



Environment & Climate Commission

# AGENDA

## REGULAR MEETING OF THE ENVIRONMENT AND CLIMATE COMMISSION

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<https://us06web.zoom.us/j/81707197465>

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Dial (for higher quality, dial a number based on your current location):

US: +1 669 900 6833 | Webinar ID: 817 0719 7465

**PUBLIC ADVISORY: This meeting will be conducted exclusively through videoconference and teleconference.**

Pursuant to Government Code Section 54953(e) and the state declared emergency, this meeting of the Environment and Climate Commission will be conducted exclusively through teleconference and Zoom videoconference. The COVID-19 state of emergency continues to directly impact the ability of the members to meet safely in person and presents imminent risks to the health of attendees. Therefore, no physical meeting location will be available.

To access the meeting remotely: Join from a PC, Mac, iPad, iPhone, or Android device: Please use this URL <https://us06web.zoom.us/j/81707197465>. If you do not wish for your name to appear on the screen, then use the drop-down menu and click on "rename" to rename yourself to be anonymous. To request to speak, use the "raise hand" icon by rolling over the bottom of the screen. To join by phone: Dial +1 669 900 6833 and enter Meeting ID 817 0719 7465. If you wish to comment during the public comment portion of the agenda, Press \*9 and wait to be recognized by the Chair.

*Please be mindful that the teleconference will be recorded as any official meeting is recorded, and all other rules of procedure and decorum will apply for official meetings conducted by teleconference or videoconference.*

**Wednesday, July 27, 2022, 5:00 PM**

### **PRELIMINARY MATTERS**

#### **1. Call to Order and Roll Call:**

Vacant	Mayor	Mayor
Ranney, Sarah	Kesarwani	District 1
Vacant	Taplin	District 2
McGuire, Brianna	Bartlett	District 3
Tahara, Daniel	Harrison	District 4
Vacant	Hahn	District 5
Guliasi, Les	Wengraf	District 6
Lunaparra, Cecilia	Robinson	District 7
Gould, Ben	Droste	District 8

**2. Public Comment:** Comments on subjects not included on the agenda (3-minute limit per individual)

**3. Approval of Minutes:** [Approval of Minutes from Last Meeting \(June 22, 2022\)](#)

4. **Agenda Check:** Commissioners may rearrange items on the agenda
5. **Update from Chair** (Chair Gould)
6. **Update from staff:** Toxics Division (Jamie Cooney), Office of Energy & Sustainable Development (Billi Romain, Rebecca Milliken, Ammon Reagan)

### ***DISCUSSION AND ACTION ITEMS***

7. **Discussion:** Tracking Climate Action and Resilience Implementation Progress Indicators
8. **Discussion:** \$1.5 M Healthy Residential Electrification Just Transition Pilot Program
  - [Just Transition Presentation](#)
  - [Just Transition Referral](#)
9. **Discussion and Action:** Environment and Climate Commission Work Plan
  - [2022 Work Plan – DRAFT](#)
  - [CEAC Transition Memo](#)
  - [Energy Commission Transition Memo](#)
10. **Discussion and Action:** Appointment of Commission Liaisons
  - Planning Commission
  - Transportation and Infrastructure Commission
  - Parks, Recreation and Waterfront Commission
  - Zero Waste Commission
  - Disaster and Fire Safety Commission
  - Housing Advisory Commission
11. **Discussion:** Items for Future Agenda
  - Potential action on local amendments to 2022 Building Code (Sept)

### ***INFORMATION ITEMS***

#### **12. Communications**

#### **13. Announcements from Commissioners**

### ***ADJOURNMENT***

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*This meeting will be conducted in accordance with the Brown Act, Government Code Section 54953. Any member of the public may attend this meeting. Questions regarding this matter may be addressed to Billi Romain, 510-981-7432, [bromain@cityofberkeley.info](mailto:bromain@cityofberkeley.info).*

*Communications to Berkeley boards, commissions or committees are public record and will become part of the City's electronic records, which are accessible through the City's website. Please note: E-mail addresses, names, addresses, and other contact information are not required but, if included in any communication to a City board, commission, or committee, will become part of the public record. If you do not want your e-mail address or any other contact information to be made public, you may deliver communications via U.S. Postal Service or in person to the secretary of the relevant board, commission, or committee. If you do not want your contact information included in the public record, please do not include that information in your communication. Please contact the secretary to the relevant board, commission, or committee for further information.*

*Any writings or documents provided to a majority of the commission regarding any item on this agenda will be made available for public inspection at the Planning Department located at 1947 Center Street.*



**COMMUNICATION ACCESS INFORMATION:**

This meeting is being held in a wheelchair-accessible location. To request a disability-related accommodation(s) to participate in the meeting, including auxiliary aids or services, please contact the Disability Services specialist at 981-6418 (V) or 981-6347 (TDD) at least three business days before the meeting date. Please refrain from wearing scented products to this meeting.

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I hereby certify that the agenda for this regular/special meeting of the Berkeley City Commission on Commissions was posted at the display case located near the walkway in front of the Maudelle Shirek Building, 2134 Martin Luther King Jr. Way, as well as on the City's website.

Billi Romain, Commission Secretary





Environment & Climate Commission

**ENVIRONMENT AND CLIMATE COMMISSION DRAFT MINUTES**  
**Wednesday, June 22, 2022**

<b>Vacant</b>	Mayor	Mayor
<b>Ranney, Sarah</b>	Kesarwani	District 1
<b>Vacant</b>	Taplin	District 2
<b>Vacant</b>	Bartlett	District 3
<b>Tahara, Daniel</b>	Harrison	District 4
<b>Vacant</b>	Hahn	District 5
<b>Guliasi, Les</b>	Wengraf	District 6
<b>Lunaparra, Cecilia</b>	Robinson	District 7
<b>Gould, Ben</b>	Droste	District 8

1. Call to Order and Roll Call

The meeting was called to order by Acting Secretary Sarah Moore at 5:01 p.m.  
Commissioners Present: Ranney, Tahara, Guliasi, Lunaparra, Gould  
Commissioner Leave of Absence: None  
Commissioner Absent: None  
Staff: Sarah Moore, Katie Van Dyke, Rebecca Milliken, Alene Pearson

2. Public Comments and Announcements:

5 member(s) of the Public  
1 comment(s)

3. Approval of Minutes:

Motion/second to approve the May 25, 2022 Minutes (Tahara, Guliasi). The motion carried 4-0-1-0; Ayes: Ranney, Tahara, Guliasi, Gould. Noes: None. Abstain: Lunaparra. Absent: None.

4. Agenda Check

5. Update from Chair

6. Update from staff

***DISCUSSION AND ACTION ITEMS***

7. Discussion: Environment and Climate Commission Work Plan

Motion to table Item 11a Fossil Fuel Parcel Tax Recommendation in the Workplan indefinitely (Gould, Tahara). The motion carried 5-0-0-0; Ayes: Ranney, Tahara, Guliasi, Lunaparra, Gould. Noes: None. Abstain: Absent: None.

Motion to table Item 9 (Gas Station Ban & EV Charging Expansion) and Item 10 (Fossil Free and Just Transition Overlay) until next meeting (Gould, Guliassi). The motion carried 5-0-0-0; Ayes: Ranney, Tahara, Guliassi, Lunaparra, Gould. Noes: None. Abstain: Absent: None.

8. Discussion: Climate Literacy
9. Discussion Gas Station Ban and EV Charging Expansion
10. Discussion: Fossil Free and Just Transition Overlay
11. Discussion: Potential Revenue Measure Process & Procedures
  - a. Fossil Fuel Parcel Tax Recommendation
  - b. Building Emissions Tax
12. Discussion: Tracking Climate Action and Resilience Implementation Progress
13. Action: Appointment of Commission Liaisons
14. Discussion: Items for Future Agenda

### ***INFORMATION ITEMS***

15. Communications
16. Announcements from Commissioners

### ***ADJOURNMENT***

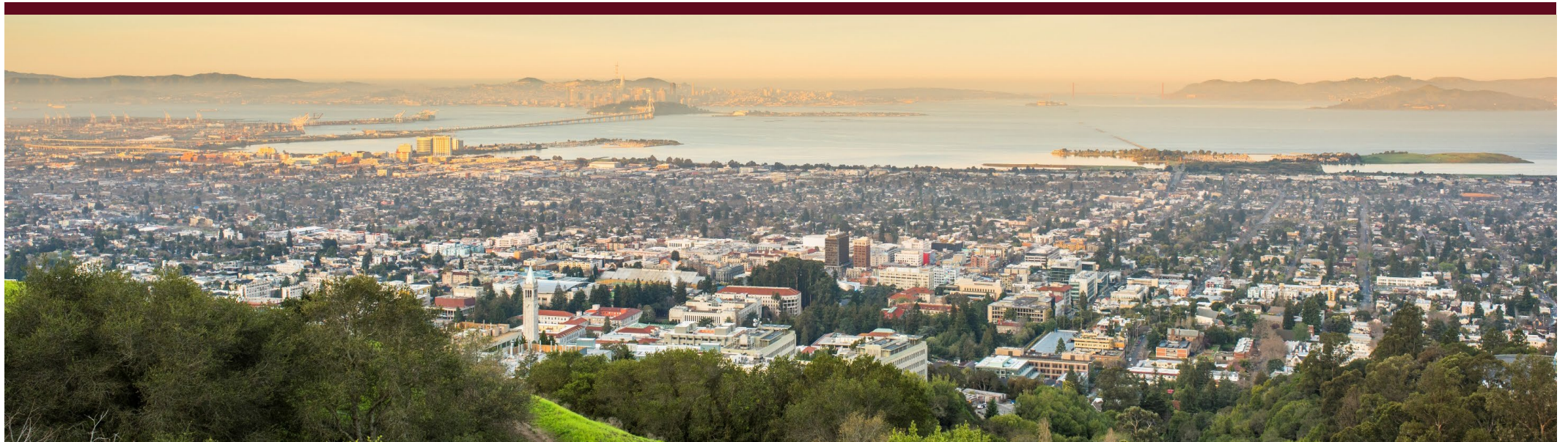
Motion/second to adjourn at 7:00 pm (Gould, Tahara). The motion carried 5-0-0-0; Ayes: Ranney, Tahara, Guliassi, Lunaparra, Gould. Noes: None. Abstain: Absent

Minutes Approved:  
/S/ Billi Romain, Berkeley Energy Commission Secretary



# Office of Energy & Sustainable Development UPDATE

Environment and Climate Commission  
July 27, 2022





# OESD Council Items for Commission Input

Initiative	Commission	Council
Just Transition Pilot Program	July 2022 (input on funding categories)	Mid 2023 (award contract)
Report on GHG Emissions Inventory & Performance Indicators	July 2022 (input Performance Indicators) September 2022 (preview)	November 2022
Recommendation to Adopt Local Building Code Amendments	September 2022 (recommendation on ordinance)	December 2022
Climate Equity Fund Pilot Programs	2023 Annual report (input)	2023 Annual report
BESO Time of Listing Requirements	December 2022 (input) 2023 (recommendation on ordinance)	2023 (ordinance amendment)
BESO Building Performance Standards	2023 (input) 2024 (recommendation on ordinance)	2024 (ordinance amendment)





# Climate Justice Collaborative

Hip Hop for Change

Lifelong Medical  
Center

Berkeley Black  
Ecumenical  
Ministerial Alliance

Latinos Unidos

Bay Area Hispano  
Institute for  
Advancement



Berkeley Youth  
Alternatives

Center for  
Independent Living

Gray Panthers of  
Berkeley East Bay



# Building Emissions Savings Ordinance (BESO)



Homes 1-4 Units

- Electrification Assessment and fuel source disclosure at **time of listing**



Small Buildings  
Up to 15k

- Electrification Assessment and fuel source disclosure at **time of listing**



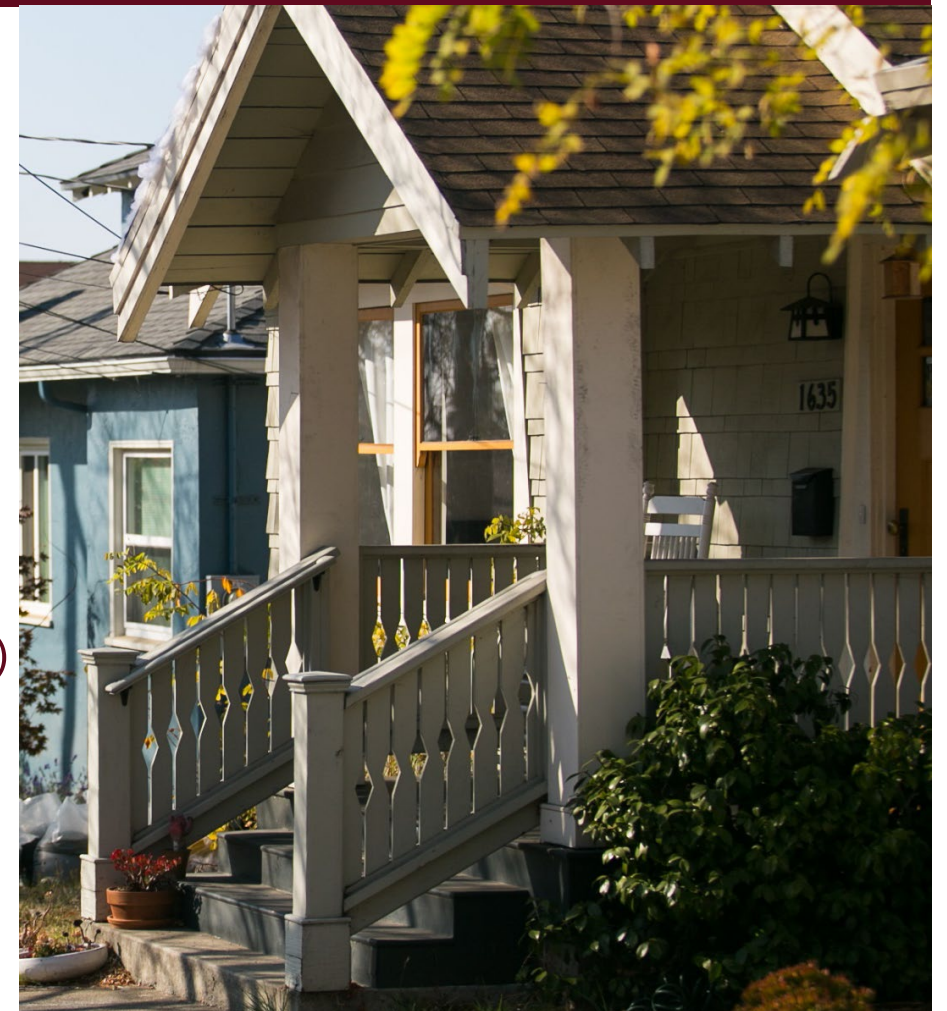
Medium Buildings  
15k -25k

- Electrification Assessment and fuel source disclosure at **time of listing**
- Annual Benchmarking (starting 2022)



Large Buildings  
25k+

- Electrification Assessment **every 5 years**
- Annual Benchmarking





# BESO 2020 Amendment

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**Align BESO with  
Emissions Reduction  
& Resilience Goals**



**Streamline requirements  
for small and medium  
sized buildings**



**Increase upgrades and  
utilization of  
rebate/incentive  
programs**



**Increase transparency  
and information sharing  
in the building sale  
process**



# Online BESO Portal

## BUILDING EMISSIONS SAVING ORDINANCE (BESO)

### Address Selection

Search the address of your building to look up status or start a new application :

1003 TEST AVE, BERKELEY, CA 94704

### Property Information

Building Address  
1003 TEST ST

Full Address  
1003 TEST AVE, BERKELEY, CA 94704

Current Status  
Compliant

Energy Report Due

Status Description  
Energy Report on File

BESO Disclosure Link  
[Click here to view BESO Assessment](#)

DO YOU WANT YOUR COMPLIANCE FORM SENT TO YOUR EMAIL ADDRESS?  Yes  No

Check  
Compliance  
Status

Download  
Assessment

Receive  
Compliance  
Form via Email



# Residential Electrification Just Transition Pilot

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## 1. Referral from Council June 14, 2022

- One time funding for Pilot Program \$1.5 M
- Requires labor standards, such as prevailing wage
- Preference for assisting existing affordable housing buildings and households at or below 120% AMI (\$170K for family of 4)

## 2. Eligible funding categories

- Maximize equitable emissions reductions and benefits to eligible households
- Input from Environment and Climate Commission and FITES, as well as community and labor groups

# Timeline

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## 2022

Q3 Community Assessment

Q4 Development of Labor Standards  
Program Development

## 2023

Q1 Request For Proposal

Q2-3 Selection and Contracts

Q4 Implementation of 2 year Program thru 2025

# Discussion

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- **Goals for Pilot Program?**
- **How do we support transformative change with one time funding?**
- **Eligible funding categories?**
  - Direct Install that integrates with home rehab programs for holistic retrofit
  - Integration with deed restricted affordable housing capital improvement programs
  - Neighborhood scale electrification (more than one house)
  - Neighborhood scale gas decommissioning
  - Bulk purchase and install of single appliance (HPWH or wall heater replacement with mini-split)







Kate Harrison  
Councilmember District 4

ACTION CALENDAR  
June 14, 2022

To: Honorable Mayor and Members of the City Council

From: Councilmember Harrison (Author), Councilmember Bartlett (Co-Sponsor)

Subject: Budget Referral and Resolution Establishing a Pilot Existing Building Electrification Installation Incentives and Just Transition Program with Pre-Qualified Contractors Meeting Minimum Labor Standards to Assist New Property Owners, Renters and Existing Property Owners with Transition to Zero-Carbon Buildings

RECOMMENDATION

1. Adopt a Resolution establishing:
  - a. a referral to Office of Energy and Sustainable Development (OESD) staff to design and launch a two-year Pilot Existing Building Electrification Installation Incentives and “Just Transition” Program, using pre-qualified contractors meeting minimum labor standards to assist new property owners, renters and existing property owners with transition to zero-carbon plumbing, HVAC, cooking, and related electrical systems, with a preference first for assisting existing affordable housing buildings and assisting households at or below 120% of the Area Median Income; and
  - b. an annual process for the Energy (or successor) Commission and the Facilities, Infrastructure, Transportation, Environment & Sustainability Policy Committee (FITES), in consultation with community and labor groups, to provide input to staff and Council about eligible *categories* of fund expenditures to maximize equitable emissions reductions and impacts for eligible households while leaving the mechanisms for doing so to staff discretion.
2. Send copies of the Resolution and letters to members of the California Public Utilities and Energy Commissions, Governor Newsom, State Senator Skinner, and Assemblymember Wicks conveying urgent support for a statewide approach to rapidly contract the natural gas distribution system in a way that is safe, economical for remaining customers, and that provides a just transition for affected workers, including gas utility and extraction workers.

Budget Referral and Resolution Establishing a Pilot Existing Building Electrification Installation Incentives and “Just Transition” Program with Pre-Qualified Contractors Meeting Minimum Labor Standards to Assist New Property Owners, Renters and Existing Property Owners with Transition to Zero-Carbon Buildings

### POLICY COMMITTEE RECOMMENDATION

On November 3, 2021, the Budget & Finance Committee adopted the following action:  
Action: 15 speakers. M/S/C (Arreguín/Harrison) to send the item to Council with a qualified positive recommendation including the following amendment:

Recommendation 2. That part of the recommended funding source is American Rescue Plan dollars and;

Recommendation 1a. Modifying the end of the last sentence to “with a preference first for affordable housing projects and assisting households at or below 120% the area median income.”

Vote: Ayes – Harrison, Arreguín; Noes – None; Abstain – Droste; Absent - None.

### CURRENT SITUATION, EFFECTS, AND RATIONALE FOR RECOMMENDATION

The world is facing a grave climate emergency, requiring municipalities to rapidly transition towards zero carbon economy by 2030. Transitioning Berkeley’s economy will require significant investment on the part of both government and residents. It is in the public interest to establish a direct install financial incentive and “just transition” program using pre-qualified contractors meeting minimum labor standards to assist new property owners, renters and existing property owners with the transition to zero-carbon buildings. This item establishes the general scope of a two-year Existing Building Electrification Incentive Program Pilot and refers to staff to design an equitable program with \$1,500,000 for FY22, inclusive of staffing costs, and contingent on the availability of excess equity, from the General Fund. It also asks the Energy (or successor) Commission and FITES Committee, in consultation with community groups, to provide input to staff and Council on at least an annual basis about categories of fund expenditures that would provide the most benefit for lower-income households, maximize equitable emissions reduction impacts, and support residential construction contractors who will reliably perform high-quality work and provide high-road careers for workers. The establishment of this program is consistent with staff and Council goals and budgetary priorities.

### BACKGROUND

According to the best available science, a 50% reduction in emissions must happen worldwide by 2030 or earlier in order to delay extremely catastrophic warming. To meet the U.N.’s global 2050 target to keep emissions as close as possible to 1.5 degrees Celsius, wealthy nations and cities must approach zero by 2030.<sup>1</sup>

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<sup>1</sup> IPCC, 2018: Summary for Policymakers. In: *Global Warming of 1.5°C. An IPCC Special Report on the impacts of global warming of 1.5°C above pre-industrial levels and related global greenhouse gas emission pathways, in the context of strengthening the global response to the threat of climate change, sustainable development, and efforts to eradicate poverty* [Masson-Delmotte, V., P. Zhai, H.-O. Pörtner,

Budget Referral and Resolution Establishing a Pilot Existing Building Electrification Installation Incentives and “Just Transition” Program with Pre-Qualified Contractors Meeting Minimum Labor Standards to Assist New Property Owners, Renters and Existing Property Owners with Transition to Zero-Carbon Buildings

As a result of the scientific and economic realities of climate change, and despite the people of Berkeley’s average relative wealth, it is not realistic to expect the owners and renters of the city’s approximately 46,000 residential housing units to electrify their buildings in a decade without significant government co-investment. Low-carbon technology can often be out of reach of many lower-income households and, without direct assistance, many will be left behind. Transitioning Berkeley’s economy will require significant investment on the part of both residents and the government. Following Berkeley’s 2019 landmark prohibition on natural gas infrastructure, staff have released a Draft Berkeley Existing Buildings Electrification Strategy that is currently unfunded. Although the City recently invested \$600,000 to seed the Climate Equity Action Fund, the funding is extremely limited and may not be enough for certain electrification retrofit projects.

Additional investments would significantly lower Berkeley’s carbon emissions, at least 37% of which are from buildings, and provide residents with a plethora of health and safety benefits that will likely outweigh upfront costs. The program can be crafted in a way that supports good paying jobs, for example including unionized contractors, workforce development and local hire requirements. The transition to a zero-carbon city thus has the potential to uplift both workers and residents.

### **Existing Buildings Electrification Strategy**

In January 2021, the City’s Office of Energy and Sustainable Development reported to the Energy Commission that the cost of electrifying the City’s entire low-rise building stock (approximately 36,000 units, or 90% of all Berkeley buildings and 65% of floor area) would be between \$700 and \$880 million. An additional \$120 million is needed for efficiency improvements and solar.

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D. Roberts, J. Skea, P.R. Shukla, A. Pirani, W. Moufouma-Okia, C. Péan, R. Pidcock, S. Connors, J.B.R. Matthews, Y. Chen, X. Zhou, M.I. Gomis, E. Lonnoy, T. Maycock, M. Tignor, and T. Waterfield (eds.)). *World Meteorological Organization, Geneva, Switzerland, 32 pp.* <https://www.ipcc.ch/sr15/chapter/spm/>.

Budget Referral and Resolution Establishing a Pilot Existing Building Electrification Installation Incentives and “Just Transition” Program with Pre-Qualified Contractors Meeting Minimum Labor Standards to Assist New Property Owners, Renters and Existing Property Owners with Transition to Zero-Carbon Buildings

Item 9 - Communications  
 Energy Commission  
 January 27, 2021  
 1/27/2021

Draft Total Costs			
Approximate total modeled costs for converting Berkeley's low-rise housing stock today:			
<ul style="list-style-type: none"> <li>Covers 36,000 1-3 floor homes (90% of all Berkeley buildings and 65% of floor area)</li> <li>\$280-430 Million more than business-as-usual gas replacements (no solar or envelope improvements)</li> <li>Additional \$220-660 Million for envelope efficiency and solar PV</li> </ul>			
	No Solar	Minimum Solar (Offset)	Maximum Solar (Net Zero Energy)
Economy Appliances	\$700 Million	\$930 Million	\$1.2 Billion
Mid-Tier Appliances	\$880 Million	\$1 Billion	\$1.2 Billion
Mid-Tier + Envelope Improvements	\$1 Billion	\$1.2 Billion	\$1.4 Billion

Table 3-4. Average Results for All Measure Packages

#	Electrification Package	Energy Bill Savings (\$/yr)	Energy Bill Savings (%)	Gross Cost (\$)	Incremental Cost (\$)	Incremental Cost with Current Incentives (\$)	Incremental Cost with Incentives + Financing (\$)
1.1	Economy Appliances	-\$540	-33%	\$19,870	\$7,930	\$7,930	\$12,290
1.2	Economy Appliances + Offset Solar	\$540	33%	\$26,160	\$14,220	\$14,220	\$5,610
1.3	Economy Appliances + NZE Solar	\$1,480	89%	\$32,270	\$20,330	\$20,330	\$1,470
2.1	Mid-Tier Appliances	\$5	0%	\$24,750	\$12,110	\$9,910	\$9,880
2.2	Mid-Tier Appliances + Offset Solar	\$590	35%	\$28,200	\$15,560	\$13,360	\$6,090
2.3	Mid-Tier Appliances + NZE Solar	\$1,510	91%	\$34,270	\$21,630	\$19,430	\$1,700
3.1	Mid-Tier Appliances + Envelope	\$90	5%	\$29,320	\$16,690	\$13,240	\$12,540
3.2	Mid-Tier Appliances + Envelope + Offset Solar	\$600	36%	\$32,350	\$19,720	\$16,720	\$9,470
3.3	Mid-Tier Appliances + Envelope + NZE Solar	\$1,510	91%	\$38,410	\$25,780	\$22,320	\$4,520

Note: Modeled costs are averages and electrification costs may be higher or lower depending on individual building characteristics

Clearly, this relatively modest pilot program paired with the Climate Equity Action Fund would only make a small dent in the City’s retrofit challenge, perhaps facilitating 400-500 retrofits per year. However, the success of this pilot program will likely spur the Council and residents to seek additional federal, state and local funds to expand the program in subsequent years. The expertise and lessons learned through this pilot will help guide future efforts aimed at closing the 46,000 gas-powered residential unit challenge.

Since 2018, the Council has explored opportunities to increase public investment in building electrification retrofits. Councilmember Harrison’s November 27, 2018 referral, following the passage of the Climate Emergency Declaration, requested that the City Manager draft an ordinance expanding eligibility for the existing Seismic Transfer Tax Rebate Program to include electrification and other resiliency measures. Staff

Budget Referral and Resolution Establishing a Pilot Existing Building Electrification Installation Incentives and “Just Transition” Program with Pre-Qualified Contractors Meeting Minimum Labor Standards to Assist New Property Owners, Renters and Existing Property Owners with Transition to Zero-Carbon Buildings

subsequently presented the draft ordinance to Council in July of 2020 at the outset of the COVID-19 pandemic with a recommendation to take no action for a year due to COVID-19-related fiscal uncertainty, and the item was held over at the Facilities, Infrastructure, Transportation, Environment & Sustainability Policy Committee (FITES).

At the same time, staff also presented to FITES a related referral to design a companion Resilient Homes Equity Pilot Program that would provide funding for home retrofit improvements to low-income residents. FITES and Council agreed to move the Resilient Homes Equity Pilot Program design and research process forward in November, 2020. The program remains underfunded.

In early 2021, Councilmember Harrison’s office and the FITES Committee worked with City staff to explore opportunities to fund retrofits through general fund transfer tax revenues and establishing a cap on total and per beneficiary allocations. In working with the City Manager, Councilmember Harrison concluded that while the existing transfer tax rebate system is a good vehicle for allocating at point of sale, it does not necessarily provide funding for existing property owners who may need to replace a broken appliance or who want to make voluntary retrofits. A better vehicle is a two-year direct install pilot; this requires fewer staff resources to administer and builds on significant staff experience and expertise administering incentive programs.

This item is a companion to the Seismic Transfer Tax Rebate model in the form of a budget referral and resolution establishing two-year pilot incentive program funded via general fund allocations, which are currently partially funded by transfer tax revenue.

### **Existing Building Electrification Direct Install Incentive and Just Transition Program Pilot**

This item proposes a direct install incentive and Just Transition pilot program that is consistent with recent workforce-focused building decarbonization developments initiatives at the state, regional and local levels that benefit labor, minimize cost, and maximize climate benefits.

On February 22, 2021 the California Workforce Development Board announced a \$8.9 million grant as part of the High Road Training Partnership (H RTP) for “sector-based workforce development projects in several industries and areas that are critical to the state’s strategy for a just recovery from the COVID-19 pandemic and economic crisis while addressing climate change and community resilience.”<sup>2</sup> According to the

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<sup>2</sup> California Workforce Development Board, “CWDB Announces Grants to Invest in Building Back Better with Equity, Climate and Jobs, February 22, 2021, [https://cwdb.ca.gov/wp-content/uploads/sites/43/2021/03/CWDB-PressRelease-H RTP-Open-FINAL-021821\\_ACCESSIBLE.pdf](https://cwdb.ca.gov/wp-content/uploads/sites/43/2021/03/CWDB-PressRelease-H RTP-Open-FINAL-021821_ACCESSIBLE.pdf)

Budget Referral and Resolution Establishing a Pilot Existing Building Electrification Installation Incentives and “Just Transition” Program with Pre-Qualified Contractors Meeting Minimum Labor Standards to Assist New Property Owners, Renters and Existing Property Owners with Transition to Zero-Carbon Buildings

California Workforce Development Board, “high road” employers include those firms “that compete based on quality of product and service achieved through innovation and investment in human capital, and can thus generate family-supporting jobs where workers have agency and voice.”<sup>3</sup>

Bay Area-based Rising Sun Center for Opportunity received \$600,000 from the grant to launch a “High Road to Residential Building Decarbonization” project to convene more than 20 Bay Area cities, government agencies, unions, employers, and advisors.<sup>4</sup> The City of Berkeley along with the Construction Trades Workforce Initiative (CTWI), the non-profit arm of the Building & Construction Trades Councils of Alameda and Contra Costa Counties, were invited to participate in ongoing discussions about ensuring equitable access to high-road jobs in the building decarbonization industry.

To date, these and other ongoing collaborative efforts have been extremely productive—in May 2021 CTWI and the Alameda County Building Trades Council provided helpful feedback and recommendations to the City’s OESD staff regarding the City’s Existing Buildings Electrification Strategy. However, the state grant did not include funding to do the physical work of electrification retrofits. Significantly, CTWI and Trades Council committed to:

“...supporting the City of Berkeley in its goals of reducing greenhouse gas emissions while ensuring that people who live and work in Berkeley—especially those from historically disadvantaged populations—have access to high-road, family-sustaining careers in union construction associated with existing building electrification and decarbonization.”<sup>5</sup>

In addition, their key recommendations to the City of Berkeley’s building electrification strategy include:

1. Address decarbonization overall—building electrification as well as energy efficiency measures—when planning strategies for a “Just Transition” in consultation with all crafts affected, including but not limited to Sheet Metal, Electricians, Carpenters, Plumbers and Pipefitters.
2. Create programs and identify funding sources to incentivize Berkeley property owners to replace, upgrade and install systems that will achieve energy efficiency goals.

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<sup>3</sup> California Workforce Development Board, “High Road Training Partnerships,” Rising Sun Center for Opportunity, “Rising Sun Convenes Partnership to Promote Equitable Job Access in the Bay Area’s Post-Carbon Economy,” March 29, 2021, <https://cwdb.ca.gov/initiatives/high-road-training-partnerships/>.

<sup>4</sup> <https://risingsunopp.org/wp-content/uploads/Rising-Sun-HRTP-Press-Release.pdf>.

<sup>5</sup> CTWI Policy Recommendations City of Berkeley Existing Buildings Electrification Strategy.

Budget Referral and Resolution Establishing a Pilot Existing Building Electrification Installation Incentives and “Just Transition” Program with Pre-Qualified Contractors Meeting Minimum Labor Standards to Assist New Property Owners, Renters and Existing Property Owners with Transition to Zero-Carbon Buildings

3. Require the use of pre-qualified residential construction contractors who will reliably perform high-quality work and provide high-road careers for workers.
4. Link disadvantaged Berkeley residents to training programs that prepare them to enter and succeed in union construction careers by working with and budgeting for ongoing City funding for local Multi-Craft Core Curriculum (MC3) workforce partners, school districts/community colleges and CBOs to develop and sustain a long-term pipeline of work in the residential building retrofit market that carries high-road labor standards.
5. Develop public education campaigns and resources to promote new City programs and the benefits of energy efficient systems and appliances; provide information on systems and requirements; and link property owners to a list of pre-qualified contractors.

Since this item was deferred to the November AAO following the June 2021 budget process, Councilmember Harrison’s office has engaged with the CTWI and the Trades to expand the item to incorporate specific recommendations to further refine the proposed incentive program and to enhance benefits to workers and residents.

This Budget Referral and Resolution now support each of the above CTWI and Trades recommendations.

With respect to recommendations 1-3, the \$1.5 million budget allocation would create a “direct install” incentive program. Direct install programs eliminate the need for households to find and manage their own contractors, and therefore can achieve significant cost savings. They also equitably eliminate or reduce the amount of upfront money needed by property owners to conduct retrofits, and eliminate the need to retroactively apply or wait for rebates (e.g., at tax time etc.). For example, the Sacramento Municipal Utility District (SMUD) recently reported the following significant advantages of direct install strategies to the California Energy Commission:

“SMUD has achieved significant societal cost savings by using direct installation in low-income single-family homes. For example, SMUD’s average low-income direct installation cost for a heat pump water heater is \$2,200 whereas for our market rate program, in which SMUD incentivizes \$2,500 and the customer is responsible for hiring a contractor, the average total cost is close to \$3,800. The cost savings may be even greater if the direct-install contractor is able to go door-to-door and convert multiple adjacent homes. Direct installation has only been used for low-income programs to date but could be equally beneficial when applied to any home or neighborhood. While labor costs associated with direct installation can be greater given prevailing wage

Budget Referral and Resolution Establishing a Pilot Existing Building Electrification Installation Incentives and “Just Transition” Program with Pre-Qualified Contractors Meeting Minimum Labor Standards to Assist New Property Owners, Renters and Existing Property Owners with Transition to Zero-Carbon Buildings

considerations, direct installation can nevertheless be cost-competitive for the utility in sufficient volume.”<sup>6</sup>

Further, OESD’s draft electrification strategy recommends direct install programs because they streamline permitting and lower barriers to residents:

“One of the major hurdles many community members face is lack of knowledge regarding incentives and rebates for electric equipment. When an appliance like a hot water heater breaks, there is rarely time to conduct extensive research on the programs available. This action would tie these resources directly to the permit for the appliance. When a permit is pulled for a heat pump hot water heater, that incentive would be given directly to the installer. This would lower the upfront costs for consumers and further incentivize electrification. Furthermore, this action would help remove the procedural inequities currently experienced by marginalized communities who may not have the time to conduct research or resources to pay the full price of the equipment while they wait for rebates to arrive.”<sup>7</sup>

Such a direct install program could also include energy efficiency upgrades if paired with utility-based and regional incentives for insulation and other building envelope improvement programs potentially employing the labor of additional trades.

Importantly for workers, the direct install program would incorporate pre-qualified contractors meeting minimum quality and labor standards, similar to the City’s existing project labor agreements. The City would also achieve economies of scale on permitting and inspection processes and ensure workers are properly trained and licensed/certified. Staff should consider the following pre-qualification requirements:

1. Certification that the contractor is in compliance with all applicable licensing, bonding, and insurance requirements;
2. Certification that the Contractor participates in, makes training fund contributions to, and sponsors apprenticeships from a state-approved apprenticeship program that partners with an MC3 pre-apprenticeship program;
3. Certification that the contractor provides family health benefits and pension benefits to its workers;
4. Certification that the contractor has not been convicted of, fined, or penalized for any violation of wage, labor, safety, or building standard requirements within the last five years;

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<sup>6</sup> Sacramento Municipal Utility District, “SMUD Comments on Building Decarbonization and Energy Efficiency,” 21-IEPR-06 and Building Decarbonization, July 27, 2021, <https://efiling.energy.ca.gov/GetDocument.aspx?tn=239016&DocumentContentId=72448>

<sup>7</sup> OESD, Draft Existing Buildings Electrification Strategy, April, 2021, [https://www.cityofberkeley.info/uploadedFiles/Planning\\_and\\_Development/Level\\_3\\_-\\_Energy\\_and\\_Sustainable\\_Development/Draft\\_Berkeley\\_Existing\\_Bldg\\_Electrification\\_Strategy\\_20210415.pdf](https://www.cityofberkeley.info/uploadedFiles/Planning_and_Development/Level_3_-_Energy_and_Sustainable_Development/Draft_Berkeley_Existing_Bldg_Electrification_Strategy_20210415.pdf)



Budget Referral and Resolution Establishing a Pilot Existing Building Electrification Installation Incentives and “Just Transition” Program with Pre-Qualified Contractors Meeting Minimum Labor Standards to Assist New Property Owners, Renters and Existing Property Owners with Transition to Zero-Carbon Buildings

5. Certification that no surety firm has had to complete a contract or pay for completion of a contract on behalf of the contractor or subcontractor within the last five years;
6. Certification that the contractor has not had any licenses revoked within the past five years;
7. Certification that the contractor is not ineligible to bid, be awarded or subcontract on a public works project pursuant to either Labor Code section 1777.1 or Labor Code section 1777.7;
8. Certification that the contractor has not been cited for any serious, willful or repeat OSHA violations within the last five years as defined under Title 8 of the California Code of Regulations.
9. Certification that the contractor has a Better Business Bureau rating of “B” or higher.

With respect to recommendation 4, the Resolution also refers to staff to design the program in consultation with labor partners to facilitate apprenticeship opportunities for Berkeley residents, including historically disadvantaged populations. The program would be integrated into the City’s website and existing communications channels pursuant to recommendation 5.

The item also supports the concept of “just transition” off fossil fuels and towards a zero-carbon economy. According to a report by the Climate Equity Network, a just transition includes moving away from fossil fuels “in a manner that protects workers and communities economically dependent on the fossil fuel industry” and involves “those who have historically been excluded from the jobs and economic benefits of the extractive economy and expand the populations who have access to future jobs and economic opportunities.”<sup>8</sup>

While the City of Berkeley and Alameda County are not known for their petroleum extraction industries, the Alameda County Building Trades include Pipefitters, who stand to lose natural gas infrastructure installation and maintenance jobs over time as part of the City’s implementation of the natural gas prohibition (BMC 12.80) ordinance and other electrification initiatives. A 2019 UCLA Luskin Institute study found that 3,100-3,600 jobs statewide could be lost as a result of new construction electrification policies alone. Meanwhile, the study estimated a statewide increase of 64,232-104,060 building electrification jobs, including retrofits.<sup>9</sup> By partnering with organized labor through this

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<sup>8</sup> The Climate Equity Network, “A Roadmap to an Equitable Low-carbon Future: Four Pillars for a Just Transition, April, 2019,

[https://dornsife.usc.edu/assets/sites/242/docs/Just\\_Transition\\_Final\\_Report\\_2019.pdf](https://dornsife.usc.edu/assets/sites/242/docs/Just_Transition_Final_Report_2019.pdf)

<sup>9</sup> UCLA Luskin Center, “California Building Decarbonization: Workforce Needs and Recommendations,” November, 2019, [https://innovation.luskin.ucla.edu/wp-content/uploads/2019/11/California\\_Building\\_Decarbonization.pdf](https://innovation.luskin.ucla.edu/wp-content/uploads/2019/11/California_Building_Decarbonization.pdf).

Budget Referral and Resolution Establishing a Pilot Existing Building Electrification Installation Incentives and “Just Transition” Program with Pre-Qualified Contractors Meeting Minimum Labor Standards to Assist New Property Owners, Renters and Existing Property Owners with Transition to Zero-Carbon Buildings

pilot program, the City can help support impacted workers new work opportunities and workforce development opportunities, including the electrification of existing buildings.

At the same time, the City acknowledges that absent state leadership and a statewide just transition framework, electrification can adversely impact the livelihoods of gas utility infrastructure and extraction workers and low-income gas customers. Therefore, this item sends copies of the Resolution and letters to members of the California Public Utilities and Energy Commissions, Governor Newsom, State Senator Skinner, and Assemblymember Wicks conveying urgent support for a statewide approach to rapidly contract the natural gas distribution system in a way that is safe, economical for remaining customers, and that provides a just transition for affected workers, including gas utility and extraction workers.

In addition, this item supports expanding opportunities to historically excluded populations in Berkeley through labor apprenticeship programs that recruit directly from impacted populations. It also would provide electrification benefits to lower and moderate-income residents with a preference for those at or below 120% of the Area Median Income.

### **Budgetary Opportunities**

Many economic and public health indicators suggest that the City is entering a more optimistic phase in the pandemic, to include the influx of substantial—but temporary—federal stimulus monies through the 2021 American Rescue Plan Act and the anticipation of a fairly rapid rebound in revenues to pre-pandemic levels. Transfer tax revenues for FY21 are estimated at \$20 million (compared with \$20 million in FY 19) and the city expects to receive a one-time two-year allocation of approximately \$66 million from the 2021 American Rescue Plan Act.

As a result, it is in the public interest to revisit the July 2020 item to see how the City can best move forward with providing residents with critical greenhouse gas reduction incentives in order to address our larger and longer-term crisis: climate change.

According to recent 2020 transfer tax data from OESD, on average between 2014-2019, 845 residential units were transferred per year, generating approximately an average of \$4.6 million total per year in eligible rebates for the Seismic Transfer Tax Program. The city has approximately 46,000 occupied housing units, with the vast majority being gas-powered.

Currently, the Council approved amount in transfer tax revenues is allocated to the General Fund (as in the past, at \$12.5 million) and some portion is typically set aside for capital projects (generally at \$2 million). For the first year of this pilot program this item

Budget Referral and Resolution Establishing a Pilot Existing Building Electrification Installation Incentives and “Just Transition” Program with Pre-Qualified Contractors Meeting Minimum Labor Standards to Assist New Property Owners, Renters and Existing Property Owners with Transition to Zero-Carbon Buildings

proposes to allocate a total of \$1.5 million in excess Transfer Tax equity which would be inclusive of staff’s administrative costs.<sup>10</sup> On adoption of this proposal, total transfer tax expenditures would amount to approximately \$17 million, including the \$12.5 million typically allocated to the General Fund programs and the \$2 million to capital programs.

While the program will ultimately be designed by OESD staff through administrative regulation, this item also includes a resolution officially establishing the program and providing general parameters for how staff should allocate the proposed \$1.5 million retrofit fund. This program and the \$1.5 million allocation were originally included as a line item in the Planning & Development Department’s Fiscal Year 2022 proposed budget.

New property owners are most likely to remodel their units shortly completing the purchase. Thus, the Draft Berkeley Existing Buildings Electrification Strategy recommends allocating some portion of the fund for transferees of residential properties within two years of point of sale. The City is also exploring opportunities to adopt certain mandatory electrification requirements for transferees of new buildings through its BESO program.

Equitably supporting existing property owners and renters whose appliances, e.g., their water heater, break down suddenly, and those who wish to embark upon voluntary electrification projects to include new appliances, electrical work (e.g., panel upgrades) are also elements of the Building Electrification strategy. This part of the program would be similar to Marin County’s Electrify Marin program which provides residents with income-qualified incentives for building electrification and panel upgrades. Since 2019, Marin has disbursed over \$100,000 in rebates.

**Electrify Marin**

<b>Appliance Type</b>	<b>Standard Rebate</b>	<b>Income Qualified Rebate</b>
<b>Heat Pump Water Heater</b>	\$1,000	\$2,000
<b>Heat Pump Space Heater</b>		
Central Heat Pump	\$1,000	\$4,500
Mini-Split Heat Pump	\$800	\$3,000
<b>Induction Cooking</b>		
Range (Cooktop & Oven)	\$500	\$500
Cooktop only	\$250	\$250
<b>Service Panel Upgrade</b>	\$500	\$1,200

<sup>10</sup> This amount would be in addition to the separate \$600,000 Climate Equity Action incentive fund proposed by Councilmember Harrison, Mayor Arreguin, and Councilmembers Taplin and Robinson.

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These incentives would be paired with rebates available through BayRen and EBCE, which are helpful but fall far short of the actual cost. For example, BayRen and EBCE offer \$2,000 for water heaters, which typically cost approximately \$5,000-\$10,000 when one includes the cost of potential electrical and panel upgrades. Berkeley’s incentive program is also needed to pay for space heating electrification, and needed panel and other electrical upgrades for which there are currently no incentives. Electrical, panel and space heating upgrades are typically the most expensive part of any electrification project.

Staff have indicated that they believe an additional incentive of approximately \$2,500 per property owner would be significant to persuade many property owners to electrify.

### **Alternatives Considered**

FITES discussed whether to expand this program beyond building electrification to include fire safety and resilience upgrades. However, at this time, fire programs have separate revenue sources and greenhouse gas reduction is a top priority given the need to reduce emissions to near zero by 2030 per the 2018 IPCC report. For example, fire safety measures have received generous support from the voters through Measure FF, whereas climate is still severely underfunded. In addition, global warming is one of the chief causes of increased fire threats.

### **FINANCIAL IMPLICATIONS**

This item would result in a one-time investment of \$1,500,000 from excess equity to provide initial funding for a two-year Existing Building Electrification Incentive Program Pilot to assist property owners and renters with the transition to a zero-carbon economy. This investment includes staff costs to run the program and to provide support for implementation of the Berkeley Existing Building Electrification Strategy (BEBES): a temporary 2-year FTE, estimated at \$200,000 per year, for a total of \$400,000.

### **ENVIRONMENTAL SUSTAINABILITY**

Supporting incentives for building decarbonization will complement and accelerate Berkeley’s ongoing efforts to reduce carbon emissions at an emergency and equitable pace in line with the Climate Action Plan, Climate Emergency Declaration, and Existing Building Electrification Strategy.

### **CONTACT PERSON**

Councilmember Kate Harrison, Council District 4, 510-981-7140

### **ATTACHMENTS**

1. Resolution

RESOLUTION NO. ##,###-N.S.

RESOLUTION ESTABLISHING A PILOT EXISTING BUILDING ELECTRIFICATION  
INSTALLATION INCENTIVES AND JUST TRANSITION PILOT PROGRAM

WHEREAS, the world is facing a grave climate emergency, requiring municipalities to rapidly and justly transition towards a zero-carbon economy by 2030; and

WHEREAS, transitioning Berkeley's economy will require significant investment on the part of both government and residents as converting Berkeley's approximately 46,000 residential housing units will likely cost hundreds of millions of dollars; and

WHEREAS, low-carbon technology and infrastructure can often be out of reach for many households and, without direct assistance, many will be left behind; and

WHEREAS, moderate and lower-income communities are most impacted by global climate change and have the least financial ability to address it; and

WHEREAS, the City's Draft Existing Building Electrification Strategy cites the importance of ensuring equity in access to carbon-free technology; and

WHEREAS, by partnering with labor, the City of Berkeley can cost-effectively meet its goals of reducing greenhouse gas emissions while supporting elements of a just transition ensuring that people who live and work in Berkeley—especially those from historically disadvantaged populations—have access to high-road, family-sustaining careers in union construction associated with existing building electrification; and

WHEREAS, the program would help support Pipefitters and other tradespeople who may be acutely impacted by Berkeley's building electrification policies; and

WHEREAS, direct install programs using pre-qualified contractors meeting quality and labor standards eliminate the need for households to find and manage their own contractors, and therefore can achieve significant cost savings and socioeconomic benefits; and

WHEREAS, it is in the public interest to establish a two-year Existing Building Electrification Direct Install and Just Transition Incentive Program to assist residents with transitioning from a carbon-based city; and

WHEREAS, in adopting this building electrification Pilot Program, the City of Berkeley simultaneously supports local and statewide electrification at an emergency pace (2030) and continued safe, affordable, and reliable natural gas service for Berkeley and California customers who remain on gas service in the interim; and

WHEREAS, despite offering opportunities for certain trades, absent state leadership and a statewide just transition framework, electrification can adversely impact the livelihoods of gas utility infrastructure and extraction workers and low-income gas customers; and

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WHEREAS, the City of Berkeley urges the State of California, through the California Public Utilities Commission and the California Energy Commission, to adopt a statewide approach to contract the natural gas distribution system in safe and economical way that provides a just transition for gas utility and extraction workers.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that the City Manager establish an Existing Building Electrification Installation Incentives and Just Transition Program to invest in zero-carbon plumbing, HVAC, cooking, and related electrical system retrofits as follows, to be further defined by staff:

1. a preference first for assisting existing affordable housing buildings and assisting households at or below 120% of the Area Median Income such as:
  - a. transferees of residential property to include appliance retrofits and electrical upgrades as appropriate;
  - b. existing residential property owners and renters, especially tenants in income-restricted units, pursuing electrification retrofits or replacing broken or outdated appliances, to include electrical upgrades as appropriate.
  
2. a nexus with high-road jobs, including:
  - a. use of pre-qualified residential construction contractors to reliably perform high-quality work and provide high-road careers that meet minimum labor standards;
  - b. leveraging other local, regional, state or federal climate or energy efficiency incentives, such as building efficiency, to maximize climate benefits and to include other crafts, including but not limited to Sheet Metal, Electricians, Carpenters, Plumbers and Pipefitters;
  - c. linking Berkeley residents who are disadvantaged or disproportionately impacted by climate and environmental injustices to training programs (including apprenticeships) that prepare them to enter and succeed in union construction careers by working with local Multi-Craft Core Curriculum (MC3) workforce partners, school districts/community colleges and CBOs to develop and sustain a long-term pipeline of work in the residential building retrofit market with high-road labor standards.

BE IT FURTHER RESOLVED that the Berkeley Energy Commission, or successor, and the Facilities, Infrastructure, Transportation, Environment & Sustainability Policy Committee, in consultation with community groups, provide input to staff and Council on at least an annual basis about eligible categories of fund expenditures to maximize equitable emissions reductions and impacts for eligible households.

BE IT FURTHER RESOLVED that any unexpended funds shall carry over from year to year consistent with the biannual budget process.

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BE IT FURTHER AND FINALLY RESOLVED that copies of this Resolution and letters will be sent to members of the California Public Utilities and Energy Commissions, Governor Newsom, State Senator Skinner, and Assemblymember Wicks.

California Public Utilities Commission  
San Francisco Headquarters  
505 Van Ness Avenue  
San Francisco, CA 94102

**Re: Urgent Need for Statewide Just Transition for Gas Utility and Extraction Workers and Berkeley's Resolution Establishing a Pilot Existing Building Electrification Installation Incentives and Just Transition Pilot Program**

Dear Honorable Commissioners:

As the Berkeley City Council adopts and implements policies phasing out natural gas from new buildings and incentivizing electrification in existing buildings occupied by lower-income residents, it writes to convey its urgent support for a statewide approach to contract the natural gas distribution system in a safe, economical for remaining customers, and that provides a just transition for affected workers, including gas utility and extraction workers.

The world is facing a grave climate emergency, with the latest science warning that California and municipalities must rapidly and justly transition towards a zero-carbon economy by 2030. California's existing decarbonization policies such as executive order B-55-18 and AB-3232 operate within a 2045 timeline, and are therefore dangerously out of sync with the latest science. It is therefore critical that the Commission and state leaders consider moving up these timelines while also providing funding and plans to facilitate a timely transition that supports all affected workers.

Despite the issuance of critical grants through the California Labor and Workforce Development Agency to support ongoing discussions between labor and municipalities with regard to electrification and other ongoing state-led initiatives, California currently lacks robust plans, funding, and just transition frameworks for workers who are directly impacted by electrification policies. These issues are directly within the jurisdiction of the California Public Utilities and California Energy Commissions.

As a municipality, the City of Berkeley is in the process of decarbonizing its building stock and supporting just transition elements for affected trades as feasible, but is ultimately limited in its ability to adequately support all affected workers, including gas utility and extraction workers. Berkeley looks to the State for its leadership on this critical issue.

For example, the City of Berkeley is in the process of implementing an Existing Building Electrification Strategy and a \$1.5 million two-year pilot program to incentivize direct install electrification projects in lower-income households using minimum labor standards and prequalified contractors. In adopting this pilot, the City simultaneously supports local and statewide electrification at an emergency pace (2030) and continued safe and reliable natural gas service for Berkeley and California customers who remain



**Page 17 of 19**

on gas service in the interim. While this pilot program has the potential to benefit and support many regional tradespeople who may be acutely impacted by Berkeley's building electrification policies, without state leadership gas utility and extraction workers may be adversely impacted over time.

To this end, Berkeley believes that the State must quickly adopt statewide policies supporting gas utility workers and interim gas ratepayers, including but not limited to:

- establishing programs to retain highly skilled gas utility workers through the transition period;
- incentivizing senior workers to retire at the right time and retrain junior workers;
- establishing a fund for gas worker retention and transition including bridges to retirement for older workers with wage replacement, retraining, and job placement assistance for younger workers;
- targeting subsidies and direct install electrification programs for vulnerable, historically disadvantaged, and low-income gas ratepayers;
- adopting policies that stabilize utility bills for customers who remain on gas service in the interim;
- engaging stakeholders such as ratepayer advocates, labor, the utilities, and other experts in long-term planning to rapidly decommission and contract the natural gas distribution system in California with an emphasis for including all remaining gas customers, especially those low-income and disadvantaged gas customers.

Thank you for your consideration and leadership on this important issue.

Sincerely,

The Berkeley City Council

CC:  
Governor Gavin Newsom  
Senator Nancy Skinner  
Assemblymember Buffy Wicks

California Energy Commission  
715 P Street  
Sacramento, CA 95814

**Re: Urgent Need for Statewide Just Transition for Gas Utility and Extraction Workers and Berkeley's Resolution Establishing a Pilot Existing Building Electrification Installation Incentives and Just Transition Pilot Program**

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**Page 19 of 19**

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- engaging stakeholders such as ratepayer advocates, labor, the utilities, and other experts in long-term planning to rapidly decommission and contract the natural gas distribution system in California with an emphasis for including all remaining gas customers, especially those low-income and disadvantaged gas customers.

Thank you for your consideration and leadership on this important issue.

Sincerely,

The Berkeley City Council

CC:

Governor Gavin Newsom

Senator Nancy Skinner

Assemblymember Buffy Wicks





Environment and Climate Commission

[Meeting Date (MM dd, yyyy)]

To: Honorable Mayor and Members of the City Council  
From: Environment and Climate Commission (ECC)  
Submitted by: Ben Gould, Chairperson, ECC  
Subject: Environment and Climate Commission 2022 Work Plan

### INTRODUCTION

The Environment and Climate Commission (ECC) is responsible for advising the City Council on matters related to environmental sustainability and climate change. The commission's scope includes work to advance the goals of: advancing green buildings and resource efficiency; decarbonizing buildings and transportation; engaging and educating the community; addressing the impacts and welfare of all species, including animals, insects, and plants; reducing greenhouse gas emissions; reducing toxics and preventing pollution; and supporting environmental justice. The commission works closely with the Office of Energy & Sustainable Development (OESD).

First established in 2022, ECC was formed by merging the Community Environmental Advisory Commission (CEAC) and the Energy Commission (EC). ECC commissioners bring a wide range of expertise, with backgrounds in government, academia, nonprofit, and private sector environmental work. These backgrounds inform ECC's work and help it to consider diverse and equitable approaches to addressing the City's environmental challenges.

This work plan is intended to provide a guide to the work ECC plans to take on in 2022. As additional items or issues arise, or are referred to the Commission from Council, ECC will adjust this plan accordingly.

### CURRENT SITUATION AND ITS EFFECTS

The Environment and Climate Commission has a very broad scope and a duty to continue and build upon past work done by both CEAC and EC. However, as a new commission, ECC also has numerous vacancies and limited institutional knowledge.

Both CEAC and EC prepared memos for ECC to review past projects and suggest future items. The table below indicates those items to follow up on and suggestions for new projects from the previous commissions:

Project	Status	Description	Source
Bird Safety	Existing item, needs follow-up	Proposal to require new development to meet bird safety standards for glass. Track progress of item through Planning Commission and back to Council	CEAC
Gas Station CO <sub>2</sub> Labeling	Existing item, needs follow-up	Requirement for gas stations to display warning labels notifying buyers that burning gasoline causes climate change. Pending finalization at City Attorney's office	CEAC
Ban sale of used gas cars	Existing item, needs follow-up	Proposal to ban the sale of existing (used) gas cars within city limits by 2040 (except to be sold as scrap). Pending finalization at City Attorney's office	CEAC
Hazardous Waste	Potential new item	CEAC received multiple emails in 2021-22 about hazardous waste, but there are no drop-off sites within City limits due to BMC 11.50	CEAC
VMT targets	Potential new item	Set specific, measurable VMT reduction targets and identify and implement strategies to achieve them	CEAC
Sidewalk Condition Index	Potential new item	Adopting a "sidewalk condition index" metric, similar to pavement condition index, to quantify the quality of Berkeley's sidewalks and measure improvements in pedestrian infrastructure	CEAC
Public Space Re-allocation	Potential new item	Re-allocate public street space away from auto-centric uses towards pedestrians, bicyclists, and buses, even more than currently envisioned in the bicycle and pedestrian master plans	CEAC
Building Decarb	Potential new item	Berkeley's building decarbonization plan is only a start; more work is needed to identify and effectively implement strategies to decarbonize: <ul style="list-style-type: none"> <li>- Single-family ownership residences</li> <li>- Single-family rental residences</li> <li>- Rent-controlled multifamily residences</li> <li>- Non-rent-controlled multifamily residences</li> <li>- Commercial spaces</li> </ul>	CEAC
De-zoning gas stations	Potential new item	Berkeley should remove gas stations as a permitted use from all City zoning codes.	CEAC
Banning gas-powered	Potential new item	The ECC should explore opportunities to require last-mile delivery vehicles to use zero- emission alternatives.	CEAC

delivery vehicles			
OESD input: Transportation	Potential new item	<p>Ensure the City is adequately staffed to implement transportation-related activities that reduce carbon emissions. Ensure staff:</p> <ul style="list-style-type: none"> <li>- Conducts a mobility needs assessment</li> <li>- Convenes an electric mobility roadmap implementation working group</li> <li>- Pursues discounts and digital access strategies for electric shared mobility options</li> </ul> <p>Track progress and provide input on implementation of the Electric Mobility Roadmap, the Bicycle Master Plan, the Pedestrian Plan, Vision Zero, and other City plans to encourage non-car mobility.</p>	EC
Alternative Transportation	Potential new item	<ul style="list-style-type: none"> <li>- Study and support expanding transportation measures to reduce GHG emissions associated with car travel.</li> <li>- Promote safe and convenient cycling through a protected and connected bike lane network, docked and dockless bike share systems, public e-bike charging, and secure bike parking.</li> <li>- Promote safe routes to schools, beginning with opportunities for the Energy Commission to contribute to the 2x2 committee (Council and BUSD board).</li> <li>- Research the feasibility of a zero-emissions zone, or a car-free zone for Berkeley.</li> <li>- Investigate opportunities to cut emissions through mass transit, such as more frequent service, new routes, zero-carbon fuels, and lower fare prices.</li> <li>- Investigate new approaches to public, curbside, or neighborhood charging for residents without access to on-site charging, focusing on commercial or public ownership of chargers, dedicated street parking spots for EV charging, and/or low-cost connections to the grid. Collaborate with Transportation and Public Works commissions.</li> </ul>	EC
Integrate Climate + Transportation policymaking	Potential new item	<p>Ensure integration of the climate aspects of transportation with other transportation issues in Transportation and Public Works work.</p>	EC

Bond measure for transportation	Potential new item	Engage with Council to include language in City bond measures to finance and build low-carbon, equitable, safe, and convenient transportation infrastructure.	EC
OESD input: Buildings	Potential new item	<ul style="list-style-type: none"> <li>- Track progress and provide input on implementation of the Berkeley Existing Building Electrification Strategy (BEBES), including funding for the equity pilot program, staffing needs, and renovation reach codes.</li> <li>- Support municipal building electrification and energy efficiency upgrades and development of municipal green building programs, including the City's work with EBCE to install solar + storage systems on critical facilities to provide resilience during outages.</li> </ul>	EC
Electrification cost reduction	Potential new item	Develop recommendations to reduce the cost of electrification and for partial electrification measures, such as codes that require two-way heat pumps instead of central air conditioners, deployment of portable heat pumps and low voltage water heaters, and "Watt diet" measures to avoid electrical panel upgrades.	EC
Building sale requirements	Potential new item	Investigate and advance time of sale opportunities for electrification and energy efficiency, including a transfer tax rebate program for energy improvements and the allocation of transfer tax revenues towards expanding building electrification in LMI and renter communities.	EC
Electrification mandates	Potential new item	Investigate and advance electrification mandates, such as through the Building Energy Savings Ordinance (BESO)	EC
Defund natural gas	Potential new item	Explore ways to redirect funds used to maintain PG&E's fossil gas distribution network to support building electrification.	EC
OESD Input: Climate Action	Potential new item	Track and provide input on implementation of the Pilot Climate Equity Action Fund and seek funding sources to provide ongoing support. Identify options to support the Fund from existing or expanded City revenues. Solicit input from experts and conduct public meetings to study funding mechanisms, such as a gross-receipts tax, parcel tax, utility users' tax, or building emissions tax. Explore options to split the collection of the Utility Users Tax to make it possible to charge separate rates for natural gas and electricity.	EC



		Review and provide input on staff's annual report to Council on Climate Action Plan progress and recommend further actions. Explore the feasibility of expanding the Plan to cover "scope 3" or consumption-based emissions that occur outside of city limits, and research policies to reduce them. Work with staff to better measure and track progress and create a public dashboard to report key metrics.	
Renewable energy advocacy	Potential new item	Promote the use of renewable energy by advising Council on EBCE activities including electricity mix, default offerings, local programs, and opportunities to advance City priorities.	EC

ECC commissioners, as well as OESD staff, have also proposed other ideas not listed above for items for the commission to work on.

ECC is planning to take on the following projects in 2022:

Project	Goal	Outputs	Target Date	Lead
Climate Literacy Advocacy	Request for state of CA to fund large \$\$ to do climate education work statewide	Sign-on letter for Council	Dec 2022	Ranney
Land Use Change for ZEVs	Provide recommendation to Council and Planning Commission on zoning / land use planning changes to support switching to ZEVs	Rec. for Council	Dec 2022	Gould
Building Decarbonization	Explore strategies for building decarbonization: point of sale, building code, prescriptive requirements, tax, etc.	Rec. for Council	Dec 2022	Tahara
Sustainable transport infrastructure	Allocate public street spaces towards more sustainable uses and away from auto-centrism	Rec. for Council	Dec 2022	Gould
OESD support - CAP tracking	Work with OESD staff to develop approach to track CAP implementation, based on recommendation under review at FITES	Rec. for Council	Dec 2022	Gould

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**BACKGROUND**

Climate Literacy Advocacy: A letter in collaboration with other local & statewide advocacy efforts around climate education in K-12 schools.

Land Use Change for ZEVs: Provide strategies for changing land use policies to discourage the use of fossil fuels and encourage sustainable transportation alternatives. Possible approaches: removing gas stations from permissible land use, expanding commercial EV charging, density bonus + fee to incentivize conversion of gas, while the help fund just transitions for workers no longer employed in fossil fuels and related industries.

Building Decarbonization Efforts: Review & recommend strategies for building decarbonization. Explore point-of-sale requirements, building code update(s), prescriptive requirements, local tax on direct CO<sub>2</sub> emissions, etc.

Sustainable Transport Infrastructure: Review & recommend strategies for realigning public right of way / infrastructure to support sustainable transportation. Consider suggestion to reopen the Transportation Element to close streets to cars, add bike lanes to more side streets & bus lanes to more major streets, narrow streets / add parks & parklets & bioswales, etc.

OESD support - CAP tracking: Support OESD staff in identifying key performance indicators (KPIs) for tracking CAP implementation & progress.

**ENVIRONMENTAL SUSTAINABILITY**

The projects which ECC is working on will improve environmental sustainability through a wide variety of methods.

**FISCAL IMPACTS OF POSSIBLE FUTURE ACTION**

Future action items that ECC may send to City Council could require staff time to develop, finalize, and/or implement. ECC strives to ensure proposals provide significant net triple bottom line benefits to the City when evaluating total costs and benefits across environmental, social, and economic impacts.

**CONTACT PERSON**

Ben Gould, Chair, Environment and Climate Commission, 510-725-9176



[Commission Name]

[Meeting Date (MM dd, yyyy)]

To: Environment and Climate Commission  
From: Community Environmental Advisory Commission  
Submitted by: Ben Gould, Chairperson, Community Environmental Advisory Commission  
Subject: CEAC Past Projects & Future Recommendations for ECC

### RECOMMENDATION

Review the attached record of major CEAC projects over the past 8 years, and consider the suggested areas of follow-up and new initiatives for the new commission's work plan.

### BACKGROUND

The Community Environmental Advisory Commission (CEAC) was first established in 1991, with an emphasis on pollution prevention and addressing toxic and hazardous waste from both households and businesses (such as Lawrence Berkeley National Laboratory and Bayer). Over the decades, as local, state, and federal laws have effectively reduced the prevalence, and improved control, of hazardous chemicals, CEAC's work has shifted to cover a broader range of pollutants – such CO<sub>2</sub> and other greenhouse gases, air pollution, stormwater runoff, lead paint, and more – as well as other general environmental topics.

### CURRENT SITUATION AND ITS EFFECTS

With the dissolution of CEAC effective March 31<sup>st</sup>, 2022, these responsibilities will transfer to the newly established Environment and Climate Commission (ECC). The ECC will also take on responsibilities from the former Energy Commission, with a full set of responsibilities spanning buildings, transportation, plant & animal welfare, greenhouse gas emissions and other pollutants, environmental justice, and community engagement.

This transition document is intended to highlight the breadth of work CEAC has undertaken in the past 8 years, providing context and background for new ECC commissioners, and to help provide concrete examples of how the new commission's responsibilities have been fulfilled in practice by CEAC in the past.

Historically, many of CEAC's work items were initiated via council referral. However, with the advent of standing Council policy subcommittees – particularly the Facilities, Infrastructure, Transportation, Environment, & Sustainability (FITES) Committee, launched in 2019 – many Council items have been directed to the FITES committee instead of CEAC. As a result, CEAC has had to create many of its own initiatives, and the new ECC will likely need to do the same.

[Title of Report]

CEAC was unable to meet during the COVID-19 pandemic. After February 2020, CEAC met once in December 2020 to adopt a work plan, and resumed regular meetings in October 2021 with the knowledge of a pending commission consolidation. With some turnover during the same period, CEAC only has a few outstanding items requiring additional follow-up (discussed in the attached notes), and no new projects currently in progress.

CONTACT PERSON

Ben Gould, Chair, Community Environmental Advisory Commission, 510-725-9176

Attachments:

1: CEAC Transition Notes

## CEAC Transition Notes

### **Major Past Projects (2014-2022)**

#### Cigarette Butts

In 2015, Save The Bay approached City Council asking Berkeley to take action to reduce tobacco litter flowing into the Bay. CEAC devised a pilot program to place receptacles for collecting cigarette butts in key locations in Downtown Berkeley where many smokers congregate and cigarette butt litter could be readily observed. A partnership was developed with the Downtown Berkeley Association for their Ambassadors to empty the receptacles and recycle collected cigarette butts, to minimize costs to the city. The program also included a signage requirement to discourage smoking in this non-smoking area, and to remind the public about stormwater pollution. The pilot program was intended as a one-year test to see if it worked.

City Council approved the pilot program, but it was slow getting started. There was some pushback from community members who argued that placing receptacles invited smoking in these non-smoking areas. (The sites recommended by CEAC were ones where smokers were already leaving cigarette butts on the sidewalk – while there was an ordinance in place, it was not enforced). Several receptacles were installed at modest cost (less than \$3,000 total) in multiple locations in and around downtown Berkeley, and maintained by Ambassadors for several months. The Downtown Business Association reported that the receptacles filled up regularly, though measured waste data were never sent to CEAC. Following the launch of the pilot program, but prior to its completion, Council sent another referral to CEAC suggesting that similar receptacles be installed in South Berkeley.

Turnover by Downtown Berkeley Association staff and CEAC commissioners have made it difficult to sustain the pilot program. In addition, pushback from public health experts and Save The Bay itself have made cigarette butt receptacles unpopular going forward. Fortunately, since the pilot was launched, the City of Berkeley has installed more effective stormwater trash collectors under the City's compliance with its municipal NPDES stormwater permit from the State Regional Water Quality Control Board. As a result, cigarette butts no longer must be collected prior to entering the stormwater system – these new trash capture devices are effective at capturing waste in the stormwater stream and preventing the pollution from entering the Bay.

A South Berkeley pilot program was never recommended, due to the lack of a business association capable of maintaining the receptacles, the unpopularity of putting cigarette butt receptacles in non-smoking zones (regardless of actual smoking behavior), and the ability of the trash capture devices to effectively prevent pollution from entering the Bay.

[Title of Report]

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This item would fall under the new ECC's core responsibility to address reduce toxins in the environment and prevent pollution. Better signage would also raise awareness of tobacco waste polluting our oceans, and fall under community engagement efforts.

#### Bee City

CALPIRG students at UC Berkeley mobilized to urge the City to sign on as a *Bee City* under the Xerces Society. Such a program communicates City support of outreach activities that raise public awareness about the threats to and importance of insect pollinators in our region, and supports the establishment of pollinator landscaping throughout the City. UC Berkeley has already signed on to their campus program. CEAC partnered with the Parks and Waterfront Commission for advocacy with Scott Walker, head of the City's Department of Parks, Recreation and Waterfront. However as of March 2020, the City Department was reluctant to commit City personnel to this program or the \$500 annual membership fee. The Adopt-A-Spot concept, partnering with volunteers in various Berkeley neighborhoods to establish and manage pollinator gardens on City land, never got sufficient traction despite the urging of Commission members and the CalPIRG students. Councilmember Kate Harrison has been helpful. Meanwhile, pollinator gardens have been established anyway in cooperation with a non profit community group, *Transition Berkeley* despite the dearth of support by the City. As such, CEAC ultimately tabled this effort.

This item would fall under the new ECC's core responsibility engage and educate the community and address the welfare of important insect populations.

#### Green Stormwater Infrastructure (Public & Private)

Throughout the years, CEAC has been active advocating for green stormwater infrastructure. CEAC worked closely with the Public Works Commission to allocate more funding to offsetting the impacts of having such a dense impermeable urban landscape with seasonal flooding in the lower elevations. CEAC commissioners helped formulate green stormwater commitments in Measure M, and commented on the proposed Measure T1 bond that came several years later as well.

In response to a Council referral in 2015, CEAC developed recommendations to minimize stormwater runoff from both new and existing properties. The recommendation went through several iterations at CEAC, from the City Manager, from the Mayor, and the FITES committee, but was ultimately adopted and referred to staff for finalization in 2019.

These items would fall under the new ECC's core responsibility for promoting green buildings and resource efficiency, and preventing pollution.

#### Artificial Turf Health Effects

Members of the public voiced concerns to CEAC regarding potential detrimental health effects from synthetic turf made from recycled vehicle tires used on sports playing fields.

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The fields on the west side of I-80, in particular, make use of these recycled materials. The complaints were timely and the State Office of Environmental Health Hazard Assessment (OEHHA) appointed a Synthetic Turf Advisory Panel which launched a four-year study on the health effects on humans from playing sports on this kind of synthetic turf. CEAC commissioners attended the initial public meetings for this study in 2015. We note that the environmental effects to water quality from the runoff of these fields was not included as part of the study, but may be consequential to marine life.

This item would fall under the new ECC's core responsibility of reducing toxins and preventing pollution to downstream waters. While the OEHHA may not be able to gather enough data to confirm short term health effects, more apparent effects and complaints may continue to surface.

#### Letter to Bayer

Ever since Bayer took over Chiron's pharmaceutical campus, CEAC has been a watchdog for changes that have been taking place on that property. At one point, Bayer was obligated to provide annual reports to CEAC on activities and hazardous waste generation. Presently, Bayer is going through public disclosure and planning steps with the City in preparation for a substantial expansion of their facilities on their West Coast Berkeley campus. Bayer's Berkeley facility is focused on producing medication for hemophiliacs. However, outside of Berkeley, Bayer is also the main producer of neonicotinoid pesticides, one of the most widely used type of pesticides in the world and a major culprit suspected of causing the demise of bee populations. In March 2016, CEAC drafted a letter to Bayer to be submitted by the City Council, pointing out that while Bayer claims to be "committed to human rights, labor standards, environmental protection and anti-corruption," they were still major producers of neonicotinoids. The letter asked why toxicity to bees is not considered a serious environmental problem by Bayer, but received no response.

This item would fall under the new ECC's core responsibility to address the impacts and welfare of all species.

#### Safe Urban Gardening

In June 2015, at the request of City Council, CEAC developed and shared a brochure for prospective Berkeley gardeners that would encourage backyard gardening as a healthy activity, but raise awareness of two of the common toxins found in Berkeley soils, namely lead and arsenic. 300 copies of the tri-folded brochure were printed. However, the subcommittee never completed its intended distribution of these brochures to local nurseries and community gardens, and staff was unable to take the time to support. Instead, copies of the brochure were made available in City offices. The brochure can be viewed [here](#).

This item would fall under the new ECC's core responsibility to engage and educate the community.

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### Lead Paint

Lead paint is a persistent and recurring problem in Berkeley. Lead-based paint was used up until 1978, and as a result most buildings in Berkeley likely still have some lead paint in them. Dust and debris from lead paint can contaminate soil, air, and indoor environments, where it can be inhaled or ingested by children, or remain in the soil indefinitely.

State and federal law impose certain requirements for the handling of lead paint during construction and renovation efforts, but these are often not followed by contractors, leading to lead paint contamination risks or events. Violation of these practices falls under the City's jurisdiction to enforce; however, the cost of enforcement (in staff time) exceeds the punitive fines extracted from a violation. As a result, city staff generally does not take action to enforce reported lead paint violations.

CEAC developed an item, which went to Council with a companion report, recommending that the City establish an administrative fee to supplement the punitive fine to cover the cost of enforcement. The companion report recommended that staff study the matter to identify the appropriate level of fee (as required under state law), and was adopted by Council shortly before the pandemic. There has been no action taken since, due to pandemic-imposed staffing challenges.

This item falls under the new ECC's core responsibility to reduce toxics and prevent pollution.

### Indoor Air Quality

In 2014-17, CEAC developed recommendations for new standard conditions of approval (SCAs) for development projects in areas potentially prone to elevated levels of outdoor air pollution. These SCAs would require additional indoor air quality mitigation measures to be included, such as utilizing a higher-grade filtration system (eg MERV 13) for building ventilation and/or other design features to mitigate outdoor air quality. Council referred the recommendation to the Planning Commission on July 11, 2017; it is unclear if there has been any further action.

This item falls under the new ECC's core responsibilities to reduce toxics and prevent pollution, and support environmental justice.

### Bird Safe Buildings

In 2019, at the prompting of the Golden Gate Audobon Society, CEAC developed recommendations to require new development above a certain size install bird-safe glass on larger windows, and to require external lighting to be pointed downwards (not up). The proposal was approved by Council and first discussed at the Planning Commission in March 2022.



[Title of Report]

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This item falls under the new ECC's core responsibility to address the impacts and welfare of all species.

#### Fire Foam

In 2019, a methane-fueled recycling truck caught fire while in service and the firefighting foams used to put out the fire washed into Cordonices Creek, killing more than 60 local steelhead trout and threatening the creek's ecosystem. CEAC wrote a letter to staff urging improved communication and coordination between departments to ensure public works cleanup staff can arrive sooner to better mitigate the impact of the foam in future events.

This item falls under the new ECC's core responsibility to reduce toxics and prevent pollution, and to address the impacts and welfare of all species.

#### Natural Gas

In 2016, CEAC recommended that Council refer to CEAC and the Energy Commission to explore eliminating natural gas in new construction. A series of joint subcommittee meetings led to an analysis shared with the California Energy Commission that changes to Title 24 were required to ban natural gas in new construction; title 24 was subsequently amended beginning with the 2020 code cycle and in 2019 Berkeley was first in the nation to adopt an ordinance banning natural gas hookups in new construction.

This item falls under the new ECC's core responsibilities to reduce greenhouse gas emissions, advance green buildings and resource efficiency, decarbonize buildings, and reduce toxics and prevent pollution.

#### Zero Emission Vehicles

In 2018-19, CEAC worked on several projects related to zero-emission vehicles for the City of Berkeley.

In response to the climate emergency declaration and fossil free city goal, CEAC recommended that the City Manager develop a timeline to replace all existing city-owned light-duty passenger vehicles with ZEV alternatives by mid-to-late 2020s (eg 2027). The City Council and City Manager concurred, and the fleet replacement program has begun (subject to available funding).

CEAC also developed a recommendation that Berkeley set a target of 100% sustainable transportation by 2045; i.e. no gas-powered vehicles are used to get to or from anywhere in Berkeley. At the suggestion of the FITES subcommittee, Council adopted a more aggressive target, aiming to achieve 100% sustainable transportation by 2040 and a 50% improvement by 2030.

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CEAC developed proposals to ban the resale of used gas cars by 2040, ban the sale of carbon-based fuels (ie gasoline and diesel) by 2045, and ban the operation and parking of gas cars on city streets by 2045. (Banning the sale of new gas cars is preempted under the Clean Air Act). Council adopted the recommendation to ban the resale of used gas cars and referred the language to the City Attorney for finalization; no action appears to have been taken since. The City Attorney found that a ban on the sale of gasoline is preempted under federal law prohibiting regulation based on the content of a fuel; and that a ban on the operation and parking of gas cars on city streets is implicitly preempted by the California Vehicle Code, which must be strictly interpreted to *only* permit those activities which it expressly authorizes. Banning gas cars from parking – or creating ZEV-only parking spaces – would require an amendment to state law; draft language has been prepared pending an author.

These items fall under the new ECC's responsibilities to reduce greenhouse gas emissions, decarbonize buildings and transportation, and support environmental justice.

#### Gas Station CO<sub>2</sub> Labeling

CEAC recommended that the City require gas station operators to add labels to pumps warning that the use of fossil fuels contributes to climate change. The City Attorney deferred action on the item pending the outcome of another First Amendment lawsuit related to cell phone warning labels. Berkeley was successful in the cell phone warning label requirements, and as such should be in the clear to implement gas station CO<sub>2</sub> labeling; however, no action has been taken.

#### General environmental hazards

Wooden power poles are coated in a carcinogenic preservative, dioxin, which leaches out into the soil and surrounding area over time. Unfortunately, CEAC has been unable to identify any action the city could take on this issue.

Dryer sheets (sometimes added to clothes dryers when drying a load of laundry) are laden with toxic chemicals and powerful perfumes that can irritate or harm sensitive individuals. Unfortunately, CEAC has been unable to identify any potential remedies that the City could take.

Berkeley Asphalt periodically leads to complaints of fumes and smells from neighbors. Berkeley Asphalt emissions are regulated by BAAQMD and are outside the City's jurisdiction.

#### **Items to follow up on**

##### Bird Safe Buildings

The bird-safe building recommendations are currently being discussed before the Planning Commission. This item should be tracked and public comment given at Planning Commission and Council meetings.

[Title of Report]

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### Gas Station CO<sub>2</sub> Labeling

The new ECC should ask staff to follow up with the City Attorney's office and inquire about the status of the item. Draft signage language was already developed, and it should be straightforward to complete this referral and return to Council with an ordinance.

### Ban sale of used gas cars

The new ECC should ask staff to follow up with the City Attorney's office and inquire about the status of the item. Draft ordinance language was already developed, and it should be straightforward to complete this referral and return to Council.

## **Ideas for the ECC**

### Liaisons

CEAC has had a longstanding tradition of appointing individual commissioners to act as liaisons to other relevant commissions, including Energy, Parks & Waterfront, Public Works, Planning, and others. A liaison's responsibility is to serve as the commission's expert on the activities of the sister commission: generally, the liaison will review agendas and meeting minutes for the other commission, as well as serve as the primary point of contact if discussion is required between commissions. This practice has been effective at helping ensure CEAC is aligned with work being developed by other commissions, and would be good to continue.

### Hazardous Waste

CEAC received multiple recent emails asking about how to dispose of household hazardous waste. Currently, there are no household hazardous waste drop-off sites within City limits. BMC 11.50 makes it extremely difficult, if not virtually impossible, for any agency other than the City or Alameda County Waste Management Authority to collect household hazardous waste; further study of this section of code is needed to understand the constraints and what should be done to improve household hazardous waste disposal / collection in the city.

### Transportation

The City of Berkeley is currently likely behind on its target to achieve a 50% improvement in sustainable transportation usage and 100% sustainable trips by 2040. The new ECC could suggest policies to more aggressively move the city in this direction. Potential opportunities include:

- Setting specific, measurable VMT reduction targets and identifying and implementing strategies to achieve them
- Adopting a "sidewalk condition index" metric, similar to pavement condition index, to quantify the quality of Berkeley's sidewalks and measure improvements in pedestrian infrastructure
- Re-allocate public street space away from auto-centric uses towards pedestrians, bicyclists, and buses, even more than currently envisioned in the bicycle and pedestrian master plans. Berkeley faces a significant shortfall in paving funds;

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eliminating entire lanes of traffic on low-volume residential streets could provide new space for alternative public uses (such as linear parks and/or stormwater retention). Fiscal analysis should be done to compare costs of alternative uses.

#### Buildings

Berkeley's building decarbonization plan is only a start; more work is needed to identify and effectively implement strategies to decarbonize:

- Single-family ownership residences
- Single-family rental residences
- Rent-controlled multifamily residences
- Non-rent-controlled multifamily residences
- Commercial spaces

#### Nexus Work

Berkeley has separate goals in climate (Climate Action Plan), housing (Regional Housing Needs Allocation), and transportation (sustainable trips, bicycle & pedestrian master plans). Analyzing the way(s) these three areas intersect could help illuminate strategies (or trade-offs) for advancing along multiple fronts at once.

#### De-zoning Gas Stations

Berkeley should remove gas stations as a permitted use from all City zoning codes.

#### Banning gas-powered delivery vehicles

The ECC should explore opportunities to require last-mile delivery vehicles to use zero-emission alternatives.



To: Honorable Mayor and Members of the City Council

From: Berkeley Energy Commission

Submitted by: Bentham Paulos, Chairperson, Energy Commission

Subject: Recommendations for Workplan for New Environment and Climate Commission

The Council has approved the creation of a new Environment and Climate Commission to be the successor to the Energy Commission and the Community Environmental Advisory Commission (CEAC), with the transition expected to happen in April 2022.

We fully anticipate the new commission will establish its own workplan, but to aid in the continuity of mission, the Energy Commission would like to make the following recommendations for strategic objectives and activities.

### **STRATEGIC OBJECTIVES**

The new Environment and Climate Commission should strive to ensure that Berkeley, at the very least, achieves its Climate Action Plan goal of reducing greenhouse gas emissions 33% below 2000 levels by 2020, and is on track to achieve its 2050 Climate Action Plan goal of reducing greenhouse gas emissions 80% below 2000 levels, while avoiding unintended side effects.

We recommend activities in the following areas:

1. Reduce transportation greenhouse gas emissions
2. Promote greenhouse gas emission reductions in the built environment
3. Promote and support City wide greenhouse gas reduction and funding plans

### **ACTIVITIES**

To advance each of these objectives, the Commission should focus on the following specific activities over the next year.

#### **Objective 1. Reduce transportation greenhouse gas emissions**

- Ensure the City is adequately staffed to implement transportation-related activities that reduce carbon emissions, such as by hiring an Electric Mobility coordinator. Priority staff items for the Electric Mobility Roadmap include:

Recommendations for the Environment and Climate Commission

- Conducting a mobility needs assessment
- Convening an electric mobility roadmap implementation working group
- Pursuing discounts and digital access strategies for electric shared mobility options
- Track progress and provide input on implementation of the Electric Mobility Roadmap, the Bicycle Master Plan, the Pedestrian Plan, Vision Zero, and other City plans to encourage non-car mobility.
- Study and support expanding transportation measures to reduce GHG emissions associated with car travel.
  - Promote safe and convenient cycling through a protected and connected bike lane network, docked and dockless bike share systems, public e-bike charging, and secure bike parking.
  - Promote safe routes to schools, beginning with opportunities for the Energy Commission to contribute to the 2x2 committee (Council and BUSD board).
  - Research the feasibility of a zero-emissions zone, or a car-free zone for Berkeley.
  - Investigate opportunities to cut emissions through mass transit, such as more frequent service, new routes, zero-carbon fuels, and lower fare prices.
- Work with the Transportation and Public Works commissions to investigate new approaches to public, curbside, or neighborhood charging for residents without access to on-site charging, focusing on commercial or public ownership of chargers, dedicated street parking spots for EV charging, and/or low-cost connections to the grid.
- Work with the Transportation and Public Works Commissions to integrate the climate aspects of transportation with other transportation issues. Consider asking the Council to create a standing joint committee, or convening joint meetings.
- Engage with Council to include language in City bond measures to finance and build low-carbon, equitable, safe, and convenient transportation infrastructure. This could include building safe streets for bicyclists and pedestrians, funding public EV charging, and improving public transit service. The Commission could host public meetings, promote items from the Berkeley Electric Mobility Roadmap, and analyze impacts.

Recommendations for the Environment and Climate Commission

**Objective 2. Promote greenhouse gas emission reductions in the built environment**

- Track progress and provide input on implementation of the Berkeley Existing Building Electrification Strategy (BEBES), including funding for the equity pilot program, staffing needs, and renovation reach codes.
- Recommend strategies the City can pursue to reduce the cost of electrification and for partial electrification measures, such as codes that require two-way heat pumps instead of central air conditioners, deployment of portable heat pumps and low voltage water heaters, and “Watt diet” measures to avoid electrical panel upgrades.
- Investigate and advance time of sale opportunities for electrification and energy efficiency, including a transfer tax rebate program for energy improvements and the allocation of transfer tax revenues towards expanding building electrification in LMI and renter communities.
- Investigate and advance electrification mandates, such as through the Building Energy Savings Ordinance (BESO)
- Support municipal building electrification and energy efficiency upgrades and development of municipal green building programs, including the City’s work with EBCE to install solar + storage systems on critical facilities to provide resilience during outages.
- Explore ways to redirect funds used to maintain PG&E’s fossil gas distribution network to support building electrification.

**Objective 3. Promote and support City wide greenhouse gas reduction plans**

- Track and provide input on implementation of the Pilot Climate Equity Action Fund and seek funding sources to provide ongoing support. Identify options to support the Fund from existing or expanded City revenues. Solicit input from experts and conduct public meetings to study funding mechanisms, such as a gross-receipts tax, parcel tax, utility users tax, or building emissions tax. Explore options to split the collection of the Utility Users Tax to make it possible to charge separate rates for natural gas and electricity.
- Review and provide input on staff’s annual report to Council on Climate Action Plan progress and recommend further actions. Explore the feasibility of expanding the Plan to cover “scope 3” or consumption-based emissions that occur outside of city limits, and research policies to reduce them. Work with staff to better measure and track progress and create a public dashboard to report key metrics.
- Promote the use of renewable energy by advising Council on EBCE activities including electricity mix, default offerings, local programs, and opportunities to advance City priorities.

Recommendations for the Environment and Climate Commission

**General Activities**

- Monitor Council actions related to environment and climate change, encourage Commissioners to communicate with individual Councilmembers, and make timely recommendations on relevant items. Advise Council on the climate implications of decisions across the whole of City actions, like procurement and planning.
- Assign Commissioners to serve as formal liaisons to Public Works and Transportation Commissions, and other Commissions as needed, which will involve tracking their agendas and attending meetings.
- Convene joint meetings with other Commissions on specific topics of mutual interest, intended to lead to joint recommendations to Council.
- Amplify awareness of funding gaps for climate action, and develop and support initiatives to raise new or allocate existing funding dedicated to reducing GHG emissions

While the combined Environment and Climate Commission will have a broader agenda than the Energy Commission, we strongly recommend putting a strong emphasis on retaining and improving Berkeley's leadership on climate action.

**CONTACT PERSON**

Billi Romain, Secretary, Energy Commission, 510-981-7432