



**City of Davis
Utilities Commission Minutes
Remote Meeting
Wednesday, July 21, 2021
5:30 P.M.**

Commissioners Present: Gerry Braun, Andrew Cullen, Linda Deos (Chair), Steve Gellen, Lorenzo Kristov, Emma O'Rourke-Powell (Alternate), Elaine Roberts-Musser, Johannes Troost

Commissioner(s) Absent: None

Council Liaison(s) Present: Lucas Frerichs

Staff Present: Stan Gryczko, Public Works Utilities & Operations Director
Adrienne Heinig, Assistant to the Director
Richard Tsai, Environmental Resources Manager
Jennifer Gilbert, Conservation Coordinator

Also in Attendance: Scott Pardini, Recology-Davis

1. Call to Order and Roll Call

Chairperson Deos called meeting to order at 5:32pm.

2. Swearing in New Commissioner

Emma O'Rourke-Powell was sworn in as an alternate on the Commission.

3. Approval of Agenda

E Roberts-Musser moved to approve the agenda, seconded by J Troost. Approved by the following votes:

Ayes: Braun, Cullen, Deos, Gellen, Kristov, Roberts-Musser, Troost

Noes:

Absent:

4. Brief Announcements from Staff, Commission Members, and City Council Members

- A Heinig mentioned that City staff was looking into issues with the use of Commission-wide email address (some commissioners indicated they had not received the messages and/or attachments), and would ensure that all messages to the Commission (and attachments) would be forwarded by staff when received to confirm that communications are received by the full Commission.

- L Deos mentioned an article from the New York Times on laws in Maine requiring producers of items that need to be recycled to pay for recycling
 - *Maine Will Make Companies Pay for Recycling. Here's How It Works*
- E Roberts-Musser provided five articles for Commission review:
 - *Governing.com - As Water Infrastructure Crumbles, Many Cities Seek Private Help*
 - *CalMatters - California Drought Sharpens Perpetual Water Conflict*
 - *Public Policy Institute of California - Cultivating Optimism as Drought Cripples the Colorado River*
 - *Public Policy Institute of California - How Does Cannabis Cultivation Affect California's Water?*
 - *National Geographic - Trout Can Become 'Addicted' to Meth. Here's Why That's So Scary*
- A Cullen mentioned he would share some information with the Commission on chemical/hazardous commercial waste policies, including what European countries have been doing for the last 10 years, what the EPA is doing in America, and who ultimately takes on the burden of cost of unsafe waste.
- S Gryczko discussed one item:
 - Woodland-Davis Clean Water Agency (WDCWA) was able to secure additional surface water supply through the end of October, and increased surface water to Davis by about 5.6MIL gal/day. The additional surface water augments groundwater supplies. With the current drought conditions, the State Water Control Board may curtail additional water rights later in the summer, and water purchased by WDCWA, which is divided between Davis/Woodland. WDCWA's operational budget supported the cost of the additional water rights. The water right is out of Mill Creek, and the Nature Conservancy owns the rights, using the instream to support the salmon run in the creek, and the City using it as well for a dual environmental benefit.
 - In response to a Commissioner question, S Gryczko also included that the City is seeing about 13 MG per day demand from water customers, with 35-40% of that coming from surface water, with the rest as groundwater, which is the reverse from a "normal year" (when not experiencing drought conditions).

5. Public Comment

There was no public comment.

6. Consent Calendar

A. **Utilities Commission Minutes** – June 16, 2021

B. **Utilities Commission Minutes** – April 21, 2021

C. Stormwater Balloting Results (*Council Report - Informational*)

D. Climate Action and Adaptation Update (*Informational*)

E. Monthly Utility Bill Breakdown for Average Single-Family Residence: July 2021 Update (*Informational*)

Prior to the approval of the Consent Calendar, Item 6D was pulled, and there was a brief discussion on Item 6C.

Item 6C (*Stormwater Balloting Results*): In response to a question on why 40% of City utility customers voted no on the City's stormwater ballot, and if the City was keeping track of the reasons that customers voted no, A Heinig indicated that feedback received by the City included: the cost of City utilities is already too high, that the drought was not the time to address stormwater concerns, not with the economic impacts of the COVID-19 pandemic. E Roberts Musser added that there was confusion in public discussions about the stormwater utility as an enterprise fund, and the public assuming costs were taken from the general fund dollars for stormwater activities. L Frerichs also added that the approval rate for the ballot measure was high, although councilmembers had also observed areas of misinformation and general frustration with City operations from the public.

After the brief discussion on Item 6C, E Roberts-Musser moved, A Cullen seconded, to approve the Consent Calendar minus Item 6D. Approved by following votes:

Ayes: Braun, Cullen, Deos, Gellen, Kristov, Roberts-Musser, Troost

Noes:

Absent:

Item 6D (*Climate Action and Adaptation Update*): Pulled for a discussion of Commission engagement with the CAAP moving forward. G Braun noted that a number of local climate action and adaptation plans focus on setting goals, rather than focusing on how those goals can be achieved. Though supportive of the current community engagement, staff and community members involved in the process, G Braun expressed concern that the implementation of goals that come out of the process will involve the purview of different City commissions. Prior to the goals/Plan being approved, it may be a good idea for the commissions with those purviews to have some input.

Brief discussion included the following:

- If there is a nexus between the work the Commission is proposing on community resilience and the CAAP effort. The Commission discussion on Item 7C on the agenda could include the development of overall resilience

goals for the Commission to champion, but might not be the best avenue for discussing the CAAP process.

- Recommendation that the Commission put the CAAP on the September agenda for discussion, to potentially discuss what kind of input the Commission would like to have and how to have it. It was remarked that the Natural Resources Commission is receiving updates, but is not weighing in on goals themselves.
- A Cullen indicated that the workshops are the process for developing the goals, and the goals discussions should be underway in the fall.
- If it would be satisfactory to bring up the goals in the resilience discussion, or if the Commission should form a separate subcommittee for just the CAAP effort. Commission discussion indicated that the discussion might be broader than the resilience discussion but it's unclear if an additional subcommittee is necessary at this time.
- Confusion around the term "goals," as the memo for the CAAP indicated that "The 2020-2040 CAAP will identify a roadmap to measurable, enforceable, equitable and implementable community actions. It will also bring Davis into compliance with state legislation related to climate action and General Plan requirements". Goals included are associated with greenhouse gas discussion, which are aimed at specific actions.
- The larger concern that often local governments adopt plans without considering additional funding efforts or tracking needs, and without the opportunity for commissions directly impacted by the recommendations and goals to weigh in on the process. Want to see the engagement and commitment to the process over the next ten years (and the engagement with *the staff and community* that will be carrying out the Plan now), with discussion of what will need to be involved in the future to ensure the Plan is implementable.
- Councilmember Frerichs thanked the Commission for the discussion and encouraged members to register for the workshops coming up. He indicated that the timeline of the process is included on the City's CAAP webpage, which includes a check-in with Council in mid-October, and the final draft of the report in December or January. Environmental impact discussions will happen over Spring 2022, with Plan adoption in May 2022, tentatively. Although acknowledging the tight timeline, he offered that it does seem as though there is time for the Utilities Commission to weigh in.
- A request that the Vulnerability Assessment be distributed to the Commission, for possible inclusion in the discussion at a future meeting.
- A request that the discussion be included in the long range calendar, with the hope the Plan ultimately becomes the driver of a longer plan to reach the goals set.

- Concern around the breadth of the scope of the Plan that the Utilities Commission specifically can address. The Commission can only address so many things within its purview. Suggested that the discussion be rolled into the discussion on resilience and focus specifically on electricity and water.

No formal action was taken on this item and no public comment was received

7. Regular Items

A. Presentation from Recology-Davis.

The item was first introduced by L Deos. She introduced the presenter, Scott Pardini, General Manager of Recology-Davis. He gave a presentation on Recology-Davis and addressed previously submitted questions from the Commission about the City's solid waste diversion program and Recology operations.

Short questions for S Pardini (and responses) included the following:

- Where does renewable diesel come from to run the trash trucks?
Response: The crude, instead of being pulled from the earth as a fossil fuel, is pulled from beans that are harvested and rendered into the crude that creates the renewable diesel. The crops also create compost benefits.
- Whether electric vehicles are reviewed as options when looking to replace existing trucks. Response: Yes, Recology-Davis is always looking for new technology that can meet environmental goals, however with significant weight demands for trucks, and the start & stopping patterns of current routes, electric vehicles have yet to pencil out as a viable option.
- As more organic material is diverted, will the demand for organics outweigh the supply created? Response: Currently with organics, demand is very high. It may fall into an equilibrium in the future with the increase in organics based on SB 1383 regulations.
- Does the compost created in Davis not come back to Davis? Response: Currently Davis organics are taken to the Yolo County Central Landfill, and composted through their operations.
- When sorting recyclables, what happens if contaminating material is left in the recyclable? Response: Always helpful when recyclables are emptied, cleaned and sorted. A good reminder is that there is always someone on the sorting line that will have to deal with the items. Even with residual materials, recycled items can be most often still be recycled.
- Recycled material is sorted at the MRF to pull out items that cannot be recycled? Response: Yes, all recycled material is sorted at the MRF, and what can't get sorted is residual and goes in the trash. S Pardini did add

that Davis has very clean recyclables, likely related to the dual-stream recycling process.

- Are plastics sorted at the MRF to pull out what can be recycled and what cannot? Response: Plastics are hand-sorted at the Recology-Davis MRF on Second Street; all of the materials are sorted into appropriate areas, and what can't get sorted is residual.
- How much recyclable content is in the grey trash carts? Response: Trash is not sorted at the MRF, but there is always an opportunity to improve recycling. There are likely still organics in the garbage, but likely not a lot, as Davis waste tends to be very clean and already sorted.
- What do you do with a container that has a metal bottom, plastic top and paper sides? Response: Take the container apart as much as possible and place each piece of the container in the appropriate cart for disposal.
- If smaller trucks would be better for collecting cardboard and reduce impact on the roads. Response: Currently there is a significant amount of cardboard. Often the trucks will run out of space before there are weight issues, so it is more efficient to run a larger truck for the residential cardboard service.
- Should cardboard be diverted to organics intentionally, rather than recycled? Response: There is a market for cardboard in recycling, and the cleaner the cardboard the better. If there is grease on the cardboard, however, it should go in the organics cart. Staff also indicated that the tipping fees for organics loads are higher for organics than recycling loads.

Larger questions and Commission discussion also included the following:

- The City's on-street yard material pile collection program, and recent discussions around the recommended phase out of the service, partially related to the cost of replacing the "claw" vehicles used to collect loose materials. S Pardini indicated that the program equipment is at the end of its useful life, and the program itself places a strain on Recology operations. The program takes 6-8 employees to staff, but only runs 11 weeks of the year. In response to the question of the actual cost to replace the equipment, S Pardini indicated he would check in and circle back with the Commission on the cost.
- In discussion of the impact of the Materials Recovery Facility (MRF) on residents around the facility, and if consideration of the residents is included in facility operations, S Pardini indicated that that the facility is fully electric, the majority of the neighbors are commercial and/or non-residential, and the facility's operations begin later in the morning than other Recology operations (latest in Recology history). He added that there

are also policies against truck idling and other issues associated with industrial operations.

- If the new software under consideration by Recology-Davis could support optimization of the collection on waste, and prevent unnecessary trucks on the road. S Pardini indicated that the new software will be a mechanism to reduce travel times, and will increase travel efficiencies.
- If local composting efforts might be better than centralized composting efforts, such as the composting undertaken by Recology. S Pardini clarified that large compost facilities are regulated and monitored, whereas backyard composting can be contaminated and provide less opportunities for dilution of contamination.
- A reiteration of responses to Commissioner questions in the packet that Recology is not interested in providing surplus edible food recovery services.
- A statement from S Pardini regarding the City of Davis programs and how those programs have put the City in a good spot for the implementation of SB 1383. He indicated that most municipalities are just starting compliance measures, whereas Davis has had organics for a number of years. He commended the City and staff for getting ahead of the regulations.
- Encouragement for the City to include the message that Davis is ahead of the game with organics regulations in outreach related to SB 1383, and appreciation to staff on bringing the organics program forward in 2016.

No formal action was taken on this item and no public comment was received.

B. Solid Waste Program Information & SB 1383 Implementation Planning Update.

The item was introduced by A Heinig, who in turn introduced Jennifer Gilbert, the City's conservation coordinator for solid waste diversion, to provide an informational presentation on SB 1383.

Discussion included the following:

- The opportunities associated with the food recovery component of SB 1383, including potential benefits to social service programs like Meals on Wheels for seniors in the community, as the program is currently impacted, and additional food could assist with providing meals to those in need.
- How the City measures reductions or diversions. Staff indicated that diversion is measured through tonnage, based on what is weighed in at the landfill. There are some challenges in determining the tonnage of what is diverted, as the material can be reused at home, composted, or could reflect reductions in purchasing patterns, etc. The City uses CalRecycle estimates for the diversion rates for the community.

- Efforts underway to shift the responsibility of recycling materials to the manufacturers that create the products in the first place.
- To understand the terminology being used with edible food recovery specifically, when referring to SB 1383, does recovery mean capturing food before it goes into the bin, or does it include distribution? If distribution is included, it must mean that capacity to store the food will need to be developed. Staff indicated that recovery does include distribution, but distribution can be accomplished in a variety of ways. However most distributors in Davis are already donating excess edible food. More capacity will certainly be needed, and the County is reaching out to agencies to see what will be needed.
- Clarification on what the law actually requires of agencies in providing additional capacity for edible food recovery organization. Staff indicated that jurisdictions are required to ensure that there is capacity for edible food recovery when necessary. How jurisdictions look to provide that increased capacity is the question, as there are options for compliance.
- If there is a timeline on understanding the impact of SB 1383 on solid waste rates. Staff indicated that the City is working with a consultant that is looking at cost implications. Updates on costs will be brought to the Commission with the solid waste cost of service study.
- If there is coordination with the discussion of the Climate Action and Adaptation Plan and the food recovery component of SB 1383, as food insecurity is a part of the CAAP discussion. Staff indicated that there is coordination between staff, as there are staff working with solid waste that are participating in the City CAAP committee.

No formal action was taken on this item, and no public comment was received.

C. Community Resilience Subcommittee Consideration.

The item was presented by L Kristov, who provided background on the discussions around community resilience, and outlined focused questions on how the Commission might move forward with the creation of a subcommittee.

Discussion included the following:

- The need to understand where discussions of resilience fall within the charge of the Utilities Commission, and the need to have a clear idea of the scope of what the Community Resilience Subcommittee may discuss, as it relates to the objectives of the commission. It was suggested that the Commission focus on what affects resiliency within the four utilities.
- Some interest in the Utilities Commission engaging with other commissions on addressing resilience within their purview for broader issues.

- The City needs to provide services that are resilient, but the City doesn't provide all crucial services (there are services that are equally critical to the four City utilities). So the discussion needs to include how to make all services resilient, not just the services the City provides.
- Concern that the Commission only has so much bandwidth, and focusing on the utilities within the purview of the Commission should be the place to start before looking to the larger issues.
- The first output of the subcommittee should be the scope of resiliency for the review and approval of the Commission.
- In response to a question of how engaged staff will be with the subcommittee, staff indicated that staff will be aware of the work, and can meet with the subcommittee, but a full understanding of engagement cannot be determined at this early stage.

Motion: Form the community resilience subcommittee with S Gellen, L Kristov and E Roberts-Musser, with the proviso that the subcommittee will return with a scope at the September meeting.

Moved by E Roberts-Musser, seconded by J Troost. Approved by following votes:

Ayes: Braun, Cullen, Deos, Gellen, Kristov, Roberts-Musser, Troost

Noes:

Absent:

No public comment was received on the item.

8. Commission and Staff Communication

A. Long Range Calendar

The item was introduced by S Gryczko, who outlined the next few months for the Long Range calendar, and stated that until told otherwise by the City Manager, remote Commission meetings will continue.

Discussion included the following:

- The addition of the Community Resilience Subcommittee report on scope to the September agenda.
- A request for the Commission to receive the Vulnerability Assessment under the CAAP project, as the assessment would have implications for City utilities.
- Expressed discomfort with the Technical Advisory Commission (TAC) portion of the CAAP project. Suggested that the Commission may consider a discussion on the item in September.

9. Adjourn

Motion: To adjourn the Utilities Commission meeting at 8:35 p.m.

Moved by L Deos, seconded by G Braun. The motion passed by the following votes:

Ayes: Braun, Cullen, Deos, Gellen, Kristov, Roberts-Musser, Troost

Noes:

Absent: