

**CITY COUNCIL SUSTAINABILITY COMMITTEE MEETING**  
Hayward City Hall – Conference Room 2A  
777 B Street, Hayward, CA 94541-5007

October 2, 2013  
4:30 p.m. – 6:30 p.m.

**MEETING MINUTES**

**CALL TO ORDER:** Meeting called to order at 4:36 p.m. by Chair Al Mendall, Council Member.

**ROLL CALL:**

**Members:**

- Al Mendall, Council Member/CSC Chair
- Barbara Halliday, Council Member
- Francisco Zermeño, Council Member
- Elisa Marquez, Planning Commissioner
- Laura Oliva, Keep Hayward Clean and Green Task Force/CSC Vice Chair
- Dianne McDermott, Planning Commissioner – Absent
- Vishal Trivedi, Planning Commissioner - Absent

**Staff:**

- Kelly McAdoo - Assistant City Manager
- Alex Ameri, Director of Public Works - Utilities & Environmental Services
- Morad Fakhrai, Director of Public Works – Engineering & Transportation
- Don Frascinella, Transportation Manager
- Erik Pearson, Environmental Services Manager
- Marilyn Mosher, Administrative Analyst III
- Sara Buizer, Senior Planner
- Angel Groves, Administrative Secretary (Recorder)

**Others:**

- David Stark, Bay East Association of Realtors
- Andrea Schumer, PG&E
- Roxanne Cruz, PG&E
- Tom Kersten, OFA (Organizing for Action)
- Ernest Pacheco, Communication Workers of America, Hayward Resident

**PUBLIC COMMENTS:**

David Stark, Bay East Association of Realtors, suggested that the committee remove Policy NR-4.13- Energy Use Data, NR-9 and NR-10 - Energy Performance and Disclosure Program (EPAD) from the draft CAP section of the General Plan. He reminded members that the committee and the community rejected the RECO program and both of these proposed policies are similar to that program and should also be rejected. He suggested that the committee should support programs that are voluntary and not mandatory.

Ernie Pacheco, Hayward citizen of twenty years, would like to see a discussion regarding the City of Hayward supporting the CCA on the agenda in early 2014.

1. Approval of Minutes of July 10, 2013 – minutes approved.
2. Draft General Plan Policies and Programs Related to Sustainability

Erik Pearson, Environmental Services Manager, provided an overview of revisions of the draft General Plan, which were made after receiving feedback from the committee and General Plan task force on April 3 and April 4, 2013. Mr. Pearson discussed the nine elements staff used to develop the draft General Plan policies.

Mr. Pearson discussed Attachment II of the staff report, which has each program organized by General Plan element, implementation timing, relevant policies and responsible staff. He noted that though the Residential Energy Conservation Ordinance (RECO) was removed, in order to meet long term GHG reductions goals the City will continue to address existing buildings, as they produce 35% of overall emissions.

Mr. Pearson also advised the Committee that staff will present the draft policies and implementation programs during work sessions with the City Council on October 22, 2013 and the Planning Commission on October 24, 2013. Comments from the Committee, Council, and Planning Commission will be incorporated into a complete draft General Plan which is expected to be released to the public in early December 2013.

Mr. Pearson described an Energy Performance Audit and Disclosure (EPAD) ordinance that staff has included in the General Plan (program numbers NR-9 and NR-10), in which property owners would be required to disclose the energy consumption and efficiency of their home during the sale process. The revised GHG reduction estimates provided for the General Plan programs do not include emissions reductions specific to the EPAD ordinances.

Council Member, Barbara Halliday, questioned the process and how the disclosure would work. Alex Ameri, Director of Public Works – Utilities & Environmental Services noted that this request would be informational to the potential buyer and give them an idea of the home's energy use, which is a reasonable request.

Both Council Member Halliday and Zermeño expressed their concerns of making this disclosure mandatory and the possible negative impacts this could have on potential buyers looking to purchase property in Hayward.

Director Ameri explained that if the City's priority is being green, we must look at these programs, receive feedback and guidance, and make changes accordingly.

Council Member Al Mendall requested that text be reviewed and revised to be consistent and to say that the City shall encourage and not require disclosures. Director Ameri

advised that staff would look at specific wording, revise and present to the Committee for further review.

3. Sustainability Circle – A Comprehensive Program for Sustainable Business Practices

Erik Pearson, Environmental Services Manager, announced that True Market Solutions (TMS) has received funding from PG&E to facilitate a Sustainability Circle, which is a six-month course for local businesses, from October to February. The City of Hayward will have its first Hayward Sustainability Circle meetings on October 14 and 15 and will present Hayward's Sustainability Plan to the Committee when it is completed in 2014.

Mr. Pearson provided some background on TMS, its co-founder and CEO, Elliot Hoffman and how the company came to be. He noted that TMS has conducted twelve Sustainability Circles to date in Ohio, Iowa and California and gave a list of participating companies. He informed members that the cost of \$7500 to participate in Sustainability Circle would be covered 50% by PG&E and 50% by TMS, so there would be no cost to the City.

Mr. Hoffman was present at this meeting and presented the committee with specifics about the Sustainability Circle.

4. "Pay as You Save" (PAYS®) Pilot On-Bill Conservation and Efficiency Financing System - Memorandum of Understanding and Concept Paper

Erik Pearson, Environmental Services Manager, described the PAYS Program; its benefit to the residents of Hayward; the requirements to participate, such as a Memorandum of Understanding between the City of Hayward and Sonoma County Regional Climate Protection Agency; and funding for the design of the program made possible by a grant awarded to the City by BayREN.

Mr. Pearson expressed the objective of presenting this report and requesting that the Committee consider recommending to the City Council that they approve implementing this MOU. Alex Ameri, Director of Public Works Utilities & Environmental Services added that though many states are participating in this program, the City of Hayward is one of the few, fortunate Cities in California, that has their own water utility system and is able to participate in this program.

Council Member Zermeño confirmed with staff that the City of Hayward would be the second City in the California to participate and expressed his excitement at the City being unique and taking the lead in promoting participation.

Staff presented the following possible names for the program: Hayward Efficiency PAYS®, Hayward Water/Energy PAYS® and Hayward Green PAYS®. Council Member Halliday and Elisa Marguez both preferred Hayward Green PAYS®; Council Member

Zermeño preferred Green Hayward PAYS® and Council Member Mendall was open to all names.

5. Update on Commuter Benefits Programs

Erik Pearson, Environmental Services Manager, provided background on two actions adopted by the City Council in 2009 related to commuter benefits: Assisting Businesses with Establishing Commuter Benefits and Establishment of Commuter Benefits for City Employees.

Mr. Pearson explained Senate Bill 1339, signed by the Governor in 2012, which provides the Bay Area Air Quality Management District and Metropolitan Transportation Commission the ability to jointly adopt a program to promote the use of alternative commute modes. He described the four options employers or fifty or more employees would need to select from and implement.

6. Summary of Community-Wide and Municipal Energy Use and Efforts to Improve Efficiency

Erik Pearson, Environmental Services Manager, acknowledge Andrea Schumer, Representative from PG&E, who was present to answer any questions that members had throughout the presentation.

Mr. Pearson noted that this report focuses on City-wide electricity and natural gas use and efficiency whereas previous reports provided updates on the overall implementation of the Climate Action Plan.

Mr. Pearson summarized the four topics covered in the staff report: Energy Efficiency Programs for the Community, Energy Use by the Community, Energy Efficiency at City Facilities, and Energy Use at City Facilities.

In relation to Energy Use, Council Member Barbara Halliday asked if there was an explanation for the decrease of energy use but increase in natural gas. Director Ameri provided as an example, the greater use of energy efficient light bulbs that lower energy use but have no effect on natural gas use.

Council Member Mendall asked what the City was doing to promote residential conservation programs. Director Ameri noted that the City does reach out to the community with literature, rebate programs for purchasing high efficiency toilets and free water conservation items; however, it is difficult to gain and hold interest from residents and to monitor whether they put the tools we're providing into use. The city is average in their community outreach.

Council Member Mendall asked all to look at everything being done and come up with solutions to increase participation and continued participation.

Elisa Marquez, Planning Commissioner, asked that more information be available on the Green Portal.

Mr. Pearson gave an overview of all City facilities, improvements made and expected savings.

6. Council Sustainability Meeting Topics 2013/2014

Council Members Zermeño and Mendall would like to see a report in 2014 on public landscaping and bicycle sharing. Mr. Marquez also noted her interest in seeing more information related to a bicycle sharing program.

Council Member Halliday expressed her concern for the overall issues surrounding the need for food production and would like to see that item on the agenda for 2014 as well as more on green business programs.

Ms. Marquez would like to know options in expanding the farmer's market to other locations throughout Hayward and expanding the days to include one during the week.

Council Member Mendall noted that education needs to be expanded and more topics and he would like to see more topics related to that on the schedule before July.

Discussion of Meeting Schedule for 2014

Committee Members agreed that the meeting date schedule would be discussed and determined at the next Sustainability Committee meeting on January 29, 2014. The discussion will include the possibility of changing the day of the standing meetings to a different day of the week, to accommodate Holidays and avoid having to change the meeting dates for January and July every year.

**COMMITTEE MEMBER/STAFF ANNOUNCEMENTS AND REFERRALS:**

**ADJOURNMENT:** 6:36 p.m.