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 (WMA, P&O/RB & EC)

II. ROLL CALL (WMA, P&O/RB & EC)

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

IV. CONSENT CALENDAR (WMA, P&O/RB & EC)

1. Approval of the Draft Minutes of September 25, 2013 (WMA & EC-Separate Votes) (Gary Wolff)  
   Action

2. Approval of the Draft Minutes of September 12, 2103 (P&O/RB only) (Gary Wolff)  
   Action

3. Minutes of the September 27, 2013 Technical Advisory Group (TAG) (EC only)  
   Information

4. Recycling Board Attendance Record (Gary Wolff) (P&O/RB only)  
   Information

5. Written Report of Ex Parte Communications (Gary Wolff) (P&O/RB only)  
   Information

6. Grants Under $50,000 (WMA only) (Gary Wolff)  
   Information
V. OPEN PUBLIC DISCUSSION (WMA, P&O/RB & EC)
An opportunity is provided for any member of the public wishing to speak on any matter within the jurisdiction of the board or council, but not listed on the agenda. Total time limit of 30 minutes with each speaker limited to three minutes.

VI. REGULAR CALENDAR (WMA & RB only)
19 1. Household Hazardous Waste (HHW) Services and Funding (WMA & RB only) Action
   (Gary Wolff)
   Provide direction to staff to either: 1) continue with the approach and later dates in the schedule described above, or 2) modify the current approach and schedule.

   2. Interim appointment(s) to the Recycling Board for WMA appointee unable to attend future Board Meeting(s) (WMA only) Action
      (P&O and Recycling Board meeting, November 14 at 7:00 pm - Fremont Recycling and Transfer Station, 41149 Boyce Road, Fremont)

VII. COMMUNICATIONS/MEMBER COMMENTS (WMA, P&O/RB & EC) Information

VIII. ADJOURNMENT (WMA & P&O/RB only)
I. CALL TO ORDER

President Biddle called the meeting to order at 3:00 p.m.

II. ROLL CALL

City of Alameda                          Lena Tam (arrived 3:30 p.m.)
City of Albany                          Joanne Wile and Peter Maass
City of Berkeley                       Gordon Wozniak
Castro Valley Sanitary District        Dave Sadoff
City of Dublin                         Don Biddle
City of Emeryville                     Jennifer West
City of Hayward                        Barbara Halliday
City of Fremont                        Anu Natarajan
City of Livermore                     Laureen Turner (arrived 3:12 p.m.)
City of Oakland                        Dan Kalb
Oro Loma Sanitary District             Laython Landis (left 4:15 p.m.)
City of San Leandro                    Pauline Cutter
City of Union City                    Lorrin Ellis

Members Absent:
County of Alameda                       Keith Carson
City of Newark                          Luis Freitas
City of Piedmont                       Garrett Keating
City of Pleasanton                     Jerry Pentin

Staff Participating:
Gary Wolff, Executive Director
Brian Mathews, Senior Program Manager
Tom Padia, Recycling Director
Karen Kho, Senior Program Manager
Wendy Sommer, Principal Program Manager
Richard Taylor, Counsel, Authority Board
Arliss Dunn, Clerk of the Board

Others Participating:
Maia Coladonato, SAIC
Randy Russell, SAIC

III. ANNOUNCEMENTS BY THE PRESIDENTS

Mr. Wolff presented Board member Wile with a recycled glass tray and certificate of appreciation for her service on the WMA Board. Councilmember Peter Maass will become the new WMA representative from
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the city of Albany effective October 23. Ms. Wile commended staff on their work and encouraged the Board to continue being the voice for climate change issues. Mr. Biddle thanked Ms. Wile for her service.

IV. CONSENT CALENDAR
1. Approval of the Draft Minutes of July 24, 2013 (WMA & EC-Separate Votes) Action
   (Gary Wolff)
2. Minutes of the August 23, 2013 Technical Advisory Group (TAG) (EC only) Information
4. Grants Under $50,000 (Gary Wolff) Information

Mr. Landis made the motion to approve the Consent Calendar for the WMA Board. Mr. Sadoff seconded and the motion carried 13-0 (Carson, Freitas, Keating, Pentin, Tam, and Turner absent).

Ms. Cutter made the motion to approve the Consent Calendar for the Energy Council. Mr. Ellis seconded and the motion carried 12-0 (Carson, Freitas, Keating, and Tam absent).

V. OPEN PUBLIC DISCUSSION (WMA & EC)
There was none.

VI. REGULAR CALENDAR (WMA only)
1. Request by Recology for an Amendment to the Alameda County Integrated Waste Management Plan to Site the Recology East Bay Organics Pre-Processing Facility at 2020 Wake Avenue in Oakland (Gary Wolff) Action
   It is recommended that the Authority waive the requirement to read the full text of the Ordinance, and adopt Ordinance 2013-2.

President Biddle opened the public hearing. There were no comments from the public and the public hearing was closed. Ms. Cutter made the motion to waive the requirement to read the full text of the Ordinance, and adopt Ordinance 2013-2. Ms. Wile seconded and the motion carried 14-0 (Carson, Freitas, Keating, Pentin, and Tam absent).

2. Ordinance Enforcement (Gary Wolff & Brian Mathews) Information

Mr. Matthews provided an overview of the staff report and a powerpoint presentation. The staff report and presentation is available here: www.stopwaste.org/docs/09-25-13-enforcement-ppt.pdf

Mr. Kalb inquired about the method for disseminating materials that offer support in complying with the mandatory recycling ordinance. Mr. Mathews stated that when a notification of a violation letter is sent the materials are included as a resource in helping to comply with the ordinance. Ms. Halliday inquired if the agency has levied a fine. Mr. Mathews stated no. Ms. Natarajan asked if the information is available by jurisdiction. Mr. Mathews affirmed and stated the information is provided to the TAC and to anyone by request.

Mr. Biddle stated that Phase II of the mandatory recycling ordinance will ramp up in January 2014 and requested staff provide an update in the Spring. Mr. Wolff stated the update will be included as a component of the budget presentation which occurs in the Spring. Mr. Biddle asked when the minimum recycled paper and reusable bag prices will increase from $0.10 to $0.25 under the ordinance. Mr. Wolff stated in January 2015, if the Board considers it necessary to increase the fee in order to discourage shifting to paper. Staff will provide data on the volume of plastic bags that are in the storm drains and the use of paper bags pre and post ordinance, when that data is available in 2014. Mr. Wozniak stated that he read that San Jose decided to not increase their minimum bag price. Mr. Wolff stated San Jose experienced an 89% reduction in plastic bags in the storm drain since implementing the ordinance which aided their decision to not increase the minimum price. However, their ordinance covers all retail stores and ours covers only stores that sell packaged foods. Ms. Cutter asked does the ordinance mandate stores to offer bags. Mr. Wolff stated no.

Ms. Halliday asked for clarification on compliant bags. Mr. Mathews stated all bags must meet the criteria described in the ordinance with respect to thickness, durability, volume, etc. All suspicious bags are subject
to testing. Ms. Halliday asked if there is data on how many people bring their own bags. Mr. Mathews stated we may be able to calculate this through the sales figures of paper bags and single use plastic bags sold pre and post ordinance. Mr. Sadoff stated it would be helpful to know the ratio of people bringing their own bags versus bags sold by retailers. Ms. West stated that she is pleased to hear from her local store that the sale of paper bags has decreased since the ordinance went into effect. Mr. Wozniak asked regarding the frequency of receiving tracking data. Mr. Mathews stated stores are required to complete a monthly tracking form that is provided to staff upon request.

The Board thanked Mr. Mathews for the update.

The Board adjourned to closed session at 3:45 p.m.

CLOSED SESSION:
CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
Significant Exposure to Litigation Pursuant to paragraph (4) of subdivision (d) of Section 54956.9
(2 cases) (confidential materials mailed separately)

There was nothing to report from closed session.

3.  5 Year Program Audit – Final Report (Gary Wolff & Tom Padia) Information

Mr. Padia presented a brief summary of the staff report (available here: http://www.stopwaste.org/docs/09-25-13-5yearaudit.pdf) and introduced staff from SAIC. Maia Coladonato and Randy Russell presented an overview of the key findings and recommendations of the 5 year Programmatic Audit. The powerpoint presentation is available here: www.stopwaste.org/docs/5-Year-Program-Audit-Presentation-9-25-2013.pdf.

Board members asked that the charts provided in the audit in the future include comparable cities and more up to date information. Mr. Wolff stated that the programmatic audit is mandated by the charter to occur every 5th year, and represents the best professional judgment of the independent auditor. Sometimes up to date data is not available; and comparability of data is a significant challenge. The Recycling Board heard and approved the audit and recommended the Authority should hear it as well. Some of the slides presented were not the main purpose of the audit report but were provided because we asked the auditors to help put our work in this County in a larger context. Ms. West inquires about the cost to conduct the audit. Mr. Padia stated it was a competitive RFP and cost approximately $160,000.

The Board thanked Ms. Calodonato and Mr. Russell for the presentation.

4.  Interim appointment(s) to the Recycling Board for WMA appointee Action
unable to attend future Board Meeting(s)
(P&O and Recycling Board meeting - November 14 at 7:00 p.m. – Fremont Recycling and Transfer Station - 41149 Boyce Road, Fremont)

Ms. Natarajan requested an interim appointment. Ms. Cutter volunteered to attend as an interim appointee.

VII. COMMUNICATIONS/MEMBER COMMENTS (WMA & EC) Information

There were none.

VIII. ADJOURNMENT (WMA only)
The WMA meeting adjourned at 4:35 p.m.

IX.  REGULAR CALENDAR (EC only)
President Tam ran the regular calendar meeting of the Energy Council.

1.  PG&E Local Government Partnership Contract Amendment Action
(Wendy Sommer & Karen Kho)
Adopt the attached Resolution.

Mr. Kalb asked if there were other considerations or other entities that may have the expertise for fulfilling the contract as there may be some areas in which PG&E may have a conflict of interest. Ms. Kho stated PG&E approached us last fiscal year regarding doing the Greenhouse Gas Inventory Update project. They were pleased with our work and offered funding for this current project as a follow-up to the aforementioned project. Mr. Kalb stated that at the completion of the project in addition to staff and PG&E he would like to hear from others with respect to critique and analysis. Mr. Wolff reminded the Board that the controversial topic of Community Choice Aggregation -- where PG&E and some others strongly disagree -- is not the primary issue in this project. Mr. Taylor added that any written comments that PG&E provides to the agency are a matter of public record for transparency. Ms. West agreed that having other parties weigh in on the recommendations or analysis is a good idea and provides a balanced view. Ms. Kho stated that this can be done and asked Board members to suggest external entities that they would consider as acceptable reviewers.

Ms. Natarajan expressed her support for the project as it will enable us to leverage our reach and secure additional funding. Ms. West inquired about the four jurisdictions mentioned in the staff report for follow-up. Ms. Kho identified the cities as Fremont, Union City, Piedmont, and San Leandro.

With respect to StopWaste and PG&E jointly presenting the findings, the Board directed staff to indicate any differences of opinion and that the findings should be provided to third parties for review and that staff (not PG&E) will decide on who the third parties will be. Mr. Kalb inquired if StopWaste will have editorial control of the final document. Mr. Wolff stated that typically a funder does not have editorial control. Ms. Sommer stated that during contract negotiations staff was emphatic that StopWaste is a public agency and any published documents are in the public domain which will include any comments from PG&E.

Mr. Wozniak made the motion to accept the staff recommendation. Ms. Wile seconded and the motion carried 11-0-2 (Halliday abstained) (Carson, Freitas, and Keating absent).

2. **Request by the City of Dublin to Join the Energy Council**
   (Gary Wolff & Karen Kho)
   
   Vote to accept Dublin as a member of the Energy Council, conditional upon receipt of a signed copy of the Resolution by their City Council approving the Energy Council JPA and a signed copy of the Energy Council JPA.

Ms. West noted some of the jurisdictions that have not joined the Energy Council are members of TAG. Mr. Wolff stated that although Pleasanton, Dublin and Livermore elected to not join the Energy Council (in this item, Dublin is requesting to join) the TAG felt it was fine to allow them to remain as members of the TAG.

Ms. Wile made the motion to accept the staff recommendation. Mr. Ellis seconded and the motion carried 12-0 (Carson, Freitas, Keating, and Cutter absent).

X. **ADJOURNMENT (EC only)**
The meeting adjourned at 5:30 p.m.
MINUTES OF THE REGULAR MEETING OF THE
PLANNING & ORGANIZATION COMMITTEE
AND
ALAMEDA COUNTY RECYCLING BOARD

Thursday, September 12, 2013
7:00 p.m.

Castro Valley Public Library
3600 Norbridge Avenue
Castro Valley, CA 94546
510-667-7900

Meeting is wheelchair accessible. Sign language interpreter may be available upon five (5) days notice to
510-891-6500.

I. CALL TO ORDER
1st Vice President Natarajan called the meeting to order at 7:05 p.m.

II. ROLL CALL
Don Biddle
Barbara Halliday
Rebecca Jewell
Anu Natarajan
Daniel O’Donnell
David Ralston
Steve Sherman
Minna Tao
Laureen Turner
Gordon Wozniak

Absent:
Chris Kirschenheuter

Staff Present:
Gary Wolff, Executive Director
Meghan Starkey, Senior Program Manager
Meri Soll, Program Manager
Tom Padia, Recycling Director
Audrey Beaman, County Counsel
Arliss Dunn, Clerk of the Board

Others Present:
Treva Reid, Former Recycling Board Member
Nate Ivy, Former Recycling Board Member
Dana Franz, Food Shift

III. ANNOUNCEMENTS BY THE PRESIDENT
    ♦ Board Member Recognition (Gary Wolff)

Mr. Wolff introduced three new Board Members: David Ralston, Steve Sherman, and Minna Tao. Each
Board member provided a brief summary of their background and experience. Ms. Natarajan welcomed them
to the Board.
Board member Nate Ivy completed his final term on the Recycling Board. Mr. Wolff presented Mr. Ivy with a recycled glass tray and a certificate of appreciation for his service. Mr. Ivy stated that he encouraged the Board to continue to focus on trying to change behavior and make recycling the norm in everyday life. Ms. Natarajan thanked Mr. Ivy for his service and noted that he was responsible for the agency's new tagline "StopWaste: at home, at work, at school."

Board member Treva Reid arrived later in the evening. She completed her final term on the Recycling Board as well. Mr. Wolff presented Ms. Reid with a recycled glass tray and certificate of appreciation for her service. Ms. Reid stated that she is pleased to see progress towards the challenges faced with respect to multi-family recycling. She further stated that she appreciates the efforts toward engaging underserved and underrepresented populations. Ms. Natarajan thanked Ms. Reid for her service.

IV. CONSENT CALENDAR (P&O & RB)
1. Approval of the Draft Minutes of July 11, 2013 and August 8, 2013 (Gary Wolff) Action
2. Board Attendance Record (Gary Wolff) Information
3. Written Report of ExParte Communications Information
4. Grants Under $50,000 (Gary Wolff) Information

V. OPEN PUBLIC DISCUSSION
There was none.

VI. REGULAR CALENDAR
1. Municipal Panel on Multi Family recycling (Meghan Starkey) Information
   Ms. Starkey introduced the panel and provided an overview of the format and the staff report. The report is available here: [http://www.stopwaste.org/docs/09-12-13-munit.pdf](http://www.stopwaste.org/docs/09-12-13-munit.pdf). The panel consisted of: Peter Schultze-Allen, Emeryville, Vera Dahle-Lacaze, Hayward, and Wanda Redic, Oakland. The audio of the discussion is available here: [http://www.stopwaste.org/docs/09-12-13-PO-RB-panel.mp3](http://www.stopwaste.org/docs/09-12-13-PO-RB-panel.mp3)

2. Grants to Nonprofits Program - Presentation by Food Shift (Meri Soll) Information
   Ms. Soll provided an overview of the staff report and introduced Dana Franz, Food Shift. The report is available here: [http://www.stopwaste.org/docs/09-12-13-gtnp.pdf](http://www.stopwaste.org/docs/09-12-13-gtnp.pdf)

   Due to technical difficulties Ms. Franz was unable to present the powerpoint presentation. The presentation will be emailed to Board members and will be included in the minutes (available here: [www.stopwaste.org/docs/food_shift_presentation_9_12_13.pdf](http://www.stopwaste.org/docs/food_shift_presentation_9_12_13.pdf)). Ms. Franz provided a verbal overview of the program.

   The Food Shift program is a pilot project operating in the Oakland Unified School District (OUSD), partially funded by our competitive grants to non-profits project. The program focus is to reduce waste and reduce hunger by recovering and distributing food from the school cafeteria that would otherwise be thrown away. The goal of the program is to create a model that can be replicated in other schools. Food Shift operates two program models: Food for Community Partners - where food collected is donated to other food recovery organizations and Food for Families – where food is distributed to families within the school. Parents and staff are heavily involved in the program and the program has proved successful. Food Shift recently won $50,000 of Ads on BART by being voted one of the top fan favorites in the BART Blue Sky Festival and Facebook poll.

   Ms. Tao inquired about program scalability. Ms. Franz stated that she welcomes all ideas and support for encouraging other communities to implement the program. Board members thanked Ms. Franz for her presentation.
VII. OTHER PUBLIC INPUT
There was none.

VIII. COMMUNICATIONS/MEMBER COMMENTS
Board member O'Donnell thanked staff for organizing the CRRA conference and appreciated staff for encouraging attendance. Mr. Wolff invited Mr. O'Donnell to share his experience at a future board meeting.

Mr. Wolff announced that the agency will hold four community meetings to get public feedback regarding the HHW program improvements and funding fee. The meetings will occur in October and will be held in Livermore, Castro Valley, Berkeley, and Fremont. Staff will provide a report on the meetings at the October 23 combined WMA and Recycling Board meeting.

♦ Agenda Planning
Mr. Wolff asked Board members for suggestions in planning the November, December, and January P&O/RB meetings. He proposed cancelling the October 10 meeting in lieu of the October 23 combined meeting of the WMA and Recycling Boards. Board members agreed with the proposal.

Ms. Halliday stated that she enjoyed the tour of the mattress recycling facility and suggested agendizing a discussion relating to textile recycling. Mr. Wolff stated that it is possible to have a discussion on textile recycling at the November 14 meeting. Mr. Ralston suggested an overview of the strategic plan and our programs. Ms. Jewell proposed a tour of the Davis Street Transfer station. Board members scheduled the tour for January 9, 2014 at 3:00 p.m. Mr. Wolff stated that he will send a follow-up email of the proposed schedule changes.

Ms. Turner stated that if the Board is struggling to find content for board meetings, in lieu of scheduling tours, we should instead consider meeting every other month. Mr. Wolff stated the County Charter mandates that the board meet every month, and to amend the Charter would require the matter be placed on an election ballot and be approved by a majority vote of the voters in that election. Ms. Jewell and Ms. Halliday both agreed that the tours are informative and educational and are scheduled in alignment with the agency's mission of waste reduction and solid waste issues.

Mr. Wolff informed the Board of a pilot study in Seattle, WA entitled "One Less Truck Report Project." This is a pilot study of every-other-week garbage collection for single-family residences to evaluate the potential financial, recycling, operational, customer and neighborhood impacts of a citywide service change. Approximately 800 single-family households participated in the project. The Seattle City Council will decide in the Spring if they will switch to every other week service citywide. Mr. Wolff stated that he will email a link of the study to the Board.

IX. ADJOURNMENT
The meeting adjourned at 9:05 p.m.
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Energy Council
TECHNICAL ADVISORY GROUP (TAG)

Friday, September 27, 2013 – 10:00 am to 12:00 pm

MEETING NOTES

Attendance:
County of Alameda: Damien Gossett, Darryl Grey (phone)
City of Albany: Claire Griffing (phone)
City of Alameda: Maria DiMeglio
City of Berkeley: Billi Romain
City of Dublin: Kathy Southern
City of Emeryville: Peter Schultze-Allen
City of Fremont: Dan Schoenholz
City of Oakland: Heather Klein and Scott Wentworth
City of Hayward: Corrine Ferreyra (phone)
City of Piedmont: Kevin Jackson
City of San Leandro: Sally Barros
StopWaste: Heather Larson, Stephanie Stern, Karen Kho and Wes Sullens
Guests: Simon Bryne, Renewable Funding

Energy Council Board Meeting Update

- The Energy Council Board accepted the scope of work for Climate Action Plan Implementation project funded by PG&E and directed staff to request two changes. The Board requested an external review of the findings, and that if there is a difference of opinion between staff/TAG and PG&E that it would be documented in the report. The Hayward Board member abstained from the vote, otherwise it passed unanimously.
- Dublin was officially accepted into the Energy Council.

Bay REN Implementation

- The Single-family Home Upgrade program is up and running, offering incentives for Home Upgrade projects, assessment incentives, and a Home Upgrade Advisor service. StopWaste is layering the Home Energy Analyzer program on top of this outreach in order to segment leads.
- The CPUC released a final decision on financing, which authorized $2 million for multifamily financing that BayREN will implement.
- There will be a multifamily HERCC meeting on October 23 about this financing product and others; there is also a statewide on-bill repayment program for low-income, master metered buildings.
- The Codes and Standards Forum was moved so that it doesn’t conflict with CALBO Education Week; it is now October 22nd.
**Action Item:** StopWaste to provide copies of Energy Upgrade CA tri-fold brochure and other collateral; Judi will also let TAG members know what website to link to.

**Data- Summary of 15/15 Rule**
- Stephanie explained that the 15/15 rule requires data to be aggregated to at least 15 customers such that no one customer is more than 15% of the total; and that this rule is a CPUC directive from the 1990s that protected IOUs from energy service companies that wanted to skim off large customers.
- This topic will be continued at a future TAG meeting, especially relating to the ability for a city to implement a local disclosure ordinance.

**Reach Codes & Local Ordinances**
Wes presented on CALGreen and Green Rating System updates (Presentation on Basecamp):
- The next version of CALGreen will take effect on January 1.
- This version includes many of the same mandatory measures, and has optional tiers.
- Major changes include: Cal Green mandatory measures now apply to all covered occupancies and to additions and alterations; and noncompliant plumbing fixtures must be changed out regardless of whether they are in scope; this will bring all plumbing up to 1992 standards (1.6 gallons maximum flush) by 2020.
- For energy, state codes have caught up to leadership standards. The updated CALGreen is a 10-35% improvement over current code, and the Tiers are 5-15% improvement over code.
- There is a BIA study showing that for residential to achieve Tier 1 is about twice the cost as the current 2010 code’s Tier 1, meeting Tier 2 is about 3 times the cost ($7-8k incremental cost).
- Non-residential: incremental costs not expected to be as high.
- Where are codes headed?
  - Non regulated loads will be the dominant place to find reductions (appliances, plug loads, HERS score etc.)
  - Electric vehicles might become required in next code cycle.
  - Eventually to net-zero, only a few code cycles left.
- Green Point Rated updates: version 6 in underway, but are waiting on cost-effectiveness studies.
  - There will be levels of certification (e.g. certified, silver, gold and platinum).
  - Verification of CALGreen is mandatory and is worth 4 points.
  - There are points for meeting future state goals.
- LEED v4 will become live in November 2013 and takes a more holistic look at materials and usage.
  - LEED and state code are going in different directions; Wes is trying to get LEED to recognize CALGreen compliance for LEED points.
  - KEMA did analysis comparing LEEDv4 and CALGreen which shows less relationship between the two for non-residential buildings with the updated versions of each.
- Fewer jurisdictions will pursue reach codes in 2013. There is a trend of jurisdictions wanting to adopt Tier 1 without the energy portion; local jurisdictions need to show cost-effectiveness.
- The Energy Pro model won't be available until November; San Francisco is doing a different analysis using an engineering approach, but will be difficult to complete this and bring it to council before January 1.

**Action Item**: Wes will convene a followup conference call for jurisdictions interested in reach codes to discuss using San Francisco’s cost-effectiveness study.

**Commercial PACE**
Simon Bryce, from Renewable Funding gave an update on California First:
- 14 counties have joined California First, and Marin and Napa will be joining soon.
- Simon presented the active pipeline of projects: there are 13 projects in Alameda County (2nd in volume after San Diego).
- Costs involved in financing have been high, which has been difficult for smaller projects. Renewable Funding has reduced their costs as much as possible and are now trying to change the way they finance. They are currently doing a bond issuance and want to change this, which will require state legislature change.
- The application process has two steps: first, an initial approval based on the proposed project and tax records (no late payments for the last 3 years). Then, during final approval, they gather all of the bond documents to execute.
- For Residential PACE: California is going to offer a reserve fund to satisfy Federal Housing Finance Authority (FHFA) concerns. Governor Brown just sent a letter to FHFA explaining a new debt service for PACE for the state. They think this will resolve FHFA’s concerns about safety in soundness with PACE since the reserve fund will pay the bond holder in the case of a default.
- Renewable Funding is actively pursuing a residential PACE option; jurisdictions will be able to opt out of this and still participate in commercial PACE.
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# 2013 - Alameda County Recycling Board Attendance

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Measure D: Subsection 64.130, F: Recycling Board members shall attend at least three fourths (3/4) of the regular meetings within a given calendar year. At such time, as a member has been absent from more than one fourth (1/4) of the regular meetings in a calendar year, or from two (2) consecutive such meetings, her or his seat on the Recycling Board shall be considered vacant.

X=Attended        A=Absent       I=Absent - Interim Appointed
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October 22, 2013

TO: Recycling Board

FROM: Gary Wolff, Executive Director

SUBJECT: Written Reports of Ex Parte Communications

BACKGROUND

Section 64.130 (Q)(1)(b) of the Alameda County Charter requires that full written disclosure of ex parte communications be entered in the Recycling Board's official record. At the June 19, 1991 meeting of the Recycling Board, the Board approved the recommendation of Legal Counsel that such reports be placed on the consent calendar as a way of entering them into the Board's official record. The Board at that time also requested that staff develop a standard form for the reporting of such communications. A standard form for the reporting of ex parte communications has since been developed and distributed to Board members.

At the December 9, 1999 meeting of the Recycling Board, the Board adopted the following language:

   Ex parte communication report forms should be submitted only for ex parte communications that are made after the matter has been put on the Recycling Board’s agenda, giving as much public notice as possible.

Per the previously adopted policy, all such reports received will be placed on the consent calendar of the next regularly scheduled Recycling Board meeting.
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October 15, 2013

TO: Authority & Recycling Board

FROM: Gary Wolff, Executive Director

SUBJECT: Informational Report on Grants Issued Under ED Signature Authority

General Mini-grant and board agendas by giving the Executive Director authority to sign contracts and grant agreements less than $50,000. A condition of the new grant policy is that staff inform Board members of the small grants issued at the next regularly scheduled Board meeting.

Grants –September 15 through October 15, 2013

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<td>Business Mini-grant</td>
<td>Mua Restaurant/Hi-Suk Dong</td>
<td>Purchase and install food scraps/organics collection bins and signage.</td>
<td>Oakland</td>
<td>Final Report</td>
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BACKGROUND:
This topic has been previously discussed with the committees and boards numerous times, including the May and July WMA meetings and April and June committee meetings. Based on discussion at the July WMA meeting, staff has been holding community meetings on the 'proposal' approved by the Board for public discussion at the July WMA meeting. Meetings were held at 7 p.m. in Livermore, Castro Valley, Berkeley, and Fremont on October 8, 10, 15, and 17, respectively. We posted to the HHW program website (http://www.household-hazwaste.org) a report by HFH Consultants that independently examined and verified the cost estimates for the proposed and austerity options on October 4th (http://www.stopwaste.org/docs/hhw-memo-options.pdf).

We also advertised the community meetings through newspapers and other venues during the month before the first meeting (e.g., emails were sent to all Livermore residential customers by Livermore staff announcing the meeting in Livermore). We also created an email address for comments in the event a person couldn't attend a community meeting (hhwproject@stopwaste.org) and videotaped the first community meeting presentation and posted it to the HHW program website on October 11th (http://www.youtube.com/watch?feature=player_embedded&v=ZO1WfCEVzvY).

A summary of all comments received, either by email or at the community meetings, is attached. Bill Pollock (the County's HHW program manager) and I will repeat the community meeting presentation at the October 23 WMA meeting (shortened as appropriate given your knowledge of the HHW system).

DISCUSSION
Key Public Policy Issues

The following public policy issues and current approach to addressing them should be re-affirmed or changed by the Board.

Issue: the fee should ideally be on products since those who buy them create the costs of disposal. We agree, and studied advance disposal fees in detail for two years before concluding that the ‘overlay’ of local fees and state fees would be too complex to explain to the public and implement. For example, the PaintCare stewardship program includes fees on paint products that are not nearly adequate to cover the full costs of handling those products at the HHW centers. If advance disposal fees were used rather than the current fee proposal, we would need to have a local fee on paint added on top of the state fee.

We have, however, structured the fee proposal to the movement toward extended producer responsibility (EPR), such as the PaintCare program, by proposing to include in the fee ordinance a provision that any revenue to the countywide program from EPR stewardship organizations or local advance disposal fees (should any ever be adopted) will reduce this fee in future years. This will allow us to accurately state in Sacramento when we lobby for stewardship programs that the creation of the programs will directly reduce financial burden on fee payors in Alameda County.
Issue: some people claim they don't create HHW, or create much less than others. Should the fee vary with the quantity of waste rather than being equal per residential unit? Unfortunately, there is no feasible way to identify the amount of HHW created by each person or household. Even fees at point of purchase or included in product prices do not necessarily reflect the amount of HHW created by the buyer because they might or might not use the entire product purchased, which affects the quantity requiring disposal when they are done with the product. Staff recommends that we include in the draft fee ordinance a provision that residences that qualify under member agency rules for an exemption from refuse collection charges due to vacancy (e.g., as in Alameda) or a ‘zero waste exemption’ (e.g., as in Fremont) are also exempt from this fee.

We also previously considered an approach under which the HHW fee would be charged in proportion to the amount of refuse service at each residence. Although that is a reasonable approach, it is also reasonable to charge per residential unit since we have no information on whether HHW products are disposed of more or less often by those with more or less refuse service. Furthermore, a fee system based on level of refuse service is more complex and costly to administer.

Issue: some people say the fee is a burden on residential property owners with limited or fixed incomes. Should there be an income-related exemption? Staff would be pleased to include an exemption based on an income criterion, so long as it is simple enough to administer. However, legal counsel is researching whether an income based exemption would be consistent with relevant governing law.

Issue: some people say the facilities are too far away. Why not curbside collection or neighborhood drop-off events? Twelve neighborhood one-day drop-off events are included in the service proposal, partially addressing this concern. Also, perceptions of travel time to the facilities are inaccurate in at least some instances, so we can provide information on travel times (and how little time is needed at the drop-off center once there) as part of future outreach efforts. With respect to curbside collection, we previously found that it would be significantly more expensive unless the drop-off centers were closed entirely. But experiences in other communities (e.g., Santa Monica) has found that closing the drop-off centers is unpopular and inconvenient for some people, who realize they need to use the center on short notice (e.g., while moving). Our approach includes the idea of providing curbside collection and delivery to the drop-off centers in the future as an additional voluntary cost item only upon request, provided by one or more contractors that would be pre-qualified by the countywide program.

Issue: will residential rental property owners (one type of Small Quantity Generator (SQG) under state law) pay the fee and then have to pay again to use the drop-off centers? No. Our approach is to waive SQG fees entirely for small businesses that can demonstrate they are bringing HHW from residential properties in Alameda County, up to a specified weight limit per year. A provision to this effect will be included in the draft fee ordinance.

Issue: does the fee sunset on a future date or is it in perpetuity? This topic has not been discussed with the Boards, but was asked by several persons during the community meetings. Staff recommends a sunset date either 8 or 10 years after the fee goes into effect. Eight years reflects the 6 year planning period plus 2 years for the next planning cycle. Ten years reflects a similar process, but with a few additional years to ensure an orderly, un rushed transition to the next ‘era’ of the countywide HHW system. A sunset provision has two substantial advantages. First, it is consistent with our approach to the long run HHW problem; which is to shift costs and responsibilities ‘upstream’ to the producers of products and away from local fee payors. Second, a sunset provision makes the total cost of the fee more transparent to the public since it will then be $9.55 per residential unit times the number of years the fee is in effect (e.g., $95.50 in total if a 10 year sunset is chosen).

Issue: the fee is based in part on an estimated decline in future revenue from the existing per ton fee of $2.15. What if that estimate turns out to be incorrect? The fee ordinance will provide that the fee will decrease in future years if revenue from the existing per-ton fee exceeds the estimates provided.
specifically in the HFH report dated October 4, 2013. However, the fee will not increase if the revenue falls short of the estimates in that report.

**Issue: are the twelve one-day drop-off events – likely on Sundays -- adequate, or should there be regular Sunday service?** We have requested data from Los Angeles with respect to use of their facilities on Sundays, which we recently found are open on Sundays. The question of regular Sunday service did not seem to be of concern for participants at the community meetings, but we did not focus on it either.

Please note that regular Saturday and Sunday service at the Livermore and Hayward facilities would require that there be no weekday service for residents at those facilities, since the proposed budget calls for Friday and Saturday service for residents at each of those facilities and the Friday service would need to be cancelled to allow for the Sunday service.

**Schedule for Final Decisions About Future HHW Service and Funding**

The current schedule calls for:

- Introduction (first reading) of a fee ordinance on November 20 or December 18 (a decision by the WMA Board to schedule the ordinance for "consideration of adoption"),

- A public hearing and second reading of the fee ordinance on January 22 or February 26 ("consideration of adoption"),

- a mailing to all residential property owners at least 45 days before the second reading offering them a chance to protest against the ordinance by mail or in person at the public hearing for the second reading.

We also intend to bring to the Board at the time of the first reading a set of rules for residential property owner protest (legal counsel recommends that such rules be adopted by the Board prior to mailing), and a draft letter to residential property owners. Electronic links to the HFH report and other information on the proposal can be included in the letter. The letter could also include a 'tear-off' reply form with our address pre-printed on it. Unless the Board directs us to make significant changes in the approach, we think either pair of dates in the schedule is achievable, but prefer the later pair of dates.

**RECOMMENDATION:**

Provide direction to staff to either: 1) continue with the approach and later dates in the schedule described above, or 2) modify the current approach and schedule.

Because Recycling Board members are also members of the Planning and Organization Committee, their input during this item is appropriate. They cannot, however, vote with respect to the fee action itself.

Attachment A: Summary of Public Comments Received as of 10/17/13

517960.1
Attachment A: Summary of Comments Received Through 10/17/13

Total Comments Received: 43
Total Comments in Favor of Fee Proposal: 16
Total Comments Against Fee Proposal: 20
Total Neutral or Unclear (not specifically in favor or against): 7

Major Themes from Responses:

- Several residents feel they would be unfairly charged compared to larger households; therefore suggest having fee based on use of the HHW facility rather than based on residency ownership status.

- Several respondents asked for or requested curbside collection of HHW, even if infrequent.

- Several people were unsure of effectiveness of the HHW program overall because of the lack of awareness of what is/isn’t HHW, and because many products (in their mind) now are regulated by EPA/state and can’t be sold anymore. Therefore, in their minds, products that are sold and destined for HHW are on the decline generally, or are insignificant.

- Several residents view the fee as a penalty. These residents state that they do not buy hazardous or toxic products, yet they are forced to subsidize the disposal of their county neighbors who choose to purchase toxic products. They believe it would be more fair to charge based on use of the facility rather than a blanket fee for all residents.

- Several residents in North County believe that driving to the HHW facility in Oakland is too far to drive. It’s inconvenient and therefore they assume much HHW is getting illegally dumped. One person said they wish there was an advanced disposal fee like for e-waste. One person asked to have drop-off days in Berkeley.

- Several people feel the program could be scaled back and live within its current fiscal means, since the center is not usually busy, it’s inconvenient to drop materials off, and most people are confused as to what is/is not HHW anyway.

- Several fixed-income folks say the fee is a burden on them (retirees, low-income).

- Several folks were concerned about the continuing increase in waste fees overall.

- A few residents have commented on how they can’t drive or haul things to the HHW facility given their age, limited income, or don’t have a car.

- One person suggested we raise the tipping fee at landfills instead of adding to property tax.

Comments In Favor of the Fee Proposal:

- “Thank you Mr. Wolff and your staff, this presentation has been very informative and helpful.”
• “I’ve had a great experience at the HHW Facility, I never have to get out of my car!”

• "The fee plan sounds good, especially because it’s hard for Berkeley residents to go to Oakland. I’m happy that the expansion will make more service available for only $9.50/ year, everything sounds good and I agree with what you are saying."

• “The program should be expanded, not cut back! Something like a once a month home pickup for portable items like paint, used oil or whatever a household generates to keep them from having to take things to Alameda, which many people don’t have time to do. Ten dollars a year is little enough. Why not make it $25?”

• "We are happy to pay an extra fee to make hazardous waste recycling easy to do. The current system is not very convenient. The drop-off locations are few, hours are short, days are limited and one must download and fill out a form before going. Since almost every household has hazardous waste: paint, fluorescent light bulbs, etc. disposing of these things must be made fast and convenient, or people simply will not take the time and trouble to do it. Can hazardous waste pickup be somehow combined with normal waste pickup? Perhaps in special containers and on a fixed, regular schedule?"

• One resident felt $10 would "maintain" the same service levels and said they support it.

• "I am in favor of your ideas as long as it is a reasonable fee like $10/year. I would object if this fee became higher every year. If that were the case let those who have such wastes pay their fair share."

• I came to the meeting to find out what this $10 is for. I’m satisfied that it will be well spent.

Comments Against the Fee Proposal:

• "I am opposed to the concept of a blanket fee per household regardless of the amount of waste generated (or not) by the household. It penalizes those who go out of their way and spend the extra effort and dollars to minimize the use of hazardous products while those who do not get a free ride... While the proposed fee is easy to implement, it is morally wrong. It does not do anything to reduce the unnecessary use of hazardous products. It is tax. The cost of properly disposing waste of any kind, especially hazardous waste should be paid by users of the hazardous material in proportion to the use of such products. There are many successful examples of such “Point of Sale” fees… [e-waste, paints, mattresses, etc].”

• “My vote is to reduce the program as long as it will be open for a few hours to insure we can drop off hazardous materials. Most of these sites could have their hours curtailed without a reduction in the amount of materials dropped off. Stop raising our fee’s on everything as they are already too high.”

• “…folks will respond best to price incentives yet our current disposal cost doesn't do that. Here I generate about 1/10 the mass and volume of my neighbors yet I pay the same price. Indeed, there are now a few choices in waste can size, but there is no proportionality in the costs. This new hazardous materials disposal fee just adds confusion and hides the fee in property taxes… A much better system would charge the disposers the true cost of disposal. So I propose a household disposal fee structure arranged with the waste hauler that is based on content of the waste picked-up. Specifically, dwellings should pay for garbage/recycle/hazardous material disposal through a direct billing of the homeowner. In
other words, waste haulers should pick up everything and bill the homeowners for the pickup. In this modern world with RFID tags, clearly enterprising haulers can arrange a billing structure based on amount and identify of the stuff picked up. The old fashioned practice of a fixed price for garbage from every dwelling should end. Make people pay for what they generate and you'll see a dramatic reduction of all waste, including the category of hazardous waste."

- "I just don't like to see things added to my tax bill."
- "How do you get the [current] $2.15 per ton fee? ... with this new fee, we are getting punished for being good recyclers!"
- "So what happens in 2020 if the system is not efficient? We get another fee?"
- "How do other counties deal with their HHW? Don't they also have the same challenges? But they're not raising fees...
- "Property tax is not a catchall to be used at will and will end up being even more cumbersome and generate more work, (read increased cost), to administrate. You already have a vehicle for billing this cost in place with the waste billing in use now. Spread the increase over the year in the present bills and I believe you will get much less resistance. Especially if you can make some changes to the program that makes it more accessible."
- "Not in favor... The program that has existed for years in Livermore is more than adequate"
- "I have noticed that [the HHW facility] seems to be over-staffed with too many people, with very little to do. I recommend more efficiency instead of a fee."
- "You get the same amount per ton of waste. DEAL WITH IT!"
- "It seems to be my experience that we are not allowing so many hazardous chemicals, or products, on the market, now. Most persons do not change their own oil, anymore. So, there should be less waste to be dropped off. Therefore, less need. Less hours of operation, would work for me... My drop off would not amount to $10.00 per year. I have not dropped off anything for years. That is excessive. I am penalized by others who drop off more. Pay by use is more fair, anyway. I am retired and on a fixed income."
- "Stop wasting my time with a bunch of legislative green crap and spending more money on recycling than it saves."
- "I object to the fee proposed. For years I have not purchased anything toxic. My garden and yard are free of any pesticides and are totally organic. I compost all my green waste and kitchen cuttings. I'm careful of what I use to clean my house and outdoor surfaces. Anyone who chooses to use toxics should be charged when they bring them to the disposal site."

Neutral or Unclear (not specifically in favor or against):
- "The reason people are saying they have a great experience at HHW is because the facility is being under-used. I’ve gone out to Livermore and been the first in line in the middle of the morning on a Saturday. Having it open on a known date that people can relate to would be an advantage, but I’m not sure the case is there for having the facility open on multiple days or weeks in the month. Do you have any reports or surveys on that?"
A large Realtor association group relayed the message that they will be reaching out to their network of 4200 Realtors in the county regarding the fee proposal. They also have forwarded the fee proposal to the rental housing property associations in the area.

"I understand the benefit of the program, and understand the fee is pretty minor for single households... but I’m an apartment owner... you’re telling me even if I pay the fee, I can’t use the facility?"

“Will the Point of Purchase Outreach program include product labeling?”

"It would seem that having a definite day that people can relate-to would be more effective than some of these 'we are going to do it every 2-3wks' or whatever during the hours of whatever days, if you had it even just once a month, in a facility like Livermore, people would know that whatever day of the month you set, the place is open! People go out with Hazardous Waste and find out your closed they are less likely to come back and make that trip again."

"Is fee proposal only a 6-year projection; are you anticipating the program to only last 6 yrs? Why wouldn’t you have a ‘cost of living’ built into the fee if most of the expenses projected are staff Costs? Will Commercial & Retail collection be enhanced or expanded as well?"

“May I ask if there are any plans to have, say, a one-day event in Berkeley sometime, where we can bring in all our household products for toxic waste disposal...I have been hanging on to all of mine in a box forever, but never seem to be able to find the time to go all the way down to the facility in Oakland during the hours they are open.” (Berkeley resident)

“In my opinion, the hazardous waste program would do much better if it was accessible. We have visited the Oakland site exactly once. It's a lengthy trip from Berkeley, and not too easy to find. And then there's that thing about bringing your own stuff - so we can't hire other people to do it, even though we are in our seventies. Why can there not be at least one substation in Berkeley, where we could actually get to it without major planning?"

"I value this service and used it for years. Now I no longer drive. How can I get my hazardous waste to the site?"

"For reference could you provide this mailing list an accounting breakdown of where all the current tipping fees are being spent?” [directed to Livermore]

One person had a question about where to recycle lead ingot [our hotline staff answered the question].
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Alameda County Waste Management Authority, The Energy Council, and Source Reduction and Recycling Board

(Meetings are held at StopWaste.Org unless otherwise noted)

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9:00 am Programs & Administration Committee Key Item: Legislative Priorities

7:00 pm Planning & Organization Committee /Recycling Board Fremont Transfer Station Key Item: Textile Recycling
Communities get share of recycling profit

Warwick received the most at $79,000

By TJ Delsanto

with Angie Angers

Updated: Monday, September 30, 2013, 7:38 PM EDT
Published: Monday, September 30, 2013, 3:39 PM EDT

(WPRI) -- All 39 of Rhode Island's cities and towns received some extra money for their recycling efforts, but the money must be sent back into recycling initiatives.

Mayors, town administrators and recycling leaders from Rhode Island's cities and towns met at the Rhode Island Resource Recovery Corporation to collect their share of the profits from the sale of their recyclables during the past year.

$740,626 was divided up between the cities and towns based on how much they recycled. Warwick received the most, with more than $79,000.

"First of all, it's important to recycle, it's good for the environment -- so that's important. Second of all, anytime you can get a refund or a rebate that's a plus for us," said Providence Mayor Angel Taveras.

All of the money must be spent on recycling programs within the individual communities.

Rhode Island communities received:

- Barrington: $17,808.65
- Bristol: $13,366.75
- Burrillville: $13,267.45
- Central Falls: $8,075.31
- Charlestown: $2,647.51
- Coventry: $28,599.29
- Cranston: $57,857.48
- Cumberland: $24,881.60
- East Greenwich: $13,235.90
- East Providence: $37,781.85
- Exeter: $5,217.78
- Foster: $3,758.26
- Glocester: $9,216.12
- Jamestown: $6,788.11
- Johnston: $16,107.02
- Lincoln: $15,652.42
- Little Compton: $4,235.70
- Middletown: $12,434.62
Cities, towns get share of recycling profit

- Narragansett: $8,965.98
- New Shoreham: $4,412.93
- Newport: $17,356.93
- North Kingstown: $23,957.94
- North Providence: $20,544.35
- North Smithfield: $10,619.86
- Pawtucket: $37,277.52
- Portsmouth: $14,969.31
- Providence: $71,347.62
- Richmond: $3,966.17
- Scituate: $8,403.11
- Smithfield: $15,998.25
- South Kingstown: $24,241.34
- Tiverton: $15,374.27
- Warren: $9,299.49
- Warwick: $79,594.13
- West Greenwich: $3,081.75
- West Warwick: $18,433.33
- Westerly-Hopkinton: $29,049.23
- Woonsocket: $21,070.66

Newport officials said they plan to add extra recycling bins around the city for public use, while Johnston will be using the money for recycling education and to improve the town's recycling rate.

The Rhode Island Resource and Recovery Corporation hopes to have every city and town increase their recycling rate for next year.

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