

Council Business Meeting

September 19, 2017

Title: Climate and Energy Action Plan – Second Reading of Goals/Targets Ordinance
From: David Lohman City Attorney
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Summary:

Council has formally approved the Climate and Energy Action Plan (“CEAP” or “Plan”). Culminating 18 months of committee work and extensive public engagement, the Plan provides a foundation and framework for community and City actions to reduce greenhouse gas (GHG) emissions and make our local environment, infrastructure, and people better able to cope with the impacts of climate change.

Attachment A hereto is a slightly modified version of the draft ordinance Council approved on First Reading September 5, 2017, affirming the City’s commitment to the Plan’s targets and goals. The proposed modification is in the definition of City Operations at section 9.40.010B.

Actions, Options, or Potential Motions:

I move to approve Second Reading and adoption of an ordinance attached hereto as Attachment A and titled “An Ordinance Establishing Greenhouse Gas and Fossil Fuel Reduction Goals and Targets for Community and City Operations” [with the following modifications ...].

Staff Recommendation:

Staff recommends approval of the ordinance as proposed in Attachment A.

Resource Requirements:

Beyond the resources already committed in the 2017-19 budget for a CEAP Coordinator, the resources necessary to meet the CEAP targets and goals may well be considerable, but are not susceptible to estimation at this time – partly because of fast-changing technological and regulatory developments.

Policies, Plans and Goals Supported:

- 1) 2015-17 City Council Goals
 - 22.1 – Develop and implement a community climate change and energy plan
- 2) Ashland Comprehensive Plan, Element XI – Energy, Air and Water Conservation

Background and Additional Information:

At its March 7, 2017 meeting, Council formally approved the CEAP document with a unanimous vote. In addition, a CEAP staff position was successfully accepted by the Citizen’s Budget Committee into the City’s 2017-19 biennial budget, and the hiring process for that position is currently underway.

CEAP Goals and Targets

- 1) Reduce Ashland's contribution to global carbon pollution by reducing greenhouse gas emissions associated with City, residential, commercial and industrial activities:
 - Reduce total community greenhouse gas emissions by 8% on average annually through 2050
 - Attain carbon neutrality in City operations by 2030, and reduce fossil fuel consumption by 50% by 2030 and 100% by 2050
- 2) Prepare the City's communities, systems and resources to be more resilient to climate change impacts.

As noted in the plan document in several places, the 8% annual emissions reduction goal is derived based on what is called a *science based methodology* and is a relatively new method for setting emission reduction targets. This goal methodology results in a very aggressive reduction trajectory; however, it aligns with what is globally accepted as necessary to avoid potentially catastrophic impacts.

It is understood that local action alone cannot achieve the 8% annual emissions reduction goal. But local action can play a part in achieving the overall reductions needed and can be a catalyst for action and change beyond what can be collectively controlled and influenced at the local level.

Implementing the Plan will require increased focus on climate change and greenhouse gas emissions as key decision-making considerations and will involve nearly every department within the City, as well as community and civic partners, businesses and all residents.

September 5, 2017 Meeting

At the meeting, the Council discussed possible deletion of the phrase "or elsewhere" in the definition of "City Operations" in Section 9.40.010B to avoid unintentional overreach. No Councilmember moved to remove that phrase, but the possibility of making such a change on Second Reading was discussed.

The draft ordinance attached hereto as Attachment A provides a new definition of "City Operations" intended to make that term consistent with the municipal government activities measured and tracked pursuant to the Plan and to avoid possible unintended inclusion of municipal activities not specifically addressed in the Plan.

As an alternative means of addressing concern about possible misunderstanding of the term "or elsewhere," Attachment B is a possible amendment replacing the new definition of "City Operations" with the definition included in the ordinance version passed on First Reading except that the phrase "or elsewhere" is removed.

Any change to the ordinance version passed on First Reading must be read aloud at Second Reading.

Attachments:

- Attachment A: CEAP ordinance approved on First Reading, except for a new definition of “City Operations” in section 9.40.010C.
- Attachment B: Possible amendment to replace the new definition of “City Operations” in section 9.40.010C with the definition approved on First Reading but without the words “or elsewhere” at the end of the definition.

Additional Links

[Final CEAP Action Plan](#)

[Ad hoc CEAP Committee minutes, February 15, 2017](#)

[Minutes of July 18, 2017 Regular Meeting of Ashland City Council](#)

[Minutes of September 5, 2017 Regular Meeting of Ashland City Council](#)

ORDINANCE NO. _____

**AN ORDINANCE ESTABLISHING GREENHOUSE GAS
AND FOSSIL FUEL REDUCTION GOALS AND TARGETS
FOR COMMUNITY AND CITY OPERATIONS**

WHEREAS, Article 2, Section 1 of the Ashland City Charter provides:

Powers of the City. The City shall have all powers which the constitutions, statutes, and common law of the United States and of this State expressly or impliedly grant or allow municipalities, as fully as though this Charter specifically enumerated each of those powers, as well as all powers not inconsistent with the foregoing; and, in addition thereto, shall possess all powers hereinafter specifically granted. All the authority thereof shall have perpetual succession.

WHEREAS, increased concentrations of greenhouse gases in the atmosphere are causing mean global temperatures to rise: The decade from 2000 to 2010 was the warmest on record; 2016, 2015 and 2014 are the three hottest years on record; and the seventeen consecutive months of May 2015 through September 2016 each set a record for global average surface temperatures for their respective months.

WHEREAS, CO2 levels in the atmosphere surpassed 400 parts per million (ppm) for the first time in 800,000 years in the year 2013 and have come near or exceeded that level in the following years.

WHEREAS, the health, welfare, and economic future of the residents of Ashland will be impacted by these climatic changes

WHEREAS, the City of Ashland (“The City”) has a Climate and Energy Action Plan (“Plan”) intended to guide and support both City and Community efforts to advance the goal of returning global atmospheric CO2 concentration to below 350 ppm by the year 2100.

WHEREAS, the strategies and actions in the Climate and Energy Action Plan may be updated over time upon approval by the City Council.

THE PEOPLE OF THE CITY OF ASHLAND DO ORDAIN AS FOLLOWS:

SECTION 1: The City of Ashland Municipal Code (AMC) Title 9 is hereby amended by adding a new Chapter 9.40 to read as follows:

9.40 CLIMATE RECOVERY

9.40.010 Definitions

The following words and phrases whenever used in this chapter shall be construed as defined in this section.

- A. “Greenhouse Gases” or “GHG” means gases in the atmosphere that absorb and emit radiation and are the fundamental cause of the greenhouse effect.
- B. “City Operations” means any and all actions undertaken by the Ashland municipal government, ~~including any operations at its own facilities or elsewhere.~~ that are measured and tracked within established Greenhouse Gas Inventory protocols for local government operations.
- C. “Community” means collectively all individuals or entities operating, residing or located within the boundaries of the City, including private and public entities.
- D. “GHG Baseline” means Ashland’s 2015 GHG emissions calculations as found in the 2016 Greenhouse Gas Inventory document.

9.40.020 Climate Recovery Goals – Community

The City shall actively encourage Community entities and individuals to make [incorporate] achievement of the Community Climate Recovery Goals, as set forth in the most current City Council-approved version of the Climate and Energy Action Plan, a [as] part of the goals for their respective operations and facilities.

9.40.030 Climate Recovery Goals – City Operations

Achievement of the Climate Recovery Goals for City Operations, as set forth in the most current City Council-approved version of the Climate and Energy Action Plan, shall be part of the goals for City Operations.

9.40.040 Climate and Energy Action Plan Contents and Updates

The Climate and Energy Action Plan and any updates must contain the following:

- A. Specific and measurable GHG reduction targets and milestones to guide and direct City Operations toward achieving the Plan’s GHG mitigation and fossil fuel reduction targets for the City.
- B. Specific and measurable GHG reduction targets and milestones to guide the Community toward achieving the Plan’s GHG mitigation and fossil fuel reduction targets for the Community.
- C. The above GHG mitigation and fossil fuel reduction targets for City Operations and for the Community must each be supported by at least the following elements in the Plan:

1. **Strategies, actions, timelines for meeting the Plan’s GHG and fossil fuel reduction targets.**
2. **Schedule of periodic objective, science-based evaluations of progress towards achievement of the Plan’s GHG and fossil fuel reduction targets.**
3. **Minimum reporting content and schedule for presentations to City Council on CEAP, GHG Inventory updates, and progress towards achievement the Plan’s GHG and fossil fuel reduction targets.**
4. **Specific process for considering Plan amendments, including comprehensive review on a three year cycle.**
5. **Specification of the responsibility of the Climate and Energy Action Plan Commission for providing advisory input on CEAP implementation and updates.**

SECTION 2. Severability. The sections, subsections, paragraphs and clauses of this ordinance are severable. The invalidity of one section, subsection, paragraph or clause shall not affect the validity of the remaining sections, subsections, paragraphs and clauses.

SECTION 3. Codification. Provisions of this Ordinance shall be incorporated in the City Code and the word "ordinance" may be changed to "code", "article", "section", "chapter" or another word, and the sections of this Ordinance may be renumbered, or re-letter, provided however that any Whereas clauses and Sections 2 and 3 need not be codified, and the City Recorder is authorized to correct any cross-references and any typographical errors.

The foregoing ordinance was first read by title only in accordance with Article X, Section 2(C) of the City Charter on the ____ day of _____, 2017, and duly PASSED and ADOPTED this ____ day of _____, 2017.

Melissa Huhtala, City Recorder

SIGNED and APPROVED this ____ day of _____, 2017.

John Stromberg, Mayor

Reviewed as to form:

David H. Lohman, City Attorney

ATTACHMENT B

Possible Amendment to definition of City Operations

[If making the main motion] I move to approve Second Reading and adoption of an ordinance attached hereto as Attachment A and titled “An Ordinance Establishing Greenhouse Gas and Fossil Fuel Reduction Goals and Targets for Community and City Operations” with a modification to the definition of City Operations so as to replace the words “that are measured and tracked within established Greenhouse Gas Inventory protocols for local government operations” with the following words: “including operations at its own facilities.”

OR

[If amending the main motion made by another Councilor] I move to amend the motion to replace the words “that are measured and tracked within established Greenhouse Gas Inventory protocols for local government operations” with the following words: “including operations at its own facilities.”