

## **AGENDA**

Tim Rood, **WMA President**  
City of Piedmont, WMA, EC  
Deborah Cox, **WMA 1<sup>st</sup> Vice President, EC President**  
City of San Leandro, WMA, EC  
Shelia Young, **WMA 2<sup>nd</sup> Vice President**  
Oro Loma Sanitary District, WMA  
Melissa Hernandez, **EC 1<sup>st</sup> Vice President**  
City of Dublin, WMA, EC  
Dan Kalb, **EC 2<sup>nd</sup> Vice President**  
City of Oakland, WMA, EC  
Jim Oddie, City of Alameda, WMA, EC  
Keith Carson, County of Alameda, WMA, EC  
Rochelle Nason, City of Albany, WMA, EC  
Susan Wengraf, City of Berkeley, WMA, EC  
Dave Sadoff, Castro Valley Sanitary District, WMA  
Dianne Martinez, City of Emeryville, WMA, EC  
Jenny Kassan, City of Fremont, WMA, EC  
Francisco Zermeño, City of Hayward, WMA, EC  
Bob Carling, City of Livermore, WMA, EC  
Michael Hannon, City of Newark, WMA, EC  
Jerry Pentin, City of Pleasanton, WMA, EC  
Emily Duncan, City of Union City, WMA, EC  
Wendy Sommer, Executive Director

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

**Wednesday, October 23, 2019**

**3:00 P.M.**

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

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

#### **I. CALL TO ORDER**

#### **II. ROLL CALL OF ATTENDANCE**

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

#### **IV. OPEN PUBLIC DISCUSSION FROM THE FLOOR**

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 unless a shorter period of time is set by the President.

#### **Page V. CONSENT CALENDAR**

- 1 1. Approval of the Draft Minutes of September 25, 2019 (Wendy Sommer)**

#### **VI. REGULAR CALENDAR**

- 9 1. Recycling Redemption Center Closures (Justin Lehrer)**  
This item is for information only.

- 13 2. 2019 Legislative Wrap Up (Jeff Becerra)**  
This item is for information only.

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

(Planning Committee and Recycling Board meeting, November 14, 2019 at 7:00 pm, StopWaste, 1537 Webster Street, Oakland, CA)

**17 4. 2019 PG&E Local Government Partnership Contract Extension and 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 other related actions.

**VII. MEMBER COMMENTS AND COMMUNICATIONS FROM THE EXECUTIVE DIRECTOR**

**VIII. ADJOURNMENT**

**DRAFT**

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

**Wednesday, September 25, 2019**

**3:00 P.M.**

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

**I. CALL TO ORDER**

First Vice President Cox called the meeting to order at 3:00 p.m.

**II. ROLL CALL OF ATTENDANCE**

City of Alameda	Jim Oddie, WMA, EC
City of Albany	Rochelle Nason, WMA, EC
City of Berkeley	Susan Wengraf, WMA, EC
Castro Valley Sanitary District	Dave Sadoff, WMA
City of Dublin	Melissa Hernandez, WMA, EC
City of Emeryville	Dianne Martinez, WMA, EC
City of Fremont	Lily Mei, WMA, EC
City of Hayward	Francisco Zermeño, 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 Pleasanton	Jerry Pentin, WMA, EC
City of San Leandro	Deborah Cox, WMA, EC
City of Union City	Emily Duncan, WMA, EC

**ABSENT:**

County of Alameda	Keith Carson, WMA, EC
City of Piedmont	Tim Rood, WMA, EC

**Staff Participating:**

Wendy Sommer, Executive Director  
Pat Cabrera, Administrative Services Director  
Karen Kho, Principal Program Manager  
Angelina Vergara, Program Manager  
Arliss Dunn, Clerk of the Board  
Richard Taylor, WMA Legal Counsel

**Others Participating:**

David Alvey, Maze and Associates  
Tricia Piper-Bennett, Telegraph PR

**III. ANNOUNCEMENTS BY PRESIDENTS**

There were none.

#### IV. OPEN PUBLIC DISCUSSION FROM THE FLOOR

Tricia Piper-Bennett, Telegraph PR, provided public comment and distributed an article highlighting a pilot program looking at curbside collection of plastic bags and film plastic. The program is a partnership with the Borough of Bradley Beach (New Jersey) and SC Johnson Companies. The pilot program is slated to run from November 2019 through November 2020. A copy of the article is attached.

#### V. CONSENT CALENDAR

**1. Approval of the Draft Minutes of July 24, 2019 (Wendy Sommer)**

**2. Changes to Employee Benefits (Pat Cabrera)**

That the WMA Board approve the changes to employee benefits outlined in the staff memo.

**3. Authorization for the Final Disposition of Certain Records (Arliss Dunn)**

Adopt the attached resolution authorizing staff to purge the attached list of agency records that have exceeded the minimum retention schedule.

Board member Sadoff asked that the resolution in the staff report be revised to more clearly state the intention requested. The revised wording in tracked changes is as follows:

“**WHEREAS**, Alameda County Waste Management Authority Resolution #WMA 2019-01 established a records retention schedule and authorizes destruction of certain records, documents, instruments, books or paper after ~~the same they~~ are no longer required, and the appropriate legal minimum retention period has expired, and with the approval of the Board and the written consent of Agency Counsel.”

Board member Pentin requested clarification on the vote count in the minutes. Ms. Sommer clarified that there are 17 members of the Board with a total of 20 votes, and that the County of Alameda has two votes and the City of Oakland has three votes.

There were no public comments for the Consent Calendar. Board member Wengraf made the motion to approve the Consent Calendar with the aforementioned amendments above. Board member Zermeño seconded and the motion carried 17-0:

(Ayes: Carling, Cox, Duncan, Hannon, Hernandez, Kalb, , Martinez, Mei, Nason, Oddie, Pentin, Sadoff, Wengraf, Young, Zermeño. Nays: None. Abstained: None. Absent: Carson, Rood)

#### VI. REGULAR CALENDAR

**1. Ordinance 2019-01 Amending the Household Hazardous Waste Collection and Disposal Fee Ordinance (Pat Cabrera)**

Staff recommends that the Authority Board 1) hold a public hearing; 2) receive a report on the number of protests; and 3) adopt the ordinance unless prohibited due to the number of protests. The ordinance will take effect thirty days after the date of adoption.

Pat Cabrera provided an overview of the staff report. A link to the report is available here: [HHW-Fee-Ordinance-Adoption-09-25-19](#)

First Vice President Cox opened the public hearing. A member of the public stated that she thought that the fee was being increased and was pleased to learn that the fee was in fact being reduced. There were no other public comments. Board member Young made the motion to close the public hearing. Board member Pentin seconded and the motion carried 17-0:

## DRAFT

(Ayes: Carling, Cox, Duncan, Hannon, Hernandez, Kalb, Martinez, Mei, Nason, Oddie, Pentin, Sadoff, Wengraf, Young, Zermeño. Nays: None. Abstained: None. Absent: Carson, Rood)

Board member Hannon commended staff on an excellent report and recommended that anytime the agency reduces a fee that we indicate that it is a reduction in the current fee so that residents are aware that we are good stewards of their tax dollars, and where there are opportunities to reduce fees the agency will act accordingly. Authority Counsel Taylor stated that if we revise the current letter we would be required to come back to the Board and recommended that we highlight the information on the website.

David Alvey, Maze and Associates, announced the results of the ballot tabulation:

Number of parcels in the County that were subject to the fee:	401,450
Number of total residential units on parcels subject to the fee:	595,549
Number of valid ballots received:	230
Number of parcels represented:	281
Number of total residential units on parcels that returned ballots:	685
Number of ballots objecting to the fee:	206

Mr. Alvey stated that since there was not a 50% protest by either the parcel owners of record potentially subject to the fee, or the number of total residential units on parcels that protested the fee, the Board has the discretion to adopt or not adopt the ordinance.

Board member Duncan inquired if there was a theme present with respect to the residents that opposed the reduction in the fee. Mr. Alvey stated that there was some confusion regarding the amount of the fee. Some residents lauded the agency and appreciated the usefulness of the facilities. Board member Sadoff inquired if there were objections to the fee itself. Mr. Alvey stated yes, there were some objections to the fee.

Board member Mei made the motion to adopt Ordinance 2019-01. Board member Sadoff seconded and the motion carried 17-0:

(Ayes: Carling, Cox, Duncan, Hannon, Hernandez, Kalb, Martinez, Mei, Nason, Oddie, Pentin, Sadoff, Wengraf, Young, Zermeño. Nays: None. Abstained: None. Absent: Carson, Rood)

## **2. Schools-Based Community Outreach (Angelina Vergara)**

This item is for information only.

Angelina Vergara provided a summary of the staff report and presented a PowerPoint presentation. A link to the report and the presentation is available here: [Schools-Update-09-25-19.pdf](#)

Ms. Vergara introduced the Associates and staff who work on the schools-based community outreach project: Christian Aguilar, Jamie Andrade, Annalisa Bellis, Arielle Conway, Hugo Gregoire, Kevin Ho, Kaitlin Lowe, and Dylan Thompson.

Board member Duncan inquired about how the priority schools were selected. Ms. Vergara stated that some years ago, the Board adopted an idea of designating priority school partners. The school districts would be required to pass a resolution aligned with our mission to commit to reducing the amount of readily recyclable and compostable materials in trash sent to landfill to less than 10% by 2020. We now have five school districts that are designated as priority partners. Schools are currently able to receive the designation as a priority partner if they commit to working through our Smart Cafeteria Initiative Program, where we work with nutrition services and train their staff and directors. Board member Hannon commended staff on the outstanding outreach materials, and recommended that when the schools are having a community event to inform the city so that the broader community can be

## DRAFT

informed as well. Board member Mei suggested that staff provide a copy of the comic book to the cities as well as reach out to Peralta Colleges PTA and District PTA's. Ms. Vergara thanked Board members for their comments and recommendations and notified them of an upcoming event on December 13, 2019 in Fremont. The 4R's Friday event is for stakeholders, parents, teachers, students, and superintendents, etc. The event will showcase the Food Share and Smart Cafeteria programs. Board member Martinez inquired about providing a sample priority school board resolution to show what other schools are doing in Alameda County and push them in the right direction. Ms. Vergara stated that there is a boilerplate that contains lessons learned that can be provided to the Board. Board member Hernandez inquired if staff or the Board does outreach to all of the schools in Dublin or just selected ones. Ms. Vergara stated that the schools program is working very well with Dublin and the school board is working on a resolution. StopWaste along with the Dublin School district has created a Sustainability Committee and staff is waiting for the school board to submit the resolution. Staff encouraged Board member Hernandez to reach out to the school district. First Vice President Cox thanked staff for a wonderful presentation and commended staff on their passion and enthusiasm.

**The Board adjourned to closed session at 3:50 p.m. and returned to open session at 4:00 p.m.**

### **3. CLOSED SESSION**

#### **CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION**

(Government Code section 54956.9(d)(1))

Name of case: Alameda County Waste Management Authority v. Waste Connections US, Inc. et al.  
(Contra Costa County Superior Court Case No. CIVMSC18-01546)

There was no reportable action from the closed session.

### **4. Interim appointment(s) to the Recycling Board for WMA appointee unable to attend future Board Meeting(s) (Arliss Dunn)**

Planning Committee and Recycling Board meeting, October 10, 2019 at 4:00 pm, StopWaste, 1537 Webster Street, Oakland, CA. Board member Sadoff is requesting an interim appointment for the October 10 and November 14 Recycling Board meetings. The November 14 meeting will be held at 7:00 p.m. at StopWaste.

Board member Young volunteered to attend as the interim appointment for Board member Sadoff for the October 10 meeting. Board member Pentin made the motion to approve the interim appointment. Board member Hannon seconded and the motion carried 16-0:

(Ayes: Carling, Cox, Duncan, Hannon, Hernandez, Kalb, Martinez, Mei, Nason, Pentin, Sadoff, Wengraf, Young, Zermeño. Nays: None. Abstained: None. Absent: Carson, Oddie, Rood)

Board member Nason volunteered to attend as the interim appointment for Board member Sadoff for the November 14 meeting. Board member Young made the motion to approve the interim appointment. Board member Duncan seconded and the motion carried 16-0:

(Ayes: Carling, Cox, Duncan, Hannon, Hernandez, Kalb, Martinez, Mei, Nason, Pentin, Sadoff, Wengraf, Young, Zermeño. Nays: None. Abstained: None. Absent: Carson, Oddie, Rood)

### **5. Bay Area Regional Energy Network (BayREN) - Contract Amendment #1 (Karen Kho) (EC only)**

Adopt the attached Resolution authorizing the Executive Director to enter into a 2019 contract amendment of \$265,000 for Bay Area Regional Energy Network (BayREN) and other related actions.

Karen Kho provided an overview of the staff report. A link to the report is available here: [BayREN-Contract-Amendment-09-25-19.pdf](#)

There were no public comments on this item. Board member Carling made the motion to approve the staff recommendation. Board member Nason seconded and the motion carried 16-0:

**DRAFT**

(Ayes: Carling, Cox, Duncan, Hannon, Hernandez, Kalb, Martinez, Mei, Nason, Pentin, Wengraf, Zermeño. Nays: None. Abstained: None. Absent: Carson, Oddie, Rood)

**VII. MEMBER COMMENTS AND COMMUNICATIONS FROM THE EXECUTIVE DIRECTOR**

There were none.

**VIII. ADJOURNMENT**

The meeting was adjourned at 4:05 p.m.

# Borough of Bradley Beach Partners with SC Johnson to Launch New Jersey's First Pilot Program for Residential Curbside Plastic Film Recycling

New partnership makes recycling plastic film more convenient for residents



NEWS PROVIDED BY  
**SC Johnson →**  
Sep 20, 2019, 14:39 ET

RACINE, Wis., Sept. 20, 2019 /PRNewswire/ -- The Borough of Bradley Beach and SC Johnson, an industry-leading manufacturer of household consumer brands, today announced New Jersey's first pilot program for curbside plastic film recycling. Bradley Beach residents will be able to conveniently recycle their plastic bags, plastic film and plastic wrap as part of the community's curbside recycling program beginning November 13, 2019.

The pilot program, slated to run from November 2019 to November 2020, was passed unanimously by the Bradley Beach Borough Council in August 2019. "This is a win for the environment, a win for Bradley Beach residents and a win for the plastic recycling market," said Gary Engelstad, Mayor of Bradley Beach. "By participating in this program, residents can help safeguard our coast and minimize our plastic waste. We thank SC Johnson for helping us make this a reality."



While plastic film is recyclable at thousands of retail locations across the United States through store take-back programs, residential curbside programs offer yet another convenient option for consumers to recycle their plastic film and drive up recycling rates. SC Johnson is providing funding for a collection vehicle, curbside bins and community engagement materials to raise awareness.

"Making it easier for people to recycle plastic is one the best ways to reduce waste," said Fisk Johnson, Chairman and CEO of SC Johnson. "We're proud to join Bradley Beach in this effort, and we thank the community for its leadership. I hope this is the first of many more pilot programs around the U.S."

### **How Bradley Beach Residents Can Participate**

Beginning November 13, 2019, residents will be asked to put clean and dry plastic film items into a plastic bag, tie the top of the bag, put the bag in the provided curbside bin, and place the curbside bin next to their recycling bin on the date of collection. The items will then be picked up by a collection vehicle where it will be transported for recycling. Once collected, the Bradley Beach Department of Public Works (DPW) will sell the film to an end-market purchaser.

Residents will receive alerts and reminders about the November 13 start date and postcards providing step-by-step instructions on how to participate in the program, according to the Bradley Beach DPW.

The community partnered with SC Johnson as the company is spearheading a series of commitments to help reduce plastic waste and support a more circular plastic economy.

### **SC Johnson's Efforts to Reduce Plastic Waste**

- 94% of SC Johnson's plastic packaging is recyclable, reusable or compostable. The goal is 100% by 2025.
- SC Johnson uses post-consumer recycled (PCR) bottles for several product lines and in 2019 launched its first 100% ocean plastic bottle made from plastic waste collected within 30 miles of an ocean or waterway in countries that lack effective, formal waste collection.
- SC Johnson removed more than 1.7 million kg of plastic from its primary packaging during fiscal year 2018/19.

Additional details about the pilot program will become available soon.

If you are a municipality that is considering a curbside recycling pilot program for plastic film and would like more information, please contact SC Johnson at 262-260-2440.

SOURCE SC Johnson

#### Related Links

<http://www.scjohnson.com>

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**DATE:** October 23, 2019

**TO:** Waste Management Authority Board

**FROM:** Justin Lehrer, Senior Management Analyst

**SUBJECT:** Recycling Redemption Center Closures

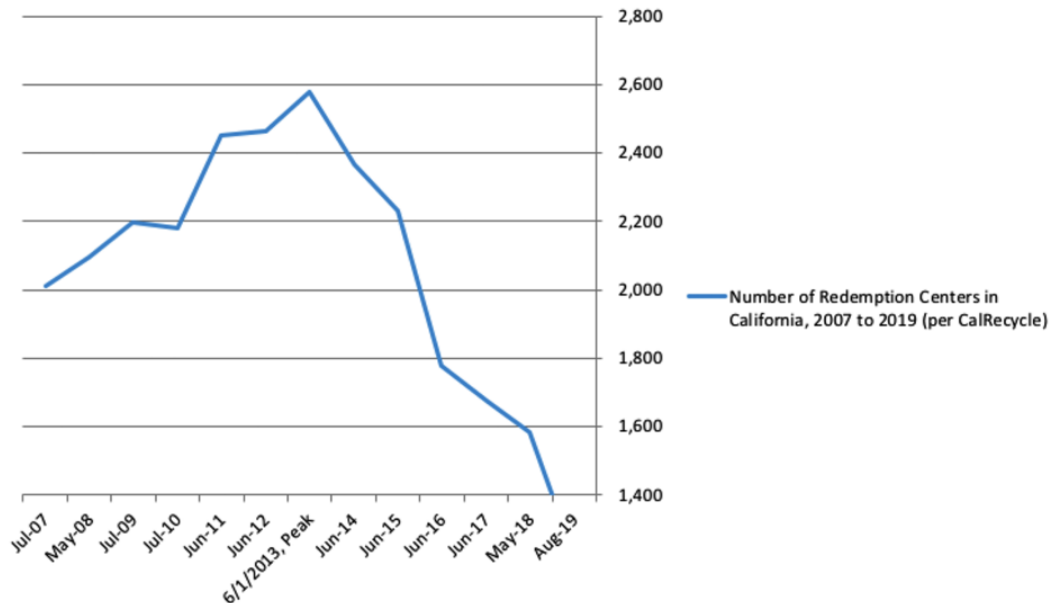
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## SUMMARY

California's Bottle Bill is one of the most successful and cost effective recycling and pollution reduction programs in North America; yet it is currently facing an unprecedented crisis, resulting in a lower recycling rate and significant harm to the sustainable economy and the environment. At the October WMA Board meeting, two guest speakers will provide an overview of the issue and share their thoughts on what is happening and what can be done to fix the system.

## DISCUSSION

From 2013 through mid-2019, more than 1,300 (53%) of the state's redemption centers closed, resulting in less recovered income for consumers, fewer recycling industry jobs, and a drop in the state's recycling rate by approximately 10 percentage points. California's Bottle Bill recycling rate was 85% in 2013, and 75.6% for 2018.



The California container deposit program is beset by a host of ills: an outdated state subsidy formula that results in severe underpayments to redemption centers, historically low scrap prices, and minimum wage increases for center employees, among others. It will take a significant overhaul to revive this system.

Staff invited Susan Collins, President of the Container Recycling Institute, and Jeff Donlevy, General Manager of Ming's Recycling, to share information about this unfolding situation, impacts at the state and local levels, and ideas for addressing the causes and restoring the effectiveness of California's Bottle Bill.

**Susan V. Collins, President – Container Recycling Institute**

Ms. Collins leads the Container Recycling Institute's research projects and works with environmental organizations, businesses, and state and federal governments throughout the United States and around the world to educate the public on the benefits of packaging recycling. Prior to 2009, Ms. Collins was a consultant for 20 years and assisted over 80 public agencies with their solid waste and recycling programs. Ms. Collins served on four CalRecycle advisory groups, including the subject of waste accounting. Ms. Collins served on the Board of the California Resource Recovery Association for nine years, and has been on the board of the National Recycling Coalition since 2010. She holds degrees in Manufacturing Engineering from Boston University and Business Administration (MBA) from the University of California at Los Angeles.

Ms. Collins has testified before the legislatures of California, Nevada, Vermont, Minnesota, Maryland, Tennessee, and Massachusetts. She has been quoted in news stories on National Public Radio, PRI's The World, BBC radio, KNX radio, KCET's SoCal Connected (TV), Maryland Public Radio, KQED radio, the New York Times, Wall Street Journal, Los Angeles Times, Minneapolis Star Tribune, Boston Globe, Resource Recycling, Waste 360, Plastics News, and Beverage World, among others.

**Jeff Donlevy, General Manager, Ming's Resources East Bay, Hayward Facility**

Mr. Donlevy has over 25 years' experience in the recycling industry, including design, construction, start-up and management of recycling facilities ranging in size from 2,000 tons per month up to 10,000 tons per month. He has been involved in the startup operations of collection programs including curbside collection programs in Chino, Upland, Corona, Diamond Bar, and the City of San Jose. He has managed recycling and logistics contracts for large customers including Anheuser Busch, California State Department of Correctional Facilities, and Bay Area News Group. He has offices in Sacramento at the Florin Rd. facility and the Hayward facility.

Ming's Recycling has provided recycling services for over 30 years. Starting as a family owned, simple buyback recycling center, Ming's has grown to be one of the largest state certified processors in California. Handling over 25,000 tons per month of recyclables, Ming's customers include over 25 material brokers, 400 recycling centers, and over 100 Material Recovery Facilities. Ming's specializes in aluminum cans, plastic bottles, tin cans, cardboard, and other recyclable material.

**RECOMMENDATION**

This item is for information only.

Attachment: How to Get Your Deposit Back After rePlanet Closures



## Bottle Recycling in California: How to Get Your Deposits Back

### What's the Best Way to Recycle My Empty Beverage Containers?

California is one of only 10 U.S. states with a deposit return system that allows you to return empty bottles and cans to a recycling location and get back the nickel or dime deposits you paid when you purchased them. California's container recycling rate is 75% compared to the national average of 32%. Deposit return systems provide many important benefits:

- Creating an incentive to recycle by providing income to consumers through returned deposits;
- Producing higher recycling rates and collecting higher-quality materials compared to curbside (blue bin) programs;
- Keeping communities cleaner by reducing litter in public places;
- Lowering the amount of waste sent to landfills;
- Reducing the amount of plastic that enters our oceans and harms marine and human life;
- Decreasing energy use and greenhouse gas emissions by lessening reliance on raw materials to manufacture new containers; and
- Creating recycling industry jobs.

### But My Neighborhood Recycling Center Closed. What Should I Do?

1. First check to see if there are other nearby recycling centers. Go to [www2.calrecycle.ca.gov/WhereToRecycle/](http://www2.calrecycle.ca.gov/WhereToRecycle/), and use the search function to look for other centers in your area.
2. If you can't find a recycling center in a convenient location, go to [www2.calrecycle.ca.gov/BevContainer/InStoreRedemption](http://www2.calrecycle.ca.gov/BevContainer/InStoreRedemption) to search for retailers that redeem in-store. More than 4,000 grocery stores and other retailers statewide have pledged to accept empty beverage containers and provide deposit refunds.

**Note:** If a store on this list will not take back your empty containers, email CalRecycle at [complaints@calrecycle.ca.gov](mailto:complaints@calrecycle.ca.gov) or [dealersigns@calrecycle.ca.gov](mailto:dealersigns@calrecycle.ca.gov), or call 1-800-RECYCLE.

### I Still Can't Find a Place to Return My Bottles and Cans. Should I Put Them in My Blue Bin?

Yes. Although container deposit programs offer significant benefits compared to curbside systems, the two types of programs can work together well to maximize bottle and can recovery rates. However, containers put into blue bins can get contaminated, making them non-recyclable and perhaps resulting in them being shipped to landfills. Please rinse out bottles and cans before adding them to your curbside bin, and make sure not to include any materials including food or other items (such as partly filled containers or pizza boxes with scraps on the cardboard).

### Where Does My Money Go if I Don't Return My Containers to a Recycling Center?

If you put your containers in a curbside blue bin, the deposits are returned to the curbside program that recycles your containers. If you put your containers in the trash, the containers go to the landfill and the deposit money you paid at the store stays in the state fund that is managed by CalRecycle.

### Where Can I Learn More About Recycling in California?

Please visit the website of the Container Recycling Institute at [www.container-recycling.org](http://www.container-recycling.org). This nonprofit organization is a leading authority on the economic and environmental impacts of used beverage containers and other consumer product packaging. Its mission is to make North America a global model for the collection and quality recycling of packaging materials.

### How to Make Your Voice Heard!

Because CalRecycle's payments to the recycling centers aren't sufficient to meet the centers' expenses, more than 1,300 centers in California have closed since 2013. (For more information from CalRecycle on this issue, visit [www.calrecycle.ca.gov/markets/recyclingclosures](http://www.calrecycle.ca.gov/markets/recyclingclosures).) If you are frustrated by the decreasing number of opportunities to return empty containers and put deposit money back in your pocket, contact CalRecycle ([www.calrecycle.ca.gov/BevContainer/Contacts/](http://www.calrecycle.ca.gov/BevContainer/Contacts/)) and the office of Governor Gavin Newsom (<https://govapps.gov.ca.gov/gov40mail/>).

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**Date:** October 23, 2019

**TO:** Waste Management Authority Board

**FROM:** Jeff Becerra, Communications Manager

**SUBJECT:** 2019 Legislative Wrap Up

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**SUMMARY:**

The first year of a two-year legislative session ended on October 13, with Governor Newsom signing 870 bills into law. A list of bills notable to StopWaste and their final status is included below. At the October 23 meeting, staff, along with Jason Schmelzer and Priscilla Quiroz from our contract lobbyist Shaw Yoder Antwih Schmelzer & Lange, will provide an overview of legislative highlights and what to expect for 2020.

**DISCUSSION:**

StopWaste's legislative priorities for 2019 included emphasizing plastic pollution prevention, contamination, climate change, organics to landfill and unsustainable consumption. In addition to representation from our lobbyist, we work closely with partner organizations to support or oppose the bills that have the greatest potential to impact our mission, either positively or negatively.

This legislative session was the first for Governor Newsom. Although the widely publicized California Circular Economy and Plastic Pollution Reduction Act did not pass, a number of beneficial laws were passed and signed into law.

Bills signed by the Governor

- **AB 54 (Ting) – California Beverage Container Recycling and Litter Reduction Act:** Short-term bottle bill fix that provides \$5 million in grants for mobile recycling pilots and relieves grocery stores from compliance fees until March, 2020.
- **AB 187 (Garcia)—Used Mattress Recovery and Recycling Act:** Implements a series of changes to the Used Mattress Recovery and Recycling Act in response to the legislative audit conducted last year, including requiring the organization to include additional information and goals, budget, and

annual reports, and require the advisory committee to prepare written recommendations for the organization.

- **AB 614 (Eggman)—“Farm to Food Bank” Tax Credit:** Expands the types of foods eligible for the "Farm to Food Bank" tax credit from only produce to items like rice, beans, nuts, meat, and dairy.
- **AB 619 (Chiu)—Bring-Your-Own Reusable Food and Beverage Containers:** Allows use of reusable food and beverage containers at restaurants and temporary events.
- **AB 729 (Chu)—Carpet Recycling:** Requires a carpet stewardship organization to include a description of the process by which it will transfer assessment funds to a successor organization in the event such an action becomes necessary, and requires the organization to transfer those funds to a successor with an approved plan.
- **AB 815 (Aguilar-Curry) – Dual-Stream Recycling:** Mostly symbolic, encourages communities to switch to dual stream recycling to reduce contamination.
- **AB 827 (McCarty)—Customer Access to Recycling:** Businesses that are currently required to have recycling (AB 341) or organics (AB 1826) service, including most food service establishments, will now need to provide recycling/composting bins to their customers.
- **AB 1583 (Eggman) — The California Recycling Market Development Act:** Convenes a Statewide Commission on Recycling Markets and Curbside Programs by July 2020. Extends the Recycling Market Development Revolving Loan Program to 2031. Eliminates the requirement to include the “chasing arrows” symbol on plastic products.
- **AB 1162 (Kalra)—Single Use Hotel Toiletries:** Prohibits the distribution of single use toiletries (shampoo, conditioner, lotion) at hotels. By January 2023 for 50+ room establishments; by 2014 for all others.
- **SB 726 (Caballero)—Household Hazardous Waste Reuse:** Allows local Household Hazardous Waste programs to hold materials on site for reuse by customers.

#### Bills that did not pass or were vetoed by the Governor

- **AB 1080 (Gonzalez, Freidman, Ting) & SB 54 (Allen, Wiener, Skinner, Stern) — The California Circular Economy and Plastic Pollution Reduction Act:** Would develop a comprehensive framework for reducing plastic pollution and reforming wasteful product packaging. These bills would require all single-use packaging and certain food (plates, bowls, cups, stirrers, straws) be recyclable or compostable by 2030. It would also require a 75% reduction statewide by producers of waste generated from single-use packaging and certain food ware through source reduction, recycling, or composting by 2030.
- **AB 792 (Ting) – Mandatory Recycled Content in Plastic Bottles:** In order to encourage efficient use of recyclable plastics, AB 792 would set a series of graduated minimum recycled content levels for



all plastic beverage containers, starting at 25% in 2021 and getting to 50% by 2030. AB 792 is similar to last year's SB 168 (Wieckowski).

- **SB 724 (Stern, Glazer)—Bottle Bill Buy-Back Centers:** Similar to last year's SB 452 (Glazer), SB 724 would increase funding to recycling centers in response to the dramatic decline in recycling facilities in recent years.
- **AB 1163 (Eggman)—Right to Repair:** Right to Repair is a nationwide movement aiming to extend the life of electronics by making it easier for people and businesses to make repairs. This bill would extend California's existing warranty laws by adding individual owners and regulated independent service dealers to the entities eligible to receive functional parts and service literature from manufacturers for electronics and appliances.

At the November Waste Management Authority meeting, staff will share and discuss with the Board a proposed list of legislative priorities for the 2020 session.

#### **RECOMMENDATION**

This item is for information only.

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**DATE:** October 23, 2019

**TO:** Energy Council

**FROM:** Jennifer West, Program Manager

**SUBJECT:** 2019 PG&E Local Government Partnership Contract Extension and Amendment

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## **SUMMARY**

The Energy Council has an open contract with PG&E for Local Government Partnership (LGP) activities, which was renewed in January 2019 to be valid through December 31, 2019. Staff is recommending that the existing agreement with PG&E be amended to extend through the first half of 2020, with specific activities, for an additional \$176,500. After June 30, 2020, our LGP work will conclude.

## **DISCUSSION**

East Bay Energy Watch (EBEW) is a collaboration between PG&E, local governments, and energy service providers dedicated to providing energy efficiency solutions for residents, businesses and government buildings throughout Alameda and Contra Costa Counties. The EBEW Strategic Advisory Committee (SAC) is comprised of staff from jurisdictions in Alameda and Contra Costa Counties and, in partnership with PG&E, has decision-making authority over the activities and budget of the EBEW programs. In 2016, the Energy Council (StopWaste) was elected to serve as the co-administrator for EBEW by the SAC members, along with the Department of Conservation and Development in Contra Costa County. This role allowed our staff to facilitate meetings of the SAC and administer and implement the decisions of that body. The Energy Council Technical Advisory Group (TAG) has provided ongoing input on their priorities for LGP activities and coordination with EBEW.

In January 2019, the Energy Council approved a resolution authorizing the Executive Director to enter into a contract of up to \$515,000 with PG&E for the LGP activities for 2019, including administering the EBEW SAC.

In the proposed contract extension amendment, the Energy Council will continue the administration of the EBEW SAC for the first half of 2020 (January through June). We plan to implement the following programs during this budget extension:

- Administering EBEW SAC meetings
- Communications and engagement with local governments on EE programs
- Climate Action Planning and greenhouse gas (GHG) inventory support
- Hosting one EBEW Fellow

- Municipal facilities energy management software program pilot
- Data access support
- Identification of projects for EE programs

Please see details in Attachment B.

The California Public Utilities Commission (CPUC) recently directed PG&E and other investor-owned utilities to outsource more energy efficiency (EE) programs and achieve greater cost-effectiveness in these programs. In response to these new regulatory directives, PG&E narrowed the range of eligible Local Government Partnership activities to focus on municipal buildings and established a Request for Proposal (RFP) process to select LGP programs for 2020 and beyond. The EBEW SAC met to develop its response to the solicitation and identified local capacity building as the top priority of their communities. In June 2019, EBEW submitted an abstract proposing to continue coordinating peer sharing of best practices, and implementing three programs: 1. identifying public sector projects, 2. increasing capacity for local government for energy efficiency through policies and planning, and 3. pursuing “hard to reach” projects and projects in disadvantaged communities. In August, PG&E did not select EBEW’s abstract to move forward in the RFP process. Therefore, the East Bay Energy Watch and Energy Council’s work as co-administrator for the SAC will conclude with this contract extension on June 30, 2020.

Staff will be available to respond to questions at the Board meeting.

## **RECOMMENDATION**

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

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

Attachment B: 2019 Extension of PG&E Local Government Partnership Scope of Work

**Attachment A**

**ENERGY COUNCIL  
RESOLUTION #EC 2019 -**

**MOVED:  
SECONDED:**

**AT THE MEETING HELD October 23, 2019**

**RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR TO AMEND PG&E LOCAL GOVERNMENT PARTNERSHIP  
CONTRACT WITH AN EXTENSION 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**, on January 23, 2019, the Energy Council authorized the 2019 EBEW Contract as an amendment; and

**WHEREAS**, the Energy Council was awarded \$515,000 for administrative and program coordination activities in 2019; and

**WHEREAS**, PG&E has amended our previous contract to include \$176,500 for administrative and program coordination activities as well as limited programs for the first half of 2020 as an extension of the 2019 contract;

**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 other partners in order to amend the current Local Government Partnership contract, and make any necessary changes to the FY 2019-20 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 23rd day of October 2019, 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 2019 -

## **Attachment B**

### **2019 Extension of PG&E Local Government Partnership Scope of Work**

#### East Bay Energy Watch (EBEW) Strategic Advisory Committee (SAC) Administration

Independent EBEW Administrator core responsibilities include (but are not limited to) the items listed below:

- Convening the SAC and sub-committees
- Administering pass-through stipends to SAC leadership positions in local governments
- Administering and managing pilot projects and programs
- Coordinating EBEW programmatic activity with Energy Council, BayREN, MCE, East Bay Community Energy (EBCE) and ACWMA programs
- Ensuring equitable resource distribution and decision-making between Alameda and Contra Costa Counties

The 2019 Budget Extension (January to June 2020) includes the following activities:

- Identification of Energy Efficiency projects in the public sector
- Climate Action Plan GHG Data Inventory Project for community-based emissions
- One Fellow position supporting EBEW work
- Energy management software pilot program
- Data access support

The total 2019 contract budget is \$176,500

- \$65,000 will support Energy Council staff time and materials
- \$111,500 will be passed through as sub-contracts and stipends

## November 2019 Meetings Schedule

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

(Meetings are held at StopWaste Offices unless otherwise noted)

SUN	MON	TUES	WED	THURS	FRI	SAT
					1	2
3	4	5	6	7	8	9
10	11  <b>AGENCY HOLIDAY</b>	12	13	14  <b>9:00 AM Programs &amp; Administration Committee Key Items:</b> 1. SUDs Resource Analysis <hr/> <b>7:00 PM Planning Committee &amp; Recycling Board Key Items:</b> 1. SUDs Resource Analysis 2. ReThink Disposables	15	16
17	18	19	20  <b>3:00 PM Waste Management Authority and Energy Council Key Items:</b> 1. SB1383 Update 2. Legislative Priorities	21	22	23
24	25	26	27	28  <b>AGENCY HOLIDAY</b>	29  <b>AGENCY HOLIDAY</b>	30

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## Energy Council TECHNICAL ADVISORY GROUP (TAG)

Tuesday October 15, 2019 – 1:00 to 2:30 pm

### **Attendance:**

County of Alameda: Sophie McGuinness, Alison Abbors  
City of Albany: Claire Griffing (phone), Lizzie Carrade, Bianca Hutner (Fellow)  
City of Berkeley: Billi Romain  
City of Dublin: Rebecca Parnes  
City of Emeryville: Nancy Humphrey (phone)  
City of Fremont: Rachel DiFranco, Robbie Barton, Kiernan Roche (Fellow)  
City of Hayward: Erik Pearson (phone), Jack Steinmann (Fellow, phone)  
City of Newark: Myvan Khuu-Seeman (phone)  
City of Oakland: Shayna Hirshfield-Gold, Danielle Makous (Fellow), Sooji Yang (Fellow)  
City of Pleasanton: Zack Reda  
City of San Leandro: Hoi-Fei Mok  
StopWaste: Jennifer West, Jeffery Liang, Emily Alvarez, Miya Kitahara, Jeffery Liang, Meghan Starkey, Candis Mary-Dauphin  
Guests: JP Ross, EBCE

### **Notes/Summary:**

#### **Equity with Community-Driven Planning and Outreach – Hoi-Fei Mok, San Leandro**

- What is climate equity?
  - Acknowledgment of historic inequities and exclusion, now the need to drive people-oriented solutions (i.e. affordable, clean, healthy housing for everyone).
  - Oakland has defined equity in its Equitable Climate Action Plan (ECAP), with a focus on combatting climate change while ensuring that *frontline communities* – those communities that have been harmed by environmental injustice and who are likely to be hurt first and worst by the impacts of climate change – will benefit first and foremost from climate action.
  - During a heat adaptation effort in unincorporated Alameda County, they discovered that heat vulnerable communities have low rates of tree cover and high air pollution.
  - Fremont incorporated equity and access in their carbon neutrality framework, but want to put equity into positive and action-oriented terms.
- Root causes (segregation, poverty) + social factors (language isolation, access to transit) + biological factors (age, health) can lead to increased sensitivity to climate change.
  - However, impacted people can be resilient and contribute solutions.
  - Equity prioritizes resources by need, apply during climate action planning.
- Relationships are key to overcoming historical trauma (redlining, highways bifurcating existing neighborhoods, manufacturing, air pollution, toxic waste), adding distrust of government.
- Equity objectives: Procedural, Distributional and Structural.

- Green jobs protect those whose jobs, incomes, and livelihoods are at risk as a consequence of climate change and campaigns to engage them are important.
  - Examples: Los Angeles Metro required construction projects over a \$ amount must hire % of workers from frontline communities. Public transit agencies with US Employment Plan that provide extra bid points in an RFP for committing to green jobs.
- Traditional (top down) vs. community driven planning:
  - Value technical assistance over lived experience. Experts know best. Engagement mostly used to inform, input only taken after decisions are made.
  - To do community driven planning, need expanded timeline, to make decisions together, and budget for community stipends and support (food, childcare).
- Five principles of community-drive planning: Whole Systems Thinking, Desired Outcomes Reflected in Every Step, Planning Process as a Learning Process, Planning into Action, Balancing Power Dynamics among Stakeholders. If process is not equitable, the decision will not be equitable!
- Case study: Fresno project with the Strategic Growth Council
  - Steering committee of residents and business owners voted on proposed projects to allocated \$70 million of cap and trade funding to 5 projects.
- Tools for climate equity planning:
  - Checklist: Can all community members participate? Language, childcare, food, culture, transportation, variety of times, etc. What barriers exist to provide support for everyone? Often challenges exist in funding and capacity for finding partners or to do the outreach. Opportunity to rely on Fellows or working with established CBOs.
  - West Oakland Environmental Indicators Project Partnering Agreement outlines the responsibilities of each partner, which ensures trust and transparency in partnership. Just like a contract with a consultant – clear guidelines.
  - There is a spectrum of community-driven planning, cities may not be able to do it all, but can select certain ones that the city can do and build upon, it is a long process!
    - Within a city, different departments may be in different places on the spectrum, can help to increase internal cohesion.
    - Alameda County has developed a municipal advisory committee that is trying to build capacity, but may not have the expertise; it can be helpful for them to have something to mobilize around, like the heat vulnerability project.
  - Universal Design for Accessibility, disability is something that is not often touched upon but is very relevant to infrastructure projects.
    - With emphasis on public EV charging, access to public charging for electric wheelchairs has come up; Berkeley changed their “Electric transportation Mobility Roadmap” to “Electric Mobility Roadmap”.
    - PG&E shutoffs can have large impact on disabled populations or those dependent on medical devices.

- Community asset mapping.
- Community-driven planning takes time and money, sometimes slowing down the process can be criticized, particularly with housing demand so high.
  - Sustainability committees/other appointed groups can help and hurt equity efforts. They can provide a public voice to a project, but often consist of residents with access to resources; frontline communities may not be represented.
- Helpful, but difficult, to provide stipends for public participation.
  - Example: Everyone Counts is an annual census of the homeless which uses public agency volunteers and pays formerly homeless to help.
- To provide adequate time for an important topic like this at TAG, suggest quarterly check-in on equity and environmental justice issues.
  - Asset mapping/self-assessment exercise to track progress.

#### **Oakland Equitable Climate Action Plan Approach – Shayna Hirshfield-Gold, Oakland**

- Two separate Equity facilitator teams: Oakland Climate Action Coalition and Environmental Justice Solutions, in addition to CAP development consultant (Integral).
  - Environmental Justice Solutions has focused on designing the outreach process.
  - Neighborhood leaders get \$20-25/hour, to plan and conduct community meetings.
- Focus on procedural equity and involving citizens in the decision-making.
- Climate equity work-days brought people together to plan, build relationships, and do work.
- Town hall meetings (Nov) will allow for a democratic, deliberative decision-making process
- Evaluate draft strategies and ECAP as a whole and do equity/racial analysis
  - Is the ECAP as written likely to produce the outcomes intended for equity and helping frontline communities?
- Aim to have final draft by Earth Day.
- Lessons learned about community driven planning:
  - Had trouble with responses to the RFP, needed more \$\$ to attract the bid and get the work done. Have needed to raise additional funds in addition to original amount.
  - Planning process fatigue happens. Engagement of Ohlone people has been challenging
  - How to plan outreach for groups whose native language is not English, a significant group. While translation services were available at some of the workshops, language options are limited.

#### **2:30 – 3:30 pm East Bay Community Energy meeting**

- Notes by EBCE, not StopWaste