

SAS STEERING COMMITTEE

Minutes

November 7, 2023

Call to Order: 5:35 pm

ATTENDANCE:

Steering Committee Members: Chair Larry Luton, Esther Angell, Sarah Burruss, Dave Garegnani, Brian Henning, Michelle Howard, Mindy Howard, Staci Maier, Rowena Pineda, Pragma Rai

Not Present: Matt Hollon, Naghmana Sherazi, Jennifer Thomas

Staff: Council Sustainability Initiatives Manager Kelly Thomas

Public: Larry Andrews, Kirsten Angell, Mike Petersen

Agenda Items

ADMINISTRATIVE BUSINESS:

Kelly gave her Sustainability Initiative Manager report and updated the SC on the last EJEW meeting regarding collaboration with the Equity Subcommittee. She also reviewed the process and timeline for the solar permit fee waiver ordinance, which had been deferred from November 6 to next Monday, November 13. More on the solar permit ordinance later in the agenda.

Larry gave the Chair's report. He stated that recording meetings had come up by chance when he and Kelly discovered late last week that a previous resolution passed in July of this year to form the Criminal Justice Coordinating Committee included a clause that requires all subcommittees and their steering committees and executive committees to record their meetings. He and Kelly discussed it with So technically, per that resolution, we are supposed to be recording our meetings. A question was asked as to whether we would still have detailed minutes if we record them (yes). We'll have a roundtable discussion on it during the Workshops portion of the meeting.

WORKSHOPS:

Opening up for More Nominations for Chair and Vice Chair positions.

So far, two nominations have been received for Larry Luton. Larry has accepted. One nomination has been received for Naghmana Sherazi to continue as Vice Chair, and one nomination for Mindy Howard to serve as Vice Chair. A question was asked as to whether there are any non-eligibility issues, and/or what constitutes a non-voting member of the

Steering Committee. No non-eligibility issues that we are aware of, but past practice has been that a Steering Committee member has to be a resident of the City in order to have voting status. We also have one Steering Committee member who is non-voting due to internal employer policy.

No further nominations were received. Steering Committee members will vote on these nominations for leadership positions at our next meeting on December 5.

Discussion of Solar Permit Fee Waiver Ordinance C36454:

Because the voting on this ordinance was deferred until November 13, SAS and Steering Committee members can still weigh in with their thoughts on the matter. The Steering Committee won't have enough time before then to do a formal action such as a letter, since the SC wouldn't be able to vote on it until next month at the earliest. Larry Luton sent the testimony he would have given via email to Council members. Other SC members can do that also, and may wish to testify at next Monday night's meeting.

Key considerations for Council are that these waivers were intended to help reduce GHG emissions overall for the City, and are part of many of the goals and objectives of the SAP. By ending the fee waivers, we are removing incentives for people to install solar panels. The main reason that City staff (Building and Fire Departments) want to remove the waivers is that they need to recover the additional costs they've borne in reviewing the plans and inspecting the work which has been growing significantly as more and more residential and commercial customers apply for the panels.

Brian Henning suggested establishing a significant means test, for example, for those who fall under 300-400% of the Federal poverty level, then could keep the incentive for community members who would benefit from it. Then, the people who could pay, would pay. Still agrees with the points Larry made in the email (about runner counter to the goals of the SAP), but if we have to trim it back, we would try to retain it with a strong means test. SNAP's Michelle Howard offered in the chat to make means test recommendations if needed.

Larry noted that installers aren't doing good jobs, so inspectors have to come back multiple times. How about first inspection fee is waived, after that they have to charge and the homeowner and/or installer. Incentive to find installers who know what they're doing.

We won't have time to make a group position on this, but Larry Luton encourages people to individually submit their comments to City Council or by testifying. One way or another, Council should hear from this subcommittee. There was an attempt earlier this year, but it fell through. If we do get a chance as a group to do this and it gets pushed out farther, Larry would like to bring it back for us to do that.

Roundtable Discussion of Proposed Changes to Resolution 2022-0019:

Kelly and Larry have had some conversations about issues over the past year about Steering Committee operations. The best way to address them might be to amend the Resolution that created the Steering Committee. There are three areas we'd like to work on and discuss: the

recording issue, advisory votes of the workgroups, and the Steering Committee's role in selecting new members. We won't be moving to a vote tonight, but wanted to discuss.

Recording of meetings:

- **Brian Henning:** view hasn't changed, but facts have changed. Do we actually have options? *Larry clarified: we are bringing some language forward if this group wants, to supersede language in any previous resolution so we don't have to record. City Council would have to pass that.* Brian would like to hear from Council if that was their intent, to have all subcommittees record their meetings. Brian would then like to do the same things that other subcommittees do. Doesn't want to advocate for another circumstance. Wants to hear back from them.
- **Dave Garegnani:** same opinion; what was the intention? For all other committees? Wants to hear their thoughts.
- **Esther Angell:** doesn't have a strong opinion; sees pros and cons of either way. Is open to hearing more about intentions.
- **Larry Luton:** would be very uncomfortable asking for an exception for this subcommittee if all the other subcommittees are recording their meetings. If all else are doing it, we should, too.
- **Michelle Howard:** trying to remember why we didn't do this in the first place. *Larry: since we operate on a consensus basis, wanted it to be easy for people to rethink where they stood, and would not be called on for having changed their minds in the discussion... we tweak our positions and proposed policies a little bit, and wanted to have more open discussions if we weren't held accountable for every word we said. Felt like it would interfere with the dynamic in the conversation that we had.* Agrees; if all committees are expected to do it, we should, too.
- **Pragya Rai:** needs a clarification. *Larry: Steering committees and executive committees of the subcommittees are required, but working groups are not.* Wants to know why they want the audio recording; is it to know how we are thinking? But if it's required of every subgroup, we need to comply. *Larry: for Kelly, so far we have two pieces of information that the SC is seeking from Council: did you mean for this to apply to us (what was your intent)? And why they want the audio recordings. Kelly confirmed: intent and why.*
- **Rowena:** Reads this as a subcommittee and are subject to OPMA, so to her, we should record. Her perspective is different because she is staff of a group that always records and is subject to the OPMA. If that is what they want, then we should be consistent with other groups subject to the OPMA. Even further, just hit the record button on Zoom and be done with that. *Larry: to clarify, OPMA doesn't require recording, but encourages it.* For Rowena, it's just about transparency.
- **Sarah Burruss:** Does not want to be recorded, but does not see any reason why we need to be special, and so we should just do it.
- **Stacie Maier:** If we need to do it, we need to do it. Better understanding around intent would be great if we could get it.

- **Mindy Howard:** in general agreement, not much opposition. Not exactly excited about it, but also not entirely opposed regarding transparency. Agrees about finding out more about intent, as well as convention. Should follow convention of the other groups. Appears that communication with Council, there is something missing. Why did it take from July to November to be aware of this issue. Is concerned that communication dropped about solar fees. Those are on her mind.
- **Kelly Thomas:** reiterated that intent and the “why” need to be found out. Confirmed that the convention of all of the other subcommittees is to record. For transparency. Helpful for staff. Regarding communication: hiatus between when Kara left and Kelly took over may have played a part. Council and staff need to have better onboarding practices regarding the subcommittees, so they understand the process. Standing committees are not the only place where legislation is considered; subcommittees exist for a closer look. Reviewing legislation by subcommittees has not been consistently applied. Regarding the recording language that got missed: sometimes small “add-ons” like this, especially at the end of a particular ordinance, get missed. This may have not been broadcast because this has been a contentious topic. We need to get in front of Council not just at the legislative meetings but also during study sessions and at committee, like PIES, to show we are a powerful group and we have a voice.
- **Larry Luton:** re: failure of communication, we were also changing Council Presidents which may have been part of this, and this was also his last meeting per the date of the resolution that called for recording meetings. We also had other staff changes, including with our Council Director, which may have contributed to the failure to bring this to our attention on a timely basis.
- **Brian Henning:** if we’re wanting to focus on what SMC says, maybe we should dissolve this body [the SAS], and comply with what is outlined in [SMC Section 0]4.36, “Sustainability Action Committee” (SAC) [and create the SAC]. And if we’re suggesting changes to be made, perhaps it should be to fix the City charter clarifying what happens if the mayor doesn’t nominate anybody to be on a committee. That is the problem that needs to be fixed, that the [Sustainability Action] Sustainability Action *Committee* [not this Subcommittee, that Council formed,] has never been empaneled because the last two mayors have refused to nominate anyone so City Council can’t vote on whether to confirm them. There’s nothing in the City Charter requiring to nominate or allowing City Council to be able to appoint in the absence of a nomination. Breean [Beggs] said he was going to address that [problem in the Charter], never did get around to it, so he [Brian] would recommend focusing on one of the problems. He knows this is an unpopular view. *Larry: yes, SAS is a workaround. And so we became a subcommittee of PIES. But we’re a good workaround and are doing good work.*

Advisory votes by the workgroups:

Larry: Part of the resolution that created us specifies that work groups are to have an advisory vote and also lists the work groups themselves. But advisory votes have always seemed

empty to him. These votes don't count; it oversimplifies the advice we can get from the work groups; and we don't have any language that tells us who and under what circumstances a member is allowed to cast a vote for that workgroup. So one of the possibilities that the SC should consider as we consider other changes in the resolution, is maybe getting rid of this provision of the advisory vote. Also knows that work groups were feeling concerns that the SC was going to "steal their thunder." Because of that, the SC has worked very hard to make sure that hasn't happened. In fact, all but one of them have presented their priorities this year to the SC. Their voices still count, but this has been an awkward thing to work with. Should we tighten it up – who, and under what circumstances? Or just get rid of it, and have other ways of getting advice from work groups instead of through a vote process.

- **Esther Angell:** has some questions first. If we didn't have these advisory votes, how else will work groups show up? How will that impact what we do? How would that change the dynamic? *Larry: the current resolution doesn't talk about this relationship.*
- **Michelle Howard:** agrees with Esther. How else would advisory groups impact us? Doesn't really remember any time where this has happened. Hasn't happened much. There is value in having some way to interact and have the [work groups] be able to talk about their work. Doesn't necessarily think we need to get rid of their vote, but need more definition around it.
- **Mindy Howard:** Advisory vote will be an important component. It should happen before the SC votes. Concern is who is going to be offering that advisory vote; need to tighten that up.
- **Pragya Rai:** needs clarification: advisory groups are when working groups advise SC on their priorities? *Larry: not necessarily. They are able to cast an advisory vote on any of the topics. They haven't historically been at many of our meetings.* If they advise on their priorities, good info to have, but asking them to vote, not seeing added value in that. They're already giving us their advice. Seems like doing the same thing again. Hasn't felt their presence. Value their advice in workgroup, but haven't heard from them a lot. Wants continuity. Not sure on this one.
- **Rowena Pineda:** questions that Mindy brought up. If there's going to be an advisory vote, requires that those working groups are meeting regularly, so they actually know what it is that we're considering. If they're not meeting regularly, how can they provide an advisory vote? Logistically, is a question for her. Also – who are they representing? Who voted them in to represent that particular working group? How did they come to their decision making? By consensus? Majority vote? If so, what about their minority? No answer really, just has more questions.
- **Sarah Burruss:** agrees that always wants people's votes to be heard, but doesn't think an advisory vote on top of their presentations will not necessarily add to their voice. If they then feel that their voices aren't being heard, they can come to public comment in these meetings. Right now, doesn't have a strong desire to have an advisory vote.
- **Stacey Maier:** great questions, align with Rowena's concerns about their process; also what was the original intent? And do we still want the work group at the table? Regardless, need a more refined process. Is the original intent still a goal?

- **Brian Henning:** part of the intent was to save some role for the working groups, since they existed prior to this group. Would be useful to decide relationship between steering committee and working groups. Typically, steering committees would form work groups and then ask them to advise them. Because in our case, our working groups existed prior to the steering committee, it's created an odd circumstance. We need to resolve that. Agrees with Mindy and Rowena – if there's going to be an advisory vote, then there needs to be a clear process. He doesn't want to listen to any advisory vote that isn't the result of a clear process. Right now, there isn't one and is doing more harm than good. Any group that wants to have an advisory vote needs to be clear on what their process is, so they can claim to be making a vote on behalf of other members of the group. That's not happening right now. So is uncomfortable. Wants to fix it and change the resolution.
- **Dave Garegnani:** on the fence. Some added value to it, but agrees with others about a process lacking.

Meeting (Study Session) on November 22 is cancelled due to no presentations having yet been scheduled.

ADJOURNMENT:

Meeting adjourned at 7:03 pm.

PREPARED BY:

Kelly Thomas

APPROVED BY:



Council Member Bingle

Vice Chair, Public Infrastructure, Environment and Sustainability Committee