



CITY OF CUPERTINO SUSTAINABILITY COMMISSION

Teleconference meeting without a physical location.

Thursday, June 18, 2020 4:00 p.m.

MINUTES

At 4:03 p.m. Chair Latshaw called the meeting to order.

ROLL CALL

Commissioners Present: Chair Gary Latshaw, Vice Chair Vignesh Swaminathan, and Commissioners Anna Weber and Ram Mohan. Absent: Commissioner Meera Ramanathan.

Staff: André Duurvoort, Sustainability Manager; Ursula Syrova, Environmental Programs Manager; Gilee Corral, Climate and Utilities Analyst.

Guests: Members of the public.

Chair Latshaw read a statement regarding provisions of the Brown Act and a recent Executive Order issued by the Governor to facilitate teleconferencing to reduce the risk of COVID-19 transmission at public meetings.

1. APPROVAL OF MINUTES

Draft minutes of May 21, 2020 meeting were reviewed. Vice Chair Swaminathan moved and Commissioner Weber seconded to approve the minutes. The motion carried unanimously with Commissioner Ramanathan absent.

POSTPONEMENTS – None.

ORAL COMMUNICATIONS – None.

WRITTEN COMMUNICATIONS – None.

OLD BUSINESS – None.

NEW BUSINESS

2. Subject: Subcommittee report and staff presentation on study of Green Building Codes and consideration of CALGreen Tier 1 and 2 options

On behalf of the Green Building Ordinance Subcommittee, Vice Chair Swaminathan noted there was nothing new to report.

Sustainability Manager André Duurvoort presented a staff report on the item. Topics covered included:

- Summary of discussion with the Green Building Ordinance Subcommittee.
- High level overview of CALGreen Tiers 1 and 2; comparison with elements of Cupertino's all electric reach code; comparison of policy approaches of neighboring cities. Highlighted features of policies from other cities, i.e. deconstruction ordinance, all electric and solar, adoption of Tier 2.

- Cupertino's existing Green Building Ordinance (GBO) and comparison to CALGreen Tiers, noting that many elements of the voluntary tiers are incorporated into Cupertino's existing ordinance. Reviewed an example of a LEED certified project in Cupertino.
- Highlighted benefit of current GBO is that it achieves higher environmental performance with an industry-standard certification process (LEED & Green Point Rated).
- Staff recommends maintaining the current Green Building Ordinance and monitoring efforts on model code, i.e. County of Marin's low carbon concrete code and Palo Alto's deconstruction ordinance.

Duurvoort answered clarifying questions from the Commission, including:

- How fuel cells / refueling stations are covered or addressed in CALGreen and LEED, distinguish between fuel cell and battery electric vehicles (Mohan).
 - o Duurvoort: fuel cells encompassed in the Climate Action Plan (CAP) measures addressing alternative fuel policy. Cleaner air vehicle parking would apply to fuel cell EVs. GBO adopts high level of EV charging port requirements in new construction, effectively matched the ports in CALGreen Tier 2. LEED gives "innovation" credits which could cover fuel cells.
- Efforts to quantify emissions in Tier 1 vs 2 building (Latshaw).
 - o Duurvoort: all electric reach code achieved essentially zero carbon buildings operationally. Other emissions sources, i.e. embedded carbon, off road vehicles, construction emissions, are addressed in development agreements.
- How CNG / natural gas fueled cars relate to electric building / electric code (Latshaw).
 - o Duurvoort: A hydrogen fuel cell currently in permit process in Cupertino. Have not banned gas infrastructure in reach code, does not address activities outside the building.
- How the electric reach code is applied to projects, i.e. Vallco and The Oaks (Latshaw).
 - o Duurvoort: unsure how much of Vallco will be covered in all-electric code; he believes The Oaks may be one of the first developments in which all-electric code is applied but deferred to Building / Planning Divisions for questions specific to entitlement and permitting. Will confirm with Building / Planning Divisions and report back when that information is available.
- Support for the staff recommendation. Interested in learning more re fuel cells vehicles (Swaminathan).

Vice Chair Swaminathan moved and Commissioner Mohan seconded to recommend maintaining the existing Green Building Ordinance as staff presented. The motion passed unanimously with Commissioner Ramanathan absent.

3. Subject: Staff update on planning for resilient energy systems for critical Cupertino facilities

Duurvoort reviewed opportunities available via Silicon Valley Clean Energy (SVCE). Topics covered included:

- (Swaminathan left for a few minutes at 4:49 p.m.) Duurvoort reviewed an SVCE program flier and noted COVID-19 customer relief fund, small business relief, workforce development funds.
- (Mohan left for a few minutes @ 4:51 p.m. and a lack of quorum was announced. Quorum reestablished at 4:52 p.m. when Swaminathan returned.)
- Sustainability Division is reviewing SVCE's community resiliency grant for opportunities to support resiliency in municipal buildings through the Capital Improvements Program budget. (Mohan returned @ 4:53 p.m.).

- Focus on Quinlan Community Center as the largest user of natural gas. Project intent is HVAC system replacement and integrated planning & design for decarbonization and cleaner emergency support power technology. Plan will also consider other facilities and potential energy efficiency improvements.

Duurvoort answered clarifying questions from the Commission, including:

- Library expansion (Latshaw).
 - o Duurvoort: could explore further, especially if equipment replacement is part of the expansion.
- Timeline for Quinlan improvements (Weber).
 - o Duurvoort: Two grants: California Office of Emergency Services (CAL OES) \$470,000 and SVCE. Can use funds from SVCE and CAL OES through 2022. Would like to have something in place by wildfire season.
- Highlighting GHG savings in the projects (Weber). Staff would like to use the projects to educate / demonstrate value of decarbonization.
- Consideration of reducing spread of COVID-19 in selecting HVAC systems (Swaminathan). Staff noted this for consideration.

4. Subject: Discuss methodology for calculating greenhouse gas emissions inventories

Gilee Corral reviewed the greenhouse gas (GHG) / CAP metrics Work Program item and presented details on calculation of citywide GHG emissions. Topics covered included:

- The City has reduced citywide emissions by 24% since 2010, meeting our 2020 goal ahead of schedule.
- City reports emissions publicly via the Global Covenant of Mayors, will align with updated frequency of updating inventories every 2 years.
- Noted gaps in data for multiple years due to the “15/15 rule” of the California Public Utilities Commission (CPUC), as applied by PG&E. Reviewed how staff and SVCE are addressing the data issues.
- Known issue in data gap in baseline year of 2010; staff will address this in CAP update GHG inventory process. Answered questions on how 15/15 Rule is applied across various sectors.
- Direct Access electricity emissions, how emissions factors affect calculations, and how staff addresses data gaps.

Clarifying questions and comments:

- Emissions reductions reflected in the charts may have remote impact vs local impact on pollution (Mohan).
- How to address and what to do about data gaps, i.e. go through legislature or CPUC (Latshaw).
- Were cities not aware of the missing data, and will emissions totals change (Weber).
 - o Corral: there was lack of clarity / confusion among cities on what data was missing. Data is adjusted for accuracy as the gaps are discovered where possible. SVCE working on this issue on behalf of cities.

The Commission discussed how to address the 15/15 Rule and give input. Duurvoort noted that staff are participating on an SVCE-led working group on this topic. SVCE works with a coalition of community choice

aggregation agencies to advocate on this and other issues via the CPUC. Duurvoort noted Councilmember Sinks sits on the SVCE Board and could field comments. Chair Latshaw indicated he would be willing to write a letter on this topic.

5. Subject: Proactive legislative advocacy on climate and sustainability issues in line with Council adopted legislative priorities

Corral reviewed FY20 legislative items discussed by the Commission: Green New Deal discussion, Buy Clean California implementation. She answered clarifying questions from Vice Chair Swaminathan and on how to include policy discussions in the next fiscal year. She answered other Commissioners' questions on the Work Program process and upcoming meetings.

Vice Chair Swaminathan moved and Weber seconded to close out the legislative advocacy item for the year and work on the Work Program at the next meeting. The motion passed unanimously with Commissioner Ramanathan absent.

6. Subject: Staff update on Buy Clean California Act policy development and Bay Area low carbon concrete codes initiatives

Corral reviewed progress on the Buy Clean Work Program item and noted there were no new developments on the state level on the implementation of the Buy Clean Act. She flagged a webinar that covered this topic via the West Coast Climate and Materials Forum website from February 4, 2020. The County of Marin's new low carbon concrete code went into effect in January.

Clarifying questions and comments:

- Trade-offs on carbon impact of steel rebar in relation to minimizing concrete (Latshaw). Vice Chair Swaminathan noted a trend in the industry to use more steel and less concrete but no trending design recommendations that addresses this balance specifically outside of existing codes.
- Desire to continue monitoring concrete (Swaminathan, Latshaw).
 - o Corral: staff will continue to monitor, Commission can consider this issue in a meeting or in the Work Program discussion
- Consider use of concrete might affect the quarry, if monitoring developers' purchases (Swaminathan).
 - o Staff do not monitor concrete purchases by individual entities.
- Continue discussion to next meeting (Latshaw, Swaminathan).

7. Subject: Staff update on single use plastics outreach and FY 2020-21 City Work Program item on single use plastics policy

Environmental Programs Manager Ursula Syrova gave a brief update on single use plastics. City is addressing the topic in its FY21 Work Program and actively working in a regional working group on engagement and draft policy language. Focus currently on outreach to restaurants is to provide information and guidance on the safety of reusables for outdoor dining. Staff exploring options for reusable takeout containers.

Clarifying questions:

- How these models for takeout reusables might evolve, unintended consequences (Swaminathan).

- Syrova: noted Berkeley pilot, acknowledged difficulties during shutdown situation.
- Specific materials questions: compostable cutlery (Latshaw), proliferation of plastic gloves and masks due to COVID-19 concerns (Swaminathan).
 - Syrova: these are all disposed in landfill bin. No channel currently for gloves to be recycled. Could look to laboratories to recover gloves / masks. Although model ordinance is based on food ware, the working group is moving to the term “non-reusables” and not limit to single use plastics along.
- Concern that “non reusables” may not be a term used by regular public (Weber).
 - Syrova: language in outreach would be more relatable than in a model ordinance or policy.

STAFF AND COMMISSION REPORTS

Staff updates:

Council approved CAP update project and funding. Scope next fiscal year (FY) was reduced by staff to reduce budget request for the project: a broad engagement process planned for next FY with strategy options to be developed in next six months. Technical analyses and Council adoption process anticipated for next FY.

FUTURE AGENDA SETTING

Corral projected notes on the screen to track the agenda setting suggestions. Staff added volunteer program discussion for the next meeting: Sustainability and Environmental Divisions are considering engaging a couple of volunteer student interns for the summer. After a brief discussion on when to schedule the Buy Clean discussion, Chair Latshaw offered to bring an update from an Air District meeting to the July meeting. Commission agreed to the following topics and meeting cancelations on the screen, wording reflected below:

“FUTURE AGENDA SETTING

July 16 (Special Meeting)

- Buy clean / quarry discussion – with update from Chair Latshaw
- SC Work Program FY21 Adoption
- CivicSpark AmeriCorps Fellow presentation
- Volunteer program discussion

August 20 (Special Meeting)

CANCEL

September 17 (REGULAR Meeting)

POSTPONE to October 15th

After recess (following July meeting)”

Commissioner Weber moved and Commissioner Mohan seconded to add the items as reflected on the screen to the July 16th Special Meeting agenda, to cancel the August 20th Special Meeting, and to postpone the September 17th Regular Meeting to October 15th. The motion carried unanimously with Commissioner Ramanathan absent.

ADJOURNMENT

A motion to adjourn was made by Commissioner Weber and seconded by Commissioner Mohan. The motion carried unanimously with Commissioner Ramanathan absent. Meeting adjourned at 6:37 p.m.