

Shelia Young, **WMA President**
Oro Loma Sanitary District, WMA

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

Bob Carling, **WMA 2nd Vice President**
City of Livermore, WMA, EC

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

Jack Balch, **EC 1st Vice President**
City of Pleasanton, WMA, EC

Preston Jordan, **EC 2nd Vice President**
City of Albany, WMA, EC

David Haubert, County of Alameda, WMA, EC

Trish Herrera Spencer, City of Alameda, WMA, EC

Susan Wengraf, City of Berkeley, WMA, EC

Dave Sadoff, Castro Valley Sanitary District, WMA

Melissa Hernandez, City of Dublin, WMA, EC

Jenny Kassin, City of Fremont, WMA, EC

Francisco Zermeno, City of Hayward, WMA, EC

Michael Hannon, City of Newark, WMA, EC

Jen Cavanaugh, City of Piedmont, WMA, EC

Deborah Cox, City of San Leandro, WMA, EC

Jaime Patiño, City of Union City, WMA, EC

Timothy Burroughs, Executive Director

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

Wednesday, October 27, 2021

3:00 P.M.

TELECONFERENCE MEETING

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

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

1. Calling US: +1 669 900 6833 and using the Webinar ID 852 5490 7976
2. Using the [Zoom](#) website or App and entering meeting code 852 5490 7976

During the meeting the chair will explain the process for members of the public to be recognized to offer public comment. The process will be described on the StopWaste website at <http://www.stopwaste.org/virtual-meetings> no later than noon Wednesday, October 27, 2021. The public may also comment during the meeting by sending an e-mail to publiccomment@stopwaste.org prior to the close of public comment on the item being addressed. Each e-mail will be read into the record for up to three minutes.

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

AGENDA

I. CALL TO ORDER

II. ROLL CALL OF ATTENDANCE

III. ANNOUNCEMENTS BY 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 board 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 WMA & EC Minutes of September 22, 2021 (Timothy Burroughs)**

VI. REGULAR CALENDAR

- 5 1. Resolution regarding meeting via teleconference to promote social distancing, pursuant to AB 361 (Timothy Burroughs)**

Adopt Resolution WMA# 2021-04.

- 9 2. 2021 Legislative Year End Review (Jeff Becerra)**

This item is for information only.

- 17 3. StopWaste Resources for Drought (Jeanne Nader)**

This item is for information only.

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

(The November 11, 2021 Planning Committee and Recycling Board meeting will not be held in lieu of a joint meeting of the WMA Board, Energy Council, and Recycling Board on Wednesday, November 17, 2021 at 3:00 p.m.)

- 19 5. Home Energy Score Statewide Demonstration Project (Emily Alvarez) (EC only)**

Adopt the attached Resolution authorizing the Executive Director to enter into a contract with PG&E through December 2022 of up to \$339,240.22 for implementation of the contract 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
AND
ENERGY COUNCIL (EC)**

Wednesday, September 22, 2021

3:00 P.M.

TELECONFERENCE MEETING

I. CALL TO ORDER

President Young called the meeting to order at 3:00 p.m. Timothy Burroughs explained the process that would be utilized during the meeting. A link to the process is available here: [Virtual-Meetings- Instructions](#)

II. ROLL CALL OF ATTENDANCE

WMA & EC

County of Alameda	David Haubert, WMA, EC
City of Alameda	Trish Herrera Spencer, WMA, EC
City of Albany	Preston Jordan, 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 Fremont	Jenny Kassan, WMA, EC
City of Emeryville	Dianne Martinez, 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 (President)
Oro Loma Sanitary District	Shelia Young, WMA (President)
City of Piedmont	Jen Cavanaugh, WMA, EC
City of Pleasanton	Jack Balch, WMA, EC
City of San Leandro	Deborah Cox, WMA, EC
City of Union City	Jaime Patiño, WMA, EC

Staff Participating

Timothy Burroughs, Executive Director
Pat Cabrera, Administrative Services Director
Jeff Becerra, Communications Manager
Justin Lehrer, Operations Manager
Michelle Fay, Program Manager
Rachel Balsley, Senior Program Manager
Alma Freeman, Program Manager
Ben Cooper, Program Manager
Arliss Dunn, Clerk of the Board
Adrienne Ramirez, Assistant Clerk of the Board
Richard Taylor, WMA Legal Counsel

III. ANNOUNCEMENTS BY PRESIDENTS

There were none.

IV. OPEN PUBLIC DISCUSSION FROM THE FLOOR

There were no public comments on the remote call and no public comments were received via the public comments email portal.

V. CONSENT CALENDAR

1. Approval of the Draft WMA & EC Minutes of July 28, 2021 (Timothy Burroughs)

Board member Hannon made the motion to approve the Consent Calendar. Board member Wengraf seconded, and the motion carried 18-0: The Clerk called the roll:

(Ayes: Balch, Carling, Cavanaugh, Cox, Hannon, Hernandez, Jordan, Kalb, Kassan, Martinez, Patiño, Sadoff, Spencer, Wengraf, Young, Zermeño. Nays: None. Abstained: None. Absent: Haubert)

VI. REGULAR CALENDAR

1. SB 1383 Outreach Support for Member Agencies (Michelle Fay)

This item is for information only.

Timothy Burroughs stated that in response to a request from the board, this presentation would cover StopWaste's role in the development and initial dissemination of education and outreach materials for SB 1383. Michelle Fay, Program Manager, provided an overview of the outreach plans and shared samples of materials developed to date. A link to the report and the presentation is available here:

[SB1383-Outreach-Member-Support.pdf](#)

Additional time was provided for discussion and for board members to ask clarifying questions. A link to the discussion is available here: [SB1383-Outreach-Discussion](#). There were no public comments on this item.

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

(Planning Committee and Recycling Board meeting, Thursday, October 14, 2021 at 4:00 p.m. Meeting location TBD)

There were no requests for an interim appointment.

3. Bay Area Multifamily Building Enhancements – Sonoma Clean Power Partnership (Candis Mary-Dauphin & Ben Cooper) (EC only)

Adopt the attached Resolution authorizing the Executive Director to enter into a contract through December 2022 of up to \$300,000 for implementation of the Sonoma Clean Power contract and other related actions.

EC President Kalb chaired the item. Ben Cooper provided an overview of the staff report. A link to the report is available here: [Sonoma-Clean-Power-Partnership.pdf](#)

Additional time was provided for discussion and for board members to ask clarifying questions. A link to the discussion is available here: [Sonoma-Clean-Power-Discussion](#). There were no public comments on this item.

Board member Cox made the motion to approve the staff recommendation and Board member Jordan seconded. The motion carried 20-0. The Clerk called the roll:

DRAFT

(Ayes: Balch, Carling, Cavanaugh, Cox, Hannon, Haubert, Hernandez, Jordan, Kalb, Kassan, Martinez, Patiño, Spencer, Wengraf, Zermeño. Nays: None. Abstained: None. Absent: None)

VII. MEMBER COMMENTS AND COMMUNICATIONS FROM THE EXECUTIVE DIRECTOR

Timothy Burroughs comments:

- Board meetings will continue to be held remotely because of the Governor signing AB361, allowing the continuance of remote meetings in order to promote social distancing and public health and safety, if certain criteria are met (state of emergency declared by the Governor and state and/or local officials have imposed or recommended measures to promote social distancing). Richard Taylor, General Counsel, will be preparing a resolution for the Board to consider.
- StopWaste co-sponsored and contributed to a [new report](#) published by East Bay EDA called “East Bay Forward” – an assessment of the pandemic’s impact on the East Bay economy and opportunities for future growth that emphasizes equity and sustainability.
- The September topic brief is about using compost and mulch for water-wise gardening. A link to the topic brief is available here: [Topic-Brief.pdf](#)

Board member Martinez visited the Davis St. Resource Recovery Complex in San Leandro and was very impressed with the facility. She offered to join any member interested to take a tour of the facility.

VIII. ADJOURNMENT

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

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DATE: October 27, 2021

TO: Waste Management Authority Board

FROM: Timothy Burroughs, Executive Director

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

SUMMARY

On September 16, 2021, the Governor signed into law as an urgency measure, AB 361 (Rivas), which allows local legislative bodies to continue to meet by teleconference in order to promote public health and safety, subject to certain conditions, which must be reconsidered every 30 days. At its October 27, 2021, meeting, the Waste Management Authority (WMA) Board will consider a resolution to approve and direct the continued use of teleconferencing for its public meetings to enable social distancing, as long as the findings required by AB 361 are met and other provisions of the Brown Act are followed.

DISCUSSION

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

The state of emergency and associated direction from state and local health officials to promote social distancing continues to impact the ability for the WMA Board to meet safely in person. Therefore, staff recommends that the Board approve the attached resolution to direct the continued use of teleconferencing for its public meetings to enable social distancing, as long as the findings required by AB 361 are met and other provisions of the Brown Act are followed. The Board will need to revisit the need to conduct meetings remotely at least every 30 days following adoption of the attached resolution.

RECOMMENDATION

Adopt resolution #WMA 2021-04.

**ALAMEDA COUNTY WASTE MANAGEMENT AUTHORITY
RESOLUTION #WMA 2021- 04**

**MOVED:
SECONDED:**

AT THE MEETING HELD OCTOBER 27, 2021

**RESOLUTION REGARDING MEETING VIA TELECONFERENCE TO PROMOTE SOCIAL DISTANCING,
PURSUANT TO AB 361**

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

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

WHEREAS, on behalf of all legislative bodies for the Alameda County Waste Management Authority (WMA), the WMA Board has considered the current state of health guidance related to public meetings in Alameda County and finds it necessary to continue with remote meetings to promote public health and safety.

NOW THEREFORE BE IT RESOLVED, that the WMA Board approves and directs the continued use of teleconferencing for public meetings of the WMA's legislative bodies based on the following findings required by Government Code Section 54953(e), as amended by AB361:

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

BE IT FURTHER RESOLVED, that this determination by the WMA Board shall apply to all of the WMA's legislative bodies, as defined by the Ralph M. Brown Act. Those legislative bodies include:

Programs & Administration Committee
Planning Committee

BE IT FURTHER RESOLVED, that:

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

Passed and adopted this 27th day of October 2021 by the following vote:

AYES:

NOES:

ABTAIN:

ABSENT:

Arliss Dunn, Clerk of the Board

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DATE: October 27, 2021

TO: Waste Management Authority Board

FROM: Jeff Becerra, Communication Manager

SUBJECT: 2021 Legislative Year End Review

SUMMARY:

The California State Legislature concluded their first year of the 2021-2022 legislative session on September 10. At the October 27 meeting, staff will provide an overview of the session and what to look for in 2022.

DISCUSSION:

StopWaste's legislative priority for 2021 focused on providing reasonable implementation relief for SB 1383.

The Legislature's operations were limited once again due to the COVID-19 environment. Most legislative business was conducted under strict safety protocols. Legislators were limited in the number of bills they could move to the second house, and much of the legislative staff worked from home. Despite these challenges, the Legislature was quite successful at conducting business this year and at no time did they have to completely shut down like they did in 2020. The Legislature sent 835 bills to the Governor, who signed 769 bills and vetoed 66.

Final Disposition of Legislation of Interest to StopWaste

SB 1383 Relief

[SB 619 \(Laird\) Organic waste: reduction regulations](#)

Position: Neutral

Bill Status: Signed into law

This bill authorizes a local jurisdiction facing continuing violations of the regulations adopted pursuant to SB 1383 (Lara, 2016), to submit a notice of intent to comply to CalRecycle. If approved by CalRecycle, the jurisdiction is eligible for administrative civil penalty relief for the 2022 calendar year and a corrective action plan. This measure was approved by the Governor on October 5.

Plastic Pollution Prevention

[AB 478 \(Ting\) Solid waste: thermoform plastic containers: postconsumer thermoform recycled plastic: commingled rates](#)

Position: Support

Status: Dead

This bill would have established minimum recycled content requirements for thermoform plastic containers and redefined “commingled rate” for purposes of California’s Bottle Bill program. This bill was held in Senate Appropriations committee.

[AB 661 \(Bennett\) Recycling: materials](#)

Position: Watch

Status: Two-year bill

This bill would require a state agency, if fitness and quality are equal, to purchase recycled products instead of nonrecycled products, without regard to cost. AB 661 is a two-year bill and is currently sitting in Assembly Appropriations Committee.

[AB 881 \(Gonzalez\) Plastic waste: diversion: recycling: export](#)

Position: Support

Status: Signed into law

This bill establishes standards for mixed plastic waste that is exported for recycling in order to be credited toward a local jurisdiction's solid waste diversion rate. This bill also requires reports on types and quantities of materials from recycling and composting operations and facilities to CalRecycle to include the jurisdiction or region of origin for exported materials that are a mixture of plastic waste, and requires CalRecycle to make that information publicly available. The Governor approved this bill on October 5.

[AB 962 \(Kamlager\) California Beverage Container Recycling and Litter Reduction Act: reusable beverage containers](#)

Position: Support

Status: Signed into law

This bill specifies that reusable glass beverage containers can be included in the California Beverage Container Recycling and Litter Reduction Act if the processor either washes the reusable beverage container or transfers the reusable beverage container to a CalRecycle-approved processor for subsequent washing. This measure was approved by the Governor on October 5.

[AB 1276 \(Carrillo\) Single-use food accessories](#)

Position: Support

Status: Signed into law

This bill prohibits a food facility or a third-party food delivery platform from providing single-use food accessories, such as cutlery, straws and condiment packets, to consumers unless requested by the consumer. The Governor approved this measure on October 5.

[AB 1371 \(Friedman\) Recycling: plastic: packaging and carryout bags](#)

Position: Support

Status: Two-year bill

This bill would prohibit online retailers from using single-use plastic packaging and reinstate the at-store recycling program for plastic bags. It would also require online retailers with at least one physical location in the state with in-person sales to provide a take-back container for plastic film and expanded polystyrene packaging for consumers at each location. This bill failed on the Assembly Floor in June. AB 1371 is a two-year bill and must pass out of the first house by the end of January 2022 to move forward.

[AB 1454 \(Bloom\) The California Beverage Container and Litter Reduction Act](#)

Position: Watch

Status: Two-year bill

This bill authorizes CalRecycle to establish regional convenience zones, expands the payment options for the California Redemption Value (CRV) and increases processing payments for certified recycling centers for a specified number of beverage containers. AB 1454 is a two-year bill and is currently sitting in the Senate Environmental Quality Committee.

[SB 343 \(Allen\) Environmental advertising: recycling symbol](#)

Position: Support

Status: Signed into law

This bill would prohibit the use of the chasing-arrows symbol or any other suggestion that a material is recyclable, unless the material is actually recyclable in most California communities and is routinely sold to manufacturers to make new products. The Governor signed this measure on October 5.

Climate/Energy

[SB 32 \(Cortese\) Energy: general plan: building decarbonization requirements](#)

Position: Watch

Status: Dead

This bill would require a city or county to make a one-time amendment to any of its general plan, action or greenhouse gas emissions reduction plan, or building or other codes, occurring after January 1, 2023, to identify goals and strategies to decarbonize newly constructed commercial and residential buildings. This bill was held in Senate Appropriations committee.

[SB 68 \(Becker\) Building decarbonization](#)

Position: Support

Status: Signed into law

This bill requires the Energy Commission to develop and publish guidance on best practices to help reduce barriers for building owners to transition to electric equipment and appliances and install electric vehicle (EV) charging equipment. This measure also authorizes the award of moneys under the EPIC program for projects that will benefit electricity ratepayers and lead to technological advancements that reduce the costs of building electrification. The Governor signed this bill on October 8.

[SB 99 \(Dodd\) Community Energy Resilience Act of 2021](#)

Position: Support

Status: Dead

This bill would require the California Energy Commission (CEC) to develop and implement a grant program for local governments to develop “community energy resilience plans” and expedite permit review of distributed energy resources by local governments. This measure was held in Assembly Appropriations Committee.

[SB 345 \(Becker\) Energy programs and projects: nonenergy benefits](#)

Position: Watch

Status: Dead

This bill would have required the California Public Utilities Commission (CPUC) to establish common definitions of non-energy benefits, and attempt to determine consistent values for use in all distributed energy resource programs. This measure was held in Senate Appropriations Committee.

Extended Producer Responsibility (EPR)/Circular Economy

[SB 38 \(Wieckowski\) Beverage Containers](#)

Position: Watch

Bill Status: Two-year bill

This bill would require distributors of beverage containers to form a stewardship organization to develop and submit a plan and budget for the recovery and recycling of empty beverage containers. SB 38 is a two-year bill and is currently sitting on the Assembly Natural Resource committee.

[SB 54 \(Allen\) Plastic Pollution Producer Responsibility Act](#)

Position: Watch

Status: Two-year bill

As currently written, this bill prohibits producers of single-use, disposable packaging or single-use, disposal food service ware from offering for sale, selling, distributing, or importing in or into the state those

products manufactured after January 1, 2032, unless it is recyclable or compostable. SB 54 is a two-year bill and is currently sitting on the Senate Floor.

[SB 289 \(Newman\) Recycling: batteries and battery-embedded products](#)

Position: Support

Status: Dead

The bill would have enacted the Battery and Battery-Embedded Product Recycling and Fire Risk Reduction Act of 2021, which would have required producers to establish a stewardship program for batteries and battery-embedded products. This measure was held in Senate Appropriations Committee.

Organics/Composting

[AB 1200 \(Ting\) Plant-based food packaging: cookware: hazardous chemicals](#)

Position: Support

Status: Signed into law

This bill bans the toxic “forever chemicals” known as PFAS from paper, paperboard or plant-based food packaging, utensils and paper straws, effective January 1, 2023. The measure also requires manufacturers to label cookware that contains toxic chemicals on product handles or coatings, starting January 1, 2024. AB 1200 was approved by the Governor on October 5.

[AB 1201 \(Ting\) Solid waste: plastic products labeling: composability and biodegradability](#)

Position: Support

Status: Signed into law

This bill expands content and labeling requirements for compostable products. Specifically, this measure ban products from being labeled “compostable” if they contain PFAS and requires products marked “compostable” to meet established performance standards, meet California Department of Food and Agriculture’s organic standards, and be certified by a third-party. AB 1201 was approved by the Governor on October 5.

Other

[AB 1 \(Garcia\): Department of Toxic Substances Control Reform](#)

Position: Watch

Status: Two-year bill

A reintroduction of AB 901, which would have implemented a variety of DTSC reforms, including the creation of a new Board within the California Environmental Protection Agency to provide policy direction to and oversight of DTSC. AB 1 became a two-year bill after the Governor's state budget package included A DTSC reform package containing three major components: establishing a Board of Environmental Safety, fee reform, and programmatic reform.

[AB 332 \(ESTM\) Hazardous waste: treated wood waste: management standards](#)

Position: Support
Status: Signed into law

This bill re-establishes statutory changes to simplify the process for handling and disposal of treated wood waste. The measure received bipartisan support in the legislature and was signed into law by the Governor on August 31. As an urgency bill, it took place upon the Governor's signature.

[AB 652 \(Friedman\) Product safety: juvenile products: chemicals: perfluoroalkyl and polyfluoroalkyl substances](#)

Position: Support
Status: Signed into law

This bill prohibits, on or after July 1, 2023, a person from selling or distributing in commerce any new juvenile products that contain restricted PFAS chemicals. This measure also requires a manufacturer to use the least toxic alternative when replacing PFAS chemicals in a juvenile product. The Governor approved AB 652 on October 5.

[AB 818 \(Bloom\) Solid waste: premoistened nonwoven disposable wipes](#)

Position: Support
Status: Signed into law

This bill requires certain single-use wet wipes to be clearly labeled with "DO NOT FLUSH" labeling. This bill also establishes a public education program to minimize flushing of wipes. The Governor approved this measure on October 6.

[AB 1035 \(Salas\): Department of Transportation and local agencies: streets and highways: recycled materials](#)

Position: Support
Status: Vetoed

This bill would have required local agencies to apply Caltrans' most recent standards for the use of recycled materials in pavement between January 1, 2023 and January 1, 2026. The Governor vetoed this measure because it may result in increased costs for CalTrans.

[SB 240 \(Eggman\) Income tax: credits: food banks](#)

Position: Support
Status: Two-year bill

This bill would extend the sunset on the Donated Fresh Fruits and Vegetables Credit for five additional years, until January 1, 2027. SB 240 is a two-year bill and is currently sitting on the Senate Floor.

[SB 244 \(Archuleta\) Lithium-ion batteries: illegal disposal: fire prevention](#)

Position: Support

Status: Vetoed

This bill would have required the Department of Forestry and Fire Protection (CAL FIRE) to develop a model protocol to prevent fires caused by lithium-ion batteries in the solid waste stream and require CalRecycle to develop guidance for local governments to increase public awareness about the proper disposal of those batteries. This measure was vetoed by the Governor, who expressed that the bill was duplicative of local government efforts and was not a meaningful solution.

Budget:

On June 28, Governor Newsom signed AB 128 (Ting), which reflected a spending framework agreement between the Legislature and the Governor. This \$262.6 billion spending plan for the fiscal year that began July 1 was fueled by a \$76 billion state surplus and \$27 billion in federal aid. However, there were a few disagreements on some budget items, which lead to the introduction of SB 170 (Skinner), representing months of negotiations between the Governor and legislative leaders. SB 170 was signed on September 23. This measure included details of the state's Circular Economy package and allocations for Cap-and-Trade. Details are below:

Circular Economy

- Approves \$75 million in this budget year and \$65 million in 2022-2023 for a combined \$140 million two-year Circular Economy package.
 - \$3 million to CalRecycle for food waste prevention and rescue programs
 - \$5 million to CalRecycle for community composting
 - \$2 million to CalRecycle for Circular Economy development
 - \$10 million to CalRecycle for co-digestion at wastewater treatment plants
 - \$20 million to CalRecycle for organics grants
 - \$25 million to CalRecycle for the Recycling Market Development Zone Loan Program
 - \$10 million to CalRecycle for the Quality Incentive Payment Program for plastic thermoforms

Cap-and-Trade

- Appropriates \$850 million for the Greenhouse Gas Reduction Fund.
 - \$130 million to CalRecycle for waste diversion/recycling infrastructure (\$70 million for organics grants and \$60 million for grants to local jurisdictions to assist in implementation of SB 1383)
 - \$25 million to California Department of Food and Agriculture for the Healthy Soils Program
 - \$15 million to Department of Community Services and Development for the Low-Income Weatherization Program
 - \$30 million to Air Resources Board for small off-road engines (e.g. leaf blowers)

Additional Policy-Related Activities

Statewide Commission on Recycling Markets and Curbside Recycling

The Commission released their final [report](#) on June 25, which included 30 policy recommendations. Some of these recommendations included ways to reconfigure recycling markets to improve effectiveness, eliminate packaging that impedes recycling, and ensure that materials separated for recovery are processed in an environmentally sound manner. The work of the Commission was reported in depth at the [October Committee meetings](#).

RECOMMENDATION

This item is for information only.



DATE: October 27, 2021

TO: Waste Management Authority Board

FROM: Jeanne Nader, Senior Program Manager

SUBJECT: StopWaste Resources for Drought

SUMMARY

StopWaste leads several efforts designed to not only reduce waste, but also to achieve water savings. Water-saving efforts are critical in our current drought, deemed ‘exceptional’ by state water managers. At the October 27 meeting, staff will review our role in reducing water use in Alameda County.

DISCUSSION

It’s California’s 10th driest year on record, and water agencies are looking to achieve savings throughout their service areas. For decades, StopWaste has promoted the use of compost and recycled content mulch in local gardens and landscapes. Among its many beneficial properties, compost helps soil retain moisture, and a healthy three-inch layer of mulch minimizes water loss from evaporation. This work is part of a cycle that also includes educating residents, businesses and schools on proper “what-goes-where” disposal to keep compost streams clean and free of contamination.

Our efforts to promote compost and mulch are wide ranging, and include:

- Convening a network of water agencies, composters, nursery and hardscape vendor partners, and cities within Alameda County to make connections, for the coordinated promotion of rebates and education on sheet mulching, and to provide cross-training on compost, mulch, and healthy soil. We also use this network to make our partners aware of other StopWaste projects that intersect with water agency priorities, including SB 1383-related implications of compost use/application, watershed management for soil carbon sequestration, and heat pump water heaters.
- Developing comprehensive training and resources for plan reviewers and landscape professionals on compliance with California’s Water Efficient Landscape Ordinance (WELO) that includes information on compost and mulch to meet WELO requirements.
- Working with jurisdictions and urban farm partners to develop compost hubs for easy distribution and increased compost utilization throughout the county.
- Distributing materials like compost how-to brochures to community groups, urban farms and member agencies to share with their networks.

- Providing lectures and resources for landscape professionals in the private and public sector on how and why to use compost and mulch to reduce irrigation demand.
- Providing technical assistance to urban farms and community gardens for on-site composting and compost use, as well as donating compost to community organizations growing food for local consumption during the pandemic.
- Extensive how-to information on making and using compost, including videos, and downloadable brochures, within the gardening pages on the StopWaste website (www.StopWaste.org/gardening). This site is continuously updated with additional information on StopWaste and community partner resources, workshops and plant sales.
- A regional website, www.LawntoGarden.org, that includes information on water agency rebates, a marketplace section for sourcing materials, and education for landscape professionals.
- A Facebook group, East Bay Garden Friends, which focuses on building healthy soil for a healthy garden. Home and community gardeners, and landscape professionals, share ideas, questions, resources, and more.

At the October 27 meeting, staff will review these resources and share opportunities for board members to help promote water-saving practices in their communities.

RECOMMENDATION

This item is for information only.



DATE: October 27, 2021

TO: Energy Council

FROM: Emily Alvarez, Program Manager

SUBJECT: Home Energy Score Demonstration Project

SUMMARY

Staff is requesting Energy Council approval to enter into a contract with PG&E's Reach Codes Program to expand the application of StopWaste's Home Energy Score (HES) partnership to create greater impact in Alameda County and beyond. The proposed demonstration project would assist three jurisdictions in California that are interested in using the HES as a requirement for existing buildings to inform upgrades or set minimum efficiency standards. There is no geographic restriction on the location of the jurisdictions that participate in the project. StopWaste will prioritize outreach in Alameda County and the Bay Area.

DISCUSSION

StopWaste is the lead for BayREN's Green Labeling program, which promotes the U.S. Department of Energy's (DOE) HES throughout the nine Bay Area counties. Like a miles-per-gallon rating for a car, the HES is based on a standard assessment of energy-related assets to easily compare energy use across the housing market. During the assessment a multitude of data points are collected and homes are scored from 1 to 10, with 5 being an average home, 10 the most energy efficient, and 1 being the least energy efficient. Along with the score, homeowners receive estimated energy consumption, utility bills, and custom recommendations for improving energy efficiency. HES is an attractive and scalable tool because the assessment and accompanying report are low-cost, simple to conduct, and must meet rigorous DOE quality control standards. Further, studies have shown that when a score or rating such as HES is required for buildings, the real estate market responds by placing greater value on energy efficiency.

StopWaste began evaluating and implementing HES as a tool to support Alameda County jurisdictions' climate action goals for upgrading existing buildings several years ago. Staff advised and assisted the City of Berkeley on the development of its Building Emissions Savings Ordinance (BESO), which was the first existing building policy nationally to utilize an HES mandate. In 2015, StopWaste became an HES partner to support both the City of Berkeley's ordinance and a voluntary regional program in the Bay Area. An HES partner enrolls local assessors and commits to maintaining the DOE's quality assurance standards for scores. StopWaste has worked with the DOE on adapting HES for California conditions and is the highest volume HES partner in the state. In 2020 the BayREN program earned a DOE HES innovation award for successfully scaling a voluntary program.

As part of this demonstration project with PG&E's Reach Codes Program, StopWaste would conduct outreach and enroll three jurisdictions to adopt HES as part of their local code requirements. There is no geographic restriction on the location of the jurisdictions that participate in the project. StopWaste will prioritize outreach in Alameda County and the Bay Area and will also conduct outreach beyond our region. The objective is to expand the use of HES in a codes application in order to further develop the market for and generate additional examples of HES adoption and implementation that jurisdictions in Alameda County, the Bay Area and beyond can learn from and continue to leverage. As more diverse types of jurisdictions adopt Home Energy Score, it will become an increasingly accepted and familiar standard. This will facilitate lessons learned and HES use and adoption by additional Alameda County jurisdictions in the future.

PG&E will be issuing a contract of \$339,240.22 for this scope of work, summarized in Attachment B. The funding covers all of StopWaste's costs to implement the project, and the scope of work is designed to build on and supplement existing Agency efforts to accelerate adoption of HES.

RECOMMENDATION

Adopt the attached Resolution authorizing the Executive Director to enter into a contract with PG&E through December 2022 of up to \$339,240.22 for implementation of the contract and other related actions.

Attachments:

Attachment A: Resolution #EC 2021- __

Attachment B: Proposed Scope of Work

Attachment A

**ENERGY COUNCIL
RESOLUTION #EC 2021 – __**

**MOVED:
SECONDED:**

**AT THE MEETING HELD October 27, 2021
RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR TO ENTER INTO A CONTRACT FOR THE PG&E
STATEWIDE HOME ENERGY SCORE DEMONSTRATION PROJECT**

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

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

WHEREAS, the Energy Council has entered into a partnership with the Department of Energy to offer the Home Energy Score (HES) as a low-cost assessment tool; and

WHEREAS, the Energy Council implements the Green Labeling program for the Bay Area Regional Energy Network and has the most active HES partnership in the state of California; and

WHEREAS, the PG&E Reach Codes program aims to support local governments considering developing existing residential building energy ordinances; and

WHEREAS, PG&E intends to provide the Energy Council with a contract of \$339,240.22 for the scope of work described in Attachment B;

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

1. Enter into all necessary contracts and agreements with PG&E in order to accept funds of up to \$339,240.22 and make any necessary changes to the FY 2021-22 budget to add Project 1315: Statewide HES Demonstration.
2. Approve any required time extensions, modifications, or amendments thereto.
3. Allocate the necessary resources to implement and carry out the amended scope of work.

BE IT FURTHER RESOLVED that the Executive Director as the Board President's designee, is hereby authorized to execute on behalf of the Energy Council all grant-related documents, including, but not limited to, applications, payment requests, agreements (including the hiring of temporary staff), and amendments necessary to secure grant funds and to implement the approved grant projects.

ADOPTED this 27th day of October 2021, by the following votes:

AYES:

NOES:

ABSENT:

ABSTAINED:

I certify that under the penalty of perjury that the foregoing is a full, true and correct copy of Resolution
#EC 2021 – __

Arliss Dunn, Clerk of the Board

Attachment B
PG&E HES Statewide Demonstration Project Scope and Budget

Task	Description	Not-to-exceed
Home Energy Score Policy Support	Conduct outreach and enroll three (3) jurisdictions (cities or counties) throughout the state to adopt an HES policy. Assistance with identifying and crafting policy language.	\$44,308.51
HES Database Development	Update existing HES database to expand use beyond nine Bay Area counties.	\$73,363.40
Assessor Recruitment, Enrollment, and Support	Recruit, train, enroll, and support HES Assessors to perform scores.	\$62,526.48
Score and Rebate Processing	Conduct required DOE QA/QC on scores and process incentives.	\$99,219.00
Program Evaluation and Reporting	Regular team meetings, check-ins with DOE and participating jurisdictions and providing program tracking. At the end of the project, develop a report summarizing results and outline next steps.	\$46,940.67
Contract Administration	Monthly reports and management of contracts/consultants.	\$12,882.16
Total Budget		\$339,240.22

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**November 2021
Meetings Schedule**

**Alameda County Waste Management Authority, the Energy Council, Source Reduction &
Recycling Board, and Programs and Administration Committee**
(Meetings will be held **via teleconference** unless otherwise noted)

SUN	MON	TUES	WED	THURS	FRI	SAT
	1	2	3	4	5	6
7	8	9	10	11 AGENCY HOLIDAY Programs & Administration Committee CANCELLED <hr/> Planning Committee & Recycling Board NO MEETING IN LIEU OF JOINT MEETING ON 11/17/21	12	13
14	15	16	17 3:00 P.M. JOINT MEETING Waste Management Authority, Energy Council & Recycling Board Key Items: 1. Legislative priorities for upcoming year 2. Edible food recovery	18	19	20
21	22	23	24	25 AGENCY HOLIDAY	26 AGENCY HOLIDAY	27
28	29	30				