CONSERVATION ADVISORY COMMISSION
MINUTES

January 11, 2022

MEETING CONVENED: 7:03 p.m. GoToMeeting

MEMBERS PRESENT: Chair Sheila Smith, Beth Chajes, Helga Huntley, Andrew O'Donnell, John Mateyko Jean Hedrich

ABSENT: Mary Clare Matsumoto

STAFF: Jeff Martindale, Chief Purchasing & Personnel Officer
Jayme Gravell, Chief Communications Officer
Nichol Scheld, Administrative Professional I

Ms. Smith called the meeting to order at 7:03 p.m.

1. APPROVAL OF MINUTES FROM DECEMBER 14, 2021:

MOTION BY MS. SMITH, SECONDED BY MR. O'DONNELL: TO APPROVE THE DECEMBER 14, 2021 MINUTES.

MOTION PASSED. VOTE 6 TO 0.

AYE: HUNTLEY, HEDRICH, CHAJES, O'DONNELL, SMITH, MATEYKO.
NAY: 0.
ABSENT: MATSUMOTO.

2. PUBLIC COMMENT:

Ms. Scheld informed that because the City was redistricted, some members of the Commission were in new districts. Council passed an ordinance so that members of the Boards, Commissions, and Committees would continue to serve the district to which they were initially appointed until their terms expired and a subsequent member was appointed. Dr. Huntley noted that she was not in a new district and asked if the ordinance meant when the term expired or when the person left the Commission. She explained that her term was expiring, and she was being renominated; she asked if she would have to be renominated in the new district if she wanted to continue serving and Ms. Scheld confirmed. Dr. Huntley asked that when Ms. Smith's term ended and she wanted to continue serving, she would have to be appointed by a different Council person and Ms. Scheld confirmed.

There was no public comment.

3. SPIN – BIKE SHARING PROGRAM – BREANNA BLEDSOE

Ms. Smith explained that Spin was a company that set up scooter sharing where a user would enter their credit card information and drive the scooter to their desired location in the City. The scooter would then be picked up by Spin and returned to the kiosk. She explained that the question would be if the CAC would want Spin to come to the City. She read from Spin's website where they claimed that cities and communities were transformed through accessible, affordable, and sustainable forms of personal mobility throughout over 70 cities and campuses around the world. She shared that over 20 Spin-safe infrastructure projects had been completed and Spin would be carbon negative by 2025.

Ms. Gravell interjected that the Mayor introduced Spin to the CAC because Spin was looking for groups to sign-on and support it coming to Delaware. She informed that Delaware was one of only two states in the Country where electric scooters, bikes, and such platforms were illegal. She explained that the depending on the outcome of the meeting, Spin could take a letter of support to the General Assembly to indicate that environmental groups and jurisdictions agreed that the program was a transportation solution in different cities. She explained that the question was not whether Spin would come to Newark, it was if the CAC thought Spin was a good solution and if it would support Ms. Bledsoe in her effort with the General Assembly. Ms. Smith asked how to proceed without any experience with the company and Ms. Gravell said that Ms. Bledsoe would explain Spin's mission statement and how Newark and the State could benefit.

Dr. Huntley asked for clarification on why the program was illegal because bike shares and electric scooters were not illegal in Delaware. Ms. Gravell said that she would have to investigate and but replied that there was a clause that prohibited Spin from doing business in the State. She reiterated that Spin needed the Commission's support to go to the General Assembly and plead their case. Ms. Chajes noted that Spin was owned by the Ford Motor Company. Ms. Gravell explained that Delaware was the only State in the Country with no cities with electric mobility options and was one of two States that had a state-wide ban on electronic scooters. Ms. Smith asked if the ban was for sit-down scooters and Ms. Gravell replied that Ms. Bledsoe would speak to the policies.

Ms. Bledsoe explained that Delaware was one of two states that had no scooter-share service provider at all. She continued that Spin was a shared micro-mobility company that operated in several cities across the US and Canada. She explained that a shared scooter service provided a valuable first and last mile mode of transportation for individuals. She believed there was a misunderstanding of how scooters were used, and many people assumed they were for recreational use by young people, but data indicated that e-scooters had become a valuable mode of transportation. By helping people get to their desired destinations, Spin was helping to create connectivity between public transportation and where people needed to go, and ensured there was connectivity with transportation deserts and communities that frequently lacked transportation options. She acknowledged there were concerns about safety, accessibility, and ensuring that sidewalks continued to be accessible to everyone. She emphasized that Spin was proactive and crafted innovative solutions to make sure that their service was not a pain point.

Ms. Bledsoe believed that because of the media, it seemed as though scooters were left everywhere and lacked control over how and where scooters operated. She admitted that the issues depended on the company and Spin prided itself on being a city partner and because they were a subsidiary of Ford, they were afforded the ability to think long term about how scooters integrated and worked with existing transportation systems and help them become a benefit for cities. She continued that Spin wanted to bring its services to Delaware in a contained fashion in the outset and believed in scaling up through the use of data, evidence, and demand to dictate how many units would be supplied so as not to proliferate streets with scooters. Because Delaware was a smaller market, Spin also wanted to determine if there was an appetite for exclusivity so there would not be an influx of scooter companies and scooters on the street, and the situation would be easier to regulate and control. She shared that Spin recently pulled out of markets that were opened to allow all competitors join because it was not the right regulatory framework for Spin's operations. She ensured that Spin sought exclusive markets because compliance was a major factor and when there were too many suppliers, cities did not consider how companies complied with rules and regulations, which often led to pain points Spin saw with the public. She acknowledged that jurisdictions with strict compliance guidelines and enforcement, such as Baltimore, were much better markets for Spin to operate because it was understood that every entity was treated the same whereas a less strict market allowed companies to get away with too much. She reiterated that Spin wanted to be able to bring micro mobility service to Delaware because it was the only state that had no micro mobility in terms of scooters and one of three did not have state-wide legalization.

Ms. Smith asked for Delaware's reasoning in forbidding e-scooters. Ms. Bledsoe understood that motorized scooters and motorized skateboards were read together in Code, and it seemed that when the Code was written to prohibit motorized skateboards, electric scooters had not yet been created. She explained that the intent was not to prevent Spin's services, and seemed that skateboards and scooters were included because they were also devices that were used by younger people and could have been a nuisance. She reported that she was making good progress in terms of different conversations and Delaware's willingness to acknowledge that scooters were different devices than what was contemplated under the law and move to consider motorized skateboards and motorized scooters separately. She noted that that she did not advocate for skateboards either way and could not speak to the pain points that lead to the prohibition but emphasized that e-scooters had not yet been invented and were therefore not contemplated during the prohibition. She shared that there was an appetite for breaking up the definitions and legalizing motorized or e-scooters (each jurisdiction called the units different things).

Dr. Huntley asked if Ms. Bledsoe was specifically looking to implement in the City or other jurisdictions. Ms. Bledsoe replied that Spin was considering a few jurisdictions to start (Wilmington, Rehoboth Beach, and Newark) but wanted legalization at the state-wide level. She understood that each jurisdiction made its own decisions and although there might be state-wide legalizations, local rules often had to be implemented in order for a shared service program to come online. Just because a City might not be on board, there was no concern that state legalization automatically meant that scooters must come to the jurisdiction because action had to be taken on behalf of the municipality. Dr. Huntley asked if Ms. Bledsoe had spoken to WILMAPCO, the Wilmington Area Planning Commission. Ms. Bledsoe spoke to the Mayor of Wilmington, the House Majority Leader, the Transportation Secretary, Senate President Sokola, and the Ability Network of Delaware (AND). Dr. Huntley explained that WILMAPCO was the regional body for transportation planning in the greater Wilmington area which included all of Newark and parts of Cecil County, Maryland. She explained that WILMAPCO commissioned a study of feasibility of bikeshare programs in Wilmington, but she was unaware of actions regarding scooter share programs. She suggested that Ms. Bledsoe reach out to determine if it was wise for Spin to start there and suggested WILMAPCO could also help with implementation. Ms. Bledsoe was open to any suggestions to organizations assist and noted that bike share and shared scooters were different initiatives. She explained that many jurisdictions with bike share programs did not have the proper equation for sustainability which was why many places who did not succeed with bike share moved towards scooters. She believed that scooter share operations made implementation more feasible in terms of cost and service, and revealed that Spin offered e-bikes as well as e-scooters. She revealed that Spin was rolling back e-bikes due to supply chain issues and admitted there were pain points with bike share services in other jurisdictions that did not necessarily have the same barriers as shared scooters.

Dr. Huntley asked for clarification on the main differences because she believed that bike share and scooter share addressed the same need of micro mobility. Ms. Bledsoe explained that the two had different ridership because someone who was not comfortable with using a bike would use a scooter. She continued that she lived and worked in downtown Washington DC and would use a scooter to go to lunch because she was dressed in professional attire versus riding a bike. She noted that scooters offered a more expanded ridership than bike share, but e-bikes were a little more expansive because it was not necessary to pedal. She maintained that the act of pedaling in the middle of the day in the summer was very different than riding an e-scooter. She shared another pain point with bike share was that it was dock to dock and might be out of the users' way, but e-scooters used an app to locate available scooters that could be parked neatly right outside of the destination; there was no final destination parking space. She reiterated that the implementation and ridership differed greatly between bike share and e-scooter share.

Ms. Chajes asked to what other groups Ms. Bledsoe had spoken and other support she was receiving. Ms. Bledsoe described the support as positive and shared that many were surprised to learn that Delaware was the last to get on board. She explained that in other jurisdictions, there were issues with seniors and the accessibility community and Spin want to address the issues in Delaware head-on. She agreed there was resistance with e-scooters on sidewalks and streets but when Spin demoed the product and spoke to seniors and disability advocates about their concerns, the posture changed, which was why Spin met with AND first. She shared that Spin had AND's support as well as support in the House, Senate, and from the Transportation Secretary. She welcomed suggestions for other groups and cities with which to collaborate and revealed that Spin worked with Rhett Ruggiero, a lobbyist in Wilmington. Ms. Chajes wanted to know if Spin worked with any environmental or clean transportation groups or people at the County level and offered to share information after the meeting. Ms. Bledsoe was enthusiastic because Spin was pushing sustainability to reduce the number of car trips in every city where they operated. She explained that Spin considered sustainability in the life of the scooters and how they were deployed as well as how they were recycled at end of life. Ms. Chajes suggested that the League of Women Voters had an active Transportation and Land Use Committee that might be interested in Spin's pitch; she was unsure if Spin was seeking assistance from non-profit organizations or government bodies. Ms. Bledsoe explained that Spin was trying to gauge if policy makers would consider the program before activating other groups and looked forward to having more conversations to ease any concerns about e-scooters. She revealed that Spin was ready to launch in Howard County, which had a board of businesses, and because much of the land that Spin would operate on was on private business land, they had to craft an agreement with business leaders, many of whom were skeptical. Spin demoed the scooters and now the businesses wanted to expand the territory. She emphasized that the scooters were for a large group of the population. Ms. Smith supported Ms. Chajes comment on the League of Women Voters and shared that the chair of Bike Delaware, James Wilson, was on the committee.

Mr. Mateyko believed the program could have seasonal popularity in Rehoboth and Lewes. He informed there was no mobility on the roads after 10am in the summer and they could be useful internally within the communities. He explained that there were three municipalities: Rehoboth, Lewes, and Dewey. He wished Ms. Bledsoe luck.

Mr. O'Donnell thanked Ms. Bledsoe for the information because he had no previous experience with the program. He thought some pain points were the safety aspects and shared that only 18 years and younger were required to wear a helmet in Delaware while operating a motorized skateboard or scooter. He asked if Spin encountered other safety concerns in other cities and how they were addressed. Ms. Bledsoe explained that there was typically a mandatory helmet requirement for minors in most jurisdictions, but Spin encouraged helmet use and provided free helmets for users at sign-up. She explained that upon the first log-in, users had to learn the riding rules, local jurisdictions rules, and answer a short quiz before taking the first ride. After the information was completed, Spin either delivered the free helmet to the user's home or allowed free local pick up. She reiterated that Spin encouraged helmet use and ensured users understood the rules of the road. She shared that there was no-double riding and Spin kept the speeds at a safe levels. She explained that whenever a device was on a sidewalk, Spin was able to geofence and slow the scooter down to walking speed, so pedestrians did not have to fear accidents. She emphasized that Spin was able to use geofencing technology to increase safety and accessibility, including ensuring that scooters did not block access for wheelchairs or those who were unable to move a scooter out of the way. Spin did so by providing users with financial incentives for parking correctly and gave escalating penalties for those who did not, from warning to fine to suspension. She shared that Spin had a W2 workforce who provided 24-7 service so if there was a complaint, employees were able to move scooters expeditiously. She believed that between its business model, training of its workforce, and rider education, Spin ensured that safety and accessibility were priority.

Ms. Smith learned of issues with bike share in Philadelphia from her daughter and was pleased that Spin users were registered and monitored. She continued that an outstanding complaint was that bikes were left everywhere. She wanted to visit a Spin community personally and was unsure that the CAC would currently recommend Spin or provide a letter of support without having a little more experience.

Dr. Huntley asked if Spin was looking for legislation at the State level to legalize e-scooters broadly or just rental e-scooters. Ms. Bledsoe informed that private e-scooters were increasing regardless of regulation and while Spin had nothing against privately-owned scooters, it was believed that legalizing privately-owned and shared e-scooters helped the system to set riding rules and restrictions and legalize e-scooters. She explained that next steps would be to work on draft legislation to have a narrow legalization of e-scooters and create parity with bicycles. She reiterated that broad legalization did not mean that companies would be permitted to operate everywhere; jurisdictions still had to establish local rules for the road and how local companies would compete for permits to operate. She repeated that Spin was currently seeking state-wide legalization and would help local jurisdictions with best practices. She offered to share Spin's best practices document that detailed what was learned through years of operating in micro mobility. Dr. Huntley asked if Ms. Bledsoe was requesting that the CAC recommend to Council to support state-wide legalization. Ms. Bledsoe's intent was to introduce e-scooters, and, after legalization, Spin would return to offer a demo and seek a letter of support or recommendation.

Ms. Smith was interested in the best practices document and reiterated that the League of Women Voters Land Use and Transportation Committee was a great group to engage. She noted that e-scooters worked best when there was a large amount of connectivity between the various aspects of peoples' lives; it reduced the need for fossil fuels because scooters were short distance vehicles. She asked that Ms. Bledsoe forward the document to Ms. Scheld and suggested that Spin provide a demo to the various leadership members. Ms. Bledsoe confirmed and explained that Spin brought the e-scooters to the users for demo. She added that Spin's mission was to create a world of 15-minute cities so that people who were not connected could feel more so to their communities. She explained that Spin set up a controlled environment and allowed users to demo so they understood the impact it could have on their communities.

Ms. Chajes wanted to see Spin in operation on UD campus and admitted the City did not have much jurisdiction on how e-scooters could be used on campus, but the City and the University often partnered on initiatives. She informed that the campus was fairly spread out and she believed that students would be supportive. She admitted there had been some dramatic bicycle/pedestrian accidents in the past so safety would be an important part of the conversation. Ms. Bledsoe informed that there was an entire team that dealt with university partnerships and confirmed that the program was popular with universities.

Ms. Smith thanked Ms. Bledsoe for the presentation and asked that the CAC be invited to any demonstrations in the area. Ms. Scheld said that she would send the Commissioners the City Ordinance and assumed the State had a similar antiquated law. Ms. Smith believed that users had to walk scooters on City streets. Dr. Huntley did not think the scooters were outlawed because she witnessed users through the City. Ms. Smith reiterated that the law was written before the units were created.

4. <u>GREENHOUSE GAS (GHG) EMISSION STUDIES UPDATE</u>

Ms. Smith shared that the study was not yet finished because the Delmarva Power was not sharing data with the consultants and unless there was more information, there was a chance that estimates could be off. She offered to forward Mr. Athey's emails to the Commissioners. She introduced Dave Athey. Mr. Athey replied that Delmarva was not being obstinate, the issue was that many people had Newark street addresses but did not live in City limits. Delmarva's account numbers could not differentiate between City customers and non-City customers. The consultants would make a recommendation to link the data over the next few weeks because, otherwise, they would be forced to proximate the natural gas data. He shared that Jay Hodny, a GIS Technician with the City, was trying to work with the County to determine the square footage of various tax parcels so the consultants could apply rough approximations. He admitted exact data would not be available for the Delmarva piece of the study. He added that the consultants actually received too much data for vehicles miles traveled because DelDOT had a huge amount of data for the County and the consultants were working to extract Newark-specific data. He informed that a report draft was currently being formatted and Mr. Coleman requested a review before further progression. He assured the Commission that the study was relatively far along.

Dr. Huntley asked if there was a sense of Newark's main emission sources from the preliminary results. Mr. Athey admitted he was cautious to give out data but shared that DEMEC electricity was over half. Ms. Smith asked if the electricity came from non-renewable sources. Mr. Athey confirmed and added that the consults could add the information without knowing how long the City wanted to review the report. He aimed to have a draft to the CAC prior to the February meeting for review but warned there could be a gap or two in the data. He ensured the consultants were trying to get to the best data point possible. Ms. Smith asked if the report could be modified if Delmarva and DEMEC could offer more precise data. Mr. Athey revealed that the consultants were still wrapping up the concluding parts of the report and wanted to consider how to best disseminate the data. He shared that he spoke with Leanne Moore of The Newark Partnership (TNP) in October about the potential for a dashboard because TNP had an intern who was investigating the options. He continued that the Sustainability Plan addressed collecting the data annually but redeveloping the report every five years but whether if the report was updated or how the data was presented was difficult to say. He personally believed that since the gas was such an important source, it should be done within the next year. He admitted it was challenging but doable. Ms. Smith emphasized the need for a workable base.

Ms. Smith asked if the calculations included the City's fossil fuel use for mowers. Mr. Athey explained that the consultants were following well-established protocols and fossil fuel use was not included but he suggested that the Commission push for the information to be added; he would meet with Mr. Spadafino to obtain more data. He was unsure what data was available but reminded that the information was not necessarily precise on multiple areas; the consultants could add the suggestion to the list of items to be refined in the future. Ms. Smith was interested in investigating a more sustainable way of maintaining City parks, including mowing less and using electric equipment. Ms. Smith assumed fuel usage was part of the budget for facilities management and Mr. Athey assumed but explained that it was possible to use one piece of equipment for multiple jobs. He was interested to see what data was available and how it could be analyzed. He would meet with Mr. Spadafino and discuss ways to include the information.

5. EFFICIENCY SMART EXPENDITURE UPGRADES

Ms. Smith informed that she did not reach out to Mr. Coleman or Mr. Del Grande to determine how important the Efficiency Smart Program was to the City and if the expenditure was worth the upgrade. Mr. Martindale reminded that the program cost an additional $600,000. Ms. Smith noted that Dr. Huntley wrote a recommendation to Council based on if the program was the most impactful towards reducing GHGs, getting to higher efficiency, and getting to net zero by 2050. Mr. O'Donnell added that there was a $3.3 million return for the $600,000 investment. Ms. Smith asked if the estimate was from Efficiency Smart or the City, and Mr. O'Donnell answered Efficiency Smart.

Mr. Mateyko thought that the upcoming goal of reducing to 45% by 2030 was 8% per year but now the new thought was now 5%. Mr. Mateyko asked if there were any alternatives operations available. Ms. Smith asked if he was asking if Efficiency Smart had an alternative. Mr. Mateyko confirmed and believed that unless another opportunity was immediate, nothing would happen in 2022. Ms. Smith clarified that Mr. Mateyko was claiming that Efficiency Smart was the only opportunity. Mr. Mateyko said the program seemed to promise a relatively small increment, but the Commission needed to understand and thought it might be necessary to leap ahead to something different. He did not see how it was possible to have the conversation in the abstract if Efficiency Smart was the only available option. He felt the ideal solution was to postpone or sign on for a six months to allow for more data collection. Ms. Smith was sure that City staff had the data on how Efficiency Smart benefitted the City and what it was worth. She asked by what percentage that the GHG emissions would be reduced, and Mr. Martindale interpreted the options that the avoided costs would be $3.3 million which were based on energy savings goals. He explained that the City was not paying $600,000 for $3.3 million; everything was contingent on meeting the goals and, if the City did, the avoided costs would be $3.3 million with a carbon reduction of 46,000 metric tons. Dr. Huntley added that Efficiency Smart guaranteed that the City would meet 80% of the goal and Mr. Martindale replied 70%. Mr. Mateyko asked if the number was translated into a percentage reduction of current use. Ms. Smith asked if the length of time was for a year or the length of the contract and then asked how long the contract was. Ms. Scheld reminded the contract was three years. Mr. Mateyko recalled a half percentage reduction each year but could not confirm. Mr. Martindale did not think the information would be available because it was contingent on having the GHG inventory completed because there was no starting point.

Ms. Scheld displayed Efficiency Smart's slide from the last meeting and Dr. Huntley noted that the cost was $632,000 but the footnote indicated that amount was equivalent to $0.0005 per kilowatt hour if the City assumed 2020's kilowatt hour consumption. By dividing $632,000 by $0.0005, one could discern what the kilowatt hour consumption for 2020. She calculated 1.3 million megawatt hours. Ms. Smith asked if that was the goal and Dr. Huntley corrected that it was the total consumption of the City. Dr. Huntley continued that the 6,000-megawatt hours savings would be 0.5%. Ms. Smith noted that the City would double its carbon reduction. Dr. Huntley explained Mr. Mateyko's point that in order to meet the Sustainability Plan goals and the goals necessary to avoid climate disaster, the City needed to do much more. She agreed with Mr. Mateyko's point but felt that in order to meet the goals, the City needed to take any measure possible. Mr. Mateyko wanted to send a signal to the community, Mayor, and Council, that it was necessary to consider larger strategies. He did not want to exhaust the budget and proposed delaying the vote until more data was available. He wanted the Commission to take responsibility and asked if the intent was to commit $600,000 to save a quarter when the City still needed 7.5% to meet its goal for the year. He noted that the new number would be 9.5% every subsequent year so the more it was delayed, the worse it became. He noted that in 1988, when James Hanson laid out the science argument to Congress for the first time, the glide path down was only 2% a year. Recent news reports indicated that the percentage increased so now 8% was necessary. He believed there were other plausible possibilities, but they were yet unknown. He continued that the scale of the change required by the science was completely different than what a vendor offered. He emphasized the need to go to 8% which was out of Efficiency Smart's realm. He thought there was some merit of the Commission pushing back to encourage Efficiency Smart to reevaluate its program and offer a larger scale reduction. He thought there was potential for the Efficiency Smart to join with the Sustainable Energy Utility which just took board action to expand concerns to GHG reduction. He hypothesized it could be a matter of scale that was different than what warranted Efficiency Smart to obtain the type of consultant input to make everything worthwhile.

Ms. Smith referred to Mr. Mateyko's comments of scaling up and agreed but thought the question was whether the $600,000 was something that would get the City the minimum level with other ways to reduce. She emphasized that the Commission wanted more efficiency. She pointed that Dr. Huntley wrote the resolution and the Commission voted that the higher efficiency option was more desirable while more costly but there was a payback in reduced emissions. Dr. Huntley added there was also a monetary payback and the return on investment was less than two years which was a very short period.

Mr. O'Donnell agreed that there needed to be action soon and noted the $600,000 investment had a $3.3 million return which he thought would encourage Council to support the recommendation. He wanted to focus on proving the $3.3 million was accurate and why it would return. He wanted to pass the recommendation and move forward because there was no time to hold back. He encouraged the Commission to concentrate on time-of-use rates.

Ms. Chajes admitted that she missed the conversation last month and did not understand who benefitted from $3.3 million of avoided cost. Dr. Huntley replied that it was the City's infrastructure costs and the City's cost in providing electricity. Mr. O'Donnell agreed. Mr. Martindale reminded that the ongoing ESCO project was similar in a way because the savings would pay for the ESCO project over time and the Efficiency Smart project offered a more upward sloping trend in the promise as long as the City hit the goals. Mr. O'Donnell suggested the language indicate the recommendation was a return on investment. Ms. Smith wanted to indicate that the Commission supported the idea and the City had options; the Commission's job was to recommend ideas with sound reasoning. Mr. Martindale added that some staff had concerns about reaching the goals outlined in the recommendation and the financial standpoint was not necessarily the goal of the Commission. He explained that one concern was having $0 in addition to what the City was paying versus $600,000 for a 70% guaranteed goal with a sizable portion the City would have to make up with less control given the program. He warned that there could be a counterargument in the Council meeting. Ms. Smith agreed but reiterated that the Commission's job was to recommend with good reasons; she reminded that the goal was not to save money, rather to reduce GHGs.

Dr. Huntley explained that the recommendation was not quite compatible with Mr. O'Donnell's suggestion because it did not emphasize the monetary aspect which she put at the end because she felt the moral argument was more important. She read:

MOTION BY DR. HUNTLEY, SECONDED BY MR. O'DONNELL: THAT THE CAC RECOMMEND THAT CITY COUNCIL OPT INTO THE "HIGH-PERFORMANCE" OPTION OF THE EFFICIENCY SMART PROGRAM OFFERED THROUGH DEMEC FOR THE FOLLOWING REASONS:

1. ENERGY EFFICIENCY CONSERVES RESOURCES, SAVES OUR ELECTRIC UTILITY'S CUSTOMERS MONEY IN THE LONG RUN, AND REDUCES THE CITY'S INFRASTRUCTURE EXPENSES BY AN ESTIMATED $3.3 MILLION OVER TEN YEARS.

2. THE CITY OF NEWARK HAS COMMITTED TO REDUCING ENERGY USAGE THROUGH PROGRAMS LIKE EFFICIENCY SMART AS GOAL 3.2 OF ITS SUSTAINABILITY PLAN.

3. THE PROGRAM GUARANTEES ENERGY SAVINGS; IN FACT, OVER THE PRECEDING CONTRACT PERIOD, THE STATED GOALS WILL HAVE BEEN EXCEEDED BY 10%. THUS, THE PROGRAM HAS A POSITIVE TRACK RECORD IN OUR MUNICIPALITY.

4. EFFICIENCY SMART PARTNERS WITH LOCAL BUSINESSES, SO THAT THE INVESTMENTS FLOW BACK INTO THE LOCAL ECONOMY.

5. WHILE DEMEC MEMBERSHIP INCLUDES THE "BASIC-PERFORMANCE" VERSION OF EFFICIENCY SMART, THE "HIGH-PERFORMANCE" VERSION PROMISES TWICE THE ENERGY SAVINGS, TWICE THE CO2-EMISSIONS REDUCTION, AND TWICE THE AVOIDED COST SAVINGS. IT ALSO INCLUDES A GUARANTEED SUMMER PEAK REDUCTION GOAL, UNLIKE THE BASIC PLAN.

6. THE ADDITIONAL COST OF THE "HIGH-PERFORMANCE" OPTION AT $0.0005/KWH IS MINIMAL. (THIS ASSUMES 2020 ELECTRICITY CONSUMPTION; IF THE CITY SELLS MORE ELECTRICITY, THE COST PER KWH WOULD BE EVEN LESS.) PLUS, IT IS ESTIMATED THAT THE CITY'S COST SAVINGS WILL PAY FOR THIS PROGRAM WITHIN LESS THAN TWO YEARS.

THE CAC RECOGNIZES THE CONTINUED IMPORTANCE OF ENERGY EFFICIENCY, ESPECIALLY IN LIGHT OF THE ONGOING CLIMATE CHANGE CRISIS. REDUCING ENERGY USAGE HAS, IN FACT, BEEN IDENTIFIED AS ONE OF THE MOST COST-EFFECTIVE WAYS TO REDUCE GREENHOUSE GAS EMISSIONS. THE PROPOSED (AND GUARANTEED) HIGH-PERFORMANCE EFFICIENCY SMART PROGRAM WILL HELP THE CITY ACHIEVE THE EMISSIONS REDUCTIONS IT HAS COMMITTED TO IN THE SUSTAINABILITY PLAN, ALTHOUGH SIGNIFICANT FURTHER ACTIONS WILL ALSO BE NECESSARY.

MOTION PASSED. VOTE 5 TO 0.

AYE: HUNTLEY, CHAJES, MATEYKO, O'DONNELL, SMITH.
NAY: 0.
ABSENT: HEDRICH, MATSUMOTO.

6. ANNUAL REPORT

Ms. Smith could not find any list of what would be covered in the annual report. She reviewed the last annual report, written by Dr. Irvine, and thought it was complicated so the upcoming annual report would be simpler. She asked Ms. Scheld if there was a list anywhere in the minutes and Ms. Scheld informed the list was in the November minutes. Ms. Smith asked Ms. Scheld to display the 2022 goals. Dr. Huntley suggested that the conversation would be too long, and it should be covered in another meeting. Ms. Smith agreed but wanted members to think about goals. Ms. Smith noted that the goals were similar to last year and she would use them to fill out the paragraphs in the report. She asked Ms. Scheld to forward the list to members and asked for edits or additions. Ms. Smith asked if the goal of recommending 100% renewable energy to Council would be continued. Dr. Huntley informed that the CAC already recommended the initiative to Council, and it was approved so it could be removed. Dr. Huntley noted the Commission could recommend that it made into an opt-out program for all customers. She cautioned against goals that made specific recommendations and thought goals should be to discuss the issues because otherwise the Commission needed to vote on already making a recommendation as part of the goals and it was not logical. Dr. Huntley suggested that the goal could be to consider how to increase the renewable energy portion of the City's electricity budget mix.

Ms. Smith asked if the Commission should keep the straw reduction resolution compliance as a 2022 goal. Ms. Chajes noted that the goal was greatly impacted by the pandemic. Ms. Smith wanted to continue to track restaurants. Dr. Huntley suggested it was more valuable that everyone spend time considering what the Commission's priorities should be instead of continuing with last year's priorities. Ms. Smith asked that members send her edits or additions and was concerned that there was not a lot of time to establish the goals. Dr. Huntley reminded that the members had to vote on the goals. Ms. Smith did not recall voting on the goals in the most recent year and thought they were put into the annual reports based on someone's ideas. Ms. Chajes explained that the members still voted on the annual reports.

Mr. Mateyko asked if the Commission could exceed the City's Sustainability Plan in recommendations. He suggested the overall goal of an 8% annual GHG reduction. Dr. Huntley explained that one of the tasks given to the Commission from the Sustainability Plan was to review the Sustainability Plan goals and update as needed on a regular basis. She did not recall if the update was supposed to be done annually or every five years, but it was certainly in the Commission's purview to recommend updating the goals. Ms. Smith informed Mr. Mateyko that there could be discussion about his suggestion. Mr. O'Donnell noted that the Commission could make one goal to take significant action from the results of the GHG emissions study towards a 6% reduction. Mr. Mateyko wanted to be cognizant of other data because there could be other solutions outside of the purview of the report and Mr. O'Donnell confirmed. Ms. Smith repeated her request that members edit goals and add new ones.

7. MONTHLY CONSERVATION ARTICLE WITH THE NEWARK POST

- January – Carbon Pricing – Beth Chajes
- February – Stormwater Management – Helga Huntley
- March - WasteWell/Food Recycling – John Mateyko
- April - Eastern Box Turtle Habitat Conservation – Jean Hedrich

8. PLANNING AND DEVELOPMENT REPORTS

9. SUSTAINABILITY PLAN AND COMPREHENSIVE DEVELOPMENT PLAN – SMITH

Ms. Smith asked Mr. Fortner to what degree the Comprehensive Development Plan considered the Sustainability Plan to create changes or modifications. She asked if the Steering Committee's work had been completed, what stage in the process was the plan, and if or what elements of Theme IV of the Sustainability Plan had been under consideration. She shared with him that she and another CAC member had been thinking of green infrastructure, nature-based solutions regarding land use and transportation, walkable bikeable streets, energy efficient development, water, and air quality, et cetera.

Ms. Smith shared Mr. Fortner's responses and informed the Commission that the Steering Committee was still working and had a meeting on December 9th to review the final plan which could go to the State Preliminary Land Use Standard (PLUS) review. Afterward the State gave comments, the Steering Committee reviewed the plan before it was sent to the Planning Commission for review. She continued that the Sustainability Plan would be cited in the Comprehensive Development Plan and would be an action item to implement in its entirety. She emphasized that the Sustainability Plan was its own independent plan adopted by Council and slated to be implemented whether or not it was referenced in the Comp Plan.

Ms. Smith shared that she thought the Sustainability Plan would guide the Comp Plan in some ways, but Mr. Fortner did not think so. Dr. Huntley hoped it would and believed the Sustainability Plan was intended to guide the future actions of the City on all levels, including development. She thought the planning community was sensitive to preserving their domain and she interpreted the result as the planning community wanted a comprehensive plan that was independent of the Sustainability Plan. She felt that there should be more collaboration, but she did not anticipate another outcome after the CAC representative was cut from the Committee. Ms. Smith felt similarly.

Ms. Chajes believed there was a conflict between the outlines of the Comprehensive Plan and the Sustainability Plan and then it fell to Council to resolve. Ms. Smith agreed and asked that members pay attention. Mr. Mateyko asked if a motion had ever been approved by Mayor or Council that stated, "the City planning shall be predicated upon the current climate considerations". Dr. Huntley thought Mr. Mateyko made a good point. Mr. Mateyko suggested "that to the extent that they are predicated on climate considerations, all City actions shall be predicated upon the current climate" so that any number of the members could cite a specific report as an easily accessible document. Mr. Mateyko assumed that many people believed the climate had returned to the condition it was when they were growing up. He wanted to indicate that nothing could be based on the past so there was no option for the Planning Commission to consider what the Sustainability Plan called for or argued what took precedence over the other. Ms. Chajes suggested the future predicted climate should be used and Mr. Mateyko agreed that the current climate trajectory would be used. Dr. Huntley asked for an example of a similar ordinance or directive from another municipality that had passed so the Commission had verbiage to use. Mr. Mateyko replied that the Global Climate Change Policy Act of 1990 did so at the Federal level. Ms. Smith asked Mr. Mateyko to draft a paragraph highlighting any recommended actions for a municipality. Mr. Mateyko agreed.

Ms. Smith reminded that the Comprehensive Development Plan had to go through a State PLUS review and wondered to what degree PLUS considered material choices, heating and cooling techniques, trees, et cetera. She wanted to develop the idea of how to determine the two documents would coordinate while also speaking to the climate assessment document he would present. She reiterated Dr. Huntley's suggestion on finding another municipality with similar actions in place. Mr. Mateyko would investigate and shared that he always found that the City was in good legal position to use Federal funds if they adopted the paradigm that Federal action was supposed to be based upon.

10. OLD/NEW BUSINESS

Ms. Smith reminded that as a Tree City, Newark was required to have an Arbor Day Celebration and wanted to ensure that staff followed through.

11. NEXT MEETING – FEBRUARY 8, 2022

MOTION BY MR. MATEYKO, SECONDED MS. CHAJES: TO ADJOURN THE MEETING.

The meeting adjourned at 9:16 pm.

Nichol Scheld
Administrative Professional I

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