

GREEN IMPLEMENTATION ADVANCEMENT BOARD MINUTES
THURSDAY, FEBUARY 18, 2021
VIRTUAL MEETING
9:00AM – 11:00AM

MEMBERS PRESENT:

Hal Stern, Chairperson
Sarah Lucas, Vice-Chairperson
Lisa Shaheen, Second Vice-Chairperson
Christina Hammond
Susan Lebrun
Shaynaz Malleck
Maren Graben

MEMBERS ABSENT:

STAFF PRESENT:

Kelly Brandon, Assistant City Attorney
Molly Daly, Assistant Sustainability Planner
Kent Edwards, Sustainability Officer
Brian Ruscher, Transportation Planner
Danise Cleckley, Assistant Director of Neighborhood & Community Services

GUESTS/OTHERS:

Aurora Ortiz, Education Specialist for Solid Waste Authority
Willie Puz, Director of Public Affairs and Recycling for Solid Waste Authority

1. Call to Order

The meeting was called to order by Hal Stern at 9:01am. Information was provided pursuant to Executive Orders 20-69 and 20-246 about holding Advisory Board meetings virtually.

2. Roll Call

Roll call was conducted by staff.

3. Approval of Agenda

Sarah Lucas made a motion to approve the agenda. Said motion was seconded by Susan Lebrun and the motion was passed unanimously.

4. Approval of Minutes

Sarah Lucas made a motion to approve the January meeting minutes. Said motion was seconded by Lisa Shaheen and the motion was passed unanimously.

5. Public Comments

None

6. Presentation - Solid Waste Authority Recycling Presentation

Danise Cleckley spoke about the City's recycling program and introduced Aurora Ortiz and Willie Puz with the Solid Waste Authority (SWA). The presentation discussed recycling

right, dual stream system and collection process, SWA's renewable energy facilities, home chemical and recycling centers that are open to the public, and revenue sharing with the City.

Over 300 yellow cardboard recycling dumpsters are located throughout Palm Beach County, which the public can use for free. SWA offers free waste and recycling evaluations for businesses, but businesses must pay for their recycling services. Willie Puz said the cost for recyclables is less than the cost for garbage and SWA encourages as many businesses as possible to go in the right direction.

Susan Lebrun asked about how communities can compost and asked if bins have list of what is recyclable. Willie Puz answered that on the side of the bins, a list of recyclable items can be found. If there is no list, then it is an old bin. In Palm Beach County, plastics #1-5 and #7 can be recycled. Composting is not in the collections contract because it would increase the cost overall, however there is nothing that limits a community from composting themselves. Willie Puz added that he has seen it successful in smaller scales.

Susan Lebrun said that in Broken Sound, they would compost leftover organic material from their club and landscaping but was not allowed to pick up composting materials from residents because of the contract with SWA. Willie said he would like to look into this, but from his understanding if there is a community composting effort it can be done.

Hal Stern added that the confusion comes from that if something is on the curb, it belongs to SWA. Hal asked for clarification to see if there is a way that a compost program can be created that does not conflict with SWA's contract. Also, the company the City contracts to pick up waste, Waste Management, has a composting program of their own already. Since there is a demand for this, Hal said he would like to remove these materials from the waste stream to be more environmentally friendly and added that the revenue share with SWA in 2020 was essentially zero.

In addition, Hal Stern commented on commercial recycling. Willie Puz responded that businesses can contact them to help them with recycling. Many businesses may not have room inside of their business or in the back area for recycling. Willie added that there is a Florida Statute ([F.S. 403.706](#)) that requires any new construction to have areas for recycling bins and allows local municipalities to create ordinances to require businesses to recycle. Willie Puz said he would email information on these items.

Hard plastic polystyrene #6 is recyclable, but SWA facilities cannot recycle it due to its size. Kent Edwards said that there are some businesses who have recycling dumpsters downtown and asked if there is a contact at SWA for the City to work with and if we can request more yellow cardboard recycling bins. Danise Cleckley responded that those requests would go through Neighborhood & Community Services, and Willie Puz added that they are looking for businesses who will allow yellow dumpsters that are for public use to be on their property.

Lisa Shaheen asked if construction waste is sorted or if it goes to the landfill and Willie Puz answered that it is sorted and is diverted into appropriate areas.

7. Discussion on Staff Report

Kent Edwards stated that staff is now providing a monthly report of project updates in attempt to be more efficient during Board meetings. The reports contain information that the Board is interested in and concerned about.

Kelly Brandon said that the Board is a reviewing body that provides recommendations to the City Commission, but Board members can spread the word on an individual basis. So, the Board would not be able to create a program for the City that they would be ambassadors for.

Hal Stern said he is most excited to see movement on the tree inventory RFP and asked for any further questions or comments. Sarah Lucas said she thinks the staff report is a good addition to the agenda and is helpful.

8. Old Business

a. Green Building Ordinance

Kent Edwards overviewed the draft of the Green Building Ordinance. Per the Green Board recommendation and City Commission direction, this ordinance would require all new construction and renovations 5,000 square feet gross floor area or more in one or more buildings on a single parcel to be at a minimum certified LEED Gold or an equivalent standard. At the time of Building Permit application three items must be submitted: proof of registration with USGBC or equivalent agency, a signed and sealed affidavit from a LEED Accredited Professional or equivalent designation, and a LEED scorecard or equivalent document that identifies anticipated credits to be achieved. Prior to the issuance of Certificate of Occupancy, proof of complete required certification or a bond must be posted. If LEED Gold certification or equivalent is not met, then the City can collect from the bond. The fees that are collected will be deposited into a Sustainability and Resilience Fund.

Hal Stern asked about Section 3.2.3 and asked for clarification about “new construction and addition(s)”. Kent Edwards responded that it would apply to standalone new construction that is 5,000 square feet or more, or an addition that totals 5,000 square feet or more. Kelly Brandon added that the intention is to not apply to old buildings and would apply when what is under construction totals 5,000 square feet or more.

Brian Ruscher informed the Board about a tool that Development Services created and the public can use to see what development projects are ongoing in the city ([Development Services/Projects](#)). A summary of development projects and more details, including their square footage, are provided on this map. Brian also commented that retrofitting buildings is one of the most sustainable things you can do, which is why this ordinance is geared to new construction and additions.

Susan Lebrun asked if someone adds an addition that is 5,000 square feet or more, is it only the addition that needs to be certified. Kent Edwards answered that points can be given for doing things on the property like landscaping and stormwater enhancements. (Post-meeting note: USGBC or other certifying agencies will determine how a project earns points within their certification program. The City will be open to any acceptable way that points can be earned, as long as an official final certification is earned).

Sarah Lucas acknowledged that there will likely be changes as the ordinance moves forward and made a motion to approve the draft ordinance and demonstrate the Green Board’s support in moving this forward. During

discussion, Hal Stern said that there will be a public comment period and asked if the Board members can individually send comments to staff to be incorporated. Kelly Brandon clarified that Board members are always welcome to reach out to staff with their questions, and that City Commission has two readings of an ordinance before adopting it. During the first reading, there is public comment and discussion. Before the second reading, public comments can be made as well. Planning and Zoning will be making the recommendation to City Commission to get it on the City Commission's agenda.

Hal Stern thanked staff for their work and said that he is very pleased that this ordinance is at this stage since the Board has been talking about it for two years and that there will be a Green Building Ordinance that applies to more than the Central Business District.

Sarah Lucas restated her motion to demonstrate the support of the Green Board for the Green Building Ordinance and moving it forward. Lisa Shaheen seconded the motion and it passed unanimously.

b. City Comprehensive Plan

Hal Stern said that it is important for the Board to read the City's Comprehensive Plan and should be a requirement as part of the training all boards receive. The Green Task Force Report also has a lot of important information, and Hal recommended that Board members be familiar with both.

Kent Edwards said that for example, recycling and green building goals are in the comprehensive plan and that it is a good way to look at priorities for the Board.

c. HOA Outreach

Kelly Brandon informed the Board that the City Attorney's Office reviewed the program, and since the resolution that sets up this Board (Resolution 32-09 can be [found here](#)) is for the review and recommendation to City Commission, the Board will not be able to take an active role in reaching out to HOAs and set up this program. This would be outside of the role that is recognized in the resolution. If the Board wants City staff to do a program that supports the Board's goals, the Board can make this recommendation to the City Commission.

Susan Lebrun said that in the past Board members have assisted with Earth Day programs and asked if this would be outside the purview of the Board. Kelly Brandon responded that recommending the outreach program to City Commission is within the Board's purview, and the direction could be given to staff. As for direct involvement, Kelly Brandon said she would need to look at the program but creating the program and actively reaching out to people to be involved in the program would be outside of the resolution.

Kelly Brandon added that she can get back to the Board with an answer to Susan's question, and read the following section of the resolution:

“Section 2. That the Green Task Force shall be responsible for reviewing City operations and policies toward achieving Delray Beach's green goals and providing recommendations to the City regarding:

1. Ways to improve the environmental sustainability of City programs, services, equipment and facilities.
2. Strategies for improving the environmental sustainability of the community.
3. Incentives for residents, businesses, and organizations to practice environmental conservation including recycling.
4. Proposed means to enhance water and energy conservation.
5. Ideas for promotion for tree planting and xeriscaping.
6. Best practices to be considered for implementation in Delray Beach, including long-term strategies.
7. Proposed revisions to City ordinances to address Green technologies.”

Board members asked if they could continue to participate in Office of Sustainability and Resilience (OSAR) events and communicate with other boards on events and other topics. Kelly Brandon said the Board can volunteer to participate as citizens, but not as the Board and said that typically the Board would not be a part of the outreach but can participate as citizens if the City is looking for volunteers.

Shaynaz Malleck said she volunteered to work on HOA outreach and asked for clarification on why the Board cannot do this. Kelly Brandon said that this program was created within the Green Board, and everything was decided within the Board’s purview, and then Shaynaz was designated as the person to reach out to the contacts for this City. That is not something that is within the resolution’s powers. If the Board recommended that the City participate in such a program, the Board could do so, but it would be Sustainability staff that would implement the program.

Shaynaz Malleck asked for an example of how she can be involved and would be allowed to do. Kelly Brandon answered that the City sometimes runs programs and green events and when the City puts out a call for volunteers. She added that she does not want Board members to think that they are not doing anything for the City and that the Board does do a lot for the City by giving recommendations to the City Commission. Kelly Brandon said that an example of this was the Board’s recent recommendation to adopt a resolution, which is now going to help get those bills passed about polystyrene, so the City can ultimately pass an ordinance. These are huge things being done for the City, but it has to be within the review and recommendation capacity of the Board.

Lisa Shaheen said that this is a working Board who likes to get things done and asked if the Board wants to be more involved in the community then can the Board’s mission grow as well, since how the Board was set up years ago may not apply anymore. Lisa Shaheen added that she likes to volunteer and encourage people in the city to be more active with boards. Kelly Brandon said that it would need to be a decision by the City Commission to change the resolution and the Board’s responsibilities. Direction would then go to staff and the City Attorney’s Office would be involved.

Hal Stern restated Lisa's point that if the resolution could use some updating, then there is no reason that they can't make the recommendation to City Commission to modify it. Shaynaz Malleck voiced her support for doing this and said that hitting this wall makes her question what future projects would be looked at.

Hal also questioned if the Board could continue to have a liaison for the Chamber of Commerce Advocacy Committee, and Kelly Brandon said she will meet with OSAR staff to discuss these items further.

Hal asked if staff should report back and it be on next month's agenda. Due to time constraints, the Board went to the next agenda item.

9. New Business

a. Green Board Annual Report

Resolution 32-09 states that the Board's annual report should be submitted in February of each year. Due to COVID-19, the last annual report was given to City Commission as a presentation in October 2020. It was discussed if the Board would like to write an annual report and give a presentation as an overview of the document. Kelly Brandon said that the goal should be to do it in February, but perhaps the report could be more of an update report since the last presentation. Susan Lebrun asked staff to include in the list of changes they would like to the resolution, that during an election year the presentation can be held afterwards.

Sarah Lucas asked if staff could work on this, and Kent Edwards responded that staff can with input from the Board.

Due to time constraints, consensus was given to table this item until the next month. Staff will send the resolution to Board members to read in the meantime.

10. Comments by Board Members

None

11. Comments by Staff

Molly Daly apologized for emailing Board members an incorrect link to the agenda for today's meeting. It was put on record that Maren Graben signed onto the meeting during SWA's presentation but had to sign off at 11 AM. Molly also clarified that the email she sent to Board members about the Green Business Certification Program can be shared by the Board if they do so in their individual capacities as residents.

Kent Edwards commented on the agenda's new format and asked Board members to contact him if they have any comments.

12. Adjournment

A motion to adjourn the meeting was made by Lisa Shaheen and seconded by Sarah Lucas. Said motion passed unanimously and Hal Stern declared the meeting adjourned at 11:12am.