

**Planning & Organization Committee and
Recycling Board Members**

Tim Rood, **President**

City of Piedmont

Toni Stein, **1st Vice President**

Environmental Educator

Dianne Martinez, **2nd Vice President**

City of Emeryville

Adan Alonzo, Recycling Programs

Bernie Larrabe, Recycling Materials Processing Industry

Peter Maass, City of Albany

Jim Oddie, City of Alameda

John Moore, Environmental Organization

Michael Peltz, Solid Waste Industry Representative

Jerry Pentin, City of Pleasanton

Steve Sherman, Source Reduction Specialist

Wendy Sommer, Executive Director

AGENDA

**MEETING OF THE
PLANNING AND ORGANIZATION
COMMITTEE
AND
ALAMEDA COUNTY RECYCLING BOARD**

Thursday, November 10, 2016

7:00 P.M.

**Castro Valley Public Library
3600 Norbridge Avenue
Castro Valley, CA 94546
510-667-7900
(Directions provided)**

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

I. CALL TO ORDER

II. ROLL CALL

III. ANNOUNCEMENTS BY THE PRESIDENT

Page **IV. CONSENT CALENDAR**

- | | | |
|---|---|--------------------|
| 1 | 1. Approval of the Draft Minutes of October 13, 2016 (Tom Padia) | Action |
| 5 | 2. Board Attendance Record (Tom Padia) | Information |
| 7 | 3. Written Report of Ex Parte Communications (Tom Padia) | Information |
| 9 | 4. Grants Under \$50,000 (Tom Padia) | Information |

V. OPEN PUBLIC DISCUSSION

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

VI. REGULAR CALENDAR

- | | | |
|----|--|--------------------|
| 11 | 1. Member Agency Conformance with "Adequate Commercial Recycling" Standard and Municipal Eligibility to Receive Measure D Per Capita Allocations (Tom Padia) | Information |
| | This report is for information only. | |
| 15 | 2. Award of Contract for Five Year Program Review (Tom Padia) | Action |
| | Staff recommends that the Recycling Board approve award of contract for the Five Year Program Review to HF&H Consultants, LLC per the attached proposal in an amount not-to-exceed \$88,330 from the Five Year Audit project in the FY 16/17 budget and authorize the Executive Director to execute a contract for proposed services, subject to approval as to form by legal counsel. | |
| 19 | 3. Board Member Eligibility Verification Process (Wendy Sommer) | Information |
| | This item is for information only. | |

VII. OTHER PUBLIC INPUT

VIII. COMMUNICATIONS/MEMBER COMMENTS **Information**

IX. ADJOURNMENT

Castro Valley Public Library

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

Directions

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

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

Thursday, October 13, 2016

4:00 P.M.

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

**Teleconference
Adan Alonzo
41149 Boyce Road
Fremont, CA 94538
510-252-0500**

I. CALL TO ORDER

Tim Rood, President, called the meeting to order at 4:07 p.m.

II. ROLL CALL

Adan Alonzo, Recycling Programs (via teleconference)
Bernie Larrabe, Recycling Materials Processing Industry
Peter Maass, City of Albany
Dianne Martinez, City of Emeryville
Daniel O'Donnell, Environmental Organization
Jim Oddie, City of Alameda
Michael Peltz, Solid Waste Industry Representative
Tim Rood, City of Piedmont
Steve Sherman, Source Reduction Specialist

Absent:

Jerry Pentin, City of Pleasanton
Toni Stein, Environmental Educator

Staff Present:

Wendy Sommer, Executive Director
Tom Padia, Deputy Executive Director
Debra Kaufman, Senior Program Manager
Rachel Balsley, Senior Program Manager
Brian Mathews, Senior Program Manager
Farand Kan, Deputy County Counsel
Arliss Dunn, Clerk of the Board

III. ANNOUNCEMENTS BY THE PRESIDENT

There were none.

IV. CONSENT CALENDAR

- | | | |
|----|--|--------------------|
| 1. | Approval of the Draft Minutes of September 8, 2016 (Wendy Sommer) | Action |
| 2. | Board Attendance Record (Wendy Sommer) | Information |
| 3. | Written Report of Ex Parte Communications (Wendy Sommer) | Information |

Board member Martinez made the motion to approve the Consent Calendar. Board member Oddie seconded and the motion carried 9-0 (Absent: Pentin and Stein).

V. OPEN PUBLIC DISCUSSION

There was none.

VI. REGULAR CALENDAR

- | | | |
|----|--|--------------------|
| 1. | Final Legislative Status for 2016 (Debra Kaufman) | Information |
|----|--|--------------------|
- Staff recommends that the P&O Committee receive this 2016 legislative status update.

Debra Kaufman provided an overview of the staff report. The report is available here:

[Final-Legislative-Update-2016-10-13-16.pdf](#)

Board member Moore inquired if there were any two year bills coming up. Ms. Kaufman stated no, the new two year legislative session is starting up and new bill numbers will be assigned. President Rood thanked Ms. Kaufman for her report.

- | | | |
|----|---|--------------------|
| 2. | Business Assistance Program – Fiscal Year 2015-16 Highlights (Rachel Balsley & Michelle Fay) | Information |
|----|---|--------------------|

This item is for information only.

Wendy Sommer shared a video about Hong Kong's efforts to combat litter. The link is available here:

[Hong-Kong-DNA-Litter-video.mp3](#):

Rachel Balsley provided an overview of the staff report and presented a PowerPoint presentation. The report and presentation is available here: [Technical-Assistance-Update-10-13-16.pdf](#)

Board member Maass inquired if follow-up is provided if a business declines services. Ms. Balsley stated follow-up will be with a subsequent inspection to confirm that they are in compliance with the ordinance and if not, a warning letter follows that informs them of a possible fine for non-compliance. Board member Sherman inquired if the bin program is per site or per business account. Ms. Balsley stated bins are provided per site, and we have allowed approvals in shared service settings if there is one garbage account holder with multiple tenants. Board member Sherman inquired about equity among the small businesses with respect to access to the bin program and multi-lingual accessibility. Ms. Balsley confirmed that the technical assistance reps will provide hard copies of the bin program application upon request and will help guide them through the entire process. Ms. Balsley added there is multi-lingual access regarding the ordinance information but not yet for the bin program.

Board member Sherman inquired if staff is able to translate cubic yards into total tons diverted for fiscal year 2015/2016. Ms. Balsley stated the number of tons according to Cascadia is based on a number of density factors but is estimated to be about 650 tons. However, she considers this a low estimate. Mr.

Padia added this estimate is also in direct response to StopWaste technical assistance and does not include data if the account reached out to the hauler for expanded service or through the city.

President Rood thanked Ms. Balsley for her presentation.

3. Enforcement Update (Brian Mathews)

Information

This item is for information only.

Brian Mathews provided an overview of the staff report and presented a PowerPoint presentation. The report and presentation is available here: [Enforcement-Update-10-13-16.pdf](#)

Board member Alonzo stated that he is required to report the jurisdiction of origin on a monthly and quarterly basis to the LEA and inquired if this data is available on the CalRecycle webpage. Mr. Mathews stated yes the information is available but there are often discrepancies with the data because it is reported in aggregate. When reporting to CalRecycle it is not reported by weight tag but in aggregate by material type.

President Rood stated that the City of Oakland is installing curbside bike lanes and inquired about the entity responsible for ensuring that businesses have push/pull services. Mr. Mathews state the City of Oakland is responsible for code enforcement of this type. Mr. Padia added he believes that it is complaint based enforcement.

Board member Sherman stated with respect to the reusable bag ban that the responsibility is on retail stores and inquired if the ordinance could be expanded to cover the wholesalers as well. Ms. Sommer stated that it would require an ordinance amendment and enforcement could only occur where we have jurisdiction, in Alameda County. Enforcement of the Facility Fee Ordinance applies to haulers for loads of waste hauled out of county, it is not enforced on the out-of-county landfills accepting the material. Mr. Mathews added relevant to the facility fee, we only have authority to take enforcement action within the boundaries of Alameda County. Board member Sherman inquired if the polystyrene ordinance adopted by the City of Berkeley covers wholesalers. Ms. Kaufman stated that she is not sure but the ordinances are posted on our website. Board member Sherman inquired if there is a stick available for the haulers for not voluntarily paying the facility fee. Mr. Mathews stated if the violation reaches the citation stage they are charged for both the facility fees owed and an additional penalty for not reporting and remitting by a certain date.

President Rood thanked Mr. Mathews for his report.

VII. OTHER PUBLIC INPUT

There was none.

VIII. COMMUNICATIONS/MEMBER COMMENTS

There were none.

IX. ADJOURNMENT

The meeting adjourned at 4:55 p.m.

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2016 - ALAMEDA COUNTY RECYCLING BOARD ATTENDANCE

| | J | F | M | A | M | J | J | A | S | O | N | D |
|--------------------|---|---|---|---|---|---|---|---|---|---|---|---|
| REGULAR MEMBERS | | | | | | | | | | | | |
| A. Alonzo | X | X | X | X | X | X | X | X | X | X | | |
| G. Jones | X | I | X | X | X | A | | | | | | |
| B. Larrabe | X | X | X | A | X | X | X | X | X | X | | |
| P. Maass | X | X | X | X | I | X | X | X | A | X | | |
| D. Martinez | X | X | X | I | X | X | X | X | X | X | | |
| J. Moore | | | | | | | | | X | X | | |
| J. Oddie | | | | | | | X | X | X | X | | |
| D. O'Donnell | X | X | X | X | X | X | X | X | X | | | |
| M. Peltz | X | A | X | X | X | A | X | X | X | X | | |
| J. Pentin | X | I | I | X | A | X | I | X | X | A | | |
| T. Rood | X | X | X | X | X | I | X | X | X | X | | |
| S. Sherman | X | X | X | X | X | X | X | X | X | X | | |
| T. Stein | X | X | X | X | X | X | A | X | X | A | | |
| INTERIM APPOINTEES | | | | | | | | | | | | |
| D. Biddle | | X | | | X | | X | | | | | |
| S. Young | | X | | | | X | | | | | | |
| D. Sadoff | | | X | | | | | | | | | |
| D. Kalb | | | | 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 10, 2016

TO: Recycling Board

FROM: Tom Padia, Deputy 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 16, 2016

TO: Waste Management Authority and Recycling Board

FROM: Wendy Sommer, Executive Director

SUBJECT: Grants Issued Under Executive Director Signature Authority

SUMMARY

The purchasing and grant policies were amended to simplify paperwork and Board agendas by giving the Executive Director authority to sign contracts and grant agreements less than \$50,000. A condition of the grant policy is that staff informs the Board of recently issued grants.

Grants – September 15, 2016 through October 15, 2016

| PROJECT NAME | GRANT RECIPIENT | PROJECT TYPE/DESCRIPTION | LOCATION | VERIFICATION | GRANT AMOUNT | BOARD |
|----------------------------------|---------------------------------------|---|-------------|--|--------------|-------|
| Partner Community Outreach Grant | El Sobrante Park and Planting Justice | Engage qualified Community Based Organizations to extend their reach and impact to promote food scrap recycling to a wider community by partnering with one another | Oakland | Reports, pledges and social media analysis | \$5,000 each | RB |
| Community Outreach Grant | St. James Lutheran Church | Nonprofit grant funds to promote food scrap recycling to difficult to reach audiences. Grantees utilize Agency outreach materials to reach their communities using their own networks and social media. | San Leandro | Reports, pledges and social media analysis | \$5,000 | RB |
| Community Outreach Grant | Colonial Acres Elementary School PTA | Nonprofit grant funds to promote food scrap recycling to difficult to reach audiences. Grantees utilize Agency outreach materials to reach their communities using their own networks and social media. | Hayward | Reports, pledges and social media analysis | \$5,000 | RB |

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DATE: November 10, 2016

TO: Planning & Organization Committee/Recycling Board

FROM: Wendy Sommer, Executive Director

BY: Tom Padia, Deputy Executive Director

SUBJECT: Member Agency Conformance with “Adequate Commercial Recycling” Standard and Municipal Eligibility to Receive Measure D Per Capita Allocations

SUMMARY

At the November 12, 2015 meeting the Recycling Board asked that staff provide a status of all member agency compliance with the Adequate Commercial Recycling standard in one year. Currently, all member agencies are in compliance with the standard.

DISCUSSION

At the November 8, 2012 meeting the Recycling Board unanimously adopted a definition and process for assessing the existence of an “adequate commercial recycling program” for the purpose of determining municipal eligibility to receive per capita Recycling Fund monies (approximately \$4,000,000 per year total, allocated to 16 jurisdictions).

Per capita Measure D funding is provided to municipalities only if they meet certain requirements, one of which is the implementation of an “adequate” commercial recycling program. Because participating in the mandatory commercial recycling ordinance (MRO) was considered by staff to create an adequate commercial recycling program, staff met several times with the four member agencies that had opted out of Phase 1 of the MRO in order to fully understand their perspectives on other ways to create an adequate commercial program. The staff of these four agencies (CVSan, Dublin, Oro Loma Sanitary District, and Pleasanton) indicated informally prior to policy adoption that it was reasonable and achievable.

POLICY ADOPTED NOVEMBER 2012:

The adopted policy has a compliance requirement for recyclables and another one for organics. Each compliance requirement involves satisfying ONE (or more) of three criteria, on and after a date (See Attachment A)

If Recycling Board staff believes a member agency is not in compliance, it will notify the member agency and refer the situation to the Recycling Board for a decision. If the Recycling Board decides

the member agency has not complied with the minimum standard, it may withhold future Measure D payments.

EXPERIENCE TO DATE

Recyclables: All jurisdictions are currently in compliance with this standard.

While Dublin has not opted in to the MRO, it has consistently met the third criteria of a greater than 50% participation rate in their commercial recycling program, which is an accepted criteria for adequate commercial recycling. The Oro Loma Board on April 19, 2016 voted to opt-in to both phases 1 and 2 of the MRO effective January 1, 2017.

Organics: All jurisdictions are currently satisfying this standard.

Dublin and Union City chose to opt-out of Phase 2 of the MRO, although Union City has indicated an intent to opt-in along the same waiver schedule in place for Fremont and Newark (effective 7/1/2017). The requirement to enlist over 50% of “high organics generating” accounts (HOGs) to commercial organics collection service (the third criteria) or spend three hours of commercial organics outreach per HOG account (the second criteria) was in effect over the course of the past fiscal year (FY 15/16) and reported by member agency staff in October 2016. Status of these 2 jurisdictions:

- Dublin: More than 50% of the HOG accounts are currently subscribed to organics collection service.
- Union City: Opted out of Phase 2 due to unsustainable rate provisions for commercial organics service under franchise. City is working to negotiate modifications that will allow for opt-in to Phase 2. Until then, staff is prepared to document required hours of commercial organics outreach primarily to improve results from current limited set of commercial organics subscribers and to strategically add new accounts incrementally. For FY 15/16, Union City staff submitted documentation showing well over three hours of commercial organics outreach per HOG business in Union City.

RECOMMENDATION

This report is for information only.

ATTACHMENT A

Compliance Requirement for Recyclables and Organics

COMMERCIAL RECYCLABLES

An adequate commercial recycling program under the County Charter will satisfy ONE (or more) of these criteria on and after July 1, 2013 unless the Recycling Board adopts an alternative definition after that date.

1. The member agency participates in the ACWMA mandatory recycling ordinance, Phase 1. The Recycling Board has previously formally stated that participation in the ordinance is not necessary, but is more than adequate.
OR
2. The member agency ensures that at least one hour per year of technical assistance work time is actually provided to businesses to encourage and assist commercial accounts to recycle more. The minimum amount of time can be provided by member agency staff, franchised hauler staff, consultants to the member agency or franchised haulers, or any combination of these. The minimum time commitment will be proportional to the number of commercial accounts in the member agency. In addition, a member agency would need to either make source separated recycling services available at open market rates or adopt a rate schedule under which the prices per volume and frequency of source separated services are no higher than that for refuse/garbage service of the same volume and frequency. This second part of criteria 2 is necessary because technical assistance and outreach cannot increase recycling participation if the service is not available at a competitive price.
OR
3. The member agency achieves a 50% participation rate in its commercial recycling program. Participation for recycling shall be calculated as a percentage of total commercial accounts. Participation through centralized processing will count so long as the centralized processing facility meets the less than 10% covered materials residual quality standard defined in the mandatory recycling ordinance.

COMMERCIAL ORGANICS

An adequate commercial recycling program under the County Charter will satisfy ONE (or more) of these criteria on and after July 1, 2014 unless the Recycling Board adopts an alternative definition after that date.

1. The member agency participates in the ACWMA mandatory recycling ordinance, Phase 2 (or a variation on Phase 2 approved administratively as provided for in the ordinance). The Recycling Board has previously formally stated that participation in the ordinance is not necessary, but is more than adequate.

OR

2. The member agency ensures that at least 3 hours per year of technical assistance work time is actually provided to organics generating businesses to encourage and assist commercial organics accounts to recycle more. The minimum amount of time can be provided by member agency staff, franchised hauler staff, consultants to the member agency or franchised haulers, or any combination of these. In addition, a member agency would need to either make source separated commercial organics services available at open market rates or adopt a rate schedule under which the prices per volume and frequency of source separated services are no higher than that for refuse/garbage service of the same volume and frequency. This second part of criteria 2 is necessary because technical assistance and outreach cannot increase recycling participation if the service is not available at a competitive price.

OR

3. The member agency achieves a 50% participation rate in its commercial organics program. Participation for commercial organics shall be calculated as a percentage of organics generating businesses based on SIC and/or NAICS codes. Participation through centralized processing will count so long as the centralized processing facility meets the less than 10% covered materials residual quality standard defined in the mandatory recycling ordinance.



DATE: November 10, 2016

TO: Planning & Organization Committee/Recycling Board

FROM: Wendy Sommer, Executive Director

BY: Tom Padia, Deputy Executive Director

SUBJECT: Award of Contract for Five Year Program Review

SUMMARY

In both May and August the Recycling Board discussed the scope of work and budget for the County Charter-required Five Year Program Review, directing staff to pare down the scope to decrease focus on comparative evaluation of past performance, increase focus on forward looking best practices and metrics, and reduce the budget to under \$100,000. Five proposals were received and reviewed by a team of senior staff. Interviews of three finalists were conducted by a panel consisting of senior RB and member agency staff. Staff recommends award of contract to the team led by HF&F Consultants, LLC, with Kelly Runyon and Delyn Kies as subcontractors.

DISCUSSION

Measure D requires a comprehensive financial, statistical and programmatic audit and analysis to be performed within four years of the effective date of the Act and every five years thereafter. (Actual text from this section of the Charter is included as Attachment A.)

For some time now the Board has separated the financial/compliance review from the programmatic evaluation and has conducted separate solicitation and selection processes for each. The current Five Year Financial & Compliance Audit for FY 11/12–15/16 is underway by Crowe Horwath and should be completed around the end of this fiscal year.

Program reviews have typically included summary profiles comparing local program features and results to each other and to other well-regarded and “model” waste reduction programs nationwide. The last Program Review five years ago cost approximately \$144,000. Additionally, the scopes of work for the past several Five Year Program Reviews have included tasks to research one or more topics or issues of current relevance to Alameda County’s waste reduction efforts and goals.

The scope for this RFP asked consultants to use existing data sets to extract and present key program parameters and performance metrics for member agency diversion programs, to propose key metrics to measure and track future municipal waste reduction efforts, to identify best practices used in tracking the disposition of diverted materials, to broadly evaluate countywide waste reduction programs, and to research and present findings of the “percent good stuff in the garbage” in other high-performing jurisdictions that have conducted recent waste characterization studies. Finally, the consultant is asked

to develop recommendations for StopWaste and the member agencies to improve waste reduction performance, and identify other high performing jurisdictions that we might look to as models. The full RFP is Attachment C.

Budget:

The approved FY 16/17 budget includes \$181,000 in originally-projected hard costs based upon a base contract of approximately \$150,000 and a contingency of \$30,000. Funds for the Five Year Program Review come from the Grants to Non-Profits revenue stream, which allows funding for “...planning, research and studies directed at furthering the purposes of this Act.” (Subsection 64.060(B)(2)). Any cost savings for this project will be returned to the Grants to Non-Profits fund balance.

The HF&H proposal is for a “base” budget of \$79,850 and optional higher levels of effort on four of the tasks totaling an additional \$26,080 plus an optional task for an additional \$6,720. The recommended scope and contract award includes a higher level of effort on two of the tasks for an additional \$8,480, or a total of \$88,330. The higher level of effort on Task 2 includes recommendations on revisions to the content and format of the current data request form submitted annually by member agencies in order to improve consistency and accuracy, as well as adding data from four outside-the-county jurisdictions to the comparative data tables profiling member agency programs. The higher level of effort on Task 4 adds 40 more hours (to the base level of 60 hours) for the development of key comparative metrics for future program tracking. While “value” rather than absolute price was the primary criteria for evaluation, the HF&H recommended scope and budget for \$88,330 came in as the lowest of all (five) proposals. Additionally, the HF&H team scored highest among the reviewers and interview panel for breadth and depth of experience.

RECOMMENDATION

Staff recommends that the Recycling Board approve award of contract for the Five Year Program Review to HF&H Consultants, LLC per the attached proposal in an amount not-to-exceed \$88,330 from the Five Year Audit project in the FY 16/17 budget and authorize the Executive Director to execute a contract for proposed services, subject to approval as to form by legal counsel.

Attachment A: Subsection 64.040: Recycling Policy Goals and Recycling Plan

Attachment B: Proposal from HF&H Consultants, LLC ([Click Here](#))

Attachment C: Request for Proposals dated August 18, 2016 ([Click Here](#))

ATTACHMENT A

Following is the text from Measure D relating to the comprehensive audit:

SUBSECTION 64.040: RECYCLING POLICY GOALS AND RECYCLING PLAN

- C. The Recycling Board shall contract, not more than four (4) years after the effective date of this Act, and then every five (5) years thereafter, for an audit to determine compliance with the Recycling Plan and the degree of progress toward the recycling policy goal then in effect. Said audits shall be conducted by an independent auditor (or auditors) with experience in source reduction and recycling. The reports of said audits shall be completed within one (1) year and issued to each municipality, the Board of Supervisors and the Authority. Said reports shall include at least the following:
1. A narrative and analytical evaluation of all recycling programs within Alameda County, whether funded through this Act or not, both Alameda County-wide and within each municipality;
 2. A statistical measure of the progress toward the recycling policy goal then in effect;
 3. An evaluation of the Recycling Board's activities, including, but not limited to, an accounting of the monies spent by the Recycling Board; and
 4. Recommendations to the Recycling Board, the Board of Supervisors, the Authority and the municipal governing bodies for the maintenance and expansion of recycling programs, and any necessary resulting amendments to the Recycling Plan.

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DATE: November 10, 2016

TO: Planning & Organization Committee/Recycling Board

FROM: Wendy Sommer, Executive Director

BY: Tom Padia, Deputy Executive Director

SUBJECT: Board Member Eligibility Verification Process

SUMMARY

Recycling Board members are appointed by the Waste Management Authority (5 members) and by the Board of Supervisors (6 members), subject to certain requirements contained in the County Charter (Subsection 64.130(D)). At the request of the Board of Supervisors, staff has developed a standardized screening tool to verify conformance/eligibility per the requirements of the Charter. The form (attached) will be used in the future prior to appointment to the Recycling Board, and current Board members are asked to fill it out as a means of documenting current qualifications.

DISCUSSION

To ensure consistency, Recycling Board and Board of Supervisors staff have developed a process to verify conformance of applicants with the eligibility requirements of their “slot” on the Board prior to appointment. The Charter requires residency in Alameda County for all Recycling Board members, and membership on the Waste Management Authority Board for the five WMA appointees. Of the six Board of Supervisors appointees, four are designated as “representatives” of specified industries, sectors or organizations, one is a “source reduction specialist with substantial experience as such,” and one is “an environmental educator employed as such on a full-time basis.” Additionally, the Charter prohibits more than one employee or representative of any for-profit corporation from serving on the Recycling Board at any one time. The screening form has been developed to provide a consistent means to assess conformance with these requirements.

Currently, when a vacancy occurs in one of the six slots appointed by the Board of Supervisors, StopWaste staff announces the vacancy to local media and stakeholders through its website and social media channels. All applications are directed to staff at the Board of Supervisors, as are all questions regarding the appointment process. StopWaste staff are available to answer applicants’ questions about the work performed by the Recycling Board, but not the selection or appointment process. For future vacancies, the verification form will be posted with the vacancy announcement and applicants will need to complete and submit it along with their cover letter and resume. Board of Supervisors staff will forward applications of top candidates to Recycling Board staff for review of qualifications and follow-up inquiry with candidates if necessary. Candidate interviews and selection remain at the sole discretion of the Board of Supervisors.

As this is an administrative process (jointly developed by the Board of Supervisors and StopWaste staff) it does not require a vote of the Recycling Board to move forward. Recycling Board members are requested to fill out and submit their completed forms at the November 10 meeting or by November 18, 2016. Recycling Board staff will review the completed forms and contact the WMA and Board of Supervisors if there are potential issues that require clarification.

RECOMMENDATION

This item is for information only.

Attachment A: Recycling Board Eligibility Verification Form

BOARD QUALIFICATION FORM

Subsection 64.130: Recycling Board

D. Members of the Recycling Board shall be appointed in accordance with the following:

1. The Authority may appoint five (5) of its members to sit on the Recycling Board.

....

2. The Board of Supervisors shall appoint six (6) Alameda County residents to the Recycling Board as follows:

- a. A representative of an organization engaged primarily in operating recycling programs within Alameda County;
- b. A source reduction specialist with substantial experience as such;
- c. A representative of the recyclable materials processing industry;
- d. A representative of the solid waste industry;
- e. A representative of an environmental organization with a significant membership active in recycling issues within Alameda County; and
- f. An environmental educator employed as such on a full-time basis.

3. The membership of the Recycling Board shall reflect expertise in the field of source reduction and recycling.

4. No for-profit corporation, including its divisions, affiliates, parents and subsidiaries, wholly or partially owned, may have more than one (1) employee or representative on the Recycling Board at any one (1) time.

5..... Members of the Recycling Board shall serve a term of two (2) years, and may be reappointed for one (1) successive term, ...

Should a Recycling Board member appointed by the Authority cease to be a member of the Authority, or if a Recycling Board member who is a member of the governing body of a municipality should cease to be a member of said governing body, or if a Recycling Board member ceases to be a resident of Alameda County, her or his seat on the Recycling Board shall be immediately deemed to be vacant.