



SF Environment

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A Department of the City and County of San Francisco



EDWIN M. LEE
Mayor

DEBORAH O. RAPHAEL
Director

**CITY AND COUNTY OF SAN FRANCISCO
COMMISSION ON THE ENVIRONMENT**

**TUESDAY, JANUARY 27, 2015, 5:00 P.M.
DRAFT MINUTES**

**CITY HALL, ROOM 416
SAN FRANCISCO, CA 94102**

COMMISSION MEMBERS: Commissioners Joshua Arce (President); Angelo King (Vice-President), Heather Stephenson, Johanna Wald, Sarah Wan

ORDER OF BUSINESS

- 1. Call to Order and Roll Call.** The Commission on the Environment meeting convened at 5:08 p.m. Present: Commissioners Arce, King, Stephenson, Wald and Wan (5:15 p.m.).
- 2. Composting Outreach and Education to Chinatown Businesses.** Sponsor: Commissioner Joshua Arce; Speakers: Donald Oliveira, Public Outreach Program Manager and Nicole Wu, Outreach Associate (Informational Presentation and Discussion)

Public Outreach Program Manager Donald Oliveira reported on the Department of the Environment's public outreach pilot campaign directed to Chinatown businesses offering Department services consisting of information resources and technical support for compliance with Zero Waste policies. The campaign was designed to focus on the residents and businesses of Chinatown utilizing the language and culture that is prevalent in the neighborhood. EnvironmentNow Outreach Associate Nicole Wu relayed the message in Cantonese that is provided to Chinatown businesses to promote composting and recycling participation.

Commissioner King discussed the importance of personal outreach in achieving desired outcomes for City programs. Commissioner Stephenson discussed the relevance of not only translation services but making the message culturally significant. Director Raphael commended Ms. Wu and Outreach Assistants Jack and John for helping the Department understand the required outreach in the neighborhood and providing not only the words to relay the message, but the intention, body language and enthusiasm. Assistants Jack and John translated the

Cantonese message relaying the significance of composting and recycling from Cantonese to English.

3. Approval of Minutes of the November 25, 2014 Commission on the Environment Regular Meeting.
(Explanatory Documents: November 25, 2014 Draft Minutes) (Discussion and Action)

Upon Motion by Commissioner Stephenson, second by Commissioner Wald, the November 25, 2015 Meeting Minutes were approved without objection (AYES: Commissioners Arce, King, Stephenson, Wald and Wan).

4. Public Comments: Members of the public may address the Commission on matters that are within the Commission's jurisdiction and are not on today's agenda. (Explanatory Documents: Public Comments Received in Committee meeting)

Ms. Katherine Howard, Healthy Soccer San Francisco and Open Space Committee, Coalition for San Francisco Neighborhoods, reported on NBC series of reports in October 2014 on cancer clusters developing in young soccer players playing on artificial turf. She spoke in support of SB47 Resolution that calls for a study of tire waste for artificial turf infill and to establish a temporary moratorium on the installation of this type of infill until those studies have been completed. (Reference Resolution from Coalition for San Francisco Neighborhoods.) She suggested that (1) the Department of the Environment reexamine the 2006 Study by the Artificial Turf Task Force and to reevaluate the tire waste product; (2) for the Commission to encourage the Recreation and Park Department to replace immediately all of the infill in all of the artificial turf fields in San Francisco with a safe infill; and (3) at the Beach Chalet project that is under construction now to install grass instead of artificial turf. For more information go to <http://www.healthysoccersf.org>.

Ms. Yolanda Lewis, CEO, Black Human Rights Leadership Council of San Francisco, reported that the Council is reaching out to the Commission to request immediate action to ensure the safety of San Franciscans by establishing a policy where only safe mechanical or conventional demolition methods will be authorized. She reported on human environmental rights violations in the Bayview neighborhood and the victory for the community through the collaborative work of the Council, organized labor, and environmental allies to perform a manual demolition for the Candlestick project that prevented the negative impacts associated with the use of mechanical or conventional demolition methods. (Reference letter from Black Human Rights Leadership Council.)

Dr. Tompkins reported that he has been engaged in environmental science research for forty-five years and discussed his experience teaching environmental chemistry and engineering at Berkeley. He reported on a meeting held with City agencies and Bayview residents demanding no more implosions at Candlestick Park. He discussed genetic variances in population and the increased mortality rate in African American women in San Francisco and varying factors leading to a decreased life expectancy in African American males living in Bayview Hunters Point. Dr. Tompkins discussed the need for environmental justice in the neighborhood because it suffers from a disproportionate burden of contamination and pollution. He asked that the methodology for the current dust remediation process be changed and to expand Article 22B, Section 1246 Rules and Regulation and 1247 of Construction on City Property in this regard and to train traffic control officers to hand out citations for violations. He requested a place on a future agenda to

engage in a dialogue on these objectives. (Reference "San Francisco Health Code Construction Dusts Control Requirements" and "A New Standard in Air Monitoring for Particulates in a Designated CARE Zone.")

Commissioner Arce requested a ruling as to whether the Green Construction Policies provide a prohibition on this type of implosion, and if not, to think about doing so in the future for new business.

5. City and County of San Francisco Five Year Financial Plan and Fiscal Year (FY) 2015-16 & FY 2016-17 Budget Instructions. (Explanatory Document: Presentation) Sponsor: Deborah Raphael, Director; Speaker: Kelly Kirkpatrick, Fiscal & Policy Analyst, Mayor's Office of Public Policy and Finance (Informational Report and Discussion)

Fiscal & Policy Analyst Kelly Kirkpatrick provided an overview of the City and County of San Francisco's financial planning and policies; Five Year Financial Plan goals, General Fund base case outlook, proposed fiscal strategies and recession scenario; and budget instructions to City Departments to guide their budget proposals. Ms. Kirkpatrick reported on goals of the Five Year Financial Plan to highlight key financial issues and road map for the City, develop multi-year strategies, and rescheduling the long range planning process to the fall to allow for a more thoughtful process. She provided a calendar of key dates and next steps. (Reference Presentation,)

Commissioner Wald pointed out that budget instructions reported on are for General Fund departments, and asked if there are instructions for the Department of the Environment that is not a General Fund department. Mr. Kirkpatrick reported that there are no instructions for non General Fund departments, but they are expected to present a balanced budget. There are general themes for the budget that the Mayor has emphasized prioritizing fiscal sustainability and government efficiency, prioritizing government responsiveness to citizens, and issues relating to affordability, equity and shared prosperity, and understanding and addressing population growth as San Francisco is expanding.

Commissioner Arce reported on the review of the budget by the Commission's Operations Committee, the Department Director, and staff, and the emphasis placed on the Mayor's Shared Prosperity agenda statements about environmental equity, zero waste, and sustainability solutions to climate change that are accessible and will benefit all San Franciscans; benefit our diverse communities and neighborhoods to share the benefits; solar energy and electric vehicles for everyone; and reaching our climate goals in engagement of neighborhoods and businesses. He reported on discussions held on the importance of supporting families and workers and the relevance to the Mayor's priorities. Commissioner Arce stated that the Department would like to become a General Fund department as it has been in the past in order to help deliver the values the Mayor cares about.

Commissioner King stated that part of the Department's and Commission's goals are for the equitable deployment of the benefits of green technology and services for those that need it the most. He stated that he is confident that the Mayor that knows the importance of this service will put the proper investment in the programs by providing General Fund support to the Department. Director Raphael discussed the healthy position of the City this year and the importance of

Departments delivering more value to show that Departments with consistent resources will do a better job of delivering services and being more responsive. She asked to keep three areas in mind for the Department's budget, fiscal sustainability, increase in responsiveness, and the shared prosperity that are weaved into the budget. She reported on discussions held with Mayor's Office staff about the importance of General Fund support to the Department and thanked Ms. Kirkpatrick for her support in this effort.

6. Review and Approval of the Department of the Environment's Fiscal Year 2015-16 Budget.

(Explanatory Document: 2015-16 Budget) Sponsor: Deborah Raphael, Director; Speaker : Joseph Salem, Program Manager, Finance and Administration (Discussion and Action)

Program Manager Finance and Administration Joseph Salem reported on the Department's Fiscal Year 2015-16 program area revenues and expenses categorized by salaries, benefits and overhead, non-personal services, grants, materials and supplies, services of other departments and variances from the prior fiscal year. Mr. Salem discussed deficits and challenges that are faced but reported that overall the budget looks relatively flat this fiscal year.

Director Raphael reported that the Commission's action is to approve a draft that further changes will be made to, to cover program area deficits before submission to the Mayor's Office on February 23. She reported on public comment received from Ms. Nancy Wuerfel questioning the appropriateness of the use of Impound Account for program expenditures. Director Raphael reported on corrections that were made to reflect allocations appropriately and believes that the budget is consistent with the intention of the Impound Account. She reported that a response would be issued to Ms. Wuerfel at a future date.

Director Raphael reported on budget discussions at Commission Operations Committee meetings about budget deficits and how forty-five percent of the Department's budget is from grants, many of which do not always cover non labor costs incurred. Director Raphael reported that keeping with the Mayor's directive to look carefully at how to improve services and shared prosperity, a discussion was held with Commissioners Arce and Wan about a new program creating an environmental community council. Discussions were held with the Mayor's Office about those aspects and the General Fund.

Public Comment:

Ms. Nancy Wuerfel reported on her letter to the Commission and Director Raphael documenting her concerns with the use of Impound Account funds in the FY 15-16 budget. She stated that one of her concerns has been addressed in the revised budget but all the rest remain. Ms. Wuerfel stated her comments do not reflect an opinion on the value of any of the Department's programs, but is focused exclusively on the Department's compliance with the Impound Account guidelines approved by the Commission in 2007 that identified the approved uses of these funds and the percentage of money for each activity. She suggested that the Commission should only approve the budget if it can be certified that it meets the guidelines for use of Impound Account Funds. (Reference Public Comment letter and Impound Account Guidelines correspondence.)

Dr. Tompkins suggested that there be delineation between dollar disbursements by neighborhood in the category of Toxics Reduction and environmental justice. He discussed his concerns with

health effects on the African American community in the Bayview because of the disproportionate amount of toxins in the neighborhood. Dr. Tompkins suggested that a Resolution be worked on and offered his advocacy efforts in requesting funding from the Mayor's Office.

Commissioner Wald stated that she believes there is a relationship between wildlife and the waste stream because fish and wildlife and their habitat are directly and adversely affected by mismanagement of the waste stream by improperly disposed chemicals and toxins and other material. Commissioner King reported on Operations Committee discussions about the proper use of Impound Account funds for Department programs and his confidence that funds are being allocated correctly. Upon Motion by Commissioner Wald, second by Commissioner Wan, the Department of the Environment's FY 15-16 preliminary Budget was approved (AYES: Commissioners Arce, King, Stephenson, Wald and Wan; Noes: None; Absent: None).

7. Review and Approval of Resolution File 2015-01-COE commending Commissioner Ruth Gravanis for her service to the Department and Commission on the Environment. Sponsor and Speakers: Deborah Raphael, Director and Commission President Joshua Arce (Explanatory Document: Draft Resolution) (Discussion and Action)

Commissioner Arce and Director Raphael commended Commissioner Ruth Gravanis for her service and presented her with a gift from the Department and a proclamation from the Mayor. She read a commendation letter from prior Deputy Director David Assmann about his admiration of Commissioner Gravanis' integrity, commitment and dedication as a true environmentalist referencing her many contributions. Commission Secretary Monica Fish read the Resolution into the record. Commissioner Gravanis stated what a privilege it was to work with the Commission and such dedicated and competent Department staff and discussed her plans to stay involved in City issues.

Public Comment:

Department of the Environment prior Director and Environmental Protection Agency Regional Administrator Jared Blumenfeld stated that Commissioner Gravanis helped start or set the direction for many of the City's and Department's activities and commended her for being true to her principles and beliefs. He spoke of the countless volunteer hours she spent on environmental issues and was thanked for her efforts as a Commissioner and her continued efforts as a citizen ensuring accountability. Commissioners spoke of her in depth knowledge of environmental issues facing the City making the Commission and Department's work better in immeasurable ways and was commended for her many contributions.

Commissioner Emeritus Rebecca Evans reported on local Sierra Club group award to Ruth Gravanis and thanked her for doing a wonderful job, being true to herself, and in reminding people of what is right. She thanked the Commission and City for honoring her.

Upon Motion by Commissioner Wald, second by Commissioner King, the Resolution commending Commissioner Ruth Gravanis for her service was approved (AYES: Commissioners Arce, King, Stephenson, Wald and Wan; Noes: None; Absent: None).

8. Review and Approval of the Department and Commission on the Environment's 2014 Annual Report. Sponsor: Deborah Raphael, Director; Speaker: Donald Oliveira, Public Outreach Program Manager (Explanatory Document: Draft Annual Report) (Discussion and Action)

Public Outreach Program Manager Donald Oliveira presented the new format for the Department and Commission's Annual Report. The report cites Department staff's environmental experiences, personal comments and stories and highlights significant activities. Commissioners commended the design and creativity of the Annual Report and suggested that thought be given on how to best utilize the document. Commissioner King stated that the Annual Report should be brought to the attention of the Board of Supervisors and Mayor. Mr. Oliveira commended Graphic Designer Mark Nicolas and Department staff Veena Patel and Luke Easdale for their efforts producing the report. Director Raphael thanked the Commission, Mr. Oliveira, and his team for their contribution to the Annual Report.

Upon Motion by Commissioner King, second by Commissioner Stephenson, the 2014 Department and Commission's Annual Report was approved (AYES: Commissioners Arce, King, Stephenson, Wald and Wan; Noes: None; Absent: None).

9. Nomination and Election of Commission on the Environment Officers. (Discussion and Action)

Upon Motion by Commissioner King, second by Commissioner Wan, Commissioner Arce was nominated and reelected as Commission President and Commissioner King was nominated and reelected as Commission Vice-President (AYES: Commissioners Arce, King, Stephenson, Wald and Wan; Noes: None; Absent: None).

10. Director's Report. Updates on Department of the Environment administrative and programmatic operations relating to Budget Planning, Strategic Planning, Clean Air/Transportation, Climate, Energy, Public Outreach and Education, Environmental Justice, Habitat Restoration, Green Building, Zero Waste, Toxics Reduction, and Urban Forestry. (Explanatory Document: Director's Report) Speaker: Deborah Raphael, Director (Informational Report and Discussion)

Director Raphael reported on the Mayor's press announcements that the City has met greenhouse gas emission reduction goals of 23.5 percent below 1990 levels. She pointed out that the Kyoto protocols calls for seven percent below 1990 levels and AB32 calls for being on parity with 1990 levels. The Mayor also called for a new look at Community Choice Aggregation and directed the Public Utilities Commission to work with the Department of the Environment and the Office of Economics and Workforce Development to identify an affordable and inclusive path toward 100 percent renewable energy. Director Raphael reported that there will be an important meeting on January 28th convening supermarkets across San Francisco to talk about the recycling and redemption centers and that the Safe Medicine Disposal is moving forward and will be going to Committee next month. She announced that the White House designated the City as a Climate Action champion and that this designation will provide access to funding. New Department hires Jen Jackson, Toxics Reduction, Urban Forestry and Biodiversity lead and Veena Patel of the Outreach Team were introduced.

11. Operations Committee Chair's Report. Highlights of the November 12, 2014 and January 21, 2015 Meetings. (Informational Report and Discussion)

Committee Chair King reported on discussions held at Committee meetings about the budget and unfunded mandates, discussions around grants and their inability to cover non-labor costs, and a presentation on the Urban Agriculture program.

12. Policy Committee Report. (Informational Report and Discussion)

Chairs Report: Highlights of the January 12, 2015 Meeting and review of the Agenda for the February 9, 2015 Meeting to be held at City Hall, Room 421.

Committee Chair Wald reported on discussions held at the January 12 meeting about energy efficiency and the Department's current programs, potential new policies, and policy changes that would produce greater savings with commentary from a representative of the Natural Resources Defense Council. The agenda for the February 9 meeting includes adoption of the Annual Reduced Risk Pesticide List and an update on the stormwater project.

13. Public Notice of 2015 Subscription and Renewal of Commission on the Environment and Committees Notices and Agendas as required by the Commission on the Environment Bylaws. (Explanatory Document: 2015 Subscription Request Form (Information and Discussion))

Commission Secretary Fish reported that the subscription form was published and transmitted along with the agenda to all agenda subscribers providing the opportunity to renew or discontinue subscriptions to Commission on the Environment agenda notices. Commissioner Stephenson suggested adding a notice to the website where the community can subscribe to notices.

14. Announcements. (Information and Discussion) Commissioner King asked that the topic of artificial fields be discussed at a future meeting. He announced that he attended the Chabot Space and Science Center, and that he would like to connect a staff member from the center who is working on a video creation of environmental issues for children and suggested that the Commission or Department be a part of this effort. Director Raphael invited Commissioners to the Green Business Reception on February 5, 5:30 to 9:30 p.m. at Hotel Whitcomb.

15. President's Announcements. (Informational Report and Discussion) Commission President Arce suggested reviewing whether it would be part of the Department's jurisdiction to recommend that Green Construction policies do not allow implosion in the City and County of San Francisco. He announced that he received an invitation from community, environmental, and labor advocates working to continue the conversation about the CleanPowerSF relaunch that Mayor Lee and Supervisor Breed agreed to relaunch. He received the Commission's approval to report at the meeting the announcement that was made to relaunch the CleanPowerSF program.

16. Commission Secretary's Written Report. (Explanatory Document: Commission Secretary's Report and Correspondence Log) Monica Fish, Commission Secretary (Informational Report and Discussion)

- **Communications and Correspondence**
- **Update on City Legislation**

Commission Secretary Fish reported on the Commission Secretary's Report and Correspondence Log listing communications and correspondence received and status thereof and update on City legislation. She reported on the distribution of Commissioner W2's at the meeting.

17. New Business/Future Agenda Items. (Information, Discussion and Possible Action)

Commissioner Wald requested a second joint meeting with the San Francisco Public Utilities Commission. Commissioner Arce suggested a joint meeting with the Planning Commission on the topic of solar and green roofs. Director Raphael reported on the consultant that was hired to do a sustainability scan for the Planning Department and the benefits of holding a joint meeting. Commissioner Stephenson requested a report on the difference green building policies are making for new construction in San Francisco in comparison to other jurisdictions. Commissioner King requested a discussion on how to integrate electric vehicle chargers into multi-family units and planned unit developments and a policy discussion on artificial turf field installations. Director Raphael reported that City Hall has a City Hall Fellowes programs for high level work on City projects. The Department's project on how to bring electric vehicles to low and moderate multi families throughout the City was selected and once the project is complete, a report will be provided to the Commission on findings that were made. Commissioner Stephenson suggested that financing of soft story retrofits could cover electric vehicle charger installation at the same time.

18. Public Comments: Members of the public may address the Commission on matters that are within the Commission's jurisdiction and are not on today's agenda. There was no public comment at this time.

19. Public comment on all matters pertaining to the subsequent closed session on Public Employee Performance Plan and Appraisal Report. There was no public comment at this time.

20. Vote on whether to hold closed session to evaluate the performance of the Executive Director, Deborah Raphael. (Cal. Govt. Code § 54957; SF Admin. Code § 67.10(b).) [ACTION] Upon Motion by Commissioner Wald, second by Commissioner Stephenson, the Commission voted to hold closed session to evaluate the performance of the Executive Director (AYES: Commissioners Arce, King, Stephenson, Wald and Wan; Noes: None; Absent: None).

21. CLOSED SESSION – PUBLIC EMPLOYEE PERFORMANCE PLAN AND APPRAISAL REPORT
Possible closed session to evaluate the performance of the Executive Director, Deborah Raphael. (Explanatory Document: Performance Plan and Appraisal Report) (Cal. Govt. Code § 54957; SF Admin. Code § 67.10(b).) [DISCUSSION AND POSSIBLE ACTION]

The Commission convened in closed session at approximately 7:37 p.m. to evaluate the performance of the Executive Director, Deborah Raphael.

OPEN SESSION

Reconvene in open session: The Commission reconvened in open session at 8:12 p.m.

1. Vote to elect whether to disclose any or all discussions held in closed session. (Cal. Govt. Code § 54957.1(a); SF Admin. Code § 67.12(b).) [ACTION] Upon Motion by Commissioner Wald, second by Commissioner King, the Commission voted not to disclose any or all

discussions held in closed session (AYES: Commissioners Arce, King, Stephenson, Wald and Wan; Noes: None; Absent: None).

2. **Possible report on action taken in closed session and the vote thereon.** (Cal. Govt. Code § 54957.1(a); SF Admin. Code § 67.12(b).) No report was provided at this time.

22. Adjournment. The Commission on the Environment meeting adjourned at 8:14 p.m.

The next Regular Meeting of the Commission on the Environment is scheduled for Tuesday, March 24, 2015, 5:00 p.m. at City Hall, Room 416.

*** Copies of explanatory documents are available at (1) the Commission's office, 1455 Market Street, Suite 1200, San Francisco, CA 94102 between the hours of 9 a.m. and 5 p.m. A photo I.D. is required for entry to the building, (2) on the Commission's meeting website at <http://www.sfenvironment.org/commission/agendas> included with minutes by meeting date; (3) upon request to the Commission Secretary, at telephone number 415-355-3709, or via e-mail at Monica.Fish@sfgov.org. For an audio recording of this Commission meeting, access this link http://media-06.granicus.com:443/ondemand/sanfrancisco/sanfrancisco_b25e48fa-2df4-4aae-ba40-c71cf3b4a7df.mp3.*

Monica Fish, Commission Secretary
TEL: (415) 355-3709; FAX: (415) 554-6393