CITY COUNCIL MEETING

JANUARY 18, 2022

DOCUMENTS RECEIVED AFTER PUBLISHED AGENDA

MEMO FROM

DIRECTOR OF PUBLIC WORKS
AMERI

ITEM 13

AMENDMENT TO
CORRECT
DATE IN TITLE

CITY OF HAYWARD
HEART OF THE BAY

DATE: January 18, 2022

TO: Mayor and City Council

FROM: Director of Public Works

THROUGH: City Manager

SUBJECT: Adopt Two Resolutions: 1) Authorizing the City Manager to Continue Exclusive Negotiations with Waste Management of Alameda County for a New Solid Waste and Recycling Franchise Agreement until June 30, 2022; and 2) Authorizing the City Manager to Extend the Current Franchise Agreement with Waste Management of Alameda County by One Year to Expire March 1, 2023 (**CONS 22-021; Agenda Item # 13)**

RECOMMENDATION

That the Council accept an amendment to CONS 22-022, regarding the title of the report. The correct title of the report is:

Adopt Two Resolutions: 1) Authorizing the City Manager to Continue Exclusive Negotiations with Waste Management of Alameda County for a New Solid Waste and Recycling Franchise Agreement until June 30, 2022; and 2) Authorizing the City Manager to Extend the Current Franchise Agreement with Waste Management of Alameda County by One Year to Expire ~~March 1, 2023~~ February 28, 2023.

There are a few other occurrences in the report where "March 1" is mentioned as the expiration date. Each should have been stated as "February 28". The resolution for the one-year contract extension (Attachment II) correctly states that the 12-month extension will end on February 28, 2023.

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

Reviewed by: Alex Ameri, Director of Public Works

Approved by:

Kelly McAdoo, City Manager

QUESTIONS AND ANSWERS

AGENDA QUESTIONS & ANSWERS MEETING DATE: January 18, 2022	
Item #13 CONS 22-021 Adopt Two Resolutions: 1) Authorizing the City Manager to Continue Exclusive Negotiations with Waste Management of Alameda County for a New Solid Waste and Recycling Franchise Agreement until June 30, 2022; and 2) Authorizing the City Manager to Extend the Current Franchise Agreement with Waste Management of Alameda County by One Year to Expire March 1, 2023	
Regarding Item 13 Waste Management Contract: 1. I appreciate the language in the staff report "SB 1383 Cart and Bin Requirements...WMAC will also paint, replace, or change the lid color of existing bins to match the required color scheme." and hope this reduces the number of wasted carts? 2. Will Big Belly Cans need to comply with 1383 as well for color and organics collection? 3. Also, is there any progress with StopWaste and/or Waste Management regarding franchise agreement language regarding edible food collection and distribution?	1. The painting or changing lids are only planned for the bins/dumpsters, so unfortunately it won't help reduce the number of carts that need replacement. The current plan is to replace all trash and recycling carts. 2. No, Big Belly cans do not need to comply with SB1383; however, the panels/doors on the front face do comply with the black-for-trash and blue-for-recycling color scheme. 3. Edible food recovery has not been discussed as part of the franchise agreement negotiations with WMAC. StopWaste has been developing a list of organizations that handle food recovery. They have narrowed down the initial list of 210 food recovery organizations and services to 140 organizations primarily involved in providing food recovery. StopWaste's "RE:Source" tool (https://resource.stopwaste.org/) will be the location for the master list for businesses to locate food recovery partners. Many of the organizations listed started food recovery as a short-term activity in response to the pandemic. There were about 30 respondents to a capacity planning survey. StopWaste said they are working on a surplus edible food generation calculator to estimate the total amount of surplus edible food generated that may be available to donate by Tier 1 and Tier 2 generators. StopWaste will bring the results for both capacity planning activities to the February TAC meeting.
Item #15 CONS 22-022 Adopt a Resolution Approving Plans and Specifications and Calling for Bids for the Safe Routes for the Seniors Project	

Regarding Item 15 Safe Routes for Seniors project: For the crosswalks, is there discussion of using a similar color or design scheme for the crosswalk markings to designate this route specifically? Or, is there consideration of multicolored stripping on the Foothill/Hazel intersection (for example inclusive pride flag colors: red, orange, yellow, green, blue, purple, white, pink, light blue, brown, black)?	The plans propose continental crosswalks with high visibility thermoplastic. As part of this project, we will: restripe the crosswalks so that they are perpendicular to the roadway; reposition existing crosswalks as needed to accommodate new directional ADA ramps; and install stop bar in advance of crosswalks. High-visibility continental crosswalks are a better value over time as they are long-standing and require less maintenance. The purpose of the SR4S program is to design a walkable environment for the Seniors - continental crosswalks with high visibility thermoplastic were the better option for this project since adding designs and colors in crosswalks can be challenging to Seniors with certain types of disabilities. Seniors who live with visual impairments like depth perception or low vision can struggle to navigate these environments which require the crosswalks to be clear, consistent, and navigable. Adding designs and colors in crosswalks can be considered where it is appropriate.

PUBLIC COMMENTS

IGOR TREGUB

From: Igor Tregub
Sent: Tuesday, January 18, 2022 4:07 PM
To: List-Mayor-Council
Subject: CONS 22-048: SUPPORT
Attachments: NEM 3 PD Fact Sheet (1) (1).pdf

Dear Mayor Halliday and Members of the Hayward City Council,

On behalf of all of us at Save California Solar, I wish to thank you for including this item on your consent calendar tonight. Investor-owned utilities like PG&E are working overtime in an effort to try to thwart California's - as well as the City of Hayward's - progress in continuing to be a climate leader, by proposing to roughly double the cost of solar at a time when climate change-induced wildfires are rapidly becoming a fact of life in our state.

The California Public Utilities Commission (CPUC) released a proposed decision on the Net Energy Metering 3.0 proceeding last December which, per the attachment, unfortunately appears to be a near-carbon copy of what PG&E asked it to do. Therefore, we truly welcome this resolution from the City of Hayward and, if approved, will add it to the page which includes a growing list of supporters - nearly 700 at this point, from local jurisdictions, elected officials, organizations of every stripe, and the affordable housing, small business owner, education, and agricultural communities.

Thank you in advance for passing tonight's resolution. **And - if you haven't done so already - please consider signing onto our letter to the Governor and the CPUC in your personal capacity here.**

With gratitude,
Igor

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IGOR TREGUB | Senior Policy Advisor
California Solar & Storage Association
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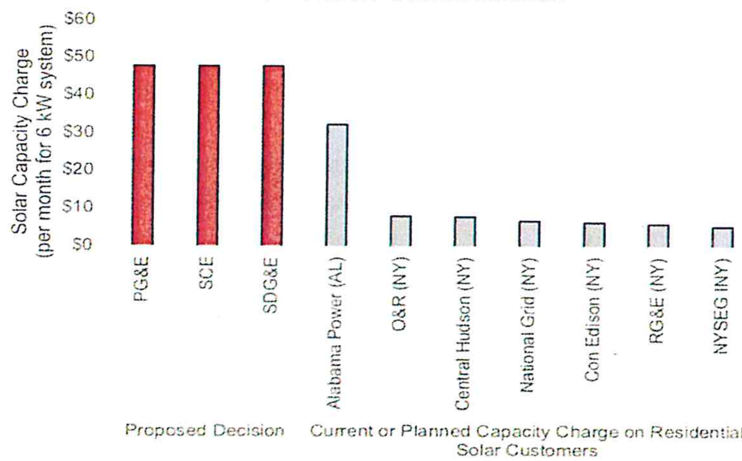
NEM-3 Proposed Decision Fact Sheet

On December 13, 2021, the California Public Utilities Commission (CPUC) issued a Proposed Decision on the future of Net Energy Metering (NEM). The "NEM-3" proposal tilts heavily toward the interests of the investor-owned utilities and would, if adopted, devastate California's world-renowned distributed solar and storage market, costing tens of thousands of jobs and the loss of hundreds of small businesses.

Places Large Fee on Consumers Who Invest in Renewable Energy, Including Batteries

- Penalizes solar homes by adding the highest solar-only fee in America of $57 a month for an average-sized (6 kW) solar system. That's an additional $684 per year going straight from consumers into the pockets of PG&E and the other investor-owned utilities.



- The fee would apply to new home construction as well as existing, threatening the state's new solar homes mandate, as well as energy storage.
- While some low-income consumers and non-residential consumers are exempt, many low- and moderate-income homeowners would not be exempt including seniors on fixed incomes.
- A "credit" for PGE and SCE customers is proposed but would only apply to consumers who go solar in the next four years and is a negligible $10/month for a period of ten years.

Immediately Reduces Value of Solar Energy 70-80%

- Reduces the value of solar energy sent back to the grid on hot summer days by 70-80 percent, from an average of 25 cents/kwh down to 5 cents. This applies to a wide variety of solar consumers including low-income homes as well as schools, apartments, churches, and businesses.
- Solar energy would become a bad financial investment for consumers. For example, a PG&E residential consumer would receive bill credit valued at ~$20 month but would pay $28/month in new fees (the math gets worse for consumers who go solar four years into the new program). It would take 16 years for the ~$23,000 (pre-Federal Investment Tax Credit) to pay for itself. A battery would add ~$15,000.

Hurts Equity Goals by Making Solar More Expensive Even for Low-Income Ratepayers

- The proposed decision includes a fund of not more than $150 million per year over four years to expand solar access to low-income households and disadvantaged communities. While the fund has the potential to do some good, it is treated as an afterthought with no details and, along with the other changes, make this a one step up, two steps back situation for clean energy equity.

- For renters, the proposed rules are a mixed bag, with more bad news than good. Low-income multifamily properties that participate in solar incentive programs (Solar on Multifamily Affordable Housing [SOMAH] and Multifamily Affordable Solar Housing [MASH] temporarily will keep the existing "virtual net metering" rules but changes could come within the next few years. Further, not all low-income affordable housing projects qualify for the SOMAH or MASH programs, leaving gaps in solar adoption around the state. Many multifamily apartment budlings will face very low export rates and new monthly fees. Because of how the rules work for these buildings, all solar energy is treated as exports, even if it's used by customers on the property. This would effectively shut down all solar development on apartment buildings that are not federally subsidized.
- There are no provisions for community-based or cooperative solar projects.
- The CPUC would evaluate "equity elements" after five years, a long time to wait for equity.

Hurts the Adoption of Energy Storage by Taxing Its Fuel Source, the Sun

- By wrecking the economics of solar, the CPUC would wreck the economics of energy storage as well. The solar fee applies to consumers who invest in solar and energy storage alike, effectively placing a tax on the fuel source of the battery. The proposed decision would make batteries more expensive, not less, and would likely lead to consumers who invest in non-exporting solar and storage systems that provide less value to the grid.
- The proposal floats the idea of a partial rebate payment for existing NEM-1 and NEM-2 solar projects to add batteries if the customer switches to the new tariff, but the rebate offered would not outweigh the reduced savings under the new tariff so would be unlikely to bring about more energy storage.

Retroactive Change to Grandfathering, Hurts Schools, Churches, and more

- The changes would retroactively apply to existing customers after 15 years, even though the CPUC previously voted to grant these 1.3 million schools, churches, and homes 20 years of grandfathering. Within one year of the proposed decision going into effect, over 35,000 people will start paying their utility an additional $684 dollars per year simply because they have solar on their roof. These early adopters invested their own money back when solar cost $12/watt (compared to $4/watt today).

The proposed decision is bad for the economy and will hurt solar workers.

- California's local solar industry supports 50,000 well-paying, safe, clean energy jobs supported by over 1500 small businesses. If the proposed decision is enacted as it stands and the development of the rooftop solar market slows, many of those jobs and businesses will be threatened.
- In other markets where net metering has been similarly changed, there have been substantial market impacts. Nevada's January 2016 cut to net metering was followed by a 47% reduction in residential solar installations and mass job and business losses. When the Imperial Irrigation District abandoned net metering in July 2016, residential solar installations declined 88% in two years. Other examples can be found in this Environment California report, "Rooftop Solar at Risk."