



## SUSTAINABILITY COMMISSION - REGULAR MEETING MINUTES

Tuesday, January 18, 2022

Pursuant to Assembly Bill 361, 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 **5:32** 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	60		
David Freedman	X	70		
Jennifer Futterman	X	47	2	1
Carl Baker	X	35	1	
Alex Ocañas	X	8	1	
Jake Torrens	X	8	1	
Don Barrett	X	7		
Randy Evans	X	6	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 5:30 PM Thursday, January 13, 2022 and posted on the City's website as required by established policies and procedures.

**CITY STAFF PRESENT:** Flinn Fagg, Deputy City Manager and Tracy Sheldon, Program Coordinator, Office of Sustainability.

### WELCOME AND INTRODUCTIONS

**ACCEPTANCE OF THE AGENDA:** Chair Clark asked if there were any objections to the agenda for the January 18, 2022 meeting. There were no objections, and the agenda was declared accepted.

**GUESTS PRESENT:** None

### STAFF COMMENTS

- Program Coordinator Sheldon noted the following information to supplement her written report:
  - An Arbor Day event will be held on March 12, 2022 from 8am – 12pm at James O. Jessie Desert Highland Unity Center, Ruth Hardy Park and Victoria Park and will include the planting of 66 trees. Approximately 100 volunteers are needed and the Sustainability Commission is encouraged to attend.
  - Commissioner Barrett inquired about which level chargers were being installed.
    - City Hall – to include two (2) Level III DC Fast Chargers (2 ports) and two (2) dual port Level II chargers (4 ports.)
    - Museum Garage – to include four (4) Level III DC Fast Chargers (4 ports) and three (3) dual port Level II chargers (6 ports.)
- Deputy City Manager Fagg provided an overview of the City Council priorities which were presented at the January 13, 2022 City Council meeting. The outcome of the two visioning sessions which were held in the Fall of 2021 identified four primary priorities: Quality of Life, Environmental Stewardship, Community Infrastructure and Good Governance. Environmental Stewardship represents Sustainability

with:

- Accelerate Climate Action Plan
  - Budget for two additional FTE
  - Complete Greenhouse Gas Analysis
  - Target High Value Projects/Initiatives (Sustainability Commissions feedback has been requested in prioritizing projects)
- Consider New Policies
  - Implementation of Senate Bill 1383
  - Desert Community Energy
  - Commercial renewable energy standards
  - Community Composting
  - Clarify land conservation goals (will be led by Planning Commission)
- Develop Internal Policies/Practices
  - Integrate Sustainability with other departments/initiatives (working with Planning, Building and Engineering)
  - Create green purchasing policies
- Commissioner Baker inquired if budgets were integrated into the priority discussions and Deputy City Manager Fagg confirmed that they are.
- Chair Clark added that the Special Sustainability Commission meeting held on October 5, 2021 included the Commission identifying current and near-term priorities which were forwarded to City Council. The Commission's priorities were adopted by the Council.

## **PUBLIC COMMENTS – None**

### **A. PRESENTATIONS**

- City Clerk Mejia provided an update on the Guidance on Electronic Records and Public Integrity Ordinance.
- City Clerk Mejia stated the Guidance on Electronic Records has not been adopted by City Council yet and the information will be provided to the Commissioners once adopted.
- City Clerk Mejia reported the City Council adopted a revision to the Public Integrity Ordinance in December 2021 as follows:

“The revised ordinance applies to City commissioners who also serve, in their private capacity, either:

- on a governing board of a non-profit entity without compensation,
- as an accountant or attorney without compensation, for such a non-profit entity, or
- as a trustee for a charitable trust.

In those situations, under the recently revised ordinance, such City commissioners must recuse themselves from participating in any matter before the City, when such non-profit or trust has an interest in the particular matter. Previously, Commissioners had to recuse only when their non-profit or trust had actually filed the application for the matter before the City.

So, if a commissioner also serves as a member of a non-profit board of directors, without compensation, and that non-profit entity has an interest (even if not a financial interest) in a particular matter, then that commissioner would be prohibited from advocating for a particular result on that matter.

An example would be if a Planning Commissioner also serves, without compensation, on a non-profit that is looking to build its new headquarters on a piece of real property that it owns. If that property were being redesignated as open space as part of the City-initiated General Plan update, the Commissioner would be prohibited from voting, as a Planning Commissioner, on that portion of the General Plan update when it comes before the Planning Commission. The Commissioner would likewise be prohibited from contacting Councilmembers, either verbally or in writing, urging them to vote a particular way on that aspect of the General Plan update.

Finally, it bears pointing out that this expanded prohibition only applies to the City official/non-profit board member. Other representatives of that non-profit would still be able to advocate for the non-profit's position on that particular matter.”

City Clerk Mejia will send documentation of this policy to members of all Commissions.

## **B. MEETING MINUTES**

- Chair Clark inquired if there were any objections to the meeting minutes for the Regular December 21, 2021 meeting. There were no objections, and the meeting minutes were accepted unanimously.

## **C. OLD BUSINESS - NONE**

## **D. NEW BUSINESS**

1. Residential Energy and Water Efficiency Rebate Program – Chair Clark reported
  - Chair Clark stated this item was originally set for the December 2021 Commission meeting which included a memo and draft staff report from former Manager Tallarico to request funds to set up a scholarship fund like the Sustainability Scholarship fund. Vice Chair Freedman provided a memo with comments on the staff report and recommendations.
  - Chair Clark stated there was a decision to form a subcommittee to take a closer look at the proposal and to determine how to proceed forward. The subcommittee consisted of Chair Clark, Vice Chair Freedman and Commissioner Barrett. The subcommittee met with Deputy City Manager Fagg and Program Coordinator Sheldon and discussed which items should be included in the program. Water efficiency projects were removed as residents can apply for rebates through Desert Water Agency. The staff memo included in the agenda includes the list of proposed projects and identifies which require a permit.
  - Commissioner Barrett commented to include in the document and minutes that the subcommittee discussed permit status does not affect the expediency of completing a project.
  - Vice Chair Freedman recommended reserving a minimum of 25% of the funds for CARE and FERA recipients for City Council's consideration. Additionally, to confirm the terms of State Standards of Title 24 and Title 20 for water fixtures.
  - Commissioner Evans supports the recommendation of including an equity component to the program. Additionally, to include a date when eligibility would open the funds to all.
  - Vice Chair Freedman stated that residents who are part of master billing, which is common in mobile home parks, can still provide CARE and FERA eligibility through documentation from SCE and SoCal Gas. Vice Chair Freedman added that he is working on compiling a list of available energy efficiency programs offered through SCE and SoCal Gas in his role at DCE.
  - Chair Clark asked for the Commissions support in \$500 limits for each applicant of the program and the consensus was unanimous.
  - Deputy City Manager Fagg confirmed this program would fall under the City Council priority of Environmental Stewardship of “Target High Value Projects/Initiatives” to be included in the work plan.
    - Program Coordinator Sheldon will draft the staff report and Vice Chair Freedman offered to review prior to placing on a future City Council agenda as a consent item.
2. World Environment Day 2022 Budget Request – Commissioner Futterman reported
  - Commissioner Futterman provided an overview that the Sustainability Commission has been a sponsor of the Environmental Education Collaborative's annual Environmental Art Contest. The contest is open to all students in Riverside and San Bernardino counties from preschool to 12<sup>th</sup> grade as well as adults.
  - Commissioner Futterman stated the event will be held virtually this year (due to Covid) and the theme is Water and Justice. Artists can submit two-dimensional or three-dimensional visual art, an essay or creative writing piece or a video showcasing performance art.
  - Commissioner Futterman shared this year's request is for the Sustainability Commission to provide \$2,000 as a sponsor of the event. Vice Chair Freedman made the motion and Commissioner Baker seconded the motion which passed unanimously.
  - Vice Chair Freedman recommended Commissioner Futterman contact Desert Water Agency for

support and with outreach.

- Chair Clark and Commissioner Baker volunteered as judges. Chair Clark also encouraged other Commissioners to volunteer as judges.

3. Near-term Commission Priorities – Chair Clark reported

- Chair Clark summarized that a list containing 16 items was e-mailed to the Commission for prioritization of most important to least important due to reduced staffing. To date, responses have been received from four (4) of the eight (8) Commissioners. Chair Clark encouraged the four (4) Commissioners who did not respond to provide their responses so that discussions can continue at the February 15, 2022 meeting.

**E. SUBCOMMITTEE AND COMMISSIONER REPORTS**

1. Standing Subcommittee on Waste Reduction – Program Coordinator Sheldon reviewed the written report and added the following:

- Program Coordinator Sheldon stated the implementation of SB 1383 has been the priority project staff has been working on with discussion of the revisions to the franchise agreement with PSDS being close to completion. Program Coordinator Sheldon shared that identifying an implementation date has been difficult as there are multiple factors which are impacting the date including the opening of the Edom Hill composting facility and delivery of the carts and vehicles to PSDS as supply chain issues have pushed the date back to October 1, 2022. Outreach and education to residents will be completed in multiple phases with the initial announcement of the implementation date followed with additional instructions on ordering carts and how to use the carts closer to the implementation date. An FAQ document has been drafted and is being reviewed by the City Attorney and PSDS Attorney.
- Program Coordinator Sheldon shared that the City will be applying for a SB 1383 grant with a maximum eligible request amount of \$63,654.00. One of the requirements is a Solid Waste Ordinance specific to SB 1383 which the City Council passed on December 9, 2019 and went into effect on January 9, 2022.
- Program Coordinator Sheldon provided an update to the status of the Food Ware Ordinance and shared that the work being completed by the two consultants has been going very well with a total of 91 businesses being contacted during the month of December. Feedback from business owners is financial and staffing impacts and that businesses are prioritizing compliance with SB 1383 ahead of compliance with the Food Ware Ordinance.
- Program Coordinator Sheldon reported she and Chair Clark performed an audit of the downtown recycling containers on December 31, 2021 and found that the educational signage is not effectively influencing people to dispose of their recyclables correctly. An alternative option is to post CalRecycle's signage on the downtown recycling containers.
- Commissioner Torren's reported he been in communications with the Community Composting group and will provide an update at an upcoming meeting.

2. Ad Hoc Subcommittee on Strategic Planning and General Plan Update – Chair Clark reported

- Chair Clark shared he has been in contact with David Newell in the Planning Department and forwarded the version of the Sustainability Plan with edits from the October 5 Special Sustainability Commission meeting.

3. Solar and Green Building – Vice Chair Freedman reported

- Vice Chair Freedman shared an update that he heard back from the State Reach Codes team, and they will provide free technical assistance on the cannabis energy and water usage findings in the renewable energy ordinance. He is in direct contact with the consultant and working with Veronica Goedhart of the Department of Special Program Compliance. He will keep Deputy City Manager Fagg and Chair Clark informed.
- The Reach Codes team is working on the multifamily module for existing home energy efficiency model ordinance. Vice Chair Freedman will update the ordinance he drafted and then can discuss with Chair Clark and staff what if anything can be done to move it forward before additional staff is hired. The City may want to consider retaining a consultant to work on outreach and implementation, like what is happening with the food ware ordinance.

- Governor Newsom proposed spending \$22 billion on climate, water, and wildfire initiatives in the budget plan released last Monday. The budget proposal includes \$6.1 billion in new funds for clean transportation programs, including \$256 million in clean car rebates and other programs for low-income families and \$900 million to build electric vehicle chargers in low-income neighborhoods.
  - On the regulatory front, the biggest news is the CPUC's proposed net energy meeting decision, which could substantially increase the price customers pay for energy. City Council approved a resolution at last week's meeting calling on the CPUC to protect rooftop solar and expand access to all households, particularly those of low and moderate income. The CPUC final decision is expected in February or March.
  - Energy Commission staff anticipates issuing final proposed Guidelines for the BUILD program for all-electric low-income housing in the coming days. The technical assistance provider is now providing preapplication guidance. Vice Chair Freedman will keep Commissioner Baker and the Monarch project developer informed.
4. World Environment Day – Commissioner Futterman reported
    - Commissioner Futterman added that World Environment Day is on Sunday, June 5, 2022 and asked for volunteers from the Commission.
  5. Night Sky – Commissioner Ocañas reported
    - Commissioner Ocañas shared that she has compiled notes from other jurisdictions, including outreach and enforcement examples. A follow-up meeting is being scheduled with Commissioner Ocañas, Chair Clark and Program Coordinator Sheldon and a report will be provided at an upcoming meeting. Commissioner Futterman stated she would like to be involved as well.
  6. Bicycle Routes and Cycling – Commissioner Torrens reported
    - Commissioner Torrens thanked Commissioner Ocañas for the edits she offered to the bicycle survey and added that an upcoming meeting will be scheduled to understand the group's overall purpose and mission and where it falls within City Council priorities.
  7. Water Conservation – Vice Chair Freedman reported
    - Vice Chair Freedman reported he updated the DWA board on the status of the demonstration garden at the airport.
    - On January 4, 2022 the State Water Resources Control Board adopted an emergency drought regulation which prohibits using potable water publicly for watering publicly owned or maintained medians, construction or street sweeping unless no other alternative is available.
    - DWA Board approved an additional \$300,000.00 in funding for water conservation projects for the remainder of this fiscal year with \$265,000.00 directed for grass removal and \$35,000.00 for the smart irrigation controller program.
  8. Wellness – Commissioner Baker reported
    - Commissioner Baker stated the Human Rights Commission reviewed the smoking ordinance and the document will now need to go to City Council.
  9. Desert Community Energy, Community Advisory Committee – Vice Chair Freedman reported
    - Vice Chair Freedman stated that Commissioner Barrett will be the new representative of the DCE Community Advisory Committee.
    - Vice Chair Freedman shared DCE is working on a new outreach program.
    - Vice Chair Freedman stated the DCE board approved an \$8 million dollar revolving line of credit and City Council will consider sharing a guarantee of the loan obligation at the January 27, 2022 meeting.
    - Vice Chair Freedman said he was evaluating responses to the RFP for consultant help design for the Distributed Energy Resources program. DCE has also launched a separate RFP for a new Renewable

Energy and Storage Procurement program together with other community choice aggregators which is due February 4, 2022.

**F. COMMISSIONER COMMENTS AND UPCOMING AGENDA - NONE**

**G. ADJOURNMENT** - The meeting of the Sustainability Commission adjourned at **6:50** p.m. They adjourned to the Regular Meeting of the Sustainability Commission to be held at 5:30 p.m. on Tuesday, February 15, 2022, 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,

Tracy Sheldon, Program Coordinator, Office of Sustainability