

TOWN COUNCIL MEETING NO. 723, JULY 11, 2007

ROLL CALL

Mayor Driscoll called the meeting to order at 8:00 p.m. and led the Pledge of Allegiance. Ms. Howard called the roll:

Present: Councilmembers Davis, Derwin, Merk and Toben, and Mayor Driscoll
Absent: None
Others: Town Administrator Howard, Town Planner Mader, Dep. Town Planner Vlasic, Town Attorney Sloan, Public Works Director Young, Asst. Town Administrator Willis, Planning Manager Lambert and Assistant Clerk Hanlon

REGULAR AGENDA

(4) Climate Protection Task Force Reports

Ms. Lambert reviewed the staff memo of 7/3/07 on the Climate Protection Task Force reports to the Council. She noted that the following documents were attached to the staff memo: a) Education and Outreach Committee Greenhouse Reduction Program; b) Building, Energy Efficiency, and Transportation (BEET) Committee's Executive Summary; and c) summary notes from a meeting with local architects to discuss the BEET committee's recommendations.

Councilmember Toben expressed his appreciation to each member of the Task Force for their time, creativity, intelligence and commitment to this work over the past six months. He said the product was something to be proud of and represented an opportunity for leadership by the Town. He said he was eager for the Council to give direction and put this item on a fast track.

Craig Breon, BEET committee, reviewed the executive summary and committee's recommendations, including the recommendation for a mandatory point system for new development and substantial remodels. He discussed: 1) the point system, which would be based on the existing LEED system; 2) timeframe for

implementation; 3) need for staff, ASCC and Planning Commission assistance/participation in the development of the system; 4) desire of BEET committee members to continue the work; 5) need for Town standards to accommodate the new system; and 6) the Town's opportunity for leadership in this area.

Jeff Clark, BEET committee, said there were a number of other areas addressed by the committee, as indicated in the executive summary, such as: a) existing housing stock; b) reduction in carbon emissions related to transportation; c) carbon offsets; d) alternative energy components; and e) educating the Town on what could be done. On existing homes, Mr. Breon noted that Linda Carlson had put together a report and volunteered to lead the program for the first year; a budget had also been put together. He added that transportation was one of the more difficult aspects of climate change to address. The committee's recommendation was for the Town to set goals for reducing carbon emissions and create a program to meet those goals.

Shelly Sweeney and Trenea Joi, Education and Outreach committee, reviewed the committee's recommendations and discussed: 1) the committee's mission statement; 2) target audience; 3) three-pronged strategy; 4) timing; and 5) focus areas.

Angela Hey, Metrics committee, said the committee's job was to find methods and data requirements to document greenhouse gas emissions from now going forward. She said Palo Alto's Green Ribbon Task

Force's method of measuring energy consumption had been looked at as well as methods used by other jurisdictions and consulting firms to ensure consistency in reporting. Transportation, for example, could be measured in terms of resident traffic, visitor traffic, carpooling, vehicle type, etc. She discussed electricity and natural gas usage for the Town. There were also personal calculators that people could use to see what their energy use was; those would be put on the Portola Valley Climate Protection Website (www.coolpv.com). She noted that there were a number of websites that had news feeds from different publications on climate change and global warming.

Councilmember Toben said it was a very straightforward task to calculate a meaningful number on the community's greenhouse gas emissions circa 1999, which was helpful to gauge improvement. Thanks to the work of Stefan Unnasch and his team, the Town now had the means to track and document the Town's progress over time in a fashion that would provide positive feedback to the residents. It would also serve as useful information to other communities.

Mayor Driscoll asked that Councilmembers be provided with the full BEET report and the report from the Metrics subcommittee.

Responding to Councilmember Davis, Councilmember Toben said the best way to proceed was to tag any significant problems that Councilmembers found in the array of ideas presented. Most of the propositions pertaining to education were straightforward with little cost involved to the Town. The more significant elements, such as a certification scheme pertaining to residential projects, should be discussed. His hope was that at the end of the discussion, the Council would refer the major elements to the Planning Commission/ASCC who could begin to flesh out what might be involved in the eventual implementation of those measures. He confirmed for Mayor Driscoll that the intent was for the Council to decide whether to refer this back to the appropriate committee(s) who could then make recommendations for changes in the General Plan or changes in process.

Councilmember Davis said "mandatory" activities triggered all kinds of transactions such as the cost of tracking, fairness, social values, legalities, etc. Trying to implement very rigid, strict systems, might result in unintended consequences. The comments from the local architects were quite positive but also pointed out some pitfalls of a mandatory system as opposed to an attitude of teaching, instructing, informing and pushing. He would like to talk about what the metrics should be and then have someone come in and argue for mandatory programs. It would add to the confusion early on to start with the intention of an ordinance

rather than the intention of providing tools to help residents when they were in the process of building or remodeling. He preferred to put aside for a year or more the concept of ordinances and determine what the Town wanted to achieve, how to measure it, and how people could help contribute.

Councilmember Derwin said she attended a Green Building Policy Workshop at the Adobe complex in San Jose. Officials from Rhonert Park and Santa Cruz discussed their green building policies. Rhonert Park had a mandatory policy; Santa Cruz had a volunteer system for a year and was going to mandatory. The speakers all felt it was better to start with voluntary incentives and reward people for doing the right thing. It could be ramped up when there was buy in.

Councilmember Merk said there was a lot of information; the ideas from the education and BEET committees were great. But, he questioned if the whole picture was being looked at. As bigger and bigger houses were built and more and more people came to service the houses, that affected the transportation footprint. What was the energy use of a 7,000 sf house as opposed to a 4,000 sf house? What was the carbon footprint of an 800 sf entry that was two stories tall? He agreed that the Town should start with something that was voluntary. One of his concerns about offering incentives like sf bonuses was that the houses would get bigger; that was self-defeating. He would rather see it as, "if you don't do this, you get a 5% reduction." In terms of transportation, the residents didn't have much of a choice other than to drive their cars. He said he didn't want to slow the committee's work down. He would be happy to have the Council

address appropriations of funds and have the Planning Commission and ASCC start looking at these things. But, he also didn't want them to start looking at the issues in terms of an ordinance for this or that. The concrete things that could be done and ideas that could be implemented should be looked at first. At least in the beginning, it should be voluntary.

Councilmember Derwin said another point brought out at the workshop was it was best not to try to reinvent the wheel. They recommended that people use LEED or Build It Green/Green Points. Build It Green/Green Points seemed to work better for residential with LEED working better for commercial. Responding to Councilmember Derwin, Mr. Breon said LEED standards covered water as well as building material, etc. It was recognized that 15% of California's electricity was used to move water around the State. Water should be part of the formula.

Responding to SallyAnn Reiss, Mr. Vlasic said the architectural review process included sustainable building and a checklist. There hadn't been an audit in terms of how many projects actually implemented the things that were checked off. Architects were somewhat reluctant to come forward with what had or hadn't been included in the project. As part of the process, there should be some way to complete the audit. It was fair to say that over the year or two that the Town was involved in this, more people were doing it. Carol Borck had done an incredibly good job of making people aware up front of what the Town's expectations were and why it was part of the ASCC review process. It was voluntary, and there was no mandate to do it, but by simply making people aware and using education, a change could be seen—not only in the applications but also in the completion of the projects. The resources the Town had and the information used in developing the committee's recommendations were incredibly helpful. He agreed you did not need to reinvent the wheel, but there were a lot of different measuring systems out there that could be looked at. From a planning standpoint, the logical next step was to look at what a measuring system might be, test it with some applications, and look at what the reactions were from the applicants and design professionals. The architects in Town were encouraging their clients to do more. They were probably as important to any educational process for large residential development within this community as anybody. The interaction between staff and the architectural community in encouraging the clients to do the right thing was moving in the right direction. Most of the development community the Town dealt with was prepared to look at a system—whether it was voluntary or mandatory—and assist. The Planning Commission and ASCC could certainly advise the Council on whether it should be mandatory or not. Structuring this in a more refined way seemed a reasonable and appropriate next step.

Responding to Councilmember Davis, Mr. Vlasic confirmed that the key points made by the local architects at the meeting were included in the meeting notes. Everyone that was involved in this felt personally that this was what the Town should be doing, what they should be doing, and what their clients should be doing. But, the minute you told people they had to do something, there was a negative reaction to that. Ultimately, it might not be a problem because everyone would buy into it at some point. But, this was still a transition period. Most of the people who were doing costly projects in the Town were decision makers and wanted to have control over the system. If you gave them solid information, a good system to work with and something they could resonate with, they would buy into it. They had to be given options and choices.

Councilmember Merk said projects with a photovoltaic system made points with the ASCC. When the project was three-quarters through and people ran out of money, the solar panels disappeared because there was not enough money. If any kind of credit was given for these things when they came in on an application, there needed to be some way of making sure of what was actually there at the end of the process.

Danna Breen said another reason it should come to the ASCC was that the aesthetic of the Town would change as these things were addressed. Siding would need to get lighter, there would be more photovoltaics, etc. Blue Oaks, for example, would have been perfect for photovoltaics, but it would be glaring.

Councilmember Derwin noted that there were three bills that made it through the Assembly and were in the Senate with green building mandatory policies. Ira Ruskin had one calling for all State buildings to be LEED certified gold. Assemblyman John Laird out of Santa Cruz had one that said by 2013, all residential buildings should meet LEED gold standards. And, Ted Lieu of Manhattan Beach had the same for commercial. This was the way it was going, and in 10-15 years, it would be routine. It would be nice to be on the cutting edge.

Mayor Driscoll thanked the group for their time. He said he was 100% for it. At this point, he felt it was appropriate to pass it on to the planning/strategy people to find out what changes needed to happen to encompass this greater and additional goal, and what changes needed to take place in the Town's processes and procedures. They could make recommendations that were more specific and pass it down to the ASCC/tacticians who implemented these things. The Council would review their recommendations in a few months. He did not think the Council should decide tonight whether this was mandatory or not. The Planning Commission and ASCC should be given an opportunity to figure out what they thought the best ideas were since they were the ones implementing and recommending policies for the General Plan.

Councilmember Davis said the education and Website activity didn't really match well with the Planning Commission and ASCC. These were more short-term but would be important in getting people going, which he encouraged. Mayor Driscoll suggested that the Council agree that the education component and recommendations go forward with the committee. Responding to Councilmember Merk, he said the amount of money involved would probably be minor, and he thought the funds could be found. He suggested the education committee take their recommendations and translate them into budgetable actions and return in a couple of months with specifics on costs.

Councilmember Toben noted that the Planning budget for FY 07/08 included funding for green design analysis as described in Town Planner Mader's memo of 6/29/07, p. 3. The BEET recommendations could go to the Planning Commission with money already in the budget. He added that he had been pushing for months to hire an environmental outreach coordinator, which the TOSA foundation thought it was buying with a piece of its grant. That hire had not been made. The coordinator function was central, and he wanted to see it materialize. Ms. Howard had drafted the job description. The person would be responsible in part for showing off the Town Center to residents, school kids, etc. The function would also include things outside of the campus. The tasks were defined, but it was not specified whether it was a full-time position, a

part-time position, a volunteer, or a current staff member with some reallocation of job function.

Mayor Driscoll said the task force could continue moving toward implementation on everything beside the building aspect, which would be referred to the Planning Commission and ASCC for further study and implementation ideas.

Councilmember Toben said at every policy level, the emerging consensus now was that voluntary measures were insufficient to get the Town to the finish line that had to be attained in order to make some meaningful difference in terms of tipping points on climate. There were rapidly emerging notions of regulatory complements or structures that would support market mechanisms, for example, but would go beyond what presently existed in the way of voluntary measures. He had started from a place of some skepticism about mandatory schemes, but was concerned that without some attention early on to that, voluntary measures could prove to be pretty weak tea 1-2 years from now. Development of a useful scheme that would move the Town in the direction of more mandatory measures would be delayed. The critical idea was to make the initial threshold very modest and largely undefined. It was the classic situation where there was the creation of regulatory framework within which lots of innovation could take place. He also wanted to respond to the notion of voluntary measures and the rewards that could be offered. The Town's tool chest was pretty limited with respect to rewards for people who wanted to do the right thing. For example, there had been some discussion of reducing road impact fees if someone voluntarily achieved outstanding performance.

There would have to be a nexus between fees and public policy with respect to building green. Road impact fees were the largest fees the Town had in the building permit process, but the nexus between road impact fees and green design was thin. Building fees themselves were very trivial relative to the cost of these enormous projects. Giving someone a reduction of 25% in fees was not much of an incentive. Expedited review had also been discussed. But, the Town was not so bad and it was hard to know just how much people could benefit. Given the magnitude of the problem, the larger trend was moving toward regulatory schemes that were fairly modest in their inception. He thought it was something the Town should consider. He understood that the sense of the Council was somewhere else, but he wanted the Planning Commission to have the benefit of his comments. Councilmember Derwin suggested talking with Rhonert Park if mandatory measures were considered, and she offered to provide contacts.

Mayor Driscoll said the consensus was to refer the building portion of this to the Planning Commission and ASCC for more study and implementation/suggestions. The ad hoc committee should work on next steps to implement some of the educational and transportation recommendations. Further, the Town Administrator was urged to find the right person to be the coordinator as a partial task or additional task for staff members. He noted that these were new goals that were not a part of the 1963 General Plan or any modifications that had happened since. He thanked the Task Force members.

