



## SUSTAINABILITY COMMISSION - REGULAR MEETING MINUTES

Tuesday, July 20, 2021

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 **5:31** p.m.

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

### WELCOME AND INTRODUCTIONS

	<u>This Meeting</u>	<u>Present to Date</u>	<u>FY 2021/2022 Excused Absences</u>	<u>FY 2021/2022 Unexcused Absences</u>
Roy Clark, Chair	X	54		
David Freedman	X	64		
Jennifer Futterman	E	44	1	
Greg Gauthier	X	42		
Carl Baker	X	30		
Jim Flanagan	X	22		
Sandra Garratt	X	18		
Alex Ocañas	X	4		
Jake Torrens	L	4		
Don Barrett	X	1		
Randy Evans	X	1		

X = Present

E = Excused (notified Chair and Staff of absence)

L = Late

U = Unexcused (did not notify of absence)

**REPORT OF POSTING OF AGENDA:** The Agenda was available for public access at the City Hall exterior bulletin board (west side of the Council Chambers) by 6:00 PM Thursday, July 15, 2021 and posted on the City's website as required by established policies and procedures.

**CITY STAFF PRESENT:** Patrick Tallarico, Manager, Office of Sustainability; Tracy Sheldon, Program Coordinator, Office of Sustainability

### WELCOME AND INTRODUCTIONS

Chair Clark introduced newly appointed Sustainability Commissioners Don Barrett and Randy Evans.

### ELECTION OF CHAIR AND VICE CHAIR

A motion was made by Commissioner Freedman and seconded by Commissioner Garratt to nominate Roy Clark for another term as Chair. Chair Clark accepted the nomination, and the motion was approved unanimously.

A motion was made by Commissioner Gauthier to nominate David Freedman as Vice Chair. David Freedman accepted, and the vote was unanimous in support of electing Commissioner Freedman as Vice Chair.

**ACCEPTANCE OF THE AGENDA:** Chair Clark asked if there were any objections to the agenda for the July 20, 2021 meeting. There were no objections, and the agenda was declared accepted.

**GUESTS PRESENT:** Paul Hinrichsen, Palm Springs resident, and Haley Preston with the Desert Community Composting Coalition were present.

### STAFF COMMENTS – Manager Tallarico reported

- Manager Tallarico added the Food Ware Ordinance was approved by City Council on July 8, 2021 and staff is working on outreach materials. Manager Tallarico also shared that staff met with a local

McDonald's franchise owner regarding implementation of the Food Ware Ordinance. The Palm Springs Chamber also attended the meeting, and they would like to participate and support the roll out of the Food Ware Ordinance to local business owners.

- Manager Tallarico shared that an RFP is being issued this week to hire a consultant to assist with the outreach and engagement in support of the Food Ware Ordinance and organics.
- Chair Clark inquired if the turf had been removed in preparation of the airport demonstration garden and Manager Tallarico stated that the turf removal process has not begun. Manager Tallarico stated that the project is due to go out to bid within the next week or so, and the turf removal request will be within that contract.

## **PUBLIC COMMENTS**

- Paul Hinrichsen commented on the proposed draft of the Smoking Ordinance in support of a "no smoking" ban for tobacco and cannabis for public health and safety in multi-family dwellings.
- Haley Preston with the Desert Community Composting Coalition requested that the Commission include the topic of community composting on future agendas.

## **A. PRESENTATIONS – Tim Harter of Bird presented**

- Tim Harter provided a presentation of Bird as an environmentally-friendly transportation alternative to "solve the last mile problem" with scooter rentals.
- The process to use Bird is to download the app, locate a scooter with the app map and pay \$1.00 to start, then a per minute fee.
- There would not be any cost to the City to launch and operate. Bird partners with local entrepreneurs to manage the fleet.
- Commissioner Gauthier asked if Bird was in any cities which had "no scooter" zones such as hospitals and nursing homes. Tim Harter responded that Bird can set up geofencing, which provides boundaries in which Bird scooters can travel and park.
- Commissioner Barrett inquired if there was a feature for residents to report misbehaving riders. Tim Harter responded that Bird has a feature called "Community Mode," which allows anyone to report a problem. Bird has the ability to remove/ban riders who have been flagged. Commissioner Barrett stated he has a concern with Bird only being available by app only.
- Commissioner Flanagan stated his concerns with sidewalk riding. Tim Harter responded that Bird has the capability to access GPS and reduce the speed of the scooters in geofenced areas. He did not indicate there was an ability to stop people from riding on sidewalks.
- Commissioner Baker inquired if Bird was the company that left scooters in Palm Springs a few years ago. Tim Harter responded that Bird did have a Consumer Launch in Palm Springs in November 2018.
- Commissioner Baker inquired if the scooters and helmets are sanitized and for a description of the process. Tim Baker responded that helmets are no longer legally mandated to wear.
- Commissioner Baker asked if the scooters were equipped with kick stands and if there would be scooter corrals. Tim Harter responded that Bird does have kick stands and that Bird would review the data of where rides originate and end and then recommend infrastructure based on the collected data.
- Commissioner Baker asked if Bird would be focused on tourism or residential neighborhoods in South and North Palm Springs. Tim Harter responded that Bird offers a feature where a scooter will not turn off until it is returned to a designated area. Tim Harter also stated that the focus would be both on tourism and residents and that the mission is to replace car trips.

## **B. MEETING MINUTES**

Chair Clark asked if there were any objections to the meeting minutes for the June 15, 2021 meeting. Commissioner Torrens asked for the reference to the Desert Community Composting Coalition is not aimed at units of five (5) or more and asked that the sentence be modified to state it is "one of multiple objectives" of the Desert Community Composting Coalition. There were no other objections, and the meeting minutes were declared approved after the change was made.

## **C. OLD BUSINESS**

1. Night Sky Ordinance – Chair Clark reported
  - Chair Clark reported that former Vice Chair McCann had made updates to the document.

- Vice Chair Freedman stated there are conflicts of law with the zoning and energy codes and that additional work is required on this document. Vice Chair Freedman suggested the City Attorney's office should review the document and decipher which codes will be prevailing. Landscape and monument lighting is not regulated by the State and the Commission can make suggestions for implementation, while the Energy Code largely affects building.
  - Commissioner Flanagan inquired if staff could review and clarify if the Commission can make recommendations on landscape lighting only.
  - Commissioner Ocañas stated she could assist with educational outreach and that she would contact former Vice Chair McCann for additional information.
  - Commissioner Baker inquired on the enforcement of this policy. Commissioner Flanagan stated this could fall under Code Compliance for enforcement.
  - The Commission decided to direct the subcommittee of Commissioners Flanagan and Ocañas to rework the document to apply to landscape lighting only. Additionally, staff was directed to coordinate with the Planning Department on how the energy code provisions would be handled.
2. Smoking Ordinance – Chair Clark and Commissioner Baker reported
- Chair Clark began the discussions by providing a historical overview of this draft ordinance. The Sustainability Commission began work on this ordinance in 2018. This ordinance is a collaboration between the Sustainability Commission (Carl Baker) and the Human Rights Commission (Edwin Ramoran), each of which had its own draft ordinance in 2018 and 2019. In February 2021, this most recent version was submitted to the Human Rights Commission and they gave their support of this version in June 2021.
  - The Commissioners discussed the issue of smoking in multifamily dwellings. Vice Chair Freedman suggested an amendment to Section 5 to be more explicit about the prohibition of smoking in a multifamily dwelling. Commissioner Baker said that he would look into it.
  - Commissioner Barrett suggested the inclusion of mobile home parks into the ordinance.
  - Chair Clark and Commissioner Baker will draft a memo and forward to Councilmember Kors for input.
  - Resident Craig Bennett submitted a comment via the City Clerk's Office prior to the meeting. This comment was shared with Commission members. He suggested that Bars/Nightclubs that do not regularly serve food and only permit service to those 21 years of age and older should be entirely and expressly exempt from this ordinance.
3. Sustainability Scholarship & Home Energy Assessment Audit Status and Feedback – Program Coordinator Sheldon reported
- Program Coordinator Sheldon provided an overview of the program close out and an introduction to the next scholarship program, which will focus on supporting the Food Ware Ordinance and Leaf Blower Ban.
4. Climate Action Roadmap – Manager Tallarico reported
- Manager Tallarico reported the purpose of developing a Climate Action Roadmap is for Councilmembers to be updated on the activities completed and areas of focus for the future. Staff is currently analyzing the results of GHG emissions inventory and working with PlaceWorks on opportunities for further reduction to help us achieve our 2030 goals.
  - Manager Tallarico stated that PlaceWorks is in the process of working on the climate vulnerability analysis which will provide staff with implementation strategies.
  - Manager Tallarico shared the timeframe is to work on these items in August/September and then bring them back to the Commission.

#### **D. NEW BUSINESS**

1. Discussion of "Offsite" Dates and Format – Manager Tallarico reported
- Manager Tallarico reported there was a need to schedule a Strategic Planning session in September and that the Covid numbers over the next few weeks will dictate if the meeting will be held in person or virtually.
  - The Strategic Planning Subcommittee met yesterday and discussed the Priority Planning Process and developing a new strategic plan based on removing outdated data and identifying items which the Commission would like to carry forward.
  - Manager Tallarico shared that City Council will be reaching out to all Commissions on identifying city-wide priorities.

- Manager Tallarico stated there is a need to meet for more than a few hours and it would be beneficial to meet in person. A socially distanced meeting could be held at the Convention Center and any members which felt more comfortable meeting virtually could be accommodated as well.
  - Commissioner Gauthier stated he would like the Strategic Planning Subcommittee to provide a summary of analysis prior to a meeting.
  - Manager Tallarico stated the goal is to develop three plans, the first plan consisting of an “immediate” one (1) year outlook, a “near term” five (5) year outlook and a “longer term” twenty (20) year outlook.
  - Commissioner Torrens inquired how Manager Tallarico envisions the Sustainability 2016 plan will overlap with a climate action plan. Manager Tallarico stated he envisioned a consolidation of the current document and that the climate action road map providing the actions within the updated plan.
  - Vice Chair Freedman stated climate action section of the 2016 plan could be replaced with more concrete actions.
  - Manager Tallarico stated he would send out meeting date options for the Commission to choose from.
2. Resident Letter Feedback - Manager Tallarico reported
- Manager Tallarico shared the intent of a resident letter is to keep residents informed of commonly asked questions. He highlighted the topics that would be included.
  - Commissioner Flanagan stated he would like to have the following biking information included in the letter: investigating new bike paths, installation of new bike loop signage, bike racks and to solicit feedback on bicycle concerns.
  - Commissioner Torrens inquired about the frequency of communications. Manager Tallarico stated semi-annually. Commissioner Torrens also asked if the Desert Community Composting Coalition could be included regarding SB 1383 and waste diversion.
  - Commissioner Ocañas recommended reviewing the content and dividing it into three (3) lines of communications: updates, education, and new resident information on disposal of resources. Commissioner Ocañas also recommended adding a QR code for more information online.
  - Commissioner Barrett suggested dividing the letter into Palm Springs “the people” vs. Palm Springs “the city.”
  - Chair Clark suggested including a letter/flyer in Palm Springs Disposal and/or Desert Water Agency monthly billing in an effort to reduce postage costs.

## **E. SUBCOMMITTEE AND COMMISSIONER REPORTS**

1. Standing Subcommittee on Solar and Green Building - Commissioner Freedman reported
- Commissioner Freedman shared he is working on sustainability issues for an upcoming cannabis forum.
  - The Energy Commission posted the final draft Energy Code last week for public comment and it is due to be approved on August 11<sup>th</sup>.
  - Vice Chair Freedman shared the Assembly Utilities and Energy Committee postponed a hearing on SB 612, which would help ensure that Community Choice Aggregators such as DCE receive access to legacy resource benefits held by an investor-owned utility such as SCE.
  - Governor Newsom has ordered carbon neutrality by 2035, which is ten years ahead of the state’s current goal.
  - Vice Chair Freedman will be a panelist on the CCEC Forum - Speeding Decarbonization Efforts with Reach Code Development Tools on August 17<sup>th</sup> at 2:00 p.m. Registration is free for all of the CCEC forums and Commissioners were encouraged to sign up.
2. Standing Subcommittee on Waste Reduction – Manager Tallarico reported
- Manager Tallarico reported staff completed a downtown trash audit and found most of the items in the recycling bins are not recyclable despite the signage. The images on the sign of coffee cups and smoothie cups may be misleading as they do not have the “no” symbol. Staff will adapt signage and install new signage downtown.
  - Manager Tallarico shared the Desert Community Compost Coalition participated in the July SSCOWR meeting in regard to including composting be permitted in the franchise agreement with PSDS. Manager Tallarico stated that meetings with PSDS are ongoing.
  - The Desert Community Compost Coalition will be presenting their plan to the Parks & Recreation Commission next week. The reason for presenting to the Parks & Recreation Commission is due to the coalition seeking a location for a community garden/compost project on park land.

- Commissioner Torrens asked if the franchise agreement language provided from other cities was helpful. Manager Tallarico stated the language provided was from a non-exclusive agreement from San Diego which is different than the exclusive agreement in place in Palm Springs.
  - Commissioner Torrens requested to be added to the SSCOWR subcommittee in replacement of Commissioner Miller.
  - Commissioner Torrens inquired when a waste audit can be completed. Manager Tallarico stated he would confirm the frequency under SB 1383 requirements for performance model or the compliance model and will report back to the Commission.
3. Standing Subcommittee on World Environment Day – Commissioner Garratt reported
    - Commissioner Garratt reported water pollinators and shade will most likely be the focus for next year's World Environment Day. Commissioner Garratt would like to look into a shade tree planting program to start in the fall in Palm Springs.
  4. Ad Hoc Subcommittee on Walkability & Pedestrian Planning – Manager Tallarico reported
    - Manager Tallarico stated the Safe Routes to School project consultant is continuing work on the data, and there is no update at this time.
  5. Ad Hoc Subcommittee on Bicycle Routes and Cycling – Commissioners Flanagan and Torrens reported
    - Commissioner Flanagan reported the focus of the last meeting was raising awareness, information from CVAG, bike signage, maintenance and maintaining bike racks. Commissioner Flanagan stated he would like funds allocated for bike surveys.
    - Manager Tallarico shared that meeting notices (agendas) need to be posted in advance of Ad Hoc Subcommittee meetings.
    - Commissioner Flanagan requested a meeting be scheduled to discuss the City's budgeting process. Manager Tallarico stated that funds had been set aside for outreach.
    - Manager Tallarico asked the ad hoc subcommittee to identify the top goal(s) they would like to achieve.
  6. Ad Hoc Subcommittee on Night Sky
    - No additional updates.
  7. Ad Hoc Subcommittee on Strategic Planning and General Plan Update – Manager Tallarico reported
    - Manager Tallarico added that any Commissioners could join the subcommittee.
  8. Water Conservation – Commissioner Freedman reported
    - Commissioner Freedman reported water use is down almost 21% compared to June 2020.
  9. Wellness
    - No additional updates.
  10. Desert Community Energy, Community Advisory Committee – Commissioners Freedman reported
    - Commissioner Freedman reported DCE approved a 4% rate increase for carbon-free customers on July 7, 2021 due to the increase in costs caused by the drought and heat waves.

#### **F. COMMISSIONER COMMENTS AND UPCOMING AGENDA**

- Vice Chair Freedman stated the Planning Commission and City Council will be reviewing the housing element of the general plan at their respective meetings in July and he provided comments to both. Vice Chair Freedman stated he would like to see the Sustainability Commission more involved in the General Plan Update, specifically regarding the climate adaptation resiliency strategies and safety elements.
- Commissioner Garratt shared that young birds are dying on the East Coast and that the unknown cause is heading West. The birds are going blind and then suddenly dying for unknown reasons.
- Chair Clark shared there is a need for members on a number of the subcommittees. The SSCOWR subcommittee was down two persons and Solar and Green Building subcommittee is down to one commissioner. Members were encouraged to inform Mr. Tallarico and Chair Clark about their interest in subcommittees.

- G. ADJOURNMENT** - The meeting of the Sustainability Commission adjourned at **7:54** p.m. They adjourned to the Regular Meeting of the Sustainability Commission to be held at 5:30 p.m. on Tuesday, September 21, 2021, 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,

A handwritten signature in black ink, appearing to read "Patrick Tallarico". The signature is fluid and cursive, with the first name being the most prominent.

Patrick Tallarico, Manager, Office of Sustainability