



SUSTAINABILITY COMMISSION
CITY OF PALM SPRINGS, CALIFORNIA
www.palmsprings-ca.gov www.yoursustainablecity.com

December 20, 2016
5:00 PM

REGULAR
MEETING AGENDA

Palm Springs City Hall
Large Conference Room
 3200 E. Tahquitz Canyon Way
 Palm Springs, CA 92262

COMMISSIONERS	
Joe Jackson, Chair	Grant Wilson, Vice Chair
Roy Clark	David Freedman
Nancy Ferguson – Resigned 12/15/2016	Robert McCann
Jennifer Futterman	Nate Otto

Staff representatives: Marcus L. Fuller, Assistant City Manager/City Engineer
 Staci Schafer, Director of Maintenance and Facilities
 Dan DeGarmo, Clerical Assistant
 Gary Calhoun, Recycling Coordinator

City of Palm Springs Vision Statement: Palm Springs aspires to be a unique world-class desert community, where residents and visitors enjoy our high quality of life and a relaxing experience. We desire to balance our cultural and historical resources with responsible, sustainable economic growth and enhance our natural desert beauty. We are committed to providing responsive, friendly, and efficient customer service in an environment that fosters unity among all our citizens.

Please **MUTE OR TURN OFF** all audible electronic devices for the duration of this meeting. Thank you!

CALL TO ORDER

FLAG SALUTE

ROLL CALL

ACCEPTANCE OF AGENDA

CITY MANAGER AND/OR ASSISTANT CITY MANAGER REPORT

Review of Sustainability Commission budget for FY 2016-17
 City Manager David Ready

PUBLIC COMMENTS: This time is for members of the public to address the Sustainability Commission on Agenda items and items of general interest within the subject matter jurisdiction of the Commission. The Commission values your comments but, pursuant to the Brown Act, cannot take action on items not listed on the posted Agenda. Three (3) minutes are assigned for each speaker.

- A. WELCOME AND INTRODUCTIONS** **(5 MINUTES)**
- B. PRESENTATIONS** **(20 MINUTES)**
 - 1. Jim Cioffi and Ashley Metzger, Desert Water Agency
- C. MEETING MINUTES** **(5 MINUTES)**
 - October 24, 2016 Study Session and November 15, 2016 meeting minutes approval
- D. RECYCLING REPORT, Gary Calhoun** **(10 MINUTES)**
 - 1. December 17, 2016 E-Waste and Recycling Event
 - 2. Update on AB1826 Organic Recycling
 - 3. Mattress Recycling Funding

E. OLD BUSINESS (15 MINUTES)

1. Continued discussion on proposed regulations on leaf blowers.
 - i. Motion: Approve proposed leaf blower regulations.

F. NEW BUSINESS (10 MINUTES)

1. Receive report of the December 14, 2016 Planning Commission Study Session on mandatory requirements for installation of solar systems on residential projects – Commissioner Freedman
 - i. Motion: Approve proposed regulations requiring installation of solar systems on residential projects.
2. Appointment of Ad-Hoc Committees of the Sustainability Commission – Chair Jackson

G. SUBCOMMITTEE REPORTS (30 MINUTES)

1. Water Conservation Subcommittee, Commissioner Freedman
2. Outreach Subcommittee, Commissioners Futterman and Clark
3. Green Building/Solar Subcommittee, Commissioners Otto and Freedman
4. Waste Reduction Subcommittee, Commissioner McCann and Clark
5. Wellness Subcommittee, Chair Jackson and Commissioner Futterman
6. Active Transportation Subcommittee, Commissioner Ferguson and Vice-Chair Wilson

H. COMMISSIONER COMMENTS (5 MINUTES)

- I. ADJOURNMENT** - The meeting of the Sustainability Commission will adjourn to the Regular Meeting of the Sustainability Commission to be held at 5:00 p.m. on Tuesday, January 17, 2017, in the City Hall Large Conference Room. The Sustainability Commission's regular meeting schedule is at 5 p.m. the third Tuesday each month except August unless otherwise noted or amended.

It is the intention of the City of Palm Springs to comply with the Americans with Disabilities Act (ADA) in all respects. If, as an attendee or a participant at this meeting, you need special assistance beyond what is normally provided, the City will attempt to accommodate you in every reasonable manner. Please contact the Office of the City Clerk at (760) 323-8204 at least 48 hours prior to the meeting to inform us of your needs and to determine if accommodation is feasible.

Pursuant to G.C. Section 54957.5(b)(2) the designated office for inspection of records in connection with the meeting is the Office of Sustainability, City Hall, 3200 E. Tahquitz Canyon Way, Palm Springs, CA 92262. Agenda and staff reports are available on the City's website www.palmspringsca.gov. If you would like additional information on any item appearing on this agenda, please contact the Office of Sustainability at 760-323-8248.

AFFIDAVIT OF POSTING: I, Staci Schafer, Director of Maintenance & Facilities of the City of Palm Springs, California, certify this Agenda was posted at or before 5:00 p.m. on December 15, 2016, as required by established policies and procedures.



Staci A. Schafer, Director of Maintenance & Facilities

**SUSTAINABILITY COMMISSION
CITY OF PALM SPRINGS, CALIFORNIA**



STUDY SESSION MEETING MINUTES

Monday, October 24, 2016 Palm Springs City Hall, Council Chambers

CALL TO ORDER: Chair Jackson called the meeting to order at **5:03** p.m.

PLEDGE OF ALLEGIANCE: Led by Chair Jackson

ROLL CALL: A quorum was present for this Regular Meeting of the City of Palm Springs Sustainability Commission.

AGENDA APPROVAL: The agenda was presented by Chair Jackson. A motion to approve as presented by Commissioner Clark and seconded by Commissioner Otto and unanimously carried.

	<u>This Meeting</u>	<u>Present to Date</u>	<u>FY 2016/2017 Excused Absences</u>	<u>FY 2016/2017 Unexcused Absences</u>
Joe Jackson	X	41		
Grant Wilson	E	42	1	
Roy Clark	X	4		
Nancy Ferguson	X	14	1	
David Freedman	E	15	1	
Jennifer Futterman	X	5		
Robert McCann	E	6	1	Left Early
Nate Otto	X	22	2	

X = Present

E = Excused (notified Chair and Staff of absence)

L = Late

U = did not notify of absence

CITY STAFF PRESENT: Dan DeGarmo, Clerical Assistant; Gary Calhoun, Recycling Coordinator; Marcus Fuller, Assistant City Manager/City Engineer; Staci Schafer, Director of Maintenance and Facilities

Also Present: Former Sustainability Manager Michele Mician

Chair Statement:

Chair Jackson reported on the impact of leaf blowers and the next steps for future proposals in the City of Palm Springs. A Power Point presentation was provided.

Public Comments:

Approximately 28 persons attended the Study Session and 13 persons spoke in public comment. 65+ emails were received in advance of the meeting, as well as many other messages through social media.

The following persons spoke for or against a leaf blower ban in the City of Palm Springs:

- Roxann Ploss, Palm Springs
- Darryl Ponicsan, Palm Springs
- William Miller, Palm Springs
- Ron Siegel, Palm Springs
- Kerstin Pollack, Palm Springs
- Louie Horvath, Palm Springs
- Robert Findley, Palm Springs
- Cathy Wolff, Palm Springs – Canyon Sands HOA Board
- Gary L. Nudell, Palm Springs
- Doug Huth, Palm Springs
- Cecilia Poniscan, Palm Springs
- Tim Erkins, Palm Springs
- Joan Martin, Palm Springs

ADJOURNMENT - The Study Session meeting of the Sustainability Commission adjourned at 5:53 PM by a motion from Commissioner Clark and seconded by Commissioner Otto. Unanimously approved. They adjourned to the Regular Meeting to be held at 5:00 p.m. on Tuesday, November 15, 2016 in the City Hall Large Conference Room. The Sustainability Commission's regular meeting schedule is at 5 p.m. the third Tuesday each month except August unless otherwise noted or amended.

Respectfully Submitted,

Staci Schafer, Director of Maintenance and Facilities
For the Office of Sustainability

**SUSTAINABILITY COMMISSION
CITY OF PALM SPRINGS, CALIFORNIA**



MEETING MINUTES

Tuesday, November 15, 2016 Palm Springs City Hall, Large Conference Room

CALL TO ORDER: Chair Jackson called the meeting to order at **5:00** p.m.

PLEDGE OF ALLEGIANCE: Led by Commissioner Otto

ROLL CALL: A quorum was present for this Regular Meeting of the City of Palm Springs Sustainability Commission.

AGENDA APPROVAL: The agenda was presented by Chair Jackson. A motion to approve as presented by Commissioner Clark and seconded by Commissioner Otto and unanimously carried.

	<u>This Meeting</u>	<u>Present to Date</u>	<u>FY 2016/2017 Excused Absences</u>	<u>FY 2016/2017 Unexcused Absences</u>
Joe Jackson	X	41		
Grant Wilson	X	43		
Roy Clark	X	4		
Nancy Ferguson	X	14	1	
David Freedman	X	16		
Jennifer Futterman	X	5		
Robert McCann	X	7	1	
Nate Otto	X	22	3	

X = Present

E = Excused (notified Chair and Staff of absence)

L = Late

U = did not notify of absence

CITY STAFF PRESENT: Dan DeGarmo, Clerical Assistant; Marcus Fuller, Assistant City Manager/City Engineer; Staci Schafer, Director of Maintenance and Facilities

CITY MANAGER AND ASSISTANT CITY MANAGER REPORT –

City Manager Ready reported on the Sustainability budget and the status of the department and Commission. He stated that Budget updates will be provided each month to the commission. He also stated that the Sustainability functions will be incorporated into the Community and Economic Development Department. Comments and questions from the commissioners were presented and discussed.

CITY ATTORNEY REPORT –

City Attorney Doug Holland reported on the Brown Act requirements for a Standing Committee vs. Ad-Hoc Subcommittees. Status of subcommittees to be discussed at the next meeting. Comments and questions from the commissioners were presented and discussed.

Public Comments:

James Bass, Riverside – Spoke on the prohibition of fuel fired back-up generators.

Christine Hammond, Palm Springs – Spoke on Measure J Commission and a request for themes for 2017-18.

A. WELCOME AND INTRODUCTIONS - None

B. MEETING MINUTES

October 18, 2016 meeting minutes approval. Motion by Commissioner Freedman to approve as emailed and corrected, second by Commissioner Clark and unanimously approved. Abstention by Commissioner Otto.

C. PARKS & RECREATION COMMISSION REPORT

Parks and Recreation Liaison Commissioner Ferguson stated no meeting to report on.

D. RECYCLING REPORT, Gary Calhoun was unable to be present. Daniel DeGarmo reported on the next recycling event on December 17, 2016. He also reported on the Tonnage report for October 2016. Comments and questions from the commissioners were presented and discussed.

E. OLD BUSINESS

1. Sustainability Commission Priorities, Vice Chair Wilson

Motion: Approve priorities of the Commission as listed in the Ad Hoc Sub-committee Report, and forward to City Council and Staff

Motion by Vice Chair Wilson and seconded by Commissioner Freedman.

Comments and questions from the commissioners were presented and discussed.

Motion was unanimously passed.

2. Report on Joint Study Session with Planning Commission, Dec 14, 11am, Commissioner Freedman reported on the Planning Commission Solar Mandate Study Session with participation by the Sustainability Commission. Comments and questions from the commissioners were presented and discussed.
3. **Motion: Approve report of the Ad Hoc Committee on Leaf Blowers** (first reading), Commissioners Clark and Futterman, Chair Jackson
Commissioner Clark reported on the recommendations by the Ad Hoc committee to be presented to the City Council.
Comments and questions from the commissioners were presented and discussed.

F. NEW BUSINESS

1. Landscaper Certification for Water Efficiency, Facilities and Maintenance Director Schafer reported on an updated CVAG certification class that must be taken in order to obtain a Business License in Palm Springs.
Correction: Action to be taken on the above: Motion: Adopt recommendation CVAG ordinance to the City of Palm Springs ordinance. Moved by Commissioner Ferguson, second by Vice Chair Wilson.
Comments and questions from the commissioners were presented and discussed.
Motion passed with a majority vote, Commissioner Otto abstaining.
2. Affordable Housing report, Commissioner Ferguson updated the commission on the housing situation in Palm Springs. She also mentioned the availability of The Racquet Club property in northern Palm Springs that may be available for affordable housing.

G. SUBCOMMITTEE REPORTS

1. Water Conservation Subcommittee, Commissioner Freedman
Commissioner Freedman reported on the DWA requirement for only 3 day watering schedule now in effect, however City of Palm Springs received a variance for 5 days a week. He also reported on DWA's proposed rate increase and the process it is following under Prop 218, as well as on Staci Schafer's presentation on the Legacy Tree Program at the November ONE-PS meeting and his presentation at the Garden Club.
2. Outreach Subcommittee, Commissioner Futterman – No Report
3. Green Building/Solar Subcommittee. Commissioner Freedman – No further report
4. Waste Reduction Subcommittee. Commissioner McCann reported on a dehydration machine to reduce costs of organic waste recycling. He also reported on outreach for Assembly Bill 341 and dates for a possible tour of the MRF.
Comments and questions from the commissioners were presented and discussed.
5. Wellness Subcommittee, Chair Jackson – No Report
6. Active Transportation Subcommittee, Commissioner Ferguson reported that she met with Marcus Fuller and received a copy of a golf cart plan for the City.
Comments and questions from the commissioners were presented and discussed.

H. COMMISSIONER COMMENTS

Facilities and Maintenance Director Schafer stated that the study session will be run as a Planning Commission Study Session with Sustainability Commissioners present and providing input. She also stated that staff must be available for sub-committee meetings and that after hour meetings will

impact City resources and will need to be addressed in advance.

Chair Jackson asked for a show of hands who will be at the December meeting. More than a quorum will be available.

He also stated that he has encouraged Mayor Moon and Councilman Roberts to begin interviews for the 3 vacancies on the Commission.

- I. ADJOURNMENT** - The meeting of the Sustainability Commission adjourned at 7:03 PM by a motion from Commissioner McCann and seconded by Commissioner Otto. Unanimously approved. They adjourned to the Regular Meeting to be held at 5:00 p.m. on Tuesday, December 20, 2016 in the City Hall Council Chambers. Commission members will be present at the Planning Commission Study Session on November 14, 2016 at 11:00 am but there will be no quorum of the Sustainability Commission. The Sustainability Commission's regular meeting schedule is at 5 p.m. the third Tuesday each month except August unless otherwise noted or amended.

Respectfully Submitted,

Staci A. Schafer, Director of Maintenance and Facilities
For the Office of Sustainability

Report to the Palm Springs Sustainability Commission Ad Hoc Subcommittee on Leaf Blowers

Date of Subcommittee Meeting: October 26, 2016
Members: Roy Clark, Jen Futterman, Joe Jackson

Bottom Line Up Front. The Leaf Blower Subcommittee recommends that the City of Palm Springs immediately start to phase out gas powered leaf blowers and eliminate them in all areas/zoning of the City by December 31, 2018. The two-year phase-out period will include testing battery powered blowers and other maintenance equipment by City employees and contractors and an exchange program for gardener/landscaper-owned gas powered leaf blowers.

Background. On June 23, 2016, the Palm Springs City Council directed staff and the Sustainability Commission “to continue to conduct studies and develop options for the reductions and/or elimination of gas powered leaf blowers including grant or incentive options, educational components, health protection for workers, and a potential phased-in regulations.” At the regular Sustainability Commission meeting, July 19, 2016, an ad hoc subcommittee was appointed. It is comprised of members of the Health and Wellness Subcommittee and the Outreach Subcommittee.

Over the summer months, the ad hoc subcommittee reviewed data from prior work of the Sustainability Commission in 2012-13 and 2015-16; staff reports, which included research on action by other California cities; ONE-PS Ecology Committee minutes; leaf blower manufacturer noise and emission specifications; and South Coast Air Quality Management District (SCAQMD) communications.

A public study session was set for October 24, 2016. Postcards were sent to all applicable licensed gardening/landscaping business owners and community organizations. On-line notices were sent through the City website, ONE-PS, Nextdoor, Facebook, and other social media outlets. The *Desert Sun* printed an invitation to the study session on the Opinion Page, October 21. People were also invited to submit comments in writing to city staff and the Commission chair.

Approximately 28 people attended the study session and 13 people spoke in public comment. Translation into Spanish was available at the meeting. Over 65 emails were received in advance of the meeting, as well as many other messages through social media. The subcommittee reviewed all of these comments. The responses were approximately 70% for some sort of ban of leaf blowers.

Subcommittee Recommendations. Based on all the information we have reviewed to this time, the members of the ad hoc subcommittee are in consensus on these statements:

1. Gas powered leaf blowers should be phased out in the City of Palm Springs. Corded electric blowers and vacuums, rakes, and brooms are options for maintenance in settings such as individual yards. Battery powered blowers may be a solution for

maintenance in larger settings such as City, HOA, and commercial properties. Current battery technology may not be sufficiently advanced at this time to provide a viable solution in larger settings or in environments with temperatures above 100 degrees, which we experience in the City about one-third of the year. Lithium-ion batteries used in some blowers are advertised as capable of keeping their charge up to 5 hours. However, additional testing of battery-powered blowers in the real settings and environments of Palm Springs is necessary before they can be widely adopted. The testing will show how long batteries keep their charge in practice and how well they operate at high temperatures.

2. The City of Palm Springs can show leadership as a “sustainable city” by testing battery-powered blowers and other maintenance equipment on City property. The City staff and contractors can obtain equipment through a pilot project with the SCAQMD and/or purchase battery powered equipment so that City employees and contractors can demonstrate how to clean City parks, medians, and streets and other properties without gas powered blowers. We commend City staff for already pursuing a pilot project with the SCAQMD. We recommend follow-through by Facilities management on this pilot project and funding by City Council to purchase current state-of-the-art equipment as needed and more capable equipment as it becomes available.
3. We expect that after two years of testing and demonstration, acceptable equipment options and operating procedures for maintaining individual yards and City, HOA, and commercial properties will be identified. Therefore, we recommend that the City eliminate gas powered blowers in all areas/zoning of Palm Springs by December 31, 2018. We believe this to be in the best interest of the health and well-being of all of our residents.
4. We recommend that the City and the Sustainability Commission should begin an immediate exchange program for gardener/landscaper-owned gas powered leaf blowers, especially for the less efficient and higher-polluting leaf blowers with 2-stroke engines. This program could be in partnership with the SCAQMD, CVAG, and other regional bodies, and perhaps with City grant assistance for more robust funding. Our preference is that a special price could be available for battery or corded equipment when a gas-powered blower is returned.
5. Training of professional gardeners and landscapers on the use of leaf blowers (whether gas or electric) is currently required of gardening/landscaping business owners at the time of their City license renewal. We believe that the current requirement for training just one representative or supervisor from each business is not sufficient for a thorough communication of proper leaf blower use and safety. City contractors have demonstrated that proper training can minimize noise, dust emissions, and the oft-cited problem of just “blowing debris from one place to another”. We recommend that all employees in a business get appropriate training on leaf blower use, including how to collect green waste in one place and use rakes and brooms to clean it up and dispose of it. A possible medium for this training is an independently produced bi-lingual video. It is recognized that employee turnover in

gardening/landscaping businesses will provide a challenge to consistently applying the training.

6. Finally, we have rejected, at this point, possible restrictions on leaf blowers by noise/decibel level, emissions levels, or by hours or days of the week, or by zoning. Many people expressed concern regarding including unenforceable or half-measures in our recommendations, which we believe would be the case by implementing restrictions. We recognize the ability of any homeowner, HOA, or business to move forward at any time with other solutions, which we commend and encourage. It would be helpful if residents could also adjust their expectations for “perfection” in landscape maintenance as we move forward in this transition.

We wish to acknowledge that many in our city have responded heartily to the drought by eliminating unnecessary and water-thirsty turf. A relevant metric from the Desert Water Agency is that about one million square feet of turf were removed (and replaced with desert landscape) in Palm Springs in 2014-15 and 2015-16 rebate programs. This represents over 500 projects. As many people have written, this conservation movement toward new desert landscape, which is difficult to clean without some kind of blower, means leaf blower use is more necessary now than when maintaining turf. This acknowledgment strongly influenced our recommendation. Were it practical to eliminate all leaf blowers due to health concerns, we would recommend it.

As an ad hoc subcommittee, we move this report for approval by the Sustainability Commission, to be forwarded to the City Council with supporting staff reports as required.



SUBCOMMITTEE REPORT

PRESENTED FOR COMMISSION MEETING DATE: 12/20/16

SUBMITTED BY: David Freedman

SUBCOMMITTEE NAME: Green Building / Solar (with Planning Commission liaison)

SUBMITTED DATE: 12/15/16

SUBCOMMITTEE MEETING DATES: 11/21, 12/5, 12/12, 12/15/16

NEXT SUBCOMMITTEE MEETING DATE: 01/12/17

Subcommittee Meeting Goals:

- Meet with Staff to prepare for study session with Planning Commission on proposed solar mandate (meetings of 11/21, 12/5 and 12/12/16).
- Meet with Staff to follow up on study session with Planning Commission on proposed solar mandate and prepare for full Commission meeting (meeting of 12/15/16).

Summary:

Subcommittee members met with Staff to prepare for and follow up on the study session with the Planning Commission on a proposed solar mandate that took place on December 14, 2016.

The study session included a presentation of the Subcommittee's research and proposals by Planning Commissioner Middleton and Commissioner Freedman, testimony from invited stakeholders representing a broad range of views on the topic, public comment, and comments from the Planning Commissioners and the Director of Planning Services. Based on the input received, the Subcommittee's recommendations for a proposed solar ordinance are set out below. The Planning Commission will consider the recommendations at its meeting of January 11, 2017.

Recommendation/Request

- Require the installation of a solar electric photovoltaic (PV) system with a nameplate wattage 2.0 times or greater than the square footage of the home (2.0 watts per square foot).
- Applicable to all new construction of single and multifamily residential dwellings.
- Also applicable to any addition to an existing single-family residential building that increases the square footage by 25% or greater, provided that the increase is at least 500 square feet, and to all single-family residential remodels, alterations or renovations that are made involving demolition, remodel or renovation of more than 50% of the structure.
- At the time of submittal of a building permit application for any residential dwelling or retrofit project meeting the thresholds, an applicant must submit plans and an application for the

mandatory solar photovoltaic system.

- Retrofit requirements may be waived or reduced, by the minimum extent necessary, where production of electric energy from solar panels is technically infeasible due to lack of available and feasible unshaded areas.
- Retrofit requirements for additions not applicable where the addition is an accessory second unit (e.g., casita).
- New construction requirements not applicable to affordable housing (as defined in state and federal standards) if the additional cost is not fully funded without recourse to the residents, unless solar installation is already mandated by state or federal law.
- For market-rate new construction of less than 1,500 square feet for single-family residences and less than 1,250 square feet for multifamily residences, the solar requirement may be satisfied by meeting the requirements to achieve "Green Leaf" status under CVAG's Green Building Program checklist.

<p>ACTION ITEMS REQUEST TO COMMISSION</p>	<p>Recommend proposed solar ordinance to City Council for adoption.</p>
<p>ACTION ITEMS REQUEST TO OFFICE OF SUSTAINABILITY</p>	<p>Assist Department of Planning Services as needed in its preparation for discussion of proposed solar ordinance at its meeting of January 11, 2017. If recommendations are approved by Planning and Sustainability Commissions, work with relevant Staff members and City Attorney to prepare an ordinance, findings resolution and Staff Report for consideration by City Council.</p>
<p>POTENTIAL FISCAL IMPACT/REQUEST IF ANY:</p>	<p>Adoption of a local amendment to the energy efficiency requirements in the Green Building Standards Code will require approval by the California Energy Commission (CEC). A cost effectiveness study must be submitted to the CEC as part of the approval process. The cost of that study is not determinable at this time.</p>