



Berkeley Energy Commission

REVISED
ENERGY COMMISSION AGENDA
Wednesday, April 23, 2014
SOUTH BERKELEY SENIOR CENTER
2939 Ellis Street
6:30 P.M.

1. Call to Order and Roll Call
2. Public Comments and Announcements

Action Items

3. Approval of Minutes from Last Meeting
4. Gas Pump Warning Labels: Possible Reconsideration of February Decision Pursuant to Council Referral (attachment)
5. Creation of an Energy Ordinance Subcommittee

Time Certain Item – 7:00 PM

6. Public Workshop – Updates to Energy Efficiency Requirements (CECO and RECO)
This is the second of three public workshops. Public comments will be taken upon conclusion of the presentation

Information Items

7. Report on LED Street Lighting Conversion
8. Reports on Zero Waste Commission (Murray), Public Works Commission (James), Community Environmental Advisory Commission (Schlachter), Transportation Commission (Wang), Planning Commission (Bell), and City Council (DeSnoo)
9. Report on Community Choice Aggregation
10. Gas Nozzle Labeling for Global Warming

Action Items

11. Items for Next Month's Agenda
12. Adjournment

Action may be taken on any item if moved to the Action section of the agenda at the request of a Commissioner. If Commissioners are unable to attend, please call Neal De Snoo, at the Energy Office, 981-7439, by 4:00 p.m., April 23, 2014.

All agenda material may be examined in the Reference Room, of the Main Library, located at 2090 Kittredge. To request a meeting agenda in large print, Braille, or on cassette, or to request a sign language interpreter for the meeting, call 981-7439 (voice), or 981-6903 (TDD), with at least five (5) working days notice to ensure availability. Disabled access is at the front door. Ring bell for staff to open door. If you need other assistance, please call Neal De Snoo, at 981-7439, by 4:00 p.m., April 23, 2014.



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Berkeley Energy Commission

ENERGY COMMISSION MINUTES
Wednesday, March 26, 2014
North Berkeley Senior Center
1901 Hearst Street
6:30 P.M.

1. Call to Order and Roll Call

The meeting was called to order by Commissioner Murray at 6:38 PM.

Present: Bell, Bernhardt, Constantine, James, Lee, Hurst, Murray, Wang

Absent: none

Leave of Absence: Schlachter

Staff: Billi Romain, Timothy Burroughs

Public: 14

2. Public Comments and Announcements

- Question was asked about what action was being taken regarding a Council referral on gas nozzle labels
- Tom Kelly provided an update on a draft resolution proposed for Alameda County to study the feasibility of Community Choice Aggregation
- Amy Dow provided information on the PGE Energy Data Center Website and proposed changes to the 15/15 rule to a 20/20 rule

Action Items

3. Approval of Minutes from Last Meeting (February 26, 2014)

The minutes were approved with 2 grammatical edits to items 4 and 13 (MSC: JJ, AB, 8-0).

Time Certain Item – 7:00 PM

4. Public Workshop – Updates to Energy Efficiency Requirements (CECO and RECO)
Fourteen people made comments.

Comments included:

- Expensive improvements should not be required
- Commercial properties do not sell in ways that trigger CECO
- Requiring people to install insulation is difficult with knob and tube wiring
- Consider illustrating residential energy use using a per capita metric
- Policy should include solar
- Support expressed for requiring all households to undertake an assessment that would illustrate opportunities and allow comparison of buildings
- Berkeley should institute a feed-in tariff

- Exemptions for low-income residents and seniors on fixed income are important
- Building owner completing a required soft-story retrofit should not be required to install energy upgrades at the same time, but an assessment at that time would be appropriate
- Concern was expressed about having a City inspector come to check RECO compliance and identifying other code compliance issues at the same time; inspector should be a third party
- An attendee recommended that the transfer tax be used to provide rebates for energy efficiency
- Attendees were interested in what a compliance trigger would be if it was not point-of-sale
- The public health benefits of energy upgrades were discussed after an attendee expressed concern about air sealing
- An attendee suggested that the City provide case studies/home tours/real-life lessons learned from homes that have undergone upgrades
- Attendees discussed the challenge of comparing homes apples-to-apples; need to ensure that the assessment is comparable across homes

Information Items

5. Report Back from Commissioner's Meetings with their Council Members
Commissioner Constantine reported that Councilmember Capitelli will be hosting an annual update for constituents later next month.
6. Report on LED Streetlights
Staff reported that a contract award will be considered by Council on 4/1. The loan document was signed by the City. The project is scheduled for completion by 10/30/14. Commissioners were interested in whether bioluminescent algae technology was or will be considered.
7. Report on Electric Vehicle Infrastructure
No report.
8. Report on Community Choice Aggregation
No report.
9. Discussion of Future Energy Ordinance Workshops
No discussion.

Action Items

10. Items for Next Month's Agenda
Commissioners requested a report on solar installations.
11. Adjournment
The meeting adjourned at 8:48 PM (MSC: AB, KH, 7-0-1, Bell absent).



Kriss Worthington

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CONSENT CALENDAR March 11, 2014

To: Honorable Mayor and Members of the City Council
From: Councilmember Kriss Worthington
Subject: City Manager, Zero Waste Commission, and Community Environmental Advisory Commission Referral: Gas Pump Warning Labels

RECOMMENDATION

Refer to the City Manager, Zero Waste Commission, and Community Environmental Advisory Commission to create an ordinance that requires climate-conscious warning labels be posted on gas pumps. Council substituted Energy Commission for Zero Waste Commission and approved.

BACKGROUND

The purpose of a global warming warning label on the gas pump may be comparable to the purpose of the surgeon general's warning on a pack of cigarettes. Consumers of both gas and cigarettes are reminded every time they use the product that there are long-term consequences.

The goal of the labels, and this warning label campaign, is to keep the issue of global warming salient and on the minds of gasoline consumers. Thus, a gas pump warning label may encourage the use of other methods of transportation that will reduce carbon emissions.

The Environmental Protection Agency agrees with the general consensus that carbon dioxide emissions are a leading cause of global warming. The California Air Resources Board has found that automobiles are the number one source of carbon emissions. Additionally, the EPA has estimated that 31% of all carbon dioxide emissions may be attributed to transportation.

Many people know about the environmental costs of driving their cars, but may not be consciously thinking about them as they rush about their busy lives. However, we hope to increase public awareness of these carbon emission costs to the environment and what they can do to help on a day-to-day basis.

FISCAL IMPACTS:

Unknown.

CONTACT PERSON

Councilmember Kriss Worthington 510-981-7170

Attachments:

1. Draft: "Title 11: Environmental Health" Berkeley Municipal Code

Berkeley Municipal Code
Title 11'
ENVIRONMENTAL HEALTH

New section DRAFT

11.64 REQUIREMENT OF WARNING LABELS FOR PRODUCTS THAT RELEASE GREENHOUSE GASES TO THE ATMOSPHERE

11.64.010 Findings and Purpose

The council finds and declares as follows:

A. The Intergovernmental Panel on Climate Change, the U.S. Environmental Protection Agency, the State of California, the Bay Area Air Quality Management District and the City of Berkeley all find that greenhouse gases (primarily CO₂ and methane); when discharged into the environment, are causing global warming and climate change that pose a danger to human life.

B. Gasoline used by internal combustion engines is the largest source of CO₂ in California, and in Berkeley

C. There are numerous ways that citizens can reduce their gas use as described in the Berkeley Climate Action Plan

E. Warning labels have been shown to provide valuable consumer information for many products including cigarettes. The public deserves to know that gasoline combustion is a leading cause of global warming and is a global danger to the environment and that any reduction in the release of said materials within the City of Berkeley will reduce the global danger. It is in a benefit to the health and safety of the public inside and outside the City of Berkeley.

F. The City of Berkeley encourages the research and development of environmentally safe alternative technologies and products to replace the use of fossil fuels.

G. The City of Berkeley supports federal and state warning labels on the connection between gasoline combustion and global warming; however, until such warning labels have been adopted by the appropriate agencies, responsible action on the part of the City of Berkeley is

necessary to reduce greenhouse gases in order to promote the long-term health, safety and welfare of the general public, and the environment.

H. To protect the environment, and the health, safety and welfare of its citizens, the City of Berkeley herein, by this chapter intends to require warning labels on the sale of gasoline as part of its goal to reduce greenhouse gases to 80% below 1990 levels by 2050.

11.64.020 Definitions

A. Gasoline and diesel fuel are hydrocarbons used in internal combustion engine vehicles. Gasoline includes various octane levels rated from "regular" to "premium"

B. "Greenhouse gas" includes carbon dioxide (CO₂) and methane (CH₄) as well as hydrofluorocarbons and nitrous oxides. All of these are heat trapping gases that contribute to global warming.

C. "Person," "anyone" means any natural person, firm, corporation, partnership or other organization or group however organized.

D. "Establishment" means any domestic or foreign corporation, firm, association, syndicate, joint stock company; partnership of any kind, joint venture, club, common law trust, society or individual engaged in any profession, trade, occupation and any and every kind of calling carried on for profit or otherwise within the City, including any governmental entity or charitable organization.

E. "Retail establishment" means any establishment primarily engaged in the business of selling any goods, wares or merchandise for any purpose other than resale in the regular course of business).

F. "Supplier" means anyone selling, or otherwise supplying rigid or flexible foam containing or utilizing an ozone-depleting compound.

11.64.030 Gasoline Pump Warning Labels

A. All establishments selling gasoline shall provide consumer information to all persons purchasing gasoline in Berkeley by placing labels on gas pumps advising consumers that "the State of California has determined that global warming caused by greenhouse gases poses a serious threat to the economic well-being, public health, natural resources, and the environment of California" (AB32--California's Global Warming Solutions Act of 2006).

B. The design of the labels shall be approved by the Office of Energy and Sustainable Development and approved by the City Attorney. The labels may also provide consumers with a link to the Berkeley Climate Action Plan so they may learn more about ways to reduce fuel use. The labels may also provide additional consumer information as determined by the Sustainability office

C. Labels shall be provided by the Office of Energy and Sustainable Development staff to the gas stations. It shall be the responsibility of the gas station owners to obtain and affix the consumer information labels. Failure to comply with this ordinance shall result in a fine of no less than \$100 per violation per pump. The cost of the labels shall be covered by any fines received, and/or by the business license fee paid by establishments selling gasoline.

11.64.040 City Manager's powers.

The City Manager is authorized to promulgate regulations and to take any and all other actions reasonable and necessary to enforce this chapter, including, but not limited to, inspecting any establishment's premises to verify compliance.

11.64.050 Liability and enforcement.

A. Anyone violating or failing to comply with any of the requirements of this chapter shall be guilty of an infraction as set forth in Chapter 1.20 of the Berkeley Municipal Code.

B. Any violation of subsection 11.64.030 is hereby declared to be a nuisance.

C. The City Attorney may seek legal, injunctive, or other equitable relief to enforce this chapter.

D. The remedies and penalties provided in this section are cumulative and not exclusive