



CITY OF
HAYWARD
HEART OF THE BAY

CITY COUNCIL SUSTAINABILITY COMMITTEE MEETING

Hayward City Hall – Conference Room 2A

777 B Street, Hayward, CA 94541-5007

November 5, 2008

4:30 p.m. – 6:00 p.m.

A G E N D A

- I. Call to Order
- II. Roll Call
- III. Public Comments: *(Note: For matters not otherwise listed on the agenda. The Committee welcomes public comments under this section, but is prohibited by State Law from discussing items not listed on the agenda. Items brought up under this section will be taken under consideration and referred to staff for follow-up as appropriate. Speakers will be limited to 5 minutes each; organizations represented by more than one speaker are limited to 5 minutes per organization. All public comments are limited to this time period on the Agenda.)*
- IV. Approval of Minutes of October 1, 2008
- V. Solid Waste and Recycling Review
Vera Dahle-Lacaze, Solid Waste Manager
- VI. General Announcements and Information Items from Staff
 - Council approval of Graffiti Abatement Ordinance
 - Status of Green Building Ordinance
- VII. Review of Future Agenda Items
- VIII. Committee Referrals and Announcements
- IX. Next Meeting: Wednesday, December 3, 2008
Climate Action Plan Update
Erik Pearson, Senior Planner, and Consultants John Deakin, HDR, and Steve Coyle, Town Green
- X. Adjournment



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CITY COUNCIL SUSTAINABILITY COMMITTEE MEETING
Hayward City Hall – Conference Room 2A
777 B Street, Hayward, CA 94541-5007

October 1, 2008
4:30 p.m. – 6:00 p.m.

MEETING MINUTES

- I. Call to Order-4:30 pm
- II. Roll Call

Members:

- Michael Sweeney, Mayor
- Olden Henson, Councilmember
- Bill Quirk, Councilmember
- Rodney Loché, Planning Commissioner (absent)
- Julie McKillop, Planning Commissioner
- Al Mendall, Planning Commissioner

Staff:

- Fran David, Assistant City Manager
- Robert Bauman, Director of Public Works
- Alex Ameri, Deputy Director of Public Works
- Steve Osborne, Plan Checker
- Richard Patenaude, Planning Manager
- Susan Daluddung, Community and Economic Development Director
- David Rizk, Development Services Director
- Michelle Koo, Landscape Architect
- Erik Pearson, Senior Planner
- Arlyne J. Camire, Associate Planner (recorder)
- Tiffany Roberts, Planning Intern

Others:

- Doug Grandt, Keep Hayward Clean and Green Taskforce Member and Resident
- Sherman Lewis, Resident
- Rocky Fernandez, AC Transit
- John Dekin, HDR-Climate Action Plan Consultant
- Heidi Hauesnstein, HDR-Climate Action Plan Consultant
- Steve Coyle, Town Green-Climate Action Plan Consultant

III. Public Comments:

Rocky Fernandez, AC Transit- Mr. Fernandez urged the Committee to join to oppose Prop. 7. The National Resources Defense Council joined others to oppose

Prop. 7 (Solar and Clean Energy Act of 2008). Flaws in the proposed legislation would hurt the effort for a clean energy economy in California. The proposition requires utilities, including government-owned utilities, to generate 20% of their power from renewable energy by 2010, a standard currently applicable only to private electrical corporations. The proposed legislation raises requirement for utilities to 40% by 2020 and 50% by 2025. It would impose penalties, subject to waiver, for noncompliance. A major flaw of the legislation is that it is designed to promote large, centralized solar power stations (greater than 30 megawatts) located in deserts far from centers of population, while at the same time suggesting that smaller solar installations won't count towards the state's renewable energy targets. This would result in limiting the installation of solar and wind for smaller projects. And the legislation would shorten comment and review periods which local governments should be concerned about.

Councilmember Quirk asked if the NRDC also opposes Prop. 10- "California Renewable Energy and Clean Alternative Fuel Act". Mr. Fernandez stated that they had not. Councilmember Quirk said that he is opposed to Prop 10.

Sherman Lewis discussed the plans for the proposed CSU Parking structure. He felt that the university should be access by transit and put money for improve transit access instead of the construction of a parking structure. Continued use of cars congests streets. He requested that the Committee review the project from the management of traffic and sustainability point of view. He requested that the Sustainability Committee and the City of Hayward adopt a transportation policy and communicate it to CSU.

Councilmember Quirk stated his support for Senate Bill 375 which encourages transit housing.

Doug Grandt reported on the success on the last "Keep Hayward Clean and Green" Taskforce Clean-Up Event. The event drew 44 volunteers including 11 taskforce members. They collected 70 bags of trash and 11 shopping carts. He thanked KHCG Taskforce members John White, Jr., Lloyd Clifton and Carolina Abatayo for coordinating the event that cleaned 2 miles along Mission Boulevard.

Assistant City Manager Fran David mentioned that the City Manager's Office has received numerous emails from the public who are delighted with the cleanliness of the City. She commended the accomplishments of the KHCG Taskforce and the Department of Neighborhood Services.

IV. Minutes: September 3, 2008 were unanimously approved.

V. Revisions Associated with Hayward Environmentally Friendly Landscape Guidelines and Checklist for Private Developments

Development Services Director David Rizk and Landscape Architect Michelle Koo summarized the draft guidelines. They pointed out that Committee comments have been incorporated including projects 1 to 3 dwelling units and an increase in

thresholds to 50 percent. The draft guidelines will be presented to the City Council and the Planning Commission in a joint work session tentatively scheduled for Tuesday, November 25, 2008.

The Committee felt that the guidelines should be as user friendly as possible and include public input. The Committee commended staff on their work. In addition, the Committee recommended approval of the Landscape Guidelines to the City Council.

Assistant City Manager David said that the next steps include soliciting public review and comments in addition to the scheduled joint work session.

VI. Climate Action Plan Update

Planning Intern Tiffany Roberts gave a PowerPoint presentation while summarizing the Climate Action Plan. She requested feedback to prioritize the seven strategies. She emphasized that the consultants will do cost benefit analysis. The consultants introduced themselves- John Deakin and Heidi Hauesnstein of HDR, and Steve Coyle of Town Green.

Discussion of the seven strategies for reducing green house gas emissions followed.

Strategy 1- Transportation

Councilmember Henson pointed out that the plan should analyze impacts from pass-thru and regional traffic.

Mayor Sweeney suggested including extra incentives to employers. In addition, Renters should get a deduction if live in community they work. The problem seems that incentives are usually not large enough. He suggested that the Climate Action Plan should shape growth live/work incentives.

Planning Commissioner Mendall is of the opinion that business has to make changes for results to occur.

Strategy 2-Land Use and Zoning

In order to support higher density ½ mile of transit and ¼ of major bus routes in order to encourage non-automotive modes of travel Mayor Sweeney state that safety and shopping are required for successful Transportation Oriented Development.

Councilman Henson stated that the South Hayward BART/Mission Boulevard Design Plan needs to be modified to develop ways to discourage auto uses. In addition, Dixon Street needs to be redefined. The Plan should include encouragement of roof top gardens and roof-top parks. The City should encourage these amenities by giving incentives.

Commissioner McKillop felt that Cannery project area should be tied into the BART station.

Senior Planner Pearson pointed out that it is through a bike plan and a shuttle.

Commissioner McKillop said that other areas such as Eden Shores should also be connected by a bike plan and shuttle. Incentives should encourage shuttles and the establishment and use of alternative forms of transportation.

Assistant City Manager David stated that CSUEB wants to eliminate shuttle and explore alternatives.

Mr. Fernandez stated that students can take advantage of the –AC Transit Eco Pass Program.

Commissioner McKillop stated that the city needs to be proactive with the University.

Mayor Sweeney felt that entitlements offer a large opportunity and allow for smarter land use decisions to be made.

Assistant City Manager David advocated safe, pedestrian oriented design and suggested that the City Council examine form based codes which emphasize functional design. She continued that the Zoning Ordinance does not allow for pedestrian scale development uses. Form based codes encourage mix uses, reduced block sizes and pedestrian pathways.

Mr. Coyle stated that the problem with buses is that they are not a “place making tool”. Private investment follows public investment and fixed rail will foster densities that attract private development because people will be attracted around a node. Street car corridors next to BART would be ideal. The density would grow around corridors.

Commissioner McKillop is of the opinion that the city should encourage alternative modes of transit and pointed to Portland, Oregon Tram system as an example. She stated that any analysis should include thinking outside the box.

Strategy 3-Improve Energy Efficiency of Existing Program

This includes the development of energy conservation plan for City Utilities.

Commissioner Mendall stated that the technologies exist and should be applied using building codes for remodels.

Strategy 4 -Improve Energy Performance of New Buildings

Commissioner Mendall suggested requiring solar on new buildings.

Mayor Sweeney suggested that the City should assist homeowners to find ways to “Zero Out” on their energy use.

Strategy 5 -Increase Renewable Energy Use

Photovoltaic financing program for residential and commercial.

Homeowner has to realize that the fee will be paid for 20yrs.

Councilmember Quirk advocated financing for homeowners and recommended that the financing be transferred to the property tax.

KHCG member Grandt stated that we must get away from using natural gas.

Mayor Sweeney is of the opinion that it's not unreasonable to have developer to install solar and pointed out that consumers are looking for solar. Furthermore, it is more expensive to retrofit a home than install solar when a home is built. .

Planning Intern Roberts stated that AB811 has made it easier for residents to borrow.

Commissioner Mendall pointed out that a financing program should not just rely on just installation of double-pane windows, but should be an entire systems approach.

Strategy 6-Increase City-Wide Recycling and Composting

This includes expanding current commercial recycling program and implementation and promoting a Residential food scrap collection program.

Councilmember Henson emphasized the importance of outreach programs. He circulated a flyer from Oakland's “Feed Me” Campaign. He reminded staff and the Committee that StopWaste.Org has technical assistance available which we can use for the implementation of our programs. It will take a substantial amount of funding to get program off ground.

Public Works Director Bauman stated that a future staff report will address funding from StopWaste.Org

Councilman Henson continued that the City should promote Compost bins at home and that children love to participate. He suggested that composting and recycling should be taught in schools. In addition, he emphasized that the city should highlight Multifamily recycling.

KHCG member Grandt suggested the adoption of a Garbage Disposal Ordinance.

Councilmember Quirk asked where food scraps go.

Public Works Director Bauman said they go to a compost facility while other cities can use green waste.

Strategy 7- Community Outreach

This includes a Green Portal- or City Green website. Promote Green Business Program. Involve city employees.

Councilmember Quirk mentioned the City of Berkeley Green House Gas Emissions and Energy Reductions ballot measure that passed and suggested that Hayward think about a similar ballot measure for 2010 for energy reductions.

Councilmember Henson felt that the HUSD can do a better job of training both teachers and the children.

Planning Intern Roberts stated that the timeline for the Climate Action Plan review is:

October to mid November 2008- Public Outreach Presentation.

January 2009- Public Release of the draft Climate Action Plan.

February 2009-Community meeting

April 2009 - Climate Action Plan Release

Mayor Sweeney emphasized the importance of choosing a date for the public meeting. He request that the Committee to send completed Climate Action Plan-Strategies & Proposed Actions Feedback Worksheets to Senior Planner Pearson.

Commissioner Mendall asked staff to include the Planning Commission and the City Council in questionnaire distribution.

VII. Opposition to Proposition 7

Development Services Director Rizk summarized the proposition emphasizing that it was well intended but not written well. If adopted, Proposition 7 legislation would have unknown impacts on utility users.

Councilmember Quirk agreed with Mr. Fernandez and Development Services Director Rizk. He also stated his opposition to Proposition 10 and suggested that the Council also adopt a resolution stating opposition to Proposition 10.

Commissioner Mendall stated that if Proposition 7 is passed the solar business would be hurt because the size of systems would be limited to larger systems.

Mayor Sweeney requested a report on both be reviewed by the City Council.

VIII. Committee Discussion of Future Agenda Topics

Comments on line items

The following topics were suggested:

Councilmember Henson-Environmental preferred purchasing.

Assistant City Manager David-CSUEB Parking.

Mayor Sweeney- Review of the CSUEB Master Plan to be schedule for 2009 and move-up solar funding.

Mayor suggested the agenda schedule of January –Solar Financing, February-SB375, March-CSUEB Master Plan

Councilmember Henson requested that staff share their West Coast Green information at the next meeting.

Adjournment-6:25 pm



DATE: November 5, 2008

TO: Mayor and City Council Sustainability Committee

FROM: Director of Public Works

SUBJECT: Solid Waste and Recycling Program Overview

RECOMMENDATION

That the Committee reads and comments on this report.

BACKGROUND

Council approved a new Franchise Agreement with Waste Management of Alameda County (WMAC) on January 9, 2007, that included a variety of enhancements to current services and implementation of new services. This report summarizes the services provided residents and businesses, and describes staff's plans to implement new programs and expand current services. Additional services were added to the Agreement with WMAC so that the City can continue to meet the state mandate to divert from landfill 50 percent of all waste disposed and to prepare to meet the higher goal of 75 percent diversion in Alameda County.

Also described in this report are the City's provisions regarding recycling construction and demolition debris, the timeframe for placement and retrieval of garbage and recycling carts from the curb, and the timeframe for placement of household debris scheduled for removal in conjunction with the annual bulky item clean-up service. A table listing the diversion rates for each jurisdiction in Alameda County from 1990 through 2006 is included as reference, along with a description of the possible changes that may be enacted by the California Integrated Waste Management Board relative to determining compliance with the state mandate to document a 50 percent diversion rate.

Summary of Current and Planned Residential Services –

Services provided to single-family households include:

Separate collection of garbage, recyclables, and yard trimmings;

Collection of recyclables from carts, which afford larger capacity and easier maneuverability than the plastic bins which had been provided under the previous contract;

Curbside collection of common household batteries, such as those used in flash lights and cameras, when placed in plastic bags provided by Tri-CED, similar to collection of used motor oil filters;

Free disposal of two cubic yards of waste delivered by residents to the Davis Street Transfer Station when redeeming a coupon issued by WMAC; 100 coupons are issued monthly on a first-come, first-served basis;

Continuation of the annual on-call bulky item clean-up service, as well as removal of unscheduled setouts in the immediate vicinity of all scheduled setouts in order to reduce illegal dumping and the potential for scavenging; and

Promotion of the home compost bins, available at discount rates from StopWaste.Org; bins include one for food scraps and plant debris and one worm bin.

Additionally, the contract requires WMAC to use alternative fuel vehicles for residential services, thereby, reducing air pollutants and greenhouse gases.

Residential collection of food scraps and food-soiled paper and cardboard will begin January 2009, as approved by Council at its October 7, 2008, meeting. Food scraps and food-soiled papers will be co-mingled with the yard trimmings in the green cart and later composted. A green, plastic indoor container for storage of food scraps will be distributed in December. Informational materials will be direct-mailed to residents prior to distribution of the containers, and will include a brochure that will accompany the container.

Each of the above-listed current services is described in brochures that are included in the quarterly bills issued by WMAC.

Summary of Current Recycling Services Offered Businesses –

Improved commercial recycling services are needed because about 78 percent of the City's total disposed waste is generated by businesses, and as much as 40 percent of the waste generated by the business sector consists of recyclable materials (e.g., paper, yard trimmings, food waste, and wood), based on a waste characterization survey conducted for StopWaste.Org. Therefore, to increase diversion and help reach the City's goal of 75 percent diversion, it is necessary that enhanced and economical commercial recycling services be offered.

To that end, services offered businesses include:

Collection of recyclables (e.g., paper, beverage containers) at no additional charge because the cost of this service is already included in the rates charged businesses, similar to the rate structure used for residential services;

Collection of organics (e.g., food scraps, food-soiled paper) at half the price of the garbage rate for the same level of service, (e.g., the rate for a two cubic yard bin of organics collected once per week is half the rate for a two cubic yard bin of garbage collected weekly) and

Various sizes of plastic containers for temporary indoor storage of recyclables and organic materials are available at no charge from the City, as are posters that illustrate acceptable materials and include brief instructions printed in Spanish, Mandarin, and English.

Hayward is not the only City with lower rates for business recycling and composting. Other jurisdictions, including the cities of Alameda, Dublin, Fremont, and Union City, use a similar approach that includes the cost of recycling in the garbage rates.

Hayward's new commercial services have been publicized and promoted using brochures inserted in the monthly garbage bills issued by WMAC, informational literature included in mailings by the Chamber of Commerce to its members, and presentations to community groups. WMAC and City staff have identified and contacted some businesses to offer assistance in implementing programs. Council will be considering a staff recommendation for a substantial expansion of the outreach efforts through a consultant agreement with ESA on Nov. 18, 2008.

Construction & Demolition Debris Recycling -

City regulations require that applicants for all construction, demolition, and/or renovation projects valued at \$75,000 or more recycle 100 percent of all asphalt and concrete and 50 percent of all other materials generated from the project. Since the City's ordinance became effective in April 2001, most of the other jurisdictions in Alameda County and adjacent counties have implemented similar provisions so that most building or demolition contractors are familiar with these requirements. Staff plans to evaluate other jurisdictions' policies at a later time to determine whether other provisions should be considered to further increase tonnage recycled within Hayward.

Timeframe for Curbside Placement and Retrieval of Carts and Household Debris -

As Council is aware, several changes were made to the Municipal Code at the beginning of this year that are intended to maintain the aesthetic quality of neighborhoods and reduce the likelihood of illegal dumping incidences. Some of the primary provisions include placement of carts no earlier than 6:00 a.m. the day before the regular collection day, and retrieval no later than midnight on the scheduled collection day. Community Preservation staff reports they have received 16 complaints since the changes were implemented and all were sent the courtesy notice, per the ordinance. There have been no fees or penalties levied to date. Also prohibited is placement of bulky items placed curbside or streetside earlier than the day before the scheduled collection date. Items not collected by WMAC on the scheduled collection date must be removed from the curb no later than the day after the appointment. Items must be stored away from the curb on private property out of view from the street until alternate collection or disposal arrangements are made. Solid Waste staff continues to address violations regarding bulky item set-outs and, where appropriate, additional charges by WMAC have occurred.

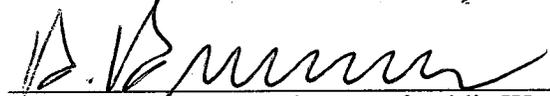
Diversion Rates: Comparative Survey & New Legislation -

Attached is a table prepared by StopWaste.Org indicating the diversion rates for each jurisdiction in Alameda County from 1990 through 2006, which is the most recent year for which data is available.

(Attachment A). The Countywide average diversion rate is 61 percent. As the data indicates, the City of Hayward reported a 65 percent diversion rate for 2006. The City's rate is higher than the average diversion for all jurisdictions in the County. A total of six jurisdictions reported diversion rates from 66 to 75 percent for 2006, and a total of eight jurisdictions reported a rate the same as or less than the City of Hayward.

This data is provided for the Committee's review in part because the California Integrated Waste Management Board has enacted new legislation that would alter the method used to calculate the City's diversion rate, as well as the method that would be used by StopWaste.Org to evaluate countywide progress toward achieving the 75 percent goal. The CIWMB's intent is to set a maximum per capita disposal goal for each jurisdiction, based on its own characteristics which will be the standard for compliance. A diversion rate would not be declared; only that the jurisdiction is or is not in compliance with the 50 percent diversion mandate. At this time, the CIWMB has not advised whether the existing calculation method will be retained or whether it will apply another method. StopWaste.Org staff will be evaluating how they will recommend measuring progress towards the 75 percent countywide goal by using the current CIWMB method, CIWMB's revised method or a different calculation.

Prepared by:



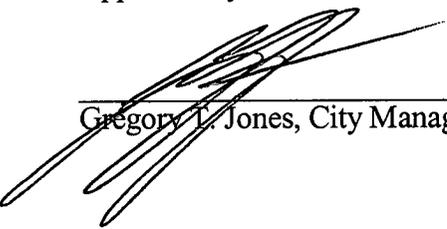
Alex Ameri, Deputy Director of Public Works/Utilities

Recommended by:



Robert A. Bauman, Director of Public Works

Approved by:



Gregory L. Jones, City Manager

Attachment A: Alameda County Jurisdictions' Diversion Rates

ALAMEDA COUNTY JURISDICTIONS' DIVERSION RATES

1-tons disposed/tons generated=diversion

	1990	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Unincorporated Alameda County	10	56	51	59	58	63	65	60	63	57	60	60	69
Alameda	15	48	51	56	59	64	65	62	64	64	68	68	66
Albany	20	42	52	61	60	56	62	67	66	63	70	70	70
Berkeley	18	41	41	41	42	50	49	52	47	52	57	59	57
Dublin	12	26	37	43	31	33	54	55	51	50	50	55	56
Emeryville	10	51	61	49	41	42	48	55	54	64	66	64	75
Fremont	19	49	54	50	47	57	62	63	63	62	66	63	64
Hayward	9	41	39	44	45	44	52	50	49	51	60	62	65
Livermore	4	26	25	45	37	38	50	59	55	61	65	63	63
Newark	15	27	34	49	50	48	53	52	50	56	61	62	66
Oakland	11	27	34	39	40	41	52	52	50	53	55	58	59
Piedmont	25	47	47	50	52	60	63	68	63	64	65	64	66
Pleasanton	15	28	35	47	50	43	48	47	48	48	52	53	56
San Leandro	10	34	37	45	46	42	51	64	55	62	60	59	65
Union City	11	49	53	62	61	59	61	52	61	57	58	62	64
TOTAL	14%	37%	42%	47%	46%	48%	54%	56%	55%	56%	59%	59%	61%

1995-2004 CIWMB approved
 2005-06 as per annual reports

**Sustainability Committee Monthly Meeting Topics
2008-2009**

Presenting Department	Date	Topic
PW	November 5, 2008	Solid Waste and Recycling Review
DS	December 3, 2008	Climate Action Plan Update
DS	January 7, 2009	Solar and Energy Efficiency Financing
DS	February 4, 2009	OptiSolar Presentation and Tour
DS	March 4, 2009	SB 375 - Transportation Planning
DS	April 1, 2009	Cal State Master Plan Green Collar Jobs and Investment
MS	May 6, 2009	Energy Audit for City Buildings Facilities Discussion – New Steps Underway
DS	June 3, 2009	Annual Review of Green Building Ordinances and Implementation
DS	July 1, 2009	Update on State Codes (Water Efficiency, Green Building Code, Title 24, etc.)
DS/PW	September 2, 2009	Review of Sustainable Landscaping Measures and Implementation
DS/PW	October 7, 2009	Summary of Education and Outreach Efforts (Permit Center-Green Display, Website, Water Efficiency, etc.)
PW	November 4, 2009	Water Recycling Presentation
DS	December 2, 2009	To Be Announced