

Dianne Martinez, **WMA President**  
City of Emeryville, WMA, EC

Bob Carling, **WMA 1<sup>st</sup> Vice President**  
City of Livermore, WMA, EC

Jaime Patiño, **WMA 2<sup>nd</sup> Vice President**  
City of Union City, WMA, EC

Jack Balch, **EC President**  
City of Pleasanton, WMA, EC

Preston Jordan, **EC 1<sup>st</sup> Vice President**  
City of Albany, WMA, EC

David Haubert, **EC 2<sup>nd</sup> Vice President**  
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 Zermeño, City of Hayward, WMA, EC

Michael Hannon, City of Newark, WMA, EC

Dan Kalb, City of Oakland, WMA, EC

Shelia Young, Oro Loma Sanitary District, WMA

Jen Cavanaugh, City of Piedmont, WMA, EC

Deborah Cox, City of San Leandro, WMA, EC

Timothy Burroughs, Executive Director

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

**Wednesday, July 27, 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 897 3525 1018
2. Using the [Zoom](#) website or App and entering meeting code 897 3525 1018

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, July 27, 2022. The public may also comment during the meeting by sending an e-mail to [publiccomment@stopwaste.org](mailto: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**

- |          |  |
|----------|--|
| <b>1</b> | <b>1. Approval of the Draft WMA &amp; EC Minutes of June 22, 2022</b>  |
| <b>5</b> | <b>2. Resolution regarding meeting via teleconference to promote social distancing, pursuant to AB 361</b><br>Adopt Resolution WMA# 2022-11. |
| <b>9</b> | <b>3. Resolution regarding meeting via teleconference to promote social distancing, pursuant to AB 361</b><br>Adopt Resolution EC# 2022-10.  |

### **VI. REGULAR CALENDAR**

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|-----------|--|
| <b>13</b> | <b>1. Altamont Property History and Revenue Summary (Kelly Schoonmaker)</b><br>This item is for information only.  |
| <b>25</b> | <b>2. Legislative Update on SB 54 – The Plastic Pollution Prevention and Packaging Producer Responsibility Act (Jennifer West)</b><br>This item is for information only.   |
|           | <b>3. Interim appointment(s) to the Recycling Board for WMA appointee unable to attend future Board Meeting(s) (Arliss Dunn)</b><br>(The Planning Committee/Recycling Board meeting on Thursday, August 11, 2022 at 4:00 p.m. and Thursday, September 8, 2022 at 6:00 p.m. The meetings will be held via teleconference) |

### **VII. MEMBER COMMENTS AND COMMUNICATIONS FROM THE EXECUTIVE DIRECTOR**

### **VIII. ADJOURNMENT – to September 28, 2022 at 3:00 P.M.**

**DRAFT**

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

**Wednesday, June 22, 2022**

**3:00 P.M.**

**TELECONFERENCE MEETING**

**I. CALL TO ORDER**

President Young called the meeting to order at 3:00 p.m. Timothy Burroughs explained the process that would be utilized during the meeting. A link to the process is available here: [Virtual-Meetings- Instructions](#)

**II. ROLL CALL OF ATTENDANCE**

**WMA, EC & RB**

County of Alameda	David Haubert, WMA, EC
City of Alameda	Trish Herrera Spencer, WMA, EC
City of Albany	Preston Jordan, WMA, EC
City of Berkeley	Susan Wengraf, WMA, EC
Castro Valley Sanitary District	Dave Sadoff, WMA
City of Dublin	Melissa Hernandez, WMA, EC
City of Emeryville	Dianne Martinez, WMA, EC
City of Fremont	Jenny Kassan, WMA, EC
City of Hayward	Sara Lamnin, WMA, EC (alternate)
City of Newark	Mike Hannon, WMA, EC
City of Oakland	Dan Kalb, WMA, EC (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
City of Union City	Jaime Patiño, WMA, EC

**Absent**

City of Livermore	Bob Carling, WMA, EC
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**Staff Participating**

Timothy Burroughs, Executive Director  
Pat Cabrera, Administrative Services Director  
Jeff Becerra, Communications Manager  
Justin Lehrer, Operations Manager  
Emily Alvarez, Program Manager  
Nisha Patel, Management Analyst  
Arliss Dunn, Clerk of the Board  
Adrienne Ramirez, Assistant Clerk of the Board  
Richard Taylor, WMA Legal Counsel

**Others Participating**

Bruce Fritz, Alameda County Department of Environmental Health, HHW Division

## **DRAFT**

Rudolf Labaniego, Alameda County Department of Environmental Health, HHW Division  
Ken Pianin, Solid Waste Manager, City of Fremont

### **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 May 25, 2022**
- 2. Resolution regarding meeting via teleconference to promote social distancing, pursuant to AB 361**  
Adopt Resolution WMA# 2022-09.
- 3. Resolution regarding meeting via teleconference to promote social distancing, pursuant to AB 361**  
Adopt Resolution EC# 2022-08.

- 4. BayREN Contract Amendment and Extension**

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.

There were no public comments for the Consent Calendar. Board member Jordan moved approval of the Consent Calendar and Board member Martinez seconded. The motion carried 13-0 (WMA) and 13-0 (EC): The Clerk called the roll:

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

### **VI. REGULAR CALENDAR**

- 1. Executive Director Contract Amendment (Shelia Young, WMA President)**

That the Waste Management Authority Board amend the Executive Director Employment Agreement.

President Young presented the staff report. President Young stated that the Board discussed the Executive Director contract at the May meeting and based on his outstanding performance, the Executive Director Evaluation Committee (Board Members Carling, Cox, Martinez, and Young) recommends approval of the amendment to Mr. Burroughs' Employment Agreement which includes a 5.2% salary increase based on CPI, effective the first pay period for FY 2022-23. Board members thanked Mr. Burroughs for his leadership.

Board member Wengraf moved approval of the Executive Director Contract Amendment and Board member Hernandez seconded. The motion carried 15-0. The Clerk called the roll:

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

- 2. Public Hearing and Annual Adoption of Fee Collection Report for Household Hazardous Waste Fee (Pat Cabrera)**

That the WMA Board hold a public hearing on the Fee Collection Report and approve by resolution the Fee Collection Report for FY 2022-23.

Pat Cabrera provided an overview of the staff report. A link to the report is available here: [HHW-Fee-Collection-Memo.pdf](#). Bruce Fritz and Rudolf Labaniego, Alameda County HHW, and Ken Pianin, City of Fremont, were available to answer questions. Additional time was provided to the Board for discussion and clarifying questions. An audio link is available here: [HHW-Fee-Collection-Discussion](#). Board member Sadoff asked if there was a need to consider a mid-course correction to the fee. Ms. Cabrera stated that the forecast is on point and there were no changes needed at this time. The Board reviews the fee every five years. Board member Hannon inquired about how the offsite event locations are determined. Bruce Fritz stated that to expand public access to services, offsite events are held in cities that are farthest away from the HHW facilities. Board member Hannon requested that staff schedule a future conversation with the Board to discuss any opportunities to provide additional services to residents.

President Young opened the public hearing. There were no public comments and the public hearing was closed. Board member Cox moved approval of the staff recommendation and Board member Balch seconded. The motion carried 19-0. The Clerk called the roll:

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

### **3. Reappointment to the Recycling Board – Board member Kalb (Timothy Burroughs)**

That the Waste Management Authority Board reappoint Board member Kalb to a two-year term on the Recycling Board ending June 24, 2024.

President Young introduced the item. There were no public comments on this item. Board member Patiño moved approval of the staff recommendation and Board member Jordan seconded. The motion carried 19-0. The Clerk of the Board called roll.

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

### **4. Election of WMA Officers for Fiscal Year 2022-23 (Timothy Burroughs)**

Staff recommends that the WMA Board elect officers for Fiscal Year 2022-23.

Timothy Burroughs introduced the item. President Young opened the floor for nominations. Board member Martinez nominated Board member Patiño for 2<sup>nd</sup> Vice President and Board member Hannon seconded the nomination. President Young made a substitute motion to nominate a slate of officers: 1<sup>st</sup> VP Martinez as President, 2<sup>nd</sup> VP Carling as 1<sup>st</sup> Vice President, and Board member Patiño as 2<sup>nd</sup> Vice President. There was no objection to the substitute motion and by a vote of 19-0 the slate of officers was approved. There were no public comments for this item. The Clerk called the roll:

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

### **5. Election of EC Officers for Fiscal Year 2022-23 (Timothy Burroughs)**

Staff recommends that the Energy Council elect officers for Fiscal Year 2022-23.

EC President Kalb introduced the item. Board member Martinez nominated Board member Balch as President, Board member Jordan as 1<sup>st</sup> Vice-President, and Board member Haubert as 2<sup>nd</sup> Vice-President. Board member Jordan seconded and the motion carried 19-0. There were no public comments for this item. The Clerk called roll.

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

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

(The Planning Committee/Recycling Board meeting on Thursday, July 14, 2022 at 6:00 p.m. The meeting will be held via teleconference).

There were no requests for an interim appointment and no action required for this item.

**VII. MEMBER COMMENTS AND COMMUNICATIONS FROM THE EXECUTIVE DIRECTOR**

Board member Cox notified the Board that she would not be attending the July 27 meeting. Incoming President Martinez notified the Board that she would not seek re-election to the Emeryville Council and will serve as WMA President through December. Board member Lamnin stated that she also will not seek re-election to the Hayward City Council and enjoyed serving on the StopWaste Board. Board members thanked outgoing President Young for her leadership and extended congratulations to the incoming officers. Outgoing President Young commented that she will seek re-election to the Oro Loma Sanitary District Board in November and if successful will have served 20 years on the StopWaste Board. Incoming 2<sup>nd</sup> VP Patiño thanked the Board for their confidence in his election as 2<sup>nd</sup> VP.

Mr. Burroughs announced that the upcoming monthly Topic Brief highlights the StopWaste Efficiency Awardees. A link is available here: [2022-StopWaste-Efficiency-Awards.pdf](#). Mr. Burroughs announced that Jeff Becerra, StopWaste Communications Manager, is retiring at the end of June. Board members thanked Mr. Becerra for his commitment to the agency and extended best wishes on his retirement. Mr. Becerra thanked the Board for its commitment and support of the agency and stated that although leaving StopWaste, he will continue to focus on issues of sustainability.

Board member Balch invited everyone to support the Alameda County Fair in Pleasanton, June 17-July 10.

**VIII. ADJOURNMENT – to July 27, 2022 at 3:00 P.M.**

The meeting adjourned at 3:52 p.m.



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**DATE:** July 27, 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

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## **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 July 27, 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 2022-11.

**ALAMEDA COUNTY WASTE MANAGEMENT AUTHORITY  
RESOLUTION #WMA 2022- 11**

**MOVED:  
SECONDED:**

**AT THE MEETING HELD JULY 27, 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 27<sup>th</sup> day of July 2022 by the following vote:**

**AYES:**

**NOES:**

**ABTAIN:**

**ABSENT:**

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**Arliss Dunn, Clerk of the Board**

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**DATE:** July 27, 2022

**TO:** Energy Council

**FROM:** Timothy Burroughs, Executive Director

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

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## **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 July 27, 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 2022-10.

**ENERGY COUNCIL  
RESOLUTION #EC 2022 – 10  
MOVED:  
SECONDED:**

**AT THE MEETING HELD JULY 27, 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 27<sup>nd</sup> day of July 2022 by the following vote:**

**AYES:**

**NOES:**

**ABTAIN:**

**ABSENT:**

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**Arliss Dunn, Clerk of the Board**

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**DATE:** July 27, 2022

**TO:** Waste Management Authority Board

**FROM:** Kelly Schoonmaker, Program Manager

**SUBJECT:** Altamont Property History and Revenue Summary

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## **SUMMARY**

The Waste Management Authority owns 1,600 acres of rangeland property in the Altamont Hills in unincorporated Alameda County ("Property"). At the July 27 WMA meeting, staff will provide some background on the acquisition of the Property, followed by an overview of the activities that take place there, and a summary of the Property's revenue and expenses.

## **DISCUSSION**

In 1985, the Solid Waste Management Authority passed resolution No 78 (attached), amending the County Solid Waste Management Plan (now County Integrated Waste Management Plan, or ColWMP) to allow the import and disposal of 15 million tons of waste beginning in 1988 from San Francisco at the Altamont Sanitary Landfill. Acknowledging that the import of San Francisco waste to Altamont would reduce the capacity available to Alameda County jurisdictions, the Board resolved that "the initial priority for mitigation shall be to acquire, in public ownership, reserve landfill capacity sufficient to serve the needs of all Alameda County jurisdictions for a minimum 50-year continuous period." [ACSWMA Resolution 78, Section II (24)]

In 1987, having received its first waste Import Mitigation Fee payments, the WMA initiated planning studies, which began with a landfill site selection study and programmatic Environmental Impact Report (EIR) to identify potential locations that would be suitable to meet the WMA's policy for reserve landfill capacity. The study determined the general area south of I-580 in the Altamont Hills to be the most suitable. The WMA then began a complex property appraisal and evaluation program, selecting a potential site to purchase. An analysis to determine the suitability of the parcel found no insurmountable barriers to development, but identified some constraints that would limit development at the site. The WMA purchased the parcel and acquired adjacent parcels to reduce the constraints on development. From 1993-1994, six separate parcels were purchased from voluntary sellers.

Also during this time, the WMA developed a conceptual plan and programmatic EIR for an Integrated Waste Management Facility at the site as a strategy to preserve capacity by diverting material from landfill. The plan and EIR included a greenwaste/biosolids composting facility as a short- to medium-term activity. The WMA applied to the County of Alameda for a Conditional Use Permit (CUP) for the composting facility, which was approved by County Zoning, appealed by local residents, and ultimately

denied by the Board of Supervisors. The study also took a closer look at potential landfill sites for the long term, identifying three canyon-type sites at the Property. The EIR found that additional parcels may need to be acquired to develop the preferred site to provide adequate buffer and guarantee 50 years of capacity.

By the early 2000s, concern over the need for publicly owned landfill capacity had significantly decreased. At that time, the WMA, along with Alameda County city managers, concluded that it would be in the long-term best interest of the Authority to maintain reserve landfill capacity in public ownership to continue to have leverage over prices at privately owned landfills and to provide protection against restrictions on the development of private landfills. If landfill capacity is needed, the Property provides a long-term option to develop or sell at that time. The WMA has not proposed to develop a landfill and has not authorized any environmental documentation, engineering design or permit application for a landfill at the site. Meanwhile, the Property provides an opportunity to engage in activities that align with Agency goals and provide benefits to member agencies, while providing a stable source of revenue. Current activities include a wind power easement, a conservation easement, a grazing license, several telecommunications lessees, and carbon farming.

### **Revenue and Expenses**

While the property was not acquired with the intention of generating revenue, it provides a stable revenue source of roughly \$600,000/year, with about 60-70 percent of that coming from wind. Additional sources include telecommunications leases, grazing licenses, and a residential tenant. The Property has paid for itself two times over, with the revenue generating an average annualized rate of return of 6-7 percent.

Over the years, staff have worked to create efficiencies in how the property is managed. Examples include adopting policies and an ordinance to simplify lease agreements and reducing the number of grazing licenses. As a result, the administrative expense of managing the Property is a relatively low burden (average 0.25 full time employee).

Hard costs also vary depending on the activities taking place, averaging about 8 percent of the total revenue. Typical hard costs are maintenance, legal, mileage for site visits, and other services. Large projects include the restoration of the Victorian farmhouse, fencing replacement, wind studies, biological monitoring, negotiation of new wind easement and conservation easement agreements, and livestock water improvements.

Staff will provide more detail on revenue and expenditures during the presentation.

### **RECOMMENDATION**

This item is for information only.

Attachment: ACSWMA Resolution 78 (adopted by WMA Board in 1985)



ALAMEDA COUNTY SOLID WASTE MANAGEMENT AUTHORITY  
RESOLUTION NO. 78  
AT MEETING OF DECEMBER 18, 1985

MOVED BY LAYTHON LANDIS  
SECONDED BY LOUIS CORTEZ

WHEREAS the Alameda County Solid Waste Management Authority Plan dated October, 1981 was most recently amended May 23, 1984; and

WHEREAS Oakland Scavenger Company has requested an Amendment to said plan to permit import and disposal not to exceed 15 million tons of City and County of San Francisco municipal solid waste in an uninterrupted flow to begin November 1, 1988, and import and disposal of up to 130,000 tons per year of San Francisco municipal wastewater treatment sludge in conjunction with disposal of San Francisco municipal solid waste, at the Altamont Sanitary Landfill; and

WHEREAS the Authority determined at the January 26, 1983 meeting date that said amendment was not in conformance with the adopted Alameda County Solid Waste Management Plan, May 23, 1984; and

WHEREAS the Environmental Impact Report for the Altamont Landfill adopted in 1976 was considered in preparation of the Initial Study for this application and significant impacts identified therein have been mitigated through permits and agreements between Oakland Scavenger Company and responsible federal, state, regional or local agencies as they pertain to the Altamont Sanitary Landfill, and all impacts identified in the October 8, 1985 Initial Study have been mitigated by agreement of Oakland Scavenger Company; and

WHEREAS this amendment to import waste for disposal in Alameda County was considered after clear evidence was presented demonstrating that long term capacity exists in the landfills for Alameda County and that the mitigation fees provided are sufficient to acquire additional capacity.

WHEREAS this Authority held a duly noticed public hearing on March 27, 1985, continued said hearing from time to time to December 18, 1985, to consider said amendment to the plan at which times all interested parties were heard on the plan amendment and the proposal to adopt a Negative Declaration;  
NOW THEREFORE:

BE IT RESOLVED that a Negative Declaration has been prepared in accordance with California Environmental Quality Act and State and local EIR Guidelines for the subject plan amendment, and this Authority has considered said Negative Declaration adopted by Resolution No. 77, December 18, 1985 in conjunction with this plan amendment; and

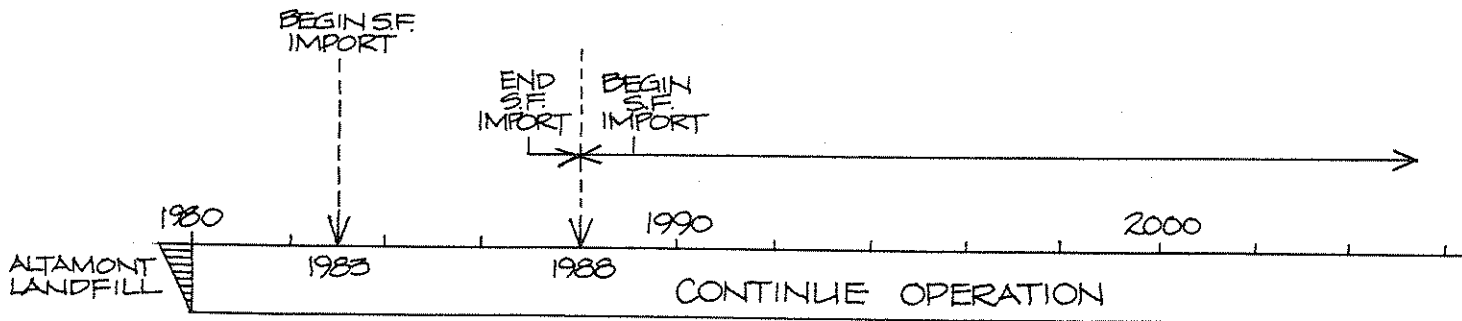
BE IT FURTHER RESOLVED that this Authority does approve said amendment to the County Solid Waste Management Plan as follows:

I. Changes to the plan text:

Chapter 4

Page 4-3 "Solid Waste System in Alameda County", following paragraph two, insert the following language:

"Import and disposal of all of the municipal solid waste generated only in the City and County of San Francisco to be disposed by sanitary landfilling at Altamont Sanitary Landfill shall not exceed 15 million tons in total or the annual limit as specified by this Plan. Uninterruptible flow to begin November 1, 1988. Import and disposal at Altamont Sanitary Landfill of up to 130,000 tons per year of San Francisco wastewater treatment sludge in conjunction with disposal of San Francisco municipal solid waste. Importation and disposal of San Francisco municipal solid waste and sludge shall be in accord with the terms of this Plan. In the event that San Francisco municipal solid waste is processed at a waste-to-energy plant prior to disposal at Altamont Landfill, all nonprocessibles and process residues generated from San Francisco municipal solid waste shall be disposed at Altamont Landfill until the total of 15 million tons is reached."



Note: Plan amended to permit S.F. to Altamont import December 18, 1985.

Appendix D, Table D-1, page D-3 add to footnote i:

"Import of San Francisco waste to Altamont will reduce the capacity accordingly".

Note: (not included in text) Table D-1 will be revised when entire plan is amended.

Note also that no change will be made at the present time to Table D-2 "Construction/Demolition Wastes" regarding San Francisco imports since it states that Altamont is "not yet operating". Any change would require the entire table to be changed. Corrections will be made during the next three-year plan amendment.

Table D-5, Page D-9, add a footnote "1", next to "Oakland Scavenger Company" column heading with the following footnote:

"1 - Does not include 15 million tons imported from San Francisco (See Table D-1)."

II. The following conditions mitigate impacts identified in the Initial Study and Negative Declaration. The Conditions are part of this Plan and are to be included in the contract between Oakland Scavenger Company and San Francisco and shall be included in the County Solid Waste Facilities permit:

- (1) No hazardous waste as defined in Health and Safety Code Section 25117 and regulations promulgated thereunder by the Department of Health Services, including changes to the statutory and regulatory definitions during the period of importation, shall be accepted at Altamont from San Francisco.
- (2) To minimize potential traffic impacts, tank trucks transporting municipal wastewater treatment sludge shall be limited to no more than 30 round trips per day with a limit of 8 tank truck round trips between 7 a.m. and 9 a.m. and the same number between 4 p.m. and 6 p.m. on Alameda County roads or highways. These numbers may be exceeded in the time of emergency as defined in the Alameda County Solid Waste Management Contingency Plan.
- (3) To minimize potential traffic impacts, the number of transfer truck round trips per day shall not exceed the daily transfer truck limit, which shall be calculated each calendar year by the Authority in the following manner:

$$\text{Daily transfer truck limit} = \frac{A}{D \times P} \times 1.25$$

Where: A = annual solid waste tonnage limit for the current year, as calculated pursuant to #7, below.

D = delivery days per year, or 260, whichever is greater.

P = transfer truck payload, in tons, or 25, whichever is greater.

In addition, there shall be a limit of 15 transfer truck round trips between 7 a.m. and 9 a.m. and the same number between 4 p.m. and 6 p.m. on Alameda County roads or highways.

These numbers may be exceeded in time of emergency as defined in the Alameda County Solid Waste Management Contingency Plan.

- (4) Necessary roadway improvements and maintenance to Altamont Pass Road, other county roads or city streets, and other traffic impacts resulting from the effects of truck traffic from San Francisco, shall be made by County of Alameda. The extent and cost of said improvements shall be determined by the Alameda County Public Works Agency. All costs, attributable to San Francisco vehicles, shall be paid out of mitigation fees collected from San Francisco.
- (5) San Francisco municipal solid waste, ash or wastewater treatment sludge shall not be accepted at any solid waste facility in Alameda County other than Altamont Sanitary Landfill except as provided in the Alameda County Solid Waste Management Contingency Plan.
- (6) There shall be no assignment, trade, sale or any other creation of an interest by San Francisco in its capacity at the Altamont Sanitary Landfill to any other public agency or private party.
- (7) The annual tonnage limit for municipal solid waste shall mean the upper limit on the weight of municipal solid waste to be delivered by San Francisco to Altamont Sanitary Landfill during a given calendar year.

The annual tonnage limit shall be determined by Authority in the following manner:

- a) Each year, San Francisco shall provide Authority with data giving the weight of municipal solid waste generated in San Francisco and disposed through the San Francisco transfer station for each of the preceding ten (10) calendar years.

- c) The resulting average annual increase shall be applied to the weight of municipal solid waste generated in San Francisco, plus ten percent (10%), during the immediately preceding year.

This is summarized in the formula:

$$\text{Annual tonnage limit} = (W + 0.10W) \times (1 + A)$$

where W = weight generated during the immediately preceding calendar year

A = average annual increase, expressed as a decimal

- (10) San Francisco and Combustion Engineering, Inc. (CE) have been working to develop a regional waste-to-energy facility in the Bay Area. Such a facility would provide an important energy resource, reduce the depletion of Bay Area landfills, and effect economies in the ultimate cost of regional solid waste disposal.

It is in the best interest of San Francisco and Authority to cooperate to encourage and facilitate CE's or any other public or private entity's assessment of the feasibility of locating such a regional facility at Altamont, including an equitable comparison of the Altamont site with other probable candidate sites in the Bay Area.

It is a priority goal of Authority and San Francisco to locate a regional waste-to-energy facility at Altamont, if cost effective to each and both parties. Authority and San Francisco pledge commitment of information, resources, and personnel, as available, to cooperate between each party and with CE to pursue the mutually beneficial goal to establish a cost effective regional waste-to-energy facility for use by San Francisco and Alameda county at Altamont.

Authority and San Francisco recognize that such regional waste-to-energy facility will require an amendment to the County Solid Waste Management Plan in order to locate a facility in Alameda County. Such Plan Amendment would be separate and apart from the amendment to permit importation of municipal solid waste and wastewater treatment sludge for disposal under the terms of the present proposal. In the event of construction and operation of a waste-to-energy plant for S.F. waste, non-processibles and residuals and permitted ash of S.F. waste only will be permitted as import to Altamont Sanitary Landfill site per condition (17).

- (11) Wastewater treatment sludge shall be defined as "stabilized wastewater treatment plant sewage sludge containing no more than eighty per cent (80%) moisture by weight on an annual average basis" or as defined by regulatory agencies. For purposes of incorporation of wastewater treatment sludge in municipal solid waste, disposal of San Francisco wastewater treatment sludge shall be limited by the extent that San Francisco municipal solid waste can absorb it in accord with specification of regulatory agencies.

Wastewater treatment sludge generated in Alameda county shall have priority over wastewater treatment sludge generated in any other county; therefore, disposal of San Francisco wastewater treatment sludge may be further limited if necessary to allow disposal of Alameda County wastewater treatment sludge. In the event that Authority exercises its rights of first priority, and such exercise precludes or may preclude San Francisco from using the Altamont for the wastewater treatment sludge tonnage listed herein, the Authority shall give San Francisco notice one year in advance of such action.

- (12) For purpose of incorporation of wastewater treatment sludge in municipal solid waste, disposal of San Francisco wastewater treatment sludge shall only be permitted as determined by regulatory agencies in conjunction with disposal of municipal solid waste from San Francisco, at a minimum solids-to-liquids ratio as determined by regulatory agencies. This ratio shall be maintained on a day-by-day basis.

- (13) San Francisco shall agree to pay or have payments made to the Alameda County Solid Waste Management Authority a mitigation fee of \$3.50 per ton plus an inflation factor as set forth in Exhibit A to be adjusted one year after payment of the 2 million dollar (\$2,000,000) initial option money to cover project costs relating to traffic impacts (see no. 4 above), depletion of landfill capacity, and environmental impacts. Initial payment shall be \$2,000,000 to be paid upon the effective dates of approval by local, regional, State and Federal approval and permitting agencies and the signing of the contract between OSC and San Francisco and the signing of the contract between San Francisco and the Authority, with \$1,000,000 annually for a period of six years thereafter. Said \$8,000,000 is a credit which shall be reduced by the \$3.50/ton for each ton of waste disposed; when such reduction equals \$8,000,000, the City shall thereafter pay the per ton mitigation fee on a monthly basis.
- (14) Oakland Scavenger Company (OSC) agrees to pursue an evaluation of the feasibility of a waste-to-energy plant or other resource recovery facility deemed acceptable by the Authority. OSC to submit a signed contract for a consultant's report within 6 months of the date all permits and contracts are in place. The components and timelines in the consultant's contract to be approved by the Authority. The consultant's report to be completed one year after signing of the consultant's contract.
- (15) Oakland Scavenger Company shall exercise good faith in attempting to achieve an operating waste-to-energy plant within 15 years of the date all permits and contracts are in place, in Alameda County, to serve jurisdictions that use Altamont Sanitary Landfill. OSC's good faith shall not be affected if public agencies refuse to grant necessary approvals or if factors such as changes in state or federal law prevent development of such a facility.
- (16) If after 15 years there is no such operating plant, the Authority shall determine whether OSC has exercised good faith in pursuing development of such a facility, even though not successful. If the Authority finds that OSC has exercised good faith, the total tonnage imported under the plan amendment shall remain 15 million tons. If the Authority determines that OSC has not exercised good faith, the limit of 15 million tons of municipal solid waste under this plan amendment shall be reduced to 12.5 million tons of municipal solid waste.
- (17) Only waste generated in San Francisco shall be imported to Alameda County. Nonprocessable material, residuals and permitted ash from a San Francisco waste-to-energy plant may be imported at a ratio according with generation of San Francisco municipal solid waste.

- (18) Oakland Scavenger Company to study the means necessary to protect Altamont landfill from incompatible land use development on adjacent lands and to present a completed report on this matter to the Authority within 18 months of the date all permits and contracts are in place. An annual report shall be presented to the Authority thereafter on the status of implementing the plan.
- (19) Authority shall prepare and approve a schedule for a plan for resource recovery for the Alameda County portion of Oakland Scavenger disposal operation, including but not limited to recycling and curbside collection, with alternatives available and costs. Plan to be completed within 18 months of the date all permits and contracts are in place. The program and economics shall be subject to approval by member agencies. The program shall be consistent with terms and conditions applicable to all permits for existing waste management facilities. The program shall be compatible with all countywide resource recovery programs including waste-to-energy plants and shall work to achieve the goals contained in the County Solid Waste Management Plan as may be amended by the Authority from time to time.
- (20) Oakland Scavenger Company shall submit a progress report annually to the Authority commencing one year after all permits and contracts are in place, in accord with all approved schedules, concerning all conditions of the plan amendment. This includes progress toward a recycling, curbside collection, or other project in accord with the Authority prepared and approved plan. Progress toward a waste-to-energy facility to be included in progress report.
- (21) It is understood by the Authority that the amendment is not part of franchise agreements between OSC and member agencies.
- (22) Mitigation fees received from San Francisco shall go to an Authority interest-bearing account.
- (23) The Authority will adopt an expenditure plan to mitigate short- and long-term impacts of San Francisco importation within 6 months of State approval of the plan amendment, and after review of the expenditure plan by member agencies.
- (24) The initial priority for mitigation shall be to acquire, in public ownership, reserve landfill capacity sufficient to serve the needs of all Alameda County jurisdictions for a minimum fifty year continuous period.



- (25) Current Alameda County jurisdictions using the Altamont facilities of the Oakland Scavenger Company will have the same rights in future capacity as they have at present time and no Alameda County entity shall have to incur more expenses for disposal of municipal solid waste than they would incur if San Francisco does not import its waste after November 1, 1988.
- (26) Alameda County jurisdictions are to have first priority of use of Altamont landfill or such expanded replacement capacity at Altamont Sanitary Landfill or other site purchased by Oakland Scavenger Company or Authority.
- (27) Any future plan amendment to import waste for disposal in Alameda County will be considered only after clear independent evidence is presented demonstrating that sufficient long term landfill capacity exists within Alameda County for all Alameda County jurisdictions or that mitigation fees are provided by importers to acquire such additional capacity consistent with condition (26) above.
- (28) Prior to November 1, 1988, and at each 5 year interval after the start of importation, the Authority shall guarantee that there is sufficient permitted landfill capacity in Alameda County to meet the projected disposal needs of all Alameda County jurisdictions for a 50 year continuous period.

ADOPTED BY THE FOLLOWING VOTE:

AYES: Lucas, Ganong, Fukson, Snyder, Morrison, Wieskamp, Cortez,  
Riles (3), Mercer, Jardin, Eastin, Landis, Duncan  
Total 15 votes

NOES: Fertig, Sweeney, Martin Total 3 votes

ABSTAIN: Creason

ABSENT: Campbell

WILLIAM H. FRALEY - SECRETARY  
ALAMEDA COUNTY SOLID WASTE MANAGEMENT AUTHORITY

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**DATE:** July 27, 2022

**TO:** Waste Management Authority Board

**FROM:** Jennifer West, Program Manager

**SUBJECT:** Legislative Update on SB 54 – The Plastic Pollution Prevention and Packaging Producer Responsibility Act

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**SUMMARY:**

This mid-session legislative update provides information on [SB 54 \(Allen\), the Plastic Pollution Prevention and Packaging Producer Responsibility Act](#), which was recently passed and signed into law. As a result, the sponsors of the California Recycling and Plastic Pollution Reduction Act ballot measure, which had been developed as a result of the lack of comprehensive plastics legislation adopted at the state level to date, have withdrawn the measure from the November 2022 ballot. The new law requires producers to reduce the overall production of single-use plastic packaging and to ensure that all forms of single-use packaging covered by the law be recyclable or compostable by 2032.

**DISCUSSION:**

SB 54 sets goals for recycling single-use plastic packaging, currently recycled at low rates in California, and mandates a 25 percent reduction of single-use plastic packaging and foodware products, nearly half of which must come from direct elimination of plastic packaging or shifting to reuse or refill systems. These requirements will be met through a Producer Responsibility Organization (PRO) that must be created by plastics producers to fund and manage collection and recycling programs, with oversight from CalRecycle. The PRO is also required to deposit a total of \$5 billion over 10 years into a California Plastic Pollution Mitigation Fund that will be used to monitor and reduce the environmental impacts of plastic pollution.

The legislation has implications for local governments and haulers processing plastics, ongoing local efforts to reduce use of plastics, and the nature of the plastics processing infrastructure in California and in Alameda County. SB 54's legislative findings state:

“Local jurisdictions are the backbone of the solid waste management and recycling efforts in California. The new statewide comprehensive circular economy framework established by this chapter is intended to shift the burden of costs to collect, process, and recycle materials from the local jurisdictions to the producers of plastic products.”

The bill designates CalRecycle as the agency to adopt regulations to implement and enforce the requirements of the law. This includes establishing a list of covered materials by July 1, 2024, posting recycling rates for materials, and providing oversight of the PRO's plans, including establishment of eco-modulated fees designed to incentivize producers to use more readily recyclable or reusable materials.

SB 54 states that local governments are to be reimbursed for the costs of implementation by the PRO. The manner in which costs are determined and allocated back to producers will be determined as part of the implementation of the law. Local governments are responsible for including covered materials in their collection programs. However, the bill states that a local government is not required to collect covered materials that the jurisdiction has banned in an ordinance adopted prior to CalRecycle's adoption of the list of covered materials.

Staff will continue to gather information about SB 54 and its implications for local governments and will seek direction from the Board as policy options become more clear.

#### **RECOMMENDATION**

This item is for information only.

**August 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	10	11  <b>SUMMER RECESS Programs &amp; Administration Committee</b>  <hr/> <b>4:00 P.M. Planning Committee &amp; Recycling Board Key Items:</b> 1. CoIWMP Amendment 2. Materials Flow Map	12	13
14	15	16	17	18	19	20
21	22	23	24  <b>SUMMER RECESS Waste Management Authority &amp; Energy Council</b>	25	26	27
28	29	30	31			

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**September 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 AGENCY HOLIDAY	6	7	8  9:00 A.M. Programs & Administration Committee Key Items: 1. Supporting local Climate Action Plans  <hr/> 6:00 P.M. Planning Committee & Recycling Board Key Items: 1. Supporting local Climate Action Plans	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28  3:00 P.M. Waste Management Authority & Energy Council Key Items: 1. CoIWMP Amendment	29	30	

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**Energy Council**  
**TECHNICAL ADVISORY GROUP (TAG)**  
Tuesday, June 21, 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  
City of Berkeley: Katie Van Dyke  
City of Dublin: Shannan Young, Emily Groth (Fellow)  
City of Emeryville: Nancy Humphrey  
City of Fremont: Rachel DiFranco, Kranti Kapur  
City of Hayward: Erik Pearson, Nicole Grucky, Carolyn Weisman (Fellow)  
City of Livermore: Sarah Ansell  
City of Oakland: Nick Kordesch, Jeffrey Wong  
City of Piedmont: Alyssa Dykman  
City of San Leandro: Hoi-Fei Mok  
StopWaste: Jennifer West, Emily Alvarez, Ben Cooper, Robin Plutchok, Jenny Kauffman, Meghan Starkey, Candis Mary-Dauphin  
EBCE: Cait Cady, Beckie Menten, Alec Ward  
Guests: Leonardo Trevino, Hannah Kaye, and Claudia Luna, PG&E; Anthony Kinslow II and Holmes Hummel, Clean Energy Works

**Welcome and Intros**

**Grid and Service Planning for Electrification – PG&E**

- PG&E gave a presentation highlighting challenges and opportunities to how we can build electrification policy and pilot programs within existing infrastructure
- For customers who want to electrify:
  - PG&E evaluates the impact of added load. The grid has changed over the last 20-30 years in that energy is not only being delivered, it's also being generated → both the load and generation interaction are evaluated (two-way service, which is different from what was originally intended for the grid)
  - Identify utility upgrades
  - Apply CPUC tariffs to determine cost responsibility between PG&E and customer
- PG&E receives ~65,000 applications annually for added load, typically when customer is upgrading their panel, occasionally when a customer applies for an EV rate
  - Smart meter monitoring may enable PG&E to learn when a customer increased their load and needs an evaluation
  - Evaluation takes about 3 days. About 60% do not require upgrades to the service load; for the 40% that do require upgrades, PG&E applies Rule 16 to determine who is responsible for the cost of the upgrade
    - Distribution facilities are facilities that serve more than one customer, such as transformers and wires that go to local neighborhoods. Upgrades to these are paid by rate payers (through PG&E).
    - Service facilities are facilities that serve only one customer. PG&E must maintain and perform construction on the electrical facility. A customer is responsible for trenching and conduits. These upgrades are paid by customers if the costs go beyond the "allowance" of \$3,255
- The CPUC ruled: Size and upgrades to facilities are based on connected load not on speculative load

- Can be a barrier to future planning for EVs (e.g., EV-ready multifamily building requirements)
- The CPUC recently required PG&E to provide public maps that show capacity. These maps will become available in the near future - timeline TBD.
- PG&E cannot use funds from gas customers for electrical programs.

#### Financing for Electrification – Clean Energy Works

- R.20-08-022 clean energy finance proceeding was initiated by the current lack of scale and equity in financing programs, and “to ensure that new options will be accessible to populations that face issues of creditworthiness and barriers to accessing affordable capital”
- Status quo: everyone is in charge of their own upgrades - e.g. pay in cash, or go into debt
  - There is a clear lack of equity when we look at who has been reached in the last 8 years:
    - Less than 1% of population has been served, no matter the type of loans. Therefore, using debt based solutions has failed
  - There is a need to reach those who would benefit most
- “Pay as you save” programs have a 90% acceptance rate and are seen as equitable and scalable
- There is a real need to find new models as cities are expected to scale decarbonization efforts
- A letter will be drafted with the following recommendations:
  - Prioritize scale, equity, and strong consumer protections
  - Remove non-responsive proposals from the options
  - Support implementation of SVCE and SCE proposals
  - Support LGSEC electrification rate for “marginal” costs (reduces cost of electricity)
  - Advocate that PG&E collaborate and engage/support

#### Announcements

- CPUC proceeding R. 20-08-022 initial comments are due 6/29/22, reply comments are due 7/22/22
- Board meeting - Meeting of WMA & EC & Recycling Board June 22, 2022 at 3:00 pm
- **Bay Area Embodied Carbon Support Group** reconvened earlier this month and will meet again July 18.
- **Alternatives to GHG Inventories TAG subgroup** met last month and discussed the shortcoming of inventories as we go from incremental linear changes to seismic shifts needed for carbon neutrality. Our discussion also informed our comments on the CARB Scoping Plan.
- **Our comments to CARB’s scoping plan update** have been circulated.

**Energy Council**  
**TECHNICAL ADVISORY GROUP (TAG)**  
Tuesday, July 19, 2022 – 1:00 pm to 3:00 pm

**Attendance (all via phone):**

Alameda County: Ali Abbors  
City of Alameda: Yushi Chen (Fellow)  
City of Albany: Michelle Plouse, Lizzie Carrade, Johnny Menhennet (Fellow)  
City of Berkeley: Billi Romain, Alice LaPierre  
City of Dublin: Emily Groth (Fellow)  
City of Emeryville: Nancy Humphrey  
City of Fremont: Rachel DiFranco, Kranti Kapur  
City of Hayward: Erik Pearson  
City of Livermore: Tricia Pontau  
City of Oakland: Shayna Hirshfield-Gold, Nick Kordesch, Jeffrey Wong  
City of Piedmont: Alyssa Dykman  
City of Pleasanton: ZeeLaura Page  
City of San Leandro: Hoi-Fei Mok  
StopWaste: Miya Kitahara, Emily Alvarez, Timothy Burroughs, Jeanne Nader, Robin Plutchok, Jenny Kauffman, Imma Dela Cruz, Jeannie Pham  
EBCE: Cait Cady, Alex DiGiorgio

**Welcome and Intros**

**Ask TAG**

- Interest in coming back to TAG with updated information and process for adopting all-electric reach codes since CEC has determined that they are not “energy efficiency” and therefore do not require amendments to Title 24, Part 6. Current guidance points jurisdictions to submitting a building code amendment through CALGreen. StopWaste will compile information from TAG members and share.
- Interest for Tom Kabat to speak on Watt Diet (electrification on 100 amp service panels) or real life lessons on electrification and panel upgrades (potential sharing from TAG members)
- Interest to discuss Energy Efficiency Community Development Block Grants at future TAG meeting
- Many jurisdictions will be applying for fellows through Climate Corps and Civic Spark
- Please share with TAG if you are interested in or promoting Solar on Multifamily Affordable Housing (SOMAH) program through PUC

**Resilience Hubs**

- StopWaste is exploring how we can best support MAs in their resilience hub efforts, tie to our strengths of partnership and convening
  - Peer sharing on various efforts, what kind of support is needed, and examples of what resilience hubs can look like
- Jeanne Nader, StopWaste introduced resilience hubs:
  - Provided example of a resilience hub at McGee Ave Baptist Church Center for Food, Faith, and Justice which offers programs on meals/food donation, youth programs, backyard gardening, housing, and community gathering/support space.
  - Resilience hubs vary widely depending on the needs of the community. They can be municipal or community owned, and address different types of needs, such as food security.
- Word Cloud Activity: What do we see as resilience? Why?
  - Common themes: community, people, support, health, collaboration, self-determination, interconnection
  - Emergency preparedness is just a small part! But that can often be the entry point.

- Nick Kordesch, City of Oakland presented on resilience hub efforts in three locations:
  - West Oakland Resilience Hub, Lincoln Square Park Resilience Hub based at Rec center, and East Oakland Resilience Hub based at senior center
  - Seeking funding for implementation, including BayREN Resilient Libraries Pilot, working with other city department like fire providing emergency services.
  - Looking at prioritizing locations based on equity, access to emergency routes, solar readiness, seismicity, community trust
- Hoi-Fei Mok, City of San Leandro discussed resilience hub support:
  - City Manager's Office has set goal to identify resilience hub locations in each of the 6 council districts, so far identified a mix of religious buildings, schools, community centers, and libraries
  - Series of workshops that discuss food access, community programming, and work with a consultant and city staff to develop project and city provides grant funding up to \$5,000
  - Community-driven model, tying program to CERT
- Tricia Pontau, City of Livermore provided an overview of the Goodness Village tiny home project
  - 28 pre-fab tiny homes for houseless individuals located at CrossWinds Church, initiated by church who saw similar facility in Austin and donated land
  - Residents pay small amount of rent, no time limits on length of residency, no religious affiliation required. Should take advantage of resources, such as connections to long-term employment, job training, and housing resources.
  - Funded by combination of donations, \$3 million from County Supervisor's office, and volunteer time. Seeking funding to building a community service center that will provide a commercial kitchen, showers, and emergency facilities. Identifying ongoing operational funding is more difficult than one-time funding for construction.
  - Encountered zoning/land use challenges including creek/flooding and airport safety zone, operating currently under temporary use permit while amending code
- Highlights and examples of StopWaste/other efforts to build resilience hubs
  - Jeanne Nader, StopWaste: Food Recovery programs are working with several farms to set up compost hubs in central locations where farms can access free compost bought by city and available to residents, way to comply with SB 1383 procurement requirements while building community cohesion and food security. Provided examples of Fertile Ground Works in Livermore and Alameda Farm to Market/Bay Area Maker Farm in Alameda Point
  - Miya Kitahara, StopWaste: Described the nexus between energy systems and resilience for back-up energy, cooling and clean air centers. BayREN Resilient Libraries Pilot provides free technical assistance and engineering to look at energy systems, network of peer sharing, and community engagement and facilitation support
  - Other funding sources and resilience hub support include: Strategic Growth Council funding opportunities for Regional Climate Collaboratives and Community Resilience Centers, BayCAN, PG&E, NorCal Resilience Network, etc.
  - Cait Cady, EBCE: provide municipalities with help for initial analysis/engineering for identifying facilities for resilience and upgrades for solar plus storage on site, aggregate sites across territory which reduces costs for procurement, continue as point of contact for ongoing maintenance and support. EBCE puts out RFO with asset owners to develop sites, engages with power purchase agreement, contracts with city, reduces upfront cost to city
- Breakout group discussions on current efforts in jurisdictions, what support is needed, and what challenges they are facing. Key takeaways:
  - Many jurisdictions have some sort of resilience hub effort going on, whether it is participating in the BayREN pilot, working with community groups, upgrading existing emergency response centers, or planning efforts

- Need for peer learning and learning from the community to not reinvent the wheel and connect to the people already doing work on the ground
- Cross collaboration between city departments is needed, bridge from emergency preparedness (fire, police) to holistic services (health, housing, employment, safety)
- Funding is a challenge, both long-term and short-term, grants are uncertain and can take a long time but there is a current urgent need
- Hub is a good term because they can be a community center that in the near term provides needs related to food access, cooling, clean air, etc. but should ultimately connect people to long-term resources to address the need at the source (such as employment and housing upgrades)
- More outreach and listening to the community is needed

### **Announcements**

- CPUC proceeding R 20-08-022 goal to put in comments by 7/18/22
- Board meeting - Meeting of WMA & EC & Recycling Board July 27, 2022 at 3:00 pm
- Bay Area Embodied Carbon Support Group held a workshop with RMI on July 18.
- Alternatives to GHG Inventories TAG subgroup met on July 14 and continued discussion on specific examples and alternatives; and identified next steps for articulating the nexus between climate action and economy, storytelling, etc.
- High Road Training Partnership, CTWI-led workshops coming up. TAG is invited! 8/10, 9/7 and 12/14 - calendar invites can be sent in early August