

Shelia Young, **WMA President**
Oro Loma Sanitary District, WMA

Dianne Martinez, **WMA 1st Vice President**
City of Emeryville, WMA, EC

Bob Carling, **WMA 2nd Vice President**
City of Livermore, WMA, EC

Dan Kalb, **EC President**
City of Oakland, WMA, EC

Jack Balch, **EC 1st Vice President**
City of Pleasanton, WMA, EC

Preston Jordan, **EC 2nd Vice President**
City of Albany, WMA, EC

David Haubert, County of Alameda, WMA, EC

Trish Herrera Spencer, City of Alameda, WMA, EC

Susan Wengraf, City of Berkeley, WMA, EC

Dave Sadoff, Castro Valley Sanitary District, WMA

Melissa Hernandez, City of Dublin, WMA, EC

Jenny Kassan, City of Fremont, WMA, EC

Francisco Zermeno, City of Hayward, WMA, EC

Michael Hannon, City of Newark, WMA, EC

Jen Cavanaugh, City of Piedmont, WMA, EC

Deborah Cox, City of San Leandro, WMA, EC

Jaime Patiño, 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)**

Wednesday, May 25, 2022

3:00 P.M.

TELECONFERENCE MEETING

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

This meeting will be held entirely by teleconference. All Board members, staff, and the public will only participate via the Zoom platform using the process described below. The meeting is being conducted in compliance with the recent amendments to the Ralph M. Brown Act suspending certain teleconference rules due to the ongoing state of emergency and state and local health officials recommendations to maintain social distancing. The purpose of these amendments was to provide the safest environment for the public, elected officials, and staff while allowing for continued operation of the government and public participation during the COVID-19 pandemic. Board members will receive a separate unique email invite. Staff and members of the public may attend and participate in the meeting by:

1. Calling US: +1 669 900 6833 and using the Webinar ID 869 1885 4587
2. Using the [Zoom](#) website or App and entering meeting code 869 1885 4587

During the meeting the chair will explain the process for members of the public to be recognized to offer public comment. The process will be described on the StopWaste website at <http://www.stopwaste.org/virtual-meetings> no later than noon Wednesday, May 25, 2022. The public may also comment during the meeting by sending an e-mail to publiccomment@stopwaste.org prior to the close of public comment on the item being addressed. Each e-mail will be read into the record for up to three minutes.

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

AGENDA

I. CALL TO ORDER

II. ROLL CALL OF ATTENDANCE

III. ANNOUNCEMENTS BY PRESIDENTS - *(Members are asked to please advise the 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 board or council, but not listed on the agenda. Total time limit of 30 minutes with each speaker limited to three minutes unless a shorter period of time is set by the President.

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. Any member of the public may speak on an item on the Consent Calendar at this time. Public Speakers are limited to three (3) minutes.

Page

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|----------|--|
| 1 | 1. Approval of the Draft Joint WMA, EC & RB Minutes of April 27, 2022 |
| 5 | 2. Resolution regarding meeting via teleconference to promote social distancing, pursuant to AB 361
Adopt Resolution WMA# 2022-07. |
| 9 | 3. Resolution regarding meeting via teleconference to promote social distancing, pursuant to AB 361
Adopt Resolution EC# 2022-06. |

VI. REGULAR CALENDAR

- | | |
|-----------|---|
| 13 | 1. FY 22-23 Budget Adoption (Timothy Burroughs & Pat Cabrera)
That the WMA and Energy Council hold a public hearing and adopt their respective budget resolutions (Attachment A and B). |
| 19 | 2. Legislative Positions for 2022 – Mid-Session Update (Jennifer West)
Adopt updated positions on the bills outlined in the staff report. |
| | 3. Interim appointment(s) to the Recycling Board for WMA appointee unable to attend future Board Meeting(s) (Arliss Dunn)
(The Planning Committee/Recycling Board meeting and StopWaste Efficiency Awards on Thursday, June 9, 2022 at 4:00 p.m. The meeting will be held via teleconference) |

VII. MEMBER COMMENTS AND COMMUNICATIONS FROM THE EXECUTIVE DIRECTOR

VIII. CLOSED SESSION (WMA only)

- 1.** Pursuant to Government Code Section 54957
PUBLIC EMPLOYEE PERFORMANCE EVALUATION
Title: Executive Director
(confidential materials mailed separately)
- 2.** Pursuant to Government Code Section 54957.6
CONFERENCE WITH LABOR NEGOTIATORS
Agency Designated Representatives: Board Members Carling, Cox, Martinez, and Young
Unrepresented Employee: Executive Director
(confidential materials mailed separately)

3. CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Property: 950 West Tower Avenue (Building 39) Alameda Point, Alameda, CA

Agency negotiator: Timothy Burroughs, Karen Kho, and Matt Zimbalist

Negotiating parties: City of Alameda and Alameda County Waste Management Authority

Under negotiation: Price and terms of lease.

(confidential materials mailed separately)

IX. ADJOURNMENT – to June 22, 2022 at 3:00 P.M.

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DRAFT

**MINUTES OF THE JOINT MEETING OF THE
ALAMEDA COUNTY WASTE MANAGEMENT AUTHORITY (WMA)
BOARD,
THE ENERGY COUNCIL (EC),
AND
SOURCE REDUCTION AND RECYCLING BOARD (RB)
Wednesday, April 27, 2022
3:00 P.M.**

TELECONFERENCE MEETING

I. CALL TO ORDER

President Young called the meeting to order at 3:01 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	Rochelle Nason, WMA, EC (alternate)
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	Dianne Martinez, WMA, EC
City of Fremont	Jenny Kassan, WMA, EC
City of Hayward	Francisco Zermeño, WMA, EC, RB (RB President)
City of Livermore	Bob Carling, WMA, EC, RB
City of Newark	Mike Hannon, WMA, EC
City of Oakland	Dan Kalb, WMA, EC, RB (EC President)
Oro Loma Sanitary District	Shelia Young, WMA (President)
City of Piedmont	Jen Cavanaugh, WMA, EC
City of Pleasanton	Jack Balch, WMA, EC
City of San Leandro	Deborah Cox, WMA, EC, RB
City of Union City	Jaime Patiño, WMA, EC
Environmental Educator	Eric Havel, RB
Environmental Organization	Darby Hoover, RB
Recycling Materials Processing Industry	Laura McKaughan, RB
Recycling Programs	Chiman Lee, RB
Solid Waste Industry Representative	Talia Wise, RB
Source Reduction Specialist	Vacant, RB

Staff Participating

Timothy Burroughs, Executive Director
Pat Cabrera, Administrative Services Director
Jeff Becerra, Communications Manager
Justin Lehrer, Operations Manager
Arless Dunn, Clerk of the Board
Adrienne Ramirez, Assistant Clerk of the Board
Richard Taylor, WMA Legal Counsel
Andrew Massey, Deputy County Counsel

III. ANNOUNCEMENTS BY PRESIDENTS

WMA Board President announced that she is forming a team to conduct the annual Executive Director evaluation and that the WMA Board would meet in closed session in May to review and discuss the evaluation. She welcomed Board members to ask any questions about the process or timeline.

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 March 23, 2022 (WMA & EC only)**
- 2. Resolution regarding meeting via teleconference to promote social distancing, pursuant to AB 361 (WMA only)**
Adopt Resolution WMA# 2022-05.
- 3. Revisions to the Agency's Purchasing Policy (WMA only)**
That the WMA Board approve the revised purchasing policy resolution as recommended by the P&A Committee.
- 4. Resolution regarding meeting via teleconference to promote social distancing, pursuant to AB 361 (EC only)**
Adopt Resolution EC# 2022-05.
- 5. Approval of the Draft PC/RB Minutes of March 10, 2022 (RB only)**
- 6. Recycling Board Attendance Record (RB only)**
- 7. Written Report of Ex Parte Communications (RB only)**
- 8. Resolution regarding meeting via teleconference to promote social distancing, pursuant to AB 361 (RB only)**
Adopt Resolution RB# 2022-05.

There were no public comments for the Consent Calendar. Board member Hannon moved approval of Items 1-4 of the Consent Calendar for the WMA & EC and Board member Haubert seconded. The motion carried 20-0 (WMA) and 20-0 (EC): The Clerk called the roll:

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

Board member McKaughan moved approval of Items 5-8 of the Consent Calendar for the Recycling Board and Board member Carling seconded. The motion carried 10-0. The Clerk called the roll:

(Ayes: Carling, Cox, Havel, Hoover, Kalb, Lee, McKaughan, Sadoff, Wise, Zermeño. Nays: None. Abstained: None. Absent: None)

VI. REGULAR CALENDAR

1. FY 22-23 Budget presentation (Timothy Burroughs & Pat Cabrera) (WMA, EC & RB)

This item is for information only.

Timothy Burroughs and Pat Cabrera presented an overview of the FY 2022-2023 budget. A link to the staff report and presentation is available here: [FY-2022-2023-Budget-Presentation.pdf](#)

Mr. Burroughs stated that the proposed FY 22-23 budget reflects the Aims and Guiding Principles adopted by the Board in 2020. Our Aims influence how we work and inform our long-term direction and strategy. Mr. Burroughs thanked the Board for their visionary leadership and partnership, and thanked staff for their passion, expertise, and commitment. Ms. Cabrera provided a summary of financial highlights and Timothy Burroughs provided an overview of programs.

Additional time was provided to Board members for discussion and to ask clarifying questions. An audio link to the discussion is available here: [Proposed-FY-22-23 Budget-Discussion](#)

Board member Zermeño stated that he was pleased to see that the budget increases funding for the grants program and asked that in addition to the schools program, that staff consider exploring other projects to increase participation among the youth population, such as a tree planting program in Alameda County. Mr. Burroughs stated staff has discussed this issue with the TAC (Technical Advisory Committee) and the TAG (Technical Advisory Group) about an urban forestry project and is happy to have further discussion with the Board.

Board member Kalb stated that he is looking forward to seeing a model ordinance to reduce single use food ware and is hopeful that the ordinance would be implemented countywide.

Board member Sadoff inquired regarding the surplus in the HHW (Household Hazardous Waste) program budget. Ms. Cabrera stated that the surplus was factored into the analysis of the HHW program, which concluded that the fee per residential unit could be reduced to \$6.64 for five years, which included drawing on the fund balance as needed. In 2024 another analysis of the fee will be conducted to determine if the fee can remain at \$6.64 for the next five years or be adjusted downward or upward, not to exceed \$9.54. Board member Hannon inquired if staff was considering reallocating funds from the pension fund reserve since it is funded at 106%. Ms. Cabrera stated that the pension fund reserve is discretionary and can be used elsewhere if needed.

There were no changes or revisions to the budget. There were no public comments on this item. The Board expressed appreciation for the Agency's proactive fiscal management, transparency, and program innovation. President Young thanked staff for the presentation.

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

(Planning Committee and Recycling Board meeting on May 12, 2022 at 6:00 p.m. The meeting will be held via teleconference)

Board member Kalb requested an interim appointment for the meeting and President Young volunteered to attend as the interim appointment. Board member Kalb moved approval of the interim

appointment and Board member Sadoff seconded. The motion carried 19-0. The Clerk called the roll: (Ayes: Balch, Carling, Cox, Hannon, Haubert, Hernandez, Jordan, Kalb, Kassan, Martinez, Nason, Patiño, Sadoff, Spencer, Wengraf, Young, Zermeño. Nays: None. Abstained: None. Absent: Cavanaugh)

VII. MEMBER COMMENTS AND COMMUNICATIONS FROM THE EXECUTIVE DIRECTOR

Mr. Burroughs announced that the upcoming topic brief will highlight food recovery and donation requirements for SB 1383. Mr. Burroughs also informed the Board that the school program has returned to offering tours and in-person events at the Davis Street Education Center, while also continuing to maintain a hybrid approach.

President Young inquired if was there a topic brief on the Re:Source app. Mr. Becerra stated that staff will provide an update at the May meetings.

Board member Wise inquired if a city is required to report on food recovery for their SB 1383 milestones, how do they capture independent food recovery efforts outside of their city purview? Ms. Bartholomew responded that we are working on a portal for food recovery organizations to report total pounds of food recovered to StopWaste and will share that information with our member agencies/jurisdictions to include in their reporting to CalRecycle.

Board member Hannon announced that the City of Newark will host a ribbon cutting ceremony in celebration of the new Newark Civic Center on May 14 from 11AM – 3PM. He will provide the information to the Board Clerk to distribute. All are welcome to attend. The project came in on time and under budget.

**VIII. ADJOURNMENT – to WMA & EC Meeting – May 25, 2022 at 3:00 P.M.
PC & RB Meeting – May 12, 2022 at 6:00 P.M.**

The meeting adjourned at 4:26 p.m.



DATE: May 25, 2022

TO: Waste Management Authority Board

FROM: Timothy Burroughs, Executive Director

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

SUMMARY

On September 16, 2021, the Governor signed into law as an urgency measure, AB 361 (Rivas), which allows local legislative bodies to continue to meet by teleconference in order to promote public health and safety, subject to certain conditions, which must be reconsidered every 30 days. At its May 25, 2022, 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 2022-07.

**ALAMEDA COUNTY WASTE MANAGEMENT AUTHORITY
RESOLUTION #WMA 2022- 07**

**MOVED:
SECONDED:**

AT THE MEETING HELD MAY 25, 2022

**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 May 2022 by the following vote:

AYES:

NOES:

ABTAIN:

ABSENT:

Arliss Dunn, Clerk of the Board

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DATE: May 25, 2022

TO: Energy Council

FROM: Timothy Burroughs, Executive Director

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

SUMMARY

On September 16, 2021, the Governor signed into law as an urgency measure, AB 361 (Rivas), which allows local legislative bodies to continue to meet by teleconference in order to promote public health and safety, subject to certain conditions, which must be reconsidered every 30 days. At its May 25, 2022, 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 2022-06.

Attachment: Energy Council Resolution #EC 2022-06

**ENERGY COUNCIL
RESOLUTION #EC 2022 – 06
MOVED:
SECONDED:**

AT THE MEETING HELD MAY 25, 2022

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 May 2022 by the following vote:

AYES:

NOES:

ABTAIN:

ABSENT:

Arliss Dunn, Clerk of the Board

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DATE: May 25, 2022

TO: Waste Management Authority Board
Energy Council

FROM: Timothy Burroughs, Executive Director
Pat Cabrera, Administrative Services Director

SUBJECT: FY 22-23 Budget Adoption

SUMMARY

At its May 25, 2022, meeting, staff will recommend that the WMA and the Energy Council adopt their respective FY 2022-23 budgets. The WMA budget adoption resolution also authorizes the FY 22-23 salary schedule and authorized staff positions as well as new or augmented contracts.

DISCUSSION

The proposed budget for FY 2022-23 was presented at a joint meeting of the Waste Management Authority, Energy Council and Recycling Board on April 27, 2022. The staff memo and PowerPoint presentation from the April 27 combined board meeting is available at [FY-22-23-Budget-Presentation.pdf](#)

The presentation at the April 27 meeting was well received, and there were no requests for changes to the budgeted amounts. The combined proposed FY 22-23 budget totals approximately \$36 million, with the following breakdown:

- WMA: \$ 14,482,393
- Energy Council: \$ 8,784,435
- Recycling Board: \$ 12,770,652

As outlined in the budget document, some projects are funded using both WMA and Recycling Board funds. At its May 12, 2022, meeting, the Recycling Board unanimously approved its budget.

The Agency's discretionary budget is approximately \$13.2 million, funded by core revenue (\$11.4 million) and fund balance (\$1.8 million, mainly for one-time expenses). The recent fund balance and reserve analysis concluded that the Agency could draw on its fund balance in FY 22-23 and still maintain an appropriate contingency. The Agency's FY 22-23 contingency, which includes both core fund balances and reserves, is projected to total \$24.5 million. As such, we continue to meet our financial goals as well as our operational objectives through prudent spending, a team of resourceful and resilient staff, and the ongoing support of our Boards.

RECOMMENDATION

That the WMA and Energy Council hold a public hearing and adopt their respective budget resolutions (Attachment A and B).

Attachment A: WMA Budget Resolution

Attachment B: Energy Council Budget Resolution

Attachment C: Link to Annual Budget – [FY-22-23-Annual-Budget](#)

ATTACHMENT A

ALAMEDA COUNTY WASTE MANAGEMENT AUTHORITY
RESOLUTION #WMA 2022-

MOVED:
SECONDED:

AT THE MEETING HELD MAY 25, 2022

THE ALAMEDA COUNTY WASTE MANAGEMENT AUTHORITY AUTHORIZES ADOPTION OF
THE FISCAL YEAR 22-23 BUDGET; PROJECT CONTRACTS; AND AUTHORIZED POSITIONS AND SALARY
SCHEDULE

WHEREAS, a preliminary budget for Fiscal Year 2022-23 has been developed that incorporates programs and projects based on the aims and guiding principles developed by the Board and consistent with the Countywide Integrated Waste Management Plan and Recycling Plan; and,

WHEREAS, this budget was presented at the joint meeting of the Alameda County Waste Management Authority, the Alameda County Source Reduction and Recycling Board, and the Energy Council held on April 27, 2022, for review and comment; and,

WHEREAS, legal notice of the public hearing on the budget has been provided, and the matter scheduled on the May 25, 2022 Alameda County Waste Management Authority Board agenda for adoption.

NOW THEREFORE, BE IT RESOLVED that the Alameda County Waste Management Authority (WMA) Board hereby:

1. Adopts the WMA's portion of the Fiscal Year 2022-2023 Budget with expenditures totaling \$14,482,393, and authorizes staff to proceed with its administration, programs and operations in accordance with the adopted budget, effective July 1, 2022.
2. Authorizes the attached salary schedule and authorized positions.
3. Authorizes the following new or augmented contracts and/or spending authority subject to approval as to form by Legal Counsel, and consistent with the WMA's purchasing policy:

Food Waste Prevention

Zero Company Performance Marketing, Inc. \$ 40,000

Online media buy – including digital/mobile ads, facebook/gmail ads and Search
Engine Marketing

Gigantic Idea Studio \$ 10,000

Marketing and outreach services

SB 1383 Implementation Support

Gigantic Idea Studio \$ 50,000

Marketing and outreach services

TBD pending results of bid process and Executive Director or designee
approval not to exceed \$ 225,000

Contract to provide business and multifamily technical assistance

Used Oil Recycling (externally funded)

<u>Zero Company Performance Marketing, Inc.</u>	\$ 35,000
Online media buy – including digital/mobile ads, facebook/gmail ads and Search Engine Marketing	
<u>Gigantic Idea Studio</u>	\$ 18,000
Marketing and outreach services	

Household Hazardous Waste (HHW) Facilities

<u>Zero Company Performance Marketing, Inc.</u>	\$ 45,000
Online media buy – including digital/mobile ads, facebook/gmail ads and Search Engine Marketing pre-roll video to drive residents to the HHW website.	

Administrative Overhead (OH) (includes general OH, accounting and budgeting, Information systems and board administration)

<u>Shute, Mihaly and Weinberger, LLP</u>	\$ 155,000
Authority counsel, charged against multiple projects as appropriate.	
<u>Alliance Insurance Services</u>	\$ 173,500
Agency insurance	

Reusable Food Ware and Bags

<u>Clean Water Fund</u>	\$ 200,000
Technical assistance for the Rethink Disposable campaign	
<u>Gigantic Idea Studio</u>	\$ 85,000
Outreach and messaging services	

Agency Communications

<u>Zero Company Performance Marketing, Inc.</u>	\$ 40,000
Online media buy – including digital/mobile ads, facebook/gmail ads and Search Engine Marketing	

Schools Outreach

<u>TBD pending results of bid process and Executive Director or designee approval not to exceed</u>	\$ 140,000
Bus service for field trips	

Passed and adopted this 25th day of May, 2022 by the following vote of the WMA Board:

AYES:

NOES:

ABSTAIN:

ABSENT:

Arliss Dunn, Clerk of the Board

Monthly Salary Ranges and Authorized Positions
FY22/23*
Authorized Positions 50.0 FTE**

Grade	Classification Name	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8
19	Executive Director	Per Contract: \$21,667							
18	Vacant	\$18,054	\$18,596	\$19,150	\$19,726	\$20,319	\$20,928	\$21,557	\$22,204
	Administrative Services Director								
17	Deputy Executive Director	\$16,792	\$17,297	\$17,815	\$18,350	\$18,902	\$19,467	\$20,053	\$20,654
16	Vacant	\$15,623	\$16,090	\$16,572	\$17,069	\$17,582	\$18,111	\$18,654	\$19,212
	Operations Manager								
15	Principal Program Manager	\$14,533	\$14,967	\$15,417	\$15,881	\$16,355	\$16,845	\$17,352	\$17,872
14	Senior Technology Manager	\$13,519	\$13,924	\$14,342	\$14,774	\$15,213	\$15,669	\$16,141	\$16,626
	Communications Manager								
	Senior Management Analyst								
13	Senior Program Manager	\$12,575	\$12,952	\$13,340	\$13,742	\$14,152	\$14,579	\$15,016	\$15,467
	Financial Services Manager***								
12	Legislative and Regulatory Affairs	\$11,698	\$12,048	\$12,411	\$12,781	\$13,167	\$13,559	\$13,968	\$14,387
	Management Analyst III								
11	Program Manager III	\$10,882	\$11,207	\$11,544	\$11,891	\$12,246	\$12,615	\$12,992	\$13,384
	Clerk of the Board								
	Management Analyst II								
10	Program Manager II	\$10,122	\$10,427	\$10,738	\$11,061	\$11,393	\$11,734	\$12,086	\$12,451
9	Webmaster	\$9,415	\$9,699	\$9,989	\$10,290	\$10,598	\$10,915	\$11,243	\$11,581
	Accountant								
	Management Analyst I								
8	Program Manager I	\$8,760	\$9,023	\$9,291	\$9,573	\$9,859	\$10,153	\$10,458	\$10,773
	Executive Assistant/Assistant Clerk								
7	of the Board	\$8,147	\$8,393	\$8,643	\$8,904	\$9,168	\$9,447	\$9,730	\$10,022
6	Vacant	\$7,578	\$7,806	\$8,040	\$8,284	\$8,532	\$8,787	\$9,052	\$9,323
	Senior Administrative Assistant								
5	Senior Program Services Specialist	\$7,051	\$7,263	\$7,482	\$7,704	\$7,936	\$8,175	\$8,419	\$8,672
	Administrative Assistant II								
4	Program Services Specialist II	\$6,561	\$6,756	\$6,958	\$7,166	\$7,383	\$7,604	\$7,832	\$8,067
	Administrative Assistant I								
3	Program Services Specialist I	\$6,101	\$6,284	\$6,471	\$6,667	\$6,867	\$7,073	\$7,287	\$7,504
2	Vacant	\$5,676	\$5,846	\$6,023	\$6,202	\$6,388	\$6,579	\$6,778	\$6,980
1	Inspector	\$5,281	\$5,438	\$5,600	\$5,771	\$5,941	\$6,121	\$6,304	\$6,493
Intermittent Hourly Rates		\$20.00							\$120.25

* Salary increase effective June 26, 2022

** Includes regular, limited term, and intermitten positions. Does not include any future positions that may be required due to grant/external funding. Those positions will be approved as part of the grants/external funding process.

*** Serves as Agency's Treasurer pursuant to the Agency's investment policy and applicable state law.

ATTACHMENT B

**ENERGY COUNCIL
RESOLUTION #EC 2022-**

**MOVED:
SECONDED:**

**AT THE MEETING HELD MAY 25, 2022
THE ENERGY COUNCIL AUTHORIZES ADOPTION OF THE FISCAL YEAR 2022-23 BUDGET**

WHEREAS, a preliminary budget for Fiscal Year 2022-23 has been developed that incorporates program priorities adopted by the Energy Council and external funding agreements; and,

WHEREAS, this budget was presented at the joint meeting of the Alameda County Waste Management Authority, the Alameda County Source Reduction and Recycling Board and the Energy Council held on April 27, 2022 for review and comment; and,

WHEREAS, legal notice of the budget hearing has been provided, and the matter scheduled on the May 25, 2022 Energy Council agenda for adoption.

NOW THEREFORE, BE IT RESOLVED, that the Energy Council hereby adopts the Energy Council's portion of the Annual Budget for Fiscal Year 2022-23 with expenditures totaling \$8,784,435 and authorizes staff to proceed with Energy Council administration, programs and operations in accordance with the adopted budget, effective July 1, 2022.

Passed and adopted this 25th day of May 2022 by the following vote:

**AYES:
NOES:
ABSTAIN:
ABSENT:**

Arliss Dunn, Clerk of the Board



DATE: May 25, 2022

TO: Waste Management Authority and Energy Council

FROM: Jennifer West, Program Manager

SUBJECT: Legislative Positions for 2022 – Mid-Session Update

SUMMARY:

This mid-session legislative update captures new bills and updated proposed bill positions since the initial WMA Board review of bills in March. At the May 25 meeting, staff will review the bills and recommend Board adoption of proposed positions, as well as provide an update on key bills discussed in March.

DISCUSSION:

Working with Jason Schmelzer and Priscilla Quiroz of Shaw Yoder Antwih Schmelzer and Lange (our contract lobbyist in Sacramento), we are tracking and contributing input on priority bills throughout the legislative process.

StopWaste bill positions include:

Support: Support positions can range from signing on to joint support letters, submitting our own, testifying in committees, and/or providing input on bill language

Support If Amended: Letters of support with recommended amendments

Oppose: Opposition

Watch: Indicates that bill language and details are still evolving and we will continue to watch and provide input and take a support/oppose position where appropriate

At its March 2022 meeting, the WMA Board considered positions on 25 bills outlined in [the March board memo](#).

SUMMARY OF NEW BILLS AND UPDATED STOPWASTE BILL POSITIONS:

Plastic Pollution Prevention

***NEW [AB 1724 \(Stone\) State-owned Washing Machines: Microfiber Filtration](#)**

This bill requires all state-owned washing machines to contain a microfiber filtration system with a mesh size of 100 microns or smaller. No local government fiscal impact expected.

Agency position: Support

Sponsor/Support: Californians Against Waste (CAW), California Product Stewardship Council (CPSC), Plastic Pollution Coalition

Opposition: Association of Home Appliance Manufacturers, Coin Laundry Association

Climate/Energy

***NEW** [AB 2446 \(Holden\) Embodied carbon emissions: construction materials](#)

This bill requires the California Energy Commission (CEC), in consultation with the California Air Resources Board (ARB), to develop a framework for measuring and reducing the carbon dioxide or emissions related to or caused by the construction of new buildings, and to achieve an 80% net reduction in the carbon intensity of construction and materials used in new construction by 2045, as compared to 2020 levels, with specified interim goals. No local government fiscal impact expected.

Agency position: Support

Sponsored: The Climate Project, US Green Building Council, Carbon Cure

Opposition: Building Owners and Managers Association of CA, CA Apartment Association, CA Building Industry Association, CA Building Officials, CA Business Properties Association.

***Revised position** [SB 1393 \(Archuleta\) Energy: appliances: local requirements.](#)

This bill would require a city or county to consider guidance from the California Energy Commission (CEC) on building electrification when adopting ordinances that require electrification of existing buildings. No local government fiscal impact expected.

Agency position: Oppose As written, SB 1393 will make it more difficult for jurisdictions to electrify buildings

Support: California Association of Realtors, California Building Industry Association, California Business Properties Association, California State Pipe Trades Council Coalition of California Utility Employees

Opposition: Building Electrification Institute, California Community Choice Association, California State Association of Counties, League of California Cities, Natural Resources Defense Council

Extended Producer Responsibility (EPR)/Circular Economy

***NEW** [SB 1013 \(Atkins\) Beverage container recycling: reports: electronic submittal: wine and distilled spirits.](#)

This bill would add wine and distilled spirits to the Beverage Container Recycling Program (BCRP) and make other changes to the program. To distinguish this bill from AB 2779, this one addresses all types of containers, not just aluminum cans. No local government fiscal impact expected.

Agency position: Support

Support: California Teamsters Public Affairs Council, Californians Against Waste (CAW), Heal the Bay,

National Stewardship Action Council (NSAC), Plastic Pollution Coalition, Republic Services - Western Region

Opposition: None listed.

RECOMMENDATION:

Adopt updated positions on the bills listed above.

**June 2022 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	9 9:00 A.M. Programs & Administration Committee Key Items: 1. Election of P&A Chair and Vice Chair 2. Materials Flow Map <hr/> 4:00 P.M. Planning Committee & Recycling Board Key Items: 1. StopWaste Efficiency Awards	10	11
12	13	14	15	16	17	18
19	20	21	22 3:00 P.M. Waste Management Authority & Energy Council Key Items: 1. BayREN contract amendment 2. Election of officers WMA 3. Election of Officers EC 4. Reappoint Kalb to RB 5. HHW Fee adoption 6. ED Employment Agreement/Contract 7. Altamont Property update	23	24	25
26	27	28	29	30		

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Energy Council
TECHNICAL ADVISORY GROUP (TAG)
Tuesday, May 17, 2022 – 1:00 pm to 3:00 pm

Attendance (all via phone):

Alameda County: Emily Sadigh
City of Alameda: Danielle Mieler, Yushi Chen (Fellow)
City of Albany: Michelle Plouse, Lizzie Carrade, Johnny Menhennet (Fellow)
City of Berkeley: Billi Romain, Sarah Moore
City of Dublin: Shannan Young
City of Emeryville: Nancy Humphrey
City of Fremont: Rachel DiFranco
City of Hayward: Erik Pearson, Nicole Grucky, Carolyn Weisman (Fellow)
City of Livermore: Tricia Pontau
City of Newark: Jim Scanlin
City of Oakland: Shayna Hirshfield-Gold, Nick Kordesch, Jeffrey Wong, Carmen Lopez (Fellow)
City of Piedmont: Annie Wensley (Fellow)
City of San Leandro: Hoi-Fei Mok
City of Union City: Brandon DeLucas
StopWaste: Jennifer West, Emily Alvarez, Chris Hunter, Miya Kitahara, Ben Cooper, Wes Sullens, Alma Freeman, Robin Plutchok, Imma Dela Cruz
EBCE: Cait Cady

Welcome and Intros

Ask TAG

- California Green Cities Convening was last week
 - Erik Pearson, Hayward, provided a summary of the convening. Three high-ranking officials at statewide agencies attended to provide updates. There were also opportunities for cities to network, share updates, and visit a [Transformative Climate Communities site in Oakland](#).
 - Suggestion to invite Craig Segall, Deputy Executive Officer at CARB to a future TAG meeting to discuss the future of GHG inventories and CARB Scoping Plan.
- SB 1393: Would require a local gov't that is passing an electrification code/resolution to prove they have followed the guidance from the CEC (which is more than currently required for reach codes)
 - Builds on SB 68, passed last year, that required CEC to develop guidance for electrification
 - Currently, cost-effectiveness is not required for gas bans if they don't consider energy efficiency
 - The Board will consider a position on this legislation on 5/25/22

Working with Community Organizations – Nicole Grucky, Hayward

- CEHEP - California Equitable Home Electrification Program
 - Created by RMI and Emerald Cities Collaborative, this 9-month workshop series for local governments and CBOs examines co-creation of equitable electrification for existing homes
 - RMI and ECC provided:
 - Ecosystem mapping to help municipalities identify priority equity-oriented community partners. Provided \$6K to chosen CBO. Hayward selected Local Clean Energy Alliance (LCEA).
 - Existing building inventory & Cost analysis tool
 - Partnership with LCEA:
 - Goal setting, stakeholder mapping, identifying target groups for outreach

- Narrowed focus to renters, residents with high energy burden
- Found that 60% of residents speak a language other than English at home, and 21% speak English “less than well”
- Challenge to build relationships with a local CBO whose staff/members primarily speak a language other than English
- Takeaways: Relationship building takes time and must happen before policy development. This effort helps us on our way.

Budget Presentation – Alma Freeman, StopWaste

- Presented draft budget to recycling board last month. Going to WMA and Energy Council on May 25th for approval of final budget.
- StopWaste has total annual revenue of \$33.4 million
 - \$11.4 mil discretionary/core revenue
- Goals: Upstream waste prevention, Circular economy solutions, Healthy community and ecosystems
- Programmatic themes:
 - Upstream waste prevention
 - Member agency support: Continuation of SB 1383 Support, Convening and networking through TAC, TAG, Recycling Markets Network, Waste characterization study
 - Community engagement
 - Energy & Health: BayREN, HPWHs, Healthy Homes Initiative, EV charging infrastructure
 - Compost & Land
 - Circular Economy Solutions: Market development, Incubating solutions through grants, Rethinking construction industry practices and materials with U.S. EDA Build Back Better Grant
 - Planning & Administration
- Strategic One-time investments
 - Plastic pollution and waste reduction through grants and Technical Assistance (TA) to incentives for reusables
 - Grants to nonprofits and businesses addressing food insecurity, food recovery and donation
 - Waste characterization study, gather data on levels of contamination throughout county
 - Circular business economy
- Why are clean energy and renewables not mentioned in draft budget?
 - We do not have a direct mandate from the Energy Council to work on clean energy generation, and much of the Energy Council work is externally funded limiting budget for renewables. EBCE is focused on clean energy and we work closely together.
- How is the Agency addressing water?
 - Water conservation has typically been addressed through compost and landscape programs

CALGreen Update – Wes Sullens, StopWaste

- Upcoming changes:
 - 1/1/23: 2022 building code will be effective, adopted standards will be published in July 2022
 - Jurisdictions need to re-adopt reach codes passed under previous code cycle
 - Major changes in CALGreen: increased EV charging requirements (res and non-res) and low VOC (volatile organic compounds) insulation and acoustical materials (non-res)
- Survey was sent to building/planning staff who implement and enforce CALGreen (9 of 15 jurisdictions responded so far)
 - A lot of CALGreen work is done in-house (mostly inspections and other reviews) but most plan check is contracted out or a mix of in-house and contracted out
 - Building departments are mostly responsible for reviewing compliance
 - Many feel CALGreen does match their sustainability goals, but may not demonstrate value in practice, likely due to enforcement

- Desire expressed to simplify CALGreen language and move parts of code into trade-specific sections, many do not want to expand what is covered
- CALGreen is somewhat disconnected from codes like fire which deal with more traditional health and safety. CALGreen addresses climate change which is also health and safety, but at a global/community scale.
- Staff does not find plan check very difficult
- Advocacy plans
 - More survey responses encouraged! Can be more than one per jurisdiction.
 - StopWaste would like to share findings with state agencies and provide perspectives during future CALGreen code development
 - StopWaste is participating in State coordinated CALGreen Carbon Reduction Collaborative and will represent member agencies. This group will recommend updates for consideration with 2022 intervening code adoption cycle (July 2024). On the CCRC there is little local government representation, as it is mostly industry associations and trades, but the public is encouraged to participate.
 - Suggestions for future priority areas: embodied carbon, refrigerants, training tools, legislation, implementation assistance.
- Reach codes: Are jurisdictions considering adopting reach codes or CALGreen tiers? Discussion.

Survey on Staffing and Budgets – Miya Kitahara, StopWaste

- Survey distributed to TAG members on staffing: 7 of 15 responded; Variability on what jurisdictions consider a climate or sustainability staff position
- Wide range of classification of staff and number who work on climate, which was normalized by population and budget. There is a fixed minimum number full time employee needed to do this work
- Multiple funding sources included general fund, but also grants, fees, taxes, etc.
- 5 jurisdictions listed 1 department, but a few listed 2-4, some include a part of director-level positions
- How can we align or integrate goals and work? Align our key performance indicators (KPIs).
- What are performance measures or obligations that other departments set? How can we align more? Look for places where they conflict with one another and resolve.

Announcements

- Board meeting - Meeting of WMA & EC & Recycling Board May 25, 2022 at 3:00 pm - budget adoption