



# CITY of BRISBANE

## Open Space and Ecology Committee Meeting Agenda

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Wednesday, March 22, 2023 at 6:30 P.M. • Hybrid Meeting 50 Park Place, Brisbane, CA

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The public may observe/participate in Committee meetings using remote public comment options or attending in person. Committee members shall attend in person unless remote participation is permitted by law. The Committee may take action on any item listed in the agenda.

### TO ADDRESS THE COMMITTEE

#### IN PERSON

Location: 50 Park Place, Brisbane, CA 94005, Community Meeting Room

Masking is not required but according to the California Department of Public Health guidelines, people at higher risk for severe illness should consider masking. To help maintain public health and safety, we respectfully request that people not attend in-person if they are experiencing symptoms associated with COVID-19 or are otherwise ill and likely contagious (e.g., respiratory illnesses).

#### REMOTE PARTICIPATION

Members of the public may observe/participate in the Committee Meeting by logging into the Zoom Webinar listed below. Committee Meetings can also be viewed live and/or on-demand via the City's YouTube Channel, [www.youtube.com/brisbaneca](http://www.youtube.com/brisbaneca), or on Comcast Channel 27. Archived videos can be replayed on the City's website, <http://brisbaneca.org/meetings>. Please be advised that if there are technological difficulties, the meeting will nevertheless continue. The agenda materials may be viewed online at [www.brisbaneca.org](http://www.brisbaneca.org) at least 24 hours prior to a Special Meeting, and at least 72 hours prior to a Regular Meeting.

#### Remote Public Comments:

Remote meeting participants may address the Committee. We also encourage you to submit public comments in writing in advance of the meeting. Aside from commenting while in the Zoom Webinar, the following email will be also monitored during the meeting and public comments received will be noted for the record during Oral Communications or during an agenda item.

Email: [aetherton@brisbaneca.org](mailto:aetherton@brisbaneca.org)

Join Zoom Meeting: [www.brisbaneca.org/osec-zoom](http://www.brisbaneca.org/osec-zoom)

Meeting ID: 976 4295 0160

Call In Number: 669.900.9128

Note: Callers dial \*9 to "raise hand" and dial \*6 to mute/unmute.

#### SPECIAL ASSISTANCE

*If you need special assistance to participate in this meeting, please contact Adrienne Etherton at [aetherton@brisbaneca.org](mailto:aetherton@brisbaneca.org) or (415) 508-2118. Notification in advance of the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting.*

**CALL TO ORDER**

**ROLL CALL**

- A. Consider any request of a City Councilmember to attend the meeting remotely under the “Emergency Circumstances” of AB 2449

**ADOPTION OF THE AGENDA**

**ANNOUNCEMENTS**

**ORAL COMMUNICATIONS**

**APPROVAL OF THE MINUTES**

- B. Minutes of February 22, 2023

**NEW BUSINESS**

- C. Discuss review of Baylands Specific Plan
- D. Consider resolution of support for SB 252 requiring CalPERS and CalSTRS to divest from fossil fuels

**STAFF UPDATES**

**SUBCOMMITTEE REPORTS**

**CALENDAR ITEMS**

**CHAIR AND COMMITTEE MEMBER MATTERS**

**NEXT MEETING:** April 26, 2023

**ADJOURNMENT**

**File Attachments for Item:**

B. Minutes of February 22, 2023



# CITY of BRISBANE

## Open Space and Ecology Committee

### Meeting Minutes

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Wednesday, February 22, 2023 at 6:30 P.M. • Virtual Meeting

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#### MEETING SETUP AND INTRODUCTION

##### CALL TO ORDER – 6:34 PM

##### ROLL CALL

Committee members present: Becker, Calmes, Ebel, Fieldman, Nunes, Rogers, Salmon

Staff members present: Deputy Director of Public Works, Kinser; Sustainability Manager, Etherton; Sustainability Assistant, Regan; Senior Planner, Ayres; Admin. Management Analyst, Ibarra; Public Works Director, Breault; City Manager, Holstine

City Council Liaisons present: Coleen Mackin, Terry O'Connell

##### ADOPTION OF THE AGENDA

Becker moved to adopt the agenda and Ebel seconded; the motion was adopted unanimously by roll call vote.

**ANNOUNCEMENTS** – Fieldman: SB 1173 on state pension fund divestment has been reintroduced as SB 252. Asking committee to again recommend that city pass a resolution to support.

**ORAL/WRITTEN COMMUNICATIONS** – Acknowledgement of climate emergency letter from Biden Administration

##### OLD BUSINESS

- **Dark Skies Certification**

Feedback from both liaisons: express concern about increasing light pollution driven by low powered (and thus low cost) lights. Recommend a phased-in approach, with new commercial coming into compliance first and existing residential coming into compliance last.

Feedback from Coleen Mackin: speed is definitely a priority, before installation of new lighting. Community buy-in should have a plan with some regular outreach (more than a tabling event & a Star article); anticipate that people will be concerned about safety with reduced lighting. Recommend exempting or giving special attention to the Brisbane Stars.

Feedback from Terry O'Connell: middle of the road approach seems like it will be most prudent. Hope that OSEC can come up with something with staff to propose to Council within the next months.

Consensus: move forward with staff-drafted ordinance which will be customized to the Brisbane context. This draft was last shared with the dark skies subcommittee on 12/19.

- **2023 OSEC Work Plan**

Divided into sections: 1) priority, 2) routine/ongoing, 3) long-term policy issues to be addressed if/when they arise, 4) requested item (provide input on Quarry Development)

Discussion on requested item, including history of OSEC participation regarding the Baylands development. City Manager Holstine provided an update on the status of the Quarry Development, EIR has been scoped but a draft version will be available in a few months for public comment. Council Liaison O'Connell recommends that the rest of the Council weigh in on whether OSEC as a committee should be allowed to provide input.

**APPROVAL OF THE MINUTES** – Nunan moves to adopt the minutes, Salmon seconds. Adopted by roll call vote with Nunan abstaining.

#### **STAFF UPDATES**

Etherton: EV charger construction is completed at City Hall, just awaiting certification and activation from Charge. Mission Blue EV chargers should be complete by end of this week or next, also has received heat pump water heater, the latest of 4 that have been installed at no cost to the city. Notices of violation and citations were sent out regarding SB 1383 mandatory organics collection. SSF Scavenger is also "lid-flipping" to ensure that waste is sorted appropriately.

#### **SUBCOMMITTEE REPORTS AND REORGANIZATION** \* = ad hoc

- Events (Rogers, Salmon, Nunan) – Recommend that Old Ranch trail clean-up not be handled during a Volunteer Day, given presence of bulky trash. In communication with SM County Parks Dept. about this, as trail is within their jurisdiction. Planting Day on Feb 9 was very nice! About 20 people. Next habitat event is April 22 (Earth Day)! Day in the Park planning is underway.
- Education and Outreach (Fieldman, **Rogers**) – Next library display will be on waste, SB 1383
- Baylands Subcommittee (Rogers) – no updates
- \*Building Decarbonization (Becker, Ebel, Fieldman) – no updates
- \*Open Space Plan Update (Calmes, Rogers, Salmon) – review plan and find a new area to focus on. Will schedule a meeting without staff (Kinser).
- \*Crocker Trail Frog Habitat (Rogers, Nunan, Calmes) –
  - on Cypress Lane, need debris removed and pipe cleared/augured which will improve drainage and allow wildflower planting. Kinser recommends submitting a service request.
  - Resource Conservation District is in contact with Kinser, she will advise next steps
- \*Invasive Species Ordinance (Becker, Fieldman, Nunan) – need to schedule a meeting to finalize draft ordinance
- \*Dark Skies Ordinance (Becker, **Ebel**, Salmon) – meeting to be scheduled within the month, probably a Wednesday evening
- \*Tree Issues (Calmes, Ebel, Salmon) – requested a meeting be scheduled to regroup
- \*Sierra Point Park Planning (Ebel) – Salmon recommends that OSEC members attend the March 2nd Council meeting
- \*Lipman Science Fair Judging (Ebel, **Rogers**) – had the fair, Rogers attended Judges night and selected the OSEC winners. Have not finalized certificates yet, Etherton or Regan can help.

**CALENDAR ITEMS** – Etherton briefly reviewed the calendar

**CHAIR AND COMMITTEE MEMBER MATTERS** – none.

**NEXT MEETING:** March 22 (in person). Calmes and Nunan noted they will be absent.

**ADJOURNMENT – 8:31 PM**

*D.*

**File Attachments for Item:**

D. Consider resolution of support for SB 252 requiring CalPERS and CalSTRS to divest from fossil fuels

**RESOLUTION NO. 2023-XX****A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRISBANE  
IN SUPPORT OF SB 252 (GONZALEZ) FOSSIL FUEL DIVESTMENT ACT**

**WHEREAS**, anthropogenic climate change, through rising sea levels, drought, heat waves, and increased wildfires is observably affecting human wellbeing, ecosystems, and biodiversity; and

**WHEREAS**, climate change is an issue of environmental justice, disproportionately affects Indigenous communities, communities of color, and low-income communities due to historical oppression, inadequate political power and access to resources for prevention and relief; and

**WHEREAS**, the International Panel on Climate Change concluded in 2018 that we have 12 years to make dramatic cuts in the use of fossil fuels (coal, oil, gas and tar sands) if we are to keep warming to 1.5° C and avoid more catastrophic change; and

**WHEREAS**, the fossil fuel industry is the single most powerful obstacle to addressing climate change, using its immense lobbying power in Washington D.C. and Sacramento to block climate legislation; and

**WHEREAS**, fossil fuel companies' own scientists knew as early as the 1970s that their products were causing climate change, but the companies kept it secret; and

**WHEREAS**, to effectively address climate change, most fossil fuel reserves must remain in the ground, never to be used. Such reserves held as investments are liable to become stranded assets. This makes fossil fuel stocks a risky investment; and

**WHEREAS**, a Corporate Knights study found if CalPERS and CalSTRS had divested in 2010, by 2019 their assets would have increased \$11.9 and \$5.5 billion, respectively; and

**WHEREAS**, independent studies by financial consulting firms Blackrock and Meketa have found divestment reduces risk and improves rather than weakens investment returns; and

**WHEREAS**, divestment in specific segments or business operations by CalPERS and CalSTRS is already standard practice and is specifically allowed by the California Constitution; and

**WHEREAS**, the “engagement” strategy preferred by CalPERS and CalSTRS has been largely ineffective in moving fossil fuel companies away from fossil fuel exploration, extraction and distribution; and

**WHEREAS**, divestment means selling directly held or commingled assets including fossil fuel public equities and corporate bonds; and

**WHEREAS**, the City of Brisbane declared a climate emergency in July 2021 which aspires to carbon neutrality by 2040 and commits the City to reducing emissions, coordinating climate mitigation and resiliency efforts, and accelerating a just transition; and

**WHEREAS**, the City’s Climate Emergency Declaration encourages “avoid[ing] further investment of public dollars in fossil-fuel reliant infrastructure when there are clean energy alternatives, support[ing] public sector employees, and ensur[ing] a climate resilient future for all Brisbane residents.”

**WHEREAS**, SB 252, introduced by State Senator Lena Gonzalez, will help meet the State’s climate action goals by prohibiting CalPERS and CalSTRS from investing in fossil fuel companies and to divest from such companies by 2030.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF BRISBANE RESOLVES AS FOLLOWS:**

Section 1. The City of Brisbane calls upon CalPERS and CalSTRS to divest its holdings in fossil fuel companies immediately. Upon passage, a copy of this resolution will be sent to CalPERS and CalSTRS requesting that City of Brisbane be listed as an official supporter of fossil fuel divestment.

Section 2. The City of Brisbane hereby supports SB 252.

Section 3. That copies of this Resolution be sent to Governor Gavin Newsom, State Senators Josh Becker and Lena Gonzalez, and Diane Papan.



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Madison Davis, Mayor

\* \* \* \*

**PASSED AND ADOPTED** at a regular meeting of the City Council of the City of Brisbane held on the xxx day of xxx 2023, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

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Ingrid Padilla, City Clerk



## SB 252 (Gonzalez) – Fossil Fuel Divestment Act

### SUMMARY

Senate Bill (SB) 252 will prohibit the California Public Employees Retirement System (CalPERS) and the California State Teachers Retirement System (CalSTRS) from investing in fossil fuel companies, and provide they divest any current holdings in these companies by 2030, with an additional 5-year off-ramp should the funds encounter specified market conditions.

### EXISTING LAW

SB 185 (De Leon, Chapter 605, Statutes of 2015) required CalPERS and CalSTRS to divest their investments in thermal coal companies, which has resulted in a positive \$598 million return to the CalPERS fund.

California Constitution Article 16, Section 17 – establishes that: “the Legislature may by statute continue to prohibit certain investments by a retirement board where it is in the public interest to do so, and provided that the prohibition satisfies the standards of fiduciary care and loyalty required of a retirement board.”

### BACKGROUND/PROBLEM

Californians, along with states and nations around the globe, are facing the real and immediate threats of climate change and its ever-growing impacts on our health, safety, environment, and our ability to pass on a livable planet to future generations.

California has been a world leader in taking steps to combat the causes of climate change, setting historic carbon reduction goals, and taking meaningful actions to

help prevent environmental destruction and protect communities who bear the overwhelming brunt of carbon emissions.

Despite these forward-thinking actions, California’s multi-billion dollar retirement pension funds are actively investing billions of dollars in the very fossil fuel companies that are the primary cause of climate change.

CalPERS and CalSTRS, which invest the pension funds of state employees and teachers, have an investing power of \$469 billion and \$327 billion, respectively. Unfortunately, CalPERS estimates that they are currently investing \$9.4 billion of these dollars in fossil fuel companies, and CalSTRS is investing in 159 fossil fuel companies with a combined market value of approximately \$5.4 billion.

While California businesses and communities prepare to undertake the transformative changes necessary to meet our critical emissions reductions goals of 40% below 1990 levels by 2030 and 85% below by 2045, CalPERS is actively purchasing ownership in oil and gas companies such as \$1.3 billion in Exxon, \$817 million in Chevron, \$158 million in Saudi Aramco, \$61 million in PetroChina, \$55 million in China Petroleum & Chemical, and dozens of other fossil fuel companies.

With the explosion of investment and development in carbon-free technologies, consumer pressure, and governmental regulation forcing a move away from fossil fuels, it has become clear that the fossil fuel industry may be a risky and myopic financial investment. In fact, data from the last four decades shows that in 1980, the fossil fuel industry claimed 29% of the S&P 500, whereas today,

it only occupies 5.3%, the lowest level in more than 40 years.<sup>1</sup>

An estimated 1,500 institutions with over \$39 trillion in assets have already taken action to end direct financial support of climate destruction by committing to some form of fossil fuel divestment, including the University of California, the California State University, the State and City of New York, the State of Maine, the Vatican, and the province of Quebec.<sup>2</sup>

In October of 2021, Netherland's ABP, the fifth largest public employee pension fund in the world with \$600 billion in assets, announced it would divest its current \$17.4 billion of fossil fuels investments by the first quarter of 2023, citing corporate engagement as an ineffective strategy to change fossil fuel behavior.<sup>3</sup> These investment numbers dwarf that of CalPERS and CalSTRS, and is following a divestment timeline of under two years.

Major investment management firms, BlackRock and Meketa, have independently concluded that funds can divest from fossil fuels without weakening investment returns.<sup>4</sup> A further study has shown that if CalPERS and CalSTRS had divested from fossil fuels in 2010, they would have gained \$11.9 billion and \$5.5 billion in returns by 2019.<sup>5</sup>

In fact, CalPERS and CalSTRS have taken on divestments that have resulted in positive returns for the funds. CalPERS's active divestment from Thermal Coal has resulted in \$598 million in gains; divestment from Iran has resulted in \$256 million in gains; and divestment from firearms manufacturers has resulted in \$36 million in gains. Of CalPERS active divestments, only the divestment from tobacco companies has resulted in losses to the pension fund, and no one is arguing that CalPERS reinvest into such a dangerous product that runs afoul of the state's public interest.

The pension funds have already recognized the need to move investments out of dangerous carbon emitting companies. CalPERS and CalSTRS have committed to reach a goal of NetZero investments at some point over

<sup>1</sup> <https://ieefa.org/resources/fossil-fuel-investments-looking-backwards-may-prove-costly-investors-todays-market>

<sup>2</sup> <https://divestmentdatabase.org/>

<sup>3</sup> <https://apnews.com/article/climate-business-united-nations-netherlands-greenpeace-45f4a39e838667d032d2483956f01c9b>

<sup>4</sup> <https://ieefa.org/resources/major-investment-advisors-blackrock-and-meketa-provide-fiduciary-path-through-energy>

<sup>5</sup> <https://drive.google.com/file/d/1k27W2oTzaqueEZrvit4RLfve6pvakqMI/view>

the next 27 years. And while CalSTRS has taken steps in the last year to invest some of its assets in low carbon indexes and establish a partial NetZero goal by 2030, it still retains the ability to invest directly into the largest fossil fuel companies, such as: Gazprom (Russia), Rosneft (Russia), LukOil (Russia), Aramco (Saudi Arabia), and the state-owned PetroChina.

Many of the teachers and state employees whose retirement futures are invested by CalPERS and CalSTRS have passed resolutions calling for the divestment of fossil fuels, including the California Faculty Association, the California Federation of Teachers, associations representing higher education faculty, academic senates at California State University and the University of California, and local teachers' unions from Los Angeles to Oakland.

## SOLUTION

SB 252 seizes the momentum of the worldwide divestment movement and continues the bold and progressive actions that California must take to address climate change. SB 252 ends the contradictory and incongruous actions that position the state as a leader in the fight against climate change, while simultaneously investing billions directly in the fossil fuel companies that are causing climate change.

Specifically, SB 252 will prohibit CalPERS and CalSTRS from making any new investments in the top 200 fossil fuel companies, and provides an off-ramp of 7 years to divest any current investments; with an additional 5-year off-ramp should the funds encounter specified market conditions.

Additionally, SB 252 will require CalPERS and CalSTRS to annually report on their divestment progress beginning in 2025.

## SUPPORT

California Faculty Association (Sponsor)  
Fossil Free California (Sponsor)  
Harmony Union Teachers Association  
Breast Cancer Action  
CA Nurses for Environmental Health and Justice  
Cascadia Climate Action Now  
Health Professionals for Equality and Community Empowerment  
Physicians for Social Responsibility San Francisco Bay

San Diego Physicians for Clean Air  
 Ban Single Use Plastics  
 Bay Area System Change Not Climate Change  
 CALPIRG  
 California Climate Voters  
 Center for Biological Diversity  
 Center for Community Energy  
 Center on Poverty, Race and the Environment  
 Change Begins With ME (Indivisible)  
 CleanEarth4Kids.org  
 Climate Action CA  
 Climate Action Campaign  
 Climate Action Campaign of the Humboldt Unitarian  
 Universalist Fellowship  
 Climate Action Now UCLA!  
 Climate Equity Policy Center  
 Climate First: Replacing Oil & Gas  
 Climate Organizing Hub  
 Climate Reality Project SFV  
 Coastside Jewish Community  
 Consumer Watchdog  
 Earth Guardians  
 Earth Guardians Bay Area Crew  
 East Valley Indivisibles  
 El Pueblo Para el Aire Y Agua Limpia de Kettleman City  
 Elders Climate Action  
 Environmental Working Group  
 Equity Transit  
 Extinction Rebellion SF  
 Feminists in Action Los Angeles  
 Food and Water Watch  
 Friends Committee on Legislation of California  
 Friends of the Earth  
 Green Team at Francis Parker School  
 Healthy Environment for All Lives (HEAL)  
 Lets Green CA  
 National Resources Defense Council  
 Oil and Gas Action Network  
 Protect Playa Now  
 Regenerating Paradise  
 Santa Barbara Standing Rock Coalition  
 Santa Cruz Climate Action Network  
 Saphron Initiative  
 SF Baykeeper  
 Schools for Climate Action  
 Sierra Club California  
 Social Compassion in Legislation  
 Social Eco Education Los Angeles  
 South Bay Progressive Alliance  
 Stand.earth  
 Sunflower Alliance

System Change Not Climate Change  
 The Climate Center  
 The River Project  
 Third Act Educators  
 UC Green New Deal Coalition  
 Youth Vs Apocalypse  
 1000 Grandmothers for Future Generations  
 350 Bay Area Action  
 350 Humboldt  
 350 Marin  
 350 San Diego  
 350 Sacramento  
 350 Southland Legislative Alliance  
 350 South Bay Los Angeles  
 350 Conejo San Fernando Valley

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