

REVISED AGENDA

MEETING OF PLANNING AND ORGANIZATION COMMITTEE AND ALAMEDA COUNTY RECYCLING BOARD

Thursday, October 9, 2014
7:00 p.m.

Castro Valley Public Library
3600 Norbridge Avenue
Castro Valley, CA 94546
510-667-7900

(Directions attached)

and

Via teleconference
Toni Stein
South Berkeley Senior Center
2939 Ellis St
Berkeley, CA 94703
(510) 981-5170

Meeting is wheelchair accessible. Sign language interpreter may be available upon five (5) days notice to 510-891-6500.

I. CALL TO ORDER

II. ROLL CALL

III. ANNOUNCEMENTS BY THE PRESIDENT

Page IV. CONSENT CALENDAR (P&O & RB)

- | | | |
|----|--|-------------|
| 1 | 1. Approval of the Draft Joint Minutes of September 17, 2014
(Gary Wolff & Wendy Sommer) | Action |
| 7 | 2. Board Attendance Record (Gary Wolff) | Information |
| 9 | 3. Written Report of Ex Parte Communications | Information |
| 11 | 4. Legislative Status for 2014 (Gary Wolff, Wendy Sommer & Debra Kaufman)
Staff recommends that the Boards receive this information report on the status of legislation the Agency tracked this year. | Information |

V. OPEN PUBLIC DISCUSSION

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

VI. REGULAR CALENDAR (P&O & RB)

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| 17 | 1. Reusable Bag Ordinance 2012-2: Process for Potential Expansion
(Gary Wolff, Wendy Sommer & Meri Soll)
Staff recommends that the Program and Administration Committee, and the Planning and Organization Committee, discuss the potential expansion of the reusable bag ordinance and recommend that the WMA Board adopt the proposed schedule and deliverables identified in the staff report as the process to be followed for consideration of expansion of Ordinance 2012-2. | Action |
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|---|---|--------------------|
| 27 | 2. Municipal Panel Presentation: Commercial Recycling Promotion and Outreach
(Gary Wolff, Wendy Sommer & Meghan Starkey) | Information |
| 35 | 3. Business Assistance Project – Update
(Gary Wolff, Wendy Sommer & Michelle Fay) | Information |
| 37 | 4. Resource Area For Teachers (RAFT) Update
(Gary Wolff, Wendy Sommer & Meri Soll) | Information |
| VII. OTHER PUBLIC INPUT | | |
| VIII. COMMUNICATIONS/MEMBER COMMENTS | | |
| IX. ADJOURNMENT | | |

Castro Valley Public Library

3600 Norbridge Avenue
Castro Valley, CA 94546
510-667-7900

Directions

<p>From South Bay: I-880 N toward OAKLAND. Merge onto I-238 S toward I-580/CASTRO VALLEY/STOCKTON. I-238 S becomes I-580 E. Take the REDWOOD ROAD exit toward CASTRO VALLEY. Turn LEFT onto REDWOOD ROAD. Take the 3rd RIGHT onto CASTRO VALLEY BLVD. Take the 2nd RIGHT onto NORBRIDGE AVE. Destination will be on the right.</p>	<p>From East Bay: I-680 S toward SAN JOSE. Merge onto I-580 W toward OAKLAND. Take the REDWOOD ROAD exit toward CASTRO VALLEY. Turn LEFT onto REDWOOD ROAD. Take the 3rd RIGHT onto CASTRO VALLEY BLVD. Take the 2nd RIGHT onto NORBRIDGE AVE. Destination will be on the right.</p>
<p>From San Francisco: I-80 E toward OAKLAND. Merge onto I-580 E toward DOWNTOWN OAKLAND/HAYWARD-STOCKTON. Take the REDWOOD ROAD exit toward CASTRO VALLEY. Turn LEFT onto REDWOOD ROAD. Take the 3rd RIGHT onto CASTRO VALLEY BLVD. Take the 2nd RIGHT onto NORBRIDGE AVE. Destination will be on the right.</p>	<p>From San Ramon/Crow Canyon Road: Head NORTHEAST on CROW CANYON RD. Make a U Turn MERGE onto I 680 S via the ramp to SAN JOSE Take the EXIT onto I-580 toward DUBLIN/OAKLAND Take the EXIT toward CASTRO VALLEY. VALLEY. Turn LEFT onto E CASTRO VALLEY BLVD. Turn LEFT onto NORBRIDGE AVE.</p>

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**MINUTES OF THE JOINT MEETING OF THE
ALAMEDA COUNTY WASTE MANAGEMENT AUTHORITY (WMA) BOARD,
THE ALAMEDA COUNTY RECYCLING BOARD (RB)**

**AND
THE ENERGY COUNCIL (EC)**

Wednesday, September 17, 2014

3:00 p.m.

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

I. CALL TO ORDER

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

II. ROLL CALL

WMA & EC

City of Alameda	Lena Tam
City of Albany	Peter Maass
City of Berkeley	Gordon Wozniak
Castro Valley Sanitary District	Dave Sadoff
City of Dublin	Don Biddle
City of Emeryville	Jennifer West
City of Fremont	Anu Natarajan
City of Hayward	Greg Jones
City of Livermore	Laureen Turner
City of Newark	Luis Freitas (left 4:15 p.m.)
City of Oakland	Dan Kalb
City of Piedmont	Tim Rood
City of Pleasanton	Jerry Pentin (left 3:30 p.m.)
City of San Leandro	Pauline Cutter

Absent:

County of Alameda	Keith Carson
Oro Loma Sanitary District	Laython Landis
City of Union City	Lorin Ellis

RB:

Solid Waste Industry Representative	Michael Peltz (via teleconference)
Source Reduction Specialist	Steve Sherman
Environmental Industry	Toni Stein
Recycling Materials Processing Industry	Minna Tao

Absent:

Recycling Programs	Chris Kirschenheuter
Environmental Organization	Daniel O'Donnell

Staff Participating:

Gary Wolff, Executive Director
Jeff Becerra, Communications Manager
Richard Taylor, Counsel, Authority Board
Arliss Dunn, Clerk of the Board

Others Participating:

John Fusco, Senior Engineer, EOA Inc

III. ANNOUNCEMENTS BY THE PRESIDENTS

President West welcomed the new Board members; Greg Jones, city of Hayward (WMA), and Toni Stein, Environmental Educator (RB). A roundtable of introductions followed.

Mayor Halliday, City of Hayward, thanked the Board for its support during her tenure and pledged her continuous support of the agency's programs. Mr. Wolff presented Mayor Halliday with a recycled glass bowl for her service, and presented Boardmember Tam with a recycled glass platter for her service as the 2013/14 Energy Council President.

IV. CONSENT CALENDAR (WMA, EC & RB)

- | | | |
|----|--|--------------------|
| 1. | Approval of the Draft Minutes of June 25, 2014 and July 23, 2014 (WMA & EC-Separate Votes) (Gary Wolff) | Action |
| 2. | Approval of the Draft Minutes of June 12, 2014, July 10, 2014 & August 14, 2014 (RB only) (Gary Wolff) | Action |
| 3. | Energy Upgrade California Community Ambassadors Grant acceptance (EC only) (Gary Wolff, Wendy Sommer & Karen Kho) | Action |
| 4. | Minutes of the July 18, 2014 and August 27, 2014 Technical Advisory Group (TAG) (EC only) (Gary Wolff) | Information |
| 5. | Recycling Board Attendance Record (Gary Wolff) (RB only) | Information |
| 6. | Written Report of Ex Parte Communications (Gary Wolff) (RB only) | Information |
| 7. | Grants Under \$50,000 (WMA only) (Gary Wolff) | Information |

Board member Freitas made the motion to approve the Consent Calendar for the WMA Board. Board member Wozniak seconded and the motion carried 15-0-1 (Carson, Ellis, and Landis absent) (Jones abstained).

Board member Tam made the motion to approve the Consent Calendar for the Energy Council. Board member Wozniak seconded and the motion carried 14-0-1 (Carson and Ellis absent) (Jones abstained).

Board member Pentin made the motion to approve the Consent Calendar for the Recycling Board with corrections to the Recycling Board attendance roster noted below. Board member Tao seconded and the motion carried 9-0 (Kirschenheuter and O'Donnell absent).

Corrections: Indicate Board member Pentin as "I" for his interim appointment. Indicate Board member Biddle as "A" absent as the interim appointment for Mr. Pentin. Add Boardmember Ellis to the Recycling Board attendance roster and mark him present for the August meeting.

V. OPEN PUBLIC DISCUSSION (WMA, EC & RB)

There was none.

VI. REGULAR CALENDAR (WMA, EC & RB)

- | | | |
|----|---|---------------|
| 1. | Reusable Bag Ordinance - Update and Change in Bag Price Recommendation | Action |
| | Staff recommends that the Authority Board make a finding that the ordinance has achieved its goal to substantially reduce environmental impacts. Under the term of the ordinance, making this finding means that the minimum price per compliant bag will not increase from 10 cents to 25 cents. | |

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Ms. Soll provided an overview of the staff report and presented a powerpoint presentation. The staff report is available here: <http://www.stopwaste.org/docs/Bag%20Update%2009.17.14%20joint%20meeting.pdf>
The presentation is available here: <http://www.stopwaste.org/docs/0914-Plastic-bags-Joint-Board%20-9-17.pdf>

Board member Kalb stated that with respect to the Reusable Bag Ordinance and its effect on litter, we are only measuring the effects from the confines of our ordinance and not other sources. Ms. Soll agreed with the statement and stated the task at hand is to determine if the ordinance is effective using data from the affected stores. Mr. Wolff added it is safe to say that of these affected stores the data shows a reduction in the number of plastic bags and therefore a reduction in litter and the policy question before the Board is if the ordinance has been effective at the affected stores. Mr. Kalb stated that the mission is to reduce litter and waste and the conversation about the minimum price could also include expanding the types of affected stores.

Board member Wozniak stated he is pleased that the ordinance is effective in the subset of affected stores and suggests that if the Board decides to consider possible expansion to other stores to continue the 10 cents minimum price per bag. Mr. Wozniak commended staff on an impressive presentation and encourage staff to make presentations to the City Councils. Board member Maass inquired if the data implies that 56% of the bags distributed prior to the ordinance were from stores now covered under the ordinance. Mr. Fisco stated that the data post ordinance indicates that there has been a significant decrease in plastic bags in the storm drain from covered stores. Most of the bags contributing to the litter problem were from box stores and large grocery stores. Another contributing factor is adjacent counties that have not adopted similar ordinances.

Board member Maass commented on the Australian study regarding the effects on GHG impact with respect to reusable bags, and stated that if the bags are being produced in reaction to such ordinances and not being used there is an increase to the GHG impact (*Ms. Soll provided an errata sheet as a correction to the language in the staff memo about the Australian report. It is included in the minutes as a matter of record*). Board member Rood thanked staff for the press release on the success of the ordinance which he shared with his Council and inquired about the metrics the Board should use when making a determination. Mr. Wolff stated the language contained in the ordinance - that the ordinance has substantially reduced the environmental impacts of single use bags -- is the basis for a determination. Mr. Rood stated the ordinance has been effective based on the businesses covered under the ordinance. Ms. Stein inquired about data that shows the reduction in both paper and plastic bags. Mr. Wolff stated that we did not calculate the percentages for paper bags, but one could from the data presented. Board member Natarajan inquired about the effects of SB270 on our ordinance. Ms. Soll stated that the agency can modify the ordinance in only two ways if SB270 is signed into law: expand the types of stores covered, or increase the minimum price per compliant bag. Ms. Natarajan stated her support for not increasing the minimum price from 10 cents and her support for making the report available to the Councils and the public at large. Mr. Sadoff stated that staff has provided strong evidence that the ordinance has been effective and supports the staff recommendation. Board member West inquired about other opportunities for having the discussion about raising the minimum price. Mr. Wolff stated that if an option in the discussion of expansion would require raising the minimum price, then the Board could do it as part of that process. Board member Rood asked for clarification regarding SB270 and compostable bags. Ms. Soll stated the bill would allow compostable bags, but we would not have to adhere to those regulations as our ordinance is grandfathered in.

Board member Kalb stated that he would like to amend the recommendation to add the phrase "from among stores covered by this ordinance. Authority Counsel recommends that the recommendation states "Having reviewed the information from the stores here the Authority Board make a finding that the ordinance has substantially reduced the environmental impacts of single use bags. Under the terms of the ordinance, making this finding means that the minimum price per compliant bag will not increase from 10 cents to 25 cents."

Board member. Wozniak made the motion to accept the amended recommendation. Board member Turner seconded and the motion carried 15-0 (Carson, Ellis, Landis and Pentin absent).

2. WMA Vacancies on the Recycling Board (WMA only) (Gary Wolff)

Action

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Make an appointment to the Recycling Board now, and schedule other possible replacement appointments on the November WMA meeting agenda.

Board members accepted the staff recommendation to allow those Board members whose terms will be ending to continue to serve until a replacement is made. Mayor Halliday resigned her position and there is a vacancy for her position. Board member Cutter nominated Greg Jones (Hayward) to serve on the Recycling Board. Board member Turner seconded and the motion carried 15-0 (Carson, Ellis, Landis, and Pentin absent).

3. Interim appointment(s) to the Recycling Board for WMA appointee unable to attend future Board Meeting(s) **Action**

(P&O and Recycling Board meeting, October 9th at 7:00 pm - Castro Valley Library, 3600 Norbridge Ave, Castro Valley, CA)

Board members Natarajan, Tao, and Wozniak requested interim appointments. Mr. Wolff informed Ms. Tao that the Board of Supervisors are required to appoint an interim appointment for Board of Supervisor appointees to the Recycling Board. Staff will investigate this possibility. Mr. Peltz stated that he will need to teleconference in for the meeting. Mr. Sadoff volunteered to attend for Ms. Natarajan and Ms. Cutter volunteered to attend for Mr. Wozniak. Mr. Wozniak made the motion to accept the interim appointments. Ms. Turner seconded and the motion carried 15-0 (Carson, Ellis, Landis and Pentin absent).

4. Enforcement Update (WMA & RB only) (Gary Wolff & Brian Mathews) **Information**

This report is for information only.

Brian Matthews provided an overview of the staff report and a powerpoint presentation. The report is available here: <http://www.stopwaste.org/docs/enforcement%20update%20memo.pdf>

The presentation is available here: <http://www.stopwaste.org/docs/0914-Sept-2014-WMA-RB-Board-Enf-Presentation-Final-handout.pdf>

Board member Biddle inquired about any progress with the State with respect to facility fees. Mr. Mathews stated that the State is looking at legislative actions and staff is having discussions with CalRecycle and trying to get certain elements resolved but there is nothing specific to report. Mr. Wolff added the agency can adopt a local ordinance requiring haulers to use either landfills in-county or landfills out-of -county that voluntarily agree to our reporting requirements. The enforcement of that ordinance will be challenging. Staff will be bringing information on fee evasion to the Board in the Spring of 2015. Mr. Wolff added he has requested a follow up meeting with Carol Mortensen, the Director of CalRecycle, for a status report on items that they had asked us to do and we have done, and what might be the best course of action going forward. Mr. Biddle inquired about the amount of revenue we are losing to fee evasion. Mr. Mathews stated the estimates are that government is losing upwards of \$1 million per year. Mr. Wolff clarified that the size of the losses depends on whether the waste on which fees are not being paid would be subject to Measure D and franchise fees, not just our facility fee. The Board thanked Mr. Mathews for his report.

5. Preview of New Agency Website (WMA, EC & RB) (Gary Wolff & Jeff Becerra) **Information**

This report is for information only.

Jeff Becerra provided a preview of the new agency website. A link to the website is available here:

<http://stopwaste.m7sandbox.com/>

Board member Natarajan recommended having the agency telephone number appear prominently on the website, as well as Board contact information (individually and as a group; e.g., an email for "WMA Board") . Mr. Wolff stated the Board contact information is on the current website in both these forms and will be carried over to the new one. Board member Stein inquired about showing the diversion rates among cities as well as State comparisons as this can provide competitive incentive, as well as information on green businesses, zero waste businesses, and links to ABAG, etc. Mr. Becerra stated the website does contain information on green

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businesses but we don't have a comparison dashboard but will look into adding it in. Board members thanked Mr. Becerra for his presentation and looks forward to the live launching of the website.

VII. COMMUNICATIONS/MEMBER COMMENTS (WMA & EC)

Information

- Recycling Board Member Reports from CRRRA (RB only) (Gary Wolff)

Board member Turner shared a photo of a hand made organic recycling container located in a remote part of Mexico during a teaching assignment.

Board member Sherman provided an update regarding his attendance at the CRRRA Conference in San Jose as a member of the Recycling Board. Mr. Sherman stated that StopWaste continues to be a path breaker and does not shy away from showing leadership. The presentations from staff on mandatory recycling received packed audiences, and the manner in which the agency is able to move broad initiatives forward was lauded. Mr. Sherman stated he was very proud of the work of the agency and the impact extends beyond Alameda County. Board member Natarajan inquired about the context of StopWaste leasing or buying the Davis Street Transfer station. Mr. Wolff stated that this topic was brought forward from speculation that if Waste Management loses the Oakland contract they may want to sell the station. Mr. Wolff added he has spoken with them and they have said they have no intention of selling the station if they lose the Oakland contract as their operations are significant within Alameda County even without the City of Oakland. Board member Rood inquired if the Authority owns any such facilities. Mr. Wolff stated the Authority owns 1600 acres in East County for the specific purpose of developing a landfill in the event that there was not adequate landfill capacity or if the pricing of landfill capacity was too high, or we could develop a composting facility there although it's not the ideal location due to cost issues involving grading, water supply issues, etc. However, there are plans for a water treatment facility in Zone 7 that could supply water to the site if we were to develop a compost facility on the site in the future.

VIII. ADJOURNMENT (WMA & RB)

The WMA and RB portion of the meeting adjourned at 4:25 p.m.

IX. REGULAR CALENDAR (EC)

X. Community Choice Aggregator - Letter of Interest (EC only) (Gary Wolff & Wendy Sommer)

Action

Staff recommends that the Energy Council:

1. Elect the 1st Vice President to be the President of the Council; the 2nd Vice President to fill the 1st Vice President position; and another Council member to fill the 2nd Vice President role
2. Review, approve, and authorize the Council President and Executive Director to sign and send the attached letters

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

<http://www.stopwaste.org/docs/CCA%20file.pdf>

Karen Kho provided a powerpoint presentation of the Energy Council's current projects, accomplishments, and technical qualifications. The presentation is available here: <http://www.stopwaste.org/docs/0914-EC-Accomplishments-and-Quals.pdf>

Board member Wozniak made the motion to elect Pauline Cutter as President and Dan Kalb as 1st Vice President. Board member Natarajan seconded and the motion carried 14-0 (Carson, Ellis, and Freitas absent). Board member Natarajan nominated Greg Jones as the 2nd Vice President. Board member Wozniak seconded and the motion carried 14-0 (Carson, Ellis, and Freitas absent).

Board member Kalb commended staff on the Energy Council's efforts and inquired about receiving a future update on how staff is engaging contractors and working with them to educate and inform property owners about the opportunities as well as promoting the programs. Ms. Kho stated the multi-family program operating

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in nine counties in the bay area recently went through a program review by the Public Utilities Commission and was compared to the five other programs operating throughout the State. Our program was recognized as the only program that has any significant enrollment for market rate buildings. Most of the other programs only have affordable housing projects in their portfolios.

XI. ADJOURNMENT (EC)

The EC portion of the meeting adjourned at 4:40 p.m.

2014 - ALAMEDA COUNTY RECYCLING BOARD ATTENDANCE

	J	F	M	A	M	J	J	A	S	O	N	D
REGULAR MEMBERS												
L. Ellis								X	A			
B. Halliday	X	X	A	X	X	X	X	X				
G. Jones												
C. Kirschenheuter	X	X	A	X	X	A	X	X	A			
A. Natarajan	X	A	X	X	X	X	X	I	X			
D. O'Donnell	X	X	X	X	X	X	X	X	A			
M. Peltz	X	A	X	X	X	X	A	X	X			
J. Pentin		X	X	X	I	X	X	I	X			
D. Ralston	X	A	A									
S. Sherman	X	X	X	X	X	X	A	X	X			
T. Stein									X			
M. Tao	X	A	X	A	X	X	X	X	X			
L. Turner	I	A	I	X	A	A						
G. Wozniak	X	I	X	X	X	X	X	X	X			
INTERIM APPOINTEES												
P. Cutter	X	X	X									
D. Biddle					X							
T. Rood								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: October 1, 2014

TO: Recycling Board

FROM: Gary Wolff, 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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October 1, 2014

TO: Programs and Administration Committee
Planning and Organization Committee/ Recycling Board

FROM: Gary Wolff, Executive Director
Wendy Sommer, Deputy Executive Director

BY: Debra Kaufman, Senior Program Manager

SUBJECT: Legislative Status for 2014

BACKGROUND:

The 2013-2014 regular session of the California Legislature has adjourned. In November 2013, the Waste Management Authority Board approved three legislative priorities for 2014: extended producer responsibility, organics processing, and other areas of concern such as strengthening green building codes. Staff will lead a discussion of priorities for the upcoming legislative session at a later date.

This memo serves as an update on the status of the eighteen bills the Agency took a position on in 2014.

DISCUSSION:

StopWaste works in Sacramento to support its priorities and protect against legislation or regulations that would be detrimental to the agency. Staff prioritizes its time analyzing and working closely with partner organizations to support or oppose those bills that have the greatest potential to impact—either positive or negative—our waste-reduction goals. This typically amounts to 3-5 priority bills each legislative session with additional monitoring of 10-20 bills.

The Agency's lobbyist, Justin Malan, advocates our positions on a daily basis in the legislature. Staff provides testimony on the Agency's position for priority bills on an as-needed basis, and sends letters on all bills that we support and oppose to the author and local legislators. In addition to advocating legislative positions through our lobbyist, we also advocate policies that support our mission within the purview of California regulatory agencies (e.g., CalRecycle, the California Air Resources Board, etc.).

In both legislative and regulatory work, we collaborate with multiple partners, recognizing that we are much likelier to be successful when we are part of coalitions rather than acting on our own.

The Agency worked closely this year with Californians Against Waste and the California Product Stewardship Council, providing financial support to both. In November, staff will report on legislative priorities for these two organizations, as part of the discussion of Agency legislative priorities for the 2015 legislative year.

Below is the final status of bills the agency took a position on this year. Of special note are the passage of two important organics bills, AB 1594 (Chesbro) which prohibits counting green waste used as daily cover at landfills as diversion, and AB 1826 (Williams) which requires businesses generating a high volume of organics to obtain organics recycling service. Also, of special note is passage of SB 270, the single use bag bill, which closely models our own Agency reusable bag ordinance, but applies to stores statewide. Our Agency provided important feedback on the bag bill to ensure that existing ordinances were not preempted. We also worked to ensure that the state bill would be parallel, and complementary to our own.

Final status of tracked bills:

Extended Producer Responsibility

- **AB 1893 (Stone-Eggman) Home-generated Sharps:** Would require all sharps sold to the general public in California in quantities of 50 or more to include a free sharps waste container that meets applicable state and federal standards for collection and disposal of medical sharps waste.
Sponsor/Support: CA Product Stewardship Council
Bill link:
http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201320140AB1893&search_keywords=
Position: Support
Status: Dead. Failed to get off Assembly floor.
- **AB 2284 (Williams) Single-use household batteries:** The bill was amended to remove all manufacturer responsibility. The bill would have required the state to provide for 3 local grants for pilot battery recycling programs. Since many of our communities already have curbside battery recycling, funding of 3 more pilot collection programs, statewide, this would have been of very limited use. There is a need for manufacturer responsibility to address end of life costs of proper battery disposal. This bill was amended to remove all manufacturer responsibility aspects.
Sponsor/Support: CA Product Stewardship Council
Bill link:
http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201320140AB2284
Proposed Agency Position: watch (bill got significantly weakened during the leg session)
Status: Dead
- **AB 2748 (ESTM Committee) Used Paint Recovery: Business Plans:** This bill encourages the take-back of used paint by eliminating duplicative reporting requirements on business that are part of Cal Recycle's approved paint stewardship program. This should make it easier for smaller stores to participate in the PaintCare program.
Sponsor/Support: PaintCare
Bill Link: http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201320140AB2748
Position: Support
Status: Signed into law

- SB 1014 (Jackson) – Home-generated Pharmaceutical Waste:** This bill would require the department to adopt regulations to authorize a participant to establish a program to collect and properly dispose of home-generated pharmaceutical waste, based upon the model guidelines developed by the department pursuant to those repealed provisions and to include specified requirements and provisions in those regulations.
Sponsor/Support: Alameda County; CPSC; Clean Water Action and others
Bill Link: http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201320140SB1014
Position: Support
Status: Dead
- SB 1274 (Hancock) Mattress Recovery and Recycling:** Follow-up legislation to fix elements of last year's mattress legislation (SB 254- Hancock) to ensure that urban and rural local governments and participating solid waste facilities that accept mattresses may do so at no cost.
Bill link: http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201320140SB1274
Position: Support
Status: Signed into law

Plastic Bags/Single use take-out containers

- SB 1194 (Hueso) Plastic pollution:** Amended 4/21/14 to require manufacturers of plastic products to provide a report on whether the manufacturer has established a sustainability policy. There is no definition of what the sustainability policy should include, and no requirement for a sustainability policy, making the requirement vague and the purpose unclear.
Bill link: http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201320140SB1194
Position: Support (would have recommended change to "watch" if the bill was still alive)
Status: Dead.
- SB 270 (Padilla) Single-use Carryout Bags:** Would, as of July 1, 2015, prohibit a specified set of stores (the same set of stores covered under the Alameda County ordinance) from providing a single-use carryout bag to a customer. The bill would also prohibit those stores from selling or distributing a recycled paper bag or reusable bag at the point of sale unless the store makes that bag available for purchase for not less than \$0.10. The bill would also allow those stores, on or after July 1, 2015, to distribute compostable bags at the point of sale only in jurisdictions that meet specified requirements and at a cost of not less than \$0.10. The bill allows jurisdictions who have adopted a bag ordinance prior to September, 2014, to continue to enforce that ordinance. It allows those jurisdictions to expand their ordinance to a broader set of stores and/or to increase the minimum charge for bags, but limits other changes, to be consistent with the specifications in the bill.
Bill link: http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201320140SB270
Position: Support. Staff have verified that the use of RMDZ funds will no longer be used as the source of funding.
Status: Signed into law

Medical Waste

- **AB 333 (Wieckowski) Medical Waste Management Act Reform:** Would provide for technical amendments to the Medical Waste Management Act. The bill is intended to harmonize California law with federal law. Some concerns over proposed draft language that may preempt local government authority and limit small quantity generator exemption. Staff will review more fully when substantive amendments are added.
Sponsor: Stericycle
Bill link: http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201320140AB333
Position: Watch
Status: Signed into law

Green Buildings and Construction

- **AB 1918 (Williams) Title 24 and HVAC Compliance:** Calls for the establishment of an incentive program for local building agencies and operators through the CPUC to promote verification of compliance and benchmarking of HVAC and other Title 24 energy efficiency.
Sponsor/Support: US Green Building Council and NRDC. Amended 3/26.
Bill link: http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201320140AB1918
Position: Support
Status: Dead
- **AB 2282 (Gatto) Recycled Water Infrastructure:** Directs the Building Standards Commission to establish mandatory dual plumbing to be installed in new buildings in certain areas and dwellings in the state, based on local need and capacity determination.
Sponsor/support: US Green Building Council and Pipefitters Union
Bill link: http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201320140AB2282
Position: Support
Status: Signed into law
- **AB 2355 (Levine) Local Use of Recycled Material:** This bill would require, by January 1, 2017, a local government that has jurisdiction over a street or highway to either adopt the standards developed by the Department of Transportation for recycled paving materials and for recycled base, subbase, and pervious backfill materials, or discuss why it is not adopting those standards at a public hearing.
Sponsor/Support: CA Construction and Industrial Materials Association; Marin Builders Association
Bill Link: http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201320140AB2355
Position: Support
Status: Signed into law

Cap and Trade Revenues

- **AB 1970 (Gordon) Community Investment and Innovation program:** Would award Cap and Trade funds to local agencies that submit plans to develop and implement integrated community-level greenhouse gas emissions reduction projects in their region.
Sponsor: Author
Bill Link: http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201320140AB1970
Position: Support
Status: Dead.

Recycling: Market Development

- **AB 1021 (Eggman) Alternative Energy: Recycled Feedstock:** This bill expands sales and use tax credits to manufacturers using recycling feedstock, as defined, that is intended for the production of another product or soil amendment.
Sponsor/Support: Californians Against Waste
Bill link:
http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201320140AB1021
Position: Support
Status: Dead. Held in Senate Appropriations Committee from 2013
- **AB 1022 (Eggman) Electronic Waste: CRT Glass Market Development Payments:** This bill directs the Department of Toxic Substances Control to spend up to \$10 million of their surplus e-waste funds for direct incentive payments for value-added processing of CRT glass in California.
Sponsor: Californians Against Waste
Bill link:
http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201320140AB1022
Position: Support
Status: Dead. Held in Senate Appropriations Committee from 2013

Organics Processing

- **AB 1594 (Williams) ADC.** This bill, commencing January 1, 2020, would provide that the use of green material, not including materials left over from the composting process, as alternative daily cover does not constitute diversion through recycling and would be considered disposal for purposes of the act.
Sponsor: CAW and Compost Coalition
Bill Link: http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201320140AB1594
Position: Support
Status: Signed into law
- **AB 1826 (Chesbro) Commercial organic waste recycling:** This bill requires businesses generating 8 cubic yards of organic waste per week to arrange for organics recycling service by April 1, 2016. This threshold is reduced to 4 cubic yards of organics as of January 1, 2017, and 4 cubic yards of solid waste as of January 1, 2019.
- **Sponsor:** CAW

Bill link:

http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201320140AB1826

Position: Support

Status: Signed into law

Governance

- **AB 2170 (Mullin) Joint Powers Authority:** Would clarify that joint powers authorizes may exercise any power common to the contracting parties, including levying fees and taxes.

Sponsor: Author

Bill link:

http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201320140AB2170&search_keywords=

Position: Support

Status: Signed into law

Electricity: Community Choice Aggregation

- **AB 2145 (Bradford):** Would make it harder for our local governments to implement Community Choice Aggregation, one strategy for implementing climate action plan goals.

Position: Oppose

Status: Dead

RECOMMENDATION:

This item is for information only.



DATE: October 2, 2014

TO: Planning and Administration Committee
Programs and Organization Committee

FROM: Gary Wolff, Executive Director
Wendy Sommer, Deputy Executive Director

BY: Meri Soll, Senior Program Manager

SUBJECT: Reusable Bag Ordinance 2012-2: Process for Potential Expansion

BACKGROUND

At the September 17, 2014 Joint Board meeting, staff provided an update on the Reusable Bag Ordinance 2012-2. Available data showed that the ordinance has been effective in reducing the use of single use plastic bags and increasing the use of reusable bags at covered stores. Based on these results, the Board made a finding that the ordinance has substantially reduced the environmental impacts of single use bags. Under the terms of the ordinance, making this finding meant that the minimum price per compliant bag will not increase from 10 cents to 25 cents. The Board memo can be found here:

<http://www.stopwaste.org/docs/Bag%20Update%209.17.14%20joint%20meeting.pdf>.

On September 30, 2014 the Governor signed SB 270, effective January 1, 2015. With the passage of this bill, the WMA Board will only be able to make the following changes to Ordinance 2012-2:

1. Increase the minimum charges for compliant bags AND/OR
2. Expand the set of the stores affected by Ordinance 2012-2.

The above changes can be only be made by amending Ordinance 2012-2, which would require two public hearings.

Local Bag Ordinances

At the time of Ordinance 2012-2 adoption, less than 20 cities had single use bag ordinances in place. To date, there are 98 ordinances that affect over 127 cities in California. Many of these ordinances have recently been adopted in anticipation of SB 270; currently there are 44

ordinances in contiguous counties with 26 of those ordinances affecting all retail stores and six affecting all retail and restaurants. Attachment A includes a mapping of local ordinances currently adopted in contiguous counties.

The success of our existing ordinance, coupled with the fact that there are ordinances in nearby cities and counties that affect a larger set of stores, lead us to consider a potential expansion of the ordinance. However, there are important items to consider prior to moving forward with any expansion:

Timing and Resources:

This is a difficult time for the Agency to consider expanding the ordinance. Specifically, we are implementing the new household hazardous waste (HHW) fee and services, and expanding the coverage of the Mandatory Recycling Ordinance (MRO). These are both very time and resource intensive activities, and involve mandates that are viewed negatively by some members of the public we serve. We are beginning voluntary point-of-purchase outreach about HHW, and regulating bag distribution in the stores that sell most HHW products might reduce the strength and success of the voluntary partnerships we are developing with those stores.

The MRO is now entering into Phase II which will expand the number of regulated accounts dramatically. Staff has estimated covered accounts will likely increase this fiscal year from the current 4,415 (Phase I) to over 13,000. The number of covered accounts will continue to grow and could be as high as 19,000 accounts in a few years as Phase II is implemented under the already-agreed-upon, delayed implementation schedules in some of our member agencies. Further expansion may also occur if additional member agencies opt in to Phase II in the future, as several have said they intend to so. The expanded set of regulated parties has made this a very resource intensive project; but also an essential project for the Agency given the high diversion potential.

The Reusable Bag Ordinance currently affects 1,288 stores. If expanded, staff conservatively estimates it would cover between an additional 7,000 and 11,000 retail stores or restaurants (More details provided in Discussion section of the memo). Expanding the ordinance would add another resource intensive, regulatory project to the Agency's budget.

Impact of Ordinance:

Data collected to ascertain effectiveness of current ordinance relates to a relatively small set of the 1,288 stores. Current ordinance affects homogenous store types that sell packaged food and/or liquor. Expansion of ordinance would affect a much broader spectrum of store types and remaining bags that could be captured from this expanded store set is somewhat unknown.

Of the estimated one million tons of materials from Alameda County that are landfilled every year, plastic bags comprise just a few thousand of those tons. Although expansion to a larger set of stores would help continue with reduction of plastic bags in storm drains, the recent Alameda Countywide Storm Drain Trash Monitoring and Characterization study shows plastic bags only represent 1.8% of total debris in storm drain litter capture devices. (Perhaps this is not

the best statistic to represent the benefit of expanding the ordinance, but it is part of the background to be considered by the Boards as they consider whether to expand or not.)

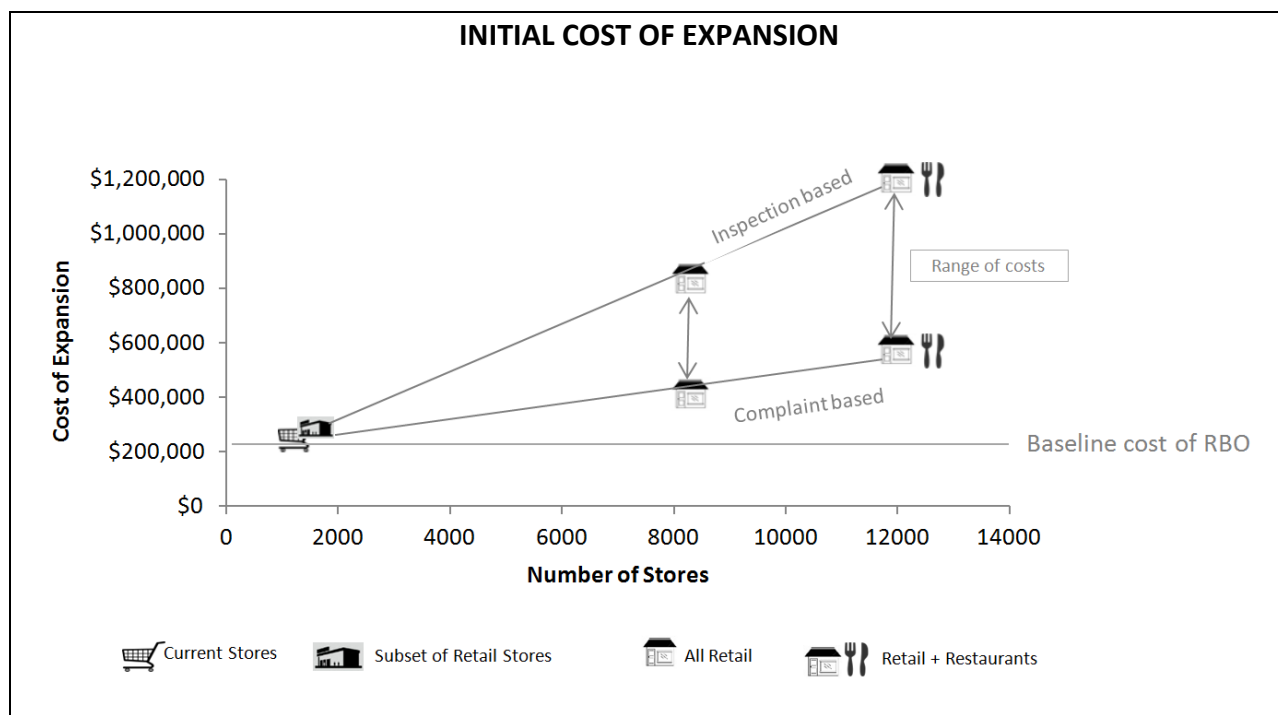
On the other hand, we know that the ordinance has been very effective in changing consumer behavior and reducing the amount of both plastic and paper bags distributed in Alameda County at the 1,288 affected stores.

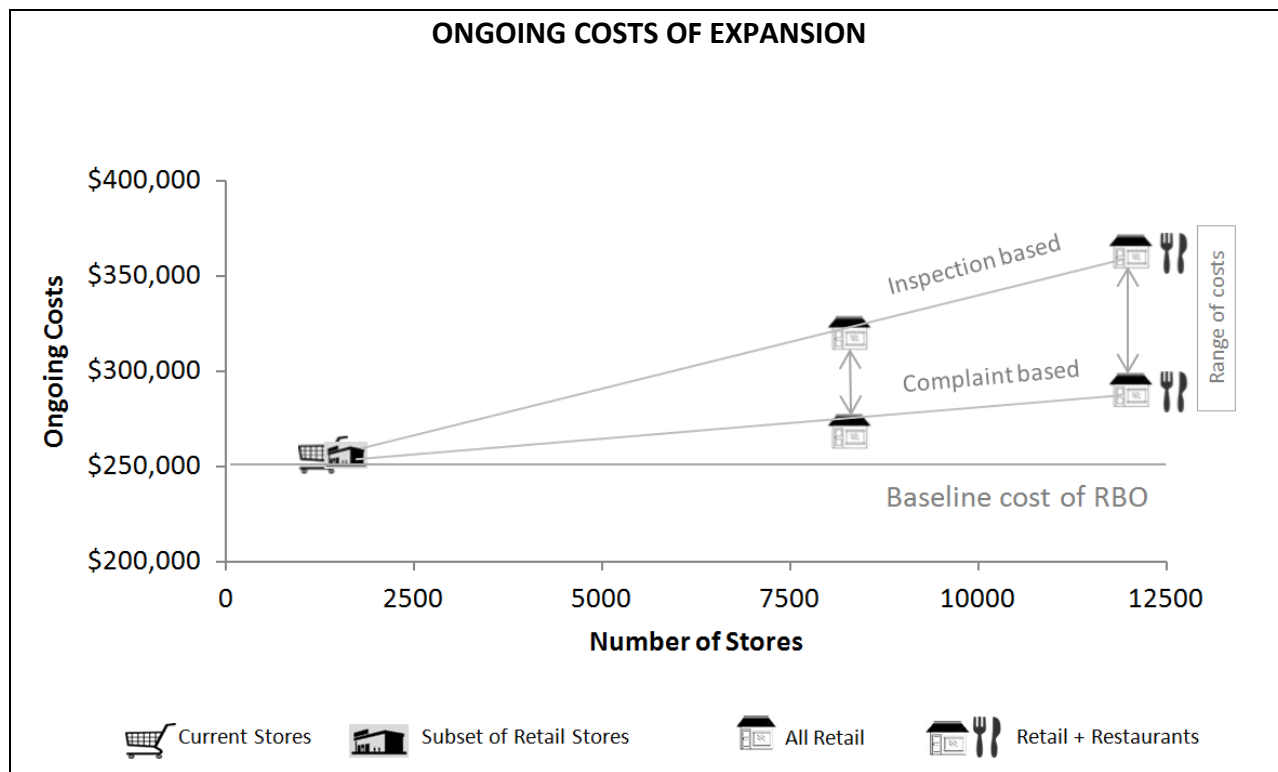
DISCUSSION

There are certain tasks and a minimum budget needed to properly implement and monitor this and any other Agency ordinance. Staff estimates that for the Reusable Bag Ordinance (RBO) project, a \$255,000 budget is needed for ongoing ordinance activities (regardless of expansion) which include updating database, inspecting new stores, conducting random spot check inspections of affected stores, complaints follow up, tracking effectiveness (parking lot surveys, bag purchasing data, creek studies, etc.), and updating and monitoring compliant bag list.

Expansion Scenarios

The graphs below outlines several expansion scenarios which include the types and number of stores that could be expanded to, as well as a range of costs associated with each, based on enforcement approach for each store set.





Number and Types of Stores

Staff utilized a combination of readily available databases to estimate the number of potential stores that could be included for expansion - these numbers are only estimates and may be significantly different when final data sources are secured. There are an estimated 7,000 additional retail stores (separate from the 1,288 stores covered under current ordinance) and 4,000 restaurants in Alameda County. Depending upon approach, an expansion could result in over 12,000 total stores affected by ordinance. Included in the graph is a small subset of retail stores representing a variety of chain, franchise and big box stores not covered under the current ordinance, but that currently seem to distribute single use plastic bags in fairly large quantities. Staff estimates that the number of these stores range between 200 to 400 stores in Alameda County, using a mid-point estimate of 300 for the above graph. Experience with the current ordinance has shown that these types of stores readily comply with ordinance requirements due to corporate compliance protocols.

Enforcement

Current ordinance enforcement uses an inspection based protocol meaning all affected stores are inspected for compliance. An inspection based enforcement approach for a much larger set of affected stores (as large as 11,000 +) would be a very significant budget expense. Many cities utilize a hybrid of spot inspections and "complaint based" approaches to enforce their ordinance. The graphs include a range of costs reflecting complaint based, hybrid, and full inspection approaches, over the range of stores that might be affected.

Budget

Initial costs: If we were to expand the ordinance to a larger set of stores, additional costs would depend on the number of stores and type of enforcement. Estimated expansion budget(s) shown on the first graph are based on *total project cost* for expansion not yearly costs in order to provide a comprehensive financial snapshot. In practice, expansion activities would occur over the course of several years and would not be implemented in just a one year time frame. Inspection based enforcement could take three and half years to inspect all 7,000 stores and close to five years to inspect 11,000 stores and restaurants. Depending upon types and affected store sets, staff estimates expansion of the ordinance could cost an additional \$155,000 up to \$1,000,000 over the current \$255,000 budget. Costs could increase if the number of affected stores is larger than originally estimated

Ongoing costs: There will always be ongoing costs associated with this ordinance; the range of ongoing costs is dependent upon enforcement approach and number/types of stores. Ongoing costs could range from \$265,000 for complaint based enforcement to \$362,000 for inspection based enforcement, every year. (Ongoing costs for inspection based enforcement would start once all stores have been inspected once).

Countywide Support

For the ordinance to be effective, it is crucial that there is commitment and buy in from all fifteen member agencies that participate in the current ordinance. We have been discussing a commitment from the Alameda County Clean Water Program to provide financial and programmatic support if the ordinance is expanded to additional stores in one or more specific options. We are asking Clean Water Program staff at all fifteen currently participating member agencies to obtain Chief Executive support or neutrality for the same option (or options, if there is agreement among all fifteen at the staff level that more than one option would be desirable or acceptable).

We would like the Boards to endorse this approach, because obtaining these commitments will enormously simplify any decision of the WMA Board by resolving any administrative questions or differences of opinion about storm water issues at the staff level. It will help to make implementation of any expansion feasible, since varying coverage of the ordinance in different parts of the County would be confusing for shoppers, and difficult and more expensive to implement than a uniform expansion.

Staff recently received correspondence from one member agency regarding expansion support (Attachment B).

Schedule

The proposed schedule below outlines commitments and deliverables to be accomplished in order for the Agency to move forward with any expansion of the ordinance.

TASK	TIMING
Committees: Overview of potential expansion	October 2014
COMMITMENTS NEEDED BEFORE THE FY15/16 BUDGET PROPOSAL: Commitment from Alameda County Clean Water Program to provide financial and programmatic support if the ordinance is expanded to additional stores Clean Water Program staff at <u>all fifteen</u> currently participating member agencies to obtain Chief Executive support or neutrality for <u>the same option</u> (or options, if there is agreement among all fifteen at the staff level that more than one option would be desirable or acceptable).	By March 1, 2015
<i>IF THE TWO COMMITMENTS ABOVE HAVE BEEN MADE, the following activities would be part of FY 15/16 project budget:</i>	
Finalize Clean Water Program Commitments (in part, through an MOU)	April 2015
Outreach to stakeholders	May – September 2015
Coordinate with cities outside our County with similar expanded store set(s). Review approaches/results/lessons learned	May – August 2015
Compile database of affected stores	July–November 2015
Develop ordinance parameters	July -September 2015
Provide project budget, scope and recommendation to WMA	September 2015
Proposed amendment language presented and reviewed by WMA Board	October 2015
CEQA analysis/EIR Amendment – ONLY if expansion to restaurants is part of proposed project.	November to February 2016
WMA representatives and member agency staff consult with elected colleagues.	November to February 2016
1st reading	March 2016
2nd reading and Adoption	April 2016
Merge data into current database and/or expand to CRM	March - June 2016
Revise and reprint outreach materials	April 2016
Collect baseline data for pre ordinance metrics (parking lot surveys, purchasing data, creek audits, etc)	April –August 2016
Outreach to public and stores	April - September 2016
Mail to notify affected stores with materials and message to use up bags	May 2016
Second mailing to affected stores - remind to use up bags, purchase compliant bags	July 2016
Third mailing to affected stores – final reminder	September 2016
Ordinance Effective	October 2016
FY 16/17 - FY 18/19 (Implementation and enforcement - timeframe dependent upon store set and enforcement approach)	2016-2019
Ongoing activities:	2019 and beyond
Update affected store database, ongoing enforcement, new store inspections, complaint follow ups, respond to hotline calls, update compliant bag listings, effectiveness studies	On going

RECOMMENDATION

Staff recommends that the Program and Administration Committee, and the Planning and Organization Committee, discuss the potential expansion of the reusable bag ordinance and recommend that the WMA Board adopt the proposed schedule and deliverables identified in the staff report as the process to be followed for consideration of expansion of Ordinance 2012-2.

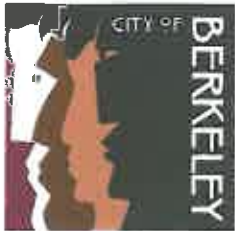
ATTACHMENT A - Map of Reusable Bag Ordinances in Bay Area

ATTACHMENT B - Member Agency Letter of Support for Expansion

ATTACHMENT A

Reusable Bag Ordinances in 9 Bay Area Counties





City Clerk Department

September 18, 2014

StopWaste
1537 Webster Street
Oakland, CA 94612

RE: Letter to StopWaste to Encourage the Expansion of the Ban on Single-Use Plastic Bags in Alameda County

At its meeting of September 16, 2014, the Berkeley City Council voted to send the following letter to you urging the expansion of the ban on single-use plastic bags in Alameda County:

Dear Board of Directors,

Although Alameda County's 2013 ban on plastic bags was a great step forward in the fight against plastic bag litter, the Berkeley City Council urges StopWaste to expand this successful program to include all retailers, and not just big name stores.

Currently, the ordinance applies only to grocery stores, supermarkets, mini-marts, convenience stores, liquor stores, pharmacies, drug stores, and other places that sell milk, bread, soda and snack foods. But this ban does not apply to any other retailers or public eating establishments such as restaurants and bakeries.

A few environmental and state-wide organizations are working hard to campaign for a more extensive ban on plastic bag use, including Save the Bay in San Francisco, the California Public Interest Research Group, and Environment California. According to Save the Bay, only 1,900 of the 7,000 retailers in Alameda County are included in this ban. Expanding this successful program to include all retailers will help us achieve our goal of zero plastic bags in the environment.

We fully support the mission of StopWaste to promote sustainable waste management and consumption. We hope to continue seeing progress in the effort to limit plastic bag litter and protect sensitive ecosystems that are directly and adversely impacted by plastic bags. Removing the limits of this ordinance would directly contribute to that goal.

We hope to see great change in our city and county and we want to provide a model for other communities to follow in the movement towards a healthier, more sustainable future.

Sincerely,

A handwritten signature in blue ink, appearing to read "Mark Numainville".

Mark Numainville, CMC
City Clerk

SEP 25 2014

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DATE: October 1, 2014

TO: Alameda County Source Reduction and Recycling Board

FROM: Gary Wolff, Executive Director

BY: Meghan Starkey, Senior Program Manager

SUBJECT: Municipal Panel Presentation: Commercial Recycling Promotion and Outreach

BACKGROUND

Measure D mandates that 50% of all Recycling Fund revenues be apportioned to eligible municipalities on a population basis. In 1996, the Board began requesting that representatives from each Measure D-funded jurisdiction update the Board annually on their recycling and waste diversion programs.

Every quarter, StopWaste staff assembles a panel of representatives from the member agencies to speak on a topic previously selected by the Recycling Board. The topic for the October Municipal Panel is “Commercial Recycling Promotion and Outreach.” Agency representatives from the cities of Dublin, Oakland, Pleasanton and Union City will participate in this panel.

DISCUSSION

By way of background, we have assembled basic information on the characteristics of the commercial sectors of these cities in Figure 1. In addition, we have asked member agencies to prepare answers to a standard list of questions, which appears after Figure 1. During the panel itself, representatives will verbally share their answers to these questions. Although member agencies are not required to respond in writing to these questions ahead of time, the representative Union City has chosen to do so, and those answers are included in Appendix A.

Figure 1: Commercial Sector Characteristics

Characteristics	Dublin	Oakland	Pleasanton	Union City
Total Comm'l Refuse Accounts	550	4,734	697	578
# Accounts < 4CY	250	3,833	355	404
# Accounts 4+ CY	300	901	342	174
% Comm'l Customers with Recycling	85%	Not available	83%	47%
% Comm'l Customers with Organics	9%	Not available	0.4%	8%
Rate Incentives (Recycling)	Cart service at no additional charge	Open competition for large accounts; small business recycling discounted	Cart service at no additional charge	75% discount
Rate Incentives (Organics)	50% discount	Open competition	Cart service no additional charge	60% discount
Tons Franchise Disposal (All Sectors)	23,547	185,000	50,722	32,572
Tons Comm'l Recycling (net)	3,642	Not available	2,388	1,232
Tons Comm'l Organics (net)	4,288	Not available	Not available	1,391

Note: Numbers as of last Measure D Report (2013); updated numbers available at the meeting.

StopWaste has asked the agency representatives to prepare answers to the following questions.

1. What resources are there for commercial recycling promotion and outreach in your city? Are these resources dedicated (i.e. can they be used for other purposes)? What are the responsibilities of the hauler, jurisdiction and/or third parties? Does the hauler provide some or all of the funding?
2. Are there any quantitative requirements in your commercial recycling program, such as a requirement to reach a certain number of businesses per year, or a target for tons in recycling? If so, please list.
3. What types of communication is used for promotion and outreach? Include site visits, phone calls, newsletters, email blasts, Chamber of Commerce outreach, billing inserts, hotlines, online, social media.
4. What reference and resource materials are available for businesses? Include online URLs if available, including links to websites that contain commercial rates.
5. What has been the impact of mandatory commercial recycling (either state or local) on commercial recycling promotion and outreach in your jurisdiction?
6. Please include any highlights of commercial recycling, challenges and/or description of special circumstances.
7. Is there a particular business you'd like to recognize for its waste reduction efforts?

RECOMMENDATION

This item is for information only.

Appendix A:
Jurisdiction Report

1. Jurisdiction Name & Staff Person's Name:

City of Union City, Jennifer Cutter, Recycling Programs Coordinator

2. What resources are there for commercial recycling promotion and outreach in your city? Are these resources dedicated (i.e. can they be used for other purposes)? What are the responsibilities of the hauler, jurisdiction and/or third parties? Does the hauler provide some or all of the funding?

The City recently hired a full-time Recycling Programs Coordinator.

Union City works closely with our two exclusively franchised haulers. Republic Services provides residential and commercial solid waste collection. They also have commercial recycling and organics bin and roll-off services. Tri-CED Community Recycling is the residential and commercial cart service provider for both recycling and organics. Each hauler has a full-time dedicated Recycling Coordinator. As part of the exclusive franchise agreements, the haulers are required to provide staffing for and cover costs to implement commercial recycling and organics programs including multi-family outreach.

The StopWaste Business Partnership staff teams up with the City and franchised haulers on commercial recycling outreach to recruit businesses with no hauler recycling service and assist with mandatory recycling ordinance compliance. Environmental Science Associates (ESA) provides assistance with commercial organics outreach, targeting potential new participants and conducting program implementation. The City has hired Cascadia Consulting Group to work on various projects including a commercial waste characterization study, commercial recycling contamination audits, and multi-family organics feasibility study.

In addition, the City promotes businesses resources such as the Alameda County Green Business Certification Program and the Alameda County Household Hazardous Waste Program.

3. Are there any quantitative requirements in your commercial recycling program, such as a requirement to reach a certain number of businesses per year, or a target for tons in recycling? If so, please list.

The City has a strong relationship with its two haulers, meeting in-person monthly to discuss commercial recycling initiatives and goals. There is no finalized commercial outreach plan, but with newly available resources the City is working to reevaluate existing programs and determine appropriate quantitative targets for the coming years. All commercial recycling and organics outreach is tracked by listing business names, dates, number of hours spent monthly, and type of outreach conducted (e.g. presentation, waste assessment, service proposal, technical assistance, training, and signage).

There are four main projects the City is focusing on. They include helping businesses to comply with the mandatory recycling ordinance, cleaning up contaminated recycling accounts, conducting outreach to existing organics accounts and creating incremental growth, and multi-family recycling outreach.

Since Union City is temporarily opted out of Phase 2 organics implementation, the City and haulers are focusing on re-education for the existing customers and targeting potential customers to add over the next several years. This means 8 hours per week, or the equivalent to 20% of time spent each month. The City has identified 200 high organics generating commercial accounts.

4. What types of communication is used for promotion and outreach? Include site visits, phone calls, newsletters, email blasts, Chamber of Commerce outreach, billing inserts, hotlines, online, social media.

The City works hard to provide recognition for business waste reduction efforts. For example, City Council Proclamations are issued to showcase environmental achievements in the business community and company profiles are highlighted on the City's website (including winners of the StopWaste Business Efficiency Awards & U.S. Zero Waste Business Council). The City's Solid Waste & Recycling Division nominates and presents a Green Business Award as part of the Chamber of Commerce's Annual Community Spirit Event.

Union City establishes strong ongoing connections with property owners, site managers, and employees. Commercial outreach includes weekly site visits, cold calls, and e-mail communication. The site visits consist of waste audits, service recommendations, employee training and presentations, technical assistance, signage, internal collection containers, and follow-up contact to ensure success.

Other opportunities include the Chamber Business Expo, Shop Local Campaign, Meet your City Officials Luncheon, business mixers, merchant association meetings, and service club presentations (e.g. Lions, Rotary).

The City produced a brochure focusing on mandatory commercial recycling and distributed it to all Union City businesses. The haulers in partnership with the City produce a quarterly newsletter mailed to all businesses. Union City takes advantage of outreach materials

available through StopWaste to promote commercial recycling and educate businesses about the mandatory ordinance requirements.

5. What reference and resource materials are available for businesses? Include online URLs if available, including links to websites that contain commercial rates.

Free resource materials: posters, brochures, decals, flyers, and internal collection containers.

City of Union City: <http://www.ci.union-city.ca.us/departments/city-manager-s-office/garbage-recycling-and-composting-/rates-for-garbage-and-recycling-service>

Republic Services: <http://www.republicservices.com/site/alameda-county/en/pages/union-city.aspx>

Tri-CED Community Recycling: <http://www.tri-ced.org/index.php?page=union-city>

Stopwaste Business Recycling Resources: <http://stopwaste.org/home/index.asp?page=4>

StopWaste Commercial Mandatory Recycling: <http://www.recyclingrulesac.org/>

Alameda County Green Business Program: <http://www.greenbusinessca.org/>

CalRecycle Commercial Mandatory Recycling: <http://www.calrecycle.ca.gov/>

6. What has been the impact of mandatory commercial recycling (either state or local) on commercial recycling promotion and outreach in your jurisdiction?

Both the state and county mandatory recycling legislation have delivered a strong supporting message and strengthened our local recycling outreach efforts. Our haulers saw a huge spike in businesses contacting them to establish recycling services in response to outreach pieces regarding state/county mandatory recycling.

The City's Solid Waste & Recycling Division has the opportunity for greater guidance and support from the state through annual site visits where representatives are impressed with Union City's comprehensive recycling programs.

The county mandatory commercial recycling ordinance has played an even larger role in promoting compliance and awareness in our City through the enforcement inspections. With StopWaste issuance of notification letters for non-compliance, the City established a protocol to reach out to all affected businesses. This includes sending a City letter offering commercial assistance, analyzing inspector data, and strategizing outreach with our haulers and the StopWaste Partnership Team.

7. Please include any highlights of commercial recycling, challenges and/or description of special circumstances.

In order to move forward with Phase 2, mandatory commercial organics, Union City must enact a major rate restructuring since the organics program is heavily subsidized by the City. We must also consider how to successfully implement multi-family organics diversion.

Another challenge, as we create comprehensive recycling and organics programs, is dealing with existing infrastructure that is poorly designed to accommodate containers for three material streams. An alternative solution is allowing businesses to leave the dry recyclables bin outside while the organics and garbage are inside the covered enclosure.

When working with businesses regarding the mandatory recycling ordinance, we are finding that many companies take advantage of third party haulers not well documented or approved under City permits. Although Union City has franchised hauler recycling, exceptions include “specialty materials” and businesses being allowed to sell their own recyclables. The City will be reviewing our permitting process for 3rd party haulers to establish better monitoring and determine that facilities being utilized are legitimate recycling processors.

One highlight we are proud of is a successful project working closely with existing commercial recycling accounts to clean-up contamination in the loads through a concentrated outreach effort and educational campaign. Illegal dumping is a constant obstacle to maintaining clean commercial recycling loads. The City provides businesses with free “No Dumping” Signs which cite the Municipal Code. Adding hauler lock service also helps secure containers and prevents recycling contamination.

The City’s General Plan is being updated. At a recent public meeting to determine what citizens felt were the most important assets, an overwhelming majority cited recycling. This encourages us in our efforts to continue promoting recycling and waste reduction in our community.

8. Is there a particular business you’d like to recognize for its waste reduction efforts?

St. Anne’s Church, Jane Relopez
Old Alvarado Shopping Center, Smith & Watkins—Lu Tipping, Property Manager
The Backyard Bayou, Han Huynh

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DATE: September 26, 2014

TO: Programs and Administration Committee
Planning and Organization Committee/ Recycling Board

FROM: Gary Wolff, Executive Director
Wendy Sommer, Deputy Executive Director

BY: Michelle Fay, Program Manager

SUBJECT: Business Assistance Project – Update

BACKGROUND

The StopWaste Business Assistance project (formerly “The StopWaste Partnership”) has provided individualized waste reduction and diversion assistance to Alameda County businesses since 1998. Until 2010, the program primarily served large businesses with 10 or more cubic yards of garbage service per week. Some of the largest and most high-profile businesses in the county have received assistance from this program, including Ghirardelli Chocolate, the Oakland Coliseum, and more recently Tesla Motors and Kaiser Permanente.

The Business Assistance project has evolved over the last several years to address the changing needs of businesses as they seek to comply with ACWMA’s Mandatory Recycling Ordinance 2012-01. To align with the Mandatory Recycling Ordinance (MRO), beginning in Fiscal Year (FY) 2011/12 the StopWaste Business Assistance team has focused its efforts on building awareness and compliance with the Ordinance. To do this, the Business Assistance team has significantly expanded its reach to include all businesses covered by the Ordinance, not just those with 10 or more cubic yards of weekly garbage service.

DISCUSSION

This memo serves to provide a summary of the Business Assistance project and highlight some of the achievements as detailed in the StopWaste Business Assistance Program Fiscal Year 2013-14 Annual Report. A full copy of the report is available at: http://www.stopwaste.org/docs/SWP_FY13-14_Annual_Report_FINAL_10_1_14.pdf. Staff will also share a brief presentation at the October 9, 2014 Recycling Board / P&O Committee and Programs & Administration Committee meetings.

Overview of Contractors and Services

Cascadia Consulting Group (Cascadia) and organics specialists from Environmental Science Associates (ESA) were contracted to offer assistance and implement new or increased recycling and organics services at businesses located in jurisdictions participating in the MRO. In the second half of FY 2013/14, the team began engaging businesses in preparation for Phase 2 of the MRO. Phase 2 makes recycling mandatory for all businesses and adds organics separation requirements for food-generating businesses, effective July 1, 2014 in participating jurisdictions. To continue the alignment of services with the MRO, in 2013/14 the Business Assistance project

expanded its reach to include businesses of any size; a first in the history of the project.

Businesses were targeted in two ways: through enforcement referrals such as official notification letters and the Ordinance Help Line, and through proactive targeting of businesses with little or no recycling service, coordinated with City staff. On-site waste assessments, customized recommendation reports with recommended service levels and cost savings estimates, implementation assistance, financial incentives, and recognition were offered free of charge to participating businesses.

Highlights from the Past Year

- 714 covered commercial accounts reached in FY13/14.
- Of those businesses reached, 282 received first-time site assessments, with 169 of those businesses receiving follow-up proposals/recommendations.
- A total of 173 businesses began new recycling and/or organics collection programs.
- These changes resulted in an estimated 954 tons of new diversion.
- The estimated net change in cost that these 173 businesses realized was \$155,273 in annual savings, with an overall GHG emissions reduction of 12,565 mtCO₂e per year.
- 12 businesses were recognized at annual business recognition event hosted at the Zero Net Energy Center in San Leandro, March 13, 2014.
- The team transitioned data management from an Excel based system to the Agency's Customer Relationship Management (CRM) system, streamlining data entry and allowing the Business Assistance team to view enforcement-related activities for improved customer service and support.

Looking Ahead

In FY 2014-15, the Business Assistance team will continue to focus almost exclusively on supporting businesses to comply with the Mandatory Recycling Ordinance. The team will continue to work with businesses that do not yet have recycling or organics service for materials covered by the MRO. Cascadia has expanded its staff capacity to include on-call bi-lingual staff to provide assistance in 5 languages. The team plans to highlight approximately 25 businesses for their waste reduction and diversion accomplishments through social media and e-newsletter features, helping to bolster public awareness of the successes of the MRO. A new multifamily technical assistance pilot has also begun with a goal to implement new organics programs at 40 multifamily complexes.

RECOMMENDATION

This item is for information only.

DATE: October 9, 2014

TO: Recycling Board

FROM: Gary Wolff, Executive Director
Wendy Sommer, Deputy Director

BY: Meri Soll, Senior Program Manager

SUBJECT: Resource Area For Teachers (RAFT) Update

BACKGROUND

The Recycling Board has awarded grants through the Grants to Nonprofits program for the past seventeen years via an open Request for Proposal process. In that time, the Recycling Board has awarded approximately \$7.25 million dollars in grant funding from the Competitive and Reuse grants program. The Board has requested periodic status reports on grant recipients. Staff has selected Resource Area for Teaching (RAFT) to provide an update and brief presentation to the Recycling Board on reuse and waste reduction activities RAFT has been engaged in as a result of grant funding.

DISCUSSION

RAFT is a non-profit organization founded in 1994 to inspire, engage and educate children through the power of hands-on teaching. RAFT's products (Activity Kits & Idea Sheets), services (professional development and mentoring) and low-cost teaching supplies enrich and improve the education of over 900,000 young people each year. To provide kits and materials at low cost, the organization has developed an innovative supply chain process that converts commonly found or discarded materials from the business community into hands-on Activity Kits, all built with the help of thousands of volunteers. In addition to kits, RAFT provides educators with an abundance of affordable materials and supplies in a large warehouse setting while diverting roughly 400 cubic feet of materials from landfills each and every day.

Since 2004, the Agency has provided seven grants totaling \$213,000 to RAFT. Funding has been used for a variety of projects to improve RAFT's capacity to receive/collect, sort and distribute unused materials from manufacturers and businesses to turn them into innovative teaching supplies and classroom activity kits for teachers. Agency funding has allowed RAFT to increase staffing and outreach activities to expand their operation from the San Jose area into Alameda County. RAFT estimates that each grant received allows them to provide 100 Alameda County

teachers with professional development and materials for classroom teaching as well as collect 15,000 cubic feet of unused materials from Alameda County manufacturers and businesses. Greg Brown, Senior Director at RAFT will be providing the Board with a presentation and update on grant activities.

RECOMMENDATION

This item is for information only.