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 834 4482 3857
2. Using the Zoom website or App and entering meeting code 834 4482 3857

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, February 22, 2023. The public may also comment by sending an email 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 January 25, 2023

5  2. WMA Resolution regarding meeting via teleconference to promote social distancing, pursuant to AB 361
   Adopt Resolution WMA# 2023-03.

9  3. EC Resolution regarding meeting via teleconference to promote social distancing, pursuant to AB 361
   Adopt Resolution EC# 2023-02.

VI. REGULAR CALENDAR

13 1. Stop Food Waste Campaign (Robin Plutchok)
    This item is for information only.

    2. 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, March 9, 2023 at 4:00 p.m. The meeting will be held at StopWaste, 1537 Webster St., Oakland, CA)

15 3. Bay Area Regional Energy Network Contract Amendment (Karen Kho & Emily Alvarez) (EC only)
    Adopt the attached Resolution authorizing the Executive Director to enter into a contract amendment for Bay Area Regional Energy Network (BayREN) and other related actions.

23 4. Decarbonization and Electrification update (Jennifer West)
    This item is for information only.

VII. MEMBER COMMENTS AND COMMUNICATIONS FROM THE EXECUTIVE DIRECTOR

VIII. ADJOURNMENT – TO WMA & EC MEETING MARCH 22, 2023 AT 3:00 P.M.
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                           Tracy Jensen, WMA, EC
City of Berkeley                          Susan Wengraf, WMA, EC
Castro Valley Sanitary District           Dave Sadoff, WMA
City of Dublin                            Melissa Hernandez, WMA, EC
City of Emeryville                        David Mourra, WMA, EC
City of Fremont                           Jenny Kassan, WMA, EC
City of Hayward                           Francisco Zermeño, WMA, EC
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 Cavenaugh, WMA, EC
City of Pleasanton                        Jack Balch, WMA, EC (EC President)
City of San Leandro                       Fred Simon, WMA, EC
City of Union City                        Jeff Wang, WMA, EC

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

Staff Participating
Timothy Burroughs, Executive Director
Pat Cabrera, Administrative Services Director
Alma Freeman, Communications Manager
Justin Lehrer, Operations Manager
Jennifer West, Program Manager
Arliss Dunn, Clerk of the Board
Adrienne Ramirez, Assistant Clerk of the Board
Richard Taylor, WMA Legal Counsel

Others Participating
Priscilla Quiroz, Shaw Yoder Antwih Schmelzer & Lange
III. ANNOUNCEMENTS BY PRESIDENTS
There were none.

IV. OPEN PUBLIC DISCUSSION FROM THE FLOOR
There were no public comments on the remote call and no public comments were received via the public comments email portal.

V. CONSENT CALENDAR
1. Approval of the Draft WMA & EC Minutes of December 14, 2022
2. WMA Resolution regarding meeting via teleconference to promote social distancing, pursuant to AB 361
   Adopt Resolution WMA# 2023-01.
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.
4. EC Resolution regarding meeting via teleconference to promote social distancing, pursuant to AB 361
   Adopt Resolution RB# 2023-01.

There were no public comments for the Consent Calendar. Board member Zermeño moved approval of the Consent Calendar and Board member Wengraf seconded. The motion carried 18-0-1 (WMA) and 18-0-1 (EC): The Clerk called the roll:

VI. REGULAR CALENDAR
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).

   Timothy Burroughs provided an overview of the staff report. A link to the report is available here: Revised-Rules-of-Procedure.pdf. Additional time was provided for discussion and for clarifying questions. An audio link to the discussion is available here: Revised-Rules-of-Procedure

   There were no public comments on this item. Board member Simon moved approval of the P&A Committee’s recommendation to adopt Resolution 2023-02 to amend the WMA Board and Committee Rules of Procedure. Board member Haubert seconded, and the motion carried 18-1. The Clerk called the roll: (Ayes: Carling, Cavenaugh, Hannon, Haubert, Hernandez, Jensen, Kalb, Kassan, Mourra, Sadoff, Simon, Wang, Wengraf, Young, Zermeño. Nays: Balch. Abstain: None. Absent: Hansen-Romero)

2. Legislative Priorities for 2023 (Jennifer West)
   That the WMA Board discuss and adopt legislative priorities for calendar year 2023.

   Timothy Burroughs introduced the item and Jennifer West gave an overview of the staff report and led a discussion of current key policy issues and legislative priorities for 2023. Priscilla Quiroz, the agency’s lobbyist, was available to answer questions. A link to the staff report is available here: Leg-Priorities-Memo.pdf.
Additional time was provided to the Board for discussion and for clarifying questions. An audio link to the discussion is available here: Legislative-Discussion

Board member Hannon asked that staff place an item on the agenda to discuss the environmental benefits and impacts of electrification and the costs that residents would incur if switching from gas to electric appliances. Mr. Burroughs stated that staff plans to bring forth an item in February focused on electrification that will outline the environmental benefits, costs, and incentives that are available.

There were no public comments on this item. Board member Haubert moved approval to adopt the legislative priorities for calendar year 2023. Board member Wengraf seconded, and the motion carried 19-0. The Clerk called the roll. (Balch, Carling, Cavenaugh, Hannon, Haubert, Hernandez, Jensen, Kalb, Kassan, Mourra, Sadoff, Simon, Wang, Wengraf, Young, Zermeño. Nays: None. Abstain: None. Absent: Hansen-Romero)

3. Appointing members to the Recycling Board (Timothy Burroughs)

Staff recommends that the WMA Board fill the vacancies on the Recycling Board. Timothy Burroughs introduced the item. Board members Mourra, Jensen and Simon were nominated to the Recycling Board. Mr. Burroughs added that there would also be a vacancy in 2023 and Board Member Wang expressed interest in being nominated at that time.

Board member Mourra moved to approve the appointments of Board members Jensen, Mourra, and Simon to the Recycling Board. Board member Zermeño seconded, and the motion carried 19-0. There were no public comments on this item. The Clerk called the roll: (Ayes: Balch, Carling, Cavenaugh, Hannon, Haubert, Hernandez, Jensen, Kalb, Kassan, Mourra, Sadoff, Simon, Wang, Wengraf, Young, Zermeño. Nays: None. Abstain: None. Absent: Hansen-Romero)

4. Election of Second Vice President (WMA) (Timothy Burroughs)

Timothy Burroughs introduced the item. Board member Hannon nominated Jeff Wang for second Vice President and Board member Jensen seconded. Board member Carling made a substitute nomination of Francisco Zermeño as second Vice President and Board member Wengraf seconded. Board member Wang graciously withdrew his nomination, and the Board approved the substitute motion and elected Board member Zermeño as WMA Second Vice President by a vote of 19-0. There were no public comments on this item. The Clerk called the roll:

5. Election of First and Second Vice President (EC) (Timothy Burroughs)

Timothy Burroughs introduced the item. Board member Hannon nominated himself to serve as Second Vice President and to promote David Haubert to serve as First Vice President. Board member Zermeño seconded, and the Board approved the slate of Officers by a vote of 19-0. There were no public comments on this item. The Clerk called the roll:

6. 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, February 9, 2023 at 6:00 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

Mr. Burroughs announced that the monthly topic brief highlights electric induction cooking benefits. The topic brief is available here.

Mr. Burroughs asked the Board to help spread the word that StopWaste is currently offering $1.1 million in grant funding to nonprofits, institutions, and businesses for projects focused on waste prevention and upstream infrastructure. Interested organizations are encouraged to attend StopWaste’s grant information webinar on January 31. Information on the grant opportunities is available here: 2023-Grant-Cycle

VIII. ADJOURNMENT – TO WMA & EC MEETING FEBRUARY 22, 2023 AT 3:00 P.M.

The meeting adjourned at 4:31 p.m.
DATE: February 22, 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 February 22, 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 2023-03.

Attachment: Waste Management Authority Board Resolution #WMA 2023-03
ALAMEDA COUNTY WASTE MANAGEMENT AUTHORITY  
RESOLUTION #WMA 2023-03  
MOVED:  
SECONDED:  

AT THE MEETING HELD FEBRUARY 22, 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 22nd day of February 2023 by the following vote:

AYES: ____________________
NOES: ____________________
ABTAIN: ____________________
ABSENT: ____________________

________________________
Arliss Dunn, Clerk of the Board
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DATE: February 22, 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 February 22, 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 2023-02.

Attachment: Energy Council Resolution #EC 2023-02
ENERGY COUNCIL
RESOLUTION #EC 2023 – 02
MOVED:
SECONDED:

AT THE MEETING HELD FEBRUARY 22, 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 22nd day of February 2023 by the following vote:

AYES: 
NOES: 
ABTAIHN: 
ABSENT: 

Arliss Dunn, Clerk of the Board
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DATE: February 22, 2023
TO: Waste Management Authority Board
FROM: Robin Plutchok, Program Manager
SUBJECT: Stop Food Waste Campaign

SUMMARY

The Stop Food Waste Campaign is a broad scale public awareness campaign with the aim of reducing food waste at home. Launched in spring 2017, the campaign is geared to a residential audience and complements a suite of programmatic activities working to reduce wasted food through multiple channels of community outreach. At the February 22 WMA meeting, staff will present an overview of the campaign and how it has evolved to serve a broader and more inclusive audience through input from community partners, translation of campaign messaging and outreach materials, and shifts in marketing strategies and distribution tactics.

BACKGROUND

StopWaste has a history of conducting public awareness campaigns to leverage messaging on topics of countywide interest and priority, including reducing food waste through prevention and composting. While the amount of food going to landfill has decreased over time, it remains one of the largest components of the waste stream, contributing to climate change.

The “Stop Food Waste” residential campaign launched in spring 2017, in alignment with the Board-adopted guiding principles, which emphasize upstream activities (i.e., waste prevention). A public opinion survey and focus groups conducted in 2016 informed the campaign’s initial target audience, campaign creative and messaging. The goals of the campaign are to drive awareness around reducing food waste using food saving tips and content delivered through a variety of channels, including paid advertising, evolving and seasonal content on the StopFoodWaste.org website and blog, social media, and through community partnerships.

In alignment with the Agency’s long-term aims of equity and partnership, our latest campaign has incorporated community partner input to broaden messaging to be more inclusive of diverse audiences and languages and has shifted the emphasis from “not wasting food” to making the most of food at home to maximize family resources.

RECOMMENDATION

This item is for information only.
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DATE: February 22, 2023

TO: Energy Council

FROM: Karen Kho, Principal Program Manager
       Emily Alvarez, Program Manager

SUBJECT: BayREN Contract Amendment

SUMMARY
Staff is requesting Energy Council approval to enter into a contract amendment with the Association of Bay Area Governments (ABAG) for a trued-up 2022 and 2023 budget.

DISCUSSION
On December 18, 2019, the Energy Council approved a resolution authorizing the Executive Director to enter into a 3-year contract for calendar years 2020-2022 of up to $20,342,976 for BayREN services. On June 26, 2022, the Energy Council approved amendment #6 that extended the contract through 2023, allocated a budget for that calendar year, and modified the 2022 budget. Proposed contract amendment #7 will reconcile the 2022 and 2023 annual budgets with the most recent BayREN program activities and plans. A summary of prior contract history is listed in the table below:

<table>
<thead>
<tr>
<th>Contracts</th>
<th>Date</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Initial Contract</td>
<td>January 1, 2020</td>
<td>Initial budget of up to $6,780,992 for each calendar year.</td>
</tr>
<tr>
<td>Amendment #1</td>
<td>September 17, 2020</td>
<td>Increase Green Labeling budget. Net increase of $100,000 to 2020 budget.</td>
</tr>
<tr>
<td>Amendment #2</td>
<td>November 19, 2020</td>
<td>Annual budget true-up for 2020. Net decrease of $305,500 to 2021 budget in Multifamily technical assistance.</td>
</tr>
<tr>
<td>Amendment #3</td>
<td>July 1, 2021</td>
<td>Increase budget to support Heat Pump Water Heater program, Green Labeling incentives and BayREN regulatory. Net increase of $79,500 to 2021 budget.</td>
</tr>
<tr>
<td>Amendment #4</td>
<td>October 1, 2021</td>
<td>Transfer $200,000 from Multifamily incentives to Green Labeling incentives. No net change to 2021 budget.</td>
</tr>
<tr>
<td>Amendment #5</td>
<td>February 22, 2022</td>
<td>Annual budget true up for 2021. Net increase of $54,600 to 2022 budget for continuation of HPWH program and regulatory support.</td>
</tr>
</tbody>
</table>
Amendment #6 | June 26, 2022 | Extended contract through 2023 and net increase of $370,000 to 2022 budget for Green Labeling incentives and Multifamily technical assistance. Allocated $6,875,592 budget across all programs for the 2023 calendar year.

Amendment #7 | Proposed | Annual budget true up, which removes rollover funding from 2022 and adds it to 2023. Increase in 2023 Green Labeling budget. Net decrease of $1,094,817 in overall contract, due to transfer of some Multifamily incentive underspend to ABAG.

For the first time, the California Public Utilities Commission allowed BayREN to roll over unspent funds from one calendar year to the next. Thus, the 2022 Final Budget reflects the reduction of unspent funds in each program. Of this underspend, $1.4 million of Multifamily incentives was transferred back to ABAG to be used for Single-Family and Green Labeling program incentives. The remaining unspent funds in the Multifamily, Green Labeling, Commercial, and Codes & Standards programs were added to the 2023 Initial Budget. The amended 2023 Budget also increases the Green Labeling budget in order to keep up with growing demand for the program. Overall, these budget shifts resulted in a net decrease in the multi-year contract budget with ABAG of $1,094,817. These changes are reflected in Attachment A.

Energy Council is the regional lead for the Multifamily and Green Labeling programs and provides local outreach for the other programs. The 2023 scope of work described in Attachment B remains the same as in 2022, except for the removal of a Heat Pump Water Heater Technical Advisor role in the Codes & Standards program.

**RECOMMENDATION**

Adopt the attached Resolution authorizing the Executive Director to enter into a contract amendment for Bay Area Regional Energy Network (BayREN) and other related actions.

Attachment A: Budget Allocation for 2022-2023
Attachment B: Summary of Energy Council Scope of Work
RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR TO AMEND THE 2020-2023 CONTRACT FOR BAY AREA REGIONAL ENERGY NETWORK (BayREN) SERVICES AND OTHER RELATED ACTIONS

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

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

WHEREAS, on December 5, 2019, the California Public Utilities Commission (CPUC) recognized the unique role of Regional Energy Networks in filling gaps in the Investor Owned Utility programs and helping the state to achieve its Long Term Energy Efficiency Strategic Plan; and

WHEREAS, in its Decision 17-01-013, the CPUC approved a ten-year Business Plan for the Bay Area Regional Energy Network including an annualized budget of $22,739,000; and

WHEREAS, the Energy Council partnered with the Association of Bay Area Governments (ABAG) and eight other county representatives to implement the Bay Area Regional Energy Network (BayREN); and

WHEREAS, with ongoing input from the Energy Council Technical Advisory Group (TAG), the Energy Council represents Alameda County jurisdictions within BayREN; and

WHEREAS, the Energy Council has been designated as the lead regional implementer for the multifamily and green labeling programs, and to conduct local outreach for other programs; and

WHEREAS, on January 3, 2022, the CPUC approved BayREN’s Biennial Budget Advice Letter for 2022 and 2023; and

WHEREAS, on June 22, 2022, the Energy Council authorized the Executive Director to enter into a contract extension with ABAG for the 2023 BayREN scope of work; and

WHEREAS, ABAG intends to issue a contract amendment to Energy Council for adjustments to the 2022 and 2023 budget and scope of work as described in Attachments A and B;

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

1. Enter into all necessary contracts and agreements with ABAG and make any necessary changes to the FY 22/23 budget for Project 1347: BayREN.
2. Approve any required time extensions, modifications, or amendments thereto.
3. Allocate the necessary resources to implement and carry out the amended scope of work.

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

ADOPTED this 22nd day of February 2023, by the following votes:

AYES:
NOES:
ABSENT:
ABSTAINED:

I certify that under the penalty of perjury that the foregoing is a full, true and correct copy of Resolution #EC 2023 – 03

________________________________________
ARLISS DUNN
Clerk of the Board
### Attachment A

**Budget Allocation for 2022-2023**

*Changes in italics.*

<table>
<thead>
<tr>
<th>Subprogram</th>
<th>Budget Category</th>
<th>2022 as of June</th>
<th>2022 Final</th>
<th>2023 Initial</th>
<th>2023 Amended</th>
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</thead>
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<td>35,000</td>
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Single Family – Local Outreach

The Single-Family program targets moderate income households and offers flexible incentives to homeowners for conducting upgrades over time. It continues to offer the Home Upgrade Advisor services and incorporates the Community Youth Energy Services (CYES) green house calls.

Energy Council will conduct local outreach in Alameda County for the Single-Family program, including the following activities:
- Serve as a liaison for local contractors and facilitate their participation
- Organize homeowner workshops and other outreach events
- Refer property owners to the regional Home Upgrade Advisor service
- Conduct direct mail campaigns
- Establish partnerships with community-based organizations and East Bay Community Energy
- Coordinate with Rising Sun on underserved communities within the County
- Coordinate with other energy programs operating in Alameda County
- Provide continued administration of the regional Heat Pump Water Heater Program

Green Labeling – Regional Lead and Local Outreach

The Green Labeling program enables market recognition of the value of a green home during real estate transactions. It offers Department of Energy's Home Energy Score program, assessment incentives, and real estate sector education.

Energy Council will lead the regional Green Labeling program, and conduct the following activities:
- Promote and screen Home Energy Score incentives
- Recruit and mentor Home Energy Score assessors
- Provide quality assurance in compliance with Department of Energy requirements
- Provide continuing education opportunities for realtors, appraisers and lenders to increase their ability to understand, market and evaluate energy efficient homes
- Coordinate with local governments for promotional activities
- Maintain and develop relationships with local real estate stakeholders

Multifamily – Regional Lead and Local Outreach

The Multifamily program offers cash rebates and no-cost energy consulting for multifamily properties that undertake energy and water upgrades. The program assists in planning energy savings improvements designed to save 15% or more of a building’s energy and water usage and provides $750 per unit in rebates to help pay for the upgrade.

Energy Council will lead the Regional BayREN Multifamily program and conduct the following activities:
- Ensure that total unit goals and energy savings metrics are met or exceeded
- Oversee technical consultants and partners responsible for implementation
- Verify and approve eligible scopes of work and process rebates for property owners
- Review program performance and develop program enhancements or modifications
- Monitor regulatory activities that impact program and represent Program in relevant stakeholder groups, committees and advisory groups
- Process property owner rebates totaling $3,750,000
- Coordinate with other multifamily programs in the region
• Coordinate reporting and Evaluation, Measurement & Verification (EM&V) activities
• Convene BayREN members to participate in the multifamily committee
• Conduct regional marketing activities and coordinate local outreach activities

**Water Upgrade Saves - Local Outreach**

The BayREN Water Upgrade Saves Program (WUS) is a unique on-bill program that allows municipal water utility customers to pay for efficiency improvements through a monthly charge attached to their meter with no up-front costs and the assurance that their utility bill savings will exceed the program charge. The City of Hayward and East Bay Municipal Utility District (EBMUD) have participated in the program.

Energy Council will conduct local outreach for the WUS financing pilot, including the following:
• Serve as a local contact for WUS water utilities in the County for questions about BayREN
• Provide support to the regional lead and promote the program to local stakeholders

**Commercial - Local Outreach**

The Commercial program targets small to medium size commercial businesses. Energy Council will conduct local outreach for the program, including the following activities:
• Obtain market targeting data from East Bay Community Energy and promote program
• Coordinate and partner with local jurisdictions and other programs offered locally

**Codes and Standards – Local Outreach and Energy Efficiency and Electrification Pilot**

The Codes and Standards program promotes an integrated, measurement-driven management process for enhancing energy code compliance. Its goals include increasing compliance rates with the Energy Code and Green Building standards, developing trainings for Bay Area building professionals, and promoting “reach codes” for local jurisdictions.

Energy Council will conduct local outreach for the Codes and Standards program, including the following activities:
• Conduct outreach to building departments and promote participation in BayREN activities
• Assist in prioritization and development of new BayREN trainings based on local needs
• Support Alameda County jurisdiction in adopting a reach code or energy policy
• Provide input on content of regional forums and promote participation to local governments
• Host and organize one regional Codes and Standards forum
• Serve as liaison to East Bay ICC chapter
• Lead a pilot project on tools for evaluating energy efficiency and electrification policies

**Administration**

Energy Council will perform administrative tasks to support the overall implementation of BayREN and its programs, including the following activities:
• Participating in the Coordinating Circle, which is the decision-making body for BayREN.
• Representing Alameda County jurisdictions and their interests within BayREN
• Communicating with Alameda County stakeholders about BayREN programs and activities
• Coordinating with East Bay Clean Energy, other Alameda County programs and initiatives
• Preparing and submitting monthly invoices in a timely manner
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SUMMARY

Decarbonization and electrification of buildings is one of the StopWaste Board’s adopted legislative priorities, and a focus area of our externally-funded program work in the built environment. The majority of our electrification initiatives are funded through the Bay Area Regional Energy Network (BayREN), which is a collaboration of the Association of Bay Area Governments (ABAG) and public agencies representing the nine Bay Area counties. This work is important not only because it reduces greenhouse gas emissions, but also because it helps reduce indoor air pollution and stimulates investment in the local economy. At the February 22 Board meeting, staff will provide an overview of how electrification can create multiple benefits in communities, the role StopWaste plays in advancing this work, and also some of the challenges and barriers associated with accelerating the transition from gas to electricity in our buildings.

DISCUSSION

Building electrification and decarbonization has been a priority area for Energy Council programs and fund seeking since 2016. This work aligns with StopWaste’s efforts to achieve multiple benefits for the communities we serve, including reduced greenhouse gas emissions, improved public health, and increased investment in our local economy. Decarbonization has three parts: maximize energy efficiency and reduce energy use, use a less polluting source of electricity (like renewables), and electrify all end uses possible.

The State of California has adopted aggressive policies and targets to reduce emissions, aiming for carbon neutrality by 2045. For example, the California Air Resources Board (CARB) adopted an update to the AB 32 Climate Change Scoping Plan in December 2022 requiring a planned phase out of sales of 80 percent of gas appliances by 2030. The state also announced its intention to end the sale of gas heaters and gas water heaters by 2030. Our efforts regionally and locally align with these policies, with a focus on providing incentives, market development assistance for contractors, and public outreach and education.
The purpose of electrification is to reduce the pollution from buildings that rely on fossil gas for heating and water heating, as well as other smaller gas uses. One example of building electrification is replacing a gas water heater with an electric heat pump water heater (HPWH). That HPWH is three to five times more efficient and it uses no gas. Policies and programs designed to advance electrification of buildings include incentive programs to lower the cost of new equipment and the cost of installations as we transition building systems from gas to electricity, providing model codes and standards directing new construction and alterations for existing buildings, outreach and education programs for contractors, outreach to consumers with demonstrations and loaner induction cooktops, training on new technologies for contractors, and sharing information about funding to support these efforts.

StopWaste contributes to advancing electrification in buildings by leading on program design and implementation for multifamily buildings and green labeling of homes. We administer a regional HPWH contractor incentive program that is funded by Community Choice Aggregators, including East Bay Community Energy. We support member agencies by providing support on policy development and code education, as well as conducting outreach to property owners about available incentives.

Below are StopWaste’s key roles in advancing this work:

- Leading on BayREN’s multifamily program, Bay Area Multifamily Building Enhancement (BAMBE), with incentives supporting electrification
- Adding an Electrification Checklist to the Home Energy Score program
- Conducting outreach to homeowners on electrification incentives for Home+, a single-family BayREN program
- Administering the Regional HPWH Contractor Incentive Program in six counties and one city
- Providing training opportunities for workforce through state and regional programs
- Tracking and supporting jurisdictions as they implement reach codes for all-electric or electric preferred buildings
- Convening our monthly Technical Advisory Group (TAG) meeting for peer to peer sharing on what jurisdictions in Alameda County are working on in terms of electrification

RECOMMENDATION

This item is for information only.
March 2023
Meetings Schedule

Alameda County Waste Management Authority, the Energy Council, Source Reduction & Recycling Board, and Programs and Administration Committee
(Meetings are held at StopWaste Offices unless otherwise noted)

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|     | 9:00 A.M. Programs & Administration Committee
Key Items:
1. Fiscal forecast and fund balance analysis
2. SWEET and Compost Hubs
3. Model foodware ordinance
| 3:00 P.M. Planning Committee & Recycling Board
Key Items:
1. Fiscal forecast and fund balance analysis
2. SWEET and compost hubs
3. Model foodware ordinance |
| 12  | 13  | 14   | 15  | 16    | 17  | 18  |
| 19  | 20  | 21   | 22  | 23    | 24  | 25  |
| 3:00 P.M. Waste Management Authority & Energy Council
Key Items:
1. State legislation update
2. Equity action plan and examples
3. Multifamily Energy Program – map
4. Model foodware ordinance |
Energy Council
TECHNICAL ADVISORY GROUP (TAG)
Tuesday, January 17, 2023 – 1:00 pm to 3:00 pm

Attendance (all via phone):
City of Alameda: Trey Hannula (Fellow)
City of Albany: Lizzie Carrade, Michelle Plouse, Natasha Gallatin (Fellow)
City of Berkeley: Sarah Moore, Valerie Nguyen (Fellow)
City of Dublin: Shannan Young, Michelle Sung, Anna Zamboanga (Fellow)
City of Emeryville: Nancy Humphrey, Matt Anderson
City of Fremont: Rachel DiFranco, Kranti Kapur, Jennie Suen, Kathy Cote
City of Hayward: Erik Pearson, Nicole Grucky, Hailey Meyer (Fellow), Sierra Cannon (Fellow)
City of Livermore: Marisa Gan
City of Newark: Jim Scanlin
City of Oakland: Shayna Hirshfield-Gold, Jeffrey Wong, Rebecca Parnes
City of Pleasanton: ZeLaura Page
City of San Leandro: Hoi-Fei Mok, Miko Yoshikawa-Baker (Fellow)
StopWaste: Jennifer West, Emily Alvarez, Chris Hunter, Miya Kitahara, Ben Cooper, Wes Sullens, Robin Plutchok
EBCE: Cait Cady, Allison Lopez
Guests: Steve Brown & Jonathan Bryden, Landify

Welcome and Intros

Ask TAG

- Alameda County: Please share any example Requests for Proposals/Qualifications (RFP or RFQ) for engineering for your municipal buildings, not just for energy efficiency or electrification-related work. Please share the names of firms you have contracted with.
- Berkeley: Prepping for green home tours, with a focus on new homebuyers. Do any cities have transfer tax rebates for energy efficiency or electrification upgrades? Has anyone tried or are considering it?
  - Oakland and Albany are interested but no official efforts have been made
  - We can ask El Cerrito to present about their transfer tax rebates
- Oakland: Would be interested in more updates on funding opportunities at a future TAG. This information helps to identify partnerships and collaborations.

DOE Workforce RFI – Emily Alvarez, StopWaste

- US Dept Of Energy has issued a Request for Information (RFI) on energy efficiency, electrification, and energy auditing workforce programs covered under the Inflation Reduction Act and Build Back Better Infrastructure Package
- StopWaste will be submitting a response under BayREN and in partnership with 3C-REN by 1/26/23
- Want to see workforce programs help fill the gaps we are experiencing in the Bay Area and also provide quality jobs for disadvantaged communities, aligned with a “just transition”?
- We will share the comment letter once finalized

PG&E Zonal Electrification Tool – Jennifer West, StopWaste

- PUC issued Staff Proposal on Gas Distribution Infrastructure Decommissioning Framework in Support of Climate Goals: https://docs.cpuc.ca.gov/PublishedDocs/Efile/G000/M500/K158/500158371.PDF
- 5 tranches that would focus decommissioning efforts based on certain criteria/priorities
- Considers community benefits from reduced gas use, Indoor Air Quality, low-affordability communities
• PUC asking for input on how to prioritize
• Eventual goal is decommissioning, but that can take a lot of different formats
  o Different trajectories will contribute to full electrification
  o Where does gas line decommissioning fit in the trajectory of electrification policy milestones?
  o MAs support StopWaste responding but may not have capacity to join even though this is a key issue for them

Landify ECT Presentation – Steven Brown & Jonathan Bryden, Landify
• Aims to deliver open space projects at no cost for municipalities by identifying sites to be redeveloped and transferring soil from nearby excavation projects
  o Work with excavation companies who pay tipping fees to Landify to dispose of soil who then work with local communities to accept and move the clean soil
  o Allows for 3-dimensional buildout of site and amenities
• Require certain volume of soil to make it work, typically over 2.5 acre sites
• Can work with a variety of sites: vacant land, polluted land, agricultural wastelands, former quarry pits
• Working on 10 projects in CA, 100+ sites completed in Europe
• Connections to city can come through elected officials, parks department staff, city managers, etc.
• What testing or remediation is done as urban areas are not known for clean soil
  o Multiple samples taken from sites which allows for identifying and only excavating clean soil if a portion of the site is contaminated
  o If questionable, can send for secondary sampling
  o The soil is checked again when it arrives at the new site
• Could also assist the city by acquiring land, developing the project, and then giving the land over to the city after completion
  o Works in public-private-partnership model
• What is excavated is dirt and not soil. Landify will amend the dirt with compost/organic materials in order to create soil that can support planting
  o Bay Area has access to compost market, which is a reason to develop projects in this area
  o Could look at co-location of a composting/organics facility
  o Could this help with SB 1383 procurement requirements?
• Do you assist with environmental documentation?
  o Yes, staff are on board who can write these documents or partner with city staff

Embodied Carbon Regional Road Map and CALGreen Support Letter – Miya Kitahara & Wes Sullens, StopWaste
• Embodied Carbon (EC) for a new building is the measured supply chain emissions from raw material sourcing, manufacturing of materials, and construction before building is occupied/operational
  o Can equal 20+ years of operational carbon for new buildings
• Develop a regionally consistent plan to address this
  o Members include cities and counties in Alameda, Marin, Contra Costa, and Santa Clara
  o The goals are regional alignment, advancing innovations, supporting regional economic development and community-owned housing construction
  o Several jurisdictions have included EC measures in Climate Action Plans
  o Workshops to meet state goal of 40% reduction => it will not look the same in each jurisdiction
• Phased approach
2023: CALGreen Support, municipal project teams (whoever is designing muni projects), fund seeking, technical assistance and training for public agency staff is an option

2023-2024: stakeholder engagement on innovative options, feasibility studies and gap analyses to understand concerns about availability or costs

2024 and beyond: consider additional requirements for projects not covered under CALGreen (ADUs, existing buildings/adaptive reuse) and removing obstacles

- CALGreen Carbon Reduction Collaborative (CCRC) organized by the state to address carbon
  - Not a closed group and attendees include industry groups, state agencies, designers, manufacturers, with little local government representation (StopWaste is participating)
  - Push for all-electric buildings, EVs, and EC in building code
  - Not dealing with energy efficiency, still covered in Title 24 Part 6
  - Met four times in 2022, on pause while code proposals go through State process to be presented for potential action soon → need for public comments/letters
  - Will start up again mid-2024 for full code cycle

- CALGreen interim cycle contains EC proposal for large nonresidential that would go into effect July 2024, otherwise wouldn’t be until January 1, 2026 if in next regular code cycle
  - Mandatory non-residential buildings over 50k sf must reuse 45% of structure/enclosure, show 10% reduction from baseline, or select products with compliant environmental product declarations (EPDs)
    - Additional voluntary tiers would be more stringent from mandatory
    - Design teams must document to make it easier for building departments to review without needing to become life cycle assessment (LCA) experts
    - Easier to comply with than Buy Clean Act or Marin Concrete Code, meant to be an entryway

- Next Steps: CALGreen Support Letter will circulate and is due Feb 6
  - Potential follow-up needed during 45-day comment period in May
  - Sending an FAQ with letter would be helpful so that sustainability staff could pass it onto planning/building staff or city manager (cost, implementation, etc.)

Announcements

- Topic Brief linked (Reusable Foodware in Schools)
- Air District NOx Regulations out, StopWaste can consider commenting on behalf of MAs
- CivicSpark Fellow applications due soon: 1/27 (priority) and 2/7 (regular)
- February TAG is planned to be in person with lunch beforehand (hybrid option available)