

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

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

Wednesday, June 24, 2020

3:00 P.M.

TELECONFERENCE MEETING

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

This meeting will be 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 ID 811 6588 0456
2. Using the [Zoom](#) website or App and entering meeting code 811 6588 0456.

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, June 24, 2020. 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.

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 Joint WMA, EC, & RB Minutes of May 27, 2020 (Wendy Sommer)

VI. REGULAR CALENDAR

- 7 1. Public Hearing and Annual Adoption of Fee Collection Report for Household Hazardous Waste Fee (Pat Cabrera)
That the WMA Board hold a public hearing on the Fee Collection Report and approve by resolution, the Fee Collection Report for FY 2020-21.
- 11 2. Election of WMA Officers for Fiscal Year 2020-21 (Arliss Dunn)
Staff recommends that the WMA Board elect officers for Fiscal Year 2020-21.
- 13 3. Election of Energy Council Officers for Fiscal Year 2020-21 (Arliss Dunn)
Staff recommends that the Energy Council elect officers for Fiscal Year 2020-21.
- 15 4. Vacancy on the Recycling Board (Arliss Dunn)
That the WMA Board fill the vacancy on the Recycling Board.
- 21 5. Sustainable Landscapes in Alameda County - Final Report (Jennifer West)
This item is for information only.
6. Interim appointment(s) to the Recycling Board for WMA appointee unable to attend future Board Meeting(s) (Arliss Dunn)
(Planning Committee and Recycling Board meeting, July 9, 2020, 7:00 p.m. via teleconference).
- 23 7. BayREN 2020-22 Contract Amendment #1 (Karen Kho) (EC only)
Adopt a Resolution authorizing the Executive Director to enter into a 2020 contract amendment of \$100,000 for Bay Area Regional Energy Network (BayREN) and other related actions.

VII. MEMBER COMMENTS AND COMMUNICATIONS FROM THE EXECUTIVE DIRECTOR

VIII. CLOSED SESSION (WMA only)

Pursuant to Government Code Section 54957
PUBLIC EMPLOYEE PERFORMANCE EVALUATION
Title: Executive Director
(confidential materials mailed separately)

IX. CLOSED SESSION (WMA only)

Pursuant to Government Code Section 54957.6
CONFERENCE WITH LABOR NEGOTIATORS
Agency Designated Representatives: Board Members Cox, Rood, Sadoff, and Young
Unrepresented Employee: Executive Director

X. ADJOURNMENT

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**MINUTES OF THE JOINT MEETING OF THE
ALAMEDA COUNTY WASTE MANAGEMENT AUTHORITY (WMA) BOARD,
THE ENERGY COUNCIL (EC),
AND THE SOURCE REDUCTION AND RECYCLING BOARD (RB)**

Wednesday, May 27, 2020

3:00 P.M.

TELECONFERENCE MEETING

I. CALL TO ORDER

President Rood 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

City of Alameda	Jim Oddie, WMA, EC, RB
City of Albany	Nick Pilch, WMA, EC
City of Berkeley	Susan Wengraf, WMA, EC
Castro Valley Sanitary District	Dave Sadoff, WMA, RB
City of Dublin	Melissa Hernandez, WMA, EC
City of Emeryville	Dianne Martinez, WMA, EC
City of Fremont	Jenny Kassan, WMA, EC
City of Livermore	Bob Carling, WMA, EC, RB
City of Hayward	Francisco Zermeño, WMA, EC, RB
City of Newark	Mike Hannon, WMA, EC
City of Oakland	Dan Kalb, WMA, EC
Oro Loma Sanitary District	Shelia Young, WMA
City of Piedmont	Tim Rood, WMA, EC, WMA President
City of Pleasanton	Jerry Pentin, WMA, EC
City of San Leandro	Deborah Cox, WMA, EC President, RB President
City of Union City	Emily Duncan, WMA, EC

ABSENT:

County of Alameda	Keith Carson, WMA, EC
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RB

Recycling Programs	Jillian Buckholz, RB
Recycling Materials Processing Industry	Bernie Camara, RB
Environmental Organization	Darby Hoover, RB
Source Reduction Specialist	Laura McKaughan, RB
Solid Waste Industry Representative	Tianna Nourof, RB
Environmental Educator	Vacant

Staff Participating:

Wendy Sommer, Executive Director
Pat Cabrera, Administrative Services Director

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Jeff Becerra, Communications Manager
Justin Lehrer, Senior Management Analyst
Cassie Bartholomew, Program Manager
Annalisa Belliss, Program Services Specialist
Hugo Grégoire, Schools Sustainability Associate
Arliss Dunn, Clerk of the Board
Richard Taylor, WMA Legal Counsel
Farand Kan, Deputy County Counsel

Others Present:

Jason Schmelzer, Shaw Yoder Antwih Schmelzer & Lange
Priscilla Quiroz, Shaw Yoder Antwih Schmelzer & Lange

III. ANNOUNCEMENTS BY PRESIDENTS

There were no announcements by the Presidents.

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 Joint WMA/EC Minutes of April 22, 2020 (Wendy Sommer) (WMA/EC & RB)**
- 2. Recycling Board Attendance Record (Jeff Becerra) (RB only)**
- 3. Written Report of Ex Parte Communications (Jeff Becerra) (RB only)**
- 4. Grants Issued Under Executive Director Signature Authority (Wendy Sommer) (RB only)**

There were no public comments for the Consent Calendar.

Board member Hernandez made the motion to approve item 1 of the Consent Calendar. Board member Zermeño seconded and the motion carried:

WMA: 18-0. The Clerk called the roll:

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

EC: 18-0. The Clerk called the roll: (Ayes: Carling, Cox, Duncan, Hannon, Hernandez, Kalb, Kassan, Martinez, Oddie, Pentin, Pilch, Rood, Wengraf, Zermeño. Nays: None. Abstained: None. Absent: Carson).

RB: 10-0. The Clerk called the roll: (Ayes: Buckholz, Camara, Carling, Cox, Hoover, McKaughan, Oddie, Nourot, Sadoff, Zermeño. Nays: None. Abstained: None. Absent: None).

Board member Cox made the motion to approve items 2, 3 & 4 of the Consent Calendar for Recycling Board. Board member Zermeño seconded and the motion carried 10-0. The Clerk called the roll:

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(Ayes: Buckholz, Camara, Carling, Cox, Hoover, McKaughan, Oddie, Nourrot, Sadoff, Zermeño. Nays: None. Abstained: None. Absent: None).

VI. REGULAR CALENDAR

1. FY 20-21 Budget Adoption (Wendy Sommer & Pat Cabrera) (WMA/EC & RB)

That the WMA Board adopt the WMA FY 20-21 Budget Resolution (Attachment A), the Energy Council adopt the EC FY 20-21 Budget Resolution (Attachment B), and the Recycling Board adopt the RB FY 20-21 Budget Resolution (Attachment C).

Pat Cabrera provided an overview of the staff report. A link to the report is available here:

[FY20-21-WMA-EC-RB-Budget-Adoption.pdf](#)

Board member Martinez expressed thanks to staff for a thoughtful and balanced budget and added it is a pleasure to serve on a board that is financially stable at this time. Board member Martinez commented that we have funds that are set aside for buses that provide school tours and inquired if we are able to redirect those funds to ensure that the schools are continuing to receive the educational benefits via virtual learning. Ms. Cabrera stated that the schools program staff is currently discussing how to continue to provide virtual educational services to teachers and staff is planning to include the issue as an agenda item on an upcoming board meeting. Board member Young inquired about the number of staff that are in the early steps of the salary scale and staff that are in the latter steps of the salary scale. Ms. Cabrera stated that she did not have that information in front of her but that she could provide it at a later date. Board member Pilch inquired if the vacant lines on the salary scale indicate positions that are not currently filled or positions that do not exist. Ms. Cabrera stated that when the salary scale was developed there were gaps between various positions and we implemented vacant salary ranges. If we were to develop positions that required filling those positions, staff would be placed in those vacant positions. There were no public comments on this item.

Board member Sadoff made the motion to adopt the FY 20-21 budget resolution for the WMA. Board member Oddie seconded and the motion carried 18-0. The Clerk called the roll:

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

Board member Hannon made the motion to adopt the FY 20-21 budget resolution for the EC. Board member Wengraf seconded and the motion carried 18-0. The Clerk called the roll:

(Ayes: Carling, Cox, Duncan, Hannon, Hernandez, Kalb, Kassan, Martinez, Oddie, Pentin, Pilch, Rood, Wengraf, Zermeño. Nays: None. Abstained: None. Absent: Carson).

Board member Carling made the motion to adopt the FY 20-21 budget resolution for the RB. Board member Buckholz seconded and the motion carried 10-0. The Clerk called the roll:

(Ayes: Buckholz, Camara, Carling, Cox, Hoover, McKaughan, Oddie, Nourrot, Sadoff, Zermeño. Nays: None. Abstained: None. Absent: None).

2. CalRecycle Food Waste Prevention and Rescue Grant presentation (Cassie Bartholomew) (WMA only)

This item is for information only.

Cassie Bartholomew, Annalisa Belliss, and Hugo Grégoire provided an overview and PowerPoint presentation of the CalRecycle Food Waste Prevention and Rescue program. A link to the staff report

and the presentation is available here: [K-12-Smart-Cafeteria-Initiative-05-27-20.pdf](#)

Board member Hannon inquired as to how the schools were selected to participate in the program and if the program continues, will staff be seeking other schools to participate. Ms. Bartholomew stated that the program existed prior to receiving the CalRecycle grant. Ms. Bartholomew stated that the Oakland Unified School District was the first district to implement these practices and we also had a prior relationship with the Livermore Unified School District. Due to the increase in GHG emissions, the grant did not allow us to purchase more refrigeration space for the surplus food donation programs at more school sites. Ms. Belliss added that we are currently working with other school districts with the Smart Cafeteria Initiative and used the CalRecycle program to develop best practices that can be shared with other school districts. Board member Hannon inquired about the hesitation in funding from CalRecycle for providing refrigeration at schools. Ms. Bartholomew stated that in the initial phase of the grant CalRecycle did provide some refrigeration infrastructure for the Oakland and Livermore school districts. Mr. Grégoire added the emphasis is on getting the food out in a sustainable way and working with Alameda County Deputy Sheriffs Activities' League and their refrigerated trucks enable us to accomplish the pickups of the surplus food in a sustainable way. Board member Young inquired if there is a focus on the types of food that the students will eat. Ms. Belliss stated there have been opportunities to help manage the kitchen with regard to over ordering leading to large amounts of surplus food in the back of the kitchen at the end of lunch. Although students have the choice to select the items that they want, students have to follow nutrition standards for their school meals. The USDA requires students to take a least three meal components including ½ cup of fruit or vegetable and at least two other full components including grain and meat. If a student does not want all the items, this can lead to food being placed on the food share cart instead of being tossed. Board member Young inquired about the amount of food that other students take from the food tray. Ms. Belliss stated that at one of our participating sites, students found that 226 hot entrees were taken from the food share cart in one week. Board member Sadoff inquired about the last day for in school services and inquired about the plans for utilizing the data that was collected. Mr. Grégoire stated that the last day for in-school services was March 17 but schools are continuing to provide food for students for breakfast, lunch and supper programs. . Ms. Bartholomew stated that the data is helpful when trying to get schools involved in the program and staff is planning to do a topic brief on the program as well. Board member Oddie inquired if it is standard practice to have ice available in the carts to hold the milk. Mr. Grégoire stated that it is not standardized but it is preferable to have ice packs. Board member Pilch commented that this was a great report and an important way to show kids that food should not be wasted and can be shared with others. He added the economics are wrong as schools that are participating in the program should receive more funding and schools that are not should be penalized. There were no public comments on this item.

3. Legislative Update (Jeff Becerra) (WMA only)

This item is for information only.

Jeff Becerra provided an overview of the staff report and stated that Jason Schmelzer and Priscilla Quiroz, Agency Lobbyists, were available to answer any questions. A link to the staff report is available here: [Legislative-Update-05-27-2020.pdf](#)

Board Member Hannon requested that going forward if there are any anticipated financial impacts to local jurisdictions that staff would bring them to the Board's attention in the upcoming legislative summary report. Mr. Becerra stated that with the big legislation coming forward, AB 1080/SB54, we are not expecting any costs to local jurisdictions as the mandate will be on producers. Board member Oddie commented that the state will be facing a \$54 billion dollar deficit and requested that staff

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provide any anticipated costs in the next legislative report. Mr. Becerra stated that there may be information on costs in the links to the bills in the staff report but staff can provide any costs in the next report. There were no public comments on this item.

4. **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, June 11, 2020 at 4:00 pm. Location TBD)

There were no requests for an interim appointment.

VII. MEMBER COMMENTS AND COMMUNICATIONS FROM THE EXECUTIVE DIRECTOR

Ms. Sommer announced that this month's topic brief is on compost and stressed the importance of keeping our soil healthy by applying compost. A link to the topic brief is available here: <http://www.stopwaste.org/resource/building-healthy-soil-with-compost-may-2020>. Ms. Sommer announced that the Board of Supervisors appointed Eric Havel to the Environmental Educator vacancy on the Recycling Board. Mr. Havel is currently the Senior Manager of Education at Chabot Space & Science Center and we are pleased to welcome him to the Board. Ms. Sommer announced that after conducting an extensive recruitment process that resulted in 27 candidates, we have offered the Deputy Director position to Timothy Burroughs and he has accepted. Mr. Burroughs will be leaving his position as the Director of Planning and Development for the City of Berkeley. We were very impressed with his experience in strategic planning, and in his role as Chief Resilience Officer he provided strategic direction for policies and programs and implemented innovative programs. We were also very impressed with his knowledge of our programs. We will introduce him at our next board meeting and he will come aboard in late July. Board member Wengraf commented that she had worked with Mr. Burroughs at the City of Berkeley for 13 years and expressed positive comments on his talent and skills and stated that the Board will be pleased to have him on staff.

Board member Young commended staff on the presentation for the Smart Kitchen Initiative and stated that it is an excellent idea to follow up with a topic brief, and asked that staff provide an email to the Board with a link to the videos. Ms. Sommer stated that staff will send an email to the Board and the links will be included in the minutes, available here: [K-12 School Food Share Videos](#). Board member Pilch requested to share the link to the schools celebration with the Albany School District. Board member Pilch thanked staff for providing a copy of the TAG (Technical Advisory Group) minutes as well as the UpStream guidelines on reusable products during the COVID-19 pandemic. Board member Pilch stated that we must speak against efforts to prevent the use of reusables at this time. Board member Sadoff asked for clarification on the guidelines for reusable bags as he thought that the bags were allowed in the store as long as they don't touch anything in the store. Ms. Sommer stated that the bags are allowed in the stores but they must not touch any surfaces, although based on today's weekly COVID-19 briefing held by the Alameda County Health Care Services Agency and the Office of Emergency Services, stores have the right to prevent the use of reusable bags. Ms. Sommer suggested that items can be placed back in the shopping cart and bagged by the customer outside of the store. Board Member McKaughan thanked staff for addressing this issue.

ADJOURNMENT

The meeting was adjourned at 4:16 p.m.

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DATE: June 24, 2020

TO: Waste Management Authority Board

FROM: Pat Cabrera, Administrative Services Director

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

SUMMARY

At the June 24, 2020 WMA meeting, staff will ask the Board to adopt the FY 2020-21 fee collection report as required by the Household Hazardous Waste Collection and Disposal Fee Ordinance.

BACKGROUND

At the May 29, 2014 WMA meeting, the Board adopted HHW Ordinance 2014-1: "Ordinance Establishing a Household Hazardous Waste Collection and Disposal Fee." This fee in combination with the HHW landfill tip fee supports the four HHW facilities (Fremont, Hayward, Livermore, and Oakland) as well as annual one-day collection events throughout the county.

Under the ordinance, a Fee Collection Report must be approved by the WMA Board each year prior to placing the fee on the Alameda County property tax roll. A proposed Fee Collection Report (FCR) was publicly noticed earlier 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 2020 Fee Collection Report includes changes that property owners have requested throughout the year and during the review of the 2020 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 2020 Fee Collection Report may be viewed at: [HHW-Fee-Collection-Report](#) *(Please be aware that the file is very large and will take time to download)*.

As background, the fee was initially set at \$9.55 per residential unit per year, subject to an annual recalculation. On September 25, 2019, the Board amended Ordinance 2014-01 to remove the annual fee recalculation and lower the fee to \$6.64 per residential unit per year. This annual fee will be effective through June 30, 2024 at which point it will be recalculated for the following five years, subject to the \$9.55 cap in the Ordinance.

RECOMMENDATION

That the WMA Board hold a public hearing on the Fee Collection Report and approve by resolution, the Fee Collection Report for FY 2020-21.

Attachment: Resolution Adopting the Fee Collection Report

**ALAMEDA COUNTY WASTE MANAGEMENT AUTHORITY
RESOLUTION #WMA 2020-**

**MOVED:
SECONDED:**

**AT THE MEETING HELD JUNE 24, 2020
THE ALAMEDA COUNTY WASTE MANAGEMENT AUTHORITY AUTHORIZES ANNUAL ADOPTION OF
THE FEE COLLECTION REPORT**

WHEREAS, the Household Hazardous Waste Collection and Disposal Fee Ordinance (adopted by Ordinance 2014-01 and amended by Ordinance 2019-01) establishes a Household Hazardous Waste Collection and Disposal Fee, and

WHEREAS, the current annual fee is \$6.64 per household, and

WHEREAS, the ordinance requires that a Fee Collection Report describing each parcel of real property with one or more households served by the Household Hazardous Waste Collection and Disposal Program, the number of households on each parcel described, the amount of the charge for each parcel for the year, and whether the Fee is to be collected on the tax roll or by other means be approved by the WMA Board each year prior to placing the fee on the Alameda County property tax roll, and

WHEREAS, legal notice of the public hearing of the Fee Collection Report has been provided, and the matter scheduled on the June 24, 2020 Waste Management Authority agenda for adoption.

NOW THEREFORE, BE IT RESOLVED that the Alameda County Waste Management Authority hereby approves the annual Fee Collection Report.

Passed and adopted this 24th day of June 2020 by the following vote:

**AYES:
NOES:
ABTAIN:
ABSENT:**

Arliss Dunn, Clerk of the Board

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DATE: June 24, 2020

TO: Waste Management Authority Board

FROM: Arliss Dunn, Clerk of the Board

SUBJECT: Election of WMA Officers for Fiscal Year 2020-21

SUMMARY

Authority officers' terms are on a fiscal year basis. Since the end of June concludes our fiscal year, it is time for election of new officers, effective July 1.

DISCUSSION

Tim Rood from North County is the current President, Deborah Cox from South County is the current First Vice President, and Shelia Young from East County is the current Second Vice President.

Items to consider:

- Authority policy calls for the geographic origin of officers to rotate each year. The next President should be from South County, the next First Vice President from East County, and the next Second Vice President from North 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 as Albany, Berkeley, Oakland, Emeryville, Piedmont and Alameda.
 - South County is defined as Hayward, San Leandro, Union City, Newark, and Fremont.
 - East County is defined 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 2020-21.

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DATE: June 24, 2020
TO: Energy Council
FROM: Arliss Dunn, Clerk of the Board
SUBJECT: Election of EC Officers for Fiscal Year 2020-21

SUMMARY

Energy Council officers' terms are on a fiscal year basis. It is time for election of new officers for FY 2020-21. Deborah Cox (San Leandro) is the current President, Melissa Hernandez (Dublin) is the First Vice President, and Dan Kalb (Oakland) is the Second Vice President.

DISCUSSION

Items for consideration when electing officers:

- It is customary for each officer to "advance one level" each year.
- Unlike the Waste Management Authority, the Energy Council does not require the geographic origin of officers to include one from each of three defined parts of the county.
- 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 Hayward (2), and City of Fremont (2).

RECOMMENDATION

Staff recommends that the Energy Council elect officers for Fiscal Year 2020-21.

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DATE: June 24, 2020

TO: Waste Management Authority Board

FROM: Arliss Dunn, Clerk of the Board

SUBJECT: Vacancy on the Recycling Board

SUMMARY

Board member Jim Oddie's second term on the Recycling Board will end effective June 26, 2020, thereby creating a vacancy on the Recycling Board.

DISCUSSION

Board member Oddie's position was one of five appointments to the Recycling Board made by the WMA Board. Currently, WMA members Carling, Cox, Sadoff, and Zermeño 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 | 4. Melissa Hernandez | 7. Nick Pilch |
| 2. Emily Duncan | 5. Dan Kalb | 8. Susan Wengraf |
| 3. Mike Hannon | 6. Jenny Kassan | |

The Recycling Board meets the second Thursday of each month at 4 p.m. or 7 p.m. Meetings are held either at StopWaste's offices or at different locations in each of the five supervisorial districts. Schedule and location of meetings are distributed at the beginning of each calendar year. A Recycling Board FAQ is attached for reference.

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 Carling and Sadoff are from East County, and members Cox and Zermeño are from South County. However, there is no requirement for geographic diversity.

RECOMMENDATION

That the WMA Board fill the vacancy on the Recycling Board.

Recycling Board/Measure D

FAQ's

WHAT IS THE RECYCLING BOARD AND MEASURE D?

The Alameda County Source Reduction and Recycling Board was created in 1990 by the voters of Alameda County through a County Charter amendment ballot initiative, Measure D (official name: The Alameda County Waste Reduction and Recycling Initiative Charter Amendment). The intention of the Measure was to ensure that the county meet & surpass CA AB 939 mandates of reducing the amount of waste sent to landfill by 50 percent by the year 2000.

The Recycling Board is responsible for programs that promote source reduction, recycling, recycled product procurement, market development, and grants to nonprofit waste reduction enterprises.

WHAT IS THE MEASURE D FEE AND HOW MUCH MONEY DOES IT GENERATE?

Program funding for Measure D related work is provided by a per-ton disposal surcharge (currently \$8.23/ton) at the Altamont and Vasco Road landfills.

On average, about \$9 million a year is collected through Measure D fees. The fee is applied to:

- All solid waste tons disposed within the unincorporated county of Alameda. The fee is paid by the landfill.
- "Municipally controlled" discards (wastes for which the municipality establishes the rates for collection or disposal) landfilled outside unincorporated Alameda County, where arrangements have been made for the fee to be paid by the municipally contracted hauler.

HOW IS THE MONEY USED?

The Recycling Board is required to distribute 50 percent of monies collected to participating "municipalities," the 14 cities and two sanitary districts. Funds are distributed quarterly, based on a per capita (population based) formula.

The County of Alameda receives five percent of Measure D funds to implement a Recycled Product Purchase Preference program at the county and provide support to member agencies on RPP.

The Recycling Board keeps 45 percent of the monies for Measure D programs managed by StopWaste, including:

- Grants to Nonprofits

- Source Reduction Programs
- Recycled Product Market Development
- Discretionary and Administration

WHAT DO THE MEMBER AGENCIES DO WITH THEIR SHARE?

The original intent for Measure D usage for member agencies was to continue and expand municipal recycling programs. A very broad overview of eligible Measure D expenses broken down by categories and general types of expenses has been available to member agencies, below:

Categories

- Recycling, composting
- Source reduction
- Market development
- Recycled product procurement
- Public education/outreach

Allowable uses relating to 4Rs (reduce, reuse, recycle, and rot [compost])

- Administrative overhead (staffing)
- Capital assets
- Consultants and contractors
- Events
- Promotional materials, supplies
- Other costs legitimately connected to waste reduction

However, due to the constantly evolving nature of recycling programs and related conservation programs, many types of expenses have been approved over the years on a case-by-case basis.

WHO CHECKS TO MAKE SURE MEASURE D FUNDS ARE USED APPROPRIATELY?

The Recycling Board is required to contract for an audit to determine compliance with Measure D every five years, aka The Five Year Audit (which is broken out by finance/compliance and programmatic analysis). The finance/compliance portion is conducted in three- and two-year segments to make it easier for municipalities to respond to audit requests).

The recent Five Year Audit recommended that staff develop a more comprehensive list of eligible and non-eligible Measure D Expenses to provide member agencies with a written source guidance document for reference & advanced planning/budgeting.

WHO IS REPRESENTED ON THE BOARD, HOW ARE THEY SELECTED, AND WHAT ARE THE TERMS OF SERVICE?

The eleven-member Recycling Board includes six citizen experts appointed by the Alameda County Board of Supervisors and five elected officials from the Alameda County Waste Management Authority. Terms are for two years with a maximum of two consecutive terms for each member. Recycling Board members must attend 75 percent of regular meetings and may not miss two consecutive monthly meetings in a calendar year or their seat is vacated.

The Board of Supervisors appointments include the following six categories:

- A representative of an organization engaged primarily in operating recycling programs within Alameda County
- A source reduction specialist with substantial experience as such
- A representative of the recyclable materials processing industry
- A representative of the solid waste industry
- A representative of an environmental organization with a significant membership active in recycling issues within Alameda County; and
- An environmental educator employed as such on a full-time basis.

Board members must be residents of Alameda County, and no two employees or representatives of the same for-profit company may serve simultaneously.

WHAT ROLES DO THE RECYCLING BOARD SERVE?

- The Recycling Board acts as the Planning Committee of the Alameda County Waste Management Authority
- The Recycling Board oversees the administration and implementation of Measure D activities
- The Recycling Board serves as the Local Task Force mandated by CA Public Resources Code 40950

WHEN AND WHERE DOES THE RECYCLING BOARD MEET?

The Recycling Board meets the second Thursday of each month at 4 p.m. or 7 p.m. Meetings are held either at StopWaste's offices or at different locations in each of the five supervisorial districts. Schedule and location of meetings are distributed at the beginning of each calendar year.

2020 Recycling Board Meeting Schedule

<u>DATE</u>	<u>TIME</u>	<u>LOCATION</u>
January 9	4:00 p.m.	StopWaste, 1537 Webster Street, Oakland
February 13	7:00 p.m.	District 3 - San Leandro San Leandro Senior Center 13909 E 14th St, San Leandro, CA 94578
March 12	4:00 p.m.	StopWaste, 1537 Webster Street, Oakland
April 22 <i>*Joint Meeting WMA/EC/RB</i>	3:00 p.m.	StopWaste, 1537 Webster Street, Oakland
May 14	7:00 p.m.	District 4 – Castro Valley Castro Valley Library 3600 Norbridge Ave, Castro Valley, CA 94546
June 11	4:00 p.m.	StopWaste, 1537 Webster Street, Oakland
July 9	7:00 p.m.	District 2 – Fremont Fremont City Hall, Council Chambers 3300 Capitol Ave, Fremont, CA 94538
August 13	4:00 p.m.	StopWaste, 1537 Webster Street, Oakland
September 10	7:00 p.m.	District 1 – Dublin Dublin City Hall 100 Civic Plaza, Dublin, CA 94568
October 8	4:00 p.m.	StopWaste, 1537 Webster Street, Oakland
November 18 <i>*Joint Meeting WMA/EC/RB</i>	3:00 p.m.	StopWaste, 1537 Webster Street, Oakland
December 10	7:00 p.m.	District 5 – Oakland StopWaste, 1537 Webster Street, Oakland

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DATE: June 24, 2020

TO: WMA Board

FROM: Jennifer West, Program Manager

SUBJECT: Sustainable Landscapes in Alameda County - Final Report

SUMMARY

StopWaste's final *Sustainable Landscapes in Alameda County* report recognizes the commitment and achievements of our member agencies, local developers and landscape professionals to build healthy, climate change-resilient, sustainable communities. At the June 24 Board meeting, staff will share highlights of the report, released online this June.

DISCUSSION

StopWaste has worked for years with member agencies and other partners to encourage sustainable landscape design, construction and maintenance. Conventionally built landscapes typically require large inputs of water, chemicals and energy, and generate considerable waste, whereas sustainably built landscapes provide important ecosystem services, conserve water, and sequester carbon.

In Alameda County, 84 properties encompassing 370 acres have earned the ReScape Rated Landscapes label since the program's inception in 2005. The rating system, previously known as Bay-Friendly Rated Landscapes and now known as ReScape Rated Landscapes, is a mark of excellence for sustainable landscapes. The system is administered by ReScape California, a nonprofit that StopWaste helped create to broaden the impact of this work beyond Alameda County. Sustainability highlights of the completed projects include:

- 86 million gallons of water saved annually
- 17,168 tons of locally recycled compost and mulch applied
- 236,740 tons of construction waste diverted from landfills
- 11,800 tons of carbon dioxide equivalent (CO₂e) avoided and 1,529 tons of CO₂e sequestered in soil

The *Sustainable Landscapes in Alameda County* final report is available online at stopwaste.org/landscapes.

After 15 years of providing technical assistance to member agencies, StopWaste is completing its planned transition of this work to ReScape CA and phasing out our own Landscape Services and Partnership project. As the final report reveals, there has been robust use of the ReScape CA Rated Landscapes qualification program as well as professional staff trainings and using sheet mulch to convert lawns to water efficient landscapes. The ReScape Rated Landscape program is well established in Alameda County after this effort. In addition, a comprehensive Water Efficient Landscape Ordinance (WELO) Tool Kit was developed to improve enforcement of the state mandated ordinance in Alameda County, and the tool kit is available on the StopWaste website. The need for StopWaste to create more tools and to conduct outreach is low now that these tools are integrated into our member agencies' policies and practices. In addition, member agencies can use their Measure D funds toward Rated Landscapes and lawn conversion projects using sheet mulch.

Member Agencies can continue to access key tools developed by this program through these sites:

- ReScape CA Rated Landscapes and professional trainings for civic landscape design and maintenance professionals www.ReScapeCA.org
- WELO Enforcement Tool Kit www.StopWaste.org/WELO
- Climate change adaption measures www.StopWaste.org/WELO
- Lawn conversion using sheet mulch www.StopWaste.org/Landscape and www.LawntoGarden.org

RECOMMENDATION

This item is for information only.



DATE: June 24, 2020
TO: Energy Council
FROM: Karen Kho, Principal Program Manager
SUBJECT: BayREN 2020-22 Contract Amendment #1

SUMMARY

Staff is requesting Energy Council approval to enter into a contract amendment with the Association of Bay Area Governments (ABAG) for an additional \$100,000, to supplement the regional green labeling program budget.

DISCUSSION

On December 18, 2019 the Energy Council approved a resolution authorizing the Executive Director to enter into a three-year contract of up to \$20,342,976 for BayREN services. For 2020, the approved Energy Council BayREN budget was up to \$6,780,992. The Energy Council is the regional lead for the multifamily and green labeling programs and provides local outreach for the other programs.

The proposed green labeling program amendment will include additional trainings for real estate agents and support for incorporating electrification into the training for Home Energy Score Assessors, including database upgrades. The amendment also includes budget to upgrade the program's website and develop a marketing and outreach toolkit that can be used throughout the nine Bay Area counties to promote the green labeling program.

ABAG will be issuing a contract amendment to increase the budget for the green labeling program by \$100,000.

RECOMMENDATION

Adopt the attached Resolution authorizing the Executive Director to enter into a 2020 contract amendment of \$100,000 for Bay Area Regional Energy Network (BayREN) and other related actions.

Attachment A: Revised 2020 Green Labeling Budget

**ENERGY COUNCIL
RESOLUTION #EC 2020–**

**MOVED:
SECONDED:**

AT THE MEETING HELD JUNE 24, 2020

**RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR TO AMEND THE 2020 CONTRACT FOR BAY
AREA REGIONAL ENERGY NETWORK (BayREN) AND OTHER RELATED ACTIONS**

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

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

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

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

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

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

WHEREAS, the Energy Council leads the regional green labeling program for BayREN, and

WHEREAS, ABAG intends to provide the Energy Council with an additional \$100,000 to provide additional green labeling services as described in Attachment A;

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

1. Enter into all necessary contracts and agreements with ABAG in order to accept additional funds in the amount of \$100,000 and make any necessary changes to the FY 20/21 budget for Project 1347: BayREN.
2. Approve any required time extensions, modifications, or amendments thereto.
3. Allocate the necessary resources to implement and carry out the amended scope of work.

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

ADOPTED this 24th day of June 2020, 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 2020 –

ARLISS DUNN
Clerk of the Board

Attachment A
Revised Green Labeling Budget

Green Labeling Budget Revision

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

- Two additional National Association of Realtors Green Designation trainings
- Integration of electrification into the Home Energy Score program, including support, training, and outreach for Home Energy Score Assessors and database modifications
- Update the website and develop a marketing and outreach toolkit that can be used for regional marketing of the green labeling program

Funding Category	Initial Budget	Amended Budget	Change
Administration	\$1,000	\$1,000	\$0
Implementation	\$540,000	590,000	\$50,000
Marketing	\$20,000	\$70,000	\$50,000
Total	\$561,00	\$661,000	\$100,000

July 2020 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 AGENCY HOLIDAY	6	7	8	9 9:00 AM Programs & Administration Committee Key Items: 1. Covid update – impact on food recovery, compost markets, etc. 2. Grants update. <hr/> 7:00 PM Planning Committee & Recycling Board Key Items: 1. Five year financial audit - Phase I recommendations 2. Grants update	10	11
12	13	14	15	16	17	18
19	20	21	22 3:00 PM Waste Management Authority & Energy Council Key Items: 1. Interim RB appointments for August 13 & September 10 2. ED Evaluation 3. SB1383 Update	23	24	25
26	27	28	29	30	31	

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Energy Council
TECHNICAL ADVISORY GROUP (TAG)

Tuesday, June 16, 2020 – 1:00pm to 2:30pm (Conference Call)

Attendance (all via phone):

Alameda County: Sophie McGuinness, Alison Abbors, Emily Sadigh
City of Alameda: Patrick Pelegri-O'Day
City of Albany: Claire Griffing, Lizzie Carrade, Bianca Hutner (Fellow)
City of Berkeley: Katie Van Dyke, Yeymi Rivas, Alice LaPierre
City of Dublin: Rebecca Parnes
City of Emeryville: Nancy Humphrey
City of Fremont: Rachel DiFranco, Robbie Barton
City of Hayward: Erik Pearson, Taylor Richard (Fellow), Jack Steinmann (Fellow)
City of Livermore: Tricia Pontau
City of Newark: Soren Fajeau
City of Piedmont: Ignacio Franco, Justin Szasz (Fellow)
City of Pleasanton: Zack Reda
City of San Leandro: Hoi-Fei Mok
StopWaste: Jennifer West, Emily Alvarez, Chris Hunter, Miya Kitahara, Ben Cooper, Candis Mary-Dauphin, Karen Kho, Meghan Starkey, Rachel Balsley

Meeting Summary:

Introduction & Announcements – Jennifer West, StopWaste

StopWaste announced that Timothy Burroughs will be joining StopWaste in July 2020 as the Deputy Director. Previously Timothy had served as the Planning Director for the City of Berkeley and was a TAG member when the Energy Council Board was formed.

SB 1383 and renewable gas procurement – Ben Cooper, StopWaste

- SB 1383 goes into effect January 1, 2022 and outlines aggressive organic material procurement requirements for cities based on population.
 - Eligible products include compost, mulch, renewable natural gas (RNG), and electricity generated from biomass
 - It is projected that cities will be unable to procure enough required products through compost and mulch within a few years and, as there are penalties for non-compliance, looking for other procurement methods beyond compost.
- Does electricity from biomass and RNG align with cities' goals to help meet annual procurement target?
 - Need to better understand the cost premium of biomass-produced electricity as compared to gas-produced electricity
 - EBCE is willing to work on this, but wants direction from TAG members to explore it
 - Some concern from TAG members of impacts of biomass on EBCE power mix in terms of renewable and carbon-free power, as well as rates
- Want to ensure that RNG deployment does not affect efforts to decarbonize and reduce natural gas infrastructure

- Would like to limit these products to sectors that are difficult to electrify, such as industrial or fleet vehicles, not residential
 - Biomass electricity would not be affected by removal of natural gas infrastructure
- ABAG Power allows for municipalities to procure natural gas through ABAG as third party vs. PG&E (similar to how CCAs work with electricity)
 - Could you work with ABAG to procure RNG? Would this qualify as a way to satisfy SB 1383 requirements?
 - StopWaste will come back to TAG at a future meeting with more information

Continued Conversations: Climate Action in changing contexts – Miya Kitahara, StopWaste

- How are climate action and social justice issues related?
 - There can be tensions between the focus on climate action plans and GHG mitigation efforts (long-term) with the need to address frontline communities and raise up voices of those who have been historically marginalized
 - It is not possible to separate the two, as social and environmental issues are connected (siting of polluting facilities, access to resources, proximity to freeways)
 - The environmental movement has been and is still white-dominated
 - Push to preserve nature at the expense of Black, Indigenous, and People of Color (BIPOC) communities (ex: formation of national parks displacing indigenous people)
 - Certain actions, like energy efficiency upgrades or electrification, cater to people who can afford it
 - We are stronger in our work when we put equity at the center and involve more voices, and increase community engagement
- Breakout groups utilizing the “Levels of Paradigms” framework:
 - Extract Value - Getting the most out of people by employing their human skills for your own benefit, with insufficient thought to what the workers get out of it
 - Arrest Disorder - Sees only the limbs on trees in a vast forest, resulting in narrow understanding and a bias toward problem solving that neglects the larger, dynamic context of living wholes
 - Do Good - Use culturally accepted ideals (e.g. competencies) as the basis for defining what is worth promoting and contributing to
 - Regenerate Life - Develop the unique potential for viability, vitality, and capacity to evolve
- Breakout 1: Give examples of people or organizations/companies in our society or your specific community that is working from each paradigm.
 - EVs can work across all paradigms: at the basic level they can be extractive if a car company uses them solely to make money, but could do good by enabling more people to have access to transportation and reduce GHG emissions
 - Carbon neutrality goals: could be exclusionary if only a small group can access technology (ex: homeowners or costly technology), but could be regenerative if improvements address the health and safety of the housing stock in a city
- Breakout 2: What patterns are you seeing? What insight can we gain by looking at the intersection between climate and equity from each level of paradigm?
 - Focusing on equity and anti-racism throughout all aspects of our lives and work provides an opportunity for a common language across departments

- Not everyone has the same idea of "good." We must examine unintended consequences of actions (example: tree planting can reduce GHGs and lower temperatures, but also has the potential to increase desirability of neighborhoods and cause displacement).
- Community-driven budget planning and transparency around budgets is important.
- Notice how regenerative solutions can achieve multiple goals at once, compared to other solutions that are more reactionary than proactive.

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

- Notes by EBCE