

AGENDA

Tim Rood, **WMA President**
City of Piedmont, WMA, EC
Deborah Cox, **WMA 1st Vice President, EC President**
City of San Leandro, WMA, EC
Shelia Young, **WMA 2nd Vice President**
Oro Loma Sanitary District, WMA
Melissa Hernandez, **EC 1st Vice President**
City of Dublin, WMA, EC
Dan Kalb, **EC 2nd Vice President**
City of Oakland, WMA, EC
Jim Oddie, City of Alameda, WMA, EC
Keith Carson, County of Alameda, WMA, EC
Rochelle Nason, City of Albany, WMA, EC
Susan Wengraf, City of Berkeley, WMA, EC
Dave Sadoff, Castro Valley Sanitary District, WMA
Dianne Martinez, City of Emeryville, WMA, EC
Jenny Kassin, City of Fremont, WMA, EC
Francisco Zermeño, City of Hayward, WMA, EC
Bob Carling, City of Livermore, WMA, EC
Michael Hannon, City of Newark, WMA, EC
Jerry Pentin, City of Pleasanton, WMA, EC
Emily Duncan, City of Union City, WMA, EC
Wendy Sommer, Executive Director

MEETING OF THE ALAMEDA COUNTY WASTE MANAGEMENT AUTHORITY (WMA) BOARD AND THE ENERGY COUNCIL (EC)

Wednesday, September 25, 2019

3:00 P.M.

**StopWaste Offices
1537 Webster Street
Oakland, CA 94612
510-891-6500**

Meeting is wheelchair accessible. Sign language interpreter may be available upon five (5) days notice by calling 510-891-6500. Members of the public wanting to add an item to a future agenda may contact 510-891-6500.

I. CALL TO ORDER

II. ROLL CALL OF ATTENDANCE

III. ANNOUNCEMENTS BY PRESIDENTS - *(Members are asked to please advise the board or the council if you might need to leave before action items are completed)*

IV. OPEN PUBLIC DISCUSSION FROM THE FLOOR

An opportunity is provided for any member of the public wishing to speak on any matter within the jurisdiction of the boards or council, but not listed on the agenda. Total time limit of 30 minutes with each speaker limited to three minutes unless a shorter period of time is set by the President.

Page V. CONSENT CALENDAR

1 1. **Approval of the Draft Minutes of July 24, 2019 (Wendy Sommer)**

7 2. **Changes to Employee Benefits (Pat Cabrera)**

That the WMA Board approve the changes to employee benefits outlined in the staff memo.

15 3. **Authorization for the Final Disposition of Certain Records (Arless Dunn)**

Adopt the attached resolution authorizing staff to purge the attached list of agency records that have exceeded the minimum retention schedule.

VI. REGULAR CALENDAR

- 21** **1. Ordinance 2019-01 Amending the Household Hazardous Waste Collection and Disposal Fee Ordinance (Pat Cabrera)**
Staff recommends that the Authority Board 1) hold a public hearing; 2) receive a report on the number of protests; and 3) adopt the ordinance unless prohibited due to the number of protests. The ordinance will take effect thirty days after the date of adoption.
- 31** **2. Schools-Based Community Outreach (Angelina Vergara)**
This item is for information only.
- 3. CLOSED SESSION**
CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION
(Government Code section 54956.9(d)(1))
Name of case: Alameda County Waste Management Authority v. Waste Connections US, Inc. et al.
(Contra Costa County Superior Court Case No. CIVMSC18-01546)
- 4. Interim appointment(s) to the Recycling Board for WMA appointee unable to attend future Board Meeting(s) (Arliss Dunn)**
(Planning Committee and Recycling Board meeting, October 10, 2019 at 4:00 pm, StopWaste, 1537 Webster Street, Oakland, CA. Board member Sadoff is requesting an interim appointment for the October 10 and November 14 Recycling Board meetings. The November 14 meeting will be held at 7:00 p.m. at StopWaste.
- 33** **5. Bay Area Regional Energy Network (BayREN) - Contract Amendment #1 (Karen Kho) (EC only)**
Adopt the attached Resolution authorizing the Executive Director to enter into a 2019 contract amendment of \$265,000 for Bay Area Regional Energy Network (BayREN) and other related actions.

VII. MEMBER COMMENTS AND COMMUNICATIONS FROM THE EXECUTIVE DIRECTOR

VIII. ADJOURNMENT

DRAFT

**MINUTES OF THE MEETING OF THE
ALAMEDA COUNTY WASTE MANAGEMENT AUTHORITY (WMA) BOARD,
THE ENERGY COUNCIL (EC)**

Wednesday, July 24, 2019

3:00 P.M.

**StopWaste Offices
1537 Webster Street
Oakland, CA 94612
510-891-6500**

I. CALL TO ORDER

President Tim Rood called the meeting to order at 3:03 p.m.

II. ROLL CALL OF ATTENDANCE

City of Alameda	Jim Oddie, WMA, EC
County of Alameda	Keith Carson, WMA, EC
City of Albany	Rochelle Nason, WMA, EC
City of Berkeley	Susan Wengraf, WMA, EC
Castro Valley Sanitary District	Dave Sadoff, WMA
City of Dublin	Melissa Hernandez, WMA, EC
City of Emeryville	Dianne Martinez, WMA, EC
City of Fremont	Jenny Kassan, WMA, EC
City of Hayward	Sara Lamnin, WMA, EC
City of Livermore	Bob Carling, WMA, EC
City of Newark	Mike Hannon, WMA, EC
City of Oakland	Dan Kalb, WMA, EC
Oro Loma Sanitary District	Shelia Young, WMA
City of Piedmont	Tim Rood, WMA, EC
City of Pleasanton	Jerry Pentin, WMA, EC
City of San Leandro	Deborah Cox, WMA, EC
City of Union City	Jaime Patiño, WMA, EC

Staff Participating:

Wendy Sommer, Executive Director
Pat Cabrera, Administrative Services Director
Justin Lehrer, Senior Management Analyst
Jeff Becerra, Communications Manager
Anu Natarajan, Legislative and Regulatory Affairs Manager
Richard Taylor, WMA Legal Counsel
Arliss Dunn, Clerk of the Board

Others Participating:

Supervisor Nate Miley, Alameda County Board of Supervisors, District 4
Erin Armstrong, Special Projects Assistant, Alameda County Board of Supervisors, District 4
Priya Gambhir, Special Projects Assistant Alameda County Board of Supervisors, District 4
Ken Houston, Community Activist
Zeydi Gutierrez, Director of Business Operations, AB&I Foundry

III. ANNOUNCEMENTS BY PRESIDENTS

President Rood expressed his appreciation for being elected to serve as President of the WMA Board.

IV. OPEN PUBLIC DISCUSSION FROM THE FLOOR

Supervisor Nate Miley along with his staff; Ken Houston, Community Activist; and Zeydi Gutierrez, AB&I Foundry, provided comments regarding their efforts to address illegal dumping and encouraged the Board to consider adding the issue of illegal dumping, trash and litter as a component of the schools program curriculum, specifically as part of the transfer station field trips. Board member Carson asked that staff provide an overview of their engagement with Supervisor Miley's office. Ms. Sommer stated that Jeff Becerra, Communications Manager, is a member of the the Illegal Dumping Task Force and regularly attends the meetings. Ms. Sommer thanked Supervisor Miley and the other speakers for addressing such an important issue. The Board adopted the priority of source reduction and moving upstream, and it is difficult to add new issues as we are focused on food waste reduction and not creating waste at all. Jeff Becerra added in our efforts to address illegal dumping we've focused specifically on mattresses and have provided significant financial support to DR3 Mattress Recycling, one of the largest mattress recycling organizations on the West Coast. We also worked with Senator Loni Hancock to provide assistance in drafting legislation for her mattress bill, and also provided funding for a pilot study to look at creating an incentive program for turning in mattresses. Mr. Becerra added, more recently the household hazardous waste program conducts one-day drop off events and our staff have helped to get mattress drop-off included in the events.

V. CONSENT CALENDAR

1. Approval of the Draft Minutes of June 26, 2019 (Wendy Sommer)

2. Revised Human Resources (HR) Manual (Pat Cabrera & Justin Lehrer)

That the WMA Board approve the attached HR manual and authorize the Executive Director to make minor changes to the manual as needed and incorporate any additions resulting from new or amended federal, state or local labor laws.

There were no public comments for the Consent Calendar. Board member Oddie made the motion to approve the Consent Calendar. Board member Pentin seconded and the motion carried 20-0: (Ayes: Carling, Carson, Cox, Hannon, Hernandez, Kalb, Kassan, Lamnin, Martinez, Nason, Oddie, Patiño, Pentin, Rood, Sadoff, Wengraf, Young. Nays: None. Abstained: None. Absent: None.)

VI. REGULAR CALENDAR

1. Executive Director Contract Amendment (Dave Sadoff)

That the Waste Management Authority Board amend the Executive Director Employment Agreement.

Board member Sadoff stated that in light of Ms. Sommer's excellent work performance the Executive Director Evaluation Committee recommends approval of the amendment to her Employment Agreement which includes a modest salary increase. President Rood stated that Ms. Sommer has done an outstanding job in focusing on the agency's core mission and aligning our revenue and expenditures and strengthening the agency's financial position.

There were no public comments on this item. Board member Sadoff made the motion to approve the Executive Director Contract Amendment. Board member Hannon seconded and the motion carried 20-0:

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(Ayes: Carling, Carson, Cox, Hannon, Hernandez, Kalb, Kassan, Lamnin, Martinez, Nason, Oddie, Patiño, Pentin, Rood, Sadoff, Wengraf, Young. Nays: None. Abstained: None. Absent: None.)

2. Countywide Integrated Waste Management Plan (CoIWMP) Update (Anu Natarajan)

That the WMA Board direct staff to update the CoIWMP.

Anu Natarajan provided an overview of the staff report.

Board member Hannon recommended that the update highlight some of the environmental policies that have benefitted the community such as the impacts of banning single use bags. Board member Hannon added this would not only help to provide historical perspective but also inform future policy considerations. Board member Pentin commented that the proposed timeline is for the update to be completed in October and inquired if there has been or are there plans to reach out to the community for public input. Ms. Natarajan stated that since this is only an update to the CoIWMP and shifting from the work that we are currently doing we are considering the two WMA meetings as the public hearings and of course we are working with the Technical Advisory Committee (TAC) to obtain perspective from the member agencies. Board member Kalb commented that the update includes a then and now perspective and inquired if source reduction will be prevalent in the "now." Ms. Natarajan stated yes. Board member Sadoff suggested in addition to data, visuals would also provide an impact, e.g. the visual of the voluminous amount of single use bags against the fence at Altamont. Ms. Natarajan stated the update would include visuals as well. President Rood inquired if staff required more specific direction from the Board. Ms. Natarajan stated no. There were no public comments on this item.

Board member Pentin made the motion to direct staff to update the CoIWMP. Board member Kalb seconded and the motion carried 20-0.

(Ayes: Carling, Carson, Cox, Hannon, Hernandez, Kalb, Kassan, Lamnin, Martinez, Nason, Oddie, Patiño, Pentin, Rood, Sadoff, Wengraf, Young. Nays: None. Abstained: None. Absent: None.)

3. Vacancy on the Recycling Board (Arliss Dunn)

Staff recommends that the WMA Board fill the vacancy on the Recycling Board.

Board member Young made the motion to nominate Board member Carling as the WMA Appointee to the Recycling Board. There were no other nominations and the nominations were closed. Board member Pentin seconded and the motion carried 20-0. There were no public comments on this item.

(Ayes: Carling, Carson, Cox, Hannon, Hernandez, Kalb, Kassan, Lamnin, Martinez, Nason, Oddie, Patiño, Pentin, Rood, Sadoff, Wengraf, Young. Nays: None. Abstained: None. Absent: None.)

4. Interim appointment(s) to the Recycling Board for WMA appointee unable to attend future Board Meeting(s) (Wendy Sommer)

(Planning Committee and Recycling Board meeting, August 8, 2019 at 7:00 pm, Fremont City Hall, Council Chambers, 3300 Capitol Ave, Fremont, CA 94538 and September 12, 2019 at 7:00 pm, Dublin City Hall, 100 Civic Plaza, Dublin, CA 94568)

Board member Zermeño required an interim appointment for the August 8 meeting. There were no requests for an interim appointment for the September 12 meeting. Board member Kassan volunteered to attend as the interim appointment for the August 8 meeting. Board member Pentin made the motion to approve the interim appointment. Board member Hannon seconded and the motion carried 20-0.

(Ayes: Carling, Carson, Cox, Hannon, Hernandez, Kalb, Kassan, Lamnin, Martinez, Nason, Oddie, Patiño, Pentin, Rood, Sadoff, Wengraf, Young. Nays: None. Abstained: None. Absent: None.)

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VII. MEMBER COMMENTS AND COMMUNICATIONS FROM THE EXECUTIVE DIRECTOR

Ms. Sommer distributed a sample of the letter (attached) that will be sent to all property owners notifying them of the reduction of the household hazardous waste fee. The letter also includes historical information regarding the fee and participation at the facilities. Staff will also provide Board members with social media samples for dissemination. President Rood suggested revising the graphics of the bar in the letter as it appears to illustrate that the fee is cut in half. Board member Hannon inquired if the letter will contain information that the letter is available in other languages. Mr. Becerra stated yes.

VIII. ADJOURNMENT

The meeting was adjourned at 3:50 p.m.

Dear Residential Property Owner:

This letter is to inform you that the Alameda County Waste Management Authority (WMA) is proposing changes to a fee that applies to your residential property. The WMA currently assesses a fee capped at \$9.55 per residential unit per year, collected through the property tax roll, to administer the household hazardous waste program for Alameda County.

The WMA is proposing to amend the ordinance establishing the fee to (1) set the fee at \$6.64 per year per residential unit through June 30, 2024, (2) change the process for fee adjustments below the \$9.55 cap, and (3) remove the June 30, 2024 sunset date for the fee at its meeting on September 25, 2019. The meeting will start at 3:00 p.m. at 1537 Webster St., Oakland.

Revenue from the fee supports the countywide household hazardous waste program, which provides safe, legal, environmentally sound collection and disposal services for residential household hazardous waste such as paint, solvents, pesticides, and electronics. Household hazardous waste materials cannot be disposed in landfills.

Prior to July 1, 2024, a financial analysis of the program will be conducted to determine if the fee needs to be adjusted (raised or lowered) for the next five years and in five-year intervals thereafter. The fee will remain capped at \$9.55 per year. A previously established June 30, 2024 end date of the fee (sunset provision) will be rescinded; however, the fee can be repealed by the WMA at any time.

Your property is included in the report listing the properties that would be subject to the fee. The report and copies of all materials referenced in this letter are available at the WMA offices at 1537 Webster St. in Oakland.

You may object to the adoption of the fee in writing by sending written correspondence to:

Alameda County Waste Management Authority
1537 Webster St.
Oakland, CA 94612

Correspondence must include your name, address, parcel number, number of residential units on the parcel, a statement objecting to the fee, and your original signature. The correspondence must be received by 12:00 p.m. on September 25, 2019, or delivered in person at the September 25 meeting. Protests submitted via e-mail or facsimile will not be accepted. You may also attend the meeting on September 25 in person and express your opinion in favor of or against the fee.

More information about the current fee, the proposed fee ordinance, and the September 25 meeting can be found at www.StopWaste.org/HHWfee.

Este aviso contiene información importante sobre una posible tarifa que se cobra a través del catastro tributario inmobiliario. Si su idioma principal no es el inglés, pida a alguien que le traduzca.

本通知含有透過物業稅清單可能收取費用的重要資料。如果英語不是您主要使用的語言，請找人為您翻譯資料內容。

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DATE: September 25, 2019

TO: Waste Management Authority Board

FROM: Pat Cabrera, Administrative Services Director

SUBJECT: Changes to Employee Benefits

SUMMARY

On September 12, 2019 the Programs and Administration Committee reviewed proposed revisions to the employee benefits and recommended that the Waste Management Authority (WMA) Board adopt the changes.

DISCUSSION

Staff presented proposed changes to current employee fringe benefits. The report submitted to the P&A Committee is attached. These changes were well received by the committee. The changes as listed in the recommendation focused on employee wellness issues; specifically a change in vacation accruals for newer employees, one additional floating holiday, and a bike allowance. These requests were offset by a proposed reduction in the educational reimbursement limit.

Committee Action

By a vote of 10-0 (Absent: Hannon, Kalb), the P&A Committee recommended that the WMA Board adopt the changes including allowing the Executive Director to make minor changes as specified in the following recommendation.

RECOMMENDATION

That the WMA Board approve the following changes to employee benefits:

1. Reduce the Educational Assistance benefit to \$2,000 per year per employee for a maximum lifetime reimbursement of \$10,000. This would apply to new requests only.
2. Change the vacation accrual to 15 days per year (prorated accordingly for less than full-time employees) beginning after three years of service. All other accruals remain the same.
3. Add one additional floating holiday (hours prorated accordingly for less than full-time employees).
4. Add a bike reimbursement benefit to the Agency's mass transit policy allowing for a \$25 per month reimbursement for employees who use their bicycle to commute to and from work at least 50% of the time.

5. Allow the Executive Director to make changes to the benefit manual that 1) result in savings to the Agency, 2) are cost neutral or 3) are de minimis in cost (no more than \$15,000 per year). The Executive Director will discuss any proposed changes with and obtain input and support from employees prior to making any changes. The exclusions to this authority would be any vested benefit such as PERS retirement or any changes to the employee compensation plan outlined in the Human Resources Manual, which will still require WMA approval.
6. Implement the changes effective October 6 to coincide with the beginning of the payroll cycle with the exception of any outstanding education assistance requests that have already been approved.

Attachment A: P&A Committee Staff Memo



DATE: September 12, 2019
TO: Programs and Administration Committee
FROM: Pat Cabrera, Administrative Services Director
SUBJECT: Proposed Benefit Changes

SUMMARY

At the September 12, 2019 Programs and Administration Committee meeting, staff will present proposed changes to employee benefits and request that the P&A Committee recommend to the WMA Board adoption of these changes.

DISCUSSION

While the Agency’s Human Resources manual establishes the administrative rules that govern the Agency, the employee benefit handbook outlines the fringe benefits that employees receive including vacation, sick leave, retirement and health benefits. As part of the classification and compensation study conducted by Reward Strategy Group (RSG) in FY 17-2018, the consultant concluded that Agency benefits were comparable to the comparison agencies. However, comparable does not mean exactly the same, as each agency offers different perks and incentives for recruitment and retention. Examples of those differences would be longevity and merit pay and various allowances (technology, car, gym membership) which are commonly offered to department heads and upper management or public safety staff.

The Agency does not offer these benefits. Instead, our proposal is focused on changes that were most important to staff, would be cost neutral or minimal in cost and would be applicable to all employees (with the exception of the vacation accrual discussed below) irrespective of job classification. The changes to the Agency’s tuition benefits would be a reduction in benefit, while the change in vacation accruals for newer employees, the additional floating holiday and the bike allowance, would be an increase in benefits. These changes were discussed with and supported by employees at our monthly all staff meeting. The proposed changes are as follows:

Educational Assistance

Current Benefit

Tuition reimbursement will be no greater than the California State semester or quarter tuition and fees. Books and required materials will be reimbursed as well. Employees must submit proof of a passing grade

("C" or better or "pass" in the event of a pass/no pass grade) and all applicable receipts to receive reimbursement.

At the time this limit was adopted, annual tuition and fees were approximately \$1,700 per year (undergraduate). They have increased to approximately \$8,500 for full-time undergraduate coursework and \$9,917 for graduate programs.

With respect to the Agency's comparison agencies (see attached), this benefit varies widely from \$250 per year up to the state college tuition costs.

Proposed Change

Reduce the reimbursement to \$2,000 per year per employee up to a lifetime maximum of \$10,000 which can be applied to various certification programs. Employees will still need to submit proof of passing the course or program as indicated above. The Agency will budget \$20,000 annually for this purpose; however, the allotment can be adjusted (through a line item transfer) in extraordinary cases, such as a course or program that is particularly timely or might not be offered later. Employees are expected to use personal time while pursuing the coursework.

In line with our commitment to employee development, we want to encourage employees to take advantage of this benefit, while remaining fiscally prudent.

Fiscal Impact

Since 2018 and including one outstanding reimbursement, the Agency will have spent approximately \$10,000 in educational reimbursement for two employees. Under the proposed change the employees would have only been eligible for \$4,000 in reimbursement. Additionally, under our proposed change and with an annual appropriation of \$20,000, 10 employees per year could participate in the benefit compared to two to three employees (depending on the program and units).

Vacation Accruals and Holidays

Current Benefit:

Vacation accruals per years of service

0-5 yrs.	10 days
6-10 yrs.	15 days
11+ yrs.	20 days

Compared to most member and regional agencies the Agency is less generous in terms of the time that it takes an employee to accrue 15 days of vacation. The average is about 3-4 years to reach this threshold. However, some agencies also provide for higher accruals (25 days or more after 20 years). A couple of agencies provide general leave (combining sick leave and vacation together with a sick leave bank for accruals over the maximum allotment).

Proposed Change:

Vacation accruals per years of service

0-3 yrs.	10 days
4-10 yrs.	15 days
11+ yrs.	20 days

The purpose of this change is to allow newer employees to accrue 15 days of vacation sooner than five years. We are not proposing changing the other accrual time frame or additional vacation time. However, in lieu of asking for more vacation or a shorter time frame to get to the four-week vacation level, staff is requesting an extra floating holiday.

Holidays

Current Benefit

Twelve paid holidays and two floating holidays, which is within the average range compared to other agencies. Of the comparison agencies, seven provide more paid holidays.

Proposed Change

Add one additional floating holiday. Staff would prefer this change over increasing vacation accruals beyond the four weeks since it would benefit everyone regardless of seniority. If approved, the Agency would have the same amount of paid holidays as Pleasanton, Zone 7 and EBMUD, but less than Oro Loma and Berkeley (each have 16 paid holidays).

Fiscal Impact

There isn't a dollar value associated with these two benefits unless an employee separates from employment with accrued vacation hours (which for newer employees is generally very little if any). Floating holidays must be used within the fiscal year and cannot be cashed out upon separation. Therefore, these benefits would constitute a productivity cost rather than a monetary one. With respect to the additional floating holiday, the productivity cost would be less than 0.4%. The productivity cost associated with the newer employees reaching the three-week vacation threshold after three years instead of five is more difficult to quantify. That is because there is an offsetting "wellness" benefit associated with the extra vacation that aids in work-life balance and minimizes employee "burn out." However, based on the number of eligible employees that would benefit, the productivity cost would be less than 1%.

Mass Transit Policy

The Agency provides commuter checks to encourage employees to use mass transit. This benefit helped the Agency to achieve its LEED Platinum status. However, the program did not include a bike allowance, which is an even stronger environmental practice in addition to promoting a healthier lifestyle. Approximately ten employees bike to work on a regular basis. Staff is requesting a bike reimbursement benefit of \$25 per month for employees that bike to work at least 50% of the time. The Agency can use the current voucher program to implement this benefit. Between January 1, 2009 and December 31, 2017, a

bike allowance was covered under the IRS 132 tax code as a qualified transportation fringe benefit but had been eliminated effective January 1, 2018.

Fiscal Impact

Minimal cost to the Agency. Based on current usage the cost would be approximately \$3,000 per year.

Executive Director Authority

Based on past practice, staff has taken any change in benefits other than those mandated by law to the WMA Board for approval. While changes to benefits are rare (it has been over ten years since the Agency initiated benefit changes), it would be expedient to both staff and the Agency to authorize the Executive Director to make changes under very specific and limited circumstances. We are recommending that the Executive Director be granted authority to make changes to employee benefits that 1) result in savings to the Agency, 2) are cost neutral or 3) are de minimis in cost (no more than \$15,000 per year). The Executive Director will discuss any proposed changes with and obtain input and support from employees prior to making any changes. The exclusions to this authority would be any vested benefit such as PERS retirement or any changes to the employee compensation plan outlined in the Human Resources Manual, which would still require WMA approval.

RECOMMENDATION

That the P&A Committee discuss this item and recommend that the WMA adopt the requested changes as follows:

1. Reduce the Educational Assistance benefit to \$2,000 per year per employee for a maximum lifetime reimbursement of \$10,000.
2. Change the vacation accrual to 15 days per year (prorated accordingly for less than full-time employees) beginning after three years of service. All other accruals remain the same.
3. Add one additional floating holiday (hours prorated accordingly for less than full-time employees).
4. Add a bike reimbursement benefit to the Agency's mass transit policy allowing for a \$25 per month reimbursement for employees who use their bicycle to commute to and from work at least 50% of the time.
5. Allow the Executive Director to make changes to the benefit manual that 1) result in savings to the Agency, 2) are cost neutral or 3) are de minimis in cost (no more than \$15,000 per year). The Executive Director will discuss any proposed changes with and obtain input and support from employees prior to making any changes. The exclusions to this authority would be any vested benefit such as PERS retirement or any changes to the employee compensation plan outlined in the Human Resources Manual, which will still require WMA approval.
6. Implement the changes effective October 6 to coincide with the beginning of the payroll cycle with the exception of any outstanding education assistance requests that have already been approved.

Attachment: Survey of vacation allotment, paid holidays and educational reimbursement

Member Agency benefit info	Floats	Holidays	Vacation	Educational Reimbursement
WMA	2	12	Years of Service Days Per Year 0-5 10 6-10 15 11+ 20	Tuition reimbursement will be no greater than the California State semester or quarter tuition and fees.
AC Transit	2	8	1-5 yrs 80 hours, 5-10 yrs 120 hours, 10-15 yrs 160 hours, 15-25 yrs 200 hours, 25+ yrs 240 hours	To the extent funding is available, which shall be determined solely by the District, the District agrees to maintain the tuition reimbursement program during the term of this agreement
Ala Co Water District		11	10 days first year, increasing to 25 days after 20 years. Maximum Accrual: 400 hours per year. 1-24 mos.: 80hrs; 25- 48 mos:104hrs, 49-120: mos.: 136hrs, 160hrs: 121-180 mos., 176hrs: 181-240 mos., 241+:mos.: 200hrs	100% tuition reimbursement for courses related to District up to a max of \$5250 per calendar year
Alameda County	4	12	1-4 yrs: 2 wks, 5-11 yrs: 3 wks, 12-20 yrs: 4 wks, 20+ yrs: 5 wks	Depends on MOU bargaining unit.
Alameda	3.5	10	Department heads can start with up to 4 weeks vacation; normally 2 weeks up to 4 years then a half a day each consecutive year up to 25 days @ 25yrs	\$750 per FY
Albany	3	11	11 days 1st-3rd yrs., 16 days 4th-8th yrs, 18 days 9th-13th yrs, 20 days 14-18 yrs, 22 days after 19 years	\$2000 per FY
Berkeley	3	13	2 weeks to start, 3 weeks after 4 years, 4 weeks after 12 years, 5 weeks after 18 years, and 6 weeks after 25 years	60 hours off with pay
Castro Valley	0	12	11.75 days to start, increases in year 4 to 17 days, in year 11 to 19.25 days and after 15 years to 21.5 days	Self Funded. (Annual pooled amount at General Manager discretion)
Dublin	1	12	For regular employees: 22 days per year through 5th yr; 27 days per year for 5th year through 10th year; 29 days per yr for 10th year through 15th year; 31 days per yr. following the 15th yr. Designated Management employees accrue 24 days through 5th year, the same as regular after that. This is general leave which combines sick leave. However sick leave does accrue once an employee reaches the max general leave accrual for a max s/l accrual of 360 hrs.	75% not to exceed \$1400 per fiscal year, prorated for employees working 20 -39 hours per week
Dublin San Ramon Services District	5	9	15 days vacation first year, one additional day each year for a max of 25 days (in year 11)	Tuition, registration, and lab fees connected to course. (100% reimbursement for instruction related to current job, 50% for instruction indirectly related. Must maintain grade of "C" or higher for reimbursement.)
East Bay MUD		15	12 days per year (not sure when/if it increases)	Educational benefit offered to all employees with a cap of \$3,500 per FY. No difference between bargaining unit.
Emeryville	2 to 3	11	0-4 yrs 10 days, 5-10 yrs 15 days, 11-20 yrs 20 days, 20+ yrs 25 days	Employees may be eligible for reimbursement for courses taken and completed with 'C' grade or better. Requires department head approval prior to taking course
Fremont	1	12	0-5 yrs 26.25 days, 6-10 days 29.25 days, 11-15 yrs 32.25 days, 16+ yrs 35.25 days general leave with sick leave accrual bank	Max \$2K reimbursement per FY; lifetime max \$20K
Hayward	0	14.5	0-5 yrs - 10 days; 5-9 yrs - 15 days; 10-19 yrs - 20 days; 20+yrs - 25 days	Per management MOU: \$1,000 per fiscal year for educational reimbursement. For professional development up to \$500 per fy. This includes various fees for certifications, books, attendance at conferences, etc.
Livermore	0	12	Accrual per year: 1st year* 80.6 hours 2nd through 5th 120.12 hours 6th through 10th 135.98 hours 11th through 15th 160.94 hours 16th through 19th 180.18 hours 20th or more 192.4 hours	75% tuition and books. \$4,000 FY for undergrad (cap \$16,000) and \$5,000 FY for graduate level (cap \$10,000)
MTC	3*	11	One day per month paid vacation leave; for each year of service, an additional day per year is granted to a maximum of 25 days per year.	13

Member Agency benefit info	Floats	Holidays	Vacation	Educational Reimbursement
Newark	1	11	1 through 9 - 184 hours, 10 through 14- 224 hours, 15 through 19 - 240 hours, 20 or more - 264 hours	Management and Professionals: 100% for work related courses & up to \$10,000 for tuition and books (repayment caveat)
Oakland	1	12	Date of hire to 4 years: Ten (10) days per year; 4th anniversary to 13 years: Fifteen (15) days per year; 13th anniversary to 16 years: Eighteen (18) days per year; 16th anniversary to 20 years: Nineteen (19) days per year 20th anniversary to 26 years: Twenty (20) days per year 26th anniversary to 30 years: Twenty-five (25) days per year; 30th anniversary: Thirty (30) days per year	Confidential Management MOU: Educational reimbursement for tuition and books as follows: Grade A or B: 100% or \$820 whichever is less; Grade C: 50% or \$410 whichever is less. If Pass fail grade 75% of the tuition fee or \$615 which ever is less. Also Professional development reimbursements (up to \$1200 for certain represented employees with some carryover provisions). Educational reimbursement slightly lower, professional development reimbursement for books, subscriptions , examination fees, etc., in specific classifications can receive \$150 per year)
Oro Loma	7	9	1-5 yrs: 11 days; 6-15 yrs: 15 days; 16-20 yrs: 20 days; 21years-21 days (one additional day per yr up to 25 days)	
Piedmont	1	12 (including birthday) and any day proclaimed by the City Council as a holiday	1-4 yrs - 11 days; 5-8 yrs - 15 days; 9-11 yrs - 17 days; 12-14 yrs - 19 days; 15-18 yrs - 20 days; 19-22 yrs - 22 days; 23+ yrs - 25 days	\$250 per FY
Pleasanton	4	11	Accrual Schedule: 1-4 years = 10 days/year; 5-9 years = 15 days/year; 10-14 years = 20 days/year; 15 years = 21 days/year; 16 years = 22 days/year; 17 years = 23 days/year; 18 years = 24 days/year; 19+ years = 25 days/year	Annual maximum tuition reimbursement is the total tuition levied by CA State East Bay for the year, beginning Fall Quarter. Book reimbursement \$300 per fiscal year.
San Leandro	2	12	12 days/yr up to a max. 25 days/yr after 18 years of service. Max accrual: 2 yrs. of entitlement. Employees may sell up to 100 hours of vacation annually in June and Dec.	\$1,500 per year for reimbursement of job-related college classes or training courses with prior approval
SFMTA	2	11	**could not find**	\$5,000 per FY
Union City	3.375**	10	0-3 yrs - 80 hours; 4-9 yrs - 120 hours; 10-12 yrs - 136 hours; 13-15 yrs - 160 hours; 16+ yrs 200 hours	depending on bargaining unit \$1,500 - \$3,000 per year to cover the cost of the course upon successful completion.
Zone 7 Water Agency	4	11	2 to 5 weeks depending upon years of service and the union bargaining unit	Under management benefits: up to \$7,500 per fiscal year for tuition and related materials for job related education expenses, job-related conference fees, or job-related seminar fees to maintain or upgrade the employee's skills or prepare the employee for promotional opportunities

* Personal business days

** for most bargaining units



DATE: September 25, 2019
TO: Waste Management Authority Board
FROM: Arliss Dunn, Clerk of the Board
SUBJECT: Authorization for the Final Disposition of Certain Records

SUMMARY

At the January 23, 2019 WMA meeting, the Board approved an update to the Records Retention Schedule, Resolution #WMA 2019-01, that outlines the minimum time a record must be retained and a method of purging information on a scheduled basis when no longer useful or relevant. The policy also includes a provision that once a year, if needed, a list of documents to be purged will be provided to the Board for authorization.

BACKGROUND

The agency utilizes Iron Mountain Data Management to safely and securely store our physical records offsite and we maintain an internal spreadsheet as a record of such files. Staff has developed a list of records with written consent of Agency Counsel that are no longer useful or relevant and have exceeded the minimum retention threshold.

RECOMMENDATION

Adopt the attached resolution authorizing staff to purge the attached list of agency records that have exceeded the minimum retention schedule.

Attachments:

Exhibit A:
Resolution #WMA 2019-__ approving Agency Records Disposition Log

EXHIBIT A

**ALAMEDA COUNTY WASTE MANAGEMENT AUTHORITY
RESOLUTION #WMA 2019-___**

**MOVED:
SECONDED:**

**AT THE MEETING HELD SEPTEMBER 25, 2019
AUTHORIZING THE FINAL DISPOSITION OF CERTAIN RECORDS**

WHEREAS, Alameda County Waste Management Authority Resolution #WMA 2019-01 established a records retention schedule and authorizes destruction of certain records, documents, instruments, books or paper after the same are no longer required with the approval of the Board and the written consent of Agency Counsel.

NOW, THEREFORE, the Board of the Alameda County Waste Management Authority hereby resolves as follows:

1. Agency staff and counsel are hereby authorized to have destroyed those certain documents, instruments, books or paper (collectively, "Records") under their charge as described in Exhibit A. Notwithstanding the foregoing, if the Agency Counsel determines that any Records should be retained for any reason those Records shall be retained and destroyed at a later date determined by the Executive Director.

ADOPTED BY THE FOLLOWING VOTE:

AYES:
NOES:
ABSENT:
ABSTAIN:

Arliss Dunn, Clerk of the Board

AGENCY RECORDS DISPOSITION LOG

RETENTION PERIOD

AU = Year of Audit

CL = Year the Matter (contract, lease, etc.) is Closed

CU = Year Record is Created

SU = Year the Record is Superseded by a New Record

T = Year an Employee Leaves the Agency

Description of Records	Records Series	Retention Period	Date of Records
1. Mandatory Recycling Ordinance Project inspection photos for calendar year 2013 for inspections that did or could have resulted in an Official Notification (first notice)	Legal/Legislative – Ordinance Compliance – Investigation Reports	CL+4	2013
2. Recycling Board Grants/Contracts/Funding Agreements	Financial – Grants Given and Received – Funding Agreements	CL+5	1994-2006
3. Finance – Quarterly Reports	Financial – Budget – Financial Reports	CU+10	1998-2003
4. Finance - General Ledger LAIF/Deposits/Transfers 06-07	Financial – Accounting – Journal Entries	AU+6	2005-2010
5. Finance – Accounts Payable Invoices/Member Compensation	Financial – Accounting– Records relating to payment of financial obligations (money owed by the Agency).	AU+6	2003-2012
6. Finance - Purchase Orders/Contracts	Financial – Accounting – Vendor Contracts	AU+6	2005-2011
7. Finance – Payroll/Transfer/General Ledger	Financial – Accounting – Employee Payroll Reports	CU+10	1999-2007
8. Finance – Cancelled Checks	Financial – Accounting – Bank Records Cancelled Checks	CU+6	1990-1997
9. Personnel – Employment Applications/Resumes	Personnel – Recruitment – Employment Applications and Resumes - May include applications and resumes for those considered and/or	CU+2	2003-2016

	selected for the position		
10. Bay Friendly – Compost Bins Program Information	Financial- Grants Given and Received -	CU+2	2000-2013
11. Bay Friendly – General Program Information	Administration - Public Relations – General Program Information	CU+2	2000-2013
12. Contracts and Funding Agreements	Financial – Grants Given and Received -	CL+5	1999-2005
13. Contracts and Funding Agreements	Financial- Grants Given and Received- Grants Denied/Closed	CL+5	2009-2014
14. General Counsel – General Correspondence	Administration – General Administration – General Correspondence	CU+2	1985-2000
15. General Counsel – Complaints	Administration – General Administration – Complaints	CU+2	1985-2000
16. General Counsel – Public Records Act Requests	Administration – Public Information/Relations- Public Records Act Requests	CL+2	1985-2000
17. General Counsel – Claim Files	Administration – Risk Management/Insurance – Claim Files	CL+5	1985-2000
18. General Counsel - Grants	Administration – Grants Given and Received – Funding Agreements	CL+5	1985-2000
19. General Counsel – ACWMA Policies and Procedures	Legal/Legislative – Waste Management Authority – Policies and Procedures	SU+2	1985-2000
20. General Counsel – Litigation Files – City of Dublin v. Alameda County	Legal/Legislative – Waste Management Authority – Litigation Files	CL+8	1993
21. General Counsel – Litigation Files – City of Rancho Mirage and Waste Management of the Desert v. Palm Springs Recycling Center, Inc.	Legal/Legislative – Waste Management Authority – Litigation Files	CL+8	1994
22. General Counsel – Litigation Files – Alameda County Waste Management Authority v. City of Pittsburg	Legal/Legislative – Waste Management Authority – Litigation Files	CL+8	1994

23. General Counsel – Litigation Files – Sweet v. Alameda County Waste Management Authority	Legal/Legislative – Waste Management Authority – Litigation Files	CL+8	1996
24. General Counsel – Litigation Files – Kennetech Windpower Bankruptcy	Legal/Legislative – Waste Management Authority – Litigation Files	CL+8	1998
25. General Counsel – Litigation Files – Windpower Partners v. Alameda County	Legal/Legislative – Waste Management Authority – Litigation Files	CL+8	2000

DESTRUCTION APPROVED BY AGENCY BOARD ON [DATE].

AGENCY COUNSEL CONSENTS TO DESTRUCTION OF THE RECORDS, DOCUMENTS, INSTRUMENTS, BOOKS OR PAPER DESCRIBED ABOVE:

Richard Taylor
Agency Counsel

Date

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DATE: September 25, 2019

TO: Waste Management Authority Board

FROM: Wendy Sommer, Executive Director

BY: Pat Cabrera, Administrative Services Director

SUBJECT: Ordinance 2019-01 Amending the Household Hazardous Waste Collection and Disposal Fee Ordinance

BACKGROUND

At the June 26, 2019 WMA board meeting, staff presented a draft amendment to ordinance 2014-01 pertaining to the Countywide Household Hazardous Waste (HHW) Collection and Disposal Fee. The staff memo is available at: [HHW-Ordinance-Amendment-06-26-19.pdf](#). At that meeting the Board introduced and waived the first reading of the ordinance and adopted a resolution calling for a public hearing on September 25, 2019. The resolution also established protest procedures in accordance with Proposition 218. The Board adopted the resolution by a vote of 16-0 (Carling, Hernandez, Kassan, Rood, absent). The ordinance is now being presented for second reading and adoption.

In accordance with the resolution, notices of the hearing and opportunity to protest were sent on August 5, providing more than the minimum 45 days' notice required. Proposition 218 also requires a tabulation of protests. The Agency has secured the services of the auditing firm Maze & Associates to provide this tabulation. The tabulator will advise the Board of the results of the protest votes no sooner than close of the public hearing.

According to the procedures adopted by the Board, if written protests against the proposed ordinance are presented by either (1) a majority of the separate parcels of property subject to the ordinance or (2) a majority of the households on property subject to the ordinance, the Board may not adopt the ordinance. The resolution also provides that if at the conclusion of the hearing, cursory review of the protests received demonstrates that the number received is manifestly less than one-half of the parcels served by the HHW Program, then the Tabulator may advise the Board of the absence of a majority protest without tabulating the protests. The ordinance requires approval by a two-thirds majority or greater of the Board membership (i.e., two-thirds of possible votes).

RECOMMENDATION

Staff recommends that the Authority Board 1) hold a public hearing; 2) receive a report on the number of protests; and 3) adopt the ordinance unless prohibited due to the number of protests. The ordinance will take effect thirty days after the date of adoption.

Attachment: Ordinance 2019-01.

**ORDINANCE 2019-01
AMENDING ORDINANCE 2014-01**

**ORDINANCE AMENDING THE HOUSEHOLD HAZARDOUS WASTE
COLLECTION AND DISPOSAL FEE ORDINANCE**

The Board of the Alameda County Waste Management Authority (“Authority”) finds that:

1. In 2014 the Authority adopted Ordinance 2014-01, the Ordinance Establishing a Household Hazardous Waste Collection and Disposal Fee. For the reasons set forth in the findings in Exhibit A, the Authority wishes to amend the ordinance to change the method of periodic fee adjustment subject to the cap established in 2014 and remove the sunset date.
2. The Board of the Alameda County Waste Management Authority held a public meeting on June 26, 2019, and after considering all testimony and written materials provided in connection with that meeting introduced this ordinance and waived the reading thereof and called for a hearing on the ordinance as set forth in the findings in Exhibit A.

Therefore, the Board of the Authority hereby ordains as follows:

Section 1. Adoption.

Ordinance 2014-01, the Ordinance Establishing a Household Hazardous Waste Collection and Disposal Fee is hereby amended as set forth in Exhibit A. Text to be added is indicated in bold underlined font (e.g., **underlined**) and text to be deleted is indicated in strikeout font (e.g., ~~strikeout~~).

Section 2. Severability.

If any provision of this Ordinance or its application to any situation is held to be invalid, the invalidity shall not affect other provisions or applications of this Ordinance, which can be given effect without the invalid provision or application, and to this end, the provisions of this Ordinance are declared to be severable.

Section 3. Publication.

Within 15 days after adoption of a summary of the ordinance with the names of those voting for and against, the ordinance shall be published and a certified copy of the full text with the names of those voting for and against the ordinance shall either (i) be posted on the Authority’s website or (ii) be posted in the Authority offices.

- Continued on following page -

Following introduction on June 26, 2019, passed and adopted September 25, 2019 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

I certify that under the penalty of perjury that the foregoing is a full, true and correct copy of ORDINANCE NO. 2019-01.

ARLISS DUNN
CLERK OF THE BOARD

Exhibit A

**ORDINANCE 2014-1
as amended by Ordinance 2019-1**

**AN ORDINANCE ESTABLISHING A HOUSEHOLD HAZARDOUS WASTE
COLLECTION AND DISPOSAL FEE**

The Board of the Alameda County Waste Management Authority hereby ordains as follows:

Section 1. Findings

The Authority finds that:

(a) It has been standard practices since the early 1990s for Cities and Counties in California to periodically characterize the components of garbage and refuse sent to landfill in order to facilitate planning for diverting recoverable and harmful materials from landfill disposal. Waste characterization studies for Alameda County, and the State of California overall find that household hazardous waste (HHW; see Health & Safety Code Section 25218.1 (e)) is about the same weight or percentage of residential garbage and refuse regardless of whether the dwelling unit is in a single family or multi-family residential building. Furthermore, vacant Households also require household hazardous waste collection and disposal in connection with property improvements, maintenance, or landscaping.

(b) State law precludes disposal of household hazardous waste in municipal landfills such as those serving Alameda County residents and the Alameda County Integrated Waste Management Plan calls for removing hazardous wastes from the solid waste stream for proper separate management through separate collection and other programs.

(c) In Health and Safety Code section 25218 the State legislature has found that “residential households which generate household hazardous waste and conditionally exempt small quantity generators which generate small amounts of hazardous waste in the state need an appropriate and economic means of disposing of the hazardous waste they generate” and disposal of household hazardous waste “into the solid waste stream is a threat to public health and safety and to the environment.” The Health and Safety Code further provides for the establishment of “household hazardous waste collection facilities”, which are defined in Section 25218.1 (f) as facilities operated by public agencies or their contractors for the purpose of collecting, handling, treating, storing, recycling, or disposing of household hazardous waste and hazardous waste from conditionally exempt small quantity generators.

(d) The Alameda County Environmental Health Department, with policy direction and funding provided by the Waste Management Authority, operates three permanent Household Hazardous Waste (HHW) collection facilities located in the northern, southern, and eastern sections of the County and BLT Recycling, under contract with the City

of Fremont, operates a fourth HHW collection facility at the Fremont Transfer Station, partially funded by the Authority. These facilities are operated in accordance with Health & Safety Code 25218 et seq, and under two memoranda of understanding (MOUs) between the Authority and the County of Alameda and the Authority and the City of Fremont. These MOUs will be revised to implement this ordinance.

(e) These Household Hazardous Waste collection facilities benefit and serve Alameda County residential property owners by collecting and providing a legal, safe, place for disposal of HHW materials generated in Alameda County in compliance with the law. The services and facilities of this program may be used only by Alameda County Households. The Household Hazardous Waste Collection and Disposal Fee funds this program and may not be used for any other purpose. The program was evaluated in an October 4, 2013 memorandum from HF&H Consultants, LLC to the Alameda County Waste Management Authority which determined that the funds generated by the fee do not exceed the costs of the program services and facilities. **The program was reviewed in a June 12, 2019 memorandum from HF&H Consultants, LLC to the Alameda County Waste Management Authority which evaluated a revised fee adjustment methodology and confirmed that the funds generated by the fee and revised methodology do not exceed the costs of the program services and facilities.**

(f) The costs of the program's HHW collection and disposal services and facilities for Alameda County Households are offset in part by funds received or cost reductions associated with product stewardship programs implemented in accordance with State law (such as the PaintCare Product Stewardship Program established at Public Resources Code sections 48700 et seq. which reduces costs associated with collection and disposal of architectural paints and provides funds for processing those materials). These programs are expected to expand in the future and **reduce program expenses accordingly. These reduced expenses will be reflected in** the amount of the fee ~~will be reduced commensurate with the cost offsets or funding associated with these programs. In anticipation of full cost offset and funding from these programs in the future the fee sunsets in 2024.~~

(g) Article 4 of Health & Safety Code Division 5, Part 3, Chapter 6 authorizes public agencies including cities, counties, and special districts, upon a two-thirds vote of the legislative body, to prescribe and collect fees for garbage and refuse collection services and facilities on the tax roll. This ordinance prescribes a fee for collection and disposal at the four HHW facilities in Alameda County of the HHW component of garbage and refuse generated by Alameda County Households.

(h) The Authority has the power to enact this Ordinance pursuant to the Joint Exercise of Powers Agreement for Waste Management. That agreement grants the Authority all of the powers necessary to implement the Alameda County Integrated Waste Management Plan including the power to levy and collect fees and charges for programs such as HHW collection and disposal services and facilities.

(i) This Ordinance was introduced on December 18, 2013 at which time the Board set a public hearing for consideration of the Ordinance on February 26, 2014 and directed

the Executive Director to prepare a report containing a description of each parcel of real property with one or more Households, the number of Households on each parcel, and the amount of the charge for each parcel computed in conformity with this Ordinance. The Board directed the Executive Director to publish and cause a notice in writing of the filing of said report and the proposal to collect the annual charge on the tax roll together with the time and place of hearing thereon, to be mailed to each person to whom any parcel or parcels of real property described in said report is listed as owner in the last equalized assessment roll available on the date said report is prepared (a "Record Owner"), at the address shown on said assessment roll or as known to the Executive Director. On January 22 the Board continued the protest hearing date to March 26, 2014. Notice of the new hearing date and extended protest period was published and mailed in accordance with law. This Ordinance was re-introduced with clarifying amendments on February 26, 2014.

(j) Following the 2014 protest hearing the Board considered all objections or protests to the report and this Ordinance. Protests were received from the Record Owners of (1) less than a majority of the separate parcels of property described in the report and (2) less than a majority of the Households on property described in the report. The Board approved the ordinance by a two-thirds majority or greater of the Board membership.

(k) This ordinance was amended in 2019 to revise the method for periodic adjustments to the fee subject to the cap established in 2014 and remove the 2024 sunset date. This amendment was introduced on June 26, 2019 at which time the Board set a public hearing for consideration of the amendment on September 25, 2019 and directed the Executive Director to prepare a report containing a description of each parcel of real property with one or more Households, the number of Households on each parcel, and the amount of the charge for each parcel computed in conformity with this Ordinance. The Board directed the Executive Director to publish and cause a notice in writing of the filing of said report and the proposal to collect the annual charge on the tax roll together with the time and place of hearing thereon, to be mailed to each person to whom any parcel or parcels of real property described in said report is listed as owner in the last equalized assessment roll available on the date said report is prepared (a "Record Owner"), at the address shown on said assessment roll or as known to the Executive Director. Following the 2019 protest hearing the Board considered all objections or protests to the report and this amendment to this Ordinance. Protests were received from the Record Owners of (1) less than a majority of the separate parcels of property described in the report and (2) less than a majority of the Households on property described in the report. The Board approved the ordinance by a two-thirds majority or greater of the Board membership.

~~(k)~~ **(l)** Enactment **and amendment** of this Ordinance is not a "project" subject to the requirements of the California Environmental Quality Act, California Code of Regulations, title 21, section 15378(b)(4); further, even if it were a "project," it would be categorically exempt from the California Environmental Quality Act pursuant to California Code of Regulations, title 21, section 15308.

Section 2. Definitions

- (a) “Alameda County” or “County” means all of the territory located within the incorporated and unincorporated areas of Alameda County.
- (b) “Authority” means the Alameda County Waste Management Authority created by the Joint Exercise of Powers Agreement for Waste Management.
- (c) “Board” means the governing body of the Authority made up of elected representatives of the member agencies pursuant to the Joint Exercise of Powers Agreement for Waste Management.
- (d) “Executive Director” means the individual appointed by the Board to act as head of staff and perform those duties specified by the Board.
- (e) “Fee” means the fee described in section 3 of this ordinance.
- (f) “Fee Collection Report” means the annual report containing a description of each parcel of real property with one or more Households served by the Household Hazardous Waste Collection and Disposal Program, the number of Households on each parcel described, the amount of the charge for each parcel for the year, computed in conformity with this Ordinance, and whether the Fee is to be collected on the tax roll or by other means.
- (g) “Household” means a residential dwelling unit (e.g., a single family home, apartment unit or condominium unit in a multi-unit building, etc.). Nothing in this Ordinance is intended to prevent an arrangement or the continuance of an existing arrangement under which payment for garbage and refuse collection and disposal service is made by residents of a household who are not the owner or owners thereof. However, any such arrangement will not affect the property owner’s obligation should such payments not be made.
- (h) “Household Hazardous Waste Collection and Disposal Program” means the Proposed System Expansion Option described in the October 4, 2013 memorandum from HF&H Consultants, LLC to the Alameda County Waste Management Authority.
- ~~(i) “Other Revenue” means the sum of (1) revenue received from the household hazardous waste fee of \$2.15 per ton pursuant to Authority Resolution No. 140 and Resolution No. 2000-03 and (2) Product Stewardship Offsets.~~
- ~~(j) “Product Stewardship Offset” means funds received by the Household Hazardous Waste Collection and Disposal Program or operational cost reductions at the program attributable to household hazardous waste product stewardship programs implemented in accordance with federal, state, or local laws.~~

~~(i)(4)~~ “Small Quantity Generator” has the same meaning as Conditionally Exempt Small Quantity Generator as defined in California Health and Safety Code Section as it now exists or may be amended from time to time hereafter.

Section 3. Household Hazardous Waste Collection and Disposal Fee

(a) An annual household hazardous waste collection and disposal fee of \$9.55 or such lesser amount established by the standards below shall be paid by each Household in Alameda County beginning July 1 2014 and ending June 30, 2024 in the manner set forth in this ordinance. **The fee shall be set at the amount of \$6.64 through June 30, 2024, subject to adjustment thereafter as set forth below, subject to the cap of \$9.55. This fee may be repealed by the Board at any time.**

(b) No later than ~~December~~ **March** 31 of 2015 **2024** and each year **every five years** thereafter the Executive Director shall prepare a report **evaluating Program expenses and revenues during the previous five fiscal years and projecting expenses and revenues for the following five fiscal years. The Fee per Household shall be set for the following five fiscal years beginning July 1 of the year in which report is prepared at a level projected to maintain an annual fund balance sufficient for two years of operating costs.** identifying the amount of Other Revenue received by the Household Hazardous Waste Collection and Disposal Program in the prior fiscal year. If the report of Other Revenue exceeds the projected amount specified in subsection (c), the fee shall be reduced for the following fiscal year by an amount equal to the excess revenue divided by the number of Households subject to the fee in the prior fiscal year. If revenues equal or fall below that specified in subsection (c) there shall be no increase in the fee. The Fee per Household shall never be greater than \$9.55 per year.

(c) — The fee is based on the following projected Other Revenue:

Fiscal Year	Projected Product Stewardship Offset	Projected Tip Fee	Total
2014–2015	\$263,225	\$1,849,000	\$2,112,225
2015–2016	\$263,225	\$1,713,550	\$1,976,775
2016–2017	\$263,225	\$1,578,100	\$1,841,325
2017–2018	\$263,225	\$1,442,650	\$1,705,875
2018–2019	\$263,225	\$1,307,200	\$1,570,425

2019–2020	\$263,225	\$1,171,750	\$1,434,975
2020–2021	\$263,225	\$1,171,750	\$1,434,975
2021–2022	\$263,225	\$1,171,750	\$1,434,975
2022–2023	\$263,225	\$1,171,750	\$1,434,975
2023–2024	\$263,225	\$1,171,750	\$1,434,975

~~(c)(d)~~ The fee shall be used exclusively for the Household Hazardous Waste Collection and Disposal Program.

~~(d)(e)~~ As a condition of receiving payments funded by the Fee, a collection and disposal service provider (e.g., at present, the County of Alameda and the City of Fremont) must agree that no charge will be imposed on (1) residents of Alameda County Households for services included in the Household Hazardous Waste Collection and Disposal Program or (2) Small Quantity Generators who are owners of residential rental property in Alameda County for disposal of household hazardous wastes from Households in Alameda County. Any such agreement shall be in the form of a contract or memorandum of understanding (MOU) approved by the Board. The Executive Director shall not cause the fee to be collected as described in Section 4 of this ordinance until revised MOUs with the County of Alameda and the City of Fremont have taken effect.

Section 4. Administration

(a) Each year the Executive Director shall cause a Fee Collection Report to be prepared in accordance with this Ordinance and applicable law.

(b) The Fee Collection Report shall be reviewed by the Board to ascertain the accuracy of the information contained therein. A notice of the report’s availability and a time and place of a public hearing on the report and the collection of such charges on the tax roll shall be published as set out in Government Code Section 6066 in a newspaper of general circulation printed and published within the County. At the conclusion of the hearing, the Board shall make its determination upon each charge and its collection on the tax roll or by other means. The determination of the Board shall be final. Upon such final determination, on or before August 10 of each year, the Executive Director shall endorse the final report with a statement that it has been finally adopted by the Board, and shall file the signed report with the County Auditor. Authority staff is hereby authorized to undertake all administrative tasks to implement collection of the Fee, including, but not limited to an agreement with Alameda County for collection, which may provide payment to Alameda County of its reasonable costs of collection.

(c) The Fee for the period of July 1st, to and including June 30th of each fiscal year shall be entered as a charge on the tax roll against the parcels identified in the Fee

Collection Report as paying through the tax roll. The Fee shall be collected at the same time and in the same manner as ad valorem taxes and other charges as are otherwise collectible by the county. All laws applicable to the levying, collection and enforcement of ad valorem taxes shall be applicable to such charges as provided herein except as otherwise provided by law. Fees paid with the tax bill shall be deemed to have been paid by those Households located on that property/parcel.

(d) The annual Fee for any Household located on property which is not designated for collection on the tax roll in the Fee Collection Report shall be collected by the Executive Director and shall be due and payable at least once per year on a schedule to be determined by the Executive Director.

Section 5. Enforcement. The Executive Director and the County of Alameda are authorized to undertake all appropriate actions necessary to collect the Fee in the manners authorized by law. The Executive Director may direct collection and disposal service providers to deny access to services included in the Household Hazardous Waste Collection and Disposal Program for Households with unpaid charges.

Section 6. Severability. If any provision of this Ordinance or its application to any situation is held to be invalid, the invalidity shall not affect other provisions or applications of this Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared to be severable.

Section 7. Notice. This Ordinance shall be posted at the Authority Office after its second reading by the Board for at least thirty (30) days and shall become effective thirty (30) days after the second reading.



DATE: September 25, 2019
TO: Waste Management Authority Board
FROM: Angelina Vergara, Program Manager
SUBJECT: Schools-Based Community Outreach

SUMMARY

The StopWaste schools-based community outreach project educates students in waste reduction habits and supports their actions to reduce waste at school, at home, and in the community. At the September 25 WMA meeting, staff will provide an overview of our K-12 approach and update the Board on key activities and metrics from the past school year.

DISCUSSION

StopWaste provides a comprehensive suite of activities for our local schools, implemented by a team of Associates who gain professional skills and experience in the environmental education field, and are also trained to support other agency outreach programs. Our schools-based community outreach includes:

Food Waste Prevention at School

Ensure that edible food isn't wasted through food share and donation programs. The K-12 Smart Cafeteria Initiative allows students to share uneaten sealed food or unbitten whole fruit in the school cafeteria by establishing food share tables, then donating surplus food at the end of meal service to feed people in need.

4th Grade: Transfer Station/Ed Center Field Trips

Students learn first-hand what happens to their recyclables, compostables and garbage at a materials recovery facility and transfer station. Free bus transportation is provided.

4-6th Grade Classrooms: 4Rs Student Action Projects

Students engage in project-based learning and develop skills to make a difference in their school and their community. StopWaste educators visit the classroom and facilitate a three-part series of two-hour lessons.

Middle & High School: StopWaste Ambassador Program (SWAP)

StopWaste provides teacher training, Green Team Action Project Kits, educator stipends, and technical assistance to help students take action at school and at home.

Stakeholder Network

Stakeholders, including district sustainability coordinators, teachers, and parents, are provided ongoing environmental education and technical assistance to align their best practices in waste prevention and reduction with StopWaste priorities.

RECOMMENDATION

This item is for information only.



DATE: September 25, 2019
TO: Energy Council
FROM: Wendy Sommer, Executive Director
BY: Karen Kho, Principal Program Manager
SUBJECT: Bay Area Regional Energy Network (BayREN) - Contract Amendment #1

SUMMARY

Staff is requesting Energy Council approval to enter into a contract amendment with ABAG for an additional \$265,000 to supplement the regional multifamily and green labeling program budgets.

DISCUSSION

On December 19, 2018 the Energy Council approved a resolution authorizing the Executive Director to enter into a contract of up to \$6,670,347 for 2019 BayREN services. The Energy Council is the regional lead for the multifamily and green labeling programs and provides local outreach for the other programs.

The Multifamily program amendment would include program redesign, rater support activities, and software upgrades. Based on a recent ruling from the California Public Utilities Commission, the Multifamily program is preparing to include building electrification measures in the 2020 program year. This year the program began allowing third-party energy raters to bring projects into the program, which has increased the need for coordination and quality assurance. In addition, the program is due for upgrades to its supporting software tools.

The proposed Green Labeling program amendment will include additional Home Energy Score assessor support and training, program evaluation and reporting activities, and database integration with the Multiple Listing Service (MLS).

ABAG will be issuing a contract amendment to increase the budget for the multifamily program by \$155,000 and the green labeling budget by \$110,000.

RECOMMENDATION

Adopt the attached Resolution authorizing the Executive Director to enter into a 2019 contract amendment of \$265,000 for Bay Area Regional Energy Network (BayREN) and other related actions.

**ENERGY COUNCIL
RESOLUTION #EC 2019 –**

**MOVED:
SECONDED:**

AT THE MEETING HELD SEPTEMBER 25, 2019

**RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR TO AMEND THE 2019 CONTRACT FOR BAY
AREA REGIONAL ENERGY NETWORK (BayREN) AND OTHER RELATED ACTIONS**

WHEREAS, the Energy Council recognizes that it is in the interest of the local, regional, state, and federal agencies to stimulate the economy, create and retain jobs, reduce fossil fuel emissions, and reduce total energy usage and improve energy efficiency; and

WHEREAS, the Energy Council was formed to seek funding to develop and implement programs and policies that reduce energy demand, increase energy efficiency, advance the use of clean, efficient and renewable resources, and help create climate resilient communities; and

WHEREAS, the California Public Utilities Commission (CPUC) has recognized the need for expanded collaboration with and participation by local governments to achieve market transformation toward energy efficiency as part of its Long Term Energy Efficiency Strategic Plan; and

WHEREAS, the Energy Council partnered with the Association of Bay Area Governments (ABAG) and eight other county representatives to implement the Bay Area Regional Energy Network (BayREN); and

WHEREAS, with ongoing input from the Energy Council Technical Advisory Group (TAG), the Energy Council represents Alameda County jurisdictions within BayREN; and

WHEREAS, in its Decision 18-05-041, the CPUC approved BayREN's ten-year Business Plan with an annualized budget of \$22,739,000; and

WHEREAS, the Energy Council leads the regional multifamily and green labeling programs for BayREN; and

WHEREAS, ABAG intends to transfer \$155,000 to the Energy Council to support program redesign and rater oversight for the multifamily program;

WHEREAS, ABAG intends to provide the Energy Council with an additional \$110,000 to provide green labeling services as described in Attachment A;

NOW THEREFORE, BE IT RESOLVED, that the Energy Council hereby authorizes the Executive Director to:

1. Enter into all necessary contracts and agreements with ABAG in order to accept additional funds in the amount of \$265,000 and make any necessary changes to the FY 2019-20 budget for Project 1347: BayREN.
2. Approve any required time extensions, modifications, or amendments thereto.
3. Allocate the necessary resources to implement and carry out the amended scope of work.

BE IT FURTHER RESOLVED that the Executive Director as the Board President's designee, is hereby authorized to execute on behalf of the Energy Council all contract-related documents, including, but not limited to, applications, payment requests, agreements (including the hiring of temporary staff), and amendments necessary to secure contract funds and to implement the approved contract projects;

ADOPTED this 25th day of September 2019, by the following votes:

AYES:

NOES:

ABSENT:

ABSTAINED:

I certify that under the penalty of perjury that the foregoing is a full, true and correct copy of Resolution #EC 2019 –

Arliss Dunn, Clerk of the Board

Attachment A
Revised Multifamily and Green Labeling Budget

Multifamily Budget Revision

The multifamily program scope of work is expanded to include:

- Program redesign to add building electrification measures in 2020, as allowed by the new fuel substitution test
- Oversight and coordination to support third-party rater participation in the program.
- Upgrades to EnergyPro Lite modeling software and the EnergyOrbit project tracking database

Funding Category	Initial Budget	Amended Budget	Change
Administration	\$12,000	\$12,000	0
Implementation	\$2,080,800	\$2,173,300	\$92,500
Marketing	\$107,500	\$95,000	-12,500
Incentives	\$3,750,000	\$3,825,000	\$75,000
Total	5,950,300	\$6,105,300	\$155,000

Green Labeling Budget Revision

The green labeling program scope of work is expanded to include:

- Home Energy Score assessor outreach, coordination, onboarding, and two 2-day bootcamps
- Data sharing and referrals to identify successful leads between Home Energy Score and Home+
- Homeowner satisfaction survey calls, data collection and analysis to assess progress towards meeting program goals
- Integration of Home Energy Scores in the Multiple Listing Service

Funding Category	Initial Budget	Amended Budget	Change
Administration	1,000	\$1,000	0
Implementation	404,500	514,500	\$110,000
Marketing	30,000	\$30,000	0
Total	435,500	\$545,000	\$110,000

**October 2019
Meetings Schedule**

Alameda County Waste Management Authority, the Energy Council, & Source Reduction and Recycling Board

(Meetings are held at StopWaste Offices unless otherwise noted)

SUN	MON	TUES	WED	THURS	FRI	SAT
		1	2	3	4	5
6	7	8	9	10 <p align="center">9:00 AM Programs & Administration Committee Key Items:</p> <p>1. MRO and 1383 Update</p> <hr/> <p align="center">4:00 PM Planning Committee & Recycling Board Key Items:</p> <p>1. MRO and 1383 Update 2. Municipal Panel: Climate Change: Solid Waste/Recycling</p>	11	12
13	14	15	16	17	18	19
20	21	22	23 <p align="center">3:00 PM Waste Management Authority and Energy Council Key Items:</p> <p>1. Legislation and Presentation from Container Recycling Institute 2. EBEW Contract</p>	24	25	26
27	28	29	30	31		

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Energy Council TECHNICAL ADVISORY GROUP (TAG)

Tuesday August 20, 2019 – 1:00 to 2:30 pm

Attendance:

City of Albany: Claire Griffing

City of Berkeley: Billi Romain (phone), Katie Van Dyke (phone)

City of Dublin: Rebecca Parnes

City of Emeryville: Nancy Humphrey

City of Fremont: Rachel DiFranco (phone)

City of Hayward: Erik Pearson, Jack Steinmann (Fellow)

City of Newark: Myvan Khoo-Seeman (phone)

City of Oakland: Shayna Hirshfield-Gold

City of Pleasanton: Zack Reda (Fellow)

StopWaste: Jennifer West, Jeffery Liang, Emily Alvarez, Karen Kho, Meghan Starkey

Guests: JP Ross, EBCE; Taj Ait-Laoussine, EBCE; Elena Engel, 350.org

AGENDA

Introductions and welcome

“EV 101” and “Electrify Everything” Presentations overview – Elena Engel, 350.org

Elena Engel described two presentations available for jurisdictions to host from 350.org for the public, to explain what people can do to curb carbon emissions – “Electrify Everything” and “EV 101”

- Helping cities with outreach, 350.org can partner with a city to present at a workshop or public meeting at no cost.
- Short presentation to educate public allowing ample time for questions. They have found that people need a forum to discuss these topics.
- **Electrify Everything:** a comprehensive approach including individual actions to decarbonize buildings and transportation.
 - Bay Area: buildings and transportation are largest emission sources.
 - Provide information about East Bay Community Energy (EBCE) and opting up to 100% renewable in Alameda County.
 - Need to electrify transportation (buses, ferries, cars) and increase biking and walking.
 - Decarbonize households through electrifying appliances (dryers, stoves, hot water heaters, furnaces). Break the public perception that gas is cleaner than electricity.
- **EV 101** provides information on everything a resident needs to know about electric cars.
 - EVs reduce GHG emissions and improve air quality.
 - Information on why and how to buy an EV (cost, environmental impact, fun!). Operating costs over lifetime ownership are typically less than gas vehicle.
 - Through EBCE, residents can power an EV with 100% carbon-free energy (if opted up to Brilliant or Renewable 100 options).

- Provides concrete examples of available cars (prices, range), and the range EVs can cover in one charge. Includes rebate information and available leasing programs for EVs (tax credits, State rebates, low-income driver programs).
- Charger information for both at home and in public (installation, cost, locations). Some stores are installing fast chargers as a marketing tactic so that people will shop while charging.
- Provide calculators for how much an EV costs to own and operate.

Would cities be interested in these workshops?

- Could complement existing workshops (on SunShares, BayREN, etc.).
- Is there a way to transfer this information to tabling? Not at this point.
- Opportunity to partner with Interfaith Power and Light. Use other advocacy orgs.
- Opportunity to discuss panel upgrades and sizing PVs for future electrification. Cross-promotion.
- Seems the intended audience is focused on single-family homeowners, what about renters?
 - Many attendees are renters. Presentations cover opting up to 100% renewable every through CCAs, available rebates/leasing options for EVs, and rebates for landlords for chargers and building electrification.
- StopWaste and BayREN/Air District HPWH rebate developing flyer and information to share with SunShares and others so that homeowner is aware at time of solar installation you can do HPWH
- Would like information on purchasing used EVs. Ride and drive in SF feature used EV dealer.

BayREN Updates and Dashboard – StopWaste staff

- Updated dashboard presented to TAG, please send feedback for changes or additional data.
- Questions/comments:
 - Contractor training in Hayward on August 26, looking for 2nd location (or more).
 - Opportunity for contractor workshops to discuss 3-prong test changes, building code updates, and electrification.
 - Can be difficult to find contractors as StopWaste (many haven't heard of StopWaste). There is more credibility and better outreach if partnered with cities.
 - BayREN/BAAQMD grant also working on contractor outreach and training.
 - Look into providing incentive for contractors to participate (costs them \$\$ or loss of business to attend trainings). Jeffery commented that the trainings are often bundled with other useful information, only an hour, and provide lunch.

CPUC Regulatory Update – StopWaste staff

- Three-prong test changed to a fuel substitution test. 2020 BayREN programs will include fuel-switching rebates, as energy efficiency funds will no longer have the barrier to fuel substitution.
- Building Decarbonization proceeding (SB 1477) comments submitted 8/13/19 by BayREN.
- Reply comments on SB 1477 due today (8/20)

- StopWaste submitted comments on a standardized contract for LGP, leading 10 other agencies. EBEW's abstract was not invited back to the Request For Proposals process and will dissolve after June 30, 2020.
 - A future TAG topic on how to proceed without EBEW.
 - EBEW Fellow (2019/20) is in the process of being hired and will work from Contra Costa County's offices.
 - Next EBEW SAC meeting is on 9/25/19 at MCE's office in Concord.
- Question: Could PG&E provide funding for Fellows outside of the LGP framework?
 - Unlikely. PG&E is below cost-effectiveness threshold of 1.25 Total Resource Cost test (was 0.64 TRC in 2018).
 - EBCE Government Innovation Grants can fund Fellows, \$150,000 budget for FY19-20.
 - Likely to be split between interested cities and can be applied for on a rolling basis.
 - Opportunity for future agenda item to discuss grant details/requirements.

Data Access with EBCE –Taj Ait-Laoussine, EBCE

- Main discussion focused on data for GHG inventories, but cities can request any type of data (that adheres to privacy rules) at any time.
- CCAs conform to data rules following a different ruling, and are allowed to share information with gov't entities/researchers, etc. as long as confidentiality of customers is protected.
 - However, if they do not follow the 15/15 rule, the process used must be consistent and documented. The 15/15 rule says that any aggregation of data must include more than 15 customer accounts, and no one account can be more than 15% of the total.
 - While PG&E application of the rules has resulted in major data gaps (especially in non-residential gas usage), EBCE will adhere to it, but intends to work with cities to provide the least aggregated data possible without dropping data.
- Received 2018 gas usage information from PG&E through request. They have electricity data.
- Used electricity and gas data to analyze where there are failures of the 15/15 rule, impacting nearly every city.
- EBCE is exploring alternative options. Reach out to Taj and JP if you have immediate GHG reporting needs. Otherwise, please confirm your GHG reporting cycle is.
- EBCE can advise on assumptions used by Placeworks for 2017 GHG inventory (EBEW project) to fill data gaps dropped by PG&E 15/15 rule.

Member Comments and Closing

- Updating contacts for TAG.
- Send ideas for future TAG meeting topics.

2:30 – 3:30 pm East Bay Community Energy Meeting, J.P. Ross, EBCE

Notes by EBCE, not StopWaste

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Energy Council
TECHNICAL ADVISORY GROUP (TAG)
Tuesday September 17, 2019 – 1:00 to 2:30 pm

Attendance:

County of Alameda: Sophie McGuinness, Alison Abbors
City of Albany: Claire Griffing (phone), Lizzie Carrade, Bianca Hutner (Fellow)
City of Berkeley: Billi Romain
City of Dublin: Rebecca Parnes
City of Emeryville: Nancy Humphrey
City of Fremont: Rachel DiFranco, Robbie Barton
City of Hayward: Erik Pearson (phone), Jack Steinmann (Fellow)
City of Livermore: Judy Erlandson (phone)
City of Newark: Myvan Khuu-Seeman (phone)
City of Oakland: Shayna Hirshfield-Gold, Danielle Makous (Fellow), Sooji Yang (Fellow)
City of Piedmont: Justin Szasz (Fellow)
City of San Leandro: Hoi-Fei Mok
StopWaste: Jennifer West, Jeffery Liang, Emily Alvarez, Miya Kitahara
Guests: JP Ross, EBCE; Farhad Farahmand, TRC

Notes/Summary:

2019 Code Update and Preparation – Farhad Farahmand, TRC

2019 California Building Code (CBC), Title 24, part 6 goes into effect for all permits as of 1/1/20

- Code is organized by building type
 - Residential: single family and low-rise multifamily residential (3 stories or less)
 - Non-residential: everything else (i.e. office, retail, hotel)
 - High-rise multifamily (4+ stories) = mix of both codes
- Resources, including FAQs and fact sheets are available at Energy Code Ace and California Building Code website

Residential Significant Updates

- Solar photovoltaic (PV): Required to offset annual electricity usage
- Increased requirements for healthy indoor air quality
- Increased requirements for building envelope efficiency (including more stringent requirements for insulation and windows)
- Demand response compliance options
- Uses the Energy Design Rating (EDR) to assess compliance: 0-100 scale, 0 = Zero Net Energy (ZNE) and 100 is 2006 IECC code building (standard, not high-efficient)
 - EDR has building efficiency (Envelope, IAQ, HVAC, etc.) and PV + flexibility/storage components
 - Average mixed-fuel building meeting 2019 code has EDR in 20s (including PV)

- Battery in code is for load-shifting and not resiliency. Future code could have backup power to move towards micro grids/islanding capabilities.
- Mechanical
 - New code has compliance path for all-electric, including a new all-electric baseline reference building
 - Code requires a reserved breaker for future heat pump water heater (HPWH) , moving in the direction of “All-Electric-ready”
- Increased stringency of code results in approximately \$9,500 initial cost increase, but estimates \$19,000 in savings over a 3- year mortgage
 - Home built to 2019 code uses approximately 7% less energy than 2016 single family residential, when including rooftop solar, there is an estimated 53% reduction in energy consumption

Non-residential Significant Updates

- Added requirements healthcare facilities
- Changes made to lighting requirements, reflects increased efficiency of LEDs
 - Allows for innovations with lighting (i.e. clerestory, light-stories, and daylighting measures)
- Increased requirements for healthy indoor air quality
- Provides for a demand management compliance alternative
 - Shifts energy to off-peak times, depending on utility signals, example: smart thermostats

Reach Codes

- Cost effectiveness has been shown for single-family and low-rise multifamily residential to go all electric
 - Reach code would amend code to have all appliances be electric
- Mixed-fuel compliance path provides for all-electric ready, making future retrofits simpler
 - Ready = dedicated adjacent outlets for all appliances (not just HPWH) with room in panel for breakers
 - Also requires solar hot water or battery in addition to solar PV
- Non-residential: mixed-fuel is more cost effective than all-electric, so reduce emissions as much as possible through reach code
 - Code requires solar-ready, reach code could include on-site solar generation
 - All-electric on hold until more is known about all-electric alternatives as there is greater variation in load, appliances, and technology for non-residential

Next Steps

- Distribute model code, cities provide comment

- High-rise multifamily: under non-residential code, which is shown to be cost-effective for mixed-fuel, will continue to look at measures over next few months (solar thermal, central HPWH), current version was individual HPWH (small hotel)
- Existing Building residential cost-effectiveness study is complete, and developing staff reports and model codes soon

Cities considering reach codes (updates):

- Fremont: by March 2020? currently doing outreach
- Berkeley: goal is to be adopted with building code (by 1/1/20), EV-ready, low embodied-carbon concrete
- Hayward: presenting draft code today to sustainability committee, aiming for city council in November
- Oakland: workshopping with stakeholders for more outreach
- Dublin: no reach code for now, considering all electric for residential, adopting Tier 2 EV requirements across the board and for new residential to install wiring for EV-ready
- Albany: research phase, wait and see, subcommittee looking at green building reach codes, not worried about timing, may adopt green building CalGreen tiers, likely to follow Berkeley's lead on electrification reach codes
- Emeryville: maybe, after initial opposition, sustainability committee provided direction to look into reach codes, a study session to look at both electrification and low-embodied carbon concrete is tentatively scheduled for 10/15/19
- Piedmont: research phase, as a mostly built-out city, there is a need to address remodels and reduce natural gas use

EBCE grants still available for any jurisdiction considering reach codes in 2020 as well.

BayREN CAP Working Group Update – Miya Kitahara, StopWaste

- BayREN has begun initiative working to provide regional support for Climate Action Plan (CAP) work
 - Local governments have stepped up in the absence of higher-level leadership, yet there are many variables outside of local control
 - Need to identify the unique critical roles for local government and where they can have the most influence
 - Discuss how can local government can come together and advocate at regional level
- Building on EBEW and San Mateo County work to improve greenhouse gas (GHG) inventory consistency and automation
- Identify standardized implementation metrics to discuss with BAAQMD, MTC, and other regional agencies
- Share CAP RFPs, scopes, budgets, etc. as resources throughout region
- Identify the local v. regional role of climate action planning

- Align regional support tasks
- Produce 10-year climate emergency policy package, including key actions that should be taken, try to align with city/county CAPs
 - Estimated timeline of 1-year, however some counties need resources to participate
- Will report back to TAG as there are updates – within the next 6 months likely
- Need for local carbon offset programs and better funding sources
 - “Clean appliances for all” program (Like Clean Cars for All program), which would allow low-income residents to trade in old, polluting, and inefficient appliances and receive rebates for new electric versions
 - AB 1477 (funding for electrification) and revisions to the three-prong test (now fuel substitution test) mean new opportunities for funding and rebates
 - Look into a regional fee program for new gas appliances (fee on new appliances going into revolving fund for incentives for electrification); could BAAQMD levy such a fee

Member Comments and Closing – StopWaste staff

BayREN Codes & Standards: let building department staff know that the workshops to determine changes for 2022 code update have begun.

2:30 – 3:30 pm East Bay Community Energy meeting

- Notes by EBCE, not StopWaste

California can create a future free of plastic waste

By Julie Packard

Our planet is being overwhelmed by single-use plastic waste. It's most visible as litter that pollutes our streets, parks and beaches.

Research by Monterey Bay Aquarium scientists also found an alarming level of plastic in the water off California's coast — from the surface to the seafloor.

As a marine biologist, I know ocean plastic pollution is a daunting problem. Since 1950, humans have produced 8 billion tons of plastic globally; less than 10% has been recycled. Every nine minutes, about 300,000 pounds of plastic ends up in the ocean — the weight of a blue whale, the largest animal on Earth.

With plastic production continuing to increase, and recycling rates dropping as China

and other nations refuse the mountains of waste we export, we can't recycle our way to a solution for ocean plastic.

But I'm here to say: California, we've got this.

A big part of the problem is single-use products and packaging, items we use just once, then throw away. Research in Monterey Bay found that most plastic particles in the ocean match the type of plastic in everyday single-use consumer items — like water and soda bottles, takeout containers, disposable cups and lids, and a vast amount of packaging. Most of these items do not get recycled. Luckily, they offer a tremendous opportunity for design and innovation.

We need to invent new ways to enjoy consumer goods without the single-use waste. For the plastic that is necessary, we must create a system so we recycle 90% of what we use, not

a meager 10%. Government, industry, business and consumers must all play a part in this solution. California is poised to lead the way.

The state Legislature is now considering the most ambitious single-use waste-reduction policy in the country. Bills by Assembly member Lorena Gonzalez and state Sen. Ben Allen set targets for reducing waste from all single-use packaging, as well as the 10 most commonly littered single-use plastic products. Manufacturers would help reach these goals by making their products reusable, recyclable or compostable by 2030 — and helping ensure they are actually recycled and composted.

It's a comprehensive model similar to what Europe is doing: create new markets for recyclables, require plastic producers to take responsibility for the lifetime impact of their products,

and selectively ban some single-use items, like plastic grocery bags and takeout food packaging.

California's economy is the fifth largest in the world. What we do here can help accelerate progress from the local to global scale. We can boost international market demand for innovative product delivery systems and packaging materials — creating new options that don't pollute the ocean and imperil ocean wildlife. By prioritizing recycled products and packaging, California can inject new momentum into recycling and composting infrastructure, and create jobs right here in our state.

Showing leadership on the world's most pressing environmental issues isn't new for us. California has been out front on reducing greenhouse gas emissions, building a clean-energy economy, and protecting our

ocean and coast. We've shown we can do right by the planet and improve our quality of life at the same time.

That's why the aquarium and so many other conservation and science organizations have joined with government and business leaders to support SB 54 and AB 1080. Together, we can create a future free of unnecessary plastic waste. We believe California has the creativity and determination to design an economy that supports a healthy ocean and healthy people.

The California Circular Economy and Plastic Pollution Reduction Act provides the bold vision our state is known for. It will help create a better future for us all.

Julie Packard is executive director of the Monterey Bay Aquarium.

This clip is provided at the request of Board member Young.