



CITY COUNCIL SUSTAINABILITY COMMITTEE MEETING

Hayward City Hall – Conference Room 2A
777 B Street, Hayward, CA 94541-5007

Mission Statement:

Make Hayward a more sustainable community in order to ameliorate negative impacts of climate change, conserve natural resources and promote a clean environment.

July 7, 2010
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: All public comments are limited to this time period on the agenda. For matters not 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 not listed on the agenda brought up under this section will be taken under consideration and may be 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.)*
- IV. Approval of Minutes of June 2, 2010
- V. Prohibit the Use of Polystyrene Foam Disposable Food Service Ware and to Require Recyclable or Compostable Food Service Ware within City Limits
Alex Ameri, Deputy Director of Public Works
- VI. Overview of Community Outreach Plan
Ivy Morrison and Charles Gardiner, CirclePoint
- VII. General Announcements and Information Items from Staff
Update on Formation of the Climate Action Management Team
Amelia Schmale, Sustainability Coordinator
- VIII. Committee Referrals and Announcements
- IX. Next Meeting: Wednesday, September 1, 2010
Update on Development of Residential Energy Conservation Ordinance (RECO)
- X. Adjournment



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Hayward City Hall – Conference Room 2A
777 B Street, Hayward, CA 94541-5007

June 2, 2010
4:30 p.m.

MEETING MINUTES

I. Call to Order – Meeting called to order at 4:34 p.m. by Mayor Sweeney.

II. Roll Call

Members:

- Michael Sweeney, Mayor
- Olden Henson, Council Member
- Bill Quirk, Council Member
- Julie McKillop, Planning Commissioner
- Al Mendall, Planning Commissioner
- Marvin Peixoto, Planning Commissioner
- Doug Grandt, Keep Hayward Clean and Green Task Force (KHCG)

Staff:

- Fran David, City Manager
- David Rizk, Development Services Director
- Bob Bauman, Public Works Director
- Glen Martinez, Building Official
- Erik Pearson, Senior Planner
- Amelia Schmale, Sustainability Coordinator
- Katy Ramirez, Administrative Secretary (recorder)

Others:

- Mike Gable, Gable Associates, LLC
- Rosemary Howley, Gabel Associates, LLC
- Kali Steele, Master in Public Policy, Mills College
- Cynthia Chiasson, Realtor
- Bill Espinola, Windermere Real Estate
- Jan Lebby, Realtor, Re/Max Accord
- Lori Kiser, Realtor, Bay East Association of REALTORS®
- Serean Kimmel, Windermere Real Estate
- Ori Skloot, President, Advanced Home Energy
- Otto Catrina, Bay East Association of REALTORS®, Catrina Real Estate
- Craig Ragg, Bay East Association of REALTORS®, Craig Ragg Real Estate
- Larry C. Smith, Real Estate Broker
- David Stark, Bay East Association of REALTORS®
- Carlos Dominguez, Smart Builders, Inc.

III. Public Comments

Jan Leby, Realtor, Re/Max Accord – Ms. Leby said that she has lived in Hayward for 32 years and practices her real estate in the Hayward area. She said that one of the common problems that she has been experiencing with her clients is concerns about Hayward schools and that many of them prefer Castro Valley, Pleasanton, or Dublin schools. Ms. Leby expressed her opinion that Hayward schools are not very good, but that they have wonderful teachers. Ms. Leby suggested to the Committee that parents take a moment and visit Hayward schools. Ms. Leby also expressed concerns about vacant properties in Hayward and about the many properties that are not maintained. She said that she would like some help with these situations and would like to see improvements.

Serean Kimmel, Realtor, Windermere Real Estate – Ms. Kimmel said that she has background on economics, energy and natural resources and understands the importance for government leaders to impose policies. Ms. Kimmel expressed her concern for imposing an ordinance that would force homeowners to bring their home to current energy efficient standards and the financial burden it would impose on the buyer and/or seller, and the difficulties this would create for short sale and foreclosed homes.

Lori Kiser, Realtor, Bay East Association of REALTORS® - Ms. Kiser said that she is a Hayward resident, real estate broker, and landlord. She said that she has many concerns about the point-of-sale ordinance that is being proposed, and feels that it would cause a burden, be intrusive, and make jobs for realtors more difficult. Ms. Kiser feels that a RECO is a must for our future, but it should be done in a gentler way and be designed to make it work for all participants.

Bill Espinola, Realtor, Windermere Real Estate –Mr. Espinola said that he has been a landlord in the City of Hayward for over 25 years and has been living in Hayward for over 10 years. Mr. Espinola said that although we are all in favor of energy conservation, he is against the point-of-sale ordinance. He said that selling real estate in Hayward with today's climate is a challenge, and the point-of-sale ordinance would just further complicate those challenges. Mr. Espinola said that he hopes the Committee will take into consideration other fair ways to go about conserving energy.

Cynthia Chiasson, Realtor – Ms. Chiasson said that she is a resident of Hayward and a realtor for the past 18 years; and most of her business sales have been in the Hayward area. Ms. Chiasson said that she is totally against the point-of-sale ordinance, that it makes realtors very nervous, it tends to drive clients to other areas, and the cost of energy efficient upgrades will become a real conflict for the seller and the buyer. Ms. Chiasson said that she is all for energy efficiency if there is a way that it can be done through education and/or incentive programs and not cheat the first time homebuyers.

David Stark, Public Affairs Director for the Bay East Association of REALTORS® - Mr. Stark said that the staff report and other analyses indicate that there is political opposition with point-of-sale requirements. Mr. Stark said there is no evidence that greenhouse gas emissions have been reduced in communities that have adopted residential energy conservation ordinances. Mr. Stark said that in January, he raised concerns about the status of the real estate market in Hayward and what impacts they

may have on the effectiveness of point-of-sale requirements; and feels that those observations have been ignored. Mr. Stark said that he thinks the term paper included in the packets is an interesting study and there are some unique qualities to all the real estate markets identified in that paper, but that, unfortunately, Hayward doesn't share those qualities in terms of demand for homes, sales prices, availability, and transactions. Mr. Stark further stated that, in terms of establishing a foundation for public policy, we really need to look at what would work in Hayward. Mr. Stark said that he was hoping to have a representative from the Berkeley Association of Realtors to talk about her experiences with RECO, but unfortunately, she was not able to make it, but she did provide written comments and he encouraged the Committee to read them.

Mr. Stark said that Bay East Association of Realtors is currently helping Stopwaste.org to design and market their new program. He said it was called the Green Packages Program, but Stopwaste is rejuvenating the marketing approach and name of that program. Mr. Stark said Bay East is excited to be part of the solution when it comes to energy efficiency and that Stopwaste was looking to involve 3,000 plus homes and hoping to partner with the City of Hayward.

Otto Catrina, Bay East Association of REALTORS®, Catrina Real Estate – Mr. Catrina said that he has lived in Hayward since 1960 and his family has owned personal and commercial property in the City of Hayward for over 30 years. Mr. Catrina said that he is a big advocate of green energy efficiency and sits on the California Association of Realtors Committee, and he just returned from a trip to Washington D.C. where he attended a National Association of Realtors meeting. Mr. Catrina said that point-of-sale is not a new topic and realizes that this is an issue that has to be dealt with on a state and national level.

Larry C. Smith, Real Estate Broker – Mr. Smith said that he has lived in Hayward for 34 years and has built homes in the Hayward area. Mr. Smith said that real estate is a struggling industry and feels that a point-of-sale ordinance will affect very few people; however, the impact would be significant for people who are trying to make a living. Mr. Smith asked the Committee and the City of Hayward to rethink point-of-sale carefully and feels there are other alternatives to explore that would have a lasting effect on homeownership.

Craig Ragg, Real Estate Broker, Castro Valley – Mr. Ragg said that he has sold real estate in Hayward for over 30 years, and agrees with many of the comments that have been made today. Mr. Ragg said that he recently checked on the statistics for home sales in Hayward and said that 65 percent of the properties sold were distressed properties, either short-sale or foreclosed properties, and last year it was well over 80 percent for Hayward; the highest in Alameda County for distressed properties. Mr. Ragg said there are many comments about how banks will not finance short-sales and foreclosed properties, and that point-of-sale requirements are difficult to deal with, especially in the market today. Mr. Ragg said that he supports green and understands it; however, he feels that we have to find a way that will work for the industry, the homeowner, and the community.

Ori Skloot, President, Advanced Home Energy – Mr. Skloot said that he has been doing work in Berkeley for 15 years as a home performance contractor and one of the main

things he does is RECO work. Mr. Skloot said that he has never heard of a deal not going through because of RECO. Mr. Skloot said that he is also a broker and sits on a number of Berkeley Association of Realtors and they also have a green committee and part of their green work is to install CFL's (compact fluorescent lamps). Mr. Skloot said that he understands the comments that have been made and doesn't disagree with them, but that everyone should support change and that we have to start somewhere and a point-of-sale ordinance is a good place to start.

Carlos Dominguez, Smart Builders, Inc. – Mr. Dominguez said that he is a local general contractor in Hayward and said that they support this ordinance. Mr. Dominguez said that based on his experience in the field, people would be surprised by the number of homes being sold that do not perform and, that with this ordinance, the homebuyers will know exactly what they are purchasing and therefore, he strongly encouraged this ordinance.

IV. Approval of Minutes of April 7, 2010 – the minutes were approved with the following corrections:

Doug Grandt, Keep Hayward Clean and Green Task Force – requested that wording in a sentence on page 4 be changed from "Committee on Environmental Public Works" to "U.S. Senate Committee on Environment and Public Works," and "during the conversation, he" to "who".

Julie McKillop, Planning Commissioner – requested that a paragraph on page 3 be revised to read, "Planning Commissioner Julie McKillop questioned if this proposal would be attractive to larger energy users. Ms. McKillop supports the idea of focusing on not for profits and feels the funds would be more beneficial to these users. Ms. McKillop also said that she like the concept of large users partnering with local not for profits and using the funds to create energy savings for not for profits."

V. Update on Development of a Residential Energy Conservation Ordinance (RECO)

David Rizk, Development Services Director, said that RECO is one of the actions that was identified in the Climate Action Plan that was adopted by City Council last summer as a fairly high priority. Mr. Rizk briefly summarized the why, the what and when of the RECO, which are identified in the staff report, and said there are a lot of issues that need to be addressed and considered. Mr. Rizk said that staff anticipates that this process is going to take several months before any decisions are made, and that this item will return to the Committee in the fall.

Mr. Rizk introduced Amelia Schmale, Sustainability Coordinator, and indicated that Ms. Schmale will introduce the speakers for today.

Amelia Schmale, Sustainability Coordinator, introduced Kali Steele, who recently graduated from Mills College with a Masters in Public Policy and said that Ms. Steele completed her requirements doing a thesis on a possible RECO for Hayward by researching RECOs throughout the country. Ms. Schmale thanked Ms. Steele for her work and for providing the report in the Committee's packet.

Kali Steele provided a PowerPoint presentation and overview of her report, and noted that she surveyed eight RECOs throughout the country, including Berkeley and San Francisco, which are two of the oldest RECOs in the country that were adopted in the 1980s. Ms. Steele gave an overview of the benefits, statistics, common barriers (i.e. lack of information and awareness), financing, and rebates associated with RECOs, as detailed in her report.

Mike Gable, Gable Associates, LLC, said that his general comment is that RECO is a big subject and there are a lot of moving parts. Mr. Gable proceeded with a PowerPoint presentation and provided an overview of the goals, performance, schedule, cost to homeowners, and state and federal funding programs. Mr. Gable said his recommendation is to keep collecting data; not make any decisions for four or five months; and monitor state and federal funding programs.

Bill Quirk, Council Member, described his own experience with a duct leakage in his house where he had to spend \$7,000 to replace the insulation; however, he did not see a significant difference in his utility bill from 2009 and 2010. Council Member Quirk said that he doesn't think with the current housing market that this is the right time to tell people that they have to fix their house before they sell it especially when they are not making money on their homes.

Erik Pearson, Senior Planner, pointed out to the Committee that there was a typo in the letter dated May 26, 2010 from David Stark of the Bay East Association of Realtors for the 2009 home sales, which is actually 1,429 homes.

Doug Grandt, Keep Hayward Clean and Green Task Force, said that we need to understand the cost effectiveness of each implement of what we are doing and said he would like to know more about it. Mr. Grandt said that he doesn't think we should put energy efficiency improvements on the seller and thinks it should go to the buyer, because the buyer is going to benefit and get a return on the investment. Mr. Grandt also said that he thinks we should have a survey, do an audit at point-of-sale, get an inventory of what is out there at the time of sale, and use care rather than enforcement.

Al Mendall, Planning Commissioner, thanked the realtors for attending the meeting and said that he appreciates their perspectives. Mr. Mendall noted that one of the concerns that he is struggling with is if not at point-of-sale, then at what point should energy efficiency improvements be made? Mr. Mendall said that he is having a hard time thinking of an alternative that makes sense and is suggesting that if anyone has other ideas, then please follow-up with an email for consideration by the Committee. Mr. Mendall pointed out that there will be a cost, but the homeowner will save money over time. Mr. Mendall said that he agrees with Mr. Grandt that an audit should be required at point-of-sale or at point of remodel. He said that one measure would be to have audits required based on the age of the home, such that over a 20-year period every home in Hayward would get an audit, and those details would have to be worked out. He indicates that once an audit is completed, then he would like to see a certain amount of improvements made within one to three years, and said that the audit should not be done by the seller in the case of point-of-sale. Mr. Mendall said that the buyer often makes improvements anyway, so as the buyer proceeds with improvements, the upgrades will meet the requirements of the audit. Mr. Mendall said that we are trying to put in place mechanisms that reduce up-front costs. He suggested that an incentive to encourage

improvements would be to refund the cost of the audit after the energy efficiency improvements are made.

Olden Henson, Council Member, said that he agrees with some of the ideas discussed and thinks that they should probably be undertaken. He said that he doesn't know of any other cities that has the amount of distressed properties that Hayward currently has and, if the realtors are correct, then Hayward is either number one or two in Alameda County (vice versa with Oakland) for distressed properties. Mr. Henson said that he likes Mr. Grandt's idea about requiring an audit if that audit is reasonably priced; and he likes Mr. Rizk's idea about using some of the \$250,000 federal Energy Efficiency and Conservation Block Grant funds to pay for the audits, which would cover quite a bit. Mr. Henson said that quantifiable data is necessary, that we are going to have to show improvements to people, and that sales would be difficult without data. Mr. Henson said that we can take a lead, but he is very concerned about the current market. He said that he is not sure which triggers would work, perhaps an audit or perhaps in three to five years when the market moves. Mr. Henson said that we are all currently in dire straits financially.

Marvin Peixoto, Planning Commissioner, said that he spoke out against point-of-sale before and his rationale was that improvements can be done voluntarily over the normal course of maintaining and/or repairing your home. Mr. Peixoto said that it bothers him that we are taking this one Hayward issue of trying to become energy efficient and treating it as a stand-alone discreet item without regard to the vision that we have for the City of Hayward, and feels this impacts that vision in a negative way. Mr. Peixoto said that the previous goal was to have 70 percent homeownership, and we are currently at a point where people can afford to purchase a house, and we want that demographic in Hayward. Mr. Peixoto said that this industry is down already; that we talk about Hayward being business-friendly, but this would not be a business-friendly decision. Mr. Peixoto said that now is not the time to requirements at point-of-sale and there is no way that he will support it.

Julie McKillop, Planning Commissioner, said that she thinks we need data and totally opposes point-of-sale at this time. She said that she would like to see a pilot program put into place that would be strictly voluntarily out of incentives; however, she doesn't know if this would be possible or a waste of time. Ms. McKillop said that we have at least five years before the economy and housing market will turn around, so we have that time to collect data and then be ready to go at that time.

Mr. Mendall said that he would like to comment that he doesn't see how it is business unfriendly to encourage or require someone to make changes that would save them money, especially if we can make the cost manageable by paying for the upfront costs such as the audit. Mr. Mendall said that if we can encourage someone to spend \$1,000 that will save \$500 per year for life, that he thinks this as business-friendly, not business unfriendly.

After more discussion, Mayor Sweeney said that staff will review the comments from the meeting today and we will revisit this item again in September, where staff will update the Committee with any progress, provide data, and determine where we are at the state and federal levels.

Mayor Sweeney said that he thought this was a good discussion and thanked Mr. Gabel, Ms. Steele, staff, and the audience members. He said that it seems there is a lot on the table in terms of options and he is not willing to make any decisions at this point. Mayor Sweeney said that we have a good Climate Action Plan with some reasonable goals, which may need to be revamped based on what the state or federal governments do.

VI. General Announcements and Information Items from Staff

Mr. Grandt announced that October 10, 2010 is “Let’s Get to Work Day” to demonstrate local green initiative and said that he plans to build a solar panel at the front steps of Hayward City Hall. Mr. Grandt said if anyone is interested in working with him over the next couple of months to put together a solar panel, get information out to the community, and show them that we are doing our job, to please let him know.

Mr. Rizk said that staff is working on participating in Solar Day 2010 scheduled for June 19th, which is celebrated throughout the world and in the Bay Area. He said they are working out details to piggyback on the Farmer’s Market, and will send out more information in a weekly report item.

VII. Committee Referrals and Announcements

None.

VIII. Next Meeting: Wednesday, July 7, 2010

Mr. Mendall said from what he has heard, the recently adopted Fremont ordinance to ban styrofoam appears to be a reasonable platform from which to build and this would be the obvious place for the Committee to begin discussion. Mr. Mendall asked that, if possible, for staff to cut, paste, make minor modifications to the Fremont ordinance, in an effort to make Hayward’s ordinance standard with other cities.

IX. Adjournment: Meeting adjourned at 6:28 p.m.

VII. Committee Referrals and Announcements

None.

VIII. Next Meeting: Wednesday, July 7, 2010

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IX. Adjournment: Meeting adjourned at 6:28 p.m.



DATE: July 7, 2010
TO: Council Sustainability Committee
FROM: Director of Public Works
SUBJECT: Proposed Ban on Polystyrene Foam Food Service Containers

RECOMMENDATION

That the Committee reads and comments on this report.

SUMMARY

At its March 3, 2010 meeting, the Council Sustainability Committee directed staff to prepare a report and draft necessary documents, including a draft ordinance, concerning prohibition of the use of polystyrene foam food service containers. The primary goal of the ordinance would be to restrict food vendor use of polystyrene foam food service containers and to create a shift to multiple-use containers, where possible. Where multiple-use containers are not viable, the desired shift would be to plastic or paper containers that could be recycled or composted. The proposed ordinance would be consistent with Action 6.4 of the City of Hayward's adopted Climate Action Plan to evaluate banning polystyrene from landfills. Copies of the Draft Ordinance and Draft Negative Declaration are attached to this report. A Draft Initial Study has been prepared and is on file.

BACKGROUND

Polystyrene foam is commonly, but mistakenly, known by the name Styrofoam™, a Dow Chemical Company trademarked form of polystyrene foam insulation. It is formed by adding a blowing agent to polystyrene, a petroleum-based plastic material. Most foam cups and bowls are made from expanded polystyrene using a process that heats polystyrene beads in a mold so that the beads expand and adhere to one another. Other foam containers, such as clamshells and trays, are made from extruded polystyrene, which is foamed as it is extruded. Polystyrene foam is extremely light weight (about 95 percent air), has good insulation properties, and is used in products from cups that keep beverages hot or cold to materials that keep items safe during shipping. Clear and solid polystyrene is used to make salad containers, cold cups, and eating utensils. CalRecycle (formerly the California Integrated Waste Management Board) estimates that Californians use 165,000 tons of expanded polystyrene annually for packaging and food service purposes.

Unfortunately, polystyrene is difficult and costly to recycle and has some environmental drawbacks. Polystyrene products are inexpensive in part because the costs to collect and dispose of this product are deferred to the public and the environment. Food service polystyrene foam causes unique litter management issues because it is light weight, floats in water, and is easily blown by the wind from place to place, even when disposed of properly. Polystyrene foam can enter creeks or storm drains, whether directly or indirectly, and is observed during street sweeping activities and local creek clean up events. Staff estimates that polystyrene foam comprises about 15 percent of the volume of litter collected from Hayward's storm drains, based on data compiled in the 2008 Waste Characterization Study for Alameda County. Waste Management of Alameda County, the City's solid waste and recycling contractor, has confirmed that it has no recycling market for polystyrene foam. It should be noted that Hayward's recycling programs accepts all clean plastic bottles and containers with resin #1 through #7, though there is no market for polystyrene foam, which is identified as resin #6. All plastic bottles and containers #1-7, including #6, are accepted because studies have shown that residents and businesses recycle more of the acceptable plastics when all numbered containers are permitted.

Polystyrene litter, especially expanded polystyrene foam, is a threat to natural ecosystems due to its tendency to break into smaller pieces that are similar in size and appearance to the food of some wildlife species. These small pieces can be ingested by marine wildlife, leading to reduced appetite and nutrient absorption and possible death by starvation. Food service polystyrene is also a one-time use product that degrades slowly in nature. A CalRecycle report has noted that "in the categories of energy consumption, greenhouse gas effect and the total environmental effect, polystyrene's environmental impacts were second highest, behind aluminum." (*Use and Disposal of Polystyrene in California*, California Integrated Waste Management Board, December 2004).

DISCUSSION

Adoption of Bans by Other Municipalities - Nearly 100 municipalities nationwide, including 35 in California, have banned polystyrene foam food service ware. Cities in Alameda County that have adopted such ordinances and the effective dates include Alameda (January 2008), Albany (September 2008), Berkeley (January 1990), Emeryville (January 2008), Fremont (January 2011) and Oakland (January 2007). Some other cities and counties nearby that have adopted an ordinance and the effective dates include Marin County (January 2010), Millbrae (January 2008), Palo Alto (April 2010), Richmond (July 2010), San Bruno (April 2010), San Francisco (June 2007), San Mateo County (July 2010) and South San Francisco (October 2008).

The City Council for the City of Fremont approved its proposed ban on polystyrene foam food service ware on May 11, 2010. Staff from Fremont indicated that local businesses did not oppose the ban, that the Fremont Chamber of Commerce supports the ban, and that it received letters from the American Chemistry Council and the California Restaurant Association opposing the ban. Fremont staff also indicated that a representative from the California Restaurant Association spoke in opposition to the ban during the public hearing. Representatives from the following groups spoke in support of the Fremont ban: Save the Bay and Clean Water Action.

Status of Legislation - As indicated in the March 3, 2010, report to the Committee, AB 1358 (Hill), which would have prohibited food vendors from distributing polystyrene food packaging, is a two-year bill and will be inactive until next year. Likewise, AB 2138 (Chesbro), which is broader in scope than AB 1358 and had replaced AB 1358, will not receive further consideration. Supporters of both bills included AFSCME, AFL-CIO, City and County of San Francisco, Planning and Conservation League, and Sierra Club of California. Those opposed included a host of different groups, such as the American Chemistry Council, the California Chamber of Commerce, and the California Grocers Association.

Recommended Provisions - Staff has reviewed ordinances of each municipality listed above and has discussed various aspects of those ordinances with staff from several cities that have already implemented an ordinance banning polystyrene. The proposed ordinance for the City of Hayward takes into account comments from other cities and includes the components that staff believes are most relevant and productive to achieve the City's goals of reducing trash and using more sustainable products, as well as those of the City's business community and citizens.

Staff recommends that the ordinance apply to any retail establishment located within the City that provides prepared food or beverages including, for example, restaurants, supermarkets, delicatessens, sales outlets, shops, outdoor vendors, cafeterias, catering trucks, caterers, special events promoters, farmers markets, and retail food vendors. The ordinance would also apply to the City of Hayward and its facilities, including permit holders, though would not apply during emergency response actions. If the ordinance is adopted by the City Council, staff from the Hayward Area Recreation and Park District (HARD) has confirmed that their agency would implement the same provisions District-wide with their contracted vendors, senior center, and concessions at Kennedy Park. However, HARD staff will not attempt to control compliance by park patrons. As with most other City ordinances, the Hayward Unified School District will not be subject to the ordinance.

The proposed ordinance would require the use of compostable or recyclable take-out food service ware, rather than polystyrene foam containers, for any food or beverage prepared for consumption within the City using any cooking, packaging, or preparation techniques by the food vendor. This requirement would not apply to uncooked meat, fish, poultry, or eggs, unless provided for consumption without further preparation, such as sushi. The definition of food service ware would include plates, cups, bowls, trays, and hinged and lidded containers. Items often associated with take-out food service but not restricted by the ordinance, as these items are not typically made of polystyrene foam, would include single-use straws, coffee stirrs, utensils or hot-cup lids.

Alternative products to polystyrene foam are readily available and are used in other cities with similar packaging bans. These recyclable or compostable alternative products include paper-based packaging, compostable plant-based packaging, recyclable plastic packaging identified as recyclable by the City in its municipal recycling program, and aluminum packaging. For purposes of this proposed ordinance, compostable would mean that all the materials in the product or package will break down into, or otherwise become part of, usable compost, such as a soil amendment.

Rigid plastic containers are also currently available in many shapes, sizes, and styles for use instead of polystyrene foam. Aluminum packaging is also an acceptable alternative to polystyrene packaging, as aluminum has well-established recycling markets.

ENVIRONMENTAL REVIEW

Staff has conducted an initial study and concluded that implementation of the proposed Hayward Municipal Code amendment to ban use of polystyrene foam food service containers by food vendors within the City of Hayward will not have a significant adverse impact on the physical environment. Hence, a negative declaration has been prepared.

ECONOMIC IMPACT

The estimated per-unit costs to buy recyclable and biodegradable containers range from two to four times more than polystyrene foam food service ware, depending on the container type, weight, and durability, according to three vendors who sell recyclable and biodegradable containers to cities, universities, and private sector companies. To assess the actual cost differential between polystyrene foam containers compared to sustainable paper-based products, staff visited a wholesale business (Costco Business Center) and recorded the cost of the two types of containers. On average, a hinged polystyrene container cost about \$0.10 each, while the equivalent paper container cost about twice as much. Thus, the cost impact per food product purchased using this particular container could be \$0.10 to \$0.15 more.

If, for a low-price restaurant, the cost per food item is assumed to be about \$4.00 to \$5.00, the cost of the polystyrene foam container would be close to 2% of the total cost. If this restaurant switched to a more sustainable product, the container cost would be about \$0.20 to \$0.25, or about 4% - 5% of the cost. Therefore, the additional cost of switching to a sustainable container would be 2% - 3% of the revenue of the portion of food that is sold using polystyrene foam containers. The largest impact would be incurred by restaurants using polystyrene foam for both takeout and inside dining. For restaurants that do not use polystyrene foam plates for in-store dining, or where takeout is not a major part of the business, the impact would be much less. In terms of real dollars, based on the survey of the restaurants and other information gathered, staff estimates the additional cost to be between \$150 - \$250 per month for most small- to medium-size retail food establishments.

Assuming that this cost cannot be passed on to customers and, if absorbed by the food vendor, this amount will need to come from each business' earnings. Actual costs for an alternative product would be largely dependent on the amount and types of disposable food service ware used. Some businesses have identified cost-neutral alternatives to replace polystyrene foam food service ware, according to staff from other cities. As demand for alternative products increases, the development of new products at cost-competitive rates could occur.

Enforcement of this ordinance would be on a complaint basis and reported to the Public Works Department for response by Solid Waste Program staff. The City Manager or designee would be authorized to enforce the ordinance and issue fines for uncorrected violations. Food vendors would

be exempt for a period of time on a case-by-case basis for undue hardship after the effective date of the ordinance. Undue hardship would include, for example, conditions unique to the food vendor not typically applicable to other vendors in similar circumstances. The City Manager or designee would have the authority to determine if a violation occurred and issue a written warning notice to the food vendor.

Staff would work with food vendors to provide the necessary education to comply with the ordinance. While business outreach would be the primary tool to encourage the switch to more sustainable products, fines would be used as a last resort for vendors that continue to violate the ordinance. Violation of the proposed ordinance would require a written warning to the food service vendor. Any violation that occurs after a written warning has been issued would be subject to civil and administrative enforcement and may include a fine established by resolution of the City Council. Citations issued for a violation would include the vendor's right to an administrative hearing to challenge the validity of the citation and a time for requesting that hearing in accordance with the City's Municipal Code.

FISCAL IMPACT

The ordinance would be implemented by Solid Waste Program staff using available Recycling Fund monies. No impact to the General Fund is anticipated.

PUBLIC CONTACT

Public Meetings Inviting Comments - On June 4, staff mailed a letter (copy attached) to over 350 restaurants, other retail food service establishments, and the Chamber of Commerce inviting comments regarding the proposed ordinance. The letter described the proposed provisions of the ordinance and identified two informational meetings scheduled for the convenience of business owners: 3:00 p.m. on June 21 and 7:00 p.m. on June 22, both of which were held at City Hall. Informational literature describing the assistance available to businesses to implement collection of mixed recyclables and organics collection were provided at both meetings. The letter also invited all business owners to the July 7 Council Sustainability Committee meeting.

Those attending the June 21 meeting included Council Member May; Greg Jones of Hayward; Johnnie Downs, a representative from the California Restaurant Association (CRA); Simon Wong, a reporter from the *Tri-City Voice* newspaper; and Allen King, a local vendor that sells biodegradable food service ware. Mr. Jones was the sole attendee at the June 22 meeting. Following is a summary of each attendee's comments and staff's response:

- Council Member May explained that the additional cost to buy recyclable or biodegradable containers would disproportionately impact smaller restaurants, particularly those that serve food on polystyrene foam plates and/or that a significant portion of their business is take-out service using polystyrene foam containers. She recommended that, if the ordinance is approved by Council, a surcharge be applied when a recyclable or compostable container is required. She further recommended that businesses be offered stickers for display to their

customers to acknowledge use of the containers. Ms. May explained that some businesses may choose to pass along the cost to their customers by posting a notice attributing an increase in costs due to the adopted ordinance.

Council Member May asked whether stores selling polystyrene foam food service containers, such as Costco and Smart and Final, would be subject to the ordinance. Staff responded that retail sales of such containers would not be subject to the ordinance. However, the Costco retail on-site food counter would be subject to the ordinance, although it does not appear that very much polystyrene foam food ware is used there.

Council Member May also asked if the ordinance had been referred to and discussed at the City's Economic Development Committee (EDC). Staff indicated that the provisions of the ordinance will be summarized at the July 12 EDC meeting, and that the EDC's comments and suggestions will be included in the Council Report, tentatively scheduled for a public hearing and Council action in September. Council Member May added that the proposed ordinance should have been presented to the EDC for review before being presented to the Council Sustainability Committee.

- Mr. Jones recommended consideration for a phased application of the ordinance with larger businesses required to comply first and smaller businesses required to comply at a later date. Businesses could be categorized based on annual sales or number of employees, for example.

In response to Mr. Jones' question regarding which businesses would be subject to the ordinance, staff indicated that the proposed ordinance would apply to all businesses that provide prepared food or beverages, regardless of the number of employees or annual sales. Mr. Jones also recommended that the City Council actively support adoption of statewide legislation.

- Ms. Downs, the CRA representative, explained that some of their membership has reported needing to use two biodegradable containers to avoid leakage of food from the containers, thus increasing their costs to comply with municipalities' regulations. She also indicated that some of the larger chain restaurants had not fully complied with ordinances in other nearby jurisdictions.

In response to Ms. Downs' question regarding specific provisions of the ordinance, staff indicated that only polystyrene foam containers and not clear polystyrene containers, would be subject to the ordinance.

Contact with Chamber of Commerce - Staff has contacted the Chamber's Interim CEO, Brian Schott, and discussed this issue. Mr. Schott indicated that the Chamber's Board had not formally discussed or taken a position on this issue yet. He said the new Board will be seated as of July 1, and its first meeting would be on July 22. Mr. Schott further indicated that the Board's Government Relations Council, which meets on the 2nd Thursday of the month (July 8th) at 7:45 a.m., would be a good venue for City staff to attend and discuss this issue. He said after that the

Board can discuss the issue and take a position, and, realistically, that could happen at the Board's meeting in late August.

Staff advised Mr. Schott of the schedule for going before the Council's Sustainability Committee on July 7 and, if approved by that Committee, to hold a public hearing before the Council, tentatively scheduled for September. Mr. Schott indicated the timing of the City Council meeting would work well for the Chamber of Commerce; by then its Board should have met. Staff requested a written indication of the position of the Board after its action, and the Chamber's CEO graciously agreed to provide that.

Survey of Restaurants' Use of Polystyrene Foam Food Ware - Staff conducted a survey of 56 primarily non-chain, small to medium-size restaurants in the City of Hayward, including those that offer seating and those that offer take-out with some limited seating. The purpose of the survey was to invite comments regarding the extent of use and monthly costs for polystyrene foam plates and containers relative to their other regular expenses, e.g., labor, food and rent. Nearly half of the businesses surveyed were conducted with owners at their business location and the others were conducted via phone. Of the businesses surveyed, nearly all reported using polystyrene foam containers, particularly for their take-out service, and many reported using some other plastic or paper food service ware. Business owners indicated that they also used some take-out containers made of paper or other recyclable products and expressed concern about the additional costs to purchase paper containers. Business owners reported varying monthly costs due to the services offered. Staff's cost estimate of the impact of the ordinance of \$0.10 to \$0.15 per food product is described earlier in the report.

In response to offers by City staff, several of the small and medium-size restaurants accepted a sample biodegradable container to test its suitability. Containers were offered so that businesses could test the containers in part because some business owners reported unsatisfactory experiences with paper containers used previously. Businesses serving pizza and hamburgers reported using paper take-out containers, as did Carrow's, Sapporo Restaurant and Zorba's Delicatessen. Additional information summarizing the survey results is included in Attachment IV.

Proposed Outreach Program - If the proposed ordinance is recommended for approval by the Sustainability Committee for Council's consideration, staff would work with the Hayward Chamber of Commerce to solicit more input from the business community regarding the plans for the proposed ban on polystyrene foam food service ware. Staff would convene meetings with the Chamber and businesses, mail literature describing the terms of the proposed ban, and schedule additional meetings. In addition to English, the literature would be prepared in Chinese and Spanish to restaurants and other food vendors.

If the ordinance is approved by the City Council, staff would implement an outreach and education plan that would describe the ordinance's provisions, including the reasons for doing so. The plan would identify appropriate alternative products for affected food vendors. Retail and wholesale food packaging vendors would be advised regarding acceptable products. Staff would continue to provide businesses with informational materials describing the recycling programs available to businesses under the City's contract with WMAC. Those services include collection of food and food-soiled paper at half the price of regular garbage service for the same size container, as well as

co-mingled collection of recyclables at no additional charge. Businesses that implement these programs could reduce their garbage bill and, thereby, mitigate the additional costs to buy biodegradable food service ware. Additionally, staff would disseminate information via newsletters, press releases, the City's website and links, as well as interaction with business associations and community groups. Direct site visits and other interaction with businesses would occur, when possible, to assist food vendors with product changes. Prior to the effective date of the ordinance, reminders to use existing inventory of polystyrene foam food service containers would be issued to food vendors.

If the ordinance is adopted by the City Council, staff proposes a six-month period during which time affected businesses would be encouraged to deplete their inventory of polystyrene foam takeout containers.

SCHEDULE

City Council Introduction of Ordinance and Public Hearing	September 21, 2010
Outreach Materials Disseminated to Affected Food Vendors	Beginning September 2010
Six-Month Period to Allow Depletion of Inventory	November 2010-May 2011
Effective Date of Proposed Ordinance	July 1, 2011

Prepared by: Alex Ameri, Deputy Director of Public Works

Recommended by: Robert A. Bauman, Director Public Works

Approved by:



Fran David, City Manager

Attachments:

- Attachment I – Draft Ordinance
- Attachment II – Draft Negative Declaration
- Attachment III – Letter to Retail Businesses regarding the Proposed Ordinance
- Attachment IV – Survey of Restaurants: Summary Responses Received

DRAFT

ORDINANCE NO. 10-_____

ORDINANCE AMENDING CHAPTER 5, BY ADDING ARTICLE 11 OF THE HAYWARD MUNICIPAL CODE RELATING TO SANITATION AND HEALTH TO PROHIBIT THE USE OF POLYSTYRENE FOAM DISPOSABLE FOOD SERVICE WARE AND TO REQUIRE RECYCLABLE OR COMPOSTABLE FOOD SERVICE WARE WITHIN CITY LIMITS

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF HAYWARD DOES ORDAIN AS FOLLOWS:

Section 1. LEGISLATIVE FINDINGS AND DECLARATIONS. The City Council hereby adopts the following findings and declarations in support of this Ordinance.

The City of Hayward has a duty to protect the natural environment, the economy, and the health of its citizens.

Food service polystyrene foam causes unique litter management issues because it is light weight, floats in water, and is easily blown by the wind from place to place, even when disposed of properly. Polystyrene foam can enter creeks or storm drains, whether directly or indirectly, and is observed during street sweeping activities and local creek clean up events.

Polystyrene litter, especially expanded polystyrene foam, is a threat to natural ecosystems due to its tendency to break into smaller pieces that are similar in size and appearance to the food of some wildlife species. These small pieces can be ingested by marine wildlife, leading to reduced appetite and nutrient absorption and possible death by starvation.

Banning polystyrene foam food service ware in the City of Hayward will help address pollution by requiring reusable containers, where possible, or the use of compostable or recyclable alternatives, while helping inform business owners and citizens about the positive impact their packaging choices can make.

CalRecycle has estimated that Californians use 165,000 tons of polystyrene foam each year for packaging and food service purposes alone, and currently there is no economically feasible means of recycling this product in the City of Hayward.

A number of municipalities in California have banned polystyrene foam food service ware, and some local businesses and several national corporations have successfully replaced polystyrene foam with recyclable or compostable food service ware.

The City's goal is to replace polystyrene foam with alternative products that are reusable, where possible, or are recyclable or compostable.

Section 2. Upon the adoption of this Ordinance, Sections 5-11.00 through 5-11.06, adding Article 11 to Chapter 5 of the Hayward Municipal Code, relating to a ban on polystyrene foam food service ware, are hereby enacted to read as follows:

"ARTICLE 11
POLYSTYRENE FOAM DISPOSABLE FOOD SERVICE WARE PROHIBITED;
RECYCLABLE OR COMPOSTABLE FOOD SERVICE WARE REQUIRED

Section	Subject Matter
5-11.00	DEFINITIONS
5-11.01	PROHIBITED USE OF POLYSTYRENE FOAM DISPOSABLE FOOD SERVICE WARE
5-11.02	REQUIRED USE OF RECYCLABLE OR COMPOSTABLE FOOD SERVICE WARE
5-11.03	EXCEPTIONS
5-11.04	ADMINISTRATIVE RULES AND REGULATIONS
5-11.05	ENFORCEMENT AND PENALTIES
5-11.06	CONSTRUCTION AND PREEMPTION

SEC. 5-11.00 DEFINITIONS. For the purposes of this Article, certain words and

phrases are defined, and certain provisions shall be construed as herein set out, unless it shall be apparent from their context that a different meaning is intended.

- a. **ASTM-Standard.** ASTM Standard means meeting the standards of the American Society for Testing and Materials (ASTM) International Standards D6400 or D6868 for compostable plastics, as those standards may be amended.
- b. **Biodegrade/Biodegradable.** Biodegrade or Biodegradable means the entire product or package will completely break down and return to nature, i.e., decompose into elements found in nature within a reasonably short period of time after customary disposal.
- c. **City Facility.** City Facility means any building, structure, land or park owned or operated by the City of Hayward, its agents and departments and includes City buildings, structures, parks, recreation facilities or property.
- d. **City Facility Users.** City Facility Users means all persons, societies, associations, organizations or special events promoters who require a permit to reserve or rent a City Facility or a permit or contract to use a plaza, sidewalk, or roadway, as further described in Hayward Municipal Code Chapter 3, Public Safety, Article 5, Section 3-5.10 Temporary Use of Sidewalk or Roadway. City Facility Users also includes concession contracts with the City, City-managed concessions, City-sponsored events and food services provided at City expense.
- e. **Compostable.** Compostable means that all materials in the product or package will Biodegrade or otherwise become part of usable compost (e.g., soil conditioning material, mulch) in an appropriate composting program or facility. Compostable Disposable Food Service Ware includes ASTM-Standard bioplastics (plastic-like) products that are clearly labeled so that any compost collector and processor can easily distinguish the ASTM Standard Compostable plastic from non-ASTM Standard Compostable plastic.
- f. **Disposable Food Service Ware.** Disposable Food Service Ware means a product used by a Food Vendor for serving or transporting prepared and ready-to-consume food or beverages which is commonly disposed of after a single use. Disposable Food Service Ware includes, but is not limited to, plates, cups, bowls, trays and hinged or lidded containers. This definition does not include single-use disposable straws, utensils or hot cup lids.
- g. **Food Vendor.** Food Vendor means any establishment located within the City of Hayward, or any establishment which provides prepared food or beverages for public consumption within the City of Hayward, including but not limited to any store, supermarket, delicatessen, restaurant, retail food vendor, sales outlet, shop, cafeteria, catering truck or vehicle, sidewalk or other outdoor vendor, or caterer.
- h. **Polystyrene Foam.** Polystyrene Foam means a thermoplastic petrochemical material utilizing the styrene monomer, which may be marked with resin symbol

#6, processed by any number of techniques including, but not limited to, fusion of polymer spheres (expandable bead polystyrene), injection molding, form molding, and extrusion-blow molding (extruded foam polystyrene), sometimes referred to as Styrofoam™, a Dow Chemical Company trademarked form of polystyrene foam insulation. In food service, Polystyrene Foam is generally used to make cups, bowls, plates, trays, and clamshell containers intended for a single use.

- i. Prepared Food. Prepared Food means any food or beverage prepared for consumption using any cooking, packaging, or food preparation technique by Food Vendor. Prepared food does not include uncooked meat, fish, poultry, or eggs unless provided for consumption without further food preparation, such as sushi. Prepared Food may be eaten either on or off the premises, also known as “take-out food.”
- j. Recyclable. Recyclable means any material that is accepted by the City recycling program, including, but not limited to, paper, glass, metal, cardboard, and plastic that can be recycled, salvaged, processed, or marketed by any means other than landfilling or burning, whether as fuel or otherwise, so that they are returned to use by society. Recyclable plastics include any plastic which is identified as recyclable by the City in the City’s municipal recycling program. For purposes of this Article, recyclable plastic does not include Polystyrene Foam labeled with resin symbol #6.
- k. Special Events Promoter. Special Events Promoter means an applicant for any special events permit issued by the City or by any City employee(s) responsible for any organized special event within the City of Hayward.

SEC. 5-11.01 PROHIBITED USE OF POLYSTYRENE FOAM DISPOSABLE FOOD SERVICE WARE.

- a. Except as provided by Section 5-11.03, all Food Vendors are prohibited from providing Prepared Food in Disposable Food Service Ware made from Polystyrene Foam.
- b. Except as provided by Section 5-11.03, all City Facility Users are prohibited from using Disposable Food Service Ware made from Polystyrene Foam.

SEC. 5-11.02 REQUIRED USE OF RECYCLABLE OR COMPOSTABLE FOOD SERVICE WARE.

- a. All Food Vendors using any Disposable Food Service Ware shall use a suitable Recyclable or Compostable product.
- b. All City Facility Users shall use a suitable Recyclable or Compostable product for Disposable Food Service Ware.

SEC. 5-11.03 EXCEPTIONS.

- a. Foods prepackaged outside the limits of the City of Hayward are excluded from the provisions of this Article, but the purveyors of foods prepackaged outside of the limits of the City of Hayward are encouraged to follow these provisions as it is the City's policy goal to eliminate the use of Polystyrene Foam for Disposable Food Service Ware.
- b. Coolers and ice chests that are intended for reuse are excluded from the provisions of this Article.
- c. The City Manager may except a Food Vendor or City Facility User from the requirements set forth in Section 5-11.02 for a period of time to be determined by the City Manager on a case-by-case basis for undue hardship. Undue hardship includes, but is not limited to, situations unique to the Food Vendor or City Facility User not generally applicable to other persons in similar circumstances.
- d. Food Vendors and City Facility Users seeking an exception from the requirements of this Article shall include all information on the application for exception to allow the City to make its decision, including but not limited to, documentation showing factual support for the claimed exception. The City Manager shall confirm the decision to grant or deny each exception in writing and may approve an exception request in whole or in part. The decision of the City Manager shall be final.
- e. Emergency supplies or services procurement. City Facility Users and Food Vendors shall be exempt from the provisions of this Article, in a situation deemed by the City Manager to be an emergency for the immediate preservation of the public peace, health or safety.

SEC. 5-11.04 ADMINISTRATIVE RULES AND REGULATIONS. The City Manager may make such rules and regulations, consistent with the provisions of this Article, as may be necessary or desirable to supplement or clarify such provisions or aid in their enforcement.

SEC. 5-11.05 PENALTIES AND ENFORCEMENT.

- a. The City Manager or his/her designee shall have primary responsibility for enforcement of this Article. If the City Manager or his/her designee determines that a violation of this Article has occurred, he/she shall issue a written warning notice to the Food Vendor that a violation has occurred. Subsequent violations of this Article by a Food Vendor shall be subject to the penalties and enforcement set forth below.
- b. Each and every sale or other transfer of Disposable Food Service Ware made

from Polystyrene Foam shall constitute a separate violation of this Article.

- c. Any violation of this Article that occurs after the issuance of a written warning to a Food Vendor is subject to civil and administrative enforcement, punishable by a civil fine established by resolution of the City Council. Any citation issued for a violation of this Article shall give notice of the right to request an administrative hearing to challenge the validity of the citation and the time for requesting that hearing as provided for in Chapter 1, Article 7 of the Hayward Municipal Code.
- d. The City Attorney may seek legal, injunctive or other equitable relief to enforce this Article.
- e. The remedies provided herein are cumulative and not exclusive.

SEC. 5-11.06 CONSTRUCTION AND PREEMPTION. This Article and any of its provisions shall be null and void upon the adoption of any state or federal law or regulation imposing the same, or essentially the same, limits on the use of prohibited products as set forth in this Article. This Article is intended to be a proper exercise of the City's police power, to operate only upon its own officers, agents, employees and facilities and other persons acting within its boundaries, and not to regulate inter-City or interstate commerce. It shall be construed with that intent."

Section 3. Severability. Should any part of this Ordinance be declared by a final decision by a court or tribunal of competent jurisdiction to be unconstitutional, invalid, or beyond the authority of the City, such decision shall not affect the validity of the remainder of this Ordinance, which shall continue in full force and effect, provided that the remainder of the Ordinance, absent the unexcised portion, can be reasonably interpreted to give effect to the intentions of the City Council.

Section 4. In accordance with the provisions of Section 620 of the City Charter, this Ordinance shall become effective July 1, 2011.

INTRODUCED at a regular meeting of the City Council of the City of Hayward, held the _____ day of _____, 2010, by Council Member _____.

ADOPTED at a regular meeting of the City Council of the City of Hayward, held the _____ day of _____, 2010, by the following votes of the said City Council.

AYES: COUNCIL MEMBERS:
MAYOR:

NOES: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS

APPROVED: _____
Mayor of the City of Hayward

DATE:

ATTEST: _____
City Clerk of the City of Hayward

APPROVED AS TO FORM:

City Attorney of the City of Hayward



CITY OF
HAYWARD
HEART OF THE BAY

**DEPARTMENT OF
PUBLIC WORKS – UTILITIES DIVISION**

DRAFT NEGATIVE DECLARATION

Notice is hereby given that the City of Hayward finds that no significant effect on the environment as prescribed by the California Environmental Quality Act of 1970, as amended will occur for the following proposed project:

I. PROJECT DESCRIPTION:

Expanded Polystyrene Food Service Ware Ban as Hayward Municipal Code Amendment

The City of Hayward has initiated a Hayward Municipal Code (HMC) Amendment that would add Article 11, Chapter 5 to the HMC to prohibit the use of polystyrene foam disposable food service ware by food vendors within the City. Items to be prohibited include single-use disposable products used for serving or transporting prepared food and beverages, e.g., plates, cups, bowls, lids, trays, and hinged or lidded containers. Not included in this prohibition are single-use disposal straws, utensils, or hot cup lids. Food vendors are establishments that provide prepared food or beverages. Instead of using polystyrene foam disposable food service ware, these food vendors, as well as users of City facilities, would be required to use recyclable or compostable food service ware. Recyclable food service ware includes plastics with a resin number of 1, 2, 3, 4, 5, 6, or 7 (*excluding* No. 6 polystyrene foam ware), as well as aluminum and glass containers. Compostable food service ware includes items manufactured from vegetable- or sugar-based materials, and natural fibers (e.g., paper ware). The anticipated effective date of the proposed HMC amendment is July 1, 2011.

II. FINDING PROJECT WILL NOT SIGNIFICANTLY AFFECT ENVIRONMENT:

The proposed project could not have a significant effect on the environment.

III. FINDINGS SUPPORTING DECLARATION:

1. The proposed project has been reviewed according to the standards and requirements of the California Environmental Quality Act (CEQA) and an Initial Study Environmental Evaluation Checklist has been prepared for the proposed project. The Initial Study has determined that the proposed project could not result in significant effects on the environment.
2. The project will not result in any development that would adversely affect any scenic resources.
3. The project will not result in any development that would have an adverse effect on agricultural land.

Attachment II

DEPARTMENT OF PUBLIC WORKS
SOLID WASTE & RECYCLING

777 B Street, Hayward, CA 94541-5007

Tel: 510/882-4705 • Fax: 510/882-2810 • TDD: 510/847-2240

4. The project will not result in any development that would have significant impacts related to changes in air quality.
5. The project will not result in any development that would have significant impacts to biological resources such as wildlife and wetlands.
6. The project will not result in any development that would have significant impacts to known cultural resources including historical resources, archaeological resources, paleontological resources, unique topography or disturb human remains.
7. The project will not affect geological hazards.
8. The project would not generate greenhouse gas emissions or be in conflict with an applicable plan, policy or regulation adopted to reduce greenhouse gas emissions.
9. The project would have no impact on hazards or hazardous materials.
10. The project will not affect water quality standards.
11. The project is not in conflict with the policies of the City General Policies Plan, or the Zoning Ordinance.
12. The project could not result in a significant impact to mineral resources since no construction will take place as part of this project.
13. The project could not result in a significant noise impact.
14. The project would have no impact on population or housing.
15. The project could not result in a significant impact to public services.
16. The project would have no impact on recreation.
17. The project could not result in a significant impact to traffic or result in changes to traffic patterns or emergency vehicle access.
18. The project could not result in a significant impact to parking.
19. The project would have no impact on utilities or service systems.

IV. PERSON WHO PREPARED INITIAL STUDY:

Signature: _____
Vera Dahle-Lacaze, Solid Waste Manager

Dated: June 15, 2010

V. COPY OF INITIAL STUDY IS ATTACHED

For additional information, please contact the City of Hayward Public Works Department, 777 B Street, Hayward, CA 94541-5007 or telephone (510) 583-4725

DISTRIBUTION/POSTING

- Provide copies to project applicants and all organizations and individuals requesting it in writing. Provide copy to Alameda County Clerk's Office.
- Reference in all public hearing notices to be distributed 20 days in advance of initial public hearing and/or published once in Daily Review 20 days prior to hearing.
- Project file.
- Post immediately upon receipt at the City Clerk's Office, the Main City Hall bulletin board, and in all City library branches, and do not remove until the date after the public hearing.



CITY OF
HAYWARD
HEART OF THE BAY

June 7, 2010

Dear Hayward Business Owner:

We would like to invite your comments about a proposed ordinance that would ban polystyrene foam (Styrofoam™) containers currently used by retail businesses located in the City of Hayward. Given the adverse environmental impacts of polystyrene foam products, the City of Hayward Council Sustainability Committee has expressed concerns about the continued use of these containers, and has asked City staff to prepare a staff report with supporting documentation so that the Committee can consider the issue and make a recommendation to the City Council regarding the use of these containers. If recommended by the Committee, staff will schedule a public hearing before the City Council to discuss this issue sometime in September. If the ordinance is approved, retail businesses would be required to replace polystyrene foam containers, which are currently non-recyclable, with recyclable plastic or compostable paper containers that are accepted in the City's recycling programs offered to residents and businesses.

The ordinance would apply to retail businesses located within the City that provide prepared food or beverages including, for example, restaurants, delicatessens, supermarkets, outdoor vendors, cafeterias, catering trucks, caterers, special events promoters, farmers' markets, and retail food vendors. The ordinance would include items made of polystyrene foam such as plates, cups, bowls, trays, and hinged and lidded containers, and would not apply to trays and containers for uncooked meat, fish, poultry, or eggs unless provided for consumption without further preparation, such as for sushi.

For your convenience, two identical Informational Meetings have been scheduled to receive your comments about the proposed ordinance:

Dates and Times: 3:00 p.m., Monday, June 21

7:00 p.m., Tuesday, June 22

Location: Conference Room 2A at City Hall, 777 B Street, Hayward

The Council Sustainability Committee meeting will be held on July 7, where this item will be reviewed and any comments received at the above meetings will be discussed. The meeting will be held in Conference Room 2A at City Hall, 777 B Street, and beginning at 4:30 p.m. The report and the draft ordinance will be available on the City's website at www.hayward-ca.gov/citygov/meetings/csc/ccsc.shtm by close of business on Friday, July 2, 2010, or by calling the Public Works Department at (510) 583-4700 on Tuesday, July 6, 2010. If you are unable to attend any of the meetings but wish to provide comments about the proposed ordinance, you may email your comments to angel.groves@hayward-ca.gov. Please indicate "Styrofoam Ban" in the subject line of your email. You may also mail or fax your comments to the Public Works Department, 777 B Street, Hayward, CA 94541; fax: (510) 583-3610. A summary of this letter in Spanish and Mandarin are on the reverse side of this letter.

Sincerely,

Robert A. Bauman
Public Works Director

Department of Public Works
777 B Street, Hayward, CA 94541-5007
Tel: 510.583.4700 Fax: 510.583.3610 TDD: 510.247-3340
Printed on 100% Recycled Content Paper

Attachment III

La carta en el revés discute en más detalle la consideración de la Ciudad de Hayward sobre una ordenanza propuesta que prohibiría contenedores de espuma de poliestireno™ utilizado por negocios de alimento de venta en la Ciudad de Hayward. El objetivo de la ordenanza sería de reemplazar contenedores de espuma de poliestireno, que no son reciclable, con plástico reciclable, o contenedores de papel compostable, que son aceptados en programas del reciclaje que la Ciudad actualmente ofrece a residentes y negocios. Para obtener información adicional sobre la ordenanza propuesta y horarios de reuniones que usted puede asistir para discutir la ordenanza propuesta, favor de llamar a (510) 583-4700. Gracias.

信的反面是關於海沃市禁止零售食品業使用泡沫容器提案的詳細建議。該條例的目的是要取代目前不被環保部門回收的聚苯乙烯泡沫容器(保利隆), 代以可回收塑膠, 紙等環保材料容器。如需有關提案的詳細條例及聽政會議時間, 請與可以讀取並解釋此信的人分享。謝謝。

Survey of Restaurants: Summary Responses Received

A summary of the comments from primarily non-chain, small- to medium-size restaurants follows:

Best Kept Secret BBQ uses polystyrene foam cups and paper clamshells; most patrons dine in and use containers for leftovers. They have already changed some containers, and will change the others if required.

Buon Appetito uses polystyrene foam containers for take-out and leftovers, and that about 90 percent of the customers eat at the restaurant. The owner estimates that about 400 containers are used monthly and that that cost comprises about 5 percent of total costs.

Carrow's Restaurant uses about 200 polystyrene foam containers weekly for take-out service and leftovers. This restaurant offers a box lunch consisting of a salad in a plastic container, with chips and a main dish in a biodegradable box. The manager explained that the box lunch promotion began about three months ago and that a biodegradable box was selected because it offers a better presentation than polystyrene. The store manager indicated that she is aware that the Carrow's Restaurant in Oakland uses only biodegradable food service ware.

Cecil's Burgers only offers take-out service, uses only polystyrene foam and estimates that it spends about \$150 per week for containers. It is a small business and the owner reports that converting to a biodegradable container would not be affordable.

Celia's Mexican Restaurant uses polystyrene foam containers and aluminum foil primarily for leftovers. Most dine in at the 30 tables provided. The owner expressed concern about buying more expensive containers.

Church's Chicken offers take-out service, which comprises a significant part of its business, uses polystyrene foam cups for gravy, cardboard for chicken and paper cups for beverages. The business also has about 15 tables for seating.

Curry Corner uses all polystyrene foam products for its take-out service, which is a significant part of its business, as there is little seating inside. The owner estimates that expenses for polystyrene foam food service ware comprise about 20-30 percent of its monthly expenses. The owner would be reluctant to raise prices because she could not compete with other chain restaurants and intends to email City staff to oppose the proposed ordinance.

El Pastor Taquería uses polystyrene foam cups and clam shells, plastic salsa cups and aluminum foil. The owner reported that about 75 percent of its business is take-out service and that he had tried to use decomposable products.

El Taquito uses polystyrene foam containers for take-out requests. The owner estimates costs of \$200-\$300 per month to buy containers and indicated that he would use alternate containers if they were comparably priced. If the ordinance is approved, the cost would be passed on to patrons.

El Taquito #2 uses polystyrene foam clamshells and offers indoor seating at 15 tables. The owner estimates that its monthly expenses for these containers are minimal and would pass on the additional costs to customers. The owner indicated that he would like a container with a lining, should the ordinance be adopted, and has begun evaluating alternative containers.

Eon Coffee uses paper cups, small polystyrene foam containers and plastic cups with resin symbol #1. The owner estimates that its take-out and dine-in services are about equal.

Fiesta Mexican Restaurant uses polystyrene foam clamshells and cups, as well as paper containers with an aluminum lining. The owner estimated that 20 percent of his company's business is from take-out and expressed concerns about the additional costs in the current economy.

Good Eats uses polystyrene foam containers for leftovers; most customers dine in using the 30 tables.

Grand Taipei uses paper carton containers and polystyrene foam clamshells. An employee explained that, typically, about one quarter of a box of the polystyrene foam containers is used monthly, mostly for leftovers. A majority of the patrons dine in using the 15 tables provided.

Indian Sweets uses polystyrene foam cups and has about 15 tables inside the business. The owner estimates \$200-\$300 spent monthly to purchase all plastic food ware, including polystyrene foam cups and all other types of plastic food ware, e.g., trays and cups.

Hong Kong Seafood uses take-out containers made of waxed paper and offers seating at about 15 indoor tables.

Korea House Restaurant located on A Street at Montgomery uses polystyrene foam clamshells for take-out, and spends about \$200 monthly on those products.

La Paradis & Patisserie Vietnamese Restaurant and Bakery uses polystyrene foam take-out containers and spends about \$150 monthly for those containers. The owner indicated that she is not opposed to the proposed ordinance and is aware that other municipalities have adopted similar ordinances. She has asked that businesses be afforded time to deplete their current inventory to convert to alternative containers.

Lee's Sandwiches uses polystyrene foam containers for dining in and out. An employee indicated his support for the reasons for the change but is hesitant about the amount of the increase.

Main Street Diner, a new restaurant located on Main Street at B, mainly uses paper-based containers.

Naked Fish uses polystyrene foam containers for take-out. As a family business, the owner advised that he couldn't pay more for containers, especially for soups, which are included in every to-go meal. The owner indicated that she would like to make a change to biodegradable containers and has tried alternatives, but they are too expensive.

Pepe's Taquería uses polystyrene foam clamshells and cups, as well as paper cups and bags and aluminum foil for its take-out service and has about 10 indoor tables for seating. The manager estimated costs of about \$54 per month for its polystyrene foam products.

Pho Kim uses polystyrene foam and clear clamshells; 10 tables are available for indoor seating. They haven't purchased any containers because they are using current inventory from a previous owner.

Rickshaw Express uses polystyrene foam plates and containers for dine-in and take-out and offers 15 indoor tables for seating. The owner estimates that its cost for polystyrene foam products is about 10 percent of monthly expenses, and that any increase would be passed on to customers. The owner indicated that he would like to start using reusable containers for dine-in customers in lieu of disposable products, and that he would use biodegradable take-out containers if the cost was the same as polystyrene foam containers. The owner plans to attend the July 7 Council Sustainability Committee meeting.

Shark Shack uses polystyrene foam containers because they are cost effective and perform well for hot foods. The owner reported that costs for take-out containers is minimal because most customers dine in, and that he has experienced problems with other paper products that have not performed well as take-out containers.

Taquería Arandas uses polystyrene foam plates, paper bags and aluminum foil for its take-out service and has about 8 indoor tables for seating.

Zorba's Delicatessen uses polystyrene foam containers for hot foods and biodegradable clear cups for cold drinks. The manager indicated that they could not use biodegradable plastics for hot foods and that their cost for packaging relative to other regular expenses is minimal.

Zuckersüss offers yogurt in cups made of sugarcane and uses no polystyrene.

Applebee's, Café Vasiliki, Chef China Bistro, China AA Buffet, Elephant Bar, Golden Mountain Restaurant, Marie Callender's, Mimi's Café, Panda Express, Pick-A-Deli, Ray's Sushi and Sizzler's Steakhouse reported using mostly polystyrene foam containers for take-out services for leftovers.



CITY OF
HAYWARD
HEART OF THE BAY

DATE: July 7, 2010
TO: Mayor and City Council Sustainability Committee
FROM: Development Services Director
SUBJECT: Draft Climate Action Communications Plan

RECOMMENDATION

That the Committee reads and comments on this report and provide guidance as to the strategies to promote community awareness and participation in climate action activities identified in the attached Draft Communications Plan (Attachment I).

BACKGROUND

The Hayward Climate Action Plan was adopted by the City Council on July 28, 2009 and lists numerous actions and goals for community greenhouse gas reduction. To successfully reach these goals, widespread participation in related programs and actions will be necessary. Recognizing this need, the City allocated part of the Energy Efficiency and Conservation Block Grant (EECBG) funds from the Department of Energy to a Sustainability Coordinator team, which includes a consulting firm with expertise in community outreach and communications. As Sustainability Coordinator, QuEST has subcontracted with CirclePoint to develop a Communications Plan for the implementation of the CAP.

DISCUSSION

To develop a strategy for community education and engagement specific to Hayward, CirclePoint needed to gain an understanding of the issues, attitudes, and communications channels unique to the Hayward community. To this end, CirclePoint interviewed over a dozen business and community leaders, City staff, and residents. The list of interview questions and participants is included in Appendices B and F of the attached Draft Communications Plan (Attachment I). As a result of these interviews, CirclePoint identified the following challenges to the success of the CAP goals and programs:

- A lack of overall awareness by the community about the Climate Action Plan or the role that the community will play in its successful implementation: **A key challenge will be in raising public awareness about climate change in general, and about the community's role implementing the CAP.**

- An overall interest in and focus upon other pressing day-to-day issues, such as jobs and the economy and concern for their (immediate) health and safety. The potential, serious longer-term threats of climate change, although acknowledged by some members of the community, have for the most part not sparked an interest in or motivation for taking action: **A key challenge will be to motivate action in the short-term and to instill long-term behavioral changes among all sectors of the community.**
- Hayward is highly diverse socio-economically, demographically and culturally – which will mean that different strategies will be required for effective communications and engagement: **A key challenge will be in effectively communicating and engaging the diverse interests and communities that comprise Hayward.**

To address these issues, CirclePoint proposes to begin by creating a communications strategy focused on raising broad awareness of the CAP, laying the foundation for encouraging participation in specific CAP programs in the future. The foundation for this strategy is built on four elements:

- **Branding that will develop a consistent look and feel that will be present on all communications materials, and highly visible in the community.** This element involves general themes and preliminary messages for the overall campaign and for each of the target audiences. All communications and promotional materials disseminated about the City's CAP programs will convey that the City is making a unified effort to engage the community. The objective is to have branding (logo/tagline) that is recognizable throughout the community and that serves as a symbol of the community effort. Specific language will be developed in the next phase, following review by the Sustainability Committee.
- **Establishing an engaged coalition of a broad cross-section of the community to serve as the messengers of a unified story.** This step involves the formation of a Communications Group (whether a sub-committee of the Climate Action Management Team or its own entity). The Group will meet to deliberate and provide guidance on messaging, branding, communications strategies and other key elements of the communications plan. Subcommittee members will also be engaged as "ambassadors" for implementing the plan among their own constituents, through community speaking engagements and events, e-blasts and other existing communications vehicles.
- **Consolidating the website to serve as the center and clearinghouse for information and online engagement.** A central information hub, likely the "Green Hayward" pages of the City website, will be created or enhanced. The website should keep messages accessible and consistent, while offering further detail for those who seek it. The website can eventually serve as an online portal for managing CAP incentive programs, registrations for competitions, and perhaps even helping homeowners track individual energy consumption data.

One of CirclePoint's recommendations is to identify champions in local schools among administrators and teachers to develop a pilot school program that would provide meaningful feedback to the City, help the school save energy, and serve as a demonstration site for other schools. Curricular materials developed by various federal and state agencies (e.g. the Bay Area Air Quality Management District (BAAQMD) materials on climate change) can be adapted for Hayward schools. In the longer term, the City can work to access other resources for the school programs by leveraging the City's existing relationships with local resources such as Cal State East Bay, Chabot College, Chabot Space & Science Center, Stopwaste.org, and Waste Management for possible curriculum development and classroom and assembly presentations.

CirclePoint also recommends using awards and achievement recognition as an approach to demonstrate effectiveness of CAP programs to motivate positive action and sustainable behavior change. Model homes, apartments, businesses, and neighborhoods will showcase the ease, cost-savings and esteem that accompany participation in CAP programs. These demonstration sites will be supported through strategic partnerships with businesses, educational institutions and neighborhood alliance groups throughout Hayward. Existing programs, including Bay Friendly Garden tours (emphasizing water efficient and pollution-prevention gardening practices) and the Environmental Achievement Awards (focusing on recycling and solid waste reduction) can serve as possible forums for providing recognition and for showcasing success stories. This initiative can also be incorporated into the existing monthly Business Recognition Award program.

It is important to note that due to budgetary constraints, the different phases of the Community Outreach effort will have to be rolled out over time. The EECBG budget for 2010 included enough funding to pay for the Communications Plan. Implementation efforts as recommended will not be funded until 2011 and 2012.

ECONOMIC IMPACT

There are no direct effects expected to impact the economy. Indirect effects should benefit the local economy in promoting the access to technical assistance and rebates, property improvements that reduce energy bills, and increased markets for local contractors.

FISCAL IMPACT

The implementation of the Communications Plan will be funded by the federal Energy Efficiency and Conservation Block Grant funds and not have an impact to the General Fund.

NEXT STEPS

If the Committee agrees with the approach and strategies discussed in the Communications Plan, staff will work with CirclePoint to finalize the Plan and develop a 2010-12 key activity timeline and 2011 implementation work plan.

Prepared by: Amelia Schmale, Sustainability Coordinator

Recommended by: David Rizk, AICP, Development Services Director

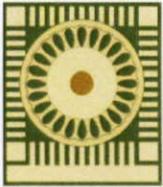
Approved by:



Fran David, City Manager

Attachment I: Draft Communications Plan

2010



CITY OF HAYWARD

Climate Action Communications Plan



City of Hayward Climate Action Communications Plan

2010

Hayward CAP Final Draft Climate Action Communications Plan

Executive Summary

In 2009, the Hayward City Council adopted the Climate Action Plan (CAP), which establishes dozens of specific actions to be taken in the near- and long-term to reduce the City's Greenhouse Gas Emissions (GhGs).

Hayward is now faced with the significant challenge (and unprecedented opportunity) of gaining community understanding, support and participation in implementing these actions. Ultimately, the community must take ownership of the CAP, so that its implementation is no longer driven primarily by the City, but also taken on by its diverse constituents. In this way, efforts to reduce GHGs will continue, even after current grant funding for outreach is exhausted.

The City will be successful when residents and businesses change their behavior over the long term – driving less and cycling or walking more; composting and recycling in their homes and at work; consuming less energy and water – taking personal responsibility for reducing their carbon footprint in Hayward and beyond.

But behavior change doesn't happen overnight.

The Communications Plan

This Climate Action Communications Plan provides the roadmap for community education and engagement, beginning with the identification of the key communications challenges, and outlining strategies for addressing these challenges.

The development of the Climate Action Communications Plan was informed by discussions with and input from key members of City staff, as well as through a series of interviews with individuals representing Hayward's diverse interests. Through these discussions and interviews, we identified several key issues that are further elaborated upon in this Climate Action Communications Plan. In summary, these issues are:

- A lack of overall awareness by the community about the Climate Action Plan or the role that the community will play in its successful implementation
A key challenge will be to raise public awareness about climate change in general, and about the community's role in implementing the CAP
- An overall interest in and focus upon other pressing day-to-day issues, such as jobs and the economy and concern for their (immediate) health and safety. The potential serious, longer-term threats of climate change are acknowledged by some members of the community; however, for the most part, they have not sparked an interest in or motivation for taking action:
A key challenge will be to motivate action in the short-term and to instill long-term behavioral changes among all sectors of the community by relating climate change to more immediate household and business priorities

- Hayward is socio-economically, demographically and culturally diverse, which means that different strategies will be required for effective communications and engagement:
A key challenge will be in effectively communicating and engaging the diverse interests and communities that comprise Hayward

Approach and Strategies for Motivating Behavior Change

The Climate Action Communications Plan provides the communications strategies and tools to promote specific climate action programs among Hayward’s residential and business audiences and to achieve measurable and sustainable reductions in GhG emissions. It is based upon the principles of behavior change – that people are more likely to adopt new actions and behaviors when they are guided through four basic steps that: 1) get their attention 2) develop a sense of interest 3) inspire a desire to change, and 4) ultimately, drive action.

Overall, our initial objective will be to create the communications “infrastructure” for raising broad awareness about the Climate Action Plan, and to lay the foundation for encouraging participation in specific CAP programs in the future. The base for this infrastructure is built on these key elements:

- Branding and messaging to develop a consistent look and feel and tell a unified story that will be present on all communications materials, and highly visible in the community
- Establishing an engaged coalition of a broad cross-section of the community to serve as the messengers
- Demonstrating the effectiveness of climate action programs to make results visible and understandable
- Make it challenging and fun through competition, incentives, recognition, and reward

The approval of the Climate Action Communications Plan is just the beginning of the engagement process. The implementation actions are designed to roll out as the City implements the climate actions, and to build awareness, interest, engagement and action.

Next Steps: Implementation

- Convene the Sustainability Committee/Climate Action Management Team (CAMT) and seek input on branding, messaging, target audiences, partnerships, champions and a coalition of supporters and sponsors
- Update/consolidate the website
- Take input from the Sustainability Committee and the CAMT/Communications Subcommittee to fine tune the Communications Approach and Strategies
- Develop pilot and demonstration programs for schools, residential, and commercial uses
- Design and refine community incentives, recognition, and competition

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Hayward CAP Final Draft Climate Action Communications Plan

Section 1. Background and Overview

For more than five years, the City of Hayward has been planning and implementing actions to address climate change, environmental, and sustainability issues throughout the community. In 2009, Hayward adopted its Final Climate Action Plan (CAP), which establishes goals and actions to reduce greenhouse gas (GhG) emissions from municipal and community activities. The CAP reflects feedback gathered during public outreach efforts, which included two facilitated citywide public workshops in 2008 and 2009, a series of meetings before the City Council and Planning Commission, and three meetings before the City Council Sustainability Committee. Additionally, work sessions were conducted with the Planning Commission and City Council, and the CAP was discussed at two City Council Sustainability Committee meetings.

The City also elicited community feedback through a survey, which was posted on the City of Hayward's website. The Mayor established an Advisory Group comprised of representatives from the following seven entities: the office of State Assembly Member Mary Hayashi; the Chamber of Commerce; AC Transit; Hayward Unified School District; California State University East Bay – Hayward Campus; the Keep Hayward Clean and Green Task Force; and StopWaste.org. Group members were interviewed for their professional expertise and to gather ideas for the preparation of the CAP.

Finally, during the months of October 2008 through January 2009, staff made presentations to the Citizens Advisory Committee to the Board of the Hayward Area Recreation and Park District (HARD); the Youth Commission; the Evangelical Churches of the Hayward Area (ECHA); the Keep Hayward Clean and Green Task Force; the Rotary Club; the South Hayward Neighborhood Collaborative; the Latino Business Roundtable; and the Chamber of Commerce's Leadership Hayward class. The meetings provided an opportunity for staff to inform the public and collect input about the preparation of the CAP.

The City is now implementing the nine strategies and various actions outlined in the CAP. This Climate Action Communications Plan describes the communication issues and actions to support implementing CAP actions and achieving GhG emissions reduction goals. The purpose of the CAP is to provide direction for the community's efforts to reduce greenhouse gas (GHG) emissions in the coming decades. The CAP recommends specific actions the City can take to meet its emissions reductions targets. With the Climate Action Communications Plan as a framework, the City can make informed decisions about which actions should be implemented immediately, and which actions are better suited for future implementation. Strategy 9 of the Climate Action Communications Plan focuses on specific actions Hayward will use to engage residents and businesses in the necessary and vital effort to reduce community-wide emissions.

Hayward Climate Action Plan

Hayward adopted ICLEI's Cities for Climate Protection methodology for managing GhG emissions. This performance-based methodology provides five milestones to assist local governments in developing and

implementing local approaches for minimizing climate change. The milestone process consists of the following five milestones:

- Milestone 1 – Conduct a baseline emissions inventory and emissions forecast
- Milestone 2 – Adopt an emissions reduction target
- Milestone 3 – Develop a Climate Action Plan for reducing emissions
- Milestone 4 – Implement policies and actions that will reduce emissions
- Milestone 5 – Monitor and verify results

The City completed a baseline emissions inventory (Milestone 1) in 2006, and subsequently updated the inventory in June 2008.

On July 28, 2009, the Hayward City Council adopted the final Climate Action Plan (Milestone 3)¹, which includes GhG reduction targets (Milestone 2), and plans, actions, monitoring and verification to reduce GhG emissions over the next 40 years (Milestones 4 and 5).

The CAP recommends nine strategies to guide the City's effort in reducing GhG emissions. Each strategy is comprised of several action items. Appendix A lists the 40 highest-priority community actions and 19 municipal actions to implement these strategies.

- Strategy 1: Transportation and Land Use: Reduce Vehicle Miles Traveled
- Strategy 2: Transportation: Decrease Carbon-Intensity of Vehicles
- Strategy 3: Energy: Improve Energy Performance of Existing Buildings
- Strategy 4: Energy: Improve Energy Performance of New Buildings
- Strategy 5: Energy: Use Renewable Energy
- Strategy 6: Solid Waste: Increase Waste Reduction and Recycling
- Strategy 7: Sequester Carbon
- Strategy 8: Climate Change Adaptation
- Strategy 9: Engage and Educate Community

Collectively, these nine GhG reduction strategies are designed to achieve substantial reductions in municipal and community emissions below the 2005 baseline by 2050. Hayward's emissions reduction target represents a percentage by which the community aims to decrease emissions, by the target years of 2020 and 2050. The City aims to reduce emissions by the following amounts:

- 6 percent below 2005 levels by 2013 (interim target)
- 12.5 percent below 2005 levels by 2020
- 82.5 percent below 2005 levels by 2050

Since approving the CAP, the City has applied for and received federal funding to support implementation activities through the American Recovery and Reinvestment Act (ARRA). Through the Department of Energy's Energy Efficiency and Conservation Block Grant (EECBG) program, Hayward is

¹ <http://www.ci.hayward.ca.us/CAP08/CAP08.shtm>

receiving \$1,361,900 in formula-based grant funds, which are being used to implement the actions identified in the CAP (including the preparation of this plan). The funds will also be used for energy audits, and financial assistance and incentives for energy efficiency improvements throughout the community.

The City is also coordinating closely with other organizations focused on improving operations and efficiency that can support CAP implementation, such as PG&E (energy efficiency); the Metropolitan Transportation Commission and Alameda County Congestion Management Agency (transportation); and Alameda County's StopWaste.org (waste management).

CAP & EECBG Implementation Program

The Hayward CAP outlines dozens of actions to be implemented over more than 40 years. In the near-term, the City is focused on developing and implementing programs that can achieve shorter-term GhG reductions and establish a foundation for future reductions. Specifically, the City is developing programs for implementation between now and 2012. These programs are the focus of this communications plan, and are as follows:

General Awareness

- **Public Awareness** – The City is implementing this Climate Action Communications Plan and partnering with other organizations to increase awareness and understanding of climate change, the Hayward CAP, and the importance and benefits of actions to reduce GhG emissions.

Residential Programs

- **Energy audits** – The City will be providing information and incentives for homeowners, tenants, and landlords to conduct energy audits to learn where energy and cost savings can be achieved.
- **CaliforniaFIRST** – Hayward participates in a statewide pilot program to develop innovative residential financing programs for renewable energy and energy efficiency actions in households and businesses. The financing is repaid through individual property owners' property tax payments. Such programs are referred to as Property Assessed Clean Energy (PACE) programs.
- **Energy Upgrade California** – This is a statewide energy efficiency program to retrofit existing residential and small commercial buildings. The program has specific implementation components for the Bay Area and Alameda County.
- **Residential Energy Conservation Ordinance** – The City is considering adoption of a local ordinance that would require implementation of energy efficiency measures in existing homes. The ordinance will be developed with extensive community involvement.

Commercial/Industrial/Institutional Programs

- **Sustainability Practices and Energy Conservation** – In cooperation with PG&E and others, the City is working with local businesses to improve access to and participation in energy efficiency programs.
- **Mini-grants for energy efficiency improvements** – The City will be establishing a grant program to provide small grants for energy efficiency improvements at government and nonprofit facilities.

- **CaliforniaFIRST** – (See above) Also applies to businesses
- **Commercial Energy Conservation Ordinance** – The City is considering adoption of a local ordinance that would require commercial and industrial implementation of energy efficiency measures. The ordinance will be developed with extensive community involvement.

Transportation Programs

- **Reduce Driving** – The City plans to increase community education about the individual options available to reduce vehicle miles travelled, and seek personal pledges and commitments to reduce driving.
- **Traffic Flow Management** – The City is working to improve traffic flow management and educate the community about vehicle idling.

Waste Programs

- **Recycling and Composting** – The City is working to increase awareness of and participation in recycling and composting programs.

Specific Goals and Objectives

The City has established the following near-term goals in the Climate Action Plan that guide the targeting and messages in this Climate Action Communications Plan. For a complete list of goals, see Appendix C of the CAP. As part of implementing this Climate Action Communications Plan, the City will develop specific communication goals and objectives to further guide and target promotional messaging and marketing activities. These goals and objectives will also measure progress and success, as described in Section 9, Evaluation.

Community Education and Awareness

- Maximize community participation efforts to reduce emissions and continue to promote residents' awareness of environmental issues.

Building Energy Use

To meet the long-term goal to reduce electricity consumption to 65 percent below business-as-usual projections, and natural gas consumption to 50 percent below by 2050 in buildings constructed before the Green Building Ordinance took effect the CAP establishes the following short-term goals:

- Get 12.5% of commercial units and single- and multi-family residences that were constructed before the City's Green Building Ordinance took effect to participate in the program by 2017
- Get 1.5% of residential units that were constructed before the City's Green Building Ordinance took effect, and 5% of commercial units to participate in energy efficiency and renewable energy financing programs
- Encourage residents and businesses to voluntarily commit to reducing energy consumption
- Promote use of home energy monitors

Transportation

Achieving the following goals will be necessary to meet the City's overall 2050 greenhouse gas reduction targets. Hayward's communications activities will focus on efforts to reduce vehicle miles travelled through outreach to residents and businesses. The City will also work to influence federal and state-level fuel-economy regulations by acting in cooperation with nearby jurisdictions, state government and federal government.

- Reduce passenger vehicle miles travelled (VMT) to 30% below business-as-usual projections, and VMT of diesel vehicles (heavy trucks) to 10 percent below by 2050
- Increase average fuel economy of passenger vehicles to 75 mpg
- Increase average fuel economy of diesel vehicles to 11.5 mpg

Waste Management

The following will be necessary to meet the City's overall 2050 greenhouse gas reduction targets.

- Divert 50% of recyclable mixed paper from the landfill by 2020
- Divert 15% of food scraps from the landfill by 2020
- Divert 15% of commercial and demolition waste from the landfill by 2020
- Divert 100% of plant debris from the landfill by 2020

Section 2. Key Issues

To prepare this Climate Action Communications Plan, CirclePoint reviewed background information and communication activities in Hayward related to climate change and sustainability. CirclePoint also conducted brief interviews with 13 local opinion leaders representing a broad cross-section of the community, including elected officials, businesses, environmental groups, and community and religious organizations.

A Wide Range of Understanding and Awareness

Through background research and stakeholder interviews with individuals representing a broad cross-section of the community, it is clear that Hayward's diversity contributes to a variety of viewpoints regarding climate change and the implementation of the City's Climate Action Plan.

Overall, research reveals that there is general support among key constituents for the City's Climate Action Plan, including its goal of reaching/retrofitting 10% of Hayward's households each year over the next 10 years. Most respondents also indicated that they believe the City should be addressing climate change issues. We did not find a single respondent unsupportive of the Plan's overall goal. However, supporters varied from enthusiastic (willing to dedicate time and energy to implementing the CAP) to hesitant (supportive of the goals but unhappy with proposed implementation plans). Those who were hesitant questioned measures to target homes during the buying/selling process, rather than homes the

owners planned to occupy for the foreseeable future. Others indicated they think the City should place a higher priority on addressing the economy and jobs than on addressing issues pertaining to climate change.

Participants also indicated there is a general awareness within their communities about climate change, but knowledge of the City's recently adopted Climate Action Plan was less common. Despite awareness of climate change, actual activities to address the issue appear limited, particularly among families with children, and among non-English speakers.

The City faces a substantial challenge to raise awareness of and concern about climate change issues, and to motivate the necessary actions and behavior change to reach GhG emissions reduction goals. The communications must provide relevant, compelling messages and simple actions in a way that meets the near-term needs and interests of residents and businesses.

A Need for Collaboration and Unified Messaging

Central to the issues related to climate change and the implementation of the City's CAP, is the lack of one focused movement to bring together the individuals and organizations that are either already engaged in climate change activities, or who are likely to become engaged in the future. We found that supporters are disseminating messages about GhG emissions reduction to their own constituents through a variety of communications channels. There has been little or no coordination on the messaging, and therefore there is an overall lack of awareness and clarity on what the CAP is, what its objectives are, what the role is for community members, and how community members can benefit.

Respondents indicated they would react positively to citywide coordination of CAP communications and implementation. Those eager to assist in outreach efforts request simple, clear messaging that speaks to the public's self-interest. They believe incentive-based programs will flourish if disseminated on a peer-to-peer basis, accompanied by community activities.

Reaching Diverse Communities

The population of Hayward is 34.2% percent Hispanic and 18.7% Asian American (2000 US Census). Of the Hispanic population, 44.8% is age 18 or under. Almost 49,000 of Hayward's 142,000 residents are foreign-born.

More than 46% of the population lives in rental properties, and more than 45% of the housing in Hayward is multi-family. As of April, 2010 there was 12.8% unemployment in Hayward.

Given the high unemployment rates in Hayward, many members of the community are focused primarily on the economy, jobs and taking care of themselves and their families. It will therefore be challenging to find motivators for community members to take action to reduce GhG emissions. There must be a clear and immediate benefit to individuals, to their children, and to their community that aligns with the community's cultural and social values, and positively impacts day-to-day living.

Other challenges of reaching diverse, low-income and renter communities include:

- Motivating landlords to implement energy saving programs, as it is typically the renters who pay for gas and electricity
- Information/recommendations coming from government entities tend to be viewed with a degree of suspicion by foreign-born residents (more so if they are undocumented residents)
- Low-income populations are generally more focused on immediate concerns related to their health and well-being, such as jobs, affordable housing, access to health care, and other basic necessities of living
- Residents of multi-family units may need to work through a homeowners association or other centralized governing body to implement energy efficiency programs, even if each unit pays for its own gas and electricity. The challenge will be similar to the challenge mentioned above for renters/landlords: those paying the bills may not necessarily have a voice about participating in programs designed to reduce their energy use, and bring down their household costs for energy consumption.

Section 3. Communications Goals

To address the key issues discussed above, the communications goals are as follows:

- Encourage greater focus and coordination of CAP communications efforts
- Encourage a higher level of participation by residents, businesses and industry in the CAP programs and create widespread enthusiasm for reducing GhG emissions
- Focus on changing behaviors, so that Hayward residents drive less, recycle and compost more, and implement energy and water conservation measures at home and at work
- Identify simple, understandable steps that can be easily implemented by a broad cross-section of the community
- Communicate the personal and practical benefits of GhG emissions reductions (saving time and money in the short-term; improving the health and environment of the community for ourselves and our families in the longer term)
- Create the communications infrastructure to enable long-term, sustainable actions of CAP programs
- Instill a sense of ownership throughout the community of the CAP, key actions and methods for implementing them

This Communications Plan is the first step in achieving these goals and contributing to measurable GhG emissions reductions across the community. The near-term steps to advance the communications program include the following:

- Confirm the communication goals with the City of Hayward Sustainability Committee and CAMT, with an emphasis on behavior change
-

- CirclePoint will work with the Sustainability Committee and the CAMT to further develop the communications approach and strategies that correspond with the issues and needs of the community
- Confirm that all key categories of stakeholders are included under Audiences (Section 5), including commercial (small business/industry/labor); residential (rental community, multi-family housing); environmental/sustainability; academic; multi-cultural (faith-based); and low-income groups
- Confirm top priority communications activities (including the need to change behavior), to encourage Hayward constituents to drive less, compost more, and implement energy efficient products and practices at home and at work
- Identify steps and confirm resources for implementation

Section 4. Communications Approach and Strategies

This section describes the overall communications strategy to educate, engage and activate a broad cross-section of the Hayward community. The strategy addresses many of the key issues identified in the previous section through four primary components, each of which is intended to complement and support the others. These components are designed to simplify the complex issues of climate change and to unify the cross-functional nature of the CAP.

Overall, our initial objective will be to create the communications “infrastructure” for raising broad awareness about the Climate Action Plan and to lay the foundation for encouraging participation in specific CAP programs in the future. The base for this infrastructure is built on these elements:

- Branding, to develop a consistent look and feel that will be present on all communications materials, and highly visible in the community
- Core messaging to tell a unified story
- Establishing an engaged coalition of a broad cross-section of the community to serve as the messengers
- Consolidating the website to serve as the center and clearinghouse for information and online engagement

The Communications Plan rollout will be closely coordinated with the sequence of implementation for the CAP programs, as shown in the following table. A steady “drumbeat” of information about the CAP and the promotion of specific programs will help to raise the level of general public awareness.

Program	Implementation	Outreach Launches (Approximate timeline)
RESIDENTIAL		
Energy Upgrade California	September/October 2010	August 2010
California First	Late 2010	August 2010
Residential Audits	Early 2011	December 2010
Residential Energy Conservation Ordinance (RECO)	Adoption: early/mid-2011	Late December 2010
COMMERCIAL/INDUSRIAL		
Sustainability Practices and Energy Conservation	Mid-2011	January 2010
Commercial Energy Conservation Ordinance (CECO)	Late 2011/Early 2012	September 2011
Mini-grant Program for Energy Efficiency	Late 2011	September 2011
TRANSPORTATION PROGRAMS		
Traffic Flow Management	Ongoing	Ongoing
Reduce Driving	2012	Begin general messaging – late 2011
WASTE REDUCTION PROGRAMS		
Recycling and Composting	Mid-2011	January 2011

The following are the four key strategies for building awareness and motivating change across Hayward: (1) broad education and awareness; (2) an active communications group or coalition; (3) program demonstration; and (4) community competition, recognition, and reward.

Implement a Broad Educational Effort

Staff will solicit input from the Sustainability Committee and the CAMT to help refine messaging, tailoring the messages to specific audiences and interest groups in order to begin the educational process about the City's Climate Action Plan, and how community members can become involved. As mentioned in Section 2 (Key Issues), although there is a general awareness about climate change among the constituents of Hayward, little action has been taken to address GhG emissions reduction. Simple informational messaging personalizing the potential monetary and health impacts of climate change, and conveying the overall impact of climate change on the community, will help engender greater public understanding and awareness of the CAP, and gain participation and buy-in for the programs. As part of this educational effort, messaging about simple, immediate measures that each person can take will be widely disseminated through a variety of communications channels.

Build an Active Communications Group

Staff will work with the Sustainability Committee and the CAMT to identify a communications subcommittee to address the need for collaboration and a unified “story” about climate change and the City’s Climate Action Plan. City staff will facilitate the subcommittee meetings, which will occur on a monthly basis. These will be working meetings designed to gain direction and consensus on messaging, branding, communications strategies and other key elements of the communications plan. Subcommittee members will also be engaged as “ambassadors” for implementing the plan among their own constituents, through community speaking engagements and events, e-blasts and other existing communications vehicles.

As verified during stakeholder interviews, there are supporters throughout the city, and among all sectors of the community that are already interested, motivated, and ready to engage their colleagues and constituents. These supporters must be brought together and effectively guided toward the same goals. They will also provide feedback from their constituents on the City’s efforts, and assist with the development, vetting and dissemination of the City’s story. They will serve, in essence, as the “trusted voices” among their neighbors, colleagues, and constituents, and for the greater Hayward community. These leaders and champions will include representatives from key stakeholder groups in the residential (renters/low-income/HOAs) commercial (small business/industry/labor) and multi-cultural communities (Hispanic), and become the core of a Climate Action Coalition.

Demonstrate the Effectiveness of CAP Programs

The saying, “don’t tell me, show me,” proves especially true in bringing about sustainable behavior change. Model homes, apartments, businesses, and neighborhoods will showcase the ease, cost-savings and esteem that accompany participation in CAP programs. These demonstration sites will be supported through strategic partnerships with businesses, educational institutions and neighborhood alliance groups throughout Hayward. Existing programs, including Bay Friendly Garden tours (emphasizing water efficient and pollution-prevention gardening practices) and the Environmental Achievement Awards (focusing on recycling and solid waste reduction) can serve as possible forums for providing recognition and for highlighting success stories.

Make it Challenging and Fun

Although climate change is a serious issue, friendly competition, recognition and rewards can help raise public awareness and promote participation in the City’s climate action programs by encouraging the broader community to “join the fun.” Homeowners and businesses can receive special recognition from City government and incentives/rewards from program partners and sponsors for taking specific actions, or achieving milestones toward program goals. Activities can include school poster contents, such as the current contests for recycling or neighborhood “be the first” contests.

Section 5. Target Audiences and Potential Partners

Focusing communications and outreach to targeted audiences aligns audiences with program activities, goals, and objectives. For example, to get 12.5 % of commercial units and single- and multi-family

residences that were constructed before the City's Green Building Ordinance took effect to participate in the program by 2017, we will identify the most effective targeting and work with partnering agencies and organizations to reach those target audiences. Because of the diversity of Hayward and the range of key issues and motivators that have been identified, there is no "one size fits all" for engaging and motivating community members to take action. There is a wide range of interest and enthusiasm among community members for taking action – from those who are "early adopters" to those who may be disinterested or opposed. The first step in creating understanding and motivating action is targeting the different audience segments with the right messages, through the right channels. Audience targeting is driven by the awareness or action we are trying to achieve. Selecting the appropriate channels (ways of reaching people) shapes the partnerships we form.

General Messaging

General messaging about climate change, sustainability, energy efficiency, transportation, and waste management lays the foundation of understanding for future action-oriented communication. The general messaging will be targeted to opinion leaders, businesses, employees, and residents (adults and youth) across Hayward. Potential partners for the general messaging include local and regional media, businesses, labor unions, schools and educational institutions, community and civic groups, and environmental organizations.

Across Hayward, a multi-cultural communications approach will be critical to reaching target audiences for both general messaging and action-oriented messaging for specific programs. A true multi-cultural communications approach goes beyond simple translation. It targets the messages, channels, and partnerships to maximize understanding and acceptance, and create change that is in concert with the values and cultures of the community.

Specific Programs

Each specific program implemented to achieve GhG reductions will have measurable goals. Accomplishing those goals relies on identifying and targeting the correct audience to adopt the change. For example, in residential programs, "early adopters" already understand the issues surrounding climate change and are ready to take action to reduce GhGs – they may simply need to know the steps and resources to act. On the other hand, this group is likely relatively small and may not fully achieve the numeric goals. This group can serve as an effective tool to show the way for others by demonstrating action and results.

Renters represent a significant percentage of residential energy users in Hayward and could collectively achieve substantial GhG reductions. However, renters have little control over many of the major energy efficiency actions to be implemented. Targeting this audience will require a carefully crafted approach to get renters and landlords to work together to save energy and money.

The identification of potential partners from all key sectors of the community is essential for helping to support, promote and expand climate action programs. For example, for a residential energy reduction program, PG&E and East Bay Energy Watch are likely partners for outreach, program implementation, and perhaps financial support. For the commercial sector, Webcor (a construction contractor and a SF

Business Times' Bay Area Green Awards nominee headquartered in Hayward), could serve as a demonstration site for commercial energy reduction, or a potential financial sponsor for supporting the creation and promotion of a commercial demonstration site.

Transform, an Oakland-based nonprofit, has mobilized individuals throughout Northern California, and could potentially partner in helping to develop and implement programs that encourage increased transit use and alternatives to driving, such as cycling and walking.

Each of the major program elements (residential energy use, commercial/industrial/institutional energy use, transportation, and waste management) will have different target audiences based on the program goals and priorities. In the first implementation phase, CirclePoint will work with City staff, the Sustainability Committee, the Climate Action Management Team and any subsequent communications coalition (proposed in this Climate Action Communications Plan) to refine and confirm target audiences and potential partners for each program element.

Section 6. Messages & Branding

This section describes the general themes and preliminary messages for the overall campaign, and for each of the target audiences. Specific language will be developed in the next phase, following review by the Sustainability Committee.

General Messages

Messaging that is memorable, and that inspires community members to take action must communicate the personal benefits of taking action – to save money and time in the short term, and in the longer term, to provide a healthier environment for community members and their families. On a general level, the messaging can serve as a motivational call to action.

Branding the climate action program begins with developing a uniform and consistent “look and feel,” based on the overall purpose and goals for the program. All communications and promotional materials disseminated about the City’s CAP program will convey that the City is making a unified effort to engage the community, regardless of whether the information is developed and distributed from the City itself or by other partners such as the Chamber of Commerce, the Latino Business Roundtable or community and nonprofit groups. The objective is to have branding (logo/tagline) that is recognizable throughout the community and that serves as a symbol of the collaborative, community effort to bring about positive change.

As part of our work with the Climate Action Coalition, we will provide messaging concepts for discussion and refinement. These concepts will be simple, action-oriented phrases that provide a range of options for consideration that address themes and issues identified in Section 2:

- Make the message specific to Hayward residents and businesses
- Speak to “what’s in it for me”
- Focus on the simplicity of implementation (and live up to this promise!)

- Focus on the monetary benefits of program participation
- Focus on potential health benefits of the program
- Demonstrate cultural competency (communicate in a way that reflects the cultural values of the community)
- Explain why participation is a high priority (what will be gained in the short- and long-term)
- Appeal to the community on an emotional level, as well as on a practical level (“take this action for your children and your grandchildren”)
- Communicate that there are gains for the individual, and that participants will also be a part of something that is sweeping the community (“everyone is doing it”)
- Convey a sense of fun (“join the fun”)

Specific Targeted Messages

Specific messages will be developed to communicate with targeted audiences and to promote specific programs. These messages would address key issues/concerns/incentives for particular audiences, and may not necessarily include language about GhG emissions reductions or climate change.

For example, messaging targeting homeowners might focus on saving time and money, and promote specific programs and incentives. These programs and incentives will need to be tailored to attract different audiences. For low-income homeowners, the incentive may be taking simple energy reduction actions to qualify for a free home energy audit. For more affluent homeowners, the City may pay for part of the audit. Effective messaging must:

- Be sector-driven – compelling target audiences to compost and recycle more, drive less, or sign up for an energy audit. Messaging can also underscore the simple, progressive steps individuals can take.
- Tell a story by a trusted member of the community to other members of the community (“this is the story of how I retrofitted my house and saved a lot of money; you can do it, too”)
- Be action-oriented: “sign up for a free audit”
- Show cause and effect: “turn off the lights, and turn on the savings...”
- Be program-oriented: “California First, an investment in the future of your green”

Section 7. Communications Assessment

In preparing this Climate Action Communications Plan, CirclePoint conducted a preliminary assessment of communication tools and channels. This section provides an evaluation and recommendations of communications tactics based upon the research conducted, including a review of the relevant City Web pages, social media in use by constituent groups, and key findings from stakeholder interviews that shape communications issues and strategies. The intention is to build upon existing communications channels, and to coordinate the timing and dissemination of information to maximize its impact and ability to reach targeted audiences.

Summary of Communications Findings

- A central information hub, such as the City's website, is critical for keeping messages accessible and consistent, while offering further detail for those who seek it. The website can eventually serve as an online portal for managing CAP incentive programs, registrations for competitions, and perhaps even helping homeowners track individual energy consumption data
- It is important to utilize all forms of media to reach target audiences, since constituents receive information from a variety of media sources, including print, broadcast, City-generated (e-mails) and Web-based/social media
- Organizations communicate with their own constituents primarily via e-mail
- Face-to-face meetings and presentations at community gathering places, including union halls and churches and synagogues (all denominations), are critical for creating the necessary sense of community and urgency around implementation measures
- The "messengers" to these audiences should be both community "insiders," as well as representatives from the City
- Interview participants indicated that there is a need to communicate in Spanish
 - Radio: La Raza and La Kalle
 - Newspapers: El Mensajero and Vision Hispana
 - Other ethnic media should also be engaged

Social Media in Use by Key Stakeholders

- Facebook pages for individuals and groups
- Online news
 - Oakland Tribune: Hayward Daily Review (www.insidebayarea.com/dailyreview)
- Blogs
 - The HayWord: <http://www.ibabuzz.com/hayword/who-are-we/>
- Online forums
 - Topix.com: Hayward forum: <http://www.topix.com/forum/city/hayward-ca>
- Local interest groups
 - Hikes and Hounds: <http://hiking.meetup.com/344/>
 - The Bay Area Photography and Exploration Society: <http://www.meetup.com/SF-Bay-Area-Photographers-Explorers/>
 - Hayward/San Lorenzo Moms With Toddlers: <http://www.meetup.com/SanLorenzoToddlers/>

Immediate Recommendations

Re-design of the City's CAP web pages, including Sustainability page (<http://www.hayward-ca.gov/citygov/meetings/csc/ccsc.shtm>), Water Conservation page (<http://www.hayward-ca.gov/Water-Conservation/>), and Green page (<http://www.hayward-ca.gov/CAP08/CAP08.sht>)

- Make the pages a 'call to action'
- Eliminate redundancy of links, i.e., 'Free Water Conservation Devices' appears in the Quick Links column and the right column under 'Need a little help...'

- Fix bad links, i.e., the links in the text under ‘Conservation Landscaping For Homes’ in the lower right column do not work
- Enhance accessibility, ensure site meets ADA requirements and, potentially, add Spanish language elements
- Ensure consistent design across pages, i.e., ‘Quick Links’ are a navigation element on the home page. It should appear on each of the subpages. Otherwise, users need to hit the “Home” button on the subpages to access the navigation elements in Quick Links again.
- Add better visual elements
- Consider creating a Campaign/Coalition site separate from the City’s website

Recommended Communication Channels for Target Audiences

- **General:** schools, community organizations, Clean and Green Task Force, religious organizations. We will work with the City to identify champions/leaders in local schools, among administrators, curriculum development specialists/principals/vice principals and teachers to identify a pilot school program that would provide meaningful feedback to the City, help the school save energy and serve as a demonstration site for other schools. In the longer term, there is an opportunity to tap into other resources to expand and enhance the school programs – by leveraging the City’s existing relationships with Cal State East Bay and Chabot College for possible curriculum development and classroom and assembly presentations. Curricular materials developed by the Bay Area Air Quality Management District (BAAQMD) on climate change can be adapted for Hayward schools.
- **Homeowners:** Neighborhood Associations, model home demonstrations, neighborhood champions going door-to-door
- **Renters:** community events, neighborhood champions going door-to-door, Rental Housing Owners Association (for landlords)
- **Hispanics/Asian Americans:** radio, churches, community events (Zucchini Fest, Light Up the Season)
- **Business community:** Chamber of Commerce, Latino Business Roundtable, model business demonstrations

Longer-Term Actions

- Develop a simple social media strategy that indicates how best to leverage existing forums, identifies new social media tools if needed, and provides an outline of key topics and stakeholder/partner authors for content development, as well as a timeline for rollout

Section 8. Implementation Actions

This section will include a brief description of the communications activities and a draft rollout plan and schedule for communication activities through the end of 2010. It will also provide a broader listing of potential activities through 2012.

Planning and Coordination

CirclePoint will work with the City to identify, establish, and facilitate a Climate Action Coalition/Communications Committee to develop and motivate community champions and review and disseminate key communications elements. We will work with City staff and the Coalition to plan and design the citywide campaign and appropriate challenges and competitions, to increase awareness and promote action for each program element. We will provide guidance on leveraging existing partnerships and identifying new partners and sponsors, develop promotional materials, and help conduct outreach to potential partners. We will also work with City staff to support the goals and objectives of the Sustainability Committee and implement actions to ensure coordination across all City departments.

Branding and Messaging

CirclePoint will work with the City and the Community Coalition/Communications Committee to develop messaging that is clear, compelling and consistent. CirclePoint will also work with the City to develop a unified “look and feel” for Climate Action Plan communications and promotional materials that will convey that the implementation of the City’s Climate Action Plan is collaborative, coordinated and focused.

Website and Information Materials

CirclePoint will work with City staff to make the Sustainability section of the City’s website easily accessible, and work with technical staff to address consolidation and organization of content and visuals. We will also work with the City to develop information/promotional materials, as appropriate, to support CAP programs and the Community Coalition.

Community Engagement in Policy Development

The City plans to develop several new policies and requirements over the next year, including a Residential Energy Conservation Ordinance (RECO). CirclePoint will provide strategic consultation, facilitation and support to the City regarding community and stakeholder engagement related to the development of new policies and regulations to implement the CAP.

Campaign Events and Activities

CirclePoint will work with City staff and Community Coalition/Communications Committee members to continue to identify community events, including fairs, workshops, speaker’s bureau opportunities and other activities that are an appropriate forum for providing education and outreach about the CAP. We will work with City staff, partners, and sponsors to develop and promote demonstration programs that showcase specific programs for reducing GhG emissions. Building on the existing Business Recognition Award program, CirclePoint will define community recognition, incentives and rewards to further promote action.

Media Relations and Social Media

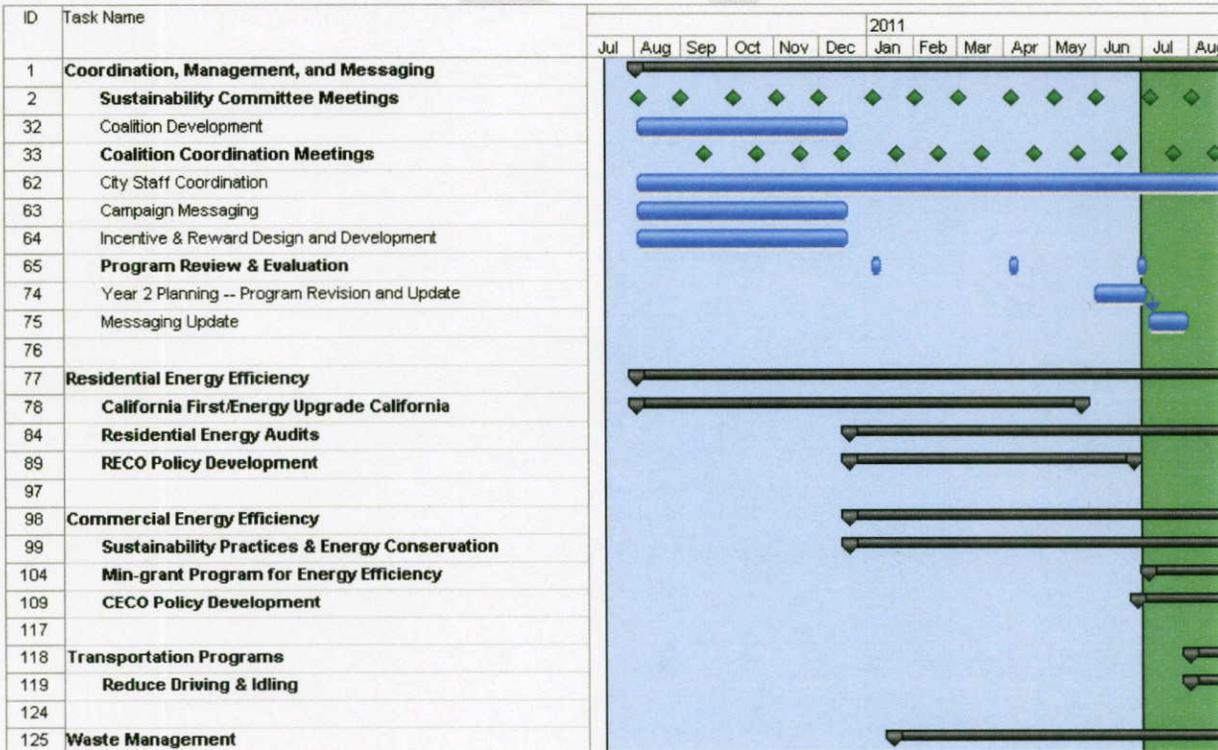
CirclePoint will work with City staff and Community Coalition/Communications Committee members to continue to identify and leverage existing traditional and social media outlets, identify potential new outlets, as needed, and develop targeted messaging and informational materials tailored to specific programs. CirclePoint will develop and implement a social media strategy to coordinate the Coalition, increase engagement and promote action.

Schools Program

CirclePoint will work with City staff to develop a pilot program with a local school/class/teacher within the Hayward Unified School District. Options for a pilot program may involve creating and promoting a school energy demonstration site. CirclePoint will also help the City identify/tailor curricular materials, such as the BAAQMD curriculum, identify/develop simple energy audit checklists for students to complete in the classroom and at home with their parents, and make recommendations, based upon the success of the pilot program, for expansion to other school sites.

Schedule

The following shows the preliminary schedule of communications and campaign activities for the next year. A more detail version is shown in Appendix C.



Section 9: Evaluation

Over the next three years, the communications plan will need to evolve in order to adapt to changing external conditions, program needs and community awareness. A critical element for adapting the communications program is evaluation and reporting of what is working, and what needs improvement.

Evaluating and measuring the effectiveness of public outreach and education campaigns is an inherently challenging task. There are frequently few links or measures of the effect of public education on understanding and awareness, changes in behavior and reduction of pollution. To respond to this challenge, the communications strategy should be evaluated annually using three categories of measures that collectively will reveal a picture of effort, accomplishment and progress.

1. **Input Measures:** These measures focus on the administration of the communications strategy and describe what resources (funds, people, programs and projects) are being implemented.
2. **Output Measures:** These measures identify the number of actual activities implemented to influence awareness and behavior change, such as number of community events, presentations and impressions.
3. **Outcome Measures:** Also called “response,” or “results” measures, these describe the ultimate outcome of the communications program, such as level of awareness and understanding, number or percent of positive behaviors, or implementation of certain actions or technologies. These measures should be tied to the goals and objectives of the communications program. Another type of outcome measure – the change in actual GhG emissions – is considered at the overall program level and is not linked specifically to the communications strategy.

It is important to note that different types of measures may be more appropriate at different stages of the communications program. The Attention, Interest, Desire, Action (AIDA) behavior change model, for example, addresses four stages: getting attention, developing interest, inspiring desire, and finally, driving action. Therefore, the output measures may be more appropriate in the early years of the outreach or campaign because these measures show how widely the word has been spread and how likely it might be to get attention. The outcome measures take on more importance after the first year of the outreach as the program starts to show results.

Input Measures

The following list includes the annual input measures that the City should document and report:

- Total expenditure or percent of time that Hayward City staff work on communication and outreach tasks
- Total expenditure or percent of the City of Hayward’s sustainability budget that is dedicated to communication and outreach (does not include staff time)
- Total expenditure or percent of the sustainability budget that is dedicated to each individual campaign (does not include staff time)
- Dollars and resources contributed by other partners and sponsors

Output Measures

The following list includes the types of annual output measures that the City of Hayward could use to document the level of contact and information provided to businesses and residents to achieve the communications goals.

- Total number of attendees at an event or activity
- Total number of hits to the new Sustainability website
- Total number of calls generated to a program hotline
- Total number of materials distributed
- Amount of media coverage generated about a specific issue or by campaign
- Total number of partnerships formed and value attained
- Total number of media articles placed
- Total number of broadcast stories run
- Total number of media impressions
- Total number of promotional events held
- Total number of downloads from YouTube for the new online videos
- Total number of members of the new Facebook page
- Total number and type of input/questions submitted to the sustainability blog
- Total number of retail partnerships secured
- Online survey to measure the level of public awareness about the City's CAP and climate change issues in general; survey would be issued prior to the launch of a public outreach campaign to establish a baseline of public awareness, and following major public outreach milestones to monitor changes in public awareness

Outcome Measures

The following table shows an example structure for developing the annual outcome measures for the Climate Action Communications Plan. Specific measures will be developed with staff during program planning for the major program components.

EXAMPLE Outcome Measures for Climate Action Plan Communications Program			
Goal	Objective	Metric	Measure
General Awareness of Climate Change and Individual Role			
Increase awareness of climate change and actions to address it	Increase number of people who state understanding of climate change and role of individual in energy efficiency, transportation and waste management Increase in number of people who know actions to take and state willingness to act	Percent of people surveyed reporting correct understanding and willingness	Opinion survey
Residential Energy Efficiency			
Increase completed residential energy audits	Complete energy audits at XX% of owner-occupied households and XX% of tenant occupied households by 2012	Percent of households completing energy audits	PG&E data and energy audit incentives provided
Increase energy efficiency retrofit actions at existing households	Energy efficiency actions at XX% of owner-occupied households and XX% of tenant-occupied households by 2012	Percent of households completing energy efficiency actions	PG&E data and resident reporting
Commercial/Industrial Program			
Conduct energy audits at commercial/industrial facilities	Complete energy audits at XX% of commercial/industrial facilities by 2012	Percent of facilities completing energy audits	PG&E data and City staff reporting
Transportation Program			
Increase commitments to reduce driving	Obtain driving commitments and pledges from XX households and ## businesses in Hayward	Number of pledges	Pledges on website and through campaign activities
Increase transit ridership	Increase transit ridership by XX% percent by 2012	Monthly Hayward passenger boardings	Transit data

EXAMPLE Outcome Measures for Climate Action Plan Communications Program			
Goal	Objective	Metric	Measure
		for BART and AC Transit	
Reduce vehicle miles travelled (VMT)	Decrease VMT by XX% by 2012	Vehicle miles travelled	Data source? MTC?
Waste Management			
Increase the number of households that compost food waste	Implement food waste composting at ## households by 2012.	Number of households participating	Waste management program data
Increase the number of businesses that compost food waste	Implement food waste composting at ## businesses by 2012	Number of businesses participating	
Increase recycling (or decrease landfill waste)	Increase citywide recycling by XX% by 2012	Tons of waste recycled Tons of construction debris recycled	Waste management program data

Appendix A: List of Priority Climate Actions

Table 1: Proposed actions in the CAP for reducing community-wide emissions: listed in order of priority

Action Number	Short Description	Estimated Annual Emissions Reductions (metric tons CO ₂ e)		Priority
		2020	2050	
Community-wide Actions - potential emissions reductions calculated and City has direct control over implementation				
Action 3.9	Offer energy efficiency financing program for commercial buildings	1,630	132,025	1
Action 3.3	Develop and implement Commercial Energy Conservation Ordinance	5,164	105,152	2
Action 3.7	Offer energy efficiency financing program for single-family homes	181	40,248	3
Action 3.8	Offer energy efficiency financing program for multiple-family homes	126	33,617	4
Action 5.2	Offer renewable energy financing program for commercial buildings	10,768	22,822	5
Action 6.3	Improve construction and demolition debris program	1,953	15,634	6
Action 4.2	Continue to implement private development green building ordinance for commercial buildings	4,493	77,925	7
Action 5.3	Add solar requirement into private development green building ordinance	2,980	24,660	8
Action 4.1	Continue to implement private development green building ordinance for residential buildings	979	18,836	9
Action 1.8	Prioritize traffic-flow management practices to reduce idling time	23,061	21,875	10
Action 3.1	Develop and implement Residential Energy Conservation Ordinance for single-family homes	639	39,304	11
Action 3.2	Develop and implement Residential Energy Conservation Ordinance for multiple-family homes	983	33,033	12
Action 6.2	Increase participation in food scraps collection programs	1,495	11,963	13
Action 6.1	Increase participation in recycling programs	15,916	38,216	14
Action 5.1	Offer renewable energy financing program for residential buildings	850	2,149	15
Action 1.4	Expand public transit services to encourage reductions in vehicle travel	3,062	15,199	16
Action 5.4	Increase portion of electricity provided by renewable energy		30,779	17
Action 1.2	Assist businesses in establishing car-share / bike-share programs	416	7,283	18
Action 6.6	Encourage waste reduction and promote recycling participation at multi-family properties	253	304	19
Action 7.1	Maximize carbon sequestration within City		284	20
Action 1.1	Assist businesses in providing commuter benefits programs	2,286	8,106	21
Action 1.5	Continue to implement bike master-plan	2,419	7,610	22
Action 1.3	Update parking policies to encourage reduction in vehicle travel		9,471	23
Action 1.6	Develop and implement pedestrian master-plan	1,394	7,121	24
Action 6.4	Ban certain materials from landfills	2,487	2,986	25
Community-wide Actions - potential emissions reductions not calculated, or City does not have direct control over implementation				
Action 3.4	Actively participate in low-income weatherization programs	emissions reductions not quantified		1

Note: Emissions reductions were not estimated for several actions due to their overlapping effects with other actions, and to prevent double-counting

Action 2.2	Collaborate with the state and federal government on policies that promote low-carbon		129,060	532,735
Action 2.1	Provide incentives for low-carbon vehicles and low-carbon fuels		129,060	532,735
Action 1.10	Align zoning policies to minimize vehicle travel	emissions reductions not quantified		4
Action 3.5	Promote a voluntary commitment for businesses and residents to reduce energy consumption	emissions reductions not quantified	5	2
Action 6.7	Prefer waste management strategies that maximize the useful value of waste streams	emissions reductions not quantified	6	3
Action 6.5	Require residents / businesses to participate in recycling programs	emissions reductions not quantified		7
Action 1.11	Increase availability of affordable housing for people employed in Hayward	emissions reductions not quantified		8
Action 9.1	Create green-portal website	emissions reductions not quantified		9
Action 9.2	Develop and implement plan to engage residents in emissions reductions activities	emissions reductions not quantified		10
Action 9.3	Develop and implement plan to engage businesses in emissions reductions activities	emissions reductions not quantified		11
Action 3.6	Promote use of home energy monitors	emissions reductions not quantified		12
Action 1.7	Update the Circulation Element of the General Plan to evaluate expansions of appropriate	emissions reductions not quantified		13
Action 1.9	Encourage high density, mixed-use, smart-growth development in areas near public transit	emissions reductions not quantified		14
Action 1.12	Incentivize filling local jobs with local residents	emissions reductions not quantified		15
Action 8.1	<i>Place holder - no actions defined for climate change adaptation</i>	not evaluated		--

Table 2: Proposed Actions for reducing municipal emissions: listed in order of priority

Action Number	Short Description	Estimated Annual Emissions Reductions (metric tons CO ₂ e)		Priority
		2020	2050	
*assumes Scenario 2 fuel economy and renewable electricity generation and that program goals are achieved				
Municipal Actions - potential emissions reductions calculated and City has direct control over implementation				
Action 3.10	Upgrade streetlights to LEDs	969	1054	1
Action 2.3	Procure fuel-efficient and low-carbon fuel vehicles for municipal fleet	54	108	2
Action 3.12	Audit city buildings and identify energy savings opportunities	330	1542	3
Action 3.11	Prepare and implement energy conservation plan for municipal buildings	330	1542	4
Action 2.4	Negotiate alternative-fuel and fuel economy requirements into new contracts and franchise agreements	54	108	5
Action 6.9	Implement food scraps collection programs in city buildings	73	163	6
Action 5.5	Audit city buildings and identify buildings best-suited for solar	76	2227	7
Action 5.6	Install renewable generation on municipal property	76	2227	8
Action 4.3	Continue to implement municipal green building ordinance	47	328	9
Action 7.2	Maximize carbon sequestration on municipal property	5	32	10
Action 6.8	Implement recycling programs in city buildings	27	28	11
Municipal Actions - potential emissions reductions not calculated, or City does not have direct control over implementation				
Action 1.13	Provide commuter benefits to government employees	emissions reductions not quantified		1
Action 1.15	Prefer facilities with convenient access to public transit	emissions reductions not quantified		2
Action 9.4	Offer climate education programs to City employees	emissions reductions not quantified		3
Action 4.4	Ensure new city buildings are built with photovoltaics and solar hot-water whenever possible	emissions reductions not quantified		4
Action 9.6	When awarding contracts, request applicants provide information about sustainability practices	emissions reductions not quantified		5
Action 9.5	Demonstrate leadership by setting municipal reduction targets. Work to achieve these targets	emissions reductions not quantified		6
Action 6.10	Develop environmentally friendly purchasing program	emissions reductions not quantified		7
Action 1.14	Develop car-share and / or bike-share program for city employees	emissions reductions not quantified		8
Action 8.2	<i>Place holder - no actions defined for climate change adaptation</i>	emissions reductions not quantified		9

Appendix B: Notes from In-Depth Interviews

Hayward CAP Outreach:

Preliminary Interview Input

GENERAL ATTITUDES TOWARD CLIMATE CHANGE & HAYWARD'S CAP

- All respondents were supportive of lowering GhG emissions
- We did not find a single respondent unsupportive of the Plan's overall goal
- Most respondents indicated that they believe the City should be addressing climate change issue
- Opinions differed broadly on the resources the City should dedicate to addressing climate change issues
- Many respondents did not feel they understood the goal well enough to evaluate it, but supported the general mission of lowering GhG emission
- A small number of respondents thought the goal was too low
- The most common issues related to climate change about which respondents believe their constituents are concerned were pollution, personal and family health, energy production and consumption, transportation and economic impacts of climate change
- Some respondents did not believe their constituents were aware of or concerned about climate change issues
- Interviewees reported a range of attitudes between constituent groups regarding climate change and preventative measures, from activism to apathy, to ignorance

CONSTITUENTS

- Interviewees covered a broad cross-section of the community
- Several stakeholders identified "everyone in Hayward" as their constituents
- Other stakeholders identified specific demographics as their constituents, such as homeowners, rental property managers, real estate professionals, environmentalists, low-income Hispanic immigrants, middle class laborers and professionals, and members of a specific religious congregation
- motivated by public recognition, opportunities to socialize and the idea of being part of a larger movement
- Most respondents cited stewardship of life and benefits to the environment as less effective appeals for motivating action and behavior change than immediate personal benefits
- Many interviewees advised an effective way to entice residents to take actions to reduce GhGs would be to make it very easy for them, and cited city recycling programs as an example
- Other popular concerns within communities, as reported by interviewees, were crime and crime prevention, community appearance and the availability of jobs

Values/Motivations

- Interviewees commonly identified money- and time-savings as key motivating factors for their constituents
- Some respondents also believed their constituents could be

ANTICIPATED INVOLVEMENT/ROLE

- Several respondents were eager to take leadership roles in the implementation of the CAP
- Others stipulated that their desire to play a leadership role would be dependent on the implementation measures chosen by the City

COMMUNICATION CHANNELS

- E-mail was the channel most commonly used by interviewees to communicate with their constituents, followed by in-person meetings
- Interviewees suggested the following as effective means for communicating with Hayward residents: PG&E bill inserts; e-mail blasts; fliers; direct mail; streaming

instructional videos online; content on the City website; face-to-face communication; presence at community events (flea market, festivals, etc.); government-access cable television channel; social media; news sources in languages other than English; producing all public communications in English and Spanish, at a minimum.

DRAFT

Hayward CAP Outreach:

Stakeholder Interview Questions

BACKGROUND

- The City of Hayward adopted a Climate Action Plan on July 28, 2009.
- The plan, which was funded through a grant from the Bay Area Air Quality Management District, includes target goals for reducing future Green House Gas (GhG) emissions and the actions that must be taken to achieve them. The City's overall targeted goal is to reduce GhG emissions an average of 12.5% over a 10-year period.
- The Climate Action Plan is designed to be implemented "in every home and by every business."
- For the city to meet these ambitious objectives, community members must be engaged, educated and activated in a meaningful way.
- Stakeholder interviews will investigate current attitudes among the public and key stakeholders and inform the plan's communications strategy.

INTERVIEW GUIDELINES

- A written summary of the input will be prepared; CirclePoint will not attribute individual comments to the interviewees.
- Each interview will take a maximum of 30 minutes, with potential follow up via email.
- The stakeholder may not have an opinion on some questions, which is expected.
- Comments on topics that are not included in the questionnaire are welcome.

INTERVIEW QUESTIONS

A. Biographical and relevant background information (role in organization, history and mission of organization, how long been involved, etc.)

B. General

1. Where does your organization stand on the city's adopted greenhouse gas reduction target of 12.5% over a 10-year period?
2. How important an issue is climate change for the city to be working on?
3. How important is the Climate Action Plan to your organization?

C. Constituents

1. How would you define your constituents?
2. What do they place a high value on? (What motivates them to take action?)
3. What concerns them about climate change? (For example, energy consumption; sea level rise; weather patterns; public health issues; other)
4. What would it take to motivate your constituents to be concerned about climate change and to get them to take action?

D. Implementation

1. What level of involvement would your organization play in the implementation of a climate action plan?
2. Would you or others in your organization take a leadership role in the implementation?
3. What communications tools do you use to communicate with your constituents?
4. What communications tools should the City use to convey its message(s)?

5. Do you have any suggestions for either the content or the methods the City should use in publicizing its climate action goals?

E. Other Information

1. What other organizations/individuals should we be engaging in helping to implement the Climate Action Plan

DRAFT

Hayward CAP Outreach:

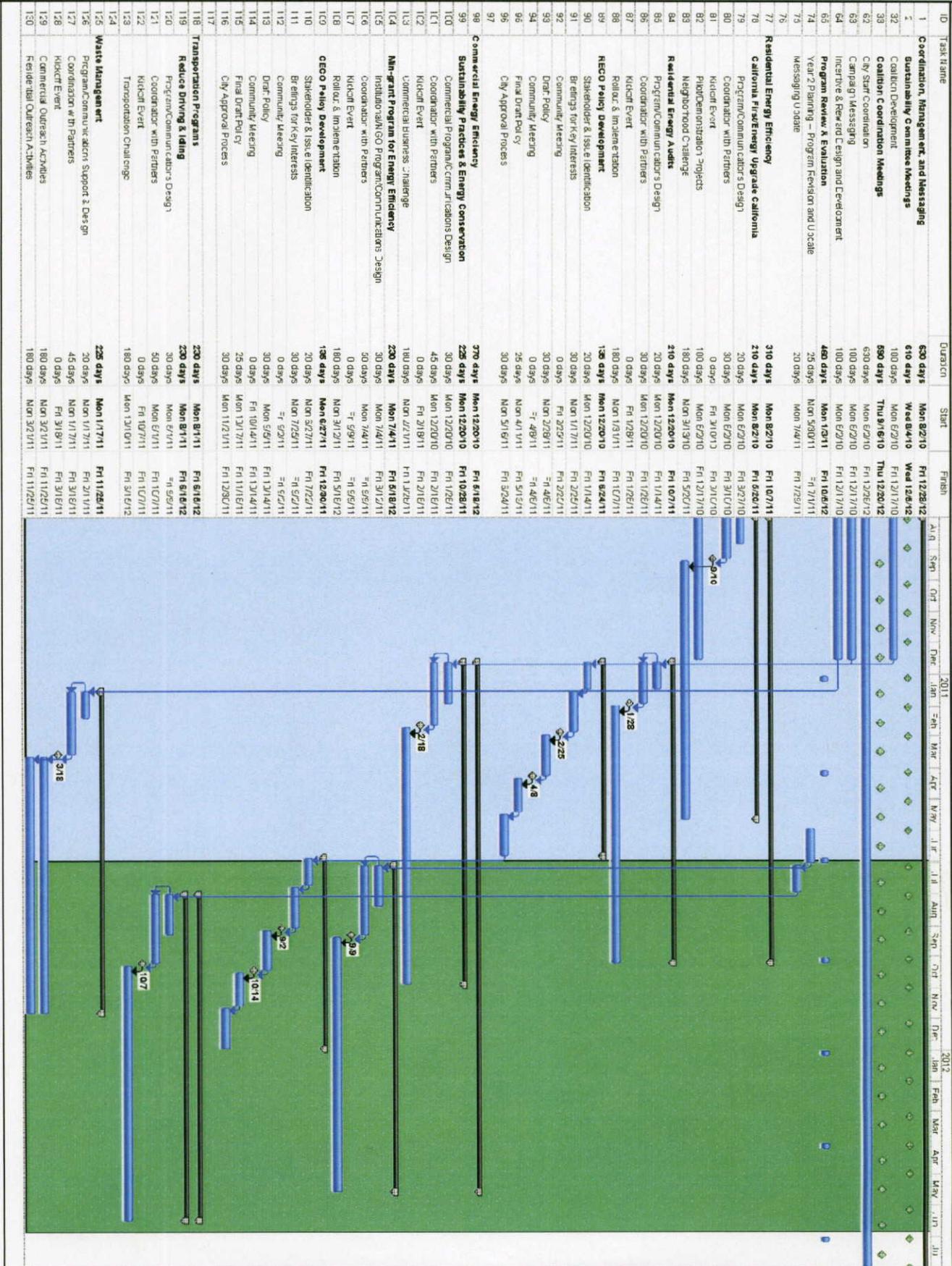
Stakeholders Interviewed

1. Loretta Baptista, Policy Associate, Tiburcio Vasquez Health Center
2. Mark Crawford, Vice President, Rental Housing Owners Association of Southern Alameda County
3. Chaitanya Diwadkar, potential model home owner
4. Doug Grandt, Keep Hayward Clean and Green Task Force
5. Chuck Horner, Pastor, South Hayward's Cavalry Baptist Church / Chairperson, Keep Hayward Clean and Green Task Force
6. David Korth, Neighborhood Development Manager, City of Hayward
7. Dr. Sherman Lewis, President, Hayward Area Planning Association
8. John Martoni, Teacher, Park Elementary School
9. Kathy Morris, President, Hayward Mobilehome Owners Association
10. Ernie Pacheco, Hayward Area Shoreline Planning Agency, Citizens Advisory Committee
11. Brian M. Schott, President and CEO, Hayward Chamber of Commerce
12. David C. Stark, Public Affairs Director, Bay East Association of REALTORS
13. Francisco Zermeno, President, Latino Business Roundtable

Appendix C: Preliminary Communications Schedule

City of Hayward

Draft Climate Action Communications Plan



Appendix D: Hayward's Current EECBG-Funded Programs

Here's the full list of the City's current EECBG-funded programs:

#	Title of Project/Program	EECBG Funding	Brief Description
1	Energy Efficiency Conservation Strategy	\$18,161	Develop a comprehensive Energy Efficiency Conservation Strategy.
2	Sustainability Coordinator	\$450,000	Hire a Sustainability Coordinator for three years.
3	Energy Efficiency Program for Large Energy Users	\$250,000	Coordinate the administration and implementation of an Energy Efficiency Program for large energy users.
4	Energy Efficiency Retrofit Grants for Nonprofits and Government Agencies	\$251,339	Establish a grant program to fund energy efficiency retrofits for nonprofit and governmental organizations.
5	Residential and Commercial Energy Audits	\$250,000	Funds to be awarded to qualifying residences and commercial buildings for the purpose of conducting energy audits.
6	LED Streetlights near South Hayward BART Station	\$70,000	Install new LED streetlights along Dixon Street between Tennyson Rd. and Industrial Parkway and along Tennyson Road between the BART tracks and Mission Boulevard.
7	StopWaste.org's Green Packages Development	\$53,400	Contribute to StopWaste.org's effort to develop Countywide Green Packages program.
8	California Youth Energy Service (CYES)	\$10,000	Contract with Rising Sun, who will hire youth ages 15 to 22, and train them to make free "green house calls" during the Summer of 2010. At each green house call they will check the home for efficiency, install free energy and water-saving equipment, and provide personalized recommendations for further savings.
9	Green Cities California (GCC)	\$9,000	GCC, which is a coalition of 12 local governments that have implemented groundbreaking environmental policies throughout California. Member dues are \$3,000 per year and this would fund membership dues for Hayward for calendar years 2010, 2011, and 2012.

Appendix E: Potential Partners and Sponsors

<u>Sector</u>	<u>Example Company/ Organization</u>	<u>Potential Partnership/ Sponsorship Role (\$/in-kind/other)</u>	<u>Notes</u>
Residential			
Multi-Family Complexes	Berry Garden Condos; Jackson Arms Apartments; University Hills Condominiums; Villa Morada Apartments; Vista Del Plaza	Potential demonstration sites for green/sustainability practices	Hayward Environmental Achievement Awards -2010 (multi-family)
Single-Family	Individual homeowners (extensive list)	Potential neighborhood single-family demonstration sites	Hayward Environmental Achievement Awards 2010 (single-family)
Low-Income	Green For All is a national organization working to build an inclusive green economy strong enough to lift people out of poverty. jobs and opportunities in the green industry:	Partner with local academic institutions (Chabot/Laney/other) to establish green jobs training program for low-income Hayward residents. Trainees would help perform energy audits within their own communities	Green For All is dedicated to improving the lives of all Americans through a clean energy economy. The organization works in collaboration with the businesses, government, labor, and community-based sectors to create and implement programs that increase quality jobs and opportunities in green industry
Commercial			
Small Business/Rest./Food	Fabrique Delices	Commercial demonstration site – recycling/organics collection (energy conservation early adopter?)	Hayward Environmental Achievement Awards 2010 (business)
Industrial	Kortick Manufacturing	Demonstration site – recycling (potential energy conservation adopter?)	Steel manufacturer – Hayward Achievement Awards 2010 (business)
Construction/Building	Webcor	Possible sponsor for commercial energy programs?	SF Business Times Green Business nominee – HQ in Hayward



CITY OF HAYWARD
DEVELOPMENT SERVICES DEPARTMENT

Interoffice Memorandum

DATE: July 7, 2010
TO: City of Hayward Council Sustainability Committee
THROUGH: Fran David, City Manager 
FROM: David Rizk, Development Services Director 
SUBJECT: Update on the Formation of the Climate Action Management Team

This memorandum is provided to update the Committee on the progress of forming a Climate Action Management Team, and its purpose. As Committee members will recall, the Hayward Climate Action Plan (CAP) included a recommendation to establish a Climate Action Management (CAM) Team “to support and guide efforts to reduce emissions.” The CAM Team will be charged with providing direction to the Sustainability Coordinator to assist with CAP implementation, reporting annually to the City Council on progress towards meeting emissions reductions goals, and working “in collaboration with residents and members of the business community to develop programs that can effectively reduce emissions while also minimizing adverse effects to the community at large” (See Attachment I, Section 6 of the CAP).

Composition of CAM Team

It is envisioned that the total number of members will be approximately 15, comprised of five members from various City departments (Finance, Public Works, Development Services, City Manager’s Office, Maintenance Services, and Library and Neighborhood Services), and ten members from non-staff commissions, like Planning Commission and Keep Hayward Clean and Green Task Force, and business and social organizations. Outside organizations to draw from include the Hayward Chamber of Commerce, the Hayward Unified School District, CSU East Bay, Chabot College, and various Homeowners Associations. To get the perspective of different types of local business owners, staff envisions inviting at least two members from the Chamber of Commerce, including the Chamber President and an industrial business owner. The Sustainability Coordinator will keep CAM Team members informed of CAP program implementation progress.

Role of CAM Team

Staff will structure the CAM Team to operate as an advisory body to the Sustainability Committee. In this focused capacity, the CAM Team can spend more time on specific issues that

need detailed discussion or analysis. As members come from various parts of the community, the CAM Team will bring different needs and concerns into consideration and incorporate these into program design, marketing, and implementation so that they can be implemented more smoothly. The CAM Team will also be responsible for reviewing staff reports and related documents, discussing agenda items, and providing recommendations in the form of a regular report that will be presented to the Sustainability Committee. Staff will develop a list of potential Team members, distribute invitations, and convene the first CAM Team meeting in September.

A report apprising the Sustainability Committee of the development of a Climate Action Communications Plan is also being provided to the Committee on July 7, 2010. Staff recommends that as the first order of business, the Climate Action Management Team create a communications subcommittee as recommended in the Communications Plan.

Assuming the Team meets eleven times per year and involves six City staff members (including the Sustainability Coordinator) attending and preparing for meetings, approximately 150 staff hours will be spent annually to support the CAM Team. Time spent by the Sustainability Coordinator is already budgeted and will be paid for with energy Efficiency and Conservation Block Grant funds through the end of 2012.

Attachments:

Attachment I Section 6 of the Hayward Climate Action Plan

Section 6 - Implementing the Plan

Section 6 focuses on mechanisms and approaches Hayward can use when implementing the Climate Action Plan. The Section begins with a discussion about managing City staff resources, and then discusses factors to consider when deciding which actions to prioritize. The Section concludes with ideas about mapping out a budget for climate programs and matching the budget with funding sources. It is important to note that, given the scope of the CAP, details for many of the actions identified remain to be resolved. The actions identified call for bold action, some of which will require significant staff analysis, public input, and further consideration by the City Council to ensure financial feasibility.

Managing City Staff Resources

Recommendations:

1. The City establish a Climate Action Management Team to support and guide efforts to reduce emissions.
2. The City appoint a permanent Sustainability Coordinator who will coordinate the Climate Action Management Team, develop and implement programs/actions, and be responsible for monitoring and reporting on progress toward meeting the long-term emissions reductions goals.
3. The City develop a protocol for annual reporting on progress towards meeting emissions targets. Reporting should be rigorous enough to provide an accurate analysis, but should not be so demanding that it takes away from efforts to reduce emissions.

Successful implementation of the Plan will require participation and support from the community and multiple City departments. Meeting the aggressive emissions reductions targets will require a team of key participants to come together with a unified vision and a collective motivation to achieve emissions reductions.

Climate Action Management Team

The Climate Action Management Team (CAM Team) will work in collaboration with residents and members of the business community to develop programs that can effectively reduce emissions while also minimizing adverse effects to the community at large. During the planning stage, the CAM Team can help identify potential barriers to implementation, and ensure that these barriers are addressed early before they hinder emissions reductions. The CAM Team can also help make implementation as straightforward as possible. Key requirements for success include:

- A clearly defined long-term vision and direction
- Strong political support from the City's top decision makers
- Identifiable climate program champions at all levels (i.e. including decision makers, management, and staff) of all relevant departments
- Strong community support

Key participants may vary depending on current project priorities, but are likely to include representatives from the following departments, commissions, committees, and community groups:

- **Finance Department** – provides assistance on budgetary, accounting, and economic analysis of climate projects and assists in securing long-term financing for the climate action program.
- **Public Works Department** – provides expertise on transportation, energy, and solid-waste-related issues. Also provides leadership on how to minimize energy consumption, fuel use, and solid waste generated within City operations.
- **Development Services Department** – evaluates development proposals for compliance with climate action goals and policies and offers expertise in long-term planning.
- **City Manager’s Office (Economic Development)** – provides assistance on evaluating and managing the economic impacts of climate action programs.
- **Maintenance Services Department** – provides insight into how the City may improve conditions for walkers and bikers, and provides experience for landscaping and tree-planting programs that will reduce emissions and also enhance the walking and biking experience.
- **Library and Neighborhood Services Department** – provides expertise in communicating with the community about climate-related programs and services.

Other team members may be added on a project-specific basis to provide specialist skills: legal, human resources, purchasing and contracts, technology, etc.

The City should also consider inviting representatives from the Hayward Chamber of Commerce and Hayward’s various committees and commissions to serve on the CAM Team and provide guidance and support on specific projects and programs. Some of the obvious relevant committees and commissions include:

- Keep Hayward Clean and Green Task Force
- Economic Development Committee
- Planning Commission
- Hayward Redevelopment Area Committee

There are also local non-profit energy interest groups and community leaders who, while perhaps not permanent CAM Team members, can also be valuable supporters of local emissions-reductions efforts. Other possible community supporters include local environmental organizations, including those concerned with the relationships between emissions and human health. For example, childhood asthma is of growing concern, and has been strongly linked to local air quality, which is in turn directly impacted by local climate policies. California State University, East Bay is another obvious resource the CAM Team could consider utilizing.

Sustainability Coordinator

The CAM Team will be comprised of members of the public and individuals that work in various City departments and they will inevitably have responsibilities outside of the CAM Team. To ensure the CAM Team has access to dedicated staff resources, it is critical that there is at least one staff member whose primary job description includes coordinating the CAM Team. This Sustainability Coordinator can also be responsible for monitoring and reporting on progress towards meeting emissions targets; specific climate-related responsibilities should be written into that staff member’s primary job description. Key job requirements include:

- Recruiting members to the CAM Team.

- Ensuring the CAM Team meets on a regular basis and that members are kept informed on progress of specific programs.
- Coordinating the implementation of specific actions recommended by the Climate Action Plan. This includes developing work programs and budgets and working with the CAM Team and community members.
- Coordinating the budget for climate programs and working to secure long-term financing for programs.
- Annual monitoring of emissions reductions.
- Reporting annually to the City’s Sustainability Committee, and to other appropriate committees or boards on progress towards achieving the long-term emissions reductions goals.
- Recommending new actions and programs, not included in the CAP, as new technology comes to market and as state and federal legislation changes.

Annual Progress Review

Recommendations:

4. The City develop a review process for evaluating the effectiveness of emissions reduction programs.
5. The CAM Team report annually to the City Council on progress towards meeting emissions reductions goals.

“What gets measured, gets done.” This is the first principle listed in Hayward’s 12 City Leadership Principles, which were adopted in 2007.¹⁰⁵ Measuring GHG emissions on a regular basis and verifying that climate programs are effectively reducing emissions is a critical step to ensuring that Hayward’s programs are resulting in emissions reductions. It is recommended therefore, that the CAM Team report annually on progress towards meeting emissions reductions goals. Regular reporting has several benefits, including:

- Provides the CAM Team with a reason to evaluate how effective programs are at reducing emissions.
- Allows the CAM Team to make adjustments as necessary, to funding and program design, to keep the programs on track.
- Keeps the CAM Team on task to meet both short-term and long-term goals

In addition to reporting on emissions reductions, it is recommended that the City develop a review process for evaluating the effectiveness of each program that aims to reduce emissions. Hayward should work within the City’s existing review protocols and aim to create a review process that is rigorous enough to provide an accurate picture of the progress Hayward is making towards reducing emissions. The review process should not be so time-consuming that it significantly detracts from efforts to develop and administer emission-reduction programs.

¹⁰⁵ Human Resources Director, City of Hayward, California. <http://www.peckhamandmckenny.com/pdfs/HaywardHRD-web.pdf>

Citizen and Business Participation

Recommendations:

6. The City encourages individual businesses and business groups to participate in efforts to reduce GHG emissions by the commercial sector.
7. The City encourages residential sector developers, multi-family building owners, and residents to participate in reducing emissions by the residential sector.

Recommendation:

When prioritizing actions, the City should weigh the following factors: estimated emissions reductions, cost of implementation, ease of implementation, and the time required for the program to reach full implementation.

Hayward's citizens and businesses will play a critical role in the Climate Action Plan implementation. As discussed in Strategy 9, without active participation, climate programs will not be as effective as planned. Hayward will not meet emissions targets without community participation. Community participation is so essential to success that the CAP recommends specific actions to engage the community in the process (see Strategy 9).

Prioritizing Actions to Implement

Recommendation:

8. When prioritizing actions, the City should weigh the following factors: estimated emissions reductions, cost of implementation, ease of implementation, and the time required for the program to reach full implementation, and financial benefits or cost savings.

One of the challenges of implementing the CAP is determining which actions to implement first. To help determine which actions to prioritize, the City evaluated actions by scoring each one based on four criteria, which are described in more detail in the following pages:

1. Ease of implementation
2. Time to achieve full implementation
3. Potential emissions reductions
4. Cost

Table 11 presents the CAP actions, the scores they received during the prioritization process, and relative rankings of each action. The maximum possible score was 100 points, and the actions receiving highest scores were considered to be highest priority for implementation. The scoring process is described in more detail in Appendix D. The complete score-card for each action is also presented in Appendix D.

The scoring process is one tool the City can use to determine which actions to implement, but it should not be the only tool. More than anything else, the scoring process provides the City with a mechanism to review the actions and to identify potential barriers to implementation.

Based on the action prioritization, the City developed a recommended schedule for implementing the various actions. Depending on economic and other conditions at the time, the City may decide to adjust

the implementation timing. If the City does adjust the implementation schedule in order to meet other City priorities, it is important that where possible, implementation continues to occur across each of the transportation, energy, and waste sectors rather than focusing on implementing actions in one sector only.

Community-wide Actions - in order of priority

Table 11: Proposed actions for reducing community-wide emissions: listed in order of priority

Action Number	Short Description	Estimated Annual Emissions Reductions (metric tons CO2e)		Priority
		2020	2050	
Community-wide Actions - potential emissions reductions calculated and City has direct control over implementation				
Action 3.9	offer energy efficiency financing program for commercial buildings	1,630	132,025	1
Action 3.3	develop and implement Commercial Energy Conservation Ordinance	5,164	105,152	2
Action 3.7	energy efficiency financing program for single-family homes	181	40,248	3
Action 3.8	offer energy efficiency financing program for multiple-family homes	126	33,617	4
Action 5.2	offer renewable energy financing program for commercial buildings	10,768	22,822	5
Action 6.3	improve construction and demolition debris program	1,953	15,634	6
Action 4.2	continue to implement private development green building ordinance for commercial buildings	4,493	77,925	7
Action 5.3	add solar requirement into private development green building ordinance	2,980	24,660	8
Action 4.1	continue to implement private development green building ordinance for residential buildings	979	18,836	9
Action 1.8	prioritize traffic-flow management practices to reduce idling time	23,061	21,875	10
Action 3.1	develop and implement Residential Energy Conservation Ordinance for single-family homes	639	39,304	11
Action 3.2	develop and implement Residential Energy Conservation Ordinance for multiple-family homes	983	33,033	12
Action 6.2	increase participation in food-scrap collection programs	1,495	11,963	13
Action 6.1	increase participation in recycling programs	15,916	38,216	14
Action 5.1	offer renewable energy financing program for residential buildings	850	2,149	15
Action 1.4	expand public transit services to encourage reductions in vehicle travel	3,062	15,199	16
Action 5.4	increase portion of electricity provided by renewable energy		30,779	17
Action 1.2	assist businesses in establishing car share / bike-share programs	416	7,283	18
Action 6.6	encourage waste reduction and promote recycling participation at multi-family properties	253	304	19
Action 7.1	maximize carbon sequestration within City		284	20
Action 1.1	assist businesses in providing commuter benefits programs	2,286	8,106	21
Action 1.5	continue to implement bike master-plan	2,419	7,610	22
Action 1.3	update parking policies to encourage reduction in vehicle travel		9,471	23
Action 1.6	develop and implement pedestrian master-plan	1,394	7,121	24
Action 6.4	ban certain materials from landfills	2,487	2,986	25
Community-wide Actions - potential emissions reductions not calculated, or City does not have direct control over implementation				
Action 3.4	actively participate in low-income weatherization programs	emissions reductions not quantified		1
Action 2.2	collaborate the state and federal government on policies that promote low-carbon vehicles and low-carbon fuels	129,060	532,735	2
Action 2.1	provide incentives for low-carbon vehicles and low-carbon fuels	129,060	532,735	3
Action 1.10	align zoning policies to minimize vehicle travel	emissions reductions not quantified		4
Action 3.5	promote a voluntary commitment for businesses and residents to reduce energy consumption	emissions reductions not quantified		5
Action 6.7	prefer waste management strategies that maximize the useful value of waste streams	emissions reductions not quantified		6
Action 6.5	require residents / businesses to participate in recycling programs	emissions reductions not quantified		7
Action 1.11	increase availability of affordable housing for people employed in Hayward	emissions reductions not quantified		8
Action 9.1	create green-portal website	emissions reductions not quantified		9
Action 9.2	develop and implement plan to engage residents in emissions reductions activities	emissions reductions not quantified		10

Action Number	Short Description	Estimated Annual Emissions Reductions (metric tons CO2e)		Priority
		2020	2050	
		<i>*assumes Scenario 2 fuel economy and renewable electricity generation and that program goals are achieved</i>		
Action 9.3	develop and implement plan to engage businesses in emissions reductions activities	emissions reductions not quantified		11
Action 3.6	promote use of home energy monitors	emissions reductions not quantified		12
Action 1.7	update the Circulation Element of the General Plan to evaluate expansions of appropriate modes of transit	emissions reductions not quantified		13
Action 1.9	encourage high density, mixed-use, smart-growth development in areas near public transit stations	emissions reductions not quantified		14
Action 1.12	incentivize filling local jobs with local residents	emissions reductions not quantified		15
Action 8.1	<i>Place holder - no actions defined for climate change adaptation</i>	not evaluated		--

Municipal Actions - listed in order of priority

Table 12: Proposed actions for reducing municipal emissions: listed in order of priority

Action Number	Short Description	Estimated Annual Emissions Reductions (metric tons CO ₂ e)		Priority
		2020	2050	
Municipal Actions - potential emissions reductions calculated and City has direct control over implementation				
Action 3.10	upgrade streetlights to LEDs	969	1054	1
Action 2.3	procure fuel-efficient and low-carbon fuel vehicles for municipal fleet	54	108	2
Action 3.12	audit city buildings and identify energy savings opportunities	330	1542	3
Action 3.11	prepare and implement energy conservation plan for municipal buildings	330	1542	4
Action 2.4	negotiate alternative-fuel and fuel economy requirements into new contracts and franchise agreements	54	108	5
Action 6.9	implement food scraps collection programs in city buildings	73	163	6
Action 5.5	audit city buildings and identify buildings best-suited for solar	76	2227	7
Action 5.6	install renewable generation on municipal property	76	2227	8
Action 4.3	continue to implement municipal green building ordinance	47	328	9
Action 7.2	maximize carbon sequestration on municipal property	5	32	10
Action 6.8	implement recycling programs in city buildings	27	28	11
Municipal Actions - potential emissions reductions not calculated, or City does not have direct control over implementation				
Action 1.13	provide commuter benefits to government employees	emissions reductions not quantified		1
Action 1.15	prefer facilities with convenient access to public transit	emissions reductions not quantified		2
Action 9.4	offer climate education programs to City employees	emissions reductions not quantified		3
Action 4.4	ensure new city buildings are built with photovoltaics and solar hot-water whenever possible	emissions reductions not quantified		4
Action 9.6	when awarding contracts, request applicants provide information about sustainability practices	emissions reductions not quantified		5
Action 9.5	demonstrate leadership by setting municipal reduction targets. Work to achieve these targets	emissions reductions not quantified		6
Action 6.10	develop environmentally friendly purchasing program	emissions reductions not quantified		7
Action 1.14	develop car-share and/or bike-share program for city employees	emissions reductions not quantified		8
Action 8.2	<i>Place holder - no actions defined for climate change adaptation</i>	emissions reductions not quantified		9

Costs and benefits

When weighing the costs and benefits of a proposed action, it is recommended that the City take into consideration not only more traditional investment cost metrics such as simple payback, internal rate of return, and net savings, but also consider the life-cycle costs of the action. Traditional cost metrics are useful for evaluating the short-term cost effectiveness of programs, whereas life-cycle costs analysis¹⁰⁶ is helpful when looking at longer-term investments.

The most common metric for evaluating investments is simple payback; this metric ignores the time value of money and provides a straightforward estimate of the time it will take for an investment to pay for itself. The simple payback period is equal to the investment cost divided by the annual savings. For example, a \$1,000 investment that saves \$500 each year has a two-year simple payback.

¹⁰⁶ Life-cycle cost analysis takes into consideration all costs and benefits associated with a particular investment throughout the entire duration of the investment's useful life.

The federal government has chosen to implement all efficiency projects with a payback of ten years or less, but in principle any project that pays back its initial investment in less than the measure's anticipated lifetime can reasonably be considered worthwhile. Many government agencies also have a policy of implementing comprehensive energy projects that include a range of different actions, where the shorter payback measures can subsidize the cost of longer payback items, to produce an overall payback period that is acceptable.

When evaluating benefits of a proposed action, it is suggested that the City place value not only on the GHG emission reductions, but also on non-GHG reductions benefits such as health benefits, decreases in water and air pollution, job creation, growth of the local "clean-tech" industry, improved worker or student productivity, or community and economic development. For example, reducing vehicle miles traveled will also improve overall air quality and may result in a decrease in air quality related health problems such as childhood asthma. Reducing the number of vehicles on the road may also reduce the risk of accident-related injury and may reduce local traffic-related noise pollution. Similarly, improving walkability in the community may result in improved pedestrian safety and have other general health benefits.

Time to full implementation

When prioritizing actions to implement, it is important to consider how long it will take for actions to be fully implemented and to plan ahead to ensure that emissions reductions are realized in time to meet the long-term emissions targets. Initially there is likely to be an emphasis on actions that are easy to implement and that result in immediate emissions savings. These short-term results will encourage early confidence in the Plan. However, it is also important that early work is begun on developing longer-term emissions reductions strategies that will require more extensive up-front work, but that will still result in emissions savings long after the low-hanging-fruit have been taken.

For actions that may take longer to implement, or where there may be some initial opposition, the Draft Plan recommends using a phase-in approach where the first phase of implementation may not result in major emissions savings, but provides a stepping stone for the next and more productive phase of the program. For example, when developing and introducing a residential energy conservation ordinance, Hayward could initiate implementation in stages. The first stage might only provide information on the cost saving benefits of certain retrofit measures; a later stage might require building owners to perform an energy audit before a building is sold, and require the owners to disclose the audit results to a prospective purchaser. Depending upon the success of the information-only and audit programs at reducing emissions, the City could then consider a stricter version of the ordinance which would require building owners to perform the audit and then also make prescribed efficiency improvements at the time the building is sold. Similar residential programs already successfully operate in San Francisco and Berkeley.

Although the audit-only program just provides the prospective building owner with information on the energy performance of the building and may not actually save much energy or reduce emissions, it can serve several other purposes. Over time the City will develop a better sense of how local residential buildings are performing. With this data, the City will be better informed when developing later phases of the program. In addition, the information may encourage building owners and realtors to become more aware of the value of energy efficiency in buildings and the contribution lower energy costs can make to increasing home ownership. This increased awareness may ease the introduction of subsequent and more demanding emissions reduction requirements.

The proposed timeline for implementing the CAP programs is presented in Appendix E.

Ease of implementation

In order to assess the ease with which a future emissions reduction action may be implemented, the City could consider the following:

- Is there widespread political and community support for the proposed action?
- Are there existing policies such as the City's general plan that must be changed in order to fully implement the action?
- Does the City have jurisdiction over any necessary changes that are required for full implementation?
- Is the proposed measure an expansion of an existing program, or does a new program need to be developed to permit implementation of the proposed measure? Expansions of existing programs are preferred in the earlier stages of implementation as they generally provide quicker results.
- Are there collateral benefits to the community such as local air quality, improved public health, lower health care costs, and improved worker and student performance, and can these benefits be assessed and used to support the introduction of the program?
- Will the action encourage the development of local 'clean-tech' industries?

Finally, it is important to recognize that proposed beneficial actions should not be eliminated from the list even if the current social, political, or economic conditions make those actions difficult to implement. Since the Climate Action Plan is a long-term plan, it is hoped that conditions may change in the future and the proposed action will then become less challenging to implement.

Create and Follow a Financial Plan

Recommendation:

9. The City create a financial plan for the climate action program that takes into consideration the costs and staff resources needed throughout the implementation period as well as financial benefits and cost savings.

To effectively implement the Climate Action Plan, the City will need adequate, reliable, and consistent funding. Without reliable and consistent funding, the City's GHG reduction programs will not be able to meet the long-term targets, or comply with the state and federal GHG reduction mandates that are likely to emerge in the coming years.

Funding for climate programs and associated energy, transit, and solid waste management programs often fluctuate with the ups and downs of the national and local economies because they are often seen as amenities rather than necessities. Inevitably, it is easier to obtain funding and political support for climate-related programs during times of economic confidence than in times of economic distress. Because consistent funding is critical to the effectiveness of climate-related programs, it is important that the City develop a comprehensive financial plan that considers long-term budget needs and that identifies a specific plan to secure funding that is not heavily impacted by annual fluctuations in general fund budget constraints. The financial plan should include the following components:

Review of existing budget conditions

Hayward already has a number of climate-related programs that are receiving money from a variety of funding sources. When drafting the financial plan, Hayward should identify all of these programs, review

their budgets, and evaluate their funding sources. This internal review process will enable Hayward to develop a clear picture of how its existing climate programs are funded and how the programs are performing from a financial perspective. After the review is complete, the City will have a better idea of what funding mechanisms are most successful.

Identify Costs and Funding Sources

Many of the actions in the Plan will eventually be developed into programs that will have their own budget and staffing needs. There will be costs associated with each individual program, costs associated with coordinating the various climate-related programs, and costs for tracking and reporting. There will also be costs for marketing and education efforts that are critical for a successful program kick-off, and to encourage people to participate in the new programs.

Costs associated with coordinating the various climate-related programs include:

- Sustainability Coordinator's salary
- Marketing and outreach staff for ongoing marketing efforts
- Preparing emissions inventory and reporting on progress towards meeting emissions targets.
- Potential funding sources are discussed at the end of this Section of the Plan. Short-term funding sources, grants, and loans for example, are often effective ways to cover the up-front costs of developing programs, but are often not available for long-term program operations. Other longer-term funding sources are better for the more consistent and less expensive costs like program operational costs.

Coordinating budgets across various City departments

Climate-related programs are likely to be managed by individuals from different City departments, which means individual program budgets will likely to be housed in many different City departments. This can make it difficult to keep track of spending. It is recommended that the Sustainability Coordinator help facilitate program tracking. Tracking program budgets will also help the City make informed decisions about how to pursue future funding opportunities.

Financing the Climate Program

Recommendation:

10. The City evaluate alternative climate financing methods in order to provide adequate, reliable, and consistent long-term program funding.

Municipalities have responded to the need for consistent long-term energy and related climate program funding in a variety of ways. Some programs rely on the traditional local government budgeting process for funding, which may make the programs vulnerable to changing perceptions of the importance of continued emissions reductions efforts. Unfortunately, many of these programs cannot easily be stopped and restarted without a serious loss of momentum. Some cities have avoided the drawbacks of relying on the annual budgeting process by utilizing other funding mechanisms such as bonds, public works

fees, grants, and a variety of other mechanisms. Several potential funding mechanisms are described below.¹⁰⁷

Local Funding Sources

Taxes and Bonds

Hayward could consider public financing of climate projects through bonds and taxes. This funding mechanism has been developed in San Francisco, Berkeley, and Emeryville where voters have approved public bonds for solar investments, development of a climate action plan, and a property tax assessment on commercial areas to fund a local shuttle to connect to BART, in the three cities respectively.¹⁰⁸ However, tax and bond measures can be difficult to pass as they often require approval by two-thirds of voters.¹⁰⁹

In November 2006, the City of Boulder, Colorado's voters approved Initiative 202 – the Climate Action Tax Plan that went into effect on April 1, 2007. The revenues generated through the tax will be targeted at reducing greenhouse gas emissions generated by energy use in buildings, the operation of vehicles, and landfill gas emissions. The tax is a surcharge based on a per-kilowatt-hour electricity usage charge with an annual cap. The tax is collected by the local utility as part of the normal billing process; however, customers who subscribe to the utility's premium priced renewable energy portfolio are exempt.

Fees

Revenues from public services fees (e.g., parking fees, utility fees) can be used to fund programs such as transit improvements and water use efficiency. Hayward is already utilizing this funding mechanism: the City operates its own water utility and uses some of the proceeds from higher water rates to fund water conservation programs. Some fees (e.g. for water and wastewater) can be raised to cover costs without direct voter approval.

The City of Portland Oregon imposed a 1 percent surcharge (with a ceiling of \$15,000 per department) on departmental energy bills. The money went into a central fund to support a City energy specialist who acts as the representative on energy issues for the departments, interfacing with the energy utilities, staying in touch with current utility energy rebates and other technical assistance available, and providing technical support for departmental energy projects.

Impact fees

Local governments have the authority to include emissions mitigation fees as impact fees on new development. For instance, The City of Chula Vista plans to fund energy retrofits of existing buildings with revenues generated from mitigation fees developers pay when new buildings do not meet a minimum energy performance threshold. The Sacramento Metropolitan Air Quality Management District is considering emissions mitigation fees for new development.¹¹⁰

¹⁰⁷ Public Policy Institute of California. Ellen Hanak, Louise Bedsworth, Sarah Swanbeck, and Joanna Malaczynski. *Climate Policy at the Local Level: A Survey of California's Cities and Counties*. November 2008.

¹⁰⁸ Berkeley's voter-approved Measure G (2006) provides for the City to go forward with a climate action plan while recognizing that the costs of implementation are yet unknown.

¹⁰⁹ Local general obligation bonds (except for education) and special purpose taxes and property assessments all require a two-thirds voter majority. Property assessments can also be approved by a majority of property owners.

¹¹⁰ Public Policy Institute of California. Ellen Hanak, Louise Bedsworth, Sarah Swanbeck, and Joanna Malaczynski. *Climate Policy at the Local Level: A Survey of California's Cities and Counties*. November 2008.

Local residents are often more receptive to new mitigation fees than they are to increases in taxes or increases to existing fees; however, developers are often opposed to new mitigation fees increasing the cost of business.

Other Funding Sources

Grants and low-interest loans

Federal, state, and regional agencies provide grants and loans for investments in a variety of climate-related projects. Grants and loans are usually not a good source for long-term funding for on-going programs. However, the short-term funding they provide can be useful for short-term program development and program testing. Hayward could use grants and loans to pay for the up-front staff time required to develop programs, and then establish an alternative financial framework for the program's continued operation after the grant expires. Hayward has already been successful at securing grants for their emissions reductions efforts: this Climate Action Plan was funded, in part, by a grant from the Bay Area Air Quality Management District.

The most promising new source of funding for energy programs in cities is the Energy Efficiency and Conservation Block Grant (EECBG) program originally proposed in the 2007 Energy Independence and Security Act of 2007 and was funded by the American Recovery and Reinvestment Act of 2009. Hayward was allocated \$1.37 million through the Block Grant program. Grant funds are available to support a wide range of energy related activities including energy program planning, policy making, public education, energy project financing, and installing energy measures in local government buildings (see Appendix F).

Greenhouse gas reduction measures included in Hayward's GHG reduction plan, such as bike lanes and pedestrian improvements, installing on-site renewable energy technologies, and providing initial start-up funding for local energy revolving funds are all specifically included as measures eligible for funding.

The California Energy Commission (CEC) has for many years provided a loan program to support local government energy retrofit and some new construction projects. The program provides low interest loans for feasibility studies and the installation of cost-effective energy projects in schools, hospitals, and local government facilities. The loans are repaid out of the energy cost savings and the program will finance lighting, motors, drives and pumps, building insulation, heating and air conditioning modifications, streetlights and traffic signal efficiency projects, and certain energy generation projects, including renewable energy projects and cogeneration. Loans can cover up to 100 percent of project costs and there is a maximum loan amount of \$3 million.¹¹¹

The City may also consider working with BAAQMD, MTC, and other organizations that provide funding for local transportation projects to establish more flexibility in their funding criteria.

The City of Hayward can leverage its locally available funding by participating in county-wide projects like the programs being coordinated by StopWaste.org. This could increase the likelihood of receiving competitive funding from federal, state and regional grantors. In addition, the City will benefit from economies of scale in program administration, bulk purchasing, and consumer outreach.

¹¹¹ For more information see www.energy.ca.gov/efficiency/financing

Support from local businesses, non-profits, and agencies

Hayward may find that partnering with local utilities, businesses, and non-profits can be useful. In various cities, including Walnut Creek and San Jose, businesses and non-profits are financing climate-related projects such as efficiency retrofits, tree planting, and educational programs.¹¹²

Self-funding and revolving fund programs

For programs that result in direct cash savings after an initial investment, such as energy efficiency retrofits and green building standards, it is possible to set up a self-funding loan program where loan payments are equal to, or proportional to, cost savings. This is the idea behind Berkeley's Solar Initiative, for which the City is obtaining initial program seed financing from a private bank. Residents can take out a loan to pay for installing a solar electric system, and they then repay the loan through a property assessment. Over time, the loan fund will be replenished from the loan repayments and the City will in turn repay the bank and will be able to fund further investments in solar.

The best-known local government example of a fully operational revolving fund is that operated by the City of Phoenix. The City began its energy management program following the energy crises of the late 1970's, and by 1983 the program had fully established its credibility and the City Council felt confident enough of the program's savings to establish a reinvestment program. This mechanism authorized 50 percent of the documented energy avoided costs from retrofits of City municipal buildings to be reinvested in additional energy efficiency retrofit improvements in the City's departments. Any savings over a set amount would go to the City's general fund, and in general, the energy program is entirely self-supporting.¹¹³

Agreements with private investors

There are also private investors that can provide funding to local governments. For example, energy service companies (ESCOs) can finance the up-front investments in energy efficiency, for which the local government will then reimburse the company over an agreed period. Similarly, private companies will finance solar power installations, and then recoup their investment by selling the resulting power to the building owner.

Selling carbon offsets

In the future, for projects that are expected to reduce emissions significantly, the emerging carbon offset market could become a potential source of funding for projects. It is likely that the United States will institute a national carbon cap and trade system in the coming years. Cities like Hayward may then be able to sell carbon offsets to other communities or businesses that have not been as successful at reducing GHG emissions.

Cross-funding activities

Recognizing that some programs will cost money and some will save money, some communities are taking a comprehensive view to the funding issues identifying opportunities for cost sharing. For example, the City of Roseville is considering borrowing against future energy savings to fund a comprehensive climate action plan.¹¹⁴

¹¹² Public Policy Institute of California. Ellen Hanak, Louise Bedsworth, Sarah Swanbeck, and Joanna Malaczynski. *Climate Policy at the Local Level: A Survey of California's Cities and Counties*. November 2008.

¹¹³ To help give the impression that money saved is not sitting around waiting to be spent, program staff in Phoenix refer to the monetary benefits of projects as "cost avoidance" rather than "cost savings."

¹¹⁴ Public Policy Institute of California. Ellen Hanak, Louise Bedsworth, Sarah Swanbeck, and Joanna Malaczynski. *Climate Policy at the Local Level: A Survey of California's Cities and Counties*. November 2008.

Sustainability Committee Monthly Meeting Topics for 2010

Presenting Department	Date	Topics	Climate Action Plan Action Number (priority)
DS	January 6, 2010	Annual Review of Green Building Ordinances and Implementation	Actions 4.1, 4.2, 4.3
DS		Bay Area Climate Collaborative (BACC)	
DS		Summary of Education and Outreach Efforts (Permit Center-Green Display, Website, etc.)	Actions 9.1, 9.2, 9.3
DS <i>Sustainability Coordinator</i>	February 3, 2010	Introduction of Sustainability Coordinator and Initial Discussion on the Residential Energy Conservation Ordinance (RECO) and Commercial Energy Conservation Ordinance (CECO)	Actions 3.1(11), 3.2(12), 3.3(2)
DS		Review of Purpose and Productivity of the Sustainability Committee and 2010 Meeting Topics	
PW	March 3, 2010	Summary of Issues and Regional Efforts Regarding a Ban on Plastic Bags and Styrofoam Containers	Action 6.4(25)
DS	April 7, 2010	South Hayward BART Form Based Code Parking Strategies Options	Action 1.3(23)
DS		Opposition to State Proposition 16	
DS <i>Sustainability Coordinator</i>	May 5, 2010	Large Energy Users Program	Actions 3.9(1), 5.2(5)
DS		Energy Efficiency and Conservation Strategy (Informational Item Only)	
DS <i>Sustainability Coordinator; Grad Student Kali Steele</i>	June 2, 2010	Update on Development of a Residential Energy Conservation Ordinance (RECO)	Actions 3.1(11), 3.2(12), 3.3(2)
DS <i>Sustainability Coordinator</i>	July 7, 2010	Overview of Community Outreach Plan	Actions 9.2*(10), 9.3*(11)
PW		Draft Ordinance-Ban on Styrofoam Containers	Action 6.4(25)
DS		Update on Formation of the Climate Action Management Team	CAP Implementation
	August 2010	<i>No Meeting – annual recess</i>	
DS <i>Sustainability Coordinator</i>	September 1, 2010	Update on Development of Residential Energy Conservation Ordinance (RECO)	Actions 3.1(11), 3.2(12), 3.3(2)
DS <i>Building Division Staff</i>	October 6, 2010	Update on State Green Building Code and its Impacts on Hayward's Green Building Ordinance, including Solar Requirements	Actions 4.1(9), 4.2(7), 5.3(8)
DS <i>Sustainability Coordinator</i>	November 3, 2010	CaliforniaFirst Pilot Financing Program Implementation and Program Continuation	Actions 3.7(3), 3.8(4), 3.9(1), 5.1(15), 5.2(5),
PW	December 1, 2010	Increase Participation in Food Scraps Collection, Recycling, and Construction and Demolition Debris Programs	Actions 6.1(14), 6.2(13), 6.3(6), 6.6(19)
		Update on Ordinances to Ban Plastic Bags	Action 6.4(25)

*emissions reductions not quantified in the Climate Action Plan