

CITY OF CUPERTINO SUSTAINABILITY COMMISSION

Environmental Education Center, 22221 McClellan Road

Thursday, September 19, 2019 4:00 p.m.

MINUTES

PLEDGE OF ALLEGIANCE

At 4:02 p.m. Chair Weber called the meeting to order and led the Pledge of Allegiance.

ROLL CALL

Commissioners Present: Anna Weber, Gary Latshaw, Vignesh Swaminathan, Meera Ramanathan (arrived @ 4:05 p.m.). Absent: Angela Chen.

Staff: André Duurvoort, Sustainability Manager; Alex Wycoff, Environmental Programs Specialist; Gilee Corral, Sustainability Program Coordinator

Guests: Cheri Donnelly

1. APPROVAL OF MINUTES

Draft minutes of August 29, 2019 meeting were reviewed. Commissioner Swaminathan moved and Vice-Chair Latshaw seconded to approve the minutes. The motion carried unanimously with Commissioner Chen absent.

POSTPONEMENTS - None.

ORAL COMMUNICATIONS - None.

WRITTEN COMMUNICATIONS - None.

Chair Weber moved and Commissioner Swaminathan seconded to reorder the agenda items as follows: Item #5 then agenda resumption at Item #2. The motion carried unanimously with Commissioner Chen absent.

NEW BUSINESS

5. Subject: Presentation from Public Works staff on Recology's recycling processing cost increase

Alex Wycoff gave a brief overview of China's National Sword policy and explained how the policy is affecting our franchise agreement with Recology. China has established a limit of 5% contamination for recyclables, which affects paper the most because of moisture. Recology is seeing reduced revenue depending on the level of contamination, and if the contamination exceeds 20%, Recology must pay to have the waste processed. Recology is requesting renegotiation on the franchise agreement to address increased costs in excess of \$400,000. Staff is reviewing Recology's records to ensure the totals reflect increased costs rather than reduced revenue; staff expects to have the final figures in November.

The Commission asked questions and discussed the issues with staff:

- Staff and Commissioners discussed Zero Waste as a best practices strategy to combat these international risks.
- "Empty, clean, and dry" is the message for recycling to prevent contamination.

- Cheri Donnelly noted that the City is exploring other possibilities as part of this larger discussion on waste, including dual stream and reviewing the Sunnyvale Smart Station as an option.
- The Commissioners briefly discussed organics and potential of switching to a split bin system.
- Commission agreed to integrate this issue into the Commissioners's talking points for the Zero Waste event on Monday.

OLD BUSINESS

2. Staff update on reach building codes adoption process, continue discussion on electrification reach codes and CALGreen Tier 1 and 2 options, and provide any feedback to staff

André Duurvoort gave an update on the reach code process and answered questions from Commissioners. Locally, cities are adopting more aggressive reach codes (i.e. Menlo Park and San José), but limiting the scope to newly constructed buildings. The Commissioners discussed this topic and related concerns and issues:

- New vs renovation: Commissioner Swaminathan noted that with tear down / rebuilds, people may be incentivized to leave a section of the house standing to avoid triggering the reach code. Staff will clarify if the reach code would apply to major remodels and at what point the remodel becomes a new construction.
- Gas ban vs mixed fuel reach code: Vice-Chair Latshaw asked for clarification between an outright ban on natural gas and the term "all-electric reach code." Duurvoort explained that the difference is that the reach code is utilizing the building code, whereas a Berkeley-style ban is using a different process. Cupertino is unlikely to achieve cost effectiveness in our climate zone with an all-electric reach code.
- Electric vehicle infrastructure: brief discussion on whether "EV capable" would be enough to incentivize multifamily residents to purchase electric vehicles or if equipment should be installed as a requirement; issues with cost effectiveness for high rise multi-family.
- Topics raised from Planning Commission meeting: ADUs, productive roofs, CALGreen Tier 2, off grid considerations, restaurants / electric cooking, gas ban, Level 3 charging.
- Upcoming meetings: Oct. 9-11 "Getting to Zero" forum in Oakland, Home Electrification Expo – Oct. 10 in Palo Alto, Oct. 12 in San José.
- Oct. 16th public meeting: staff intends to have the draft ordinance ready for review by the Reach Code Subcommittee prior to this public meeting. Duurvoort reviewed the timeline and approval process for the reach code. Commissioner Swaminathan will reach out to developers to come to this Oct. 16 meeting and encourage industry representatives to contact Duurvoort for 1-1 meetings as well.
- Other issues and clarifications: rural residents could still purchase propane tanks under the new code; discussed alignment with our neighboring cities, understanding that developers will likely default to the most stringent codes in our area.

Commissioner Swaminathan raised a concern of the reach codes increasing the cost of housing and adversely contributing to the Bay Area housing shortage and cost of single-family home construction. He noted that increased costs to developers are pricing out higher rise multifamily construction. He expressed that although he wants the environmental benefits of a reach code, he is concerned that stricter regulations will negatively affect the ability of young people to live in Cupertino. The Commission expressed general sympathy for Swaminathan's point and discussed the complexities of this issue and trade-offs:

- How can cities address the NIMBY (Not In My Back Yard) issues related to housing development but also encourage greener building?
- How can policy change the whole production system to become more sustainable?
- Does all electric code actually increase cost and price out development? Staff noted that reach code must meet cost effectiveness, and the all electric building types are cheaper to develop at the onset due to a savings in not having to run a gas pipeline to the property. Staff noted that these issues, benefit to society, cost effectiveness, are being considered.
- Commissioner Ramanathan encouraged staff to help developers reach our goals through awareness of rebates and Property Assessed Clean Energy (PACE) financing.

Commissioner Ramanathan moved and Vice-Chair Latshaw seconded to notice the October 16th building reach codes public meeting as a Special Meeting of the Sustainability Commission. The motion carried unanimously with Commissioner Chen absent. Staff will meet with the Reach Codes Subcommittee before Oct. 16 to discuss the talking points and logistics.

3. Subject: Sustainability Speaker Series Zero Waste home event update and planning for next event

- Staff will set up a photo op session in the beginning of the Zero Waste event before the speech.
- Commissioner Swaminathan will speak on the China ban issues and connection to Zero Waste.
- The Commission is interested in exploring an event co-hosted with the City of Sunnyvale; agreed to invite a Sunnyvale staff member to discuss this at the November meeting.

Commissioner Swaminathan moved and Vice-Chair Latshaw seconded to cancel the October 17th Sustainability Commission Special Meeting and reschedule the Special Meeting for October 24th. The motion carried unanimously with Commissioner Chen absent.

4. Subject: Student Green Grants project planning

The Commission discussed the draft guidelines document and agreed the following changes:

- Change wording on presentation to make it an opportunity instead of a requirement.
- Change wording of tabling at the Sustainability Commission table and make it an opportunity instead of a requirement.

Staff will finalize the documents and work on distribution of the invitation to apply. Winners for the grants will be determined at the November Commission meeting.

STAFF AND COMMISSION REPORTS

Commission and Subcommittee updates:

- Commissioner Swaminathan announced that a grand jury sued the VTA for not building enough transit and not meeting goals; he also reported on a recent conference he attended.
- Gilee Corral clarified that the Commission must form a new subcommittee for each project.

Commissioner Swaminathan moved and Vice-Chair Latshaw seconded to establish a Green Grants Subcommittee with Chair Weber and Commissioner Ramanathan as members. The motion carried unanimously with Commissioner Chen absent.

Staff updates:

- Sep. 3 Ground Stormwater Infrastructure Plan was adopted by Council on consent.
- Sep. 14 Fall Festival: staff and Commissioner Latshaw tabled, over 100 attendees at Sustainability / Environmental table.
- Oct. 7 Commissioners dinner – 6:00 p.m. to 9:00 p.m., RSVP by Sep. 30 to colleenf@cupertino.org or 408-777-3163.
- Oct. 19 Harvest Festival – Environmental team will table.

ADJOURNMENT- 6:34 p.m.