

# **CITY OF HAYWARD**

Hayward City Hall  
777 B Street  
Hayward, CA 94541  
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CITY OF  
**HAYWARD**  
HEART OF THE BAY

## **Agenda**

**Monday, November 9, 2020**

**4:30 PM**

**Remote Participation**

**Council Sustainability Committee**

This meeting is being conducted utilizing teleconferencing and electronic means consistent with State of California Order No. 29-20 dated March 17, 2020, and Alameda County Health Officer Order No. 20-10 dated April 29, 2020, regarding the COVID-19 Pandemic.

To submit written comments: Send an email to [erik.pearson@hayward-ca.gov](mailto:erik.pearson@hayward-ca.gov) by 1 p.m. the day of the meeting.

Please identify the Agenda Item Number in the subject line of your email. Emails will be compiled into one file, distributed to the Council Sustainability Committee and City staff, and published on the City's Meeting and Agenda Center under Documents Received After Published Agenda.  
<http://hayward.legistar.com/Calendar.aspx>

Please click the link below to join the webinar:

<https://hayward.zoom.us/j/99513242802?pwd=QWNpRk1PRlBiOTVrVk0rVmpkM1F1UT09>

To join via telephone: 888 788 0099 Webinar ID: 995 1324 2802

Passcode: 66858103

A guide to attend virtual meetings is provided at this link: <https://bit.ly/3jmaUxa>

## **ROLL CALL**

## **PUBLIC COMMENTS:**

## **REPORTS/ACTION ITEMS**

1. [MIN 20-114](#) Approval of Minutes of the Council Sustainability Committee (CSC) Meeting held on October 15, 2020.  
**Attachments:** [Attachment I October 15, 2020 CSC Meeting Minutes](#)
2. [ACT 20-077](#) Possible Elements of a New Solid Waste Franchise Agreement: Review and Provide Direction to Staff  
**Attachments:** [Attachment I Staff Report](#)

3.     [ACT 20-075](#)     Service Stations Selling Fossil Fuel: Consider a Moratorium and/or Zoning Ordinance Amendment Regarding Service Stations Selling Fossil Fuels
- Attachments:**     [Attachment I Staff Report](#)  
                              [Attachment II Map of Hayward Gas Stations](#)
4.     [RPT 20-124](#)     Receive Update on the Advanced Metering Infrastructure (AMI) Customer Portal Pilot Program
- Attachments:**     [Attachment I Staff Report](#)
5.     [ACT 20-072](#)     StopWaste Priorities for 2021-2023
- Attachments:**     [Attachment I Staff Report](#)

**FUTURE AGENDA ITEMS**

6.     [ACT 20-076](#)     Five-Year Agenda Planning Calendar: Review and Comment on the Proposed 5-Year Agenda Planning Calendar
- Attachments:**     [Attachment I Staff Report](#)

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



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**File #:** MIN 20-114

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**DATE:** November 9, 2020

**TO:** Council Sustainability Committee

**FROM:** Director of Public Works

**SUBJECT**

Approval of Minutes of the Council Sustainability Committee (CSC) Meeting held on October 15, 2020.

**RECOMMENDATION**

That the Council Sustainability Committee reviews and approves the March 9, 2020 Council Sustainability Committee meeting minutes.

**ATTACHMENTS**

Attachment I October 15, 2020 Council Sustainability Committee (CSC) Meeting Minutes

CITY COUNCIL SUSTAINABILITY COMMITTEE MEETING  
Remote Participation – Digital Zoom Meeting  
October 15, 2020  
4:30 p.m. – 5:47 p.m.  
**MEETING MINUTES**

**CALL TO ORDER:** Meeting called to order at 4:30 p.m. by Chair Mendall.

**ROLL CALL:**

**Members:**

- Al Mendall, City Council Member/CSC Chair
- Elisa Márquez, City Council Member
- Francisco Zermeño, City Council Member

**Staff:**

- Alex Ameri, Director of Public Works
- Elli Lo, Management Analyst
- Erik Pearson, Environmental Services Manager
- Linda Ko, Senior Secretary (Recorder)
- Maria Hurtado, Assistant City Manager
- Nick Tabari, Audio Visual Specialist
- Nicole Grucky, Sustainability Specialist
- Taylor Richard, HASPA Fellow
- Tim Lohnes, GIS Technician
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**PUBLIC COMMENTS**

No public comments were made. Chair Al Mendall stated that written comments received from members of the public regarding the Noise Ordinance have been and will be reviewed by Council members and that these documents were also available to everyone online.

**1. Approval of Minutes of the Council Sustainability Committee (CSC) Meeting held on September 14, 2020**

The item was moved by Council Member Zermeño, seconded by Council Member Márquez, and approved unanimously.

**2. Default Electricity Product Choices from East Bay Community Energy**

Erik Pearson, Environmental Services Manager, presented a report on the default electricity product choices from East Bay Community Energy (EBCE) and asked the CSC for comments and to provide a recommendation to Council. Alex DiGiorgio, EBCE Public Engagement Manager, also provided additional details and information on the potential Citywide default energy service options.

A public comment was made by Jessica Guadalupe Tovar, Coordinator of East Bay Clean Power Alliance, who suggested looking into options that would keep the City's power nuclear-free. She also advocated subsidizing the Brilliant 100 product as an alternative.

Council Member Márquez inquired if the City would have a choice on the default product if a product with nuclear energy was potentially offered. Erik Pearson clarified that each city would have the choice to select their default energy product from the various options that would be available. Council Member Márquez's ranking of preferred products for the default product for the Hayward community was as follows from most preferred to least preferred: Choice D – Brilliant 100 with subsidy, Choice E – Bright Choice, Choice C – Brilliant 100 with rate increase, Choice B – Renewable 100, and Choice A – 100% carbon free with nuclear energy. She also stated that she was in support of Hayward's municipal accounts being switched to Renewable 100.

Council Member Zermeño ranked the product options as follows from most preferred to least preferred: Choice D – Brilliant 100 with subsidy, Choice E – Bright Choice, Choice C – Brilliant 100 with rate increase, Choice B – Renewable 100, and Choice A – 100% carbon free with nuclear energy.

Council Member Mendall expressed his opposition to choosing Bright Choice as the default energy product as this would undermine the City's ongoing greenhouse gas reduction efforts. He ranked the product options as follows from most preferred to least preferred: Choice D – Brilliant 100 with subsidy, Choice A – 100% carbon free with nuclear energy, Choice C – Brilliant 100 with rate increase, Choice B – Renewable 100, and Choice E – Bright Choice. Council Member Mendall stated that he was okay with a nuclear-mix product for a few years in order to achieve long-term sustainable solutions.

Alex DiGiorgio commented that accepting the nuclear allocation would not change the amount of nuclear energy generated and that EBCE customers are already paying for the nuclear power through the PCIA.

Council Member Márquez commented that she would be more open to accepting a nuclear-mix energy product if there was a very narrow timeline of use, possibly with a cap of two years.

### **3. Review and Comment on the Proposed 2020 Agenda Planning Calendar**

Council Member Zermeño stated his support of future agenda items and expressed a desire for the City to establish a goal of having an all-electric fleet by a certain year.

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

Council Member Zermeño thanked Director Alex Ameri and Erik Pearson for helpful staff recommendation emails before StopWaste Board meetings.

**ADJOURNMENT:** 5:47 p.m.

Attendance	MEETINGS			
	Present 10/15/20 Meeting	Present to Date This Fiscal Year	Excused to Date This Fiscal Year	Absent to Date This Fiscal Year
Elisa Márquez	✓	3	0	0
Al Mendall	✓	3	0	0
Francisco Zermeño	✓	3	0	0



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**File #:** ACT 20-077

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**DATE:** November 9, 2020

**TO:** Council Sustainability Committee

**FROM:** Director of Public Works

**SUBJECT**

Possible Elements of a New Solid Waste Franchise Agreement: Review and Provide Direction to Staff

**RECOMMENDATION**

That the Council Sustainability Committee (CSC) reviews and comments on this report regarding possible elements of a new solid waste franchise agreement and provide direction to staff.

**SUMMARY**

The City holds a franchise agreement with Waste Management of Alameda County (WMAC) to provide solid waste, recycling, and organic materials, collection, and processing services. The current agreement commenced March 1, 2015 and is scheduled to expire March 1, 2022. The agreement includes the option to extend it for three 12-month periods, so if the City decides to extend the contract the maximum numbers of times, the agreement will expire March 1, 2025. In June 2020, Council authorized staff to enter into exclusive negotiations with WMAC. This report provides an update on negotiations regarding potential elements to include in a new franchise agreement to provide Hayward with solid waste, recycling, and organic materials, collection, and processing services.

**ATTACHMENTS**

Attachment I      Staff Report



**DATE:** November 9, 2020

**TO:** Council Sustainability Committee

**FROM:** Director of Public Works

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## **BACKGROUND**

WMAC has been the City's solid waste and recycling services franchisee since at least the mid-1970s. WMAC provided the service under a different business name initially (Oakland Scavenger Company) and has, in the past thirty years, subcontracted with Tri-CED Community Recycling for residential recycling services.

At the March 9, 2020<sup>1</sup> CSC meeting, the Committee discussed possible approaches to the new solid waste franchise agreement, and recommended the City start exclusive negotiations with WMAC. The Committee also expressed a desire for the City to partner with Hayward schools,

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<sup>1</sup> <https://hayward.legistar.com/LegislationDetail.aspx?ID=4389835&GUID=EFF0E6BA-0F1F-4CA3-B275-1B18D86FF2EE&Options=&Search=>



if possible, so that solid waste services and outreach would be consistent throughout Hayward. The Committee also directed staff to be innovative and sustainability-minded in negotiations.

At its June 23, 2020<sup>2</sup> meeting, Council approved a period of exclusive negotiations with Waste Management of Alameda County through October 31, 2020. A request to extend the negotiating period be placed on the November 10 Council agenda to request approval to extend the exclusive negotiating period until June 30, 2021.

## **DISCUSSION**

Staff and WMAC have had productive meetings and have discussed potential elements for consideration in a new franchise agreement. These elements include implementation of Senate Bill 1383, short-lived climate pollutants (SLCP)<sup>3</sup>, increasing organics diversion, and monitoring for contamination. Staff and WMAC are also discussing the possibility of including the Hayward Unified School District in the agreement as well as feasibility of adding electric waste collection trucks to the fleet serving Hayward. In addition, staff and WMAC are exploring potential methods to reduce contamination in recycling and organics, increase participation in bulky collection services, reducing illegal dumping, and increase the number of public litter cans in the City. An overarching goal of a new agreement is to preserve and enhance the services that the community is currently receiving under the franchise agreement, while maintaining competitive and reasonable service fees.

At the November 9 meeting, staff and WMAC will jointly present information about sustainability challenges facing jurisdictions today, including the impacts of China's National Sword policy and climate change, as well as compliance demands, including SB1383. Staff and WMAC will also share some technologies and services enhancements that could potentially help meet the challenges, such as cameras in trucks, and a processing center than can extract organics from trash.

Staff is seeking feedback from the Committee on potential franchise agreement enhancements, including the following:

- Potential positive and negative effects of using cameras in trucks to monitor contamination
- Enabling the franchisee to assess surcharges on businesses and residents for excessive contamination in containers designated for organics and recycling
- Piloting an all-electric-powered collection vehicle or support vehicle, such as a cart delivery vehicle or supervisor's vehicle.

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<sup>2</sup> <https://hayward.legistar.com/LegislationDetail.aspx?ID=4576643&GUID=060523BF-B23D-49D7-A78E-F40F4DB335C4&Options=&Search=>

<sup>3</sup> [http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill\\_id=201520160SB1383](http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201520160SB1383)

- Processing a portion of Hayward's trash through a new processing facility that can extract recyclables and organic material from trash.

If exclusive negotiations are not successful, the City could prepare and issue a request for proposals (RFP) and call for new proposals from any qualified and interested service provider, including WMAC.

## **FISCAL/ECONOMIC IMPACTS**

Maintaining reasonable solid waste and recycling service fees and improving service levels would have a positive impact on the community. Regardless of the path chosen, the negotiation of a new franchise agreement is likely to require significant staff time, however, such staff time will be absorbed by already budgeted positions. If rates are increased, Franchise Fees will also increase, which will benefit the City's General Fund, Recycling Fund, Stormwater Fund, and Street System Improvement Fund.

## **STRATEGIC ROADMAP**

This agenda item does not directly relate to any of the six priorities outlined in the Council's Strategic Roadmap. It is possible that a new franchise agreement could support the following projects in the *Support Quality of Life* and *Combat Climate Change* Strategic Priorities:

### Support Quality of Life

- Project 7: Implement targeted illegal dumping prevention program
- Project 7a: Pilot programs and analysis
- Project 7b: Roll out permanent program

### Combat Climate Change

- Project 5: Work with StopWaste to promote a Circular Economy and Explore Regulation of Single Use Products
- Project 5a: Conduct outreach regarding single-use disposables
- Project 5b: Develop ordinance regulating single-use food ware in restaurants and coordinate with county-wide efforts

## **SUSTAINABILITY FEATURES**

Solid waste management involves the safe and responsible management of discarded material from generation through processing to disposal. Reducing waste landfilled by maximizing the reuse, recycling, and composting of materials increases diversion, conserves natural, resources, and plays an important role in making a community sustainable.

## **PUBLIC CONTACT**

No public contact has been conducted.

## **NEXT STEPS**

Upon direction from the Committee, City staff will continue to discuss with WMAC innovative approaches to compliance with state law and maximizing landfill diversion. Staff will report back to the CSC and Council as needed.

*Prepared by:* Jeff Krump, Solid Waste Program Manager  
Erik Pearson, Environmental Services Manager

*Recommended by:* Alex Ameri, Director of Public Works

*Approved by:*

A handwritten signature in black ink, appearing to read 'K. McAdoo', is positioned above a horizontal line.

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Kelly McAdoo, City Manager



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**File #:** ACT 20-075

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**DATE:** November 9, 2020

**TO:** Council Sustainability Committee

**FROM:** Director of Public Works

**SUBJECT**

Service Stations Selling Fossil Fuel: Consider a Moratorium and/or Zoning Ordinance Amendment  
Regarding Service Stations Selling Fossil Fuels

**RECOMMENDATION**

That the Council Sustainability Committee (CSC) reviews and comments on this report and provides a recommendation to Council regarding a possible moratorium and/or Zoning Ordinance amendments regarding service stations selling fossil fuels.

**SUMMARY**

Staff seeks the Committee's recommendation regarding the establishment of new and expansion of existing service stations selling fossil fuels. This report provides a summary of policies and goals related to the reduction of transportation emissions as well as a possible approach to limiting the development of new fossil fuel infrastructure. A near term solution may be for Council to adopt a moratorium on new service stations, but, in the long term, amendments to the Zoning Ordinance would be necessary to prohibit new service stations that sell fossil fuels and/or to prevent the expansion of existing stations. The process of amending the Zoning Ordinance would involve significant staff time and may warrant being identified as a priority project in the City's Strategic Roadmap before it is initiated.

**ATTACHMENTS**

Attachment I	Staff Report
Attachment II	Map of Hayward Gas Stations



**DATE:** November 9, 2020

**TO:** Council Sustainability Committee

**FROM:** Director of Public Works

**SUBJECT:** Service Stations Selling Fossil Fuel: Consider a Moratorium and/or Zoning Ordinance Amendment Regarding Service Stations Selling Fossil Fuels

## **RECOMMENDATION**

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## **SUMMARY**

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## **BACKGROUND**

According to Hayward's 2018 greenhouse gas (GHG) inventory<sup>1</sup>, the transportation sector is the largest emission sector with approximately 60% of total emissions coming from passenger and commercial vehicles. Gasoline passenger vehicles alone accounted for roughly 56% of the total transportation sector emissions. On June 23, 2020<sup>2</sup>, Council adopted updated emission reduction targets including a goal to reduce greenhouse gas

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<sup>1</sup> <https://hayward.legistar.com/MeetingDetail.aspx?ID=803395&GUID=CD12F88F-E56D-4F35-88C0-2A6E26C5D8BC&Options=&Search=>

<sup>2</sup> <https://hayward.legistar.com/MeetingDetail.aspx?ID=792008&GUID=3ACC441B-C5B9-4E56-B668-0CE843091311&Options=&Search=>

(GHG) emissions 55% below 2005 levels by 2030 and an intention to achieve carbon neutrality by 2045. At the Committee's meeting on July 13, 2020, the Committee asked staff to prepare a report addressing service stations selling fossil fuels in light of Hayward's goals to reduce GHG emissions.

On July 21, 2020<sup>3</sup>, Council considered a proposal to add a fuel facility at the Costco Business Center on Hathaway Avenue. Costco's request for a 12-dispenser (24 fueling positions) gas station was not approved due to a tie vote. During Council's discussion, it was mentioned that a new gas station may be contrary to the goals of Hayward's Climate Action Plan and there was a suggestion that the City might consider a moratorium on new gas stations. Council members also indicated a desire to support existing Hayward businesses and noted that denying the proposal could cost the City in terms of potential sales tax revenue. The Costco application is scheduled to be reconsidered by Council on November 10, 2020.

The State of California has a goal of 5 million zero emission vehicles statewide by 2030 and 250,000 electric vehicle charging stations by 2025. While current sales of EVs make up 8 to 9 percent of all vehicle sales in California, by 2025, EVs are expected to make up 30% of all vehicle sales<sup>4</sup>. On September 23, 2020<sup>5</sup>, Governor Gavin Newsom signed an executive order requiring all new vehicles sold in the State be zero-emission vehicles by 2035 to combat climate change and reduce statewide emissions. However, whether this vision becomes reality may depend on the future of the federal government and their acceptance of this mandate. Several countries around the world have adopted policies<sup>6</sup> similar to California's.

*Other Cities* – Among cities addressing climate change, there is widespread acceptance of the need to reduce transportation-related emissions, but staff is not aware of any cities in the United States with permanent restrictions on the establishment of new gas stations. Some cities have, however, pursued moratoriums and zoning regulations specific to the establishment of new gas stations. The City of Menlo Park adopted a Climate Action Plan<sup>7</sup> in July 2020, which calls for the following action: "Announce and promote goals of 1) making all new vehicles be electric by 2025 and 2) reducing gasoline sales each year by 10%, based on the total reported in 2018." The Plan also mentions the possibility of an ordinance that would require that all underground fuel tanks be removed by 2030. In May 2019<sup>8</sup>, the City of Petaluma adopted a 45-day emergency moratorium on the approval of applications for new gas station uses. Concerns centered around the possible health impacts of locating a new gas station in close proximity to a school. The moratorium was extended through the spring of 2020, but Petaluma has yet to adopt new regulations and the case remains in litigation. In July

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<sup>3</sup> <https://hayward.legistar.com/MeetingDetail.aspx?ID=793413&GUID=5BF48901-43A7-4AA0-9181-11C18CA64A37&Options=info&Search=>

<sup>4</sup> <https://evadoption.com/ev-sales/ev-sales-forecasts/>

<sup>5</sup> <https://www.gov.ca.gov/wp-content/uploads/2020/09/9.23.20-EO-N-79-20-text.pdf>

<sup>6</sup> <https://www.coltura.org/world-gasoline-phaseouts>

<sup>7</sup> <https://www.menlopark.org/ArchiveCenter/ViewFile/Item/11486>

<sup>8</sup> <https://cccclimateleaders.org/wp-content/uploads/2020/05/Petaluma-CA-May-6-2019-Ordinance-2681-N.C.S.-05062019.pdf>

2020<sup>9</sup>, the City of Baltimore, Maryland proposed a zoning ordinance amendment to prohibit the construction, creation, or establishment of any new gas station in any zoning district. The policy is aimed at reducing and discouraging the City's reliance on fossil fuels. The amendment is under review by their Planning Commission and no formal decision has been made.

In September 2020, Joint Venture Silicon Valley partnered with non-profit Coltura to launch the Beyond Gasoline Initiative<sup>10</sup>, which has a goal of reducing gasoline consumption in Silicon Valley 50% by 2030. One way they intend to achieve the goal is to form partnerships with cities to adopt gasoline reduction measures such as public fleet electrification, vendor clean delivery requirements, and citywide gasoline sales reduction goals.

Hayward's General Plan and Climate Action Plan include the following policies related to reducing GHG emissions from the transportation sector.

- NR-2.4 The City shall work with the community to reduce community-based GHG emissions by 20 percent below 2005 baseline levels by 2020, 30 percent below 2005 levels by 2025, and 55 percent below 2005 levels by 2030. In addition, the City shall work with the community to develop a plan that may result in the reduction of community based GHG emissions to achieve carbon neutrality by 2045.
- NR-2.6 The City shall reduce potential greenhouse gas emissions by discouraging new development that is primarily dependent on the private automobile.
- HQL-9.6 The City shall continue to encourage residents and businesses to use less gasoline for transportation and improve energy efficiency in and renewable energy generation from buildings and industry processes to reduce impacts from rising oil and energy prices.

## DISCUSSION

There are 46 gas stations in Hayward. Attachment II shows the locations of all 46 stations with 35 stations being located along six major corridors: Hesperian Boulevard, A Street, Foothill Boulevard, Jackson Street, Mission Boulevard, and Tennyson Road. One of Hayward's existing stations, the Costco on Hesperian Boulevard, has submitted an application for an amendment to the original Planned Development approval to add ten more dispensers (20 pumping stations). This application has been deemed complete and is nearing the end of the review process.

Hayward's Zoning Ordinance (Chapter 10, Article 1 of the Hayward Municipal Code) allows service stations with a Conditional Use Permit in some commercial and mixed-use districts. Service stations are also allowed in various industrial districts with an Administrative Use Permit and in some planned development districts as a permitted use. Service stations are

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<sup>9</sup> <https://baltimore.legistar.com/LegislationDetail.aspx?ID=4586133&GUID=8092D81D-B070-481C-8D6A-0269EE4EF92F&Options=ID%7CText%7C&Search=parking>

<sup>10</sup> <https://jointventure.org/initiatives/climate-change/beyond-gasoline>

also permitted with a Conditional Use Permit in the area covered by the Mission Boulevard Code (Chapter 10, Article 24 of the Hayward Municipal Code). Any restrictions on the development of new gas stations and/or the expansion of existing stations would require amendments to the Zoning Ordinance and the Mission Boulevard Code. Additionally, the amendments would require Planning Commission and City Council hearings and may require environmental review pursuant to the California Environmental Quality Act (CEQA).

Preparation of such amendments could take a significant amount of staff time and is not included in the Council-adopted Strategic Roadmap. If the CSC is interested in recommending Zoning Ordinance and Mission Boulevard Code amendments, staff would recommend presenting this project to the full Council when revisions to the Strategic Roadmap are considered in early 2021.

If Code amendments are pursued, Council could also adopt a moratorium to temporarily prohibit the submission of new applications for new gas stations and/or expansions of existing gas stations while the ordinance amendments are developed. However, moratoriums are typically used when a new type of undesirable business or land use emerges over a short period of time. Hayward has had very few new gas stations or applications for new gas stations in the past 10 years and this trend is not likely to change in the foreseeable future.

## **ECONOMIC IMPACT**

The business model for automobile fueling is already evolving to support alternative fuels and electric vehicle infrastructure. However, if so directed by Council, staff will prepare and present the economic impacts of any ordinance amendments prior to their adoption.

## **FISCAL IMPACT**

Hayward receives approximately \$6.7 million in state funding each year for the purposes of improving streets, sidewalks, and bike lanes, and supporting public transportation. Roughly two thirds of this funding comes from taxes on gasoline and diesel sales. A ban on new service stations would limit growth of sales tax and transportation funding for the City. Also, as electric vehicles gain popularity, there will eventually be a decrease in these revenue streams. To help make up for the decrease in fuel tax revenue, the State of California, beginning July 1, 2020, started collecting an extra vehicle registration fee of \$100 to \$175 on electric vehicles, depending on the vehicle's value.

Implementing a moratorium and/or a Zoning Ordinance amendment will require staff time and resources. Most work can likely be absorbed by existing budgeted staff, but if CEQA analysis is necessary, an outside consultant may be needed. Staff could provide a more detailed scope of work and cost estimate for the CEQA analysis if this project is identified as a priority.



## **STRATEGIC ROADMAP**

In January 2020, Council adopted six Strategic Priorities as part of its three-year Strategic Roadmap. This agenda item is not specifically called for in the Roadmap, but it does support the priority of Combat Climate Change and the implementation of the following project:

Project # 1: Reduce dependency on fossil fuels

Due to the COVID-19 pandemic and resulting budgetary challenges and changes in priorities, Council is scheduled to consider revisions to the Strategic Roadmap in early 2021. If recommended by the CSC, staff will present this project to Council as a possible priority in the updated Strategic Roadmap.

## **SUSTAINABILITY FEATURES**

Limiting increases in gasoline consumption would contribute to reductions transportation-related emissions and may help Hayward meet its long term GHG reduction goals. On the other hand, market forces and state regulation are expected to increase the use of electric vehicles, which will also lead to reductions in gasoline consumption.

## **PUBLIC CONTACT**

Staff provided notice of this agenda item to the Chamber of Commerce and owners of existing service stations in Hayward. Any amendments to the Zoning Ordinance and the Mission Boulevard Code would include public hearings and additional public noticing.

## **NEXT STEPS**

Upon direction from Committee, staff can present this project to Council for consideration in the revised Strategic Roadmap to be adopted by Council 2021.

*Prepared by:* Erik Pearson, Environmental Services Manager  
Taylor Richard, Climate Corps Fellow

*Recommended by:* Alex Ameri, Director of Public Works

*Approved by:*

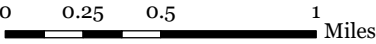


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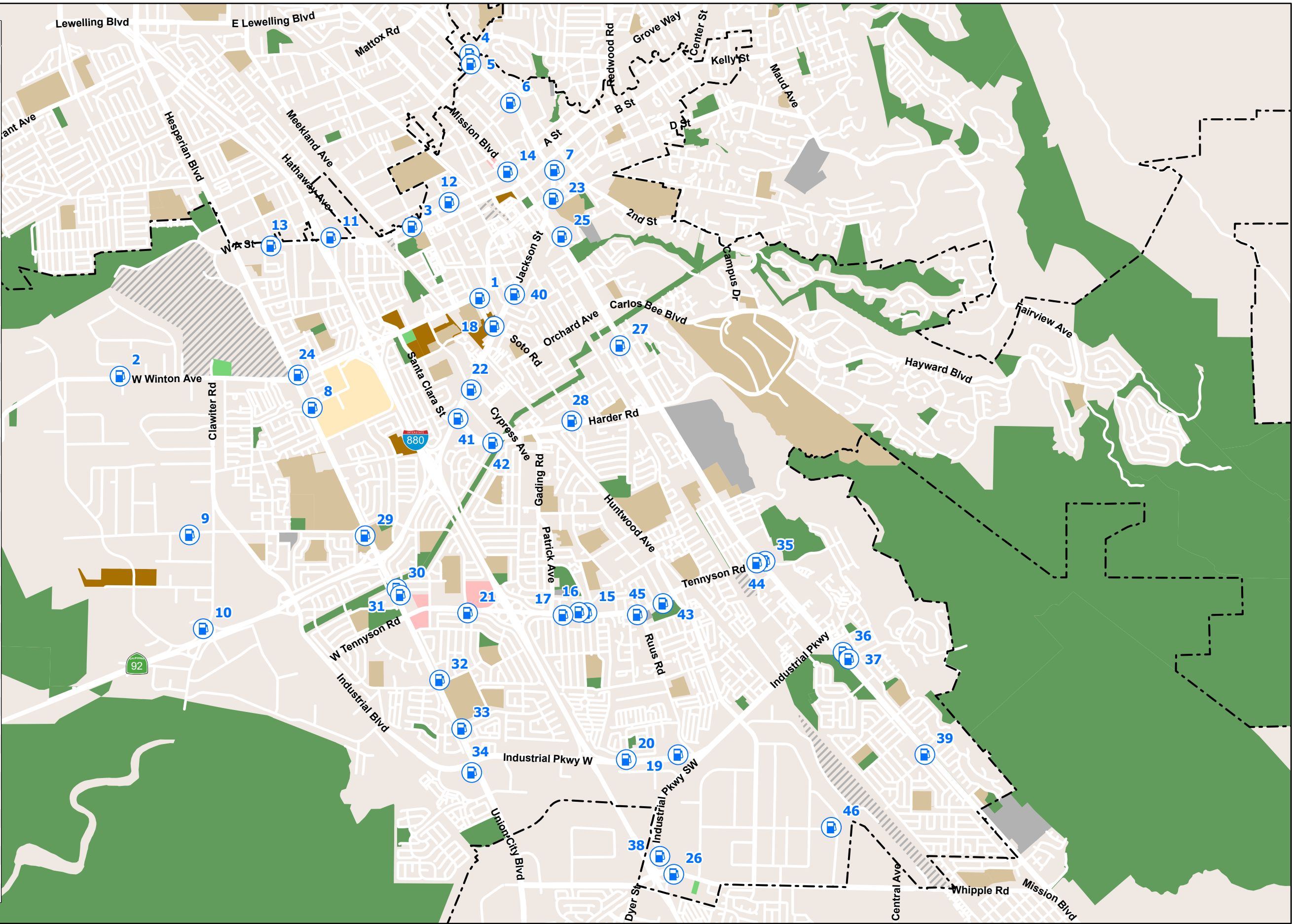
Kelly McAdoo, City Manager



# Hayward Gas Stations



ID	Facility Name
1	East Winton Valero
2	Flyers #457
3	Tesoro (Mobil) 63062
4	Platinum Energy # 2611131
5	Foothill Chevron
6	World Oil Marketing Company #76
7	Hayward Gas Mart Inc
8	Chevron Station #95416/Southland
9	Flyers #450
10	Pal&Pal Ent Inc / Breakwater 76
11	New Raja Enterprise Dba: Mobil
12	Moa'S Service Center
13	7-Eleven Inc #35341
14	Fast & Easy Mart #45
15	Tennyson Shell
16	Hayward Union 76
17	All Star Service, Inc
18	Valero / Grand Petroleum
19	Eastgate Petroleum Dba Hayward Ggp
20	Petroleum & Convenience, Inc.
21	Deol 76, Dla Corp
22	Jackson 76
23	Master Shell
24	Winton Valero (Valero #7218)
25	Mission Chevron
26	Whipple Road Union 76
27	Tesoro (Mobil) 63055
28	Grand Gas / Grand Petroleum
29	Hesperian 76
30	Valero Station #7217
31	Chevron / Supercalifornia Oil Corp
32	Rotten Robbie #46
33	Hesperian Wave Corp.
34	Costco Wholesale #1061- Gas Station
35	Mission 76
36	Mission 76
37	Quik Gas N' Shop Inc
38	Sahota Petroleum Llc Dba Nimitz Chevron
39	Mission Shell
40	Arco 01319
41	Double Aa Corporation -Valero
42	Td & Ln Investment, Inc
43	Tennyson Valero
44	Calteck, Inc. Dba: Hayward Am/Pm
45	Rotten Robbie #49
46	Nella Oil #482





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[www.Hayward-CA.gov](http://www.Hayward-CA.gov)

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**File #:** RPT 20-124

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**DATE:** November 10, 2020

**TO:** Council Sustainability Committee

**FROM:** Director of Public Works

**SUBJECT**

Receive Update on the Advanced Metering Infrastructure (AMI) Customer Portal Pilot Program

**RECOMMENDATION**

That the Council Sustainability Committee (CSC) reviews and comments on this informational report.

**SUMMARY**

Advanced Metering Infrastructure (AMI) technology, which was recently installed at every water meter in the City, transmits periodic meter reads to a Utility over a fixed network, enabling the Utility to then provide this detailed consumption data back to customers via an online portal. As such, in October 2019, the City solicited proposals via a competitive Request for Proposals (RFP) process to implement an AMI Customer Portal Pilot Program (Pilot).

The two vendors selected to participate in the Pilot following the RFP process were “AquaHawk” (a product developed by American Conservation & Billing Solutions, Inc.), and “WaterSmart” (a product developed by WaterSmart Software). Over the past six months, staff has worked with both vendors to develop two distinct customer engagement portals, and to populate them with City-wide, AMI-generated water consumption data. Both pilot portals are now live and access has been provided to approximately 100 pilot participants. Feedback garnered from these participants regarding preference between the two portals will be used to inform staff’s recommendation to Council regarding which portal, if either, to make available to all Hayward water customers in the long-term.

**ATTACHMENTS**

Attachment I Staff Report



**DATE:** November 9, 2020

**TO:** Council Sustainability Committee

**FROM:** Director of Public Works

**SUBJECT:** Receive Update on the Advanced Metering Infrastructure (AMI) Customer Portal Pilot Program

## **RECOMMENDATION**

That the Council Sustainability Committee (CSC) reviews and comments on this informational report.

## **SUMMARY**

Advanced Metering Infrastructure (AMI) technology, which was recently installed at every water meter in the City, transmits periodic meter reads to a Utility over a fixed network, enabling the Utility to then provide this detailed consumption data back to customers via an online portal. As such, in October 2019, the City solicited proposals via a competitive Request for Proposals (RFP) process to implement an AMI Customer Portal Pilot Program (Pilot).

The two vendors selected to participate in the Pilot following the RFP process were “AquaHawk” (a product developed by American Conservation & Billing Solutions, Inc.), and “WaterSmart” (a product developed by WaterSmart Software). Over the past six months, staff has worked with both vendors to develop two distinct customer engagement portals, and to populate them with City-wide, AMI-generated water consumption data. Both pilot portals are now live and access has been provided to approximately 100 pilot participants. Feedback garnered from these participants regarding preference between the two portals will be used to inform staff’s recommendation to Council regarding which portal, if either, to make available to all Hayward water customers in the long-term.

## **BACKGROUND**

In 2018, the City completed the replacement of its approximately 36,000 manual water meters with new AMI meters. Staff are currently able to access AMI-generated meter reads via a basic internal-facing portal provided by Aclara Technologies, LLC (Aclara), the vendor the City contracted with in 2016 to deploy the AMI system. However, maximizing the usefulness of AMI-generated data and providing customers access to the consumption metrics and other

information associated with their account requires the development of an online customer engagement portal.

To make the most informed decision regarding which customer portal vendor to select for long-term, City-wide implementation, staff released an RFP in October 2019, inviting vendors to submit proposals to implement a four-month Pilot. Of the three software solutions proposed during the process, two were selected: AquaHawk and WaterSmart. Both software solutions are in use by neighboring Bay Area agencies. Notably, AquaHawk is in use by Dublin San Ramon Services District (DSRSD), and WaterSmart is in use by East Bay Municipal Utilities District (EBMUD), Coastside County Water District, the Town of Hillsborough, and the City of Morgan Hill, among others. Additional details regarding the vendor selection can be found in the report delivered during the CSC meeting on March 9, 2020<sup>1</sup>.

## **DISCUSSION**

Over the past six months, staff has worked with AquaHawk and WaterSmart to develop two distinct Pilot customer portal platforms. The Pilot was previously anticipated to launch in Summer 2020. However, due to delays in integrating the City's Aclara-provided AMI data with the portals, the launch was delayed by several months.

Both Pilot portals recently went live and have been made available to approximately 100 Pilot customers. These Pilot customers volunteered to participate by responding to staff's call for participants, which was distributed via social media, the City's environmental newsletter, The Leaflet, and physical handouts, as well as letters to targeted groups like those who have recently received a leak notification letter.

The approximately four-month Pilot period is planned to end in February 2021. Throughout these four months, staff will seek feedback from the participants via periodic surveys regarding their preference between the two portals, the functions they like or dislike, ease of use, as well as other topics. The feedback will also be used to determine which features should or should not be included in the long-term portal.

Both portals feature a customer-facing view, enabling customers to log-in via a computer or smart device, and manage their account from an online dashboard. The portals include water use tracking, bill prediction and budgeting features, as well as leak alerts, which notify customers via text, email, or automated voice message in the event that their property shows signs of a leak. The portals also feature a utility-facing view, enabling City staff to provide enhanced customer service to water customers, in addition to streamlining processes via comprehensive report libraries, improved account search functionality, mapping capabilities, and more. Staff are currently developing the criteria and surveys through which to solicit feedback from the Pilot participants.

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<sup>1</sup> <https://hayward.legistar.com/LegislationDetail.aspx?ID=4389832&GUID=F46CB11A-247F-400F-AE74-907A02B58D6C>

Following the conclusion of the Pilot, staff will return to the Committee in March to discuss the feedback garnered by participants and, potentially, to discuss which portal to recommend to the City Council for City-wide implementation.

### **ECONOMIC IMPACT**

The customer portal, once fully implemented, will provide customers greater control over their water consumption, as they will have on-demand access to their water use metrics, their estimated water spending at any point in a billing period, and prompt leak notification and reduced water loss. The Portal will also likely aid the community in achieving greater water conservation over time.

### **FISCAL IMPACT**

As shown in the table below, the total anticipated cost to implement the Pilot Program is \$49,500.

AquaHawk Pilot Program	\$20,000
WaterSmart Pilot Program	\$17,500
Aclara Integration of AMI Data	\$12,000
Total:	<u>\$49,500</u>

The Pilot Program is being funded by the AMI Conversion Project (Project 07025) included in the Capital Improvement Program (CIP). This Project also funded the approximately \$13 Million installation of the City-wide AMI technology.

Should one of the two vendors be selected to implement the City-wide portal, staff anticipates that the cost to the City could range from averaging approximately \$70,000 to \$100,000 per year over a 10-year period, with most fees paid on an annual basis. The price will vary depending on which features the City decides to include or not include in its full contract. In preparation for the City-wide implementation, which staff anticipate will occur by the end of June 2021, the adopted FY21 CIP also includes a total budget of \$1,050,000 over the next ten years in the Water Replacement Fund for the implementation for the City-wide AMI Customer Portal Project (Project 07125).

### **STRATEGIC ROADMAP**

This agenda item supports the Strategic Priority of Improve Infrastructure. Specifically, this item relates to the implementation of the following project:

Project 13, Part 13.a: Develop and launch Advanced Metering Infrastructure (AMI) customer portal.



## **SUSTAINABILITY FEATURES**

The AMI Customer Portal and larger AMI Project promote efficient water use and water conservation. The water consumption data provided by AMI technology will aid in the City's efforts to measure the overall effectiveness of targeted conservation initiatives. This information will also be used to inform customers about potential leaks or overly high consumption.

## **PUBLIC CONTACT**

During Spring 2020, staff sought approximately 100 Pilot Customer volunteers via a number of methods, including posts in social media, the City's environmental newsletter, The Leaflet, and physical handouts, as well as letters to targeted groups like those who have recently received a leak notification letter. Staff will regularly engage with these Pilot Customers for the duration of the four-month Pilot.

## **NEXT STEPS**

Based on the Committee's comments, staff will continue implementing the Customer Portal Pilot Program and will return to the Committee following its conclusion to share the feedback garnered by participants and, potentially, to recommend a vendor for City-wide implementation.

*Prepared by:* Kait Byrne, Management Analyst

*Recommended by:* Alex Ameri, Director of Public Works

*Approved by:*

A handwritten signature in black ink, appearing to read 'K. McAdoo', is written over a horizontal line.

Kelly McAdoo, City Manager



# CITY OF HAYWARD

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**File #:** ACT 20-072

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**DATE:** November 9, 2020

**TO:** Council Sustainability Committee

**FROM:** Director of Public Works

**SUBJECT**

StopWaste Priorities for 2021-2023

**RECOMMENDATION**

That the Council Sustainability Committee (CSC) reviews and comments on this report.

**SUMMARY**

StopWaste engages in priority setting every other year to inform their budget development, resource allocation, external fund-seeking efforts, and program selection and design for a two-year period. StopWaste will seek adoption of a new set of two-year priorities at their December 2020 meeting. This report presents StopWaste's current priorities as well as potential new priorities for the Committee's consideration

**ATTACHMENTS**

Attachment I Staff Report





**DATE:** November 9, 2020

**TO:** Council Sustainability Committee

**FROM:** Director of Public Works

**SUBJECT:** StopWaste Priorities for 2021-2023

## **RECOMMENDATION**

That the Council Sustainability Committee (CSC) reviews and comments on this report.

## **SUMMARY**

StopWaste engages in priority setting every other year to inform their budget development, resource allocation, external fund-seeking efforts, and program selection and design for a two-year period. StopWaste will seek adoption of a new set of two-year priorities at their December 2020 meeting. This report presents StopWaste's current priorities as well as potential new priorities for the Committee's consideration.

## **BACKGROUND**

The City of Hayward has a history of working with StopWaste and its member jurisdictions to accomplish a variety of programs targeted at reducing waste sent to the landfill and reducing greenhouse gas emissions. StopWaste is a joint powers agency governed by the Alameda County Waste Management Authority (WMA), the Alameda County Source Reduction and Recycling Board, and the Alameda County Energy Council. Councilmember Zermeno is Hayward's representative and Councilmember Lamnin is Hayward's alternate on all three Boards. StopWaste has previously had two sets of priorities, one for the Waste Management Authority and Recycling Board and another for the Energy Council. Starting in 2020, StopWaste has combined the two sets of goals, creating one set of priorities that reflect the full scope of StopWaste's work, including materials management efforts and advancing clean energy solutions. The currently adopted priorities are provided below.

*Energy Council* – The Energy Council adopted the following priorities for 2018-2020. These program priorities have guided StopWaste to secure grant funding and focus on program activities within each priority.

- Building efficiency
  - Reducing barriers to investment in energy efficiency in multifamily buildings
- Electrification
  - Catalyzing the residential heat pump water heater market

- Grid solutions
  - Coordinating with East Bay Community Energy on program targeting
- Member agency services
  - Assisting member agencies with climate action plan implementation
- Zero net carbon
  - Advocating for consideration of embodied carbon in energy programs

Waste Management Authority and Recycling Board – Starting in 2016, the WMA and Recycling Board began setting priorities together. They adopted the following priorities for 2018-2020.

- Emphasize waste prevention over management of discards.
- Organics, as the largest remaining portion of the waste stream going to landfill, will continue to be an emphasis for the next two years.
- Only consider mandatory measures that go through a comprehensive resource analysis or are mandated by the State.
- Prioritize waste reduction and prevention projects that have beneficial climate impacts.
- Explore innovative and experimental approaches that may be leveraged by member agencies.
- Emphasize project implementation and collect data only as needed to make informed decisions.
- Coordinate and collaborate with local public agencies to avoid duplication of efforts and prioritize efforts that leverage and enhance what member agencies can do independently.
- Ensure the flexibility to add new projects and cut back on existing projects when appropriate.

## DISCUSSION

To set the stage for the 2020 priority-setting process and provide a framework for establishing an updated set of StopWaste priorities, StopWaste staff drafted a set of objectives for the StopWaste Board to consider at its meeting on September 23, 2020.<sup>1</sup> According to the Board report, the 2021-2023 Agency priorities should:

- Emphasize upstream, systemic solutions that reflect the full scope of StopWaste's work, including waste reduction and clean energy efforts.
- Integrate the pursuit of racial and social equity into operations and programs.
- Provide a framework to reorient programs in light of challenges resulting from the COVID-19 pandemic.
- Set a positive, forward-thinking direction that inspires staff and member agencies.
- Increase the Agency's capacity to evaluate and communicate the results of its work, and to re-imagine our collective efforts to achieve next-level results.
- Provide actionable guidance on how to prioritize Agency spending, consistent with guiding documents such as the County Integrated Waste Management Plan and Recycling Plan.

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<sup>1</sup> <https://www.stopwaste.org/about-stopwaste/events/wma-energy-council-2020-09-23>

At the Board meeting on September 23, 2020, there was limited discussion from Board members regarding the priority-setting process. StopWaste staff emphasized that much of the low hanging fruit has been picked and a goal of these new priorities is to reimagine ways cities can divert waste and implement clean energy solutions.

The next steps for StopWaste are to continue discussions with StopWaste staff, StopWaste Board members, and staff from member jurisdictions. These discussions will take place throughout October and November. Staff will update the Committee with any new information that is a result from these conversations verbally at the November 9, 2020 meeting. StopWaste will be wrapping up and finalizing the new 2021-2023 priorities in December.

Updated draft priorities that will be considered by the StopWaste Board are not yet available. Based on discussions at recent staff-level meetings, the WMA's Technical Advisory Committee and the Energy Council's Technical Advisory Group, there are some issues that will likely be presented to the Board as potential priorities for the next two years (2021-2023). Potential items for discussion are listed below and ranked by staff based on alignment with the City's goals and priorities:

1. Assistance with local, state, and federal legislation compliance, including:
  - a. Mandatory Recycling Ordinance;
  - b. Plastic Bag Ban;
  - c. SB 1383 (Short Lived Climate Pollutant Act).
2. Member agency services, including:
  - a. Climate Action Planning
  - b. Greenhouse Gas Emission accounting
3. Food Waste Reduction – aimed to reduce wasted food generated in food service, households, and schools by providing training and technical assistance, media and outreach, food-saving tools, and food waste reduction grants.
4. Electrification of buildings and vehicles
5. Reimagining reduction of single-use packaging – packaging presents both a source of contamination in recycling streams (thereby creating marketing challenges) and an opportunity to use recyclable commodities.
  - a. Reusable pilot projects
  - b. Reusable Food Ware policy
6. Building efficiency and embodied carbon
7. Landfill Obsolescence – landfills become obsolete as a means of managing materials, replaced by:
  - a. Circular material flows that minimize the use of non-renewable resources.
  - b. Elimination of landfill waste through redesign of products and systems.
  - c. Effective recovery of materials.

8. Carbon-farming (method of applying compost on landscapes, gardens, as well as range and park lands, enhances the ability of plants to capture carbon from the air and store it in the soil.)
9. Resources for Upstream Projects Grants Program funds to non-profit and other organizations in the categories of:
  - a. Reuse and repair;
  - b. Food waste prevention;
  - c. Waste prevention equipment;
  - d. Community outreach grants.
10. Green Business support

Staff would appreciate direction from the Committee regarding the above ranking and if there should be additional topics considered.

### **ECONOMIC IMPACT**

There is no economic impact associated with the adoption of StopWaste's priorities and Hayward's input regarding those priorities. Individual programs in which the City may participate typically do have some economic impacts and will be evaluated as the City's participation is contemplated.

### **FISCAL IMPACT**

There is no fiscal impact associated with the adoption of StopWaste's priorities and Hayward's input regarding those priorities. Individual programs in which the City may participate typically do have some fiscal impacts and will be evaluated as the City's participation is contemplated.

### **STRATEGIC ROADMAP**

This agenda item supports the Strategic Priority of Combat Climate Change. This item is not specifically related to a project identified in the Strategic Roadmap. However, depending on the priorities StopWaste adopts, this agenda item could support projects identified in the Strategic Roadmap, such as:

- Project 1: Reduce dependency on fossil fuels
- Project 2: Work with EBCE to transition citywide electricity use to 100% carbon free
- Project 4: Adopt & implement 2030 GHG Goal & Roadmap
- Project 5: Work with StopWaste to promote a Circular Economy and Explore Regulation of Single Use Products

### **SUSTAINABILITY FEATURES**

Hayward's partnership with StopWaste is critical to accomplishing the City's goals related to solid waste diversion and reduction of greenhouse gas emissions identified in the City's Climate Action Plan. StopWaste supports and/or manages a variety of programs that

directly support the City's sustainability initiatives. Actions associated with these priorities will result in cleaner air for Hayward residents and for the region.

## **NEXT STEPS**

Staff will review the Committee's comments on StopWaste's priorities with the City's representative, Councilmember Zermeño, prior to the StopWaste Board meetings in fall of 2020.

*Prepared by:* Nicole Grucky, Sustainability Specialist  
Erik Pearson, Environmental Services Manager

*Recommended by:* Alex Ameri, Director of Public Works

*Approved by:*

A handwritten signature in black ink, appearing to read 'K. McAdoo', is positioned above a horizontal line.

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Kelly McAdoo, City Manager



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**File #:** ACT 20-076

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**DATE:** November 9, 2020

**TO:** Council Sustainability Committee

**FROM:** Director of Public Works

**SUBJECT**

Five-Year Agenda Planning Calendar: Review and Comment on the Proposed 5-Year Agenda Planning Calendar

**RECOMMENDATION**

That the Council Sustainability Committee (CSC) reviews the 5-Year Agenda Planning Calendar and provides comments.

**SUMMARY**

The proposed 2020 agenda planning calendar contains planned agenda topics for the Council Sustainability Committee meetings for the Committee's consideration. This agenda item is included in every Council Infrastructure Committee agenda and will reflect any modifications to the planning calendar, including additions, rescheduled items, and/or cancelled items.

**ATTACHMENTS**

Attachment I Staff Report



**DATE:** November 9, 2020

**TO:** Council Sustainability Committee

**FROM:** Director of Public Works

**SUBJECT:** Five-Year Agenda Planning Calendar: Review and Comment on the Proposed 2021 Agenda Planning Calendar

## **RECOMMENDATION**

That the Council Sustainability Committee (CSC) reviews and comments on this report.

## **SUMMARY**

The proposed 2021 agenda planning calendar contains planned agenda topics for the Council Sustainability Committee meetings for the Committee's consideration. This agenda item is included in every Council Sustainability Committee agenda and will reflect any modifications to the planning calendar, including additions, rescheduled items, and/or cancelled items.

## **DISCUSSION**

For the Committee's consideration, staff suggests the following tentative agenda topics for 2021.

Underlined – Staff recommends item to be added to Approved Agenda Planning Calendar.

~~Strikeout~~ – Staff recommends item to be removed or rescheduled from previously Approved Agenda Planning Calendar

<b>Monday, November 9, 2020</b> (listed for reference)
Service Stations Selling Fossil Fuel
Revisions to Strategic Roadmap- Combat Climate Change Projects
Advanced Metering Infrastructure (AMI) Customer Portal Pilot Program Update
Possible Elements of a New Solid Waste Franchise Agreement
StopWaste's Priorities for 2021 – 2023

<b>Monday, January 11, 2021</b>
Draft Revisions to the Municipal Regional Stormwater Permit (MRP 3.0)
<a href="#">Informational Report on the City's Waste Reduction and Recycling Programs</a>
<a href="#">2019 GHG Inventory</a>
<b>Monday, March 8, 2021</b>
<a href="#">Update on Preparation of the City's 2020 Urban Management Plan</a>
<b>Unscheduled Items</b>
Sustainable Groundwater Plan
Long Term Water Conservation Framework
Low Carbon Concrete
Roadmap to Meet 2030 GHG Target
Pilot Program for Reusable Dishware
EV Charging Requirements for Existing Multifamily Properties
Ending Natural Gas Use by 2045
Implementation of Reach Code
Implementation of Strategic Roadmap (Combat Climate Change projects)
Single-Use Food ware – Draft Ordinance

## NEXT STEPS

Upon direction from the Committee, staff will revise the above list and schedule items accordingly for 2021.

*Prepared by:* Erik Pearson, Environmental Services Manager

*Recommended by:* Alex Ameri, Director of Public Works

*Approved by:*



Kelly McAdoo, City Manager