

Authority Board (WMA) & Energy Council (EC)

Dan Kalb, **WMA, President**
City of Oakland, WMA, EC

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

Dave Sadoff, **WMA 2nd Vice President**
Castro Valley Sanitary District, WMA

Lorin Ellis, **EC, President**
City of Union City, WMA, EC

Dianne Martinez, **EC 1st Vice President**
City of Emeryville, WMA, EC

Jim Oddie, **EC 2nd Vice President**
City of Alameda, WMA, EC

Keith Carson, County of Alameda, WMA, EC

Peter Maass, City of Albany, WMA, EC

Susan Wengraf, City of Berkeley, WMA, EC

Don Biddle, City of Dublin, WMA, EC

Suzanne Lee Chan, City of Fremont, WMA, EC

Laureen Turner, City of Livermore, WMA, EC

Shelia Young, Oro Loma Sanitary District, WMA

Tim Rood, City of Piedmont, WMA, EC

Jerry Pentin, City of Pleasanton, WMA, EC

Deborah Cox, City of San Leandro, WMA, EC

City of Hayward

Wendy Sommer, Executive Director

AGENDA

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

Wednesday, July 27, 2016

3:00 P.M.

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

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

I. CALL TO ORDER

II. ROLL CALL

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

Page **IV. CONSENT CALENDAR**

- | | | |
|----|---|--------------------|
| 1 | 1. Approval of the Draft Minutes of June 22, 2016 (Wendy Sommer) | Action |
| 7 | 2. Minutes of the June 21, 2016 Technical Advisory Group (Karen Kho) | Information |
| 11 | 3. Grants Under \$50,000 (Wendy Sommer) | Information |

V. OPEN PUBLIC DISCUSSION

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

VI. REGULAR CALENDAR

- | | | |
|----|--|-----------------------------------|
| 15 | 1. Vision Recycling Compost Facility CoIWMP Amendment – Public Hearing and Adoption (Debra Kaufman) The Recycling Board and the WMA Board recommend that the WMA board hold a public hearing, second reading and adoption of Ordinance 2016-01 on July 27. | Action/ Public Hearing |
| 25 | 2. Priority Setting: Overview and Timeline (Wendy Sommer) Staff recommends that the Authority Board approve the priority setting process | Action |

and timeline described in the staff report.

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|----|---|--------------------|
| 27 | <p>3. Industry trends: Circular Economy and Consumption Based Emissions Inventory (Wes Sullens & Miya Kitahara)</p> <p>This item is for information only.</p> | Information |
| | <p>4. Interim appointment(s) to the Recycling Board for WMA appointee unable to attend future Board Meeting(s) (Wendy Sommer)</p> <p>(P&O and Recycling Board meeting, August 11, 2016 at 4:00 pm – StopWaste, 1537 Webster St, Oakland)</p> | Action |

VII. COMMUNICATIONS/MEMBER COMMENTS

VIII. ADJOURNMENT

DRAFT

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

Wednesday, June 22, 2016

3:00 P.M.

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

I. CALL TO ORDER

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

II. ROLL CALL

WMA & EC

| | |
|---------------------------------|---------------------------|
| City of Alameda | Jim Oddie, WMA, EC |
| City of Berkeley | Susan Wengraf, WMA, EC |
| Castro Valley Sanitary District | Dave Sadoff, WMA |
| City of Dublin | Don Biddle, WMA, EC |
| City of Fremont | Suzanne Lee Chan, WMA, EC |
| City of Hayward | Greg Jones, WMA, EC |
| City of Newark | Mike Hannon, WMA, EC |
| City of Oakland | Dan Kalb, WMA, EC |
| Oro Loma Sanitary District | Shelia Young, WMA |
| City of Piedmont | Tim Rood, WMA, EC |
| City of Pleasanton | Jerry Pentin, WMA, EC |
| City of San Leandro | Deborah Cox, WMA, EC |

Absent:

| | |
|--------------------|--------------------------|
| County of Alameda | Keith Carson, WMA, EC |
| City of Albany | Peter Maass, WMA, EC |
| City of Emeryville | Dianne Martinez, WMA, EC |
| City of Livermore | Laureen Turner, WMA, EC |
| City of Union City | Lorin Ellis, WMA, EC |

Staff Participating:

Wendy Sommer, Executive Director
Tom Padia, Deputy Executive Director
Debra Kaufman, Senior Program Manager
Richard Taylor, Legal Counsel, Authority Board
Arliss Dunn, Clerk of the Board

III. ANNOUNCEMENTS BY THE PRESIDENTS

There were none.

IV. CONSENT CALENDAR

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

Board member Young made the motion to approve the Draft Minutes of the May 25, 2016 meeting with the correction noted below. Board member Rood seconded and the motion carried 11-0 (Carson, Ellis, Kalb, Maass, Martinez, and Turner absent).

(Correction: Remove "EC" notation from Castro Valley Sanitary District and Oro Loma Sanitary District).

Board member Rood made the motion to approve the Consent Calendar. Board member Sadoff seconded and the motion carried 11-0 (Carson, Ellis, Kalb, Maass, Martinez, and Turner absent).

V. OPEN PUBLIC DISCUSSION

Ken Bukowski expressed opposition to the ABAG and MTC merger.

VII. REGULAR CALENDAR

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|--|-----------------------------------|
| 1. Request for an Amendment to the Alameda County Integrated Waste Management Plan to include the Vision Recycling Compost Facility in the unincorporated area of Livermore (Debra Kaufman) | Action/ Public Hearing |
| Staff and the Recycling Board as LTF and the P&O committee, recommend that the WMA Board take the following actions: | |
| 1. Consider the ordinance by title only, waiving a reading of the full text. | |
| 2. Schedule a public hearing for the July meeting and introduce the ordinance for consideration of adoption at the July WMA meeting. | |

Debra Kaufman provided an overview of the staff report. The report is available here:

[CoIWMP-Vision-Recycling-memo-06-22-16.pdf](#).

President Pentin opened the public hearing. Tom DelConte commented that he is pleased to see the process progressing and is hopeful to receive permitting for a composting facility in Alameda County. Mr. DelConte thanked the Board for considering this request. There were no other speakers on this item and the public hearing was closed.

Board member Chan made the motion to approve the staff recommendation. Board member Cox seconded and the motion carried 11-0 (Carson, Ellis, Kalb, Maass, Martinez, and Turner absent).

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|---|-----------------------------------|
| 2. Public Hearing and Annual adoption of Fee Collection Report for Household Hazardous Waste Fee (Debra Kaufman) | Action/ Public Hearing |
| Staff recommends that the WMA Board hold a public hearing on the Fee Collection Report and approve the Fee Collection Report for FY2016-17, which includes adjusting the fee downward from \$9.55 to \$8.60 per unit for FY2016-17. | |

Debra Kaufman provided a summary of the staff report and presented a PowerPoint presentation. The staff report and the presentation is available here: [HHW-Memo-06-22-16.pdf](#)

President Pentin opened the public hearing. There were no public comments on this item and the public hearing was closed.

Board member Sadoff inquired if the 30% increase in household participation includes the one day events. Ms. Kaufman stated yes it does. Board member Chan stated that the HHW program is very popular in Fremont and stated that it is important in subsequent years that the full operating costs are covered either by the fee and/or the budget. Ms. Sommer stated that staff has met with Fremont staff to address some of the issues. Unfortunately, the fee cannot be increased at this time unless we go through the Prop 218 process again as the existing MOU between ACWMA, the County, and the City of Fremont has definite thresholds.

Board member Hannon inquired about the number of surveys sent out and the percentage rate of respondents. Ms. Kaufman replied that the survey received an 18% rate of response with 2,900 surveys mailed and 500 respondents. Board member Hannon stated that he is pleased to see that we are reaching out to the Spanish speaking population and inquired if any of the materials are bilingual. Ms. Kaufman stated yes we sent out a postcard in Spanish this year and we are working to identify high Spanish speaking areas within the County. Board member Hannon inquired if the increase in hours at the facilities is due to an increase in volume of materials received at the facilities. Ms. Kaufman stated that there has been a definite increase in participation at the facilities as well as at the one day events.

Board member Oddie made the motion to approve the staff recommendation. Board member Kalb seconded and the motion carried 14-0 (Carson, Ellis, Maass, Martinez, and Turner absent).

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|--|---------------|
| 3. Legislative & Regulatory Priorities & Process Review (Debra Kaufman) | Action |
| Staff recommends that the WMA Board authorize the Executive Director to determine positions for bills that are in accordance with Agency priority areas adopted by the Board in November of each year. Staff would continue to bring status updates to the Board in April, June and October. | |

Debra Kaufman provided a summary of the staff report. The report is available here:
[Legislative-Process-Review-06-22-16.pdf](#)

Board member Kalb stated the staff recommendation did not reflect the direction of the P&A Committee. It was the intent of the Board to continue to adopt legislative positions in April and June and to also allow the Executive Director to take positions on bills (consistent with adopted priorities) that the Board didn't have the opportunity to hear due to time constraints. Ms. Kaufman stated that this is current protocol although it is not an adopted policy. Ms. Sommer added the current protocol has been working quite well. Board member Sadoff concurred with Board member Kalb that it was the committee's intent that the WMA Board would continue to weigh in on legislation in April and June and allow the Executive Director to act appropriately on bills that were amended at a later stage. Board member Jones stated that he agrees with current protocol as the Board trusts the Executive Director with everyday operational decisions and should continue to allow her to act on bills consistent with adopted priorities when the Board is unable to act due to time constraints and with notification to the Board of her actions.

Authority Counsel Taylor suggested the following revisions to the staff recommendation:
Staff recommends that the WMA Board authorize the Executive Director to take positions for bills that are in accordance with Agency priority areas adopted by the Board in November of each year with notice to the Board within three business days of a letter taking a position. Staff would continue to request legislative policy direction from the Board in April and June and provide status updates on legislative policy matters in October.

Board member Sadoff made the motion to approve the revised recommendation. Board member Kalb seconded and the motion carried 13-0 (Carson, Ellis, Jones, Maass, Martinez, and Turner absent). (Board member Jones was absent from the room during the vote).

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4. Vacancy on the Recycling Board (Wendy Sommer) Action

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

Wendy Sommer stated that Board member Sadoff was incorrectly omitted from the list of WMA members eligible to serve as a WMA appointee to the Recycling Board.

Board member Oddie agreed to serve as the WMA appointee to the Recycling Board. Board member Young made the motion to approve the appointment. Board member Chan seconded and the motion carried 13-0 (Carson, Ellis, Jones, Maass, Martinez, and Turner absent).

5. Election of WMA Officers for Fiscal Year 2016-17 (Wendy Sommer) Action

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

Board member Hannon (Newark) volunteered to serve as the 1st Vice President for the WMA Board. There were no other nominations. Board member Young made the motion to accept the nomination. Board member Oddie seconded and the motion carried 14-0 (Carson, Ellis, Maass, Martinez, and Turner absent).

President Pentin announced that Board member Turner (Livermore) had submitted a letter expressing her interest in serving as the 2nd Vice President. President Pentin made the motion to nominate Board member Turner as a candidate for 2nd Vice President. Board member Oddie seconded the nomination. Board member Young made a substitute motion to nominate Board member Sadoff (CVSan) as a candidate for 2nd Vice President. Board member Wengraf seconded the nomination. Board member Sadoff accepted the nomination to serve as 2nd Vice President. The Board voted 14-0 to elect Board member Sadoff as the 2nd Vice President (Carson, Ellis, Maass, Martinez, and Turner absent).

Board member Pentin made the motion to accept the rotation of Board member Kalb (Oakland) to serve as President of the WMA. Board member Oddie seconded and the motion carried 14-0 (Carson, Ellis, Maass, Martinez, and Turner absent).

6. Election of EC Officers for Fiscal Year 2016-17 (Wendy Sommer) Action

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

EC President Kalb chaired the Election of Officers for the EC. Board member Rood made the motion to nominate Board member Ellis (Union City) to serve as President of the EC. Board member Wengraf seconded. There were no other nominations and the nominations were closed. The Council voted 14-0 to elect Board member Ellis as President of the EC (Carson, Ellis, Maass, Martinez, and Turner absent).

Board member Kalb made the motion to nominate Board member Martinez (Emeryville) as the 1st Vice President of the EC. Board member Pentin seconded. There were no other nominations and the nominations were closed. The Council voted 14-0 to elect Board member Martinez as 1st VP (Carson, Ellis, Maass, Martinez, and Turner absent).

Board member Cox made the motion to nominate Board member Oddie (Alameda) as the 2nd Vice President of the EC. Board member Wengraf seconded. There were no other nominations and the nominations were closed. The Council voted 14-0 to elect Board member Oddie as 2nd VP (Carson, Ellis, Maass, Martinez, and Turner absent).

7. Interim appointment(s) to the Recycling Board for WMA appointee unable to attend future Board Meeting(s) (Wendy Sommer) Action

(P&O and Recycling Board meeting, July 14, 2016 at 7:00 pm – Fremont Recycling and Transfer Station, 41149 Boyce Road, Fremont)

Board member Pentin requested an interim appointment for the July 14th P&O/RB meeting. Board member Biddle volunteered to serve as the interim appointment. Board member Sadoff made the motion to

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approve the interim appointment. Board member Hannon seconded and the motion carried 14-0 (Carson, Ellis, Maass, Martinez, and Turner absent).

VII. COMMUNICATION/MEMBER COMMENTS

Information

There were none.

VIII. CONFERENCE WITH LEGAL COUNSEL—ANTICIPATED LITIGATION

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

There was nothing to report from the closed session.

IX. ADJOURNMENT

The meeting adjourned at 3:57 p.m.

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MEETING NOTES

Energy Council TECHNICAL ADVISORY GROUP (TAG)

Tuesday, June 21 2016 – 1:00 pm to 3:00 pm

Attendance:

City of Alameda: Maria DiMeglio (phone)
City of Albany: Claire Griffing
City of Berkeley: Billi Romain, Caytie Campbell-Orrrock (Civic Spark)
City of Dublin: Kathy Southern
City of Emeryville: Nancy Humphrey, Hoi Fei Mok (Civic Spark)
City of Fremont: Rachel DiFranco
City of Hayward: Mary Thomas, Gilee Corral (Civic Spark)
City of Livermore: Judy Erlandson (phone)
City of Oakland: Shayna Hirshfield-Gold, Ben Silverman (Civic Spark)
City of Piedmont: Emily Alvarez
City of San Leandro: Sally Barros
City of Union City: Avalon Schultz (phone)
StopWaste: Heather Larson, Candis Mary-Dauphin, Teresa Eade, Kelly Schoonmaker

Board Updates

- No EC items going to the board

CCE Technical Study

- San Leandro has a consultant reviewing the technical study mostly because of concerns about governance, and how voting power may be weighted based on usage. The consultant reported to Council on Monday.
- Fremont has mentioned at multiple CCA meetings that there is no mention of what the increase in EV's will do to demand in the technical report, neither is it factoring in the amount of energy from rooftop solar.
- Comment period for the study ended June 10th. Albany submitted comments –would like to see a greater focus on GHG reduction. The greenest scenario is 80% renewables, Albany would like a 100% default option.
- The Local Clean Energy Alliance wants to present to TAG about their vision of the CCE, ultimately wants more community members as non-voting members of the CCE. The group also wants community advisory chairs and co-chairs to serve as non-voting members of JPA committee.
- Voting on JPA language will be held on July 19th
- TAG is interested in hearing about how PG&E is moving forward with installing charging stations.

Program Updates

- The BayREN Municipal ZNE project was launched. Currently working with Hayward, Dublin, Oakland & Berkeley . The County may also have projects.
- PG&E LGP; Small commercial outreach and green business coordination
 - Entities interested in doing commercial outreach to promote BEST and smartlights include, Piedmont (directly), Oakland, Albany, Fremont, San Leandro, Hayward:
 - Fremont has interest in combining waste and energy outreach for restaurants
 - Hayward & Dublin would like to combine waste and energy outreach as well
 - EBEW marketing subcommittee will examine additional strategies
- TAG agreed that the Green Business program is a heavy commitment on the staff re certification and recertification. Carolina wants TAG's opinion on ways to improve the program.
- On the consumer side, no one knows about the certification, so there's no incentive for businesses to participate

Regulatory and Grant updates

- CPUC proceedings- baseline, statewide/third party, EM&V, Distributed Energy
 - Comments have been submitted on calculating baseline and reporting savings.
 - Regional aggregation of load can be sold into the statewide capacity market
 - Proposing to allocate funds to the RENs to do EM&V. Local governments would have access to their own EM&V funds
 - What consultants vs IOUs should do, and what programs should be statewide. LGC submitted a proposal suggesting that local governments have their own set asides, and LGC should administer these funds. Currently mixed support among stakeholders. EBEW also submitted comments.
- DOE BAAQMD heat pump grant application due June 23
 - Working with air district on ground source heat pump project proposal. Emeryville has sent a letter of support. Oakland, Fremont and Berkeley will send letters as well.

Regional Intern Project Coordination

- Measure D funding – can use half of the funding for the cities for waste related projects
 - Funds are trending downward for most cities.
 - Could justify use with waste related climate activities.
 - Can be rolled over
 - San Leandro and Piedmont would be interested in using Measure D if possible
- SolSmart – Sunshot funded. Helps cities look like how they are accelerating mostly residential solar. Components include background policy information, outreach & regulatory. Provides customized TA to cities to improve areas of the market needed. Has funded fellows that can serve full time up to 6 months to help communities research and implement areas they want to address. Would place 1-2 fellows in the Bay area to support multiple jurisdictions. Fremont is looking into solar access rights.
- Shayna is looking to get additional funding from PG&E so that EBEW can fund the 17 Civic Spark/ CCBA fellows without needing to share.
- San Leandro not interested in sharing a fellow. It would also be difficult for Hayward and for Oakland to share a 2nd intern. Fremont and Union City could share.

- Beacon program – Berkeley is interested in going for certification. Process doesn't take much time.
 - Fellows should receive training on Beacon & Clearpath. Fei has been compiling resources that she will transfer over to next round of civic spark members.

Built Environment Member Agency Scholarships FY 16-17

- Green cities will be lowering costs next year.
- Add Adaptation Forum to list of approved, MA's to follow up with additional suggestions
- StopWaste gives scholarships for Bay Friendly Qualified trainings. Will also offer trainings for design professionals starting this year. Good for permit counter staff, landscape development, etc. Will be held October 5-7. Maintenance training will be held January 2017.

Landscape Program Coordination

- Water Efficient Landscape Ordinance (WELO) Implementation
 - Teresa Eade, StopWaste (presentation can be found in Dropbox folder)
 - StopWaste goals:
 - Support recycled compost and mulch requirement implementation
 - Prevent 3 basic practices of WELO from being dropped – no invasive plants, don't overplant & allow plants to reach mature size, and
 - Make sure landscapers are meeting diversion requirements
 - Union City requires a \$5000 deposit from applicants and uses those funds to outsource inspections
- Prop 84 round 3 Regional Deliverables; <http://lawntogarden.org/>
 - Kelly Schoonmaker, StopWaste (presentation can be found in Dropbox folder)
 - Lawn to Garden created because lawn conversion rebates do not require sheet mulching
 - Website (link above) created as an education effort funded by DWR. Includes Lawn to Garden resources, before & after cases, a marketplace, rebates & discounts
 - Includes section for residents and Landscape professionals
 - Workshop on June 29th on WELO for contractors sold out, but can still sign up for webinar

Member Comments & Discussion

- Farewell Kathy Southern

NEXT TAG MEETING: July 19, 2016 1-3pm

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Date: July 27, 2016

TO: Waste Management Authority and Recycling Board

FROM: Wendy Sommer, Executive Director

SUBJECT: Grants Issued Under Executive Director Signature Authority

SUMMARY

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

Grants – June 15, 2016 through July 15, 2016

| PROJECT NAME | GRANT RECIPIENT | PROJECT TYPE/DESCRIPTION | LOCATION | VERIFICATION | GRANT AMOUNT | BOARD |
|-------------------|-----------------|--|--|--------------|--------------|-------|
| Competitive Grant | Civicorps | Funds to purchase a rear loader truck to service 760 County businesses for recycling services. Funds will support Recycling Social Enterprise Program. | Based in Oakland, collection countywide | Final Report | \$45,000 | RB |
| Competitive Grant | Ecology Center | Funds to develop and implement youth-driven enterprise to directly reach multi-family residences on the importance of recycling and composting. Will provide technical assistance to over 300 people in five large multi-family buildings. | Berkeley | Final Report | \$20,000 | RB |
| Competitive Grant | Rising Sun | Provide waste diversion education and resources to 1,000 residences in several Alameda County cities as part of a larger, ongoing outreach program. | Fremont, Union City, Hayward and Oakland | Final Report | \$15,000 | RB |

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| Competitive Grant | MedShare | Funds to purchase a new truck to replace aging truck. New purchase will allow expansion of the countywide medical reuse program. Over 300 tons of medical materials collected and reused by program. | Based in San Leandro; collection countywide | Final Report | \$45,000 | RB |
| Competitive Grant | Fertile Groundworks | Funding will allow facility to expand their composting education center, enabling grantee to better serve attendees. Funding for composting infrastructure and site upgrades. | Livermore | Final Report | \$15,000 | RB |
| ReUse Operating Grant | Loved Twice | Funding to support collection and distribution of clothing to newborns in need. They provide underprivileged newborns with a wardrobe-in-a-box, a year's worth of gently used baby clothing and other essentials to 600 babies in Alameda County. | Based in Berkeley, collection countywide | Final Report | \$10,000 | RB |
| ReUse Operating Grant | TriValley YMCA | Funding to support expansion of collection program of surplus goods to be distributed to those in need. Funds will provide additional staffing for program. | Dublin, Pleasanton | Final Report | \$15,000 | RB |
| ReUse Operating Grant | Wardrobe for Opportunity | Funds to support collection of professional clothes, which are redistributed to low-income, job-seeking clients. Find a Job Program provides clothing and support to over 2,000 unemployed clients. | Oakland | Final Report | \$10,000 | RB |
| ReUse Operating Grant | Waterside Workshop – Berkeley | Funds to support bicycle reuse shop that provides youth with valuable job skills, learning how to rebuild bicycles using salvaged bike parts. | Berkeley | Final Report | \$10,000 | RB |
| Lawn Conversion Grant | Trinity Lutheran Church | Funds to support 2,000 sq ft. lawn conversion at church site with sheet mulch. The church will engage their congregation and surrounding community in a lawn-to-garden party, and develop a maintenance plan. Funds will be used for plants and drip irrigation conversion. | Alameda | Contract signed | \$5,000 | RB |

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|--|-------------------|--|-----------|--|----------|-----|
| Bay-Friendly Rated Landscape Member Agency Grant | City of Hayward | Funds given to have the new approximately 3 acre landscape for the 21 st Century Library & Heritage Plaza be designed, constructed and third party verified as a Bay-Friendly Rated Landscape. | Hayward | Bay-Friendly Rated Landscape Certificate Issued | \$10,000 | WMA |
| Sheet Mulch Lawn Conversion Member Agency Grant | City of Oakland | Funds given to sheet mulch a half acre of lawn (21,000 sq ft) in place at the Peralta Oaks Park at the entrance to Dunsmuir Park. The project is expected to use approximately 80 tons of recycled compost and mulch and will also leverage a rebate from EBMUD. | Oakland | Must meet Bay-Friendly Basics Checklist and grant contract criteria. | \$15,000 | WMA |
| Sheet Mulch Lawn Conversion Member Agency Grant | City of Livermore | Funds were used to purchase compost, cardboard and technical assistance to sheet mulch about a half-acre of existing lawn at 3500 Robertson Park Road, at the City's Maintenance Service Center. Contractor and Livermore Area Park Department Staff were trained in sheet mulch construction and maintenance techniques. This project is expected to use 80 tons of recycled compost and mulch. | Livermore | Plan review and site visits. | \$7,000 | WMA |

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DATE: July 27, 2016

TO: Waste Management Authority Board

FROM: Wendy Sommer, Executive Director

BY: Debra Kaufman, Senior Program Manager

SUBJECT: Vision Recycling Compost Facility ColWMP Amendment – Public Hearing and Adoption

SUMMARY

At its June 22, 2016 meeting, the WMA Board considered proposed Ordinance 2016-01 to adopt changes to the Alameda County Integrated Waste Management Plan for the Vision Recycling Compost Facility at 30 Greenville Road, held the first reading of the ordinance, and scheduled the public hearing, second reading and adoption for July 27, 2016.

DISCUSSION

The P&O and the Recycling Board recommended at their June 9 meeting that the Waste Management Authority hold a first reading of the ordinance at the June 22 WMA meeting, and schedule a public hearing, second reading and adoption for July 27.

The staff memo to the June 9 Planning and Organization Committee/Recycling Board/Local Task Force (detailing and discussing the proposed changes) can be found here:

[ColWMP Amendment-Vision Recycling.06-09-16.pdf](#)

The WMA Board, at its meeting on June 22, held the first reading of the ordinance by considering proposed Ordinance 2016-01 by title only and waiving the requirement to read the full text and recommended a public hearing, second reading and adoption for July 27.

The vote was 11-0 (Carson, Ellis, Kalb, Maass, Martinez, and Turner absent) in support of the above.

RECOMMENDATION

The Recycling Board and the WMA Board recommend that the WMA board hold a public hearing, second reading and adoption of Ordinance 2016-01 on July 27.

Attachments:

Attachment A: Ordinance 2016-01

Exhibit 1: ColWMP Amendment Text

Exhibit 2: Siting Criteria Findings

Exhibit 3: Conditions of Approval

Attachment A

ORDINANCE 2016-01

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

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

SECTION 1 (Enactment)

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

SECTION 2 (Findings)

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

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

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

SECTION 3 (CEQA Determinations)

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

SECTION 4 (Amendment of ColWMP)

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

SECTION 5 (Conformance Determination)

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

SECTION 6 (Designation for Ordinance Summaries)

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

SECTION 7 (Notice and Effective Date)

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

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

AYES:

NOES:

ABSTAINING:

ABSENT:

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

Wendy Sommer
EXECUTIVE DIRECTOR

Exhibits:

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

Exhibit 2: Siting Criteria Findings

Exhibit 3: Conditions of Approval

EXHIBIT 1

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

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

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

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

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

Vision Recycling Compost Facility

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

EXHIBIT 2

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

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

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

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

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

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

EXHIBIT 3

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

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

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

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DATE: July 27, 2016

TO: Waste Management Authority Board

FROM: Wendy Sommer, Executive Director

SUBJECT: Priority Setting: Overview and Timeline

SUMMARY

With reduced resources but growing environmental challenges, staff is seeking direction for setting budgetary priorities over the coming two years. At the July 27 Waste Management Authority meeting, staff will seek approval on a proposed priority setting process and timeline. The desired end result is a budgetary decision making framework that will allow the Agency to focus on staff core competencies, continue to innovate, and leverage our limited resources through partnerships and external funding.

DISCUSSION

Each year our budget and work plans are guided by the strategic plan adopted in 2010. Constraining resources now require us to set priorities within the structure of the plan, so that we are focusing on the areas where we can be most relevant and helpful to our stakeholders and customers, optimizing effectiveness and results. We feel the need to shift towards a more fluid, adaptive strategy.

Staff is seeking a priority framework from the Board that can be used to make decisions when developing budgets for the next two years. Financially, our goal is to match core expenditures with core revenues (with no new fees), and align programmatic work with our goals, strengths, and current external conditions.

At the conclusion of the next two budget cycles, staff will begin discussions with the Board on what strategy structure would best replace the 2010 strategic plan once it reaches its planned 10-year horizon in 2020.

Process Overview

The priority setting process will include conversations with staff, Boards, city staff (TAC and city managers), and input to be requested and/or already provided by stakeholders such as the Northern California Recycling Association, the Measure D committee, and industry representatives. The work will culminate in November with the Boards approving a budgetary decision making framework. Process elements include:

- Board Presentations – Project updates have been taking place throughout the year and will continue on major activities and current/relevant topics to provide the Board with the background necessary for a thoughtful decision-making process.
- Stakeholder input – Staff will solicit input on the priorities of external stakeholders such as member agencies, haulers and recyclers.
- Internal input and research on broader environment – Staff will assess effectiveness of current projects and identify current directions in solid waste, sustainability and climate change, our Agency’s current role/place within them and potential roles looking forward.
- Board Direction – In the form of a framework of orienting principles to help us navigate budget decisions for the next two years. Should include guidance on areas of emphasis (e.g., “We will emphasize X, even over Y,” when both X and Y are worthy, “good” things to do).

Proposed Priority Setting Timeline

| JULY | | |
|---------|--------|--|
| July 13 | Staff | Process overview, gather initial input |
| July 27 | WMA/EC | Priority setting process/timeline |
| July 28 | TAC | Process overview, gather initial input |

| AUGUST | | |
|-----------|-------|-----------------------------------|
| August 10 | Staff | Priority setting exercises |
| August 11 | RB | Priority setting process/timeline |

| SEPTEMBER | | |
|--------------|---|---|
| September 1 | TAC | Initial strategy preview and input |
| September 14 | Staff | Initial strategy preview and input |
| September 28 | Joint WMA/EC RB | Facilitated goal setting |
| Dates TBD | Member agencies, industry, other partners | Initiate conversations and gather input |

| OCTOBER | | |
|-----------|-------|--|
| Dates TBD | Staff | Develop recommended framework for Board adoption in November |

| NOVEMBER | | |
|-------------|--------|--------------------------------|
| November 10 | RB | Adoption of priority framework |
| November 16 | WMA/EC | Adoption of priority framework |

RECOMMENDATION

Staff recommends that the Authority Board approve the priority setting process and timeline described above.



DATE: July 27, 2016

TO: Waste Management Authority Board

FROM: Wendy Sommer, Executive Director

BY: Wes Sullens, Program Manager
Miya Kitahara, Program Manager

SUBJECT: Industry trends: Circular Economy and Consumption Based Emissions Inventory

SUMMARY

StopWaste staff has been tracking recent developments in the business and government sectors that emphasize a more systemic approach to materials management and waste reduction. These concepts can be applied to our programs to achieve deeper waste reduction in the future. At the July 27 Waste Management Authority meeting, staff will present information on increasingly accepted concepts including the circular economy and consumption-based greenhouse gas (GHG) emissions inventories, with the purpose of providing background for the programmatic prioritization the Board will undertake in the fall.

DISCUSSION

Recent trends indicate a readiness in the market and industry for innovative solutions that focus on strategies higher on the materials management hierarchy, such as product redesign, reduce, reuse, and repair. These strategies increase the economic utility and productivity of each unit of material consumed by society and foster systems of circularity beyond recycling.

Circular Economy

The concept of “Circular Economy” is gaining momentum with wide support from the business community and government agencies. In a circular economy, materials are cycled indefinitely throughout our economy at their highest value and utility, resulting in very little waste produced. The goal is to decouple economic growth from resource constraints and unlock the potential of capturing value from materials that are considered “waste” in the current linear economy. Circular economy principles lead to innovative business practices that result in waste and GHG emissions reductions and local economic benefits. The recent entrance of the Ellen MacArthur Foundation into the U.S. earlier this year (through their Circular Economy 100 USA initiative) signals a focused

attention on these concepts in the U.S., and StopWaste is following their progress closely. The Foundation has produced resources to help government agencies foster a circular economy.

Consumption Based GHG Emissions Inventories

To date, GHG emissions inventories have focused on activities that occur within a community's geographic boundary and omitted the emissions related to goods consumed by the community but produced elsewhere. Governments increasingly recognize that this unintentionally promotes outsourcing of production and jobs and hides a significant portion of a community's global emissions footprint. A "Consumption-based Emissions Inventory" (CBEI) attributes all emissions related to goods and services to the end user or consumer. CBEIs more fully reflect the GHG benefits of waste reduction, particularly waste prevention, and allow consumers to make informed consumption decisions. CBEIs have been conducted at national and local scales. The Bay Area Air Quality Management District recently commissioned UC Berkeley to develop a CBEI for every jurisdiction in the Bay Area. The findings highlight the significance of upstream emissions related to food, goods, and housing construction which are not captured in traditional inventories.

Leveraging Trends

Concepts like the circular economy and consumption-based emissions signify the evolution of waste management strategies that take a more systematic look at materials cycles and how to influence change. StopWaste staff will update the Board on these trends so that they can be considered during the upcoming strategic planning process.

RECOMMENDATION

This item is for information only.

August 2016 Meetings Schedule

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

(Meetings are held at StopWaste Offices unless otherwise noted)

| SUN | MON | TUES | WED | THURS | FRI | SAT |
|-----|-----|------|---|--|-----|-----|
| | 1 | 2 | 3 | 4 | 5 | 6 |
| 7 | 8 | 9 | 10 | <p style="text-align: center;"> 9:00 AM SUMMER RECESS Programs & Administration Committee </p> <hr/> <p style="text-align: center;"> 4:00 PM Planning & Organization Committee /Recycling Board Key Items: 1. Update on 5 Year Program Review </p> | 12 | 13 |
| 14 | 15 | 16 | 17 | 18 | 19 | 20 |
| 21 | 22 | 23 | <p style="text-align: center;"> 3:00 PM SUMMER RECESS Waste Management Authority & Energy Council </p> | 25 | 26 | 27 |
| 28 | 29 | 30 | 31 | | | |

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County Seeks to Expand Ban on Plastic Bags

Posted: Thursday, June 23, 2016 12:00 am

The Alameda County Waste Management Authority (StopWaste) has recommended expansion of the ban on plastic bags to include all retail stores and restaurants.

The Pleasanton City Council received an update on the ordinance from the StopWaste staff at its June 21 meeting.

Goals of the ordinance are to reduce litter and keep plastic bags out of local waterways.

Currently, the reusable bag ordinance applies to grocery, drug and liquor stores in Alameda County that traditionally distribute a high volume of single-use bags. Since implementation of the ban, there has been a decline in overall bag purchases by 85 percent, a doubling of shoppers bringing their own reusable bags or not using a bag at all, and a 44 percent decrease in plastic bags found in Alameda County storm drains.

The expanded ban would apply to commercial establishments operating from a permanent enclosed structure that sell perishable or nonperishable goods directly a customer, including, but not limited to, clothing, food and personal items. The intent is to capture all types of retail stores, any place where a shopper can walk into a "brick and mortar" store and purchase a tangible item.

Also included are restaurants, take-out food establishments or other businesses that receive 90% or more of its revenue from the sale of prepared and ready to consume foods and/or drinks to the public. This includes food trucks and vendors who distribute food in bags.

Exemptions include bags that are integral to the packaging of the product, or bags without handles provided to transport produce, bulk food or meat from a department within a store to the point of sale. Stores operating in a certified farmers' market registered with the California Food and Agricultural Code are also exempt.

The ordinance currently includes a requirement that a minimum of 10 cents be charged for each paper bag or reusable bag distributed at point of sale, itemized on receipt. Under the new ordinance, public eating establishments are not required to charge customers if distributing recycled content paper bags, but must charge a minimum of 10 cents for a compliant reusable bag.

StopWaste will vote on the ordinance in September with the second reading scheduled in October of this year. All member agencies are automatically opted in. Any member agency choosing to opt out must do so by a resolution of its governing body by December 9, 2016.

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SFGATE <http://www.sfgate.com/bayarea/article/3-Oakland-property-owners-sue-over-garbage-costs-8332993.php>

3 Oakland property owners sue over garbage costs

By Rachel Swan Published 4:14 pm, Wednesday, June 29, 2016



IMAGE 1 OF 3
Stephen Clayton, one of the plaintiffs, says his trash costs have skyrocketed.

Buy Photo

Three property owners who say their garbage bills increased astronomically when Oakland's new contract with its trash and recycling haulers went into effect, are now in court seeking relief.

New Orleans?

In a lawsuit filed Wednesday in Alameda County Superior Court, plaintiffs **Robert Zolly**, **Ray McFadden** and **Stephen Clayton** say the city of Oakland imposes an unconstitutional tax because residents pay far more than the value of the garbage service they receive.

Some of what they pay Waste Management, the plaintiffs argue, is returned to the city by the garbage giant in the form of \$25 million annually for the privilege of keeping the contract.

“That’s eventually going to be paid for by the tenants of Oakland,” said **Andrew Zacks**, the attorney who filed the lawsuit. “If this were a normal business, I’d call it a kickback.”

He and his clients demand that the city officials annul and renegotiate those deals.

“We’re seeking to right the many wrongs and injustices created by the city’s failure to properly negotiate,” **Wayne Rowland**, president of the **East Bay Rental Housing Association**, said at a news conference at the **Oakland Marriott hotel**.

“At this point, we’re saying, ‘Enough is enough.’ It’s time for Oakland officials to take responsibility,” Rowland said.

10-year pacts

The **Oakland City Council** approved 10-year agreements with trash hauler Waste Management and recycling collector **California Waste Solutions** in 2014 after a bitter, protracted battle over who would get the job.

At the time, councilmembers congratulated themselves for the deals, touting them as a big step toward achieving the city’s “zero waste” environmental goals.

In addition to promoting composting and recycling, the contracts require that all of Oakland’s garbage be collected by union workers and dumped into new natural gas-powered trucks, all of which drives up costs.

But when the new contracts took effect the following year, it became clear that the councilmembers had approved them without reading the fine print. Property owners and restaurateurs were startled and infuriated to see their bills abruptly skyrocket.

“This is a really egregious, incompetent move the city has made,” said Zolly, one of the three plaintiffs, who said he was flabbergasted by the rate increases for the 31-unit apartment building he owns in Oakland’s Adams Point neighborhood. Since the new contracts began, his trash and recycling bills have more than doubled — from \$736 per month to \$1,562.

Amenities halted

Zolly has long taken pride in giving his tenants little amenities — like a courtyard with palm trees and tropical plants that he advertises as “a little Hawaii in Oakland” — but he said that with the ballooning cost of waste collection, he can no longer afford to upgrade the building.

Eventually, he said, he’ll pass on those costs to the tenants. Oakland’s rental laws permit property owners to increase rents when the cost of maintaining a building goes up.

“It will be the low-income renters in Oakland who will be paying for this,” said Zacks, the attorney.

Clayton, one of the other plaintiffs, said at the news conference that annual garbage costs have nearly doubled for the six-unit apartment building he owns on 38th Avenue in Oakland’s Allendale neighborhood, from about \$4,800 annually to just over \$8,000.

Initially, his bills were even higher, he said, because Waste Management had tacked on “push” fees of nearly \$500 a month to drag each of his Dumpsters from the building to the curb — a service that used to be free.

Access provided

To avoid those charges, Clayton chopped down a tree that overlooked the building and trimmed several others so that a garbage truck could pull into the driveway.

“That cost me \$3,000,” he said. “And it’s unsightly.”

Councilman **Noel Gallo**, who voted to approve the garbage and recycling contracts in 2014, said he nonetheless agrees with the claims of the lawsuit.

“For me, it’s one of those misleading taxation efforts by the city that I think is wrong,” Gallo said. “I’m a taxpayer, and (Oakland’s) Waste Management bill is one of the highest in comparison to other locations.”

A spokeswoman for Mayor **Libby Schaaf** referred questions to the city attorney’s office, whose spokesman declined to comment, citing the pending litigation.

*Rachel Swan is a **San Francisco Chronicle** staff writer. Email: rswan@sfgate.com Twitter: [@rachelswan](https://twitter.com/rachelswan)*

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Fixes and fears from California deposit legislation

By Jared Paben, *Plastics Recycling Update*

June 29, 2016

A California bill aims to stem the tide of beverage container redemption center closures in the Golden State. But it also threatens the entire container-recycling industry in the state if lawmakers fail to make reforms by next April.



Senate Bill 842, which passed the state Assembly on June 27 via a 75-0 vote, increases payments to redemption centers. Many of those outlets have closed in recent months amid depressed scrap values and inadequate state subsidies.

But the legislation would also cut all state subsidies to redemption and recycling centers as of April 1, 2017, essentially establishing a fiscal cliff and forcing lawmakers to address reforms in the deposit system before then.

Falling off the fiscal cliff would undoubtedly mean additional mass closures of redemption centers, constricting a supply of high-quality material for downstream PET reclaimers.

"That would have enormous implications for the recycling infrastructure in California," said Susan Collins, executive director of the Container Recycling Institute (CRI). "California probably has 10 different plastics reclaimers that are relying on this deposit material. Several of them have the FDA (letters of non-objection) so that they can produce food-grade material."

Redemption centers are an important piece of the collection system in California. About 88 percent of the state's deposit containers that are recycled are returned through redemption centers, feeding the recycling industry with about 1 million tons of glass, aluminum and plastic per year.

The bill awaits possible approval from the Senate.

Current challenges

In California, residents pay a nickel deposit for smaller beverage containers and a dime deposit for larger ones. That money makes its way to the state Beverage Container Recycling Fund, which pays back the deposit on redeemed containers.

California Department of Resources Recycling and Recovery (CalRecycle) dips into the fund to subsidize the state's collection centers. It does this by paying them the estimated difference between the revenue they can get selling plastic and glass scrap and their processing costs (the state assumes aluminum's higher value covers its collection and recycling costs). Essentially, it aims to cover any losses and make the redemption centers financially whole.

But, in estimating payments, CalRecycle uses an old formula relying on 12-month scrap value averages, with a three-month lag time, so the numbers don't reflect the lower current scrap prices. CalRecycle is bound by statute to use the formula, so any change must come from the legislature.

CRI, a Culver City, Calif.-based nonprofit organization, has been quantifying the degree to which payments have fallen short of what they would have been if based on current market conditions. Since the start of the year, the shortfalls have totaled \$6 million, or about \$1 million a month, Collins said. Since 2012, payments have fallen short by more than \$50 million. For PET, specifically, collectors are currently losing about \$63 per ton.

The result has been **closures**. Since April 2015, the state has experienced a net loss of 476 redemption centers, or more than one-fifth of them. It now has about 1,777 redemption centers.

"We don't want to see that trend continue, because so many of those are occurring in places that are remote," Collins said. "When I looked at the list yesterday, some of the more remote counties have exactly one redemption center for the entire county."

Bill changes

SB 842 would do the following, according to a legislative staff bill analysis:

- Set redemption center subsidy payments to higher 2015 levels, where they would remain through April 1, 2017.
- Direct CalRecycle to base future payments on scrap values during the most recent available three-month period, as opposed to the earlier 12-month period.
- Give CalRecycle authority to provide \$3 million in supplemental payments to low-volume recycling centers, which have been particularly hard hit because they lack the economies of scale of larger-volume centers.
- Prevent retailers from being penalized when the geographic area they're located in lacks a redemption center and they're not redeeming containers themselves. ³⁹It they're only relieved of that \$100-per-day fee when the area became unserved as the result of a redemption center closure that occurred during the first quarter of 2016 or

as a result of CalRecycle action beginning July 1, 2016.

- Gives CalRecycle the authority to levy full-price charges against beverage manufacturers to generate money for the subsidy payments. The department could charge the full rate until after April 1, 2017. Last year, CalRecycle charged beverage makers \$13 million, instead of the full \$94 million.

- Suspends all subsidies on April 1, 2017 (deposit refunds would continue to be paid, however).

The last provision "provides nine months for the Legislature, the Administration, and stakeholders to negotiate comprehensive reform of the Beverage Container Recycling Program," according to the bill summary. The bill doesn't make clear what those reforms could be, but CalRecycle has **expressed** varying degrees of concern about the future solvency of the fund.

The impacts of going over the cliff would be less drastic for curbside collection programs. They'd still get to redeem deposits on the beverage containers they collect, but they'd lose subsidy payments. Curbside programs receive about \$120 million a year from the state, with about two-thirds of that coming from redeeming deposits, Collins said.

The California Grocers Association has come out in support of SB 842.

"Specifically, the measure will provide reforms needed to maintain the status quo for recycling infrastructure and ensure all parties have incentive to reach final agreement on overall program modifications by April 1, 2017," according to a **floor alert** from the group.

Advocacy group Californians Against Waste also supports the bill. It recently emailed an alert to 500 recycling companies urging them to contact legislators and the governor's office to voice support for it.

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