

Michael Hannon, **WMA President**
City of Newark, WMA, EC
Dave Sadoff, **WMA 1st Vice President**
Castro Valley Sanitary District, WMA
Tim Rood, **WMA 2nd Vice President**
City of Piedmont, WMA, EC
Lorrin 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
Jesse Arreguin, City of Berkeley, WMA, EC
Don Biddle, City of Dublin, WMA, EC
Vinnie Bacon, City of Fremont, WMA, EC
Sara Lamnin, City of Hayward, WMA, EC
Bob Carling, City of Livermore, WMA, EC
Dan Kalb, City of Oakland, WMA, EC
Shelia Young, Oro Loma Sanitary District, WMA
Jerry Pentin, City of Pleasanton, WMA, EC
Deborah Cox, City of San Leandro, WMA, EC

Wendy Sommer, Executive Director

AGENDA

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

Wednesday, September 27, 2017

3:00 P.M.

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

Teleconference

**Tim Rood
San Jose City Hall
3rd Floor Tower
200 East Santa Clara St
San Jose CA 95113
(408) 535-8122**

**Jim Oddie
Hyatt Regency Fukuoka
2-14-1 Hakataeki Higashi,
Hakata-Ku
Fukuoka, Japan, 812-0013
Tel: + 81 92 412 1234**

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. Approval of the Draft Minutes of July 26, 2017 (Wendy Sommer)**
- 2. Minutes of the August 15, 2017 Technical Advisory Group (Karen Kho)**

V. OPEN PUBLIC DISCUSSION

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

VI. REGULAR CALENDAR

- 11 **1. Changes to the Waste Management Authority Rules of Procedure (Wendy Sommer & Richard Taylor)**
That the WMA Board approve the attached amendments to the Rules of Procedure and that the Energy Council President direct staff to make comparable amendments to the Rules of Procedure for the Energy Council and place those amendments on the consent calendar for the next regular meeting of the Energy Council.
- 2. Interim appointment(s) to the Recycling Board for WMA appointee unable to attend future Board Meeting(s) (Wendy Sommer)**
(P&O and Recycling Board meeting, October 12, 2017 at 4:00 pm, StopWaste Offices, 1537 Webster Street, Oakland, CA)
- 23 **3. 2017 BayREN Contract Amendment (Karen Kho) (EC only)**
That the Energy Council adopt the attached resolution authorizing the Executive Director to enter into an amended contract with ABAG for Bay Area Regional Energy Network (BayREN) and other related actions.
- 27 **4. 2017 EBEW Contract Amendment (Jennifer West) (EC only)**
That the Energy Council adopt the attached resolution to authorize the Executive Director to enter into an amended contract with PG&E and with CESC and other related actions.
- 5. CLOSED SESSION (WMA only)**
Pursuant to Government Code Section 54957
PUBLIC EMPLOYEE PERFORMANCE EVALUATION
Title: Executive Director
(confidential materials mailed separately)
- 6. CLOSED SESSION (WMA only)**
Pursuant to Government Code Section 54957.6
CONFERENCE WITH LABOR NEGOTIATOR
Agency Designated Representatives: Board Members Hannon, Sadoff, Rood, Kalb
Unrepresented Employee: Executive Director

VII. COMMUNICATIONS/MEMBER COMMENTS

VIII. ADJOURNMENT

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**MINUTES OF THE MEETING
OF THE
ALAMEDA COUNTY WASTE MANAGEMENT AUTHORITY (WMA)
AND
THE ENERGY COUNCIL (EC)
Wednesday, July 26, 2017**

3:00 P.M.

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

**Teleconference
Lorrin Ellis
331 Seminary Road
Milford, NY 13807
510-952-9236**

I. CALL TO ORDER

President Mike Hannon, WMA, called the meeting to order at 3:00 p.m.

II. ROLL CALL

WMA & EC:

County of Alameda	Keith Carson, WMA, EC
City of Alameda	Jim Oddie, WMA, EC
City of Albany	Rochelle Nason (alternate), WMA, EC
City of Berkeley	Kriss Worthington (alternate), WMA, EC
Castro Valley Sanitary District	Dave Sadoff, WMA
City of Dublin	Don Biddle, WMA, EC
City of Emeryville	Dianne Martinez, WMA, EC
City of Fremont	Vinnie Bacon, WMA, EC
City of Hayward	Sara Lamnin, WMA, EC
City of Livermore	Bob Carling, 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 San Leandro	Deborah Cox, WMA, EC
City of Union City	Lorrin Ellis, WMA, EC (teleconference)

ABSENT:

City of Pleasanton	Jerry Pentin, WMA, EC
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Staff Participating:

Wendy Sommer, Executive Director
Tom Padia, Deputy Executive Director
Pat Cabrera, Administrative Services Director

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Jeff Becerra, Communications Manager
Richard Taylor, Legal Counsel, Authority Board
Arliss Dunn, Clerk of the Board

Others Present:

Supervisor Richard Valle, Alameda County Board of Supervisors, Tri-CED

III. ANNOUNCEMENTS BY THE PRESIDENTS

There were none.

IV. CONSENT CALENDAR

1. Approval of the Draft Minutes of June 28, 2017 (Wendy Sommer)

2. Changes to the Human Resource Manual (Pat Cabrera)

The P&A Committee recommends that the WMA Board approve the attached changes to the HR manual.

3. Minutes of the June 19, 2017 Technical Advisory Group (TAG) (Karen Kho)

Board member Martinez made the motion to approve the Consent Calendar with the following correction to the Technical Advisory Group (TAG) minutes. Board member Worthington seconded and the motion carried: 19-0. The Clerk called the roll:

(Ayes: Bacon, Biddle, Carling, Carson, Cox, Ellis, Hannon, Kalb, Lamnin, Martinez, Nason, Oddie, Rood, Sadoff, Worthington, Young. Nays: None. Abstain: None. Absent: Pentin).

Correction: Fanny Yang, CivicSpark Intern, serves both the City of Albany and the City of Emeryville.

V. OPEN PUBLIC DISCUSSION

There was none.

VI. REGULAR CALENDAR

1. CalRecycle Food Waste Prevention and Rescue Grant Program – Resolution to submit cooperative grant application as lead agency (Wendy Sommer)

That the WMA authorize the Executive Director to submit a Food Waste Prevention and Rescue Grant Program (Grant ID: 20347) cooperative application on behalf of itself as Lead Agency and the participating entities as shown by the resolution attached.

Wendy Sommer provided an overview of the staff report. The report is available here:

[CalRecycle-Food-Waste-Grant-memo-07-26-17.pdf](#)

Board member Carling commented that the program is a great idea and inquired about the term and intent of the grant. Ms. Sommer stated that it is a three year grant that will be used to help support and train the food runners (those picking up and delivering recovered food from schools) and to help the unified school districts implement the food share program.

There were no public comments on this item. Board member Kalb made the motion to approve the staff recommendation. Board member Bacon seconded and the motion carried 19-0: The Clerk called the roll: (Ayes: Bacon, Biddle, Carling, Carson, Cox, Ellis, Hannon, Kalb, Lamnin, Martinez, Nason, Oddie, Rood, Sadoff, Worthington, Young. Nays: None. Abstain: None. Absent: Pentin).

2. Bottle Bill Fixes and Support for SB 102 (Tom Padia)

That the Waste Management Authority take a “support” position on SB 102, and direct staff to continue its support of Bottle Bill fixes via its lobbyist in Sacramento and partner organizations such as Californians Against Waste.

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Prior to the staff report, Wendy Sommer introduced Eric Engelbart. Mr. Engelbart will be joining StopWaste as the new Legislative and Regulatory Affairs Manager. Tom Padia provided an overview of the staff report. The report is available here: [Bottle-Bill-Fixes-SB102-memo-07-26-17.pdf](#)

Board member Lamnin commented that the bill is a small fix but the market is driven by the use of the materials. Mr. Padia stated that California is more fortunate for glass than other parts of the country mostly due to the wine industry. Board member Cox inquired about the siting of the recycling centers especially given the problems with the recycling centers located in the Safeway parking lots and asked if the bill addresses these issues. Mr. Padia stated that he doesn't believe that the bill addresses these issues but focuses primarily on payment mechanisms. Those types of issues would be addressed by local zoning officials. Board member Carling inquired as to why staff is seeking support for a bill that is a moving target. Jeff Becerra, Communications Manager, stated that the legislature will take action on the bill prior to the next Board meeting and one of our trusted partners, Californians Against Waste (CAW), is taking the lead on developing the legislation. Mr. Becerra added that staff is supportive of the language in the bill as it currently stands and would back out if going forward the bill did not meet the provisions that we would support. Board member Young inquired if staff is working with Senator Wieckowski. Mr. Becerra stated no, Senator Wieckowski's bill is dead. The senate and assembly are working on finalizing language. President Hannon asked that staff elaborate on SB102 with respect to increasing the distance for convenient zones from ½ mile to one mile. Mr. Becerra stated that the issue of distance is currently in development and there has been a lot of support for this bill, however not all of the processors or recycling centers are on board. Board member Sadoff inquired if the convenient zones are listed on the StopWaste website. Mr. Becerra stated that the recycling center locations are located on the StopWaste RecycleWhere search tool and is updated as new information becomes available. President Hannon inquired if SB102 included wine and liquor bottles. Mr. Becerra stated no, SB102 is a smaller fix and does not address larger issues such as inclusion of wine and liquor bottles. There was no public comment on this item.

Board member Kalb made the motion to accept the staff recommendation. Board member Carson seconded and the motion carried 17-0-2-1:

(Ayes: Bacon, Biddle, Carling, Carson, Ellis, Hannon, Kalb, Lamnin, Martinez, Nason, Rood, Sadoff, Worthington, Young. Nays: None. Abstain: Oddie, Cox. Absent: Pentin).

The Board requested that staff report on the status of the bill following the State action.

3. Presentation by Supervisor Valle

Wendy Sommer introduced Supervisor Richard Valle.

Supervisor Valle presented a PowerPoint presentation. A link to the presentation is available here: [Valle-Bottle-Bill-Presentation-07-26-17.pdf](#)

A link to the audio of the presentation is available here: [Valle-Bottle-Bill-audio-presentation](#)

Board member Rood inquired about how out-of-state winery shipments would be handled if wine and liquor bottles were added to the legislation. Supervisor Valle stated that wine imported into California from out of the country must have a CRV label affixed on the bottle. The redemption value is set by the target state. Board member Sadoff inquired as to why 2008 was an outlier for the rate of recycling. Supervisor Valle stated that CAW started tracking the numbers in 2008. Board member Sadoff inquired if there was data on the number of wine and liquor bottles sold in California. Supervisor Valle stated that he is not sure of the number of bottles sold but it is a significant number. Board member Young inquired about Gallo's objection to recycling of liquor bottles. Supervisor Valle stated that it would cost more to produce the bottles with added labeling and would reduce their profit margin. Board member Martinez inquired if there was a recommended action for the WMA Board. Supervisor Valle responded we need to initiate dialogue and to delegate staff to draft language regarding decriminalization of scavengers. Board member Rood

stated with respect to anti-scavenging, what would prevent a professional operation from rummaging through residential recycling containers. Supervisor Valle responded there are exceptions but it is largely individuals scavenging for survival. Board member Kalb stated that he believes that the Oakland police do not strongly enforce scavenger issues. Board member Kalb added maybe there should be some discussion about drafting legislation to just add the hard liquor bottles first and then add wine bottles as the smaller wineries around the state are more actively communicating with their legislators to oppose the bill. Supervisor Valle responded the larger wineries run the hard liquor manufacturers as well. Board member Lamnin inquired if the surplus funds in the bottle bill can be used to repair any of the issues. Mr. Padia responded that the surplus funds in the bottle bill would be utilized however they are not allowed to by the formulas that are in the current regulation and it would take about a year to augment those changes. Board member Lamnin inquired if there is opportunity for retailers of wine and spirits to collect the five cents. Supervisor Valle responded that there is a \$100 fine per day for supermarkets that do not have a redemption center. The accumulated cost to a supermarket is approximately \$36,000 per year which they will pay to not deal with the issue. Board member Lamnin commented that when individuals collect recyclables at curbside it cuts into profits for operators such as Tri-Ced and solicited a response. Supervisor Valle responded that the cost is very minimal because the cost for recycling is built in the collection rates but the cost for processing and sorting is not. President Hannon commented that he concurs with Board member Kalb that scavenging is not a huge issue of criminalization and during his fifteen years of code enforcement for the City of San Jose they never issued a citation for scavenging. However, he concurs with Board member Rood regarding the issue of scavenging in neighborhoods. President Hannon added there should be continued dialogue concerning how we handle individuals that are scavenging to support their daily needs. President Hannon thanked Supervisor Valle for his presentation. Ms. Sommer stated that we will continue to have dialogue with CAW and Supervisor Valle and staff will come back to the Board with a legislative report in October.

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

(P&O and Recycling Board meetings, August 10, 2017, 4:00 pm and September 14, 2017, 7:00 pm – StopWaste Offices, 1537 Webster Street, Oakland, CA)

Board members Pentin and Martinez requested an interim for the August 10, 2017 meeting. Board members Biddle and Young, respectively, volunteered to attend. Board member Sadoff made the motion to approve the interim appointments. Board member Rood seconded and the motion carried 19-0: The Clerk called the roll:

(Ayes: Bacon, Biddle, Carling, Carson, Cox, Ellis, Hannon, Kalb, Lamnin, Martinez, Nason, Oddie, Rood, Sadoff, Worthington, Young. Nays: None. Abstain: None. Absent: Pentin).

5. Election of Energy Council Officers for Fiscal Year 2017-18 (Wendy Sommer)

Staff recommends that the Energy Council elect officers for Fiscal Year 2017-18.

Board member Kalb made the motion to elect the following slate of officers for the Energy Council for Fiscal Year 17/18: Board member Dianne Martinez (Emeryville) as President, Board member Jim Oddie (Alameda) as First Vice President, and Board member Deborah Cox (San Leandro) as Second Vice President. Board member Oddie seconded and the motion carried 19-0. The Clerk called the roll.

(Ayes: Bacon, Biddle, Carling, Carson, Cox, Ellis, Hannon, Kalb, Lamnin, Martinez, Nason, Oddie, Rood, Sadoff, Worthington, Young. Nays: None. Abstain: None. Absent: Pentin).

VII. COMMUNICATION/MEMBER COMMENTS

Ms. Sommer announced that the Household Hazardous Waste program will be having a one-day event on August 20, 2017 at the Oakland Coliseum. The event will be accepting mattresses (no limit). There is also an

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event for Oro Loma scheduled in September. Board member Young asked that the location of the Oro Loma event not be disclosed as it will be a smaller event and registration is required in order to manage attendance.

Ms. Sommer announced that the Executive Director's evaluation is scheduled for September. A meeting with the Board Officers will be held sometime in August.

President Rood inquired if any of the waste haulers provide backyard collection services. Board member Kalb responded that Waste Management provides this service in Oakland at an added cost.

VIII. ADJOURNMENT

The meeting was adjourned at 4:10 p.m.

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MEETING NOTES

Energy Council TECHNICAL ADVISORY GROUP (TAG)

Tuesday, August 15, 2017 – 1:00 pm to 2:00 pm

Attendance:

City of Alameda: Maria DiMeglio (phone)
City of Albany: Claire Griffing, Fanny Yang (Civic Spark)
City of Berkeley: Billi Romain, Caytie Campbell-Orrrock, Jacob Strauss (Civic Spark)
City of Dublin: Rebecca Parnes
City of Emeryville: Nancy Humphrey
City of Fremont: Rachel DiFranco, Kranti Malik (Civic Spark)
City of Hayward: Mary Thomas, Chris Sturken (Civic Spark)
City of Livermore: Patricia Pontau (phone)
City of Oakland: Shayna Hirshfield-Gold
City of Piedmont: Emily Alvarez, Olivia Ashmoore (Civic Spark)
City of San Leandro: Sally Barros, Ben Davenport (Civic Spark)
City of Union City: Kranti Malik (Civic Spark)
County of Alameda: Ryan Bell (phone)
StopWaste: Karen Kho, Jennifer West, Miya Kitahara, Judi Ettlinger
Guests: Byron Pakter, Optony; Chris Sentieri, Off-set Project (phone)

Meeting Notes

Staffing Update

Welcoming new staff:

- Jennifer West – energy, green building, and landscaping programs; previously agency Board member from Emeryville
- Jeffery Liang – outreach for single family, multifamily, codes; previous agency employee
- Ben Cooper – CEC multifamily grant; currently with SF Environment working on BAMBE
- Heather still on-staff for intermittent on-call work

EBCE Local Development Business Plan Team

- Byron Pakter of Optony presented slides
- LDBP is an economic plan, not about rates or carbon, but about economic development cobenefits; how to integrate all generation and DER resources to provide local benefit?
- CPUC developing stricter requirements of CCAs to develop IRP's
- Looking for TAG input on:
 - Data – EBCE has deeper PG&E data than any previous CCA, but usage data is not all of the needed data.

- Looking for studies cities have done that may be relevant (e.g. Fremont's hotspot analysis)
 - Status update on DER and EE programs and projects, goals
- Identifying which parts of EE should be taken on by EBCE, and which should be left to existing program administrators
- Avoiding duplication on storage, DR, dynamic EV (e.g. SCP connection between cities' EVSE and dynamic use timing, but maybe more aggressive than SCP)
- Managing grid and capacity
 - Planning for increased capacity need to consider options for managing capacities like grid/panel upgrades versus on-site storage; LDBP focusing a lot on energy storage
 - LDBP includes exploring mapping of distribution grid capacity with PG&E
 - Cities encouraged to share their capacity questions and concerns. If not LDBP, implementation process should address city questions about capacity needs
- How does it piece together with local city build out plans and regional plans like plan bay area?
 - Propose giving every jurisdiction a map, including solar siting, biogas, and microgrid surveys are mapping exercises, picking out spaces from spatial data. Currently have worked with PG&E data, weather normalization data, parcel data from county. Heat maps not yet available for public, working through CEO review.
 - Haven't accessed information from cities yet on knowledge of good sites, or currently open sites that have planned development and won't be available for energy asset installations. Need to address land use designations, zoning, and requirements to ensure installations are allowed.
 - **Recommend present local plan for each city, to convene cross-department meeting:** Planning, econ dev, engineering staff, to review all proposed sites. Most cities agreed they would organize that. Send planned development map (GIS, or even xls, PDF) to team as background. Not yet looked at general plans, etc. from cities, haven't successfully gotten planning directors to participate in stakeholder conversations.
 - Next step: Will send out a call for data – local land use maps, economic development, planning, etc. Economic cluster, zero energy district, land use that was a landfill. Sites that may be available, will become unavailable, zones targeted for specific uses.
 - EBEW white paper of key interest, anticipated updated version to be completed end of August.
 - Have they looked at other data like PV interconnectivity statistics data (yes) and EV adoption statistics (no); have pulled down CSI data. Had requested data from EV Coordinating Committee on projected EVSE. Fremont to send analysis on EV adoption and its impacts on residential energy usage.

CAP 1.0 Debrief Next Steps

Staff provided updates on CAPs and data:

- Data access: LGSEC will send out a survey to its members on the hardships caused by missing PG&E community-level data. StopWaste will remain involved in helping craft a sample letter expressing the problem from local government perspective
- BAAQMD funding: Scheduling a meeting with Air District for potential CAP implementation funding to provide local perspective/input on funding program design.
- CAP 1.0 Debrief: Compiling all jurisdictions' CAP measures and comparing anticipated measure impacts between cities and with current trends

Single-family Update

Staff provided an update on Home Energy Analytics

- Contracting with PG&E to run a program for PG&E customers, one of PG&E's pay-for-performance (P4P) pilot. PG&E looking for very high energy users, particularly plug-load; not necessarily homes with upgrade opportunities. Discussions with BayREN on cross-referral. They will cross-refer homes that aren't a good fit for plug-load (behavior change) P4P, to BIG for HVAC (more inland) P4P opportunities
- The opt-in online tool provides monthly reports on plug load use and get tips on how to save energy. Piloted it several years ago, with Fremont, Dublin, San Leandro participating in "challenges" that benefited with funding for their libraries; ended it because Planet Ecosystems was supposed to be rolled out and marketed statewide. About 1,000 residents signed up in Alameda County
- The tool's usability is limited: Requires an interest to digest and understand reports. Tool is only EE, not EV, solar, etc. while Fremont is trying to promote a comprehensive climate action platform. Can't use HEA on a home with EV or PV. Contractor, city cannot use the tool to market the program. Outreach was resource intensive. StopWaste unlikely to layer onto marketing.

Staff described Nexi pilot

- Provides a simple in-home visual display in real-time during the day
- San Mateo County proposing to pilot through BayREN
- Suggested potential to integrate into Rising Sun
- Hayward is about to launch smart water platform, open if there is any testing that could be done to integrate water usage

Member Comments & Discussions

- SunShares launched. Oakland developed electrification information for the back of flyer, will share. Present SunShares as one component for a clean home. Discussion to continue to request heat pumps and EVSE be added to SunShares products. Break-out group reach code on building electrical code for larger electrical panel. SunShares workshop scheduled for Oakland City Hall on Aug 30th.

Civic Spark presentations followed 2:00 – 3:30 pm

UPCOMING TAG MEETINGS: Sept 19, 2017: 8am-5pm Fuel Switching Convening with Green Cities California (at Sierra Club); Oct 17, 2017 1-3 pm

Acronyms:

BAAQMD	Bay Area Air Quality Management District
BAMBE	Bay Area Multifamily Building Enhancements
BayREN	Bay Area Regional Energy Network
CAP	Climate Action Plan
CCA	community choice aggregator or Community Choice Aggregation
CEC	California Energy Commission
CPUC	California Public Utilities Commission
CSI	California Solar Initiative
DER	Distributed Energy Resources
DR	Demand Response
EBCE	East Bay Community Energy
EBEW	East Bay Energy Watch
EE	Energy Efficiency
EV	electric vehicle
EVSE	Electric Vehicle Service Equipment
HEA	Home Energy Analytics
HVAC	Heating Ventilation and Air Conditioning
GIS	Geographic Information
IRP	Integrated Resource Planning
LDBP	Local Development Business Plan
LGSEC	Local Government Sustainable Energy Coalition
P4P	Pay for Performance
PV	Photo Voltaic
SCP	Sonoma Clean Power
TAG	Technical Advisory Group



DATE: September 27, 2017

TO: Waste Management Authority Board

FROM: Wendy Sommer, Executive Director

BY: Richard Taylor, General Counsel

SUBJECT: Changes to the Waste Management Authority Rules of Procedure

SUMMARY

Due to the large size of the Board, staff has investigated options for streamlining roll call votes and, in connection with that review of the Rules of Procedure, identified several other changes for Board consideration. The attached revisions to the WMA Rules of Procedures would establish a streamlined process for conducting roll call votes, increase the number of Board members that may participate in a WMA meeting via teleconference from two to four, establish a term limit for the Programs and Administration (P&A) Committee chair to be consistent with other officer terms, provide for a designated “Clerk of the Board,” and make several minor changes to conform to current practice.

DISCUSSION

Roll Call

The purpose of a roll call vote historically has been to ensure that members of the public are aware of the votes of each member of a legislative body. When some members of a legislative body are participating via teleconference, the roll call serves the added purpose of ensuring that the Board members and members of the public at the regular meeting location and the remote location(s) know how each member is voting, whether in the same room or not. The roll call procedures proposed in the attached rules would dovetail with existing Board procedures to meet these goals.

The procedures would operate as follows:

1. In accordance with the current rules, at the start of each WMA meeting the Board Clerk calls the roll. This informs the public and Board members calling from remote locations of who is participating in the meeting. This aspect of the current rules remains unchanged.
2. Under the proposed revisions to the Rules of Procedure, when a roll call vote is required, the Board Clerk will report on the Board members who have joined or left the meeting since the start of the meeting. This will ensure that all members of the Board and public know which members will be participating in the vote.
3. Following the report of the Board Clerk, the presiding officer will call for a voice vote on the matter. If there are no “nay” votes or abstentions it will be clear that the vote is unanimous and the Board Clerk will report in the minutes an “aye” vote for each of the Board members present.

4. If there are any “nay” votes or abstentions, the presiding officer will ask the Board Clerk to call the name of each agency and record the vote of that agency representative.

This approach will allow streamlined roll call voting for uncontested matters while ensuring that all members of the public and Board know the vote of all Board members in the meeting whether at the meeting site or a teleconference location.

Teleconference Participation

The current rules of procedure allow only two Board members to participate in a Board meeting via teleconference. The proposed revisions would increase this number to four. The WMA’s technology can easily accommodate this number and it does not seem that having this number of teleconference participants would unduly interfere with the conduct of the meeting. Under the Brown Act, at least a quorum of the Board must participate from within the boundaries of Alameda County; because of the large size of the Board, having up to four members participating from outside the county should not adversely affect the Board’s ability to move forward with its meeting. Because Board committees are a smaller size, no change is proposed to the limit of two teleconference participants for those meetings.

Clerk of the Board

The existing Rules of Procedure call for the WMA Executive Director to serve as or to designate a Board Secretary. The proposed revisions would track current practice, which is to have the Executive Director work with the officers on agenda setting and serving as the lead staffer in Board meetings, and the agency’s Supervising Executive Assistant serving as the Clerk of the Board. The revisions would also designate the Clerk of the Board as the person to attest the signatures of the Board officers on ordinances and other expressions of Board policy.

Other Revisions

The other revisions to the Rules of Procedure would:

1. Clarify that the term limits referenced in the Rules apply only to a member’s term as an officer and not as a member of the Board.
2. Clarify the order of business and that approval of the minutes may be included on the agenda as a consent calendar item. Board members who did not attend a prior meeting of the Board or of a Committee may nonetheless vote on approval of the minutes for that meeting.
3. Change the Planning & Organization Committee name to Planning Committee and clarify each committee’s roles and membership.
4. Establish a term limit for the P&A Committee Chair to be consistent with other officer terms.

RECOMMENDATION

That the WMA Board approve the attached amendments to the Rules of Procedure and that the Energy Council President direct staff to make comparable amendments to the Rules of Procedure for the Energy Council and place those amendments on the consent calendar for the next regular meeting of the Energy Council.

Attachment A: Draft Amended Rules of Procedure

Attachment B: Resolution Amending WMA Rules of Procedure

Attachment A

Alameda County Waste Management Authority
Rules of Procedure
Page 1

ALAMEDA COUNTY WASTE MANAGEMENT AUTHORITY

WASTE MANAGEMENT BOARD

RULES OF PROCEDURE

REVISED ~~APRIL 24, 2013~~SEPTEMBER 27, 2017

Article 1

General Provisions

- Section 1-1 Name of Board The name of the Board is the Alameda County Waste Management Board.
- Section 1-2 Authority for Rules The rules apply to the Alameda County Waste Management Board (including Committees of the Board) and are adopted pursuant to the Joint Exercise of Powers Agreement for Waste Management dated February 13, 1990, as it may be amended from time to time. The provisions of said agreement are herein incorporated by reference.
- Section 1-3 Purpose of Rules The purpose of these rules is to provide for the orderly and fair conduct of the meetings of the Board.

Article 2

Organization of Board

- Section 2-1 Composition of Board The Board is composed of seventeen (17) members and seventeen (17) alternates appointed pursuant to the agreement creating the Authority.
- Section 2-2 Officers The Officers of the Board shall be a President, First Vice-President and Second Vice-President, who shall serve until the elections of their successors. No member may serve more than one full consecutive term of office- ~~as an Officer in the same office.~~
- Section 2-3 Election of Officers The Officers shall be elected at the regular meeting of the Authority in the month of June of each year. They shall be elected by a majority of the total authorized vote of the Board, and shall serve from July 1 through June 30 of the following year.
- Section 2-4 Executive Director The Board shall appoint an Executive Director of the Waste Management Authority who shall be responsible for, among other duties, administration of Authority programs.
- Section 2-5 Duties of President The President shall preside at all meetings of the Board and shall conduct the business of the Board in the manner prescribed by these Rules. The President shall preserve order and decorum and shall decide all questions of order subject to the action of a majority of the Board.
- Section 2-6 Duties of the First and Second Vice-President In the absence or inability of the President to act, the Vice Presidents shall perform the duties of the President in the order of the succession.

- Section 2-7 Duties of Executive Director In addition to the duties set forth in the Joint Exercise of Powers Agreement, the Executive Director ~~or designee will serve as Secretary to the Board and~~ shall perform the following duties:
- (a) Prepare an agenda for each meeting of the Board;
~~(a)(b)~~ Attend each meeting of the Board;
~~(b)(c)~~ Maintain~~Appoint~~ a record of all proceedings~~Clerk~~ of the Board; to:
(e) ~~Prepare an agenda for each meeting;~~
(i) Notify all Board members of the time and place of each meeting;
(ii) Maintain a record of all proceedings of the Board;
(iii) Maintain all records of the Authority and Board;
(iv) Maintain records of the proceedings of ~~committee meetings;~~ Board committees ; and
(v) Attest to the Board's approval of ordinances, resolutions, and other expressions of Board policy.
(d) Perform other duties directed by law, the ~~Executive Committee~~Officers, or the Board. These duties may be delegated as determined necessary by the Executive Director.

Article 3 Meetings of Board

- Section 3-1 Regular Meetings Regular monthly meetings will be held at 3:00 p.m. on the fourth Wednesday of the month, except for the months of November and December when the meetings will be held at 3:00 p.m. on the third Wednesday of the month.
- Section 3-1.1 Cancellation and/or Reschedule of Regular Meetings Any regular meeting of the Board may be canceled or rescheduled by the President, or the Executive Director on the direction of the President, no less than seven (7) calendar days prior to the scheduled date of such meeting. Notification of cancellation or reschedule shall be mailed to all parties who are notified of regular meetings of the Board.
- Section 3-2 Special Meetings Special meetings of the Board may be called by order of the President or by a majority of the members. The order calling the special meeting shall specify the time of the meeting and the business to be transacted at such meeting.
- Section 3-3 Adjourned Meetings Any regular meeting of the Board may be adjourned to any date prior to the date established for the next regular meeting. Any adjourned regular meeting is part of the regular

- meeting. Any special meeting may be adjourned, and any adjourned special meeting is part of the special meeting.
- Section 3-4 Effect of Holiday If any meeting day or adjourned meeting day falls on a holiday, the meeting of the Board shall be specially scheduled by the Board.
- Section 3-5 Quorum A majority of the members of the Board shall constitute a quorum for the transaction of business, except that less than a quorum may adjourn from time to time pursuant to Section 3-6 of these Rules.
- Section 3-6 Absence of Quorum In the absence of a quorum, the members present shall adjourn the meeting to a stated time and place, and the absent members shall be notified. If all members are absent, the Executive Director shall adjourn the meeting to a stated time and place and notify all members pursuant to Section 3-7 of these Rules.
- Section 3-7 Notice of Meetings All meetings of the Board shall be held subject to the provisions of the Ralph M. Brown Act, being Sections 54950 et. seq. of the California Government Code, and other applicable laws of the State of California requiring notice of meetings of the Board.
- Section 3-8 Teleconferencing No more than ~~two Board members~~four Board members may utilize teleconferencing per Board meeting at no more than ~~two~~four teleconferencing locations. A ~~Board member~~Board member wishing to utilize teleconferencing should notify the ~~Executive Director (or designee) at least eight (8) days~~Clerk of the Board prior to ~~the release of the agenda for~~ the affected Committee/Board meeting of the teleconference location that is accessible to the public. ~~The Executive Director~~(Agendas are typically released five (5) days in advance of the meeting.) The Clerk of the Board will identify the teleconference location in the agenda of the meeting and ensure posting of the agenda at the teleconference location. Votes at a Committee/Board meeting where teleconferencing is utilized will be taken by roll call. If more than ~~two~~four members request teleconferencing, the ~~two~~four selected shall be chosen on the basis of the order of request, and in the case of ties, by seniority on the Board. Members shall be compensated for attendance via teleconferencing on the same basis they would be if they were physically present.

Article 4 Conduct of Meetings

- Section 4-1 Order of Business The business of each meeting of the Board shall be transacted as far as is practicable in the following order:
- (a) Call to order;
 - (b) Roll call of attendance;
 - (c) Announcements by President;

- (d) Open public discussion from the floor;
- ~~(d) Approval of minutes of prior meetings;~~
- (e) (may be included in the consent calendar);
- ~~(f) Open public discussion from the floor;~~
- (g)(f) Regular Consent calendar;
- ~~(8) Unfinished business;~~
- ~~(9) New business;~~
- (g) Regular calendar
- (j)(h) Member Comments and Communications from the Executive Director; and
- (i) Adjournment.

The above order of business may be suspended or changed at any time upon order of the President. The consent calendar may contain those matters the nature of which have been determined by the Executive Director to be routine and items that have been recommended by a Committee for Board approval, and will be approved by a single action. Any item shall be removed from the consent calendar and placed for discussion on the regular calendar at the request of any member. Board members who were not in attendance at a meeting may vote in connection with approval of the minutes for that meeting. The regular calendar shall contain all other matters and business.

Open public discussion from the floor is provided for any member of the public wishing to speak on any matter within the jurisdiction of the Authority, but not listed on the agenda. Each speaker is limited to three minutes.

Section 4-2 Parliamentary Rules The rules and procedures set forth in Robert's Rules of Order are hereby adopted for the government of this Board in all cases not otherwise provided for in these rules.

Section 4-3 Vote Required A two-thirds majority of the total authorized vote shall be required for expenditures of \$500,000 or more. Except as provided by the Joint Powers Agreement (specifically amendments to the JPA and approval of a new member to the JPA which also require a two-thirds majority of the authorized vote) a majority of the authorized vote shall be required for all other actions. An abstention to vote by any member shall be construed as that member not voting on a particular matter.

Section 4-3.1 Alternate's Vote An agency alternate may vote on any matter under consideration only in the absence of the agency member from the meeting or as provided under Section 4-6 of these rules.

Section 4-4 Roll Call Votes Each Roll call votes shall proceed in the following manner:
(i) The presiding officer will direct the Clerk of the Board to report on

- the Board members who have joined or left the meeting since the roll call of attendance at the beginning of the meeting;
(ii) The presiding officer will ask for a voice vote on the matter;
(iii) If there are no “nay” votes or abstentions the presiding officer will direct that the matter be reported as passed unanimously with the names of all Board members in attendance reported as voting in favor;
(iv) If there are any “nay” votes or abstentions the presiding officer will direct the Clerk of the Board to call the name of each agency and record the vote of the representative of the agency and then report the total number of “aye”, “nay” and “abstain” votes.
(v) The roll call shall be in alphabetical order of the name of the agency, except that the President shall be called last.
- Section 4-5 Roll Call Not Required The roll need not be called in voting upon a motion except when requested by a member; or otherwise required by law. If the roll is not called, in the absence of objection, the President may order the motion unanimously approved.
- Section 4-6 Voting Ineligibility Any Board member ineligible to vote on any matter under consideration by the Board shall leave the Board table before the matter is considered and refrain from participation in any action concerning the matter.

Article 5 ~~Meetings of~~ Committees

- Section 5-1 Committees: Specific Committees, Notice of Meetings and General Rules
The Authority Board has two Committees: The Programs and Administration Committee (P&A) and the Alameda County Recycling Board serving as a committee of the Authority (Planning ~~and Organization Committee~~); (See Sections 5.3– 5.6)
Any committee that constitutes a quorum of the Board shall be noticed as both a meeting of the committee and a meeting of the Authority Board. Meetings of the Planning ~~and Organization~~ Committee shall be noticed as both a meeting of the committee and a meeting of the Recycling Board; (RB). General rules pertaining to Authority Board committees are as follows:
- Only Committee members are permitted to vote on matters before the Committee. ~~WMA alternates are members of the P&A Committee if the WMA member from their agency is not present. WMA alternates are not members of the Planning and Organization Committee under any circumstances (WMA alternates may not serve on the RB per the County Charter).~~
 - The WMA alternates are members of the P&A Committee if the WMA member from their agency is not empowered

~~to present.~~

- ~~Because WMA alternates may not serve on the RB per the County Charter, WMA alternates are not members of the Planning Committee under any circumstances.~~
- ~~No Committee may~~ take final agency action on behalf of the Board.
- Only Committee members (including WMA alternates attending the P&A Committee if the WMA member from their agency is not present) will receive compensation for attending the meeting.
- A majority of the Committee members present and voting is required for adoption of recommendations/actions.
- Board members who are not Committee members may attend a Committee meeting, but will not count towards formation of the quorum necessary to conduct the meeting nor will they receive compensation.

Section 5-2

Planning Committee Vacancy When a vacancy occurs on ~~any Authority~~the Planning Committee, the Executive Director shall request the Board shall be notified and the Authority President shall recommend appointment of members to said committee subject to confirmation by the Authority Board appoint a replacement.

Section 5-3

P&A Committee This committee consists of the twelve Authority board members who are not members of the Recycling Board (RB). ~~/Planning Committee.~~

The P&A Committee primarily provides oversight for administration and communications projects and other projects that are not assigned to the Planning ~~and Organization Committee, Administration, and Communication projects.~~ The projects subject to P&A Committee oversight shall be approved by the WMA Board.

Section 5-4

The P&A Committee ~~Meeting Times and Quorum Rules~~Administration. The P&A Committee meets on the 2nd Thursday of each month at 9:00 a.m. at the Authority office. Six P&A Committee members constitute a quorum. The officers of the P&A Committee shall be a Chair and Vice Chair who shall serve until the elections of their successors. Beginning in June, 2018 the Chair and Vice Chair -shall be elected at the regular meeting of the Committee in the month of June of each year. They shall be elected by a majority of the total authorized vote of the Committee, and shall serve from July 1 through June 30 of the following year. Beginning July 1, 2018 no P&A Committee member may serve more than one full consecutive

- term of office as a P&A Committee officer in the same office.
- Section 5-5 Planning and Organization Committee. This committee consists of the eleven Recycling Board (RB-) members. The Planning ~~and Organization~~ Committee will primarily provide oversight for projects assigned to it in the areas of source reduction, market development, recycled content purchasing, Planning, and Communications projects. ~~The projects subject to Planning and Organization Committee oversight shall be approved by the WMA Board. In addition, this Committee shall provide oversight for organization issues other than changes to the Joint Powers Authority of the WMA grants to non-profits, and planning projects.~~
- Section 5-6 Planning and Organization Committee Meeting Times and Quorum Rules Administration The RB –typically meets on the second Thursday -of each month at 4-6 or 7-9 p.m. at locations determined by the RB. Meetings of the Planning ~~and Organization~~ Committee will be at the times and locations of RB meetings. Six RB members constitute a quorum. In accordance with Measure D the RB formulates rules for its own procedures and other rules as necessary to facilitate the implementation of Measure D.
- Section 5-7 Other Committees- The President or the Board may appoint such other committees from time to time as may be appropriate to administer the powers and programs of the Authority.
- Section 5-8 Cancellation and/or Reschedule of Regular Committee Meetings Any regular Committee meeting of the Authority may be canceled or rescheduled by the PresidentChair, or the Executive Director with the consent of the PresidentChair, no less than seven (7) calendar days prior to the scheduled date of such meeting. Notification of cancellation or reschedule shall be mailed to all parties who are notified of regular meetings of the Committee.
- Section 5-9 Special Meetings Special Committee meetings may be called by order of the Presidentapplicable Committee Chair or the Executive Director with the consent of the PresidentChair or by a majority of the members of the Committee acting at a properly noticed public meeting. The order calling the special meeting shall specify the time of the meeting and the business to be transacted at such meeting.
- Section 5-10 Adjourned Meetings Any regular meeting of the Committee may be adjourned to any date prior to the date established for the next regular meeting. Any adjourned regular meeting is part of the regular meeting. Any special meeting may be adjourned, and any adjourned special meeting is part of the special meeting.
- Section 5-11 Effect of Holiday If any meeting day or adjourned meeting day falls

on a holiday, the meeting of the Committee shall be specially scheduled by the Committee.

Section 5-12 Absence of Quorum In the absence of a quorum, the members present shall adjourn the meeting to a stated time and place, and the absent member shall be notified. If all members are absent, the Executive Director shall adjourn the meeting to a stated time and place and notify all members pursuant to Section 3-7 of these Rules

Section 5-13 Teleconferencing No more than two Committee members may utilize teleconferencing per Committee meeting at no more than two teleconferencing locations. A Committee member wishing to utilize teleconferencing should notify the ~~Executive Director (or designee)~~ Clerk of the Board ~~at least eight (8) days~~ prior to the release of the agenda for the affected Committee meeting of the teleconference location that is accessible to the public. (Agendas are typically released five (5) days in advance of the meeting.) The ~~Executive Director~~ Clerk of the Board will identify the teleconference location in the agenda of the meeting and ensure posting of the agenda at the teleconference location. Votes at a Committee meeting where teleconferencing is utilized will be taken by roll call: in accordance with the procedures for meetings of the Board. If more than two members request teleconferencing, the two selected shall be chosen on the basis of the order of request, and in the case of ties, by seniority on the Board. Members shall be compensated for attendance via teleconferencing on the same basis they would be if they were physically present.

914806.6

ALAMEDA COUNTY WASTE MANAGEMENT AUTHORITY

RESOLUTION #WMA 2017 –

MOVED:

SECONDED:

AT THE MEETING HELD September 27, 2017

AMENDING THE WASTE MANAGEMENT BOARD RULES OF PROCEDURE

WHEREAS, the Alameda County Waste Management Authority (“Authority”), adopted Rules of Procedure to provide for orderly and fair conduct of the meetings of the Board on April 24, 2013; and

WHEREAS, the Board wishes to update those Rules of Procedure to streamline and clarify operations of the Board and Authority.

NOW THEREFORE, BE IT RESOLVED THAT:

The Rules of Procedure are hereby amended as shown on Exhibit A.

ADOPTED this 27th day of September, 2017, by the following votes:

AYES:

NOES:

ABSENT:

ABSTAIN:

I certify that under the penalty of perjury that the foregoing is a full, true and correct copy of Resolution # 2017-__.

Wendy Sommer
Executive Director

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DATE: September 27, 2017

TO: Energy Council

FROM: Wendy Sommer, Executive Director

BY: Karen Kho, Senior Program Manager

SUBJECT: 2017 BayREN Contract Amendment

SUMMARY

The Association of Bay Area Governments (ABAG) is proposing to add three new deliverables to the Energy Council's 2017 scope of work for the Bay Area Regional Energy Network. In order to move forward with these changes, the Energy Council needs to authorize the Executive Director to enter into a contract amendment with ABAG for an additional \$222,000.

DISCUSSION

On January 17, 2017 the Energy Council approved a resolution authorizing the Executive Director to enter into a contract of up to \$6,000,000 for BayREN services. The Energy Council's existing scope of work includes implementing a Home Energy Score program in partnership with the Department of Energy. Since launching in fall 2015, the program has enrolled 46 assessors throughout the Bay Area and scored a total of 853 homes. In the proposed contract amendment, the Energy Council will promote Home Energy Score to homeowners and create a tracking database to streamline quality assurance activities. The Energy Council will also assist ABAG in tracking and monitoring regulatory and legislative issues of interest to BayREN.

RECOMMENDATION

That the Energy Council adopt the attached resolution authorizing the Executive Director to enter into an amended contract with ABAG for Bay Area Regional Energy Network (BayREN) and other related actions.

Attachment A: BayREN Scope of Work

Attachment B: Resolution authorizing BayREN contract amendment

Attachment A
Additions to the Energy Council Scope of Work
2017 BayREN Program

Home Energy Score (\$200,000)

The Energy Council will promote Home Energy Score in the following ways:

- Update the HomeScore.ca website
- Conduct digital advertising campaign
- Update homeowner brochures
- Implement a 10,000-unit direct mail campaign in collaboration with contractors
- Support BayREN county representatives in promoting Home Energy Score locally
- Coordinate with the BayREN single-family team on rebate processing

Subtotal marketing costs \$145,000

The Energy Council will set up an open-source tracking database with the following functionality:

- Manage assessor communications
- Automate project tracking
- Generate a custom recommendations report

Subtotal database costs \$55,000

Regulatory and Legislative Support (\$22,000)

The Energy Council will assist ABAG with the following regional activities:

- Monitor regulatory proceedings
- Identify additional funding sources
- Track policy issues of concern to BayREN members
- Cultivate strategic partnerships
- Develop strategy for regulatory/legislative engagement

Total Amendment = \$222,000

Attachment B

**ENERGY COUNCIL
RESOLUTION #EC 2017 –**

**MOVED:
SECONDED:**

AT THE MEETING HELD SEPTEMBER 27, 2017

**RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR TO AMEND THE 2017 CONTRACT FOR BAY
AREA REGIONAL ENERGY NETWORK (BayREN) AND OTHER RELATED ACTIONS**

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

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

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

WHEREAS, in its Decision 15-10-028, the CPUC authorized funding for Regional Energy Networks (RENS) to continue their existing programs with an annualized budget; and

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

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

WHEREAS, the Energy Council leads the regional Home Energy Program and has supported BayREN policy and regulatory activities, and

WHEREAS, ABAG intends to provide the Energy Council with an additional \$222,000 for services related to BayREN as described in Attachment A;

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

1. Enter into all necessary contracts and agreements with ABAG in order to accept additional funds in the amount of \$222,000, and make any necessary changes to the FY 2017/18 budget for Project 1347: BayREN.
2. Approve any required time extensions, modifications, or amendments thereto.
3. Allocate the necessary resources to implement and carry out the amended scope of work.

ADOPTED this 27th day of September 2017, by the following votes:

AYES:

NOES:

ABSENT:

ABSTAINED:

I certify that under the penalty of perjury that the foregoing is a full, true and correct copy of Resolution #EC 2017 –

WENDY SOMMER
Executive Director



DATE: September 27, 2017

TO: Energy Council

FROM: Wendy Sommer, Executive Director

BY: Jennifer West, Program Manager

SUBJECT: 2017 EBEW Contract Amendment

SUMMARY

The Energy Council has an open contract with PG&E for Local Government Partnership activities, which was renewed in 2016 to be valid through December 31, 2018. PG&E proposes to amend our contract by \$80,000 to include the Your Energy Manager (YEM) program, which provides water and energy system upgrades for businesses.

DISCUSSION

In December 2016, the Energy Council approved a resolution authorizing the Executive Director to enter into a contract of up to \$600,000 with PG&E for the Local Government Partnership activities, including administering the East Bay Energy Watch (EBEW) Strategic Advisory Committee (SAC). EBEW supports multiple energy efficiency programs for commercial, residential and municipal customers, along with innovative pilot programs.

In the proposed contract amendment, the Energy Council will provide a pass through for Community Energy Services Corporation (CESC) for \$80,000 for the YEM program for 2017. The YEM program provides a cost benefit analysis on energy upgrades including incentives and financing options. It goes beyond direct install projects to provide other innovative options. The goal is to make utility costs as low as they can go and help businesses become Certified Green Businesses. It is targeting businesses with 25 or more employees located in Alameda or Contra Costa Counties.

RECOMMENDATION

That the Energy Council adopt the attached resolution to authorize the Executive Director to enter into an amended contract with PG&E and with CESC and other related actions.

Attachment A: CESC Scope of Work

Attachment B: Resolution authorizing PG&E Local Government Partnership contract amendment

Attachment A
Scope of Work
CESC Your Energy Manager

Your Energy Manager specifies and installs energy efficiency and operational efficiency measures beyond the core Small Medium Business direct install measure offering from the East Bay Energy Watch program. YEM provides owners a cost benefit analysis on energy and water efficiency upgrades including incentives and financing options, a loading order of what projects are most cost effective, and operational modifications. Your Energy Manager trains business employees to be 'Energy Champions' to further drive operational changes and partners with the Green Business program to promote more comprehensive sustainability practices and Green Business Certification. The Energy Council will pass through funding to CESC for the following activities:

- Enroll 24 businesses and provide technical assistance.
- Install 10 non-lighting projects.
- Develop operational plan for new measures offered through East Bay Energy Watch program offerings in the future.
- Request new measures to be added to PG&E Program measure map for Direct Install programs.

Total Budget \$80,000

Attachment B

**ENERGY COUNCIL
RESOLUTION #EC 2017 –**

**MOVED:
SECONDED:**

AT THE MEETING HELD SEPTEMBER 27, 2017

**RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR TO AMEND PG&E LOCAL GOVERNMENT
PARTNERSHIP CONTRACT AND OTHER RELATED ACTIONS**

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

WHEREAS, the Energy Council has embarked on an ongoing, coordinated effort to reduce emissions that cause global warming, thus improving air quality, reducing waste, cutting energy use and saving money; and

WHEREAS, the Energy Council has entered into a Local Government Partnership with PG&E and has provided support to the East Bay Energy Watch (EBEW); and

WHEREAS, Alameda and Contra Costa County jurisdictions have elected the Energy Council as the Independent Administrator of the EBEW Strategic Advisory Committee; and

WHEREAS, the Energy Council was awarded \$600,000 for administrative and program coordination activities in 2017; and

WHEREAS, PG&E will add \$80,000 to the Energy Council's scope of work for the Your Energy Manager program;

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

- Enter into all necessary contracts and agreements with PG&E and CESC in order to amend the current Local Government Partnership contract and add \$80,000 to that contract, and make any necessary changes to the FY 2017/18 budget for Project 1348.
- Approve any required time extensions, modifications, or amendments thereto.
- Allocate the necessary resources to implement and carry out the amended scope of work.

ADOPTED this 27th day of September 2017, BY THE FOLLOWING VOTE:

AYES:

NOES:

ABSENT:

ABSTAINED:

I certify that under the penalty of perjury that the foregoing is a full, true and correct copy of Resolution #EC 2017 –

Wendy Sommer
Executive Director

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October 2017 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 AGENCY HOLIDAY	10	11	12 9:00 AM Programs & Administration Committee 1. Legislative Results 2. Board Per Diem Rules 3. Mattress update <hr/> 4:00 PM Planning & Organization Committee and Recycling Board StopWaste Offices Key Items: 1. Legislative Results 2. Mattress update 3. Operational Area Emergency Management	13	14
15	16	17	18	19	20	21
22	23	24	25 3:00 PM Waste Management Authority & Energy Council Key Items: 1. Schools presentation 2. Operational Area Agreement w/ Sheriff's office 3. Conservation Easement 4. ED Contract Amendment	26	27	28
29	30	31				

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RECYCLING

China Notifies WTO of Intent to Ban 24 Types of Solid Waste Imports

It proposes adoption of the measures effective September 1.

David Bodamer | Jul 19, 2017

In two filings registered with the World Trade Organization on Tuesday, China signaled its intent to forbid 24 kinds of solid wastes by the end of 2017.

China cited the objectives and rationales of “protection of human health or safety” and “protection of the environment” in filings.

According to one of the filings, China found “that large amounts of dirty wastes or even hazardous wastes are mixed in the solid waste that can be

used as raw materials. This polluted China's environment seriously. To protect China's environmental interests and people's health, we urgently adjust the imported solid wastes list, and forbid the import of solid wastes that are highly polluted. Protection of human health or safety; Protection of animal or plant life or health; Protection of the environment.”

It proposes adoption of the measures effective September 1.

“By the end of 2017, China will forbid the import of 4 classes, 24 kinds of solid wastes, including plastics waste from living sources, vanadium slag, unsorted waste paper and waste textile materials,” according to one of the filings.

China imports huge quantities of waste materials from the U.S. Overall, \$5.6 billion in scrap commodities were exported from the United States to China last year, according to the Institute of Scrap Recycling Industries (ISRI). In addition China imports \$1.9 billion in scrap paper (13.2 million tons) and \$495 million in scrap plastics (or 1.42 million tons), according to ISRI.

The waste and recycling industry in the U.S. was quick to react to the news.

“Although I have not yet reviewed the WTO filing, and therefore some questions remain concerning the scope of the prohibition, it is likely that this action will have an adverse impact on recycling collection programs in the U.S. and Canada,” David Biderman, executive director and CEO of the Solid Waste Association of North America, wrote in an email statement. “SWANA is in contact with key officials at the U.S. Department of Commerce and the Office of the U.S. Trade Representative about this development and further discussions are expected in the near future.”

The ISRI also released a statement that it had already notified the Office of the United States Trade Representative and the U.S. Department of Commerce on the impact such a ban would have on the recycling industry. It also briefed U.S. officials in preparation for tomorrow's U.S.-China Comprehensive Economic Dialogue (CED) in Washington.

“If implemented, a ban on scrap imports will result in the loss of tens of thousands of jobs and closure of many recycling businesses throughout the United States,” ISRI President Robin Wiener said in a statement. “The scrap recycling industry is the first link in the global manufacturing supply chain. Recycled materials are key inputs into the production of new, usable commodities for the use in value-add production. In any given year, approximately one-third of the scrap recycled in the United States is prepared for shipment to the export market, and China is the recycling industry's largest customer.... More than 155,000 direct jobs are supported by the U.S. industry's export activities, earning an average wage of almost \$76,000 and contributing more than \$3 billion to federal, state, and local taxes. A ban on imports of scrap commodities into China would be catastrophic to the recycling industry.”

This is not the first time China has made moves to limit its imports of waste. In March, the China Scrap Plastics Association enacted “National Sword 2017” to crack down on plastic waste imports. It included heightened measures and inspections at China's ports of waste coming in.

More famously, in 2013 China erected its “Green Fence” to get tough on contamination in recycled commodity imports. In the first year of Operation Green Fence, almost 70 percent of all incoming containers loaded with recyclables were subjected to thorough inspections.

This ultimately had the effect of U.S. recyclers producing higher quality materials to ship to China.

The list of applicable products in the current WTO filing includes:

- Plastic waste from living sources
- Vanadium slag
- Waste textile materials
- Slag, dross (other than granulated slag), scalings and other waste from the manufacture of iron or steel.
- Ash and residues (other than from the manufacture of iron or steel), containing arsenic, metals or their compounds.
- Waste, parings and scrap, of plastics.
- Waste of wool or of fine or coarse animal hair, including yarn waste but excluding garnetted stock.
- Garnetted stock of wool or of fine or coarse animal hair.
- Cotton waste (including yarn waste and garnetted stock).
- Waste (including noils, yarn waste and garnetted stock) of man-made fibers.
- Used or new rags, scrap twine, cordage, rope and cables and worn out articles of twine, cordage, rope or cables, of textile materials.
- Other, including unsorted waste and scrap

Source URL: <http://www.waste360.com/recycling/china-notifies-wto-intent-ban-24-types-solid-waste-imports>

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(<https://www.resource-recycling.com/recycling/>)

**RESOURCE
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Major U.S. fiber consumer says China's ban could increase quality (<https://resource-recycling.com/recycling/2017/08/15/major-u-s-fiber-consumer-says-chinas-ban-increase-quality/>)

Posted on August 15, 2017

by [Colin Staub](https://resource-recycling.com/recycling/author/colinstaub/) (<https://resource-recycling.com/recycling/author/colinstaub/>)

The top recycling executive at Pratt Industries views China's planned imports prohibition as a chance for the U.S. industry to clean up its stream.

Recovered fiber players who don't take that opportunity within their own operations will bear the brunt of the imports ban, said Myles Cohen, president of the recycling division at Pratt Industries.

"It's those [MRFs] who have not invested in upgrading their technology, without the newest and greatest sorting equipment, those are probably the people and companies that are going to have the toughest time with this," Cohen said. "They're going to have to decide. What are they going to do: invest in technology and upgrade their business, or not."

Of the 3.7 million short tons of mixed paper consumed by U.S. mills in 2016, Pratt Industries was "by far the biggest piece," recovered fiber consultant Bill Moore of Moore & Associates said in a [recent interview](https://resource-recycling.com/recycling/2017/07/25/wm-exporters-reacting-chinas-ban/) (<https://resource-recycling.com/recycling/2017/07/25/wm-exporters-reacting-chinas-ban/>). That gives the company a unique position in the domestic recovered fiber industry. Asked in an interview how Waste Management would fare if all mixed paper were banned from import into China, the country's largest hauler pointed to Pratt and its recent domestic capacity expansions as factors that would soften the blow.

Pratt uses entirely recycled content to produce corrugated boxes and point-of-purchase displays. Residential mixed paper makes up the largest stream of feedstock, Cohen said, although the company has technology that allows for a blended feedstock that also includes old newspapers and corrugated boxes mixed together.

Contamination has "wreaked some havoc"

Cohen said China's announced ban was not a total surprise to the company. He pointed to the rise of single-stream recycling in recent years, noting how it's increased contamination within the recovered fiber stream. Pratt has mostly moved off buying from producers of low-quality fiber bales that don't meet its desired specifications.

China's crackdown will likely lead to closer attention paid to contaminants in paper bales, Cohen said.

"It's an opportunity for the MRFs that pack mixed paper to have more scrutiny on quality, which they should have, because the contamination has really wreaked some havoc within the recovered paper industry," Cohen said.

As to whether the ban presents an opportunity for Pratt, Cohen said it's too early to tell. Several months before the ban announcement, Pratt Industries Executive Chairman Anthony Pratt recently announced the company would invest \$2 billion in additional U.S. processing capacity.

But Cohen noted there's still a lot of ambiguity about what exactly is meant by some of the ban language – for instance, the "unsorted waste paper" identified in the World Trade Organization filing announcing the ban is not a material grade as defined by the Institute of Scrap Recycling Industries. There are rumors that bales containing more than a specified percentage of contamination would be considered "unsorted."

"There's been a lot of paper exported that has way more out-throws and prohibitives," Cohen said. "And now what they're saying is, 'We don't want to take garbage anymore.'"

Impacting other streams?

The ban could also have a ripple impact beyond cleaning up quality and injecting more recovered fiber into the domestic U.S. stream.

If China's manufacturing sector is suddenly cut off from some grades of mixed paper, Chinese mills may decide to use more OCC in its place, as OCC is not named in the ban. That, in turn, would put more pressure on the U.S. supply of OCC if more of it gets exported out of the country, Cohen said.



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OCC is already selling at record prices, with the current national average sitting at \$180 per ton as of early August (<https://resource-recycling.com/recycling/2017/08/08/post-consumer-paper-pricing-remains-strong/>). If demand from China increases markedly, those prices could be pushed even higher.

Cohen also noted most MRF operators have learned not to have China as their only downstream outlet for paper during the past few years, particularly after Green Fence. Many have learned to develop domestic outlets for their fiber material. On the international front, although no single market has as much capacity as China, some companies have spread their exports to other markets, including Southeast Asia, the Middle East, Latin America and more.

"And I'm sure some of those markets are looking at this as an opportunity, that they won't have to compete with China as much for supply," Cohen said.

More stories about fiber

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Industry group sees shifts in leadership (<https://resource-recycling.com/recycling/2017/09/06/industry-group-sees-shifts-leadership/>)

The National Recycling Coalition made a handful of important announcements during the Resource Recycling Conference in Minneapolis last week.

Value of recovered packaging inches higher (<https://resource-recycling.com/recycling/2017/09/06/value-recovered-packaging-inches-higher/>)

Recycling processors report that early September pricing for recovered plastic and aluminum packaging rose slightly over August levels.

Q&A: How ideologies color our recycling conversations (<https://resource-recycling.com/recycling/2017/09/06/q-a-ideologies-color-recycling-conversations/>)

Recycling decisions tend to be made on the local level by nonpartisan leaders, but national politics – and fundamental ideological differences – still shape the dialogue. A recent study of local government agendas showed stark differences between left-leaning and right-leaning ...

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Details and predictions about China's import restrictions drew our readers' attention last month.

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In My Opinion: PepsiCo shortchanges container deposits (<https://resource-recycling.com/recycling/2017/08/29/opinion-pepsico-shortchanges-container-deposits/>)

Posted on August 29, 2017

by [Susan Collins](#) ()

The Container Recycling Institute (CRI) commends PepsiCo for [recent statements](#) (<https://resource-recycling.com/plastics/2017/08/16/qa-pepsico-addresses-packaging-meet-ghg-goals/>) from Vice President Roberta Barbieri supporting the value of bottle bills for producing clean materials for bottle-to-bottle recycling. However, it is important to point out inaccuracies in Ms. Barbieri's statements, particularly about the cost-effectiveness of bottle bills (container deposit laws).

Ms. Barbieri references California, where the beverage container deposit law is responsible for 1 out of every 5 beverage containers recycled in the U.S. The California program is self-funded through the use of unredeemed deposits, with no taxpayer money used and no additional fees charged to consumers. No other program in the world is able to maintain and pay for an 80 percent recycling rate while also providing \$140 million per year to curbside programs. Beverage manufacturers and distributors pay \$18 million in "processing fees," but distributors also receive \$19 million in "administrative fees," so these two items cancel each other out – meaning there is zero net cost to the beverage industry in the state.

Extensive financial studies show that recycling PET through California's container deposit system costs only about a quarter of what it does in single-stream curbside programs. But it's misleading to compare these recycling methods side-by-side, because, as Ms. Barbieri herself notes, container deposit systems provide much higher-quality PET with greater volumes recovered than single-stream curbside programs. Deposit systems also very effectively reduce beverage container litter and marine debris.

Ms. Barbieri's statement that California's 30-year-old program is "imploding" deserves some pushback as well. There's nothing wrong with the design and intent of the California program, but in this time of historically low commodity prices, redemption centers are being underpaid and are losing money. It's a problem that requires nothing more to fix it than a change to a state payment formula. The program's reserve fund currently stands at \$244 million, so there are sufficient funds to pay the centers properly.

The program's current deficit (\$20 million this year) is small with respect to the reserve fund, and the deficit is shrinking each year to the point where the program should realize surpluses in a year or two. That is clearly not the definition of a costly and inefficient program, particularly one that produces a recycling rate more than double that of the national average. This is more in keeping with PepsiCo's goal, announced in 2014, to "help grow the U.S. beverage container recycling rate to 50 percent by 2018."

Independent data and analyses show that bottle bills work. We welcome dialogue and collaboration with PepsiCo to grow the national recycling rate and work together on solutions that maximize the financial, environmental and social benefits of our most effective recycling systems.

Susan Collins is executive director of the Culver City, Calif.-based Container Recycling Institute.

The views and opinions expressed are those of the author and do not imply endorsement by Resource Recycling, Inc. If you have a subject you wish to cover in an op-ed, please send a short proposal to news@resource-recycling.com (<mailto:news@resource-recycling.com>) for consideration.

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