

CITY COUNCIL SUSTAINABILITY COMMITTEE MEETING  
Remote Participation – Digital Meeting  
July 13, 2020  
4:00 p.m. – 5:48 p.m.  
**MEETING MINUTES**

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

**ROLL CALL:**

**Members:**

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

**Staff:**

- Alex Ameri, Director of Public Works
- Angel Groves, Administrative Secretary
- Cheryl Munoz, Water Resource Manager
- Elli Lo, Management Analyst
- Erik Pearson, Environmental Services Manager
- Irene Perez, Senior Secretary
- Kait Byrne, Management Analyst
- Linda Ko, Senior Secretary
- Maria Hurtado, Assistant City Manager
- Paul Nguyen, Economic Development Manager

**PUBLIC COMMENTS**

No public comments on items not on the agenda had been received prior to the meeting.

**1. Approval of Minutes of the Council Sustainability Committee (CSC) Meeting held on March 9, 2020**

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

**2. Discuss Possible Amendments to the City's Noise Ordinance and Provide Direction to Staff**

Erik Pearson, Environmental Services Manager, provided a summary of the state's efforts to regulate emissions of small off-road engines (SORE), a survey of requirements in other cities, and staff's recommendations for Hayward's Noise Ordinance. He asked the Council Sustainability Committee to provide direction to staff on possible amendments to the City's Noise Ordinance regarding the use of leaf blowers.

A written public comment from Joanna Callenbach, Vice-President of Construction and Development, Stonebrae, proposing a revision to the recommended ordinance in regard to existing commercial golf courses was presented to the Committee.

Council Member Márquez expressed her support for pursuing the proposed amendments and inquired about any measures that could incentivize small landscapers and large businesses to transition from gasoline-operated equipment to electric. Alex Ameri, Director of Public Works, commented that the next steps would be to work with the State and the County to phase out gasoline-powered equipment over time. Council Member Márquez stated that she was comfortable with modifying Section 4-1.03.1 as presented by staff and thanked staff for reaching out to the community for input through a survey.

Council Member Zermeño inquired about the written public comment from Stonebrae. Director Ameri stated that staff would investigate the matter to address specific concerns. Council Member Zermeño stated that he was okay with all recommendations by staff and thanked staff.

Council Member Mendall recommended setting a date to allow the gradual transition of all gas-powered leaf blowers to electric-powered leaf blowers. He also suggested working with EBCE to help incentivize the transition, possibly through a rebate program. Council Member Mendall agreed with staff's recommendations and suggested extending the work hours to 7 p.m. or 8 p.m. into the evening. Council Member Mendall recommended phasing out gas-powered leaf blowers for residential properties first. He suggested January 2022 or January 2024 for residential properties.

Council Member Márquez asked staff to outreach Mission Hill Golf Course, another golf course that is adjacent to a neighborhood, for language consideration on ordinance amendments.

### **3. Review the Health and Climate Resilience Tax Credit Ballot Measure (Natural Gas Tax) and Direct Staff to Not Pursue the Measure in November 2020 Election**

Erik Pearson, Environmental Services Manager, presented a review of the Health and Climate Resilience Tax Credit Ballot Measure (Natural Gas Tax) and sought the Committee's comments on staff's recommendation to not pursue the ballot measure for the November 2020 election. The measure would decrease the Utility Users Tax (UUT) by 1% for residential natural gas and it would increase by up to 5% the UUT for natural gas for large commercial customers.

Written public comments from Phil Lucas, Director of Dow Site Manufacturing, and Joseph Compani, owner of Compani Color, two of the city's manufacturing businesses, in opposition to pursuing the measure were presented to the Committee.

Council Member Zermeño agreed with staff's recommendation to not pursue the measure. Council Member Márquez also agreed that now was not the right time to move forward with the measure and thanked staff for the work.

Council Member Mendall agreed with staff's recommendation and suggested a possible measure in the future that targeted only very large polluters. He recommended rescheduling the item for a future meeting.

### **4. Review and Comment on a Potential Rate Increase for Electricity from East Bay Community Energy and Provide Direction to Staff**

Erik Pearson, Environmental Services Manager, presented the item and noted that Brilliant 100 may be phased out by the end of calendar year 2021. Erik provided options and the impacts of each for Council to consider, including changing Hayward's default electricity product effective January 1, 2021.

Council Member Mendall presented the idea of retiring Brilliant 100 but creating a fourth product option that the City of Hayward and other cities could select as a default product. He stated that if the City of Hayward were to make such a change, EBCE would be committed to notifying customers. He also stated that switching to Bright Choice as the default product would negatively affect Hayward's Climate Action Plan goals for lowering carbon emissions.

Council Member Márquez stated that she would like the City to lead in using renewables and select Renewable 100 for municipal facilities. She also stated her concerns about increasing rates considering the current COVID-19 situation and the increasing unemployment rates.

Council Member Mendall suggested that EBCE could accept an allocation of nuclear energy for Brilliant 100 and doing so could allow the Brilliant 100 rate to remain unchanged. Council Member Zermeño stated that he was in favor of looking into partial nuclear power energy as well as Council Member Mendall's suggestion of a new fourth product option.

Committee members commented that PG&E's Power Charge Indifference Adjustment is the primary reason for EBCE's financial challenges. Council Member Mendall thanked staff for providing the information and the opportunity to discuss the issue. He also stated that this was a difficult decision and that they would incorporate input from the rest of the Council in the upcoming meeting.

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

Council Member Mendall proposed adding to the September meeting agenda the item regarding potential rate increase for electricity from EBCE and the item in regard to limiting the number of service stations selling fossil fuel. Council Member Zermeño asked about an update on tree planting and Director Ameri noted it is on staff's work plan. Council Member Mendall suggested an annual report on implementation of the tree planting project in the Strategic Roadmap.

### COMMITTEE MEMBER/STAFF ANNOUNCEMENTS AND REFERRALS:

No announcements or referrals were made.

### ADJOURNMENT: 5:48 p.m.

Attendance	MEETINGS			
	Present 07/13/20 Meeting	Present to Date This Fiscal Year	Excused to Date This Fiscal Year	Absent to Date This Fiscal Year
Elisa Márquez	✓	1	0	0
Al Mendall	✓	1	0	0
Francisco Zermeño	✓	1	0	0