

CITY OF HAYWARD

Hayward City Hall
777 B Street
Hayward, CA 94541
www.Hayward-CA.gov



CITY OF
HAYWARD
HEART OF THE BAY

Agenda

Thursday, December 10, 2015

4:30 PM

City Hall, Conference Room 2A

Council Sustainability Committee

CALL TO ORDER**ROLL CALL****PUBLIC COMMENTS:**

(The Public Comment section provides an opportunity to address the City Council Committee on items not listed on the agenda as well as items on the agenda. The Committee welcomes your comments and requests that speakers present their remarks in a respectful manner, within established time limits, and focus on issues which directly affect the City or are within the jurisdiction of the City. As the Committee is prohibited by State law from discussing items not listed on the agenda, any comments on items not on the agenda will be taken under consideration without Committee discussion and may be referred to staff.)

APPROVAL OF MINUTES

1. [MIN 15-036](#) Approval of the Minutes of the City Council Sustainability Committee Meeting on September 10, 2015

REPORTS/ACTION ITEMS

2. [LB 15-043](#) Addressing Sustainability Impacts in Staff Reports
Attachments: [Att I - Guidance for Sustainability](#)
3. [LB 15-045](#) Photo Contest: #HaywardFresh & Upcoming Outreach Campaigns
Attachments: [Attachment I Photo Contest Guidelines](#)
[Attachment II Contest Poster](#)
4. [LB 15-046](#) Bicycle Sharing
Attachments: [Attachment I Web links and Tables](#)
5. [RPT 15-057](#) Update on Car Sharing Grant

REPORTS/ INFORMATIONAL ITEMS

6. [RPT 15-061](#) Update on East Bay Community Energy
Attachments: [Attachment I Survey Results](#)
 [Attachment II Bay Area Communities Article](#)
7. [RPT 15-056](#) Annual Update Administrative Rule 3.9 - Environmentally Preferred Purchasing Policy
Attachments: [Attachment I Administrative Rule 3.9](#)
8. [RPT 15-059](#) Update on EPA Trash Reduction Grant
Attachments: [Attachment I photos](#)
 [Attachment 2-Trash Capture](#)
9. [RPT 15-055](#) Briefing on the 2015 California Youth Energy Services Program
Attachments: [Attachment I CYES City of Hayward 2015 Report](#)
10. [RPT 15-060](#) Reusable Bag Ordinance - Potential Expansion
Attachments: [Att. I - StopWaste Flyer](#)
 [Att. II - Article RE Statewide Bag Ban](#)
11. [RPT 15-058](#) Update on PAYS Implementation (No Presentation)
12. [RPT 15-062](#) 2016 Agenda Topics

FUTURE AGENDA ITEMS**COMMITTEE MEMBER/STAFF ANNOUNCEMENTS AND REFERRALS****ADJOURNMENT****NEXT REGULAR MEETING, 4:00 PM, THURSDAY, MARCH 17, 2016 (TENTATIVE)**



CITY OF HAYWARD

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Staff Report

File #: MIN 15-036

CITY COUNCIL SUSTAINABILITY COMMITTEE MEETING

Hayward City Hall - Conference Room 2A
777 B Street, Hayward, CA 94541-5007

September 10, 2015
4:30 p.m. - 6:30 p.m.

MEETING MINUTES

CALL TO ORDER: Meeting called to order at 4:30 p.m. by Chair Al Mendall, Council Member.

ROLL CALL:

Members

- Al Mendall, City Council Member/CSC Chair
- Greg Jones, City Council Member
- Francisco Zermeño, City Council Member

Staff:

- Kelly McAdoo, Assistant City Manager
- Alex Ameri, Utilities & Environmental Services Director
- David Rizk, Development Services Director
- Arianna Bankler-Jukes, Coro Fellow
- Corinne Ferreyra, Senior Management Analyst
- Erik Pearson, Environmental Services Manager
- Jennifer Yee, Sustainability Technician
- Mary Thomas, Management Analyst I
- Michelle Koo, Landscape Architect
- Stacey Bristow, Deputy Director of Development Services
- Vera Dahle-Lacaze, Solid Waste Manager
- Tori Johnson, Senior Secretary (Recorder)

Others:

- David Tucker, Director of Community and Public Relations, Waste Management of Alameda County
- Jillian Buckholz, Director of Sustainability, California State University East Bay
- Sasha Stackhouse, Public Services Sector Manager, Waste Management of Alameda County
- Leah Mowery, Mills College

PUBLIC COMMENTS

None.

1. Approval of Minutes of June 18, 2015

Alex Ameri, Director of Utilities & Environmental Services, noted a correction to be made: the date on the minutes should read June 18, 2015. Minutes were approved with this correction.

2. Zero Net Energy (ZNE) Policy for City Buildings

Director Ameri introduced the item and indicated a memo was supplied to the Committee with a change in the numbers to be consistent with the policy that the State adopted.

Erik Pearson, Environmental Services Manager, presented the report on establishing a policy of Zero Net Energy (ZNE) for all new City buildings. He explained that ZNE is defined as a building that produces as much energy as it consumes over the course of a year.

Council Member Zermeño suggested installing solar panels in the municipal parking lots to make them ZNE. Discussion ensued regarding the challenges related to achieving ZNE, and that achieving maximum energy efficiency in buildings is a key to making ZNE possible. Director Ameri noted that the new Library is going to be ZNE only, because solar panels will be able to be put on top of the City Municipal parking structure next door. Council Member Zermeño asked about energy efficiency in older homes. Director Ameri agreed that basic recommendations can be included for the eventual expansion of ZNE to residential homes.

Council Member Jones asked why ZNE cannot be implemented now rather than wait for State's 2025 requirement. Director Ameri explained that staff may need to prepare a life cycle cost analysis for implementing ZNE now and present it to Council along with a recommendation. Council Member Mendall suggested it may be more feasible to do ZNE if the generation does not have to be built on-site. He recommended changing the implementation timeline to either January 2016, or to January 2017 if more lead time is needed.

Council Member Zermeño made a motion recommending the policy be implemented at the earliest opportunity. The motion was seconded by Council Member Jones, and it was passed unanimously.

3. State Model Water Efficient Landscape Ordinance Revision

Director Ameri introduced Michelle Koo, Landscape Architect, and Corinne Ferreyra, Senior Management Analyst, to present an update on the State Model Water Efficient Landscape Ordinance Revision. Michelle Koo summarized the State's updates. Corinne Ferreyra spoke about opportunities to enhance the existing ordinance and go beyond what the State has suggested.

Council Member Mendall asked about banning all ornamental turf or requiring a variance to provide clarity to the rule. Staff discussed this, and said it will be researched.

Council Members Zermeño and Jones supported the four recommendations.

Council Member Mendall commented about avoiding sparse planting. Michelle Koo responded that while a design may appear sparse in the beginning, it may look fuller at maturity.

Council Member Jones commented that multi-family residences in particular tend to be more dense projects and the landscape and open space needs to be thought out, and managed well so that the residents can have access to green spaces.

4. Options for Addressing Litter from Take-Out Food & Beverage Establishments

Erik Pearson, Environmental Services Manager, presented the report. He stated the purpose of the report was to address litter from fast food restaurants, convenience stores, mini-marts, liquor stores and tobacco shops, to provide a range of options, and to receive direction from the Committee.

Council Member Zermeño commented that we have to be careful about not being perceived as anti-business with the implementation of some of the options. He commented that staff is going in the right direction.

Council Member Jones observed that litter is not the problem, it is behavior. He suggested a fee for businesses that generate litter pollution with an option to reduce the waste at the source. He appreciated the ideas and recommended staff continues to be creative.

Council Member Mendall also commented on the option of recouping costs, and lowering the fee if the business makes an effort to clean up their litter. He suggested being more aggressive with those sources where the litter is originating.

Council Member Zermeño asked that staff speak to businesses one-on-one before installing a fee, and allow them to get rid of the litter on their own.

Council Member Mendall commented that he is in favor of the vacant property maintenance rules, which staff had recommended.

5. Sustainability Education and Outreach

Director Alex Ameri introduced Mary Thomas, Management Analyst I, who gave a brief overview of current sustainability education and outreach activities, and presented a proposed Outreach Plan for 2016 and 2017.

Council Member Mendall commented favorably on the four-part framework, and the Go-Green challenges. He suggested looking for campaigns that are not overwhelming and that will make people feel successful, and cautioned about taking on too much.

Council Member Zermeño suggested focusing on educating the youngsters.

Council Member Jones observed that food waste is not being put in green bins, and is an important message to work on. He also observed that competition is likewise important and can generate good results.

Council Member Zermeño suggested putting messages on dumpsters. David Tucker, Director of Waste Management of Alameda County's Community and Public Relations, responded that it could be explored.

6. Sustainability Metrics

Director Alex Ameri introduced Jennifer Yee, Sustainability Technician, who presented a brief report on the metrics that are central indicators of overall progress toward the City's sustainability goals.

Council Member Mendall said the primary goals were good, however secondary metrics are not necessary at this point. He commented favorably on the dashboard, and suggested the addition of being able to see how close we are to meeting the trend.

Council Member Zermeño agreed with Council Member Mendall.

Council Member Jones commented that he likes to see progress on a goal.

Council Member Mendall said he is looking forward to having the data.

7. Waste Reduction Report - Annual Update on Recycling Programs

Director Ameri introduced Vera Dahle-Lacaze, Solid Waste Manager. She gave a brief presentation on the annual waste reduction report, and an update regarding implementation of the City's contract with Waste Management of Alameda County. She introduced the newest member of Waste Management's team, Sasha Stackhouse, Public Sector Services Manager.

Ms. Dahle-Lacaze reported that the City's diversion rate for 2014 was 76%, which is the highest of larger cities in Alameda County.

Council Member Zermeño questioned if Big Belly units have been installed on Tennyson Road. Director Ameri answered that they have.

8. Recycled Water Project Update

Director Alex Ameri made a brief presentation. He explained how Hayward has a long range program to produce recycled water within the next two to three years. Currently, the Water Pollution Control Facility has a small system that produces water that is good for wash-downs and some other uses at the Plant, and are investing in doubling the capacity of reclaimed water. This reclaimed water will be available for use by contractors, City's street sweepers, landscapers, etc., and that the water will be available in the next few months.

Council Member Zermeño asked if it is currently being used to irrigate City trees. Director Ameri

responded that it is being used for that purpose as the capacity is being expanded.

Council Member Mendall commented that he sees good progress.

9. Public Litter Containers - Revised Locations for New Containers Throughout the City

Erik Pearson, Environmental Services Manager, gave a brief report on the revised placement plan for new public receptacles to locate more of them in commercial areas outside of the downtown. He explained that 19 more exposed aggregate containers have been added near convenience markets, fast food establishments, gas stations, and bus stops.

Council Member Zermeño appreciated the containers added on Tennyson Road and Depot and Hesperian near the gas station. Council Member Mendall suggested asking Burger King to add some containers.

Mr. Pearson said that based on recent feedback, a revised set of criteria for evaluating locations of new containers is attached to the report, and feedback is requested.

Council Member Mendall asked about the process for moving a can to a better location or placing new cans. Director Ameri responded that if a recommendation is received, staff will be more than happy to place one from the inventory.

Council Member Zermeño asked if all the Big Bellys have been placed. Erik Pearson answered that all but a few of the Big Bellys have been placed, and the City has yet to receive the exposed aggregate containers.

10. Update on Community Choice Aggregation

Erik Pearson, Environmental Services Manager, presented an update on Community Choice Aggregation. He explained that the County's Steering Committee approved the RFP that was released on August 10, 2015, and that proposals are due September 24, 2015. Recommendations are expected to be presented to the Board of Supervisors in December 2015, and a consultant will start on the technical study in December 2015.

11. Suggested Sustainability Committee Quarterly Meeting Topics for 2015

Council Member Mendall asked about discussing setting a goal date for when the City's municipal operations will be producing 100% of its electricity needs.

Council Member Mendall recommended that if the Agenda continues to be ten to twelve items, that meetings be held bi-monthly rather than quarterly. Council Member Jones supported the recommendation.

COMMITTEE MEMBER/STAFF ANNOUNCEMENTS AND REFERRALS:

Director Ameri announced that the City is receiving the Beacon Award on October 1, 2015. He said in August the City's water usage was 42% below the usage in August 2013.

ADJOURNMENT: 6:34 p.m.

Attendance	Present 9/10/15 Meeting	MEETINGS		
		Present to Date This Year	Excused to Date This Fiscal Year	Absent to This Fiscal Year
Greg Jones	✓	5	1	0
Al Mendall*	✓	6	0	1
Francisco Zermeño	✓	6	1	0

✓ = Present O = absent X = excused

* Chair



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Staff Report

File #: LB 15-043

DATE: December 10, 2015

TO: Council Sustainability Committee

FROM: Director of Utilities and Environmental Services

SUBJECT

Addressing Sustainability Impacts in Staff Reports

RECOMMENDATION

That the Committee reviews and comments on this report and provides a recommendation to the full City Council.

SUMMARY

Hayward prides itself on being “Green” and has many projects, policies, and programs that demonstrate the City’s leadership in sustainability. The City also has many Green policies, primarily incorporated in the General Plan, to help guide future projects and Council decisions in a way that continues and expands the City’s leadership. However, given the number and breadth of policies established by Council, it is sometimes a challenge to ensure consistency with those policies related to sustainability. This report proposes incorporating a new section in staff reports to Council, Commissions, and Committees wherein Sustainability Impacts would be addressed in a succinct and consistent manner at a defined place in each report.

BACKGROUND

Since 2011, “Green”, i.e., sustainable practices, has been one of the Council’s top three priorities, although Hayward’s efforts to innovate in the area of sustainability have been in place for much longer. Following are a few examples:

- 1991 - Hayward was among the first to establish a curbside recycling program.
- 1992 - Hayward was the first jurisdiction in Alameda County and among the first in California to adopt a Source Reduction and Recycling Element (SRRE)
- 1993 - Hayward was a trail blazer when the Council adopted and implemented tiered water rates to encourage water conservation. Many water districts have only recently adopted tiered rates in the face of the current drought. Hayward is now among the lowest 4% of all water users in California in average residential per capita water consumption.
- 2001 - Hayward was among the first to adopt and enforce a Construction and Demolition Debris recycling ordinance

- 2003 - Hayward was one of the first cities in Alameda County to install solar PV in a City facility (at the Corporation Yard)
- 2007 - Hayward was among the first to innovate the idea of free commercial recycling in order to foster recycling in the business sector. This resulted in the City being the first City of 100,000 residents or larger in Alameda County, and the County unincorporated area, to reach a 76% waste diversion from landfill in 2014.
- 2009 - Hayward was among the first in California to adopt a Climate Action Plan (CAP).
- 2010 - The City installed a one megawatt solar photovoltaic facility at the Water Pollution Control Facility (WPCF), which was one of the two largest installations of its kind in the County at that time.
- 2013 - Hayward converted all of its streetlights (more than 8,000) to LED technology, saving more than \$300,000 per year in energy costs.
- 2013 - The City upgraded its power and heat co-generation system at the City's WPCF, making the system twice as large and twice as efficient. The new system uses combined heat and power from bio-gas to make the WPCF energy self-sufficient and export excess energy from the co-generation system and all of the solar energy produced to other City facilities. The City uses PG&E's new RES-BCT (Renewable Energy Self-Generation Bill Credit Transfer) tariff and Hayward was the first municipality in PG&E's service area to use RES-BCT.
- 2014 - Hayward was one of the first cities in California to integrate its Climate Action Plan into the General Plan, in part, to ensure that sustainability is taken into consideration in Council decisions across the full spectrum of its decision-making process.
- 2015 - In October this year, Hayward was recognized by the Local Government Commission's Beacon Award program for implementing a wide range of sustainability best practices, including significant reductions in greenhouse gas emissions.
- 2015 - Also in October, the City was honored by the USEPA as one of three entities nationwide to receive the Green Power Leadership Award for on-site generation.

In order to continue this long tradition of innovation and green practices on a consistent basis, Council, Commissions, and Committees should receive information about the sustainability impacts of each of the projects submitted for their review, and each project's aspects that will lessen its footprint, so that they are in a position to help Hayward continue and build on these best practices and to make fully informed decisions.

DISCUSSION

While the City has been recognized for its sustainability leadership, this leadership and these honors are more likely to continue if there is a mechanism in place to ensure that all adopted Council policies in all aspects of sustainability are considered during the design and adoption of new projects and programs. Impacts of proposals on the City's sustainability-related goals need to be provided in a clear and concise manner.

In an effort to more effectively and consistently implement the City Council's "Green" priority and related General Plan policies, staff has identified a need to address sustainability by adding a simple section in the report template similar to how Economic Impacts and Fiscal Impacts are currently addressed. Staff's intent is to ensure that complete information regarding sustainability is provided to help inform a wide

range of decisions, including proposals for capital projects, purchasing, contracting, and various programs and policies. There have been recent discussions about how to streamline report preparation and to ease the burden on report authors as well as for those who read the reports. Staff is aware of the need to keep the discussion of sustainability short and to the point.

In general, most reports should include a Sustainability Impacts section; however, in some cases, it may not be needed. The section should be included when the proposal will result in a physical development (construction, demolition, or renovation); the purchase of a product or service; or a new policy or legislation.

The attached guidance document (Attachment I) lists questions, derived from various sustainability-related policies in the General Plan, that should be considered when preparing a Sustainability Impact section. Most reports will need to address select questions; however, all reports should address:

1. Energy (electricity, natural gas, energy efficiency, and renewable energy)
2. Water (consumption, efficiency, and local reuse)
3. Air (including GHG emissions)
4. Solid Waste and Recycling (waste reduction, recycling, and composting)
5. Procurement (recycled and recyclable products or contracting with Green Businesses)
6. Transportation (complete streets)

Environmental Services staff will, upon request, review and assist with preparation of Sustainability Impact sections.

Following are two examples of hypothetical Sustainability Impact sections:

Apartment Project

The proposal for a 15-unit condominium building includes the following sustainable practices:

- Energy - Roof-mounted solar panels will be installed to provide approximately 80 percent of the building's electricity needs. Features of the project that mitigate the use of electricity include all LED lighting and Energy Star® appliances as well as construction that meets the efficiency standards of the 2017 energy code.
- Water - The architect estimates the project will use _____ gallons of water each year, or _____ per capita. This is below the current annual average of all residential per capita use in Hayward. Water-conserving features of the project include ultra-low flow toilets that use only 0.8 gallons per flush, low flow showerheads and aerators, and Bay-Friendly rated landscaping with no ornamental lawn.
- Air - The project does not include any wood-burning fireplaces.
- Solid Waste & Recycling -The project will be in full compliance with the recycling and composting service requirements.
- Transportation - The project will have parking for only one car per household and the parking area will be pre-wired to allow installation of an electric vehicle charger for each resident. Each unit will have space to store two bicycles. The building will be located a half-mile (a ten-minute walk) from the South Hayward BART station. Pedestrians, bicycles, and

cars currently share the road. The street has sidewalks and bike lanes on both sides.

Pavement Rehabilitation Project

The proposal to rehabilitate a half-mile section of upper B Street includes the following sustainable practices:

- **Energy** - This project will utilize a Cold In-place Recycling (CIR) stabilization method, which is an environmentally friendly and cost effective treatment.
- **Water** - This project will also make improvements to the landscaping by adding permeable pavers, low-water usage trees, drought tolerant shrubs, and succulents. Additionally, the irrigation system will use subsurface driplines, bubblers, and a Calsense irrigation controller to manage and reduce water use.
- **Air** - The CIR method described earlier in the staff report helps reduce greenhouse gas emissions, which is consistent with the goals of the City's Climate Action Plan.
- **Solid Waste & Recycling** - The CIR method recycles and reuses six inches of existing pavement material, which will reduce waste. All excess concrete and asphalt will be recycled.
- **Transportation** - The project will include restriping to accommodate new bicycle lanes and is consistent with the City's recently adopted Complete Streets Policy, where consideration is to be given to cyclists and pedestrians, in addition to vehicular traffic.

Staff reviewed this proposal with members of the Green Team, which includes staff representatives from all City departments. The concerns expressed were focused on making the analysis easy to complete and ensuring that help will be available to report writers when assistance is needed. As noted above, Environmental Services staff will be available to assist other departments with preparation of sustainability discussions in their reports.

NEXT STEPS

Upon direction from the Committee, staff will present this proposal to Council in early next year.

Prepared by: Erik Pearson, Environmental Services Manager

Recommended by: Alex Ameri, Director of Utilities and Environmental Services

Approved by:



Fran David, City Manager

Attachments:

Attachment I

Guidance for Addressing Sustainability in Staff Reports

File #: LB 15-043

Guidance for Addressing Sustainability Impacts in Staff Reports

Discussion of sustainability impacts should consider the following questions; however you do not need to address every question. This section does not replace any environmental review that is required by the California Environmental Quality Act.

Proposals involving contracting, purchasing or grants to non-profits:

1. Has the City received information about the sustainability practices of the organization receiving the contract, professional service agreements, or grant?
2. Would the proposal give preference to contractors using reduced-emission equipment?
3. How would the proposal implement the Environmentally Friendly Preferred Purchasing Program (AR 3.9).

For Capital Projects, Plans, Programs or Services:

Would the proposal:

1. Support efforts to improve the jobs-housing balance and/or high-density transit-oriented development to reduce automobile use, regional and local traffic congestion, and pollution?
2. Create healthy indoor environments to promote the health and productivity of residents, workers, and visitors?
3. Encourage the use of durable, sustainably-sourced, and/or recycled building materials?
4. Promote practices that reduce, reuse, and recycle solid waste.
5. Encourage/enable bicycling, walking, and transit use?
6. Support the City's goals to reduce GHG emissions by 20% by 2020 and 82.5% by 2050?
7. Promote increased vehicle occupancy, reduced idling or trip reduction?
8. Encourage the use of zero or low emission vehicles and/or car-sharing programs?
9. Promote efficient use of energy in the design, construction, maintenance, and operation of facilities, infrastructure, and equipment?
10. Include installation of renewable energy? (All new City-owned facilities shall be built with renewable energy, as appropriate to their functions and where feasible per GP Policy NR-4.10)
11. Meet energy efficiency standards (and exceed the State's zero net energy goals by 2020).
12. Be LEED certified? (New public building or renovation projects exceeding 20,000 square feet or \$5 million shall be certified LEED Silver per HMC Chapter 10, Article 21)
13. Promote stormwater management techniques that minimize surface water runoff and impervious ground surfaces?
14. Increase water use efficiency and actively conserve water year-round?
15. Support rainwater harvesting facilities, recycled water, or reclaimed water where appropriate, cost effective, safe, and environmentally sustainable?
16. Include native or drought-tolerant landscaping, sustainable design and maintenance, water efficient irrigation systems, and yard clipping reduction?
17. Promote the planting of native shade trees to shade parking lots, streets, and other facilities to reduce heat island effects, reduce energy consumption, and contribute to carbon mitigation?
18. Address climate adaptation (sea level rise, increased temperatures, and water shortages)?
19. Implement the use of recycled products or recycling processes as part of any capital project?
20. Minimize the use of disposable or nonrenewable products in City operations?
21. Promote use of green and non-toxic cleaning supplies?
22. Minimize use of toxic chemicals (including pesticides and herbicides)?

General Plan Policies (and page numbers) for Reference

Following is a list of key sustainability-related policies that should be considered when writing a Sustainability Impacts section. While not every policy will apply to every report, there are also likely to be General Plan policies applicable to your report that are not listed here. Report authors are encouraged to scan the General Plan for relevant policies. (Using the “Find” tool to search for key words is a good way to find policies related to a particular topic.)

LU-1.1	Jobs-Housing Balance (p. 3-35)
LU-1.5	Transit-Oriented Development (p. 3-36)
LU-1.8	Green Building and Landscaping Requirements (p. 3-36)
M-1.6	Bicycling, Walking, and Transit Amenities (p. 3-76)
M-8.1	Increase Vehicle Occupancy (p. 3-89)
ED-1.19	Local Hiring (p. 3-99)
NR-2.4	Community Greenhouse Gas Reduction (p. 3-124)
NR-2.5	Municipal Greenhouse Gas Reduction (p. 3-124)
NR-2.8	Reduced Emissions for City Operations and Commutes (p. 3-124)
NR-2.9	Fleet Operations (p. 3-124)
NR-2.10	Zero-Emission and Low-Emission Vehicle Use (p. 3-124)
NR-2.12	Preference for Reduced-Emission Equipment (p. 3-124)
PFS-2.3	Sustainable Practices (p. 3-181)
PFS-2.4	Sustainable Contracting (p. 3-182)
NR-4.1	Energy Efficiency Measures (p. 3-127)
NR-4.5	Energy Efficient Contractors (p. 3-127)
NR-4.10	Public Renewable Energy Generation (p. 3-128)
NR-4.11	Green Building Standards (p. 3-128)
NR-4.12	Urban Forestry (p. 3-129)
NR-6.6	Stormwater Management (p. 3-131)
NR-6.9	Water Conservation (p. 3-131)
NR-6.10	Water Recycling (p. 3-131)
NR-6.11	Reclaimed Water Usage (p. 3-131)
NR-6.14	Native and Drought-Tolerant Landscaping (p. 3-132)
HQL-7.2	Use of Hazardous Materials on Public Property (p. 3-170)
HQL-7.4	Non-Toxic Cleaning Supplies (p. 3-170)
HQL-8.4	Urban Heat Island Effects (p. 3-172)
HQL-9.8	Climate Adaptation in Plans (p. 3-173)
HQL-9.9	Reduce Impacts of Climate Change on Vulnerable Populations (p. 3-173)
PFS- 1.7	Adaptive Infrastructure (p. 3-181)
PFS-2.3	Sustainable Practices (p. 3-181)
PFS-2.7	Energy Efficient Buildings and Infrastructure (p. 3-182)
PFS-3.15	Water Conservation Programs (p. 3-184)
PFS-3.16	Recycled Water (p. 3-184)
PFS-3.17	Bay-Friendly Landscaping (p. 3-185)
PFS-5.4	Green Stormwater Infrastructure (p. 3-188)
PFS-7.5	Municipal Waste Reduction (p. 3-191)
PFS-7.6	Municipal Reuse (p. 3-191)
PFS-7.8	Recycling Collection at City Facilities and Parks (p. 3-191)
PFS-7.9	City Contracts (p. 3-191)
PFS-7.10	Recycled Products or Processes for Capital Projects (p. 3-191)
PFS-7.11	Disposable, Toxic, or Non-Renewable Products (p. 3-191)
PFS-7.16	Organics Collection (p. 3-192)
PFS-7.23	Consumption Reduction (p. 3-192)



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Staff Report

File #: LB 15-045

DATE: December 10, 2015

TO: Council Sustainability Committee

FROM: Director of Utilities and Environmental Services

SUBJECT

Photo Contest: #HaywardFresh & Upcoming Outreach Campaigns

RECOMMENDATION

That the Committee reviews and comments on this report.

DISCUSSION

Staff is working on launching several campaigns as part of the implementation of the Sustainability Outreach Plan presented to the Committee in September. The Environmental Services Division is excited to be hosting a CivicSpark AmeriCorps Fellow and three Cal State "Pioneers for Change" interns, who will be assisting with all campaigns.

CivicSpark is a Governor's Initiative AmeriCorps program dedicated to building capacity for local governments to address climate change in California by completing climate mitigation and adaptation projects.

Pioneers for Change is a paid service learning internship program run by Cal State East Bay's Center for Community Engagement. The mission of the program is to allow students to step out of their comfort zones and be positive leaders both on and off campus.

Photo Contest

As the Council has been verbally apprised, the City launched an Instagram photo contest on November 20, 2015. The goal of the contest is to celebrate and foster awareness of an appreciation for our Hayward environment. We have so much to celebrate, from the hillside views, to the shoreline, to our regional and local parks and the Japanese Garden. The idea is for residents to pay attention to and share the things they find fresh and exciting in their city. A selection of the photos will appear in a feed on the new "Your Hayward Environment" webpage.

Between now and January 30, community members can take photos of their favorite outdoor spots in Hayward and tag them #HaywardFresh. Contestants may submit as many photos as they want. Guidelines in English and Spanish can be found on the City's Facebook page (see Attachment I):

<https://www.facebook.com/cityofhayward>

You can see the photos that have been submitted thus far here:

[<https://www.instagram.com/explore/tags/haywardfresh/>](https://www.instagram.com/explore/tags/haywardfresh/)

A grand prize winner will receive \$100 in movie tickets to Hayward's downtown theater. Four category winners will each receive \$25 in movie tickets. Gift cards to other Hayward businesses will be considered in future contests.

Photo judging will take place the first week of February. If interested, Committee members may serve as judges. Winning photos will be displayed outside the Council Chambers.

Staff advertised the contest in the following places:

- On a poster in the lobby of the downtown movie theater (see Attachment II)
- In a garbage bill insert to all homes
- On Nextdoor, Facebook, and Twitter
- Through school partners
- Through the Keep Hayward Clean & Green Taskforce

Green Hayward Alliance

The Alliance will launch this spring with the purpose of sharing of best practices, surfacing opportunities to partner, and creating coalitions to attract funding to Hayward. Staff has begun marketing the Alliance and signing up businesses and civic groups at events and meetings.

Student Allies and Earth Day

Staff will be convening representatives from student environmental clubs throughout Hayward to coordinate efforts around Earth Day. The Pioneers for Change interns have been conducting outreach to high schools and colleges and plan to also approach middle schools. The first meeting is planned for January.

Messaging Campaigns

As the Committee commented during the September meeting, behavior plays a big role in creating programs, such as littering. To address that, staff will launch the first of four 2016 behavior change campaigns in January. The first campaign will focus on increasing the number of drop offs at Hayward's Household Hazardous Waste facility. Staff is currently creating marketing materials that will remind residents of the facility and its hours. Residents that visit the facility in January or February will be entered into a drawing to win baskets of toxic-free home products.

Environmental Film Series

Staff will be launching Hayward's first Environmental Film Series in late February. The Series will consist of three environmental documentaries that appeal to a large audience. Staff is coordinating with Chabot College, Cal State, Life Chiropractic College, HARD, the Hayward Promise Neighborhood, and the Hayward Library to host a showing of each film in multiple locations to reach a broader audience. Staff anticipates finalizing the calendar of showings by the New Year.

Green Business Program

Staff is currently creating an outreach strategy to encourage more Hayward businesses to get Green


File #: LB 15-045

Business certified. In the past, staff has lacked the capacity to market this program and assist interested businesses. The CivicSpark Fellow and Pioneers for Change will be leading this effort.

Prepared by: Mary Thomas, Management Analyst

Recommended by: Alex Ameri, Director of Utilities and Environmental Services

Approved by:

A handwritten signature in black ink, appearing to read 'Fran David', with a stylized, flowing script.

Fran David, City Manager

Attachments:

Attachment I	Contest Guidelines
Attachment II	Contest Poster

#HaywardFresh Photo Contest Guidelines

We want to see your favorite outdoor locations in Hayward! Enter our Instagram contest to show us where you like to play, exercise or just sit and relax outside.

How to qualify:

1. Be public: Your Instagram profile must be set to public to participate. Otherwise, we cannot see your photos. On Facebook, your posts that contain your photos must be marked public.
2. Be ready to share: By submitting a photo, you are agreeing that the City can use your photo in future publications and on our website. Winning photos will be displayed on the website and in City Hall.
3. Be local: The photo must be in Hayward, but you do not need to be a Hayward resident to participate.
4. Be prolific: Submit as many photos as you would like.
5. Be specific: Captions and locations are encouraged, but not required.
6. Be family-friendly: Photos that contain illegal, sexually explicit, nude, obscene, violent, profane or other inappropriate content, as determined by the City of Hayward in its sole discretion, are ineligible for this contest.

How to participate using Instagram:

1. Use your smart phone to create an Instagram account if you don't have one: www.instagram.com
2. Set your Instagram profile to public for the duration of the contest.
3. Take photos of your favorite outdoor spots in Hayward.
4. Tag your photos #HaywardFresh.
5. Optional: Add a caption and location to tell us where you are.

How to participate using Facebook

1. Create an Facebook account if you don't have one: www.facebook.com
2. Take photos of your favorite outdoor spots in Hayward.
3. Post you photos and tag them #HaywardFresh.
4. Make sure your post is marked public.
5. Optional: Add a caption and location to tell us where you are.



#HaywardFresh Instagram Contest




Win up to \$100 in Movie Tickets



Now through January 30, 2016:

- 1) Follow @CityofHayward
- 2) Take photos of your favorite outdoor spots in Hayward
- 3) Tag them #HaywardFresh (we love captions and locations)

Reglas en **Español** en ♦ Rules in **English** at

 [Facebook.com/CityofHayward](https://www.facebook.com/CityofHayward)



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Staff Report

File #: LB 15-046

DATE: December 10, 2015

TO: Council Sustainability Committee

FROM: Director of Utilities and Environmental Services

SUBJECT
Bicycle Sharing

RECOMMENDATION
That the Committee reviews and comments on this report.

SUMMARY

The Bay Area Bike Share (BABS) pilot program ran for one year with 700 bicycles and the Metropolitan Transportation Commission (MTC) is in the process of launching an expanded program with 7,000 bikes. In response to the Committee's direction, this report profiles BABS and two other programs to provide the Committee with an overview of the likely challenges and costs associated with establishing a bike sharing program in Hayward.

BACKGROUND

On September 11, 2014, staff presented the Committee with an overview of bicycle sharing (see Attachment I, Item 1). Committee members supported the idea of having a bicycle sharing program in Hayward, but acknowledged that Hayward is not as "bike-friendly" as it could be and that biking Downtown is currently difficult and can be unsafe. At the Committee's meeting on January 12, 2015, staff was asked to bring back the topic later in 2015.

Hayward's General Plan includes the following policies and implementation programs related to bicycle sharing.

Policy M-1.2 Multimodal Choices - The City shall promote development of an integrated, multi-modal transportation system that offers desirable choices among modes including pedestrian ways, public transportation, roadways, bikeways, rail, and aviation.

Policy M-6.2 Encourage Bicycle Use - The City shall encourage bicycle use in all neighborhoods, especially where short trips are most common.

Policy M-7.1 Transit System - The City shall support a connected transit system by improving connections between transit stops/stations and roadways, bikeways, and pedestrian facilities.

Policy M-8.6 Car/Bike Sharing Programs - The City shall assist businesses in developing and implementing car and bike sharing programs, and shall encourage large employers (e.g., colleges, Hayward Unified School District (HUSD)) and the BART stations to host car and bike sharing programs available to the public.

Policy HQL-2.1 Physical Activity and the Built Environment - The City shall support new developments or infrastructure improvements in existing neighborhoods that enable people to drive less and walk, bike, or take public transit more.

Policy NR-2.10 Zero-Emission and Low-Emission Vehicle Use - The City shall encourage the use of zero-emission vehicles, low-emission vehicles, bicycles and other non-motorized vehicles, and car-sharing programs by requiring sufficient and convenient infrastructure and parking facilities throughout the City.

Implementation Program M-17: City Employee Car/Bike Share Programs - The City shall conduct a study that explores the development of car-sharing and/or bike sharing programs for City employees. Based on findings from the study, the City shall prepare and submit recommendations to the City Council about establishing such programs. (Responsible Department(s): Public Works - Engineering and Transportation; Supporting Department(s)/ Partner(s): City Manager, Development Services, Public Works - Utilities and Environmental Services, Human Resources; Implementation Timeframe: 2020 - 2040).

Bay Area Bike Share - The Bay Area Air Quality Management District (BAAQMD), in partnership with the Metropolitan Transportation Commission (MTC), launched the Bay Area Bike Share (BABS) program in August 2013. The pilot program, which concluded in August 2014, cost approximately \$7 million and was paid for with \$4.3 million in Congestion Mitigation and Air Quality (CMAQ) funds provided by MTC, \$1.4 million from the BAAQMD, and \$1.3 million from local agency partners. The program had 700 bikes deployed among 70 stations. At the conclusion of the pilot, user fees were making up approximately 90% of the operation and maintenance costs of BABS. However, public funds were necessary to cover the initial costs of purchasing and installing the kiosks and bikes. The pilot proved that bike sharing cannot be supported entirely by user fees. Most other bike sharing programs in North America use public funds to get started and transition to include sponsorship to help offset operational costs.

According to an article titled, *Why Aren't American Bike-Share Systems Living Up to Their Potential?* (Attachment I, Item 2), the standard for a successful program is 3.5 to 4 rides per bike per day. Keys to operating a successful program include: station density (1/4 mile maximum between stations), proximity to transit, and infrastructure (bike lanes). As shown in the table in Attachment I, Item 3, during the BABS pilot, the trips per bike per day ranged from 2.28 (San Francisco) to 0.06 (Redwood City). The usage in Redwood City, which is a city similar in some ways to Hayward, was less than one trip every two weeks for each bike. Cities with smaller networks and fewer stations typically see lower ridership. San Jose, Mountain View, Palo Alto, and Redwood City all under-performed with fewer than 0.4 trips per bike per day. One reason for the low usage levels in the under-performing cities was the number of bikes deployed in each city. According to San Francisco's bike sharing project manager, the critical mass for a program is approximately 300 to 500 bikes covering an area of two to three square miles.

DISCUSSION

One challenge with establishing a bike sharing program in Hayward may be its lack of bicycling infrastructure. The Downtown Loop, completed in 2013, makes cycling in the Downtown area difficult. There are major thoroughfares such as Mission Boulevard, Jackson Street, and Hesperian Boulevard that are lacking bike lanes and there are few options for safe east-west travel across the 880 freeway. Bicycling and pedestrian circulation improvements will be identified in the Downtown Specific Plan and in 2016, the Engineering and Transportation Department will begin an update of the Bicycle Master Plan. Staff recommends that the feasibility of a bike sharing program in Hayward be carefully considered in the new Bicycle Master Plan.

Demographics - As noted in the September 2014 report to the Committee, Hayward has relatively low numbers of bicycle commuters. The table in Attachment I, Item 4, provided in the 2014 report, has been updated to include 2014 data from the U.S. Census Bureau and shows that only 0.7 percent of workers in Hayward commute by bicycle while the California average is 1.2 percent. The peninsula cities of Redwood City, Mountain View, and Palo Alto range from 3.5 percent to 7.3 percent.

One question that should be asked prior to establishing a bike share program is, “Who will benefit from bike sharing?” According to the Washington Post, “the people most likely to bike or walk to work are either the least educated in society or the most educated” (Attachment I, Item 5). According to a recent article by the Kinder Institute for Urban Research (Attachment I, Item 6), many low income people only bike because they can’t afford a car. It is possible that if bike sharing were offered near the Hayward BART stations, it would be used by people visiting Hayward for business or pleasure and not by commuters.

Many bike sharing programs have struggled to attract low income users; however, most programs have modest fees for annual pass holders. Many large bike share programs have monthly fees of \$15 to \$20 for annual pass holders. BABS will offer a monthly fee of approximately \$6 for low income users. Some reasons for low ridership among low income populations have been offered by people studying bike sharing:

- Convenience - Stations have been located in job centers and tourist areas, but not in lower income neighborhoods where people live.
- Payment Structure - Confusing fee structures and requirements for a credit card - and sometimes a smart phone.
- Reliability - Bikes may not always be available when you need them. For people who need dependable transportation to arrive at work on time, some may find it easier to purchase an inexpensive bike of their own.

In addition to the challenges cited above, sources of funding have yet to be identified for a bike sharing program in Hayward. Following are profiles of three bike sharing programs to provide more information about potential system sizes, costs, and funding sources.

BABS Expansion - A working group convened by MTC and the BAAQMD identified the cities for the BABS expansion based on potential areas with high ridership. Other considerations included cities’ ability to contribute to operational expenses and access for disadvantaged communities.

In May 2015, MTC approved an expansion of BABS to deploy 7,000 bikes in five cities in 2016 and 2017:

4,500	San Francisco
1,000	San Jose
850	Oakland
400	Berkeley
100	Emeryville

The cities of Mountain View, Palo Alto, and Redwood City were not selected for the expansion due to their low ridership levels during the pilot program.

Motivate will be the operator of the Bay Area Bike Share program. Motivate is based in New York and operates programs in New York City, Boston, MA, Washington D.C., Columbus, OH, and Toronto, ON. The BABS program has contracted with Motivate for a ten-year period for approximately \$6.5 million per year or approximately \$930 per bike per year.

San Francisco will have approximately twenty stations per square mile in the expanded program. According to the bike sharing project manager at the San Francisco Municipal Transportation Agency (SFMTA), one of the guiding principles when deciding where to locate stations is topography. He noted that slope should not be an equally weighted characteristic - it should be a screening criteria. San Francisco will locate stations based on population and employment density in the flatter portions of the city.

In addition to the above expansion program, MTC allocated \$4.5 million for capital costs to establish bike sharing in jurisdictions other than the five cities identified. MTC plans to conduct a call for projects to solicit interest from communities after contracting for the expansion is complete.

CSU East Bay - CSUEB launched a program with Zagster in October 2014 with ten bikes and two stations (<http://zagster.com/csueb/>). Zagster is based in Cambridge, Massachusetts and has more than 75 programs in cities, corporate campuses and universities including Kennesaw, GA, Detroit, MI, Yale University, Cleveland, OH, and General Motors. Zagster uses a “Tech-on-bike” technology with a locking mechanism that stays on the bike which allows a system without stations or kiosks. Most bike sharing programs require stations to lock bikes. If all the racks are full, the user must find another station to leave the bike.

After an initial \$3,000 setup/implementation fee, the cost of the program is \$13,200 per year for the ten bikes, or \$1,320 per bike each year. Zagster allows the University to set the fees. To encourage use of the bikes, they decided to offer the first three hours of each rental for free. After that, they charge \$2 per hour up to a maximum of \$10 per rental. Since October 2014, ridership has averaged approximately 0.4 trips per bike per day.

San Mateo - San Mateo’s pilot program was approved on November 16, 2015, to use bicycles from Social Bicycles (SoBi), a San Francisco-based company which has programs in many North American cities including Tampa, FL, Phoenix, AZ, Topeka, KS, and Buffalo, NY. SoBi also has 100 bikes at Bishop Ranch where users can pay for rentals with a Clipper Card (<http://britebikes.socialbicycles.com/>). SoBi bikes are similar to Zagster in that they do not need stations or kiosks, but most SoBi programs do have stations. However, there are a few that are entirely “floating,” where users access a map on a smart

phone to know the boundaries where bicycles may be left.

Daily operations (maintenance and bike redistribution) for San Mateo's program will be handled by a company called Bikes Make Life Better. San Mateo had lobbied to be part of first Bay Area pilot as well as the expanded program. Startup costs are \$85,000 and operations will cost is \$1,800 per bike per year. San Mateo is hoping to obtain sponsorships to offset operation costs. San Mateo plans to launch in the spring of 2016 and will use existing bike racks (no docking stations).

NEXT STEPS

Staff recommends that Hayward's bicycling infrastructure be improved before pursuing a bicycling sharing program. Staff will coordinate with the Development Services and Engineering and Transportation Departments to bring to the Committee pedestrian and bicycling infrastructure improvements identified in the draft Downtown Specific Plan. In addition, revisions to the Bicycle Master Plan will be presented to the Committee in an effort to make Hayward a more bike-friendly town. As called for in the General Plan Implementation Program M-17 (City Employee Car/Bike Share Programs), staff recommends that bike sharing be reconsidered after 2020.

Prepared by: Erik Pearson, Environmental Services Manager

Recommended by: Alex Ameri, Director of Utilities and Environmental Services

Approved by:



Fran David, City Manager


Attachments:

Attachment I

Web-links and Tables

Bike Sharing Report – Web-links and Tables

1. September 11, 2014, staff report: see item 3 at <http://www.ci.hayward.ca.us/CITY-GOVERNMENT/COUNCIL-STANDING-COMMITTEES/COUNCIL-SUSTAINABILITY-COMMITTEE/2014/CSC-CCSC091114full.pdf>
2. Article titled, Why Aren't American Bike-Share Systems Living Up to Their Potential? (<http://usa.streetsblog.org/2014/11/24/why-arent-american-bike-share-systems-living-up-to-their-potential/>)
3. Bay Area Bike Share Pilot Results



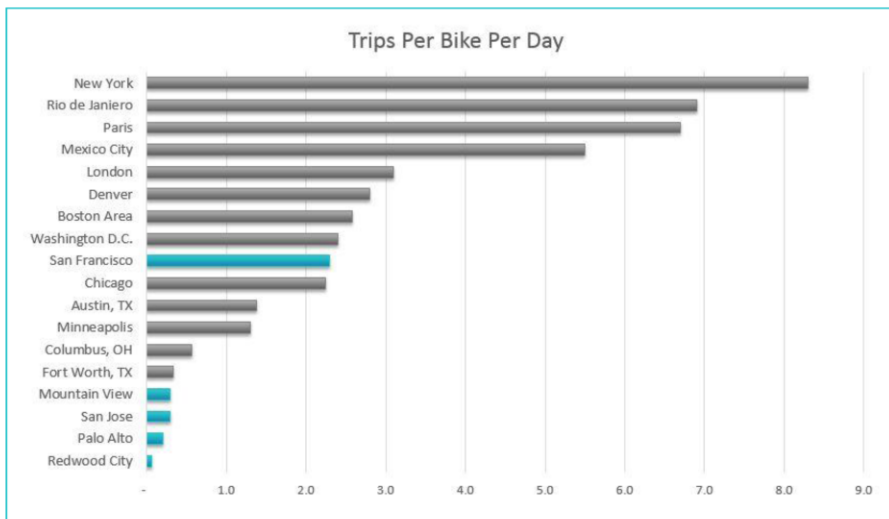
System Results
Trips by Community Area
8/29/13 – 3/31/15

Area	Trips	% of Total Trips	Trips per bike per day	# Stations	# Bikes
San Francisco	461,763	90%	2.28	35	350
San Jose	30,046	6%	0.32	16	160
Mountain View	13,447	3%	0.33	7	70
Palo Alto	5,231	1%	0.18	5	50
Redwood City	2,279	0%	0.06	7	70
Total	512,766	100%	1.27	70	700

Bay Area Bicycle Share Update Slide 5

Source: Bay Area Air Quality Management District

National and International Comparisons



METROPOLITAN TRANSPORTATION COMMISSION

5

Source:

http://apps.mtc.ca.gov/meeting_packet_documents/agenda_2412/7a_Bike_Share_Expansion_Contract_Motivate_International_Incand_Res_No_s_3925Revised_and_4035Revised.pdf

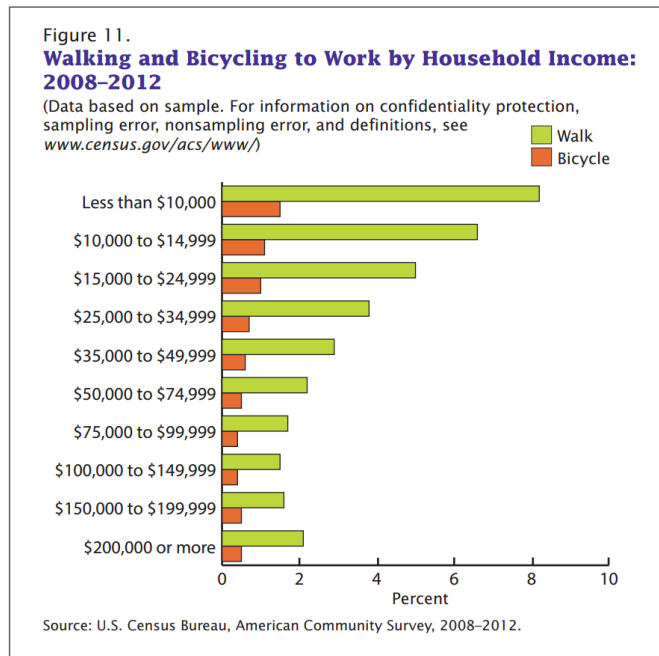
4. U.S. Census Bureau Data

City	2008 – 2012		2014	
	Number of Workers ¹	Percent Bicycled ¹	Number of Workers ²	Percent Bicycled ²
Union City, CA	30,288	0.2	22,355	0.3
Fremont, CA	91,855	0.4	85,995	0.3
<i>National Average</i>	-	0.6	145,870,653	0.6
Hayward, CA	64,524	0.3	76,337	0.7
San Jose, CA	442,728	0.9	500,863	1.1
<i>California Average</i>	-	-	17,254,926	1.2
San Leandro, CA	39,828	0.5	44,445	1.3
Redwood City	38,423	1.7	43,042	3.5
Oakland, CA	178,694	2.4	197,366	3.7
Emeryville, CA	6,300	2.6	6,447	3.7
Mountain View	41,047	4.2	43,841	4.1
San Francisco, CA	439,726	3.4	480,997	4.4
Palo Alto	30,222	8.5	34,075	7.3
Berkeley, CA	53,356	8.1	57,462	9.7
Cities Outside Bay Area (for reference)				
Los Angeles, CA	3,685,786	0.8	1,865,765	1.3
Portland, OR	298,389	6.1	325,907	7.2
Davis, CA	30,589	18.6	33,135	23.2

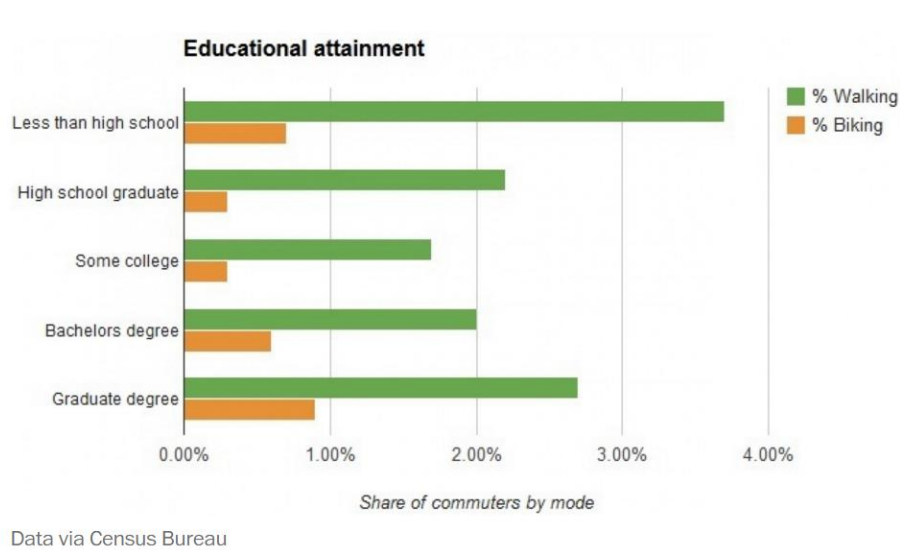
1 – American Community Survey data 2008 – 2012 5-year Estimates

2 – American Community Survey data 2014 1-Year Estimates (Table B08006: Sex of Workers by Means of Transportation to Work - Universe: Workers 16 years and over)

5. Washington Post Article:



Source: http://www.census.gov/prod/2014pubs/acs-25.pdf?eml=gd&utm_medium=email&utm_source=govdelivery



Source: <https://www.washingtonpost.com/news/wonk/wp/2014/05/09/the-demographic-paradox-of-who-bikes-and-walks-to-work/>

6. Article by Kinder Institute for Urban Research:

<http://urbanedge.blogs.rice.edu/2015/10/20/memo-to-cities-most-cyclists-arent-urban-hipsters/#.VINR0narRhE>



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Staff Report

File #: RPT 15-057

DATE: December 10, 2015

TO: Council Sustainability Committee

FROM: Director of Utilities and Environmental Services

SUBJECT

Update on Car Sharing Grant

RECOMMENDATION

That the Committee reviews and comments on this report.

BACKGROUND

Staff submitted an application for a car sharing grant in October 2014 and the Metropolitan Transportation Commission (MTC) approved the application on December 18, 2014, formally selecting Hayward to be included in the 2015 Transportation Improvement Program (TIP). The 2015 TIP is a comprehensive listing of projects in the nine-county San Francisco Bay Area that are to receive federal funds this year through MTC.

The purpose of this report is to provide an update on the progress of the grant and receive the Committee's input. Specifically, staff would appreciate input on the suggested provisions for the Car Sharing Request for Proposals (RFP). For more background on car sharing and this grant, please see the original staff reports to the Sustainability Committee and City Council. Links to those reports are provided in the Related Items section at the end of this report.

DISCUSSION

Timeline

The original grant timeline anticipated getting the authorization to proceed from the Federal Department of Transportation (DOT) by January 2015. However, there have been staffing constraints at Caltrans and discussions with MTC about eligible expenses. In specific, there have been issues with finding vehicles that meet the City's efficiency goals as well as the grant requirements. Because of this, the project is approximately eleven months behind the originally proposed schedule.

In order to move the project forward, staff recently revised the project scope with MTC to use the grant funds entirely for marketing, rather than to subsidize the purchase of vehicles. Staff spoke with the car sharing providers and they preferred support in the form of marketing. Staff anticipates receiving the DOT authorization to proceed before the New Year. A revised project schedule is below in Next Steps.

Vendors

Staff has been in contact with the two largest car sharing providers in the Bay Area, Zipcar and Carma/City Carshare. Both are interested in coming to Hayward and are planning to submit bids in response to the City's RFP.

- **Zipcar:** Zipcar is the largest car sharing provider in the world. Zipcar members can check out cars in most major cities nationally and globally. There are several Zipcar locations on the Cal State East Bay campus.
- **Carma/City Carshare:** These companies formed a partnership in early 2015 to be able to serve more customers. City Carshare is a Bay Area nonprofit provider with an environmental mission. They claim to have the greenest fleet of all car sharing providers. In the past, Carma has specialized in online apps that help commuters carpool. They are trying new approaches to carpooling, such as hosting cars and vans that go from specific neighborhoods to workspaces.

Partners

Staff has been in contact with potential partners throughout the process, including Life Chiropractic College, Chabot College, and Eden Housing. The partners are excited about the possibility of getting car sharing at their locations and support having a coordinated effort in order to best serve community members.

RFP - Suggested Provisions

Staff anticipates including the following provisions in the RFP and is asking for feedback from the Committee. Proposals would receive additional points if the provider offers:

- **Hybrids, plug-in hybrids, or electric vehicles** - Staff is looking for a vendor that can provide fuel efficient and low emission vehicles. Vendors are hesitant to use fully electric vehicles because of the user learning curve. Plug-in hybrids may be a good alternative.
- **Willingness to try new locations** - Both vendors are excited to place cars in the Watkins Street parking garage due to its proximity to BART. Staff is looking for a vendor that would be willing to also place cars in less-tested locations, such as at Life Chiropractic College, the Amtrak station, or as part of the new South Hayward BART development.
- **Wheelchair accessible vehicles** - Staff has been in conversation with the City's Paratransit Program about the need for accessible vehicles and is looking for a vendor that can provide one.
- **Innovative approach to serving Hayward's workforce** - In the past, car sharing has primarily been used to serve residents in the evenings and on weekends. Staff is looking for a vendor that is exploring innovative approaches to also serving commuters, which would help with traffic congestion.

For example, Carma is currently serving a few business complexes in San Francisco that have groups of workers who commute from Contra Costa County. Carma provides cars in their home neighborhoods and the workers carpool to San Francisco and back. The more workers in the cars, the less Carma charges each rider. A comparable approach would be for Hayward residents who work in Silicon Valley. For more information see <https://gocarma.com/>.

Selecting multiple vendors could be considered if that would best serve Hayward. The benefits of

multiple vendors are the ability to serve more than one membership pool, greater diversity of services, and greater competition. The drawback is that there will be fewer public parking spots available for each vendor, which may reduce the service level. Users will likely not want to pay membership fees for multiple vendors.

NEXT STEPS


Once the revised MTC TIP is approved in early December, staff is anticipating implementing the grant according to the following timeline:

Feb. 2016	Release RFP
June 2016	Select vendor(s) and award contract(s)
July - Oct. 2016	Mobilization and marketing
By Nov. 2016	Launch car sharing locations
Nov. 2016 - Nov. 2017	Evaluation

Prepared by: Mary Thomas, Management Analyst

Recommended by: Alex Ameri, Director of Utilities and Environmental Services

Approved by:



Fran David, City Manager

Related Items:

Related Files I January 12, 2015 Report to Sustainability Committee:
<<http://www.hayward-ca.gov/CITY-GOVERNMENT/COUNCIL-STANDING-COMMITTEES/COUNCIL-SUSTAINABILITY-COMMITTEE/2015/CSC-CCSC011215full.pdf>>

Related Files II January 27, 2015 Report to City Council:
<<https://www.hayward-ca.gov/CITY-GOVERNMENT/CITY-COUNCIL-MEETINGS/2015/CCA15PDF/cca012715full.pdf>>



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Staff Report

File #: RPT 15-061

DATE: December 10, 2015

TO: Council Sustainability Committee

FROM: Director of Utilities and Environmental Services

SUBJECT

Update on East Bay Community Energy

RECOMMENDATION

That the Committee reviews and comments on this report.

BACKGROUND

In June 2014, the Alameda County Board of Supervisors, allocated \$1.3 million to exploring the possibility of establishing a community choice aggregation (CCA) program, which is being called East Bay Community Energy (EBCE). If established, EBCE would be a joint powers authority that aggregates electricity demand within participating Alameda County jurisdictions in order to procure electricity for its customers. Pacific Gas & Electric Company would continue to provide customer billing, transmission, and distribution services. Staff's most recent update was provided to the Committee on June 18, 2015.

A Steering Committee made up of approximately 40 representatives from cities, businesses, labor, and nonprofits was established in May, had its first meeting in June, and has been meeting monthly since June this year. The Steering Committee reviewed and revised a request for proposals (RFP) for the preparation of a technical study in July and the RFP was released on August 10, 2015. The County received three proposals and a subcommittee of the Steering Committee reviewed the proposals and interviewed all three firms.

DISCUSSION

On December 8, 2015, the Board of Supervisors is scheduled to consider authorization of a contract with MRW for preparation of the technical study, which will include analysis of possible energy portfolio scenarios, related greenhouse gas emissions and projected rates. The study will be used as the basis for a Board decision in early 2016 whether or not to proceed with formation of EBCE.

During the November 4, 2015 Steering Committee meeting, the County's consultants presented a draft technical study for San Mateo County, whose effort is being called Peninsula

Clean Energy. Peninsula Clean Energy anticipates a launch in October 2016. Following are some key points from the presentation:

- Three possible energy scenarios were evaluated
 1. Minimum 35% renewable content, scaling up to 50% by 2030
 2. Minimum 50% renewable content, scaling up to 75% by 2030
 3. 100% renewable energy content
- San Mateo County will likely select Scenario 2 because the study shows that it would result in rates lower than PG&E and with fewer GHGs
- Scenario 1 has a higher GHG content than PG&E
- Scenario 2 would include large hydroelectric power above and beyond the 75% renewable energy content
- Scenario 3 assumes a higher opt out rate because rates would be higher than PG&E
- The use of unbundled Renewable Energy Credits (RECs) was not considered
- Study assumed that no direct-access customers would enroll in the CCA (they can opt in)
- San Mateo County's complete study is available at <http://www.peninsulacleanenergy.com/>

The RFP for Alameda County's technical study calls for evaluation of three scenarios very similar to San Mateo County's. Alameda County's study will consider 33% and 50% renewable options for default service and a 100% renewable content option in which customers may "opt-up" and voluntarily participate.

Also during the November 4, 2015 Steering Committee meeting, County staff presented the results of a survey (Attachment I) that was sent to Steering Committee members in late October. Following are key findings from the survey:

- Twenty-nine members (75% of the committee) responded to the survey.
- Renewable energy content is a higher priority than GHG reduction (see questions 2 and 3 on the first page of the results). This could potentially result in higher rates. For example, if the Committee chooses to forgo hydroelectric power, which does not meet the state's definition of "renewable", but instead chooses to pursue solar photovoltaic power, which might be more expensive, then the program would have higher rates.
- Committee members are very interested in exploring opportunities for local power development.

As mentioned above, Peninsula Clean Energy assumes a higher opt out rate for one of the scenarios because its electricity rates would be higher than PG&E. It is important to note that due to different factors, in time the cost competitiveness of any scenario may change and be different than it is today.

The Sunday, November 29 edition of the San Jose Mercury News included a front page article titled, *Bay Area Communities Gearing Up to Create Their Own Power Systems* (see Attachment II). In it, there is a reference to an exit fee that PG&E is charging its customers who leave PG&E to join a CCA. The current monthly exit fee for Marin Clean Energy (MCE) customers is \$6.70. However, in January, PG&E will raise that fee to \$13 per month. This increase means that MCE "customers for the first time will pay a higher monthly rate for electricity than they would to PG&E." Similarly, it would be prudent to assume that as new CCAs are formed and existing CCAs increase their portfolio of clean energy, PG&E would consider increasing its own portfolio in order to remain competitive.

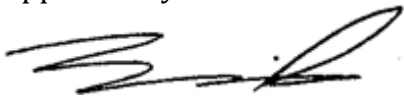
NEXT STEPS

There will not be a Steering Committee meeting in December 2015. County staff has offered to coordinate presentations to city councils after the technical study is released. If the Committee agrees, staff will contact the County to indicate interest in a presentation to the full Council upon completion of the technical study.

Prepared by: Erik Pearson, Environmental Services Manager

Recommended by: Alex Ameri, Director of Utilities and Environmental Services

Approved by:



Fran David, City Manager

Attachments:

Attachment I
Attachment II

Results from Steering Committee Survey
Article titled *Bay Area Communities Gearing Up to Create Their Own Power Systems*

The following is a list of CCA program goals as articulated in various planning documents. We understand that all these goals are important to a CCA program, but we want to better understand the committee's priorities relative to initial program design and areas of focus. Please finish the following sentence, "East Bay Community Energy should offer..." and give each answer a ranking using the four options below:

■ Immediate/ Imperative
 ■ Very Important
 ■ I'm Neutral
 ■ Important, But Later

1. Overall rates and customer bills that are lower than or competitive with those offered by PG&E



2. An electric supply portfolio with a lower greenhouse gas (GHG) intensity than PG&E



3. An electric supply portfolio that has a higher renewable energy content than is offered by PG&E and also meets or exceeds the State's renewable portfolio standard



4. An electric supply portfolio and CCE program offerings that support the achievement of city and county Climate Action Plan goals



5. An integrated energy portfolio that results in new, in-state renewable power development as well as the development of local, distributed energy resources



6. An energy portfolio that minimizes the use of unbundled renewable energy certificates



7. A program that offers a range of power supply options for the purpose of customer choice



8. A program that has aggressive energy conservation goals and incorporates energy efficiency and demand response programs



9. A program that demonstrates quantifiable economic benefits and jobs to the region (e.g. union and prevailing wage jobs, local workforce development)



10. A program that promotes personal and community ownership of renewable resources, spurring equitable economic development and increased resilience, especially in low income and communities of color



11. A program that seeks to integrate innovative clean technology (e.g. battery storage, EV infrastructure) at the residential and commercial levels



12. An administering Agency that is financially sustainable, responsive to County and regional priorities, and well managed



0% 10% 20% 30% 40% 50% 60% 70% 80% 90% 100%

Comments to Question 1:

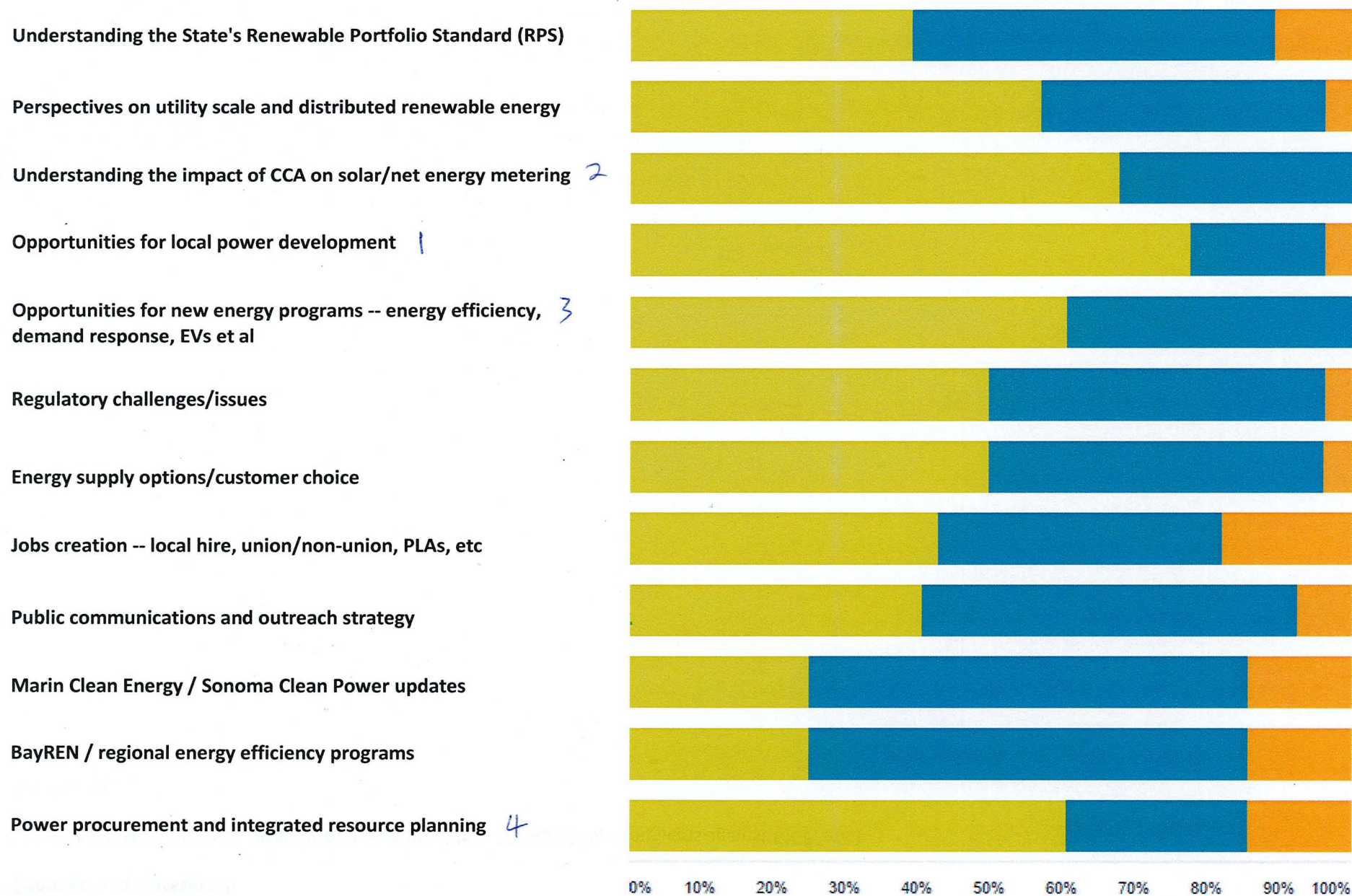
Democratic governance structure (i.e., a Board of Directors composed of local elected leaders), similar to MCE/SCP

Some of the items are not important to me in establishing a CCE, however such was not an option.

GHG reductions are the most important to the community I represent. We hope that doesn't get bogged down by economic development discussions.

Please indicate your level of interest in future topics for committee discussion:

Very Interested Somewhat Interested Not Interested



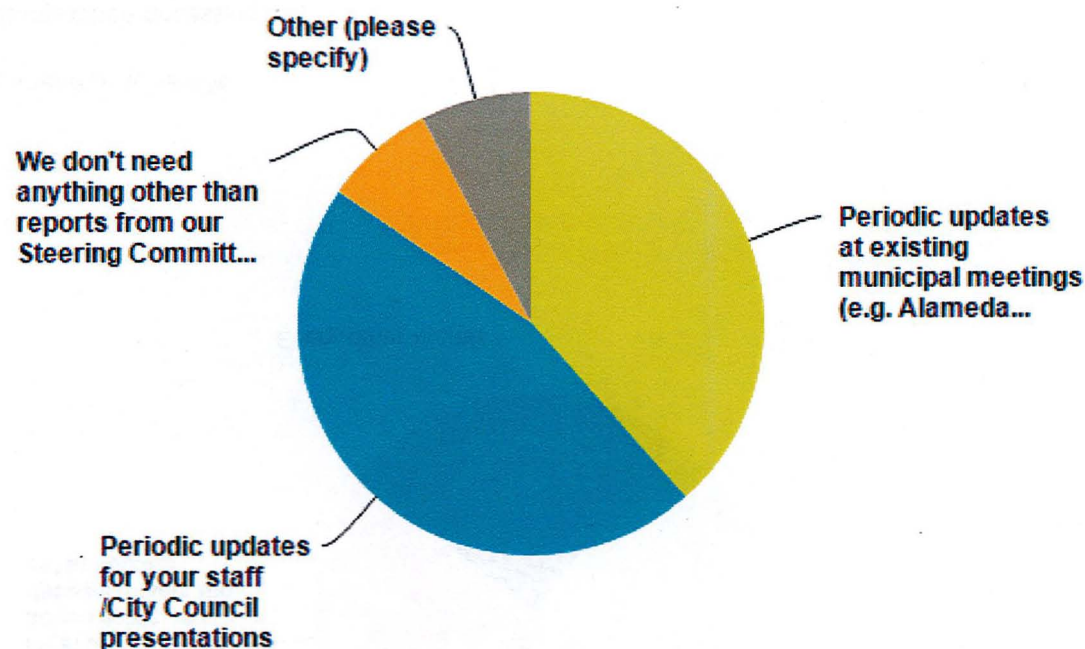
Comments to Question 2:

Legislative history of CCA & analysis of opposition (Prop 16; AB 2145; campaigns against MCE; etc.)

Wind energy

For City representatives: What is the best way to keep your municipal colleagues informed about this initiative?

Answered: 13 Skipped: 16

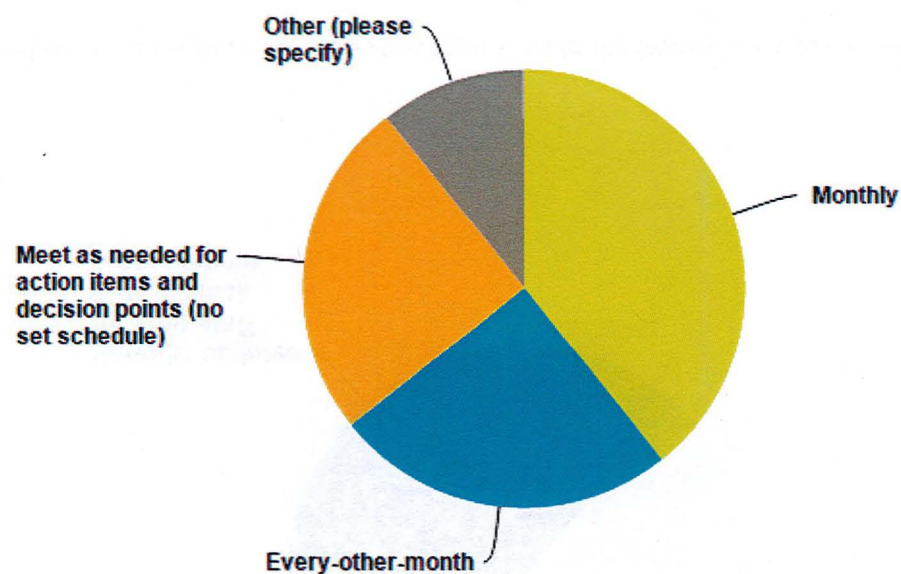


Other (please specify) response:

Written updates that can be distributed via e-mail until such time as this topic rises to the level of an actual Council presentation

Meeting frequency: What is your preference?

Answered: 28 Skipped: 1



Other (please specify) responses:

Monthly; unless we can launch EBCE ahead of schedule

Every-other-month, with added meetings when necessary.

Meet every other month except monthly when needed for action items. "Off" months might be useful for non-action informational briefings and structured informal discussion topics.

Please use this space for any suggestions, questions, or comments related to the steering committee, project pacing, and/or CCA in Alameda County more generally

- Answered: 11
- Skipped: 18

This entire process needs to be reality based. If all we're going to do is create another government agency, bloated and full of bureaucracy that doesn't create renewable energy sources that are less expensive than PG&E, we're just wasting taxpayer money. 11/3/2015 11:33 AM

Please consider creating a publicly observable, online message board that will allow Steering Committee members to freely communicate on their own time (i.e., apart from formal meetings). This could also function as a platform for sharing a variety of media and information online (e.g. articles; videos; reports; etc.). This would be especially important if the SC meets less frequently. The discourse that occurs among SC members is a rare and essential opportunity for local leaders and industry experts to engage each other--and the public--on the topic of local energy policies. If there are divergent opinions and perspectives, the public will benefit by being able to observe and evaluate the different points of view. Robust debate on the direction of the East Bay's energy future should be nurtured, publicized, and prioritized. This will help empower ratepayers with context and information that is largely absent today. Thank you, County Staff, for all you're doing for our communities! 11/3/2015 9:00 AM

While I appreciate being included in the process of developing an RFP and possibly selecting a consultant, I believe that having County staff undertake these tasks would be much more productive than using the Steering Committee. The Committee should be used to direct on high level policy issues and setting of goals, objectives and plans. Also, there appear to be many Committee members with certain biases, which makes it difficult to keep an open mind through this process. 11/2/2015 10:06 PM

Thanks for keeping this going! The thing we want is for this to move faster, but we know you're trying your best and the timeline has already been extended because of Committee discussion on the RFP. Also, thank you for changing the meeting date based on committee requests. 11/2/2015 3:07 PM

CV library meeting venue has bad acoustics, had difficulty hearing the discussion last time 11/2/2015 1:30 PM

Would like to see the meetings end no later than 8:30 PM. 10/31/2015 4:46 PM

Please don't go to an erratic, action item/decision based meeting schedule. The first few months have already been chaotic enough. It will make it hard for many municipal representatives to participate if a standing monthly meeting date isn't kept. Good idea to do this survey. The results will probably reflect the composition of the CSC fairly predictably, but there may be some surprising areas of consensus. 10/29/2015 8:36 AM

If any further committees need to be formed, I hope they are not formed by the different interest groups. In the case of environment, for example we don't all know each other. It would be good if there were a social half hour before, after or during a break. Members could be invited to help with snacks and drinks. I'd like to get to know my fellow members of the committee better. I don't know if informal happy hours could be formed without violating the Brown Act. Perhaps when there is no business to conduct in a given month something informal could be planned. PS I'm OK with extra meetings if needed, but I prefer a set schedule so I can protect the dates. 10/28/2015 6:34 PM

A high priority has to be structuring meetings to allow for the tough/controversial issues in a meaningful/productive manner. 10/28/2015 5:59 PM

ATTACHMENT I

So far public participation at steering committee meetings has been very limited. I would like to see more time given to public comments on each agenda item, and rotation of meeting locations throughout the county, with public transit option always available. I think it is more important to take the time to design a program that will respond to the interests of communities than to rush to launch. 10/28/2015 3:00 PM

Integration of EE into the program is particularly important. We might consider subcommittees related to developing specific topics, but it's important to have the whole group keeping up with each other. Another approach would be scheduling spaces for topical discussion, as suggested for "off" months. 10/28/2015 2:29 PM

Bay Area communities gearing up to create their own power systems

By Tracy Seipel

tseipel@mercurynews.com

Posted: 11/29/2015 04:35:56 AM PST [33 Comments](#) | Updated: a day ago

From Silicon Valley to the East Bay to the Central Coast, a "people's power" movement is sweeping through California that will give local residents a choice to ditch PG&E and buy cleaner -- and possibly cheaper -- energy from the cities and counties where they live.

To its proponents, the idea is a no-brainer. But to its critics, it's just a lot of hype -- a feel-good solution that will lead to unstable prices, empty promises and -- at least for the time being -- no additional green energy.

Overseen by a team of energy experts and a board of elected officials, new community-run utilities are buying power from the grid, procuring a higher percentage of renewable energy -- think solar and wind, as well as methane from dairy cows -- than PG&E, while aiming for a price around or even below the giant utility's rates. The new power systems also are charged with developing more local renewable energy.

Palo Alto's utility control center monitors electricity service to city residents. (2001 file photograph)

Elected officials in Silicon Valley -- representing an alliance of Santa Clara County and most of its cities -- are poised to decide in March whether to take the key steps necessary to develop a new electricity system that they say could be lighting homes by early 2017. And San Jose, the region's largest city, is considering creating its own system.

Similar alliances are moving forward in San Mateo, Alameda, Contra Costa, Santa Cruz and Monterey counties. San Francisco's power system is set to launch next year.



Whenever these plans are adopted, customers in the cities and counties are automatically enrolled, though they can opt out of the program at any time.

Advertisement

California's pioneer of "community choice" utilities was Marin County, which launched Marin Clean Energy in 2010. Sonoma County followed in 2014. The only other system now operating in California is in Lancaster, in Los Angeles County.

From 2010-13, Marin Clean Energy claims, its customers reduced cumulative greenhouse gas by 63,482 metric tons, equivalent to removing 13,365 cars from the roads each year. And the system says it will save customers an estimated \$10 million in 2015. Sonoma Clean Power has reported similar results.

"It's the single most significant thing that cities can do in order to reduce carbon emissions," said Rick Kitson, a spokesman for the city of Cupertino.

Critics, however, say the figures are misleading because the new companies are simply buying power from the

grid that would have been purchased by giant utilities like PG&E anyway. And until the new utilities begin generating their own power, critics say, "community choice" power is essentially a paper transaction.

The groundwork for the California movement began two decades ago, largely related to the failure of energy deregulation that led to rolling blackouts several years later. That prompted the 2002 passage of state legislation, Assembly Bill 117, directing California's Public Utilities Commission to facilitate the creation of "community choice" power.

California's landmark 2006 climate legislation -- which requires utilities to buy 33 percent of their electricity from renewable sources by 2020 -- further spurred the trend. That led to cities and counties developing "climate action plans," which included exploring "community choice" systems.

This year, the Legislature dialed up the number with Senate Bill 350, which requires utilities to buy 50 percent of their electricity from renewable energy resources by 2030.

Today, 27 percent of PG&E's power comes from renewable energy. By comparison, Marin Clean Energy's renewable energy portfolio is at least 50 percent, and Sonoma's is 36 percent.

Even with the creation of the new utilities, PG&E continues to deliver the electricity, maintain power lines, send bills and provide customer services. But since these new local utilities are able to buy electricity now -- with wholesale energy prices historically low -- they are able to sell it to their customers at lower rates than PG&E, which locked up its energy contracts years ago when prices were higher.

That's why PG&E also gets to charge customers who bolt a monthly exit fee, which helps PG&E make up for the energy contracts it purchased years ago to cover areas such as Marin and Sonoma that now have their own power systems.

While energy experts say the exit fee will disappear over time, until that happens the cost of the fee will fluctuate, reflecting the difference between the market price of energy when PG&E signed its contracts compared with the price of energy today.

After Marin Clean Energy went live five years ago, its 175,000 residential and business accounts have watched their exit fee bounce up and down -- though customers this year still paid 3 percent less for their energy than PG&E's rates, said company spokeswoman Jamie Tuckey.

But in January, she said, they will see the highest exit fee spike so far: from \$6.70 per month now to around \$13. That means Marin customers for the first time will pay a higher monthly rate for electricity than they would to PG&E.

"It's outrageous," said Shawn Marshall, co-founder and executive director of Local Energy Aggregation Network U.S., a Mill Valley-based nonprofit that supports expanding these systems around the country.

"You don't have this level of exit fee anywhere else in the country," said Marshall, whose group is working with Silicon Valley and other parts of the Bay Area to establish more.

PG&E maintains that it is neutral about the new systems.

"We respect the energy choices that are available to our customers and work cooperatively with those communities that are interested in exploring" this option, PG&E spokeswoman Nicole Liebelt said.

But in 2010, the same year Marin Clean Energy was preparing to launch, the San Francisco-based utility spent \$46 million trying to pass Proposition 16, which would have limited the ability of local governments to enter the electricity business and compete with investor-owned utilities such as PG&E. Voters soundly rejected the measure. Last year, PG&E also failed to weaken AB 117 through a legislative maneuver.

Experts say that unless more renewable energy sources are developed, the competition for those sources will increase as utilities strive to achieve their 50 percent goal by 2030.

Marin Clean Energy is making a start by committing to invest \$516 million in new projects, including \$24 million to build a 10.5-megawatt solar project in Richmond. And Sonoma Clean Power has contracted to develop 86 megawatts of new solar power.

"We don't think there is an advantage to simply competing on the open market for a limited amount of renewable energy," said Mark Toney, executive director of The Utility Reform Network, a San Francisco-based consumer advocacy group. "The net benefit is developing new renewable energy sources."

UPCOMING COMMUNITY MEETINGS

NOVEMBER

Cupertino Monday, 6 p.m. to 8 p.m., at the Cupertino Senior Center, 21251 Stevens Creek Blvd.

DECEMBER

Morgan Hill Dec. 7, 6 p.m. to 8 p.m., in the council chamber at City Hall, 17555 Peak Ave.
Sunnyvale

Dec. 9, 7 p.m. to 8:30 p.m. at the Sunnyvale Community Center, 550 E. Remington Drive
Mountain View

Dec. 10, 6 p.m. to 8 p.m., in the council chamber at City Hall, 500 Castro St.

Santa Clara County

Dec. 14, 6 p.m. to 8 p.m., at Alum Rock Branch Library, 3090 Alum Rock Ave., San Jose

JANUARY

Los Altos Jan. 13, 6 p.m. to 8 p.m., Los Altos Youth Center, 1 N. San Antonio Road.

Source: Silicon Valley CCE Partnership

'COMMUNITY CHOICE' SYSTEMS IN BAY AREA Marin Clean Energy launched in 2010 in unincorporated Marin County and the cities of Belvedere, Corte Madera, Fairfax, Larkspur, Mill Valley, Novato, Ross, San Anselmo, San Rafael, Sausalito and Tiburon. It later added unincorporated Napa County, Solano County city of Benicia and the Contra Costa County cities of El Cerrito, San Pablo and Richmond.

Sonoma Clean Power launched in 2014 in unincorporated Sonoma County and the cities of Cloverdale, Cotati, Petaluma, Rohnert Park, Santa Rosa, Sebastopol, Sonoma and Windsor. Healdsburg runs its own municipal electricity system.

Alameda, Contra Costa, Santa Clara, San Mateo, Santa Cruz and Monterey counties and many of their cities are currently studying "community choice" energy systems.

Source: Marin Clean Energy, Sonoma Clean Power, Bay Area News Group reporting

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CITY OF HAYWARD

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Hayward, CA 94541
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Staff Report

File #: RPT 15-056

DATE: December 10, 2015

TO: Council Sustainability Committee

FROM: Director of Utilities & Environmental Services

SUBJECT

Annual Update: Administrative Rule 3.9 - Environmentally Preferred Purchasing Policy

RECOMMENDATION

That the Committee reviews and comments on this report.

SUMMARY

In compliance with Administrative Rule 3.9, this report serves as an annual update to the Council Sustainability Committee (CSC) regarding the current efforts by City Departments in purchasing to minimize environmental impacts, toxics, pollution, waste, and hazards to workers and the community. The last report submitted to the CSC was in April 2014. Practices are summarized by Department and include continued efforts that began prior to April 2014, and all new efforts implemented after April 2014.

BACKGROUND

Administrative Rule 3.9, titled "Environmentally Preferred Purchasing Policy," was established in 2010 for the purpose of setting a standard of environmentally preferable procurement, and to demonstrate the City's commitment to environmental, economic, and social stewardship. The intent is to encourage, reward and foster vendors and manufacturers who: produce, deliver, and dispose of products that will improve the environmental quality of the region; integrate environmental considerations into every aspect of acquisition, while maintaining value standards; and ultimately becoming a driving force responsible for lowering environmental impact. The Policy calls for an annual report that identifies the purchasing practices that minimize environmental impacts, toxics, pollution, waste, and hazards to workers and the community. The report shall be submitted to the CSC for review and then submitted to City Council for approval.

Staff compiled and submitted the first annual report, summarizing the sustainable practices of City Departments, to the Committee in April 2013. A second report providing a summary of sustainable practices between April 2013 and April 2014 was submitted to the Committee in April 2014. Many of the sustainability practices described in the April 2014 report continue to be implemented throughout City Departments; however, for sake of brevity, those practices will be summarized and full descriptions of previously reported practices can be found at <http://www.hayward-ca.gov/CITY-GOVERNMENT/COUNCIL-STANDING-COMMITTEES/COUNCIL-SUSTAINABILITY-COMMITTEE/2014/CSC-CCSC040214full.pdf>. Sustainable practices occurring throughout the City since April 2014 are also summarized below.

DISCUSSION

City Clerk's Office - As the main record-keeper in the City, the City Clerk's office is in charge of publishing a significant amount

of official documents. In order to minimize printing these materials, the City Clerk's office switched to electronic agenda packets, and Council members are able to view these documents electronically instead of receiving printed copies of the packets as had been done previously.

City Manager's Office/Code Enforcement Division - The Code Enforcement Division continues to reduce annual paper consumption by integrating Rental Inspection and Community Preservation into the Government Outreach database. The Division also continues to reduce inspector vehicle emissions by implementing software that schedules rental inspections based on geographic areas, thereby reducing travel time and distance.

Since April 2014, forty-seven abatements (removal of trash from private property) were performed. The City's abatement contractor ensures that all refuse removed from subject properties is sorted to ensure recyclables are diverted from the landfill.

Development Services - The Development Services Department continues to implement sustainable practices in many ways, including in the purchase of office supplies through Staples Sustainable Earth line. In addition, staff utilizes the duplex printing function, actively participates in the all of the City's recycling and organics program, and reuses single-sided recycled copy paper to make their notepads.

Building staff plan checks and enforces the requirements of the City's Green Building Ordinance and the Building Division helps ensure implementation of Hayward's Indoor Water Efficiency Ordinance. The City has an ordinance that requires all new or renovated municipal buildings that exceed either \$5 million in construction value or 20,000 square feet in size to be LEED Silver certified. Also, the City Council adopted new 2013 Codes, including the State's new Green Building Code (CalGreen), which became effective on January 1, 2014 and the State Energy Code, which became effective on July 1, 2014. Building staff has also implemented a trial program to allow electronic plan submittal and plan check and is working toward full implementation. Finally, implementation of the City's MUNIS system in 2014 has reduced paperwork and allows for easy access to permit-related information.

Finance - The Finance Department has continued to employ green practices and reduce their impact on the environment through an assortment of measures. Paper purchases have been modified to exclusively all recycled content. In general, the Department has reduced the number of printed copies of various budget and Finance documents and forms and instead made those documents available online.

On the procurement side of the Department, language is incorporated in best value bids to allow a broader variety of consideration of performance and environmental attributes (i.e., product origination, delivery, emission footprint, life cycle, recycled/ environmentally preferred products). The language allows the City the right to review specifications and to substitute or add sustainability criteria if they become available during the course of the contract.

The major improvement prior to April 2014 was the implementation of the Enterprise Resource Planning software (MUNIS). With the added green functions such as scanning, electronic filing and retrieval, real time on-line searches and paperless reporting of outputs, staff has seen the use of paper resources decrease substantially.

Listed below are the implemented and green practices that have occurred since April 2014:

Process/Action	Status	Summary
Purchase Order Transmittal and Filing	In Process	Purchase Orders will no longer be printed. Copies will be electronically routed, stored and retrieved, eliminating printing, stuffing, mailing, and paper filing.
Online Receiving	Implemented	Online receiving and verification of items ordered without having to print and submit paper copies of packing slips or receiver form.
Requisitions Processing	Implemented	Requisitions will be submitted and approved via electronic hierarchy. Eliminating printing of forms and redundant data entry/processing.

Tyler Content Management (TCM)	Implemented	Electronic filing or depository of scanned documents, eliminating printed copy filing, storage, and destruction/shredding service.
Utility Account	Implemented	Paperless and online set-up, turn on/turn offs, and office actions.
Online Employee Timecards	Implemented	Employees will enter and submit their timecards online through the Employee Self Service Module.

Fire Department - In addition to basic sustainable office principles (recycling, duplex printing, utilizing copy paper that has a high percentage of recycled content, etc.), the Department has strongly encouraged all staff to reduce or eliminate the use of single use water bottles and instead utilize water pitchers with containers brought from home. This point of emphasis will also be applied to the upcoming training academy, where both recruits and training staff will be deterred from using single use bottles. In Fire Administration, a water cooler was installed and office staff refills their personal water bottles instead of using single use bottles or disposable cups.

The Department continues to regularly reinforce the practice of minimizing engine idle time with goal of reducing emissions and fuel use. In addition, the Department continues to utilize an innovative software program called "Telepresence," which allows staff to meet in a virtual setting, instead of driving to meet in a single location. This reduces emissions and improves efficiency because staff will not have to leave their main stations to participate in a meeting or training. Other emission-reducing practices implemented by the Department include:

- Outfitting all new fire apparatus with diesel regeneration systems, which results in clean air exhaust without the presence of diesel particulate matter
- The purchase of two new hybrid-powered staff vehicles

The Department is also evaluating the potential implementation of other sustainable practices in the near future. For one, solar installations are being considered as part of the retrofit projects for Fire Stations 1 through 6; such installations will increase energy generation and offset energy costs. Furthermore, the Department is exploring the installation of water lines from the Wastewater Treatment Plant to the Training Center in an effort to provide an adequate water supply without utilizing and depleting potable sources.

Human Resources - An innovative transportation fringe benefit program, eflexTRANSIT, is offered by the Human Resources Department as an incentive for employees to utilize public transit. The program allows employees to set aside pre-tax wages to pay for work-related commuting expenses via public transportation. Employees do not pay federal and state income, Social Security, or FICA taxes on money that is set aside for these pre-tax benefits, and can save significantly while reducing their carbon footprint and utilizing public transit. In 2015, twelve employees participated in the program, which began in January 2013.

The Department also continues to make an effort to print on both sides of paper to reduce paper costs and eliminate wasteful printing, and is beginning to file documents electronically utilizing Laserfiche software, versus the traditional paper file. General "green" office practices in the Department also include recycling toner cartridges, purchasing biodegradable plates, cups and silverware including coffee Keurig K-cups, purchasing recycled content office supplies, and conscious energy choices (such as turning the lights off when not in the office and utilizing the stairs as opposed to the elevator).

Library and Community Services Department - The Community Services Division of the Library and Community Services Department continues to utilize recycled paper, as well as green and recycled products from vendors whenever that option is available. Staff also receives reports, monitoring documentation, and requests for reimbursement through the paperless CityDataServices.

The Main Branch Library was re-certified as a Green Business in July 2015, which requires meeting certain efficiency and conservation criteria. The Library now offers the application for a library card exclusively online, eliminating unnecessary paper applications. The Department utilizes recycled paper, and has recently reduced the amount of print newsletters it produces, instead capitalizing on the ability to communicate with residents via email newsletters. The Department has also

recently implemented electronic library overdue notices to save paper, and now allows online fine payment and online renewal of library materials, thus reducing the need for patrons to travel to the library for those simple transactions.

Maintenance Services Department - The Maintenance Services Department consists of the Facility Management, Fleet Management, Landscape Maintenance, and Street Maintenance divisions. Each division's efforts to support sustainability are described below. In the office, recycled office supplies are purchased. The Department actively participates in the City's recycling program for plastic, paper, and batteries, and has eliminated the use of aerosol canisters/containers.

Facility Management Division - Energy and lighting efficiency related improvements make a large impact on the overall sustainability of the City's facilities. The Facility Management Division has completed energy savings lighting retrofits on eleven buildings and plans to complete lighting retrofits on three additional buildings, including the Corporation Yard, Police Substation North, and the Weekes Branch Library.

Another area where the Facility Management Division has helped to support sustainability is in heating, ventilation, and air conditioning (HVAC) systems. Over the last several years, five fire stations have received HVAC upgrades. Computerized energy management systems were installed at City Hall, Main Library, Weekes Branch Library, and the Police Department to increase overall energy use efficiency. The Division has installed upgraded computer-based HVAC control systems at the Police Department and City Hall to enable even more efficient use of heating and air-conditioning. Facility Management retrofitted the air-conditioning chiller at the Police Department, which is anticipated to save approximately 30% in annual energy costs. Furthermore, the Division is currently working on a pilot program to implement real-time energy monitoring at City Hall.

An upcoming renovation of the Fleet Management facility breakroom will include new cabinets that are certified by the Forest Stewardship Council and the Sustainable Forestry Initiative. New countertops will be certified as Cradle to Cradle, indicating use of recycled products and future potential for reuse at the end of the life cycle of the countertop. Recycled content carpet and flooring was installed in City Hall, Police Department, and Facilities Division offices last year.

Related to purchasing, the Facility Management Division continues to purchase recycled content products (RCP), to include:

- Carpet Tiles (40% RCP)
- Janitorial Cleaning Chemicals (30% RCP)
- Paper towels (40% RCP)
- Toilet tissue (30% RCP)
- Graffiti Paint (60% RCP)
- RCP Lumber
- RCP Window Blinds

Roofs for three fire stations were replaced over the last couple years with cool roofs, which are made of highly reflective materials, remaining cooler than traditional materials, especially during the summer months. Cool roofs lower energy usage, therefore reducing utility bills. The Facility Management Division is anticipating installing cool roofs at three more City facility locations over the next several years, including Fleet Management, Fire Station 3, and Landscape Maintenance.

Fleet Management Division - Current practices include the purchase of vehicles that follow the City of Hayward's Fleet Procurement Guidelines of Environmental Consideration. These include fuel economy, with both alternative fuel and hybrid vehicles receiving strong consideration at all times.

In the past seven years, Fleet Management has increased the number of green vehicles from fourteen to thirty-one, a 120% increase. Green vehicles in the City fleet include:

- Two Nissan Leafs - all electric vehicles
- Ten Honda hybrids
- Four C-Max hybrids
- Five Ford E85 fueled (85% ethanol, 15% gasoline)
- Six Chevrolet E85 work trucks (85% ethanol, 15% gasoline)

- Two Ford Escape SUV hybrids
- One 2014 Ford E350 Cargo Van (E85 Fuel)
- One 2014 Chevrolet G/H Van (E85 Fuel)

Over the last couple years, twelve diesel-powered trucks received exhaust system retrofits to further reduce emissions. Furthermore, Division staff recycles all antifreeze, waste oil, and oil filters by way of a contract with an environmental services provider. Staff also recycles waste from solvent tanks and parts washers, as well as scrap metal. Lubricants are stored on site in double containment drums, with the amount of lubricants kept to a minimum in order to be in compliance with Hayward Fire Department guidelines.

Landscape Maintenance Division - The Landscape Division of the Maintenance Services Department follows “Bay-Friendly Landscape Guidelines;” which consist of purchasing bay-friendly plants, trees, and landscaping materials that:

- Nurture the soil
- Conserve water
- Conserve energy
- Protect water and air quality
- Create and protect wildlife habitat

The City of Hayward also requires all landscape maintenance contractors to follow these same guidelines. In an effort to conserve water, drip irrigation is employed to apply water only to desired plants. The Division continues its efforts to remove invasive plants, replacing them with non-invasive plants in City medians and rights-of-way. The Division has a comprehensive Integrated Pest Management (IPM) Policy, and utilizes the least hazardous chemicals for weed control. Landscape Maintenance takes pride in promoting the City’s Urban Forest by planting trees that match the local microclimate and soil characteristics.

Tree Maintenance - The Division maintains approximately 38,000 City trees in a healthy, vigorous growing condition, free from disease and large concentrations of pests. Tree trimming is done to minimize safety hazards and provide clearance for vehicles and pedestrians. It is also done to improve the health of trees and to control their shape and size. Root pruning is done to minimize future damage to sidewalks, curbs and gutters, and to preserve good specimen trees. The Root Pruning program begins in spring and ends in the fall due to weather conditions. Residents are encouraged to water the trees in front of their homes while division staff water trees in public areas on a rotating watering schedule.

Public Landscaping Maintenance - The Division continues to participate with Calsense, a water management company that provides quality irrigation controllers, water saving accessories, and advanced management software. Since April 2014, ten Calsense controllers have been installed while three additional controllers are scheduled to be installed in FY 2015. The Calsense software allows Division staff to gather and store data from Calsense controllers, print reports and make controller programming changes - all from a central location.

The Division continues to re-use chipped branches as bark mulch. Clean tree trimmings and green waste are recycled into organic compost or mulch. These recycled materials are later used to enrich our soils; thus conserving precious landfill space and giving back to the earth.

Compost Giveaway - The Maintenance Services Department, in collaboration with the Environmental Services Division offered a sustainable solution to City of Hayward gardeners and landscapers who want to reduce their carbon footprint while enriching the landscape. In September 2015, compost made locally from 100% recycled, Bay Area-sourced yard trimmings, food scraps and lumber debris were offered to City of Hayward residents. More than 400 residents received approximately 2,500 bags of compost for use in residential landscapes and gardens.

Irrigation Retrofitting - The Division has been retrofitting irrigation systems at City-owned facilities from overhead spray and stream rotors to more water efficient inline drip and drip bubbler systems. Netafim inline drip tubing, now the City standard for new landscape projects, applies water directly to the root system and significantly reduces water usage by preventing water loss to the atmosphere like the conventional spray heads and turf rotors.

Urban Forest Program -The City acknowledges that trees are important for the environmental and quality of life benefits they provide and the Landscape Division manages an active urban forest program along with a comprehensive ordinance that protects trees on streets and public right-of-ways. The Landscape Division employs two certified arborists and three tree crews that ensure street trees are maintained in a healthy and safe condition. Focused on building and managing the urban forest, the Division operates the Keep Hayward Green Program (KHGP), which offers to plant a free street tree for residents who agree to nurture the tree with water, care, and regular inspection. Approximately 300 trees have been planted since April 2014, which can decrease urban runoff, protect water quality, and assist in absorbing air pollutants. In accordance with the drought restrictions imposed by Governor Brown, the Division has reduced the planting of new public trees while replacing trees that have been removed. Newly planted and young trees in the public right-of-way are being manually watered by tanker trucks filled with recycled water from the City's wastewater treatment facility.

Tree City USA - City of Hayward has been named a Tree City USA by the Arbor Day Foundation in honor of its commitment to effective urban forest management for the past 28 years. Hayward achieved Tree City USA recognition by meeting the program's four requirements: a tree board or department, a tree-care ordinance, an annual community forestry budget of at least \$2 per capita and an Arbor Day observance and proclamation.

Annual Arbor Day - The City of Hayward, as a cooperative effort with the Hayward Unified School District and the Hayward Area Recreation and Park District, celebrates Arbor Day each year. Arbor Day has been held in Hayward since 1985. Since 1989, the celebrations have been held at a Hayward school and a Hayward park. Arbor Day Celebrations have included a Community Faire with information booths and tree plantings.

Sheet Mulching - In collaboration with the Utilities and Environmental Services Department, the Division completed a lawn conversion project in front of the Utilities Center on Soto Road. Sheet mulching, a layered mulch system, is a simple, effective technique for improving soil health, managing weeds without herbicides and increasing soil permeability. Sheet mulching can be used either in establishing a landscape or to enrich existing plantings. In both cases, mulch is applied to bare soil or on top of cut or flattened weeds or turf. Trees, shrubs, herbaceous perennials and annuals are planted through the mulch, and small area can be left open to accommodate established plants.

Hesperian Boulevard Project - In collaboration with the Keep Hayward Clean and Green Task Force, on October 1st and on Make a Difference Day on October 24th, the Division performed a beautification project on Hesperian Boulevard from Panama Avenue to Bolero Avenue. Work included site clean-up, tree and shrub trimming, and debris removal, fence painting, and spreading of over 200 cubic yards of recycled mulch and repurposed boulders from other City-owned sites.

American Elm Tree Removal - An American Elm, over one hundred years old at the Hayward City Main Library, was declining in health and removed. The tree was harvested and reclaimed for furniture to be used at the Hayward's new 21st Century Library.

Street Maintenance Division - The Street Maintenance Program continues to use recycled paint for all graffiti abatement, and whenever possible, uses discarded and illegally dumped paint for these purposes as well. The Program is responsible for the maintenance and installation of trash capture devices in storm water inlets to capture trash prior to it entering the San Francisco Bay. The Streets Program is focused on the City Council's top priorities of Safe, Clean, and Green, to include reducing illegal dumping. The Street Maintenance Program has been proactive in actively responding to illegal dumping in the public rights-of-way, and is working with the community to reduce illegal dumping, acknowledging the link between dumping and the amount of trash on City streets, and trash entering local waterways.

The Traffic Program is responsible for a variety of measures that assist the City in meeting its sustainability goals. For example, all sign plates are recycled when in need of replacement to reduce waste. The Program utilizes thermoplastic stencils for pavement marking rather than paint. Thermoplastic markings are visible for the life of the asphalt it's applied to, and because the thermoplastic markings are formulated using 100% solids, no solvents are diffused into the air. The Program routinely applies recycled rubber speed humps rather than asphalt humps, which can be removed and re-used when streets are paved or their use is needed at another location.

The Street Sweeping Program has expanded the enforcement of posted no parking sign areas on street sweeping days to encourage drivers to relocate their vehicles so that the City can clean the streets. With active enforcement, high traffic areas

are able to be swept and cleaned, promoting a cleaner City and reducing the amount of items that would otherwise enter the storm water system.

Police Department - The Police Department has implemented sustainable practices in the following ways:

- Placed recycle containers adjacent to each garbage can inside their facilities
- Contract with a shredding service for sensitive documentation that recycles the shredded pulp
- Recycle excess property and evidence such as:
 - Metals (recycled)
 - Flammable and hazardous materials turned over to Alameda County (disposal)
 - Batteries (disposable and rechargeable)
 - Drugs (converted to energy)
 - Firearms (destroyed/scrap is recycled)
 - Toner cartridges (recycled)
 - Surplus/obsolete electronics (e-cycled)
 - Obsolete cell phones (recycled)
- Reuse excess office furnishings by making them available to other departments
- Facilities measures:
 - Installed energy efficient overhead lighting throughout the building
 - Implement motion detection throughout the building for lighting
 - HVAC temperatures comply with the City standards for energy efficiency
 - Use of tire charging station in the back parking lot to ensure optimal mileage
- Policy related:
 - Substituting electronic intranet distribution for documents when feasible
 - Migrating from paper to digital records including incident reports, online citizen reporting, audio and visual evidence and fingerprints (ongoing)
 - Officers write reports in the field using Mobile Data Computers (MDCs) in their patrol vehicles; increasing their availability to the community and reducing unnecessary driving.
 - Use recycled paper
- Employee Health:
 - Maintain a functional gym for employee use in PAB and built a new officially affiliated CrossFit gym facility
 - Biohazards are properly secured and stored.

Engineering & Transportation - The Engineering & Transportation Department continues to implement the various measures identified in the April 2014 EPPP Report.

The new Main Library and Heritage Plaza represents the most significant sustainability achievement since the last report, and represents exceptional feats in design that will put Hayward on the map for green building innovation. The design of the new Main Library building and Heritage Plaza is inherently green, and includes the following green building and sustainability achievements:

- Minimum building lifespan goal of seventy-five years
- Achieve LEED Gold Certification but striving for LEED Platinum
- Eliminate building use of fossil fuels
- Harvest and reuse 500,000 gallons of rainwater annually
- Model of civic stewardship to the Bay Area and the nation
- Reduce the Library's energy consumption by 50%
- 100% solar powered Library to achieve annual "Zero Net Energy"

The Transportation Division is currently conducting a study to determine the feasibility of launching a new shuttle service to provide neighborhoods such as the Cannery and the Industrial Parkway area with additional transit connections to Downtown Hayward, the Hayward BART station and the South Hayward BART station. The shuttle service would allow residents in those regions to use more a sustainable public transportation option. Recommendations based on the survey will

go to Council in January 2016. Furthermore, an Intersection Improvement study is currently underway with the goal of reducing carbon emissions at intersections at selected locations.

Utilities & Environmental Services - The Department strives to implement environmentally sustainable practices to promote a reduction in waste, recycling, efficient use of energy, and protection of local waterways, open space and air quality. The Utilities and Environmental Services Department is comprised of employees dedicated to environmental services throughout the City and to the overall health and welfare of the Bay Area region, its population and ecosystem.

As called for in Administrative Rule 3.9, Section V, staff created a Green Team, consisting of employees from all City departments, to create guidelines and provide direction in carrying out the policy and to drive the City's internal sustainability initiatives.

Hayward was one of four cities in California to be honored with the Beacon Award during the League of Cities Conference in San Jose on October 1, 2015. The Beacon Award is a program of the Institute for Local Government to recognize local jurisdictions for their efforts to reduce greenhouse gas emissions, save energy, and adopt policies and programs that promote sustainability. More information about the program can be found at <http://www.ca-ilg.org/beacon-award-program>.

Hayward was honored with a Silver-Level Beacon Award, which recognizes the City's holistic approach to addressing climate change. Silver, gold and platinum award levels require 5%, 10% or 20% energy savings and greenhouse gas reductions respectively.

In addition to the Beacon Award, Hayward received five Spotlight awards for the following achievements:

- Agency GHG Reductions: Platinum Level (43% reduction)
- Community GHG Reductions: Platinum Level (21.3% reduction)
- Agency Energy Savings: Platinum Level (25% savings)
- Natural Gas Savings: Silver Level (7.6% savings)
- Sustainability Best Practices: Gold

Water Pollution Control Facility - Hayward was honored with the US EPA's Green Power Leadership Award for renewable energy generation at the Water Pollution Control Facility. Council Member Mendall received the national award on behalf of the City on October 19th at the 2015 Renewable Energy Markets Conference in Arlington, Virginia. Hayward's Water Pollution Control Facility was among the three organizations nationwide to receive a Leadership Award for on-site green power generation. The award recognizes US EPA Green Power Partners who distinguish themselves using on-site renewable energy applications, such as solar photovoltaic (PV) or landfill gas. The WPCF is currently generating nearly 11 million kilowatt-hours (kWh) of green power annually from solar and biogas energy systems, which is enough green power to meet more than 100 percent of the facility's electricity use. Excess energy, along with all of the solar energy (approximately 2.3 million kWh annually), is being routed to other City facilities.

Water Pollution Source Control - The Water Pollution Source Control (WPSC) program is responsible for the protection of the City's sewer collection system and Water Pollution Control Facility (WPCF) by regulating the wastewater discharges that enter the City's sewer system. WPSC also manages and actively enforces the City's stormwater pollution prevention program, to minimize pollutants to the San Francisco Bay and the Pacific Ocean from the City's storm drain system. In addition to managing two mandatory federal programs to protect the waters of the state from pollution, its employees consciously conduct sustainable practices on a daily basis to reduce waste and conserve energy. WPSC prints all documents using the double-sided feature on the printer when possible and uses 100% recycled-content paper. Furthermore, all recyclable waste is separated into proper recycling bins located throughout the WPSC offices at 24499 Soto Road, and energy is conserved by turning off lights, utilizing City-owned hybrid vehicles, carpooling, and reducing driving when possible.

Utilities Operations and Maintenance Division - The Operations and Maintenance Division is constantly working to improve efficiency and reduce energy use, including:

- All existing lighting systems that are upgraded or replaced are using LED lighting.
- Old inefficient pumps have been replaced with new high efficiency pumps. Recent examples include the Centex lift

station (Dobbel Avenue area), the Tennyson grade separation station and the Tennyson lift station now use pumps that use at least 25% less electricity and are more reliable.

- Remote monitoring equipment is being added to every facility/pump station/regulator station as improvements are made.
- Cleaner burning and more efficient heavy equipment are being used where possible.
- Diesel fuel in the large emergency standby generators is now filtered so that we no longer need to “use it up” before it goes bad. Each generator fuel tank can hold as much as 10,000 gallons of diesel fuel.
- Whenever possible, pumps are operated only during off-peak hours when there is more electricity available on the grid. This saves by not having to add more inefficient and dirty power plants to supply peak demand and it also saves money with lower rates and rebates that are as high as \$10,000 per year.
- The sewer collections group uses a new sewer cleaning Vactor® truck that is certified by the Air Resources Board and emits almost no harmful diesel particulate matter.

Solid Waste/Recycling - The Solid Waste Program works toward achieving the goal of improving the City’s diversion rate from landfills through comprehensive recycling and organics collections programs. The City’s 2014 diversion rate is 76%, a significant increase from previously years and on track to meet the new 80% diversion target by 2020, which was established in the new Franchise Agreement. While staff works with businesses and residents to improve their diversion efforts, staff also has implemented several measures internally to improve the diversion at City facilities.

Staff has implemented new programs and policies designed to improve the diversion rate at City facilities and City events. In an effort to improve recycling rates at City Hall, staff ordered waste containers with all three waste streams (trash, recycling, and organics) together in one system to ensure ease of proper disposal. The three bin system will be implemented in all City facilities in the coming months.

Furthermore, staff is encouraging all City staff to make all meetings and events “zero waste” events. The Green Team compiled a list of requirements and tips that apply to all City-sponsored meetings or events that take place in or at any City facility. These requirements are supported by City policies, resolutions and ordinances, and include provisions to minimize waste, and minimize the environmental impact of City-sponsored events and meetings.

Water Conservation - Hayward implements an aggressive and effective water conservation program, in accordance with statewide mandatory water reduction targets designed to ease the extensive emergency drought conditions in California. The City’s efforts consist of mandatory requirements, voluntary programs, education and outreach and water-use reduction strategies at City facilities. Hayward’s current per-capita water use is among the lowest in the Bay Area; as such, Hayward was tasked by Governor Brown issued Executive Order B-29-15 to reach a reduction target of 8% from 2013 levels, the lowest reduction tier enacted on California municipalities. In addition to assisting external customers with water conservation, the City has focused significant resources towards water use efficiency at City-owned properties, notably in landscape irrigation and water system management.

The City continues to incorporate Bay-Friendly principles, including water use efficiency, into landscape rehabilitation projects at several City-owned sites. These gardens serve as demonstrations of attractive, water conserving landscapes, and help the City reduce its water costs. Examples of recently completed and planned projects include:

- *Route 238 Corridor Improvement Project* - A five-mile long capital improvement project included the biggest Bay-Friendly Rated Landscape to date, saving 2.1 million gallons annually and avoiding 362 tons of CO2 emissions.
- *The Utilities Center Lawn Conversion* - Bay-Friendly landscaping was installed in October 2015 to replace the two lawns outside of the facility.
- *Winton Avenue Median Landscape Improvement* - The median renovation included planting Bay-Friendly Rated Landscape and was completed in April 2015.

NEXT STEPS

Staff will also continue to facilitate necessary training or education to help further implement the policy and review the policy language on a biannual basis.

File #: RPT 15-056

Prepared by: Jennifer Yee, Sustainability Technician

Recommended by: Alex Ameri, Director of Utilities & Environmental Services

Approved by:

A handwritten signature in black ink, appearing to read 'Fran David', is positioned below the 'Approved by:' text.

Fran David, City Manager

Attachments:

Attachment I

Administrative Rule 3.9



CITY OF HAYWARD

ADMINISTRATIVE RULE

A.R. NUMBER
3.9

SUBJECT: ENVIRONMENTALLY PREFERRED PURCHASING POLICY

- I. Purpose: The purpose of this policy is to set a standard of environmentally preferable procurement and demonstrate the City's commitment to environmental, economic, and social stewardship. The City has a unique opportunity to expand its leadership in the area of environmentally preferable purchasing and, through its actions, elicit changes in the marketplace. By further incorporating environmental considerations into public purchasing, the City will positively impact human health and the environment, remove unnecessary hazards from its operations, reduce costs and liabilities, fulfill its commitments under the climate action plan, and improve the environmental quality of the region. This policy will guide the City's effort in procuring environmentally preferable products and services.
- II. Application: This policy shall apply to all City of Hayward departments and divisions.
- III. Responsibility: It is the responsibility of department heads and management staff to implement this policy and to make employees aware of its provisions. It is the responsibility of all employees to follow the guidelines established in this policy in regard to the purchasing of goods and services.
- IV. Policy: The City recognizes that its purchases of goods and services can contribute significantly to the success of its sustainability policies and goals. Therefore, the City shall incorporate environmental, economic, and social stewardship criteria into its purchases of products and services.

This policy will align the City's purchases and Purchasing Department policies and procedures with the City's climate action plan and programs to:

- Protect and conserve natural resources;
- Minimize the City's contributions to global warming, solid waste, local and global pollution, and toxic chemical exposures to people and the environment;
- Promote human health and well-being; and
- Institute practices that reduce waste by increasing product efficiency and effectiveness.

This policy shall not require the City to exclude competition, or to purchase products or services that do not perform adequately or are not available at a reasonable price in a reasonable period of time.

Evaluation prices for goods and services shall factor in life-cycle costs, total product cost over the lifetime of the product (use, maintenance, and disposal), risk management, regulatory requirements, and penalties for non-compliance.

It is the policy of the City of Hayward to:

- a. Purchase products which contain, whenever practicable, the highest percentage of post-consumer recovered material, the highest percentage of total recovered material available in the marketplace, and reduce waste in the manufacture and use of products and packaging;
- b. Ensure that specifications and performance standards for goods and services do not require the use of virgin materials nor specifically exclude the use of environmentally preferable products;
- c. Procure environmentally preferable products and services where environmental criteria have been established by governmental or other widely authorized authorities; and
- d. Integrate environmental factors into the City's buying decisions, when practicable, where external authorities have not established criteria. Examples include but are not limited to:
 - Purchasing non-emergency fleet vehicles that provide, whenever practicable, the best available net reduction in vehicle fleet emissions;
 - Replacing disposables with re-usable, recyclable, or compostable goods;
 - Providing locally produced, manufactured or grown supplies;
 - Considering life cycle economics;
 - Considering impacts and threats of harm to human health or the environment; and
 - Evaluating, as appropriate, the environmental performance of vendors in providing products and services.

V. Procedure: To achieve these goals:

- a. The City Manager or his/her designee shall appoint a standing committee consisting of mid-level management representatives. Members of the standing committee are intended to represent the various aspects of this program, including but not limited to: businesses, utilities conservation related programs, climate action plan, green procurement, and other related environmental programs.

The standing committee is charged with the following responsibilities:

1. Create guidelines that will provide sufficient direction and clarity to carry out this policy in an efficient and accountable manner at the product level. The guidelines may address, but are not limited to:
 - a. Source reduction
 - b. Recycled content products
 - c. Organics recycling
 - d. Energy and water savings
 - e. Green building (LEED)
 - f. Landscape

- g. Toxics and pollution
 - h. Forest conservation
 - i. Producer responsibility
2. The City Manager and his/her designee will assure that an annual written report is submitted for review to the City Council Sustainability Committee and submitted for approval to the Hayward City Council. This annual report shall identify the practices that minimized environmental impacts, toxics, pollution, waste and hazards to workers to workers and community.
 3. Facilitate necessary training or education for City staff to help further implement policy.
 4. Recommend and submit any updates or changes to the aforementioned guidelines and / or policy every two years or as needed to ensure they align with City priorities and requirements.

The Standing Committee will collaborate and coordinate efforts before, during, and after any new environmental purchasing policy implementation to ensure mutual program needs are met and confer and resolve problems jointly.

VI. Definitions:

City of Hayward – means the City of Hayward’s elected and appointed officials and staff.

Compostable – biodegradable during composting to yield carbon dioxide, water, and inorganic compounds and biomass, at a rate consistent with other known compostable materials and leaves no visually distinguishable or toxic residues.

Environmentally Preferable Products – refers to products and services that have a lesser or reduced negative effect on human health and the environment when compared with competing products that serve the same purpose. This comparison analysis may include raw materials acquisition, production, manufacturing, packaging, distribution, reuse, operation, maintenance, disposal of products, or service delivery.

Specifically, factors that should be considered when determining that a product or service has environmentally preferable attributes include, but are not limited to:

- Minimization of virgin material used in the product or service life cycle
- Maximization of recycled materials used in the product or service life cycle
- Life cycle economics of products and services
- Reuse of existing products or materials in product or service life cycle
- Recyclability, biodegradability and compostability of product
- Minimization of packaging

Reduction of energy and fuel consumption
Reduction of water consumption
Toxicity reduction or elimination
Durability and maintenance requirements
Ultimate disposal of the product
Environmental costs or impact of bringing product to market or point of sale

LEED (Leadership in Energy and Environmental Design) – means the Green Building Rating System developed and administered by the United States Green Building Council and adopted by Council and the Agency in the Green Building Policy.

Life Cycle Economics – means the comprehensive accounting of the total cost of ownership, including initial costs, energy and operational costs, longevity and efficacy of service and disposal costs.

Postconsumer Material – means a finished material which would normally be disposed of as a solid waste, having reached its intended end-use and completed its life cycle as a consumer item, and does not include manufacturing or converting wastes.

Practicable – means sufficient in performance and available at a reasonable price.

Producer Responsibility – means an environmental strategy in which producers assume financial and/or physical responsibility for the management of post-consumer products so that those who produce and use those products bear the costs of recycling and proper disposal.

Council Sustainability Committee – established by the City Council on September 25, 2007 to focus on alternative energy generation and conservation, including commercial and residential types of energy sources and uses; green building policies for new developments; programs to generally improve green building renovation throughout the City; and productive steps to reduce global warming on the local level. Committee includes two Council Members, the Mayor, three Planning Commissioners and a member of the “Keep Hayward Clean and Green” Task Force.



Frances David, City Manager

10/25/11

Date

Department Responsible for Revisions: Finance Department 10/6/11

Issued: March 18, 2010
Revised: October 10, 2011



CITY OF HAYWARD

Hayward City Hall
777 B Street
Hayward, CA 94541
www.Hayward-CA.gov

Staff Report

File #: RPT 15-059

DATE: December 10, 2015

TO: Council Sustainability Committee

FROM: Director of Utilities & Environmental Services

SUBJECT

Update on EPA Trash Reduction Grant

RECOMMENDATION

That the Committee reviews and comments on this report.

SUMMARY

This report will update the Committee on the project's first quarter accomplishments and outline activities planned through next spring.

BACKGROUND

EPA Region 9 awarded the City \$800,000 from the San Francisco Bay Water Quality Improvement Fund for the Youth-Based Trash Capture, Reduction, and Watershed Education Project (Project) proposal. The grant is to fund a four year, \$1.6 million project, including matching contributions of \$800,000 from the City and its partners as in-kind resources. The Project began in June this year and will end in spring of 2019. It is designed to reduce trash from entering the San Francisco Bay by partnering with local school groups to install large trash capture devices (large underground stormwater filters) in the City's storm sewer system, characterize and quantify trash collected from each device, assess trash sources, and implement trash reduction initiatives based on trash collected.

The City is partnering with the Hayward Unified School District, local private schools, and the City's Youth Commission, from which seventh through twelfth grade students will have an opportunity to assist the City's stormwater pollution prevention program with trash capture design, trash collection and assessment. Additional partners include California State University East Bay, East Bay Regional Park District, Hayward Promise Neighborhood, Chabot College, Keep Hayward Clean & Green Task Force, Alameda County-Wide Clean Water Program, and the Eden Area YMCA. Subsequent trash reduction activities will include researching the sources of trash and designing anti-littering campaigns amongst their student peers and beyond, and helping to develop anti-littering activities such as posters and worksheets. A watershed stewardship curriculum with a trash emphasis will be implemented for first

through sixth grade elementary students in partnership with the Hayward Area Recreation and Park District (HARD). In addition, an annual contest where students take photographs of trash, post them on social media, and responsibly dispose of the trash will also be organized during the spring, concurrent with Earth Day and individual students and schools will be selected as winners and will receive cash prizes. Staff will coordinate with the Keep Hayward Clean & Green Task Force to promote the contest during clean up events.

Implementation of this project will contribute toward the City's compliance with Regional Water Quality Control Board (RWQCB) requirements, support the City Council's adopted priorities of "Safe, Clean and Green", increase Hayward's sustainability as a community, protect the Bay Area waters including local creeks, beaches and San Francisco Bay, and educate students about trash-related pollution prevention. Staff provided a report to the Committee on this project on March 23, 2015 (<http://www.ci.hayward.ca.us/CITY-GOVERNMENT/COUNCIL-STANDING-COMMITTEES/COUNCIL-SUSTAINABILITY-COMMITTEE/2015/CSC-CCSC032315full.pdf>).

DISCUSSION

Water Pollution Source Control staff has completed the first quarter of the Project. Accomplishments during the first quarter (July-September, 2015) include:

- Researched and selected the locations of the first two trash capture devices;
- Completed a Request for Bid (RFQ) for the trash devices and submitted the document to the public;
- Procured a contractor for the manufacturing and installation of the trash capture devices;
- Submitted a stream alteration application to California Fish & Wildlife for approval (required because the project involves installing trash capture devices in a natural creek area);
- Submitted the trash capture location information to the RWQCB for approval;
- Completed the final curriculum units and lesson plans for the middle school and high school students;
- Completed the draft curriculum units and lesson plans for the elementary school students with HARD;
- Completed the first implementation of the middle school curriculum with Golden Oak Montessori School (including three classes with over 50 children; see Attachment I for pictures);
- Began the high school curriculum with Silver Oak Montessori School; and,
- Completed the first quarter report and submitted to the EPA for review

The Project schedule has been on time except for a delay with the trash capture device installation due to the need to discuss the locations of the devices with the RWQCB and the State Fish & Wildlife Department. The original schedule called for installation of the first round of trash capture devices in October 2015. The selected locations were identified as open creek channels, which require review by the above-mentioned agencies. Once the appropriate agencies approve the installation, the trash capture devices will be installed (scheduled in 2015). The two locations identified for trash capture devices are two creek sites near Skywest Drive near the Home Depot parking lot and Target parking lot (see Attachment II). At each location a trash screen will be installed over the storm drain pipe to block trash from flowing through the airport property and into the San Francisco Bay. These two sites will treat a total of approximately 1000 acres, essentially the entire Sulphur Creek watershed that drains through Hayward.

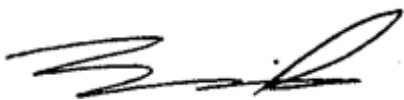
NEXT STEPS

Staff will be managing the installation of the trash capture devices at the Skywest Drive locations, by December 31, 2015. Staff will continue to coordinate with the Project partners (HUSD, private schools, the park districts, the Keep Hayward Clean and Green Task Force, YMCA, Youth Commission, and local colleges) to organize and implement the school curriculum. The elementary curriculum is scheduled to begin during December 2015. The middle school and high school curriculum will continue through December 2015 and then break until the spring of 2016.

Prepared by: Elisa Wilfong, Water Pollution Control Administrator

Recommended by: Alex Ameri, Director of Utilities and Environmental Services

Approved by:



Fran David, City Manager

Attachments:

Attachment I

Attachment II

Photographs of School Lessons

Trash Capture Device Location Map



Middle School students participating in a discussion about reducing trash in the watershed.



Middle School students examining collected trash from the street.



A close-up photograph of trash collected on the streets for the students to identify and analyze.



Middle School students simulating rain on a stormwater diorama while studying sources of watershed pollution.

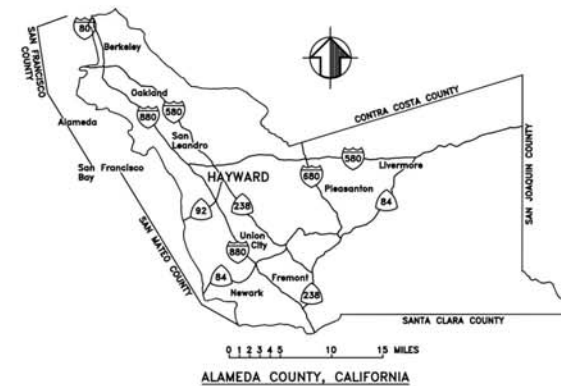


Middle School students learning from Elisa Wilfong, City's Water Pollution Control Administrator, how to assess trash generation on streets near to their school and community.

AT THE TIME THIS CONTRACT IS AWARDED, THE CONTRACTOR SHALL POSSESS
A CLASS "A" OR CLASS "C-42" LICENSE.



LOCATION MAP





CITY OF HAYWARD

Hayward City Hall
777 B Street
Hayward, CA 94541
www.Hayward-CA.gov

Staff Report

File #: RPT 15-055

DATE: December 10, 2015

TO: Council Sustainability Committee

FROM: Director of Utilities & Environmental Services

SUBJECT

Briefing on the 2015 California Youth Energy Services Program

RECOMMENDATION

That the Committee reviews and comments on this report.

SUMMARY

California Youth Energy Services (CYES) is a program that trains and employs young adults to provide energy and water conservation assessments and installations for local residents in their community, at no cost to the customer. The City of Hayward hosted CYES this past summer and this report provides an overview of the program structure and highlights the energy and water savings achieved as a result of the program.

BACKGROUND

Rising Sun Energy Center (Rising Sun) is a Bay Area nonprofit workforce development organization established in 1994. Through the East Bay Energy Watch Local Government Partnership with PG&E, Rising Sun has operated the CYES program, which trains and employs young adults to provide energy and water conservation assessments and installations to local residents at no cost to the customer. This service, called a Green House Call, is offered to both homeowners and renters, and checks homes for efficiency, installs equipment, and provides personalized recommendations for further savings. The City of Hayward has hosted CYES in 2010, 2011, 2013, 2014 and most recently, in the summer of 2015.

Rising Sun operates the CYES program by setting up satellite offices in partner cities. The program commences with Rising Sun, along with the partner city, conducting a community marketing and outreach campaign in the spring to generate a list of interested residents that can be served by the summer program. Rising Sun also conducts a youth and manager recruitment campaign in the spring to hire local Youth Energy Specialists from the partner cities. Once staffed, the CYES program implementation begins with training, including a week-long youth training in late spring. Youth Energy Specialists then conduct Green House Calls for six weeks following training. These Green House Calls provide residents in single-family and multi-unit dwellings with free energy and water conservation assessments, equipment installation, and education.

A CYES Green House Call typically consists of:

- A walkthrough energy and water assessment of the home with the client
- Direct installation of free energy and water saving measures, including:
 - Efficient-flow faucet bath and kitchen aerators & showerheads
 - Screw-in compact fluorescent lamps (CFLs)
 - Retractable clotheslines in qualifying homes, or a power strip

- Fluorescent floor lamps, in exchange for halogen floor lamps
- Checking for adequate attic insulation, pipe insulation, and a water heater blanket
- Testing gallon per minute (GPM) flow rates on shower, kitchen, and bathroom water fixtures
- Assessment of toilets for leaks and flush volume
- Assessment of refrigerator and water heater temperature settings
- Energy and water conservation education, including personalized recommendations and information about the City's water conservation rebate programs.
- Customized report to the client documenting work completed and ways to further capture energy savings after the CYES appointment

DISCUSSION

Attachment I provides a summary of the accomplishments of the CYES program in 2015. The 2015 CYES program in Hayward provided employment and training to nine young Hayward residents varying in age from fifteen to twenty-two years old. CYES targets “hard-to-reach” populations and in 2015, they served 289 households, of which 68% were renters, 85% were low-moderate income households, and 80% of the households spoke a language other than English at home.

Youth Energy Specialists installed the following equipment in Hayward homes in 2015:

- 1,865 CFL light bulbs
- 280 LED light bulbs
- 73 LED night lights
- 28 CFL torchiere lamps
- 158 efficient-flow showerheads and aerators (provided by the City at no cost)
- 171 power strips (to reduce phantom power usage)
- 36 retractable clotheslines (to reduce usage of dryers)
- 34 feet of water heater pipe insulation

Annual water savings is estimated to be 2.6 million gallons. Youth Energy Specialists also conducted three solar assessments for single family dwellings. Furthermore, over 1,000 pounds of electronic waste were collection from local homes and recycled responsibly.

After each Green House Call, a pre-stamped comment card is left with the client to solicit feedback about the program. The average customer feedback rating of clients who responded was 3.85 out of a total of 4 points, which indicates a 96% satisfaction rating.

ECONOMIC IMPACT

CYES provides services to all community members, regardless of income, but the program is designed to serve “hard-to-reach” residents, including renters, low-moderate income households, and non-English speaking households. Youth Energy Specialists are also hired locally, providing professional training and employment opportunities to young adults in the community. While the energy and water savings tend to be the focus of the program highlights and accomplishments, the workforce development aspect is also an integral component of the program's success and the value it provides to the local community. Youth Energy Specialists also provide clients with a customized report with recommendations for further energy and water savings, which include behavioral changes that can also lower their monthly utility costs.

FISCAL IMPACT

CYES is part of the program offerings of the East Bay Energy Watch, which is a local government partnership with PG&E and cities in Alameda and Contra Costa Counties. PG&E provides partial funding for the CYES program and Rising Sun also utilizes other grant funding to cover some of the program costs as well. Rising Sun has reported that the average total cost of running of a CYES satellite office is approximately \$120,000 per year. This cost includes youth salaries, manager salaries, site set-up and breakdown, outreach and marketing, equipment and materials, transportation, planning, coordination, and all overhead costs. The cost to the partner cities is \$20,000, which the City paid from the Water Enterprise Fund. In addition to hard costs,

File #: RPT 15-055

there is also an in-kind contribution request of office space (which has been provided by the Hayward Unified School District for the past three years), water conservation devices (i.e. aerators, showerheads), and staff assistance with marketing and outreach.

NEXT STEPS

Utilities and Environmental Services staff has prepared a proposal to host CYES again in 2016 and will begin working with Rising Sun on a contract in the beginning of the calendar year. The cost and in-kind contributions will be the same as in 2015. Upon completion of the program, staff will report back to the Committee with the results and accomplishments of the program.

Prepared by: Jennifer Yee, Sustainability Technician

Recommended by: Alex Ameri, Director of Utilities & Environmental Services

Approved by:



Fran David, City Manager

Attachments:

Attachment I

CYES City of Hayward 2015 Report



BUILDING HEALTHY COMMUNITIES THROUGH CLIMATE SOLUTIONS AND GREEN CAREER PATHWAYS



risingsunenergycenter



@risingsunenergycenter



@RisingSunEC

CALIFORNIA YOUTH ENERGY SERVICES CITY OF HAYWARD 2015 REPORT

Each year, Rising Sun Energy Center, a 501(c)(3) nonprofit, partners with cities and PG&E Energy Watch Partnerships to deliver the California Youth Energy Services (CYES) program. CYES trains and employs local youth to perform energy efficiency and water conservation assessments and installations in local homes – at no cost to the customer. Since 2000 CYES has served **33,747** customers with these Green House Calls, and employed **1,355** young adults. To-date, the program has saved over **116.6 million** lifetime kWh, nearly **3.1 million** lifetime therms, and **95,242** metric tons of CO₂. In the summer of 2015, Rising Sun partnered with the City of Hayward to run a CYES program in that city for the fifth year. CYES employed **9** youth and served **289** Hayward residents.



CLIENT FEEDBACK

"I was exceptionally pleased with the professionalism and knowledge of the two Rising Sun Energy Specialists. They were very courteous and knowledgeable about energy efficiency."

"The reps that came to my house were the best. Friendly, warm, courteous, knowledgeable. I give them each 10 stars."



YOUTH TESTIMONIALS

"Rising Sun allowed me to gain knowledge and build on my teamwork and communication skills."

"My overall experience with CYES was fun. I'm doing something to better the environment and I'm doing something in my life to help others."

ENERGY AND WATER SAVINGS

In Hayward, youth Energy Specialists installed energy and water saving devices in local homes which led to the annual reduction of **50,681** kWh, **666** therms, and **2.6** million gallons of water. This improved efficiency prevents **38.5** metric tons of CO₂ from entering the atmosphere each year, which is equivalent to CO₂ greenhouse gas emissions from one of the following:



4,330

gallons of gasoline consumed



89

barrels of oil consumed



5

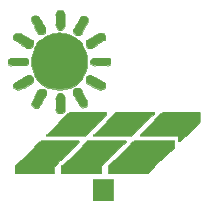
homes' electricity use for one year

HAYWARD COMMUNITY OUTREACH

CYES provides services to all community members regardless of income. However, it is designed to serve hard-to-reach residents, including renters, low-moderate income households, seniors, and non-native English speaking households, who often miss out on similar services.

In 2015, CYES staff successfully recruited customers and promoted the program in Hayward through a variety of outreach activities. Residents learned about the service through community events, media, presentations, canvassing, and referrals. Seasonal highlights included the Cherryland Easter Egg Hunt, Hayward Easter Bonnet Parade, Cinco de Mayo Festival, and Downtown Street Fair. The Hayward Senior Center and the Salvation Army Food Bank also proved helpful in reaching target populations. The Main Branch of the Hayward Library provided great outreach opportunities during months leading up to the summer.

ADDITIONAL SERVICES WE PROVIDED



3

Free solar assessments for home owners in single family dwellings

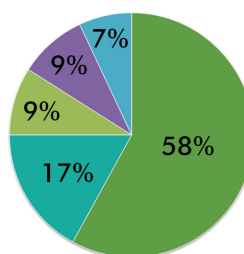


1,000+

Pounds of e-waste collected from homes and recycled responsibly

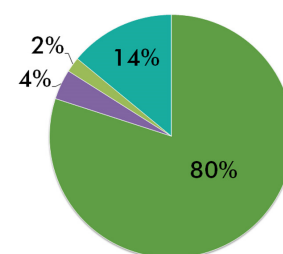
HOUSEHOLDS WE SERVED IN HAYWARD

ETHNICITY



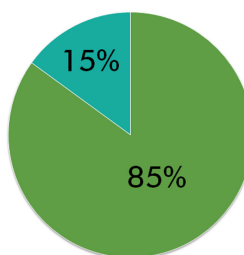
- Hispanic/Latino
- Caucasian
- Asian/Pacific Islander
- African/African American
- Other

LANGUAGES



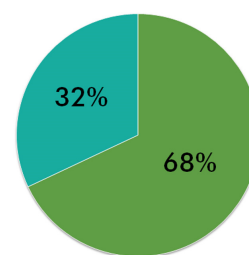
- Spanish
- Filipino/Tagalog
- Hindi
- Other

INCOME LEVELS



- Low—Moderate
- High

HOUSEHOLDS



- Rent
- Own

MATERIALS WE INSTALLED



1,865

Compact fluorescent light bulbs



280

LED light bulbs



73

LED night lights



28

CFL torchiere lamps



158

Efficient-flow showerheads & aerators



171

Powerstrips



36

Retractable clotheslines



34ft

Of water heater pipe insulation



CITY OF HAYWARD

Hayward City Hall
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www.Hayward-CA.gov

Staff Report

File #: RPT 15-060

DATE: December 10, 2015

TO: Council Sustainability Committee

FROM: Director of Utilities and Environmental Services

SUBJECT

Reusable Bag Ordinance - Potential Expansion

RECOMMENDATION

That the Committee reviews and comments on this report.

BACKGROUND

In January 2012, the Alameda County Waste Management Authority, also known as StopWaste, adopted a reusable bag ordinance. On February 28, 2012, the Hayward City Council opted into the County-wide ordinance that became effective on January 1, 2013. The ordinance applies to grocery stores, supermarkets, convenience stores, liquor stores, pharmacies, drug stores or other entities that sell milk, bread, soda AND snack foods (all four items) and/or alcohol. Under the ordinance, reusable bags or bags made of recycled content paper may be provided, but only if the store charges a minimum price of 10 cents per bag.

According to a September 11, 2014 report to the StopWaste Board, as of June 2014, all affected stores had been inspected and 84% were found compliant with ordinance requirements. The report also states that the Bay Area Stormwater Management Agencies Association (BASMAA) found a 44% decrease in plastic bags found in storm drains between 2011 and 2014.

DISCUSSION

As detailed in a July 16, 2015 report to the StopWaste Board, a possible expansion of the current reusable bag ordinance is under consideration. Three outreach meetings targeted to retailers were held in Pleasanton, Union City, and Oakland in October 2015 (see Attachment I). Results of the meetings will be presented to the StopWaste Board on December 16, 2015.

The expanded ordinance may apply to restaurants and all retail establishments including clothing and electronics stores. The current ordinance applies to approximately 7,000 stores in the County and the expanded ordinance could apply to up to 12,000 additional businesses.

StopWaste has provided the following schedule for the possible ordinance expansion:

Countywide stakeholder engagement	September- November 2015
Compile database of affected stores	August - December 2015
Develop ordinance parameters and options	January-February 2016
Present Draft Ordinance	April 2016
CEQA Analysis	May - July 2016
Possible Adoption of Ordinance	October 2016
Ordinance Effective	Earth Day, April 2017

In order for staff to take an informed position and make a recommendation to the Committee, additional information is needed, such as the feedback from StopWaste outreach meetings with the affected retailers, data on actual impact on the environment of the remaining plastic bags from these businesses, and how this ban can impact take out food from restaurants. Barring specific information to the contrary, staff is of the view that the challenges can be addressed and is, in general, supportive of the expansion.

State-Level Activities - In September 2014, Governor Brown signed SB 270 to ban the use of single-use plastic bags state-wide. The law would also prohibit new local ordinances; however, the Alameda County Reusable Bag Ordinance is not and will not be affected as SB 270. The law does not impact city or county ordinances adopted prior to September 1, 2014.

Soon after the signing of SB 270, the American Progressive Bag Alliance began collecting signatures to qualify a referendum for the November 2016 ballot. The current referendum to repeal the statewide plastic bag ban does not affect the Alameda County Reusable Bag Ordinance.

As described in Attachment II, plastic bag manufacturers recently filed another initiative related to the statewide bag ban. The "Environmental Fee Protection Act" would require grocers to charge at least ten cents for every paper or thicker plastic bag and would require grocers to deposit those fees into an account for environmental improvement projects. According to the American Progressive Bag Alliance, the Act is intended to redirect bag fees, currently retained by grocers to offset the cost of paper bags, to the California Wildlife Conservation Board, which will use the funds to provide environmental grants. According to the article in Attachment II, bag manufacturers are hoping that grocers will oppose this initiative, and by doing so confuse voters.

NEXT STEPS

Staff will closely follow StopWaste's activities and provide updates to the Committee.

Prepared by: Erik Pearson, Environmental Services Manager

Recommended by: Alex Ameri, Director of Utilities and Environmental Services

Approved by:



Fran David, City Manager

Attachments:

File #: RPT 15-060

Attachment I
Attachment II

StopWaste Flyer Regarding Potential Expansion
Article Regarding Statewide Bag Ban

Alameda County Retailers: Your Input Is Requested!



Reusable Bag Ordinance — Potential Expansion

Together, we have been reducing the number of single-use plastic and paper bags distributed at supermarkets, convenience, liquor and drug stores across Alameda County since 2013. Thank you!

Now under consideration is an expansion of this law to cover additional retail stores, potentially including all retail stores such as clothing and electronic stores as well as restaurants in Alameda County.

We will be hosting a series of meetings throughout the county to solicit your input on expansion ideas and the reusable bag requirements. All Alameda County retailers are welcome and invited to participate.

Pleasanton

October 19, 2015 • 4:00 - 5:30pm

Library Community Meeting Room
400 Old Bernal Avenue

Union City

October 27, 2015 • 8:30 - 10am

Council Chambers, City Hall
34009 Alvarado-Niles Rd

Oakland

October 29, 2015 • 8:30 - 10am

Hearing Room 1 at City Hall
1 Frank H. Ogawa Plaza



If you are unable to attend but would like to provide feedback, please take our 2-minute online survey:

QUICK ONLINE SURVEY

www.surveymonkey.com/r/ACWMABAGS



Next California plastic bag initiative is tricky strategy by out-of-state interests

www.insidebayarea.com/california/ci_29062412/california-plastic-bag-initiative-poison-pill



Christopher McCrary bags groceries at the Lucky supermarket in San Ramon, Calif., on Friday, Oct. 30, 2015. Plastic bag manufacturers, who are trying to repeal California's landmark plastic bag ban, have now filed another initiative on the same topic. This battle over plastic bags is becoming one of the state's most costly and high-profile recycling battles. (Dan Honda/Bay Area News Group) (Dan Honda)

SACRAMENTO -- Next year's election is still more than a year away, but the battle over California's landmark ban of single-use plastic bags is already shaping up to be the most costly, high-profile fight over litter and recycling the state has seen in three decades.

Out-of-state bag makers leading the campaign to repeal a 2014 law banning their product spent \$3 million on signature gathering alone -- and in a surprise move recently filed another initiative on the same topic, a highly unusual strategy that appears to be the political equivalent of a trick play in football.

A customer wheels out their groceries at the Lucky supermarket in San Ramon, Calif., on Friday, Oct. 30, 2015. Plastic bag manufacturers, who are trying to repeal California's landmark plastic bag ban, have now filed another initiative on the same topic. This battle over plastic bags is becoming one of the state's most costly and high-profile recycling battles. (Dan Honda/Bay Area News Group) (Dan Honda)



If voters validate the law next year, grocers will begin encouraging customers to use reusable bags by charging them at least 10 cents for every paper or thicker plastic bag they take at checkout. The new measure -- expected to easily qualify for the ballot because bag makers can afford to pay signature gatherers -- would force grocers to deposit those fees into an account for environmental improvement projects.

More money for drought mitigation, wetlands restoration and beach cleanup surely sounds appealing, but don't be fooled, initiative experts say. Bag makers are promoting the Environmental Fee Protection Act in this business-versus-business fight to make Californians' heads spin and perhaps entice grocers to spend money fighting the measure rather than opposing the referendum -- not to help the environment, experts say.

Advertisement

"Voters faced with too many choices get confused, and confused voters tend to vote no on everything," said John Matsusaka, executive director of the Initiative and Referendum Institute at the University of Southern California. "In this case, that's exactly what the proponents of the referendum want."

Grocers and environmental activists were on opposite sides of the epic fight in the 1980s to pass California's "bottle bill," which reduces litter and encourages recycling by requiring deposits on beverage containers. But they worked together last year to get Senate Bill 270 signed into law after a dozen failed attempts to pass similar legislation.

Frustrated by the patchwork of local bag bans that already cover a third of the state's population, grocers supported the legislation because it creates a uniform statewide policy on carryout bags. Environmentalists liked it because it promises to wipe out a noxious form of litter that kills marine life.

But plastic bag makers, who stand to lose as much as \$150 million annually in sales of their product to California retailers, refused to back down. They accused environmental advocates of exaggerating the harm done by plastic bags and called grocers greedy because they would pocket the 10-cent fees, even though the savings for grocers could be passed onto consumers.

The new law never took effect after the bag makers paid signature gatherers to put the issue on the ballot. Regardless of the outcome, the referendum has no impact on local ordinances.

Members of the American Progressive Bag Alliance -- a coalition of bag manufacturers led by South Carolina-based industry giant Hilex Poly -- declined to answer this newspaper's questions about the group's strategy or the impact the new initiative might have on the referendum campaign.

In a statement released last month, the group's executive director, Lee Califf, said the alliance is proud to

give Californians the chance to overturn a deeply flawed law that threatens jobs and provides "negligible environmental benefit." At the very least, the statement said, the group wants to ensure that the bag fees are dedicated to helping the environment.



Filing an initiative whose topic matches one that's already on the ballot is a classic strategy that is often used to create confusion. In recent years, voters have been asked to navigate competing income-tax measures (Propositions 30 and 38 in 2012) and competing redistricting measures (Propositions 20 and 27 in 2010).

What's so unusual about the bag makers' strategy is their commitment to support both the referendum campaign and a counter "poison pill" proposal that would take effect only if the referendum fails. Matsusaka said he's never seen anything like it before.

Environmental activists trying to protect the bag ban say they're dismayed.

"Bag makers are trying to goad retailers who support the bag ban into spending money against this initiative," said Mark Murray, executive director of Californians Against Waste. "I was shocked by the audacity of this cynical, political move."

The California Grocers Association insists that it backed SB270 to establish a uniform statewide bag policy, regardless of potential cost or revenue, said Dave Heylen, a spokesman for the group. And while the group hasn't yet taken a position on the initiative, the grocers remain supportive of the bag ban, he added.

Bag makers' insistence that the ban is a "cash grab" for grocers who supported the legislation because of the bag fees is a fallacy, said Murray, whose group also led the campaign for the bottle bill.

If the contested legislation takes effect, retailers that operate in cities not already covered by local bag bans will save \$150 million annually on the plastic grocery bags they no longer need to purchase and distribute to customers for free, U.S. Environmental Protection Agency data shows. The allure of those savings is a bigger draw than having the \$40 million grocers spend annually on paper bags covered in part by customer fees, Murray said.

Despite the likelihood that they'll be badly outspent by the American Progressive Bag Alliance -- likely by tens of millions of dollars -- environmental advocates are confident they'll prevail in the Battle of the Bags.

"Bag makers will spend big to try to buy this election, but in the end common sense will override this polluting industry's vast expenditures," said Kathryn Phillips, executive director of Sierra Club California. "The logic is simple. Californians aren't going to let an out-of-state interest harm their environment."



CITY OF HAYWARD

Hayward City Hall
777 B Street
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Staff Report

File #: RPT 15-058

DATE: December 10, 2015

TO: Council Sustainability Committee

FROM: Director of Utilities and Environmental Services

SUBJECT

Update on PAYS Implementation

RECOMMENDATION

That the Committee reviews and comments on this report.

BACKGROUND

On June 23, 2015, the City Council passed a resolution authorizing the funding of the Green Hayward PAYS® (Pay-As-You-Save) On-Bill Conservation and Efficiency Financing Program. The purpose of this report is to provide an update on the progress of the Program. For more background on PAYS®, please see the original staff reports to the Sustainability Committee and City Council. Links to those reports are provided in the Related Items section below.

DISCUSSION

Since July, staff has worked closely with the City's Certification Agent, Bevilacqua Knight, Inc. (BK_i), and the installer, Bottom Line Utility Solutions (BLUS), to complete the following tasks:

- Create marketing materials
- Conduct outreach to multifamily property owners
- Finalize the costing assumptions sheet so BLUS can provide quotes and saving estimates to property owners
- Set up the financing and billing systems
- Fingerprint all installers

Currently, BLUS is actively working with several property owners to finalize contracts. Staff will provide a current list of projects at the December 10 meeting.

Summary of Outreach Activities

Staff has worked with BK_i and BLUS to complete the following outreach to multifamily property owners:

- Letters to all property owners and managers
- Phone calls to one hundred of the oldest properties
- Additional calls and outreach to the top fifty highest water users
- On September 17, 2015, staff held a workshop for multifamily property owners at City Hall that

covered the PAYS® Program, PACE financing, and Energy Upgrade California's Bay Area Multifamily Building Enhancements (BAMBE) rebate program. Representatives from approximately fifteen properties attended.

NEXT STEPS

Staff anticipates that all property upgrades will be completed by the end of calendar year 2016. Staff will update the Committee on the progress of the PAYS® Program again at the June 2016 meeting.

Prepared by: Mary Thomas, Management Analyst

Recommended by: Alex Ameri, Director of Utilities and Environmental Services

Approved by:



Fran David, City Manager

Related Items:

- | | |
|-----------------|---|
| Related File I | June 23, 2015 Report to City Council:
http://www.hayward-ca.gov/CITY-GOVERNMENT/CITY-COUNCIL-MEETINGS/2015/CCA15PDF/cca062315full.pdf |
| Related File II | January 12, 2015 Report to Sustainability Committee:
http://www.hayward-ca.gov/CITY-GOVERNMENT/COUNCIL-STANDING-COMMITTEES/COUNCIL-SUSTAINABILITY-COMMITTEE/2015/CSC-CCSC011215full.pdf |



CITY OF HAYWARD

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Staff Report

File #: RPT 15-062

DATE: December 10, 2015

TO: Council Sustainability Committee

FROM: Director of Utilities and Environmental Services

SUBJECT
2016 Agenda Topics

RECOMMENDATION
That the Committee reviews and comments on this report.

DISCUSSION

The following list of future agenda topics was developed considering the policies and programs identified in the City's General Plan, other sustainability-related initiatives and the Committee members' previous directions. For the Committee's consideration, staff suggests the following agenda topics for the next four meetings.

Meeting Date	Agenda Topic	General Plan Policy/Program
March 17, 2016 (3 rd Thursday)	Renewable Energy Generation Potential on City Facilities	Policies NR-2.5 & 4.10 Program NR-14
	Municipal Regional Stormwater Permit	Policy NR-6.6 & 6.8
	Update on Community Choice Energy	Policy NR-4.8
	Reusable Bag Ordinance Expansion - Review of Draft Ordinance	Policy PFS-7.19
	WMAC Franchise Agreement - Annual Review	

Meeting Date	Agenda Topic	General Plan Policy/Program
June 23, 2016 (3 rd Thursday)	GHG Inventory & Sustainability Metrics	Policies NR-2.4 & 4.13 Program NR-7
	Bicycle Master Plan	Policy M-6.1
	Update on PAYS Program	Policy NR-4.14 Program NR-13
	Update on Water Supply, Outlook, Efficiency, and Conservation	Policies NR-6.9, PFS-3.2, PFS-3.14, PFS-3.15 Programs NR-4, PFS-2
	Outreach Campaigns - Results	Program NR-18
	Proposed Changes in Solar Net Energy Metering (NEM) Regulations	Policy NR-4.6

September 15 2016 (3 rd Thursday)	Waste Reduction Report - Annual Update on Diversion & Recycling Programs	Policy PFS-7.4
	Energy Performance and Disclosure (EPAD)	Programs NR-5 & NR-6
	Car Sharing	Policy M-8.6 Program M-17

December 15 2016 (3 rd Thursday)	Annual Update on Administ rative Rule 3.9 - Environ mentally Preferre d Purchasi ng Policy	Policy PFS-2.3
	Review Agenda Topics for 2017	

Depending on the desires of the Committee, staff has identified the following additional topics that could be presented to the Committee. Until dates for these items are determined, they may be indicated on future topics lists as “unscheduled items.”

- Downtown Parking Study
- Shuttle Study


NEXT STEPS

Upon direction from the Committee, staff will revise the above list and schedule items accordingly for the 2016 meetings.

Prepared by: Erik Pearson, Environmental Services Manager

Recommended by: Alex Ameri, Director of Utilities and Environmental Services

Approved by:



Fran David, City Manager

File #: RPT 15-062
