



SUSTAINABILITY COMMITTEE

RECORD OF ACTION FOR
November 28, 2022

Supervisor John Gioia, Chair
Supervisor Federal D. Glover, Vice Chair

Present: John Gioia, Chair
Federal D. Glover, Vice Chair

Staff Present: John Kopchik, Director, Dept. of Conservation and Development; Brian Balbas, Director, Dept. of Public Works; Joe Yee, Deputy Director, Dept. of Public Works; Carrie Ricci, Deputy Director, Dept. of Public Works; Warren Lai, Deputy Director, Dept. of Public Works; Cindy Shehorn, Purchasing Manager, Dept. of Public Works; Adam Scarbrough, Planner, Dept. of Conservation and Development; Jody London, Sustainability Coordinator, Dept. of Conservation and Development; Emily Groth, Climate Corps Fellow, Dept. of Conservation and Development; Demian Hardman-Saldana, Senior Planner, Dept. of Conservation and Development; Michael Kent, Hazardous Materials Ombudsman, Dept. of Health Services; Susan Psara, Green Business Program Manager, Dept. of Health Services; Wade Finlinson, Integrated Pest Management Coordinator, Dept. of Health Services; Will Nelson, Principal Planner, Dept. of Conservation and Development; Sonia Bustamante, Chief of Staff, Supervisor Gioia; Lisa Chow, District Representative, Supervisor Karen Mitchoff

Attendees: Mike Moore, 350 Contra Costa Action, Betty Lobos, Howdy Goudey, Call-in User 1, Kathryn Walsh, Jan Warren, Emlyn Struthers, Carol Weed, Lorne Smith, Susan Hurl

1. Introductions
2. Public comment on any item under the jurisdiction of the Committee and not on this agenda (speakers may be limited to three minutes).

There was no public comment.

3. APPROVE Record of Action from September 19, 2022, Meeting of the Sustainability Committee (Jody London, Department of Conservation and Development)

The Record of Action was unanimously approved.

4. APPROVE Record of Action from October 24, 2022, Special Meeting of the Sustainability Committee (Jody London, Department of Conservation and Development)

5. RECOMMEND Adoption by the Board of Supervisors of Environmentally Preferable Purchasing Policy (Carrie Ricci, Cindy Shehorn, Department of Public Works)

Cindy Shehorn from the Department of Public Works presented the County's newly revised Environmentally Preferable Purchasing Policy (EPP). Shehorn outlined past County efforts related to sustainable purchasing and procurement. These included a 2019 update to the Sustainability Committee given by Public Works and the Department of Conservation and Development (DCD) on sustainable procurement and the County's infrastructure plan that incorporates green components into unincorporated county road and building projects, for example grinding up existing roadway to be used when resurfacing roads. In County facilities, efforts have been made to install solar and electric vehicle (EV) chargers; retrofit lighting to LEDs when opportunities arise; achieve LEED certification on all new buildings, like the new Emergency Operations Center and new Administration Building; use non-toxic cleaning materials; collect paper and cardboard for recycling; and monitor paper purchases in accordance with Senate Bill 1383, which requires procured paper products to be made with 30% recycled material. The County is also working to procure EVs, in accordance with Administrative Bulletin 508.6. In alignment with these efforts, Public Works has been working with partners across County departments to update the EPP.

Public Comment:

On behalf of the County's Hazardous Materials Commission, Michael Kent thanked Shehorn and Carrie Ricci for their time and expertise in updating the EPP. Kent noted that the Commission's recommendations regarding treated lumber and materials containing PFAS, a type of plastic chemical, had been reflected in the updated policy.

Public comment also included a concern about potential negative economic impacts, such as loss of employment, related to the push for a green energy economy and the updated EPP and a request that economic impacts of the EPP be disclosed.

The Committee provided suggestions for the updated EPP. These included referencing the County's Climate Action Plan under the Statement of Policy; adding the reduction of greenhouse gas emissions under Purpose; and changing language to say "reduce" environmental impacts, rather than "minimize" environmental impacts in the Purpose. The Committee also noted a mistake in the numbering for "Biobased Products" on page 6.

Additionally, the Committee noted that the EPP includes the language "when practicable" and other similar language in multiple locations and requested clarification on what is meant by this language. Brian Balbas from the Department of Public Works explained that the language was included to recognize some of the continuing challenges the Department is navigating as it works to implement a wide variety of initiatives related to the Climate Action Plan as a large government organization. Balbas recognized that there are a number of items in the EPP that are already a part of the Department's normal course of business, and Public Works staff will look into making the language more firm in certain areas. The Committee specifically requested that staff reexamine and consider removing the language "when practicable" and other similar language in actions 3.3.2 regarding replacing inefficient interior lighting with LEDs; 3.3.3 regarding replacing inefficient exterior lighting, street lighting, and traffic signal lights with energy efficient equipment; 3.6.10 regarding the purchase of products containing PFAS; and 3.1.3 regarding the consideration of short and long term costs. The Committee also recommended that staff clarify that new construction must have all-electric space and water heating per County ordinance in 3.3.5 and add "lifecycle" before "costs" in the second sentence of 3.1.3.

The Committee also addressed a comment regarding "bio-based" fuels included in a public comment letter submitted before the meeting from 350 Contra Costa Action (see attached). The Committee recommended adjusting the language "encouraged whenever practicable" in action 3.3.1 on page 6 to clarify that the County's policy is zero-emission vehicles first and that plant-based fuels with low greenhouse gas lifecycle emissions according to the California Air Resources Board's (CARB) Low Carbon Fuel Standard scores are prioritized when liquid fuels are needed. The Committee also noted that biofuels' heating impact depends on the type of fuel and that CARB's draft 2022 Scoping Plan identifies certain situations in which there is a need to use biofuels with low greenhouse gas emissions, specifically for industries that are in the earlier stages of transitioning to zero-emission technology.

Staff will incorporate the changes discussed into the EPP.

The Committee directed staff to send updated language to the Committee members separately so each member can provide feedback to staff. The Committee recommended that the Board of Supervisors adopt the Environmentally Preferable Purchasing Policy with the amended language.

6. RECOMMEND APPROVAL by the Board of Supervisors and AUTHORIZE County participation in MCE's Electric Vehicle Charging Rebate Program, as recommended by the Public Works Director. (Brendan Havenar-Daughton, Department of Public Works)

The presentation given by Brendan Havenar-Daughton from the Department of Public Works applied to both agenda items 6 and 7. Havenar-Daughton provided an update on the County's progress implementing EV chargers at County facilities to be used for fleet and employee workplace charging where appropriate, including the first project at 30 Muir Road. As part of this effort, Public Works is exploring the use of job order contracting to streamline charger installation.

Havenar-Daughton also provided a funding summary for the EV charging station projects. 16 sites have been approved by the Board as priority sites, and additional sites have been identified based on fleet size, existing conduit, and other considerations. It is estimated about \$1.8 million in external funding will be available for chargers from MCE, the Contra Costa Transportation Authority, and the Bay Area Air Quality Management District. With an initial conservatively estimated gross cost of \$18,000 per port, Measure X allocations leave about \$720,000 available for internal costs. Staff is also exploring strategies to implement EV chargers at leased facilities.

The Committee requested clarification on the definition of ports, how Measure X funds will be applied to the project list, and the installation timeline. Havenar-Daughton clarified that a port is considered an active plug; that Measure X funds will be used for the Board-approved priority sites with any leftover funds being applied to additional projects; and that the goal is to have most projects under construction by next year with an estimated 18 months for completion.

Public comment included a concern about how those with reservations about the transition to EVs can share their concerns.

The Committee noted that the State has a law requiring the transition to zero-emission vehicles and expressed appreciation for Public Works' work to support the transition.

The Committee recommended that the Board of Supervisors approve and authorize County participation in MCE's Electric Vehicle Charging Rebate Program.

7. RECOMMEND APPROVAL by the Board of Supervisors and AUTHORIZE County participation in the Bay Area Air Quality Management District's Electric Vehicle Charging Rebate Program, as recommended by the Public Works Director.

The Committee recommended that the Board of Supervisors approve and authorize County participation in the Bay Area Air Quality Management District's Electric Vehicle Charging Rebate Program.

8. RECOMMEND APPROVAL by the Board of Supervisor and AUTHORIZE Public Works Director to execute Battery Services Agreement and Savings Guarantee Agreement with Total Energies Distributed Generation USA, LLC in conjunction with the Battery Energy Storage System proposed for the West County Detention Facility. (Brendan Havenar-Daughton, Department of Public Works)

Havenar-Daughton provided an overview of a project to install a 449 kW battery at the West County Detention Facility to provide backup energy storage. The battery will provide up to 500 hours of grid-independent charging to serve four EV chargers. 100 percent of material and labor costs will be covered by \$1.8 million from the California Public Utilities Commission's Self-Generation Incentive Program. With \$85,000 in guaranteed annual savings and \$25,000 in annual maintenance costs, the net annual savings is \$60,000 for a period of ten years. The County will be compensated if the estimated savings fall short. Due to supply chain delays, the battery is expected to be operational in July 2024, and staff is working to efficiently stage the project at the busy site.

There was no public comment.

The Committee welcomed Havenar-Daughton to the County and congratulated Balbas on his position as President of the County Engineers Association of California.

The Committee recommended that the Board of Supervisors approve and authorize the Public Works Director to execute Battery Services Agreement and Savings Guarantee Agreement with Total Energies Distributed Generation USA, LLC in conjunction with the Battery Energy Storage System proposed for the West County Detention Facility.

9. RECEIVE REPORT from Sustainability Commission Chair, or Designee. (Mike Moore, Sustainability Commission Chair)

Mike Moore, Sustainability Commission Chair, thanked the Committee for updating language in the Just Transition Economic Revitalization Plan project narrative and provided a summary of the October 24 Sustainability Commission meeting. At the Commission meeting, the Commission heard from Russell Watts and Belinda Zhu from the County Treasurer's Office, who provided an overview of the County's investment portfolio and Environmental, Social, and Governance (ESG) investing. Watts and Zhu shared the Office's plans to propose language in the Annual Investment Policy banning fossil fuel investments, though the County does not currently invest in these types of companies. Demian Hardman-Saldana provided a summary of funding opportunities in the Infrastructure Investment and Jobs Act (IIJA) and Inflation Reduction Act (IRA), and the Commission formed a working group to discuss a document covering IRA funding for disadvantaged communities. Moore also expressed the Commission's support for being involved in the County's Just Transition work.

The Committee noted that the Commission would go directly to the Pension Board if they were raising attention to investment practices related to County employee retirement pensions and requested clarification on how the Treasurer's Office's presentation came about, which had been requested by the Commission.

Public comment included a request to make reports more transparent and detailed.

10. RECEIVE REPORT from Sustainability Coordinator.

Jody London from the Department of Conservation and Development provided an update on the progress of the General Plan and Climate Action Plan (CAP) updates. Due to new State legislation that impacts the assumptions in the CAP, there is a need for additional modeling work, which will delay the public release of the draft CAP. Because of the delay, staff is preparing a CAP Interim Work Plan for 2023 and 2024, which will be brought to the Committee in January. Reporting on the CAP has been moved to March to align with other reporting documents from the Department of Conservation and Development.

Other ongoing sustainability projects around the County include the Carbon Sequestration Feasibility Study, developing a roadmap to convert existing buildings to all-electric, low-carbon concrete research, Just Transition, the G3 Champions, and Health Services' acceptance of a grant for air purifiers included on the agenda for the next Board meeting. London also noted that once the purchasing policy is adopted, the Department of Conservation and Development and Public Works will work with the Department Heads and G3 Champions to educate County staff on the new policy.

The Committee expressed appreciation for staff's aggressive work and leadership on climate change and is looking forward to the same type of energy next year. London expressed appreciation to the Committee for providing funding to support this work.

Public comment included a request that special attention be made to the job impacts of clean energy policies.

11. The next meeting is to be determined.
12. Adjourn

For Additional Information Contact:

Jody London, Sustainability Coordinator
Phone (925) 655-2815
Jody.London@dcd.cccounty.us