



SUSTAINABILITY COMMISSION - REGULAR MEETING MINUTES
 Tuesday, March 19, 2019 Palm Springs City Hall, Large Conference Room

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

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 Clark. A motion to approve as posted by Commissioner Baker and seconded by Commissioner Santora and unanimously carried.

	This Meeting	Present to Date	FY 2018/2019 Excused Absences	FY 2018/2019 Unexcused Absences
Roy Clark, Chair	X	32		
Robert McCann, Vice Chair	X	30		
Grant Wilson	X	68	1	
David Freedman	X	42	1	
Jennifer Futterman	X	29	1	
Greg Gauthier	X	23		
John Goins	X	20	2	
T Santora	X	12		
Carl Baker	X	12		
Jim Flanagan	X	2		
Lani Miller	X	2		

X = Present
 L = Late

E = Excused (notified Chair and Staff of absence)
 U = did not notify of absence

CITY STAFF PRESENT: Patrick Tallarico, Manager, Office of Sustainability; Daniel DeGarmo, Program Coordinator; Gary Calhoun, Recycling Coordinator.

CITY MANAGER / STAFF COMMENTS – Manager Tallarico reported on the following:

- Branding for the Sustainability Commission and the Office of Sustainability will be discussed at the next meeting.
- He presented the draft process for agenda development and approval. The group did not have any changes to the draft document. (see attachment A);
- He confirmed that the Commission still wanted to proceed with the re-naming of the Community Garden in honor of former Sustainability Manager Michele Mician. The Commission confirmed their interest, and the City will work on making this happen in the fall.
- He summarized the comments provided to the City Council on the Salton Sea resolution and noted that the topic will return to the Council in the coming weeks.
- He shared a sample of a bicycling guide that was recommended by local cyclists for the Commission to consider as it updates its bike map.

COMMISSION LIAISON REPORTS – None.

PUBLIC COMMENTS –

1. Jessica Spry, Palm Springs, spoke on the Salton Sea resolution modification.
2. Kim Floyd, Palm Desert, spoke on a new Environmental Group associated with the Courageous Resistance Environment Group. This new group is working on Climate Change.
3. Mark Accomando, Palm Springs, spoke on support of the Climate Reality Project. Wants to support Palm Springs to reach 100% renewable energy by 2030 and to start with educating children in school.
4. Jane Garrison, Palm Springs, spoke about the negative impact dogs can have on the health of Big Horn Sheep and advocated for signage and voluntary enforcement efforts to discourage dogs on trails, especially during lambing season.

A. WELCOME AND INTRODUCTIONS - None

B. PRESENTATIONS - Richard Noble, Climate Reality Project gave a presentation on global warming and climate change. He is calling for a town hall meeting requesting that the City attain a 100% renewable energy goal by 2030. Comments and questions by the Commissioners were discussed. The presentation was sent to the Commissioners prior to the meeting along with the meeting agenda packet.

C. MEETING MINUTES

February 19, 2019 Regular Meeting minutes approval: Motion by Commissioner Santora to approve as presented, second by Commissioner Miller and approved 10-0-1 by an open vote. Abstention by Commissioner Wilson.

D. RECYCLING REPORT, Recycling Coordinator Gary Calhoun reported on a telephone meeting with CalRecycle representatives and the follow-up on-site meeting with Andrew Smyth from CalRecycle. Emphasis is being placed on enforcement of organic waste separation and commercial waste recycling. Commissioner Goins voiced concern on where plastics recyclables are going due to the lack of overseas markets. This will be discussed in more detail at the next meeting of the Subcommittee on Waste Reduction.

E. OLD BUSINESS

Commissioners discussed the following items. Key points are highlighted.

1. Status of the Leaf Blower Exchange Programs – Manager Tallarico reported that the Leaf Blower Exchange Program has been receiving feedback on the ordinance and that in response to that feedback, the deadline for enforcement has been extended to June 1, 2019. This will allow for further outreach and education. A demonstration day was announced that will provide an opportunity for commercial operators and residents to test various brands and models. Makita will be offering further discounts to commercial operators through Yoshi's Lawnmower Shop.
2. Status of Household Battery Recycling Program. Manager Tallarico reported that the program has been delayed due to accounting system issues. Print materials, posters, boxes are ready as soon as the finances are in place.
3. Status of Polystyrene Container and Plastic Straw Ban. Manager Tallarico reported that the staff report is under development and more information will be available at the next meeting.
4. Bicycle Routes and Cycling:
 - a. **"MOTION:** In order to allow safe crossing of bikes coming from Belardo and crossing South Palm Canyon just South of the traffic signal at the "Curve" the committee requests that the light timing for South bound traffic right turn signal turn red when the intersection signal for Palm Canyon is red." Motion by Commissioner Flanagan, second by Commissioner Miller. Ayes – 3, Noes – 8. Motion failed. Motion amended to state: **"MOTION:** In order to allow safe crossing of bikes coming from Belardo and crossing South Palm Canyon just South of the traffic signal at the "Curve" the committee requests Staff investigate changing the light timing for South bound traffic right turn signal turn red when the intersection signal for Palm Canyon is red." Motion by Commissioner Flanagan, second by Commissioner Santora. Motion passed unanimously.
 - b. **"MOTION:** The committee requests that Staff investigate painting a full green bike lane down Belardo from Ramon to Alejo and provide input on feasibility." Motion by Commissioner Flanagan, second by Commissioner Santora. Motion passed unanimously.
 - c. **"MOTION:** Staff shall confirm the revamp at Indian Canyon will include bike lane "sharrows" and signs indicating this street will include a Class three-bike lane." Motion by Commissioner Flanagan, second by Commissioner Baker. Motion passed 10-0-1 with abstention by Commissioner Goins.
 - d. **"MOTION:** Request that Indian Canyon include a full protected painted bike lane at time of next major capital project." Motion by Commissioner Flanagan, second by Commissioner Santora. Confirmation of motion stating that this motion will not affect the current two-way

conversion of Indian Canyon. Commissioner Goins commented that he feels that this motion is too specific in regards to a bike lane. Motion passed 6-5-0.

Ayes: 6 – Wilson, Futterman, McCann, Freedman, Goins, Baker

Noes: 5 – Miller, Gauthier, Clark, Flanagan, Santora

F. NEW BUSINESS

Commissioners discussed the following items. Key points are highlighted.

1. **Presentation and Discussion:** Signs About Big Horn Sheep in Open Areas. Commissioner Flanagan reported on the Big Horn Sheep and the need for better signage on the trails, specifically on keeping dogs off the trails. Dogs can cause distress to the Big Horn Sheep and keeps them away from water sources. Commissioner Flanagan requested that more signs be placed on trails. He would also like to see an information/education sheet be produced for employees to use to educate the public. Also discussed was having volunteer monitors on the trails. More education is requested to be provided to the community. Staff agreed to present this issue at the next City staff meeting to determine how action can be taken quickly. The Commission agreed to the formation of an ad hoc committee to follow through on these actions.
2. **MOTION:** Whereas, the City of Palm Springs Sustainability Plan states that ‘sustainability should preserve the environment, strengthen the economy, and increase equity’;
Therefore, be it resolved, the Sustainability Commission reaffirms its commitment to preserving natural areas throughout the City and the broader Coachella Valley because of the significant value these open spaces provide to local habitat and the economic vitality of the city.
Be it further resolved, the Sustainability Commission hereby requests that the Mayor, City Council, and all relevant Commissions reaffirm their commitment to supporting the preservation of environmentally significant open space for the enjoyment of future generations of Palm Spring residents and visitors.”
Motion by Commissioner Santora, second by Commissioner Baker. Commissioner Santora proposed that the above motion be sent to the City Council supporting open space in the City. Commissioner Wilson made a friendly amendment to remove the words “environmentally significant” from the motion. Commissioner Santora responded by proposing to add the words “and other” after “environmentally significant” as this language has been adopted in the past. Commissioner Wilson agreed to Commissioner Santora’s wording and the friendly amendment. The amended motion now reads:
MOTION: Whereas, the City of Palm Springs Sustainability Plan states that ‘sustainability should preserve the environment, strengthen the economy, and increase equity’;
Therefore, be it resolved, the Sustainability Commission reaffirms its commitment to preserving natural areas throughout the City and the broader Coachella Valley because of the significant value these open spaces provide to local habitat and the economic vitality of the city.
Be it further resolved, the Sustainability Commission hereby requests that the Mayor, City Council, and all relevant Commissions reaffirm their commitment to supporting the preservation of environmentally significant and other open space for the enjoyment of future generations of Palm Spring residents and visitors.”
Commissioner Freedman had concerns about golf course conversion and open space. Motion passed unanimously on an open vote.
3. **MOTION:** “The Sustainability Commission approves the draft solar zoning ordinance to encourage the use and development of solar energy systems and solar energy facilities and recommends that the City forward the draft ordinance to the Planning Commission for adoption.” Commissioner Freedman presented the motion as an update to the City’s solar ordinance meeting the new State mandates on solar ordinances. Commissioner Freedman stated that the proposed ordinance as written will go to the Planning Department for consideration. Motion passed unanimously on an open vote.
4. **MOTION:** Approve up to \$1000.00 for fruit trees to be placed in City parks for Arbor Day Celebration” – Commissioner Futterman requested the funds to assist the “For Kids Only” Program in support of Arbor Day. Research will have to be conducted to obtain the proper types of trees. Chair Clark offered that proper irrigation be installed to ensure the trees get the correct amount of watering. The motion was amended by Commissioner Baker to include finding locations where the proper irrigation for the trees is available or easily installed. Motion passed unanimously on an open vote.

G. COMMITTEE AND COMMISSIONER REPORTS

Commissioners discussed the following items. Key points are highlighted.

1. Standing Subcommittee on Solar and Green Building - Commissioners Freedman, Goins and Flanagan
Commissioner Freedman stated that the Planning Commission passed the draft wind energy conversion system ordinance and added a few environmental protection conditions. He also stated that at the DCE meeting a launch date of Spring 2020 with the default option of 100% carbon free. In other matters, he reported on a possible solar strategy on Accessory Dwelling Units (ADU) and that this matter is covered by the code. Commissioner Freedman also reported on a draft Reach Code recommendation that would encourage cities to go beyond the current energy efficiency requirements. Finally, the NUSA Conference program is moving forward.
 - Brief update on zero net energy training efforts – Commissioner Freedman stated that he is in discussion with Katie Barrows of CVAG on potential energy code training sessions for this Fall. Commissioner Goins noted that DCE refers to carbon free energy, not 100 renewable – this may or may not be something that the matters to the Commission. He also noted that solar requirements on ADUs will likely increase costs of these units, which may negate the purpose of having an ADU for affordable housing purposes. He suggested broadening the understanding of how the energy needs of that unit are met. Finally, he noted that solar is not the only way to meet energy requirements for commercial buildings and we should encourage commercial projects to think beyond solar.
2. Standing Subcommittee on Waste Reduction – Vice Chair McCann, Chair Clark, Commissioner Miller
 - AB 341 (Recycling Requirement), AB 1826 (Organics Management) and SB 1383 (Under development) – There was no additional discussion beyond the earlier recycling report.
 - Discussion of white paper on trash and recycling containers – Vice Chair McCann reported that a White Paper on guidelines on waste can placement and design has been submitted for consideration by the City Council subcommittee on waste reduction. One of the challenges will be to standardize the containers among both City and privately owned areas.
3. Ad Hoc Subcommittee on Walkability & Pedestrian Planning - Commissioners Wilson, Gauthier, Futterman
 - Discussion of draft report related to e-scooters and initial identification of preferred options. Manager Tallarico stated that if there are any more pros or cons that need to be added to the current list to please notify Staff. He also reported on an analysis on the requirements at the State level and what other Cities are doing. Regulation seems to be the concept that is occurring statewide. Manager Tallarico led the Commissioners through a worksheet to obtain feedback on this request. See Attachment B for feedback responses.
4. Ad Hoc Subcommittee on Film Festival Programs – Commissioners Futterman and Gauthier – Commissioner Futterman reported that the Go Green Sustainable Film Series is having its second installment at the Camelot Theatre.
5. Ad Hoc Subcommittee on Bicycle Routes and Cycling – Commissioner Flanagan – No further report.
6. Ad Hoc Subcommittee on World Environment Day – Commissioners Futterman, Gauthier, Santora
 - Update on planning efforts – Commissioner Futterman reported that plans are moving forward and that the group will be seeking sponsors.
7. Wellness – Commissioner Baker
 - Update on next steps related to indoor air quality ordinance language – Commissioner Baker reported that Councilmember Holstege has presented the ordinance to local businesses and that some type of open forum is in the works, but no date has been set.
8. Water - Commissioner Freedman reported that there was a 30% reduction from the 2013 baseline for February. He also reported that DWA is looking at further rebates for turf conversion.
9. Outreach - Commissioner Futterman thanked the Commission for their support for Arbor Day and World Environment Day

H. COMMISSIONER COMMENTS AND UPCOMING AGENDA DEVELOPMENT -

Commissioner Miller mentioned that she would like to get a business card for herself with the Sustainability Commission logo and will develop a design that all Commissioners could use. She also reminded the Commissioners of the ONE-PS Picnic on March 23, 2019.

Commissioner Futterman reported on the amendment to the City Council on the Salton Sea resolution and thanked former Commissioner Jessica Spry for her report.

Commissioner Flanagan stated that he will report back on the Ad Hoc Subcommittee on Big Horn Sheep at the next meeting.

Commissioner Santora requested that City staff look into the City's relationship with the Riverside County

Economic Development Board.

Commissioner Baker requested that another student representative be recruited to the Commission this Fall.

Commissioner Goins requested that some economic sustainability initiatives be addressed.

- I. **ADJOURNMENT** - The meeting of the Sustainability Commission adjourned at 8:03 PM by a motion from Commissioner Miller and seconded by Commissioner Santora and approved by a unanimous vote. They adjourned to the Regular Meeting of the Sustainability Commission to be held at 5:00 p.m. on Tuesday, April 16, 2019, in the Large Conference Room at the Palm Springs City Hall. 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,

Patrick Tallarico, Manager, Office of Sustainability

Attachment A

CITY OF PALM SPRINGS SUSTAINABILITY COMMISSION: AGENDA DEVELOPMENT PROCESS PRIMER

• IDENTIFICATION OF AGENDA TOPIC IDEAS

The Commission works with the City to identify topics for each meeting agenda. Agenda topics typically emerge from the following sources:

- Discussions or public comments at a prior Commission meeting
- Work of Commission standing or ad-hoc subcommittees
- Work of City staff
- Input from City Council
- Commissioner comments

Agenda topics must be submitted to City staff and the Commission Chair no later than the Monday two weeks before a Commission meeting.

• REFINEMENT OF AGENDA TOPICS

After an agenda topic has been identified, the Commission Chair and City staff will reach out to leaders of each topic to determine the following:

- The most appropriate place for that item on the agenda
- The approximate time needed
- What information is needed to prepare Commission members for any discussion or decision
- The precise wording of motions or resolutions
- Whether or not any topic is in any way sensitive
- Whether the topic should be deferred to the next meeting

• AGENDA REVIEW

The Commission Chair and City staff work to finalize the Commission meeting agenda the Tuesday before the meeting. Between the date topics are due and the Tuesday before the meeting, they may reach out to topic leaders to address outstanding questions.

When the agenda has been finalized, it is submitted to the City Manager for review. If the City Manager is recused from a topic, City staff will work with the Deputy City Manager or City Attorney to determine the proper person to review that agenda topic. If the City Manager suggests any changes to the agenda, City staff will inform the Commission Chair and the topic lead. The City Manager (or other City official) will provide comments no later than noon the Thursday before the meeting. If no comments are received, the agenda will be considered final.

• COLLECTION AND POSTING OF MEETING MATERIALS

City staff will collect all materials, including the agenda and background documents, that will be shared with Commission members at the meeting. At a minimum, the agenda and all decisional documents must be collected and distributed to Commission members prior to the meeting at least 72 hours in advance of the meeting for public review. Informational items can be shared at the meeting but should be kept to a minimum. Any additional items shared during the meeting will be posted after the meeting. All materials are posted and archived to the Sustainability Commission Meetings website.

Attachment B

Scooter Regulation Discussion:

Parking – Parking of devices can spark both aesthetic and a safety concerns. To that end, the Commission recommended the following:

- Go beyond the State-required removal period of 72 hours and require companies to remove devices within 24 hours of notification and on a daily basis.
- Designate specific locations where devices can be parked. This could include corals, geofenced stations, or labeled areas such as those found in Los Angeles. These parking locations should be visible and inexpensive to establish and maintain.
- Maintain consistency with other elements of the state laws that prohibit devices from being left on their side on any sidewalk or parked on a sidewalk in any way that does not provide an adequate path for pedestrian traffic or blocks a hydrant or firefighting equipment.

User Safety – The ordinance should be structured to promote user safety, where possible. This would include the following:

- Maintain consistency with the state law that requires riders under the age of 18 to wear a helmet. Although it would be better if all riders wore a helmet, this requirement did not seem feasible given our large tourist population.
- The speed of devices should be no more than the state-allowed 15 miles per hour, and less in the central business district (e.g., 10-12 mph). The device provider can program devices to do this automatically.
- Require lighting on devices. This could include “always-on” front and back lights.
- Other state requirements that would be reflected in the ordinance include the following:
 - Do not operate a motorized scooter without a valid driver’s license or instruction permit.
 - Do not operate a motorized scooter with any passengers in addition to the operator.
 - Do not operate a motorized scooter carrying any package, bundle, or article that prevents the operator from keeping at least one hand upon the handlebars.
 - Do not operate a motorized scooter on the highway with the handlebars raised so that the operator must elevate his or her hands above the level of his or her shoulders in order to grasp the normal steering grip area.

Environmental Impact – The Commission suggested that an ordinance or agreement with the operator include some reference to environmental practices of operators. For example, the ordinance or agreement could require the following:

- Device providers will detail how damaged vehicles are repaired or recycled and efforts made to reduce landfill waste. They will handle all batteries and other potentially toxic materials in accordance with state law and recycle materials where possible or dispose of them when necessary.

Operating Locations – Commission members agreed that somehow limiting the operating location of devices would enhance safety of riders, pedestrians, and automobile drivers. In addition to the basic limitations set forth by the state, the Commission suggested the requiring device providers to deploy technology to prevent scooters from operating in certain areas or obeying slow zone areas seemed appropriate. No specific suggestions were discussed in terms of limiting operations in certain parts of the city.

The State requires that scooters operate within a Class II or Class IV bikeway on a highway with a speed limit in excess of 25 miles per hour. The only exception is if the city develops an ordinance that authorizes the operation of a motorized scooter outside of a Class II or Class IV bikeway on a highway with a speed limit of up to 35 miles per hour. In addition, the state prohibits the operation of scooters on a sidewalk.

Rider Education/Notification – The Commission felt it was important for riders to receive information about proper operating practices, rules and requirements, operating locations, and other parameters at the time before they ride. This will likely be handled through the application used to reserve and pay for the device. These notifications should be consistent with any liability language that could be in the contracts of device providers.

Device Collection – Most cities focus on overseeing the overall availability and operations of scooters, but may not impose as many requirements on the “business” of collection and repositioning of scooters. The Commission

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recommended that the City should consider ways to make this secondary market opportunity safe and should include incentives for riders to return devices to proper locations.

Deferred Topics

Other cities have adopted minimum and maximum limits for the **number of devices** that a company can operate. The Sustainability Commission felt that this would need to be worked out through the bid process and may depend on demand for devices. This is likely to fluctuate in the city based on the time of year. More information would be needed to determine if some limits are appropriate.

A couple of cities have included **accessibility requirements** in contracts or ordinances to ensure that economically disadvantaged individuals or neighborhoods have access to device services. The Commission felt that this may be something that could be investigated based on data collected post implementation.