

**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, December 8, 2016

4:00 P.M.

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

Meeting is wheelchair accessible. Sign language interpreter may be available upon five (5) days' notice 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 November 10, 2016 (Tom Padia) | Action |
| 5 | 2. Board Attendance Record (Tom Padia) | Information |
| 7 | 3. Written Report of Ex Parte Communications (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

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|----|--|---------------|
| 9 | 1. Accumulated Measure D Fund Balance Exceeding Policy Threshold – Approval of City of Newark Expenditure Plan (Tom Padia) | Action |
| | Approve the Expenditure Plan submitted by the City of Newark and find that Newark is eligible to continue receiving its quarterly per capita disbursements from the Recycling Fund through June 30, 2018, while it expends its Measure D funds according to the Expenditure Plan or on other eligible uses. | |
| 21 | 2. Amendment to the Alameda County Integrated Waste Management Plan to include a Compost Facility at the Altamont Landfill and Resource Recovery Facility in the unincorporated area of Livermore (Debra Kaufman) | Action |
| | Staff recommends that the Planning & Organization Committee and the Recycling Board (in its role as Local Task Force) recommend to the Authority Board that it hold a public hearing and introduce and waive the first reading of the ColWMP Amendment ordinance (Attachment A) at the December 21, 2016 meeting to (1) amend the ColWMP (Exhibit 1) to include the Altamont Compost Facility at the Altamont Landfill and Resource Recovery Facility in the unincorporated Livermore area, and make additional changes for consistency, | |

(2) find that the Altamont Compost Facility conforms to the ColWMP as amended, and (3) make the findings required by CEQA, and also recommend that the Authority Board direct staff to place the ordinance on the calendar for adoption at the January 25, 2017 meeting.

37	3. 2017 Meeting Schedule (Tom Padia) It is recommended that the WMA/EC, P&A Committee, and the Recycling Board/P&O Committee, each adopt their respective regular meeting schedules for 2017.	Action
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41	4. Election of Officers for 2017 (Tom Padia) Elect Officers for 2017.	Action
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VII. OTHER PUBLIC INPUT

VIII. COMMUNICATIONS/MEMBER COMMENTS	Information
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IX. ADJOURNMENT

**MINUTES OF THE REGULAR 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**

I. CALL TO ORDER

Tim Rood, President, called the meeting to order at 7:00 p.m.

II. ROLL CALL

Adan Alonzo, Recycling Programs
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
Jerry Pentin, City of Pleasanton
Tim Rood, City of Piedmont
Steve Sherman, Source Reduction Specialist
Toni Stein, Environmental Educator

Staff Present:

Wendy Sommer, Executive Director
Tom Padia, Deputy Executive Director
Farand Kan, Deputy County Counsel
Arliss Dunn, Clerk of the Board

Others Present:

Joshua Perez, Independent Recycling Services
Peter Deibler, HF&F, LLC

III. ANNOUNCEMENTS BY THE PRESIDENT

There were none.

IV. CONSENT CALENDAR

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

Board member Maass made the motion to approve the Consent Calendar. Board member Pentin seconded and the motion carried 9-0.

(Ayes: Larrabe, Maass, Martinez, Moore, Oddie, Peltz, Pentin, Rood, Stein. Nays: None. Abstain: None. Absent: Alonzo, Sherman)

V. OPEN PUBLIC DISCUSSION

Jonathan Perez, Independent Recycling Services, a C&D debris hauler/recycler located in Oakland, provided public comment. Mr. Perez stated that he was attending the meeting to learn more about recycling and how to reach the diversion goal by 2020. He learned about the meeting from Kerry Parker, City of Alameda, Public Works Department.

VI. REGULAR CALENDAR

1. Member Agency Conformance with “Adequate Commercial Recycling” Standard Information And Municipal Eligibility to Receive Measure D Per Capita Allocations (Tom Padia)

This report is for information only.

Tom Padia provided a summary of the staff report. The report is available here: [Adequate Commercial Recycling-11-10-16.pdf](#)

There was no public comment on this item.

2. Award of Contract for Five Year Program Review (Tom Padia) Action

Staff recommends that the Recycling Board approved award of contract for the Five Year Program Review to HF&F 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.

Tom Padia provided a summary of the staff report. The report is available here: [Five Year Review Contract-11-10-16.pdf](#)

Peter Deibler, HF&H Consultant, was in attendance to answer any questions. Board member Stein inquired about the mention of Kevin McCarthy in an attachment of the RFP. Mr. Padia stated that Mr. McCarthy had expressed an interest in submitting an RFP for the project, and that the referenced attachment to the RFP was an initial list of consultants to whom the RFP was emailed, in addition to posting on the agency website. Board member Stein thanked staff for recommending a contract award under \$100,000.

Board member Pentin made the motion to approve the staff recommendation. Board member Stein seconded and the motion carried 10-0-1. (Ayes: Larrabe, Maass, Martinez, Moore, Oddie, Peltz, Pentin, Rood, Sherman, Stein. Nays: None. Abstain: Alonzo. Absent: None).

3. Board Member Eligibility Verification Process (Wendy Sommer) Information

This item is for information only.

Executive Director Wendy Sommer provided an overview of the staff report (available here: [Board Verification Process-11-10-16.pdf](#)) and explained the process currently utilized by the Board of Supervisors for vetting the applications and subsequent appointments of Board of Supervisor appointees to the Recycling Board. Ms. Sommer stated that County Counsel, agency staff, and the Board of Supervisors staff suggested establishing a process of verification that is clear to everyone involved. The new process will include an additional step with the addition of a ‘Board Qualification Form’ that would be included with the application. Tom Padia stated that the Measure D charter states “No two employees of a for-profit corporation shall be members of the Board at any one time.”

He added this circumstance happened only one time in the nineties and unfortunately was not discovered through any screening process and is one of the reasons why they are asking for Board members to verify if they work for a “for-profit” corporation or not. Ms. Sommer asked that Board Members complete the form and submit it at the board meeting or by November 18, 2016.

Board Member Stein stated that she had completed and submitted the form and inquired if more information was required. Ms. Sommer stated that Board Member Stein’s slot as Environmental Educator is the only one that is required to be “employed as such on full time basis” as stated in Measure D. Board member Stein stated that she was upset and felt that this issue was being discussed in a “defamatory way” at the board meeting. Board member Stein inquired as to why she is being compelled to provide her W2 and salary. Mr. Padia stated that it would be fine to redact any personal information that she deemed to be sensitive as it pertains to her salary. Board member Peltz suggested that the Board of Supervisors in collaboration with agency staff develop a list of criteria that can be used as verification of employment. Ms. Sommer stated that it was the Board of Supervisor’s purview and staff is simply assisting in the process.

Board member Pentin inquired if Recycling Board Members are required to fill out Form 700s. Ms. Sommer replied yes. Board Member Peltz inquired if this would be an ongoing process and if the form would be given to the applicant at the time of the interview with the Board of Supervisors. Mr. Padia stated yes the form would be requested from applicants at the point of application, along with a cover letter and resume.

VII. OTHER PUBLIC INPUT

Mr. Perez inquired about the process for becoming a Recycling Board member. Ms. Sommer directed Mr. Perez to page 19 of the staff report which outlines the different categories of Board appointees and the application process.

VIII. COMMUNICATIONS/MEMBER COMMENTS

Board member Sherman announced the success of passage of Prop 67 and the defeat of Prop 65. Board member Sherman stated that the NCRA had put together a video that has been viewed by thousands (available here: [Ban the bag](#)) as well as a write up in the Sacramento Bee (available here: [Sac Bee Bag Ban](#)) that has received national attention. Board member Sherman thanked staff for bringing the recommendation before the Board and for the Board to endorse staffs’ recommendation to support Prop 67 and oppose Prop 65.

IX. ADJOURNMENT

The meeting adjourned at 7:32 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	X	
G. Jones	X	I	X	X	X	A						
B. Larrabe	X	X	X	A	X	X	X	X	X	X	X	
P. Maass	X	X	X	X	I	X	X	X	A	X	X	
D. Martinez	X	X	X	I	X	X	X	X	X	X	X	
J. Moore									X	X	X	
J. Oddie							X	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	X	
J. Pentin	X	I	I	X	A	X	I	X	X	A	X	
T. Rood	X	X	X	X	X	I	X	X	X	X	X	
S. Sherman	X	X	X	X	X	X	X	X	X	X	X	
T. Stein	X	X	X	X	X	X	A	X	X	A	X	
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: December 8, 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: December 8, 2016

TO: Alameda County Recycling Board

FROM: Tom Padia, Deputy Executive Director

SUBJECT: Accumulated Measure D Fund Balance Exceeding Policy Threshold –
Approval of City of Newark Expenditure Plan

SUMMARY

The Recycling Board has adopted rules regarding municipal eligibility to receive further disbursements of per capita Measure D revenues once a specified unspent fund balance threshold is exceeded. The municipality must submit, and the Recycling Board must approve, an Expenditure Plan explaining how the accumulated funds will be spent down below the threshold, before the municipality will be eligible to receive further Measure D per capita monies. The City of Newark reported an unspent fund balance at the end of FY 15/16 that exceeds the current policy threshold, and has submitted the attached Expenditure Plan for Board consideration. Staff recommends Recycling Board approval of the Expenditure Plan.

DISCUSSION

The County Charter (Measure D) directs that 50% of Recycling Fund revenues (from the \$8.23 per ton landfill surcharge) "...shall be disbursed on a per capita basis to municipalities for the continuation and expansion of municipal recycling programs." (Subsection 64.060(B)(1)).

In 2006 the Recycling Board adopted Resolution #RB 2006-12 establishing rules regarding municipal accounting of Measure D revenues and expenditures, and eligibility to receive further disbursements when a specified unspent fund balance threshold is exceeded. In November 2014 the Recycling Board adopted Resolution #RB 2014-2 (attached) revising the threshold for unspent fund balances. The purpose of this policy is to encourage the use of Measure D funds to help achieve the countywide waste reduction goals, and to discourage the hoarding of the funds with no clear plan for their future application. Specifically, the policy states:

Any municipality receiving per capita disbursements of Recycling Fund monies under the Alameda County Waste Reduction and Recycling Act, Section 64.060, shall present to the Board for its approval a written expenditure plan if, at the end of any fiscal year, that municipality has an unspent balance of such monies that exceeds the amount of \$8.00 (eight dollars) multiplied by the population basis used for the first quarterly disbursement of that fiscal year.

If the municipality fails to provide that written plan or the Board does not approve that plan, the municipality shall be ineligible to receive further disbursements per Section 64.060. The municipality shall not be eligible for further disbursements until the required plan is submitted and approved by the Board and all such forfeited monies shall be disbursed to the remaining eligible municipalities on a per capita basis.

Reports from municipalities accounting for revenues and expenditures in FY 15/16, and ending fund balances as of June 30, 2016, were due to StopWaste on October 14, 2016. The City of Newark reported an unspent fund balance as of June 30, 2016 of \$421,550, which exceeded their threshold amount of \$357,864 ($\$8.00 \times 44,733$) by \$63,686. Consequently, the City of Newark has submitted the attached Expenditure Plan showing how they intend to spend down their Measure D fund balance below their threshold by June 30, 2018, the end of the next fiscal year after the current one.

The Recycling Board has dealt with two prior instances of a municipality exceeding the Measure D fund balance policy threshold. In both instances, Hayward and Livermore followed their Plans and reduced their fund balance below the policy threshold within two fiscal years, similar to the proposed plan submitted by Newark. Other municipalities have reported unspent fund balances very close to, but not exceeding, the policy threshold while others routinely spend all or nearly all of their Measure D funds each year.

The Board policy on accumulated fund balances ensures that Recycling Fund monies are used consistently to continue and expand municipal waste reduction programs. The adopted Board policy states:

In evaluating a municipality's proposed expenditure plan, the Board shall consider the following:

- The proposed specific use(s) of the remaining balance and future disbursements.
- The proposed length of time, or schedule over which disbursed funds or fund balances would be used.
- The scope or amount of funds proposed to be expended over the term of the plan.
- The extent to which the plan is designed to meet or promote the provisions, goals or policies of the Act including but not limited to timely expenditure of the funds "for the continuation and expansion of municipal recycling programs."
- Any other objective and reasonable factors that may be presented by the municipality to support its contention that its proposed plan meets or promotes the provisions, goals or policies of the Act.

The City of Newark is participating in the Waste Management Authority Mandatory Recycling Ordinance on a Compliance Schedule Waiver similar to Fremont's, with food scraps and compostable paper added to the mandatory requirements for commercial and multi-family accounts as of July 1, 2017. Newark currently does not have a commercial organics collection program and the city has been engaged for some time with their hauler, Republic Services, to hammer out details of an effective and affordable commercial organics program.

Newark has been planning for some time to utilize a good portion of their accumulated Measure D funds to help "buy down" the costs of implementing new organics collection services under their franchise agreement with Republic. However, it only recently came to the attention of StopWaste staff that the term length (10 years) of Newark's franchise with Republic and the structure of the agreement (options to extend with mutual consent of both parties) would preclude the use of Measure D monies for payments to Republic under that contract. The County Charter requires specific Recycling Board approval for use of Measure D funds for contracts exceeding five years in length (Subsection 64.060(D)), and prohibits use of such funds for contracts exceeding ten years in length. Legal opinions have advised that options to extend add to the total term length of the contract if the options require consent of the contractor.

In light of this unforeseen restriction on use of their Measure D funds, Newark is proposing a Request For Proposals process to hire a consultant to help negotiate with Republic over terms of the new organics services and possibly other aspects of the franchise, and to develop a long term-diversion plan

for the city that would include annual expenditures to keep the unspent Measure D fund balance below the calculated threshold.

Newark anticipates the amount of the consultant contract to exceed the current “overage” of Measure D funds, and in any event for the implementation of any plan developed by the consultant to draw down their fund balance below the indicated threshold by the end of FY 17/18.

RECOMMENDATION

Approve the Expenditure Plan submitted by the City of Newark and find that Newark is eligible to continue receiving its quarterly per capita disbursements from the Recycling Fund through June 30, 2018, while it expends its Measure D funds according to the Expenditure Plan or on other eligible uses.

Attachments:

Attachment A – RB Resolution #2014-2

Attachment B- City of Newark FY 2016/17-2017/18 Measure D Expenditure Plan

Attachment C- City of Newark Annual Measure D Programs Report – FY 2015-2016

ATTACHMENT A

ALAMEDA COUNTY SOURCE REDUCTION AND RECYCLING BOARD

RESOLUTION #RB 2014-2

MOVED: Wozniak

SECONDED: Sherman

AT THE MEETING HELD NOVEMBER 13, 2014

REVISION OF RECYCLING BOARD RESOLUTION #RB 2006-12 REGARDING FUND BALANCES OF RECYCLING FUND PER CAPITA ALLOCATIONS

WHEREAS, the Alameda County Charter Section 64 (the Alameda County Waste Reduction and Recycling Act of 1990, hereinafter the "Act") states that "The Recycling Board shall formulate rules for its own procedures and other rules as necessary to facilitate the implementation of the provisions of this Act," (Subsection 64.130(J)); and

WHEREAS, the Act states that fifty percent of the monies from the Recycling Fund shall be disbursed on a per capita basis to municipalities for the continuation and expansion of municipal recycling programs (Subsection 64.060 (B)(1)); and

WHEREAS, on November 9, 2006 the Recycling Board adopted Resolution #RB 2006-12, including the following:

Rule 2: Any municipality receiving per capita disbursements of Recycling Fund monies under the Alameda County Waste Reduction and Recycling Act, Section 64.060, shall present to the Board for its approval a written expenditure plan if, at the end of any fiscal year, that municipality has an unspent balance of such monies that exceeds the sum of the municipality's last eight quarterly Recycling Fund per capita disbursements.

If the municipality fails to provide that written plan or the Board does not approve that plan, the municipality shall be ineligible to receive further disbursements per Section 64.060. The municipality shall not be eligible for further disbursements until the required plan is submitted and approved by the Board and all such forfeited monies shall be disbursed to the remaining eligible municipalities on a per capita basis.

In evaluating a municipality's proposed expenditure plan, the Board shall consider the following:

- The proposed specific use(s) of the remaining balance and future disbursements.
- The proposed length of time, or schedule over which disbursed funds or fund balances would be used.
- The scope or amount of funds proposed to be expended over the term of the plan.
- The extent to which the plan is designed to meet or promote the provisions, goals or policies of the Act including but not limited to timely expenditure of the funds "for the continuation and expansion of municipal recycling programs."
- Any other objective and reasonable factors that may be presented by the municipality to support its contention that its proposed plan meets or promotes the provisions, goals or policies of the Act.

These proposed rules shall take effect July 1, 2007. Rule 2 will be applied to the Measure D Annual Reports submitted after the end of FY 07/08 and each year thereafter.

And **WHEREAS**, the absolute dollar amount and the per capita amount of Recycling Fund municipal allocations have declined significantly since 2006, resulting in a declining threshold represented by the sum of the last eight quarterly Recycling Fund per capita disbursements, and

WHEREAS, municipalities have requested that the Recycling Board revise the “Rule 2” policy to increase the threshold of unspent per capita allocations that triggers the requirement for an approved Expenditure Plan or ineligibility to receive further disbursements,

NOW THEREFORE, BE IT RESOLVED, that the Alameda County Source Reduction and Recycling Board hereby revises and replaces “Rule 2” from Resolution #RB 2006-12 with the following:

Rule 2: Any municipality receiving per capita disbursements of Recycling Fund monies under the Alameda County Waste Reduction and Recycling Act, Section 64.060, shall present to the Board for its approval a written expenditure plan if, at the end of any fiscal year, that municipality has an unspent balance of such monies that exceeds the amount of \$8.00 (eight dollars) multiplied by the population basis used for the first quarterly disbursement of that fiscal year.

If the municipality fails to provide that written plan or the Board does not approve that plan, the municipality shall be ineligible to receive further disbursements per Section 64.060. The municipality shall not be eligible for further disbursements until the required plan is submitted and approved by the Board and all such forfeited monies shall be disbursed to the remaining eligible municipalities on a per capita basis.

In evaluating a municipality’s proposed expenditure plan, the Board shall consider the following:

- The proposed specific use(s) of the remaining balance and future disbursements.
- The proposed length of time, or schedule over which disbursed funds or fund balances would be used.
- The scope or amount of funds proposed to be expended over the term of the plan.
- The extent to which the plan is designed to meet or promote the provisions, goals or policies of the Act including but not limited to timely expenditure of the funds “for the continuation and expansion of municipal recycling programs.”
- Any other objective and reasonable factors that may be presented by the municipality to support its contention that its proposed plan meets or promotes the provisions, goals or policies of the Act.

Rule 2 will be applied to the Measure D Annual Reports submitted after the end of FY 13/14 and each year thereafter.

Passed and adopted this 13th day of November, 2014 by the following vote:

AYES:	Jones, Natarajan, O’Donnell, Peltz, Pentin, Sherman, Tao, Wozniak
NOES:	None
ABSTAIN:	None
ABSENT:	Ellis, Kirschenheuter, Stein

Gary Wolff, Executive Director



CITY OF NEWARK, CALIFORNIA

37101 Newark Boulevard Newark, California 94560-3796 (510) 578-4000 FAX (510) 578-4306

November 23, 2016

Wendy Sommer
Executive Director
StopWaste
1537 Webster St.
Oakland, CA 94612

RE: FY 2016-2017 and FY 2017-2018 Measure D Expenditure Plan

Dear Ms. Sommer:

This letter of intent serves as the City of Newark's Measure D Expenditure Plan for the two year period beginning July 1, 2016, through June 30, 2018 (FY 16/17 and FY 17/18), and is submitted in accordance with Rule 2 of the Alameda County Source Reduction and Recycling Board Resolution #RB 2014-2. Rule 2 limits any agency's Measure D fund balance to not exceed the amount of \$8.00 (eight dollars) multiplied by the population basis used for the first quarterly disbursement of that fiscal year. If this amount is exceeded, the agency must submit an Expenditure Plan and their Measure D funds are temporarily suspended until the Expenditure Plan is approved.

For the past several years, the City of Newark has conservatively expended Measure D funds with the intent to use a majority of the funds to assist with the roll out of a new commercial organics program. Recently, the City was informed that the funds may not be used in that manner. In light of this new information, the City now intends to solicit a consultant to assist in the preparation of a long-term diversion plan, assist in reviewing the calculations and concepts in the commercial organic proposal and perform an audit on the material reports provided by the City's hauler.

While expenditures were conservative, Measure D funds were expended on partially funding a Recycling Assistant staff position; replacing all single-stream waste containers at a high foot traffic facility with new three-stream recycling containers to capture more material from being sent to the landfill; and donations to increase the recycling efforts at numerous Chamber of Commerce related events.

At this point, the City of Newark's Measure D fund balance has grown to exceed the allowable balance by \$63,686.

In the coming two Fiscal Years (FY 16/17 and FY 17/18), while continuing to pay for a portion of the Recycling Assistant position, the City of Newark also anticipates spending up to \$75,000 in the first year for the diversion plan and an amount as recommended in the plan for the second year.

Thank you for your consideration of Newark's Expenditure Plan. If you have any questions regarding the Expenditure Plan, please contact Administrative Services Director Susie Woodstock at susie.woodstock@newark.org or at (510) 578-4804.

Sincerely,

A handwritten signature in dark ink, appearing to read "John Becker", with a long, sweeping horizontal stroke extending to the right.

John Becker
City Manager

ATTACHMENT C



ANNUAL MEASURE D PROGRAMS REPORT

Reporting Fiscal Year: Fiscal Year 2015/2016Submittal Deadline for this Report: October 14, 2016

1. Municipality Contact Information

Program Contact Information:

Municipality Name	City of Newark
Contact Person	Brett Oeverndiek
Title	Recycling Assistant
Telephone Number	510-578-4327
Email address	brett.oeverndiek@newark.org

Municipality Payee Information:

Payee Name	City of Newark
Department	Finance Department
Street Address 1	37101 Newark Boulevard
Street Address 2	
City	Newark, CA
Zip Code	94560

2. Measure D Payments Received for Fiscal Year 2015/2016

Choose One of the Following Methods for Reporting (Cash or Accrual Basis):

Cash Basis		
Quarter Ended	Date Received	Amount
June 30,		
September 30,		
December 31,		
March 31,		
June 30,	Next Period	

OR

Accrual Basis		
Quarter Ended	Date Recorded	Amount
June 30,	Prior Period	
September 30,	12/2/2015	\$ 29,539
December 31,	3/16/2016	\$ 28,629
March 31,	6/6/2016	\$ 28,549
June 30,	9/2/2016	\$ 28,894

Total Measure D Funds Received: \$ _____

\$ 115,611.00

As the Chief Executive for City of Newark, I hereby affirm that the revenues and expenditures described in this Annual Measure D Programs Report are true and correct.

City/Agency Manager

10 / 13 / 16
Date

STOPWASTE

at home • at work • at school

ANNUAL MEASURE D PROGRAMS REPORT (continued)

3. Measure D Fund Balance Information for Fiscal Year 2015/2016

Beginning Fund Balance:	\$ 343,547.38
Plus Adjustments to Beginning Fund Balance:	\$ (44.30)
Equals Adjusted Beginning Fund Balance:	\$ 343,503.08
Plus Total Measure D Funds Received (From Page 1):	\$ 115,611.00
Plus Interest Earned on Measure D Fund Balance*:	\$ 251.06 *
*Required if fund balance exceeds \$300,000 or prior year's disbursements, whichever is greater	
Less Total Measure D Expenditures (From Pages 3 and 4):	\$ (37,815.33)
Equals Ending Measure D Fund Balance:	\$ 421,549.81

Explanation for Adjustments to the Beginning Fund Balance:

\$44.30 was inadvertently added to the FY14/15 Measure D report, when the funds should have come from another funding source. We indicated at that time that we would adjust this reports beginning fund budget. *Interest earned could not be determined prior to submitting this report. If different than indicated, we will provide a beginning fund balance adjustment for the FY16/17 report.

4. Program Expenditures for Fiscal Year 2015/2016

On the following pages, provide a brief description of activities financed by your program's Measure D allotments and costs incurred during this reporting period. Identify the cost category most closely describing the type of cost incurred. The table below identifies examples of costs in each of six (6) cost categories.

Cost Category	Cost Examples
Administrative Costs	
1. Administrative	<ul style="list-style-type: none"> Employee salaries Legal services Overhead expenses Employee benefits Insurances Contract management
Direct Costs	
2. Franchised Recycling Program	<ul style="list-style-type: none"> Commercial route curbside recycling collection Christmas tree curbside collection Residential route curbside recycling collection Food scrap and green waste collection
3. Outreach and Education	<ul style="list-style-type: none"> Promotional items Contests/achievement awards Earth Day events Green Schools outreach Recycling education Recycling drives Bay Area Recycling Outreach Coalition (BayROC) contributions
4. Physical Assets	<ul style="list-style-type: none"> Outdoor storage containers Recycled content playground structures Artificial turf football fields Recycled content furniture Curbside recycling carts
5. Professional Services	<ul style="list-style-type: none"> Rate review services Base year composition study Collection hauler contract services
6. Other Expenses	<ul style="list-style-type: none"> Paper supplies Subscriptions Memberships Postage

Notes:

Please provide supplemental documentation supporting the methodology used to allocate staff positions, equipment, supplies, services, or any other cost funded with Measure D monies (i.e., when a percentage of a cost is funded with Measure D monies).

For each employee that works on Measure D related activities, please provide the following supporting documentation for that employee:

- A complete description of the actual Measure D related activities that employee performed
- A description of the methodology used to allocate that employee's time to Measure D activities (when that employee spends time on other activities)
- Supporting documents that substantiate the allocation of an employee's time to Measure D activities (e.g., accounting system reports, summaries of employee timesheet records, or a current cost allocation plan that ties exact allocation percentages to those used in this Annual Report).

It is not sufficient to just estimate an employee's time spent on Measure D activities, without backup documentation.



ANNUAL MEASURE D PROGRAMS REPORT (continued)

4. Program Expenditures for Fiscal Year 2015/2016 (continued)

Item/Service: 2015 Newark Days Supplies Cost: \$ 93.46

Description of Cost:

Recycling can liners were purchased for the city's annual Newark Days Celebration to help with the collection of recyclable materials.

Cost Category:

Direct Costs

Item/Service: Administrative Costs Related to Recycling Assistant Position (Continued on next section) Cost: \$ 19,275.83

Description of Cost:

Prior to the 2014/2015 fiscal year, HF&H had been managing the City's recycling contracts/duties. In October of 2014, a recycling assistant position was created to take over the duties HF&H had been performing. Brett Oeverndiek's now handling the day-to-day recycling duties of the franchise agreement with Republic Services.

Cost Category:

Administrative

Accounting Reports Attached

Item/Service: Administrative Costs Related to Recycling Assistant Position Cost: \$

Description of Cost:

His duties include the education and training of businesses as to recycling opportunities; providing information for the City's website dedicated to recycling; monitoring Green Halo C&D tracking system; serving on StopWaste.Org's TAC; arranging for recycling services at Newark Days (Citywide Event); Mandatory Recycling Ordinance notification/warning/citation outreach; Reviewing and responding to commercial organics recycling proposal; as well as other duties as they arise.

Cost Category:

Administrative

Item/Service: Mileage Reimbursement Cost: \$ 394.54

Description of Cost:

Multiple times throughout the 2015/2016 fiscal year a need arose to attend offsite meetings, trainings, and various sites throughout the Bay Area.

Cost Category:

Administrative

Accounting Reports Attached

Item/Service: 3 Stream Recycling Containers for City Facilities Cost: \$ 18,051.50

Description of Cost:

We purchased 20 small top loader recycling containers from Clean River Recycling Solutions. These purchases were made to increase the level of recyclable & compostable material being captured at 2 of our recreation centers. Once our full organics program is up-and-running we will be purchasing more of these containers to place in the rest of our City facilities. While no numbers are available yet, staff at these locations have noticed a change in behavior with people now looking where they of their waste.

Cost Category:

Direct Costs

Subtotal: \$ 37,815.33



ANNUAL MEASURE D PROGRAMS REPORT (continued)

4. Program Expenditures for Fiscal Year 2015/2016 (continued)

Item/Service: _____ Cost: \$ _____

Description of Cost: _____ Cost Category: _____

Item/Service: _____ Cost: \$ _____

Description of Cost: _____ Cost Category: _____

Item/Service: _____ Cost: \$ _____

Description of Cost: _____ Cost Category: _____

Item/Service: _____ Cost: \$ _____

Description of Cost: _____ Cost Category: _____

Item/Service: _____ Cost: \$ _____

Description of Cost: _____ Cost Category: _____

Subtotal: \$ _____

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DATE: December 8, 2016

TO: Planning & Organization Committee/Recycling Board

FROM: Tom Padia, Deputy Executive Director

BY: Debra Kaufman, Senior Program Manager

SUBJECT: Amendment to the Alameda County Integrated Waste Management Plan to include a Compost Facility at the Altamont Landfill and Resource Recovery Facility in the unincorporated area of Livermore

SUMMARY

On September 30, 2016, Jessica Jones, consultant for the Altamont Landfill and Resource Recovery Facility (Altamont), on behalf of Waste Management of Alameda County, submitted the required information to the Authority to amend the Alameda County Integrated Waste Management Plan ("CoIWMP") to include the Altamont Compost Facility at the Altamont Landfill and Resource Recovery Facility ("Facility" or "project") in the unincorporated Livermore area of Alameda County. This report sets forth the background of the proposed amendment, a description of the Facility, the process for considering the amendment, the environmental review for the Facility, and a staff recommendation. Staff recommends approval of the amendment and a finding of conformance with the CoIWMP.

DISCUSSION

Since 1980, Waste Management has operated the Altamont landfill at 10840 Altamont Pass Road, Livermore. The 2063.6 acre site is located in unincorporated eastern Alameda County, east of the City of Livermore and north of the I-580 freeway. That site currently includes waste disposal, recycling and energy recovery activities. The property is zoned agricultural.

The proposed project will consist of up to 90 acres of organics management facilities with a maximum total organic feedstock of 750 tons per day (tpd). Waste Management would use the 90 acre site for a 500 tpd covered aerated static pile compost operation. After this first phase of the project, a 250 tpd anaerobic digestion system may be added. Waste Management has applied to the Alameda County Local Enforcement Agency to operate under a Compost Handling Facility Permit. The feedstock for the facility will include green and wood waste, commercial and residential food waste, agricultural materials, the organic fraction from mixed

waste MRFs, and digestate from other anaerobic organics processing. Much of the feedstock will come from Alameda County.

The property is zoned as large parcel agriculture, which would allow such a use. Many of these materials are currently hauled by Waste Management to compost facilities in the Central Valley, and this Facility will allow for reduced vehicle emissions from a shorter haul. It will also makes compost more readily available to Alameda County residents and businesses. Waste Management expects to backhaul finished compost in empty long haul trucks to urban areas of the county, as well as to sell products directly from the facility. The in-county location will allow east county residences and businesses to purchase compost locally.

On March 18, 2013, the County of Alameda adopted an initial study/mitigated negative declaration (IS/MND) for the compost facility and issued a conditional use permit to the applicant for the compost facility.

Waste Management is an experienced compost operator with over 20 years of experience operating the Redwood compost facility in Novato.

Description of Facility and Permitting

The project site is located on a 90 acre parcel at 10840 Altamont Pass Road (the site of Waste Management's Altamont Landfill and Resource Recovery Facility "ALRRF"), in the unincorporated area of Livermore. The project site is zoned for agricultural uses, which allows for composting facilities as a conditional use. The nearest residences are located to the West along Dryer Road, over a mile away from ALRRF. Driving distance from the Facility to I-580 is four miles from the Altamont Pass Road freeway exit.

The feedstock for the Facility will include green and wood waste, commercial and residential food waste, agricultural materials, the organic fraction from mixed waste MRFs, and digestate from other anaerobic organics processing, which requires further composting to mature into a stable compost product. The feedstocks are expected to come from a variety of sources including direct haul from nearby cities, with the majority of feedstock anticipated to come from the Davis Street Transfer Station in San Leandro. Davis Street organics are primarily generated in Alameda County and include both commercial and residential organics, including residential curbside collection of commingled green and food waste.

The initial phase of the project will be designed as a 500 ton per day Covered Aerated Static Pile ("CASP") system on an approximately 10-acre pad. The piles will be constructed with pipes and blowers that deliver air to the piles while in their active phase of composting (approximately first four weeks). The piles will be covered with materials such as stabilized compost to control potential air emissions. After the active phase of the composting is complete, the compost will be moved to curing piles for an additional 2-4 months minimum while the compost stabilizes and matures. The curing piles will utilize approximately 30 acres of organics management area. The final phase is screening of the compost to meet the size specifications of ALRRF's customers and to remove any remaining contaminants from the finished product. Finished compost storage and sales may occur in the curing area (so as not to relocate the product prior to sale),

on inactive areas of the landfill footprint, or in bunkers or piles alongside mulch and other products which are currently being sold at the site.

The subsequent phase will include up to another 250 tons per day of organics management via an anaerobic digestion system if the technology is proven effective, and potential preprocessing of the feedstock as necessary. Applications for this phase of the project have not yet been submitted to the required permitting agencies, and moving forward with this phase will be determined after the construction and operation of the initial phase is complete. Regardless, any subsequent phases of the facility will need to comply with the permitting requirements of the other multiple permitting agencies, including most current regulations and best available control technology (“BACT”), consistent with the current permitting efforts of the initial phase of the 500 ton per day CASP.

Construction of the initial phase of the proposed project is anticipated to begin in the spring of 2017, after all agency permits are obtained. The facility will operate 24 hours a day, seven days a week, and will receive waste materials consistent with the landfill operating hours, which typically occur Monday through Friday; however waste materials may be received seven days per week as necessary.

The Facility would operate under a Compost Materials Handling Facility Permit, which must be issued by the Alameda County Department of Environmental Health, the local permitting authority (LEA) for CalRecycle, prior to construction and operation. The Facility must also comply with State Water Resources Control Board waste discharge requirements for composting operations. It will also be subject to Bay Area Air Quality Management District air emission requirements and must meet Alameda County Fire Department and Alameda County Mosquito Control District requirements.

ColWMP Amendment and Finding of Conformance

An amendment to the ColWMP is needed to add the Facility to the ColWMP. Under the criteria set forth in the ColWMP, the Facility would be considered a composting facility, which is defined in the ColWMP as serving individual jurisdictions or a sub-regional area. Activities typically include recovery (sorting) and processing for transportation (recycling) but may also include composting activities. If the amendment is approved, the Authority Board could then find the proposed project to be in conformance with the ColWMP.

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

Environmental Review

For purposes of CEQA, the Lead Agency for the proposed project was the County of Alameda Planning Department ("Planning"). County Planning prepared a Draft Initial Study and Mitigated Negative Declaration ("IS/MND") dated June 2011 to analyze the potential impact of the project.

The project analyzed in the IS/MND consisted of multiple site improvements including both materials recovery and organics materials management facilities. The purpose of all of the proposed project facilities is to increase the rate of waste diversion and recycling in the region and reduce the volume to waste that would otherwise be landfilled at ALRRF or elsewhere. The IS/MND determined that the project, which included the proposed project considered here, would not have a significant effect on the environment because of the project design features incorporated into the project improvements and the mitigation measures identified in the IS/MND.

On March 18, 2013, the Planning Commission of Alameda County approved the IS/MND for the proposed CUP, PLN2010-00041 and issued the final CUP. The findings included adoption of a mitigation monitoring and reporting program.

The Authority is a Responsible Agency under CEQA. As a Responsible Agency, the Authority must independently evaluate the environmental review prepared by the County of Alameda, consider the environmental impacts identified in such review, and make the findings required by CEQA.

Authority staff has reviewed the County of Alameda's documents for the IS/MND. Authority staff finds 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 County of Alameda's IS/MND. Since preparation and adoption of the IS/MND, the only change to the project has been a relocation of the active and curing areas of the composting facility off of the landfill footprint to an adjacent active landfill soil borrow and stockpile area at the request of the Central Valley Regional Water Quality Control Board. This is a minor change that would decrease potential impacts to water quality and would not result in an increase in any other environmental impacts considered in the IS/MND. In addition, the conditions at the project site have not changed since preparation of the IS/MND, nor are there any other 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 IS/MND.

Local Task Force and Planning and Organization Committee Review

The Recycling Board, as the Local Task Force, and the Planning & Organization Committee of the Authority will consider the proposed ColWMP at its meeting on December 8, 2016 at 4 p.m. in Oakland. In its advisory capacity, the Local Task Force will review and provide comments on the proposed ColWMP (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 Planning & Organization Committee and the Recycling Board (in its role as Local Task Force) recommend to the Authority Board that it hold a public hearing and introduce and waive the first reading of the ColWMP Amendment ordinance (Attachment A) at the December 21, 2016 meeting to (1) amend the ColWMP (Exhibit 1) to include the Altamont Compost Facility at the Altamont Landfill and Resource Recovery Facility in the unincorporated Livermore area, and make additional changes for consistency, (2) find that the Altamont Compost Facility conforms to the ColWMP as amended, and (3) make the findings required by CEQA, and also recommend that the Authority Board direct staff to place the ordinance on the calendar for adoption at the January 25, 2017 meeting.

Attachments:

Attachment A: Ordinance 2017-01

Exhibit 1: ColWMP Amendment Text

Exhibit 2: Siting Criteria Findings

Exhibit 3: Conditions of Approval

Attachment A

ORDINANCE 2017-01

AN ORDINANCE ADOPTING AMENDMENTS TO THE COUNTYWIDE INTEGRATED WASTE MANAGEMENT PLAN, AND FINDING PLAN CONFORMANCE FOR THE ALTAMONT COMPOST FACILITY AT 10840 ALTAMONT PASS ROAD, LIVERMORE, CA 94551

The Board of the Alameda County Waste Management Authority (“Authority”) ordains as follows:

SECTION 1 (Enactment)

The Board of the Authority does hereby enact this Ordinance in full consisting of Section 1 through Section 6.

SECTION 2 (Findings)

- (a) The Authority 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 (“ColWMP”).
- (b) The Authority finds that the Alameda County Joint Exercise of Powers Agreement for Waste Management directs that the Authority prepare, adopt, revise, amend, administer, enforce, and implement the ColWMP.
- (c) The Authority finds that it adopted a ColWMP, dated February 26, 2003, and has adopted minor amendments since then. A five-year review of the ColWMP was conducted in November 2009, a factual update was adopted in April 2010, and amendments were made in January 2011, December 2011, July 2013, April 2015 and July 27, 2016.
- (d) The Authority finds that on March 18, 2013, the County Planning Commission of Alameda County issued a conditional use permit for the Altamont Compost Facility (“Facility”) at 10840 Altamont Pass Road, Livermore, CA 94551 after preparing, considering, and adopting a mitigated negative declaration and initial study for a project that included the Facility as required by the California Environmental Quality Act (“CEQA”).
- (e) The Authority finds that on September 30, 2016, the Facility applicant submitted the required information to the Authority to amend the ColWMP to site the Facility on an existing site at 10840 Altamont Pass Rd. in the unincorporated area of Livermore.
- (f) The Authority 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 Authority has considered the ColWMP Amendment, including any comments by the Local Task Force, and has recommended approval of the ColWMP Amendment and conformance finding.

- (g) The Authority finds that Authority staff provided all required notice and held a duly noticed public hearing on December 21, 2016 to consider the ColWMP Amendment and conformance finding for the Facility.
- (h) The Authority finds that the Authority Board considered all materials and testimony presented by the public, Local Task Force, applicant for the Facility, and Authority staff.
- (i) The Authority finds that it is a Responsible Agency under CEQA, that this project underwent the required review under CEQA, and that the Authority's action is within the scope of activities addressed by the County of Alameda's mitigated negative declaration and initial study ("MND/IS").
- (j) The Authority finds that the Authority Board has independently reviewed and considered the County of Alameda's MND/IS.
- (k) The Authority finds that since the County of Alameda's adoption of the MND/IS, no substantial changes have occurred and no new information or changed circumstances exist that require revisions of the MND/IS due to new significant environmental effects or a substantial increase in the severity of previously identified significant effects.
- (l) The Authority concurs with the County of Alameda that the Facility will not result in any significant environmental impacts.

SECTION 3 (CEQA Determinations)

- (a) The Authority's approval of the ColWMP amendment and conformance determination, as conditioned, will have a less than significant impact on the environment as documented in the MND/IS.
- (b) The Authority hereby adopts, and incorporates herein by reference, the County of Alameda's Mitigation Monitoring and Reporting Program, to the extent applicable to the Facility.

SECTION 4 (Amendment of ColWMP)

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

SECTION 5 (Conformance Determination)

The Authority does hereby determine 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 Ordinance, and that the Facility compost operations, as conditioned by the Conditions of Approval attached hereto as Exhibit 3, would be in conformance with the ColWMP as amended.

SECTION 6 (Notice and Effective Date)

This ordinance shall be posted at the Authority Office for at least thirty (30) days after its second reading by the Board and shall become effective thirty (30) days after the second reading.

Passed and adopted this 25th day of January, 2017 by the following vote:

AYES:

NOES:

ABSTAINING:

ABSENT:

I certify that under penalty of perjury that the foregoing is a full, true and correct copy of ORDINANCE NO. 2017 – 01.

WENDY SOMMER
EXECUTIVE DIRECTOR

Exhibits:

Exhibit 1: ColWMP Amendment Text

Exhibit 2: Siting Criteria Findings

Exhibit 3: Conditions of Approval

EXHIBIT 1: ColWMP Amendment Text

Amendments to Alameda County Countywide Integrated Waste Management Plan for the Altamont Compost Facility at 10840 Altamont Pass Road in the Unincorporated Area of Livermore

The Alameda County Countywide Integrated Waste Management Plan, February 26, 2003 and last amended in July 2016 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 ~~strikethrough~~.

1. In Chapter II under the heading of "Participants" section 6 "Private Companies," under the Waste Management of Alameda County section, modify the third sentence as follows:

WMAC owns and operates the Altamont Landfill and Resource Recovery Facility **and the Altamont Compost Facility** in unincorporated Alameda County, **and** the Tri-Cities Recycling and Disposal Facility in the city of Fremont (currently closed).

2. In Chapter II, in Section 3 on Compost Facilities, after the paragraph regarding the Vision Recycling Compost Facility, add the following text:

Altamont Compost Facility

In 2017, Alameda County's second compost facility will be located at 10840 Altamont Pass Road in the unincorporated area of Livermore on 90 acres dedicated to the organics facility. The facility will operate under a Compost Materials Handling Facility Permit enforced by the Alameda County LEA. The proposed project will consist of up to 90 acres of organics management facilities with a maximum total organic feedstock receipts of 750 tons per day. The facility includes covered aerated static pile composting, anaerobic digestion, potential pre-processing for the organic material feedstocks as necessary, and materials resale. The project will be constructed in phases, with the initial phase to allow 500 tpd of composting in a covered aerated static pile system. Organics feedstocks may include green and wood waste, commercial and residential food waste, agricultural materials, the organic fraction from mixed waste MRFs, and digestate from other anaerobic organics processing which requires further composting to mature into a stable compost product. These feedstocks will come from a variety of sources including direct haul from nearby cities; however the majority of feedstocks are anticipated to come from the Davis Street Transfer Station in San Leandro. Davis Street organics are primarily generated in Alameda County and consist of both commercial and residential organics, including residential curbside collection of comingled green and food waste.

The initial phase of the project will be a 500 tons per day Covered Aerated Static Pile ("CASP") system on an approximately 10-acre pad. The piles will be constructed with pipes and

blowers which deliver air to the piles while in their active phase of composting (approximately first 4 weeks). The piles will be covered with materials such as stabilized compost to control potential air emissions from the piles. After the active stage of the composting is complete, the compost will be moved to curing piles for an additional 2-4 months minimum while the compost stabilizes and matures. The curing piles will utilize approximately 30 acres of organics management area. The final stage is screening of the compost to meet the size specifications of ALRRF's customers and to remove any remaining contaminants from the finished product. Finished compost storage and sales may occur in the curing area so that the product need not be relocated prior to sale, on inactive areas of the landfill footprint, or in bunkers or piles alongside mulch and other products which are currently being sold at the site.

Construction of the initial phase of the proposed project is anticipated to begin in the spring of 2017, after all agency permits are obtained. The facility will operate 24 hours a day, 7 days a week, and will receive waste materials consistent with the landfill operating hours, which are typically Monday through Friday, however waste materials may be received 7 days per week as necessary.

The subsequent phase of the project will include up to another 250 tons per day of organics management, planned to be processed in an anaerobic digestion system, if the technology is proven effective and all applicable permits are received. Applications for this phase of the project have not yet been submitted to the required permitting agencies, and moving forward with this aspect of the project will be determined after the construction and operation of the initial phase is completed.

EXHIBIT 2

SITING CRITERIA FINDINGS FOR ALTAMONT COMPOST FACILITY AT 10840 ALTAMONT PASS ROAD IN THE UNINCORPORATED AREA OF LIVERMORE

The Alameda County Waste Management Authority (“Authority”) has reviewed the materials submitted in connection with the Altamont Compost Facility (“Facility”). Based on that review, the Authority hereby makes the following determinations pursuant to the relevant provisions of ColWMP Section VI, Table 6-2:

A. Seismic

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

B. Floodplains

The proposed project is at an elevation of 1000 plus feet above sea level in active landfill operations areas, and is not located in a 100-year floodplain nor in an area subject to flooding.

C. Wetlands

The proposed project is located in active landfill operations areas and is not located in wetlands.

D. Endangered Species Habitat

A large section of the Altamont Landfill and Resource Recovery Facility (“ALRRF”) property was previously designated as a conservation easement for the protection of plant and animal species. The proposed project is located in active landfill operations areas at the property and is not located within these designated areas.

E. Unstable Soils

The proposed project is located on engineered cut and fill soils, active soil stockpile areas, and over the landfill footprint. These areas are engineered to be stable and not subject to liquefaction or subsidence other than anticipated landfill waste settlement.

F. Major Aquifer Recharge Areas

The proposed project is required to be designed in conformance with the State Water Resources Control Board Statewide General Permit for Compost Facilities (“General WDR”) which requires installation of infrastructure to ensure the waters of the state are protected. This includes conveyance and storage systems for stormwater that contacts the facility operations so as to avoid run-off of contact water, and a groundwater monitoring plan or working surfaces designed with an engineered, low-permeability pad. While ALRRF is not located over major aquifer recharge areas, these groundwater protection requirements are designed to adequately protect water quality from any potential impacts.

G. Depth to Groundwater

The minimum depth to groundwater is over 50 feet. Additionally, the proposed project will be engineered in accordance with the General WDR to ensure protection of groundwater quality (see F above).

H. Permeable Strata and Soils

The proposed project is not located on high-permeability soils and will be designed to meet the permeability requirements set forth in the General WDR.

I. Non-attainment Air Areas

The Initial Study/Mitigated Negative Declaration ("IS/MND") provides mitigation measures for potential air impacts, specifically for construction related activities, and the Bay Area Air Quality Management District ("BAAQMD") was a responsible agency under CEQA and provided comments incorporated in the IS/MND. Additionally, ALRRF has submitted an application for an Authority to Construct ("ATC") and Permit to Operate to the BAAQMD for the covered aerated static pile system. The application is currently under review by the BAAQMD, including a determination of necessary air emissions offsets, if any, required to mitigate potential air impacts. Prior to issuance of the ATC, WMAC will surrender the necessary offset certificates to the BAAQMD, as required.

J. PSD Air Areas

See requirements of I. above.

K. Mineral Resources Area

The proposed project is located in active landfill operations areas including soil stockpiles and the landfill footprint. No mineral resources are available for extraction in these area.

L. Prime Agricultural Lands/Open Space

The Project site is zoned Agricultural which is compatible with waste management facilities such as landfilling and composting. Additionally, the proposed project is located in active landfill operation areas on the site which are not used for agricultural or open space at this time.

M. Military Lands

The proposed project is not located on nor adjacent to Military Lands.

N. Other Federal, State and Indian Lands

The proposed project is located on property wholly owned by WMAC and is not located on Federal, State, or Indian Lands.

O. Proximity to Major Transportation Routes

The proposed project is located on a landfill property which has appropriately sized infrastructure and major road access. These roads are currently accessed by waste hauling vehicles and no new roads are necessary for the proposed project.

P. Proximity to Development

The proposed project is not located near any public facilities such as schools, churches,

hospitals, civic buildings, libraries, or residential neighborhoods, and the routes to the facility do not pass through any residential neighborhoods.

Q. Proximity to Public Services

The proposed project is located on an active landfill property which utilizes existing public services. Fire, police, and medical services area all readily available from the nearby city of Livermore, CA. The landfill operations have been ongoing for decades and these services have proven more than adequate for support of site operations and emergencies. The current water supply facilities on-site are adequate for the water needs of the proposed project, however ALRRF also proposes to minimize the use of these sources by obtaining wet food waste feedstocks whenever possible, and reuse of the rainwater collected in the stormwater detention basins and compost contact water detention pond.

R. Proximity to Waste Stream

The proposed project will offer an in-county location for management of the organic waste stream, and is located close enough to residences and businesses in the east county for self-haul of materials to the site. Additionally, the location is significantly closer than the majority of facilities accepting this waste at this time.

S. Appropriate Zoning

The proposed project is located at a property with existing solid waste facilities permits and is appropriately zoned as agricultural for these activities.

T. Conformance with Approved Countywide Siting Element of the Integrated Waste Management Plan

The proposed project is noted in the current CoIWMP as a future facility and conforms to the needs as specified in the plan for an in-county organics management solution. At its proposed size of 750 tons per day of feedstock materials, the proposed project fulfills more than half the current needs of the county.

U. Recreational, Cultural, or Aesthetic Areas

The proposed project is located at an active landfill property and is not located in an area of any recreational, cultural, or aesthetic significance.

V. Airport Zones

The proposed project is not located on or adjacent to an airport zone.

W. Gas Migration / Emissions

The proposed project will be designed to operate in a manner which will minimize potential odor emissions in conformance with the California Code of Regulations, Title 14, Chapter 3.1 Compostable Materials Handling Operations and Facility Regulatory Requirements. The facility is required to maintain an Odor Impact Minimization Plan which includes tracking of odor complaints and best operations practices to minimize potential odor sources.

X. Contingency

The proposed project is located at an active landfill property which maintains an Emergency Management and Contingency Plan as a requirement of its solid waste facilities permit. The landfill currently maintains this plan, and the composting facilities will be added to the plan as required by the Alameda County Local Enforcement Agency.

EXHIBIT 3

Conditions of Approval for ColWMP Amendment and Conformity Determination for the Altamont Compost Facility

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

1. Operations at the Altamont Compost Facility (“Facility”) shall comply with all requirements governing the design and operation of Compost operations under the Compost Materials Handling Facility permit as set forth in Title 14 of the California Code of Regulations.
2. The materials that may be processed through the Altamont Compost Facility may include green and wood waste, commercial and residential food waste, agricultural materials, the organic fraction from mixed waste MRFs, and digestate from other anaerobic organics processing .
3. The total tonnage of 500 tons of organics per day through the covered aerated static pile compost facility shall not be exceeded.
4. The total tonnage of 250 tons per day of organics through an anaerobic digestion system shall not be exceeded.
5. The Facility shall be constructed and operated in compliance with the assumptions made and mitigation measures included in the Initial Study and Mitigated Negative Declaration adopted by the County of Alameda for Conditional Use Permit PLN2010-00041, to the extent applicable to the Facility.
6. Any materials transferred from the compost facility, that are disposed, used for ADC or other Beneficial Reuse or used as cover at the Altamont landfill, shall be recorded with number of tons, type of material, and jurisdiction of origin. This information shall be made available to the Alameda County Waste Management Authority upon request.
7. The ordinance to which these Conditions of Approval is attached shall take effect only upon Waste Management’s acceptance of these conditions and its agreement to indemnify and hold harmless the Authority, its agents, officer, and employees according to the terms in paragraph 8 below.
8. Altamont Landfill shall defend (with counsel acceptable to the Authority), indemnify and hold harmless the Authority, its agents, officers and employees for any costs, including attorneys’ fees, incurred by the Authority, its agents, officers or employees in the defense of any action brought against the Authority, its agents, officers or employees, in connection with the approval or implementation of Authority

Ordinance No. 2017-01. The Authority may elect, at its sole discretion, to participate in the defense of such action, and Waste Management shall reimburse the Authority, its agents, officers or employees for any costs, including attorneys' fees, that the Authority, its agents, officers or employees incur as a result of such action. This indemnification shall be binding upon the Authority, Waste Management and all their successors and assigns.

9. Waste Management shall comply with the Alameda County Integrated Waste Management Plan, all applicable existing and future ordinances and resolutions of the Authority and all conditions imposed by the County of Alameda and other regulatory agencies.
10. These conditions of approval shall restrict the operation of the Facility.
11. Any activities beyond those provided for by Ordinance 2017-01 shall require a new CoIWMP amendment and conformance determination by the Authority.

844901.4



December 8, 2016

TO: Waste Management Authority, Energy Council & Recycling Board

FROM: Tom Padia, Deputy Executive Director

SUBJECT: 2017 Meeting Schedule

REGULAR BOARD MEETING SCHEDULE

The regular meeting schedule for the Authority Board and the Energy Council is the fourth Wednesday of each month at 3:00 p.m., except where noted differently (*). Authority Board and Energy Council meetings are held at 1537 Webster St., Oakland, CA.

If you concur, the 2017 meeting dates for the Authority Board will be as follows:

<u>DATE</u>	<u>TIME</u>	<u>LOCATION</u>
January 25	3:00 P.M.	1537 Webster Street
February 22	3:00 p.m.	1537 Webster Street
March 22	3:00 p.m.	1537 Webster Street
April 26	3:00 p.m.	1537 Webster Street
May 24	3:00 p.m.	1537 Webster Street
June 28	3:00 p.m.	1537 Webster Street
July 26	3:00 p.m.	1537 Webster Street
August 23 - Cancelled	AUGUST RECESS	
September 27	3:00 p.m.	1537 Webster Street
October 25	3:00 p.m.	1537 Webster Street
November 15 (*3rd Wednesday)	3:00 p.m.	1537 Webster Street
December 20 (*3rd Wednesday)	3:00 p.m.	1537 Webster Street

COMMITTEE MEETING SCHEDULE

Programs & Administration Committee (2nd Thursday each month)

The regular meeting schedule for the Programs & Administration Committee is the second Thursday of each month at 9:00 a.m., except where noted differently (*). The meetings are held at 1537 Webster St., Oakland.

The 2017 meeting dates for the Programs & Administration Committee are as follows:

<u>DATE</u>	<u>TIME</u>	<u>LOCATION</u>
January 12	9:00 a.m.	1537 Webster Street, Oakland
February 9	9:00 a.m.	1537 Webster Street, Oakland
March 9	9:00 a.m.	1537 Webster Street, Oakland
April 13	9:00 a.m.	1537 Webster Street, Oakland
May 11	9:00 a.m.	1537 Webster Street, Oakland
June 8	9:00 a.m.	1537 Webster Street, Oakland
July 13	9:00 a.m.	1537 Webster Street, Oakland
August 10 - Cancelled	AUGUST RECESS	
September 14	9:00 a.m.	1537 Webster Street, Oakland
October 12	9:00 a.m.	1537 Webster Street, Oakland
November 9	9:00 a.m.	1537 Webster Street, Oakland
December 14	9:00 a.m.	1537 Webster Street, Oakland

COMMITTEE MEETING SCHEDULE

Recycling Board/ Planning & Organization Committee (2nd Thursday each month)

The regular meeting schedule for the Recycling Board/ Planning & Organization Committee is the second Thursday of each month at 4:00 p.m. or 7:00 p.m., except where noted differently (*). The meetings are held at 1537 Webster St., Oakland.

The 2017 meeting dates for the Recycling Board/Planning & Organization Committee are:

<u>DATE</u>	<u>TIME</u>	<u>LOCATION</u>
January 12	4:00 p.m.	1537 Webster Street, Oakland
February 9	4:00 p.m.	1537 Webster Street, Oakland
March 9	4:00 p.m.	1537 Webster Street, Oakland
April 13	7:00 p.m.	District 3 - San Leandro <i>Tentative: Location TBD</i>
May 11	7:00 p.m.	District 2 – Hayward <i>Tentative: Hayward City Hall 777 B Street, Hayward, CA 94541</i>
June 8	4:00 p.m.	1537 Webster Street, Oakland
July 13	7:00 p.m.	District 1 – Fremont <i>Tentative: Fremont Recycling and Transfer Station, 41149 Boyce Road, Fremont</i>
August 10	4:00 p.m.	1537 Webster Street, Oakland
September 14	7:00 p.m.	District 5 - Oakland StopWaste, 1537 Webster Street, Oakland
October 12	4:00 p.m.	1537 Webster Street, Oakland
November 9	7:00 p.m.	District 4 - Castro Valley <i>Tentative: Castro Valley Library</i>
December 14	4:00 p.m.	1537 Webster Street, Oakland

RECOMMENDATION

It is recommended that the WMA/EC, P&A Committee, and the Recycling Board/P&O Committee, each adopt their respective regular meeting schedules for 2017.

HOLIDAY SCHEDULE

2017

<u>DAY(S)</u>	<u>DATE(S)</u>	<u>REASON</u>
Monday	January 2	New Year's Day
Monday	January 16	Martin Luther King, Jr. Birthday
Monday	February 20	Presidents Day
Monday	May 29	Memorial Day
Tuesday	July 4	Independence Day
Monday	September 4	Labor Day
Monday	October 9	Indigenous Peoples/ Columbus Day
Friday	November 10	Veteran's Day
Thursday & Friday	November 23 & 24	Thanksgiving & Day After
Monday & Tuesday	December 25 & 26	Christmas Eve & Christmas Day



December 8, 2016

TO: Source Reduction and Recycling Board
FROM: Tom Padia, Deputy Executive Director
SUBJECT: Election of Officers for 2017

BACKGROUND

The Rules of Procedures call for election of officers in December for the next calendar year. The Board's past practice has been to elect the First Vice President as President, the Second Vice President as First Vice President and to elect a new Second Vice President. The Board's past practice has also been to alternate WMA and Board of Supervisors appointees for each position; that is, if the Second Vice President was a WMA appointee in 2016, the Second Vice President would be a Board of Supervisors appointee in 2017.

Tim Rood has just completed his term as President and Toni Stein is First Vice President. Dianne Martinez is currently the Second Vice President. Per your past practice, Board member Stein would become the next President, a WMA Board member would become the next First Vice President, and a Board of Supervisors appointee would become the next Second Vice President. However, the Board is not obligated to follow past practice.

Officers of the Recycling Board also serve as the chair of the Planning and Organization Committee. Nominations and elections will be held at the December 8, 2016 meeting.

RECOMMENDATION

Elect Officers for 2017.