

**Environmental Management Commission****Meeting Minutes – May 13, 2015**

Meeting Location: Mid-America Regional Council, Westview Room

Commissioners present: Carol Adams, Jensen Adams, Rachel Guthrie, Kimberly Hill, Julie Koppen, Marty Kraft, Robin Martinez, DJ Pierre, Ben Proffer, Jack Schrimsher

Commissioners Absent: Bob Berkebile, Tom Brink, Maria Coppock, Caroline Davies, Julie Davis Gloria Ortiz Fisher, Jim Hansen

Staff: Dennis Murphey, Matt McKinley, Jerry Shechter – Office of Environmental Quality (OEQ); Marleen Leonce – Public Works;

Guests: None

The meeting was called to order at 4:10 pm; a quorum was present

- A. Welcome and Introductions - The Chair welcomed commissioners, staff, and guests who introduced themselves.
- B. Minutes – Rachel Guthrie made a motion, seconded by Bob Berkebile, to approve minutes of the meeting of May 2015 as amended. The motion passed.
- C. Oath of Office – Marilyn Sanders, City Clerk, administered the Oath of Office for the new Commissioners and all other Commissioners attending. Each was asked to fill in documents to be returned to the City Clerk's Office.
- D. Legal Brief – Matt Gigliotti – Missouri Sunshine Law
 1. Notice of meetings of the Commission, and committees and task forces of the Commission, must be publicly posted at least 24 hours in advance. If public notice cannot be given at least 24 hours in advance, this must be referenced in the meeting notes.
 2. Commissioners are cautioned not to conduct business by e-mail and expect the correspondence to be exempt from the Sunshine Law.
 3. If meetings are planned, a representative of the group to be meeting must notify the Office of Environmental Quality (OEQ) sufficiently in advance so that OEQ staff can properly post the meeting notice.
 4. All actions and records are open to the public.
 5. The EMC has the option to close the meeting for specific, defined purposes.
 6. If a roll call vote is taken, the minutes must reflect each vote cast.
 7. Records must reflect general discussion of both open and closed sessions as well as requests for information.
 8. Closed meetings – The key issue is that discussion can only occur that is directly related to the reason for closing the meeting. Roll call votes are to be recorded. If a Commissioner does not agree with moving to a closed session, that Commissioner must indicate by casting a vote of “no” which is to be recorded in the meeting minutes. That Commissioner may then participate in the closed session. If discussion, in the closed session, occurs that is not related to the reason for closing the meeting, then the meeting then becomes open once again.
- E. Environmental Achievement Awards – Matt McKinley
 1. Nominations are due by May 22, 2015 and will be forwarded to the EMC reviewers the next week.
 2. All elements of the awards celebration are ready but for receiving and reviewing nominations. The MARC Board Room has been secured for the occasion for Wednesday, August 12, 2015 which is the regularly scheduled date for the August EMC meeting.
- F. Update – Benchmarking and Reporting Ordinance – Dennis Murphey
 1. Committee Substitute for Ordinance 150299, which is now called the Energy Empowerment Ordinance, was distributed to the EMC. This version was reviewed today by the Finance Governance and Ethics Committee Chaired by Councilwoman Jan Marcason. There was general discussion of the key points of the revised ordinance.
 2. Companion Resolution 150300 was also discussed at the Council Committee and was distributed to the EMC. This resolution requires the City Manager to prepare a report regarding current and future incentives and technical assistance available to support building owners in assessing energy use and making energy efficiency improvements.

3. The Ordinance and Resolution were approved by the Council Committee and is expected to be read and voted on by the full Council at the Legislative Session on Thursday, May 21, 2015. Councilwoman Cokethia Hill is the new third co-sponsor (the original co-sponsors are Councilman Taylor and Mayor James).
 4. The Ordinance will require benchmarking and reporting but not actual energy efficiency improvements. The program will be phased in over several years beginning with KCMO City buildings reporting in 2016, private buildings over 100,000 square feet reporting in 2017 and private buildings over 50,000 square feet reporting in 2018. The Ordinance identifies the data to be reported. Information reported to the City will be publicly disclosed. However, the Ordinance specifies a prohibition to prevent “shaming” of specific buildings for which scores may be low.
 5. The Resolution – Opponents wanted both voluntary benchmarking and reporting and for the City to provide incentives. It was agreed that research would be necessary to identify any currently available incentives. The Resolution requires a report to the City Manager about those incentives including potential funding for a help center. Mayor James has asked for recommendations to include incentive packages such as those for tax abatement, TIFF, etc.
 6. An issue was raised by Councilman Ed Ford about not having engaged the Northland Chamber of Commerce in the discussion. An outreach plan is being prepared.
 7. Voluntary versus mandatory benchmarking is a critical difference. As an example, the City of Denver has a collaborative agreement for voluntary benchmarking with as goal of 90% participation of owners/managers of buildings over 10,000 square feet. City Energy Project staff indicated there were 57 voluntary benchmarkers on signing of the agreement and another 38 agreed to begin. However, 10 buildings were removed from the process resulting in a net increase of only 28 buildings with half of these being government buildings. At this pace, 90% compliance would be achieved in 70 years.
- G. Office of Environmental Quality – Dennis Murphey
1. A Green and Sustainable Procurement Ordinance is in process. The Chair requested a report in June.
- H. Liaison Updates – These are groups on which EMC has had or could have representation
1. Air Quality – Carol Adams –
 - a. The EPA is re-designating an area down-wind of Veolia, which currently burns coal. Veolia may fuel switch to natural gas which should result in reduction of related emission by more than 90%.
 - b. There will be 2 more reviews in the near future.
 - c. EPA proposed Section 111-d rules may be a problem in Kansas which will likely be operating under legislative restrictions.
 2. LEED – Jim Hansen – Jim Hansen - No report
 3. City Energy Project – Tom Brink - See above in Sec. F
 4. Climate Protection Steering Committee - Bob Berkebile – No report
 5. Solid Waste Management District – No report
- I. Priorities for 2015-2016
1. No general discussion
 2. Agenda for the meeting of June 2015
 - a. Environmental Achievement Awards
 - b. Green and Sustainable Procurement Ordinance
 - c. Legal Brief re Missouri legislative actions
 3. Commissioners were asked to share agenda ideas
 4. Senate Substitute for HB 722 passed the Missouri General Assembly – approving (a) prohibition of city bans on plastic bags, and (b) prohibition of cities raising the minimum wage above that approved by the State (except for those passed before August 28, 2015)
 5. Anti-Agenda 21 legislation was introduced in the Missouri General Assembly again this year, but it did not receive a vote in the House or Senate.
 6. Water issues – near term and long term – Robin Martinez suggested a task force be considered to research and make recommendations about stability and accessibility of water resources over time.
 7. Species preservation – Important to educate and engage the public
 8. Marty Kraft wanted to know about the Traffic Operations (traffic signal synchronization) Center status – Dennis noted the Public Works Department ran short of funds to actually open and operate the center.
 9. Riverfront Berkley Park redevelopment
 10. Plastic bag ban issues - Marleen Leonce, Solid Waste Manager in Public Works noted that recycling in KCMO is not mandatory so it would be very difficult to mandate the ban of a single item. Rachel Guthrie noted that Prairie Village has done some good work on this issue. Rather than a full ban, what might be incremental steps possible? Begin with education and incentives.
 11. Public Works is convening a group of people to look at mandatory curbside recycling. The City is once again looking at a materials recovery facility (MRF). This time, the public notice is for Design – Build – Operate – Finance. The EMC should work in concert with City staff and the planning group.
 12. Early childhood education – Ben Proffer – must include nature and sustainability.
- J. Old Business - None

K. New Business

1. Julie Koppen – Kansas City Chamber of Commerce has just identified BNIM as the top small business of the year.
2. Dennis Murphey - Bob Berkebile has just received an award from the Urban Land Institute
3. Robin Martinez – On June 16, 2015, the Sierra Club will host a discussion about the Keystone XL (KXL) pipeline
4. Dennis Murphey – Alberta Canada election results were against the KXL pipeline
5. Marleen Leonce – will provide Jerry with information about a recycling event for distribution

L. Visitors' Remarks - None

The meeting was adjourned at 6:05 pm

The next regular monthly meeting is:

June 12, 2015 at 4:00 pm
Mid-America Regional Council
600 Broadway, 2nd Floor - Westview Room
Kansas City, MO