

WMA Board and Energy Council (EC) Members

Don Biddle, **WMA President**
Dublin, WMA, EC
Jennifer West, **WMA 1st Vice President**
Emeryville, WMA, EC
Pauline Cutter, **WMA & EC 2nd Vice President**
San Leandro, WMA, EC
Lena Tam, **EC President**
Alameda, WMA, EC
Barbara Halliday, **EC 1st Vice President**
Hayward, WMA, EC
Keith Carson, Alameda County, WMA, EC
Gordon Wozniak, Berkeley, WMA, EC
Peter Maass, Albany, WMA, EC
Dave Sadoff, Castro Valley Sanitary District, WMA
Anu Natarajan, Fremont, WMA, EC
Laureen Turner, Livermore, WMA
Luis Freitas, Newark, WMA, EC
Dan Kalb, Oakland, WMA, EC
Laython Landis, Oro Loma Sanitary District, WMA
Tim Rood, Piedmont, WMA, EC
Jerry Pentin, Pleasanton, WMA
Lorin Ellis, Union City, WMA, EC

AGENDA

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

**Wednesday, June 25, 2014
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 (WMA & EC)

II. ROLL CALL (WMA & EC)

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

CLOSED SESSION:

1. PUBLIC EMPLOYEE PERFORMANCE EVALUATION (pursuant to Government Code Section 54957) – Title: Executive Director. (confidential materials mailed separately)
2. Pursuant to Government Code Section 54957 PUBLIC EMPLOYEE PERFORMANCE EVALUATION (Legal Counsel) - (confidential materials mailed separately)

Page	IV. CONSENT CALENDAR (WMA & EC)	
1	1. Approval of the Draft Minutes of May 28, 2014 (WMA & EC-Separate Votes) (Gary Wolff)	Action
7	2. Proposed Budget Adjustments for FY13/14 and FY14/15 (WMA only) Staff recommends that the WMA Board approve the following actions: <ol style="list-style-type: none">1. Increase the Authority's total spending appropriation for FY 13/14 by \$120,000, which will be reimbursed by the countywide HHW program as outlined in Attachment A.2. Change the funding source for project 1240 in FY14/15 (the HHW point of purchase alternative project), totaling \$262,858, to the externally funded category for reimbursement by the countywide HHW program as outlined in Attachment B. Direct staff to incorporate these changes in the final FY14/15 budget document.	Action
11	3. Legislative Positions -- Update for 2013/2014 Session (Gary Wolff) (WMA only) Staff and the committees recommend that the Waste Management Authority adopt the legislative positions stated in the linked memo provided to the committees.	Action

13	4. Minutes of the June 17, 2014 Technical Advisory Group (Wendy Sommer) (EC only)	Information
15	5. Grants Under \$50,000 (WMA only)	Information
	V. OPEN PUBLIC DISCUSSION (WMA & EC) An opportunity is provided for any member of the public wishing to speak on any matter within the jurisdiction of the board or council, but not listed on the agenda. Total time limit of 30 minutes with each speaker limited to three minutes.	
	VI. REGULAR CALENDAR (WMA & EC))	
17	1. Benchmark Service Opt-Out Update and Options (Gary Wolff) (WMA only) Staff recommends that the Authority Board take no action.	Action
21	2. Election of Officers for Fiscal Year 2014-2015 (Gary Wolff) (WMA only) Staff recommends that the Authority Board elect officers for the 2014-2015 fiscal year.	Action
	3. Interim appointment(s) to the Recycling Board for WMA appointee unable to attend future Board Meeting(s) (WMA only) (P&O and Recycling Board meeting- Fremont, location TBD - July 10, 2014 at 7:00 p.m.)	Action
23	4. Election of Officers for Fiscal Year 2014-2014 (Gary Wolff) (EC only) Staff recommends that the Energy Council elect officers for the 2014-2015 fiscal year.	Action
25	5. Community Choice Aggregation (CCA) – Informational Presentation (Wendy Sommer) (EC only)	Information
	VII. COMMUNICATIONS/MEMBER COMMENTS (WMA & EC)	Information
	VIII. ADJOURNMENT (WMA & EC)	

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

Wednesday, May 28, 2014

3:00 p.m.

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

I. CALL TO ORDER

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

II. ROLL CALL

WMA & EC

County of Alameda	Keith Carson
City of Alameda	Lena Tam
City of Albany	Peter Maass
City of Berkeley	Kriss Worthington
Castro Valley Sanitary District	Dave Sadoff (left 4:40 p.m.)
City of Dublin	Don Biddle
City of Emeryville	Jennifer West
City of Fremont	Anu Natarajan
City of Hayward	Barbara Halliday
City of Newark	Luis Freitas (left 4:20 p.m.)
City of Oakland	Dan Kalb
Oro Loma Sanitary District	Laython Landis (left 4:10 p.m.)
City of Piedmont	Tim Rood
City of Pleasanton	Jerry Pentin (left 4:20 p.m.)
City of San Leandro	Pauline Cutter
City of Union City	Lorin Ellis (left 4:25 p.m.)

Absent:

City of Livermore	Laureen Turner
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Staff Participating:

Gary Wolff, Executive Director
Brian Mathews, Senior Program Manager
Richard Taylor, Counsel, Authority Board
Arliss Dunn, Clerk of the Board

Others Participating:

Bill Pollack, HHW Program Manager

III. ANNOUNCEMENTS BY THE PRESIDENTS

There were none.

IV. CONSENT CALENDAR (WMA & EC)

- 1. Approval of the Draft Joint Minutes of April 23, 2014 (WMA & EC-Separate Votes) (Gary Wolff)** Action
- 2. Minutes of the April 25, 2014 & May 20, 2014 Technical Advisory Group (TAG) (EC only) (Gary Wolff)** Information

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3. Grants Under \$50,000 (WMA only) (Gary Wolff)

Information

Ms. Tam made the motion to approve the Consent Calendar for the WMA Board. Ms. West seconded and the motion carried 15-0 (Ellis, Kalb, and Turner absent).

Ms. Cutter made the motion to approve the Consent Calendar for the Energy Council. Ms. Natarajan seconded and the motion carried 14-0 (Ellis and Kalb absent).

V. OPEN PUBLIC DISCUSSION (WMA & EC)

There was none.

VI. REGULAR CALENDAR (WMA only)

1. Household Hazardous Waste (HHW) Services and Fee Ordinance (WMA only) (Gary Wolff)

Action

Staff recommends that the Board approve Option 1, 2, or 3 as stated in the staff memo, depending on public comments and discussion among Board members,

Mr. Wolff provided a brief overview of the staff report. The report is available here:

<http://www.stopwaste.org/docs/05-28-14-hhw.pdf>

President Biddle opened the floor for public comments. There were 8 speakers. An Audio of the public discussion is available here: www.stopwaste.org/docs/HHW-comments-5-28-14.mp3

Peter Schultze-Allen	Tom Silva
Kathy Cote	Leslie Strauss
David Mix	Neil Strauss
Angela Sklavonus	Amy Willis

After hearing from all the public speakers the Board resumed discussion of the HHW Fee Ordinance.

Mr. Pentin inquired about options 2&3 with respect to information previously provided to the Board. Mr. Pentin stated that Option 2 would require reversing what was put before the public in the protest notice mailing, as well as increasing the fee to single-family residences in order to lower the fee for multi-family residences. With respect to option 3, it appears that staff is attempting to garner one Board member vote as the Board was initially informed that providing Sunday service would be too expensive. Mr. Wolff stated with respect to option 2, if the option was implemented now single family residences would have to pay more but if the issue is revisited in 2 to 3 years and Sunday services or other efficiencies were found and a new study indicates lower HHW generation by multi-family residences as compared to single-family residences, we could possibly reduce the fee to multi-family without an increase to single-family residences. Mr. Wolff stated option 2 is a good faith effort to work with the Rental Housing Association, but it might require a new notice to the public and a new decision process if the fee were proposed to be amended after the study is complete. With respect to option 3, Sunday services would be provided at only one facility to see if doing that would lower the cost per household served, and it would not cost significantly more because a new crew needs to be hired for the expansion option. We had not thought about having Sunday service at only one facility as an experiment until recently. Mr. Pentin stated that his concern is that we cannot reverse what is done now based on new information 2 or 3 years later. And if more study is justified, it should have been done prior to providing the fee structure to the Board. Mr. Pentin inquired if the Board can consider Option 1 with respect to Roberts Rules of Order. Mr. Taylor stated that Roberts Rules of Order section 38 states the motion that has failed may not be renewed at the same meeting but it can be brought forward and introduced again at any future time. Mr. Biddle inquired about options that may trigger re-noticing the ordinance. Mr. Wolff stated that would not be known until 2-3 years from now.

Ms. Halliday stated that Hayward staff indicated that they do not consider adding Sunday services at the Hayward facility as an improvement and it will be difficult to determine the popularity of the schedule as it will attract customers from outside of Hayward as well. Mr. Pollack stated that he tracks zip codes and can determine where customers are coming from. Ms. Halliday inquired about the fee revenue and state law. Mr. Wolff stated fee revenue exceeds program cost in the first year because we still have the old fee (subject to

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different law) which causes a surplus in the earlier years but will be allocated towards the later years. However, the new fee revenue alone does not exceed the cost of service in any year. Mr. Taylor added as a safeguard, the ordinance and agreements specify that the fees can only be used to support the HHW program.

Ms. Tam inquired about the Paint Care Product Stewardship program and its effect on future revenue for the HHW program as well as other drop-off facilities as indicated by one of the public speakers, Leslie Strauss. Ms. Strauss indicated that she utilizes the various retail outlets that provide take-back services. She further recommended that StopWaste assist in coordinating and informing the public about these services. Mr. Wolff stated that StopWaste does indeed assist in coordinating these services and plans to do much more outreach with the point-of-purchase outreach effort. Ms. Tam inquired about the HHW fee in comparison with the uniformity of fees in other districts such as the sewer fee in the Oro Loma Sanitary District. Mr. Wolff stated both the HHW fee and sewer fee were under the same health and safety codes and doesn't know why Oro Loma or other districts have chosen to have uniform sewer fees, but that our proposal is not unique in that way. Ms. Tam asked Mr. Taylor to comment on the fee with respect to compliance with the law. Mr. Taylor stated the fee is properly dealt with as outlined in Authority Counsel's memo to the Board at the April 23 meeting.

Ms. West asked for clarification on how the austerity option would affect satellite and drop-off locations. Mr. Pollack stated that the 40 satellite locations across the county feed into the HHW facility. The austerity option would greatly impact these services. Ms. West stated that she wholeheartedly supports the program. Ms. Natarajan inquired if the Board can adopt option 1 and consider options 2 or 3 at a later date. Mr. Wolff stated yes this can be done. Mr. Kalb stated for practical reasons and the variations in sizes of dwellings it is impossible to determine exactly how much waste is produced and given the minimal proposed fee he encourages the Board to do the right thing. He appreciated the comment from the recycling workers and the goal of reducing HHW waste from the landfill, so he pledged his support. Mr. Kalb asked if the Board can adopt option 1 and the Sunday service in option 3, but not the study in option 2. Mr. Wolff stated yes.

Ms. Cutter inquired about Sunday and Monday service. Mr. Pollack stated this is possible but Saturday is the busiest day across the state. Mr. Maass stated his support of the ordinance and inquired about the cost of the study proposed in option 2 and who would assume the cost. Mr. Wolff stated the cost could possibly be included in the benchmark service budget if spread out over several years. Mr. Ellis stated that there were imperfections in the process but the ultimate goal of the Board is to address the issue of reducing the thousands of items classified as HHW materials from going to the landfill. Mr. Ellis stated his support for the ordinance. Mr. Sadoff stated his appreciation for the compromise approach of proposing option 3 Sunday service but stated the proposal as submitted is not robust enough.

Ms. Halliday stated that she will support the ordinance but has concerns about the low participation rates among multi-family residences. Ms. Halliday encouraged staff to work with the Rental House Associations to further legislation toward producer responsibility. Mr. Wolff stated that Timothy May has already forwarded their lobbyist information and staff has made initial contact with them. Ms. Halliday indicated that Hayward staff preferred Friday and Saturday service as initially proposed and not Saturday Sunday service. Mr. Pentin stated the importance of having the service but indicated he cannot support the ordinance due to the flawed process.

Ms. Natarajan stated that she is concerned that if the austerity motion goes into effect it will undo all of the work that has been done. The process was legal and transparent and to try and consider differences among residences is an impractical method. Ms. Natarajan cited the added component of including the sunset clause. Ms. Natarajan stated her support for the ordinance and encouraged the Board to support it as well.

Marcus Crawley requested to speak for 20 minutes. Mr. Wolff informed the Board that Mr. Crawley directed an email to Mr. Biddle and requested to speak for 20 minutes. Mr. Wolff forwarded the email to Mr. Biddle of this request. Mr. Biddle denied the request for Mr. Crawley to speak for 20 minutes and Mr. Wolff invited Mr. Crawley to submit any comments in excess of 3 minutes for review by legal counsel. Mr. Crawley submitted a summary to Mr. Wolff which was handed out to the Board along with Mr. Crawley's original email to Mr. Biddle. Mr. Kalb invited Mr. Crawley to speak for 4 minutes. Mr. Crawley spoke with respect to CA Constitution Article 13D section 4E with respect to the protest ballots be tabulated against the favorable

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ballots. Mr. Taylor stated he has previously addressed this matter in three subsequent memos to the Board over the course of the HHW Fee Ordinance discussions, stating that Mr. Crawley's comments pertain to assessments and not fees. The legal basis for the HHW fee is addressed under Article 13D Section 6.

Ms. West made the motion to approve Option 1 of the staff recommendations. Ms. Natarajan seconded. Mr. Kalb asked for clarification on the Board's ability to revisit other options. Mr. Wolff stated the motion today does not preclude the Board from addressing other options at a later date.

Mr. Wolff conducted the roll call vote. :

City of Alameda	Yes
Alameda County	Yes
City of Albany	Yes
City of Berkeley	Yes
Castro Valley Sanitary District	No
City of Dublin	No
City of Emeryville	Yes
City of Fremont	Yes
City of Hayward	Yes
City of Livermore	Absent
City of Newark	Yes
City of Oakland	Yes
Oro Loma Sanitary District	Absent
City of Piedmont	Yes
City of Pleasanton	No
City of San Leandro	Yes
City of Union City	Yes

The vote tally was 12-3-0 (Landis and Turner absent). The motion passed by a 2/3 majority of the 17 members of the Board.

The Board recessed for 5 minutes.

2. FY 14-15 Budget Adoption (WMA only) (Gary Wolff & Pat Cabrera)

Action/ Public Hearing

That the WMA Board hold a public hearing on the budget and then adopt the portion of the FY 14-15 budget funded by the WMA Board, pursuant to the attached resolution (Attachment I).

Mr. Wolff provided a brief overview of the staff report and highlights of the budget. The staff report is available here: <http://www.stopwaste.org/docs/05-28-14-budget-wma.pdf>

Mr. Wolff reported that legal counsel has stated that the public hearings for Agenda Items 2&3 can be held simultaneously, and he recommended doing so. President Biddle opened a simultaneous public hearing on these items. There were 2 public speakers: Leslie Strauss and David Tam. Ms. Strauss spoke to her concerns with respect to transparency of staff salaries in the budget. Mr. Tam spoke in support of the budget and the agency in general. Upon conclusion of the public speakers the public hearing was closed.

Mr. Biddle inquired if the changes to the Bay Friendly program are reflected in the budget. Mr. Wolff stated yes. Mr. Biddle inquired about the percentage of revenue from the Energy Council. Mr. Wolff stated \$5.7 million or approximately 25% of the budget is attributed to the Energy Council. Mr. Biddle inquired about an update regarding the benchmark service. Mr. Wolff indicated staff will be providing an update to the Board on the benchmark service at the June WMA meeting. Mr. Biddle inquired about the budget adjustment to reflect the recently adopted HHW fee. Mr. Wolff stated that the Board will be asked to approve a shift in the point of purchase outreach project budget to the originally intended funding source. Mr. Biddle inquired about staffing changes since last year. Mr. Wolff stated that there are no added regular or limited term staff positions, but there are two more interns proposed.

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Ms. Cutter stated she is pleased to see the shift in staff paying the full employee share of the pension cost. Ms. Cutter commended staff for implementing this measure. Ms. Halliday stated given the complexity of the agency she agrees with Ms. Strauss with respect to her comments regarding transparency in the budget of staff salaries. Mr. Wolff stated that staff will confer with the Programs and Administration committee to see how they might want to change the budget layout. Certainly it would be easy to add a single line item or note listing the sum of staff salaries. Ms. Natarajan stated the budget powerpoint presentation that is available on the website clearly lays out the details of the budget.

Ms. Natarajan made the motion to adopt the FY 14-15 budget for the WMA Board. Mr. Sadoff seconded and the motion carried 15-0 (Ellis, Freitas, Landis, Pentin, and Turner absent).

3. FY14-15 Budget Adoption (EC only only) (Gary Wolff & Pat Cabrera)

Staff recommends that the EC hold a public hearing, and then adopt the attached resolution, which to maximize transparency readopts the entire EC budget for FY 14-15.

Ms. Halliday motion to adopt the FY 14-15 budget for the Energy Council. Mr. Kalb seconded and the motion carried 16-0 (Ellis and Freitas absent).

4. Amendment to Wind Easement on ACWMA Property (Gary Wolff & Brian Mathews) (WMA only) Action

Authorize the Executive Director to sign and implement the terms of the attached First Amendment to the Amended and Restated Easement Agreement (Attachment C).

If the Board would like to consider further negotiations with NEER with respect to price and key terms related to price, it may use the optional closed session on the agenda to have this discussion and give direction to the Executive Director as its negotiator. Such direction can also take place in open session, but then NEER will be aware of the Board's directions.

Mr. Wolff provided an overview of the staff report. The report is available here:

<http://www.stopwaste.org/docs/05-28-14-wind.pdf>

Emre Ergas, NextEra Energy Resources, provided an overview of the proposed project and background on NextEra. Ms. Tam stated that the P&A committee was provided a detailed summary of the project and commends staff on an excellent negotiation process. Mr. Wolff recognized Brian Mathews, Senior Program Manager, for his efforts on the project. Ms. Tam made the motion to approve the staff recommendation. Mr. Carson seconded and the motion carried 14-0 (Ellis, Freitas, Landis, Pentin, Sadoff, and Turner absent).

5. Draft Resolution on Recycling Worker Pay and Health Benefits

That the WMA Board adopt the attached draft resolution.

Mr. Wolff provided an overview of the staff report. The report is available here:

<http://www.stopwaste.org/docs/05-28-14-recyclingworkers.pdf>

Ms. Cutter stated support for the resolution and because it is not an ordinance cities can act appropriately. Mr. Maass stated that although workable, there will be complications with Waste Management serving several cities. Ms. West commended Fremont for taking the lead on this issue and staff for bringing the issue to the Board and inquired about the status of the Franchise Task Force and how this issue could be incorporated into that work. Ms. West added this issue aligns with the agency's mission of creating safe and well paying green jobs. Mr. Wolff added that the intent is to provide the resolution to the member agencies and other entities that we work with asking them to take a look at the issue. Ms. Halliday indicated this helps to make the case that we need to pay for recycling. Ms. Tam stated that as an agency we should make a statement of support for a prevailing wage for workers in the recycling industry.

There were 4 speakers in support of the resolution: Amy Willis, ILWU, Augustin Ramirez, ILWU, Doug Block, Teamsters, and Monica Wilson GAIA.

Ms. Tam made the motion to accept the staff recommendation. Mr. Worthington seconded and the motion carried 14-0 (Ellis, Freitas, Landis, Pentin, Sadoff, and Turner absent).

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- 6. Interim appointment(s) to the Recycling Board for WMA appointee unable to attend future Board Meeting(s)** **Action**
(P&O and Recycling Board meeting - StopWaste Offices - June 12, 2014 at 4:00 p.m.)

Mr. Wolff informed the Board that Ms. Turner was absent from the May Recycling Board meeting and informed staff that she would be absent from the June meeting as well. Ms. Turner was informed that two consecutive absences is automatic dismissal from the Recycling Board. Due to her schedule, Ms. Turner asked to be removed from the Recycling Board. Mr. Wolff stated that if Ms. Turner is absent from the June meeting the Board will be notified in June of a vacancy on the Recycling Board. Mr. Biddle volunteered to serve as an interim for Ms. Turner at the June meeting to ensure that a quorum is present. Mr. Worthington made the motion to approve the interim appointment. Ms. West seconded and the motion carried 14-0 (Ellis, Freitas, Landis, Pentin, Sadoff, and Turner absent)

- VII. COMMUNICATIONS/MEMBER COMMENTS (WMA & EC)** **Information**
Ms. Natarajan stated that she was troubled by comments made by Board member Landis in the May 22, 2014 article in the San Jose Mercury Newspaper.

Ms. Cutter and Ms. Halliday recommended that staff continue to work with the Rental Housing Association, at minimum on EPR policies and outreach, and possibly an agreement on a future study method. Ms. Halliday asked in addition to provide information on multi-family rates of participation now and two to three years from now. Ms. Cutter asked in addition to implement customer surveys that provide information on the type of dwelling. Mr. Wolff affirmed that customer surveys are currently in progress and will be modified to include the type of dwelling (e.g. duplex, triplex, etc.), how they heard about the facility, etc.

- VIII. ADJOURNMENT (WMA & EC)**
The meeting adjourned at 5:15 p.m.

DATE: June 12, 2014
TO: Waste Management Authority Board
FROM: Gary Wolff, Executive Director
BY: Pat Cabrera, Administrative Services Director
SUBJECT: Proposed Budget Adjustments for FY13/14 and FY14/15

BACKGROUND

At the June 12, 2014 Programs and Administration (P&A) Committee meeting, staff proposed budget changes to both the FY13/14 budget and the FY14/15 due to the adoption of the HHW fee. As a result of this action the Countywide HHW collection program will not have to implement the "austerity option." As such, costs associated with the program in both FY13/14 and FY14/15 should be paid by or reallocated to the program. The report submitted to the P&A committee can be found at <http://www.stopwaste.org/docs/06-12-14-pa-budadjust.pdf>

The P&A Committee recommended by a vote of 9-0 (Carson, Freitas and Landis absent) to forward staff's recommendation as outlined below to the Waste Management Authority for approval.

RECOMMENDATION

Staff recommends that the WMA Board approve the following actions:

1. Increase the Authority's total spending appropriation for FY 13/14 by \$120,000, which will be reimbursed by the countywide HHW program as outlined in Attachment A.
2. Change the funding source for project 1240 in FY14/15 (the HHW point of purchase alternative project), totaling \$262,858, to the externally funded category for reimbursement by the countywide HHW program as outlined in Attachment B. Direct staff to incorporate these changes in the final FY14/15 budget document.

Attachments:

- A: WMA resolution for FY13/14
B: WMA resolution for FY 14/15

ATTACHMENT A

**ALAMEDA COUNTY WASTE MANAGEMENT AUTHORITY
RESOLUTION #WMA 2014 -**

**MOVED:
SECONDED:**

AT THE MEETING HELD JUNE 25, 2014

THE AUTHORITY AUTHORIZES A BUDGET ADJUSTMENT FOR FISCAL YEAR 2013/14.

WHEREAS, the Alameda County Waste Management Authority approved the Fiscal Year 2013/14 budget by Resolution #WMA 2013-3; and

WHEREAS, this budget was adjusted as part of the mid-year budgetary review process by Resolution #WMA 2013-5; and

WHEREAS, this budget needs to be further adjusted to incorporate additional costs associated with the Alameda Countywide Household Hazardous Waste (HHW) Program fee adoption process; and

WHEREAS, the HHW fee was approved on May 28, 2014, and reimbursement to the Authority of the cost of the fee decision process is consistent with historical practice,

NOW THEREFORE, BE IT RESOLVED that the Alameda County Waste Management Authority hereby

1. Increases the HHW project budget (project number 2312) in Fiscal Year 2013/14 budget by \$120,000 to \$458,399 thereby increasing the Authority's total spending appropriation in Fiscal Year 2013/14 to \$10,168,286.
2. Authorizes the Executive Director to accept up to an additional \$120,000 of revenue from the countywide HHW program for reimbursement of costs charged to project 2312 in FY13/14.

ADOPTED BY THE FOLLOWING VOTE:

AYES:

NOES:

ABSTAIN:

ABSENT:

Gary Wolff, Executive Director

ATTACHMENT B

**ALAMEDA COUNTY WASTE MANAGEMENT AUTHORITY
RESOLUTION #WMA 2014 -
MOVED:
SECONDED:**

AT THE MEETING HELD JUNE 25, 2014

THE AUTHORITY AUTHORIZES A BUDGET ADJUSTMENT FOR FISCAL YEAR 2014/15.

WHEREAS, the Alameda County Waste Management Authority approved the Fiscal Year 2014/15 budget on May 28, 2014; and

WHEREAS, the costs associated with the Household Hazardous Waste (HHW) Point of Purchase Alternative project (project 21240) totaling \$262,858 was funded by the Authority's facility fee; and

WHEREAS, due to the adoption of the Alameda County HHW fee on May 28, 2014, these costs can and should be funded by the countywide HHW program per the estimates and calculations upon which the HHW fee proposal was based; and

WHEREAS, this change does not alter the total spending appropriation approved by the Authority Board, but due to the change in funding source, results in a higher fund balance for the Authority.

NOW THEREFORE, BE IT RESOLVED that the Alameda County Waste Management Authority hereby changes the funding source for the HHW Point of Purchase Alternative Project (project number 1240) totaling \$262,858 from the Authority's facility fee to "externally funded", (specifically the countywide HHW program), as shown in the attached funding spreadsheet for FY2014/15.

ADOPTED BY THE FOLLOWING VOTE:

AYES:

NOES:

ABSTAIN:

ABSENT:

Gary Wolff, Executive Director

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June 18, 2014

TO: Waste Management Authority Board
FROM: Gary Wolff, Executive Director
BY: Jeff Becerra, Communications Manager
SUBJECT: Legislative Positions -- Update for 2013/2014 Session

BACKGROUND

At the June 12th Programs and Administration (P&A) Committee and Planning and Organization Committee (P&O)/ Recycling Board meetings, staff updated the status of legislation and Agency positions for the 2013/2014 session of the California Legislature. Agency positions recommended by staff are described in the memo for the committee meetings: <http://www.stopwaste.org/docs/legislation-06-12-14-rb.pdf>. One additional position of “oppose” for AB 2145 was recommended and adopted. AB 2145 would make it harder for our local governments to implement Community Choice Aggregation, one strategy for implementing climate action plan goals.

DISCUSSION

The P&O Committee/Recycling Board recommended 8-0 that the WMA endorse the positions in the memo with the addition of an oppose position on AB 2145. The P&A Committee recommended 8-0 that the WMA endorse all positions in the memo with the addition of an oppose position on AB 2145.

RECOMMENDATION

Staff and the committees recommend that the Waste Management Authority adopt the legislative positions stated in the linked memo provided to the committees.

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Energy Council TECHNICAL ADVISORY GROUP (TAG)

Tuesday, June 17, 2014 – 1:00 pm to 3:00 pm

Attendance:

County of Alameda: Damien Gossett, Darryl Gray (phone)
City of Alameda: Maria DiMeglio (phone)
City of Albany: Claire Griffing
City of Berkeley: Sarah Moore
City of Dublin: Kathy Southern, Roger Bradley (phone)
City of Emeryville: Karen Hemphill
City of Fremont: Rachel DiFranco (phone)
City of Hayward: Erik Pearson
City of Oakland: Shayna Hirshfield-Gold
City of Piedmont: Kevin Jackson
City of San Leandro: Sally Barros (phone), Anjana Mepani (phone)
City of Union City: Carmela Campbell (phone)
StopWaste: Karen Kho, Lou Riordan, Stephanie Stern, Wendy Sommer, Miya Kitahara
Guest: Eileen Hays, Optony

MEETING SUMMARY

Rooftop Solar Challenge II / Solar Roadmap (Optony)

- Presentation posted to Basecamp
- Optony received a DOE grant to assist local governments with implementing Solar Roadmap (interactive online platform).
- Overall goal is to reduce time and resources needed for communities to adopt more solar; Goals defined at beginning and tracked throughout the process
- Includes a web page tracking potential and progress for each city, which is maintained by Optony
- Resources include “Solar Power Hour” webinars, library, technical assistance and connections to other communities in the region
- Looking for opportunities to leverage regional connections
- Staff time required is very limited, and flexible based on needs and availability
- No funds for actual installation, instead focused on streamlining processes and helping cities make everything run smoother
- Optony has not coordinated with the East Bay Green Corridor, which has been working on solar streamlining. Some project elements are broader: financing, bulk purchasing
- Contact Eileen Hays if you want to join the project.

CAP Implementation Project

- ClearPath update
 - Two tracks – Municipal/government track and Community Scale
 - Growth projections and CAP measures used to project savings

- Multiple inventories can be entered for any given year
- Multiple emissions factors can also be used depending on needs
- Prior inventory data cannot be automatically uploaded or transferred.
- Data entry support currently available from StopWaste. ICLEI provides good technical assistance for members. Member agency ICLEI memberships could potentially be reimbursed
- Job description for CAP implementation support intern has been released. Technical consultant hours are available as an alternative.
- StopWaste coordinating with PG&E on industry forum with a focus on manufacturing.

Program Updates

- Codes and Standards
 - BayREN trainings are being scheduled for new energy codes; a curriculum list was passed out and will be sent via email.
- Multifamily
 - CPUC has approved the funding shift from PG&E to allow continued rebate reservation, so projects will be taken off of the rebate reservation waitlist. Projects will also be moving off of the technical assistance waitlist.
 - The multifamily program is giving the “green light” to as many projects as possible that can finish construction in 2014. If any other BayREN programs cannot expend their funds before the end of 2014, they would be shifted to fund more multifamily rebates.
- Single-family/Home Energy Analyzer
 - See handout

CCA Updates from Jurisdictions

- Presentation by CCA advocates at Energy Council Board meeting on Wednesday, June 25, with followup at July meeting
- On June 3rd, County Board of Supervisors approved a \$1.3 million budget to pursue CCA feasibility study. This includes a data pull for all cities that are interested – and could include adjacent Contra Costa County cities. Bruce Jensen is the lead staff person on the project.
- AB 2145 is the main impediment to moving forward, because it would shift the CCA enrollment approach from an opt-out to an opt-in.
- Albany still in conversation with MCE, but mostly on hold to see what happens with County and with AB 2145

MEMBER COMMENTS

- Piedmont requested support on streetlighting

NEXT TAG MEETING: Conflict on July 15th, so alternate dates will be sent out in a doodle poll



June 16, 2014

TO: Authority & Recycling Board

FROM: Gary Wolff, Executive Director

SUBJECT: Informational Report on Grants Issued Under ED Signature Authority

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

Grants –May 15, 2014 - June 15, 2014

Project Name	Grant Recipient	Project Type/Description	Location	Verification	Grant Amount	Board
Business Mini-grants	First Shattuck, LLC	Purchase internal food scraps/organics bins, signage and conduct training sessions.	Berkeley	Final Report	\$2,735	WMA
Business Mini-grants	MV Broadway, LLC	Purchase internal food scraps/organics bins for common areas and tenant suites.	Oakland	Final Report	\$1,000	WMA
Business Mini-grants	Emeryville Office, LLC c/o LBA Realty	Purchase internal food scraps/organics bins, signage and education to tenants.	Emeryville	Final Report	\$4,951	WMA

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June 19, 2014

TO: Waste Management Authority

FROM: Gary Wolff, Executive Director

SUBJECT: Benchmark Service Opt-Out Update and Options

BACKGROUND:

In January StopWaste delivered the first Benchmark Service report to all residential and commercial garbage account holders in Alameda County. Account holders were provided with a one-time opportunity to opt-out of future years of the service. The opt-out period ended March 31. The Board, at its December 2013 meeting, requested an update on the number of opt-outs, and an opportunity to possibly take action with respect to the opt-out feature of the Benchmark Service.

DISCUSSION:

Purpose of the Benchmark Service

The purpose of the Benchmark Service is two-fold. First, it provides the agency with detailed annual measurements of progress toward our year 2020 objective of less than 10% readily recyclable or compostable materials in the discards that are landfilled. These annual measurements help to ensure that our discard management projects, such as the Ready, Set, Recycle Contest and the mandatory recycling ordinance, are modified over time to be as effective as they can be at reducing waste. In the past, waste characterization was done in one large study every 5-8 years.

Second, the Benchmark Service helps to achieve our long-term community recycling objectives by providing community level feedback on recycling achievements and opportunities for improvement. Most account holders don't know how much readily recyclable or compostable material is still being put in containers destined for landfill when containers for recyclables or compostables are also available.

Structure of the Fee

The fee to pay for the Benchmark Service was chosen to be more stable than our historical revenue from per-ton fees on discards that are landfilled. The 2010 strategic plan specifically called for diversification of revenue sources whenever new revenue was deemed necessary. The fee for the Benchmark Service was therefore structured as a per account fee because reductions in waste landfilled do not reduce revenue from a per account fee. It was one of three

diversification actions taken by the Board since the strategic plan was adopted in July 2010 (grant funding rather than fee-funding whenever possible, which led to creation of the Energy Council; this per account fee rather than renewal of the per-ton fee on Other Waste; and the recent HHW fee decision).

The Benchmark Service fee includes a one-time 60-day opt-out feature that emerged from the Board discussions about the fee, but that was not a strategic feature of the staff service and fee proposal. The one-time opt-out feature preserves the revenue stability objective of the fee structure. Because most if not all solid waste fees are mandatory, the one-time opt-out feature seemed very respectful of customer choice when the fee was adopted by a vote of 17-3 in June of 2012.

The Opt-Out Process:

When the Benchmark Service Report was distributed in January, account holders were able to opt-out of future years by either completing a form on the StopWaste website, via email, or by calling a telephone hotline and leaving their pertinent information. After the opt-out period closed March 31, staff transmitted the opt-out request data to the haulers for them to process. Once duplicates and errors are corrected, these customers will not be charged the benchmark fee in future years. After March 31, the web form was removed from the Agency website but we still received a few opt-out requests post-deadline via email and the telephone hotline. New accounts will have a one-time 60-day opportunity to opt-out in the future.

Summary statistics:

- 389,910 – Total number of accounts that received the Benchmark report and were charged the initial year of the fee.
- 12,348 – The total number of opt-out requests, representing 3.2% of all accounts (this is a maximum number; the final number is pending hauler confirmation and may be lower due to duplicates and/or closed accounts).
- 1,000 – The approximate number of account holders who contacted us about the Benchmark service and/or requested an opt-out via email or the telephone hotline. The remainder used the self-service website for opting out.
- 185 – The number of opt-out requests coming after the March 31 deadline.

Legal Counsel has advised that the 185 opt-out requests made after the March 31 deadline can be granted using the enforcement discretion of the Executive Officer. They comprise 1.5% of the total opt-out requests received, and in many cases were accompanied by a reasonable explanation for being late (e.g., death in the family, or person was out of town and eventually caught up on their mail, etc.). Unless the Board directs otherwise, I intend to grant these late opt-out requests.

Possible Action With Respect to the Opt-Out Feature

The Board could modify the opt-out feature of the Benchmark Service. Some have advocated doing so. The key public policy question is whether modifying the opt-out feature will satisfy anyone who has objected to the Benchmark Service and the fee that pays for it, or will instead just lead to more dissatisfaction or erosion of the stable revenue provided by the structure of the fee.

The Benchmark Service and associated fee is scheduled for review in the Spring of 2016, as part of the budget process that year. By then, two full years of the Service will have been completed and we may be able to measure the impacts of the Service. We will also have another two years of fiscal experience, without any need for fee discussions, and be better able to assess the long-term impacts of any change in this revenue source.

RECOMMENDATION:

Take no action.

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June 16, 2014

TO: Waste Management Authority
FROM: Gary Wolff, Executive Director
SUBJECT: Election of Officers for Fiscal Year 2014-2015

BACKGROUND

Authority officer's terms are for a fiscal year. Since June concludes our fiscal year, election of new officers is timely. Don Biddle from East County is the current President, Jennifer West from North County is the current First Vice President, and Pauline Cutter from South County is the current Second Vice President. Authority policy calls for the geographic origin of officers to rotate each year. That is, 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.

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. The County's geographic designation is determined by the member's supervisorial district boundary.

RECOMMENDATION

Staff recommends that the Authority Board elect officers for the 2014-2015 fiscal year.

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June 16, 2014

TO: Energy Council

FROM: Gary Wolff, Executive Director

SUBJECT: Election of Officers for Fiscal Year 2014-2015

BACKGROUND

Energy Council officer's terms are for a fiscal year. Since June concludes our fiscal year, election of new officers is timely. Lena Tam from Alameda is the current President, Barbara Halliday from Hayward is the First Vice President, and Pauline Cutter from San Leandro is the Second Vice President.

WMA policy calls for the geographic origin of officers to rotate each year, and the Energy Council tentatively decided to have a similar policy last year when it first elected officers. Alameda was deemed to be part of North County, San Leandro as part of Central County, and Hayward as part of South County. At that time, there were no East County members (Dublin has since joined).

In addition, the Energy Council was interested in ensuring that the officers were not all from large, or small, member agencies. Finally, although it is customary in the WMA for each officer to 'advance one level' each year, the Energy Council has not yet established a custom of this type, since this is only the second year in which officers will be elected.

RECOMMENDATION

Staff recommends that the Energy Council elect officers for the 2014-2015 fiscal year.

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June 17, 2014

TO: Energy Council
FROM: Gary Wolff, Executive Director
BY: Wendy Sommer, Principal Program Manager
SUBJECT: Community Choice Aggregation (CCA) – Informational Presentation

In 2002, Assembly Bill 117 was signed into law, enabling California cities, counties, or cities and counties that form a joint powers authority to arrange the purchase on behalf of and provide electricity to customers within their jurisdictions. This is known as Community Choice Aggregation (CCA). Several of our member agencies have expressed interest in joining an existing CCA and the County of Alameda Board of Supervisors has directed their staff to explore the establishment of a CCA JPA.

Seth Baruch (Carbonomics) and Tom Kelly (KyotoUSA) will provide an overview of CCAs to the Council during the meeting on June 25, 2014.

This is an informational item only. Staff will follow up with further analysis and seek the Council's direction for next steps in July.

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July 2014 Meetings Schedule

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

(Meetings are held at StopWaste unless otherwise noted)

SUN	MON	TUES	WED	THURS	FRI	SAT
		1	2	3	4 AGENCY HOLIDAY	5
6	7	8	9	10 9:00 AM Programs & Administration Committee <hr/> 7:00 PM Planning & Organization Committee /Recycling Board Fremont - location TBD	11	12
13	14	15	16	17	18	19
20	21	22	23 3:00 PM Authority Board & Energy Council [Key Items: HHW MOUs and CCA options]	24	25	26
27	28	29	30	31		

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From the San Francisco Business Times

:<http://www.bizjournals.com/sanfrancisco/print-edition/2014/03/07/switch-off-the-light-cleanpower-sf.html>

SUBSCRIBER CONTENT: Mar 7, 2014, 3:00am PST

Our view

Time to switch off the light for CleanpowerSF

Staff *San Francisco Business Times*

CleanpowerSF is San Francisco's publicly owned, green energy system of the future.

And, it seems, always will be.

For after a decade of planning, CleanpowerSF remains unready for launch. In reality, it's not even close. The myriad failings and foibles of "community choice aggregation," its nearly unbroken history of overpromising and underdelivering, have been well chronicled. They have left CleanpowerSF in a stalemate: It can't get its numbers to add up in a way that won't cost San Francisco ratepayers (who would be force-enrolled into it) 20 percent more than they now pay for electricity. And its overseer, the San Francisco Public Utilities Commission, won't OK it to go live until it can reduce them.

So public power's dwindling band of supporters have had to come up with a plan to address these problems. Now they have: They want to hire an unspecified consultant to help them work up some additional plans and projections that might notionally bring down the numbers. That's issue No. 1. As for issue No. 2, CleanpowerSF's supporters in the state assembly are discussing a legislative end-around that would allow the program to get up and running in the absence of SFPUC approval. Under this plan, CleanpowerSF could sign a Joint Powers Agreement with Marin County's marginally more successful (i.e., operational) CCA. They would designate a Joint Powers Authority, which could then bestow its blessing upon San Francisco's program with or without the SFPUC's consent.

Forgive the skeptics who point out this looks a lot more like a way to make troublesome issues go away, as opposed to a way to actually solve them.

It's another sign, if one was needed, of how degraded the current situation is from the collective, green nirvana public power advocates promised under community choice aggregation: San Francisco would eject progressive bête noire **PG&E** from its utility monopoly position and assume responsibility for power generation itself, using city-owned renewable energy sources. With the noxious stench of the profit motive removed, rates could "meet or beat" those charged by the detested PG&E.

Reality did not so much fall short of this as fall off the charts. To start with, PG&E was never going anywhere; its billion-dollar San Francisco power distribution system was too expensive for the city to buy or duplicate. So power, from whatever source, would be moved around by PG&E. As for city-owned renewable energy resources, San Francisco neither has them, nor has it a feasible plan to acquire them. CleanpowerSF had to turn to another corporate, profit-stained leviathan, **Shell**, to acquire power for it. Shell will meet its “renewable” requirements largely through energy credits — basically a bookkeeping entry recording that renewable power was generated somewhere. (CleanpowerSF backers are now talking about rescinding the Shell contract, typically with no explanation of what would replace it.)

Is it any wonder than wiser heads have now called time on this nonsense? CleanpowerSF no longer features in San Francisco’s Climate Action Plan. The Mayor’s office is now focusing on less sexy but more tangible environmental gains from concerted energy conservation.

Facing a skyrocketing bill for key water infrastructure upgrades, the SFPUC has also decided it hasn’t more staff time or money to to indulge the CleanpowerSF fantasy.

The prospect of CleanpowerSF ever illuminating a single light in San Francisco has receded even further into the future. But perhaps its persistent failures can click the light bulb for its supporters: that it’s time to chalk it up to experience and move on.

» LOCAL ECONOMY

SPECIAL SECTIONS

June 11, 2014

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Electricity May Go Green and Local

Alameda County is moving toward a more locally generated sustainable energy system, but a bill in the state legislature could block the plan.

By Jean Tepperman



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We may walk or bike to work, shop local, grow our own vegetables, and dine at farm-to-table restaurants, but one of our biggest daily expenditures — energy — is typically unsustainable. In Northern California, our dollars are used to pay for fossil fuels that originate from outside the state, pollute the environment, and speed up climate change. But residents of Alameda County could get more of their energy from renewable sources and boost the local economy at the same time by replacing our utility provider, PG&E, with a

local public electricity agency. The county board of supervisors voted unanimously last week to move toward creating a "Community Choice" energy system — although a bill currently in the state legislature could stop the project before it gets off the ground.

"We want to save people money and develop a cleaner energy portfolio," said Community Development Director Chris Bazar, in presenting the Community Choice proposal to the supervisors. "This has been achieved in Marin and Sonoma" — the two Bay Area counties that already have Community Choice energy supplying electricity to most customers.

Community Choice "is the most effective way to reduce local greenhouse gas emissions," said Sierra Club Conservation Organizer Jess Dervin-Ackerman, because a public energy agency can make it a priority to buy clean energy. "With PG&E, we have no control over where our energy comes from."

A local public electricity agency could provide electricity at competitive prices, Bazar said, because it would be big enough to negotiate good prices with energy producers and could encourage the development of new sources of energy. In addition, he said, the agency would have different priorities from PG&E. "As a public body," he said, "It's not about shareholders. It's about the most comprehensive clean energy portfolio at the lowest cost." He noted that the Marin and Sonoma Community Choice agencies have increased the share of renewable energy and lowered prices. They also offer customers the option of paying higher rates for energy from 100 percent renewable sources.

In addition, a Community Choice energy system could boost the local economy by fostering the development of local clean-energy generation projects. "That could be anything from more solar panels on the roofs of individual houses to going down to the NUMMI plant and plastering the roofs, parking lots, and disturbed areas with solar panels," said Bruce Jensen, senior planner with the county Community Development Department. Local energy production also would produce local jobs — potentially 2,400 new ones, according to an analysis published last February by a coalition of clean energy groups.

The county already has some clean-energy generation capacity, such as the Altamont Pass wind farm. But few local clean energy projects have developed in the East Bay, because a PG&E energy monopoly leaves little room for them, said Al Weinrub, coordinator of the Local Clean Energy Alliance. "When you are in control of the process," he noted, "you can encourage the development of local initiatives."

For example, if people have rooftop solar panels that generate more energy than they use, PG&E now buys that extra electricity, but only credits it to customers' accounts. Payments are also low, and the current program will end in three years. By contrast, Marin Clean Energy pays "the full retail rate," Weinrub said. "It's an incentive for people to generate more energy than they use — to cover their whole roof with solar panels."

A Community Choice agency could also buy clean energy from local producers through a "feed-in tariff" system that promises a stable, predictable price, making it possible for small producers to develop and finance energy-production projects. Such systems already operate on a small scale in Marin and in some areas where electricity is run by a public utility, including Sacramento and Los Angeles.

In addition, a local electricity agency could allow neighbors to set up "solar share" systems, in which a group of homes and businesses could go in together on a neighborhood solar energy system.

Many local companies already install solar panels and might branch out to the business of generating energy. But most of these companies are not unionized, noted Colin Miller of the Clean Energy and Jobs Campaign, which has been pushing for Community Choice.

At the June 3 Alameda County Board of Supervisors' meeting, Fred Pecker, president of Local 6 of the International Longshore and Warehouse Workers Union, urged the county, in setting up a Community Choice system, to "pay attention to labor standards and not allow what happened to recycling

workers." As less of Alameda County's waste has gone into the landfill and more is now recycled, many good-paying jobs in the landfill have been eliminated, replaced by low-wage recycling jobs.

Supervisor Keith Carson agreed: "In hindsight," he said, "we could have done a better job with making those [recycling jobs] good jobs — inclusive, diverse, with training opportunities. I strongly urge, in the formation [of a Community Choice agency], that workforce development and inclusion are part of that."

Local clean energy advocates are also pushing for alternative economic models. "A local Community Choice agency could prioritize cooperatively owned energy development and local renewable energy projects with union labor," said Miller of the Clean Energy and Jobs Oakland Campaign. "This is our opportunity to create the kind of local energy system we want to see, with good, family-sustaining jobs and community power."

One organization, Energy Solidarity, is fostering the development of cooperatively owned and managed local energy systems. It's working with one Oakland high school, Emiliano Zapata Street Academy, not just to generate electricity but to educate. "Now we're working with students on an energy audit," said Dave Ron of Energy Solidarity. "We will be developing green skills, doing job training as we install the system."

Energy Solidarity is also working with the Asian Pacific Environmental Network to plan community-owned solar-energy projects in Richmond and Oakland. "In Richmond our members have been fighting against pollution and experiencing the health impacts," said APEN Campaign and Organizing Director Vivian Yi Huang. "We really want to support renewable energy to address the health and climate impacts" of fossil fuel, she said. But in addition, "we see community power, not just as electricity generation but as economic and political power. Who controls our energy? Who has a say in the ownership and governance of that energy?"

Alameda County's decision to go ahead with planning for Community Choice energy comes after years of advocacy by local community groups, including

the Local Clean Energy Alliance, a coalition of ninety Bay Area environmental and clean energy organizations, the Oakland and Berkeley Climate Action Coalitions, and the Clean Energy and Jobs Oakland Campaign, which is made up of "organizations that work in poor communities and communities of color, social and economic justice organizations," according to Weinrub. The Sierra Club and some local unions have also been active in pushing for Community Choice energy.

County staffers estimated that it will take three years to get a Community Choice energy system up and running in Alameda County — that is, unless a bill currently in the California legislature derails it.

Last month, the state Assembly passed AB 2145, which supporters say would reform Community Choice energy. Opponents call the bill the "Monopoly Protection Act" and say it would make Community Choice energy impossible.

According to current law, local governments can make Community Choice energy agencies the default electricity provider, allowing individual customers to stay with PG&E if they want to. AB 2145 would make the current electric company — PG&E in Northern California — the default provider and require people who want Community Choice energy to sign up for it individually.

AB 2145 author, Assembly member Steven Bradford of Gardena, said he initiated the bill because local governments "shouldn't make the choice for the consumer." The bill would also require Community Choice energy agencies to tell potential customers the exact cost and the percentage of clean energy they would provide.

Weinrub of the Local Clean Energy Alliance said these conditions make Community Choice impossible. Local agencies can't buy energy for one household at a time, he argued. They need a large customer base to start negotiating contracts with energy producers. Until they have that customer base and negotiate those contracts, they have no way of knowing the exact price and energy mix they will be able to offer.

Weinrub and many other environmentalists suspect that electric utility companies wrote the bill. "That's the farthest thing from the truth," Bradford responded. "Utility companies have not graced my door."

A check of campaign donations listed by Project VoteSmart, however, shows that in 2012, PG&E gave Bradford \$7,800, making it his fifth largest contributor. PG&E supports AB 2145, according to state Assembly records. In addition, Bradford previously worked as public affairs director for Southern California Edison — PG&E's equivalent in Southern California.

Despite the lopsided Assembly vote in favor of AB 2145 — 51 to 15 — supporters of Community Choice energy say they are determined to keep fighting to stop the bill. AB 2145 opponents include Alameda County and the cities of Oakland, Berkeley, and Richmond, as well as public agencies such as the Bay Area Air Quality Management District and the California Public Utilities Commission, along with a host of environmental organizations. "The next showdown is June 23," Weinrub said, when the bill goes before the Senate Energy Committee. Supporters of Community Choice are planning a rally and a day of testimony in the committee hearing.

Community Development Director Bazar told the supervisors that if AB 2145 becomes law, "I suggest we come back to you," because if that happens, "it would be hard to make (Community Choice) work."

Community Choice supporters say the climate-change stakes are high. "We're only on this planet a few years unless we do something drastically different," said Weinrub.

Local clean energy projects also would not cost residents any more money, aside from modest start-up costs, because they would be supported by the fees customers are already paying for their electricity. And with local clean energy generation, "billions of dollars would stay in the county," rather than being paid out to utility investors, Weinrub said.

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