

WMA Board & Energy Council

Bob Carling, **WMA 1st Vice President**

City of Livermore, WMA, EC

Jack Balch, **EC President**

City of Pleasanton, WMA, EC

David Haubert, **EC 2nd Vice President**

County of Alameda, WMA, EC

Tracy Jensen, City of Alameda, WMA, EC

Jennifer Hansen-Romero, City of Albany, WMA, EC

Susan Wengraf, City of Berkeley, WMA, EC

Dave Sadoff, Castro Valley Sanitary District, WMA

Melissa Hernandez, City of Dublin, WMA, EC

David Mourra, City of Emeryville, WMA, EC

Jenny Kassan, City of Fremont, WMA, EC

Francisco Zermeño, City of Hayward, WMA, EC

Michael Hannon, City of Newark, WMA, EC

Dan Kalb, City of Oakland, WMA, EC

Shelia Young, Oro Loma Sanitary District, WMA

Jen Cavanaugh, City of Piedmont, WMA, EC

Fred Simon, City of San Leandro, WMA, EC

Jeff Wang, City of Union City, WMA, EC

Timothy Burroughs, Executive Director

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

January 25, 2023

3:00 P.M.

TELECONFERENCE MEETING

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

This meeting will be held by teleconference. The meeting is being conducted in compliance with the Brown Act, which was amended by AB 361, suspending certain teleconference rules due to the ongoing state of emergency and state and local health officials recommendations to maintain social distancing. The purpose of these amendments was to provide the safest environment for the public, elected officials, and staff while allowing for continued operation of the government and public participation during the COVID-19 pandemic.

Members of the public may attend and participate in the meeting by:

1. Calling US: +1 669 900 6833 and using the webinar id 856 9166 9455
2. Using the [Zoom](#) website or App and entering meeting code 856 9166 9455

Board members and any other individuals scheduled to speak at the meeting will be sent a unique link via email to access the meeting as a panelist. All Board members MUST use their unique link to attend the meeting by teleconference. During the meeting the chair will explain the process for members of the public to be recognized to offer public comment. Public comment is generally limited to three minutes per person for each agenda item. The process will be described on the StopWaste website at <http://www.stopwaste.org/virtual-meetings> no later than noon Wednesday, January 25, 2023. The public may also comment by sending an e-mail to publiccomment@stopwaste.org. Written public comment will be accepted until 3:00 p.m. on the day prior to the scheduled meeting. Copies of all written comments submitted by the deadline above will be provided to each Board Member and will be added to the official record. Comments will not be read into the record.

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

AGENDA

- I. CALL TO ORDER**
- II. ROLL CALL OF ATTENDANCE**
- III. ANNOUNCEMENTS BY PRESIDENTS** - *(Members are asked to please advise the Board or the Council if you might need to leave before action items are completed.)*
- IV. OPEN PUBLIC DISCUSSION FROM THE FLOOR**
An opportunity is provided for any member of the public wishing to speak on any matter within the jurisdiction of the Boards or Council, but not listed on the agenda.
- V. CONSENT CALENDAR** - The Consent Calendar contains routine items of business. Items in this section will be acted on in one motion for both the WMA and EC, unless removed by a member of either Board. Members of the WMA who are not members of the EC will vote as part of the Consent Calendar vote, but their votes will not be considered in connection with any EC items.

Page

- 1 **1. Approval of the Draft WMA & EC Minutes of December 14, 2022**
- 5 **2. WMA Resolution regarding meeting via teleconference to promote social distancing, pursuant to AB 361**
 Adopt Resolution WMA# 2023-01.
- 9 **3. Annual Audit for Fiscal Year 2021-22**
 That the WMA Board and Energy Council review, accept and file the Fiscal Year 2021-22 Annual Comprehensive Financial Report.
- 11 **4. EC Resolution regarding meeting via teleconference to promote social distancing, pursuant to AB 361**
 Adopt Resolution EC# 2023-01.
- VI. REGULAR CALENDAR**
- 15 **1. Rules of Procedure for Teleconferencing at Waste Management Authority Board and Committee Meetings (Timothy Burroughs)**
 The P&A Committee recommends that the WMA Board adopt resolution 2023-02 to amend its Rules of Procedure to remove the limit on the number of Board Members who may utilize teleconferencing for board and committee meetings; to not incorporate the Just Cause and Personal Emergency provisions of AB 2449 into the Rules of Procedure; and to require that Board Members provide the Clerk of the Board at least six days' notice in advance of the affected board meeting if they wish to utilize teleconferencing from a noticed location; and that the Board evaluate these changes to the Rules of Procedure in nine months (by November 2023).
- 55 **2. Legislative Priorities for 2023 (Jennifer West)**
 That the WMA Board discuss and adopt legislative priorities for calendar year 2023.
- 59 **3. Appointing members to the Recycling Board (Timothy Burroughs)**
 Staff recommends that the WMA Board fill the vacancies on the Recycling Board.
- 61 **4. Election of Second Vice President (WMA) (Timothy Burroughs)**
 Elect a Second Vice President.
- 63 **5. Election of First and Second Vice President (EC) (Timothy Burroughs)**
 Elect a First and Second Vice President.
- 6. Interim appointment(s) to the Recycling Board for WMA appointee unable to attend future Board Meeting(s) (Arliss Dunn)**
 (The meeting of the the Planning Committee & Recycling Board will be held on Thursday, February 9, 2023 at 6:00 p.m. The meeting will be held via teleconference)
- VII. MEMBER COMMENTS AND COMMUNICATIONS FROM THE EXECUTIVE DIRECTOR**
- VIII. ADJOURNMENT – TO WMA & EC MEETING FEBRUARY 22, 2023 AT 3:00 P.M.**

DRAFT

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

Wednesday, December 14, 2022

3:00 P.M.

TELECONFERENCE MEETING

I. CALL TO ORDER

First Vice President Carling called the meeting to order at 3:00 p.m. Timothy Burroughs explained the process that would be utilized during the meeting. A link to the process is available here:

[Virtual-Meetings- Instructions](#)

II. ROLL CALL OF ATTENDANCE

WMA, EC & RB

County of Alameda	David Haubert, WMA, EC
City of Alameda	Trish Herrera Spencer, WMA, EC
City of Albany	Preston Jordan, WMA, EC
City of Berkeley	Susan Wengraf, WMA, EC
Castro Valley Sanitary District	Dave Sadoff, WMA, RB
City of Dublin	Melissa Hernandez, WMA, EC
City of Emeryville	Vacant
City of Fremont	Jenny Kassan, WMA, EC
City of Hayward	Francisco Zermeño, WMA, EC, RB
City of Livermore	Bob Carling, WMA, EC, RB (WMA First Vice President)
City of Newark	Mike Hannon, WMA, EC
City of Oakland	Dan Kalb, WMA, EC, RB
Oro Loma Sanitary District	Shelia Young, WMA
City of Piedmont	Jen Cavanaugh, WMA, EC
City of Pleasanton	Jack Balch, WMA, EC (EC President)
City of San Leandro	Deborah Cox, WMA, EC, RB
City of Union City	Jaime Patiño, WMA, EC

Staff Participating

Timothy Burroughs, Executive Director
Pat Cabrera, Administrative Services Director
Alma Freeman, Communications Manager
Justin Lehrer, Operations Manager
Meri Soll, Senior Program Manager
Meghan Starkey, Senior Management Analyst
Emily Alvarez, Program Manager
Arliss Dunn, Clerk of the Board
Adrienne Ramirez, Assistant Clerk of the Board
Richard Taylor, WMA Legal Counsel

III. ANNOUNCEMENTS BY PRESIDENTS

There were none.

IV. OPEN PUBLIC DISCUSSION FROM THE FLOOR

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

V. CONSENT CALENDAR

1. **Approval of the Draft Joint WMA, EC and PC & RB Minutes of November 16, 2022**
2. **Resolution regarding meeting via teleconference to promote social distancing, pursuant to AB 361**
Adopt Resolution WMA# 2022-16.
3. **Amended and New Conflict of Interest Codes**
Staff recommends that the Waste Management Authority (Attachment A) and the Energy Council (Attachment B) each adopt their respective resolutions stating their amended Conflict of Interest Code.
4. **Resolution regarding meeting via teleconference to promote social distancing, pursuant to AB 361**
Adopt Resolution RB# 2022-14.

There were no public comments for the Consent Calendar. Board member Zermeño moved approval of Items 1-3 of the Consent Calendar for the WMA & EC and Board member Wengraf seconded. The motion carried 16-0 (WMA) and 16-0 (EC): The Clerk called the roll:

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

VI. REGULAR CALENDAR

1. **2023 Waste Characterization Study Recommendation (Meghan Starkey & Emily Alvarez)**
Staff recommends that the Waste Management Authority Board authorize the Executive Director to enter into a contract with SCS Engineers for a total of \$910,000 to include the Main Project and Sub-Project.

Timothy Burroughs introduced the item and provided a brief overview of the staff report. Meghan Starkey and Emily Alvarez presented a PowerPoint presentation outlining the scope of work and purpose of the Waste Characterization Study. A link to the staff report and the presentation is available here: [WCS-Recommendation-memo.pdf](#). Additional time was provided to the Board for discussion and clarifying questions. An audio link to the discussion is available here: [WCS-Discussion](#).

There were no public comments on this item. Board member Zermeño moved approval of the staff recommendation and Board member Young seconded. The motion carried 18-0. The Clerk called the roll: Ayes: Balch, Carling, Cavanaugh, Cox, Hannon, Haubert, Jordan, Kalb, Kassan, Patiño, Sadoff, Spencer, Wengraf, Young, Zermeño. Nays: None. Abstain: None. Absent: Hernandez.

2. **Reusable Foodware Project and Model Ordinance Update (Justin Lehrer)**
This item is for information only.

Timothy Burroughs introduced the item and provided a summary of the staff report. Justin Lehrer gave a PowerPoint presentation that provided an update on the upstream grants program and the development of a model reusable foodware ordinance. A link to the staff report and the presentation is available here: [Reusable-Foodware-Project-Update-Presentation.pdf](#)

Additional time was provided to the Board for discussion and clarifying questions. An audio link to the discussion is available here: [Reusable-Foodware-Project-Update-Discussion](#)

There were no public comments on this item. The Board thanked Mr. Lehrer for the very informative presentation and stated that they are looking forward to reviewing the model foodware ordinance.

3. 2023 Meeting Schedule (Arliss Dunn)

That the Waste Management Authority Board and the Energy Council approve the 2023 meeting schedule.

Timothy Burroughs presented the staff report. There were no public comments on this item. Board member Wengraf moved approval of the 2023 Meeting Schedule and Board member Kalb seconded. The motion carried 18-0. The Clerk called the roll: The Clerk called the roll: (Ayes: Balch, Carling, Cavanaugh, Cox, Hannon, Haubert, Jordan, Kalb, Kassan, Patiño, Sadoff, Spencer, Wengraf, Young, Zermeno. Nays: None. Abstain: None. Absent: Hernandez.)

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

(The meeting of the Planning Committee & Recycling Board will be held on Thursday, January 12, 2023 at 4:00 p.m. The meeting will be held via teleconference)

There were no requests for an interim appointment.

VII. MEMBER COMMENTS AND COMMUNICATIONS FROM THE EXECUTIVE DIRECTOR

Board member Young presented a proclamation to Board member Cox on behalf of her final meeting as a StopWaste Board member. Board members acknowledged Board member Cox, thanked her for her service and remarked on the excellent way that she conducted board meetings as President. The agency presented her with a recycled materials picture frame, water bottle, and reusable tote bag, and Board member Young presented her with a recycled glass bowl and provided remarks on Board member Cox's tenure on the City of San Leandro City Council. Board member Cox provided remarks on her tenure as a Board member and thanked the members for their support.

Board member Patiño announced that the Union City Council reassigned him and that today was his final meeting as member of the WMA Board. Board member Patiño stated that he enjoyed serving on the WMA Board.

Mr. Burroughs announced that the monthly topic brief highlights Reusable Foodware in Schools. The topic brief is available [here](#). Mr. Burroughs also announced that the 2023 grant solicitation round opens on January 12, 2023, with \$1.1 million total funding available in six separate funding areas. Grant applications are due March 3, 2023. Visit <https://www.stopwaste.org/at-work/stopwaste-grants> for more details. Staff will be following up in January with sample social media posts for the Board to easily share with their networks.

Mr. Burroughs extended thanks and appreciation to Board members Cox and Patiño for their service and wished everyone happy holidays.

VIII. ADJOURNMENT – TO WMA & EC MEETING JANUARY 25, 2023 AT 3:00 P.M.

The meeting adjourned 4:40 p.m.

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DATE: January 25, 2023

TO: Waste Management Authority Board

FROM: Timothy Burroughs, Executive Director

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

SUMMARY

On September 16, 2021, the Governor signed into law as an urgency measure, AB 361 (Rivas), which allows local legislative bodies to continue to meet by teleconference in order to promote public health and safety, subject to certain conditions, which must be reconsidered every 30 days. At its January 25, 2023, meeting, the Waste Management Authority (WMA) Board will consider a resolution to approve and direct the continued use of teleconferencing for its public meetings to enable social distancing, as long as the findings required by AB 361 are met and other provisions of the Brown Act are followed.

DISCUSSION

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

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

RECOMMENDATION

Adopt resolution #WMA 2023-01.

Attachment: Waste Management Authority Board Resolution #WMA 2023-01

**ALAMEDA COUNTY WASTE MANAGEMENT AUTHORITY
RESOLUTION #WMA 2023- 01**

**MOVED:
SECONDED:**

AT THE MEETING HELD JANUARY 25, 2023

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

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

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

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

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

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

social distancing continues to be recommended, and the Board desires to continue remote public meetings.

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

Programs & Administration Committee
Planning Committee

BE IT FURTHER RESOLVED, that:

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

Passed and adopted this 25th day of January 2023 by the following vote:

AYES:

NOES:

ABTAIN:

ABSENT:

Arliss Dunn, Clerk of the Board

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DATE: January 25, 2023

TO: Waste Management Authority Board
Energy Council

FROM: Pat Cabrera, Administrative Services Manager
Jennifer Luong, Financial Services Manager

SUBJECT: Annual Audit for Fiscal Year 2021-22

SUMMARY

On January 12, 2023, the Programs and Administration Committee and the Planning Committee/Recycling Board heard a presentation of the Fiscal Year 2021-22 Annual Comprehensive Financial Report (normally referred to as the annual audit), which now comes to the Waste Management Authority Board and Energy Council for acceptance and filing.

DISCUSSION

The Agency received an unmodified (clean) audit opinion for FY 2021-22 from the external auditors, Badawi & Associates. There were no audit exceptions or material deficiency findings. Additionally, there were no recommendations for improvements in internal controls. The Agency continues to be in a solid financial position. The report submitted to the P&A and the Planning Committee/Recycling Board can be found at: [Fiscal-Year-2021-22 Audit Report.pdf](#)

Committee Action

By a vote of 13-0, the P&A Committee reviewed and recommended forwarding the Fiscal Year 2021-22 Annual Comprehensive Financial Report to the Waste Management Authority Board for review, acceptance and filing. By a vote of 9-0, the Planning Committee/Recycling Board reviewed and accepted for filing this audit report.

RECOMMENDATION

That the WMA Board and Energy Council review, accept and file the Fiscal Year 2021-22 Annual Comprehensive Financial Report.

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DATE: January 25, 2023

TO: Energy Council

FROM: Timothy Burroughs, Executive Director

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

SUMMARY

On September 16, 2021, the Governor signed into law as an urgency measure, AB 361 (Rivas), which allows local legislative bodies to continue to meet by teleconference in order to promote public health and safety, subject to certain conditions, which must be reconsidered every 30 days. At its January 25, 2023, meeting, the Energy Council (EC) will consider a resolution to approve and direct the continued use of teleconferencing for its public meetings to enable social distancing, as long as the findings required by AB 361 are met and other provisions of the Brown Act are followed.

DISCUSSION

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

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

RECOMMENDATION

Adopt resolution #EC 2023-01.

Attachment: Energy Council Resolution #EC 2023-01

**ENERGY COUNCIL
RESOLUTION #EC 2023 – 01
MOVED:
SECONDED:**

AT THE MEETING HELD JANUARY 25, 2023

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

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

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

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

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

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

BE IT FURTHER RESOLVED, that:

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

Passed and adopted this 25TH day of January 2022 by the following vote:

AYES:

NOES:

ABTAIN:

ABSENT:

Arliss Dunn, Clerk of the Board

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DATE: January 25, 2022

TO: Waste Management Authority Board

FROM: Timothy Burroughs, Executive Director

SUBJECT: Rules of Procedure for Teleconferencing at Waste Management Authority Board and Committee Meetings

SUMMARY

In March 2022, the Waste Management Authority Board adopted interim amendments to the Board's Rules of Procedure to remove the limit on the number of Board Members who may utilize teleconferencing for Board and Committee meetings, consistent with the Brown Act. The Board directed that the interim amendments would be in place until the end of the calendar year, at which time the Board would reevaluate and consider next steps.

At its November 10, 2022, meeting, the Programs & Administration (P&A) Committee evaluated the interim amendments and approved a recommendation to the WMA Board to retain the amendments moving forward. At that same meeting, the P&A Committee recommended that the WMA Board not incorporate provisions of Assembly Bill 2449 into the Board's Rules of Procedure. AB 2449 was signed by the Governor in September 2022 and adds a new but limited teleconferencing option for Board and Committee members.

DISCUSSION

By a vote of 8-2 (Balch and Herrera Spencer voted no; Cavanaugh and Haubert were absent), the P&A Committee voted to recommend to the WMA Board to retain the above-mentioned amendment to remove the limit on the number of Board Members who may utilize teleconferencing for Board and Committee meetings and also to not incorporate the provisions of AB 2449 into the Board's Rules of Procedure. In addition, the Committee also recommended that Board Members provide the Clerk of the Board at least six days' notice in advance of the affected Board meeting if they wish to utilize teleconferencing from a noticed location, and that the Board evaluate these changes to the Rules of Procedure in nine months.

In the meantime, at its December 8, 2022 meeting, by a unanimous vote of 10-0, the Recycling Board/Planning Committee adopted a resolution to amend its Rules of Procedure to remove the limit on the number of board members who may utilize teleconferencing for board and committee meetings; to require that board members provide the Clerk of the Board at least six days' notice in advance of the affected board meeting if they wish to utilize teleconferencing from a noticed location, to not incorporate the Just Cause and Personal Emergency provisions of AB 2449 into the

Rules of Procedure; and that the Board evaluate these changes to the Rules of Procedure in nine months.

For a summary of the provisions of AB 2449 as well as the “usual” option for teleconferencing that has historically been available to Board Members, please see the discussion in Attachment 3.

RECOMMENDATION

The P&A Committee recommends that the WMA Board adopt resolution 2023-02 to amend its Rules of Procedure to remove the limit on the number of Board Members who may utilize teleconferencing for board and committee meetings; to not incorporate the Just Cause and Personal Emergency provisions of AB 2449 into the Rules of Procedure; and to require that Board Members provide the Clerk of the Board at least six days’ notice in advance of the affected board meeting if they wish to utilize teleconferencing from a noticed location; and that the Board evaluate these changes to the Rules of Procedure in nine months (by November 2023).

Attachment 1: #WMA Resolution 2023-02

Attachment 2: Revised Rules of Procedure

Attachment 3: Nov 10, 2022, Memo to the P&A Committee

ATTACHMENT 1

ALAMEDA COUNTY WASTE MANAGEMENT AUTHORITY BOARD

RESOLUTION #WMA 2023-02

**MOVED:
SECONDED:**

AT THE MEETING HELD JANUARY 25, 2023

AMENDMENTS TO THE RULES OF PROCEDURE REGARDING TELECONFERENCING

WHEREAS, the Alameda County Waste Management Authority Rules of Procedure allow no more than four WMA Board members to utilize teleconferencing at a Board meeting at no more than four teleconferencing locations, and

WHEREAS, the WMA Board Rules of Procedure allow no more than two members of the Programs & Administration Committee to utilize teleconferencing at a Committee meeting at no more than two teleconference locations, and

WHEREAS, on March 23, 2022, the Waste Management Authority Board adopted interim amendments to the Board's Rules of Procedure to remove the limit on the number of Board members who may utilize teleconferencing for Board meetings and directed that the interim amendments remain in place until the end of calendar year 2022, at which time the Board would reevaluate and consider next steps, and

WHEREAS, it is not standard practice for regional legislative bodies to have rules of procedure that limit the number of Board members who may participate by teleconference, the Board has demonstrated that it can efficiently and effectively carry out its work while participating remotely, and having the option to participate remotely creates both environmental and health benefits, and

WHEREAS, the Brown Act sets strict rules for teleconferencing, designed to enable members of the public to access and participate in meetings of legislative bodies at teleconference locations, and

WHEREAS, at its November 10, 2022, meeting, the Programs & Administration Committee approved a recommendation to amend its Rules of Procedure to remove the limit on the number of Board Members who may utilize teleconferencing for board and committee meetings; to not incorporate the Just Cause and Personal Emergency provisions of AB 2449 into the Rules of Procedure; and to require that Board Members provide the Clerk of the Board at least six days' notice in advance of the affected board meeting if they wish to utilize teleconferencing from a noticed location; and that the Board evaluate these changes to the Rules of Procedure in nine months.

WHEREAS, in this resolution, text to be added to the WMA Rules of Procedure is shown in underlined italics (*example*) and text to be deleted is shown in strikeout (~~example~~).

NOW THEREFORE, BE IT RESOLVED, that Section 3-8 of the WMA Board Rules of Procedure is amended as follows:

Section 3-8 Teleconferencing:

WMA Board members who are unable to attend a meeting in person or at a noticed remote location are encouraged to have their member agency's alternate attend in their place. WMA Board members unable to attend a meeting in person may participate in meetings by teleconference in accordance with this section. ~~No more than four WMA Board members may utilize teleconferencing at a WMA Board meeting at no more than four teleconferencing locations.~~ A WMA Board member wishing to utilize teleconferencing from a noticed location should notify the Clerk of the Board at least six (6) days prior to ~~the release of the agenda for~~ the affected WMA Board meeting of the teleconference location that is accessible to the public. ~~Agendas are typically released five (5) days in advance of the meeting.~~ The Clerk of the Board will identify the teleconference location in the agenda of the meeting and ensure posting of the agenda at the teleconference location. Remote participation using the Brown Act's "just cause" and "personal emergency" provisions is not allowed. Votes at a WMA Board meeting where teleconferencing is utilized will be taken by roll call and all other applicable requirements of the Brown Act will be followed. ~~If more than four members request teleconferencing, the four selected shall be chosen on the basis of the order of request, and in the case of ties, by seniority on the WMA Board.~~ Members shall be compensated for attendance via teleconferencing on the same basis they would be if they were physically present.

BE IT FURTHER RESOLVED, that Section 5-13 of the WMA Rules of Procedure is amended as follows:

Section 5-13 Teleconferencing

Committee members who are unable to attend a meeting in person may participate in meetings by teleconference in accordance with the procedures set forth in Section 3-8 of these Rules of Procedure ~~are encouraged to have their member agency's alternate attend in their place. Committee members unable to attend a meeting in person may participate in meetings by teleconference in accordance with this section. No more than two Committee members may utilize teleconferencing at a Committee meeting at no more than two teleconferencing locations.~~ A Committee member wishing to utilize teleconferencing from a noticed location should notify the Clerk of the Board prior to the release of the agenda for the affected Committee meeting of the teleconference location that is accessible to the public. ~~Agendas are typically released five (5) days in advance of the meeting. The Clerk of the Board will identify the teleconference location in the agenda of the meeting and ensure posting of the agenda at the~~

~~teleconference location. Votes at a Committee meeting where teleconferencing is utilized will be taken by roll call. If more than two members request teleconferencing, the two selected shall be chosen on the basis of the order of request, and in the case of ties, by seniority on the WMA Board. Members shall be compensated for attendance via teleconferencing on the same basis they would be if they were physically present.~~

BE IT FURTHER RESOLVED, that the Board shall review these amendments no later than November 30, 2023.

Passed and adopted this 25th day of January 2023 by the following vote::

AYES:

NOES:

ABSENT:

ABSTAINED:

Arliss Dunn, Clerk of the Board

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ATTACHMENT 2

Alameda County Waste Management Authority Rules
of Procedure
Page 1

ALAMEDA COUNTY WASTE MANAGEMENT AUTHORITY

WASTE MANAGEMENT AUTHORITY BOARD

RULES OF PROCEDURE

REVISED January 25, 2023

Article 1

General Provisions

- Section 1-1 Name of Board The name of the Board is the Alameda County Waste Management Authority Board (hereinafter referenced as “WMA Board”).
- Section 1-2 Authority for Rules These rules apply to the WMA Board (including Committees of the WMA Board) and are adopted pursuant to the Joint Exercise of Powers Agreement for Waste Management dated February 13, 1990, as it may be amended from time to time. The provisions of said agreement are herein incorporated by reference.
- Section 1-3 Purpose of Rules The purpose of these rules is to provide for the orderly and fair conduct of the meetings of the WMA Board.

Article 2

Organization of WMA Board

- Section 2-1 Composition of WMA Board The WMA Board is composed of seventeen (17) members and seventeen (17) alternates appointed pursuant to the agreement creating the Alameda County Waste Management Authority (hereinafter referenced as “WMA”).
- Section 2-2 Officers The Officers of the WMA Board shall be a President, First Vice-President and Second Vice-President, who shall serve until the elections of their successors in accordance with Section 2-3.
- Section 2-3 Election of Officers The Officers shall be elected at the regular meeting of the WMA in the month of June of each year. They shall be elected by a majority of the total authorized vote of the WMA Board and shall serve from July 1 through June 30 of the following year. No member may serve more than one term in the same leadership position on the WMA Board within a two-year time frame. This does not limit a person who has served in one office for a year serving in a

different office the following year (e.g., the First Vice President in one year serving as the President the next year).

- Section 2-4 Executive Director The WMA Board shall appoint an Executive Director of the WMA who shall be responsible for, among other duties, administration of WMA programs.
- Section 2-5 Duties of President The President shall preside at all meetings of the WMA Board and shall conduct the business of the WMA Board in the manner prescribed by these Rules. The President shall preserve order and decorum and shall decide all questions of order subject to the action of a majority of the WMA Board.
- Section 2-6 Duties of the First and Second Vice-President In the absence or inability of the President to act, the Vice Presidents shall perform the duties of the President in the order of the succession.
- Section 2-7 Duties of Executive Director In addition to the duties set forth in the Joint Exercise of Powers Agreement, the Executive Director shall perform the following duties:
- (a) Prepare an agenda for each meeting of the WMA Board;
 - (b) Attend each meeting of the WMA Board;
 - (c) Appoint a Clerk of the Board to:
 - (i) Notify all WMA Board members of the time and place of each meeting;
 - (ii) Maintain a record of all proceedings of the WMA Board;
 - (iii) Maintain all records of the WMA ;
 - (iv) Maintain records of the proceedings of the WMA Board and its committees ; and
 - (v) Attest to the WMA Board's approval of ordinances, resolutions, and other expressions of WMA Board policy.
 - (d) Perform other duties directed by law, the Officers, or the WMA Board. These duties may be delegated as determined necessary by the Executive Director.

Article 3
Meetings of WMA Board

- Section 3-1 Regular Meetings Regular monthly meetings will be held at 3:00 p.m. on the fourth Wednesday of the month, except for the months of November and December when the meetings will be held at 3:00 p.m. on the third Wednesday of the month.
- Section 3-1.1 Cancellation and/or Reschedule of Regular Meetings Any regular meeting of the WMA Board may be canceled or rescheduled by the President, or the Executive Director on the direction of the President, no less than seven (7) calendar days prior to the scheduled date of such meeting. Notification of cancellation or reschedule shall be mailed to all parties who are notified of regular meetings of the WMA Board.
- Section 3-2 Special Meetings Special meetings of the WMA Board may be called by order of the President or by a majority of the members. The order calling the special meeting shall specify the time of the meeting and the business to be transacted at such meeting.
- Section 3-3 Adjourned Meetings Any regular meeting of the WMA Board may be adjourned to any date prior to the date established for the next regular meeting. Any adjourned regular meeting is part of the regular meeting. Any special meeting may be adjourned, and any adjourned special meeting is part of the special meeting.
- Section 3-4 Effect of Holiday If any meeting day or adjourned meeting day falls on a holiday, the meeting of the WMA Board shall be specially scheduled by the WMA Board.
- Section 3-5 Quorum A majority of the members of the WMA Board shall constitute a quorum for the transaction of business, except that less than a quorum may adjourn from time to time pursuant to Section 3-6 of these Rules.
- Section 3-6 Absence of Quorum In the absence of a quorum, the members present shall adjourn the meeting to a stated time and place, and the absent members shall be notified. If all members are absent, the Executive Director shall adjourn the meeting to a stated time and place and notify all members pursuant to Section 3-7 of these Rules.

- Section 3-7 Notice of Meetings All meetings of the WMA Board shall be held subject to the provisions of the Ralph M. Brown Act (see Sections 54950 et. seq. of the California Government Code) and other applicable laws of the State of California requiring notice of meetings of the WMA Board.
- Section 3-8 Teleconferencing WMA Board members who are unable to attend a meeting in person or at a noticed remote location are encouraged to have their member agency's alternate attend in their place. WMA Board members unable to attend a meeting in person may participate in meetings by teleconference in accordance with this section. A WMA Board member wishing to utilize teleconferencing from a noticed location should notify the Clerk of the Board at least six (6) days prior to the affected WMA Board meeting of the teleconference location that is accessible to the public. The Clerk of the Board will identify the teleconference location in the agenda of the meeting and ensure posting of the agenda at the teleconference location. Remote participation using the Brown Act's "just cause" and "personal emergency" provisions is not allowed. Votes at a WMA Board meeting where teleconferencing is utilized will be taken by roll call and all other applicable requirements of the Brown Act will be followed. Members shall be compensated for attendance via teleconferencing on the same basis they would be if they were physically present.
- Section 3-9 Compensation WMA Board members and alternates are compensated in accordance with compensation policies approved by the WMA Board. WMA Board members must attend a WMA Board meeting to be compensated for that meeting. An agency appointed alternate may be compensated only if WMA member from that agency is not present at the meeting.

Article 4
Conduct of Meetings

- Section 4-1 Order of Business The business of each meeting of the WMA Board shall be transacted as far as is practicable in the following order:
- (a) Call to order;
 - (b) Roll call of attendance;
 - (c) Announcements by President;
 - (d) Open public discussion from the floor;
 - (e) Approval of minutes of prior meetings (may be included in the consent calendar);
 - (f) Consent calendar;
 - (g) Regular calendar;
 - (h) Member comments and communications from the Executive Director; and
 - (i) Adjournment.

The above order of business may be suspended or changed at any time upon order of the President. The consent calendar may contain those matters the nature of which have been determined by the Executive Director to be routine, and items that have been recommended by a Committee for WMA Board approval, and will be approved by a single action. Any item shall be removed from the consent calendar and placed for discussion on the regular calendar at the request of any member. WMA Board members who were not in attendance at a meeting but have read the minutes of the meeting may vote in connection with approval of those minutes. The regular calendar shall contain all other matters and business.

Open public discussion from the floor is provided for any member of the public wishing to speak on any matter within the jurisdiction of the WMA, but not listed on the agenda. Each speaker is limited to three minutes unless a shorter period of time is set by the President.

- Section 4-2 Parliamentary Rules The rules and procedures set forth in Rosenberg's Rules of Order (Exhibit 1) are hereby adopted for the government of the WMA Board in all cases not otherwise provided for in these rules.

- Section 4-3 Vote Required A two-thirds majority of the total authorized vote shall be required for expenditures of \$500,000 or more. Except as

provided by the Joint Powers Agreement (specifically amendments to the JPA and approval of a new member to the JPA which also require a two-thirds majority of the authorized vote), a majority of the authorized vote shall be required for all other actions.

An abstention to vote by any member shall be construed as that member not voting on a particular matter.

- Section 4-3.1 Alternate's Vote An agency alternate may vote on any matter under consideration only in the absence of the agency member from the meeting or as provided under Section 4-6 of these rules.
- Section 4-4 Roll Call Votes Roll call votes shall proceed in the following manner:
(i) The presiding officer will direct the Clerk of the Board to report on the WMA Board members who have joined or left the meeting since the roll call of attendance at the beginning of the meeting;
(ii) The presiding officer will ask for a voice vote on the matter;
(iii) If there are no "nay" votes or abstentions, the presiding officer will direct that the matter be reported as passed unanimously with the names of all WMA Board members in attendance reported as voting in favor;
(iv) If there are any "nay" votes or abstentions, the presiding officer will direct the Clerk of the Board to call the name of each agency and record the vote of the representative of the agency and then report the total number of "aye," "nay" and "abstain" votes.
(v) The roll call shall be in alphabetical order of the name of the agency, except that the President shall be called last.
- Section 4-5 Roll Call Not Required The roll need not be called in voting upon a motion except when requested by a member or otherwise required by law. If the roll is not called, in the absence of objection, the President may order the motion unanimously approved.
- Section 4-6 Voting Ineligibility Any member attending a WMA Board meeting and ineligible to vote on any matter under consideration by the WMA Board at that meeting shall briefly describe the reason for being ineligible and then leave the WMA Board table before the matter is considered and refrain from participation in any action concerning the matter. If the member is ineligible due to a conflict of interest under the Political Reform Act, the member's disclosure shall include the information required by that Act and the member shall leave the room and not be counted towards a quorum. Notwithstanding the

foregoing, a member is not required to leave the WMA Board table or room for matters that are on the consent calendar.

Article 5 Committees

Section 5-1 Committees: Specific Committees, Notice of Meetings and General Rules

The WMA Board has two Committees: The Programs and Administration Committee (P&A) and the Alameda County Recycling Board serving as a committee of the WMA (Planning Committee). (See Sections 5.3– 5.6)

Any committee that constitutes a quorum of the WMA Board shall be noticed as both a meeting of the committee and a meeting of the WMA Board. Meetings of the Planning Committee shall be noticed as both a meeting of the committee and a meeting of the Recycling Board (RB). General rules pertaining to WMA Board committees are as follows:

- Only Committee members are permitted to vote on matters before the Committee.
- WMA alternates are members of the P&A Committee if the WMA P&A Committee member from their agency is not present.
- Because WMA alternates may not serve on the RB per the County Charter, WMA alternates are not members of the Planning Committee under any circumstances.
- No Committee may take final agency action on behalf of the WMA Board.
- Only Committee members (including WMA alternates attending the P&A Committee if the WMA member from their agency is not present) will receive compensation for attending the meeting.
- A majority of the Committee members present and voting is required for adoption of recommendations/actions.
- WMA Board members who are not Committee members may attend a Committee meeting but will not count towards formation of the quorum necessary to conduct the meeting nor will they receive compensation.

Section 5-2 Planning Committee Vacancy When a vacancy occurs on the Planning Committee, the Executive Director shall request the WMA Board to appoint a replacement.

Section 5-3 P&A Committee This committee consists of the twelve WMA Board members who are not members of the Recycling Board (RB)/Planning Committee.

The P&A Committee primarily provides oversight for administration and communications projects and other projects that are not assigned to the Planning Committee.

Section 5-4 The P&A Committee Administration. The P&A Committee meets on the 2nd Thursday of each month at 9:00 a.m. at the WMA office. Six P&A Committee members constitute a quorum. The officers of the P&A Committee shall be a Chair and Vice Chair who shall serve until the elections of their successors. Beginning in June 2018 the Chair and Vice Chair shall be elected at the regular meeting of the Committee in the month of June of each year. They shall be elected by a majority of the total authorized vote of the Committee and shall serve from July 1 through June 30 of the following year. Beginning July 1, 2018, no member may serve more than one term in the same leadership position on the P&A Committee within a two-year time frame. This does not limit a person who has served in one office for a year serving in a different office the following year (e.g., the Vice Chair in one year serving as the Chair the next year).

Section 5-5 Planning Committee. This committee consists of the eleven Recycling Board (RB) members. The Planning Committee will primarily provide oversight for projects assigned to it in the areas of source reduction, market development, recycled content purchasing, grants to non-profits, and planning projects.

Section 5-6 Planning Committee Administration. The RB typically meets on the second Thursday of each month at 4 or 7 p.m. at locations determined by the RB. Meetings of the Planning Committee will be at the times and locations of RB meetings. Six RB members constitute a quorum. In accordance with Measure D, the RB formulates rules for its own procedures and other rules as necessary to facilitate the implementation of Measure D.

- Section 5-7 Other Committees The President or the WMA Board may appoint such other committees from time to time as may be appropriate to administer the powers and programs of the WMA.
- Section 5-8 Cancellation and/or Reschedule of Regular Committee Meetings Any regular Committee meeting of the WMA may be canceled or rescheduled by the Chair, or the Executive Director with the consent of the Chair, no less than seven (7) calendar days prior to the scheduled date of such meeting. Notification of cancellation or reschedule shall be mailed to all parties who are notified of regular meetings of the Committee.
- Section 5-9 Special Meetings Special Committee meetings may be called by order of the applicable Committee Chair or the Executive Director with the consent of the Chair or by a majority of the members of the Committee acting at a properly noticed public meeting. The order calling the special meeting shall specify the time of the meeting and the business to be transacted at such meeting.
- Section 5-10 Adjourned Meetings Any regular meeting of a Committee may be adjourned to any date prior to the date established for the next regular meeting. Any adjourned regular meeting is part of the regular meeting. Any special meeting may be adjourned, and any adjourned special meeting is part of the special meeting.
- Section 5-11 Effect of Holiday If any meeting day or adjourned meeting day falls on a holiday, the meeting of the Committee shall be specially scheduled by a majority vote of the Committee.
- Section 5-12 Absence of Quorum In the absence of a quorum, the members present shall adjourn the meeting to a stated time and place, and the absent members shall be notified. If all members are absent, the Executive Director shall adjourn the meeting to a stated time and place and notify all members pursuant to Section 3-7 of these Rules.
- Section 5-13 Teleconferencing Committee members who are unable to attend a meeting in person or at a noticed remote location are encouraged to have their member agency's alternate attend in their place. Committee members unable to attend a meeting in person may participate in meetings by teleconference in accordance with this section. A Committee member wishing to utilize teleconferencing from a noticed location should notify the Clerk of the Board at least

six (6) days prior to the affected Committee meeting of the teleconference location that is accessible to the public. The Clerk of the Board will identify the teleconference location in the agenda of the meeting and ensure posting of the agenda at the teleconference location. Remote participation using the Brown Act's "just cause" and "personal emergency" provisions is not allowed. Votes at a Committee meeting where teleconferencing is utilized will be taken by roll call and all other applicable requirements of the Brown Act will be followed. Members shall be compensated for attendance via teleconferencing on the same basis they would be if they were physically present.



DATE: November 10, 2022

TO: Programs and Administration Committee

FROM: Timothy Burroughs, Executive Director

SUBJECT: Rules of Procedure for Teleconferencing at Waste Management Authority Board and Committee Meetings

SUMMARY

In March 2022, the Waste Management Authority (WMA) Board adopted interim amendments to the Board's Rules of Procedure to remove the limit on the number of Board Members who may utilize teleconferencing for Board and Committee meetings, consistent with the Brown Act. The Board directed that the interim amendments would be in place until the end of the calendar year, at which time the Board would reevaluate and consider next steps. The purpose of this memo is for the Programs & Administration (P&A) Committee to consider providing a recommendation to the WMA Board to retain the approved amendments moving forward.

In addition, at the same time as affirming the above-mentioned amendments, staff recommends that the Committee recommend that the Board also adopt amendments to the Rules of Procedure to incorporate the provisions of Assembly Bill (AB) 2449, which was signed by the Governor in September 2022 and adds a new limited teleconferencing option for Board and Committee members.

DISCUSSION

Amendments to Rules of Procedure to remove limits on the number of Board Members who may participate remotely – Prior to the interim amendments approved by the WMA Board in March 2022, the WMA Board's Rules of Procedure, which are approved and can be revised by the Board, stated that no more than four Board members may utilize teleconferencing for a WMA Board meeting at no more than four teleconferencing locations. The Rules of Procedure also stated that for the P&A Committee, no more than two Committee members may utilize teleconferencing at a given Committee meeting, at no more than two teleconferencing locations.

The November P&A Committee meeting is an opportunity to evaluate the Board's interim amendments to remove the limit on the number of Board Members who may utilize

teleconferencing for Board or Committee meetings. Staff recommends that the Committee recommend to the WMA Board to affirm the approved amendments moving forward. As was discussed by the Committee in March, it is not standard practice for regional legislative bodies to have rules of procedure that limit the number of Board Members who may participate by teleconference. Further, providing a teleconference option for Board Members creates environmental benefits from reduced vehicle miles travelled, as well as health benefits. The Board has also demonstrated its ability to efficiently and effectively carry out its work while participating remotely.

Amendments to the Rules of Procedure to incorporate provisions of AB 2449 – The passage of AB 2449 means that there are now three distinct options for Board Members to teleconference for board and committee meetings:

1. “The Usual” option: This option is generally the teleconferencing option that has historically been available; it requires the Board member to post a hard copy of the agenda at their remote location and allow the public to physically attend the meeting at the location where the Board member is located (e.g., Board member’s home, office, or hotel room). This option does not have a sunset. (See Government Code section 54953(b).)
2. “The Covid Emergency (AB 361)” option: This is the teleconferencing option the legislature adopted in September 2021 (AB 361) in response to COVID-19; it requires the Board to monthly make certain findings regarding the state of emergency and its impact on the ability to safely meet, and/or the continued imposition or recommendation of measures to promote social distancing. As law, AB 361 sunsets at the end of 2023 but it will actually become unavailable on February 28, 2023 because the Governor has announced he will rescind the COVID emergency declaration as of that date. The existence of a state of emergency is one of the findings the Board is required to make in order to participate remotely using the streamlined teleconferencing rules created by AB 361. (See Government Code section 54953(e).)
3. “The Just Cause or Personal Emergency” option created by AB 2449: This new option provides two distinct grounds for a Board or Committee Member to attend remotely: (i) for Just Cause, or (ii) for a personal Emergency. The legislation provides somewhat complicated criteria that must be satisfied, procedures that must be implemented, and limitations on the number of times a Board Member can rely on these bases to attend remotely. This option is scheduled to sunset at the end of 2025. (See Government Code section 54953(f)¹.) A detailed review of the provisions of AB 2449 is included below.

Using the Just Cause and Personal Emergency options included in AB 2449

As long as the WMA continues to make findings under the COVID Emergency options (AB 361), there is no need for any Board Member to use the Just Cause/Personal Emergency option. The Just

¹ This is renumbered to Section 54953(e) for 2024 and 2025 after AB 361 sunsets.

Cause/Personal Emergency option is only relevant once the COVID Emergency option (AB 361) is not available.

For a Board member to rely on either the Just Cause or Personal Emergency provisions to remotely attend a Board or Committee meeting the following requirements must be met:

1. At least a quorum of the Board must be present at a singular physical location clearly identified on the agenda. If there is less than a quorum at the specified location, then no Board Member may participate using either the Just Cause or Personal Emergency provisions. If one or more Board Members attending at the specified physical location leave the meeting such that there is less than a quorum at that location, then any Board Members using the Just Cause or Personal Emergency provisions may no longer participate in the meeting. The meeting may continue without those Board members as long as there is a quorum of Board Members participating in person or from remote locations using “The Usual” option.
2. The Agency must notice the meeting and meet certain minimum technological requirements similar to those currently in place. Specifically, the WMA must provide (1) for public observation of the meeting via either a two-way audiovisual platform, or a two-way telephonic service accompanied by live webcasting; (2) opportunities for the public to comment via a call-in option, an internet-based option, and an in-person location; (3) information on how to observe and comment in all notices of the meeting; and (4) procedural protections to ensure that the Board takes no action during a disruption that prevents the public from observing or commenting on the meeting.
3. The Board Member must participate via both audio and visual technology (e.g., Zoom with camera turned on). If the Board member’s audio or visual connection is lost during the meeting, the Board Member may not participate until the problem is resolved. Note that this requirement differs from “the Usual” option which allows participation by audio only.
4. The Board Member must disclose at the meeting before action is taken whether there are any adults in the room with the Board member and must disclose the general nature of the member’s relationship with any such individuals.
5. The Board Member must not have exceeded the limits on use of the Just Cause and Personal Emergency provisions during the calendar year. No member may participate remotely using those provisions more than three consecutive months or 20 percent of the regular Board meetings within a calendar year. The WMA and P&A Committee each meet 11 times per year; 20 percent of 11 is 2.2. This means that Board Members may rely on one or both of the Just Cause and Personal Emergency provisions no more than a total of two times per year for Board meetings and two times per year for P&A Committee meetings.
6. The Board Member must inform the Board or Committee of their need to participate remotely for Just Cause or a Personal Emergency “at the earliest opportunity possible.” The legislation acknowledges that this may be as late as the start of the meeting in question.

If the requirements above are satisfied, then a Board Member may rely on either the Just Cause or Personal Emergency if the following additional requirements are satisfied:

Just Cause – A Board Member may rely on this provision based on a need related to: (a) caregiving for certain family members, (b) a contagious illness, (c) a physical or mental disability, and (d) travelling while on official business for a public agency. The Board Member is required to provide a general description of the circumstances relating to their need to appear remotely for just cause.

Personal Emergency – This provision requires the Board or Committee to approve remote participation and applies only to medical emergencies for the Board Member or their family. The Board member must request approval of remote participation and provide a general description of the circumstances. This description generally need not exceed 20 words and does not require the member to disclose any medical diagnosis or disability, or any personal medical information that is already exempt under existing law. There must be a separate request for each meeting at which the member wishes to participate remotely. The Board or Committee may add such requests to the agenda as an urgency item. The law does not provide any guidance on standards to be used by the Board in considering requests for remote participation.

Staff recommends that the Board add a standing agenda item to receive Just Cause reports and Personal Emergency Requests. In the event of such a report the Clerk can verify that the baseline procedural requirements above have been satisfied. Note, however, that if a quorum of the Board or Committee is not attending from a single physical location, neither option will be available, and the Personal Emergency option will be available only at the discretion of the full Board or Committee. For these reasons, once AB 361 is no longer in effect, Board Members unable to attend in person or at a noticed remote location under “the Usual” procedures should consider sending their alternate.

The following table summarizes the discussion above.

	Teleconferencing Options		
	Usual	Covid Emergency	Just Cause or Personal Emergency
Public must be allowed to attend in person at Board member's remote location?	Yes	No	No
Limit on # of Board members that can use this option at the same time?	No (as long as the Board affirms its interim amendments removing this limit in the Rules of Procedure)	No	Yes, at least a quorum must be present at "a singular physical location clearly identified on the agenda"
Limit on # of times a Board member can use the option?	No	No	Yes
Board member must use both audio + visual technology?	No, audio only is acceptable	No, audio only is acceptable	Yes
Quorum of Board members need to attend from locations in the jurisdiction?	Yes, although can be remote locations within the Alameda County	No	Yes (see note above regarding location of quorum)
Required to provide a physical meeting location for public?	Yes, at standard location where regular meeting held in person + at Board member's remote location	No	Yes

Required to provide call-in or internet-based broadcast for public?	No	Yes, although minimum standards not described	Yes, either a two-way audiovisual platform or a two-way telephonic service + live stream; public must be able to provide comment via a call-in option, an internet-based option, and an in-person location
Action must stop if broadcast for public disrupted?	No, no express requirement although City could choose to pause until technology issue resolved and may be prudent to do so	Yes	Yes
Planned to sunset?	No	Yes, law sunsets at end of 2023 and is no longer in effect as of February 28, 2023	Yes, sunsets at end of 2025

RECOMMENDATION

The P&A Committee recommends that the WMA Board adopt Resolution 2022-17 to remove the limit on the number of Board Members who may utilize teleconferencing for Board and Committee meetings and to incorporate the Just Cause and Personal Emergency provisions of AB 2449.

Attachment A: #WMA Resolution 2022-17

Attachment B: March 23, 2022, WMA Board Memo and Resolution approving interim amendments to the Rules of Procedure to remove the limit on the number of Board Members who may utilize teleconferencing

ATTACHMENT A

ALAMEDA COUNTY WASTE MANAGEMENT AUTHORITY BOARD

RESOLUTION #WMA 2022-17

**MOVED:
SECONDED:**

AT THE MEETING HELD December 14, 2022

AMENDMENTS TO THE RULES OF PROCEDURE REGARDING TELECONFERENCING

WHEREAS, the Alameda County Waste Management Authority Rules of Procedure allow no more than four WMA Board members to utilize teleconferencing at a Board meeting at no more than four teleconferencing locations, and

WHEREAS, the WMA Board Rules of Procedure allow no more than two members of the Programs & Administration Committee to utilize teleconferencing at a Committee meeting at no more than two teleconference locations, and

WHEREAS, on March 23, 2022, the WMA Board adopted interim amendments to the Board's Rules of Procedure to remove the limit on the number of Board members who may utilize teleconferencing for Board and Committee meetings and directed that the interim amendments remain in place until the end of calendar year 2022, at which time the Board would reevaluate and consider next steps, and

WHEREAS, it is not standard practice for regional legislative bodies to have rules of procedure that limit the number of Board members who may participate by teleconference, the Board has demonstrated that it can efficiently and effectively carry out its work while participating remotely, and having the option to participate remotely creates both environmental and health benefits, and

WHEREAS, Assembly Bill 2449 (Rubio) was signed by the Governor on September 13, 2022 and creates a new limited option for Board members to teleconference for board and committee meetings, and

WHEREAS, amendments to the WMA Rules of Procedure are required in order to incorporate the provisions of AB 2449, and

WHEREAS, the Brown Act sets strict rules for teleconferencing, designed to enable members of the public to access and participate in meetings of legislative bodies at teleconference locations, and

WHEREAS, the Programs & Administration Committee has recommended to the WMA Board amendments to the Rules of Procedure that would remove the limit on the number of Board members who may utilize teleconferencing for Board and Committee meetings and that would incorporate the provisions of AB 2449.

NOW THEREFORE, BE IT RESOLVED, that Section 3-8 of the WMA Rules of Procedure is amended to read as follows:

WMA Board members who are unable to attend a meeting in person or at a noticed remote location are encouraged to have their member agency's alternate attend in their place. WMA Board

members unable to attend a meeting in person may participate in meetings by teleconference in accordance with the Brown Act as follows: No more than four WMA Board members may utilize teleconferencing at a WMA Board meeting at no more than four teleconferencing locations.

1. Noticed Location. A WMA Board member wishing to utilize teleconferencing from a noticed location should notify the Clerk of the Board prior to the release of the agenda for the affected WMA Board meeting of the teleconference location that is accessible to the public. Agendas are typically released five (5) days in advance of the meeting. The Clerk of the Board will identify the teleconference location in the agenda of the meeting and ensure posting of the agenda at the teleconference location.
2. Just Cause or Personal Emergency. A WMA Board member wishing to utilize teleconferencing under the Brown Act's just cause or personal emergency procedures shall notify the Clerk of the Board at the earliest opportunity possible, including at the start of a regular meeting, of their need to participate remotely together with a general description of the circumstances relating to their need to appear remotely. If the Board member is requesting authorization to use the personal emergency procedures the Board shall consider, at the outset of the meeting, whether to approve the request. If a quorum of the Board is not participating in person from the WMA offices (or other specific physical location clearly identified on the agenda) then no Board member may participate using the just cause or personal emergency procedures. A Board member may teleconference pursuant to this provision no more than two times per year. For the purposes of this subsection 2:
 - The member shall publicly disclose at the meeting before any action is taken whether any other individuals 18 years of age or older are present in the room at the remote location with the member, and the general nature of the member's relationship with any such individuals.
 - The member shall participate through both audio and visual technology.
 - "Emergency circumstances" means a physical or family medical emergency that prevents a member from attending in person.
 - "Just cause" means any of the following: (1) A childcare or caregiving need of a child, parent, grandparent, grandchild, sibling, spouse, or domestic partner that requires them to participate remotely; (2) A contagious illness that prevents a member from attending in person; (3) A need related to a physical or mental disability; (4) Travel while on official business of the WMA or another state or local agency.

Votes at a WMA Board meeting where teleconferencing is utilized will be taken by roll call and all other applicable requirements of the Brown Act will be followed. ~~If more than four members request teleconferencing, the four selected shall be chosen on the basis of the order of request, and in the case of ties, by seniority on the WMA Board.~~ Members shall be compensated for attendance via teleconferencing on the same basis they would be if they were physically present.

BE IT FURTHER RESOLVED, that Section 5-13 of the WMA Rules of Procedure is amended to read as follows:

Committee members unable to attend a meeting in person may participate in meetings by teleconference in accordance with the procedures set forth in Section 3-8 of these Rules of Procedure.

Passed and adopted this 14th day of December 2022 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAINED:

Arliss Dunn, Clerk of the Board

DATE: March 23, 2022

TO: Waste Management Authority Board

FROM: Timothy Burroughs, Executive Director

SUBJECT: Rules of Procedure for Teleconferencing at Waste Management Authority and Committee Meetings

SUMMARY

The Waste Management Authority (WMA) Rules of Procedure, which are approved and can be revised by the Board, state that no more than four Board members may utilize teleconferencing for a WMA Board meeting at no more than four teleconferencing locations. The Rules of Procedure also state that for the Programs and Administration (P&A) Committee, no more than two Committee members may utilize teleconferencing at a given Committee meeting, at no more than two teleconferencing locations.

On March 10, 2022, the P&A Committee approved a resolution by a vote of 9-0 (Hannon, Patiño, and Martinez, absent) recommending that the WMA Board adopt interim amendments to the Rules of Procedure, consistent with the Brown Act, to remove the limit on the number of Board members who may utilize teleconferencing for Board and Committee meetings. The interim amendments would be in place until the end of calendar year 2022, at which time the Board would reevaluate and consider next steps. Attached to this memo is a resolution for the WMA Board to consider that would approve the P&A Committee recommendation.

DISCUSSION

Staff provided a detailed discussion of the recommendation approved by the P&A Committee in a memo to the Committee for its March 10, 2022, meeting. Please see the memo and resolution approved by the Committee attached. Also attached is a resolution for the WMA Board to review and consider.

Finally, as was discussed with the P&A Committee, staff encourages the Board to attend the May 25, 2022, Board meeting in person, which is the date the Board will consider Agency budget adoption, and also attend in person the last meeting of the calendar year in December to review 2022 accomplishments and prepare for the new year.

RECOMMENDATION

The Programs and Administration Committee recommends that the WMA Board adopt Resolution #WMA 2022-04 to remove the limit on the number of Board members who may utilize teleconferencing for Board and Committee meetings, and that this amendment to the Rules of Procedure be approved on an interim basis, until the end of calendar year 2022.

Attachment 1: #WMA Resolution 2022-04

Attachment 2: March 10, 2022, Memo to the P&A Committee

ALAMEDA COUNTY WASTE MANAGEMENT AUTHORITY BOARD

RESOLUTION #WMA 2022-04

MOVED:
SECONDED:

AT THE MEETING HELD MARCH 23, 2022

INTERIM AMENDMENTS TO THE RULES OF PROCEDURE REGARDING TELECONFERENCING

WHEREAS, the Alameda County Waste Management Authority Rules of Procedure allow no more than four WMA Board members to utilize teleconferencing at a Board meeting at no more than four teleconferencing locations, and

WHEREAS, the WMA Board Rules of Procedure allow no more than two members of the Programs & Administration Committee to utilize teleconferencing at a Committee meeting at no more than two teleconference locations, and

WHEREAS, these limitations were suspended during the COVID-19 public health emergency to allow all Board members to participate via teleconference to protect public health and safety and will take effect at such time as the Board and Programs & Administration Committee resume in person meetings, and

WHEREAS, the Brown Act sets strict rules for teleconferencing, designed to enable members of the public to access and participate in meetings of legislative bodies at teleconference locations, and

WHEREAS, having corresponded with several other public agencies that operate in Alameda County and the Bay Area, staff has found that it is not standard practice for regional legislative bodies to have rules of procedure that limit the number of Board members who may participate by teleconference, and

WHEREAS, the Programs & Administration Committee has recommended to the WMA Board amendments to the Rules of Procedure that would remove the limit on the number of Board members who may utilize teleconferencing for Board and Committee meetings for an interim period, until the end of calendar year 2022, and the Recycling Board/Programs Committee has made a comparable change to its rules of procedure.

NOW THEREFORE, BE IT RESOLVED, that beginning at such time as the Board and Programs & Administration Committee resume in person meetings and until December 31, 2022:

1. The following sentences in section 3-8 of the Rules of Procedure (concerning teleconferencing at WMA Board meeting) shall not apply:

“No more than four WMA Board members may utilize teleconferencing at a WMA Board meeting at no more than four teleconferencing locations.”

“If more than four members request teleconferencing, the four selected shall be chosen on the basis of the order of request, and in the case of ties, by seniority on the WMA Board.”

2. The following sentences in section 5-13 of the Rules of Procedure (concerning teleconferencing at Programs and Administration Committee meetings) shall not apply:

“No more than two Committee members may utilize teleconferencing per Committee meeting at no more than two teleconferencing locations.”

“If more than two members request teleconferencing, the two selected shall be chosen on the basis of the order of request, and in the case of ties, by seniority on the WMA Board.”

Passed and adopted this 23rd day of March 2022 by the following vote::

AYES:

NOES:

ABSENT:

ABSTAINED:

Arliss Dunn, Clerk of the Board



DATE: March 10, 2022

TO: Programs and Administration Committee

FROM: Timothy Burroughs, Executive Director

SUBJECT: Rules of Procedure for Teleconferencing at Waste Management Authority and Committee Meetings

SUMMARY

The Waste Management Authority Rules of Procedure, which are approved and can be revised by the Board, state that no more than four Board members may utilize teleconferencing for a WMA Board meeting at no more than four teleconferencing locations. The Rules of Procedure also state that for the Programs and Administration (P&A) Committee, no more than two Committee members may utilize teleconferencing at a given Committee meeting, at no more than two teleconferencing locations. The purpose of this memo is for the P&A Committee to consider recommending to the WMA Board interim amendments to the Rules of Procedure, consistent with the Brown Act, to remove the limit on the number of Board members who may utilize teleconferencing for Board and Committee meetings. The interim amendments would be in place until the end of calendar year 2022, at which time the Board would reevaluate and consider next steps.

DISCUSSION

In order to promote public health and safety, the WMA Board and P&A Committee have met exclusively by teleconference since the onset of the COVID-19 pandemic in March 2020. Initially, it was an Executive Order issued by the Governor that streamlined legislative body teleconferencing by suspending certain Brown Act rules, including the requirements that all teleconference locations be made available for the public, that each teleconference location be identified on the agenda, and that the agenda be posted at each teleconference location. Then, on September 16, 2021, the Governor signed AB 361 into law, which amends the Brown Act to allow local legislative bodies to continue to meet by teleconference as they did under the Executive Order subject to various procedural safeguards that have consistently been a part of the WMA Board's practice. The "streamlined" teleconferencing pursuant to AB 361 is allowed only when the Governor has declared a state of emergency and the legislative body confirms every 30 days that state or local health officials have imposed or recommended measures to promote social distancing. The law remains in effect until January 1, 2024.

At such time as the streamlined procedures are no longer in place, the Board's standard Rules of Procedure will take effect. If the Board makes interim amendments to the Rules of Procedure regarding teleconferencing, then those changes would become effective at that time instead.

Staff is recommending that the P&A Committee and ultimately the WMA Board consider removing the limit on the number of Board members who may utilize teleconferencing for Board and Committee meetings. Current limits on the number of Board members who may teleconference are in Sections 3-8 and 5-13 of the WMA Board Rules of Procedure (Attachment 1).

Staff recommends that the Board make this amendment on an interim basis, until the end of calendar year 2022, at which time the Board would reevaluate the interim rules and decide on next steps.

Having corresponded with several other public agencies that operate in Alameda County and the Bay Area, staff has found that it is not standard practice for regional legislative bodies to have rules of procedure that limit the number of Board members who may participate by teleconference. Public agencies throughout the region are in the process of setting up "hybrid" meeting procedures, meaning that members of the legislative body, agency staff, and members of the public may participate in Board meetings either in person or via teleconference. The StopWaste Board room is equipped for hybrid meetings.

If the Board chooses to adopt interim amendments to the rules of procedure, then staff will provide specific instructions for Board and Committee members to ensure that Brown Act rules are followed. Specifically, the Brown Act requires the following once the streamlined procedures of AB 361 are no longer in effect:

- At least a quorum of the legislative body must participate from locations within the local agency's jurisdiction (i.e., Alameda County);
- Each teleconference location must be specifically identified in the notice and agenda of the meeting, including a full address and room number, as may be applicable;
- Agendas must be posted at each teleconference location, even if a hotel room or a residence;
- Each teleconference location, including a hotel room or residence, must be accessible to the public and have technology, such as a speakerphone, to enable the public to participate;
- The agenda must provide the opportunity for the public to address the legislative body directly at each teleconference location; and
- All votes must be by roll call.

Importantly, once a teleconference location is noticed to the public, Board members must ensure that someone is at the location at the time of the meeting to provide public access to the space and to provide the public the ability to make comments. Also, Board members must provide the Clerk of the Board with their meeting location details at least one week prior to the Board meeting to ensure that the Agency meets required noticing deadlines.

Finally, staff encourages the Board to attend the May 25, 2022, Board meeting in person, which is the date the Board will consider Agency budget adoption, and also attend in person the last meeting of the calendar year in December to review 2022 accomplishments and prepare for the new year.

RECOMMENDATION

Adopt Resolution #PA 2022-04 to recommend that the WMA Board remove the limit on the number of Board members who may utilize teleconferencing for Board and Committee meetings, and that this amendment to the Rules of Procedure be approved on an interim basis, until the end of calendar year 2022.

Attachment 1: Current Alameda County Waste Management Authority Board Rules of Procedure

PROGRAMS & ADMINISTRATION COMMITTEE

RESOLUTION #PA 2022-04

**MOVED:
SECONDED:**

AT THE MEETING HELD MARCH 10, 2022

INTERIM AMENDMENTS TO THE RULES OF PROCEDURE REGARDING TELECONFERENCING

WHEREAS, the Alameda County Waste Management Authority Rules of Procedure allow no more than four WMA Board members to utilize teleconferencing at a Board meeting at no more than four teleconferencing locations, and

WHEREAS, the WMA Board Rules of Procedure allow no more than two members of the Programs & Administration Committee to utilize teleconferencing at a Committee meeting at no more than two teleconference locations, and

WHEREAS, these limitations were suspended during the COVID-19 public health emergency to allow all Board members to participate via teleconference to protect public health and safety and will take effect at such time as the Board and Programs & Administration Committee resume in person meetings, and

WHEREAS, the Brown Act sets strict rules for teleconferencing, designed to enable members of the public to access and participate in meetings of legislative bodies at teleconference locations, and

WHEREAS, having corresponded with several other public agencies that operate in Alameda County and the Bay Area, staff has found that it is not standard practice for regional legislative bodies to have rules of procedure that limit the number of board members who may participate by teleconference, and

WHEREAS, staff is recommending that the Programs & Administration Committee consider recommending to the WMA Board amendments to the Rules of Procedure, removing the limit on the number of Board members who may utilize teleconferencing for Board and Committee meetings for an interim period, until the end of calendar year 2022,

NOW THEREFORE, BE IT RESOLVED, that the Programs & Administration Committee recommends that the WMA Board remove the limit on the number of Board members who may utilize teleconferencing for Board and Committee meetings, and that this amendment to the Rules of Procedure be approved on an interim basis, until the end of calendar year 2022.

Passed and adopted this 10th day of March 2022 by the following vote::

AYES:

NOES:

ABSENT:

ABSTAINED:

Arliss Dunn, Clerk of the Board

ALAMEDA COUNTY WASTE MANAGEMENT AUTHORITY

WASTE MANAGEMENT AUTHORITY BOARD

RULES OF PROCEDURE

REVISED October 25, 2017

Article 1

General Provisions

- Section 1-1 Name of Board The name of the Board is the Alameda County Waste Management Authority Board (hereinafter referenced as “WMA Board”).
- Section 1-2 Authority for Rules These rules apply to the WMA Board (including Committees of the WMA Board) and are adopted pursuant to the Joint Exercise of Powers Agreement for Waste Management dated February 13, 1990, as it may be amended from time to time. The provisions of said agreement are herein incorporated by reference.
- Section 1-3 Purpose of Rules The purpose of these rules is to provide for the orderly and fair conduct of the meetings of the WMA Board.

Article 2

Organization of WMA Board

- Section 2-1 Composition of WMA Board The WMA Board is composed of seventeen (17) members and seventeen (17) alternates appointed pursuant to the agreement creating the Alameda County Waste Management Authority (hereinafter referenced as “WMA”).
- Section 2-2 Officers The Officers of the WMA Board shall be a President, First Vice-President and Second Vice-President, who shall serve until the elections of their successors in accordance with Section 2-3.
- Section 2-3 Election of Officers The Officers shall be elected at the regular meeting of the WMA in the month of June of each year. They shall be elected by a majority of the total authorized vote of the WMA Board and shall serve from July 1 through June 30 of the following year. No member may serve more than one term in the same leadership position on the WMA Board within a two-year time frame. This does not limit a person who has served in one office for a year serving in a

different office the following year (e.g., the First Vice President in one year serving as the President the next year).

- Section 2-4 Executive Director The WMA Board shall appoint an Executive Director of the WMA who shall be responsible for, among other duties, administration of WMA programs.
- Section 2-5 Duties of President The President shall preside at all meetings of the WMA Board and shall conduct the business of the WMA Board in the manner prescribed by these Rules. The President shall preserve order and decorum and shall decide all questions of order subject to the action of a majority of the WMA Board.
- Section 2-6 Duties of the First and Second Vice-President In the absence or inability of the President to act, the Vice Presidents shall perform the duties of the President in the order of the succession.
- Section 2-7 Duties of Executive Director In addition to the duties set forth in the Joint Exercise of Powers Agreement, the Executive Director shall perform the following duties:
- (a) Prepare an agenda for each meeting of the WMA Board;
 - (b) Attend each meeting of the WMA Board;
 - (c) Appoint a Clerk of the Board to:
 - (i) Notify all WMA Board members of the time and place of each meeting;
 - (ii) Maintain a record of all proceedings of the WMA Board;
 - (iii) Maintain all records of the WMA ;
 - (iv) Maintain records of the proceedings of the WMA Board and its committees ; and
 - (v) Attest to the WMA Board's approval of ordinances, resolutions, and other expressions of WMA Board policy.
 - (d) Perform other duties directed by law, the Officers, or the WMA Board. These duties may be delegated as determined necessary by the Executive Director.

Article 3
Meetings of WMA Board

- Section 3-1 Regular Meetings Regular monthly meetings will be held at 3:00 p.m. on the fourth Wednesday of the month, except for the months of November and December when the meetings will be held at 3:00 p.m. on the third Wednesday of the month.
- Section 3-1.1 Cancellation and/or Reschedule of Regular Meetings Any regular meeting of the WMA Board may be canceled or rescheduled by the President, or the Executive Director on the direction of the President, no less than seven (7) calendar days prior to the scheduled date of such meeting. Notification of cancellation or reschedule shall be mailed to all parties who are notified of regular meetings of the WMA Board.
- Section 3-2 Special Meetings Special meetings of the WMA Board may be called by order of the President or by a majority of the members. The order calling the special meeting shall specify the time of the meeting and the business to be transacted at such meeting.
- Section 3-3 Adjourned Meetings Any regular meeting of the WMA Board may be adjourned to any date prior to the date established for the next regular meeting. Any adjourned regular meeting is part of the regular meeting. Any special meeting may be adjourned, and any adjourned special meeting is part of the special meeting.
- Section 3-4 Effect of Holiday If any meeting day or adjourned meeting day falls on a holiday, the meeting of the WMA Board shall be specially scheduled by the WMA Board.
- Section 3-5 Quorum A majority of the members of the WMA Board shall constitute a quorum for the transaction of business, except that less than a quorum may adjourn from time to time pursuant to Section 3-6 of these Rules.
- Section 3-6 Absence of Quorum In the absence of a quorum, the members present shall adjourn the meeting to a stated time and place, and the absent members shall be notified. If all members are absent, the Executive Director shall adjourn the meeting to a stated time and place and notify all members pursuant to Section 3-7 of these Rules.

- Section 3-7 Notice of Meetings All meetings of the WMA Board shall be held subject to the provisions of the Ralph M. Brown Act (see Sections 54950 et. seq. of the California Government Code) and other applicable laws of the State of California requiring notice of meetings of the WMA Board.
- Section 3-8 Teleconferencing WMA Board members who are unable to attend a meeting in person are encouraged to have their member agency's alternate attend in their place. WMA Board members unable to attend a meeting in person may participate in meetings by teleconference in accordance with this section. No more than four WMA Board members may utilize teleconferencing at a WMA Board meeting at no more than four teleconferencing locations. A WMA Board member wishing to utilize teleconferencing should notify the Clerk of the Board prior to the release of the agenda for the affected WMA Board meeting of the teleconference location that is accessible to the public. Agendas are typically released five (5) days in advance of the meeting. The Clerk of the Board will identify the teleconference location in the agenda of the meeting and ensure posting of the agenda at the teleconference location. Votes at a WMA Board meeting where teleconferencing is utilized will be taken by roll call. If more than four members request teleconferencing, the four selected shall be chosen on the basis of the order of request, and in the case of ties, by seniority on the WMA Board. Members shall be compensated for attendance via teleconferencing on the same basis they would be if they were physically present.
- Section 3-9 Compensation WMA Board members and alternates are compensated in accordance with compensation policies approved by the WMA Board. WMA Board members must attend a WMA Board meeting to be compensated for that meeting. An agency appointed alternate may be compensated only if WMA member from that agency is not present at the meeting.

Article 4
Conduct of Meetings

- Section 4-1 Order of Business The business of each meeting of the WMA Board shall be transacted as far as is practicable in the following order:
- (a) Call to order;
 - (b) Roll call of attendance;
 - (c) Announcements by President;
 - (d) Open public discussion from the floor;
 - (e) Approval of minutes of prior meetings (may be included in the consent calendar);
 - (f) Consent calendar;
 - (g) Regular calendar;
 - (h) Member comments and communications from the Executive Director; and
 - (i) Adjournment.

The above order of business may be suspended or changed at any time upon order of the President. The consent calendar may contain those matters the nature of which have been determined by the Executive Director to be routine, and items that have been recommended by a Committee for WMA Board approval, and will be approved by a single action. Any item shall be removed from the consent calendar and placed for discussion on the regular calendar at the request of any member. WMA Board members who were not in attendance at a meeting but have read the minutes of the meeting may vote in connection with approval of those minutes. The regular calendar shall contain all other matters and business.

Open public discussion from the floor is provided for any member of the public wishing to speak on any matter within the jurisdiction of the WMA, but not listed on the agenda. Each speaker is limited to three minutes unless a shorter period of time is set by the President.

- Section 4-2 Parliamentary Rules The rules and procedures set forth in Rosenberg's Rules of Order (Exhibit 1) are hereby adopted for the government of the WMA Board in all cases not otherwise provided for in these rules.

- Section 4-3 Vote Required A two-thirds majority of the total authorized vote shall be required for expenditures of \$500,000 or more. Except as

provided by the Joint Powers Agreement (specifically amendments to the JPA and approval of a new member to the JPA which also require a two-thirds majority of the authorized vote), a majority of the authorized vote shall be required for all other actions.
An abstention to vote by any member shall be construed as that member not voting on a particular matter.

- Section 4-3.1 Alternate's Vote An agency alternate may vote on any matter under consideration only in the absence of the agency member from the meeting or as provided under Section 4-6 of these rules.
- Section 4-4 Roll Call Votes Roll call votes shall proceed in the following manner:
(i) The presiding officer will direct the Clerk of the Board to report on the WMA Board members who have joined or left the meeting since the roll call of attendance at the beginning of the meeting;
(ii) The presiding officer will ask for a voice vote on the matter;
(iii) If there are no "nay" votes or abstentions, the presiding officer will direct that the matter be reported as passed unanimously with the names of all WMA Board members in attendance reported as voting in favor;
(iv) If there are any "nay" votes or abstentions, the presiding officer will direct the Clerk of the Board to call the name of each agency and record the vote of the representative of the agency and then report the total number of "aye," "nay" and "abstain" votes.
(v) The roll call shall be in alphabetical order of the name of the agency, except that the President shall be called last.
- Section 4-5 Roll Call Not Required The roll need not be called in voting upon a motion except when requested by a member or otherwise required by law. If the roll is not called, in the absence of objection, the President may order the motion unanimously approved.
- Section 4-6 Voting Ineligibility Any member attending a WMA Board meeting and ineligible to vote on any matter under consideration by the WMA Board at that meeting shall briefly describe the reason for being ineligible and then leave the WMA Board table before the matter is considered and refrain from participation in any action concerning the matter. If the member is ineligible due to a conflict of interest under the Political Reform Act, the member's disclosure shall include the information required by that Act and the member shall leave the room and not be counted towards a quorum. Notwithstanding the

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DATE: January 25, 2023

TO: Waste Management Authority Board

FROM: Jennifer West, Program Manager

SUBJECT: Legislative Priorities for 2023

SUMMARY

This January the California Legislature began the first year of a two-year session. At the January 25, 2023, board meeting, staff will lead a discussion of current key policy issues and ask the board to adopt a set of legislative priorities for 2023.

DISCUSSION

The 2022 legislative session saw some successes in terms of bills passed in alignment with StopWaste's priorities. Building on this momentum, we propose to focus on these five primary areas in the coming 2023 session:

1. Common sense adjustments to SB 1383 requirements

Our focus this year will be on the procurement targets set by CalRecycle as part of the many requirements of SB 1383, the Short-Lived Climate Pollutant Reduction Act (which went into effect in 2022). Each city and county must procure a specified quantity of recovered organic waste products, including compost and/or mulch with the target tied to its population. As discussed last year, the procurement requirements do not match well with counties like ours that have mature markets for recycled organic materials in place – both supply and demand – making our ability to scale up procurement much more difficult than for regions of the state where the market is nascent. We have convened a group of stakeholders and partners to identify, support, and advance legislation that promotes common sense solutions to create more realistic procurement requirements along with ways to reach those goals.

2. Decarbonization/electrification in the built environment to reduce reliance on carbon-intensive energy and materials in our communities

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

for this session is AB 43 (Holden) which has been introduced and builds on AB 2446 (Holden) from 2022, which we supported.

3. “Circular economy” solutions & plastic pollution prevention

Deriving value from waste materials is one goal of a circular economy approach; so is identifying materials that are of low value at their end of life and promoting ways to eliminate these products from our economy. In conjunction with partners such as the California Product Stewardship Council and National Stewardship Action Council, we will support opportunities for Extended Producer Responsibility to ensure manufacturers design for recyclability and take responsibility for the management of their products at end of life. An “upstream” approach to reducing waste, such as assisting restaurants to utilize reusable foodware, means we are working to eliminate having to choose between the lesser of evils when it comes to disposal (such as choosing between plastic and compostable cutlery, both of which are single-use and come with their own set of problems). Building a more circular economy also means supporting policy that facilitates use of materials in the built environment that have fewer embodied emissions, last longer, and are designed for reuse.

For example, the 2022 legislative session included the passing of historic SB 54 (Allen, 2022), which sets new goals to reduce plastic packaging and requires that all forms of single-use products be recyclable or compostable by 2032. The law is the nation’s most comprehensive legislation to date to cut dependence on single-use products, while shifting plastic pollution responsibility to producers and manufacturers. On behalf of our member agencies, StopWaste will engage in this significant undertaking with policy makers and stakeholders to help influence regulatory language as it is worked on through 2023 and its implementation over the next 10 years. In addition, we’ll be developing a model reusable foodware ordinance to help interested jurisdictions advance circularity and reuse in our communities. We will also continue to support legislation that advances right to repair.

4. Clear product information for consumers

SB 54 along with other bills such as SB 343, known as the “chasing arrows” law, aim to reduce confusion around recycling, and support “truth in advertising” for misleading environmental manufacturer claims of recyclability. StopWaste will continue to prioritize legislation that furthers these goals toward greater transparency around what happens to waste at its end of life.

5. Building Healthy Food Systems

As part of our focus on food recovery and building healthy, resilient food systems in our communities, we will work with our partners to support policy related to food and agriculture that advances these goals. This could include legislation that addresses food insecurity, promotes sustainable, equitable food and farming practices, and community farm hubs.

Additional State Policy Related Issues

In addition to the above priority areas, staff will continue to monitor and support legislative policy in line with other agency goals like minimizing illegal dumping, supporting environmental education in schools, and bottle bill reforms.

Next Steps/Key Dates

Staff will return to the Board in March 2023 for review of recommended positions on new bills that were introduced and are going through committees at that time. Key dates for the 2023 session include:

- January: Governor's proposed 2023-24 budget is released.
- February: Deadline for introduction of new bills.
- March/April: Bill authors and organizational sponsors seek letters of support for new bills; staff reviews bills and recommends positions for Board adoption.
- May: Governor's May revision of the budget is released.
- June: Board receives status update on bills and provides direction as appropriate. The state budget for 2023-24 must be passed.
- September: Deadline for bills to pass the Legislature.
- October: Deadline for Governor to sign or veto bills. Status update provided to Board after Governor takes action.

RECOMMENDATION

That the WMA Board discuss and adopt legislative priorities for calendar year 2023.

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DATE: January 25, 2023

TO: Waste Management Authority Board

FROM: Timothy Burroughs, Executive Director

SUBJECT: Appointing members to the Recycling Board

SUMMARY

Staff requests that the WMA Board fill three vacancies on the Recycling Board. Board member Francisco Zermeño, City of Hayward, completed his second term on the Recycling Board effective January 23, 2023. Board members Deborah Cox, City of San Leandro, and Dave Sadoff, Castro Valley Sanitary District, completed their second terms on the Recycling Board effective November 13, 2022. In November 2022, the WMA Board appointed Board member Jaime Patiño to fill one of the vacancies, but Council Member Patiño no longer serves on the WMA Board, and therefore is no longer eligible to serve on the Recycling Board.

DISCUSSION

The vacancies represent three of the five appointments to the Recycling Board made by the WMA Board. Currently, WMA members Bob Carling and Dan Kalb serve in the other two positions. The County Charter limits each member to two consecutive terms. Each term is for two years, and Board members may not serve for more than two terms or for more than one term if not followed by a consecutive term. In addition, according to the Charter, a Board member appointed to serve out the remainder of a term that was being served by a former Board member, such as is the case with Board member Patiño, may be reappointed for one additional full two-year term.

Any WMA member (but not an alternate) may serve on the Recycling Board so long as they have not served previously.

Current WMA members eligible to serve are:

1. Jack Balch, Pleasanton
2. Jen Cavanaugh, Piedmont
3. Mike Hannon, Newark
4. David Haubert, Alameda County
5. Melissa Hernandez, Dublin
6. Jenny Kassan, Fremont

7. David Mourra, Emeryville
8. Jennifer Hansen-Romero, Albany
9. Fred Simon, San Leandro
10. Tracy Jensen, Alameda
11. Jeff Wang, Union City
12. Susan Wengraf, Berkeley
13. Fred Simon, San Leandro

Current WMA members ineligible to serve because they have served previously are:

1. Dave Sadoff, Castro Valley Sanitary District
2. Shelia Young, Oro Loma Sanitary District

The Recycling Board meets the second Thursday of each month at 4 p.m. or 6 p.m. Meetings are held either at StopWaste's offices or at different locations in each of the five supervisorial districts. Schedule and location of meetings are distributed at the beginning of each calendar year. A Recycling Board FAQs is attached for reference.

If the WMA Board fails to make appointments to the Recycling Board, authority to make the appointments would transfer to the County Board of Supervisors, in cooperation with a double majority of the cities, per Section 64.130 D.6 of the County Charter.

The Board may wish to consider geographic diversity of the appointments. However, there is no requirement for geographic diversity.

RECOMMENDATION

Staff recommends that the WMA Board fill the vacancies on the Recycling Board.



January 25, 2023

To: Waste Management Authority Board

From: Timothy Burroughs, Executive Director

Subject: Election of Second Vice President

BACKGROUND

Board member Jamie Patiño, City of Union City, served as Second Vice President to the Waste Management Authority Board. Board member Patino is no longer on the WMA Board and so the Board must elect a new Second Vice President.

In the absence or inability of the First Vice President to act, the Second Vice President shall perform the duties of the First Vice President.

Authority policy calls for the geographic origin of officers to rotate each year. The most recent President, Board member Dianne Martinez, is from North County (Emeryville). The current First Vice President, Board member Carling, is from East County (Livermore). Because Board member Martinez no longer serves on the Emeryville City Council and WMA Board, Board member Carling is serving as interim Board President for the remainder of the fiscal year. The next Second Vice President should therefore be from South County. The county's geographic designation is determined by the member's supervisorial district boundary:

- North County is defined as Alameda, Albany, Berkeley, Emeryville, Oakland, Piedmont and Unincorporated Alameda County.
- South County is defined as Fremont, Hayward, Newark, Oro Loma Sanitary District, San Leandro, and Union City.
- East County is defined Castro Valley Sanitary District, Dublin, Livermore, and Pleasanton.

It is customary, but not required by policy, for each officer to 'advance one level' each year.

RECOMMENDATION

Elect a Second Vice President.

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January 25, 2023

To: Energy Council

From: Timothy Burroughs, Executive Director

Subject: Election of First and Second Vice President

BACKGROUND

Board member Preston Jordan served as First Vice President to the Energy Council. Due to the fact that Board member Jordan is now the alternate Board member representing the City of Albany, the First Vice President position is now vacant. Board member David Haubert serves as the Second Vice President. Per past practice, should a vacancy occur, the Council may elect the Second Vice President to serve as the First Vice President and the Council should then elect a new Second Vice President.

Items for consideration when electing officers:

- Unlike the Waste Management Authority, the Energy Council does not need to consider the geographic origin of officers to include one from each of three defined parts of the county.
- At its inception, the Energy Council was interested in ensuring that the officers were not all from large or small member agencies. Larger agencies might be defined as those with more than one vote on the Energy Council, in recognition that they have larger populations than the other agencies. The agencies with more than one vote are the City of Oakland (3), County of Alameda (2), City of Hayward (2), and City of Fremont (2).

RECOMMENDATION

Elect a First and Second Vice President.

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February 2023
Meetings Schedule

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

SUN	MON	TUES	WED	THURS	FRI	SAT
			1	2	3	4
5	6	7	8	<p style="text-align: center;">9:00 A.M. Programs & Administration Committee Key Items:</p> <ol style="list-style-type: none"> 2023 Meeting schedule Launch of new grant cycle <hr/> <p style="text-align: center;">6:00 P.M. Planning Committee & Recycling Board Key Items:</p> <ol style="list-style-type: none"> Berkeley contract and Measure D Launch of new grant cycle 	10	11
12	13	14	15	16	17	18
19	20 AGENCY HOLIDAY	21	<p style="text-align: center;">3:00 P.M. Waste Management Authority & Energy Council Key Items:</p> <ol style="list-style-type: none"> BayREN contract amendment Stop Food Waste Campaign Induction cooking outreach 	23	24	25
26	27	28				

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Energy Council
TECHNICAL ADVISORY GROUP (TAG)
Tuesday, December 20, 2022 – 1:00 pm to 3:00 pm

Attendance (all via phone):

Alameda County: Ali Abbors
City of Alameda: Danielle Mieler, Trey Hannula (Fellow)
City of Albany: Lizzie Carrade, Michelle Plouse
City of Berkeley: Sarah Moore, Valerie Nguyen (Fellow)
City of Dublin: Anna Zamboanga (Fellow)
City of Fremont: Rachel DiFranco, Kranti Kapur
City of Hayward: Erik Pearson, Nicole Grucky, Hailey Meyer (Fellow), Sierra Cannon (Fellow)
City of Newark: Jim Scanlin
City of Oakland: Shayna Hirshfield-Gold, Jeffrey Wong
City of Pleasanton: Zeelaura Page
City of San Leandro: Hoi-Fei Mok
City of Union City: Brandon DeLucas
StopWaste: Jennifer West, Emily Alvarez, Chris Hunter, Miya Kitahara, Ben Cooper, Jenny Kauffman, Robin Plutchok
EBCE: Cait Cady
Guests: Therese Pepper, Oakland EcoBlock & CA Institute for Energy & Environment

Welcome and Intros

- TAG members provided updates on what work they are energized by in 2023, highlights include:
 - EV charging and building electrification reach code policies
 - Compost hubs
 - More collaboration between TAC and TAG
 - In person outreach events, including Earth Day 2023
 - Working with schools on climate curriculum
 - Urban forestry plans and tree planting

Ask TAG

- California Green Business Network (CAGBN) or the Alameda County Green Business Program (GBP)
 - Many of the member agencies used to be more supportive of the Alameda County GBP and conducted outreach to businesses in their communities, and have been less active recently, unsure of benefits since the Alameda County program transitioned to the state CAGBN
 - Carbon neutral designation would be helpful for businesses
 - Who leads - Sustainability staff or Economic development staff? Differs by jurisdiction
 - Certification points are for complying with state law and no longer go beyond
 - Support as outreach to expand the program, or covering the cost of membership
 - Participation seems greater in North Alameda County, Hayward is expanding. 400-500 businesses in the County participate
 - Negotiation with the CAGBN is possible as a group to synthesize asks, include TAC
 - StopWaste's Rachel Balsley serves on the Advisory Committee

Bay Area Multifamily Building Enhancements (BAMBE) Program Deep Dive – Chris Hunter, Ben Cooper, and Jenny Kauffman from StopWaste

- Overview of [BAMBE program](#) – Ben Cooper will be lead on program in 2023

- Started in 2013 and has upgraded about 45,000 units since (~5% of units in region)
 - BAMBE provides rebates for fuel switching from gas to electricity and for efficiency upgrades
 - Funded under the CPUC “Equity” program with more flexibility, less emphasis on cost-effectiveness. Addresses health, resilience, and housing burden
 - New incentive structure starting in 2023
- Overall eligibility:
 - 5+ units in Bay Area (PG&E service area), priority to affordable and smaller properties
 - Market rate properties with 100+ units are put on a waiting list until mid-year
- No-cost Technical Assistance (TA), detailed on-site energy assessment, report, co-develops scope with owner, offers referrals to contractors, incentives, financing, etc. Rebates are reservable for up to 6 months, properties can use contractor of choice
- Eligible measures will remain anything that saves energy & electrification, Panel/wiring upgrades are eligible in 2023. Renewables, EV charging, and battery storage are not eligible
- From three measures saving 15% of energy to two measures saving 10% makes the program more accessible to smaller properties with less capital. If only in-unit envelope measures, ok for 5% savings
- Historically energy efficiency (EE) programs haven’t served low-income (LI) households well. Changes to this program will serve LI better and emphasize co-benefits that improve quality of life for residents: improved air quality in areas with outdoor air pollution and resilience to high heat
- Change to rebate: Reducing base rebate to \$500/unit & introducing adders. All properties are eligible for basic package. Adders are available for:
 - Electrification (depends on specific measures)
 - Health-burdened priority zones (specific index created for this program - asthma, diesel rates, toxic release, etc.) and complete a specific eligible measure (\$500/unit)
 - Heat burdened priority zone and complete an eligible measure (\$500/unit)
 - Housing burdened priority zone: Can get \$500 per unit of in-unit appliance, and total rebate amount gets increased 1.5x. If they do wall insulation or windows => 2x increase. Goal is to tighten envelopes so when electrification work happens, the energy cost burden doesn’t increase.
 - Forthcoming Map will show priority zones and a table will show public and implementing staff eligible locations for each adder
- Bay Area Healthy Homes Initiative (BAHHI) launching (in Alameda and Contra Costa Counties) for properties within 1000 ft of major transportation corridor and in a Disadvantage Community (DAC). Website and map will determine eligible properties
- Outreach: Targeting multifamily property owners, relying on partnerships for referrals, e.g. program administrators like PG&E, CCAs, LIWP, SOMAH to layer and coordinate, cross-referrals, health departments, BAAQMD, housing departments, rental inspections in some counties
 - Strengthen connections with rental housing associations and industry groups
 - TAG members can help with outreach via mailing campaigns, webinar promotion via newsletters, social media, connections to local industry groups, info sessions for housing and building staff
- TAG comments:
 - Integrate workforce development into climate justice work and see that reflected in BAMBE program, such as we are seeing in Inflation Reduction Act (IRA) tax credits that distinguish between prevailing wage/apprenticeship programs. Include an adder for high road or union contractors?
 - How does IRA layer on top of this and all other programs?

- Suggest sending mailers to nonprofit developer headquarters to reach asset management team (instead of to property staff)
 - Stewards of Affordable Housing for the Future (SAHF) is a collaborative of 12 nonprofit affordable housing developers in US, with active portfolios in CA/Bay Area
- Provide technical information per rebate measure
- Appreciate new adder structure, helps specific properties in the city with issues obscured by the general city's affluence (average)
- What is the range of project cost covered by the program?
 - Previously, typically 40-60% was covered; now - up to 100% can be covered
 - Some projects currently in the pipeline may want to switch to the new structure, which provides insights on how the new structure affects projects
 - Show a typical stacking or an example of a project using adders
- Website updates and new information will be provided to TAG in January, StopWaste can review priority zone map with TAG members individually or in sub-groups

Oakland EcoBlock – Therese Pepper, Oakland EcoBlock & CA Institute for Energy & Environment

- CEC funded Phase I (2015-2018) (research) and Phase II (pilot project)
- Goal: rapidly reduce carbon emissions in a way that is scalable, equitable, promotes resilience, and improves air quality with a focus on single family and 2-4 unit properties (small multifamily) in geographic area
- “Putting ownership in the hands of the residents” – Connect neighbors and have them work together – community as a co-benefit of this process
- Aggregate electrification to leverage economies of scale:
 - Reduce capacity for solar/storage by sharing
 - Reduce energy transmission losses
 - Save construction time and costs
 - Fewer vehicles needed through car share
 - Decommission natural gas lines in area - working with EBCE, PG&E
 - Rapidly increase adopters through neighbor/peer effect
- Microgrid: an island-able distribution circuit
- EcoBlock process:
 - Starts with the people - local government, lawyers, contractors, utilities, donors, industry partners, and the community itself
 - Blocks were self-nominated, 12 applicants, chosen one is near Fruitvale Ave in Oakland
 - Hired community engagement liaison and held meetings in-person and online
 - Conducted outreach in 5 languages
 - Prioritized small group discussions
 - Created flyers and graphics to educate residents on electrification
 - Legislature drove CPUC to approve new regulations that allow community microgrids in critical or wildfire prone areas, PG&E applied to CPUC to allow EcoBlock under the Community Microgrid Enablement Tariff (CMET)
 - Locked into NEM 2.0 and time-of-use rates
- Infrastructure:
 - PG&E overhead transmission lines with 4kV transformer (rather than 12 kV)
 - Shared curbside EV chargers
 - Central battery and grid-forming inverter

- Several non-participating houses not connected to central battery but can join microgrid later
- Weatherization upgrades and installed heat pump HVAC & water heating
- Home Energy Control: Smart circuit breakers or modules, dynamic critical load selection for islanding events, management of daily TOU loads, microgrid controller
- Ownership: shared assets via a “nonprofit mutual benefit corporation” (type of HOA) – set up
- Project funded mostly by grants, but going forward they hope to secure financing
 - Reduced scope to due COVID (including measures like greywater systems)
 - Microgrid is at risk and delayed, PG&E to complete engineering to have full sense of cost
 - Have sought out private donations but have not asked residents to pay anything
- EcoBlock has selected a third-party org to provide ongoing management and maintenance support so that homeowners do not need to become technical experts

SolarAPP Grant from CA – Danielle Mieler, City of Alameda

- Background: [Senate Bill 379 \(Wiener, 2022\)](#) requires most California cities and counties to implement an online, automated permitting platform that verifies code compliance and issues permits in real time or allows the jurisdiction to issue permits in real time for a residential solar energy system
- Implementing using SolarAPP <https://solarapp.nrel.gov/>
 - Integrates with existing government software
 - Automates plan review, permit approval, and project tracking
 - Standardizes up to 90% of standard system plans
- City met with SolarAPP team to start the process, configure the system, piloted with 3 contractors, and launched full program
 - Got \$60,000 grant from CA state - pays monthly subscription fees to Acela, and reimburses for inspectors
 - This reduces a 1-month application process to ~ 30 minutes
 - Battery storage systems can also be issued with the new solar permits
 - Issued first permit on 12/13/22
 - Makes inspections smoother and faster with a checklist instead of a plan set
 - Alameda (City) Building Official heard positive reviews from others who had implemented
- Contractors and inspectors complete a 1-hour online training certification to use the app
- The [California Automated Permit Processing \(CalAPP\) Program](#) is accepting applications for grant funding to establish online solar permitting through an automated permitting software such as [SolarAPP+](#)
- Berkeley has an expedited same-day solar permitting process. Resistance from community and staff to change the process. Concerns include: feedback that it is helpful to have ability to review the applications in-house and that the \$25 SolarAPP fee would increase costs for homeowners

Announcements

- Energy Council Board update - changes in board members
- [Topic Brief](#) linked – Reusable foodware in schools
- CPUC High DER workshop notes are [here](#) from 12/13/22