

Deborah Cox, **WMA President**
City of San Leandro, WMA, EC
Shelia Young, **WMA 1st Vice President**
Oro Loma Sanitary District, WMA
Dianne Martinez, **WMA 2nd Vice President**
City of Emeryville, WMA, EC
Melissa Hernandez, **EC President**
City of Dublin, WMA, EC
Dan Kalb, **EC 1st Vice President**
City of Oakland, WMA, EC
Jenny Kassar, **EC 2nd Vice President**
City of Fremont, WMA, EC
David Haubert, County of Alameda, WMA, EC
Trish Herrera Spencer, City of Alameda, WMA, EC
Preston Jordan, City of Albany, WMA, EC
Susan Wengraf, City of Berkeley, WMA, EC
Dave Sadoff, Castro Valley Sanitary District, WMA
Francisco Zermeño, City of Hayward, WMA, EC
Bob Carling, City of Livermore, WMA, EC
Michael Hannon, City of Newark, WMA, EC
Jennifer Cavanaugh, City of Piedmont, WMA, EC
Jack Balch, City of Pleasanton, WMA, EC
Jaime Patiño, City of Union City, WMA, EC

Wendy Sommer, Executive Director

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

Wednesday, March 24, 2021

3:00 P.M.

TELECONFERENCE MEETING

Teleconference/Public Participation Information to Mitigate the Spread of COVID-19

This meeting will be held entirely by teleconference. All Board members, staff, and the public will only participate via the Zoom platform using the process described below. The meeting is being conducted in compliance with the Governor's Executive Order N-29-20 suspending certain teleconference rules required by the Ralph M. Brown Act. The purpose of this order was to provide the safest environment for the public, elected officials, and staff while allowing for continued operation of the government and public participation during the COVID-19 pandemic.

Board members will receive a separate unique email invite. Staff and members of the public may attend and participate in the meeting by:

1. Calling US: +1 669 900 6833 or +1 253 215 8782 or +1 346 248 7799 or +1 929 205 6099 or +1 301 715 8592 or +1 312 626 6799 webinar 858 8310 6612
2. Using the [Zoom](#) website or App and entering meeting code 858 8310 6612

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, March 24, 2021. The public may also comment during the meeting by sending an e-mail to publiccomment@stopwaste.org prior to the close of public comment on the item being addressed. Each e-mail will be read into the record for up to three minutes.

In accordance with the Americans with Disabilities Act and the Governor's Executive Order, 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.

**REVISED
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.

Page V. CONSENT CALENDAR

1 1. Approval of the Draft WMA & EC Minutes of February 24, 2021 (Wendy Sommer)

VI. REGULAR CALENDAR

5 1. Legislative Positions for 2021 (Jeff Becerra)

Adopt positions on the bills and ballot initiative listed in the staff report.

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

(The April 8, 2021 Planning Committee and Recycling Board meeting will not be held in lieu of a joint meeting of the WMA Board, Energy Council, and Recycling Board on Wednesday, April 28, 2021 at 3:00 p.m.)

13 3. Bay Area Air Quality Management District Multifamily Electric Vehicle Pilot (Candis Mary-Dauphin & Ben Cooper) (EC only)

Adopt the attached Resolution authorizing the Executive Director to enter into a 2021 contract of \$70,000 for implementation of the BAAQMD contract and other related actions.

VII. MEMBER COMMENTS AND COMMUNICATIONS FROM THE EXECUTIVE DIRECTOR

VIII. CLOSED SESSION (WMA only)

1. CONFERENCE WITH LEGAL COUNSEL—ANTICIPATED LITIGATION

Initiation of litigation pursuant to Section 54956.9(d)(4): (1 potential case)

2. Pursuant to Government Code Section 54957.6

CONFERENCE WITH LABOR NEGOTIATORS

Agency Designated Representatives: Board Members Cox, Young, and Martinez

Unrepresented Employee: Executive Director

IX. ADJOURNMENT

DRAFT

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

Wednesday, February 24, 2021

3:00 P.M.

TELECONFERENCE MEETING

I. CALL TO ORDER

President Cox called the meeting to order at 3:00 p.m. Wendy Sommer 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
City of Alameda	Trish Herrera Spencer, WMA, EC
City of Albany	Preston Jordan, WMA, EC
City of Berkeley	Susan Wengraf, WMA, EC
Castro Valley Sanitary District	Dave Sadoff, WMA
City of Dublin	Melissa Hernandez, WMA, EC (President)
City of Fremont	Jenny Kassin, WMA, EC
City of Emeryville	Dianne Martinez, WMA, EC
City of Hayward	Francisco Zermeño, WMA, EC
City of Livermore	Bob Carling, WMA, EC
City of Newark	Mike Hannon, WMA, EC
City of Oakland	Dan Kalb, WMA, EC
Oro Loma Sanitary District	Shelia Young, WMA
City of Piedmont	Jen Cavanaugh, WMA, EC
City of Pleasanton	Jack Balch, WMA, EC
City of San Leandro	Deborah Cox, WMA (President), EC
City of Union City	Jaime Patiño, WMA, EC

Staff Participating:

Wendy Sommer, Executive Director
Timothy Burroughs, Deputy Director
Pat Cabrera, Administrative Services Director
Jeff Becerra, Communications Manager
Justin Lehrer, Operations Manager
Rachel Balsley, Program Manager
Cassie Bartholomew, Program Manager
Michelle Fay, Program Manager
Kelly Schoonmaker, Program Manager
Arliss Dunn, Clerk of the Board
Richard Taylor, WMA Legal Counsel

III. ANNOUNCEMENTS BY PRESIDENTS

There was none.

IV. OPEN PUBLIC DISCUSSION FROM THE FLOOR

There were no public comments on the remote call and no public comments were received via the public comments email portal.

V. CONSENT CALENDAR

1. Approval of the Draft WMA & EC Minutes of January 27, 2021 (Wendy Sommer)

There were no public comments for the Consent Calendar. Board member Zermeño made the motion to approve the Consent Calendar. Board member Sadoff seconded and the motion carried 20-0: The Clerk called the roll:

(Ayes: Balch, Carling, Cavanaugh, Cox, Hannon, Haubert, Hernandez, Jordan, Kalb, Kassan, Martinez, Patiño, Sadoff, Spencer, Wengraf, Young, Zermeño. Nays: None. Abstained: None. Absent: None.)

VI. REGULAR CALENDAR

1. SB 1383 Implementation – Proposed Roles for StopWaste and member agencies (Timothy Burroughs)

Provide direction to staff on proposed roles for SB 1383 implementation.

Timothy Burroughs provided an overview of the staff report and presented a PowerPoint presentation. A link to the report and the presentation is available here: [SB-1383-Update.pdf](#). Mr. Burroughs, along with agency staff, Rachel Balsley, Cassie Bartholomew, Kelly Schoonmaker, and Meghan Starkey outlined the roles that member agencies and other partners will play in the implementation of SB 1383 activities.

Board member Kalb inquired about clarification for the role that StopWaste will play with regard to organics collection services for commercial and multi-family properties in light of the differences with franchise agreements countywide. Mr. Burroughs replied that the Mandatory Recycling Ordinance (MRO) requires the provision of recycling and organic service at commercial businesses and multi-family buildings, and StopWaste monitors compliance to ensure that these services are being provided. StopWaste conducts inspections and reviews data to ensure compliance. Ms. Balsley stated for 1383, StopWaste will perform annual compliance reviews of hauler data to assess who has services and who doesn't. Ms. Balsley added in the first two years of implementation, the businesses that do not have the services would need to be notified of their non-compliance. Board member Kalb inquired with regard to procurement if there is a requirement to purchase biomass. Ms. Schoonmaker stated no. Board member Zermeño inquired about clarification regarding Tier 1 and Tier 2 of Food Recovery Program Enforcement. Mr. Burroughs stated that Tier 1 refers to entities that provide non-perishable food, such as a wholesaler or grocery store, and Tier 2 refers to perishable food distributed by a restaurant. Board member Zermeño inquired as to why there aren't penalties assessed for contamination when monitoring those entities. Mr. Burroughs stated that the decision was made at the state level to not assess penalties on that component but to focus on technical assistance, education and outreach. Ms. Balsley added the impetus to the change in the final regulations is the hope that there will be changes in the franchise agreements to include contamination fees assessed by the hauler. Board member Zermeño inquired if food banks are exempt from the regulations. Ms. Balsley stated that food recovery organizations will be required to maintain records of the food

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they receive from donors. Board member Zermeño inquired about costs associated with SB 1383. Mr. Burroughs stated that we are at the beginning of the budgeting process and will provide more information to the board during the budget presentation in April. However, the most significant costs for member agencies will be for the procurement of compost, mulch and other materials. Ms. Schoonmaker added the cost for compost countywide will be between \$6-10 million and for Hayward approximately \$600,000.

Board member Jordan inquired that if organics collection is provided at a multi-family residence building wouldn't the services be provided through the jurisdiction's franchise agreement thus informing the jurisdiction of the service. Ms. Balsley stated that the franchise agreements offer a range of services available to certain entities, however, it's usually up to the generator to subscribe to those services for multifamily properties and businesses. Board member Jordan stated with regard to procurement of biomass that he is aware of a company that is pursuing rebuilding a biomass generation facility and commented that it could present an opportunity to partner with EBCE (East Bay Community Energy). Ms. Schoonmaker stated that the procurement measures are not required to be in place by December 31 but we can continue having these conversations. Board member Jordan inquired about the regulation for standardization of bin colors, and inquired if the county is already meeting the requirement for recycled paper. Ms. Balsley stated that SB 1383 regulations do require the standardization of bin colors (green - organics, blue - recycling, and grey or black - garbage) for the body or lids of the bins (or both), but only as bins reach the end of their useful life or by January 1, 2036, whichever comes first. Ms. Schoonmaker stated with regard to the requirement for recycled paper that it is not only for office paper but all types of paper products and we are coordinating with the County General Services Agency as well as individual jurisdictions to address this issue. Board member Martinez inquired if staff is aware of any upcoming legislation that may address our needs or if we are planning to sign on to any such legislation. Mr. Becerra stated that staff will be coming to the Board in March with our full legislative agenda. Board member Wengraf commented that the legislation was crafted prior to COVID-19 and inquired if there have been any modifications to the legislation that would influence how we do food recovery. There have not been any modifications made by CalRecycle to the legislation that would influence how we do food recovery based on what's required in the law around surplus food donation. There has been acknowledgement from CalRecycle staff, that the Edible Food Recovery Capacity Planning results will likely be impacted by COVID-19 and may not fully represent the normal amount of surplus food generated and donated food recovered to feed people. This may require future planning and assessment to better understand the gaps and needs around edible food recovery (donation).

Board member Spencer commented that she appreciates the focus on education regarding contamination and she has heard that people are putting their garbage in bins that do not belong to them. Board member Jordan inquired if gleaning organizations are included in the legislation. Ms. Bartholomew stated that they are not. Board member Hannon informed Mr. Burroughs that he may receive additional emails or inquiries from Board members via email. There were no public comments on this item. President Cox thanked staff for a very thorough and informative presentation.

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

(Planning Committee and Recycling Board meeting, March 11, 2021, 4:00 p.m. Meeting will be held via teleconference).

There were no requests for an interim appointment.

VII. MEMBER COMMENTS AND COMMUNICATIONS FROM THE EXECUTIVE DIRECTOR

There was none.

The Board adjourned to closed session at 4:10 p.m.

VIII. CLOSED SESSION (WMA only)

1. PUBLIC EMPLOYMENT

(Pursuant to Government Code Section 54957)

Title: Executive Director

**2. CONFERENCE WITH LEGAL COUNSEL—
ANTICIPATED LITIGATION**

**Initiation of litigation pursuant to Section
54956.9(d)(4): (1 potential case)**

There were no reportable actions from the closed session item for Public Employment, and the closed session item on Initiation of Litigation was not considered and will be considered at a future meeting.

IX. ADJOURNMENT

The meeting was adjourned at 5:10 p.m.



DATE: March 24, 2021

TO: Waste Management Authority

FROM: Jeff Becerra, Communications Manager

SUBJECT: Legislative Positions for 2021

SUMMARY:

The 2021-2022 legislative session began in January and more than 2,300 bills met the February deadline for introduction. At the March 24 meeting, staff will review proposed bill positions for the WMA Board to consider for adoption.

DISCUSSION:

The WMA Board adopted as its legislative priority for 2021 joining efforts with other partners to introduce and support legislation seeking to modify SB 1383 implementation timelines as long as the relief is not prolonged or excessive in nature. We will continue to monitor proposed bills that will have a direct impact on our agency, however the focus of our time will be on SB 1383 legislation.

Working with Jason Schmelzer and Priscilla Quiroz of Shaw Yoder Antwih Schmelzer and Lange (our contract lobbyist in Sacramento), we are tracking multiple bills in the legislative process. Several bills are still in “spot” language form and will only be able to be analyzed once more language is included. As it is early in the session, many bills do not yet have support/oppose designations or committee analyses, and therefore we are not yet aware of the potential fiscal implications to our member agencies. We plan to return to the Board in June with an updated list of bill analyses and positions.

Due to the COVID-19 pandemic, policy committees anticipate they will have limited hearings in order to adhere to social distancing guidelines. A few committees, such as Assembly Natural Resources, have asked legislators to provide justification as to why their bill needs to move forward this year. Additionally, Assembly Speaker Anthony Rendon alerted Assemblymembers that they will only be able to transfer over 12 bills each to the Senate, further limiting legislators' bill packages for the session.

StopWaste bill positions include:

Support: Support positions can range from signing on to joint support letters, submitting our own letters, testifying in committees, and/or providing input on bill language

Support If Amended: Letters of support with recommended amendments
Oppose: Opposition
Watch: Indicates that bill language and details are still evolving and we will continue to watch and provide input and take a support/oppose position where appropriate

SB 1383 Relief

[SB 619 \(Laird\) Organic waste: reduction regulations](#)

This bill seeks to provide local governments with additional flexibility to fulfill the requirements of SB 1383. Although the current iteration of the bill contains only sparse language, we and other partners like the League of Cities, expect this bill to be the vehicle for any proposed relief for our member agencies on SB 1383 implementation timelines.

Agency position: Likely support, but language still under development

Support: None listed

Opposition: None listed

Plastic Pollution Prevention

[AB 818 \(Bloom\) Solid waste: premoistened nonwoven disposable wipes](#)

AB 818 would require certain single-use wet wipes to be clearly labeled with “DO NOT FLUSH” labeling. This bill would also establish a public education program to minimize flushing of wipes.

Agency position: Support

Sponsor/Support: National Stewardship Action Council, California Association of Sanitation Agencies, INDA – Association of the Nonwoven Fabric Industry

Opposition: None listed

[AB 1276 \(Carrillo\) Single-use food accessories](#)

This bill would prohibit a food facility or a third-party food delivery platform from providing single-use food accessories, such as cutlery, straws and condiment packets, to consumers unless requested by the consumer, or unless necessary to protect public health.

Agency position: Support

Support: None listed

Opposition: None listed

[AB 1454 \(Bloom\) The California Beverage Container and Litter Reduction Act](#)

AB 1454 is intended to modernize and increase funding for the State's Beverage Container Recycling infrastructure, including targeted payment increases for redemption centers and financing to help open new centers in unserved areas.

Agency position: Support

Support/Sponsor: Californians Against Waste

Opposition: None listed

[AB 881 \(Gonzalez\) Plastic waste: diversion: recycling: export](#)

This bill would prohibit the export of plastic waste from counting as diversion for purposes of AB 939 unless the plastic waste is a mix of polythene (PE), polypropylene (PP), or polyethylene terephthalate (PET), is destined for separate recycling of each material, and complies with the Basel Acord and other agreements.

Agency position: Support

Co-sponsor/support: Californians Against Waste

Opposition: None listed

[AB 962 \(Kamlager\) California Beverage Container Recycling and Litter Reduction Act: reusable beverage containers.](#)

This bill authorizes CalRecycle to allow returnable bottles to flow through the state's Bottle Bill program. By making returnable bottle washing/filling facilities eligible for the same payments as other recyclers, this bill would allow for glass bottles to remain intact for reuse rather than crushed for recycling.

Agency position: Support

Support: Californians Against Waste, Clean Seas Lobby Coalition

Opposition: None listed

[SB 343 \(Allen\) Environmental advertising: recycling symbol.](#)

The bill would ban the use any misleading symbol, including the chasing arrow symbol, or statement claiming recyclability of a product if it is not truly recyclable (as determined by CalRecycle).

Agency position: Support

Support/Sponsors: Californians Against Waste, National Stewardship Action Council

Opposition: Plastic Industry Association

Climate/Energy

[SB 32 \(Cortese\) Energy: general plan: building decarbonization requirements.](#)

This bill would require a city or county to amend, by January 1, 2023, the appropriate elements of its general plan to include goals, policies, objectives, targets, and feasible implementation strategies to decarbonize newly constructed commercial and residential buildings.

Agency position: Watch

Support: None listed

Opposition: None listed

[SB 68 \(Becker\) Building decarbonization](#)

This bill would require the Energy Commission to develop and publish on its website a guide for electrification of buildings and to submit to the Legislature a report on barriers to electrifying existing buildings and to adding energy storage or vehicle charging equipment to existing buildings.

Agency position: Watch

Support: None listed

Opposition: None listed

[SB 99 \(Dodd\) Community Energy Resilience Act of 2021](#)

This bill would require the Natural Resources Agency and the State Energy Resources Conservation and Development Commission to develop and implement a grant program for local governments to develop community energy resilience plans.

Agency position: Support

Support: None listed

Opposition: None listed

[SB 345 \(Becker\) Energy programs and projects: nonenergy benefits](#)

This bill would require the Public Utilities Commission to (1) establish common definitions of nonenergy benefits (such as improved public health, an increase in property values) and attempt to determine consistent values for use in all distributed energy resource programs, (2) incorporate nonenergy benefits in distributed energy resource programs and projects, and (3) track the nonenergy benefits produced in distributed energy resource programs during program evaluations.

Agency position: Watch

Support: None listed

Opposition: None listed

Extended Producer Responsibility (EPR)/Circular Economy

[SB 289 \(Newman\) Recycling: batteries and battery-embedded products](#)

This bill would create a statewide, producer-run collection and recycling program for loose and product-embedded batteries at retail locations across the state.

Agency position: Support

Sponsor/Support: California Product Stewardship Council, ReThink Waste, Californians Against Waste
Opposition: None listed.

[SB 38 \(Wieckowski\) Beverage Containers](#)

Replaces the existing Beverage Container Recycling Program (Bottle Bill) with a new recycling program administered by beverage container manufacturers and increases the CRV from \$0.05 to \$0.10 per container if the state fails to achieve specified recycling rates.

Agency position: Watch

Support: None listed

Support in concept: California Product Stewardship Council, National Stewardship Action Council

Oppose Unless Amended: Waste Haulers Council, Athens Services, Republic Services, Waste Connections, Waste Management

[SB 54 \(Allen\) Plastic Pollution Producer Responsibility Act.](#)

This bill would prohibit producers of single-use, disposable packaging or single-use, disposable food service ware products from offering for sale packaging or products that are not recyclable or compostable.

Agency position: Watch (language under development)

Support: None listed

Opposition: None listed

Organics/Composting

[AB 1201 \(Ting\) Solid waste: plastic products labeling: composability and biodegradability](#)

This bill would ban the sale of plastic products labeled as compostable, home compostable, or soil biodegradable unless the product meets specified standards. It also requires CalRecycle to adopt regulations to ensure that products so labeled are clearly distinguishable from non-compostable products by consumers and solid waste processing facilities.

Agency position: Support

Support: None listed

Opposition: None listed

Other

[AB 1 \(Garcia\): DTSC Reform](#)

A reintroduction of AB 901, which would have implemented a variety of DTSC reforms, including the creation of a new Board, but was vetoed by Governor Newsom.

Agency position: Watch (We expect to provide input on language in conjunction with County HHW staff)

Support: None listed

Oppose: None listed

[AB 332 \(ESTM\) Hazardous waste: treated wood waste: management standards](#)

This bill would re-establish statutory changes to simplify the process for handling and disposal of treated wood waste. This bill would declare that it is to take effect immediately as an urgency statute.

Agency position: Support

Support: California Product Stewardship Council, Solid Waste Association of North America, Republic, California Rural Counties

Opposition: None listed

[AB 339 \(Lee\) State and local government: open meetings](#)

This bill would require all meetings of public bodies (including post Covid) such as the Waste Management Authority to include an opportunity for all persons to attend via a call-in option or an internet-based service option that provides closed captioning services. The bill requires translation services to be provided for the 10 most-spoken non-English languages in California.

Agency position: For discussion with the Board

Support: None listed

Opposition: California Special Districts Association

[AB 1035 \(Salas\): Road Maintenance and Rehabilitation: Recycled Material Standards](#)

This bill would promote the use of recycled content materials in road maintenance. Requires cities and counties, when receiving funds from the Caltrans Road Maintenance and Rehabilitation program, to utilize available recycled content materials such as reclaimed asphalt and fly ash in concrete to reduce greenhouse gases.

Agency position: Support

Support: None listed

Opposition: None listed

[SB 240 \(Eggman\) Income tax: credits: food banks](#)

This bill would extend the Farm to Food Bank Tax Credit until January 1, 2026.

Agency position: Support

Support: California Association of Food Banks

Opposition: None listed

[SB 244 \(Archuleta\) Lithium-ion batteries: illegal disposal: fire prevention.](#)

This bill would require CalRecycle to create a guidance document promoting the proper disposal of lithium-ion batteries, as well as require the Department of Forestry and Fire Protection to develop a model protocol for lithium-ion battery fire detection, handling, and suppression for the solid waste industry.

Agency position: Support

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

Opposition: None listed.

Ballot Initiatives:

[The CA Recycling and Plastic Pollution Reduction Act](#)

This ballot measure would (1) require CalRecycle to undertake a rulemaking process to require single-use plastic packaging to be recyclable, compostable, or reusable by 2030; (2) bans expanded polystyrene foodware and mandates source reduction below a threshold established by CalRecycle; (3) creates a new tax on all single-use plastic packaging and foodware sold in California.

Agency position: Support

Support: Recology

Opposition: None listed

RECOMMENDATION:

Adopt positions on the bills and ballot initiative listed above.

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DATE: March 24, 2021

TO: Energy Council

FROM: Candis Mary-Dauphin, Program Manager
Ben Cooper, Program Manager

SUBJECT: Bay Area Air Quality Management District Multifamily Electric Vehicle Pilot

SUMMARY

Staff is requesting Energy Council approval to enter into a contract with the Bay Area Air Quality Management District (BAAQMD) for a pilot project to layer electric vehicle technical assistance onto the BayREN Multifamily program.

DISCUSSION

Multifamily properties are underrepresented in programs that incentivize the installation of electric vehicle charging infrastructure, due to issues such as split incentives and parking access. BAAQMD seeks to address these barriers to market adoption and has solicited a proposal that leverages the BayREN Multifamily program. The proposed pilot project will deliver technical assistance to twenty properties and incentive application assistance to four properties in the region, including Alameda County. It will document lessons learned to help inform future program design for BAAQMD *Charge! Grants*.

This project supports the Agency's guiding principle of advancing equity in program design. Eligible properties must be located in AB617 communities, which are designated by the California Air Resources Board to participate in programs that improve air quality. In Alameda County this includes communities in West and East Oakland and the Tri-Valley area. BAAQMD requested that technical assistance work be performed by a BIPOC consultant with connections to one of the AB 617 communities. The proposed consultant, ECO, is a black, woman-owned consultancy and electrical contracting business based in Oakland. Staff and ECO will engage property owners and coordinate closely with EBCE and local governments in targeting outreach.

BAAQMD will be issuing a contract of \$70,000 for this scope of work, summarized in Attachment A.

RECOMMENDATION

Adopt the attached Resolution authorizing the Executive Director to enter into a 2021 contract of \$70,000 for implementation of the BAAQMD contract and other related actions.

Attachments:

Attachment A: Resolution #EC 2021- 02

Attachment B: Proposed Scope of Work

Attachment A

**ENERGY COUNCIL
RESOLUTION #EC 2021 – 02**

**MOVED:
SECONDED:**

**AT THE MEETING HELD MARCH 24, 2021
RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR TO ENTER INTO A CONTRACT FOR THE
MULTIFAMILY ELECTRIC VEHICLE PILOT AND OTHER RELATED ACTIONS**

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

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

WHEREAS, the Energy Council implements the Bay Area Multifamily Building Enhancements (BAMBE) program for the Bay Area Regional Energy Network; and

WHEREAS, the Bay Area Air Quality Management District (BAAQMD) seeks to increase multifamily participation in its *Charge!* Grant program and overcome market adoption barriers; and

WHEREAS, BAAQMD seeks to provide targeted support in communities that have adverse air quality impacts;

WHEREAS, BAAQMD intends to provide the Energy Council with a contract of \$70,000 for the scope of work described in Attachment A;

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

1. Enter into all necessary contracts and agreements with BAAQMD in order to accept funds in the amount of \$70,000, and make any necessary changes to the FY 2020-21 budget to add Project 1312 BAAQMD Multifamily Electric Vehicle Pilot.
2. Approve any required time extensions, modifications, or amendments thereto.
3. Allocate the necessary resources to implement and carry out the amended scope of work.

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

ADOPTED this 24th day of March 2021, by the following votes:

AYES:

NOES:

ABSENT:

ABSTAINED:

I certify that under the penalty of perjury that the foregoing is a full, true and correct copy of Resolution #EC 2021 – 02

Arliss Dunn, Clerk of the Board

Attachment B
Multifamily Electric Vehicle Pilot Scope of Work

Deliverables	Totals	Description
Operations and Oversight	\$9,500	Kick-off meeting, project tracking and bi-weekly calls, administration
Outreach and Technical Assistance	\$31,000	Identification of interested properties 20 feasibility site visits
Permit and incentive documentation	\$11,000	Full permit and incentive documentation for 4 properties
Assist application process	\$6,000	Assistance during incentive and permit application submission and approval
Final report	\$12,500	Final report describing the project scope, activities undertaken, and major results/recommendations for increasing installations at multifamily buildings.
Budget	\$70,000	

**April 2021
Meetings Schedule**

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

(Meetings will be held **via teleconference** unless otherwise noted)

SUN	MON	TUES	WED	THURS	FRI	SAT
				1	2	3
4	5	6	7	8 9:00 AM Programs & Administration Committee Key Items: 1. Board Member Per diem (tentative) <hr/> CANCELLED Planning Committee & Recycling Board (Joint Meeting on 4/28)	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28 3:00 P.M. Joint Meeting Waste Management Authority, Energy Council and Planning Committee and Recycling Board Key Items: 1. Fiscal Year 21/22 Budget Presentation 2. Program evaluation update 3. ED contract	29	30	

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Energy Council
TECHNICAL ADVISORY GROUP (TAG)

Tuesday, February 16, 2021 – 1:00pm to 3:00pm (Conference Call)

Attendance (all via phone):

Alameda County: Emily Sadigh, Sophie McGuinness, Ali Abbors

City of Albany: Michelle Plouse, Lizzie Carrade

City of Berkeley: Billi Romain, Sarah Moore, Alice La Pierre, Rebecca Milliken

City of Dublin: Shannan Young

City of Emeryville: Nancy Humphrey, Matt Anderson

City of Fremont: Rachel DiFranco, Robbie Barton

City of Hayward: Nicole Grucky

City of Oakland: Adrienne Harris (Fellow), Chiara Arellano (Fellow)

City of Livermore: Tricia Pontau

City of Newark: Soren Fajeau

City of Piedmont: Alyssa Dykman

City of Pleasanton: Zack Reda

City of San Leandro: Hoi-Fei Mok

Guests: Jeffery Liang, BayREN; Amos White, 100k Trees for Humanity, Jakub Zeilkiewicz, BAAQMD

StopWaste: Jennifer West, Emily Alvarez, Chris Hunter, Miya Kitahara, Ben Cooper, Sy Baker (Fellow)

Meeting Summary:

BayREN Single Family Program Deep Dive

- Home+ program launched in January 2019, administered by ABAG/MTC
 - Replaced the Energy Upgrade CA “Home Upgrade / Advanced Home Upgrade” program
 - Eligibility: Own 1-4 unit home built before 2016, located in 9-county Bay Area and served by PG&E
 - Program offerings:
 - Up to \$5,000 in rebates for energy efficiency and electrification upgrades (i.e. wall and attic insulation, hot water heater and HVAC replacements, air sealing)
 - No-cost Home Energy Advisor service
 - Network of trained participating contractors
 - Free “Energy Efficiency” kit worth up to \$70
 - Must work with a participating contractor (with the exception of appliance rebates)
 - Trained in energy efficiency, quality control checks, and will handle rebate paperwork for you
- Midstream heat pump water heater (HPWH) program (for contractors)
 - Launched May 2020
 - Administered by BayREN, StopWaste is lead agency
 - Program design funded by BAAQMD, incentives paid by CCAs
 - Eligibility:
 - Participating contractor with C-20, C-36 or General B license
 - Customer enrolled in participating CCA
 - HPWH must replace existing gas or propane water heater
 - Program offerings:
 - \$1,000 rebate for HPWHs
 - Rebate paid directly to contractor

- Can be layered with Home+ rebate to homeowner
- Green labeling program, launched in 2018 based off of Berkeley's BESO
 - Goal: Increase energy efficiency transparency in single family residential market
 - Provides rebates for U.S. Department of Energy Home Energy Score (HES) and support for Assessor who provides HES
 - HES is an asset rating from 1-10 (5 is average, 10 is most efficient) that looks at the home envelope (windows, walls, insulation, etc.) and equipment to create score
 - 8,000+ scores since 2015, about half in Alameda County
 - HES report provides score, custom recommendations for upgrades, and referral to Home+ rebates/Energy Advisor
 - New in 2020: electrification checklist addendum to HES that examines if a home is a good fit for electrification
 - Work with real estate community:
 - Built out HES Registry to see scores
 - Train realtors, appraisers, underwriters, and lenders on energy efficiency (about 400 trained since 2018)
- Key challenges in Single Family program:
 - Barriers to electrification
 - Heat pump HVAC eligibility restrictions: currently must have heating and cooling load to qualify and cannot switch between centralized and decentralized systems (i.e. central HVAC to ductless mini split system)
 - Electric panel upgrades
 - Barriers to contractor participation
 - Combustion safety test-out requirements
 - Insurance requirements
 - Equity Concerns
 - Resources for renters
 - Financing
- Program outreach goals: recruit contractors, engage low-to-moderate income and underrepresented communities, and accelerate market for all-electric appliances
- Opportunities for collaboration with jurisdictions: permit data/business license information to recruit contractors, help with workshops and outreach to homeowners, partnerships with CBOs, cross-promotion of events and posting on social media/city outreach channels

100k Trees for Humanity – Amos White

- Tree planting initiative that began in City of Alameda
 - We have been focused on local actions to reduce GHG emissions and impact on planet, but not as much attention has been paid to drawing carbon out of atmosphere
- Goal: plant 100,000 trees in Alameda → ~1 per capita, estimated 14k MT carbon removed
 - Launch in December 2020, Zoom rally in January, April 25 (Earth Day) goal to have 10k trees in the ground
- Community-driven effort, volunteers to plant trees, work with and through CBOs
 - Develop sense of agency in order to change mindset
 - Work with public works to plant municipal street trees and parks
 - Maintenance is key piece to ensure the trees survive
- Benefits of urban trees: protect biodiversity, cools the air, increase health, manages stormwater

- Spreading tree planting efforts into other communities

Proposed BAAQMD CEQA Guidelines Changes – Jakub Zielkiewicz

- BAAQMD CEQA guidelines in need of being updated
- Focus of today's discussion is on GHG/climate thresholds (can discuss other pollutants at a later meeting if staff is interested)
- For plan-level thresholds (i.e. Climate Action Plans-CAPs, General Plans, Specific Plans) want to shift from a quantitative threshold to qualitative or Best Practices model
 - Focus on big sectors that make up emissions and what actions would make reductions needed to meet goals?
 - Move buildings away from natural gas -- challenges with retrofit applications but easier and more cost effective in new construction
 - Phase out high global warming potential (GWP) refrigerants
 - Grid resilience and backup power (low GHG fuels)
 - EV charging for passenger vehicles and reducing VMT for medium to heavy duty vehicles
 - Need to see if this approach complies with state-level/OPR CEQA guidelines as what counts as a GHG reduction strategy
- Some cities in process of CAP updates have spoken to Air District and are incorporating language into documents
 - May be easier to justify stricter actions if the Air District has requirements to do so
- Some recently updated CAPs include content that would be aligned with this direction, others are not CEQA streamlined CAPs so it may not be an issue
- Need to align with planning department efforts
 - General and specific plans need to be consistent with CAPs, but different staff may be working on different documents

Updates and Announcements

- SW staff is coordinating on virtual Earth Day events and will loop TAG members in when a more complete proposal is ready
- Energy Council Board approved the BayREN amendment at the 1/27 meeting. Next meeting is 2/24 at 3:00 pm. New members on the Energy Council from Union City, Alameda, Albany, Piedmont, Alameda County, Pleasanton.
- See email on Grants from StopWaste on reuse/repair and please share widely
- Jennifer West will periodically update TAG on Regulatory and Policy issues based on BDC, LGSEC and Decarb monthly meetings
- BAMBE story on apartment complex in Mountain View here: <https://www.mv-voice.com/blogs/p/2021/02/07/how-a-1960s-apartment-complex-is-going-green>

Energy Council
TECHNICAL ADVISORY GROUP (TAG)

Tuesday, March 16, 2021 – 1:00pm to 3:00pm (Conference Call)

Attendance (all via phone):

Alameda County: Emily Sadigh

City of Alameda: Danielle Mieler

City of Albany: Michelle Plouse

City of Berkeley: Billi Romain

City of Dublin: Shannan Young, Christian Altamirano (Fellow)

City of Emeryville: Nancy Humphrey

City of Fremont: Rachel DiFranco, Robbie Barton

City of Hayward: Erik Pearson, Nicole Grucky, Taylor Richard (Fellow)

City of Oakland: Shayna Hirschfield-Gold, Adrienne Harris (Fellow), Chiara Arellano (Fellow)

City of Livermore: Tricia Pontau

City of Piedmont: Alyssa Dykman, Nate Redinbo (Fellow)

City of Pleasanton: Zack Reda

City of San Leandro: Hoi-Fei Mok

Guests: Alex DiGiorgio, EBCE; Heather Heinbaugh, Alameda Municipal Power; Patrick Journey, Community Climate Solutions

StopWaste: Jennifer West, Emily Alvarez, Chris Hunter, Miya Kitahara, Ben Cooper, Meghan Starkey, Sy Baker (Fellow)

Meeting Summary:

BayREN Strategic Planning for Alameda County – Emily Alvarez, StopWaste

- BayREN is beginning a strategic planning process to explore the next iteration of BayREN programs and partnerships
 - Approximately 4-6 month process with representatives from BayREN counties
- To guide Alameda County's participation, it would be helpful to know what member agencies value most about BayREN? What aspects of BayREN do you rely on most? What new programs, partnerships, or efforts would you like to see BayREN explore? (*Breakout rooms to discuss*)
 - Work more with equipment retailers for newer technologies, including training of employees
 - Workforce development is helpful at the regional scale
 - Rebate programs are very valuable since most cities do not have their own and they support Climate Action Plan goals
 - Layer incentives with other programs and complement entities like EBCE
 - Education and training for city staff is helpful (forums, building departments trainings)
 - Would like an update on the commercial program (filling East Bay Energy Watch gap)
 - Possible to expand into other sectors like industrial and municipal?
 - More support for low income communities and renters - Equity-centered
 - Increased focus on refrigerants
 - Continue connection between health and energy efficiency: Contra Costa County as an example
- BayREN has launched its version of the Energy Atlas (www.bayren.org/energy-atlas) which has mapped energy consumption data with other demographic and housing information
 - Can have group come and talk more about Energy Atlas to TAG

- Adding equity metrics (i.e. energy burden or eviction rates) would be helpful
- Would like to be able to select multiple filter options at once
- Update on HPWH program
 - 25 contractors enrolled, 23 HPWHs installed. Program will continue under BayREN Single Family Program in July, uninterrupted. Silicon Valley Power is joining.
 - How to better integrate equity in rebates, and the difficulty still of emergency replacement when waiting until burnout of an appliance to replace it (defer cost until no other option). Work with non-energy programs and big retailers (eg Home Depot).
 - Address permit requirements and evasion to make it equally as quick to install HPWH as gas change out, possible work with BayREN Codes & Standards program
 - Targeting easiest possible conversions (i.e. homes with attached garages)

Earth Day Updates – Chris Hunter, StopWaste

- StopWaste will host series of events the week leading up to Earth Day (April 18-22) that covers content that we would have typically brought to individual city events (i.e. energy efficiency, food waste reduction, climate action, healthy homes/communities)
 - Website with registration links, resources, and volunteer opportunities and provide promotional packet for member agencies to conduct outreach
 - Meeting 3/22 with TAG and TAC interested folks to discuss further
- Opportunities for more involvement:
 - Connect us with speakers and community groups you would like to see highlighted
 - Let us know about events that you would like promoted on the website
 - Volunteer for Alameda County Climate Action panel

Legislative Bills Update – Jennifer West, StopWaste

- Legislative Bills to consider for TAG & Energy Council Board Support – see 3/24 Board agenda:
 - SB 32 (Cortese) Energy General Plan, Building Decarbonization Requirements
 - SB 68 (Becker) Building Decarbonization
 - SB 99 (Dodd) Community Energy Resilience Act
 - SB 345 (Becker) Non-energy Benefits

Fremont Marketing Research – Patrick Jurney, Community Climate Solutions

- Interviewed 25 Fremont residents to find out what were motivations/barriers to taking actions?
 - 45 minute long interviews, paid participants
 - Open-ended questions about brand positioning
- Key lessons learned:
 - Simple messaging is key, people are more likely to act when steps are laid out for them
 - Money saving actions made people excited to learn more - a major motivator
 - Liked ability to measure their own impact (personal and community)
 - Surprised that 50% of GHGs come from households
 - Understood when explained and was motivated
 - Info was confusing or not trustworthy when just stated and not explained
- Specific messaging takeaways:
 - Rebrand as “climate” and not “green” challenge? Green seemed more inclusive to waste/natural solutions, but climate motivates and aligns better with CAP goals
 - Resonated more with focus on Fremont vs. generic community
 - Biggest motivation = personal responsibility

- Biggest barrier = time and effort, beliefs that technology does not work and alternatives are not as good
- Now: more outreach and getting more participants in Challenge (currently ~1,200)
 - People are tracking more, trying to meet goals
 - High school competition launching soon with teams competing for emissions reductions
 - More work with CBOs to form partnerships and generate engagement
 - Understand what majority of residents are willing to do and not self-selecting ones who are highly motivated and engaged with climate change

4/20/21 TAG discussion preparation

- CPUC will join April TAG meeting to give program and proceedings updates – send questions/topics you would like them to cover
- PG&E will report on third party providers
- Piedmont will report on existing building reach code progress
- Contra Costa County staff are invited to join as well (planned to have dual-county meetings twice a year after EBEW ended, but have not yet done so)

Updates and Announcements

- 1383 Procurement meetings are happening in your jurisdictions in the next month
- BAAQMD survey on support for local governments is out now – may be helpful to coordinate responses where common support is needed
 - GHG inventories
 - NOx regulations for appliances
 - Urban forestry
 - Telework promotion
- Legal memo on local governments consideration of eliminating gas appliances (from Shute Mihaly) is available
- Register for the BayREN Forum on 3/18: [Responding to Climate Challenges: Energy Efficient Homes in a Wildfire-prone Region](#)
- Economic Development 101 will be take place 3/25 - invite your co-workers!
- Sy Baker: History of Place presentation in May at TAG
 - We want to adapt our built environment to best serve the needs of the community, promote climate resilience, and recognize the intersectionality of the challenges our cities face today. We also need to understand its evolution to date.
 - What would it look like to have people be able to shift their perspective to their surroundings, to understand the past of their neighborhoods and cities, to broaden their understanding of their place within it, and to envision various futures for their built environment? That is the goal we are working towards now—through designing a curriculum with community organizations that engages the community in self-exploration, engagement, and reflection.
 - Who on TAG has worked with Y-Plan out of UC Berkeley before?
- Would member agencies find it helpful for StopWaste to host a CivicSpark Fellow again next FY?
 - Yes: GHG inventory/CDP reporting help, outreach support
 - Some cities will have their own, but many will be limited by COVID-related budget cuts