City of Oakland
Equitable Climate Action Plan (ECAP) Community Advisory Committee [ad hoc]
Tuesday, February 25, 2020 – Regular Meeting
6:00 p.m. – 8:00 p.m.
Hearing Room 3
1 Frank H. Ogawa Plaza, Oakland, CA 94612

Committee Members: Najee Amaranth (Co-Chair), Nicole Bratton (Co-Chair), Ryder Diaz, Anne Olivia Eldred, Barbara Haya, Jhamere Howard, Navina Khanna, Jody London, Ryan Schuchard, Susan Stephenson, Tyrone "Baybe Champ" Stevenson Jr., Dominic Ware, Jacky Xu. Alternates: Brian Beveridge, Bruce Nilles

Agenda

1. **Call to order, Roll call / Determination of quorum**   **6:00 – 6:05**

    Meeting called to order at 6:31 PM by Co-Chair Najee Amaranth. Jhamere Howard was introduced as the replacement for Ms. Margaret. Jody London arrived at 6:53 PM.

Committee Members	Present	Excused
Najee Amaranth	X	
Nicole Bratton		X
Ryder Diaz	X	
Anne Olivia Eldred	X	
Jhamere Howard	X	
Barbara Haya	X	
Navina Khanna	X	
Jody London	X	
Ryan Schuchard		X
Susan Stephenson	X	
Tyrone "Baybe Champ" Stevenson Jr.		X
Dominic Ware		X
Jacky Xu		X

Alternates	Present	Excused
Brian Beveridge		X
Bruce Nilles		X

2. **Approval of draft meeting minutes (attached)**   **6:05 – 6:08**

    Seek motion to adopt the December 12, 2019 ECAP ad hoc Community Advisory Committee Meeting minutes

➔ **Motion to adopt minutes made by Najee; Anne Olivia seconds**
- All in favor, except Navina and Susan who abstained due to their absence.

- The Committee discussed Support for shortening the length of the meeting minutes to allow for brevity and accuracy.

3. Public comment   **6:08 – 6:20**

Comments were made by members of several local community organizations: Public Bank East Bay, California Resilience Network, Local Clean Energy Alliance, West Oakland Environmental Indicators Project, Communities for Better Environment, Cypress Mandela Training Center, Climate Caucus, and the Oakland Climate Action Coalition.

City staff answered questions on the ECAP timeline:

- Legal review on action items is now complete.
- At this time, substantive comments on the Action item language will be difficult to incorporate, but overall narrative writing is still ongoing, responsive to feedback from Town Halls, Konveio, redlines form the Equity Facilitator, City staff, and others.
- Overall content, including formatting, is expected to be complete by mid-April.
- The final draft ECAP is expected to come before Public Works Committee on May 26 and the full City Council on June 2.

4. Agenda modification   **6:20 – 6:23**

5. Review Current Draft Actions & Community Priorities   **6:23 – 7:30**
   Full Committee – Discussion (possibly vote) – See attachments A-F

The Committee discussed:
- Whether the EF team's redlined version was incorporated into the narrative
    - Shayna explained that the EF team reviewed the community comments and submitted a redlined version to City staff a few days ago. The redlines were mostly wording changes, and all have been incorporated into the draft.
- Whether there is language that specifies that the ECAP will be incorporated into the City's general plan
    - Daniel explained that the action items on alignment indicate that policies included in the General Plan must be consistent with the ECAP, but there is no language about an exact method per direction from the Planning and Building Department.
- Whether language about local food systems and worker co-ops is sufficiently included
    - Shayna indicated the "Food Security" overview is almost complete, and the "Green Economy" overview is complete.
- Concern over whether language about energy-sourcing and energy efficiency without risk of displacement is included
    - Daniel explained that there is no specific language about energy-sourcing at this point as it only came up recently with the topic of nuclear energy potentially being in the EBCE power mix; language about energy efficiency is already included with specific language about displacement risks.
- Support to change "community solar" to "community-owned solar"
    - City staff will make this change.
- Concern over accessibility of resilience hubs to all neighborhoods

- o City staff will emphasize language in the A1 narrative about ensured access to resilience hubs for every neighborhood.
- Establishing a structure for community oversight, e.g. community advisory committee
  - o City staff will include language about a community advisory committee or similar community engagement and oversight in the ECAP.
- Concern over building electrification language that should include preventing landlords from passing costs to tenants as many pay a flat-rate rent
  - o City staff will emphasize language about avoiding risk of electrification cost-burdens onto tenants.
- Support to change language in the Port section to "carbon-free and nuclear-free energy"
  - o City staff will make this change.

6. Action Prioritization   7:30 – 7:45

Shayna Hirshfield-Gold – Presentation – See attachment G

Shayna presented the ECAP matrix as a brief overview document of the timeline and City departments associated with each action item. Shayna also spoke on the substantial role that the Racial Equity Impact Analysis Report will play in the ECAP's implementation phase.

7. Committee Discussion: Next Meeting content   7:45 – 8:00

The Committee generally empowered individual expert Committee members to review specific sections of the ECAP, specifying that Navina will review "Food Security" and provide feedback. City staff reiterated that incorporating major changes to the ECAP Actions will be difficult at this point.

Several Committee members made closing announcements:
- Upcoming vote on nuclear energy will take place at EBCE board meeting
- The MTC recently seated an immigration subcommittee, which provides an opportunity to advocate for free transportation, among other things
- Next ECAP Committee meeting will take place on the fourth Tuesday of March
- Jhamere Howard welcomed into ECAP Ad Hoc Advisory Committee

Items to be on the next agenda:
- Review of final narrative (also to be posted online)
- Overview of the Racial Equity Impact Analysis Report

8. Adjourn   8:00
Meeting adjourned at 8:11 PM

Attachment A

ECAP Action Language
Note that narrative will follow each action to provide additional context
(Updated 02/20/20)

Transportation + Land Use

TLU1: Align All Planning Policies & Regulations with ECAP Goals & Priorities

In the course of scheduled revisions, aAmend the General Plan, Specific Plans, Zoning Ordinance, Subdivision Regulations, Parks Master Plan, and any other appropriate planning policies or regulations to be consistent with the GHG reduction, adaptation, resilience, and equity goals in this ECAP. Specifically:

- Remove parking minimums and establish parking maximums citywidewhere feasible, ensuring public safety and accessibility.
- Require transit passes bundled with all new major developments. near existing or planned transit
- Revise zoning such that 90% of residents are within 1/2-mile of daily needsthe most essential destinations of everyday life.
- Provide density bonuses and other incentives for developments near transit that provide less than half of the maximum allowable parking.
- Update the Transit Oriented Development (TOD) Guidelines to further prioritize development of housing of all income levels near transit, including housing for low, very low, and extremely low-income levels.
- Require structured parking be designed for future adaptation to other uses.
- Institute graduated density zoning.
- Remove barriers to and incentivize development of affordable housing near transit.
- Incorporate policies addressing sea level rise, heat mitigation, and other climate risks into zoning standards and all long-range planning documents. Revise these policies every five years based on current science and risk projections.
- Identify and remove barriers to strategies that support carbon reduction, adaptation, resilience, and equity goals, including community solar and energy storage.

Notes:
- *Action Narrative will specify that this Action is largely about addressing VMT through land use. Name OSCAR as important part of GP to be addressed, and why; also LUTE.*
- *Narrative will make it clear that active transportation is the first in the hierarchy for mobility in Oakland, and that land use policies are central to facilitating it.*

TLU2: ~~Free~~ Abundant and Accessible Public Transit

By 2023, develop a roadmap to provide free transit for low-income residents by 2030 and all residents by 2040.The City will work with public transit agencies to replace autos with public transit as a primary transportation mode for trips beyond walking distance, ensuring convenient, safe, and affordable public transit access within Oakland and to neighboring cities for all Oaklanders. Specifically:

- By 2023, the City shall work with public transit agencies to develop short- and long-term strategies to increase public transit ridership by at least 3% per year each year through 2050. Strategies will be based on modifying existing routes and creating new routes for increased

reliability, frequency, speed, and efficiency; improving safety at bus stops, prioritizing Deep East and West Oakland; reducing travel times; and ensuring robust, quality service on routes that serve Deep East Oakland and West Oakland.

- To facilitate route efficiency, the City shall work with AC Transit to evaluate the need for new or changed routes in Oakland on an ongoing basis. AC Transit and the City will work as partners, with the City committing to improving travel time and passenger experience along major public transit corridors, and to implementing national and international best practices for prioritizing public transit on Oakland streets while accommodating other modes. The City shall work with public transit providers to ensure that economic disruptions of any roadway reconfigurations are minimized.

- The City shall work with public transit agencies, community organizations, and community institutions to ensure that all Oakland residents, regardless of location and disability status, can access the public transit network. To ensure accessibility and adequate service in hard to reach areas, the City and public transit agencies will consider supplementing the central transit network with zero-emission, short-distance, neighborhood-level transportation services such as shuttles, prioritizing areas with high percentages of zero-car or low-car households, persons with disabilities, low-income households, and senior citizens.

TLU3: Take Action to Reduce and Prevent Displacement of Residents and Businesses
Leverage City resources and partnerships to prevent residential and business displacement, and preserve and expand existing affordable housing. Specifically:
- Expand support of Community Land Trusts, Community Development Corporations, and limited equity cooperatives to prevent displacement of residents and businesses, prioritizing tenants at highest risk for displacement.
- Leverage new State funding, as well as identify ways to generate additional local funds, to provide ongoing capital financing for housing acquisitions and rehabilitation to preserve existing affordable housing and convert market rate housing to affordable housing.
- Ensure that all programs funding housing preservation align with climate goals, such as electrifying and weatherizing buildings.
- Ensure that Develop business anti-displacement programs that align with climate goals, such as increasing neighborhood-serving retail and electrifying and weatherizing buildings.
- Develop resources and incentives to support local entrepreneurs whose businesses are helping Oakland meet its climate goals, with an emphasis on entrepreneurs from frontline communities.
- Prioritize City support for community wealth building projects in Opportunity Zones, particularly where those projects align with ECAP goals.
- Prioritize workforce training dollars and business support for businesses that help meet ECAP goals, especially locally-owned and minority-owned businesses, and businesses primarily employing or creating wealth for frontline community members.

TLU4: Rethink ~~Parking~~Curb Space
Prioritize use of curb space throughout the city by function. In order of priority, allocate curb space for mobility needs for public transit and active transportation, such as walking and biking; access for people and commerce (loading zones and short-term parking); activation; and storage for long-term parking. Prioritize curb space based on surrounding land use and mobility needs, per the city's adopted Bike and Pedestrian Plans. Where on-street parking is provided, r~~R~~evise pricing, availability, and location of parking to encourage active transportation, public transit, and clean vehicles without increasing cost-

burden to low-income residents and other sensitive populations such as seniors. Use parking revenues to fund public transit and active transportation improvements in frontline communities. Specifically:

- ~~Amend Article 27 of City Charter to allow parking revenues to be used for low carbon transportation investments~~
- Update parking pricing strategies for publicly accessible on- and off-street parking to adequately address demand and encourage mode shift.
- Require parking costs to be unbundled from residential and commercial leases.
- Enforce business compliance with parking cash-out requirements.
- Eliminate time limits, expand hours of meter operation, and implement demand-based pricing for on-street parking.
- Improve ~~P~~parking ~~M~~monitoring and ~~E~~enforcement.
- ~~Establish Transportation Management Associations~~
- Establish Parking Benefit Districts with revenues to improve multi-modal access, public transit, and walkability of the commercial district.
- Build no new off-street, City-owned parking.
- Adopt an equitable fee structure in residential parking permit zones.

TLU5: Create a Zero Emission Vehicle (ZEV) Action Plan

By 2021, develop a ZEV Action Plan to increase adoption of electric vehicles and e-mobility while addressing equity concerns and prioritizing investment in frontline communities. The plan must set ambitious targets for ZEV infrastructure and must be coordinated with other land use and mobility options so that ZEV ownership is not necessary for access to ZEV trips, and ZEVs increase as a percentage of all vehicles while overall vehicle miles traveled decreases. The plan must address the following sectors: medium and heavy-duty vehicle electrification, including trucks and delivery vehicles; personal vehicle charging infrastructure in multifamily buildings, including affordable buildings; curbside charging; school and transit buses; and coordination with private and public fleet operators.

Notes:
- *In late 2018, the California Air Resources Board approved the Innovative Clean Transit Regulation, which requires public transit agencies to transition to 100% zero-emission buses by 2040, with all new bus purchases required to be zero emission by 2030. AC Transit initiated the Clean Corridors Plan to assure that the benefits of required zero-emission buses are provided first to environmentally impacted and low-income communities.*

TLU6: Ensure Equitable and Clean New Mobility

Ensure that new mobility platforms and technologies equitably support City carbon reduction goals, including integrated planning for vehicles, public transit, and active transportation networks and amenities. Specifically:

- Demonstrate that new mobility programs, including ride share programs, align with and support GHG reduction and equity goals in this ECAP.
- Apply Greenlining Institute's Mobility Equity Framework to policies and programs related to new mobility.
- Increase use of Intelligent Transportation Systems to give priority to transit and clean vehicles.
- Provide incentives for walking, biking, carpooling, and ride sharing, and disincentives for fossil fuel-based on demand delivery.
- Require carbon emission reduction plans for charging and rebalancing of micro-mobility fleets.

- Facilitate the establishment of Transportation Management Associations to enable distribution of public transit passes and invest in increased public transit and other mobility strategies, such as walking, biking and micromobility that can reduce vehicle miles travelled.
- Explore potential for a "mobility wallet" to pay residents to take carbon- and space-efficient travel modes.

Notes:
- *Need to make it clear in the action narrative that this Action includes new micromobility, including shared; mobility-as-a-service; and automated vehicles.*
- *Clarify in narrative that this action is about facilitating new clean+equitable modes as much as it's about responding to (and anticipating) new options from the private sector that are market-disruptive and that have potential to impact (positively or negatively) equity and emissions.*

TLU7: Align Permit and Project Approvals with ECAP Priorities

Amend Standard Conditions of Approval (SCAs), as well as mitigation measures and other permit conditions, to align with the City's GHG reduction priorities stated in this ECAP. In applying conditions on permits and project approvals, ensure that all cost-effective strategies to reduce GHG emissions from buildings and transportation are required or otherwise included in project designs, including off-site improvements like bicycle corridor enhancements, wider sidewalks, crossing improvements, public transit improvements, street trees and urban greening, and green stormwater infrastructure. Where onsite project GHG reductions are not cost-effective, prioritize local projects benefitting frontline communities to receive GHG mitigation funding.

Notes:
- *Action Narrative: Mention vertical and rooftop gardens as eligible/reasonable interpretations/forms of urban greening & trees.*
- *Need more explanation in narrative: Daniel to author*

TLU8: Expand and Strengthen Transportation Demand Management (TDM) Requirements

Increase TDM performance requirements for new developments where feasible to support the mode shifts necessary to achieve a low carbon transportation system. Expand the TDM program to include requirements for existing employers. Fund ongoing monitoring and enforcement of TDM requirements.

Notes:
- *Define TDM in narrative; include examples*

~~TLU9: Expand zero-carbon shared-use bus and van shuttle service~~

~~Expand both fixed-route and dynamically routed, shared-use micro-bus, van, and mobility shuttle services using clean vehicle technology. Prioritize reliable service to low-income neighborhoods and affordable housing.~~

TLU~~10~~9: Expand Neighborhood Car Sharing

Expand the Neighborhood Car Sharing program, ensuring that all shared vehicles are electric vehicles by 2030 and that shared vehicle services address the needs of families, people with disabilities, and frontline communities. Coordinate program expansion with New Mobility programs, EV infrastructure

planning, and with revised parking policies. ~~Evaluate feasibility of providing~~ Where feasible, work with partners including developers and property managers to provide dedicated EV car sharing services in multifamily affordable housing buildings to increase access and reduce the car cost burden to lower-income families.

Notes:
- *Address safety and accessibility in narrative.*

TLU11~~1~~0: Establish Temporary and Permanent Car-Free Areas

Establish temporary open and car-free streets ~~areas~~ ~~and car-free zones citywide~~ to ~~enable~~ assess feasibility of creating~~on of~~ permanent car-free areas citywide. Use car-free areas for active transportation, parks and parklets and green infrastructure, pop-up community and commercial activity, and other uses that address community needs. Develop and plan car-free areas together with community members to ensure that ~~both~~ community needs and equity impacts are adequately addressed.

Notes:
- *Stress in narrative that Active Transportation is first in the loading order for mobility, and this item is about shifting public perception about active transportation.*

~~TLU12: Evaluate the Potential for Road Pricing~~

~~By 202~~7~~5, assess the potential for road pricing options in Oakland. For any road pricing revenues, prioritize investment in transit and active transportation infrastructure in frontline communities.~~

Buildings

B1: Eliminate Natural Gas in New Buildings

~~Require~~ By 2023, prohibit new buildings and major renovations from connecting ~~to avoid connection~~ to natural gas infrastructure ~~by 2023~~.

B2: Plan for~~Require~~ All Existing Buildings to be Efficient and All-Electric by 2040

By 2022, develop a policy roadmap to achieve decarbonization of the existing building stock by 2040, without additional cost burden or displacement risk to frontline communities. The roadmap must address:
- Equitable process and outcomes, including avoiding bill increases, ensuring benefits flow to renters, and local green jobs;
- Incentives and requirements;
- Regulatory obstacles;
- Phasing of implementation;
- Financial assistance for low-income residents and businesses, including on-bill financing;
- Opportunities for integration of distributed renewable energy generation and energy storage; and

- Opportunities and needs for energy efficiency and building envelop upgrades, taking into account local, state, and regional energy efficiency incentive programs and focusing particularly on renters, low income populations, and populations with a disproportionate risk of housing and business displacement.

Notes:
- *Seattle plan (pg 18) economic signals*

B3: Prevent Refrigerant Pollution

By 2023, develop a refrigerant management program that:
- Establishes a phaseout timeline for high-GWP refrigerants in existing buildings;
- Integrates with existing local and regional energy efficiency and building electrification programs as appropriate;
- Ensures enforcement of performance measures;
- Identifies financial assistance for low-income residents and businesses; and
- Aligns with refrigerant management strategies adopted by the State of California.

Notes:
- *Refrigerant systems such as R-401A and R-22, present in building air conditioning systems among other locations, have extremely high greenhouse gas reduction potential. More than 90% of the GHG emissions associated with refrigerants is anticipated to occur either in leakage or in improper disposal.*
- *The City has not previously tracked refrigerant leakage in its GHG emissions inventory, missing an important piece of our emissions story.*
- *A refrigerant management program can leverage numerous existing energy efficiency and clean energy incentive, rebate, and technical assistance programs.*

B4: Reduce Lifecycle Emissions from Building Materials ~~Embodied Carbon in Buildings~~

By 2022, adopt a ~~model~~ concrete code for new construction that limits embodied carbon emissions. In subsequent building code updates, implement improved embodied carbon performance standards including additional materials and material-efficient building practices, with exemptions for cost barriers as needed to prevent these changes from directly increasing housing or rent costs. Ensure requirements are at least as stringent as the State of California procurement standards in effect at the time of the building code adoption. Explore ways of supporting local market development for low-lifecycle-emission and carbon-storing biogenic building materials.

B5: Require All Major Retrofits of City Facilities to be All-Electric

Effective immediately, retrofits of City-owned or controlled buildings shall not install any new natural gas infrastructure or equipment. All major retrofit projects shall eliminate gas infrastructure from the building and integrate energy storage wherever technically feasible and appropriate.

Material Consumption & Waste

MCW1: Eliminate Disposal of Compostable Organic Materials to Landfills

Fully fund and implement the requirements of California SB1383 and eliminate disposal of compostable organic materials to landfills. Ensure robust engagement with businesses and institutions, including schools, and continued residential outreach to reduce wasted food and effectively keep compostable material out of the landfill-bound waste stream. Work closely with franchise hauler to ensure that the compostable material stream is uncontaminated so that compost created is high-quality.

Notes:
- *Define SB 1383 in a sidebar*
- *Point to and link together StopWaste's ongoing education about bay-friendly gardening + anyone who does education re: home (e.g. worm) composting (e.g. Pollinate, PJN) + the section on urban ag (e.g. City actions in 2012-2020 period to make urban ag easier) + OUSD gardening programs to show that localized, on-site, closed-loop composting is encouraged.*

MCW2: Establish a Deconstruction Requirement

Establish a deconstruction requirement to reduce demolition waste from construction and renovation and facilitate material reuse. Regulate hauling and processing of construction and demolition debris to ensure that salvageable materials are identified and removed for reuse instead of being recycled or disposed to landfill.

Notes:
- *Move this action down, put Reuse and Repair earlier*
- *This action item needs a pin with definition/explanation, also a link/reference to the low embodied carbon Action in MCW and clarification that this isn't about bulky pickup (it's about developers/contractors dealing with/hauling their own materials).*
- *Mention of role of private sector in narrative could include TH comment "BeeGreen, a company in East Oakland, is a good model for achieving this goal by rewards rather than regulation." Lots of questions and comments about who will pay for this, so discussion needs to be explicit that this is on developers to comply - and that will likely create markets. Talk to Peter for wording.*

MCW3: Expand Community Repair Facilities

Expand the City's existing tool lending library services to at least 5 other Oakland Public Library branches, recreation facilities, community centers, or other community sites facilities by 2030, prioritizing East and West Oakland and low income neighborhoodscommunities. Ensure tool lending facilities support repairable household items and active mobility transportation modes, including bicycles. Explore potential for onsite community partnership programming to teach repair skills and promote local repair businesses.

Notes:

- *Note that library is comfortable expanding their onsite food gardens to 5 locations, which I think we can exceed with multiple Departments and partners. In narrative, note the role that pop-up repair cafes and tool lending can have at both libraries and OPRYD facilities. Also talk about partnership role for OPRF and FOPL, and potential partnership with OUSD (can specifically cite Youth Commission's comments that repair curriculum is needed in schools). Action language encompasses including schools as partners.*
- *Narrative should mention rise in repair fairs, fix-it clinics, and the like in the last decade, and how this action would support and provide space for those activities.*
- *See if we can put this and the other repair item next to each other, and thus share the same discussion. That way we can discuss the important role of private businesses/orgs stepping up, the role of public-private partnerships, the role of education, and the overarching challenge of planned obsolescence (& EPR) all in one place. A few of the comments expressed concern about public $ going to this, but most were highly supporting and wanted more, including focusing on the role of public education and directly tackling the bigger issues.*

MCW4: Eliminate Single-Use Plastics and Prioritize Reuse in Food Preparation, Distribution, and Sale

By 2023, pass an ordinance to reduce the prevalence of single-use plastic in Oakland and to ensure that reusable food ware is the default in dining. Specifically:

- Require reusable food service ware for all dine-in establishments.
- Mandate that any single-use food ware (plates, bowls, cups) and accessories (straws, utensils, condiment cups) are BPI certified compostable fiber, except where certain materials may be deemed medically necessary or necessary to ensure equal access for persons with disabilities.
- Require that any single-use accessories (straws, utensils, condiment cups) are only available on demand.

By 2025, the City shall expand on its ban of expanded polystyrene food containers to other categories of single-use plastic and disposable food service ware as needed to meet the City's Zero Waste goals, and to ensure that all materials going to compost facilities within Alameda County are truly compostable.

~~By 2022, develop a plan to eliminat~~e single-use plastics, including any single-use food service ware that is not compostable at facilities wi~~thin Alam~~eda County, in local food preparation, d~~istribution, and sale, except where medically necessary or necessary to ensure equal access for perso~~ns with disabilities, by ~~2030. The plan shall incorporate both incentives and requirements and address equity concerns for small businesses. and~~ low-income residents, and peo~~ple with disabilities. By 2025, expand on the City's ban of expanded polystyrene food containers to other categories o~~f~~ single-use pl~~astic and disposable food service ware, promoting reusable take-out and eat-in food service ware to consumers and food service establishments.~~

Notes:

- *In action narrative, be clear that we're not only talking about plastic, but about the disposable default in general. All disposable ware and food prep materials - including plastic and bioplastic - is addressed by this Action. We have to ensure we're not substituting "compostable" products*

that are not actually compostable (compostable plastics, paper containers lined with plastics) and that therefore emit methane in landfills or contaminate/reduce quality of compost. The point isn't to switch from plastic to another single-use material, but to transition to a default of materials that can and will be fully reused. Also explain exemptions for people with disabilities.

MCW5: Strengthen Infrastructure and Partnerships for Edible Food Recovery

Support existing capacity, and develop new capacity, to recover edible food that is otherwise wasted, and distribute that food for human consumption. Engage with stakeholders including local food donation, recovery, and collection organizations to build robust collection and food storage capacity, and reliable ~~and equitable~~ distribution systems to the neediest populations. Engage with food generators such as supermarkets, wholesale distributers, large hotels, and institutions, to increase ~~their access to food recovery organizations~~ access to surplus edible food that food recovery partners want (or will accept) and to ensure food generators comply with the Edible Food Recovery requirements of SB 1383. Inform edible surplus food generators about strategies and best practices for preventing surplus food.

MCW6: Support the Reuse, ~~and~~ Repair, Recovery, and Refurbishment Economy

By 2025, create a community reuse and repair program to increase waste diversion, ~~and~~ reduce material consumption, and create green jobs. ~~As part of creating this program, the City will also explore creating or designating live/work or other spaces dedicated to material repair and upcycling, and selling of repaired and upcycled goods.~~ Specifically:

- Explore creating or designating live/work or other spaces dedicated to material repair and upcycling, and selling of repaired and upcycled goods.
- Remove land use and other barriers to developing businesses that reuse or repair consumer goods, where doing so will not adversely impact the surrounding residential neighborhood.
- Develop resources to support direct donation to charitable organizations.
- Increase public awareness of and access to opportunities for reuse, product rentals, repair, and donation.
- Support, regulate, and expand the ~~City's~~ citywide reuse infrastructure.
- Establish a methodology to assess benefit of reuse and repair programs to goals for waste diversion, GHG emissions, and economic development.
- Partner with local vocational programs and/or OUSD to launch at least one high school or ~~junior~~ community college-level Repair Arts Academy.
- Develop a grant, recognition, or incentive program to celebrate and encourage local repair businesses or leaders.

Notes:
- *This will have a long discussion, including specifying examples of what types of items. See also notes for MCW-3 - want to pair these to have one discussion for both.*
- *Include EWDD as additional responsible dept.*
- *Aligns with WOCAP Action #1: "City... works with [West Oakland] property owners & local residents to redevelop [former CASS & other sites] with new businesses & light industrial uses that fit into a green economy." I'll also add in Brian Beveridge's comments from ad hoc. He's*

concerned that this could be interpreted as including more industrial applications; & that this won't be done in concert with zoning or other regs such that it'll add blight to the community.

- *Consider adding to first bullet or creating another about different zoning designations for different types of repair / reuse / recovery (and even refurbishment) businesses, noting that all need to be increased but not all should be in certain neighborhoods/districts. PBD needs to be involved.*

City Leadership

CL1: Evaluate and Reduce Climate Impacts of City Expenditures and Operation
By 2021, develop a GHG Impact Analysis for incorporation into budget, capital, and work plans at the departmental level. By 2023, adopt the Good Food Purchasing Policy or similar policy for all food purchased by the City for City business/events or as part of City contracts for events and activities, to ensure that all such food has minimal carbon impacts, and maximum health, equity, and local economic benefits. By 2024, track annual embodied GHG emissions related to City expenditures for construction, building maintenance, travel, and food. By 2025, establish maximum GHG performance thresholds for these and other appropriate City purchases.

Notes:
- *Daniel to lead on narrative for this. Will need lots of clarification.*

CL2: Phase Out Fossil Fuel Dependency in All City Agreements and Contracts
Explore ways to eliminate fossil fuel reliance in all agreements and contracts entered into by the City of Oakland, including utility and contractor franchise agreements, facility and infrastructure design and construction contracts, and other agreements in which fossil fuels will be directly or indirectly utilized to conduct the City's business.

Notes:
- *Lots of explanation in narrative; Daniel to lead.*

CL3: Accelerate City Fleet Vehicle Replacement
By 2030, ensure that over 50% of the City's fleet uses alternative fuels, with 100% of all non-emergency response sedan purchases being zero emission vehicles. By 2030, ~~the increase~~ triple the number of electric vehicle chargers dedicated to fleet vehicles ~~by 300%~~ compared to 2020. By 2025, develop a feasibility study to identify zero emission and alternative fuel solutions for all City heavy-duty and emergency response vehicles and equipment.

CL4: Explore Creation of Public or Green Bank ~~Establish annual Climate Champion Awards.~~
Explore, with other East Bay cities and regional partners, creation of a regional Public Bank or Green Bank for the purposes of fossil fuel divestment in City investments and local climate-friendly reinvestment. Identify options and potential for using this mechanism or others to fund climate action activities. ~~Establish an annual public awards ceremony to celebrate residents and businesses who are advancing climate action within the community~~

Notes:
- *In narrative: This work will build on the analysis completed in Oakland, Berkeley, and Richmond in determining the form, scale, and timeline that support the desired community outcomes for such an institution.*

Adaptation

A1: Fund Creation and Operation of Resilience Hubs

Increase community resilience by (1) supporting community engagement and community-led disaster preparedness training ~~(i.e. Communities of Oakland Responding to Emergencies)~~, prioritizing frontline communities first; and (2) developing protocols and enhancing building systems to enable trusted community-serving facilities – including libraries, recreation and community centers, and parks – to reliably serve their communities as places of refuge during smoke days, extreme heat, and power outages. By 2022, identify and prioritize specific resilience needs and gaps in frontline communities, and ~~a. ~~Assess feasibility of establishing Resilience Hubs at both municipal and community facilities in areas with prioritized gaps. By 2025, partner with established community resilience groups to co-develop and pilot three Resilience Hubs: community-serving facilities that support residents year-round and support resource distribution and onsite services before, during, or after a natural hazard event.~~develop three Resilience Hubs that build community resilience in frontline communities ~~, Identify ways that the City can support decentralized community facilities to serve residents who are unable to travel to centralized resilience hubs during disasters and emergencies.

Notes:
- *Oakland's recreation centers are "resilience hubs" that protect people and get them ready for climate change impacts. Recreation centers can be brought up to 21st Century community needs by providing filtered and cool air for climate-intensified heat, smoke and poor air quality days. These centers can be powered by and store solar energy to provide emergency power during outages. Recreation Center Directors and Recreation Advisory Councils (RACs) can provide community leadership, develop protocols and implement strategies to protect the thousands of children and community members during critical climate events.*
- *Include description & background of CORE in narrative section.*

A2: Fund and Implement Citywide Vulnerability Assessment and Comprehensive Adaptation Plan

~~Update ~~Complete and/or update emergency plans, including the Local Hazard Mitigation Plan (LHMP), matching Federal requirements, including hazard identification and climate risk assessment. In conjunction with the update or adoption of the LHMP, complete ~~to include ~~a citywide vulnerability assessment and comprehensive adaptation plan, addressing climate risks using forward-looking projections and including community stakeholder engagement. Use results of these plans to identify existing and trusted community-serving facilities, including recreation and community centers and parks, as well as locally-trusted private facilities, to serve as shelter, evacuation, and/or clean air centers for future climate emergency events, prioritizing resources in frontline communities. ~~By 2025, i~~Implement key recommendations of these plans by 2025 to address major climate ~~addressing ~~risks in

frontline communities first. Update these documents every 5 years with~~to incorporate~~ evolving climate and risk projections and adaptation best practices.

Notes:
- *Generally, ensure we prioritize community in the assessment, and concern about implementation / funding for assessment. Explain what LHMP is.*

A3: Wildfire Risk Reduction
Fully fund and implement a Vegetation Management Plan for high-fire risk areas. Require building owners in high-risk areas to maintain defensible space and implement low-cost fire prevention measures. Increase wildfire safety requirements for new construction or major renovations in high fire risk areas.

Notes:
- *Mention in narrative: goats can be one of many strategies; potential for green jobs; importance of homeowner/landowner education.*
- *Ensure that Finance section includes exploring possibility of parcel tax for LLAD.*

A4: Expand and Protect Green Infrastructure & Biodiversity
Fund and implement a green infrastructure program for the installation and maintenance of projects and existing civic resources such as the parks system and public spaces, to improve stormwater management, support biodiversity, reduce air pollution exposure, and increase access to natural spaces, including trees. Prioritize investment in frontline communities, and particularly in residential neighborhoods dominated by concrete and asphalt with limited green space and elevated air pollution, in Priority Conservation Areas, and in areas where green infrastructure, including trees and other types of vegetated buffers, can effectively address stormwater management issues and reduce air pollution exposure among sensitive populations. By 2023, identify funding to expand green stormwater infrastructure citywide.

Notes:
- *Incorporate considerations and language from Urban Biofilter in action narrative (e.g. design based on site conditions). Include advocacy to CalTrans (plant&maintain buffers along freeways) and both CalTrans+MTC (evaluation criteria for repaving projects - Shayna still needs to talk to Mohammed Alaoui about this). Include mention of green jobs, youth training, and community building potential for this item. Specify in narrative that the bulk of the air pollution we're talking about comes from freeways (especially trucks along 880) and industrial sources.*
- *Discuss distinction among different types of green infrastructure for mitigating air pollution, SLR, stormwater inundation, UHI (from Urban Biofilter), and distinction between buffers near pollution source vs. near sensitive populations (former is better overall, latter is more targeted/surgical).*

A5: Identify and Reduce Financial Risks from Climate Change
By 2024, evaluate existing and potential financial risks posed by climate change to both City and community. Recommend strategies to mitigate these risks as available and appropriate, including options for insurance products, green infrastructure bonds, real estate strategy and other appropriate mechanisms.

Notes:

- *Add to Narrative: "*Climate change poses significant financial risk to the City, potentially diverting funds critical to the provision of essential services. Analyzing and planning for these risks can help minimize liability and reduce the cost necessary to adapt to these conditions."
- *Need to clarify in the Action narrative what we mean when we say that this action also includes community risks.*
- *Will probably reword to be consistent format with other actions.*

A6: Enhance Community Energy Resilience

Work with EBCE to develop a program and timeline for increasing resilience to power losses, including Public Safety Power Shutoffs (PSPS), and climate-driven extreme weather events for low income, medically dependent, and elderly populations through installation of renewable energy and onsite energy storage with islanding capabilities. Include energy efficiency building upgrades in any program, leveraging local and regional incentives. This program may include grants, incentives, rebates, and/or integration with other energy programs.

Notes:

- *Mention use of fossil fuel-powered generators during PSPS in Action narrative*
- *Remove barriers (re: individual & shared energy storage) for community resilience building*

Carbon Removal

CR1: Develop Local Carbon Investment Program

By 2023, Establish a program for both voluntary and compliance GHG mitigation fees to be invested locally. Prioritize projects in frontline communities, such as tree planting and urban greening, including in parks; building electrification; creek restoration; and neighborhood EV car share. Partner with Oakland businesses to establish a "Carbon Neutral Oakland Business" designation, with any offset or "Polluter Pays" fees invested locally, with priority benefit to frontline communities

Notes:

- *Action Narrative: Describe role of parks system in narrative*
- *In narrative, need to address overall concerns: Don't enable more FF pollution; don't give co-pollutants a pass.*

CR2: Expand and Protect Tree Canopy Coverage

By 2022, create a fifty-year Urban Forest Master Plan that:

- Prioritizes strategies to address inequities among neighborhoods in tree canopy coverage;
- Ensures that carbon sequestration is a major factor in tree planting targets, selection of tree species, and tree management practices;
- Establishes a clear and sustainable funding mechanism for ongoing tree maintenance; and
- Establishes a protocol and goals for community partnerships for tree planting and maintenance

Notes:

- *In narrative, include language about green buffer zones / native trees / planting and maintenance strategy and funding (already in action!) / right tree right place - Where feasible, conduct work to be synergistic with GI efforts to provide or enhance buffers. Native trees: not always feasible, e.g. holes in concrete oft can't accept native trees; prioritize when conditions permit.*
- *Echo WOCAP in discussion (#10) ("City [to create] comprehensive, area-wide urban canopy & vegetation plan that identifies locations that trees can be added and maintained, such as parks & along Caltrans' ROWs, & develops a plan to protect existing trees that reduce exposure to air pollution emissions in W Oakland. This includes partnering with local nonprofit groups, encouraging trees on private property, & working with the community on tree maintenance & (as needed) removal."*

CR3: Explore Carbon Farming

Explore potential for carbon farming on vacant public or private land, throughout the City's parks and open space system, and in coordination with other public landowners in Oakland. Consider requirements and incentives and prioritize investments in frontline communities where feasible. By 2023~~3~~5, establish a pilot carbon farming project to evaluate carbon removal opportunities.

Notes:
- *General fear of land use priorities / displacement / gentrification. Designated Carbon farming areas should remain so.*
- *In action narrative, discuss opportunities to partner with community orgs, including Sogorea Te, PJN, City Slickers, ANV, etc.. Mention potential opportunities for applying lessons to landscaping at City facilities, especially those that are community-facing. Mention potential overlap with organic urban agriculture that would also increase food security in low-income neighborhoods.*
- *Changed the date to 2025 because we have a lot of "by 2023" actions already.*

CR4: Rehabilitate Riparian Areas and Open Space

Identify funding to continue and expand programs to restore creeks and provide ecosystem services in coordination with stormwater management planning, prioritizing investment that reduces climate risks in frontline communities~~that reduces climate risks~~. Include funding for ongoing maintenance and public access.

Notes:
- *Include in discussion: local orgs like FOSC and Segorea Te; indigenous groups and knowledge in general; linkages to bike/ped Master Plans (if the linkage is there) re: expansion of paths into re-wilded areas to foster nature connections with community. Also concern about homeless populations that live in or utilize riparian areas - both for land/wildlife impacts, and for protecting the people.*
- *Note in discussion that this action includes daylighting covered creeks where that's feasible. Need to include a few sentences (have Kristin Hathaway review) to explain what we're already doing: City has an acquisitions program through Measure DD; has to be undeveloped land, generally can't be private property (constraints that have led the program to primarily operate in the flats - e.g. Coliseum, Lyon Creek, Cortland Creek, Peralta); we already have an acquisitions plan, just need more $ to implement creekside and watershed- beneficial projects. When DD expires, there will no longer be a mandate for creek restoration.*

CR5: Assess Feasibility for Sequestration Incubator

By 2025, evaluate the potential for a Carbon Sequestration Incubator in Oakland to incubate and develop green jobs in urban agriculture, urban forestry, aquatic and riparian restoration, engineering technology, and/or other forms of carbon removal. Assess market opportunities, policy drivers, potential locations, and existing businesses and non-profits that may benefit from co-locating in such a space.

Notes:
- *Narrative section will need lots of clarifying language about what this means, what it could entail, and role of EWDD.*

CR6: Explore Regional Aquatic Sequestration Opportunities

Coordinate with other Bay Area municipalities, non-profits, and agencies to develop a regional approach to aquatic sequestration in San Francisco Bay by 2030.

Port Leadership

PL1: Reduce Emissions from Port Vehicles and Equipment.
- ~~Deploy 44 zero emission yard tractors by 2025;~~ By 2022, develop a long-term plan for full electrification of drayage trucks.
- By 2024, develop a zero-emissions transportation master plan for all airport operations.
- ~~Deploy 14 battery electric trucks by 2021, and 21 battery electric trucks by 2027;~~ By 2026, develop and install sufficient electric charging infrastructure for 50% of all yard trucks and cargo handling equipment
- ~~Ensure new rubber tired gantry cranes are hybrid electric or best available technology~~ Plan electric charging infrastructure as part of a comprehensive backup power and climate resilience effort to insulate the Port of Oakland from the impacts of changing electric power reliability.
- Study the feasibility of renewable diesel in Port sources of GHG emissions as an interim strategy on the pathway to all-electric vehicles.
- Study the effect of the extra weight of battery electric trucks on the overweight corridor.
- Work with State and private businesses to develop and host a renewable hydrogen production, storage, and fueling infrastructure pilot project.
- Analyze the potential for establishing entry fees for GHG-producing vehicles as a funding source for PEV infrastructure

~~PL2: Explore additional low-emission vehicle and fuel options.~~
- ~~Study the feasibility of renewable diesel in Port sources of GHG emissions~~
- ~~Study the effect of the extra weight of battery electric trucks on the overweight corridor.~~

~~PL3: Educate Port stakeholders~~
~~Expand outreach to licensed motor carriers who drive short distances and target outreach on incentives programs in coordination with the BAAQMD~~

~~PL4~~ PL2: Reduce Emissions from Electricity

By 2023, Port of Oakland should procure 100% carbon-free electricity for Port operations and all electricity supplied to tenants or other end users.

~~PL5: Replace Airport vehicles with zero-emission vehicles.~~

~~Replace 50% of diesel and compressed-natural gas airport shuttles to with zero-emission airport shuttles by 2030.~~

~~PL6: OAK to pursue Airport Carbon Accreditation (ACA)~~

~~OAK to~~Oakland International Airport will ~~achieve "Reduction" certification through ACA by 2022 and achieve "Optimization" Certification by 2025. Through the ACA's third-party certification, the airport will benchmark carbon emissions and demonstrate reduction.~~

Attachment B

Feedback: Buildings
+(Source) 2030 ECAP Community Recommendations Summary
-Where will community-owned solar panels be located? Using the tallest building?
-Will the solar panels be direct current or will homeowners have to purchase a solar battery in order to store generated energy for night time uses?

+(Source)ECAP Action Language
- Will new buildings or older remodeled buildings be LEED(Leadership in Energy and Environmental Design) Certified?

Certification focuses on:
-planning and design
-energy efficiency
-water efficiency and conservation
-material conservation and resource efficiency
-environmental quality

External link for more information: https://www.usgbc.org/leed

Attachment C

February 17, 2020

Comments regarding ECAP Action Language (updated 02/6/20) by Oakland City Staff

Comments provided by:
Ryder Diaz, member of the 2020 ECAP ad hoc Community Advisory Committee. Diaz is the Curator of Natural Science at the Oakland Museum of California but these opinions are his own. Diaz has a background in ecology/evolutionary biology, and writing about health, science, and policy for print and radio outlets.

Background:
I agreed to provide my feedback on the Waste section of the 2020 ECAP.

Findings:
There is a need for clearer and more enforceable language for each of the following actions. My proposed wording is as follows:

Recommendation:
Proposed ECAP wording
MCW4. Eliminate single-use plastics and prioritize reuse in food preparation, distribution, and sale. By 2023, pass an ordinance to reduce the prevalence of single-use plastic in Oakland and to ensure that reusable food ware is the default in dining.
Specifically:

- Require reusable food service ware for all dine-in establishments.
- Require that any single-use accessories (straws, utensils, condiment cups) are only available on demand.
- Ensure that customers are allowed to bring their own reusable containers in eat-in or take-out establishments.
- Mandate the use of single-use food ware (plates, bowls, cups) and accessories (straws, utensils, condiment cups) that is actually compostable in the facilities where the city of Oakland sends its compost. Exceptions to providing compostable items are made where certain materials may be deemed medically necessary or necessary to ensure equal access for persons with disabilities.
- By 2023, the City shall expand on its ban of expanded polystyrene food containers to other categories of single-use plastic and disposable food service ware as needed to meet the City's Zero Waste goals. Ensure that all "compostable" and "biodegradable" foodware materials sent to compost facilities within Alameda County are truly compostable in those facilities.

MCW5: Strengthen Infrastructure and Partnerships for Edible Food Recovery
Support existing capacity, and develop new capacity, to recover edible food that is otherwise wasted, and distribute that food for human consumption to the neediest members of the community (specifically our houseless neighbors, low-income families, low-income elderly, and

children). Engage with stakeholders including local food donation, recovery, and collection organizations to build robust, green collection and food storage capacity and reliable distribution systems to the neediest populations. Engage with food generators such as supermarkets, wholesale distributers, large hotels, and institutions, to increase access to surplus edible food that food recovery partners want (or will accept) and to ensure food generators comply with the Edible Food Recovery requirements of SB 1383. Inform edible surplus food generators about strategies and best practices for preventing surplus food.

MCW6: Support the Reuse, and Repair, Recovery, and Refurbishment Economy
By 2025, create a community reuse and repair program to increase waste diversion, and reduce material consumption, and create green jobs. As part of creating this program, the City will also explore creating or designating live/work or other spaces dedicated to material repair and upcycling, and selling of repaired and upcycled goods.
The city will support with monetary and other necessary resources:
- Oakland Unified School District teachers and students developing K-12 climate justice education and curriculum that is augmented with service learning opportunities and partnerships with the City and community-based organizations.
- Support the establishment of green, community-, and worker-owned cooperative businesses to retain local wealth and build economic democracy.
- Provide green jobs training for development of local businesses that repair & upcycle goods.
- Remove land use and other barriers to developing businesses that reuse or repair consumer goods, where doing so will not adversely impact the surrounding residential neighborhood.
- Increase public awareness of and access to opportunities for reuse, product rentals, repair, and donation.
- Support, regulate, and expand the City's citywide reuse infrastructure
- Establish a methodology to assess benefit of reuse and repair programs to goals for waste diversion, GHG emissions, and economic development
- Partner with local vocational programs and OUSD to launch at least one high school and one community college-level Repair Arts Academy
- Develop a grant, recognition, or incentive program to celebrate and encourage local repair businesses or leaders.

Attachment D

Hi Ryder,

I apologize for the delay. I was out sick for most of the last week. I pulled out your main questions and am providing responses here:

Can Oakland's compost facilities currently accept BPI-certified products? / Can we ask the City of Oakland to create its own industrial composting facility that will be able to compost these items?
- Waste Management just opened a new covered aerated static pile (CASP) facility at the Altamont Landfill to process compost. The franchise agreement the City has with Waste Management of Alameda County (MM&O) required WMAC to build the CASP facility for Oakland's benefit, and the agreement requires they accept compostable materials. This facility has a policy where any composted materials that do not breakdown within 28 days' time will be sifted off and landfilled. It is not our goal or intention to agree on accepted materials in the compost stream if they do not actually compost. The goal is to reduce single-use disposable waste whether it is for recycling, composting, or landfill. Composting everything is not the answer, especially because the end use of the compost may be to grow food.

Curious about more information on BPI-certified products? What are the benefits of asking retailers/food service establishments to use BPI-certified products over Bagasse, paper, or wood, which are currently compostable?

- We are not recommending businesses use BPI-certified compostable plastics over traditional paper plates or cups, the issue is that many paper products that were once easily compostable are now PLA lined and that PLA does not always fully breakdown in the compost facility and is instead sifted off and sent to landfill. BPI is one of the best indicators that we have when giving restaurants direction about which materials will be compostable. It is a widely used certification that is specifically called out on the product for consumers to understand their purchasing decision. Additionally, BPI-certification is undergoing changes in which materials they certify. They will no longer be certifying materials that contain [Fluorinated Chemicals](#), ensuring a less toxic compost stream.
- BPI is certification that a material breaks down, not an exclusive manufacturer of products. Baggasse, paper, or wood products can be BPI certified. You can find examples [here](#).

Can we move to using the products that are currently compostable while pushing toward reusable products wherever possible?
- This is exactly what this action is working toward. See Action Language: "By 2023, pass an ordinance to reduce the prevalence of single-use plastic in Oakland and to ensure that reusable food ware is the default in dining…."

There is a lot of community work on this effort, including:
- Wastebusters and Sudbusters is mainly focused on providing reusable cups and plates at festivals and has a mobile wash site.
- Paul Liotsakis formerly of GoBox is about to relaunch as Sparkl SFBay and is mainly focused on promoting reusable cups and containers for take-out.
- ReThink Disposables offers businesses Technical Assistance to switch from disposables to reusables.
- Flo's Friendly Foods is a small caterer for elementary school lunches that serves everything in reusable containers.

- Vanessa Pope recently launched For Here, Please, a non-profit focused on changing to-go culture and not only promoting reusable cups at café's, but also promoting a culture of ordering food and drinks for here, and taking time to have a social experience in café's.

I thought there was some talk of allowing customers to use their own containers when they pick up food at a restaurant. Is that still an ongoing conversation?
- It is an individual-level decision to bring Tupperware to a restaurant and request for them to use that instead of anything single-use. A new state law called AB 619 recently went into effect which requires food service businesses to fill customers' reusable containers. This policy opportunity to change behavior will be included in the narrative of the ECAP, but not as an action item under City authority.

The environmental impact of food packaging is far less than the environmental impact of food. It seems like we should be prioritizing food practices and procurement first.
- It does not have to be either/or. We have a major goal to reduce the amount of materials going to landfill, especially organic materials. This requires action on single-use products.

MCW5: Will the wrapping and collection materials used to pick up this surplus food be addressed? Reusable containers, single-use plastic, etc.?
- All of the actions throughout the ECAP are meant to build on and reinforce one another. We do not want our actions to contradict or negate one another. Action 4 in this section makes it clear that in all food preparation, distribution, and sale, reusable packaging will be prioritized in an effort to eliminate single-use plastic.

MCW6: Language clarification
- Thank you for pointing this out! We agree that the language was unclear. We changed it to look like this:
-

"MCW6: Support the Reuse, Repair, Recovery, and Refurbishment Economy
By 2025, create a community reuse and repair program to increase waste diversion, reduce material consumption, and create green jobs. Specifically:
- Explore creating or designating live/work or other spaces dedicated to material repair and upcycling, and selling of repaired and upcycled goods.
- Remove land use and other barriers to developing businesses that reuse or repair consumer goods, where doing so will not adversely impact the surrounding residential neighborhood.
- Develop resources to support direct donation to charitable organizations.
- Increase public awareness of and access to opportunities for reuse, product rentals, repair, and donation.
- Support, regulate, and expand the citywide reuse infrastructure.
- Establish a methodology to assess benefit of reuse and repair programs to goals for waste diversion, GHG emissions, and economic development.
- Partner with local vocational programs and/or OUSD to launch at least one high school or community college-level Repair Arts Academy.
- Develop a grant, recognition, or incentive program to celebrate and encourage local repair businesses or leaders."

Attachment E

Comments regarding ECAP Action Language (updated 02/6/20) by Oakland City Staff

Comments provided by:
Ryder Diaz, member of the 2020 ECAP ad hoc Community Advisory Committee. Diaz is the Curator of Natural Science at the Oakland Museum of California but these opinions are his own. Diaz has a background in ecology/evolutionary biology, and writing about health, science, and policy for print and radio outlets.

Background:
I agreed to engage in research and talk with community members concerned with the proposed wording of "CL4" as it appears in the document "ECAP Action Language (updated 02/6/20)," which is intended to be included in the final 2020 ECAP. "CL4" was written to reflect community priority #1. Please find attached the full results of my research, including excerpts of documents and reports.

Findings:
There is a need for stronger and more enforceable language around how community priority #1 is codified into "CL4" in the final 2020 ECAP. My proposed wording is as follows:

Recommendation:
Proposed ECAP wording
CL4. Support the creation and funding of a regional public bank whose mission incorporates a focus on climate justice. The public bank will enable Oakland (and its regional partners) to divest from fossil fuel investments as well as provide cost savings and profits that will be reinvested in the local economy and local climate-justice projects.

Public Bank vs Green Bank Synopsis
for 2020 ECAP Ad hoc Committee

Community Priority #1: Support a public bank to divest public money from fossil fuels and enable local financing of local sustainable economic development projects promoting climate action and creating local benefits.

"The banking process is political. Banks [...] decide where credit will flow throughout society and thus what human initiatives will flourish and which will wither. People, ventures, regions win and lose. This is the stuff of high politics, not calculus."
-Susan Hoffman, *Politics and Banking: Ideas, Public Policy, and the Creation of Financial Institutions*

"Credit is so political in large part because it is a key and necessary instrument to accessing economic opportunity, generating income, and building wealth."
-Dan Immergluck, *Credit to the Community: Community Reinvestment and Fair Lending Policy in the United States*

DEFINITIONS AND RESEARCH
What is a public bank?
A financial institution owned by a government agency and operated in the public interest.
(Source: Money-Zine)

Possible benefits of public banks:
To grow the local economy.
To raise revenue for regions without raising taxes.
To provide loans to small businesses.
Better banking terms for the regional government.
(Source: 2011 Demos report: Banking On America: How Main Street Partnership Banks can Improve Local economies)

Example: Bank of North Dakota.
"When North Dakotans pay their taxes, instead of being deposited into private commercial banks, the funds go to the Bank of North Dakota, which in turn reinvests in both sectors of the local economy: private and public. BND supports private banks and local business borrowers by offering "banker's bank" services to community banks in ways that increase local lending. BND supports the public sector by saving local and state governments money through profit-sharing and financing for infrastructure projects [   ] BND has helped carve out and protect a free and competitive market for community banks and borrowers that would otherwise have been lost to big banks."
- Created new jobs through lending to small businesses.
- Generated new revenue for the state.
- Lowered debt costs.

- Strengthened local banks.
- Built up small businesses. Continuing to provide loans even during economic recession.
- Enabled a diverse local lending market
- Private banks cut back on small-business loans during the recession but the North Dakota Public bank actually increased its lending.

(Source 2011 [Demos report](#): Banking On America: How Main Street Partnership Banks can Improve Local economies)

Bank of North Dakota has Agricultural Loans, Student Loans, Home Loans, Infrastructure Loans, Business Loans, as well as savings and checking accounts for the public, banking for government agencies, and banking for financial institutions.
(Source: [Bank of North Dakota](#))

"Main Street Partnership Banks could provide states a way to put local tax dollars to work supporting the local economy—providing an innovative solution to a rising problem. As finance has grown more concentrated, speculative and globally-focused over the past decade, it has also grown less accountable to the real economy, particularly at the local level. Governors and Treasurers across the country are beginning to realize that they can no longer wait for Wall Street to reinvest in their communities, or to provide fairer terms for their investment and banking services. After operating in relative obscurity for nearly 100 years, the Bank of North Dakota is now serving as a bi-partisan model for public finance and sustainable local lending in the 21st century."
(Source 2011 [Demos report](#): Banking On America: How Main Street Partnership Banks can Improve Local economies)

What is a green bank?
"A public, quasi-public or non-profit entity established specifically to facilitate private investment into domestic low-carbon, climate-resilient infrastructure [   ] A Green Bank is a publicly capitalized entity established specifically to facilitate private investment into domestic low carbon, climate resilient (LCR) infrastructure and other green sectors such as water and waste management [...] 'Green Bank-like entities' refers to organizations that have a mandate to leverage private finance for LCR infrastructure investment but which may not possess all of the core characteristics of GIBs and may pursue other activities or use other approaches."
(Source: [Green Bank Network](#))

Possible benefits of green banks:
- Mandate to focus on green infrastructure projects
- Focus on "cost-effectiveness" (because private investors generally want a return on their investments)

(Source: [Green Bank Network](#))

Examples:
"Governments are using GIBs [Green Investment Banks] to channel private investment, including from institutional investors, into low-carbon projects such as commercial and residential energy efficiency retrofits, large-scale onshore and offshore wind, rooftop solar photovoltaic systems and municipal-level, energy-efficient street lighting. Unlike grant-making public institutions, GIBs focus on financial sustainability and some are required to be profitable."
(Source: OECD,GREEN INVESTMENT BANKS: INNOVATIVE PUBLIC FINANCIAL INSTITUTIONS SCALING-UP PRIVATE, LOW-CARBON INVESTMENT POLICY REFORM. 2017)

"To mobilise private investment in domestic green infrastructure, "greening" existing institutions may be preferable to creating new institutions when the necessary institutional and political support exists. For example, many countries have national development banks (NDBs) (or public investment, infrastructure or industrial development banks) which focus on domestic investment. These banks are typically much larger than even the largest GIB. Many NDBs are less focused on mobilising green investment than GIBs and have broader agendas than mobilising green infrastructure investment. To achieve the objectives of the Paris Agreement and the SDGs, countries will need to seize opportunities to "green" infrastructure lending by NDBs. On the other hand, some NDBs have been providing financing for low-carbon projects for many years. For example, Germany's KfW has been investing in environmental protection domestically and internationally since the 1980s, and invested approximately USD 56 billion in 2015 in "domestic promotion", including but not limited to "special programmes to foster the use of renewable energy, to increase energy efficiency and to promote innovative technology companies.""
(Source: OECD,GREEN INVESTMENT BANKS: INNOVATIVE PUBLIC FINANCIAL INSTITUTIONS SCALING-UP PRIVATE, LOW-CARBON INVESTMENT POLICY REFORM. 2017)

Mission of Friends of the Public Bank of Oakland
(adopted May 22, 2017 by the general meeting)
It is the mission of FOB to provide community oversight and stewardship in the formation and functioning of the Public Bank of Oakland to base its decisions on the values of: Equity, Accountability, Social Responsibility and Democracy.

1) Equity – The FOB is committed to a public bank which acknowledges and attempts restitution of the historical burdens carried by disenfranchised communities, including communities of color and many other marginalized groups.

2) Accountability – The bank is accountable to the residents of Oakland and the greater Bay Area, (e.g., Berkeley, Richmond, etc.), who have a right to fully transparent explanations of the Bank's actions and choices.

3) Social Responsibility – Decisions regarding who gets loans, what projects get invested in, and who benefits should take into account investing our money into the wealth and health of local communities and the environment.

4) Democracy: The bank will be governed using democratic processes which consciously and intentionally adhere to the values/principles listed above.
(Source: Public Bank East Bay)

More information
https://www.publicbankinginstitute.org/

QUESTIONS AND AUTHOR'S OPINIONS

1.   Does Oakland need another green bank?

It seems like a duplicative service. California already has a green bank: California Infrastructure and Economic Development Bank (IBank). Housed within IBank is California Lending for Energy and Environmental Needs (CLEEN) Center, which "provides direct public financing to Municipalities, Universities, Schools and Hospitals (MUSH borrowers) to help meet the State's goals for greenhouse gas reduction, water conservation, and environmental preservation." The CLEEN Center formed in 2014.

(Source: California Lending for Energy and Environmental Needs (CLEEN) Center)

2.   Do public banks or green banks fit better with Oakland's Just Transition framework?

Green banks are focused on private investments and rarely seem to interface with the public directly. It seems likely that polluting companies might be able to invest in and profit from green banks. Public banks seem to better support the Just Transition's goals of building a regenerative economy rooted in deep democracy and promoting the well-being, economic stability, and growth of our communities. By generating new revenue (and saving money) for the region, a public bank can support the type of projects outlined in the ECAP. It is important to note that *de facto* public banks are not required to prioritize low-carbon or climate action initiatives. It is critical that the mission of any public bank supported by the ECAP would support climate justice projects and equitable climate resilience community programs.

Green banks, although focused on climate change, are still beholden to wealthy investors and not the public. In that sense, green banks do not meet the community's desire for maximizing local benefits.

Additionally, AB857 legislation *(Full text of legislation)* directs a public bank in California to support community banks and credit unions. This partnership may allow for more equitable financial services to low-income community members. The Bank of North Dakota has a similar model where they support community banks, which has led to an increase in loans to small businesses (even at a time when private banks were withdrawing their lending from the community).

Section 1 of AB857 *(Full text of legislation)* incorporates many of the values of a public bank that are consistent with the ECAP: *"It is the intent of the Legislature that this act authorize the lending of public credit to public banks and authorize public ownership of public banks for the purpose of achieving cost savings, strengthening local economies, supporting community economic development, and addressing infrastructure and housing needs for localities. It is the intent of the Legislature that public banks shall partner with local financial institutions, such as credit unions and local community banks, and shall not compete with local financial institutions."*

3.   How does transparency work with green banks and public banks?

In North Dakota, "the bank is audited annually by an outside firm, and biennially by the North Dakota Department of Financial Institutions. The independent auditor publicly presents its review of the bank's financial condition—a level of transparency unknown to Wall Street." *(Source 2011 [Demos report](): Banking On America: How Main Street Partnership Banks can Improve Local economies)*

The main interest of private banks is profitability, while the interest of public banks is the public. Most meetings of a public bank will be open to the public per AB857 legislation *([Full text of legislation]())* which "r*equires that all meetings of the legislative body, as defined, of a local agency be open and public and all persons be permitted to attend unless a closed session is authorized."*

4. *Who decides which projects a green bank deems as climate-resilient infrastructure? How are these projects decided at a public bank?*

These are open questions that I do not have the answers to. Public banks can lend money to the municipality or the state or engage in public-private partnerships to invest in public infrastructure. The city would get a much better rate at a public bank than if it went to a private bank.

5. *What kind of start-up capital would be needed to start a public bank? A green bank?*

It seems like a huge amount of capital would be needed in both instances, but a public bank's funds would be reinvested in the region over time.

6. *How do we ensure that public banks focus on climate justice projects?*

AB857 legislation *([Full text of legislation]()): "The bill would require a public bank to include a specified purpose statement in its articles of incorporation and make conforming changes. The bill would require a local agency to conduct and approve, as specified, a study of the viability of a public bank containing specified elements before submitting an application to the commissioner to organize and establish a public bank and would require the local agency to include a copy of that study in the application submitted to the commissioner."* It seems that the ECAP can advocate for a purpose statement that includes climate justice in the bank's articles of incorporation.

Proposed ECAP wording

CL4. Support the creation and funding of a regional public bank whose mission incorporates a focus on climate justice. The public bank will enable Oakland (and its regional partners) to divest from fossil fuel investments as well as provide cost savings and profits that will be reinvested in the local economy and local climate-justice projects.

Attachment F

Good afternoon,

At the last Community Advisory Committee meeting discussing the ECAP Report, Friends of the Public Bank East Bay
submitted public testimony about the proposed language in the current ECAP Report. Ryder Diaz was tasked with researching
and communicating with the Public Bank group. Ryder submitted a list of questions to our group and we responded.
I would like to submit for the public record our responses to Ryder's questions along with our comments about a Green Bank
and the language we at Friends of the Public Bank East Bay would like to see adopted into the ECAP Report.

Respectfully submitted,

Margie Lewis
Friends of the Public Bank East Bay
www.puclicbankeastbay.org

Here are our responses to Ryder's questions:

1. Who writes the charter for a public bank?
    a. Under AB 857, signed into law in October 2019, California public banks will be chartered (also sometimes called licensed) by the California Department of Business Oversight. The organizing group must submit a business plan and an application to the DBO. The business plan and application for our group will be written by a banking consultant. A city or the county has to be the entity submitting the application.
2. How are public banks accountable to everyday residents? Or are they accountable simply to elected officials and civil servants? Who has oversight

3. How are public banks transparent to the public?
    a. All banks are overseen by boards of directors. In private banks, these boards tend to consist of rich people who have invested in the bank, and have a mission of insuring profitability. In publicly traded private banks, maximizing profit is an SEC requirement. As we envision California public banks, the boards of directors will be selected in significant part from the community. The governance plan of Public Bank East Bay calls for a 15-member board, of whom 8 selected as community members and the other 7 are bankers, lawyers, compliance experts, and elected officials. The intention is that the community members have or learn banking policy experience and that the professional members have community values. We are currently developing that board in an interim stage, and finding excellent candidates in virtually all categories.

Here is our mission statement:

• It is the mission of Public Bank East Bay to provide community oversight and stewardship in the formation and functioning of the Public Bank of the East Bay to base its decisions on the values of: Equity, Accountability, Social Responsibility and Democracy.

• 1) Equity – PBEB is committed to a public bank which acknowledges and attempts restitution of the historical burdens carried by disenfranchised communities, including communities of color and many other marginalized groups.

• 2) Accountability – The bank is accountable to the residents of the East Bay, who have a right to fully transparent explanations of the Bank's actions and choices.

- 3) Social Responsibility – Decisions regarding who gets loans, what projects get invested in, and who benefits should take into account investing our money into the wealth and health of local communities and the environment.

- 4) Democracy: The bank will be governed using democratic processes which consciously and intentionally adhere to the values/principles listed above.

- In addition, we will promote community involvement and transparency by having open board meetings (with closed sessions for issues involving the finances of private individuals and businesses), by having an annual public reporting/gathering/party to inform people of what the bank is doing, and how things are going, and by including as part of the bank structure an "academy" designed to train community members to be on the board of directors or otherwise involved in the policy and day-to-day operation of the bank.

- 4. How are public banks designed (or how can we design a public bank) to meet the unique financial services needs of low- and middle-income people, in ways that traditional corporate banks are not?

- Public banks as conceived by AB857 will not be retail banks: they will not be accepting accounts from individuals, whether low-, middle-, or high-income. However, the financial support and backing of public banks, in partnership with community banks and credit unions, will make it much more possible for those institutions to offer alternatives to predatory lending for low-income people, and affordable loans to middle-income people and local small businesses. In addition, we look to the Bank of North Dakota, which refinances virtually all student loans from both residents of North Dakota and students at North Dakota institutions at much more reasonable rates: this is an excellent example of how public banks can serve individuals.

- 5. Tell me a little about how a public bank would/could support climate-resilient infrastructure projects and programs.

- The key mission of a public bank is to route two sources of income back to municipalities and local government organizations. The first source of income is the money *saved* by a city, county, or water/transit/etc. district if it doesn't have to bank with a Wall Street bank. (Currently, only Wall Street banks can handle the needs of even a small city or agency.) Public banks will charge extremely modest fees instead of the rapacious fees of the big banks, and the savings to a public depositor can be in the range of 15% or more. That money then becomes available for the needs of the depositor, which certainly includes infrastructure needs.

- The second source of income is the profit from loans. The public bank will loan to local small businesses and individuals at reasonable rates, and the profit will be returned to the depositors, instead of being funneled to large shareholders in big banks. We note here that the Bank of North Dakota has an annual return on investment of 17-18%. While that is certainly ambitious for the first years of a new public bank, it is also clearly within reach over time. That money, like the savings on bank fees, returns to the depositor and substantially increases the amount of money available for needed infrastructure projects.

- It should also be noted that moving deposits away from the big banks is, in itself, a green action, as the big banks are not only all self-admitted felons who have paid huge penalties for fraudulent behavior, they are also major funders of the fossil-fuel industry. So the public bank will be taking money away from fossil fuel investments, returning fee savings to its public depositors, and returning its profits to its public depositors.

- We are aware that ECAP has discussed "exploring the possibility of a green bank." While we have no objection to green banks, they can't begin to do what a public bank can do. Although California has a "green bank" run out of its State Treasurer's office, most green banks are not publicly owned. Most of them are also not actually *banks* (rather, they are revolving loan funds)*,* and thus not regulated under the

banking division of the Department of Business Oversight. Thus, they are subject neither to the DBO's stringent regulations nor to public accountability. They will not be mandated to put the city's needs above shareholder profits. They are not necessarily local banks and therefore may not be aware of our local needs and priorities. They may not have the transparency that we require. They will not be prepared to manage the money of the East Bay municipalities. The Public Bank East Bay will certainly be open to partner with any local green bank which can demonstrate appropriate community values as well as actual green (and not greenwashing) practices.

Here is wording Public Bank East Bay wants ECAP to put in their report:

C4. Support the creation and funding of a regional public bank, Public Bank East Bay, which will enable Oakland and other municipalities and public entities to divest from fossil fuel investments and will provide both savings and profits to depositors to support local community-based, climate-friendly re-investment and restoration.

#	Action #	Action Title	Lead Dept.	Supporting Dept.	GHG Redux Potential	Cost	2020	2021	2022	2023	2024	2025	2026	2030	2035	2040	2050
		Transportation + Land Use															
1	**TLU1**	Align Planning Policies & Regulations with ECAP Goals & Priorities	PBD	PW-SUS, DOT	🌿🌿	$$$											
2	**TLU2**	Abundant and Accessible Public Transit	DOT	PW	🌿	$$				✔							✔
3	**TLU3**	Reduce & Prevent Displacement of Residents and Businesses	EWD, HCD		🌿	$$$											
4	**TLU4**	Rethink Curb Space	DOT	PBD	🌿	$											
5	**TLU5**	Create a Zero Emission Vehicle (ZEV) Action Plan	DOT	PW-SUS	🌿🌿	$		✔									
6	**TLU6**	Ensure Equitable and Clean New Mobility	DOT		🌿🌿	$											
7	**TLU7**	Align Permit and Project Approvals with ECAP Priorities	PBD	PW-SUS	🌿🌿	$											
8	**TLU8**	Expand and Strengthen TDM Requirements	PBD	DOT	🌿🌿🌿	$$											
9	**TLU9**	Expand Neighborhood Car Sharing	DOT		🌿🌿	$$								✔			
10	**TLU10**	Establish Temporary and Permanent Car-Free Areas	PBD	DOT, EWD	🌿🌿	$											
		Buildings															
11	**B1**	Eliminate Natural Gas in New Buildings	PBD	PW-SUS	🌿🌿🌿🌿	$				✔							
12	**B2**	Plan for All Existing Buildings to be Efficient & All-Electric by 2040.	PW-SUS	PBD	🌿🌿🌿🌿	$$$			✔							✔	
13	**B3**	Prevent Refrigerant Pollution	PW-SUS	PW-FAC	🌿🌿	$$				✔							
14	**B4**	Reduce Lifecycle Emissions from Building Materials	PBD	PW-SUS	🌿🌿	$			✔								
15	**B5**	Require All Major Retrofits of City Facilities to be All-Electric	PW	PW-SUS	🌿	$$	✔										
		Material Consumption + Waste															
16	**MCW1**	Eliminate Disposal of Compostable Organic Materials to Landfills	PW-ZWP		🌿🌿🌿	$$								✔			
17	**MCW2**	Establish a Deconstruction Requirement	PBD	PW-ZWP	🌿	$											
18	**MCW3**	Expand Community Repair Facilities	OPL	EWD	🌿	$$								✔			
19	**MCW4**	Eliminate Single-Use Plastics and Prioritize Reuse in Food Prep.	PW-ZWP		🌿	$$				✔		✔					
20	**MCW5**	Strengthen Infrastructure for Edible Food Recovery	PW-ZWP	HSD, OPRYD	🌿🌿	$$											
21	**MCW6**	Support the Reuse, Repair, Recovery, and Refurbishment Economy	PW-SUS	EWD	🌿	$$						✔					
		City Leadership															
22	**CL1**	Evaluate and Reduce Climate Impacts of City Expenditures and Operation	CAO	FIN, PW-SUS	🌿🌿	$		✔		✔	✔	✔					
23	**CL2**	Phase Out Fossil Fuel Dependency in City Agreements / Contracts	CAO	PW-SUS	🌿🌿	$$											
24	**CL3**	Accelerate City Fleet Vehicle Replacement	PW-FL		🌿	$$$						✔		✔			
25	**CL4**	Explore Creation of Public or Green Bank	FIN	PW-SUS	🌿												
		Adaptation															
26	**A1**	Fund Creation and Operation of Resilience Hubs	CRO	PW-SUS	🌿	$$$				✔		✔					
27	**A2**	Fund and Implement Citywide Vulnerability Assessment and Comprehensive Adaptation Plan	PBD, CRO	PW-SUS	🌿	$						✔					
28	**A3**	Wildfire Risk Reduction	FIN	CRO, OFD	🌿	$$											
29	**A4**	Expand and Protect Green Infrastructure & Biodiversity	PW-WSM	OES, CRO	🌿	$$$				✔							
30	**A5**	Identify and Reduce Financial Risks from Climate Change	PW	CRO	🌿	$$$					✔						
31	**A6**	Enhance Community Energy Resilience	PW-SUS	CRO	🌿	$											
		Carbon Removal															
32	**CR1**	Develop Local Carbon Investment Program	PW-SUS	EWD, PBD	🌿	$$				✔							
33	**CR2**	Expand and Protect Tree Canopy Coverage	PW-PTS		🌿	$$			✔								
34	**CR3**	Explore Carbon Farming	PW-SUS	PBD	🌿🌿	$$						✔					
35	**CR4**	Rehabilitate Riparian Areas and Open Space	PW-WSM	CRO	🌿	$$											
36	**CR5**	Assess Feasibility for Sequestration Incubator	EWD	PW-SUS	🌿	$$$						✔					
37	**CR6**	Explore Regional Aquatic Sequestration Opportunities	PW-SUS	EWD, PW-WSM	🌿🌿	$$								✔			
		Port of Oakland															
38	**PL1**	Reduce Emissions from Port Vehicles and Equipment	Port		🌿🌿	$$$			✔		✔		✔				
39	**PL2**	Reduce Emissions from Electricity	Port		🌿🌿	$				✔							

Abbr.	Department		Abbr.	Department		Abbr.	Department
CAO	City Administrator's Office		**OES**	Office of Emergency Services		**PW**	Oakland Public Works
CRO	Office of Resilience		**OFD**	Oakland Fire Department		**PW-FAC**	PW - Facilities
DOT	Oakland Department of Transportation		**OPL**	Oakland Public Library		**PW-FL**	PW - Fleet
EWD	Economic and Workforce Development Department		**OPRYD**	Oakland Parks, Recreation, & Youth Development Department		**PW-PTS**	PW - Parks and Tree Services Division
FIN	Department of Finance		**PBD**	Planning and Building Department		**PW-SUS**	PW - Sustainability Program
HCD	Housing and Community Development Department		**Port**	Port of Oakland		**PW-WSM**	PW - Watershed & Stormwater Mgt Division
HSD	Human Services Department					**PW-ZWP**	PW - Zero Waste Program

LEGEND

	Implementation in Progress
✔	Action Implementation Deadline
$	Cost of Implementation
🌿	GHG Reduction Potential