

WMA Board & Energy Council

Bob Carling, **WMA President**
City of Livermore, WMA, EC

Francisco Zermeño, **WMA 1st Vice President**
City of Hayward, WMA, EC

Tracy Jensen, **WMA 2nd Vice President**
City of Alameda, WMA, EC

David Haubert, **EC President**
County of Alameda, WMA, EC

Michael Hannon, **EC 1st Vice President**
City of Newark, WMA, EC

David Mourra, **EC 2nd Vice President**
City of Emeryville, WMA, EC

Jennifer Hansen-Romero, City of Albany, WMA, EC

Susan Wengraf, City of Berkeley, WMA, EC

Dave Sadoff, Castro Valley Sanitary District, WMA

Melissa Hernandez, City of Dublin, WMA, EC

Yang Shao, City of Fremont, WMA, EC

Dan Kalb, City of Oakland, WMA, EC

Shelia Young, Oro Loma Sanitary District, WMA

Jen Cavanaugh, City of Piedmont, WMA, EC

Jack Balch, City of Pleasanton, WMA, EC

Fred Simon, City of San Leandro, WMA, EC

Jeff Wang, City of Union City, WMA, EC

Timothy Burroughs, Executive Director

AGENDA

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

**Wednesday, January 24, 2024
3:00 P.M.**

***IN-PERSON MEETING LOCATION*
STOPWASTE BOARD ROOM
1537 WEBSTER STREET, OAKLAND, CA**

This meeting will be conducted in a hybrid model with both in-person attendance and Teleconference participation:

- | | |
|-----------------------------|--|
| Teleconference location #1: | 3300 Capitol Ave. Building A, Fremont, CA |
| Teleconference location #2: | 118 Glashaus Loop, Emeryville, CA |
| Teleconference location #3: | Scott Haggerty Heritage House, 4501 Pleasanton Ave, Pleasanton, CA |
| Teleconference location #4: | 1404 LeRoy Ave., Berkeley, CA |
| Teleconference location #5: | Monterey Marriott 350 Calle Principal, Monterey, CA |
| Teleconference location #6: | Hilton Hotel lobby, 400 East Tahquitz Canyon Way, Palm Springs, CA |
| Teleconference location #7: | 37101 Newark Boulevard, Conference Room 5, Newark, CA |
| Teleconference location #8: | 200 Old Bernal, City Council Conf. Rm. Pleasanton, CA |

Members of the public may attend in person at the Board Room or the addresses listed above or by:

1. Calling US+1 669 900 6833 and using the Webinar ID 844 1568 3391
2. Using the [Zoom](#) website or App and entering meeting code 844 1568 3391

During the meeting the chair will explain the process for members of the public to be recognized to offer public comment. The process will be described on the StopWaste website at <http://www.stopwaste.org/virtual-meetings> no later than noon, Wednesday, January 24, 2024. The public may also comment by sending an e-mail to publiccomment@stopwaste.org. Written public comment will be accepted until 3:00 p.m. on the day prior to the scheduled meeting. Copies of all written comments submitted by the deadline above will be provided to each Board Member and will be added to the official record. Comments will not be read into the record.

In accordance with the Americans with Disabilities Act, if you need assistance to participate in this meeting due to a disability, please contact the Clerk of the Board at (510) 891-6517. Notification 24 hours prior to the meeting will enable the agency to make reasonable arrangements to ensure accessibility to this meeting.

AGENDA

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 board 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.

V. CONSENT CALENDAR - The Consent Calendar contains routine items of business. Items in this section will be acted on in one motion for both the WMA and EC, unless removed by a member of either Board. Members of the WMA who are not members of the EC will vote as part of the Consent Calendar vote, but their votes will not be considered in connection with any EC items. Any member of the public may speak on an item on the Consent Calendar at this time. Public Speakers are limited to three (3) minutes.

Page

1 1. Approval of the Draft WMA & EC Minutes of December 20, 2023

5 2. Annual Audit for Fiscal Year 2022-23

That the WMA Board and Energy Council review, accept and file the Fiscal Year 2022-23 Annual Comprehensive Financial Report.

VI. REGULAR CALENDAR

7 1. 2024 Legislative Session Priority Setting (Jennifer West)

Staff recommends that the Board adopt the 2024 Legislative Priorities outlined in the staff report.

2. Interim appointment(s) to the Recycling Board for WMA appointee unable to attend future Board Meeting(s) (Arliss Dunn)

(Meeting of the Planning Committee and Recycling Board on Thursday, February 8, 2024 at 6:00 p.m. The meeting will be held at Castro Valley Sanitary District, 21040 Marshall St, Castro Valley, CA)

VII. MEMBER COMMENTS AND COMMUNICATIONS FROM THE EXECUTIVE DIRECTOR

VIII. ADJOURNMENT – TO WMA & EC MEETING ON FEBRUARY 28, 2024 at 3:00 P.M.

DRAFT

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

**Wednesday, December 20, 2023
3:00 P.M.**

***IN PERSON MEETING LOCATION:*
STOPWASTE BOARD ROOM
1537 WEBSTER STREET, OAKLAND, CA**

I. CALL TO ORDER

President Carling called the meeting to order at 3:00 p.m. Timothy Burroughs explained the process that would be utilized during the meeting. A link to the process is available here: [Virtual-Meetings-Instructions.](#)

**II. ROLL CALL OF ATTENDANCE
WMA & EC**

County of Alameda	David Haubert, WMA, EC, (EC President)
City of Alameda	Tracy Jensen, WMA, EC
City of Albany	Jennifer Hansen-Romero, WMA, EC
City of Berkeley	Susan Wengraf, WMA, EC
Castro Valley Sanitary District	Danny Akagi, WMA (alternate)
City of Dublin	Melissa Hernandez, WMA, EC
City of Emeryville	David Mourra, WMA, EC
City of Hayward	Daniel Goldstein, WMA, EC (alternate)
City of Livermore	Bob Carling, WMA, EC (WMA President)
City of Newark	Mike Hannon, WMA, EC
City of Oakland	Dan Kalb, WMA, EC
Oro Loma Sanitary District	Shelia Young, WMA
City of Piedmont	Jen Cavanaugh, WMA, EC
City of Pleasanton	Jack Balch, WMA, EC
City of San Leandro	Fred Simon, WMA, EC
City of Union City	Jeff Wang, WMA, EC

Absent

City of Fremont	Yang Shao, WMA, EC
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Staff Participating

Timothy Burroughs, Executive Director
Pat Cabrera, Administrative Services Director
Alma Freeman, Communications Manager
Kelly Schoonmaker, Senior Program Manager
Jennifer West, Program Manager
Heather Larson, Program Manager
Arliss Dunn, Clerk of the Board
Richard Taylor, WMA Legal Counsel

Others Present

Jason Schmelzer, Shaw Yoder Antwih Schmelzer and Lange

III. ANNOUNCEMENTS BY PRESIDENTS

There were none.

IV. OPEN PUBLIC DISCUSSION FROM THE FLOOR

Arthur Boone provided public comments.

V. CONSENT CALENDAR

1. Approval of the Draft Joint WMA, EC, and PC&RB Minutes of November 15, 2023

Board member Cavanaugh requested to remove Item V. 2, Request to Adopt Juneteenth as a Paid Agency Holiday, from the Consent Calendar for further discussion. There were no public comments for the Consent Calendar. Board member Cavanaugh moved for approval of the Draft Joint WMA, EC, and PC&RB Minutes of November 15, 2023, and Board member Hernandez seconded.

The Clerk called the roll: WMA Vote: 16-0 and EC Vote: 15-0.

(Ayes: Balch, Carling, Cavanaugh, Goldstein, Hannon, Hernandez, Jensen, Kalb, Mourra, Sadoff, Simon, Wang, Wengraf, Young. Nays: None. Abstained: None. Absent: Hansen-Romero, Haubert, Shao)

VI. REGULAR CALENDAR

1. Request to Adopt Juneteenth as a Paid Agency Holiday

That the WMA Board approve adding Juneteenth as a paid Agency holiday.

An audio link to the discussion is available here: [Juneteenth-Holiday-Discussion](#). Board members discussed adopting Juneteenth as a paid Agency holiday and also directed staff to schedule a future discussion regarding the Agency's staff paid leave policy.

There were no public comments on this item. Board member Balch moved approval of the staff recommendation, and Board member Young seconded. The motion carried 19-0. The Clerk called the roll:

(Ayes: Balch, Carling, Cavanaugh, Goldstein, Hannon, Hansen-Romero, Haubert, Hernandez, Jensen, Kalb, Mourra, Sadoff, Simon, Wang, Wengraf, Young. Nays: None. Abstained: None. Absent: Shao)

2. Efforts to make changes to SB 1383 procurement requirements (Kelly Schoonmaker & Jennifer West)

Direct staff to continue to work with state and local stakeholders to pursue possible changes to the SB 1383 procurement requirements, including Agency sponsorship of legislation designed to increase local government flexibility in meeting the requirements, reduce local government costs, and continue advancing the methane-reduction goals in SB 1383.

Timothy Burroughs introduced the item. Kelly Schoonmaker and Jennifer West provided an overview of the staff report and presented a PowerPoint presentation. A link to the report and the presentation is available here: [Leg-Procurement-Memo.pdf](#). Jason Schmelzer, Agency Lobbyist, was present to answer questions. Ms. Schoonmaker and Ms. West provided the Board with an update on this legislative work and requested Board approval to continue to pursue possible changes to the SB 1383 procurement requirements, including through Agency sponsorship of legislation designed to increase local government flexibility in meeting the requirements, reduce local government costs, and continue advancing the methane-reduction goals in SB 1383. The Board was provided additional time for discussion and for clarifying questions. An audio link to the discussion is available here: [Leg-Procurement-Discussion](#).

There were no public comments for this item. President Carling thanked staff for their hard work and efforts and added the jurisdictions would appreciate any possible improvements to SB 1383 procurement requirements. Board member Haubert moved approval of the staff recommendation, and Board member Wang seconded. The motion carried 19-0. The Clerk called the roll:

(Ayes: Balch, Carling, Cavanaugh, Goldstein, Hannon, Hansen-Romero, Haubert, Hernandez, Jensen, Kalb, Mourra, Sadoff, Simon, Wang, Wengraf, Young. Nays: None. Abstained: None. Absent: Shao)

3. 2024 Meeting Schedule (Timothy Burroughs)

That the Waste Management Authority Board (WMA) and the Energy Council (EC) approve the 2024 meeting schedule.

Timothy Burroughs provided a brief overview of the staff report. A link to the report is available here: [2024-Meeting-Schedule-memo.pdf](#). There were no public comments on this item.

Board member Sadoff moved approval of the 2024 Meeting Schedule. Board member Jensen seconded, and the motion carried 19-0. The Clerk called the roll:

(Ayes: Balch, Carling, Cavanaugh, Goldstein, Hannon, Hansen-Romero, Haubert, Hernandez Jensen, Kalb, Mourra, Sadoff, Simon, Wang, Wengraf, Young. Nays: None. Abstained: None. Absent: Shao)

4. Interim appointment(s) to the Recycling Board for WMA appointee unable to attend future Board Meeting(s) (Arliss Dunn) (WMA only)

(Planning Committee & Recycling Board, Thursday, January 11, 2024 at 4:00 p.m. The meeting will be held at StopWaste, 1537 Webster Street, Oakland, CA)

There was no action required for this item.

Energy Council President Haubert chaired the item.

5. Electricity Rates and StopWaste Role in Energy Supply Issues (Heather Larson & Karen Kho)

That the Energy Council discuss the role of StopWaste in energy supply advocacy and provide direction to staff.

Timothy Burroughs introduced the item. Heather Larson provided an overview of the staff report and presented a PowerPoint presentation. A link to the staff report and the presentation is available here: [Electrical-Rates-Presentation.pdf](#). Ms. Larson summarized the challenges associated with current rate structures, described the regulatory landscape governing electricity supply and delivery, and discussed StopWaste's current activities and potential role in advancing a distributed energy resources (DER) grid of the future. Additional time was provided to the Board for discussion and for clarifying questions. An audio link to the discussion is available here: [Electrical-Rates-Discussion](#).

Arthur Boone provided public comments. The Board provided direction to staff to leverage existing Agency resources and partnerships with other agencies to identify opportunities to engage in efforts that address the high cost of electricity and other electricity supply challenges that affect communities' ability to advance electrification. President Haubert thanked staff for a very informative presentation.

VII. MEMBER COMMENTS AND COMMUNICATIONS FROM THE EXECUTIVE DIRECTOR

Board member Young announced the passing of former City of Fremont Mayor Gus Morrison. Board members Young and Sadoff asked that the meeting adjourn in his memory.

Mr. Burroughs announced that the monthly topic brief highlights edible food recovery at food generating businesses. A link to the topic brief is available [here](#).

VIII. ADJOURNMENT – TO WMA & EC MEETING – JANUARY 24, 2024 at 3:00 P.M.

The meeting was adjourned in memory of former City of Fremont Mayor, Gus Morrison, at 4:25 p.m.

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DATE: January 24, 2024

TO: Waste Management Authority Board/Energy Council

FROM: Pat Cabrera, Administrative Services Director
Jennifer Luong, Financial Services Manager

SUBJECT: Annual Audit for Fiscal Year 2022-23

SUMMARY

On January 11, 2024, the Programs and Administration Committee and the Planning Committee/Recycling Board heard a presentation of the Fiscal Year 2022-23 Annual Comprehensive Financial Report (normally referred to as the annual audit), which now comes to the Waste Management Authority Board and Energy Council for acceptance and filing.

DISCUSSION

The Agency received an unmodified (clean) audit opinion for FY 2022-23 from the external auditors, Badawi & Associates. There were no audit exceptions or material deficiency findings. Additionally, there were no recommendations for improvements in internal controls. The Agency continues to be in a solid financial position. The report submitted to the P&A and the Planning Committee/Recycling Board can be found at: [FY22-23-Audit-Report](#)

Committee Action

By a vote of 10-0, the P&A Committee reviewed and recommended forwarding the Fiscal Year 2022-23 Annual Comprehensive Financial Report to the Waste Management Authority Board for review, acceptance and filing. By a vote of 11-0, the Planning Committee/Recycling Board reviewed and accepted for filing this audit report.

RECOMMENDATION

That the WMA Board and Energy Council review, accept and file the Fiscal Year 2022-23 Annual Comprehensive Financial Report.

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DATE: January 24, 2024

TO: Waste Management Authority and Energy Council

FROM: Jennifer West, Program Manager

SUBJECT: 2024 Legislative Session Priority Setting

SUMMARY

At the January 24 WMA meeting, staff will provide an overview of the 2023 legislative session and ask Board members to confirm the Agency's legislative priorities for 2024. Staff will also provide an update on the legislation the Agency is pursuing in 2024 that would make changes to the SB 1383 procurement requirements. The new legislative session began on January 3, 2024.

At the end of the 2023 legislative session, several bills were signed into law that were consistent with the Board's adopted legislative priorities. The 2024 legislative session will be the second year of a two-year session, and many of the bills the Board took a position on are being continued through next year. They are described below. The biggest success of 2023 in terms of the bills the Agency supported was the signing of the Right to Repair Act, requiring tools and documentation allowing the repair of small electronics by third parties, which will help devices last longer, and will keep many out of the landfill.

DISCUSSION

StopWaste's Board adopted five priorities for the 2023 Legislative Session:

1. Common sense adjustments to SB 1383 requirements
2. Decarbonization/electrification in the built environment to reduce reliance on carbon-intensive energy and materials in our communities
3. Circular economy solutions and plastic pollution prevention
4. Clear product information for consumers
5. Building healthy food systems

For 2024, staff recommends the Board adopt similar priorities to 2023 (above) to create a diverse range of categories under which we track bills and take a position. Some examples of specific bills that fall into these categories include:

1. SB 1383 requirements: The Agency is sponsoring a bill designed to adjust the procurement requirement for jurisdictions for compost/mulch (recycled organic waste products). The intention is to increase local government flexibility in meeting the requirements, reduce local government costs, and continue advancing the methane-reduction goals in SB 1383.

2. Decarbonization: Policy that supports low-carbon concrete and cement in procurement practices and in construction falls in this category. In December, staff shared [a board memo](#) and the Board recommended that staff work to examine how electricity rates impact electrification and what role the Energy Council can play in 2024 in this area. That effort has been incorporated into the proposed priorities for 2024.
3. Circular economy solutions: Extended Producer Responsibility (EPR) may have a big year in 2024. Several bills relating to EPR became two-year bills (carpet, textiles, EV batteries, and solar panels) and we are watching to see how far they get in 2024. We will continue to prioritize and support effective legislation that advances a reusables infrastructure and eliminates reliance on single-use foodware and bags, for example.
4. Clear product information for consumers: SB 660 (Irwin) is a two-year bill that would help with “best by” date confusion on food labels and prevent edible food from being thrown out unnecessarily.
5. Building healthy food systems: We are tracking possible bond measures that fund healthy food systems including building sustainable agriculture and food access. Given our goal to help address food insecurity, we will continue to evaluate opportunities to increase funding support for food recovery organizations.

At StopWaste we advance our legislative priorities by working with other partner agencies to find common ground and building coalitions to engage with state agencies and legislators, as we have a stronger voice together. We contract with a lobbyist team in Sacramento (Shaw Yoder Antwih Schmelzer and Lange) who works with bill authors, represents StopWaste at committee hearings, helps with letters of support, and engages directly with state agencies and coalition partners. StopWaste staff consult with the Board, the Technical Advisory Group (TAG) and Committee (TAC), other member agency staff and our staff, and update partners on our legislative positions periodically.

On January 10, Governor Newsom released the 2024-25 state budget, where he projected the state deficit to be \$37.9 billion (a significant difference from the \$68 billion projected by the Legislative Analyst’s Office last month). The Governor attributes the budget deficit to a substantial decline in the stock market which drove down revenues and unprecedented delays in income tax collections, which make up a significant share of the “Big Three” General Fund Revenue sources (personal income, sales, and corporation taxes). The Governor proposes to withdraw \$13 million from the state’s reserve accounts. He’s also proposing \$8.5 billion in cuts, including \$3 billion from climate programs, \$1.2 billion in housing programs, \$760 million from currently vacant state jobs, and about a half billion each in funding for school facilities and student housing. His plan would also delay some previously proposed spending, including \$1 billion for transit and intercity rail, roughly half a billion dollars in early education facilities, and \$400 million in clean energy spending.

The Governor’s budget proposal kicks off the start of budget negotiations with the Legislature. The Governor will update his January proposal in May, and the Legislature must pass a budget by June 15, ahead of the July 1 start of the next fiscal year. Negotiations about which bonds to place on the ballot in Fall 2024 will be key this year to help with limited funding.

NEXT STEPS / KEY DATES

The legislature returned to Sacramento in January. Agency staff and our lobbying team continue to engage in discussions about two-year bills and proposals for the coming year. An outline of key dates in the 2024 legislative calendar is below:

- **January 3:** Legislature returns to complete second year of the 2023-2024 session
- **January 10:** Governor submits proposed state budget to the legislature
- **January 31:** All two-year bills must pass out of the house of origin
- **February 16:** Last day for new bills to be introduced
- **May 24:** Last day for each house to pass bills introduced in their house
- **July 3:** Last day for policy committees to meet and pass bills
- **July 5 - Aug 5:** Summer recess
- **August 31:** Last day for each house to pass bills
- **September 30:** Last day for the Governor to sign/veto bills

RECOMMENDATION

Staff recommend that the Board adopts priorities for the 2024 Legislative Session.

1. Common sense adjustments to SB 1383 requirements
2. Decarbonization/electrification in the built environment to reduce reliance on carbon-intensive energy and materials in our communities, including pursuing supply-side policies that would support electrification
3. Circular economy solutions and plastic pollution prevention
4. Clear product information for consumers
5. Building healthy food systems

Staff recommends that the Board change its position on two bills: SB 552 (No Position) and SB 560 (Support).

BILLS WITH STOPWASTE POSITIONS

StopWaste took positions on 30 bills in 2023, and a brief description and status of each is below along with its supporters and opponents. There will be newly introduced bills this session for the Board to review for positions, typically in March and again in May. Of the 30 bills the board considered in 2023, six became law, 13 are now two-year bills and three were vetoed after passing the legislature. The remaining eight did not make it through the session. One bill SB 552 requires board action to change our position at the January meeting.

Plastic Pollution Prevention, Circular Economy Solutions and Upstream Waste Prevention, including Extended Producer Responsibility

[AB 2 \(Ward\) Solar Photovoltaic Module Recycling](#)

This bill implements a multi-pronged strategy for establishing a solar panel collection and recycling program. As currently drafted, the bill would create separate programs for panels that are consumer-owned and panels that are not consumer-owned. Panels that are owned by consumers of all varieties would be managed by California's Covered Electronic Waste

Recycling Program. Panels that are not consumer-owned would be managed by their owners. These panels typically fall into two categories: 1) panels that are owned by manufacturers and leased to a consumer, business, public agency, or utility, and 2) panels that are owned by a utility or related entity. Owners of these panels would be required to develop a plan, somewhat like that typical of an EPR program, that would outline how they would meet their obligation to properly manage and recycle their panels. The bill is still in development and the panel manufacturers and owners have substantial political leverage over the direction of the bill.

The bill is currently in the Senate Appropriations Committee where it was made a **two-year bill**. It will be eligible for consideration in 2024.

Agency Position: Watch

Support: California Product Stewardship Council (sponsor), Californians Against Waste, California Solar & Storage Association.

Opposition: None

Cost to local governments: None

AB 1238 (Ward) Hazardous waste: solar panels

This bill requires the Department of Toxic Substances Control (DTSC) to develop alternative management standards (AMS) for the management of photovoltaic (PV) modules. The bill specifies that the AMS should 1) Promote the safe collection, reuse, and recycling of PV modules; 2) Ensure that the AMS do not pose a significant potential hazard to human health and safety or the environment; 3) Provide flexibility and administrative convenience for persons collecting and recycling PV modules; 4) Seek to streamline the process for persons collecting and recycling PV modules; 5) Allow for the safe landfilling of PV modules, if there are no recycling or reuse option; 6) Allow a person, when following the AMS, to collect, reuse, or recycle PV modules without a hazardous waste permit. This bill is connected to AB 2 by the same bill author.

AB 1238 is currently in the Senate Environmental Quality Committee and is a **two-year bill**. It is eligible for consideration again in 2024.

Agency position: Support

Support: California Product Stewardship Council, Californians Against Waste, RethinkWaste

Opposition: None

Cost to local governments: None

AB 863 (Aguilar-Curry) Carpet Extended Producer Responsibility

This bill would increase accountability in California's existing carpet EPR program. Specifically, it would increase penalties for non-compliance on the low end from \$5,000 to \$10,000, and on the high end from \$10,000 to \$50,000. The bill will also make a stewardship organization ineligible to serve as an agent on behalf of manufacturers if they violate California's carpet stewardship law three times. The sponsor of this bill is working with the author and stakeholders on a proposal that would expand the scope of this bill to include a

more substantial restructuring of the existing law governing California's carpet EPR program.

The bill is currently in the Senate Appropriations Committee where it was voluntarily made a **two-year bill** by the author. The bill is being negotiated by stakeholders at this time and will be eligible for consideration again in 2024.

Agency position: Support

Support: National Stewardship Action Council (sponsor), California Product Stewardship Council, RethinkWaste, Californians Against Waste

Opposition: The Carpet and Rug Institute

Cost to local governments: None

AB 1290 (Rivas, L.) Product safety: plastic packaging

This bill would, beginning Jan. 1, 2026, prohibit the manufacture or sale of PET bottles, rigid plastic packaging containers containing PVCD, and plastic packaging that contains a variety of problematic substances. The bill would authorize a city, county, or the state to impose civil liability in the amount of \$500 for the first violation, \$1,000 for the second violation, and \$2,000 for any subsequent violations.

This bill is currently on the Assembly inactive file and as a **two-year bill**, could be eligible for consideration again in 2024. However, the bill would need to pass off the Assembly Floor by 1/31/2024 if it is to stay alive.

Agency position: Support

Supporters: California Product Stewardship Council, Californians Against Waste, CALPIRG, NRDC, Heal the Bay, National Stewardship Action Council.

Opposition: American Chemistry Council, California Chamber of Commerce, Dart Container Corporation

Cost to local governments: None

AB 1347 (Ting) Solid waste: paper waste: proofs of purchase.

This bill bans the use of the chemicals bisphenol A (BPA) and bisphenol S (BPS) in printed receipts. In addition, it prohibits businesses from printing any information on a receipt, other than information strictly related to the transaction. In addition, it requires businesses to offer all customers a choice between an email, text, or paper receipt, or no receipt at all.

AB 1347 was held in the Senate Appropriations Committee and is **dead**. There is a chance it will be reintroduced in 2024.

Agency position: Support

Support: Californians Against Waste, California Product Stewardship Council, RethinkWaste

Opposition: California Chamber of Commerce, California Retailers Association, Costco Wholesale, California Restaurant Association

Cost to local governments: None

[AB 1659 \(Gabriel\) Sale of small electronic devices: charging devices.](#)

This bill creates a single charging hardware standard for small electronic devices, such as cell phones. The bill requires small electronic devices, such as smartphones, tablets, and laptops, manufactured after 2025 to be universally chargeable with a USB Type-C cable.

AB 1659 is currently in the Senate Appropriations Committee where it was held as a **two-year bill** and will be eligible for consideration again in 2024.

Agency position: Support

Support: California Product Stewardship Council, Californians Against Waste, Climate Equity Policy Center, Natural Resources Defense Council

Opposition: Consumer Technology Association

Cost to local governments: None

[SB 271 \(Dodd\) Powered wheelchairs: repair](#)

This bill requires an original manufacturer of a powered wheelchair to provide a wheelchair owner or independent repair provider with the necessary parts and equipment used to inspect, diagnose, maintain, and repair the wheelchair. The bill also prohibits the Department of Health Care Services from requiring prior authorization for the repair of a powered wheelchair under Medi-Cal or a treatment authorization request.

This bill was passed by the legislature and sent to Governor Newsom. Unfortunately, the governor **vetoed** the bill because of related fraud issues in the Medi-Cal program.

Agency position: Support

Support: Californians Against Waste, Consumer Reports, iFixit, California Foundation for Independent Living Centers

Opposition: California Association of Medical Product Suppliers, National Coalition for Assistive & Rehab Technology

Cost to local governments: None

[SB 244 \(Eggman\) Right to Repair Act](#)

Requires manufacturers of consumer electronics to provide replacement parts, diagnostic information, and service literature to consumers and third-party repair businesses. These requirements would apply for three years after the date a product model or type was manufactured for products that have a wholesale price of \$50 to \$99.99 and seven years for products of \$100 or more, regardless of whether the specified time exceeds the warranty period for the product.

This bill was passed by the legislature and **signed** by Governor Newsom.

Agency position: Support

Support: Californians Against Waste, CalPIRG, iFixit, Natural Resources Defense Council
Opposition: California Chamber of Commerce, California Manufacturers and Technology Association, Internet Coalition, TechNet

Cost to local governments: None

SB 353 (Dodd) Beverage containers: recycling.

This bill would expand the Beverage Container Recycling Program (BCRP) to include all sizes of containers of 100% juice. It would also authorize CalRecycle to adjust certain recycling payments based on either the applicable preceding 12-month or 3-month average scrap value, whichever is lower.

This bill was passed by the legislature and **signed** by Governor Newsom.

Agency position: Support

Support: Californians Against Waste, Berkeley Recycling/Community Conservation Centers INC, Republic Services

Opposition: None listed

Cost to local governments: None

SB 552 (Newman) No longer addresses Solid waste: single-use foodware and single-use food packaging.

This bill was completely changed to address public safety for pools and spas, and so we would like to remove our WATCH position on it.

Agency position: Recommend changing to No Position

Remove from our list

SB 560 (Laird) Solid Waste: Gas Cylinders: stewardship program

This bill would establish an extended producer responsibility (EPR) program for various types of compressed gas cylinders. The bill will require manufacturers to develop, fund, and implement a program to collect and properly recycle these cylinders. The bill will be amended with language from CalRecycle to better describe the EPR program, to be consistent with other EPR efforts as well.

SB 560 was held in the Senate Appropriations Committee and is **dead**. There is a chance it will be reintroduced in 2024.

Agency position: Support if Amended

Support: California Product Stewardship Council (sponsor), Californians Against Waste

Opposition: Worthington (gas cylinder company)

Cost to local governments: None

SB 615 (Allen) Vehicle traction batteries

This bill would require vehicle traction batteries (for EVs) to be recovered and reused, repurposed, or remanufactured and recycled at the end of their useful life in an EPR program. This bill would also require vehicle manufacturers, dealers, dismantlers, repair dealers, or other secondary users to be responsible for ensuring responsible end-of-life management of vehicle traction batteries. This bill continues to be negotiated by stakeholders that include recyclers, manufacturers, local governments, and environmental

organizations. Discussions are being guided by a report that was issued on the subject by a legislatively mandated working group at CalEPA.

SB 615 is a **two-year bill** and is currently in the Assembly Environmental Safety and Toxic Materials Committee. This bill will be eligible for consideration again in 2024.

Agency position: Support if amended for more robust end-of-life management

Support: California Product Stewardship Council, Union of Concerned Scientists, Californians Against Waste, National Stewardship Action Council

Opposition: None at this time but some manufacturers may oppose as details get finalized

Cost to local governments: None

SB 665 (Allen) Plastic waste: single use plastics alternatives: working group

This bill required the California Environmental Protection Agency to establish a working group to establish a policy framework for evaluating novel materials that are alternatives to plastics for single-use products. The working group would be tasked with developing a set of recommendations, including standards for certifying novel materials.

SB 665 was passed by the legislature but **vetoed** by Governor Newsom. In his veto message the governor pointed to implementation of SB 54 as an alternative to this bill.

Agency position: Support

Support: National Stewardship Action Council, Republic Services, California State Association of Counties, League of California Cities, Rural County Representatives of California, RethinkWaste

Opposition: None

Cost to local governments: None

SB 676 (Allen) Local ordinances and regulations: drought-tolerant landscaping

Specifies that cities or counties may not prohibit the installation of drought-tolerant landscaping using living plant material on residential property, and repeals existing provisions regarding the ability of cities or counties to prohibit or restrict the installation of synthetic grass or artificial turf on residential property.

This bill was passed by the legislature and **signed** by Governor Newsom.

Agency position: Support

Support: California Produce Stewardship Council, National Stewardship Action Council, NRDC, San Francisco Baykeeper, Environmental Working Group

Opposition: None

Cost to local governments: None

SB 707 (Newman) Textile Recovery Act of 2023

This bill establishes an extended producer responsibility program for apparel and a limited scope of household textile articles such as bedding, curtains, and towels. Under the bill producers will be required to design, fund, and implement a takeback and recycling program that also contains strong repair and reuse elements. The bill also requires internalized funding that includes modulation of fees based on recyclability of products. Stakeholders are working to achieve consensus to the maximum extent possible, and there are likely to be significant amendments in 2024.

SB 707 is currently a **two-year bill** because the author and sponsor held the bill to allow for additional collaboration. The bill is currently in the Assembly Natural Resources Committee and will be eligible for consideration again in 2024.

Agency position: Support

Support: California Produce Stewardship Council (sponsor), Rethink Waste, Rural County Representatives of California, National Stewardship Action Council, Zero Waste Sonoma
Opposition: California Chamber of Commerce, California Retailers Association, American Apparel and Footwear Association, California Manufacturers & Technology Association
Cost to local governments: None

Brown Act

[AB 557 \(Hart\) Open meetings: local agencies: teleconferences](#)

This bill eliminates the sunset date on provisions of law allowing local agencies to use teleconferencing without complying with specified Ralph. M Brown Act (Brown Act) requirements during a proclaimed state of emergency.

This bill was passed by the legislature and **signed** by Governor Newsom.

Agency position: Support

Support: California Special Districts Association, League of California Cities, California State Association of Counties, California School Boards Association
Opposition: None listed
Cost to local governments: None

Decarbonization and Electrification, Low-Carbon Buildings

[AB 43 \(Holden\) GHG emissions: building materials: embodied carbon trading system](#)

This bill authorizes the Air Resources Board (ARB) to create an Embodied Carbon Trading System (Trading System) to implement provisions of AB 2446 (Holden), Chapter 352, Statutes of 2022, and makes various revisions to the framework for measuring and reducing the carbon intensity of building materials used in the construction of new buildings created by AB 2446.

This bill was passed by the legislature and **signed** by Governor Newsom.

Agency position: Support

Support: US Green Building Council, Sierra Club

Opposition: American Council of Engineering Companies of California, California Cement Manufacturers Environmental Coalition

Cost to local governments: None

AB 57 (Kalra) California Pocket Forest Initiative

This bill would establish the California Pocket Forest Initiative in CalFire until January 1, 2031. Specifically, the bill would authorize CalFire to offer grants to cities, counties, districts, nonprofit organizations, the California Conservation Corps or certified community corps, public universities, public community colleges, and public schools to establish pocket forests on public lands to test and demonstrate the applicability and effectiveness of the Miyawaki method in California.

The legislature passed AB 57, but Governor Newsom **vetoed** the measure because of concerns about the state's fiscal condition.

Agency position: Support

Support: Sierra Club California, California Urban Forests Council, Climate Action California.

Opposition: None

Cost to local governments: None

AB 529 (Gabriel) Adaptive Reuse Projects

Requires the Department of Housing and Community Development (HCD) to convene a working group regarding adaptive reuse residential projects, including identifying and recommending amendments to state building standards and makes other changes to state law related to adaptive reuse projects.

This bill was passed by the legislature and **signed** by Governor Newsom.

Agency position: Support

Support: California YIMBY, California Apartment Association, Nonprofit Housing Association of Northern California (sponsor)

Opposition: None

Cost to local governments: None

AB 593 (Haney) Carbon emission reduction strategy: building sector

This bill requires the California Energy Commission to identify an emission reduction strategy for the building sector to support the achievement of the state's 2045 greenhouse gas (GHG) emission reduction goals.

The Department of Finance tagged this bill with a \$5.8 million one-time cost in 2023-2024, but also noted ongoing costs to the PUC of approximately \$800,000. The bill was held in the Senate Appropriations Committee as a **two-year bill**, likely because of the cost.

Agency position: Support

Support: Building Decarbonization Coalition, Climate Action California, SPUR
Opposition: California Association of Realtors
Cost to local governments: None

SB 511 (Blakespear) Greenhouse gas emissions inventories

This bill requires ARB, before January 1, 2028, to develop, and publish on its internet website, a report on GHG emissions inventories for the calendar year 2025 for each city, county, or city and county that requests inclusion in the report. The bill requires the report to include electricity and natural gas usage data disaggregated by the residential, commercial, industrial, and agricultural sectors for each emissions inventory.

This bill was held in Assembly Appropriations Committee and is **dead for the remainder of the two-year legislative session.**

Agency position: Support

Support: California State Association of Counties, City of Alameda, City of Berkeley, City of Dublin, City of Fremont, City of Hayward, City of Oakland, League of California Cities
Opposition: None
Cost to local governments: None

SB 527 (Min) Neighborhood Decarbonization Program

This bill would, until January 1, 2030, require the California Public Utilities Commission, in consultation with gas corporations, to develop and supervise the administration of the Neighborhood Decarbonization Program to cease providing gas utility service in an area within its service territory if the CPUC determines that adequate substitute energy service is reasonably available to support the energy end use of affected gas customers.

SB 527 was held in Senate Appropriations Committee and is **dead for the remainder of the two-year legislative session.**

Agency position: Support

Support: City of Berkeley Office of Energy and Sustainable Development, Climate Action Campaign, SPUR, Efficiency First CA, Emerald Cities Bay Area, NRDC, Rising Sun, Sierra Club
Opposition: Rural County Representatives of California
Cost to local governments: According to the opposition, “this may shift costs from gas utilities to customers, and do not believe it is sufficient that this bill requires the CPUC to ensure that rates for substitution of service for low-income customers are just, adequate, and reasonable.”

SB 682 (Skinner) Low-carbon cement and low-carbon concrete.

This bill would make it the policy of the state to purchase or specify at least 10 percent of cement and concrete meet or exceeds a specified benchmark for low-carbon cement by 2030 and to exclude from that 10 percent the purchase of all fossil-based supplementary cementitious materials by 2035. The bill would allow, for purposes of meeting the state policy described above, the volume of low-carbon cement or low-carbon concrete products agreed to be supplied under a model advance procurement agreement, but that was not

actually supplied, to be counted for up to 5 years or until the state agency is able to obtain the missing materials, as specified.

This bill passed through both policy committees but was held in the Senate Appropriations Committee and is **dead for the remainder of the two-year legislative session**.

Agency position: Support

Support: Decarbonized Cement & Concrete Working Group, Institute for Carbon Management

Opposition: None

Cost to local governments: None

Organics/Composting

[AB 660 \(Irwin\) Food and beverage products: labeling and sell by dates](#)

This bill would require on and after January 1, 2025, a food manufacturer, processor, or retailer responsible for the labeling of food items for human consumption to use “Best if Used by” to indicate quality, and “Use by” to indicate safety of a product, and prohibits the use of “Sell by” in order to prevent food that is still good from being unnecessarily thrown away.

AB 660 is currently a **two-year bill** and is in the Senate Agriculture Committee. The bill will be eligible for consideration again in 2024.

Agency position: Support

Support: Californians Against Waste (Co-sponsor), California Product Stewardship Council, National Stewardship Action Council, RethinkWaste, NRDC (Co-sponsor)

Opposition: California Farm Bureau Federation, Association of California Egg Farmers, California Grocers Association, Pacific Egg and Poultry Association

Cost to local governments: None

[AB 1567 \(Garcia\) Safe Drinking Water, Wildfire Prevention, Drought Preparation, Flood Protection, Extreme Heat Mitigation, and Workforce Development Bond Act of 2024](#)

This bill enacts the Safe Drinking Water, Wildfire Prevention, Drought Preparation, Flood Protection, Extreme Heat Mitigation, and Workforce Development Bond Act of 2024. Specifically, this bill, upon approval by the voters in the March 5, 2024, statewide primary election, enacts the bond to authorize the issuance of \$15 billion in general obligation (GO) bonds to finance projects including: (1) \$1.6 billion for the protection of California’s wildlife, biodiversity, and fisheries from climate risks. (2) \$820 million for protecting farms, ranches, and working lands from the impacts of climate change. (3) \$1.8 billion for regional climate resilience projects that address multiple risks.

This bond measure did not pass in 2023 and will be eligible for consideration again in 2024. The bill is currently in the Senate Natural Resources Committee as a **two-year bill**.

Agency position: Support if amended to include \$200 million towards organic waste infrastructure

Support: The Nature Conservancy, California Urban Forests Council, Placer Land Trust

Opposition: None

Cost to local governments: None

Building a Healthy Food System

AB 406 (Connolly) Agriculture: Healthy Soils Program: Organic Production

This bill expands the Healthy Soils Program (HSP) to include the funding of organic farming projects and provide grant to incentivize organic production, including transition to organic projects as specified. Specifically, this bill allows CDFA to expand demonstration projects and provide grants to incentivize organic production.

AB 406 is a **two-year bill** because it was held in the Assembly Appropriations Committee. It will be eligible for consideration again in 2024 but will need to pass out of the Assembly by January 31.

Agency position: Support

Support: California Certified Organic Farmers, Center for Food Safety

Opposition: None

Cost to local governments: No

AB 408 (Wilson) Climate-resilient Farms, Sustainable Healthy Food Access, and Farmworker Protection Bond Act of 2024

This bill enacts the \$3.65 billion Climate-Resilient Farms, Sustainable Healthy Food Access, and Farmworker Protection Bond Act of 2024. Specifically, this bill, upon approval by the voters in the November 5, 2024 statewide general election, enacts the bond to authorize the issuance of \$3.65 billion in general obligation (GO) bonds to finance projects in the following categories: (1) \$1.25 billion for improving agricultural resilience and advancing sustainable agriculture; (2) \$750 million for protecting the health and well-being of California's farmworkers; (3) \$750 million for sustainable healthy food access and nutrition security; (4) \$915 million for strengthening regional food economies.

AB 408 is a **two-year bill** and is currently in the Senate Appropriations Committee. It will be eligible for consideration again in 2024.

Agency position: Support

Support: California Compost Coalition, Californians Against Waste, Ecology Center

Opposition: None

Cost to local governments: No

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**February 2024
Meetings Schedule**

**Alameda County Waste Management Authority, the Energy Council, Source Reduction &
Recycling Board, and Programs and Administration Committee**

(Hybrid meetings are held at StopWaste Offices unless otherwise noted)

SUN	MON	TUES	WED	THURS	FRI	SAT
				1	2	3
4	5	6	7	8 <div> <p style="text-align: center;">9:00 A.M. Programs & Administration Committee Key Items:</p> <ol style="list-style-type: none"> 1. Launch of new grant cycle 2. Agency holidays <hr/> <p style="text-align: center;">6:00 P.M. Planning Committee & Recycling Board Castro Valley Sanitary District Key Items:</p> <ol style="list-style-type: none"> 1. Launch of new grant cycle </div>	9	10
11	12	13	14	15	16	17
18	19 AGENCY HOLIDAY	20	21	22	23	24
25	26	27	28 <div> <p style="text-align: center;">3:00 P.M. Waste Management Authority & Energy Council Key Items:</p> <ol style="list-style-type: none"> 1. RBO Update 2. SB 54 Update </div>	29		

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Energy Council
TECHNICAL ADVISORY GROUP (TAG)

Tuesday, January 16, 2024 – 1:00 pm to 3:00 pm on Zoom

Attendance (all via phone):

County of Alameda: Emily Sadigh, Ali Abbors
City of Alameda: Danielle Mieler
City of Albany: Michelle Plouse, Sutton Payne (Fellow)
City of Berkeley: Katie Van Dyke, Sarah Moore, Marna Schwartz, Annika Lackner (Fellow)
City of Dublin: Shannan Young, Michelle Sung, Kate Battaglia (Fellow)
City of Emeryville: Nancy Humphrey, Matt Anderson, Talia Paulson (Fellow)
City of Fremont: Rachel DiFranco, Kranti Kapur
City of Hayward: Erik Peason, Makenna Colucci (Fellow), Elise Pierce (Fellow)
City of Oakland: Shayna Hirshfield-Gold
City of Piedmont: Deniz Ergun, Alyssa Romea (Fellow)
City of Pleasanton: ZeeLaura Page
City of San Leandro: Hoi-Fei Mok
Guests: Jillian Du, BayREN
StopWaste: Jennifer West, Chris Hunter, Emily Alvarez, Maria Hart, Miya Kitahara

Welcome and Intros

Reflected on and celebrated Rachel DiFranco's ten years of work with the City of Fremont before she begins her new position at the City of Palo Alto.

Ask TAG

- City of Berkeley provided an update on their natural gas ban after an updated ruling from the Ninth Circuit Court of Appeals.
- CCEC Forum 2024 is June in Palm Springs. Who plans to submit proposals or attend?
- Berkeley asked for advice on the EECBG application for equipment vouchers.
- Emeryville is looking for information about expected operating costs of HP HVAC in municipal buildings, in comparison to gas costs.

San Leandro Resilience Hubs Update – Hoi-Fei Mok, City of San Leandro

- Resilience hubs are an opportunity to look at place-based interventions focused on the local community vs. global impacts of climate change. Hubs are also an opportunity to center racial equity and lift up frontline communities.
- Four pillars: community care and belonging, disaster preparedness, climate solutions, and equity which resonate with different audiences
- Resilience modes include everyday > disruption > recovery
 - If a city or organization builds everyday trust and relationships with the community, they are more likely to accept resources during a disruption such as a natural disaster
- Ideal services and programming examples are community composting, garden workdays, educational workshops, mutual aid, food distribution
 - Offerings need to reflect community needs
- San Leandro is working with community groups without a physical building and how they can help contribute to resilience as well. Some groups have a physical location.
- Core Components:
 - Strengthening the **building** itself, could include seismic upgrades or other repairs to make the building safe and healthy

- **Communication** within and outside the community for everyday and disruption times, with the potential for off-grid communications
- **Power**, including backup power
- **Operations** that ensure staff capacity to be able to effectively run an everyday community hub and also run during a disruption event/recovery and how can city support
- Benefits to San Leandro: more robust community network and communications; more places that can act as cooling/warming centers, food pantries, etc.; stronger partnerships with less duplication of work; builds community leadership capacity; and cross-departmental integration
- 4-year process working with communities, identified 10 sites, working on upgrades and getting resilience hubs up and running

BayREN Single Family Program Update and Feedback Session – Chris Hunter, StopWaste

- Introduced new BayREN Single Family Program Manager with ABAG/MTC: Jillian Du
- BayREN SF Residential program (currently known as Home+) has been undergoing a redesign process throughout the past year to better address equity and underserved audiences
 - There is a proposed draft program design that will undergo community and stakeholder outreach throughout the next few months. Chris Hunter presented on these changes and the process overall. Key components:
 - Participants must fall in one of three “underserved” categories: moderate income, limited English proficiency, or health/air pollution burden
 - A comprehensive energy concierge to provide a “one stop shop” including project scoping, pricing, connecting to contractor, paperwork, referrals to other programs, etc.
 - Direct install of energy efficiency measures with little to no out of pocket expenses for the homeowner (depending on income qualification)
 - Seeking feedback from TAG and also suggestions of who else we should gather feedback from
 - TAG breakout groups gathered feedback on program components
- Will bring more details of the proposed design to TAG in spring/summer 2024, and the program is set to launch at the end of 2024

Announcements

- [Topic Brief](#) linked on surplus food donation requirements of SB 1383