

Authority Board (WMA) & Energy Council (EC)

- Jerry Pentin, **WMA, President**
City of Pleasanton, WMA, EC
- Dan Kalb, **WMA 1st Vice President, EC President**
City of Oakland, WMA, EC
- Greg Jones, **WMA 2nd Vice President, EC 1st Vice President**
City of Hayward, WMA, EC
- Lorin Ellis, **EC 2nd Vice President**
City of Union City, WMA, EC
- Keith Carson, County of Alameda, WMA, EC
- Jim Oddie, City of Alameda, WMA, EC
- Peter Maass, City of Albany, WMA, EC
- Susan Wengraf, City of Berkeley, WMA, EC
- Dave Sadoff, Castro Valley Sanitary District, WMA
- Don Biddle, City of Dublin, WMA, EC
- Dianne Martinez, City of Emeryville, WMA, EC
- Suzanne Lee Chan, City of Fremont, WMA, EC
- Laureen Turner, City of Livermore, WMA, EC
- Mike Hannon, City of Newark, WMA, EC
- Shelia Young, Oro Loma Sanitary District, WMA
- Tim Rood, City of Piedmont, WMA, EC
- Deborah Cox, City of San Leandro, WMA, EC

- Wendy Sommer, Executive Director

AGENDA

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

Wednesday, June 22, 2016

3:00 P.M.

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

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

I. CALL TO ORDER

II. ROLL CALL

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

Page **IV. CONSENT CALENDAR**

- | | | |
|---|---|--------------------|
| 1 | 1. Approval of the Draft Minutes of May 25, 2016 (Wendy Sommer) | Action |
| 5 | 2. Authorization to Establish Interest Bearing Account (Pat Cabrera)
Authorization to establish interest bearing account for proper disposition of Allan Miller’s assets. | Action |
| 7 | 3. Changes to Attachment A of the Human Resources Manual (Pat Cabrera)
Modify language in Attachment A of the Human Resources Manual describing frequency of total compensation survey to be performed periodically but no sooner than every three years. | Action |
| 9 | 4. Grants Under \$50,000 (Wendy Sommer) | Information |

V. OPEN PUBLIC DISCUSSION

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

VI. REGULAR CALENDAR

- 11 **1. Request for an Amendment to the Alameda County Integrated Waste Management Plan to include the Vision Recycling Compost Facility in the unincorporated area of Livermore (Debra Kaufman)** **Action/
Public Hearing**
- Staff and the Recycling Board as LTF and the P&O committee, recommend that the WMA Board take the following actions:
1. Consider the ordinance by title only, waiving a reading of the full text.
 2. Schedule a public hearing for the July meeting and introduce the ordinance for consideration of adoption at the July WMA meeting.
- 21 **2. Public Hearing and Annual adoption of Fee Collection Report for Household Hazardous Waste Fee (Debra Kaufman)** **Action/
Public Hearing**
- Staff recommends that the WMA Board hold a public hearing on the Fee Collection Report and approve the Fee Collection Report for FY2016-17, which includes adjusting the fee downward from \$9.55 to \$8.60 per unit for FY2016-17.
- 23 **3. Legislative & Regulatory Priorities & Process Review (Debra Kaufman)** **Action**
- Staff recommends that the WMA Board authorize the Executive Director to determine positions for bills that are in accordance with Agency priority areas adopted by the Board in November of each year. Staff would continue to bring status updates to the Board in April, June and October.
- 25 **4. Vacancy on the Recycling Board (Wendy Sommer)** **Action**
- Staff recommends that the WMA Board fill the vacancy on the Recycling Board.
- 27 **5. Election of WMA Officers for Fiscal Year 2016-17 (Wendy Sommer)** **Action**
- Staff recommends that the Authority Board elect officers for Fiscal Year 2016-17.
- 29 **6. Election of EC Officers for Fiscal Year 2016-17 (Wendy Sommer)** **Action**
- Staff recommends that the Energy Council elect officers for Fiscal Year 2016-17.
- 7. Interim appointment(s) to the Recycling Board for WMA appointee unable to attend future Board Meeting(s) (Wendy Sommer)** **Action**
- (P&O and Recycling Board meeting, July 14, 2016 at 7:00 pm – Fremont Recycling and Transfer Station, 41149 Boyce Road, Fremont)

VII. COMMUNICATIONS/MEMBER COMMENTS

VIII. CONFERENCE WITH LEGAL COUNSEL—ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to Government Code section 54956.9(d)(2): (1 potential case)

IX. ADJOURNMENT

DRAFT

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

Wednesday, May 25, 2016

3:00 P.M.

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

I. CALL TO ORDER

President Pentin, WMA, called the meeting to order at 3:05 p.m.

II. ROLL CALL

WMA, EC & RB

City of Alameda	Jim Oddie, WMA, EC
City of Albany	Peter Maass, WMA, EC, RB
City of Berkeley	Susan Wengraf, WMA, EC
Castro Valley Sanitary District	Danny Akagi, WMA, EC
City of Dublin	Don Biddle, WMA, EC
City of Emeryville	Dianne Martinez, WMA, EC
City of Fremont	Suzanne Lee Chan, WMA, EC
City of Livermore	Laureen Turner, WMA, EC
City of Newark	Mike Hannon, WMA, EC
City of Oakland	Dan Kalb, WMA, EC
Oro Loma Sanitary District	Shelia Young, WMA, EC
City of Piedmont	Tim Rood, WMA, EC, RB
City of Pleasanton	Jerry Pentin, WMA, RB
City of San Leandro	Deborah Cox, WMA, EC
City of Union City	Lorrin Ellis, WMA, EC

Absent:

County of Alameda	Keith Carson, WMA, EC
City of Hayward	Greg Jones, WMA, EC, RB

Staff Participating:

Wendy Sommer, Executive Director
Tom Padia, Deputy Executive Director
Pat Cabrera, Administrative Services Director (via teleconference)
Michelle Fay, Program Manager
Richard Taylor, Legal Counsel, Authority Board
Arliss Dunn, Clerk of the Board

DRAFT

III. ANNOUNCEMENTS BY THE PRESIDENTS

There were none.

IV. CONSENT CALENDAR

- 1. Approval of the Draft Joint Minutes of April 27, 2016 (Wendy Sommer) Action**
- 2. Legislative Positions for 2016 (Debra Kaufman) Action**
The P&A and the P&O/RB Committees recommend that the Authority Board approve the legislative positions for the 2016 session of the California legislature.
- 3. Pleasanton and Livermore Membership Request (Karen Kho) Action**
Staff recommends that the Energy Council approve the requests of the Cities of Livermore and Pleasanton to join the Energy Council.
- 4. Minutes of the May 17, 2016 Technical Advisory Group (Karen Kho) Information**

Board member Hannon made the motion to approve the Draft Joint Minutes of the April 27, 2016 meeting. Board member Turner seconded and the motion carried 16-0-1 (Carson and Jones absent) (Martinez abstained).

Board member Hannon made the motion to approve item #2 of the Consent Calendar. Board member Chan seconded and the motion carried 17-0 (Carson and Jones absent). Board member Hannon made the motion to approve item #3 of the Consent Calendar. Board member Chan seconded and the motion carried 14-0 (Carson and Jones absent).

V. OPEN PUBLIC DISCUSSION

There was none.

VII. REGULAR CALENDAR

- 1. Proposed FY 16/17 Budget (Wendy Sommer & pat Cabrera) Action/
Public Hearing**
Adopt the FY 16/17 budget as it pertains to the Authority Board and the Energy Council.

President Pentin opened the public hearing. There were no public speakers on the item. The public hearing was closed. Board member Kalb announced that prior to the meeting today Board members received a thorough presentation and discussion of the proposed budget at the April joint WMA/RB/EC meeting.

Board member Turner made the motion to adopt the FY 16/17 budget as it pertains to the Waste Management Authority Board. Board member Rood seconded and the motion carried 17-0 (Carson and Jones absent).

Board member Turner made the motion to adopt the FY 16/17 budget as it pertains to the Energy Council. Board member Rood seconded and the motion carried 16-0 (Carson and Jones absent).

- 3. Interim appointment(s) to the Recycling Board for WMA appointee unable to attend future Board Meeting(s) (Wendy Sommer) Action**
(P&O and Recycling Board meeting, June 9, 2016 at 4:00 pm – StopWaste Offices, 1537 Webster Street, Oakland, CA)

Board member Rood requested an interim appointment for the June 9 P&O/RB meeting. Board member Young volunteered to serve as the interim appointment. Board member Turner made the motion to approve the interim appointment. Board member Ellis seconded and the motion carried 17-0 (Carson and Jones absent).

VII. COMMUNICATION/MEMBER COMMENTS

There were none.

VIII. 2016 STOPWASTE BUSINESS EFFICIENCY AWARDS

The 2016 StopWaste Business Efficiency Awards program began immediately following the Regular Calendar of the WMA/EC Board meeting.

Award recipients:

- Corning Life Sciences – Union City
- Felson Companies, Inc. – Hayward
- Foods Co – Oakland
- Lola's Chicken Shack – Alameda
- Mobile Mini – Fremont
- Oracle Americas, Inc. – Pleasanton
- Richard Avelar & Associates Architects – Oakland
- SMART Modular Technologies – Newark

An audio link to the program is available here:

<http://www.stopwaste.org/sites/default/files/05-25-16 WMA-EC-excerpt.mp3>

IX. ADJOURNMENT

The meeting adjourned at 3:57 p.m.

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DATE: June 22, 2016
TO: Waste Management Authority
FROM: Wendy Sommer, Executive Director
BY: Pat Cabrera, Administrative Services Director
SUBJECT: Authorization to Establish Interest Bearing Account

SUMMARY

At the June 9, 2016 Programs and Administration (P&A) Committee meeting, staff discussed the process required to release Mr. Allan Miller’s final earnings. The staff memo to the P&A Committee can be found at: [Interest Bearing Account memo-06-09-16](#).

P&A COMMITTEE ACTION

With a vote of 7-0 (Carson, Cox, Ellis, Kalb, Turner absent), the P&A Committee recommended forwarding the staff recommendation below to the Authority Board for approval.

RECOMMENDATION

The P&A Committee recommends that the WMA Board authorizes the Executive Director or designee to:

1. Establish a separate interest bearing account to deposit a recently deceased employee’s (Allan Miller) final paycheck and accrued vacation payout until the disposition of these earnings has been resolved pursuant to State law and,
2. Address any other issues regarding the proper disposition of compensation owned to Mr. Miller under Probate Code Section 13600(a), which covers the salary or other compensation owed by an employer for personal services of the deceased employee.

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DATE: June 22, 2016
TO: Waste Management Authority
FROM: Wendy Sommer, Executive Director
BY: Pat Cabrera, Administrative Services Director
SUBJECT: Changes to Attachment A of the Human Resources Manual

SUMMARY

At the June 9, 2016 Programs and Administration (P&A) Committee closed session meeting, staff recommended making a change to section XVIII of Attachment A of the Agency’s Human Resources (HR) manual. Specifically, the recommendation was to change the requirement to conduct a total compensation survey from “every three years” to “periodically but no sooner than every three years.”

P&A COMMITTEE ACTION

With a vote of 8-0 (Carson, Cox, Ellis, Turner absent), the P&A Committee recommended that the Authority Board accept the changes as outlined below.

XVIII. ~~Unless otherwise approved by the Board, t~~The Agency will conduct a total compensation survey ~~every three years~~ periodically but no sooner than every three years to enable the Board to assess whether compensation remains competitive with the market. The Programs and Administration Committee will be consulted in the survey development process to help determine salary range placements and other pertinent criteria. In the years between the surveys, salary ranges will be adjusted by the most currently available Consumer Price Index (CPI) - All Urban Consumers (San Francisco – Oakland- San Jose Area) as determined by the US Bureau of Labor Statistics (BLS), or a lesser amount if necessary to conform to the findings of the most recent total compensation survey. However, salary increases for employees will not be automatic even for cost of living adjustments (COLA). The Board will be asked to approve the salary ranges every year as part of the budget process. ~~The next total compensation survey is expected to be conducted in the late Spring or early summer of 2016.~~

RECOMMENDATION

The P&A Committee recommends that the WMA Board adopt the changes to section XVIII of Attachment A.

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DATE: June 22, 2016
TO: Waste Management Authority and Recycling Board
FROM: Wendy Sommer, Executive Director
SUBJECT: Grants Issued Under Executive Director Signature Authority

SUMMARY

The purchasing and grant policies were amended to simplify paperwork and Board agendas by giving the Executive Director authority to sign contracts and grant agreements less than \$50,000. A condition of the grant policy is that staff informs the Board or recently issued grants. The chart below lists grants issued from May 15 – June 15, 2016.

Grants – May 15, 2016 through June 15, 2016

PROJECT NAME	GRANT RECIPIENT	PROJECT TYPE/DESCRIPTION	LOCATION	VERIFICATION	GRANT AMOUNT	BOARD
Food Waste Prevention and Recovery	Tri Valley Haven for Women	Tri-Valley Haven will expand their Food Pantry Grocery Rescue program by increasing weekly grocery rescue pickups. The program will reduce the amount of wasted food from grocery stores and serve more people experiencing hunger.	Livermore	Final Report	\$20,000	RB
Food Waste Prevention and Recovery	Hope 4 the Heart	Hope 4 the Heart's Prepared Food Rescue program will pick up and distribute over 500 trays of prepared food a month by partnering with restaurants, catering companies and small cafes to keep prepared food out of the landfill, diverting it to feed people.	Hayward	Final Report	\$20,000	RB

Food Waste Prevention and Recovery	Alameda County Community Food Bank	Grocery Rescue Program will put more food into the hands of those who need it while providing local grocers an operational and financial benefit by keeping edible food out of county landfills.	Based in Oakland, serving Alameda County	Final Report	\$20,000	RB
Food Waste Prevention and Recovery	Tri City Volunteers (TCV)	Tri City Volunteers' Clients Choose program will reduce wasted food by setting up a client choice food distribution model. TCV is the largest direct-to-client hunger relief organization in Alameda County, serving over five million meals annually to over 16,000 low-income residents of Fremont, Newark and Union City.	Fremont	Final Report	\$30,000	RB



DATE: June 22, 2016

TO: Waste Management Authority

FROM: Wendy Sommer, Executive Director

BY: Debra Kaufman, Senior Program Manager

SUBJECT: Request for an Amendment to the Alameda County Integrated Waste Management Plan to Include the Vision Recycling Compost Facility in the unincorporated area of Livermore

SUMMARY

On June 9, 2016, the Recycling Board, in its role as the Local Task Force (LTF) and the Planning and Organization Committee of the WMA, unanimously recommended that the WMA Board approve the subject County Integrated Waste Management Plan (CoIWMP) amendment.

The June 22 WMA meeting will serve as the first reading of the subject ordinance.

BACKGROUND

The Waste Management Authority received a request for an amendment to the County Integrated Waste Management Plan to include the Vision Recycling Compost Facility in the unincorporated area of Livermore.

The staff memo to the Recycling Board is available at: [Vision Recycling CoIWMP Amendment memo-06-09-16](#)

RECOMMENDATION

Staff and the Recycling Board as LTF and the P&O committee, recommend that the WMA Board take the following actions:

1. Consider the ordinance by title only, waiving a reading of the full text
2. Schedule a public hearing for the July meeting and introduce the ordinance for consideration of adoption at the July WMA meeting.

Attachment: Ordinance 2016-1 and Exhibits

Attachment A

ORDINANCE 2016-01

AN ORDINANCE ADOPTING AMENDMENTS TO THE COUNTY INTEGRATED WASTE MANAGEMENT PLAN, AND FINDING PLAN CONFORMANCE FOR THE VISION RECYCLING COMPOST FACILITY AT 30 GREENVILLE ROAD, LIVERMORE, CA 94551

The Board of the Alameda County Waste Management Authority (“Authority”) ordains as follows:

SECTION 1 (Enactment)

The Board of the Authority does hereby enact this Ordinance in full consisting of Section 1 through Section 7.

SECTION 2 (Findings)

- (a) The Authority finds that the California Integrated Waste Management Act (California Public Resources Code §§ 40000 et seq.) requires the preparation and adoption of a County Integrated Waste Management Plan (“CoIWMP”).
- (b) The Authority finds that the Alameda County Joint Exercise of Powers Agreement for Waste Management directs that the Authority prepare, adopt, revise, amend, administer, enforce, and implement the CoIWMP.
- (c) The Authority finds that it adopted a CoIWMP, dated February 26, 2003, and has adopted minor amendments since then. A five-year review of the CoIWMP was conducted in November 2009, a factual update was adopted in April 2010, and amendments were made in January 2011, December 2011, July 2013, and April 2015.
- (d) The Authority finds that on February 1, 2016, the County Planning Commission of Alameda County issued a conditional use permit for the Vision Recycling Compost Facility at 30 Greenville Road, unincorporated Livermore Area of Alameda County after preparing, considering, and adopting a negative declaration and initial study for the Facility as required by the California Environmental Quality Act (“CEQA”).
- (e) The Authority finds that on May 9, 2016, the Facility applicant submitted the required information to the Authority to amend the CoIWMP to site the Facility on an existing site at 30 Greenville Rd. in the unincorporated area of Livermore.
- (f) The Authority finds that the Recycling Board, acting as the Local Task Force, has reviewed and commented on the proposed amendment, and the Planning & Organization Committee of the Authority has considered the CoIWMP Amendment, including any comments by the Local Task Force, and has recommended approval of the CoIWMP Amendment and conformance finding.
- (g) The Authority finds that Authority staff provided all required notice and held a duly noticed public hearing on July 27, 2016 to consider the CoIWMP Amendment and conformance finding for the Facility.
- (h) The Authority finds that the Authority Board considered all materials and testimony presented by the public, Local Task Force, applicant for the Facility, and Authority staff.
- (i) The Authority finds that it is a Responsible Agency under CEQA, that this project underwent the required review under CEQA, and that the Authority’s action is within the scope of activities addressed by the County of Alameda’s negative declaration and initial study (“ND/IS”), except

for part of the source of the feedstock for the Facility, which the Authority concluded would not affect the conclusions in the ND/IS regarding the project's environmental impacts.

- (j) The Authority finds that the Authority Board has independently reviewed and considered the County of Alameda's ND/IS along with the additional information submitted by Vision Recycling.
- (k) The Authority finds that since the County of Alameda's adoption of the ND/IS, no substantial changes have occurred and no new information or changed circumstances exist that require revisions of the ND/IS due to new significant environmental effects or a substantial increase in the severity of previously identified significant effects.
- (l) The Authority concurs with the County of Alameda that the Facility will not result in any significant environmental impacts.

SECTION 3 (CEQA Determinations)

- (a) The Authority's approval of the CoIWMP amendment and conformance determination, as conditioned, will have a less than significant impact on the environment as documented in the ND/IS and additional information submitted by Vision Recycling.

SECTION 4 (Amendment of CoIWMP)

The Authority hereby amends the CoIWMP as set forth in the CoIWMP Amendment text attached hereto as Exhibit 1 and made a part of this Ordinance.

SECTION 5 (Conformance Determination)

The Authority does hereby determine that the proposed project is in conformance with the CoIWMP as amended, including the siting criteria as set forth in the siting criteria findings attached hereto as Exhibit 2 and made a part of this Ordinance, and that the compost operation to be operated under the Enforcement Agency Notification level regulations for the project as conditioned by the Conditions of Approval attached hereto as Exhibit 3 would be in conformance with the CoIWMP as amended.

SECTION 6 (Designation for Ordinance Summaries)

The Authority Board does hereby designate the Authority Executive Director as the official responsible for preparing summaries of ordinances.

SECTION 7 (Notice and Effective Date)

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

Passed and adopted this 27th day of July, 2016 by the following vote:

AYES:

NOES:

ABSTAINING:

ABSENT:

I certify that under penalty of perjury that the foregoing is a full, true and correct copy of ORDINANCE NO. 2016 – 01.

Wendy Sommer
EXECUTIVE DIRECTOR

Exhibits:

Exhibit 1: Amendments to Alameda County Integrated Waste Management Plan for the Vision Recycling Compost Facility at 30 Greenville Road in the Unincorporated Area of Livermore

Exhibit 2: Siting Criteria Findings

Exhibit 3: Conditions of Approval

EXHIBIT 1

Amendments to Alameda County Integrated Waste Management Plan for the Vision Recycling Compost Facility at 30 Greenville Road in the Unincorporated Area of Livermore

The Alameda County Integrated Waste Management Plan, February 26, 2003 and last amended in April, 2015, is hereby amended again as set forth below. In the sections that follow, text to be added to the Plan is shown in **underline bold** and text to be deleted is shown in ~~strikethrough~~.

1. In Chapter II under the heading of "Participants" section 6 "Private Companies," add the following bulleted paragraph directly before Table 2-4:

Tom DelConte and Roberto Aguirre are co-owners/operators of the Vision Recycling Compost Facility located at 30 Greenville Road in the unincorporated area of Livermore. The Vision Recycling Compost facility will be an EA Notification Tier Compost facility. The facility will take green materials from Vision Recycling facilities, including its nearby chip and grind facility, to be composted in an aerated static pile system. Finished compost will be brought back to the chip and grind facility, or one of Vision's other facilities for sale, or directly to customers for sale. This facility is expected to become operational in 2016 upon issuance of all applicable permits.

2. In Chapter II, after the section on Transfer Stations, add a **section 3 "Compost Facilities"** with the following text:

Vision Recycling Compost Facility

In 2016, Alameda County's first compost facility will be located at 30 Greenville Road in the unincorporated area of Livermore on a 3.47 acre site, under EA notification tier regulations enforced by the Alameda County LEA. The facility is limited to 12,500 cubic yards at any one given time and will process a maximum of 12,000 tons per year. The facility will handle green materials only, including wood chips, mulch, soil amendment and co-generation fuel from the nearby chip and grind facility. Composting the materials will add value and create a more marketable end product. The materials will be composted using a two stage aerated static pile compost system. This system forces oxygen into the piles with the use of blower to maintain aerobic conditions and thereby avoid odors. Finished compost will be brought back to Vision Recycling's chip and grind facility for sale to customers, brought to Vision Recycling's other chip and grind facility in Newark, or transported directly to Bay area customers. Materials will be transported efficiently in large trailer trucks. This facility is expected to be operational in 2016 after receiving all applicable permits.

EXHIBIT 2

SITING CRITERIA FINDINGS FOR VISION RECYCLING COMPOST FACILITY AT 300 GREENVILLE ROAD IN THE UNINCORPORATED AREA OF LIVERMORE

The Alameda County Waste Management Authority (“Authority”) has reviewed the materials submitted in connection with the Vision Recycling Compost Facility (“Facility”). Based on that review, the Authority hereby makes the following determinations pursuant to the relevant provisions of ColWMP Section VI, Table 6-2:

- **Seismic** – The Facility is located in the Greenville Earthquake Fault Zone. State and County guidelines require that a fault rupture hazard investigation be performed for development which includes structures that are intended for human occupancy, but structures intended for human occupancy are not part of this project. No permanent structures are planned for this site. There will be no residential use of the site. An employee of the existing nearby chip and grind operation will manage the site on a part time basis as needed. The site is located on rock units mapped as Pliocene age Orinda Formation which are not susceptible to liquefaction or seismic settlement. Therefore, the risk associated with liquefaction or seismic settlement is minimal (excerpted from Initial study, page 39-40).
- **Floodplains** – The Facility is within an area of minimal flood hazard. The proposed project is over .5 mile from the nearest floodplain.
- **Wetlands** –The Facility is located in an area that has been leveled and graded and does not contain riparian habitat, wetlands or other sensitive natural community.
- **Endangered Species Habitat** –The nearest documented special status species observation was of California tiger salamander .4 miles to the west-northwest of the proposed project and California red-legged frog .5 miles southeast of the proposed project area. These species’ habitat consists of wetlands. The proposed project area does not contain suitable habitat due to its lack of wetland characteristics.
- **Unstable Soils**- The proposed project will not disturb site soils or result in new activities that could cause or accelerate erosion at the site. The project site is already graded to drain internally and would not result in substantial soil erosion or the loss of topsoil. The project would have no impact related to substantial soil erosion or the loss of topsoil. The project area is located on rock units that are not susceptible to liquefaction, seismic settlement or lateral spreading. The site is not located in an area that is known for subsidence from groundwater or petroleum withdrawal. The site soils are not of the types that are prone to hydro compaction or collapse due to wetting. The project would have no impact related to on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse.
- **Major Aquifer Recharge Areas** – The proposed project will prevent discharges to waters through internal drainage and retention of stormwater on-site through use of a stormwater pond and 1-foot perimeter berm. The stormwater basin was designed as a retention basin for a 24-hour, 25-year design rain event, with a total capacity of over 360,000 gallons. The retention basin would be completed with a machine-compacted, native clay-lined bottom. The basin is located at an elevation of approximately 60 feet above the surrounding valley. According to the Natural Resources Conservation Service the project stormwater pond is located on the

Altamont clay soil unit (moderately deep, 30 to 45 percent slopes, eroded). According to the USDA soil data, these soils have moderate water holding capacity (USDA 1966; p.13); with an 11.56 inch net actual evaporation (precipitation minus annual evaporation) [USDA 1966; p. 9]. The stormwater pond sizing, the lining, the dense natural clay soils and the significant height above the surrounding terrain would all protect groundwater quality.

- **Depth to Groundwater** – See Major Aquifer Recharge Area above. The Facility will comply with all local and state construction requirements. The underlying groundwater basin is not utilized as a water supply, and no discharge to or pumping of the basin is permitted.
- **Permeable Strata and Soils** – the project is located on soil units identified by the USDA as Altamont clay (moderately deep, 30 to 45 percent slopes, eroded). According to the USDA soil data, these soils are identified as having a Unified Soil Classification System symbol of CH, that suggests highly plastic clay. Highly plastic clays are typically also highly expansive. The effects of expansive soils could damage foundations of structures, paved roads and streets, and concrete slabs. Soil creep can occur on sloped ground with expansive soils and cause damage to structures with vertical walls below grade. Paved roads are not planned as part of the project, and the project will not construct any structures with foundations. Additionally, as a condition of approval to secure a building permit, the project applicant will be required to obtain an engineer’s certification that all access routes are all-weather and will support the load of a 75,000 pound piece of apparatus. The site soils have a high percentage of clays that would result in low permeability and may limit the use of septic tanks with leach fields. Waste water disposal is not part of the project, therefore the low permeability of the soils would have no impact related to the use of septic tanks or alternative waste water disposal systems.
- **Non-attainment Air Areas:** The BAAQMD states that “for any project that does not individually have significant operational air quality impacts, the determination of significant cumulative impact should be based on an evaluation of the consistency of the project with the local general plan and of the general plan with the regional air quality plan” (BAAQMD 1999, p. 19). The Alameda County Community Climate Action Plan aims to “encourage participation in recycling and composting throughout the community” (Alameda County 2014b, p. 9). The proposed project would provide infrastructure to achieve this goal. Therefore, the proposed project is consistent with the local general plan and would not have cumulative air quality impacts.
- **PSD Air Areas** – Operation of the Facility shall be in compliance with all requirements of the BAAQMD.
- **Mineral Resources Area:** The site surface is disturbed and compacted, no soil, sand or gravel will be extracted from the site. The project will not prevent the extraction of any known mineral resource or result in the loss of the availability of any mineral resource recovery site identified in the County GP or any other plan.
- **Prime Agricultural Lands/Open Space** – The project area is located in the east end of the Livermore Valley. This unincorporated area is characterized by industrial uses near Greenville Road and agricultural uses to the east and south. The Project site is zoned “A” (Agricultural), which allows for composting facilities as a conditional use (Alameda County 2014a, section 17.06.035). The site is not used for agriculture; it is currently used to store construction equipment.
- **Military Lands** – The Facility is not sited on any Military lands.

- **Other Federal, State, and Indian Lands** – The Facility is not located on any Federal, State, or Indian lands.
- **Proximity to Major Transportation Routes** – the compost facility is roughly 6,383 feet, a little over one mile, from CA 580.
- **Proximity to Development:** Directly to the north, concrete road dividers are stored in an open area. Further to the northwest are the existing chip and grind facility and several construction company offices with outdoor equipment storage. The nearest residence is the lessor, the adjacent 125-acre Mills Ranch property. The site is not near any public schools, churches, hospitals, civic buildings or libraries.
- **Proximity to Public Services** –Water and sewer will not be needed as utilities on the site. The one employee working on site will be splitting time between this Facility and the Livermore Chip and Grind Facility and will have access to the portable restroom at that site. Water used in the composting process will be from a water truck that is filled from the purple, recycled water hydrant near the intersection of Isabel and Portola Ave. Power will be brought in underground from the nearest telephone pole. The Facility is only just over one mile from CA 580; emergency response times would be minimal.
- **Proximity to Waste Stream** – This Facility is not a public facility; material will be transferred to this Facility from other Vision Recycling sites, primarily from the nearby chip and grind site. Thus proximity to residentially zoned areas is not necessary.
- **Appropriate Zoning** –Project site is zoned “A” (Agricultural) by the County, which allows for composting facilities as a conditional use.
- **Conformance with Approved Countywide Siting Element of the Integrated Waste Management Plan** – The Facility is consistent with the goals and policies of the Countywide Siting Element and has been designed to enhance landfill diversion of materials for Alameda County and to promote the production of high quality, marketable compost and is an integral part of the countywide system.
- **Recreational, Cultural, or Aesthetic Areas** – The Facility is not located in an area of any recreational, cultural, or aesthetic significance.
- **Airport Zones** – This facility is located 31 miles from the nearest airport, the Oakland Airport, and does not occupy any restricted zones as defined by the Alameda County Airport Land Use Policy Plan.
- **Gas Migration/Emission** – Not Applicable.
- **Contingency** – This Facility is not a public facility. An emergency contingency plan for the continuation of service in the event of a natural or man-made disruption is not applicable since Vision Recycling can shut off flow of incoming material at any time internally.
- **Aesthetics** - The project site is located in the eastern portion of the Livermore Valley, in an unincorporated area of Alameda County. Surrounding land uses are primarily grassy, rolling open space to the north, south, east, and west of the property. Directly to the north, concrete road dividers are stored in an open area. Further to the northwest are the existing chip and grind facility and several construction company offices with outdoor equipment storage. The nearest residence is the lessor, the adjacent 125-acre Mills Ranch property. The site is not near any public schools, churches, hospitals, civic buildings or libraries.

EXHIBIT 3

Conditions of Approval for CoIWMP Amendment and Conformity Determination for the Vision Recycling Compost Facility

Pursuant to the Joint Powers Agreement establishing the Alameda County Waste Management Authority (“Authority”), the Alameda County Integrated Waste Management Plan, and state law, the CoIWMP amendment and conformity determination enacted by the ordinance to which this exhibit is attached is subject to the conditions below:

1. Operations at the Vision Recycling Compost Facility (“Facility”) shall comply with all requirements governing the design and operation of green material compost operations under the EA notification tier as set forth in Title 14 of the California Code of Regulations.
2. The materials that may be processed through the Vision Recycling Compost Facility may include only green materials and no food materials.
3. The total site capacity of 12,500 cubic yards per day shall not be exceeded.
4. The ordinance to which these Conditions of Approval is attached shall take effect only upon Vision Recycling’s acceptance of these conditions and its agreement to indemnify and hold harmless the Authority, its agents, officer, and employees according to the terms in paragraph 5 below.
5. Vision Recycling shall indemnify and hold harmless the Authority, its agents, officers and employees for any costs, including attorneys’ fees, incurred by the Authority, its agents, officers or employees in the defense of any action brought against the Authority, its agents, officers or employees, in connection with the approval or implementation of Authority Ordinance No. 2016-01. Vision Recycling shall reimburse the Authority, its agents, officers or employees for any costs, including attorneys’ fees, that the Authority, its agents, officers or employees incur as a result of such action. This indemnification shall be binding upon the Authority, Vision Recycling and all their successors and assigns.
6. Vision Recycling shall comply with the Alameda County Integrated Waste Management Plan, all applicable existing and future ordinances and resolutions of the Authority and all conditions imposed by the County of Alameda and other regulatory agencies.
7. These conditions of approval shall restrict the operation of the Facility.
8. Any activities beyond those provided for by Ordinance 2016-01 shall require a new CoIWMP amendment and conformance determination by the Authority.

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DATE: June 22, 2016

TO: Waste Management Authority

FROM: Wendy Sommer, Executive Director

BY: Debra Kaufman, Senior Program Manager

SUBJECT: Public Hearing and Annual Adoption of Fee Collection Report for Household Hazardous Waste Fee

SUMMARY

At the June 22, WMA meeting the Board will be asked to adopt the 2016-17 fee collection report as required by the Household Hazardous Waste ordinance adopted in 2014. Staff will also provide a summary of the HHW program at the meeting.

BACKGROUND

At the May 2014 WMA meeting, the Board adopted Ordinance 2014-01: "Ordinance Establishing a Household Hazardous Waste (HHW) Collection and Disposal Fee," which included a \$9.55 fee per residential unit. 2016-17 will be the third year that the fee is collected and used to support existing and expanded activities at the four HHW facilities (Fremont, Hayward, Livermore, and Oakland). This fee, in combination with an HHW tip fee at the landfill and product stewardship savings, combine to pay for the four facilities. The fee also supports up to twelve one-day HHW events around the county per year. So far in 2016, two such events have taken place, with another seven expected before the end of the year. The permanent facilities and one-day events are operated under two MOUs: one with the City of Fremont and one with the County of Alameda. Since increasing hours/days of operation in January, 2015, household participation has grown by 30 percent. Further growth in participation is expected as we increase outreach and expand the number of one-day events.

Under the ordinance, a Fee Collection Report must be approved by the Board each year prior to placing the parcel fee on the Alameda County property tax roll. A proposed Fee Collection Report (FCR) was publicly noticed this month. The purpose of the notice of the proposed FCR is to allow residential property owners subject to the fee to provide updated information about the number of units on their property, since the fee applies to each unit. The 2016 Fee Collection Report includes

changes that property owners have requested throughout the year and during the review of the 2015 Fee Collection Report. Staff has incorporated all requests for changes to the proposed FCR into the draft linked below. The Fee Collection Report lists all the parcels in Alameda County subject to the fee together with the fee amount for the parcel. The 2016 Fee Collection Report (13,000+ pages, 82MB file size) may be viewed at:

www.stopwaste.org/sites/default/files/hhwfees/2016BoardReport-official.pdf.zip.

The HHW fee ordinance calls for the fee to be adjusted each year beginning in 2016-17 if HHW tip fee collections and product stewardship savings are higher than the projections used when the fee was adopted. Based on collections and savings in 2014-15, the 2016-17 HHW will be \$8.60 per residential parcel instead of \$9.55. (Per the ordinance, the fee will reset to \$9.55 for 2017-18 but will again be adjusted downward if tip fee collections and product stewardship savings for 2015-16 are found to have been higher than expected. The fee cannot be increased above \$9.55 except by amending the fee ordinance and complying with State laws concerning fee increases.) Fee revenue for 2016-17 is expected to be approximately \$4.9 million. These revenues combined with fund balance, and the annual revenue from the HHW landfill tip fee (estimated at \$1,578,100 for FY16-17), pay for the administration and implementation of the program, which includes StopWaste's costs for administration of the MOUs and outreach, operation of the four facilities and up to twelve one-day HHW events around the county.

RECOMMENDATION

Staff recommends that the WMA Board hold a public hearing on the Fee Collection Report and approve the Fee Collection Report for FY2016-17, which includes adjusting the fee downward from \$9.55 to \$8.60 per unit for FY2016-17.

Attachment A: Link to [HHW 2016 Fee Collection Report](#)

Attachment B: Link to [HHW Ordinance 2014-1](#)



DATE: June 22, 2016

TO: Waste Management Authority

FROM: Wendy Sommer, Executive Director

BY: Debra Kaufman, Senior Program Manager

SUBJECT: Legislative & Regulatory Priorities & Process Review

SUMMARY

At the May 12 P&A Committee meeting, the Board asked staff to review the current legislative advocacy protocol of having the WMA formally take positions on bills in April of each year. At the June 22 meeting, staff will seek approval from the Board for a legislative protocol to ensure that the Agency is effective and nimble in responding to bills and changes that occur during the legislative session.

BACKGROUND:

Through its input on legislation and regulation, StopWaste has been an influential voice in Sacramento on issues important to the Agency such as recycling, composting, waste prevention, HHW, and green building.

Typical legislative activities throughout the year include:

- November – Board adopts legislative priorities for the upcoming session
- February – Deadline for introduction of bills
- March – Bill authors and organizational sponsors seek letters of support, committee meetings begin
- April – Earliest feasible time for staff to digest bills and recommend positions for the Board, who adopts positions on approximately 15-25 bills. Sometimes by the time the Board takes positions at the end of April, legislative analyses have already been printed including the list of organizations in support/opposition. This is a point of influence that the Agency sometimes misses.
- June—Legislative status update provided to the Board
- October – Status update provided to Board after the Governor signs or vetoes bills to take effect in January of the following year.

In 2016, the Board prioritized Extended Producer Responsibility, organics regulations and Environmentally Preferable Purchasing. In addition to tackling priority issues, staff also works on supporting bills that address other issues of importance to the Agency through letters of support and providing input on bill language. Occasionally, the Executive Director will send a letter of support prior to Board adoption of positions when a bill is clearly in accordance with Agency mission and projects. Most letters, however, are sent after Board

adoption of formal positions. Additionally, bills that clearly are in line with the Agency's mission sometimes come to our attention after the Board has taken formal positions.

This year, two such bills came to our attention after the Board meeting in May, one on supporting Green Business Programs, AB 2293, and another on promoting market development for electronic waste glass, AB 1419. Both are issues of concern to the Agency. As such, the Executive Director did send letters of support.

The legislative process is quite fluid from March through June and taking formal positions in April doesn't allow staff to be as nimble as we could be in response to the shifting language of bills. Some of our jurisdictions address this issue by having their councils adopt "broad priority areas." Bills that fall within these areas are within the discretion of the person designated to support or oppose.

To allow the Agency to more effectively participate in the legislative process, staff is recommending a process of having the Board adopt broader priorities (such as household hazardous waste, organics, food waste, packaging, recycling, composting, solid waste fees, local preemption, sustainable landscaping, and green building), prior to the legislative year and allowing the Executive Director to sign off on support or oppose letters in accordance with those priorities. One historical note for perspective on this recommendation: In the past ten years of taking positions on legislation, there has never been an instance of the Board changing a staff recommended legislative position.

RECOMMENDATION:

Staff recommends that the WMA Board authorize the Executive Director to determine positions for bills that are in accordance with Agency priority areas adopted by the Board in November of each year. Staff would continue to bring status updates to the Board in April, June and October.



DATE: June 22, 2016
TO: Authority Board Members
FROM: Wendy Sommer, Executive Director
SUBJECT: Vacancy on the Recycling Board

SUMMARY

There is a vacancy on the Recycling Board created by the departure of Board member Greg Jones, City of Hayward, whose council term is ending. This vacancy needs to be filled immediately.

DISCUSSION

Board member Jones' position was one of five appointments to the Recycling Board made by the WMA Board. Currently, WMA members Maass, Martinez, Pentin, and Rood occupy the other four positions.

The Charter limits each member to two consecutive terms. Each term is for two years, and members may not serve for more than two terms or for more than one term if not followed by a consecutive term. Any WMA member (but not an alternate) may serve on the Recycling Board so long as they have not served previously.

Current WMA members eligible to serve are:

1. Keith Carson
2. Suzanne Lee Chan
3. Deborah Cox
4. Mike Hannon
5. Dan Kalb
6. Jim Oddie
7. Susan Wengraf

If the WMA Board fails to make an appointment at the June or July meeting, authority to make the appointment would transfer to the County Board of Supervisors, in consultation with a double majority of the Cities, per Section 64.130 D.6 of the County Charter.

The Board may wish to consider geographic diversity of the appointments, since members Maass, Martinez, and Rood are from north County. However, there is no requirement for geographic diversity.

RECOMMENDATION

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

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DATE: June 22, 2016
TO: Waste Management Authority
FROM: Wendy Sommer, Executive Director
SUBJECT: Election of WMA Officers for Fiscal Year 2016-17

SUMMARY

Authority officers’ terms are for a fiscal year. Since June concludes our fiscal year, it is time for election of new officers, effective July 1.

DISCUSSION

Jerry Pentin from East County is the current President, Dan Kalb from North County is the current First Vice President, and Greg Jones from South County is the current Second Vice President. Board member Jones will no longer represent the City of Hayward starting in July.

Items to consider:

- Authority policy calls for the geographic origin of officers to rotate each year. The next President should be from North County, the next First Vice President from South County, and the next Second Vice President from East County. It is customary, but not required by policy, for each officer to ‘advance one level’ each year.
- The county’s geographic designation is determined by the member’s supervisorial district boundary:
 - North County is defined by the policy as Albany, Berkeley, Oakland, Emeryville, Piedmont and Alameda.
 - South County is defined by the policy as Hayward, San Leandro, Union City, Newark, and Fremont.
 - East County is defined by the policy as Castro Valley Sanitary District, Oro Loma Sanitary District, Dublin, Livermore, and Pleasanton.

RECOMMENDATION

Staff recommends that the WMA Board elect officers for Fiscal Year 2016-17.

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DATE: June 22, 2016
TO: Energy Council
FROM: Wendy Sommer, Executive Director
SUBJECT: Election of EC Officers for Fiscal Year 2016-17

SUMMARY

Energy Council officers’ terms are for one fiscal year. Since June concludes our fiscal year, it is time for election of new officers, effective July 1. Dan Kalb from Oakland is the current President, Greg Jones from Hayward is the First Vice President, and Lorrin Ellis from Union City is the Second Vice President.

DISCUSSION

Items for consideration when electing officers:

- It is customary for each officer to ‘advance one level’ each year. However, Board member Jones will no longer be a representative from the City of Hayward. The Board may choose to elect Lorrin Ellis to be the President and elect a new VP and Second VP.
- WMA policy requires the geographic origin of officers to include one from each of three defined parts of the County (South, North, and East). The Energy Council decided to consider geographic diversity when it first elected officers.
- The Energy Council was interested in ensuring that the officers were not all from large or small member agencies. Larger agencies might be defined as those with more than one vote on the Energy Council, in recognition that they have larger populations than the other agencies. The agencies with more than one vote are: City of Oakland (3), County of Alameda (2), City of Fremont (2), and City of Hayward (2).

RECOMMENDATION

Staff recommends that the Energy Council elect officers for Fiscal Year 2016-17.

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**July 2016
Meetings Schedule**

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

(Meetings are held at StopWaste Offices unless otherwise noted)

SUN	MON	TUES	WED	THURS	FRI	SAT
					1	2
3	4 AGENCY HOLIDAY	5	6	7	8	9
10	11	12	13	14 9:00 AM Programs & Administration Committee Key Item: 1. Property Update <hr/> 7:00 PM Planning & Organization Committee /Recycling Board Fremont Recycling/BLT Key Items: 1. Update on 5 Year Program Review 2. Grantee Presentation	15	16
17	18	19	20	21	22	23
24	25	26	27 3:00 PM Waste Management Authority & Energy Council Key Items: 1. CoIWMP- Vision Recycling-2 nd Reading 2. Priority Setting Process/Timeline	28	29	30
31						

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Newark council hears plan for county's expanded plastic bag ban

By Refugio Garcia, correspondent

Posted: 05/23/2016 12:05:24 PM PDT | Updated: a day ago

Alameda County's current ban on plastic bags could expand to include an additional 9,000 stores and 4,000 restaurants, according to a presentation to Newark City Council on May 12.

If adopted in October by the county Waste Management Authority Board of Directors, the expansion of the ordinance would take effect in May 2017 for all retail stores. The ban would be implemented for all food establishments six months later.

Newark City Councilman Mike Hannon represents the city on the 17-member board, which includes representatives of Alameda County, each of the 14 cities in the county and two sanitary districts. The presentation was informational only and no action was taken by the council.

The existing ordinance, effective January 2013, applies to grocery and liquor stores in the county that traditionally distribute a high volume of single-use bags.

"There are about 1,400 stores that are currently affected by the ordinance," said Meri Soll, senior program manager for StopWaste, the county agency responsible for reducing waste in the region. In conjunction with the Alameda County Source Reduction and Recycling Board, the authority operates as StopWaste.

The focal point of the expansion is a revision to the reusable bag ordinance to include all food vendors including food trucks. However, restaurants that provide bags in compliance with the ordinance will not have to charge for them. Farmers markets will continue to be exempt from the ordinance because the bags used are considered produce bags.

The 2013 ordinance primarily focused on grocery, drug and liquor stores, requiring that stores cease to provide single-use bags and to charge customers 10 cents for a paper bag.

"Every store that is affected by the ordinance is inspected, but with 1,400 stores this is impossible so ensuring compliance will become complaint-based where customers can report businesses that aren't complying with the ordinance," Soll said.

The ordinance is meant to encourage shoppers to bring their own bags when shopping in order to reduce litter and waste in the community and in landfills, while potentially saving the city money on litter and the clearing of storm drains.

"When readily available, we tend to use them," she said. "It's estimated by the state that 500 bags a year are used by a single shopper (on average)."

In a survey of 70 stores conducted by StopWaste, a decline of 85 percent was reported in the number of shoppers who used a bag at all, while a large increase in the number of shoppers who brought their own bag was also observed.

Another aim of the ordinance is to collect single-use bags that were distributed prior to the ordinance.

"They estimate that 764 million plastic bags were distributed in Alameda County every year," Soll said. "We estimate that about 62 percent can currently be captured through the ordinance."

Amending the ordinance is up to the Waste Management Authority's Board of Directors. The ordinance would not be expanded if the board's majority does not approve it.

The first reading is scheduled for Sept. 28 with the second reading and adoption of the amended ordinance scheduled for Oct. 26. Member agencies would have the ability to opt out of the ordinance by Dec. 9.

***StopWaste staff note: Although this article provides a good overview of the proposed bag ordinance expansion, there are a few factual errors regarding the nature and number of stores, and whether or not restaurants will have to charge for bags.