

Planning Committee/Recycling Board Members

Francisco Zermeño, **President**
ACWMA

Laura McKaughan, **1st Vice President**
Recycling Materials Processing Industry

Dan Kalb, **2nd Vice President**
ACWMA

Bob Carling, ACWMA

Deborah Cox, ACWMA

Eric Havel, Environmental Educator

Darby Hoover, Environmental Organization

Chiman Lee, Recycling Programs

Grace Liao, Source Reduction Specialist

Dave Sadoff, ACWMA

Talia Wise, Solid Waste Industry Representative

Timothy Burroughs, Executive Director

AGENDA
MEETING OF THE
PLANNING COMMITTEE
AND
ALAMEDA COUNTY RECYCLING BOARD

Thursday, September 8, 2022

6:00 P.M.

TELECONFERENCE MEETING

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

This meeting will be held entirely by teleconference. All Board members, staff, and the public will only participate via the Zoom platform using the process described below. The meeting is being conducted in compliance with the recent amendments to the Ralph M. Brown Act suspending certain teleconference rules due to the ongoing state of emergency and state and local health officials recommendations to maintain social distancing. The purpose of these amendments was to provide the safest environment for the public, elected officials, and staff while allowing for continued operation of the government and public participation during the COVID-19 pandemic.

Members of the public and staff who are not presenting an item may attend and participate in the meeting by:

1. Calling US: +1 669 900 6833 and using the webinar id 840 3236 7835
2. Using the [Zoom](#) website or App and entering meeting code 840 3236 7835

Board members and any other individuals scheduled to speak at the meeting will be sent a unique link via email to access the meeting as a panelist. All Board members **MUST** use their unique link to attend the meeting. During the meeting the chair will explain the process for members of the public to be recognized to offer public comment. The process will be described on the StopWaste website at <http://www.stopwaste.org/virtual-meetings> no later than noon, Thursday, September 8, 2022. The public may also comment during the meeting by sending an e-mail to publiccomment@stopwaste.org prior to the close of public comment on the item being addressed. Each e-mail will be read into the record for up to three minutes.

In accordance with the Americans with Disabilities Act and the recent amendments to the Ralph M. Brown Act, if you need assistance to participate in this meeting due to a disability, please contact the Clerk of the Board at (510) 891-6517. Notification 24 hours prior to the meeting will enable the agency to make reasonable arrangements to ensure accessibility to this meeting.

AGENDA

I. CALL TO ORDER

II. ROLL CALL OF ATTENDANCE

III. ANNOUNCEMENTS BY PRESIDENT

IV. OPEN PUBLIC COMMENT

An opportunity is provided for any member of the public wishing to speak on any matter within the jurisdiction of the Board, but not listed on the agenda. Each speaker is limited to three minutes.

Page V. CONSENT CALENDAR

1 1. Approval of the Draft PC & RB Minutes of August 11, 2022

7 2. Resolution regarding meeting via teleconference to promote social distancing, pursuant to AB 361

Adopt Resolution #RB 2022-11.

11 3. Board Attendance Record

13 4. Written Report of Ex Parte Communications

VI. REGULAR CALENDAR

15 1. Member Agency Climate Action Plan Support Update (Emily Alvarez) This item is for information only.

VII. MEMBER COMMENTS AND COMMUNICATIONS FROM THE EXECUTIVE DIRECTOR

VIII. ADJOURNMENT – to October 13, 2022 at 4:00 p.m.

DRAFT

**MINUTES OF THE REGULAR MEETING OF THE
PLANNING COMMITTEE
AND
ALAMEDA COUNTY RECYCLING BOARD**

Thursday, August 11, 2022

4:00 P.M.

TELECONFERENCE MEETING

I. CALL TO ORDER

President Francisco Zermeño called the meeting to order at 4:00 p.m. Timothy Burroughs explained the virtual meeting process being utilized during the meeting. A link to the process is available here: [Virtual-Meetings-Instructions.](#)

II. ROLL CALL OF ATTENDANCE

Deborah Cox, ACWMA
Eric Havel, Environmental Educator
Dan Kalb, ACWMA
Chiman Lee, Recycling Programs
Grace Liao, Source Reduction Specialist
Laura McKaughan, Recycling Materials Processing Industry
Dave Sadoff, ACWMA
Talia Wise, Solid Waste Industry Representative
Shelia Young for Bob Carling, ACWMA (interim appointment)
Francisco Zermeño, ACWMA, President

ABSENT:

Darby Hoover, Environmental Organization

Staff Present:

Timothy Burroughs, Executive Director
Pat Cabrera, Administrative Services Director
Alma Freeman, Communications Manager
Meghan Starkey, Senior Management Analyst
Emily Alvarez, Program Manager
Adrienne Ramirez, Assistant Clerk of the Board
Arliss Dunn, Clerk of the Board
Farand Kan, Deputy County Counsel
Edward Schexnayder, Authority Counsel

Others Present:

Arthur Boone, Center for Recycling Research
Antonia Gunner, Republic Services

III. ANNOUNCEMENTS BY THE PRESIDENT

There were none.

IV. OPEN PUBLIC COMMENT

Arthur Boone provided public comment expressing concerns about mixed waste processing and whether the OMRF (Organics Materials Processing Facility) at the Davis Street Transfer Station was constructed in a way that is consistent with its permits and encourages the WMA to investigate further. Mr. Boone emailed comments via the public comment portal. A copy of the email is attached as a matter of record.

V. CONSENT CALENDAR

1. Approval of the Draft Joint PC & RB Minutes of July 14, 2022

2. Resolution regarding meeting via teleconference to promote social distancing, pursuant to AB 361

Adopt Resolution #RB 2022-10.

3. Board Attendance Record

4. Written Report of Ex Parte Communication

There were no public comments for the Consent Calendar. Board member McKaughan moved approval of the Consent Calendar and Board member Cox seconded. The motion carried 9-0-1. The Clerk called the roll:

(Ayes: Cox, Havel, Kalb, Lee, Liao, McKaughan, Sadoff, Wise, Zermeño. Nays: None. Abstain: Young. Absent: Hoover).

VI. REGULAR CALENDAR

1. Amendment to the Alameda County Integrated Waste Management Plan (CoIWMP) for Vasco Road Landfill Expansion (Emily Alvarez)

Staff recommends that the Recycling Board (in its capacity as the Local Task Force) provide comments on the proposed amendment, and that the Planning Committee recommend to the WMA Board that it hold a public hearing and adopt a resolution to (1) amend the CoIWMP (Exhibit 1) to modify the Vasco Road Landfill description, and make additional changes for consistency, (2) find that the VRL conforms to the CoIWMP as amended, and (3) make the findings required by CEQA.

Timothy Burroughs introduced the item and Emily Alvarez provided an overview of the staff report and presented a PowerPoint presentation. A link to the report and the presentation is available here: [Vasco-CoIWMP-Amendment.pdf](#). Edward Schexnayder, Authority Counsel, and Antonia Gunner, Republic Services, was present to answer questions.

The Board was provided additional time for discussion and to provide comments and clarifying questions. An audio link to the discussion is available here: [Vasco-CoIWMP-Amendment-Discussion](#)

There were no public comments on this item. The Board thanked Ms. Alvarez for her presentation.

Board member Cox moved approval of the staff recommendation that the Recycling Board (in its capacity as the Local Task Force) provide comments on the proposed amendment, and that the Planning Committee recommend to the WMA Board that it hold a public hearing and adopt a resolution to (1) amend the ColWMP (Exhibit 1) to modify the Vasco Road Landfill description, and make additional changes for consistency, (2) find that the VRL conforms to the ColWMP as amended, and (3) make the findings required by CEQA. Board member Sadoff seconded.

The motion carried 10-0. The Clerk called the roll:

(Ayes: Cox, Havel, Kalb, Lee, Liao, McKaughan, Sadoff, Wise, Young, Zermeño. Nays: None. Abstain: None. Absent: Hoover).

2. Alameda County Materials Flow Map (Meghan Starkey & Emily Alvarez)

This item is for information only.

Timothy Burroughs introduced the item and Meghan Starkey provided an overview of the staff report and led the Board through an interactive presentation of the Materials Flow Map. A link to the staff report is available here: [Materials-Flow-Map-Memo.pdf](#). A link to the Materials Flow Map is available here: <http://flowmap.stopwaste.co/>. Ms. Starkey acknowledged Emily Alvarez for her efforts in updating the ColWMP (Countywide Integrated Waste Management Plan). Ms. Starkey added that the Flow Map supplements the information about solid waste management infrastructure that is included in the ColWMP.

Additional time was provided to the Board for discussion and clarifying questions. An audio link to the discussion is available here: [Materials-Flow-Map-Discussion](#). There were no public comments on this item. Board members thanked staff for a very informative presentation.

VII. MEMBER COMMENTS AND COMMUNICATIONS FROM THE EXECUTIVE DIRECTOR

Timothy Burroughs announced that BayREN (Bay Area Regional Energy Network) will be hosting a webinar on August 19 at noon on the indoor air quality and health benefits of electric induction cooking. A link to the event is available here: [BayREN-Webinar](#). Mr. Burroughs announced that there will be an HHW (Household Hazardous Waste) drop-off event in Union City on September 11, 2022. The event is open to all Alameda County residents, and mattresses will be accepted as well. President Zermeño announced that the City of Hayward will provide bulky pickup services for Hayward residents. Residents must call to reserve a pickup time. Board member Havel presented President Zermeño with a special cookie presentation.

VIII. ADJOURNMENT – to September 8, 2022 at 6:00 pm.

The meeting adjourned at 5:16 p.m.

From: [Arthur Boone](#)
To: [publiccomment](#); [Portia Sinnott](#); [Ruth Abbe](#); [Mary Lou Van Deventer](#); [Dan Knapp](#); [max.w.urbanore.com](#); [Peter Slote](#); [laura mckaughan](#)
Subject: Fwd: Matters for the 4 p.m. meeting today.
Date: Thursday, August 11, 2022 3:28:29 PM

COMMENT OF ARTHUR R. BOONE:

My name is Arthur Boone, I served on the ACRB in 2007-2009. I am now 84 years old and have worked in recycling since 1983 but mostly on tree issues since 2010. In August 2017 I was the first Californian to be given the lifetime achievement award by the National Recycling Coalition. I was also NCRA president for four years.

I returned to the recycling field three months ago when Hansen&Bridgett [H-B] (the law firm that Toni Stein and I engaged to appeal the agency's decision in early 2017 that allowed Shawn Tackitt's OMRF plan to proceed with construction at the Davis Street Transfer Station in San Leandro) filed suit to collect some moneys that she owed them. H-B has also asked me to pay what Dr. Stein owed for the first five months of our time with H-B which happened before I dropped out of their coversge after spending some \$61K of my own money for our defense and we hadn't gotten to trial.

I had occsion in this period to review the 24 inches of shelf space at my home that included most of what was generated in our case that ran from early 2017 before the agency and then through district and appellate courts, ending in late 2019. What impressed me the most was how poorly we got our case argued and how little the ACWMA checked the truth of what Mr. Tackitt told them about Europe. If you want citations I can produce them in a few days but the basic point is that the EU which is the 26 members nations with 500 milion people that in November 2017 (eight months after Mr. Tackitt told the ACWMA that mixed waste procesing [MxWP] was hot in Europe and he had done due diligence on their interests) ruled that, effective 2024, all MxWP must stop and not proceed in all member nations. (Prior to this ruling, MxWP was OK in some countries but not in others; this ruling was binding on all member states.)

It's also true that, although the agency approved both MxWP and anaerobic digestion [AD] for the OMRF in San Leandro, neither is now in place in this 13,000 square foot building. While my research on these subjects is not complete, the testimony of friends and acquaintenances indicates that 1) AD equipment and program was never installed, and 2) which of the MxWP equipment Mr. Tackitt showed in drawings and text (Minutes of Feb.22, 2017, p. 23) was installed and operated is unclear. It does seem clear that the 300 tons per day that Mr. Tackitt envisioned going through the MxWP machines in one shift, nothing like that number has ever occurred with satisfying results. He also envisioned "about a hundred full-time jobs" (Minutes of Feb 22,2017, p.17 and 73)

Insofar as the ardor for mixed waste processing appears never to have died in California as SWANA and others have continued to push its utility, and since Alameda County has probably devoted more public funds to the research and development of sound waste reduction and reecycling programs than any other county in the country, it behooves the ACWMA and its ACRB to plow into all this history and current practices, especially as the City of Oakland has the highest garbage outhaul rates of any county in the Bay Area, mostly to pay for the high installation costs of the AD and MxWP facilities in the OMRF. Although the terms "fraud" or "theft" have been suggested (there's not enough proof in place to justify their use), the

possibility of serious errors of fact and judgement seems clear from what little I know and from what others are unwilling to say. As they say at immigration stations, "If you don't look for it, you don't find it."

Respectfully,

Arthur R. Boone, Center for Recycling Research, Berkeley
510/910-6451

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

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DATE: September 8, 2022

TO: Recycling Board

FROM: Timothy Burroughs, Executive Director

SUBJECT: Resolution regarding meeting via teleconference to promote social distancing, pursuant to AB 361

SUMMARY

On September 16, 2021, the Governor signed into law as an urgency measure, AB 361 (Rivas), which allows local legislative bodies to continue to meet by teleconference in order to promote public health and safety, subject to certain conditions, which must be reconsidered every 30 days. At its September 8, 2022, meeting, the Recycling Board will consider a resolution to approve and direct the continued use of teleconferencing for its public meetings to enable social distancing, as long as the findings required by AB 361 are met and other provisions of the Brown Act are followed.

DISCUSSION

In light of the continued state of emergency declared by the Governor related to COVID-19, state and local officials have imposed or recommended measures to promote social distancing. This direction from state and local health officials is based on the increased safety protection that social distancing provides as one method to reduce the risk of COVID-19 transmission.

The state of emergency and associated direction from state and local health officials to promote social distancing continues to impact the ability for the Recycling Board to meet safely in person. The direction from public health officials that informs the findings in the attached resolution has not changed. Therefore, staff recommends that the Recycling Board approve the attached resolution to direct the continued use of teleconferencing for its public meetings to enable social distancing, as long as the findings required by AB 361 are met and other provisions of the Brown Act are followed. The Recycling Board will need to revisit the need to conduct meetings remotely at least every 30 days following adoption of the attached resolution.

RECOMMENDATION

Adopt resolution #RB 2022-11.

Attachment: Alameda County Recycling Board Resolution #RB 2022-11

**ALAMEDA COUNTY RECYCLING BOARD
RESOLUTION #RB 2022-11**

**MOVED:
SECONDED:**

AT THE MEETING HELD SEPTEMBER 8, 2022

WHEREAS, in response to the COVID-19 pandemic, the Governor adopted a series of Executive Orders allowing the legislative bodies of local governments to meet remotely via teleconference so long as other provisions of the Brown Act were followed; and

WHEREAS, on September 16, 2021, the Governor signed into law as an urgency measure, AB 361, which allows for the continued use of remote meetings by local legislative bodies subject to certain conditions, which must be reconsidered every 30 days; and

WHEREAS, the Recycling Board has considered the current state of health guidance related to public meetings in Alameda County and finds it necessary to continue with remote meetings to promote public health and safety.

NOW THEREFORE BE IT RESOLVED, that the Recycling Board approves and directs the continued use of teleconferencing for its public meetings based on the following findings required by Government Code Section 54953(e), as amended by AB 361:

- The entire State of California remains under a proclaimed state of emergency as declared by the Governor of the State of California related to the COVID-19 pandemic.
- State and local officials have imposed or recommended measures to promote social distancing. For example, on September 23 the Alameda County Health Care Services Agency Director recommended social distancing at all meetings of the Board of Supervisors and its committees. This recommendation is consistent with the Division of Occupational Safety and Health of California's (Cal/OSHA) Emergency Temporary Standards, which require employers to train and instruct employees that the use of social distancing helps combat the spread of COVID-19 (8 Cal. Code Regs. 3205(c)(5)(D).).
- The state of emergency continues to directly impact the ability to meet safely in person. For example, given the constraints of the Recycling Board's available meeting spaces, social distancing is difficult without severely limiting space for members of the public to attend.
- The Board anticipates this resolution will appear on its consent calendar for review and ratification or update at each regular Board meeting for as long as the Governor's proclaimed state of emergency related to the COVID-19 pandemic remains in effect and the Board desires to continue remote public meetings.

BE IT FURTHER RESOLVED, that:

1. Recycling Board meetings will continue to be conducted remotely for the next 30 days in compliance with AB 361, to better ensure the health and safety of the public.
2. The Recycling Board will reconsider the circumstances of the state of emergency and the need to conduct meetings remotely at least every 30 days following adoption of this resolution.
3. If the Board determines the need still exists at each 30-day mark, the determination will be ratified by a vote of the Board documented in the minutes of that meeting.

Passed and adopted this 8th day of September 2022 by the following vote:

AYES:

NOES:

ABTAIN:

ABSENT:

Arliss Dunn, Clerk of the Board

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2022 - ALAMEDA COUNTY RECYCLING BOARD ATTENDANCE

	J	F	M	A	M	J	J	A	S	O	N	D
REGULAR MEMBERS												
B. Carling	X	X	X	X	X	X	A	I				
D. Cox	X	X	X	X	X	X	X	X				
E. Havel	X	X	X	X	X	X	X	X				
D. Hoover	X	X	X	X	X	X	X	A				
C. Lee	X	A	X	X	X	X	A	X				
D. Kalb	X	X	X	X	I	X	A	X				
G. Liao						X	X	X				
L. McKaughan	X	X	A	X	X	X	X	X				
D. Sadoff	X	A	X	X	X	X	X	X				
T. Wise	X	X	X	X	X	X	X	X				
F. Zermeño	X	X	X	X	X	X	A	X				
M. Zimbalist	X											
INTERIM APPOINTEES												
S. Young					X			X				

Measure D: Subsection 64.130, F: Recycling Board members shall attend at least three fourths (3/4) of the regular meetings within a given calendar year. At such time, as a member has been absent from more than one fourth (1/4) of the regular meetings in a calendar year, or from two (2) consecutive such meetings, her or his seat on the Recycling Board shall be considered vacant.

X=Attended

A=Absent

I=Absent - Interim Appointed

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DATE: September 8, 2022

TO: Recycling Board

FROM: Timothy Burroughs, Executive Director

SUBJECT: Written Reports of Ex Parte Communications

BACKGROUND

Section 64.130 (Q)(1)(b) of the Alameda County Charter requires that full written disclosure of ex parte communications be entered in the Recycling Board's official record. At the June 19, 1991 meeting of the Recycling Board, the Board approved the recommendation of Legal Counsel that such reports be placed on the consent calendar as a way of entering them into the Board's official record. The Board at that time also requested that staff develop a standard form for the reporting of such communications. A standard form for the reporting of ex parte communications has since been developed and distributed to Board members.

At the December 9, 1999 meeting of the Recycling Board, the Board adopted the following language:

Ex parte communication report forms should be submitted only for ex parte communications that are made after the matter has been put on the Recycling Board's agenda, giving as much public notice as possible.

Per the previously adopted policy, all such reports received will be placed on the consent calendar of the next regularly scheduled Recycling Board meeting.

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DATE: September 8, 2022

TO: Programs and Administration Committee
Planning Committee/Recycling Board

FROM: Emily Alvarez, Program Manager

SUBJECT: Member Agency Climate Action Plan Support Update

SUMMARY

The jurisdictions in Alameda County have adopted Climate Action Plans (CAPs) that outline strategies and priorities to mitigate climate change. Several jurisdictions recently updated their CAPs with goals and strategies for deeper emissions reductions or carbon neutrality to align with new target years and State goals. This presentation will provide an overview of the support that StopWaste provides to member agencies to develop and implement these plans, including technical assistance, peer sharing, and programs and policies that advance the priorities in the CAPs.

DISCUSSION

The State of California has set increasingly ambitious targets to reduce greenhouse gas (GHG) emissions and slow climate change since Assembly Bill (AB) 32 was passed in 2006. Whereas AB 32 required incremental actions to bring emissions back to 1990 levels, the State's new goal of carbon neutrality by 2045 acknowledges the intensifying climate emergency and the need for a fundamental rethinking of the systems that significantly contribute to carbon emissions.

The CAPs serve as a blueprint for jurisdictions to reduce their contributions to climate change. StopWaste provided technical assistance for the initial round of CAPs adopted in the county between 2008-2013, most with goals for emissions reductions by 2020. Given the new state goals and growing concern about climate change, several jurisdictions have been updating their CAPs to include new targets and strategies and technologies needed to reach deep decarbonization. They also reflect an evolving understanding of climate action. They address the disproportionate impacts of climate change on frontline communities, consider health and resilience co-benefits to reducing emissions, acknowledge the upstream climate impacts of consumption, and seek opportunities for carbon sequestration. As of August 2022, eight Alameda County jurisdictions have adopted updated CAPs and four are in the process of developing an updated plan. Two jurisdictions with recently updated CAPs – Dublin and Oakland – will present a summary of their plans at the September 8 P&A Committee and Recycling Board meetings.

StopWaste staff has supported CAPs in the county through one-on-one technical assistance, plan review, template development, and hosting peer exchange and learning. This has included content relevant to energy (electrification of buildings and vehicles) and materials (carbon sequestration, SB 1383 implementation, consumption-based emissions inventories (i.e., emissions that are created when we consume the goods and services we buy every day), circular economy, reusable foodware, and embodied carbon of building materials).

StopWaste's programs also advance jurisdictions' CAP implementation. Many of the CAPs reference StopWaste programs, including working with schools to educate students and families on proper sorting, campaigns to reduce single-use packaging and foodware, SB 1383-related implementation related to food recovery and compost application, and specifying low-embodied carbon materials. They reference the Bay Area Regional Energy Network's (BayREN) rebate and educational programs for advancing existing building energy efficiency and electrification and the reduction of natural gas in buildings.

Support on CAPs touches upon many of StopWaste's long-term Aims. It assists member agencies to address regional and state-level regulations, including SB 1383 and AB 32, and respond to climate change. It also provides the Agency an opportunity to continue deepening partnerships with member jurisdictions, center equity, and build capacity. StopWaste's engagement has afforded staff insight into the emerging trends and potential ways to continue improving the CAP process. This includes exploring the interconnection of climate with other city functions and more effective ways of communicating climate action progress.

StopWaste will continue to assist jurisdictions in the process of updating their CAPs and identify opportunities for CAP implementation and evaluation.

RECOMMENDATION

This item is for information only.