

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, RB
Dan Kalb, **EC President**
City of Oakland, WMA, EC, RB
Jack Balch, **EC 1st Vice President**
City of Pleasanton, WMA, EC
Preston Jordan, **EC 2nd Vice President**
City of Albany, WMA, EC
Darby Hoover, **RB President**
Environmental Organization, RB
Francisco Zermeño, **RB 1st Vice President**
City of Hayward, WMA, EC, RB
Laura McKaughan, **RB 2nd Vice President**
Recycling Materials Processing Industry, RB
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, RB
Melissa Hernandez, City of Dublin, WMA, EC
Jenny Kassan, City of Fremont, WMA, EC
Michael Hannon, City of Newark, WMA, EC
Jen Cavanaugh, City of Piedmont, WMA, EC
Deborah Cox, City of San Leandro, WMA, EC, RB
Jaime Patiño, City of Union City, WMA, EC
Eric Havel, Environmental Educator, RB
Chiman Lee, Recycling Programs, RB
Matthew Zimbalist, Source Reduction Specialist, RB
Timothy Burroughs, Executive Director

**JOINT MEETING OF THE
ALAMEDA COUNTY WASTE MANAGEMENT
AUTHORITY (WMA) BOARD,
THE ENERGY COUNCIL (EC)
AND
THE SOURCE REDUCTION AND RECYCLING
BOARD (RB)**

Wednesday, November 17, 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:

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

1. Calling 1 (669) 900-6833 and entering meeting ID 870 6770 1676
2. Using the [Zoom website](https://zoom.us) or App and entering meeting code 870 6770 1676

Board members and any other individuals scheduled to speak at the meeting will be sent a unique link via email to access the meeting as a panelist. All Board members MUST use their unique link to attend the meeting. During the meeting the chair will explain the process for members of the public to be recognized to offer public comment. The process will be described on the StopWaste website at <http://www.stopwaste.org/virtual-meetings> no later than noon Wednesday, November 17, 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 boards 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.

Pag V. CONSENT CALENDAR

1 1. **Approval of the Draft WMA/EC Minutes of October 27, 2021 (WMA/EC only)**

5 2. **Resolution regarding meeting via teleconference to promote social distancing, pursuant to AB 361 (WMA only)**

Adopt Resolution WMA# 2021-05.

9 3. **Approval of the Draft PC/RB Minutes of October 14, 2021 (RB only)**

13 4. **Resolution regarding meeting via teleconference to promote social distancing, pursuant to AB 361 (RB only)**

Adopt Resolution RB# 2021-04.

17 5. **Recycling Board Attendance Record (RB only)**

19 6. **Written Report of Ex Parte Communications (RB only)**

21 7. **Resolution regarding meeting via teleconference to promote social distancing, pursuant to AB 361 (EC only)**

Adopt Resolution EC# 2021-06

VI. REGULAR CALENDAR

25 1. **Legislative Priorities for 2022 (Jeff Becerra) (WMA only)**

That the WMA Board discuss legislative priorities for calendar year 2022 and adopt a priority or set of priorities for staff to pursue in conjunction with its partners and the agency's lobbying team in Sacramento. The Recycling Board is also encouraged to provide input on the Agency's 2022 legislative priorities.

29 2. **Alameda County Food Recovery Network Overview (Cassie Bartholomew) (WMA & RB only)**

This item is for information only.

31 3. **Amendment to the Alameda County Integrated Waste Management Plan (ColWMP) for California Waste Solutions North Gateway facility located at 2308 Wake Avenue in Oakland (Emily Alvarez) (PC&RB only)**

Staff recommends that the Recycling Board (in its role as Local Task Force) provide comments recommending, and that the Planning Committee recommend to the WMA Board that it hold a public hearing and adopt a resolution to (1) amend the ColWMP (Exhibit 1) to include the CWS North Gateway Recycling Facility in the City of Oakland, and make additional changes for consistency, (2) find that the CWS facility conforms to the ColWMP, as amended, and (3) make the findings required by CEQA.

4. **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 on December 9, 2021 at 7:00 p.m. The meeting will be held via teleconference)

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, October 27, 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 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 |

Absent

| | |
|----------------|----------------------------|
| City of Dublin | Melissa Hernandez, WMA, EC |
|----------------|----------------------------|

Staff Participating

Timothy Burroughs, Executive Director
Pat Cabrera, Administrative Services Director
Jeff Becerra, Communications Manager
Justin Lehrer, Operations Manager
Karen Kho, Principal Program Manager
Jeanne Nader, Senior Program Manager
Emily Alvarez, 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 September 22, 2021 (Timothy Burroughs)

Board member Jordan 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, Haubert, Jordan, Kalb, Kassan, Martinez, Sadoff, Spencer, Wengraf, Young, Zermeño. Nays: None. Abstained: None. Absent: Hernandez, Patiño)

VI. REGULAR CALENDAR

1. Resolution regarding meeting via teleconference to promote social distancing, pursuant to AB361 (Timothy Burroughs)

Adopt Resolution WMA# 2021-04.

Timothy Burroughs provided an overview of the staff report and Authority Counsel Richard Taylor was available to answer questions. A link to the staff report is available here: [AB361-Memo.pdf](#)

Additional time was provided for discussion and for board members to ask clarifying questions. A link to the discussion is available here: [AB361-Discussion](#). Board member Hannon requested that staff include in the monthly item an update on any changes to state or local COVID guidance that would affect the board's consideration for continuing to meet remotely.

Board member Kalb made the motion to approve Resolution 2021-04. Board member Zermeño seconded and the motion carried 18-0: The Clerk called the roll:

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

2. 2021 Legislative Year End Review (Jeff Becerra)

This item is for information only.

Jeff Becerra provided an overview of the staff report. A link to the report is available here: [Legislative-Update-memo.pdf](#).

Additional time was provided for discussion and for board members to ask clarifying questions. A link to the discussion is available here: [Legislative-Update-Discussion](#). Board member Hannon reminded staff that when presenting legislation that may affect local jurisdictions to also include any costs that may be incurred by the local jurisdictions. Board member Cavanaugh asked that staff continue to focus on circular economy issues and producer responsibility. Board member Jordan suggested that staff continue to track and, as appropriate, support legislation related to responsible disposal of batteries.

Mr. Becerra thanked the board for its input in providing direction and helping to establish legislative priorities for the coming year and stated that staff will come back to the board in November for consideration of those priorities. There were no public comments on this item.

3. StopWaste Resources for Drought (Jeanne Nader)

This item is for information only.

Timothy Burroughs provided an introduction on the context of the presentation, which highlights

StopWaste's efforts to help promote water-saving practices in Alameda County. Jeanne Nader, Senior Program Manager, provided an overview of the staff report and presented a PowerPoint presentation. A link to the report and the presentation is available here: [Drought-Resources-Memo.pdf](#).

Additional time was provided for discussion and for board members to ask clarifying questions. A link to the discussion is available here: [Drought-Resources-Discussion](#). There were no public comments on this item. President Young thanked staff for a very informative discussion.

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

(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.)

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.

EC President Kalb chaired the item. Karen Kho, Principal Program Manager, provided context on StopWaste's involvement in the project. Emily Alvarez, Program Manager, provided an overview of the staff report and presented a PowerPoint presentation. A link to the report and the presentation is available here: [PGE-Demonstration-Project-Memo.pdf](#).

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

Board member Wengraf made the motion to approve the staff recommendation and Board member Cavanaugh seconded. The motion carried 17-0. The Clerk called the roll:

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

VII. MEMBER COMMENTS AND COMMUNICATIONS FROM THE EXECUTIVE DIRECTOR

Board member Hannon thanked Rachel Balsley, Senior Program Manager, for her excellent work helping to address questions regarding SB 1383 at the recent Newark City Council meeting. Mr. Burroughs announced the monthly topic brief on sheet mulching and how to produce a drought tolerant garden. A link to the topic brief is available [here](#) and staff will email a copy to the board along with a social media/e-newsletter toolkit that features messaging and resources related to drought and the benefits of compost. Mr. Burroughs reminded the board to reply to him if they are able to visit the Altamont site the week of Nov 1.

Mr. Burroughs informed the board that the agency issued an RFQ for reusable foodware support and services to help identify providers of reusable foodware solutions and services that can help restaurants shift from single use to reusable foodware and the agency will allocate grant funding next year to assist some of those entities in doing the work. The RFQ can be found at [StopWaste-Reusable-Foodware-Support-and-Services](#)

VIII. ADJOURNMENT

The meeting was adjourned at 4:50 p.m.

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DATE: November 17, 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 November 17, 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. The direction from public health officials that informs the findings in the attached resolution has not changed. 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.

RECOMMENDATION

Adopt resolution #WMA 2021-05.

**ALAMEDA COUNTY WASTE MANAGEMENT AUTHORITY
RESOLUTION #WMA 2021- 05**

**MOVED:
SECONDED:**

AT THE MEETING HELD November 17, 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 AB 361:

- The entire State of California remains under a proclaimed state of emergency as declared by the Governor of the State of California related to the COVID-19 pandemic.
- State and local officials have imposed or recommended measures to promote social distancing. For example, on September 23 the Alameda County Health Care Services Agency Director recommended social distancing at all meetings of the Board of Supervisors and its committees. This recommendation is consistent with the Division of Occupational Safety and Health of California's (Cal/OSHA) Emergency Temporary Standards, which require employers to train and instruct employees that the use of social distancing helps combat the spread of COVID-19 (8 Cal. Code Regs. 3205(c)(5)(D)).
- The state of emergency continues to directly impact the ability to meet safely in person. For example, given the constraints of the 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 17th day of November 2021 by the following vote:

AYES:

NOES:

ABTAIN:

ABSENT:

Arliss Dunn, Clerk of the Board

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DRAFT

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

Thursday, October 14, 2021

4:00 P.M.

TELECONFERENCE MEETING

I. CALL TO ORDER

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

II. ROLL CALL OF ATTENDANCE

Bob Carling, ACWMA
Deborah Cox, ACWMA
Eric Havel, Environmental Educator
Darby Hoover, Environmental Organization, President
Dan Kalb, ACWMA
Chiman Lee, Recycling Programs
Laura McKaughan, Recycling Materials Processing Industry
Dave Sadoff, ACWMA
Francisco Zermeño, ACWMA
Matthew Zimbalist, Source Reduction Specialist
Vacant, Solid Waste Industry Representative

Staff Present:

Timothy Burroughs, Executive Director
Jeff Becerra, Communications Manager
Justin Lehrer, Operations Manager
Alma Freeman, Program Manager
Arliss Dunn, Clerk of the Board
Adrienne Ramirez, Assistant Clerk of the Board
Farand Kan, Deputy County Counsel

Others Participating:

Naomi Lue, Zero Waste Supervisor

III. ANNOUNCEMENTS BY THE PRESIDENT

President Hoover announced that board member Tianna Nourot has vacated her seat on the board. Staff posted the vacancy announcement for the Solid Waste Industry Representative position. President Hoover welcomed Matt Zimbalist to the Recycling Board. He will be serving in the category of Source Reduction Specialist. Board member Zimbalist provided a brief overview of his background and experience and stated that he was excited to serve on the Recycling Board.

IV. OPEN PUBLIC COMMENT

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

V. CONSENT CALENDAR

- 1. Approval of the Draft PC&RB Minutes of September 9, 2021 (Timothy Burroughs)**
- 2. Board Attendance Record (Timothy Burroughs)**
- 3. Written Report of Ex Parte Communications (Timothy Burroughs)**

There were no public comments for the Consent Calendar. Board member Cox made the motion to approve the Consent Calendar and Board member Zermeño seconded. The motion carried 10-0. The Clerk called the roll:

(Ayes: Carling, Cox, Havel, Hoover, Kalb, Lee, McKaughan, Sadoff, Zermeño, Zimbalist. Nays: None. Abstain: None. Absent: None. Vacant: Solid Waste Industry Representative)

VI. REGULAR CALENDAR

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

Adopt Resolution #RB 2021-03.

Timothy Burroughs provided a brief overview of the staff report and Farand Kan, County Counsel, was available to answer any questions. A link to the staff report is available here [AB361-Memo.pdf](#). A link to the audio discussion is available here: [AB361-Discussion](#)

Additional time was provided for discussion and clarifying questions. Board member Zermeño asked for clarification regarding the frequency of approving the resolution. Mr. Burroughs stated AB 361 stipulates that every thirty days the Recycling Board as the legislative body is required to approve the resolution as outlined in the staff report, and to reconsider the criteria for meeting remotely; staff will place the resolution on the consent calendar for such consideration. Board member Zermeño commented that when the board returns to in-person meetings the current board meeting table configuration is quite snug and inquired if staff has considered options to address the setup. Mr. Burroughs stated that when the board returns to in-person meetings staff will make every attempt to safely hold in-person meetings. President Hoover encouraged staff that when we return to in-person meetings to also consider safe accommodations for the public to attend. She also inquired about the number of board members allowed to teleconference for meetings. Mr. Burroughs stated that there is a limit of two members that may attend via teleconference and it is decided on a first come first served basis.

There were no public comments on this item. Board member Kalb made the motion to adopt resolution 2021-03 and board member Zermeño seconded. The motion carried 10-0. The Clerk called the roll:

(Ayes: Carling, Cox, Havel, Hoover, Kalb, Lee, McKaughan, Sadoff, Zermeño, Zimbalist. Nays: None. Abstain: None. Absent: None. Vacant: Solid Waste Industry Representative)

- 2. Castro Valley Sanitary District Textile Collection Program Overview (Timothy Burroughs)**

This item is for information only.

Timothy Burroughs gave a brief introduction to the staff presentation and board member Sadoff introduced Naomi Lue, Zero Waste Supervisor, CVSan. Ms. Lue provided a presentation of the Textile Collection Program that CVSan developed, along with its contractor, Alameda County Industries (ACI). A link to the staff report and the presentation is available here: [CVSAN-Textile-memo.pdf](#). An audio link to the discussion is available here: [CVSAN-Textile-Program-Discussion](#)

Additional time was provided for discussion and clarifying questions. There were no public comments on this item. President Hoover thanked Ms. Lue for a very informative presentation.

3. CA Recycling Commission Report Key Findings (Alma Freeman)

This item is for information only.

Timothy Burroughs gave a brief introduction to the staff report and Alma Freeman, Program Manager, provided a presentation on the CA Recycling Commission Report Key findings and recommendation that the state only allow certain materials to be marketed and labeled as “recyclable.” A link to the staff report and the presentation is available here: [Recycling-Commission-Presentation.pdf](#). A link to the audio discussion is available here: [Recycling-Commission-Discussion](#)

Additional time was provided for discussion and clarifying questions. There were no public comments on this item. President Hoover thanked staff for a very informative presentation and discussion.

VII. MEMBER COMMENTS AND COMMUNICATIONS FROM THE EXECUTIVE DIRECTOR

Board member Cox encouraged staff to consider our messaging of promoting waste prevention when disseminating information via paper inserts. Mr. Burroughs reminded the board that the November 11 Recycling Board meeting will not be held in lieu of the joint meeting of the Authority Board, Energy Council, and Recycling Board on Wednesday, November 17 at 3:00 p.m.

VIII. ADJOURNMENT

The meeting adjourned at 5:25 p.m.

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DATE: November 17, 2021

TO: Recycling Board

FROM: Timothy Burroughs, Executive Director

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

SUMMARY

On September 16, 2021, the Governor signed into law as an urgency measure, AB 361 (Rivas), which allows local legislative bodies to continue to meet by teleconference in order to promote public health and safety, subject to certain conditions, which must be reconsidered every 30 days. At its November 17, 2021, meeting, the Recycling Board will consider a resolution to approve and direct the continued use of teleconferencing for its public meetings to enable social distancing, as long as the findings required by AB 361 are met and other provisions of the Brown Act are followed.

DISCUSSION

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

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

RECOMMENDATION

Adopt resolution #RB 2021-04.

Attachment: Alameda County Recycling Board Resolution #RB 2021-04

**ALAMEDA COUNTY RECYCLING BOARD
RESOLUTION #RB 2021-04**

**MOVED:
SECONDED:**

AT THE MEETING HELD NOVEMBER 17, 2021

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

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

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

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

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

BE IT FURTHER RESOLVED, that:

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

Passed and adopted this 17th day of November 2021 by the following vote:

AYES:

NOES:

ABTAIN:

ABSENT:

Arliss Dunn, Clerk of the Board

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2021 - ALAMEDA COUNTY RECYCLING BOARD ATTENDANCE

| | J | F | M | A | M | J | J | A | S | O | N | D |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| REGULAR MEMBERS | | | | | | | | | | | | |
| B. Carling | X | X | X | X | X | X | X | X | X | X | | |
| L. Carrell | X | | | | | | | | | | | |
| D. Cox | X | X | X | X | X | X | X | X | X | X | | |
| E. Havel | X | X | X | X | X | A | X | X | X | X | | |
| D. Hoover | X | X | X | X | X | X | X | X | A | X | | |
| C. Lee | | | | X | X | X | X | X | X | X | | |
| D. Kalb | X | X | X | X | X | X | X | X | X | X | | |
| L. McKaughan | X | X | X | X | X | X | X | X | X | X | | |
| T. Nourof | X | X | X | X | X | A | X | A | A | | | |
| D. Sadoff | X | X | X | X | X | X | X | I | X | X | | |
| F. Zermeño | X | X | X | X | X | X | X | X | X | X | | |
| M. Zimbalist | | | | | | | | | | X | | |
| Vacant- Solid Waste Industry Representative | | | | | | | | | | | | |
| INTERIM APPOINTEES | | | | | | | | | | | | |
| S. Young | | | | | | | | X | | | | |
| | | | | | | | | | | | | |

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

X=Attended

A=Absent

I=Absent - Interim Appointed

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DATE: November 17, 2021

TO: Recycling Board

FROM: Timothy Burroughs, Executive Director

SUBJECT: Written Reports of Ex Parte Communications

BACKGROUND

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

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

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

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

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DATE: November 17, 2021

TO: Energy Council

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 November 17, 2021, meeting, the Energy Council 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 Energy Council to meet safely in person. The direction from public health officials that informs the findings in the attached resolution has not changed. Therefore, staff recommends that the Energy Council 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.

RECOMMENDATION

Adopt resolution #EC 2021-06.

Attachment: Energy Council Resolution #EC 2021-06

**ENERGY COUNCIL
RESOLUTION #EC 2021 – 06
MOVED:
SECONDED:**

AT THE MEETING HELD NOVEMBER 17, 2021

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

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

WHEREAS, the Energy Council 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 Energy Council approves and directs the continued use of teleconferencing for its public meetings based on the following findings required by Government Code Section 54953(e), as amended by AB 361:

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

BE IT FURTHER RESOLVED, that:

1. Energy Council 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 Energy Council will reconsider the circumstances of the state of emergency and the need to conduct meetings remotely at least every 30 days following adoption of this resolution.
3. If the Energy Council determines the need still exists at each 30-day mark, the determination will be ratified by a vote of the Board documented in the minutes of that meeting.

Passed and adopted this 17th day of November 2021 by the following vote:

AYES:

NOES:

ABTAIN:

ABSENT:

Arliss Dunn, Clerk of the Board

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DATE: November 17, 2021

TO: Waste Management Authority Board

FROM: Jeff Becerra, Communications Manager

SUBJECT: Legislative Priorities for 2022

SUMMARY

This January the California Legislature begins its second year of a two-year session. At the November 17 joint board meeting, staff will lead a discussion of current policy issues and ask the boards to adopt legislative priorities for 2022.

DISCUSSION

The 2021 legislative session saw some successes in adoption of a “circular economy package” of bills, and affiliated funding through a budget trailer bill, which was reviewed with the Waste Management Authority at its October meeting. The Legislature will continue moving towards a full slate of business as COVID-related restrictions wane. COVID relief, housing/homelessness and wildfire relief are expected to continue as priorities for the Legislature, as are policies that help address climate change. For StopWaste, we propose to focus our time on four primary areas:

1. Common sense adjustments to SB 1383 procurement requirements
Among the many new requirements of SB 1383, the Short-Lived Climate Pollutant Reduction Act (which goes into effect January 1), is the obligation of each city and county to procure a specified quantity of recovered organic waste products, such as compost and/or mulch. Each city/county has a population-based target to meet for procurement to ensure these products are utilized. As discussed previously this year with the boards via municipal panels, the procurement requirements do not match well with counties like ours that have mature programs in place, making our ability to significantly scale up procurement much more difficult than regions of the state where the market is starting from scratch. Numerous jurisdictions throughout the state feel that the requirements are out of sync with on-the-ground conditions in their communities. We intend to work with partners such as the CA League of Cities to identify, support and advance legislation that promotes common sense solutions to create more realistic procurement requirements.

2. Clear product labeling to reduce customer confusion

The 2021 legislative session demonstrated that the Legislature and Governor are in support of reducing confusion around recycling, supporting “truth in advertising” for manufacturer claims of recyclability that have historically been overly aspirational. Through our own work supporting transparency in waste-related processing, and through that of the Statewide Commission on Recycling Markets and Curbside Recycling, we expect to see more legislation introduced to continue advancing these issues and we plan to actively support this type of policy in the Legislature.

3. “Circular economy” solutions that advance source reduction of problematic materials such as low-grade plastics

Deriving value from waste materials is one goal of a circular economy approach; so is identifying materials that are of low value at their end of life and promoting ways to eliminate these products from our economy. In conjunction with close partners such as the California Product Stewardship Council and National Stewardship Action Council, we will support opportunities for Extended Producer Responsibility to ensure manufacturers will be required to manage their products at end of life, and/or identify products and packaging that no longer are welcome in our economy. An “upstream” approach to reducing waste, such as by assisting restaurants to utilize reusable food ware, means we are working to eliminate having to choose between the lesser of evils when it comes to disposal (such as choosing between plastic and compostable cutlery, both of which are single-use and come with their own set of problems). Building a more circular economy also means supporting policy that facilitates use of materials in the built environment that have fewer embodied emissions, last longer, and are designed for reuse at end of life.

4. Decarbonization/electrification of our built environment to reduce reliance on carbon emitting forms of energy

Through our work implementing market transformation initiatives, StopWaste will identify and support legislation to reduce our reliance on carbon emitting sources of energy such as natural gas. Our East Bay communities and partners have shown leadership in shifting towards widespread electrical appliance adoption (that will increasingly rely on a “green” grid with reduced greenhouse gas emissions), and we intend to support policies that continue this shift for our communities and the rest of the state.

Additional State Policy Related Issues

Focusing on the four areas identified above does not limit the policy areas that we support, but it does help staff focus its time. In addition to the adopted priority areas, staff would continue to monitor and support legislative policy in line with other agency goals like right to repair, minimizing illegal dumping, bottle bill reforms and proper battery disposal.

Next Steps/Key Dates

Staff will return to the Board in March for review of recommended positions on new bills. Key dates for the 2022 session include:

- January: Governor's proposed 2022-23 budget is released. Committee hearings and floor votes for "two-year" bills introduced in 2021.
- February: Deadline for introduction of new bills.
- March: Bill authors and organizational sponsors seek letters of support for new bills; staff reviews bills and recommends positions for Board adoption.
- May: Governor's May revision of the budget is released.
- June: Board receives status update on bills and provides direction as appropriate. The state budget for 2022-23 must be passed.
- August: Deadline for bills to pass the Legislature.
- September: Deadline for Governor to sign or veto bills. Status update provided to Board after Governor takes action.

RECOMMENDATION

That the WMA Board discuss legislative priorities for calendar year 2022 and adopt a priority or set of priorities for staff to pursue in conjunction with its partners and the agency's lobbying team in Sacramento. The Recycling Board is also encouraged to provide input on the Agency's 2022 legislative priorities.

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DATE: November 17, 2021

TO: Waste Management Authority Board
Recycling Board

FROM: Cassie Bartholomew, Program Manager

SUBJECT: Alameda County Food Recovery Network Overview

SUMMARY

StopWaste convenes the Alameda County Food Recovery Network, which is comprised of diverse food recovery organizations that operate throughout the county. Network participants support the rescue of edible surplus food in Alameda County and nourish communities. At the November 17 joint meeting, staff will provide an overview of the network and highlight one of the participating organizations, the Alameda County Community Food Bank.

DISCUSSION

For the past decade, StopWaste has been strengthening our partnerships with food recovery organizations to better understand their needs. The Alameda County Food Recovery Network includes a wide range of food recovery organizations, grantees and other community groups (faith-based organizations, housing agencies, etc.), all working to help facilitate the rescue and/or redistribution of edible surplus food. They are united by a common goal to ensure that surplus edible food is put to its highest and best use—to feed people. The network provides a space for collaboration, connection, relationship building, and learning to strengthen the county’s food recovery landscape.

In 2019, we expanded our work with the network to provide information and gather feedback on the food donation aspects of SB 1383 regulations during the rule making process. As a result, the network now provides a platform for planning and implementation of the state’s first food donation law. The network will help to coordinate our countywide activities required under SB 1383 such as edible food recovery capacity planning, identifying gaps and opportunities for food donation through mapping activities, building trust and transparency between organizations and new relationships with donor businesses and jurisdictions. In addition, the network provides an opportunity to recognize and uplift the vital work that our food recovery partners are doing in the

county to address growing rates of food insecurity and how collectively, organizations can work together to build a resilient, sustainable and inclusive regional food system.

Through our Edible Food Recovery Capacity survey, we are currently working with the network to better understand their existing organizational capacity and to assess what infrastructure, funding or other support these organizations will need to enable them to collect, transport, store and/or distribute more food as we increase donations from large commercial edible food generators in the county. Our Organics Reduction Recycling Ordinance education and outreach work supports the network by providing resources to communicate with donors about food donation requirements, safe food handling guidance for donors, and a food donation contract template that organizations can use with their existing or new donors to meet SB 1383 requirements.

Staff will provide additional information about the network and introduce a guest presenter from the Alameda County Community Food Bank to share more about their work on grocery rescue, SB 1383 planning and implementation.

RECOMMENDATION

This item is for information only.



DATE: November 17, 2021

TO: Planning Committee/Recycling Board

FROM: Emily Alvarez, Program Manager

SUBJECT: Amendment to the Alameda County Integrated Waste Management Plan (ColWMP) for California Waste Solutions North Gateway facility located at 2308 Wake Avenue in Oakland

SUMMARY

California Waste Solutions (CWS) is proposing to relocate operations from their existing facilities at 1819/1820 10th Street and 3300 Wood Street to a new recycling facility located at 2308 Wake Avenue in the City of Oakland. CWS is seeking an amendment to the Alameda County Integrated Waste Management Plan (ColWMP) and a finding of conformance with the ColWMP. This report sets forth the background, project description, CEQA compliance, and staff recommendation to approve the proposed amendment and conformance finding. The proposed project will be reviewed by the Recycling Board acting as the Local Task Force (LTF) and the Planning Committee prior to action by the Waste Management Authority (WMA).

DISCUSSION

Background

California Waste Solutions (CWS) is the contracted recycling hauler with the City of Oakland through June 30, 2035. CWS is proposing to construct a new recycling facility at the North Gateway area of the former Oakland Army Base, located at 2308 Wake Avenue (“North Gateway facility”). The site is zoned as Gateway District Industrial Zone (D-GI) and the proposed use falls within the “Extensive Impact Civic-Curbside Recycling Collection” land use Classification. CWS currently operates two recycling facilities located in West Oakland at 1819/1820 10th Street and 3300 Wood Street. Its recycling operations would be permanently relocated to a newly constructed recycling facility at the North Gateway site. The existing CWS West Oakland facilities would be closed when the new facility begins operations.

The existing CWS facilities are permitted for less than 100 tons per day of solid waste and 25 incoming/10 outgoing truck trips under their respective Registration Permits issued by CalRecycle (10th Street: SWIS #01-AA0323; Wood Street: SWIS #01-AA-0329) and enforced by the Alameda County

Department of Environmental Health, acting as the Local Enforcement Agency (LEA). Existing operations include the receipt and processing of mixed recyclables from the City of Oakland and the transfer of residuals to Keller Canyon Landfill. The 10th Street recycling facility has been closed since June 2021 due to a fire. A portion of the City of Oakland's recyclables have been temporarily diverted to Davis Street Transfer Station in San Leandro to make up for the reduced capacity at CWS' facilities. The proposed North Gateway facility will have adequate capacity to meet the City's processing needs and should therefore end the diversion of Oakland recyclables to Davis Street Transfer Station.

The North Gateway facility would receive, process, and transfer up to 850 tons per day under a full Solid Waste Facility permit. Acceptable materials would be consistent with the types of materials currently processed at CWS' existing facilities, including paper, cardboard, paperboard, glass, aluminum, tin, steel, rigid plastics, film plastics, and plastic containers, that have been source-separated from other solid waste by residential and commercial generators. The North Gateway facility would not be open for drop-in recycling from the general public and would process materials collected by CWS under the Residential Recycling Collection program with the City of Oakland.

Project Description

CWS has operated recycling facilities in West Oakland since 1992. However, as the neighborhood has transitioned into primarily residential uses, the existing recycling facilities are no longer compatible. The proposed North Gateway project site is a vacant parcel located on Wake Avenue on 14.38 acres, consisting of: 1) 12.02 acres of land owned in fee by the City; and 2) 2.36 acres of land owned by the State of California Department of Transportation (Caltrans) and controlled by the City pursuant to an easement agreement between the City and Caltrans. The site is located at the northeast corner of Maritime Street and West Grand Avenue and is bordered by East Bay Municipal Utility District land and a BNSF rail spur to the north, a vacant city-owned lot and I-880 to the east, Grand Avenue overpass to the south, and truck parking areas owned by the City to the west.

CWS is proposing to construct an approximately 171,000 square-foot, two-story recycling facility to accommodate an administrative office, a material receiving area, a material recycling and recovery area with processing equipment, a bale storage area, a material shipping area, staff areas, a truck maintenance area including a compressed natural gas (CNG) fueling compressor, and a dispatch area. The rest of the site would be occupied by parking for personnel and collection trucks, scales and a scale house for receiving material onto the site, and access roads for the efficient movement of trucks and cars. The facility would be permitted to handle up to 850 tons per day of materials and 308 truck trips (222 incoming/86 outgoing). All material management, processing, and storage would be conducted entirely inside the enclosed building.

The site plan and building have been designed to comply with the City of Oakland's design guidelines and to highlight the facility's green building features to support the project's application for Leadership in Energy and Environmental Design (LEED) certification at a Gold level, including features such as recycled content building materials, roof-top solar, rainwater collection for landscape irrigation, and an

environmental education center. Construction of North Gateway facility is expected to take about one year to complete. A site plan and elevations are included in Attachment A.

The proposed facility would employ about 165 people (142 relocated and 23 new). Processing and maintenance activities would operate 24 hours a day, 7 days a week, with staffing covered in shifts. Operations for material recovery would be scheduled to avoid trucks traveling on local highways and streets during peak hours. Operations would have the flexibility to start and stop employee shifts to coincide with the receiving of material at the facility and to avoid peak hours of traffic. Visitors would be allowed in the facility from 8:30 a.m. to 5:00 p.m.

City Approvals

On June 16, 2021 the City of Oakland's Planning Commission recommended that the City Council approve the Design Review and Major Conditional Use Permit (CUP) for the North Gateway facility and adopt requisite CEQA findings. At the July 6, 2021 City Council meeting, Councilmembers adopted the following regarding the North Gateway facility:

- A resolution (No. 88733) for the Design Review and a Major Conditional Use Permit for the development for a recycling facility located at 2308 Wake Avenue by California Waste Solutions, Inc. and adopting requisite California Environmental Quality Act (CEQA) findings and the conditions of approval; and
- An ordinance (No. 13658):
 - Authorizing the City Administrator to execute a lease and disposition and development agreement between the City of Oakland (City) and California Waste Solutions, Inc. (CWS) for development of a recycling facility at 2308 Wake Avenue, with a term of up to seven years, a conveyance price of \$8,268,500 and applicable extension fees of \$125,000, \$250,000, and \$425,000;
 - Authorizing the City Administrator to execute a 99-year lease between the City and California Waste Solutions, Inc. of the City's leasehold interest in an easement granted by Caltrans over adjacent property;
 - Waiving the City's Local and Small Local Business Enterprises Program, as amended on February 16, 2021 (Ordinance No. 13640 C.M.S.) And May 4, 2021 (Ordinance No. 13647 C.M.S.);
 - Applying the Construction Jobs Policy and Operations Jobs Policy applied to the other projects at the former Oakland Army Base; and
 - Adopting CEQA findings.

CEQA Compliance

In 2002, the City and the Port of Oakland independently adopted the Oakland Army Base (OARB) Area Redevelopment Plan and certified the 2002 OARB Redevelopment Plan EIR. Subsequently in 2012, the City and the Port adopted the 2012 Addendum to the 2002 OARB EIR. The 2012 Addendum analyzed a land use program in the North Gateway area that assumed approximately 27.3 acres north of West Grand Avenue would be reserved for up to 379,610 square feet of use for indoor recycling facilities.

An Addendum No. 2 to the 2002 EIR/2012 Addendum was completed for the CWS proposal and adopted by the City in July 2021, which concluded that with implementation of the applicable Standard Conditions of Approval/Mitigation Measure and Reporting Programs (SCA/MMRP), the proposed project would not result in a substantial increase in the severity of significant impacts previously identified in the 2002 EIR/2012 Addendum or any new significant impacts that were not previously identified in the 2002 EIR/2012 Addendum.¹

The WMA is a responsible agency under CEQA and thus must consider the information in the 2002 EIR/2012 Addendum and the 2021 EIR Addendum No. 2. Consistent with the Public Resource Code (PRC 21166) and the CEQA Guidelines (section 15162), when an EIR has already been adopted, no subsequent or supplemental CEQA documentation shall be required by a responsible agency unless one or more of the following events occurs:

- (a) Substantial changes are proposed to the project that will require major revisions of the EIR due to new significant environmental effects,
- (b) Substantial changes occur with respect to the circumstance under which the project is being undertaken that will require major revisions in the EIR due to new significant environmental effects, or
- (c) New information, which was not known and could not have been known at the time the negative declaration was adopted, becomes available that will require major revisions of the negative declaration due to new significant environmental effects.

Staff has reviewed the existing CEQA documents and concludes that, based on the whole record before it, the facility underwent the review required under CEQA and that the ColWMP amendment is within the scope of activities addressed by the initial EIR and subsequent addenda. Since preparation and adoption of the EIR Addendum No. 2, there have been no substantial changes to the project. In addition, the conditions at the project site have not changed since preparation of the EIR Addendum No. 2, nor are there any other substantial changed circumstances, or new information that has become available that would result in any new significant impacts or a substantial increase in impacts considered in the 2002 EIR/2012 Addendum and 2021 Addendum No. 2.

¹ CEQA documents can be found at: <https://www.oaklandca.gov/documents/california-waste-solutions-cws-ceqa-review>

WMA staff concurs with the City's finding that the environmental impacts of the proposed project are adequately covered by the existing CEQA documents and no additional review is required.

ColWMP Amendment and Finding of Conformance

An amendment to the ColWMP is needed to add the location and description of the CWS North Gateway facility to the ColWMP. Under the criteria set forth in the ColWMP, any solid waste facility located in Alameda County seeking a Full Solid Waste Facility Permit (SWFP) must undergo a review for conformance with the ColWMP, as amended.

Before the WMA Board considers the ColWMP Amendment and conformance finding, the proposal must be reviewed by the Recycling Board in its capacity as the Local Task Force and the Planning Committee of the WMA. If the WMA Board approves the amendment and conformance finding, the changes will be forwarded to CalRecycle for processing and approval.

Local Task Force and Planning and Organization Committee Review

The Recycling Board, as the Local Task Force, and the Planning Committee of the WMA, will consider the proposed ColWMP Amendment and Finding of Conformance at its meeting on November 17, 2021 at 3:00 p.m. In its advisory capacity, the Local Task Force will review and provide comments on the proposed ColWMP Amendment (which can include a comment recommending adoption). The Planning & Organization Committee will receive the staff report and consider whether to recommend approval of the proposed ColWMP Amendment and conformance finding to the full WMA.

RECOMMENDATION

Staff recommends that the Recycling Board (in its role as Local Task Force) provide comments recommending, and that the Planning Committee recommend to the WMA Board that it hold a public hearing and adopt a resolution to (1) amend the ColWMP (Exhibit 1) to include the CWS North Gateway Recycling Facility in the City of Oakland, and make additional changes for consistency, (2) find that the CWS facility conforms to the ColWMP, as amended, and (3) make the findings required by CEQA.

Attachments:

Attachment A: North Gateway Facility Design Drawings

Attachment B: Resolution 2021-__

Exhibits:

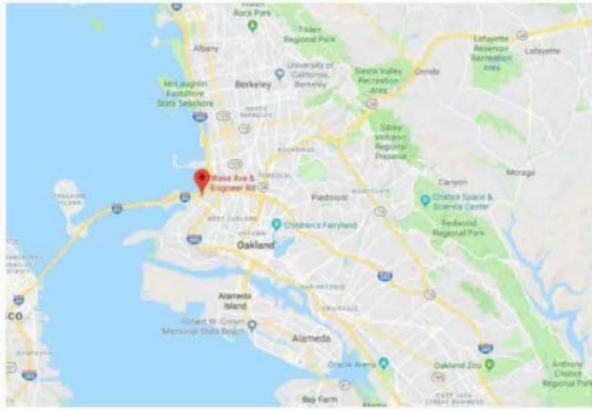
Exhibit 1: Text Changes to the Countywide Integrated Waste Management Plan

Exhibit 2: Siting Criteria Findings

Exhibit 3: Conditions of Approval

Attachment A

VICINITY MAP



LOCATION MAP



Figure 1. North Gateway Recycling Facility Project Location

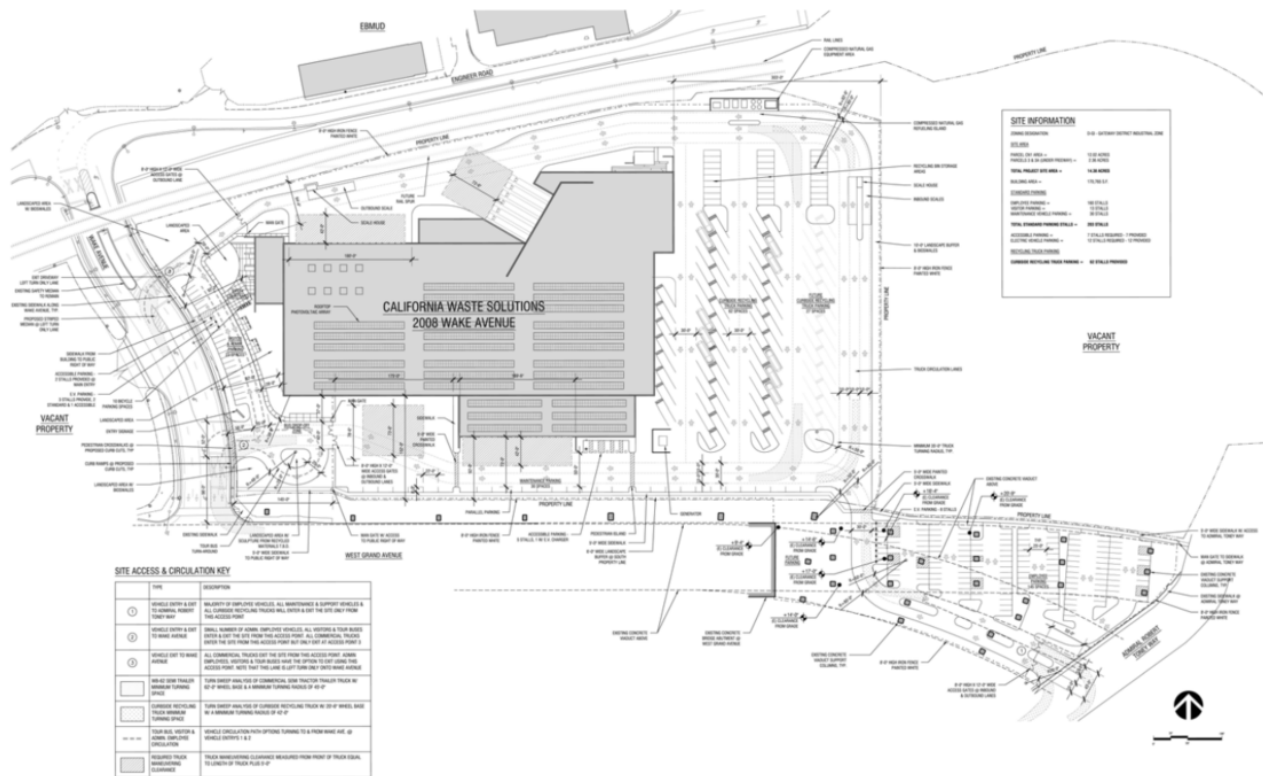


Figure 2. Conceptual Site Plan

Attachment A

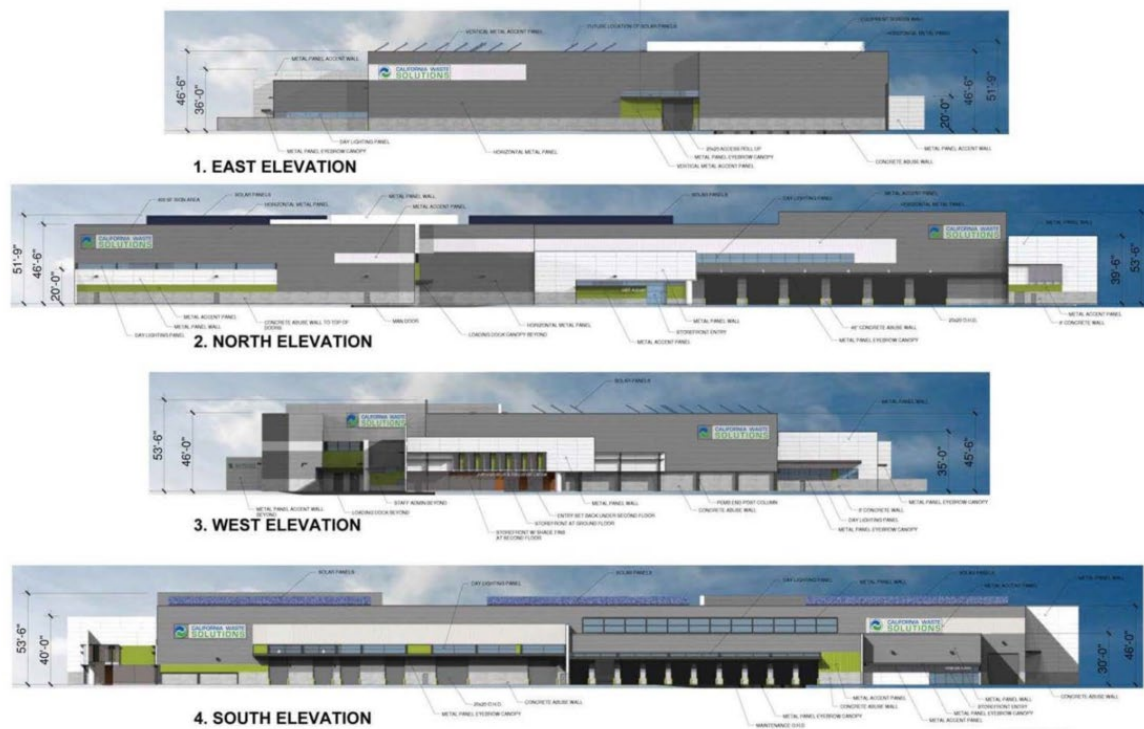


Figure 3. Exterior Elevations



Figure 4. Rendering of Proposed North Gateway Facility

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

MOVED:

SECONDED:

**AT THE MEETING HELD _____, 2021
ADOPTING AMENDMENTS TO THE COUNTYWIDE INTEGRATED WASTE MANAGEMENT PLAN,
AND FINDING PLAN CONFORMANCE FOR THE CALIFORNIA WASTE SOLUTIONS NORTH
GATEWAY RECYCLING FACILITY AT 2308 WAKE AVENUE, OAKLAND, CALIFORNIA**

The Board of the Alameda County Waste Management Authority ("WMA") resolves as follows:

SECTION 1 (Adoption)

The Board of the WMA does hereby adopt this Resolution in full consisting of Section 1 through Section 5.

SECTION 2 (Findings)

- (a) The WMA finds that the California Integrated Waste Management Act (California Public Resources Code §§ 40000 et seq.) requires the preparation and adoption of a Countywide Integrated Waste Management Plan (CoIWMP).
- (b) The WMA finds that the Alameda County Joint Exercise of Powers Agreement for Waste Management directs that the WMA prepare, adopt, revise, amend, administer, enforce, and implement the CoIWMP.
- (c) The WMA finds that it adopted a CoIWMP initially dated February 26, 2003, with a comprehensive update adopted April 22, 2020, and has adopted minor amendments since then.
- (d) The WMA finds that California Waste Solutions (CWS) currently operates two medium-volume recycling facilities in West Oakland at 3300 Wood Street and 1819/1820 10th Street.
- (e) The WMA finds that on July 6, 2021, the City of Oakland approved a resolution (No. 88733) for the Design Review and a Major Conditional Use Permit for the development for a recycling facility located at 2308 Wake Avenue by California Waste Solutions, Inc. ("Project") and adopting requisite California Environmental Quality Act (CEQA) findings and the conditions of approval; and a related ordinance (No. 13658):
- (f) The WMA finds that the City of Oakland prepared, considered, and adopted on July 2, 2021 a Second Addendum to the 2002 Oakland Army Base Area Redevelopment Plan Environmental Impact Report and a subsequent 2012 Addendum as required by the California Environmental Quality Act ("CEQA") for the Project.
- (g) The WMA finds that on October 11, 2021 the Project applicant submitted the required information to the WMA to amend the CoIWMP to include the proposed Project at 2308 Wake Avenue, Oakland, CA 94607.

Attachment B

- (h) The WMA finds that the Recycling Board, acting as the Local Task Force, has reviewed and commented on the proposed amendment, and the Planning & Organization Committee of the WMA has considered the ColWMP Amendment, including any comments by the Local Task Force, and has recommended approval of the ColWMP Amendment and conformance finding.
- (i) The WMA finds that WMA staff provided all required notice and held a duly noticed public hearing on November 17, 2021 to consider the ColWMP Amendment and conformance finding for the Project.
- (j) The WMA finds that the WMA Board considered all materials and testimony presented by the public, Local Task Force, applicant, and WMA staff.
- (k) The WMA finds that it is a Responsible Agency under CEQA, that this Project underwent the required review under CEQA, and that the WMA's action is within the scope of activities addressed by the City of Oakland's EIR and subsequent addenda.
- (l) The WMA finds that the WMA Board has independently reviewed and considered the City of Oakland's 2002 EIR, 2012 Addendum, and 2021 Addendum No. 2.
- (m) The WMA finds that since the City of Oakland's adoption of the 2021 Addendum No. 2, no substantial changes to the Project have occurred and no new information or changed circumstances exist that require revisions to the EIR due to new significant environmental effects or a substantial increase in the severity of previously identified significant effects.

SECTION 3 (CEQA Determinations)

The WMA's approval of the ColWMP amendment and conformance determination, as conditioned, will have not resulted in any new or more severe significant impacts to the environment than documented in the 2021 Addendum No. 2.

SECTION 4 (Amendment of ColWMP)

The WMA hereby amends the ColWMP as set forth in the ColWMP Amendment text attached hereto as Exhibit 1 and made a part of this Resolution, subject to the Conditions of Approval attached hereto as Exhibit 3.

SECTION 5 (Conformance Determination)

The WMA hereby determines that the proposed Project is in conformance with the ColWMP as amended, including the siting criteria as set forth in the siting criteria findings attached hereto as Exhibit 2 and made a part of this Resolution, and that the CWS North Gateway Recycling Facility, as conditioned by the Conditions of Approval attached hereto as Exhibit 3, would be in conformance with the ColWMP as amended.

Attachment B

Passed and adopted this __ day of _____, 2021 by the following vote:

AYES:

NOES:

ABSTAINING:

ABSENT:

Arliss Dunn
Clerk of the Board

Exhibits:

Exhibit 1: Text Changes to the Countywide Integrated Waste Management Plan

Exhibit 2: Siting Criteria Findings

Exhibit 3: Conditions of Approval

Exhibit 1: ColWMP Amendment Text

Text Changes to the Alameda County Countywide Integrated Waste Management Plan for the California Waste Solutions North Gateway Recycling Facility Located at 2308 Wake Avenue in the City of Oakland

The Alameda County Countywide Integrated Waste Management Plan (“Plan”) adopted April 22, 2020 is hereby amended again as set forth below. In the sections that follow, text to be added to the Plan is shown in **underline bold** and text to be deleted is shown in ~~striketrough~~.

1. Figure 3-A on page 3-9 shows the location of waste management facilities serving Alameda County. Amend Figure 3-A adding the name and location of the North Gateway Recycling Facility to the map.
2. Table 3-6 on page 3-12 summarizes information (in alphabetical order) regarding non-disposal facilities operating under a full Solid Waste Facility Permit in Alameda County. Amend Table 3-6 as provided below:

| Name | Address | Type | Owner/Operator |
|--|--|---|--|
| <u>CWS North Gateway Recycling Facility</u> | <u>2308 Wake Ave. Oakland, CA 94607</u> | <u>Transfer Station, MRF</u> | <u>California Waste Solutions</u> |

3. Appendix C, beginning on page C-1, provides brief descriptions of non-disposal facilities within Alameda County, in alphabetical order by facility type. Amend page C-2 as follows:

CWS Transfer/Processing Facilities

CWS operates two transfer/processing facilities in Oakland: one located at 1820 10th St. and the second at 3300 Wood St. The 10th Street facility (01-AA-0329) is a medium-volume transfer and processing facility on a 2.1-acre site, of which 0.8 acres are dedicated to this operation. It is permitted to transfer 100 TPD. The Wood St. Facility (01-AA-0323) is a medium-volume transfer and processing facility situated on adjacent parcels totaling 1.53 acres. It is permitted to transfer 100 TPD. The Alameda County Department of Public Health acts as the LEA for both facilities. The facilities receive and process mixed recyclables from the City of Oakland, and transfers residuals to Keller Canyon Landfill.

CWS plans to consolidate and relocate transfer and processing activities to a new parcel at the former Oakland Army Base known as **the North Gateway Recycling Facility, located at 2308 Wake Avenue. The North Gateway facility was approved by the City of Oakland in July 2021. The 14.4-acre site will house an approximately 171,000-square-foot recycling facility including administrative offices, MRF, and environmental education center. The North Gateway facility would receive, process, and transfer up to 850 TPD of mixed recyclable materials collected by CWS under their contract with the City of Oakland’s collection program. This collection includes, but is not limited to, paper, cardboard, paperboard, glass, aluminum, tin, steel, rigid plastics, film plastics, plastic containers, used motor oil, and batteries. Processing and maintenance activities would occur 24 hours a day/7 days a week, but the facility would not be open to drop-in recycling from the general public. The existing West Oakland facilities would cease operations upon opening of the North Gateway facility.**

Exhibit 2: Siting Criteria Findings

The Alameda County Waste Management WMA (“WMA”) has reviewed the materials submitted in connection with the California Waste Solutions North Gateway Recycling Facility (“proposed project”). Based on that review, the WMA hereby makes the following determinations pursuant to the relevant provisions of Chapter 6, Table 6-1 of the ColWMP. The Oakland Army Base (OARB) Area Redevelopment Plan 2002 EIR, 2012 Addendum, and 2021 Addendum No. 2 documents prepared by the City of Oakland also contains an analysis of many of the siting criteria listed below.

A. Seismic

The proposed project is not within 200 feet of an active or recently active fault.

B. Floodplains

The proposed project is not located in a 100-year floodplain nor in an area subject to flooding.

C. Wetlands

The proposed project site is a vacant lot covered with dirt/gravel surrounded by existing development and does not contain any wetlands.

D. Endangered Species Habitat

The proposed project site is a vacant lot covered with dirt/gravel surrounded by other development and does not contain any endangered species habitat.

E. Unstable Soils

Soils in the vicinity of the proposed project include artificial fill, expansive soils, and conditions that could result in seismic-related ground failure such as liquefaction, lateral spreading (lurching), and differential settlement. However, the proposed project has been designed in accordance with applicable design standards and building code requirements that ensure the structural integrity of the facility and is required to comply with a site-specific geotechnical report and recommendations.

F. Major Aquifer Recharge Areas

The proposed project site is a vacant lot covered with dirt/gravel surrounded by existing development and is not located in an aquifer recharge area.

G. Depth to Groundwater

Groundwater in the vicinity of the proposed project is shallow (there is a shallow water-bearing zone generally 5 to 7 feet below ground surface then a lower water-bearing zone beginning at approximately 25 feet below ground surface). However, the proposed project has been engineered in accordance with applicable local and State requirements with regard to shallow groundwater.

H. Permeable Strata and Soils

The proposed project site is currently a vacant lot graded with dirt/gravel. Soils in the area are generally gravelly sand fill to a depth of approximately 5 feet below ground surface, a second layer of fill consisting of fine-grained sand that was hydraulically dredged from San Francisco Bay between 5 to 15 feet below ground surface, underlain with Young Bay Mud clay beginning at approximately 15 feet below ground surface that is not very permeable

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and restricts downward movement of groundwater.

I. Non-attainment Air Areas

CWS shall comply with all requirements of the Bay Area Air Quality Management District (BAAQMD) in the operation of the facility.

J. PSD Air Areas

CWS shall comply with all requirements of the Bay Area Air Quality Management District (BAAQMD) in the operation of the facility.

K. Mineral Resources Area

The proposed project is not located in an identified mineral resources area.

L. Prime Agricultural Lands/Open Space

The proposed project site is located on a dirt/gravel vacant lot previously part of the Oakland Army Base in a fully-developed industrial area within the city and is not on any prime agricultural lands or open space.

M. Military Lands

The proposed project is located on the former Oakland Army Base. This site was identified for industrial use in the 2002 OARB Reuse Plan, and specifically for a recycling facility in the 2012 Addendum to the Reuse Plan.

N. Other Federal, State and Indian Lands

As noted above in (M), the proposed project is located on the former Oakland Army Base, specifically the portion now controlled by the City, and is not located on federal, State, or Indian lands.

O. Proximity to Major Transportation Routes

The proposed project is located one block from access to I-80 and I-880, which connect to other area highways. Collection vehicles have access to all areas of the city via major roadways, including West Grand Avenue and 7th Street via Maritime Street.

P. Proximity to Waste Streams

As noted in the siting criteria, a large volume transfer/processing facility, such as the proposed project, can be located a distance from waste sources because of the need for large sites and buffer zones to protect the public welfare. The proposed project is located in the western portion of the city, separated from much of the city's residential and commercial development but has easy access to all areas of the city via major roadways and highways.

Q. Proximity to Development

The proposed project is located near the Oakland Port in an extensive industrial/logistics area designed for industrial uses and heavy truck usage away from sensitive uses. The proposed project site is situated among major transportation routes including nearby access to the highway network via connections to I-880 and I-80 and easy access to Maritime Street, with connections to major routes into City of Oakland neighborhoods via Grand Avenue and 7th Street. Roadway access in the vicinity has been designed for truck traffic and access to the major transportation routes and is not in proximity to institutional or public facilities (such as hospitals, schools, libraries, etc.) or through residential areas (the closest of which are over 2,000 feet away).

R. Residential Development

The proposed project location is in an industrial portion of the city and separated from residential neighborhoods by I-880. The proposed project would allow CWS to cease operations at their two existing facilities that are situated in residential neighborhoods in West Oakland which currently lack appropriate buffers to protect residential areas from negative impacts.

S. Institutional/Public Facilities

The proposed project is located in an appropriate industrial/logistics-type of area separated from uses that could be sensitive to noise, litter, disease vector, dust, odors, and aesthetics. The proposed project is modern with all debris handling occurring in a controlled indoor environment to minimize the potential for negative impacts. As the site is highly visible from nearby highways/high volume roadways, the site plan and building have been designed to be visually appealing. The proposed project is not located within 500 feet of schools, churches, hospitals, civic buildings, or libraries.

T. Proximity to Public Services

The proposed project is located in a fully developed industrial area within the city and is connected to public utilities. With the recent realignment of Wake Avenue, all new utility infrastructure was installed and is available in the adjacent roadway. The proposed project is served by existing public services and facilities, including fire, police, and emergency medical services. The proposed project site is within Oakland Police Area 1, in Police Beat 5. The closest fire station is Fire Station #3, which is approximately 1.3 miles (4 minutes) from the proposed project site. While development of this site could increase demand for public services, it will pay development fees to the City to support services.

U. Conformance with Approved Countywide Siting Element of the Integrated Waste Management Plan ("Plan")

The proposed project is generally consistent with the goals and policies of the Countywide Siting Element and represents largely a relocation of existing facilities away from existing land use conflicts. The proposed project is specifically well-aligned with Goals 1-3, as highlighted below:

- *Goal 1: Disposal Capacity* – Compared to the combined 200 TPD of the existing CWS facilities, the proposed project will have an approved 850 TPD capacity thereby increase recycling capacity in Alameda County, allowing more materials to be diverted from landfills, thereby increasing disposal capacity.
- *Goal 2: Responsible Infrastructure* - CWS aims to recover the maximum amount of materials in the waste streams it receives. This diversion is accomplished through the diligent processing of the residential and multi-family/commercial customer waste stream at the company's two current Oakland facilities. With the addition of the new processing equipment planned for the proposed project, CWS expects to improve the diversion rate.
- *Goal 3: Materials Management* – CWS aims increase diversion at the proposed project through modernization of processing equipment and processes; development and

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operation of the new, state of the art facility; and implementation public education initiatives. CWS will pursue public education and outreach to improve recycling and waste reduction habits. CWS has advocated for City approval of a campaign that motivates Oaklanders to maximize recycling practices and drives customer change in a targeted manner with ongoing refinements based on actual behavior.

V. Recreational, Cultural, or Aesthetic Areas

The proposed project is located on a vacant site on the former Oakland Army Base and is not located in an area of recreational, cultural, or aesthetic significance.

W. Airport Zones

The proposed project is not located within 2 miles of an airport, within a Federal Aviation Agency approach zone, installation compatible use zone, or safety zone.

X. Gas Migration & Odor Emissions

The proposed project is a transfer and recycling processing facility and not a landfill or compost facility and would not involve putting waste into the ground that would have the potential to result in gas migration. The site may inadvertently receive small amounts of solid waste or putrescible waste that could result in odors. However, all materials will be handled in a controlled indoor environment that would limit any potential for odors. Additionally, the proposed project is surrounded by industrial-type uses that are not considered odor sensitive and is located a significant distance from residential areas.

Y. Contingency

CWS has submitted a copy of its proposed Emergency/Contingency Plan for the proposed project as part of their application. CWS will provide for continuity of service in the case of an emergency or any other facility unavailability, including those caused by natural or man-made events, by processing materials at its processing facility in the City of San Jose, located at 1005 Timothy Drive (SWIS #43-AN-0024).

Exhibit 3: Conditions of Approval

Conditions of Approval for the ColWMP Amendment and Conformity Determination for the California Waste Solutions North Gateway Recycling Facility

Pursuant to the Joint Powers Agreement establishing the Alameda County Waste Management Authority (“WMA”), the Alameda County Integrated Waste Management Plan, and State law, the ColWMP amendment and conformity determination enacted by the resolution to which this exhibit is attached is subject to the conditions below:

1. Operations at the California Waste Solutions (CWS) North Gateway Recycling Facility (“Facility”) located at 2308 Wake Avenue in the City of Oakland shall comply with all requirements governing the design and operation of large volume transfer/processing facilities under the Full Solid Waste Facility Permit (SWFP) as set forth in Title 14 of the California Code of Regulations.
2. Only the following “Acceptable Materials” may be accepted at the Facility: items collected in municipal residential and commercial recycling programs such as those collected by CWS under the Residential Recycling Collection Service Contract executed between City of Oakland and CWS: newspaper, mixed paper (including, but not limited to, white and colored paper, magazines, telephone books, chipboard, junk mail, and high grade paper), glass bottles and jars, metal cans including empty aerosol containers, aluminum foil and trays, milk and juice cartons, soup and juice boxes, narrow neck rigid plastic containers, non-bottle rigid plastics, and corrugated cardboard, which have been source-separated from other solid waste by residential and commercial generators for the purpose of recycling, as defined in Public Resources Code 40180. Acceptable Materials also include materials collected by CWS under the Residential Recycling Collection Service Contract between City of Oakland and CWS, including dry cell household batteries, used motor oil and used motor oil filters.

The recycling facility shall not allow drop-in recycling by the general public.

3. Any plant debris (grass, leaves, shrubbery, vines, tree branches, etc.) shall be separated and diverted to a composting facility in accordance with the WMA’s Mandatory Recycling Ordinance 2012-01 and Plant Debris Landfill Ban Ordinance.
4. No more than the permitted capacity of 850 tons per day of materials shall be processed by the Facility.
5. The number of truck trips transferring incoming and outgoing materials shall not be more than the permitted 308 truck trips per day.
6. The Facility shall be constructed and operate in compliance with the descriptions and assumptions made in the Oakland Army Base Area Redevelopment Plan 2002 EIR, 2012 Addendum, and 2021 Addendum No. 2 adopted by the City of Oakland.
7. At the end of each quarter, the project applicant shall provide to the City and Alameda

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County Waste Management Authority (Stopwaste) the following information regarding activities at the CWS North Gateway Recycling Facility during the preceding quarter: daily number of one-way truck trips; incidents of uncovered loads; inbound tonnage by local jurisdiction; outbound tonnage by commodity and facility destination; the tonnage of non-marketed materials (e.g. contaminants or rejects) that are sent to a landfill; the facility's diversion rate (including methodology); list personnel who are required to attend monthly scheduled training meetings in proper facility operation and maintenance, including hazardous waste recognition and screening, environmental and nuisance controls, use of equipment, safety procedures, and emergency situation procedures; and any public complaints.

8. The resolution to which these Conditions of Approval is attached shall take effect only upon CWS' acceptance of these conditions and its agreement to indemnify and hold harmless the WMA, its agents, officer, and employees according to the terms in paragraph (9) below.
9. CWS shall defend (with counsel acceptable to the WMA), indemnify and hold harmless the WMA, its agents, officers and employees for any costs, including attorneys' fees, incurred by the WMA, its agents, officers or employees in the defense of any action brought against the WMA, its agents, officers or employees, in connection with the approval or implementation of WMA Resolution 2021-____. The WMA may elect, at its sole discretion, to participate in the defense of such action, and CWS shall reimburse the WMA, its agents, officers or employees for any costs, including attorneys' fees, that the WMA, its agents, officers or employees incur as a result of such action. The WMA will provide statements indicating its reimbursable costs expended each month. CWS shall remit payment to the WMA for such costs within ten business days of receipt of such statements. This indemnification shall be binding upon the WMA, CWS, and all their successors and assigns.
10. CWS shall comply with the Alameda County Integrated Waste Management Plan, all applicable existing and future ordinances and resolutions of the WMA (including, but not limited to, Ordinance 2009-01 and Resolution 2009-03), all fee and reporting requirements imposed by the WMA, and all conditions imposed by the City of Oakland, including those under the Facility's Conditional Use Permit, and other regulatory agencies.
11. These conditions of approval shall restrict the operations of the Facility and shall be incorporated in, and enforceable under, CWS's Full Solid Waste Facilities Permit issued by the Alameda County Local Enforcement Agency and may be enforced by the City of Oakland in connection with its enforcement of its permits for the Facility.
12. Any Facility activities beyond those provided for by Resolution 2021-__ shall require a new ColWMP amendment and conformance determination by the WMA.

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**December 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 | <p>9</p> <p style="text-align: center;">9:00 A.M. Programs & Administration Committee Key Items</p> <p>1. 2022 Meeting Schedule 2. Reuse/Repair Network Overview</p> <hr/> <p style="text-align: center;">7:00 P.M. Planning Committee & Recycling Board Key Items</p> <p>1. Election of Officers 2. 2022 Meeting Schedule 3. Contract for Measure D 5-year Programmatic Audit 4. Measure D expenditure plans for cities in exceedance of allowable fund balance</p> | 10 | 11 |
| 12 | 13 | 14 | <p>15</p> <p style="text-align: center;">3:00 P.M. Waste Management Authority & Energy Council Key Items:</p> <p>1. 2022 Meeting Schedule 2. Stop Food Waste Campaign Update 3. BayREN contract amendment</p> | 16 | 17 | 18 |
| 19 | 20 | 21 | 22 | 23 | 24 AGENCY HOLIDAY | 25 |
| 26 | 27 AGENCY HOLIDAY | 28 | 29 | 30 | 31 | |

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Energy Council
TECHNICAL ADVISORY GROUP (TAG)
Tuesday, October 19, 2021 – 1:00 pm to 3:00 pm

Attendance (all via phone):

Alameda County: Emily Sadigh, Sophie McGuinness, Ali Abbors, Olivia Baaten (Fellow)

City of Albany: Michelle Plouse, Lizzie Carrade, Johnny Menhennet (Fellow)

City of Berkeley: Sarah Moore, Billi Romain

City of Dublin: Shannan Young, Emily Groth (Fellow)

City of Emeryville: Nancy Humphrey

City of Fremont: Rachel DiFranco

City of Hayward: Erik Pearson, Nicole Grucky, Carolyn Weisman (Fellow)

City of Newark: Soren Fajeau

City of Oakland: Shayna Hirshfield-Gold, Jeffery Wong, Sam Cadigan, Carmen Lopez (Fellow)

City of Piedmont: Alyssa Dykman, Annie Wensley (Fellow)

City of Pleasanton: ZeeLaura Page

City of San Leandro: Hoi-Fei Mok, Joyce Mok (Fellow)

StopWaste: Jennifer West, Emily Alvarez, Karen Kho, Timothy Burroughs, Chris Hunter, Meghan Starkey, Miya Kitahara, Ben Cooper, Sarah Day (Fellow)

Guests: Alex DiGiorgio, EBCE; Jeffery Liang, BayREN

Meeting Summary:

Introductions and Welcome

- Ask TAG - concerns or questions to share?
 - ICLEI has established the US Community Protocol for Accounting and Reporting of GHG. Are any TAG members or StopWaste staff planning to join the task force?
 - If no members plan to join individually, StopWaste can participate and will form a small TAG subgroup to gather input
 - Sign-on letter for CARB - jurisdictions asking for basic statewide GHG inventory upon which local jurisdictions can build upon
 - 73 signatories, including several TAG members, Miya will follow up with more info

Energy Council Board Update and Legislative Results – Jennifer West, StopWaste

- SB 68 (Becker) was recently signed by the Governor. Requires CEC to inform about electrification and EV charging equipment on its website with best practices for building owners, designers, etc.
- A contract with PG&E will go to the Energy Council board next week testing the application of Home Energy Score in mandatory ordinances or reach code applications
 - Contract is with PG&E statewide codes & standards team to set up a mandatory HES program in up to three jurisdictions throughout the state
 - Reach out to Karen Kho or Emily Alvarez if your jurisdiction may want to participate

The Switch is On Campaign – Shayna Hirshfield-Gold, City of Oakland and Chris Hunter, StopWaste

- Building Decarbonization Coalition (BDC) is the lead for the California [Switch is On](#) campaign, a statewide multi-year campaign to support electrification
 - Partnering with TECH to expand outreach to contractors, manufacturers, and designers
 - Important chance to get the messaging right
 - Connect and get bids from multiple contractors
- Campaign timeline:
 - 2019: Phase 1 conducted market research

- 2020: Phase 2 piloting in specific areas, BayREN was partner
 - \$50k from BayREN (\$25k towards marketing in Bay Area, focus efforts on areas not served by participating CCAs)
 - Created set of ads and videos run on BayREN's behalf in select areas, Feb-April 2021
- 2022: Phase 3 to educate, inspire, and switch
- Looking for partners at different membership levels (monetary)
 - Benefits for partners at all levels: web access and support, partner recognition, creative feedback input, creative assets and collateral, social media toolkits, and performance updates/analysis
 - More input if you pay more
 - Ambassador organization for local governments
 - Local "eyes, ears, and mouth"
 - Receive social media, branded info, website logos, forum, must promote in exchange (via social media posts, handouts at events, share feedback, etc.)
- Coordination needs:
 - BayREN & EBCE are both partners, some cities in Alameda County may want to be -- how to ensure messaging reaches entire county?
 - Concern over costs and "pay to play" model, often doesn't work for city staff
- What does the money go towards?
 - Need more money to build campaign towards optimal breadth
 - Does not cover incentives, but points you towards rebates available in your area (i.e. BayREN)
- How is equity and workforce being addressed?
 - Recent presentation did cover equity, very broad, references partnering with community advocates and CBOs, landlord outreach
 - Unless BDC has an EJ expert working on the CBO outreach or marketing design, the equity component may fall flat. Needs to be intentional in design to work.
- Can we pool funds (like through StopWaste) in order to be able to participate at a higher level? Otherwise, most feel that individual funding/membership will not be likely.

East Bay Forward Report and Grant Proposal – Timothy Burroughs and Karen Kho, StopWaste

- StopWaste has been working to be more intentional about multi-benefit solutions, such as economic and workforce development opportunities of sustainability work → Partnering with East Bay EDA on several efforts
 - Funding an East Bay EDA report on local businesses that work on waste reduction and circular economy, identifying challenges and opportunities of operating in the East Bay, and considering how we can help to attract and retain such businesses.
 - Pursuing development of a countywide Recycling Market Development Zone (RMDZ) (expanded from Berkeley/Oakland), which is a geographic zone for businesses that prevent or reduce waste. The RMDZ provides access to financing and funding from the state and increased TA for local agencies.
 - StopWaste is a Sponsor of the East Bay Forward report: providing a blueprint of moving the East Bay economy forward post-covid
- StopWaste is applying for federal grant (American Rescue Plan Build Back Better Regional Challenge: ARPA BBBRC) on transforming the Bay Area construction sector, focusing on affordability, carbon neutrality, and circularity
 - Phase 1 (\$500K possible) is to create a regional economic cluster to spur innovation and new markets
 - Partnering with RMI, LBNL, BIG, and more
 - Favors economically distressed areas. Bay Area does not look good for this at face value, but Covid has increased the bifurcation of the economy and inequality even further

- Strategies in the proposal include prefab construction, low-carbon materials, deriving value from “wasted” materials, education to prepare the workforce for a Circular Economy
 - Build partnerships with the private sector
 - Concrete innovations, agriculture and forestry byproducts for carbon sequestering/biobased materials, urban reuse
- Phase 2 (\$25-\$75 million possible) to implement projects such as:
 - R&D for testbeds/innovation centers
 - Incubator program for entrepreneurship
- Can existing programs like Oakland’s efforts to transform the green business program to a carbon neutral business program be part of this?
 - Intend to work with existing programs and partnerships where possible
- Expected to hear from Phase 1 in early December 2021
 - Grant is very competitive, but we will discuss with these partners the opportunities for other funding to pursue this work if not awarded

Housing Elements “Part One” – Emily Alvarez, StopWaste

- Distributed survey before TAG on status of Housing Elements and sustainability staff involvement
 - Housing Elements are mandated by the state and are typically handled by planning and/or a consultant
 - Want to understand how StopWaste can help foster connections between planning and sustainability staff (to move climate issues to an integrated space)
- How to balance housing crisis and climate crisis – often framed as a choice between affordable construction and sustainability. How can we work towards an approach that meets both goals?
 - In the long-term, sustainable and resilient housing may last longer than quickly built housing which might be vulnerable (to sea level rise, fires, etc.)
 - Opportunity to explore more land use and zoning decisions – could we have an overlay of areas at the edge of development and at the end of gas pipelines identified for phasing out of gas infrastructure?
- BayREN will provide template language for jurisdictions to use for the Energy Conservation sections
- ABAG is organizing County Cohorts with staff working on Housing Elements in each of the nine Bay Area counties. They meet monthly to discuss and can better coordinate regionally
 - Hopefully can bring some TAG members into a future meeting on energy and housing

Announcements & Take-aways

- BayREN dashboard available on SharePoint
- News can be posted and emailed to SharePoint by TAG members (such as job announcements)
- The BayREN Home+ program is hosting a series of regional “Home Energy 101” workshops and resource fairs over the coming weeks.
 - Sessions will be offered in English, Spanish, Mandarin, and Cantonese.
 - Please promote via social media/website/newsletters, and share info on the non-English events with CBOs or contacts with connections to those communities.
 - More info and link to RSVP: <https://bayren.eventbrite.com>. Reach out to Chris Hunter or Jeffery Liang if you have questions or need a sample blurb.