plastic straws, single-use food and beverage containers made of certain types of plastic, and non-recyclable or non-compostable material used for prepared food distribution.

Since that time, Sustainability Staff have been working with Sustainability Commission members and an outside consulting firm, Upstream, to conduct research and develop a draft ordinance based on the recommendations of the Sustainability Commission and the new information gathered during the ordinance development process. The draft ordinance was presented at Sustainability Commission meetings on October 15, 2019, December 17, 2019, and January 21, 2020. A revised draft reflecting some updates based on the

---

<sup>1</sup> Leahy, Stephen, [Microplastics are Raining Down from the Sky](https://www.nationalgeographic.com/environment/2019/04/microplastics-pollution-falls-from-air-even-mountains/), National Geographic, April 15, 2019  
<https://www.nationalgeographic.com/environment/2019/04/microplastics-pollution-falls-from-air-even-mountains/>

most recent round of stakeholder input was presented to the Sustainability Commission on September 15<sup>th</sup>, and they did not have any changes.

Between October and December of 2020, Sustainability Staff along with some volunteers and Sustainability Commission members conducted surveys of over 100 local food vendors to determine their current food ware situation. The results of this survey are included in **Attachment B**. It is important to note that these surveys were conducted pre-COVID and some restaurants have changed both their proportion and type of disposable food ware to accommodate more takeout orders.

Sustainability Staff presented the features of a draft ordinance to the City Council at its meeting on July 9, 2020. At that meeting, Council expressed unanimous support to move forward expeditiously with a comprehensive ordinance after soliciting additional input from the affected business community. Sustainability Staff conducted additional outreach sessions, and highlights of the feedback received are included in Attachment are included in **Attachment C**.

## STAFF ANALYSIS

### **State Context**

The State of California started moving forward with limited plastic food ware bans in 2018. AB 1884 was passed in September 2018 required full service (dine-in) restaurants to have a plastic straw-upon-request-only policy. Although it experienced a slow start, most restaurants seem to finally be complying with this law.

In September 2018, Governor Brown signed SB-1335, which requires food service facilities located in a state-owned facility, operating on or acting as a concessionaire on state-owned property, or under contract to provide food service to a state agency to dispense prepared food using food service packaging that is reusable, recyclable, or compostable. CalRecycle has developed a proposed regulation that clarifies terms, specifies criteria, and outlines a process for determining the types of food service packaging that are reusable, recyclable, or compostable. The process for developing the parameters for this regulation are important for others considering similar bans in that it will hopefully provide more clarity and consistency for terms like “recyclable,” “compostable” and “reusable.”

In October 2019, the State passed AB 1162 that will ban single-use plastic bottles for toiletries starting in 2023 for larger hotels and 2024 in smaller establishments. Most of the major hotel brands have already committed doing this even faster than the State requires. As with other reusable and bulk dispensing approaches, hotels are finding that they save money by making this switch.

Other bills were being considered at the State level in 2019 but were not passed. Senate Bill 54/Assembly Bill 1080 would have set goals to reduce waste from single-use packaging and products – including banning polystyrene foam – and ensure the remaining items are effectively recycled. AB 792 would have increased recycled content

requirements. Although these bills were not successful last year, similar efforts are already emerging.

SB 1383 regulations will be finalized by the State of California late this year. These requirements, among other things, mandate that each City have a comprehensive organics management program for commercial and residential customers. This service will include food waste and yard waste, so it will represent a significant expansion of our current service, which is only focused on commercial food service. These requirements will take effect in January 2022 and will enable the City to collect compostable food ware, if processing facilities will accept it.

In response to COVID-19, the State issued a 60-day emergency order suspending the State-wide ban on single-use plastic bags at stores. Some grocery stores no longer allow customers to use reusable bags out of an abundance of caution to protect workers, even though health experts have reiterated that surface transmission does not pose significant risks. The State has since ended its suspension of the State's plastic bag ban, but stores remain reluctant to allow use of reusable bags and have requested that patrons bag their own groceries.

The State also issued guidance to restaurants that allows for use of disposable menus and disposable food ware if cleaning and disinfecting is not possible in response to the COVID Pandemic. Many businesses embraced these disposable allowances, in part, because there is a perception among customers that these disposable items have less potential for contamination.

### **What Other Cities are Doing**

Over 100 cities in California have instituted some sort of restrictions on disposable food ware. The descriptions below are a snapshot in time as many cities are considering new or expanded requirements. Sustainability staff have summarized some examples of these restrictions and grouped them into three categories – Basic, Moderate, and Progressive programs. Many of these programs have been put on hold due to the COVID-19 pandemic.

#### Basic Programs

Some cities have chosen to implement limited restrictions that focus on a single product. For example:

- Cathedral City restricts plastic straws to on-request only and expands this restriction over the state requirements to include all food establishments, not just dine-in restaurants.
- Del Mar banned all plastic straws and stirrers. Biodegradable, paper or reusable straws can be made available upon request.
- El Segundo restricts plastic straws, stirrers and utensils to on-request only.

#### Moderate Programs

These cities have chosen a more robust approach and includes restrictions on multiple products and specifies acceptable disposable alternatives. For example:

- Carmel banned plastic straws and utensils and now requires that all disposable food ware (e.g., straws, cups, lids, etc.) be biodegradable/compostable or recyclable.
- Avalon has banned the use of all polystyrene food ware and requires that other disposable food ware be recyclable or compostable. It prohibits the sale or distribution of plastic straws, plastic stirrers, and any polystyrene food ware within the city. It also encourages all businesses to not use polystyrene foam packaging.
- Davis restricts plastic straws to on-demand only for dine-in service consistent with state law. Davis also passed a disposable food ware reduction law that bans polystyrene foam food ware and only allows food ware that is recyclable or biodegradable. Davis also encourages businesses to not use polystyrene foam packaging.
- Alameda encourages businesses to switch to reusable food ware voluntarily, bans all polystyrene food ware, limits single use straws to on-request only (or self-service stations), and requires all disposable food ware to be compostable. Alameda also allows food vendors to charge a fee to recover the cost of the difference between the compostable food ware and their current food ware if more expensive.

Progressive Programs that Promote Reusable Food Service Ware

The most progressive programs have a more comprehensive approach that includes an emphasis on promoting reusable food ware. Below is a summary of the key features of four city ordinances. While there are certain exceptions or fine points, the table below provides a perspective on the types of things that are included. All of these programs have been put on hold due to the COVID-19 Pandemic.

Provision	Berkley	Fairfax	San Anselmo	Arcada
Reusable food ware required for on-site food consumption	X	X	X	X
Disposable cup charge (\$.25)	X	X	X	X
Food ware accessories are on request only or in a food service area	X	X	X	X
Accessories must be on-request only across all ordering platforms	X	X	X	X
Polystyrene foam food ware is banned	X	X	X	X
Requirement that disposable food ware be compostable and free of fluorinated chemicals	X	X	X	X
Broader ban on polystyrene foam to include sale or use and/or non-food ware items		X	X	X
Front of house recycling and composting required	X	X		
Recommendation for use of bulk condiment dispensers on site			X	X

### **Feedback Received from Stakeholder Sessions**

The City conducted two outreach sessions early in the ordinance development process in September 2019. Stakeholders at that meeting provided important feedback that helped shape the development of the ordinance. For example:

- One restaurant that had banned straws when the State law was passed stated that customers had questions at first but got used to the idea of not having straws and learned to either go without or bring their own. This indicates that customers are capable of adapting to change after a period of adjustment.
- They expressed concerns and confusion about some of the disposable alternatives. In particular, they recommended that the City not require compostable alternatives if there was no system to collect and compost the material. Just because it may be better than plastic, the “compostable” name was misleading given that the material would likely just go to landfill. The City has not specified disposable alternatives (e.g., requiring all compostable food ware), because there each alternative presents a tradeoff. Reusable food ware remains the best alternative. However, later commenters did express a need for the City to provide resources to help businesses to select alternatives, especially alternatives to polystyrene.
- There needs to be exceptions for businesses that can’t find alternatives or have some business need for retaining certain disposable food ware. An except was included for businesses based on the ability to find reasonable alternatives and disproportionate impact.

Council received two comments at its July 9, 2020, meeting. One from a resident expressing support for the ordinance, and one from the California Restaurant Association expressing concerns about various elements of the ordinance and advocating that it should be reconsidered, especially given the impacts being experienced by food vendors as a result of the COVID-19 response.

Sustainability Staff conducted three stakeholder input sessions (August 25, 2020; August 26, 2020; and September 1, 2020) and attended a meeting of the Palm Springs Hospitality Association Board on September 10, 2020. Mayor Kors and Mayor Pro Tem Holstege attended most of these sessions to hear feedback fist hand. There was limited participation in these stakeholder input sessions despite getting notices out through various organizations such as Main Street, PHSA, and the association of small hotels in addition to a press release and postings on City websites. The City and members of Council did receive a few comments from restaurant owners via email. As noted earlier, this input is summarized in **Attachment C**.

One member of the public participated in these sessions that expressed support for moving forward with the ordinance and had concerns about food vendors using the COVID response as an excuse to delay or avoid compliance.



A representative of the Living Desert also participated to share some of their experiences to move to compostable alternatives and promote recycling and composting among visitors.

Members of business community that provided input through this process consistently expressed concerns about the timing of the ordinance. Although they were open to the idea of the ordinance and have even implemented some of the ordinance features already, they were concerned that businesses are focused right now on just keeping the doors open and would be challenged to take on a new compliance initiative. While the summer has been busier than normal for some, many have experienced and will continue experience significant shortfalls due to the cancellation of large events in the spring and now the fall.

They also expressed concerns about more expensive product alternatives – especially alternatives to polystyrene. With the significant increase in to-go orders, food vendors are using more disposable food ware than ever, and these disposables make up a more significant portion of their budget. More expensive alternatives that may have had minimal impact before are having a much more significant impact now. One restaurant indicated that have had to raise prices as much as 30% at a time when many customers are also experiencing hardship.

This concern about raising consumer costs extended to the proposed cup and container charge (\$.25 per item up to \$.50). While one participant indicated that the \$.50 limit may not be enough to offset all the cost increases associated with alternative containers – especially in a multiple-container to-go environment – any charge would also increase the end cost to the customer at a time where bring-your-own reusable alternatives have been severely curtailed or eliminated. The City received some negative feedback from residents after the \$.10 charge for disposable grocery bags was reinstated this summer without the ability to fully use reusable bags, so we might expect similar feedback about a cup and container charge.

### **Key Components of the Draft Ordinance**

The Sustainability Division has been working with the Sustainability Commission and a consultant, UPSTREAM, to develop draft ordinance language to restrict disposable food service ware here in Palm Springs. The key features of this draft ordinance are drawn from the more progressive programs described above and are reflective of the current state of our recycling and waste management infrastructure. The draft in Attachment D has been reviewed by legal Counsel, and comments and questions were addressed. This current version also reflects some of the feedback received as a result of the most recent round of stakeholder outreach.

#### **1) Effective Date**

The Ordinance includes an effective date of July 1, 2021. Although some elements can easily be implemented right away, a comprehensive effective date offers a more simplified approach the provides time for businesses to hopefully establish more normal business

routines and will allow the City time to provide more robust support to businesses to make the necessary changes to their operations through technical and financial assistance.

Having a single implementation date also reflects feedback from other cities that have implemented similar ordinances to avoid complicated phased or tiered approaches.

**2) Broad prohibition on the use and retail sale of food ware made of polystyrene and expanded polystyrene foam (EPS) food ware.**

Styrene used to manufacture polystyrene products is identified by the State of California as a human carcinogen under Proposition 65 chemicals. The State advises that individuals limit consumption of hot food and beverages from polystyrene containers.<sup>2</sup> Polystyrene foam food and beverage service ware is a distinctive litter concern because it is lightweight, easily blown into streets and waterways, and floats in water. It also breaks apart easily into small pieces, is difficult to collect, and is often mistaken as food by birds, fish, and wildlife.

While limiting the use of polystyrene foam food ware by food vendors would make an impact on our local environment, Sustainability staff observed significant polystyrene use by individuals in parks. Often these materials get blown into the fences and accumulate around the park perimeter and beyond. A total ban on retail sales and use by food vendors may be a more effective way to more universally prevent this type of litter.

Unfortunately recycling markets for polystyrene are limited. Although polystyrene (rigid and foam) are accepted and sorted by our material recovery facility, there are really only viable markets for block polystyrene at this time.

In California, 65 local jurisdictions have enacted bans on use of foam polystyrene foodware in food service. Increasing numbers of jurisdictions are expanding this to include all types of polystyrene, due to health concerns.

Survey results last fall indicated that about a third of the restaurants in Palm Springs still use some EPS food ware, primarily for takeout orders. However, this number has likely grown in recent months given that most restaurants are focused heavily on to-go orders. This means that the cost impacts of alternatives will be greater. While there are more reasonably priced alternatives for rigid polystyrene containers, the cost of alternatives for polystyrene foam remains higher. A brief survey of alternative costs (**See Attachment E**) was conducted after the July 9, 2020, Council meeting. While not comprehensive, it does indicate that food containers in particular are more expensive.

The requirement will also have an impact on local retailers such as Smart and Final, Walmart, and the .99¢ store that sell to restaurants and to other bulk buyers. When Sustainability staff reached out to some of these retailers earlier this year, they indicated that they have not considered ceasing sales and are not actively looking into alternatives.

---

<sup>2</sup> <https://www.p65warnings.ca.gov/fact-sheets/styrene>

Retailers such as Ralphs seem to have a variety of potential alternatives for the more occasional consumer.

Because the ban includes rigid polystyrene, not just the foam version, it would include all plastics marked with a #6, including products such as the iconic “Red Solo Cup” and other plates, cups and utensils.

At the July 9<sup>th</sup> Council meeting, Council members expressed interested in moving forward with the polystyrene ban.

The current ordinance retains the broad prohibition on the use and retail sale of polystyrene and polystyrene foam food ware.

3) Food vendors that use disposable food ware that is compostable must use food ware that is certified by the Biodegradable Products Institute and is free of added fluorinated chemicals.

*Compostable* and *biodegradable* are terms that are often used interchangeably, but they are not the same. Most materials will biodegrade eventually in the environment. However, not all products meet the standards of compostability identified in ASTM D6400 or D6868. It is important that, if food vendors are going to make the switch to compostable materials, they should change to something that will be accepted into our planned organics management program. The management of organics is one of the City’s biggest future challenges, and, unfortunately there are still many uncertainties.

In addition to meeting the standard for compostability, the material should be free of fluorinated chemicals such as per- and poly-fluorinated alkyl substances (PFAS). These chemicals are used to improve performance of fiber-based food ware, but they are known as “forever chemicals” because they are persistent and toxic pollutants that can contaminate groundwater, surface water, compost and then edible crops grown in compost. These chemicals are associated with cancer, endocrine disruption, and a wide range of other human health impacts.

Although there is not a broader requirement that food vendors move to compostable materials at this time, the Sustainability staff have been working with Palm Springs Disposal Services to better understand what facilities we have available that will accept compostable food service ware. The current facility that Palm Springs Disposal uses for organics management is reluctant to take it because of the extra time it takes to decompose as compared to regular yard and food waste. We have received feedback from a new facility being planned by Burrtec at Edom Hill that they may be able to take this material. That facility plans to open this fall and we may have more information about their capabilities at that time. In addition, other organics management facilities are likely to come on line in the next year, which may provide additional management opportunities.

The current ordinance retains the requirement that compostable alternatives meet the ASTM standard for compostability and be free from fluorinated chemicals in anticipation

of these materials being accepted in an organics management system when the City expands its program in January of 2022.

4) Straws will be non-plastic and available only on request.

Straws have been the focus of many ordinances and much media attention. Because they are often hard to collect and are not recyclable, the best approach is to reduce their availability and ensure that non-plastic alternatives are used so that when they are released to the environment, their threat is minimized.

This is addressed in the draft ordinance in two ways – it specifies that any straws are non-plastic and that all straws are available only upon request or in a self-service area.

To address accessibility concerns, the ordinance would include an allowance for businesses to retain some plastic straws for patrons that need them.

Because of the state law and the media attention around this issue, many businesses have already made a switch and are more likely to ask patrons if they want straws before handing one to them. Given the exception in the state law for bars and fast food, these things are still happening at some food vendor locations that would be covered by the new ordinance.

Changes that many restaurants have adopted have provided further incentive for businesses to move to an on-demand system and keep these types of accessories behind the counter. While the current ordinance includes an option for food vendors to offer food ware accessories in self-service areas, it does not allow this option for straws. Straws are on-demand only. The move to on-demand only is expected to reduce costs for businesses by reducing the amount of straws that need to be purchased.

5) Reusable food service ware is required for on-site food consumption.

Although some disposable alternatives – such as those made from compostable and recyclable materials – seem preferable to traditional plastic, they are still disposable and associated with a wide range of environmental impacts, such as greenhouse gas emissions, water and air pollution, resource extraction, habitat destruction, as well as contributing to landfill waste and litter. Moving away from disposables is the only way to reduce waste.

Reusable food service ware for onsite food consumption also saves businesses money while significantly reducing their waste generation. Some examples of businesses that have embraced reusables through the ReThink Disposable program are included in **Attachment F**.

Based on the results of the City's restaurant survey, this onsite reusable requirement would mean that about 20% of food vendors would have to change some aspect of their in-house dining practices. This 20% primarily includes fast food restaurants (e.g., Panera,

McDonalds, Subway, Carl's Jr) and small establishments (e.g., Teryaki Yogi, Townie Bagel, Koffi). Some chains that are in locations that have passed similar requirements are actively seeking ways to adapt their operations.

Since COVID, some restaurants have increased their use of disposable food ware for on-site use based on guidance from the State, which allows this when disinfecting reusable food ware is not possible. This means that the number of affected restaurants may be higher than 20% at present.

The City recognizes that some food items need to be wrapped or contained in ways that may not lend themselves to reusable food ware (e.g., burritos). In these cases, non-reusable paper food wrappers, sleeves and bags; foil wrappers; paper napkins; and paper tray and plate-liners are allowed for on-site food consumption.

Although Reusable options are preferred, Prepared Food Vendors may use Non-reusable straws, stirrers, cocktail sticks, and toothpicks that are not Plastic for on-site food consumption.

6) For takeout food, food ware accessories are provided only upon request, including through online delivery platforms.

The proliferation of food ware accessory waste is challenging because there are limited options for non-plastic alternatives, they can't really be recycled in our current recycling system, and they are often given out automatically at restaurants. Although some businesses have started to change their practices and provide them only on request, some restaurants are concerned about customer dissatisfaction if they don't include them and the customer needs them later.

The goal of this provision is to eliminate the practice of automatically giving customers accessories that they don't need. Many customers that take out or get delivery are consuming meals at home or work where they already have napkins, utensils, condiments, etc. and don't need the accessories. In a waste-conscious culture, the default should be not to provide these disposable items unless the customer needs them.

Like the move to reusables, this practice will also save businesses money because they will buy less products – many of which customers aren't using.

There is a condition that this "on-demand" system extend to virtual ordering tools as well as in-person or on the phone situations. Some online services like GrubHub have already incorporated this due to restrictions that are emerging in other parts of the State.

7) Charge for disposable cups and containers.

The problem of disposable food ware is as much dependent on individual choice as it is on the decisions of food vendors. Some of the more progressive programs have adopted or are planning a charge for disposable food ware such as cups and containers. Similar to the charge for plastic bags, the additional fee is intended to encourage customers to bring their own cups and containers.

This fee had been developed in a pre-COVID environment where bringing your own reusable containers was more viable. A disposable cup and container fee in the current environment may provide additional revenue for restaurants to offset costs of more expensive disposable alternatives or their participation in a reusable cup or container service, but consumers in Palm Springs do not currently have access to reusable alternatives. This will likely change as the pandemic response and consumer perspectives on reusable containers changes, but it is unclear when this will happen.

The original ordinance draft included a charge of \$.25 per disposable cup or container up to a total of \$.50. The current ordinance provides a cup and container fee as an option or an incentive for reusable alternatives, if available. This will provide flexibility to businesses to incentivize the move to reusable food ware when the time is appropriate.

The City hopes to work with the Coachella Valley Economic Partnership to bring a reusable cup and container service to Palm Springs to provide a non-bring-your-own reusable alternative for cups and containers. If reusable options are available, businesses should never charge more for the reusable option.

Any fees collected through this process would remain with the food vendor. As such, it would not be considered a tax by the City.

One of the questions that is often asked is whether customer-provided reusable cups and food ware are allowed under the current health code. There was a condition added to the State Health Code that does allow for refilling reusable cups as long as certain procedures are in place (e.g., the lip does not touch the dispenser), which is fairly common practice across restaurants now. Staff received feedback during the outreach process that Riverside County provided incorrect guidance to restaurants pre-COVID that businesses could not accept these types of containers.

8) Condiments must be in individual reusable containers, bulk dispensers, or individual paper packaging for onsite consumption. Individual plastic condiment packages are prohibited for on-site use.

This component helps to eliminate impossible to recycle materials such as creamer containers, jam and jelly containers, and ketchup packets when used for on-site dining. Although it does not eliminate the challenge of their use for takeout orders, it does help limit onsite disposables. This is already done at many food vendors to varying extents.

The Cities of Fairfax and San Anselmo include this as a recommended practice and the County of Marin has proposed it.

This remains a requirement in the current ordinance and provides another opportunity for businesses to save money on disposable food ware accessories and small condiment packages.

9) No single-use plastic bags for food delivery or takeout.

The City's current single-use plastic bag restrictions do not currently apply to food vendors for prepared food "for the purpose of safeguarding health and safety during the transportation of prepared take-out foods and liquids intended for consumption away from the food provider's premises." (See PSMC 6.09.050 paragraph C)

When the City conducted its survey of food vendors, it found that about half of the respondents used plastic and half used either paper or a combination of paper and plastic for certain items.

One commenter expressed concern about the feasibility and practicality of extending the single use plastic bag restrictions to takeout food. Liquids in particular may present a challenge and may warrant a more narrow exception for liquids only. The current draft includes a broad prohibition, but an exception for liquid food could be included to address this concern.

If this feature passes, the City would need to modify PSMC 6.09.050.

10) Exceptions for undue hardship and other reasons.

The Sustainability Commission recognizes that there may be necessary exceptions to the potential requirements described above. Waivers or exceptions would be provided for the following types of situations:

- Cup and container charges would not apply to customers receiving state assistance
- Feasibility based hardships (e.g., they are unable to accommodate storage of reusable food ware, on-site seating is minimal, there are no alternatives to a non-compliant product).
- Financially prohibitive (e.g., vendors demonstrate that alternatives are prohibitively expensive)
- Undue hardship is created by one or more requirements that generally don't apply to others in a similar situation.

**Technical and Financial Support for Businesses**

The City recognizes the challenging times that businesses are facing and the technical assistance that may be needed for some businesses to assess their compliance status for these requirements and request waivers where needed. That is why the City is proposing the following support:

- Technical assistance. The City plans on hiring a consultant to assist businesses with sustainability compliance generally but compliance with this ordinance in particular. This consultant will help fill the gap left by our recently retired recycling coordinator.
- Financial assistance. The City plans to provide “Sustainability Scholarships” to businesses to help them comply, especially with the reuse requirements in this ordinance. This assistance will be important given that many of the affected businesses are small and may have limited resources to make these changes.
- Purchasing support. If there are opportunities to do so, the City can assist businesses by facilitating bulk purchases of acceptable alternative products. The City can also assist with product buy-backs if needed.

#### FISCAL ANALYSIS:

This ordinance will require significant staff resources to implement. In addition to staff time to oversee assistance efforts, the types of costs anticipated include the following:

- Outreach and education to both businesses and the community. This could include mailings, advertisements, radio spots, and social media postings. (\$10,000)
- Consulting services to provide on-site assessments and alternatives analyses and to provide advice for businesses. This work will largely be performed by an external consultant and would cover not only the requirements of this ordinance but also other timely compliance topics such as recycling and organics management. (\$50,000)
- Sustainability Scholarships will be provided directly to businesses. These scholarships can be used by businesses to get reimbursed for alternative disposable products, reusable food ware, and storage equipment for reusable food ware. The City will set aside \$100,000 to support business efforts.

Funds for these efforts are available from the Recycling and Sustainability funds, depending on the types of expenses being reimbursed.

#### ENVIRONMENTAL ASSESSMENT:

Section 15061 (b)(3) of the California Environmental Quality Act (“CEQA”) Guidelines exempts activities that are covered under the general rule that CEQA applies only to projects that have the potential to cause significant effects on the environment. Although we expect that actions taken by businesses as a result of this ordinance will have positive environmental impacts, the activities are not subject to CEQA.



SUBMITTED:

---

Patrick Tallarico, LEED AP, CPF  
Manager, Sustainability Division

---

Flinn Fagg,  
Director, Development Services  
Department

---

Marcus Fuller, PE, PLS  
Assistant City Manager

---

David H. Ready, Esq., Ph.D.  
City Manager

ATTACHMENTS:

- A. Standing Subcommittee on Waste Reduction Report, November 2018
- B. Restaurant Survey Results
- C. Summary of Recent Stakeholder Feedback
- D. Draft Ordinance
- E. Cost Analysis of Polystyrene Alternatives
- F. Reuse Case Examples

**ATTACHMENT A: STANDING SUBCOMMITTEE ON WASTE REDUCTION REPORT,  
NOVEMBER 2018**

**ATTACHMENT B: RESTAURANT SURVEY RESULTS**

**ATTACHMENT C: SUMMARY OF RECENT FEEDBACK**

**ATTACHMENT D: DRAFT ORDINANCE**

## **ATTACHMENT E: COST ANALYSIS**

**ATTACMENT F: REUSE CASE EXAMPLES**

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, ADDING CHAPTER ~~5.XX~~5.87 TO TITLE 5 OF THE PALM SPRINGS MUNICIPAL CODE REGARDING REUSABLE FOOD SERVICE WARE AND PLASTIC WASTE REDUCTION**

**WHEREAS**, The City has a goal of diverting over 90% of its solid waste from landfills.

**WHEREAS**, The production and disposal of single-use disposable food and beverage packaging has significant environmental impacts, including the contamination of the environment, the depletion of natural resources, use of non-renewable polluting fossil fuels, greenhouse gas emissions, and the increased clean-up and end of life management costs; and

**WHEREAS**, Food and beverage packaging comprises approximately one quarter of California's disposed waste stream annually,<sup>1</sup> accounts for 14 of the top 20 marine plastic items,<sup>2</sup> and an estimated 70% of street litter<sup>3</sup>; and

**WHEREAS**, Plastics released to land, waterways, and oceans break down into smaller pieces that are not biodegradable and can be easily consumed by animals and people; and

**WHEREAS**, Plastics contribute to greenhouse gas emissions because they are derived from petroleum products and because they release methane emissions when they degrade; and

**WHEREAS**, Polystyrene foam food and beverage service ware is a distinctive litter concern because it is lightweight, easily blown into streets and waterways, and floats in water; and

**WHEREAS**, Polystyrene foam food and beverage service ware breaks apart easily into small pieces, is difficult to collect, and is often mistaken as food by birds, fish, and wildlife; and

**WHEREAS**, Styrene used to manufacture polystyrene products is identified by the State of California as a carcinogen under Proposition 65 chemicals, the state advises that individuals limit consumption of hot food and beverages from polystyrene containers, and containers made from alternative materials that are reusable, recyclable, or compostable are readily available.<sup>4</sup>

**WHEREAS**, The market for alternative forms of disposable food and beverage packaging and food service ware continues to evolve, and there is no ideal replacement for all current plastic disposable food ware.

**WHEREAS**, Reusable food ware, packaging, and products are more environmentally sound alternatives to disposables and saves businesses money.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF PALM SPRINGS DOES ORDAIN AS FOLLOWS:**

---

<sup>1</sup> CalRecycle Packaging Reform Workshop Background Document (2017) citing CalRecycle waste characterization study entitled "2014 Disposal Facility-Based Characterization of Solid Waste in California."

<https://www2.calrecycle.ca.gov/PublicNotices/Documents/8345>

<sup>2</sup> Better Alternatives Now, List 2.0. UPSTREAM. <https://www.upstreamsolutions.org/reports>

<sup>3</sup> Clean Water Fund (2012), Taking out the Trash: Identifying Sources of Trash in the Bay Area- <http://www.rethinkdisposable.org/resources>

<sup>4</sup> <https://www.p65warnings.ca.gov/fact-sheets/styrene>



**SECTION 1. Incorporation of Recitals.** The above recitals are true and correct and are incorporated herein by this reference as material findings in support of this Ordinance.

**SECTION 2.** Chapter ~~5.XX~~5.87 is hereby added to Title 5 of the Palm Springs Municipal Code to read as follows:

**5.XX5.87.001 Definitions**

For the provisions of this Chapter, the following definitions shall apply:

“City” means the City of Palm Springs, California.

“City-sponsored event” includes any event, activity or meeting organized or sponsored, in whole or in part by the City or any department of the City.

“Compostable” means any product that meets the standards of ASTM D6400 or ASTM D6868 for compostability, as adopted or subsequently amended by the American Society for Testing and Materials (ASTM) ~~and~~ issuch as products certified by the Biodegradable Products Institute or a different third party as specified by the City.

~~“Non-reusable” means products that do not meet the definition of “Reusable” as defined in this section.~~

~~“Non-reusable cup” is a beverage cup that does not meet the definition of “Reusable” that is used to serve beverages, such as water, cold drinks, hot drinks, alcoholic beverages, and other drinks.~~

“Fluorinated Chemicals” means perfluoroalkyl and polyfluoroalkyl substances or fluorinated chemicals, which for the purposes of food packaging are a class of fluorinated organic chemicals containing at least one fully fluorinated carbon atom.

“Food Service Ware” means all containers, bowls, plates, trays, cups, lids, and other like items that are used for consuming prepared foods, including without limitation, service ware for takeout foods and/or leftovers from partially consumed meals prepared by prepared food vendors.

“Food Service Ware Accessory” means all types of single-use items usually provided alongside Prepared Food in single-use plates, containers, bowls, or cups, including but not limited to utensils, chopsticks, napkins, cup lids, cup sleeves, food or beverage trays, condiment packets and saucers, straws, stirrers, splash sticks, cocktail sticks, and toothpicks designed for a single use for Prepared Foods.

“Non-reusable” means products that do not meet the definition of “Reusable” as defined in this section.

“Non-reusable cup” is a beverage cup that does not meet the definition of “Reusable” that is used to serve beverages, such as water, cold drinks, hot drinks, alcoholic beverages, and other drinks.

“Packing Material” means material used to hold, cushion, or protect items packed in a container for shipping, transport, or storage.

“Person” means any individual, trust, firm, joint stock company, corporation including a government corporation, partnership or association.

“Plastic” means a synthetic material made from fossil fuel based polymers such as polyethylene, polystyrene, polypropylene, and polycarbonate that can be molded or blown into shape while soft and then set into a rigid or slightly elastic form.

“Polystyrene” means a thermoplastic petrochemical material utilizing the styrene monomer, including but not limited to rigid polystyrene and expanded polystyrene, processed by any number of techniques, including but not limited to fusion of polymer spheres (expandable bead polystyrene), injection molding, expanded polystyrene molding, or extrusion-blow molding (extruded polystyrene), and clear or solid polystyrene (oriented polystyrene). The resin code for polystyrene is '6' or 'PS,' either alone or in combination with other letters. This definition applies to all polystyrene food service ware, regardless of whether it exhibits a resin code.

“Polystyrene foam” means and includes blown polystyrene and expanded and extruded foams (sometimes called Styrofoam, a Dow Chemical Co. trademarked form of expanded polystyrene insulation) which are thermoplastic petrochemical materials utilizing a styrene monomer and processed by any number of techniques including, but not limited to, fusion of polymer spheres (expandable bead polystyrene), injection molding, foam molding, and extrusion blow molding (extruded foam polystyrene). Polystyrene foam is commonly made into disposable food service ware products. Polystyrene foam does not include clear or solid polystyrene (oriented polystyrene).

“Prepared Food” means food or beverages, which are serviced, packaged, cooked, chopped, sliced, mixed, brewed, frozen, squeezed, poured, or otherwise prepared (collectively “prepared”) for individual customers or consumers. Prepared Food does not include raw eggs; raw, butchered meats, fish, and/or poultry sold from a butcher case, a refrigerator case, or similar retail appliance; or food that is prepared and packaged on site such as breads, baked goods, and deli items that are not intended for immediate consumption.

“Prepared Food Vendor” means any person or place that provides or sells Prepared Food within the City to the general public to be consumed on the premises or for take-away consumption. Prepared Food Vendor includes but is not limited to: a grocery store, supermarket, restaurant, fast-food restaurant, drive-thru, cafe, coffee shop, snack shop, public food market, farmers market, convenience store, or similar place where prepared food is available for sale on the premises or for takeaway consumption, and any mobile store, food vendor, caterer, food truck, or similar mobile outlet. This includes Prepared Food Vendors at City facilities and City contractors and lessees acting pursuant to a City contract, lease, or permit at a City Facility.

“Prepackaged” means food or beverages that are properly labeled and arrive at the premises of the food seller, vendor, or server in a container or wrapper in which the food or beverage is wholly encased, enclosed, contained or packaged and is not removed from such container or wrapper (other than an outer container or wrapper that encloses multiple units of food) before its sale or provision at the premises. Prepackaged food and beverages may be sold, vended, or served in the same container (e.g., ramen noodles in a foam cup).

“Reusable” means products designed and manufactured to maintain its shape and structure and be materially durable to be washed and sanitized and to be used repeatedly over an extended period of time, and is safe for washing and sanitizing by mechanical and/or manual ware washing methods that meet the requirements of the California Retail Food Safety Code for cleaning and sanitizing of equipment and utensils.

“Reuse System” means a closed loop service or program provided by a third party to a Food Vendor that includes the provision of Reusable Food Ware and the collection, cleaning, and redistribution of the Reusable Food Ware to said Food Vendor or other Food Vendors. Any operative third party Reuse System provider in the City of Palm Springs shall meet regulatory requirements that the City of Palm Springs may set forth in guidelines or regulations with a public hearing.

"Takeout food" means Prepared Food requiring no further preparation which is purchased to be consumed off a Prepared Food Vendor’s premises. Takeout Food includes Prepared Food delivered by a Prepared Food Vendor or by a third-party delivery service.

### **5.XX5.87.002 On-Site Food and Beverage Consumption**

~~1~~-a) \_\_\_\_\_ Prepared Food Vendors shall use Reusable Food Service Ware and Reusable Food Service Ware Accessories for Prepared Food served for on-site food and beverage consumption, unless the Food Vendor qualifies for a waiver as described in Section ~~5.XX5.87.008~~. This requirement does not prohibit a Prepared Food Vendor from providing leftover Prepared Food in Non-reusable Food Service Ware and Non-reusable Food Service Ware Accessories that are compliant with Section ~~5.XX5.87.003~~ of this Chapter when requested by a customer.

~~2~~-b) \_\_\_\_\_ Non-reusable paper food wrappers, sleeves and bags; foil wrappers; paper napkins; and paper tray and plate-liners shall be allowed for on-site food consumption.

~~3~~-c) \_\_\_\_\_ All Prepared Food Vendors offering condiments must offer those items in reusable containers, ~~either~~ bulk dispensers or individual paper packaging for on-site food and beverage consumption. Individual single-use plastic condiment packages are prohibited for on-site use.

~~4~~-d) \_\_\_\_\_ Although Reusable options are preferred, Prepared Food Vendors may use Non-reusable straws, stirrers, cocktail sticks, and toothpicks that are not Plastic for on-site food consumption. Straws shall be made available only upon request.

~~5~~-e) \_\_\_\_\_ Any Non-reusable Food Service Ware and Food Service Ware Accessories that are Compostable must meet the definition of Compostable in this Chapter and shall be

free of added Fluorinated Chemicals ~~as certified by the Biodegradable Products Institute or another independent organization authorized by the City.~~

### **5.XX5.87.003 Food Service Ware for Off-site Food and Beverage Consumption**

- 1.a) \_\_\_\_\_ No Prepared Food Vendor may use any Non-reusable Food Service Ware or Food Service Ware Accessories made in whole or in part from Polystyrene or Polystyrene Foam.
- 2.b) \_\_\_\_\_ Non-reusable straws shall not be made of Plastic.
- 3.c) \_\_\_\_\_ Any Non-reusable Food Service Ware and Food Service Ware Accessories that are Compostable must meet the definition of Compostable in this Chapter and shall be free of added Fluorinated Chemicals ~~as certified by the Biodegradable Products Institute or another independent organization authorized by the City.~~
- 4.d) \_\_\_\_\_ Prepared Food Vendors shall provide, sell, or otherwise distribute only those Food Service Ware Accessories that comply with this Section, and only (1) upon a customer's specific request for such items, (2) in a self-service area or dispenser – except for Non-reusable straws, which shall be made available by request only, or (3) when Prepared Food is assembled for delivery, to accommodate for safety and to prevent spills.
- 5.e) \_\_\_\_\_ Food prepared for off-site consumption or leftovers of partially consumed food on premises shall not be provided to customers in single-use plastic bags.
- 6.f) All Prepared Food Vendors must allow for the use of customer-supplied Reusable Food Service Ware consistent with California Food Retail Code.
- 7.g) \_\_\_\_\_ Prepared Food Vendors and Takeout Food delivery services must provide options for customers to affirmatively request Food Service Ware Accessories separate from orders for food and beverages across all ordering/point of sale platforms, including but not limited to web, smart phone and other digital platforms, telephone and in-person.

### **5.XX5.87.004 Food Service Ware for Retail Sale**

- 1.a) \_\_\_\_\_ No Person may sell, offer for sale, or otherwise distribute for compensation within the City any Non-reusable Food Service Ware or Food Service Ware Accessories made in whole or in part from Polystyrene or Polystyrene Foam.

### **5. XX87.005 Promoting the Use of Reusable Beverage Cups and Food Containers**

1. ~~Food Vendors must either charge a fee for Non-reusable cups and containers or provide an incentive for customers to use a Reusable alternative, if viable Reusable alternatives are available. The incentive must result in the Reusable alternative being less expensive for the consumer than the fees for Non-reusable cups or containers. No Food Vendor shall provide a Non-reusable Beverage Cup to a customer who is paying for a beverage, unless the Food Vendor charges the customer a Non-reusable Cup Charge of at least \$0.25 per cup.~~ A Food Vendor shall provide notice of this any charge for Non-reusable cups and containers to each customer prior to completing the customer's order. Fees for Non-reusable cups and containers shall not exceed \$.25 per cup or container with a maximum charge of \$1.00. Within one year of a determination by the City that

~~economically and geographically feasible Reusable Cup Return Systems are available to Food Vendors, Food Vendors will provide Reusable Cups to customers with a return system in place at a cost no greater than \$0.10.~~

~~Beginning January 1, 2022, No Food Vendor shall provide a Non-reusable Food Container to a customer paying for Prepared Food unless the Food Vendor charges the customer a Non-reusable Food Container Charge of at least \$0.25 per Non-reusable Food Container, with the maximum charge per order not to exceed \$0.50. A Food Vendor shall provide notice of this charge to each customer prior completing the customer's order. Within one year of a determination by the City that economically and geographically feasible Reusable Food Container Return Systems are available to Food Vendors, Food Vendors will provide Reusable Food Containers to customers with a return system in place at a cost no greater than \$0.10.~~

~~1.a) \_\_\_\_\_ The \$0.25 Any Non-reusable Cup and Non-reusable Food Container charges and Reusable Cup and Reusable Food Container charges imposed under subsections (a) and/or (b) of this Section shall be retained by the Food Vendor. Third-party food delivery services that process and/or deliver orders on behalf of Food Vendors and collect payment on behalf of Food Vendors shall remit the \$0.25 charge full amount of the charge to the Food Vendor.~~

~~2.b) \_\_\_\_\_ Controller's Report. No earlier than 18 months, and no later than 24 months, after implementation each of subsections (a) and/or (b) of this Section subsection 6, the Controller shall perform a separate assessment and review of the economic impact on Food Vendors, both large and small, of the Non-reusable Cup Charge and/or the Non-Reusable Food Container Charge. Based on such assessment and review, the Office of Sustainability shall submit an analysis to the City Council of each charge type. Each analysis shall be based on criteria deemed relevant by the Office of Sustainability, but shall include a survey of whether and how the charge specifically has impacted Food Vendors' profits and losses.~~

~~3.c) \_\_\_\_\_ The amount(s) charged pursuant to subsections (a) and (b) shall each be separately stated on any receipt provided to the customer at the time of sale and shall be identified respectively as the Non-Reusable Cup or Container Charge and/or the Non-Reusable Food Container Charge.~~

### **5.XX5.87.006 Waivers and Exemptions**

~~1.a) \_\_\_\_\_ Any charges under Section 5.XX5.87.005 Subsections (a) and (b) do not apply to Food Vendors when they are providing Prepared Food to a customer who receives state assistance as part of the Special Supplemental Food Program for Women, Infants, and Children (CITE THE STATE CODE—for example, Article 2 (commencing with Section 123275) of Chapter 1 of Part 2 of Division 106 of the California Health and Safety Code), or the (California Department of Social Services) Food Stamp Program CalFresh Program, or California Department of Health Care Services MediCal Program.~~

~~2.b) \_\_\_\_\_ The City Manager may waive the provisions of this Chapter if:~~  
~~1. The applicant demonstrates a feasibility based hardship. The person seeking the waiver must demonstrate to the City Manager's satisfaction~~



that it is not feasible to meet a specific requirement or that no reasonably feasible alternative exists to a specific non-compliant product.

2. The applicant demonstrates compliance is unreasonably financially prohibitive. The person seeking the exemption must demonstrate to the City Manager's satisfaction that with respect to each specific non-compliant product, there is no suitable and reasonably affordable alternative product available, including, but not limited to, good faith efforts to obtain a substantially similar complaint item at a non-prohibitive price.
3. Strict application of the specific requirement would create an undue hardship, or practical difficulty, not generally applicable to other persons in similar circumstances, and good cause is shown.

3.c) \_\_\_\_\_ An applicant seeking a waiver under subsection a must submit a written application on a form approved by the City Manager or designee. The City Manager or designee may require the applicant to submit additional information or documentation to make a determination regarding the waiver requested. The City Manager or designee shall review requests for waivers on a case-by-case basis, and may grant the waiver in whole or in part, with or without conditions, for a period of up to twelve (12) months. An applicant for renewal of a waiver must apply for a new waiver period no later than sixty (60) days prior to the expiration of the then-current period to preserve a continuous waiver status. The City Manager or designee shall review each application anew and base his or her determination on the most current information available. In no case shall a waiver be retroactive or continue past January 1, 2023~~4~~.

4.d) \_\_\_\_\_ Nothing in this chapter shall restrict the availability of single-use plastic straws, cups, or containers to individuals who may require and request them due to disability or other medical or physical conditions or circumstances. Prepared Food Vendors that customarily offer plastic straws, cups, or containers may maintain a small supply of plastic products to accommodate such requests.

### **5.XX5.87.010 Violation**

4.a) \_\_\_\_\_ Any Person, firm or corporation violating any provision of this chapter shall be guilty of an infraction for such violation and shall be subject to penalties as provided in **Section 1.01.155**.

**SECTION 3. CEQA.** This Ordinance was assessed in accordance with the authority and criteria contained in the California Environmental Quality Act ("CEQA") (Pub. Resources Code, § 21000 et seq.) and the State CEQA Guidelines (Cal. Code Regs., tit. 14, § 15000 et seq.). The City Council hereby finds that under Section 15061(b)(3) of the State CEQA Guidelines, this Ordinance is exempt from the requirements of CEQA because it can be seen with certainty that the provisions contained herein would not have the potential for causing a significant effect on the environment. The City Council also finds the Ordinance is exempt from the requirements of CEQA pursuant to State CEQA Guidelines Sections 15307 and 15308 as an action by a regulatory agency taken to protect the environment and natural resources.

**SECTION 4. Severability.** If any section or provision of this Ordinance is for any reason

held to be invalid or unconstitutional by any court of competent jurisdiction, or contravened by reason of any preemptive legislation, the remaining sections and/or provisions of this ordinance shall remain valid. The City Council hereby declares that it would have adopted this Ordinance, and each section or provision thereof, regardless of the fact that any one or more section(s) or provision(s) may be declared invalid or unconstitutional or contravened via legislation.

SECTION 5. Effective Date. This Ordinance shall become ~~effective thirty (30)~~effective March 1, 2021 days following its adoption.

SECTION 6. Publication. The City Clerk shall certify to the adoption of this Ordinance and shall cause a summary of the same to be published in the official newspaper of the City of Palm Springs within fifteen (15) days following its adoption.

PASSED, APPROVED AND ADOPTED this \_\_\_\_ day of **XXXXXX**, 2020, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

\_\_\_\_\_  
MAYOR GEOFF KORS

ATTEST:

\_\_\_\_\_  
Anthony J. Mejia, MMC  
City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Jeff Ballinger, City Attorney

**CERTIFICATION**

**STATE OF CALIFORNIA** )  
**COUNTY OF RIVERSIDE** ) ss  
**CITY OF PALM SPRINGS** )

I, Anthony Mejia, City Clerk, hereby certify that the attached is a true copy of Ordinance No. \_\_\_\_\_, introduced by the City Council of the City of Palm Springs, California, at a City Council meeting held the \_\_\_ day of **XXXXXX**, 2020. Ordinance No. \_\_\_\_\_ was passed, approved and adopted at a regular City Council meeting held at the \_\_\_ day of **XXXXXX**, 2020.

WITNESS my hand and official seal of the City of Palm Springs this \_\_\_ day of **XXXXXX**, 2019.

\_\_\_\_\_  
Anthony J. Mejia, MMC  
City Clerk

DRAFT





# CITY COUNCIL STAFF REPORT

DATE: October \_\_, 2020

NEW BUSINESS

SUBJECT: DISCUSSION OF CURRENT, PLANNED, AND POTENTIAL ADDITIONAL ACTIONS TO ADDRESS CLIMATE CHANGE

FROM: David H. Ready, City Manager

BY: Development Services, Sustainability Division

---

## SUMMARY

City Council requested a discussion of the City's efforts to address climate change. Sustainability staff and the Sustainability Commission met with Councilmember (now Mayor Pro Tem) Christy Holstege (Council Liaison) at the Commission's meeting on October 15, 2019, to discuss this request. In response, Sustainability staff worked with the Commission to develop the attached Climate Action Roadmap that summarizes current City goals related to greenhouse gas emissions reduction and current and planned activities to reduce these emissions in an effort to address the key contributors to climate change.

## RECOMMENDATION

Direct staff as appropriate.

## BACKGROUND

The City of Palm Springs recognizes that climate change is real and is having a dramatic impact on our environment, our economy, and our way of life. Globally, we know that sea levels are rising, polar ice is retreating, permafrost is melting, and fires are increasing. Here in the Coachella Valley, climate change is and will continue to manifest itself in the form of longer periods of drought; more frequent, above-average storm events; changes in populations of local flora and fauna; longer summers; and higher temperatures.

The City has undertaken a variety of initiatives to reduce greenhouse gas (GHG) emissions – the primary contributors to climate change – since 2008. In 2010 the City conducted an emissions inventory to assess these emissions and identify priority areas to address.

Following this inventory, the City decided to contract with an Energy Service Company (or “ESCO”) to analyze all of the City’s operations in more detail to identify certain energy savings projects to complete with the goal of reducing utility costs and the City’s carbon footprint. Reconstruction of the Municipal co-generation plant – one of the City’s largest emitters – into a more energy efficient, less polluting system was a critical goal.

Following a competitive, qualifications-based selection process, the City Council selected Chevron Energy Solutions (“CES”) as its ESCO and approved an agreement with CES. Under this agreement, CES provided energy management services to identify a range of solutions for the City to implement that would result in energy cost savings as well as GHG reductions. The cost savings were used to offset the capital expense of implementing the selected energy efficiency measures.

On June 19, 2013, the City Council approved an energy services contract with CES in the amount of \$17.8 million for a list of energy savings projects that included lighting retrofits at most City facilities and all palm tree uprights, irrigation retrofits, and reconstruction of the Municipal co-generation plant. The Municipal co-generation plant represented the largest energy savings project at \$9.1 million of the total contract.

The older co-generation plant was completely reconstructed with newer, more efficient equipment that effectively reduced the emissions by over 95%. The City recently issued a new contract to improve the reliability and performance of the co-gen facility.

In addition to these projects, the City conducted a feasibility study to assess opportunities to install solar photovoltaic systems at City properties between 2013 and 2015. Although several sites were evaluated, the City moved forward with three sites that were most technically and financially feasible. These sites included the Convention Center, the Wastewater Treatment Plant, and the Animal Shelter. These projects resulted in significant GHG reductions and energy cost savings for the City.

In recent months, there has been growing demand for increased global action to address what is often described as a climate crisis or climate emergency. Some cities in the United States and abroad have also declared climate emergencies or adopted climate emergency resolutions to further mobilize action.

On October 15, 2019, the Palm Springs Sustainability Commission met with Mayor Pro Tem Holstege to discuss how to move forward with discussions and potential further actions to address climate change. In preparation for that meeting, Sustainability staff developed a memo that described the work that was already underway or planned to address GHG emissions. At that meeting, the group agreed that City Council would benefit from this type of information to inform their discussions. Sustainability staff adapted the contents of that memo to develop the attached Climate Action Roadmap (**Attachment A**). The Roadmap acknowledges the seriousness of our current climate crisis, describes what the City has already done and plans to do to address climate change, and identifies potential additional actions.

The City's response to the COVID 19 pandemic served to delay these discussions. During this period, City Staff and Sustainability Commission members worked to update materials to ensure they remained current when presented to Council.

## STAFF ANALYSIS

The City's efforts to address climate change are guided by several goals in its current Sustainability Plan related to GHG reduction (**see Attachment B**). These include the following:

- Reduce GHG emissions to 1990 levels by 2020.
- Reduce to 80% below 1990 levels by 2050.
- Achieve carbon neutrality for municipal emissions by 2030.
- Encourage the building or retrofitting of one million square feet of green buildings.
- Reduce the total energy use by all buildings built before 2012 by 10%.
- Reduce energy use and carbon use from new homes and buildings.
- Supply 50% of all energy from renewable sources by 2030.

In addition to the above Sustainability Plan goals, SB 32 signed by Governor Brown in 2016 requires the California Air Resources Board to ensure that statewide GHG emissions are reduced at least 40 percent below 1990 levels by December 31, 2030.

Although a GHG inventory conducted in 2010 indicated that the City had already achieved its initial goal – to reach 1990 levels by 2020 – the results of that inventory have been revisited and indicate that the City's emissions were higher than previously thought. The City has experienced significant growth since then, and a new inventory is being performed to determine where the City is now. This new inventory will use the most current emissions data available and provide a "look ahead" for 2020. It will also reassess the 2010 baseline to ensure that the baseline can be compared to the more current data.

The results of the updated GHG inventory will provide important information about where the City should focus its efforts to achieve the most significant GHG reductions. A variety of actions were identified in the Climate Action Plan (2013), and the City implemented several of these actions to some degree or another. Other actions may be outdated. The activities in the CAP should be revisited after the updated GHG inventory is completed. A summary of the CAP actions is included as **Attachment C**.

Independent of this reassessment, the City continues to take significant action and plan additional actions to continue positive progress. Below are some of the City's current and planned activities, which are further described in the current Climate Action Roadmap.

- Current Actions
  - Implement changes in the California Energy Code and Green Building Standards Code effective January 1, 2020.

- Expand the network of EV charging stations installed by the City and update Zoning Code parking standards to reflect new state requirements and best practices on EV charging stations on private property.
- Implement new incentive program for home energy assessments.
- Development of a Walkability and Safe Routes to School Master Plan to reduce traffic emissions. The City received a grant from the Southern California Association of Governments (SCAG) to hire a consultant to assist with this process. The consultant has been selected and has begun work.
- Planned Actions
  - Promote reusable food ware to reduce emissions from discarded disposables. CalRecycle recently solicited grants proposals to promote reuse as a means for reducing GHG emissions from production and landfilling of disposable food ware.
  - Implement new organics waste management requirements. These requirements will be finalized by the state in 2020 and are designed to reduce GHG emissions by reducing the amount of organic waste sent to landfills.
  - Update the General Plan to reflect climate adaptation strategies and other environmental goals. This process is underway at the Planning Commission and General Plan Steering Committee.
  - Develop options to address local transportation-related emissions.

The Sustainability Commission continues to work with City staff to research other activities that could result in further emission reductions. For example, the City is having ongoing discussions with SoCalGas and technical consultants to investigate capture technologies for GHG emissions from the wastewater treatment plant, which would result in a variety of important benefits for the City.

If Council is interested in pursuing additional GHG reductions, one area that provides a variety of opportunities is building electrification and energy efficiency. According to our 2010 Greenhouse Gas Inventory, emissions from commercial and residential buildings makes up over 65% of our overall emissions.

AB 3232, signed by Governor Brown in 2018, requires the California Energy Commission to identify policies that reduce GHG emissions from the building stock by 40 percent below 1990 levels by 2030. The California Air Resources Board reports that the residential sector accounted in 2017 for approximately 7% of California's total GHG emissions of 424.1 million metric tons. A 2018 study on impacts of residential appliance electrification by prepared by Navigant Consulting for the California Building Industry Association estimates that replacing major natural gas appliances with electric space and water heating, cooking, and laundry appliances can reduce an existing home's total GHG emissions by 42-72% in 2030, and 63-67% for new homes by that time.

The Solar and Green Building Subcommittee of the Sustainability Commission has investigated a range of potential actions from among a variety of measures exceeding state requirements that have recently been adopted by many other California cities and

counties, which are included in **Attachment D**. Using data from cost-effectiveness studies prepared by the statewide Codes and Standards Program under the auspices of the Energy Commission summarized in **Attachment E**, the Solar and Green Building Committee has identified the following measures as having the least incremental cost and / or the highest benefit / cost ratio, and recommends these measures for further prioritized research and stakeholder outreach:

- Require steep-sloped roofs<sup>1</sup> to have a minimum aged solar reflectance value more stringent than that required by code on new residential construction and when a residential building is already installing a new roof as part of the remodel. Roof repair, photovoltaic roofs and replacements of less than 50% of roof area would be exempt. Many local installers are already familiar with foam and other cool roof materials, which are widely available. This measure would address the effects of climate change, help reduce the urban heat island effect, improve air quality and decrease the energy consumption of buildings. For a new single-family home, the additional cost is estimated to be \$237 and save \$2,536 in energy over the 30-year period of analysis. For a pre-1978 single-family home, the additional cost is estimated to be \$635 and save \$5,537 in energy over the 30-year period of analysis. This measure would require Energy Commission approval.
- Require residential remodels having a building permit valuation above a specified threshold<sup>2</sup> to carry out energy efficiency measures when such measures are not already triggered by Title 24 code requirements. For example, duct sealing is currently required by code whenever heating and cooling equipment is altered. This measure would apply and require alignment with existing code requirements even when there are no changes to the heating or cooling equipment. For a pre-1978 single-family home, an envelope package of attic insulation, air sealing and duct sealing is estimated to cost \$3,472 and save \$20,971 in energy over the 30-year life cycle. A water heating package for a single-family home consisting of a water heater blanket, hot water pipe insulation and low-flow shower and faucet fixtures is estimated to cost \$208 and save \$509.60 in energy over the 30-year life cycle. This measure would require Energy Commission approval.
- Require new residential construction to be prewired for future electric cooking, clothes drying and battery storage and above-code prewiring for a heat pump water heater (HPWH). The all-electric readiness requirements are similar in spirit to requirements for prewiring for electric vehicle charging stations recently adopted by Council and are designed to enable buildings initially equipped with natural gas appliances to replace them with electric appliances at a later time and to install a battery storage system to mitigate power shutoffs without having to make electrical capacity upgrades or make other changes to the building. The all-electric readiness requirements are based on findings that all-electric buildings cause fewer GHG emissions. There are no cost-effectiveness findings for these

---

<sup>1</sup> The 2019 California Energy Code defines a steep-sloped roof as a roof that has a ratio of rise to run of greater than or equal to 2:12 (9.5 degrees from the horizontal).

<sup>2</sup> The threshold in the Carlsbad energy efficiency ordinance is \$60,000, the same threshold that triggers a local Coastal Development Permit. Voluntary energy efficiency upgrades below the threshold could be incentivized via a reduction in the building permit fees and / or an energy efficiency rebate program that Desert Community Energy could implement once it has available funding.

provisions since, by themselves, they do not reduce energy. Including them is prudent as they are relatively inexpensive at the time of initial construction while enabling buildings to avoid much higher conversion costs in the future. This approach also avoids the path of requiring electric-only buildings, which had been suggested to Council by a member of the public at an earlier Council meeting. The cost-effectiveness study assumes an incremental cost to run 220V service to each appliance of \$200 per appliance for single-family homes and \$150 per appliance per multifamily apartment based on cost estimates from builders and contractors. The cost of recommended above-code rewiring for an HPWH is estimated to be \$13, and the cost of rewiring for battery storage is estimated to be \$1,000. This measure would not require Energy Commission approval.

The following items also seem relevant for our climate zone but would require significant additional research. These measures may also necessitate retaining an energy efficiency consultant at an estimated cost of \$10,000 to \$20,000 to understand costs and benefits. The measures would all require Energy Commission approval.

- Require solar PV for new non-residential buildings and major renovations of residential and non-residential buildings. There would be upfront costs for the solar PV system, although the system is cost effective over its life cycle.
- Require electric heat pump water heaters in new mixed-fuel residential buildings. The HVAC community would need to be educated on electric heat pump water heaters. Energy costs may be higher.
- Require electric heat pump water heaters and/or a solar thermal system for new pool construction, if the pool is to be heated. The local market is more accustomed to gas-fueled pool heaters. Solar thermal systems work best in early spring and fall.

It is important to note that, although the City has been moving forward with efforts to reduce GHG emissions, it could enhance its efforts by developing a broader climate adaptation strategy if directed by Council. The adaptation strategy identifies specific climate impacts and corresponding mitigation actions, such as identifying community energy resiliency projects. Our two biggest potential impacts are, of course, drought and increasing temperatures, which also create the conditions for wildfires. We continue to work with DWA on water use reduction strategies such as turf buy backs and have expanded cooling center hours to address climate impacts on vulnerable populations. However, the City has not assessed or taken action to address other potential impacts such as diminishing habitats and animal populations.

Given current and planned activities, City staff is seeking Council input on the following:

- Whether to continue to pursue the research activities listed on Page 5.
- Whether any of the research topics on Page 6 are of interest given the investment they would require.
- Whether there are any other areas the City should be exploring to further reduce GHG emissions at this time.

- What other actions the City should consider related to research, education, outreach, or community engagement on this topic.
- Whether a formal climate emergency resolution or declaration is warranted if it would add value to the City’s current and planned efforts. Examples from a few cities are included as **Attachment F**.

FISCAL ANALYSIS:

The table below includes a brief overview of cost impacts from only current or planned activities listed on pages 3-4. It does not include any items that are still being researched.

<b>Action</b>	<b>Fiscal Impact</b>
Implement changes in the California Energy Code and Green Building Standards Code effective January 1, 2020.	Costs for these additional requirements have been analyzed by the state and will vary greatly from project to project. They are all cost-effective over their life cycle.
Require electric or electric-ready and cool roofs for new residential construction and energy efficiency and cool roofs for alterations and additions to existing residential buildings.	Costs for these additional requirements have been analyzed by the state and will vary greatly from project to project. They are cost-effective over their life cycle.
Expand the network of City-installed EV charging stations.	The City has received over \$220,000 in grant funding and has applied for more. The City is soliciting low or no-cost solutions to minimize additional cost impacts from expansion efforts.
Update information packet required by AB 1236 (2015) creating expedited and streamlined permitting process for EV charging stations.	Staff time to review updated information packet to be drafted by Solar and Green Building Committee. The City Attorney has already drafted the implementing ordinance.
Implement new incentive program for home energy assessments.	\$10,000 has been set aside in the Sustainability budget to provide these incentives.
Promote reusable food ware to reduce waste from disposables.	Cost impacts will vary by business. However, studies have shown that the switch to reusable food ware saves businesses money after initial costs are covered.
Expand cooling center services for the homeless to address climate change impacts on vulnerable populations.	The cost of operating the cooling center is \$25,000 per month.

<b>Action</b>	<b>Fiscal Impact</b>
Implement new organics waste management requirements.	The costs associated with this will be significant but will be refined when the regulations are finalized. City staff are currently working with Palm Springs Disposal to develop cost estimates and assess impacts on rate increases.
Investigate capture technologies for GHG emissions from wastewater treatment plant.	To be determined based on additional research.
Development of a Walkability and Safe Routes to School Master Plan to reduce traffic emissions.	Contractor services are being paid for by SCAG (\$200,000). Estimates for projects will be developed and presented to Council on a project-specific basis.
Develop options for reducing local transportation-related emissions.	To be determined based on opportunities identified. Some costs could be significant (e.g., widening roads to create alternative vehicle-only pathways).
Update the General Plan to reflect climate adaptation strategies.	Costs for the contractor support for the General Plan update and GHG inventory have already been approved by Council.

**ENVIRONMENTAL ASSESSMENT:**

All of the actions proposed are designed to reduce the City’s GHG emissions. These emissions reductions would contribute to various sustainability goals and result in positive environmental impacts such as improving air quality in our City and helping address the world’s climate crisis.

There is no City Council action being considered at this time. Depending on how Council decides to move forward, actions may result in a “Project” as defined by the California Environmental Quality Act (CEQA). Pursuant to Section 15378(a), a “Project” means the whole of an action, which has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment.



SUBMITTED:

---

Patrick Tallarico, LEED AP, CPF  
Manager, Office of Sustainability

---

Marcus Fuller, PE, PLS  
Assistant City Manager

---

David H. Ready, Esq., Ph.D.  
City Manager

ATTACHMENTS:

- A. Climate Action Roadmap –October \_\_, 2020
- B. Excerpts from Palm Springs Sustainability Plan
- C. 2013 Climate Action Plan Summary of Potential Savings Measures
- D. 2019 Code Cycle - Locally Adopted Energy Ordinances
- E. Summary Cost-Effectiveness Analysis
- F. Examples of Climate Emergency Resolutions or Declarations

**ATTACHMENT A:  
CLIMATE ACTION ROADMAP – OCTOBER \_\_, 2020**



# City of Palm Springs, California

OFFICE OF SUSTAINABILITY



# Climate Action Roadmap

## Introduction

---

On October 15, 2019, the Palm Springs Sustainability Commission met to discuss how to move forward with discussions and potential further actions to address climate change. At that meeting, the group agreed that the City should develop a roadmap to acknowledge the seriousness of our current climate crisis, describe what the City has already done and plans to do to address climate change, and identify potential additional actions.

This document responds to that request and is intended to serve as a focus for further discussions among the Commission and the City Council. It may also serve as an initial step in developing a broader climate strategy to include in a future iteration of the City's Sustainability Plan.

## 1. Acknowledgement of the Current Climate Crisis

---

The City of Palm Springs recognizes that climate change is real and is having a dramatic impact on our environment, our economy, and our way of life. Globally, we know that sea levels are rising, polar ice is retreating, permafrost is melting, and fires are increasing. Here in the Coachella Valley, the summer of 2020 saw new heat records. Climate change is and will continue to manifest itself in the form of longer periods of drought; more frequent, above-average storm events; longer summers; and higher temperatures. We also know that changes in climate are having a significant impact on our local habitat. Staff at the Coachella Valley Association of Governments has indicated that populations of mammals and arthropods nearly crashed during recent droughts and dry spells. Although we experience some rebounds during wetter weather, we know that further change is inevitable and could be irreversible.<sup>1</sup> National scientists have also noted that the nearby iconic Joshua trees are threatened and may not last through this century.<sup>2</sup>

Our weather and environment are a key factor in why people come to Palm Springs and other Desert Cities to live, work, and play. Changes in our environment will have a significant impact on our economy and quality of life. Based on a recent study by University of California Riverside, claims that “climate change will decimate Palm Springs, Coachella Valley Tourism.”<sup>3</sup> The City recognizes that we need to redouble our efforts to strategically address our contribution to climate change and mitigate the impacts we are already seeing and expect to see in the future.

---

<sup>1</sup> Email from Kathleen Brundige at Coachella Valley Association of Governments. September 25, 2019.

<sup>2</sup> Iconic Joshua trees may disappear—but scientists are fighting back. National Geographic. October 15, 2018. <https://www.nationalgeographic.com/environment/2018/10/joshua-trees-moths-threatened-climate-change-scientists-seek-solutions/>

<sup>3</sup> <https://news.ucr.edu/articles/2020/09/07/climate-change-will-decimate-palm-springs-coachella-valley-tourism>

## 2. Existing Goals and Plans

---

The City's current Climate Change & Resilience goal as stated in the **Sustainability Plan** is to **reduce greenhouse gas emissions to 1990 levels by 2020, 80% below 1990 by 2050, and achieve carbon neutrality for municipal emissions by 2030**. This is consistent with the target identified by the state in AB 32 – California Global Warming Solutions Act. When the City conducted a baseline greenhouse gas inventory for 2010 (published in 2013), the results indicated that we had already achieved that level of emissions. The City has experienced significant growth since that time, and these emissions may have increased. The City has not done another inventory since that time to assess progress.

The 2016 Sustainability Plan also outlined some high-level actions such as monitoring and reporting greenhouse gas emissions; developing strategies based on the Climate Action Plan to reach the 1990 levels by 2020; and improving community resiliency to the potential impacts of climate change, including determining what these impacts will be.

The **Climate Action Plan** (Issued in 2013) does not include any additional goals, but rather outlines specific actions that the City could take to reduce its emissions. These actions are organized into the following sectors:

- Residential (where we live)
- Business (where we work)
- Building (how we build)
- Transportation (how we get around)
- Municipal (how we govern)
- Hospitality and Recreation (where we visit and play)
- Education (how we teach and learn)

Although the City is planning to update its Sustainability Plan in 2021, it has not done regular progress reports on the Sustainability Plan or the Climate Action Plan in the past several years. As a result, we do not have a clear picture of how we stand today in relation to our stated goals or identified actions.

It is also important to note that the City does not have a climate adaptation strategy that would include an assessment of climate impacts and identification of actions to address these anticipated impacts. The City's focus has primarily focused on reduction of greenhouse gas emissions and not the broader concept of resiliency and adaptation.

## 3. Past and Ongoing Activities

---

The City of Palm Springs has always taken climate change seriously. As early as 2008, the City endorsed the U.S. Conference of Mayors Climate Protection Agreement and issued its own Path to Sustainability. Some of the efforts that have already helped the City achieve reductions in greenhouse gas emissions – the primary contributor to climate change – are listed below.

- Launched the Co-generation Facility in 2015 to help offset energy use at City facilities.
- Installed solar arrays at its Wastewater Treatment Plant and at the Convention Center. The Convention Center is able to offset over 60% of its energy use from its solar output.
- Administer commuter incentive programs for rideshare and alternative vehicle to reduce greenhouse gas emissions from employee commuting.
- Implemented LED and energy efficient lighting retrofit projects at City facilities and at street lights.
- Implemented ban on gas-powered leaf blowers and replaced over 500 gas-powered units with electric.

- Implemented a mobile home energy retrofit program that resulted in a reduction of nearly 92,000 pounds of CO<sub>2</sub>e.
- Developed a solar zoning policy and now ordinance to facilitate the installation of solar on residential and commercial properties.
- Installed a network of 36 electric vehicle charging stations to help support EV adoption.
- Implement changes in the State Energy Code and Green Building codes effective in January 2020.
- Expanded cooling center services for the homeless and those in need.

## 4. Roadmap of Future Actions to Address Climate Change and Its Impacts

---

### Near-term Actions

The Office of Sustainability, in coordination with the Sustainability Commission, has identified the following near-term actions to position the City to make additional reductions in greenhouse gas emissions and address the impacts of anticipated climate change.

- **Update the City's greenhouse gas emissions inventory report.** The Office of Sustainability had planned to conduct a greenhouse gas inventory internally in 2019, but we were not able to complete this with limited staff resources. Funds will be moved around in the Sustainability Budget to hire a consultant early in 2020. This is a critical first step in understanding where we are with our stated goals and to identify the highest priority areas to address. The inventory update will focus on 2018, because it is unlikely that all of 2019 data will be available until later in the year. It is hoped that we can complete the inventory by the end of May 2020. The results will help inform priority areas for action and determine what additional steps will be needed to meet our stated goals. (Fall 2020)
- **Support the move to the 100% Carbon free option for Palm Springs residents under Desert Community Energy (DCE).** The launch of DCE occurred in April 2020 and continues to be a focus of DCE, City staff, and a dedicated Community Advisory Committee. In 2010, the largest percentage of emissions – over 65% - came from the electricity used to power homes and businesses in the City. The City's decision to shift to carbon-free energy as the default for all residents and businesses will have a significant impact on the City's greenhouse gas emissions. The City will work closely with DCE staff to communicate the importance of sticking with the carbon-free energy option not only to reduce our impact on GHG emissions but also to promote local renewable energy and green jobs. (Fall 2020)
- **Expand the network of EV charging stations.** The market for electric vehicles increased significantly over the past several years since the Climate Action Plan was developed. The City has not needed to promote electric and hybrid alternatives as was described in the Plan. This may be changing as people seem to be reverting to sport utility vehicles, but car manufacturers are also responding with electric and hybrid options. This is leading to an increased need for EV charging stations – something the Office of Sustainability has been working on with Engineering for the past several months. City Staff will continue to work with SCE and an approved vendor to identify the infrastructure needed to support this expansion. The City will install the units starting in summer 2020. (Fall 2020)
- **Implement New Incentive Program for Home Energy Assessments.** The Sustainability Commission has approved a new program to provide rebates to residents that conduct a home energy assessment as part of an approved home energy labeling program. This program will begin in 2020. It is hoped that

providing homeowners with information about how they can reduce their home energy costs will help boost the energy efficiency of existing housing stock. If the program is successful, it is recommended that DCE continue it as one of their energy efficiency programs for homeowners. (Winter 2020)

- **Promote reusable food ware to reduce emissions from discarded disposables.** City staff have been working with the Sustainability Commission to develop an ordinance to reduce disposable food ware. This is one of our primary contributors to our municipal solid waste and a key contributor to greenhouse gas emissions. The draft ordinance will go before the City Council late in 2020. Unfortunately, the lingering impacts of the COVID-19 response may impact the effective date this ordinance. (Fall 2020)

### Longer-term Actions

The City is also researching additional potential additional actions to reduce greenhouse gas emissions and address climate change impacts, including the following:

- **Develop ordinance to require carbon-free energy for commercial buildings.** The Sustainability Commission is researching whether and how to require carbon-free energy for commercial buildings. Staying in the DCE default 100% Carbon Free plan would be the most expedient path for any business to comply with such an ordinance. The economic slowdown from the COVID-19 response may impact the timing of this ordinance. (Spring 2021)
- **Develop ordinance to require building electrification and cool roofs.** The Sustainability Commission is researching a variety of measures exceeding state building requirements that have been adopted by other California cities and counties. These measures have upfront costs but are all cost-effective over their life cycle. Pending direction from Council, the measures can be further researched, and a draft ordinance presented to the Commission and Council. (Spring 2021)
- **Investigate capture technologies for greenhouse gas emissions from wastewater treatment plant.** Wastewater treatment plant emissions were the single largest municipal emissions source in the 2010 GHG Inventory. The City may be able to further reduce its direct greenhouse gas emissions by incorporating emissions control technologies that capture emissions from the wastewater treatment process for use as fuel. The Sustainability Commission is working with the water treatment plant operators to investigate whether this idea is feasible. Although the City had pursued similar options in the past, there were legal, technological, and fiscal barriers that prevented implementation. (Winter 2020)
- **Update the General Plan to reflect climate adaptation strategies.** The City is starting the process of updating its General Plan to include climate adaptation strategies. As part of this update, the General Plan will include a greenhouse gas emissions analysis and forecast. This may help the city strategize on new areas to address based on anticipated growth and other changes. (Winter 2020)
- **Development of a Walkability and Safe Routes to School Master Plan.** The Master Plan will help promote pedestrian safety and increase pedestrian traffic to reduce transportation-related emissions. (2020-2021)
- **Develop options for reducing local transportation-related emissions.** Although the State has made significant progress overall in greenhouse gas emissions reductions, one sector is experiencing an increase – transportation. Given that most trips are within 3 miles, it makes Palm Springs a great candidate to explore new ideas to address transportation-related emissions. This effort would be linked to the planned expansion of EV infrastructure, improvements to bike infrastructure that may be

identified in the General plan update, and improvements in pedestrian safety that will be identified through the Walkability and Safe Routes to School Master Plan. The City intends to explore this issue in more depth as those projects progress and identify opportunities to incorporate this concept into City planning efforts. (2020-2021)

- **Implement new organics waste management requirements.** One of the challenges that the state continues to have in managing greenhouse gas emissions broadly is managing emissions from landfills – much of which is generated by organic waste. The State is working on a new law – SB 1383 – that is designed to reduce the amount of organics going to landfills. The City is currently working with PSDS to anticipate and respond to this new law. This will help the city reduce its greenhouse gas emissions by reducing the amount of waste sent to landfills. (2021-2022)

## 5. Next Steps

---

The Sustainability Commission and City staff continue to identify opportunities to reduce greenhouse gas emissions and adapt to climate impacts and looks forward to additional discussions with Council, especially following the results of the emissions inventory.



**ATTACHMENT B:  
EXCERPTS FROM PALM SPRINGS SUSTAINABILITY PLAN**

**ATTACHMENT C:  
2013 CLIMATE ACTION PLAN  
SUMMARY OF POTENTIAL SAVINGS MEASURES**

**ATTACHMENT D:  
2019 CODE CYCLE - LOCALLY ADOPTED ENERGY ORDINANCES**

### 2019 Code Cycle - Locally Adopted Energy Ordinances

Jurisdiction	Ord. Type	Council Adopted Date	CEC Approval Date	Single Family and Low-rise Multifamily Requirement	High-rise Multifamily Requirement	Nonresidential Requirement	Cost-effectiveness Study	Municipal Code Link	Ordinance
Berkeley	EE	12/3/2019	2/20/2020	<u>New</u> : All-electric <b>OR</b> Mixed Fuel, Total EDR margin $\geq$ 10 <b>AND</b> electric-ready	<u>New HRR/Hotel</u> : All-electric <b>OR</b> Mixed-Fuel and >10% compliance margin	<u>New</u> : All-electric <b>OR</b> Mixed-Fuel: 10% compliance margin <b>AND</b> electric-ready Exception: Labs, industrial, manufacturing occupancies	2019 LR Res NC / 2019 Non Res NC	19.36.040	<a href="#">Ord. No 7,678-N.S.</a>
	PV	12/3/2019	2/20/2020	N/A	<u>New</u> : PV system to fill solar zone (>15% of roof area) as defined in Sec. 110.10	<u>New</u> : PV system to fill solar zone (>15% of roof area) as defined in Sec. 110.10		19.36.100.3	
Brisbane	PV	12/12/2019	2/20/2020	N/A (see All-electric sheet)	<u>New</u> : PV of 3 kW min. for < 10,000 sq. ft. and 5 kW min. for > 10,000 sq. ft <b>OR</b> Solar thermal	<u>New</u> : PV of 3 kW min. for < 10,000 sq. ft. and 5 kW min. for > 10,000 sq. ft <b>OR</b> Solar thermal	2019 LR Res NC / 2019 Non Res NC	15.81.050	<a href="#">Ord. No. 643</a>
Burlingame	PV	8/17/2020		N/A (see All-electric sheet)	<u>New</u> : PV of 3 kW min. for < 10,000 sq. ft. and 5 kW min. for > 10,000 sq. ft. Alternative: Solar thermal > 40 sq.ft. collector area	<u>New</u> : PV of 3 kW min. for < 10,000 sq. ft. and 5 kW min. for > 10,000 sq. ft. Alternative: Solar thermal > 40 sq.ft. collector area	2019 LR Res NC / 2019 Non Res NC	110.0	<a href="#">Ordinances 1979, 1980, 1981</a>
Carlsbad	EE	3/12/2019	8/14/2019	<u>New</u> : HPWH <b>OR</b> solar thermal <u>Adds/Alts</u> : > \$60k: Presc. measures	<u>New</u> : HPWH <b>OR</b> increased solar fraction	<u>New</u> : Electric water heating <b>OR</b> solar thermal > 0.4 SF	<a href="#">Carlsbad Energy Conservation Ordinance CE Study</a>	18.30.170	<a href="#">Ord. No. CS-348</a>
	PV	3/12/2019	8/14/2019	N/A	<u>New/Alt</u> : 15 kW per 10,000 s.f.; min 5kW for < 10,000 s.f.	<u>New/Alt</u> : PV that offsets 80%; 15 kW per 10,000 s.f.; min 5kW for < 10,000 s.f.	<a href="#">2016 NR New Construction</a>	18.30.130	<a href="#">Ord. No. CS-347</a>
Davis	EE	10/8/2019	1/22/2020	<u>New SE</u> : All-electric <b>OR</b> Mixed Fuel, EDR margin of 9.5; <u>New LR ME</u> : Mixed fuel, EDR margin of 10; electric-ready	N/A	N/A	2019 LR Res New Construction	<a href="#">8.01.092</a>	<a href="#">Ord. No. 2565</a>

### 2019 Code Cycle - Locally Adopted Energy Ordinances

Jurisdiction	Ord. Type	Council Adopted Date	CEC Approval Date	Single Family and Low-rise Multifamily Requirement	High-rise Multifamily Requirement	Nonresidential Requirement	Cost-effectiveness Study	Municipal Code Link	Ordinance
Hayward	EE	3/17/2020	6/10/2020	N/A (see All-electric sheet)	<u>New</u> : All-electric <b>OR</b> 10% compliance margin	<u>New</u> : All-electric <b>OR</b> 10% compliance margin (15% for Office/Retail)	2019 LR Res NC / 2019 Non Res NC	<a href="#">9-1.02</a>	<a href="#">Ord. No. 20-05</a>
	PV	3/17/2020	6/10/2020	N/A (see All-electric sheet)	<u>New</u> : PV system to fill solar zone (>15% of roof area) as defined in Sec. 110.10	<u>New</u> : PV system to fill solar zone (>15% of roof area) as defined in Sec. 110.10			
Los Angeles County	EE	11/26/2019	4/8/2020	<u>New and Re-roof</u> : Low-slope Aged Refl. $\geq 0.65$ , TE $\geq 0.85$ , SRI $\geq 78$ Steep-slope: Aged Refl. $\geq 0.25$ , TE $> 0.85$ , SRI $\geq 20$	<u>New and Re-roof</u> : Low-slope Aged Refl. $\geq 0.65$ , TE $\geq 0.75$ , SRI $\geq 78$ Steep-slope: Aged Refl. $\geq 0.25$ , TE $> 0.75$ , SRI $\geq 20$	<u>New and Re-roof</u> : Low-slope Aged Refl. $\geq 0.68$ , TE $\geq 0.85$ , SRI $\geq 82$ Steep-slope: Aged Refl. $\geq 0.28$ , TE $> 0.85$ , SRI $\geq 27$	2016 Cool Roofs	Title 31	<a href="#">Ord No. 2019-0061</a>
Marin County	EE	10/8/2019	12/11/2019	<u>New</u> : All-electric <b>OR</b> Limited Mixed-Fuel prewire for induction, EE EDR Margin $\geq 3$ <b>OR</b> Mixed-Fuel, pre-wire for induction, EE EDR Margin $\geq 3$ and Total EDR Margin $\geq 10$	<u>New</u> : All-electric <b>OR</b> Limited Mixed-Fuel: 5% compliance margin, prewired for induction <b>OR</b> Mixed-Fuel: 10% compliance margin, pre-wired for induction	<u>New</u> : All-electric <b>OR</b> Limited Mixed-Fuel: 5% compliance margin, prewired for induction <b>OR</b> Mixed-Fuel: 10% compliance margin, pre-wired for induction	2019 LR Res NC / 2019 Non Res NC	<a href="#">19.04 Subchapter 2 - Green Building Requirements</a>	<a href="#">Ord. No. 3712</a>
	EV	10/8/2019	12/11/2019	<u>New SF</u> : Requires service panel capacity for Level 2 EV charging (240v) <u>New MF</u> : 1 EV charging space per dwelling unit	<u>New</u> : EV charging space per unit. <u>Add/Alt</u> : requirements	10% of spaces EV-Ready and build the remaining spaces to be EV Capable <b>OR</b> Build 20% of spaces to be EV-Ready and install EV Chargers in 5% of spaces <u>Add/Alt</u> requirements			
Menlo Park	PV	9/24/2019	12/11/2019	N/A (see All-electric sheet)	<u>New</u> : PV of 3 kW min. for < 10,000 sq. ft. and 5 kW min. for > 10,000 sq. ft. (some exceptions)	<u>New</u> : PV of 3 kW min. for < 10,000 sq. ft. and 5 kW min. for > 10,000 sq. ft. (some exceptions)	2019 LR Res NC / 2019 Non Res NC	<a href="#">12.16.110.10</a>	<a href="#">Ord. No. 1057</a>

### 2019 Code Cycle - Locally Adopted Energy Ordinances

Jurisdiction	Ord. Type	Council Adopted Date	CEC Approval Date	Single Family and Low-rise Multifamily Requirement	High-rise Multifamily Requirement	Nonresidential Requirement	Cost-effectiveness Study	Municipal Code Link	Ordinance
Mill Valley	EE	11/18/2019	4/8/2020	<u>New:</u> All-electric <b>OR</b> Limited Mixed-Fuel: prewire for induction, with EE EDR Margin $\geq 3$ <b>OR</b> Mixed-Fuel, pre-wire for induction, EE EDR Margin $\geq 3$ and Total EDR Margin $\geq 10$	<u>New:</u> All-electric <b>OR</b> Limited Mixed-Fuel: 5% compliance margin, prewired for induction <b>OR</b> Mixed-Fuel: 10% compliance margin, pre-wired for induction	N/A	2019 LR Res NC / 2019 Non Res NC	Chapter 14.48	<a href="#">Ord. No. 1313</a>
Milpitas	EE	12/3/2019	2/20/2020	<u>New:</u> All-electric <b>OR</b> Elec. Space and Water Heat: Eff. EDR Margin of 2 for SF and 1 for MF Mixed-Fuel: Total EDR Margin of 10 for SF and 11 for MF; <b>AND</b> electric-ready	<u>New HR MF/ Hotel:</u> All-electric <b>OR</b> > 6% compliance margin <b>AND</b> electric-ready	<u>New:</u> All-electric <b>OR</b> Office & Retail: >14% compliance margin; Industrial/ Manufacturing + 0%; All other NR occupancies > 6% compliance margin; <b>AND</b> electric-ready	2019 LR Res NC / 2019 Non Res NC	Chapter 11.2.02	<a href="#">Ord. No. 65 148</a>
	PV	12/3/2019	2/20/2020	N/A	N/A	<u>New:</u> PV of 3 kW min. for < 10,000 sq. ft. and 5 kW min. for > 10,000 sq. ft.		Chapter 11.2.02	
Mountain View	PV	11/12/2019	2/20/2020	N/A (see All-electric sheet)	<u>New:</u> PV on 50% of roof area	<u>New:</u> PV on 50% of roof area	2019 LR Res NC / 2019 Non Res NC	SEC. 8.20	<a href="#">Ord. No. 17.19</a>
	EV	11/12/2019	2/20/2020	<u>New:</u> Level 1 circuit + Level 2 EV-Ready	<u>New Multi-Unit/ Mixed Use:</u> 15% EV2 installed + 85% EV-Ready + Level 3 for every 100 spaces	<u>New + Hotel/Motel:</u> installed per CALGreen Tier 2 (Table A5.106.5.3.2)		SEC. 8.20	<a href="#">Ord. No. 17.19</a>
Pacifica	PV	11/25/2019	4/8/2020	N/A (see All-electric sheet)	PV of 3 kW min. for < 10,000 sq. ft. and 5 kW min. for > 10,000 sq. ft.	PV of 3 kW min. for < 10,000 sq. ft. and 5 kW min. for > 10,000 sq. ft.	2019 LR Res NC / 2019 Non Res NC	Section 8-6.01	<a href="#">Ord. No. 852-CS</a>

### 2019 Code Cycle - Locally Adopted Energy Ordinances

Jurisdiction	Ord. Type	Council Adopted Date	CEC Approval Date	Single Family and Low-rise Multifamily Requirement	High-rise Multifamily Requirement	Nonresidential Requirement	Cost-effectiveness Study	Municipal Code Link	Ordinance
Palo Alto	EE	12/2/2019	2/20/2020	N/A (see All-electric sheet)	<u>New</u> : All-electric OR > 5% compliance margin AND electric-ready	<u>New</u> : All-electric OR Office & Retail: >12% compliance margin; Industrial/ Manufacturing + 0%; All other NR occupancies > 5% compliance margin; <b>AND</b> electric-ready	2019 LR Res NC / 2019 Non Res NC	Chapter 16.17.80	<a href="#">Ord. No. 5485</a>
	PV	12/2/2019	2/20/2020	N/A	<u>New</u> : PV system to fill solar zone (>15% of roof area) as defined in Sec. 110.10	<u>New</u> : PV system to fill solar zone (>15% of roof area) as defined in Sec. 110.10		Chapter 16.17.70	
Richmond	PV	3/3/2020	6/10/2020	N/A (see All-electric sheet)	<u>New</u> : PV of 3 kW min. for < 10,000 sq. ft. and 5 kW min. for > 10,000 sq. ft. Alternative: Solar thermal ≥ 40 sq.ft. collector area	<u>New</u> : PV of 3 kW min. for < 10,000 sq. ft. and 5 kW min. for > 10,000 sq. ft. Alternative: Solar thermal ≥ 40 sq.ft. collector area	2019 LR Res NC / 2019 Non Res NC	Chapter 6.02.100	<a href="#">Ord No. 06-20 NS</a>
San Anselmo	EE	4/14/2020	9/9/2020	<u>New</u> : All-electric OR Limited Mixed-Fuel prewire for induction, EE EDR Margin ≥ 3 <b>OR</b> Mixed-Fuel, pre-wire for induction, EE EDR Margin ≥ 3 and Total EDR Margin ≥ 10	<u>New</u> : All-electric OR Limited Mixed-Fuel: 5% compliance margin, prewired for induction <b>OR</b> Mixed-Fuel: 10% compliance margin, pre-wired for induction	<u>New</u> : All-electric OR Limited Mixed-Fuel: 5% compliance margin, prewired for induction <b>OR</b> Mixed-Fuel: 10% compliance margin, pre-wired for induction	2019 LR Res NC / 2019 Non Res NC	Section 9-19.040	<a href="#">Ord. No. 1145</a>
	EV	4/14/2020	9/9/2020	<u>New SF</u> : Requires service panel capacity for Level 2 EV charging (240v) <u>New MF</u> : 1 EV charging space per dwelling unit	<u>New</u> : EV charging space per unit. <u>Add/Alt</u> requirements	10% of spaces EV-Ready and build the remaining spaces to be EV Capable <b>OR</b> Build 20% of spaces to be EV-Ready and install EV Chargers in 5% of spaces <u>Add/Alt</u> requirements		Section 9-19.020	<a href="#">Ord. No. 1145</a>

### 2019 Code Cycle - Locally Adopted Energy Ordinances

Jurisdiction	Ord. Type	Council Adopted Date	CEC Approval Date	Single Family and Low-rise Multifamily Requirement	High-rise Multifamily Requirement	Nonresidential Requirement	Cost-effectiveness Study	Municipal Code Link	Ordinance
San Francisco	EE	1/7/2020	4/8/2020	<u>New:</u> All-electric <b>OR</b> Mixed Fuel, Total EDR Score $\leq$ 14	<u>New HRR/Hotel:</u> All-electric <b>OR</b> Mixed-Fuel and $>$ 10% compliance margin	<u>New:</u> All-electric <b>OR</b> Mixed-Fuel: 10% compliance margin <b>AND</b> electric-ready Exception: Labs, industrial, manufacturing	2019 LR Res NC / 2019 Non Res NC	Section 4.201.3 Section 5.201.3	<a href="#">Ord. No 003-20</a>
San Jose	EE	10/1/2019	12/11/2019	N/A (see All-electric sheet)	<u>New HR MF/ Hotel:</u> All-electric <b>OR</b> $>$ 6% compliance margin and electric-ready	<u>New:</u> All-electric <b>OR</b> Office & Retail: $>$ 14% compliance margin; Industrial/ Manufacturing + 0%; All other NR occupancies $>$ 6% compliance margin; and electric-ready	2019 LR Res NC / 2019 Non Res NC	<a href="#">24.12.100</a>	<a href="#">Ord. No. 30311</a>
	EV	10/1/2019	12/11/2019	<u>New:</u> EV charging readiness and/or electric vehicle service equipment (EVSE)	<u>New:</u> EV charging readiness and/or electric vehicle service equipment (EVSE)	<u>New:</u> EV charging readiness and/or electric vehicle service equipment (EVSE)		24.10.200	<a href="#">Ord. No. 30311</a>
San Luis Obispo	EE	7/7/2020	8/11/2020	<u>New SF:</u> All-electric <b>OR</b> Mixed Fuel, EDR margin of 9; <u>New LR MF:</u> Mixed fuel, EDR margin of 9.5 <b>AND</b> electric-ready	<u>New:</u> All-electric <b>OR</b> Hotel/HRR $>$ 9% compliance margin; <b>AND</b> electric-ready	<u>New:</u> All-electric <b>OR</b> Office/Retail 15% compliance margin, Others 5% compliance margin <b>AND</b> electric ready	2019 LR Res NC / 2019 Non Res NC	Chapter 15.50	<a href="#">Ord. No. 1684</a>
	PV	7/7/2020	8/11/2020	N/A	<u>New:</u> PV system to fill solar zone ( $>$ 15% of roof area) as defined in Sec. 110.10	<u>New:</u> PV system to fill solar zone ( $>$ 15% of roof area) as defined in Sec. 110.10		Chapter 15.04.110	<a href="#">Ord. No. 1684</a>
San Mateo (City)	EE			<u>New SF and Duplexes:</u> All-electric <b>OR</b> min Eff. EDR reduction of 2.5	N/A	<u>New Office Buildings:</u> All-electric <b>OR</b> Mixed-Fuel + 10% compliance margin	2019 LR Res NC / 2019 Non Res NC	23.23.040	<a href="#">Ord. No. 2019-9</a>
	PV	9/3/2019	12/11/2019	Prewire PV system for expansion to all-electric design	<u>New:</u> PV: $\geq$ 3 kW. Alternative: Solar thermal $\geq$ 40 sq ft collector area	<u>New:</u> $<$ 10,000 s.f.: min. 3 kW PV; 10,000+ s.f.: 5 kW PV Alternative: Solar thermal $\geq$ 40 s.f. collector area	2019 LR Res NC / 2019 Non Res NC	23.24.030	<a href="#">Ord. No. 2019-9</a>



### 2019 Code Cycle - Locally Adopted Energy Ordinances

Jurisdiction	Ord. Type	Council Adopted Date	CEC Approval Date	Single Family and Low-rise Multifamily Requirement	High-rise Multifamily Requirement	Nonresidential Requirement	Cost-effectiveness Study	Municipal Code Link	Ordinance
San Rafael	EE	11/18/2019	4/8/2020	<u>New</u> : CALGreen Tier 1: Mixed fuel, EDR ≥ 10, All-elec EDR ≥ 14	<u>New</u> : CALGreen Tier 1 (5% compliance margin)	<u>New</u> : CALGreen Tier 1 (10% compliance margin)	2019 LR Res NC / 2019 Non Res NC	Chapter 12.100	<a href="#">Ord. No. 1974</a>
Santa Monica	EE	9/24/2019	12/11/2019	<u>New</u> : All-electric <b>OR</b> Mixed-Fuel with CalGreen Tier 1	<u>New HRR/Hotel</u> : All-electric <b>OR</b> Mixed-Fuel and >5% compliance margin	<u>New</u> : All-electric <b>OR</b> Mixed-Fuel and >10% compliance margin	2019 LR Res NC / 2019 Non Res NC	<a href="#">8.36.020</a>	<a href="#">Ord. No. 2617</a>
	PV			<u>Major Additions</u> : PV system 1.5 watts per sq. ft.	<u>New and Major Additions</u> : 2 watts per sq. ft.	<u>New and Major Additions</u> : 2 watts per sq. ft.	2019 LR Res NC: PV + Additions Addendum	<a href="#">8.106.055</a>	<a href="#">Ord. No. 2617</a>
West Hollywood	EE, Cool Roofs	8/19/2019	12/11/2019	<u>New or Alteration</u> > 10,000 sq. ft.: PV to offset 15% of usage <b>OR</b> solar thermal with min. .5 solar fraction <b>OR</b> vegetative roof covering min. 30%	<u>New or Alteration</u> > 10,000 sq. ft.: PV to offset 15% of usage <b>OR</b> solar thermal with min. .5 solar fraction <b>OR</b> vegetative roof covering min. 30%	<u>New or Alteration</u> > 10,000 sq. ft.: PV to offset 15% of usage <b>OR</b> solar thermal with min. .5 solar fraction <b>OR</b> vegetative roof covering min. 30%	2019 NR+ Retrofits PV / 2019 Non Res NC	19.20.060	<a href="#">Ord. No. 19-1072</a>

This report was prepared for the California Statewide Codes & Standards Program. The program is funded by California utility customers and administered by Pacific Gas and Electric Company, San Diego Gas & Electric Company (SDG&E®), Southern California Gas Company, and Southern California Edison Company under the auspices of the California Public Utilities Commission and in support of the California Energy Commission.

© 2020 Pacific Gas and Electric Company, San Diego Gas and Electric Company, Southern California Gas Company and Southern California Edison.  
All rights reserved, except that this document may be used, copied, and distributed without modification

## 2019 Code Cycle - Locally Adopted All-Electric Only Ordinances

Jurisdiction	Ord. Type	Council Adopted Date	CEC Approval Date	Scope			Municipal Code Link	Ordinance
				Single Family and Low-rise Multifamily	High-rise Multifamily	Nonresidential		
Berkeley	All-Electric	7/16/2019	N/A	New	New	New	Chapter 12.80	<a href="#">Ord. No. 7,672-N.S</a>
Brisbane	All-Electric	12/12/2019	2/20/2020	<u>New</u> : Exception for cooktops/fireplaces; pre-wire for electric.	<u>New</u> : All-electric	<u>New</u> : Except Life science occupancies and gas specific for profit kitchen	15.83.060	<a href="#">Ord. No. 643</a>
Burlingame	All-Electric	8/17/2020		<u>New</u> : Exception for indoor/outdoor cooking appliances and fireplaces; pre-wire for electric. <u>Adds/Alts</u> : > 50% valuation when HVAC included	<u>New</u> : All-electric	<u>New</u> : Exception for-profit kitchen cooking equipment; pre-wire for electric	110.0	<a href="#">Ordinances 1979, 1980, 1981</a>
Campbell	All-Electric	2/18/2020	N/A	<u>New</u> : All-electric space/water heating. Natural gas OK for other uses; pre-wire for electric	N/A	N/A	18.18.020	<a href="#">Ord. No 2,260</a>
Cupertino	All-Electric	1/21/2020	4/8/2020	<u>New</u> : All-electric (excluding ADUs)	<u>New</u> : All-electric	<u>New</u> : Exception for Fire, High-Hazard, Laboratory, and "Essential Facilities" occupancies; pre-wire for electric	16.54.100	<a href="#">Ord. No. 19-2193</a>
Hayward	All-Electric	3/17/2020	6/10/2020	<u>New</u> : All-electric (including ADUs > 400 sq. ft.)	<u>New</u> : All-electric <b>OR</b> 10% compliance margin	<u>New</u> : All-electric <b>OR</b> 10% compliance margin (15% for Office/Retail)	<a href="#">9-1.02</a>	<a href="#">Ord. No. 20-05</a>
Healdsburg	All-Electric	12/16/2019	2/20/2020	<u>New</u> : Exception for cooktops, fireplaces, pool/spa; pre-wire for electric	<u>New</u> : Exception for cooktops, fireplaces, pool/spa; pre-wire for electric	<u>New</u> : Exception for cooktops, fireplaces, pool/spa, Essential Services, technical processes; pre-wire for electric	Section 15.04	<a href="#">Ord. No. 1196</a>
Los Altos Hills	All-Electric	2/20/2020		<u>New</u> : All-electric space/water heating (including ADUs). Natural gas OK for other uses; pre-wire for electric	N/A	N/A	Chapter 1.6	<a href="#">Ord. No. 589</a>

## 2019 Code Cycle - Locally Adopted All-Electric Only Ordinances

Jurisdiction	Ord. Type	Council Adopted Date	CEC Approval Date	Scope			Municipal Code Link	Ordinance
				Single Family and Low-rise Multifamily	High-rise Multifamily	Nonresidential		
Los Gatos	All-Electric	12/17/2019	2/20/2020	<u>New</u> : All-electric (including ADUs); pre-wire for battery storage	N/A	N/A	Chapter 6.70.020	<a href="#">Ord. No. 2299</a>
Menlo Park	All-Electric	9/24/2019	12/11/2019	<u>New</u> : All-electric space/water heating and clothes dryers. Natural gas OK for cooktops/fireplaces; pre-wire for electric	<u>New</u> : All-electric	<u>New</u> : All-electric	<a href="#">Chapter 12.16</a>	<a href="#">Ord. No. 1057</a>
Morgan Hill	All-Electric	10/23/2019	N/A	<u>New</u> : All-electric	<u>New</u> : All-electric	<u>New</u> : All-electric	Chapter 15.63.40	<a href="#">Ord. No. 2306 N.S.</a>
Mountain View	All-Electric	10/22/2019	2/20/2020	<u>New SF and Duplexes</u> : Exception for cooktops/fireplaces; pre-wire for electric. <u>New LR MF</u> : Exception for-profit kitchen cooking equipment	<u>New</u> : exception for F, H, and L occupancies and for-profit kitchen cooking equipment	<u>New</u> : exception for Fire, High-Hazard, and Laboratory occupancies and for-profit kitchen cooking equipment	Sec. 8.20	<a href="#">Ord. No. 17.19</a>
Pacifica	All-Electric	11/25/2019	4/8/2020	<u>New</u> : Exception for ADUs; and cooktops/fireplaces; pre-wire for electric. <u>New LR MF</u> : Exception for-profit kitchen cooking equipment	<u>New</u> : Exception for cooktops/fireplaces; pre-wire for electric	<u>New</u> : exception for Fire and Police occupancies and for-profit kitchen cooking equipment	Section 8-6.01	<a href="#">Ord. No. 852-CS</a>
Palo Alto	All-Electric	12/2/2019	2/20/2020	<u>New</u> : All-electric	<u>New</u> : All-electric <b>OR</b> > 5% compliance margin; electric-ready	<u>New</u> : All-electric <b>OR</b> Office & Retail: >12% compliance margin; Industrial/ Manufacturing + 0%; All other NR occupancies > 5% compliance margin; pre-wire for electric	16.17.80	<a href="#">Ord. No. 5485</a>

## 2019 Code Cycle - Locally Adopted All-Electric Only Ordinances

Jurisdiction	Ord. Type	Council Adopted Date	CEC Approval Date	Scope			Municipal Code Link	Ordinance
				Single Family and Low-rise Multifamily	High-rise Multifamily	Nonresidential		
Richmond	All-Electric	3/3/2020	6/10/2020	<u>New</u> : All-electric space/water heating and clothes dryers. Natural gas OK for cooktops/fireplaces; pre-wire for electric <u>Replace/Upgrade Equipment</u> : all-electric	<u>New</u> : All-electric	<u>New</u> : Exception for Fire/Police, Life Sciences, For-profit kitchen cooking equipment; pre-wire for electric	Chapter 6.02.100	<a href="#">Ord No. 06-20 NS</a>
San Jose	All-Electric	9/17/2019	N/A	<u>New</u> : All-electric	N/A	N/A	Chapter 17.845	<a href="#">Ord No. 30330</a>
San Mateo County	All-Electric	2/25/2020	9/9/2020	<u>New</u> : All-electric	<u>New</u> : All-electric	<u>New</u> : exception for Laboratories, Emergency operations, and for-profit cooking (requires approval)	Section 9200	<a href="#">Ord No. 4824</a>
Santa Cruz	All-Electric	4/14/2020	N/A	<u>New</u> : All-electric	<u>New</u> : All-electric	<u>New</u> : All-electric	Chapter 6.100	<a href="#">Ord. No. 2020-06</a>
Santa Rosa	All-Electric	11/12/2019	2/20/2020	<u>New</u> : All-electric	N/A	N/A	Chapter 18-33.040	<a href="#">Ord. No. 2019-019</a>
Saratoga	All-Electric	12/4/2020	4/8/2020	<u>New</u> : All-electric space/water heating. Natural gas OK for cooktops/fireplaces/clothes dryer; pre-wire for electric	<u>New</u> : All-electric space/water heating; pre-wire for electric	<u>New</u> : All-electric space/water heating. Except public agency owned emergency centers; pre-wire for electric	Chapter 16.51.015	<a href="#">Ord. No. 366</a>
Windsor	All-Electric	10/16/2019	2/20/2020	<u>New</u> : All-electric	N/A	N/A	Chapter 7.7.100	<a href="#">Ord. No. 2019-338</a>

This report was prepared for the California Statewide Codes & Standards Program. The program is funded by California utility customers and administered by Pacific Gas and Electric Company, San Diego Gas & Electric Company (SDG&E®), Southern California Gas Company, and Southern California Edison Company under the auspices of the California Public Utilities Commission and in support of the California Energy Commission.

© 2020 Pacific Gas and Electric Company, San Diego Gas and Electric Company, Southern California Gas Company and Southern California Edison.  
All rights reserved, except that this document may be used, copied, and distributed without modification

**ATTACHMENT E:  
SUMMARY COST-EFFECTIVENESS ANALYSIS**

## Summary Cost-Effectiveness Analysis<sup>1</sup>

Potential Action	Benefit	Cost	Benefit / Cost Ratio
Require more stringent cool roofs for newly constructed buildings. <sup>2</sup>	\$2,536	\$237	10.7
Require more stringent cool roofs for alterations and additions to existing buildings. <sup>3</sup>	\$5,537	\$635	8.72
Require envelope and duct energy efficiency measures for major renovations of existing single-family and multifamily residential buildings. <sup>4</sup>	\$20,971	\$3,472	6.04
Require water heating energy efficiency measures for major renovations of existing single-family and multifamily residential buildings. <sup>5</sup>	\$509.60	\$208	2.45
Require solar PV for new non-residential buildings and major renovations of non-residential buildings. <sup>6</sup>	\$10,476	\$5,566	1.9
Require all-electric Code compliant home for new residential construction. <sup>7</sup>	\$5,349	\$3,090	1.7

<sup>1</sup> Costs for initial installation and annual operation, and on-bill benefits from reduced energy costs, are calculated over the life cycle of the equipment (30 years unless otherwise noted). The prototypes for new residential buildings are 2,100 ft<sup>2</sup> for a single-family home and 6,960 ft<sup>2</sup> for an 8-unit multifamily building, and for existing residential buildings are 1,665 ft<sup>2</sup> for a single-family home and 960 ft<sup>2</sup> per unit for a multifamily building. The figures are derived from data for Climate Zone 15 (where Palm Springs is located) in cost-effectiveness studies issued by the statewide Codes and Standards Program under the auspices of the California Energy Commission.

<sup>2</sup> Incremental cost of adding a cool roof to a single-family home. Source: *2019 Cost-effectiveness Study: Low-Rise Residential New Construction*, Table 4, page 10. The benefits are calculated using the Energy Commission's Time Dependent Valuation (TDV) lifecycle cost methodology, which is intended to capture the "societal value or cost" of energy use. Source: *Cost-Effectiveness Study for Cool Roofs FINAL Report for All Climate Zones*, page 78. The benefit / cost ratio is 78.26 for a multifamily building.

<sup>3</sup> Incremental cost of adding a cool roof to a pre-1978 single-family home already installing a new roof as part of the remodel. The benefit / cost ratio is 14.0 for a pre-1978 multifamily building. Source: *2019 Cost-Effectiveness Study: Existing Low-rise Residential Building Efficiency Upgrade*, Tables 47 and 48, page 51.

<sup>4</sup> Envelope and duct package consisting of attic insulation, air sealing and duct sealing upgrades to a pre-1978 single-family home. The benefit / cost ratio is 9.67 for a multifamily building. Source: *2019 Cost-Effectiveness Study: Existing Low-rise Residential Building Efficiency Upgrade*, Table 3, page 10, and Tables 47 and 48, page 51.

<sup>5</sup> Water heating package consisting of a water heater blanket, hot water pipe insulation and low-flow shower and faucet fixtures upgrades to a single-family home (all vintages). The benefit / cost ratio is 2.92 for a multifamily building. Source: *2019 Cost-Effectiveness Study: Existing Low-rise Residential Building Efficiency Upgrade*, Table 3, page 10, and Tables 47 and 48, page 51.

<sup>6</sup> Based on adding a 3kW PV system to a 24,691 ft<sup>2</sup> medium retail building. Source: *2019 Nonresidential New Construction Reach Code Cost Effectiveness Study*, Figure 62, page 73.

<sup>7</sup> For a single-family home. The benefit / cost ratio is 6.4 for a multifamily building. Source: *2019 Cost-effectiveness Study: Low-Rise Residential New Construction*, Table 14, page 34, and Table 16, page 38.

Potential Action	Benefit	Cost	Benefit / Cost Ratio
Require a heat pump or solar thermal system for new residential pool construction, if the pool is to be heated. <sup>8</sup>	\$1,102	\$868	1.27
Require solar for major residential additions. <sup>9</sup>	\$5,935	\$5,783	1.03
As alternative to all-electric code compliant home, require new mixed-fuel residential buildings to have above-code energy performance. <sup>10</sup>	\$2,179	\$2,179	1.0
Require new mixed-fuel residential buildings to be prewired for future electric cooking and clothes drying and above-Code prewiring for heat pump water heater (HPWH). <sup>11</sup>	0	\$413	N/A
Require new mixed-fuel residential buildings to be prewired for future battery storage. <sup>12</sup>	0	\$1,000	N/A
Require electric heat pump water heaters in new mixed-fuel residential buildings. <sup>13</sup>	0	0	N/A

- <sup>8</sup> 10-year life cycle. Source: *Cost Effectiveness Study: All Electric Heat Pump Pool Heating - Non-Preempted*, Page 7 and Table 4, page 11. The data are for Santa Monica; statewide data do not exist.
- <sup>9</sup> Based on adding a 1.2kW PV system for an 800 ft<sup>2</sup> addition (1.5 watts per ft<sup>2</sup>) to a single-family home. The benefit / cost ratio for adding a 6.96 kW PV system for a 3,480 ft<sup>2</sup> addition (2 watts per ft<sup>2</sup>) to a multifamily building is 1.23. Source: *2019 Cost-effectiveness Study: Low-Rise Residential Addendum – Cost Effectiveness Study of Santa Monica Proposed Ordinance Requiring Photovoltaic (PV) Systems on Residential Additions*, Table 1, page 3. The data are for Santa Monica; statewide data do not exist.
- <sup>10</sup> For a single-family home. The benefit / cost ratio is 1.35 for a multifamily building. Source: *2019 Cost-effectiveness Study: Low-Rise Residential New Construction*, Table 81, page 114, and Table 82, page 115.
- <sup>11</sup> For a single-family home. The cost estimate is \$313 per unit for a multifamily building. Source: *Ibid*, Table 6, page 16. The 2019 Energy Code already requires pre-wiring for a future HPWH for new homes with a gas water heater. A Codes and Standards representative estimates the cost of recommended above-Code prewiring for an HPWH would be \$13.
- <sup>12</sup> Source: *PV + Battery Storage Study*, page 3. A Codes and Standards representative estimates prewiring would cost \$1,000, based on half of the \$2,000 installation cost assumed in the study.
- <sup>13</sup> 15-year life cycle. An HPWH is estimated to cost the same as a tankless gas water heater in both a single-family home and a multifamily building. Source: *2019 Cost-effectiveness Study: Low-Rise Residential New Construction*, Table 6, page 16. Based on data from Los Angeles-area Climate Zone 9, having an HPWH instead of a tankless gas heater is estimated to have energy costs of approximately \$33 per year in a single-family home and energy savings of approximately \$19 per year in a multifamily building. Source: *Residential Building Electrification in California* prepared by Energy and Environmental Economics, Inc. (E3), Figure 3-11, page 60. The E3 report also shows 13-year lifecycle savings (total installation cost + total bill savings) in Figure 3-23 on page 72, and it is positive for all six studied climate zones. This is because E3 believes HPWHs are cheaper than tankless gas water heaters, unlike the statewide Codes and Standards team.

**ATTACHMENT F:  
EXAMPLES OF CLIMATE EMERGENCY RESOLUTIONS OR  
DECLARATIONS**



ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE CITY OF PALM SPRINGS,  
CALIFORNIA, ESTABLISHING A MANDATORY  
COMMERCIAL SOLID WASTE AND ORGANIC WASTE  
RECYCLING REQUIREMENT FOR CERTAIN BUSINESSES  
AND MULTIPLE-FAMILY RESIDENTIAL DWELLINGS.

**City Attorney's Summary**

*This Ordinance establishes a mandatory recycling requirement pursuant to Chapters 12.8 and 12.9 of the California Public Resources Code for businesses that generate four cubic yards or more of commercial solid waste or organic waste per week, and multiple-family residential dwellings consisting of five or more units.*

WHEREAS, the California Integrated Waste Management Act of 1989, commonly referred to as Assembly Bill ("AB") 939, codified in substantial part at Public Resources Code § 40000 *et seq.*, requires all jurisdictions within California to divert from landfill disposal a minimum of 50% of municipal solid waste generated annually within the jurisdiction through source reduction, recycling and composting programs; and

WHEREAS, the City, through its Office of Sustainability, is committed to AB 939 compliance and works closely with its authorized waste collection contractor to divert waste from local landfills; and

WHEREAS, in 2011, Governor Jerry Brown signed into law AB 341, which set a policy goal for the State that not less than 75% of solid waste generated be source reduced, recycled or composted by the year 2020; and

WHEREAS, AB 341 requires a business that generates four cubic yards or more of commercial solid waste per week or is a multiple-family residential dwelling consisting of five or more units to arrange for recycling services consistent with State or local laws to the extent that these services are offered and reasonably available from a local service provider; and

WHEREAS, AB 341 requires all jurisdictions within California to implement a commercial solid waste recycling program, directed at businesses, that may include, but is not limited to: (1) implementing a mandatory commercial solid waste recycling policy or ordinance; (2) requiring a mandatory commercial solid waste recycling program through a franchise contract or agreement; or (3) requiring all commercial solid waste to go through either a source separated or mixed processing system that diverts material from disposal; and

WHEREAS, AB 341 provides that a jurisdiction's commercial solid waste recycling program may include enforcement provisions, including a structure for fines and penalties; and

WHEREAS, in 2014, Governor Jerry Brown signed into law AB 1826, which requires a business that generates four cubic yards or more of commercial solid waste or organic waste per week, or is a multiple-family residential dwelling consisting of five or more units, to arrange for recycling services — specifically for organic waste — consistent with State or local laws; and

WHEREAS, AB 1826 requires all jurisdictions within California to implement an organic waste recycling program, directed at businesses, that may include, but is not limited to: (1) implementing a mandatory commercial organic waste recycling policy or ordinance; (2) requiring a mandatory commercial organic waste recycling program through a franchise contract or agreement; or (3) requiring organic waste to go through either a source separated or mixed processing system that diverts material from disposal; and

WHEREAS, AB 1826 provides that a jurisdiction's organic waste recycling program may include enforcement provisions, including a structure for fines and penalties; and

WHEREAS, in 2019, Governor Gavin Newsom signed into law AB 827, which requires businesses who are subject to AB 341 or AB 1826, and that provide customers access to the business, to provide — by no later than July 1, 2020 — containers that can be used by customers to collect commercial and organic recyclable materials resulting from purchases made on the premises for immediate consumption; and

WHEREAS, it is the intent of City staff to educate businesses regarding these mandatory State requirements and monitor compliance; and

WHEREAS, the City's authorized waste collection contractor readily provides commercial solid waste and organic waste collection and recycling services to businesses; and

WHEREAS, the City recognizes that waste diversion reduces greenhouse gas emissions, saves energy, and reduces the need to extract raw materials for production, and therefore has set a goal — in excess of the State's 75% waste diversion goal — that no less than 90% of waste materials generated within the city be diverted from landfills; and

WHEREAS, pursuant to the California Environmental Quality Act (Public Resources Code, § 21000 *et seq.*) and the CEQA Guidelines (California Code of Regulations, title 14, § 15000 *et seq.*) (collectively, "CEQA"), the City is the lead agency for the Ordinance.

THE CITY COUNCIL OF THE CITY OF PALM SPRINGS DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. That the foregoing Recitals are true and correct and are incorporated herein by this reference.

SECTION 2. The City Council finds that the adoption of this Ordinance is not subject to environmental review under the California Environmental Quality Act (“CEQA”) because it is not a CEQA “project” pursuant to CEQA Guidelines sections 15060(c)(2) and (c)(3) because it has no potential of creating a direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment.

Additionally, in the alternative, even if the Ordinance is a CEQA “project,” it is still categorically exempt from further environmental review pursuant to CEQA Guidelines sections 15307 and 15308 because the Ordinance is an action taken by the City as a regulatory agency, authorized by Public Resources Code sections 42649.3 and 42649.82, to assure the maintenance, restoration or enhancement of natural resources, and for the protection of the environment. The waste diversion procedures set forth in the Ordinance reduce greenhouse gas emissions, save energy, and reduce the need to extract raw materials for production.

Further, the City Council finds that none of the exceptions to the exemptions under CEQA Guidelines section 15300.2 apply. The project will not result in a cumulative impact from successive projects of the same type, and in the same place, over time. Similarly, there is no reasonable possibility that the project will have a significant effect on the environment due to unusual circumstances. The project will also not result in any damage to scenic resources, including, but not limited to, trees, historic buildings, rock outcroppings or similar resources, within a highway officially designated as a state scenic highway. The project will not be located on a hazardous waste site or any other site included on a list compiled pursuant to Government Code section 65962.5. The project will not cause a substantial adverse change to the significance of any historical resource.

Therefore, the City Council directs that a Notice of Exemption for this Ordinance be filed with the County Clerk of the County of Riverside in accordance with CEQA Guidelines.

SECTION 3. Title 6, Chapter 6.04.010 of the Palm Springs Municipal Code is hereby amended to add or amend the following definitions:

“Business” means a commercial or public entity, including, but not limited to, a firm, partnership, proprietorship, joint stock company, corporation, association that is organized as a for-profit or nonprofit entity, or a multiple-family dwelling.

“Commercial Solid Waste” means all solid wastes generated by a store, office, or other commercial or public entity source, including a business as defined in this chapter or a multiple-family dwelling consisting of five or more units.

“Full-Service Restaurant” means an establishment with the primary business purpose of serving food, where food may be consumed on the premises, and an employee of the establishment takes all of the following actions:

- (1) Escorts or assigns the consumer to an assigned eating area. The employee may choose the assigned eating area or may seat the consumer according to the consumer’s need for accommodation or other request;
- (2) Takes the consumer’s food and beverage orders after the consumer has been seated at the assigned seating area;
- (3) Delivers the food and beverage orders directly to the consumer;
- (4) Brings any requested items associated with the consumer’s food or beverage order to the consumer; and
- (5) Delivers the check directly to the consumer at the assigned eating area.

“Organic Waste” means food waste, green waste, landscape and pruning waste, nonhazardous wood waste, and food-soiled paper waste that is mixed in with food waste.

“Recycling Facility” means a business that collects or processes recyclable materials.

“Recyclable Material” means material that can be separated from waste for the purpose of reusing or returning these materials in the form of raw materials for new, used or reconstituted products that meet the quality standard necessary to be used in the marketplace, or for composting.

“Self-Hauler” means a business, including a multi-family residential dwelling, that hauls its own waste to a recycling facility. To “self-haul” means to act as a self-hauler.

“Source Separate” means physically separating waste materials by type at the point of discard so as to separate recyclable materials from non-recyclable waste.

“Waste” is a comprehensive term for municipal, commercial or organic wastes that are not deemed to be recyclable materials.

SECTION 4. Title 6 of the Palm Springs Municipal Code is hereby amended to add Chapter 6.04.290, which shall read as follows:

**6.04.290 Commercial Solid Waste and Organic Waste Recycling for Businesses and Multiple-Family Dwellings—Mandatory.**

(a) Mandatory Recycling of Commercial Solid Waste and Organic Waste

(1) A Business that generates **two cubic yards** or more of commercial solid waste per week or is a multiple-family dwelling consisting of five or more units shall comply with the following requirements:

(A) Arrange for the regular collection of commercial and organic recyclable materials through the City's authorized waste collection contractor;

(B) Maintain containers on the premises, which are to be provided by the City's authorized waste collection contractor, for the collection of commercial and organic recyclable materials;

(C) Source separate commercial and organic recyclable materials from waste, and place the recyclable materials in the appropriate containers for collection as designated by the City's authorized waste collection contractor; and

(D) If the Business is one that provides customers access to the business, the Business must provide containers to collect commercial and organic recyclable materials resulting from purchases made by customers on the premises for immediate consumption. ~~This requirement must be met on or before July 1, 2020.~~ The containers must be:

(i) **Adjacent to each container for waste other than commercial and organic recyclable materials, except in restrooms;**

(ii) **Visible and easily accessible to customers; and**

(iii) **Clearly marked with educational signage indicating what materials are appropriate to place in the containers in accordance with State and local law. An acceptable method to comply with this subsection is to work with the City's authorized waste collection contractor to obtain the appropriate language or signage.**

(2) Multiple-family dwellings are not required to divert food waste under subsection (a)(1).

(3) A Businesses that only generates **two cubic yards** or more of organic waste per week, but not commercial solid waste, shall be responsible for complying with subdivision (a)(1) only as to organic recyclable materials.

(4) Full-service restaurants are exempt from the requirements of subdivision (a)(1)(D) if the full-service restaurant, on or before July 1, 2020, provides its employees containers to collect commercial and organic recyclable materials resulting from purchases made by customers on the premises for immediate consumption, and implements a program to separate and collect such materials. The full-service restaurant is required to post and maintain educational signage on the container itself or in a prominent and visible manner near the container indicating what materials are appropriate to place in the containers in accordance with State and local law. An acceptable method to comply with this requirement is to work with the City's authorized waste collection contractor to obtain the appropriate language or signage.

(5) A property owner of a multiple-family dwelling or their agent may require tenants to source separate commercial and organic recyclable materials in order to aid in compliance with this chapter. It is unlawful and a violation of this chapter for any tenants of a multiple-family dwelling not to comply with a source separate requirement issued by a property owner or their agent.

(6) When arranging for gardening or landscaping services, the contract or work agreement between a Business subject to this section and a gardening or landscaping service shall require that the organic waste generated by those services be managed in compliance with this section.

(7) The City **may, at its discretion**, exempt a Business from the mandatory organic waste recycling requirements of this chapter for any of the following reasons:

(A) Lack of sufficient space in the multiple-family dwelling to provide additional organic waste collection containers;

(B) A Business's implementation of a recycling program that results in the recycling of a significant portion of its organic waste (to be determined by the City's authorized waste collection contractor in accordance with state and local law, and regional standards or practices);

(C) The Business or group of Businesses does not generate at least one-half cubic yard of organic waste per week;

(D) Limited-term exemptions for extraordinary and unforeseen events; or

(E) The Business or group of Businesses does not generate at least one

cubic yard of organic waste per week.

(8) For the exemption listed in subsection (7)(E) to become effective, the City must provide the California Department of Resources Recycling and Recovery information that explains the need for the higher exemption rather than the lower exemption provided for in subsection (7)(C). The City shall provide this information in its annual report that is required pursuant to California Public Resources Code section 41821.

(b) Provision for Self-Haulers

(1) Nothing in this chapter shall preclude a Business from self-hauling commercial or organic recyclable materials generated by that Business to a recycling facility. However, to be in compliance with the requirements of this chapter, the business must:

(A) Arrange for the regular collection of commercial and organic recyclable materials through the City's authorized waste collection contractor; and

(B) Provide proof of compliance with the requirements of this chapter upon request by the City. Proof of compliance consists of a receipt from a recycling facility identifying the facility, date, and type and quantity of recyclable material delivered. Businesses shall maintain proof of compliance from self-hauling activities conducted over the course of an entire year, from the period of January 1 to December 31. Businesses may dispose of that year's proof of compliance two years after December 31.

(c) Contamination of Recyclable Materials

No Business or person shall place in any container used for the collection of commercial or organic recyclable materials any waste, material or substance that would inhibit recycling of the container's contents. Containers set aside for commercial and organic recyclable materials shall only be used for recyclable materials identified by the City's waste collection contractor.

(d) Authority to Implement Fee System to Recover City's Costs in Complying with State Law

The City Manager, upon authorization from the City Council, may implement a system allowing for the City to charge and collect a fee from Businesses that are subject to this chapter in order to recover the City's costs in complying with the commercial solid waste and organics recycling requirements set forth in California Public Resources Code chapters 12.8 and 12.9.

(e) Forms, Regulations and Guidelines

The City Manager may adopt necessary forms, rules, regulations, and guidelines that may be necessary or desirable to aid in the administration or enforcement of the provisions of this chapter.

(f) Education and Enforcement

(1) The City Manager or his designee shall work with the City's authorized waste collection contractor to conduct outreach and educate Businesses subject to the requirements of this chapter about its requirements and facilitate compliance.

(2) The City Manager or his designee shall work with the City's authorized waste collection contractor to annually identify Businesses subject to the requirements of this chapter and confirm whether all such businesses are in compliance.

(3) Prior to taking any enforcement action against a Business for violation of the requirements of this chapter, the City shall first notify the Business and provide the Business an opportunity to correct the violation. This notice shall contain the information required by Palm Springs Municipal Code section 1.06.030(b). The notice shall state the Business has 60 days to correct the violation.

(4) Businesses shall be responsible for ensuring and demonstrating compliance with the requirements of this chapter within the 60 day time frame provided in the notification of violation. Failure to demonstrate compliance shall be cause for enforcement. The City may pursue enforcement of the provisions of this chapter through administrative, civil, or criminal proceedings.

SECTION 5. The Mayor shall sign and the City Clerk shall certify to the passage and adoption of this Ordinance, and shall cause the same, or the summary thereof, to be published and posted pursuant to the provisions of law. This Ordinance shall take effect thirty (30) days after passage.

PASSED, APPROVED, AND ADOPTED BY THE PALM SPRINGS CITY COUNCIL THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, \_\_\_\_\_.

---

GEOFF KORS  
MAYOR

ATTEST:



Ordinance No. \_\_\_\_\_

Page 9

---

ANTHONY J. MEJIA, MMC  
CITY CLERK

CERTIFICATION

STATE OF CALIFORNIA )  
COUNTY OF RIVERSIDE ) ss.  
CITY OF PALM SPRINGS )

I, ANTHONY J. MEJIA, City Clerk of the City of Palm Springs, California, do hereby certify that Ordinance No. \_\_\_\_\_ is a full, true, and correct copy, and was introduced at a regular meeting of the Palm Springs City Council on \_\_\_\_\_ and adopted at a regular meeting of the City Council held on \_\_\_\_\_ by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Palm Springs, California, this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

---

ANTHONY J. MEJIA, MMC  
CITY CLERK



# COMMITTEE REPORT

PRESENTED FOR COMMISSION MEETING DATE: 09/15/20

SUBMITTED BY: David Freedman

COMMITTEE NAME: Standing Committee on Solar and Green Building

SUBMITTED DATE: 09/08/20

COMMITTEE MEETING DATES: 08/04/20 and 09/01/20

NEXT COMMITTEE MEETING DATE: 10/06/20, 10:30 am

## Committee Meeting Agenda:

- A. GHG Inventory Status
- B. Climate Action Roadmap Implementation
  - 1. Discussion of Proposed Changes to Roadmap and Staff Report
  - 2. Home Energy Audit Program
- C. EV Charger Expansion
  - 1. RFP Status
  - 2. AB 1236 Compliance
- D. Climate and Energy-Related Language in Draft General Plan Update
- E. Planning-Related Hillside Solar Rules
- F. DCE Issues/Updates
- G. Schedule for Future Committee Meetings
- H. Agenda Items for September Commission Meeting

## Summary:

### A. GHG Inventory Status

Manager Tallarico is continuing to work with the contractor, who is doing some one-time data collection. The GHG data points will be the 1990 statutory baseline, an updated version of the 2010 data to reflect a higher level of the City's emissions than previously reported, 2018 actual data and a "look-forward" to 2020. Manager Tallarico hopes to have the inventory in time for the September 15 Commission meeting. Commissioner Freedman asked if the GHG inventory could be updated every two – three years to track the City's progress toward achieving the state's GHG reduction goals.

### B. Climate Action Roadmap Implementation

- 1. Discussion of Proposed Changes to Roadmap and Staff Report

At the August 4 and September 1 meetings, Committee members and Manager Tallarico discussed the draft staff report to accompany the Climate Action Roadmap to be presented to City Council in October. At the September 1 meeting, Manager Tallarico and Commissioner Freedman presented their respective revisions to the draft since the previous meeting. Following comments by Commissioner Flanagan and Manager Tallarico, Commissioner Freedman will clarify the sections he drafted recommending to Council electrification and energy efficiency measures for further research and

stakeholder outreach. Commissioner Freedman will draft a memo setting out these recommendations for the Commission's consideration at its September meeting.

2. Home Energy Audit Program

Manager Tallarico is continuing to work on rolling out the home energy assessment rebate pilot program the Commission approved at its October 2019 meeting. Manager Tallarico will send the draft rebate form to Commissioner Freedman for review. Links to search for local authorized service providers will be posted on the Sustainability Division's website.

C. EV Charger Expansion

1. RFP Status

Following an RFP, the City has identified a preferred provider to install new EV charging stations around the City. The City is currently in the process of reviewing the proposed agreement and will enter into negotiations with the goal of presenting a contract to Council for approval in October. The breakdown between Level 2 and Level 3 fast chargers will be discussed with the approved contractor once the contract is awarded.

2. AB 1236 Compliance

The ordinance implementing AB 1236 on permitting requirements for EV chargers is scheduled to go before Council at its September 24 meeting. Following Council approval, Commissioner Freedman will draft suggested language for the Building Division's EV charger information packet required under AB 1236.

D. Climate and Energy-Related Language in Draft General Plan

An ad hoc subcommittee of Commissioners held a noticed virtual meeting with Manager Tallarico on August 19 to discuss climate and energy-related language in the priorities section of the draft General Plan update. Manager Tallarico sent the agreed language to the Planning Division, and the Planning Commission is scheduled to consider them at its September 9 meeting.

Following Planning Commission review, Council will approve the new General Plan priorities. These priorities will set the City's long-term sustainability high-level goals. The Sustainability Plan will set more detailed goals and implementation strategies. Manager Tallarico reported that funds are available in the Sustainability Division's FY 20-21 budget to begin an update of the current Sustainability Plan, which Council approved in June 2016.

E. Planning-Related Hillside Solar Rules

Manager Tallarico is continuing to work with the Building Division on an update to its list of Code requirements for solar PV systems to reduce glare from solar panels installed on hillside homes.

F. DCE Issues/Updates

Commissioner Freedman provided a brief update on Desert Community Energy (DCE):

- DCE is beginning to look into programs to incentivize the installation of solar panels and batteries in homes to provide increased capacity to the electrical grid and backup power in case of a shutoff. Several Palm Springs neighborhoods lost power during the August 14 statewide rolling blackouts. Manager Tallarico reported that he has been contacted by Tesla about a program to install backup batteries at the City's critical facilities under the CPUC's Self-Generation Incentive Program (SGIP).

<ul style="list-style-type: none"> <li>• DCE is working on applying to the CPUC for funding of an energy efficiency incentive program, which would provide DCE customers a personalized energy audit for their home and recommendations for money-saving energy improvements. This program could follow the City’s home energy assessment pilot program mentioned above.</li> <li>• DCE is increasing its social media presence. Subject to approval by City Manager David Ready, DCE will be able to post on Nextdoor via the City’s account. Commissioner Freedman has begun posting information about DCE’s rates from his personal Nextdoor account. DCE is working on adding to its website an app comparing DCE and SCE rates, as many social media posts from the public are about the respective billing rates of DCE and SCE.</li> <li>• DCE is continuing to negotiate with the renewable energy developers short-listed in DCE’s RFO earlier this summer. The DCE Board is expected to approve the final contracts at its September or October meeting.</li> </ul> <p>G. Schedule for Future Committee Meetings</p> <p>Future Committee meetings will begin at 10:30 instead of 10 am on the first Tuesday of the month, so Manager Tallarico can finish the Main Street meeting that occurs beforehand.</p> <p>H. Agenda items for September Commission Meeting</p> <p>Manager Tallarico and Commissioner Freedman divided the topics they will each present at the September 15 Commission meeting, reflecting the matters discussed above.</p>
--

**Recommendation/Request:**

Continuing working on energy-related GHG reduction measures to further goals in Climate Action Roadmap.

<b>ACTION ITEMS REQUEST TO COMMISSION</b>	Approve Climate Action Roadmap and staff report recommendation to Council of electrification and energy efficiency measures for further research and stakeholder outreach.
<b>ACTION ITEMS REQUEST TO SUSTAINABILITY DIVISION</b>	Implement EV charger deployment and home energy assessment rebate pilot program. Work with Building Division on hillside solar rules.
<b>POTENTIAL FISCAL IMPACT/REQUEST IF ANY</b>	The City has received over \$220,000 in grant funding for EV chargers. The Commission budgeted \$10,000 in FY 19-20 for the home energy assessment rebate pilot program, which has been carried over to the FY 20-21 budget.



## MEMORANDUM

DATE: September 8, 2020

SUBJECT: Recommended Climate Actions

TO: Sustainability Commissioners  
Patrick Tallarico, Manager, Sustainability Division

FROM: David Freedman, Solar and Green Building Committee Member

---

In connection with the preparation of the Climate Action Roadmap and related staff report for presentation to City Council, I researched what actions other California cities and counties are taking to combat climate change and what actions Palm Springs could take to demonstrate our role as a sustainability leader. This research approach is similar to that taken on the potential ban on single-use plastic food ware.

Climate change presents an economic risk to Palm Springs. The attached news release from UC Riverside summarizes a recently published study on the effect of climate change on Coachella Valley tourism.<sup>1</sup>

Although the California Energy Commission updates its Energy Code setting building energy efficiency standards every three years, including the 2019 Code effective January 1, 2020, the Energy Commission encourages local jurisdictions to adopt energy standards stricter than the statewide minimum standards set by the Energy Code. These local standards, known as Reach Codes, often serve as models for statewide standards. That is the case for the 2019 Energy Code requirement that new low-rise residential construction include solar panels, first adopted in local Reach Codes. To date, about 25 cities and counties, mainly in the Bay Area as well as Los Angeles County, Carlsbad, Santa Monica and West Hollywood, have adopted Reach Codes exceeding the 2019 Energy Code standards. These Reach Codes are summarized in Attachment D of the draft staff report accompanying the Climate Action Roadmap.

State law provides that locally adopted energy standards must be cost-effective in order to be approved by the Energy Commission. To assist local jurisdictions in demonstrating cost effectiveness, SCE, SoCalGas, SDG&E and PG&E and the Los Angeles and Sacramento municipal utilities sponsor a group of energy efficiency experts under the Energy Commission's auspices known as the Codes and Standards Enhancement (CASE) Team, who produce cost-effectiveness studies that local jurisdictions submit to the Energy Commission with their application for Reach Code approval.

The CASE Team studies include detailed data on initial costs, lifetime savings and benefit/cost ratios for various Reach Code measures in each of California's 16 Climate Zones. Palm Springs is in Climate Zone 15. I analyzed the data for Climate Zone 15, which I summarized in Attachment E of the draft staff report.

---

<sup>1</sup> Yañez, C.C., Hopkins, F.M. & Porter, W.C. Projected impacts of climate change on tourism in the Coachella Valley, California. Climatic Change (2020). <https://doi.org/10.1007/s10584-020-02843-x>.

The Climate Zone 15 data show several Reach Code measures that have the least incremental cost and / or the highest benefit / cost ratio. A more detailed description of these measures is set out in pages 5-6 of the draft staff report:

- Require steep-sloped roofs to have a minimum aged solar reflectance value more stringent than that required by code on new residential construction and when a residential building is already installing a new roof as part of the remodel.
- Require residential remodels having a building permit valuation above a specified threshold to carry out energy efficiency measures when such measures are not already triggered by Title 24 code requirements.
- Require new residential construction to be prewired for future electric cooking, clothes drying and battery storage and above-code prewiring for a heat pump water heater.

Although the CASE Team studies have good data for Climate Zone 15, additional research and stakeholder outreach to confirm these data and understand local building practices are necessary before preparing a more detailed proposal for consideration by the Sustainability Commission and Council. The draft staff report notes the Solar and Green Building Committee's recommendation of the above measures for further prioritized research and stakeholder outreach and requests Council's input on whether to continue with that research. The full Commission is hereby asked to confirm its agreement with such recommendation.

Respectfully submitted,

David Freedman  
Solar and Green Building Committee Member

# Climate change will decimate Palm Springs, Coachella Valley tourism

 [news.ucr.edu/articles/2020/09/07/climate-change-will-decimate-palm-springs-coachella-valley-tourism](https://news.ucr.edu/articles/2020/09/07/climate-change-will-decimate-palm-springs-coachella-valley-tourism)



Author: Jules Bernstein

September 7, 2020

Share This:

A new UC Riverside study finds that climate change will have a devastating effect on the greater Palm Springs area’s dominant industry — tourism.

Thousands known as “snowbirds” flock to the region annually from elsewhere in the country to escape freezing winters. However, due to climate change, the number of days above 85 degrees between November and April is projected to increase by up to 150% by the end of the century.

These changes are enough to prevent many from patronizing the area’s famous outdoor attractions and events such as the annual Coachella Valley Music Festival, according to the study published this week in the journal Climatic Change.

Many businesses in the Palm Springs area already close due to lack of customers during the hot summer months, when daytime high temperatures average up to 108 degrees in July and August. Employment follows these patterns, with regional employment declining by 7.2 percent between April and October in 2017.



The researchers modeled two different future climate scenarios — one in which heat-trapping gases are significantly reduced, resulting in slowed warming, and one in which emissions are not mitigated at all.

“The two scenarios differed a little by mid-century, but were very different by 2100,” said Francesca Hopkins, assistant professor of climate change and sustainability. “In both cases we saw big declines in the number of days suitable for snowbirds, but this was much more pronounced in the scenario with no emissions reductions.”

In order to assess future effects of increased heat, the researchers analyzed two key components of the local tourism industry in addition to the winter weather: the number of visitors to The Living Desert, a popular outdoor zoo, and the likelihood of extreme heat at the Coachella music festival.



Tourist feeding a giraffe at The Living Desert Zoo and Gardens. (Michal Wisniowski)



Sunset during the Coachella Valley Music and Arts Festival, 2014.

The Living Desert Zoo and Gardens, established 50 years ago, is a nonprofit zoo visited by more than 510,000 people last year. The research team found that it stands to lose up to \$1.44 million annually in tourism in today's dollars with 18 percent fewer visitors at the end of the century.

Similarly, heat is also projected to impact the annual Coachella music festival, which began in 1999, and attracts roughly 250,000 concertgoers. The researchers did not assume that increased heat will necessarily affect attendance. However, they did find that probability of attendee exposure to extreme heat — if it continues to be held in April — could increase six-fold by end of century if climate change goes unmitigated.

“Though other studies have focused on the impact that climate change will have on cold winter destinations popular for sports like skiing, this is one of the first to focus on a warm winter destination, and its impact on such a specific region,” Hopkins said.

Places like the Coachella Valley are especially vulnerable to the impacts of climate change because they cannot shift snowbird season to cooler times of year, since those don't exist, Hopkins explained.

Cindy Yañez, a UCR physics graduate and first author of the study, was born in the Coachella Valley, and has lived there most of her life. Many people in the area have jobs that require them to work outdoors, either in agriculture or tourism. She wonders whether there will be a climate breaking point that might cause locals like these to move away.

“Weather is a resource that draws in money just like other resources do. If that gets redistributed it could have severe impacts on peoples' lives both physically and economically,” Yañez said. “I am hoping this research will start a conversation in the community. We still have time to avoid the worst of these predictions if we can reduce our greenhouse gas emissions today.”

Share this Article

## Media Contacts

---

Science / Technology

Search

Let us help you with your search



# Subcommittee Report

PRESENTED FOR COMMISSION MEETING DATE: September 15, 2020	SUBMITTED BY: Patrick Tallarico
SUBCOMMITTEE NAME: Standing SubCommittee on Waste Reduction (SSCoWR)	SUBMITTED DATE: September 10, 2020
LAST SUBCOMMITTEE MEETING DATE: September 3, 2020	NEXT SUBCOMMITTEE MEETING DATE: October 1, 2020

**Subcommittee Goal:**

Divert 90% of waste generated by the City of Palm Springs from landfill by 2030.

**Summary:**

1. Reducing Single-use Plastic Food Ware and Plastic Straws by Food Service Establishments.
  - At the July 9<sup>th</sup> Council meeting, Council members expressed support for moving forward with a full ordinance sooner rather than later. They asked the Office of Sustainability to conduct additional outreach. Manager Tallarico announced that he conducted three stakeholder input sessions to get business feedback – August 25 and 26 and September 1. The participation was limited and he provided a summary of feedback received, which included:
    - Concerns about timing – restaurants feel overwhelmed by just staying in business due to COVID response and felt that now was not the time to add something else to their plate.
    - Concerns about the costs and environmental advantages of some alternative products.
    - Clarification needed for on-site dining for very small food vendors that may only have a couple of seats but most business is takeout
    - Clarification needed on cup and container fee.
  - Manager Tallarico indicated that he would try to address some of these concerns in the updated draft. The Committee did not have any specific changes to the ordinance features. The staff report and updated ordinance will be presented to the full commission in September in anticipation of presenting it to Council at the September 24<sup>th</sup> meeting.
  - Manager Tallarico announced that he planned to submit a grant proposal to CalRecycle to support Reuse efforts. However, CalRecycle issued answers to questions over the Labor Day weekend that essentially made the Palm Springs proposal invalid.
  
2. Battery Recycling Project
  - Battery collection tubes will be placed at the Farmers Market on Saturdays because city facilities, which are the regular drop-off points, remain closed.
  
3. Toward a Public Spaces Recycling Program for the City of Palm Springs.
  - Manager Tallarico conducted a brief, informal check of downtown recycling containers. He indicated that disposable of cups in recycling bins is still a problem.
  - The group agreed to conduct another formal downtown trash and recycling audit in late September or early October.
  - The Public Arts Commission is painting trash and recycling containers at some community centers starting with James O Jesse. Manager Tallarico provided them with guidance on color and graphics.
  - Commissioner McCann agreed to move forward with the plan for improving trash and recycling receptacles at Ruth Hardy Park, which had started prior to the COVID response.

#### 4. Outreach

- Manager Tallarico worked with PSDS to develop updated outreach materials for commercial and multi-family units. These materials will be finalized and distributed in the fall along with updated stickers for containers featuring some of the graphics that the group developed this past spring.

#### 5. Annual Meeting with CalRecycle

- City staff and representatives from PSDS met with CalRecycle in September. The discussion focused on construction and demolition debris management. The City will be updating its processes and will likely need to develop an ordinance to implement some of the changes.
- CalRecycle also asked the City to review and confirm its list of non-compliant facilities for AB 341 and AB1826 (recycling and organics management requirements). PSDS is working with the City to conduct this review and will provide CalRecycle with updated compliance numbers. It is believed that many of the facilities on the list either do not produce enough recyclable material, have self-haul programs, or have space limitations.
- CalRecycle reduced its threshold for compliance with organics and recycling requirements to 2 cubic yards of waste generation per week – down from 4 cubic yards per week. This new threshold is effective immediately but will be reported on starting with calendar year 2021.

#### 6. Non-compliance with Commercial Recycling and Organics Requirements

- See CalRecycle section above.
- Manager Tallarico reviewed a draft ordinance to codify the state mandatory organics and recycling requirements. He will ask the Sustainability Commission to review and approve the Ordinance before it goes forward to Council.

#### 7. Wastewater Treatment Plant (WWTP)

- No updates.

#### 8. Neighborhood Earth Day Challenge

- Manager Tallarico will make an announcement about the Neighborhood Challenge at the September 15<sup>th</sup> One PS Meeting.

#### 9. PSDS Rate Increases

- Manager Tallarico announced that PSDS would be issuing letters to residents informing them of standard annual rate increases that will go into effect in October. These increases will only reflect increases due to changes in the Consumer Price Index and will not include increases from higher tipping fees.

#### 10. SB 1383 Planning

- The State still anticipates releasing the regulations for SB 1383 this fall. PSDS and the City worked on developing a timeline for compliance and a roles and responsibilities document. PSDS and the City will begin revising the franchise agreement starting in the September/October time frame.

#### 11. Bottle Fillers

- Sustainability staff have been working with Maintenance on purchasing touchless bottle fillers for some city facilities and outdoors. Five fillers will be installed in the September-October time frame at various City facilities in anticipation of reopening.

**Recommendation/Request**

Subcommittee members will continue to conduct research and refine products to improve recycling rates and report on progress at future Commission meetings.

<b>ACTION ITEMS REQUEST TO COMMISSION</b>	Review and approve Mandatory Recycling and Organics Ordinance
<b>ACTION ITEMS REQUEST TO OFFICE OF SUSTAINABILITY</b>	Continue to work with PSDS on outreach materials and finalize graphics for waste receptacles. Schedule downtown trash/recycling audit.
<b>POTENTIAL FISCAL IMPACT/REQUEST IF ANY:</b>	N/A