

WMA Board & Energy Council

Dianne Martinez, **WMA President**

City of Emeryville, WMA, EC

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

City of Livermore, WMA, EC, RB

Jaime Patiño, **WMA 2nd Vice President**

City of Union City, WMA, EC

Jack Balch, **EC President**

City of Pleasanton, WMA, EC

Preston Jordan, **EC 1st Vice President**

City of Albany, WMA, EC

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

County of Alameda, WMA, EC

Francisco Zermeño, **RB President**

City of Hayward, WMA, EC, RB

Laura McKaughan, **RB 1st Vice President**

Recycling Materials Processing Industry, RB

Dan Kalb, **RB 2nd Vice President**

City of Oakland, WMA, EC, RB

Trish Herrera Spencer, City of Alameda, WMA, EC

Susan Wengraf, City of Berkeley, WMA, EC

Dave Sadoff, Castro Valley Sanitary District, WMA, RB

Melissa Hernandez, City of Dublin, WMA, EC

Jenny Kassin, City of Fremont, WMA, EC

Michael Hannon, City of Newark, WMA, EC

Shelia Young, Oro Loma Sanitary District, WMA

Jen Cavanaugh, City of Piedmont, WMA, EC

Deborah Cox, City of San Leandro, WMA, EC, RB

Eric Havel, Environmental Educator, RB

Darby Hoover, Environmental Organization, RB

Chiman Lee, Recycling Programs, RB

Grace Liao, Source Reduction Specialist, RB

Talia Wise, Solid Waste Industry Representative, RB

Timothy Burroughs, Executive Director

**JOINT MEETING OF THE
ALAMEDA COUNTY WASTE MANAGEMENT AUTHORITY
(WMA) BOARD,
THE ENERGY COUNCIL (EC)
AND
THE PLANNING COMMITTEE & RECYCLING BOARD
(PC & RB)**

November 16, 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 Brown Act, which was amended by AB 361, suspending certain teleconference rules due to the ongoing state of emergency and state and local health officials recommendations to maintain social distancing. The purpose of these amendments was to provide the safest environment for the public, elected officials, and staff while allowing for continued operation of the government and public participation during the COVID-19 pandemic.

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

1. Calling US: +1 669 900 6833 and using the webinar id 823 8726 2021
2. Using the [Zoom](#) website or App and entering meeting code 823 8726 2021

Board members and any other individuals scheduled to speak at the meeting will be sent a unique link via email to access the meeting as a panelist. All Board members MUST use their unique link to attend the meeting. During the meeting the chair will explain the process for members of the public to be recognized to offer public comment. Public comment is generally limited to three minutes per person for each agenda item. The process will be described on the StopWaste website at <http://www.stopwaste.org/virtual-meetings> no later than noon Wednesday, November 16, 2022. The public may also comment by sending an e-mail to publiccomment@stopwaste.org. Written public comment will be accepted until 3:00 p.m. on the day prior to the scheduled meeting. Copies of all written comments submitted by the deadline above will be provided to each Board Member and will be added to the official record. Comments will not be read into the record.

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

AGENDA

I. CALL TO ORDER

II. ROLL CALL OF ATTENDANCE

III. ANNOUNCEMENTS BY PRESIDENTS - *(Members are asked to please advise the Board or the Council if you might need to leave before action items are completed.)*

IV. OPEN PUBLIC DISCUSSION FROM THE FLOOR

An opportunity is provided for any member of the public wishing to speak on any matter within the jurisdiction of the Boards or Council, but not listed on the agenda.

V. CONSENT CALENDAR - The Consent Calendar contains routine items of business. Items in this section will be acted on in one motion for both the WMA and EC, unless removed by a member of either Board. Members of the WMA who are not members of the EC will vote as part of the Consent Calendar vote, but their votes will not be considered in connection with any EC items. Members of the RB will vote on their items separately. 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

- | | |
|----|--|
| 1 | 1. Approval of the Draft WMA & EC Minutes of October 26, 2022 |
| 5 | 2. Resolution regarding meeting via teleconference to promote social distancing, pursuant to AB 361
Adopt Resolution WMA# 2022-15. |
| 9 | 3. Resolution regarding meeting via teleconference to promote social distancing, pursuant to AB 361
Adopt Resolution EC# 2022-13. |
| 13 | 4. Approval of the Draft PC & RB Minutes of October 13, 2022 |
| 17 | 5. Recycling Board Attendance Record |
| 19 | 6. Written Report of Ex Parte Communications |
| 21 | 7. Resolution regarding meeting via teleconference to promote social distancing, pursuant to AB 361
Adopt Resolution RB# 2022-13. |

VI. REGULAR CALENDAR

- | | |
|----|---|
| 25 | 1. SB 1383/ORRO Implementation Update (Rachel Balsley, Cassie Barthlomew & Kelly Schoonmaker)
This item is for information only. |
| 31 | 2. Waste Prevention Grants Program Update (Meri Soll & Cassie Bartholomew)
This item is for information only. |
| 33 | 3. Appointments to fill upcoming vacancies on the Recycling Board (Timothy Burroughs)
Staff recommends that the WMA Board fill two vacancies on the Recycling Board by January 25, 2023. |
| | 4. Interim appointment(s) to the Recycling Board for WMA appointee unable to attend future Board Meeting(s) (Arliss Dunn)
(The meeting of the Planning Committee & Recycling Board will be held on Thursday, December 8, 2022 at 6:00 p.m. The meeting will be held via teleconference) |

VII. MEMBER COMMENTS AND COMMUNICATIONS FROM THE EXECUTIVE DIRECTOR

VIII. ADJOURNMENT –WMA & EC MEETING DECEMBER 14, 2022 AT 3:00 P.M.

DRAFT

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

Wednesday, October 26, 2022

3:00 P.M.

TELECONFERENCE MEETING

I. CALL TO ORDER

President Martinez 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

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 (President)
City of Fremont	Jenny Kassan, WMA, EC
City of Hayward	Francisco Zermeño, WMA, EC
City of Livermore	Bob Carling, WMA, EC
City of Oakland	Dan Kalb, WMA, EC
Oro Loma Sanitary District	Shelia Young, WMA
City of Piedmont	Betsy Andersen, WMA, EC (alternate)
City of Pleasanton	Jack Balch, WMA, EC (EC President)
City of San Leandro	Deborah Cox, WMA, EC
City of Union City	Jaime Patiño, WMA, EC

Absent

City of Newark	Mike Hannon, WMA, EC
----------------	----------------------

Staff Participating

Timothy Burroughs, Executive Director
Pat Cabrera, Administrative Services Director
Alma Freeman, Communications Manager
Justin Lehrer, Operations Manager
Karen Kho, Principal Program Manager
Jeanne Nader, Senior Program Manager
Jennifer West, Program Manager
Arliss Dunn, Clerk of the Board
Richard Taylor, WMA Legal Counsel

Others Participating

Kristin Bowman, EBMUD

III. ANNOUNCEMENTS BY PRESIDENTS

President Martinez informed the Board that she will be terming out as a councilmember for the City of Emeryville in December and will no longer serve on the StopWaste Board. First Vice President Carling will serve as interim President, 2nd Vice President Jaime Patiño will serve as interim Vice President, and the Board will conduct its regular elections in June 2023.

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 September 28, 2022

2. Resolution regarding meeting via teleconference to promote social distancing, pursuant to AB 361

Adopt Resolution WMA# 2022-14.

3. Resolution regarding meeting via teleconference to promote social distancing, pursuant to AB 361

Adopt Resolution EC# 2022-12.

There were no public comments for the Consent Calendar. Board member Young moved approval and Board member Hernandez seconded. The motion carried 16-0 (WMA) and 16-0 (EC). The Clerk called the roll:

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

VI. REGULAR CALENDAR

1. StopWaste Partnership with Water Agencies – Compost and Water Conservation (Jeanne Nader)

This item is for information only.

Timothy Burroughs introduced the item and Jeanne Nader provided an overview of the staff report. Ms. Nader introduced Kristin Bowman, East Bay Municipal Utility District (EBMUD). Ms. Nader and Ms. Bowman presented a PowerPoint presentation highlighting the history of the partnership with Alameda County Water Agencies, its evolution, and current initiatives that the water agencies are taking to advance the use of compost. A link to the report and the presentation is available here: [Water-Compost-Partnership-memo.pdf](#). Time was provided to the Board discussion and clarifying questions. An audio link to the discussion is available here: [Water-Compost-Partnership-Discussion](#).

There were no public comments for this item. Board members thanked staff for a very informative presentation.

2. Built Environment Program Updates (Karen Kho & Jennifer West)

This item is for information only.

Timothy Burroughs introduced the item and Karen Kho provided an overview of the staff report and presented a PowerPoint presentation and shared updates from BayREN and plans to advance the Bay Area Construction Innovation Cluster, which was selected as a finalist in the Build Back Better Regional Challenge (BBBRC), which is a program of the U.S. Economic Development Agency. A link to the report and the presentation is available here: [Built-Environment-Program-Updates-Memo.pdf](#). Time was provided to the Board for discussion and clarifying questions. An audio link to the discussion is available here: [Built-Environment-Update-Discussion](#).

3. 2022 Legislative Year End Report (Jennifer West)

This item is for information only.

Timothy Burroughs introduced the item and Jennifer West provided an overview of the staff report and presented a PowerPoint presentation. A link to the report and the presentation is available here: [Legislative-Update-Memo.pdf](#). Priscilla Quiroz, Agency Lobbyist, was present to answer questions. Time was provided to the Board for discussion and clarifying questions. An audio link to the discussion is available here: [Legislative-Update-Discussion](#). Ms. West stated that staff will come back to the Board in January 2023 to get further input and to finalize legislative priorities. President Martinez thanked staff for the presentation. There were no public comments for this item.

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

(The Joint meeting of the Waste Management Authority Board, The Energy Council, and the Planning Committee & Recycling Board will be held on Wednesday, November 16, 2022 at 3:00 p.m. The meeting will be held via teleconference.)

There were no requests for an interim appointment.

VII. MEMBER COMMENTS AND COMMUNICATIONS FROM THE EXECUTIVE DIRECTOR

Timothy Burroughs announced that Board members Cox and Sadoff will complete their 2nd terms on the Recycling Board in November and Board member Cox will complete her final term on the San Leandro City Council in November as well. The WMA will need to appoint two members to the Recycling Board at the November WMA meeting. Mr. Burroughs invited Board members to attend the December 14 WMA meeting in person in the StopWaste boardroom. The meeting will be in a hybrid format so board members may also continue to participate via Zoom.

The monthly topic brief highlights our partnerships with the Alameda County Water Agencies. The topic brief is available [here](#).

Board member Young extended good luck wishes to everyone that is seeking re-election in November.

VIII. ADJOURNMENT – to JOINT WMA, EC, & RB MEETING NOVEMBER 16, 2022 at 3:00 P.M.

The meeting adjourned 4:30 p.m.

This page intentionally left blank



DATE: November 16, 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 November 16, 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 2022-15.

Attachment: Waste Management Authority Board Resolution #WMA 2022-15

**ALAMEDA COUNTY WASTE MANAGEMENT AUTHORITY
RESOLUTION #WMA 2022- 15**

**MOVED:
SECONDED:**

AT THE MEETING HELD NOVEMBER 16, 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 16th day of November 2022 by the following vote:

AYES:

NOES:

ABTAIN:

ABSENT:

Arliss Dunn, Clerk of the Board

This page intentionally left blank



DATE: November 16, 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 November 16, 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 2022-13.

Attachment: Energy Council Resolution #EC 2022-13

**ENERGY COUNCIL
RESOLUTION #EC 2022 – 13
MOVED:
SECONDED:**

AT THE MEETING HELD NOVEMBER 16, 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 16TH day of November 2022 by the following vote:

AYES:

NOES:

ABTAIN:

ABSENT:

Arliss Dunn, Clerk of the Board

This page intentionally left blank

DRAFT

**MINUTES OF THE REGULAR MEETING OF THE
PLANNING COMMITTEE
AND
ALAMEDA COUNTY RECYCLING BOARD**

Thursday, October 13, 2022

4:00 P.M.

TELECONFERENCE MEETING

I. CALL TO ORDER

First Vice President McKaughan called the meeting to order at 4:00 p.m. Timothy Burroughs explained the virtual meeting process being utilized during the meeting. A link to the process is available here: [Virtual-Meetings-Instructions](#).

II. ROLL CALL OF ATTENDANCE

Bob Carling, ACWMA
Deborah Cox, ACWMA
Mike Hannon for Francisco Zermeño, ACWMA (interim appointment)
Eric Havel, Environmental Educator
Darby Hoover, Environmental Organization
Dan Kalb, ACWMA
Chiman Lee, Recycling Programs
Grace Liao, Source Reduction Specialist
Laura McKaughan, Recycling Materials Processing Industry
Dave Sadoff, ACWMA
Talia Wise, Solid Waste Industry Representative

Staff Present:

Timothy Burroughs, Executive Director
Pat Cabrera, Administrative Services Director
Justin Lehrer, Operations Manager
Alma Freeman, Communications Manager
Meri Soll, Senior Program Manager
Meghan Starkey, Senior Management Analyst
Adrienne Ramirez, Assistant Clerk of the Board
Arliiss Dunn, Clerk of the Board
Farand Kan, Deputy County Counsel

Others Present:

Angela Vincent, City of Alameda
Elizabeth Carrade, City of Albany
Allyn McAuley, City of Fremont
Judy Erlandson, City of Livermore
Jason Chan, Crowe LLP
Erik Nylund, Crowe LLP

III. ANNOUNCEMENTS BY THE PRESIDENT

There were none.

IV. OPEN PUBLIC COMMENT

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

V. CONSENT CALENDAR

First Vice President McKaughan removed Item V2 from the Consent Calendar for further discussion.

1. Approval of the Draft PC & RB Minutes of September 8, 2022

2. Board Attendance Record

3. Written Report of Ex Parte Communication

Board member Hoover requested to have a discussion regarding the email sent by Arthur Boone concerning the anaerobic digester operations at the Davis Street Transfer Station. Mr. Burroughs stated that anaerobic digesting is part of a future phase of operations, but it is not currently under development. Staff will inform the Board of any impending timeline for development and at that time will place the item on the agenda for discussion. There were no public comments for the Consent Calendar. Board member Cox moved approval of the Consent Calendar and Board member Wise seconded. The motion carried 11-0. The Clerk called the roll:

(Ayes: Carling, Cox, Hannon, Havel, Hoover, Kalb, Lee, Liao, McKaughan, Sadoff, Wise. Nays: None. Abstain: None. Absent: None).

VI. REGULAR CALENDAR

1. Resolution regarding meeting via teleconference to promote social distancing, pursuant to AB 361

Adopt Resolution #RB 2022-12.

Timothy Burroughs informed the Board that recent legislation was passed by the state, AB 2449, that establishes a new option for local agency board teleconferencing. County Counsel Farand Kan provided an overview of AB 2449 and staff will provide a memo summarizing the new law at an upcoming PC&RB Board meeting. The Board had a brief discussion about meeting participation options moving forward. Mr. Burroughs stated that the StopWaste Board Room is equipped for hybrid meetings. The Board was provided time for discussion and for clarifying questions. An audio link to the discussion is available here: [AB 2449-Discussion](#)

There were no public comments for this item. Board member Cox moved approval of the staff recommendation and Board member Kalb seconded. The motion carried 11-0. The Clerk called the roll:

(Ayes: Carling, Cox, Hannon, Havel, Hoover, Kalb, Lee, Liao, McKaughan, Sadoff, Wise. Nays: None. Abstain: None. Absent: None).

1. Municipal Panel: SB 1383 Implementation (Meghan Starkey)

This item is for information only.

Timothy Burroughs introduced the item and Meghan Starkey provided a brief overview of the staff report and presented a PowerPoint presentation. A link to the report and the presentation is available here: [SB1383-Memo.pdf](#). Ms. Starkey introduced Angela Vincent, Alameda; Elizabeth Carrade, Albany; Allyn McAuley, Fremont; and Judy Erlandson, City of Livermore. The topic focused on local implementation of SB 1383, the Short-Lived Climate Pollutant Reduction Act, which requires a 75% reduction in statewide disposal of organics and 20% of edible food recovered for human consumption. Each presenter discussed their various programs and approaches to meeting this mandate in their cities.

Additional time was provided to the Board for discussion and for clarifying questions. An audio link to the discussion is available here [SB1383-Muni-Panel-Discussion](#). Board members thanked Ms. Starkey and the presenters for their presentation. There were no public comments on this item.

2. Five-Year Financial & Compliance and Programmatic Assessment (Meri Soll & Jennifer West)

That the Recycling Board accept the Five Year Financial & Compliance and Programmatic Assessment (FY 16-17 to FY 20-21) by Crowe LLP.

Timothy Burroughs introduced the item and Meri Soll provided an overview of the staff report and introduced Jason Chan and Erik Nylund of Crowe LLP. Ms. Soll, Mr. Chan, and Mr. Nylund presented a summary of the findings and recommendations from the assessment. Ms. Soll was pleased to inform the Board that Crowe LLP found no significant Measure D compliance issues. A link to the staff report and the presentation is available here: [Five-Year-Assessment-memo.pdf](#)

The Board was provided additional time for discussion and clarifying questions. An audio link to the discussion is available here: [Five-Year-Assessment-Discussion](#). There were no public comments on this item. Vice President McKaughan thanked staff and the presenters for a very concise report and an informative presentation.

Board member Cox moved approval of the staff recommendation and Board member Havel seconded. The motion carried 11-0. The Clerk called the roll:
(Ayes: Carling, Cox, Hannon, Havel, Hoover, Kalb, Lee, Liao, McKaughan, Sadoff, Wise. Nays: None. Abstain: None. Absent: None).

VII. MEMBER COMMENTS AND COMMUNICATIONS FROM THE EXECUTIVE DIRECTOR

Mr. Burroughs announced that the Board of Supervisors appointed Board member Lee to a second two-year term and thanked him for his service. Mr. Burroughs announced that there are a series of fall events from our partners and staff will send a link to the Board. Ms. Dunn reminded Board members that the November meeting will be a joint meeting with the WMA Board and the Energy Council on November 16 at 3:00 p.m.

VIII. ADJOURNMENT – to November 16, 2022 at 3:00 pm.

The meeting adjourned at 5:30 p.m.

This page intentionally left blank

2022 - ALAMEDA COUNTY RECYCLING BOARD ATTENDANCE

	J	F	M	A	M	J	J	A	S	O	N	D
REGULAR MEMBERS												
B. Carling	X	X	X	X	X	X	A	I	I	X		
D. Cox	X	X	X	X	X	X	X	X	A	X		
E. Havel	X	X	X	X	X	X	X	X	X	X		
D. Hoover	X	X	X	X	X	X	X	A	X	X		
C. Lee	X	A	X	X	X	X	A	X	X	X		
D. Kalb	X	X	X	X	I	X	A	X	I	X		
G. Liao						X	X	X	X	X		
L. McKaughan	X	X	A	X	X	X	X	X	A	X		
D. Sadoff	X	A	X	X	X	X	X	X	X	X		
T. Wise	X	X	X	X	X	X	X	X	A	X		
F. Zermeño	X	X	X	X	X	X	A	X	X	I		
M. Zimbalist	X											
INTERIM APPOINTEES												
S. Young					X			X	X			
P. Jordan									X			
M. Hannon										X		

Measure D: Subsection 64.130, F: Recycling Board members shall attend at least three fourths (3/4) of the regular meetings within a given calendar year. At such time, as a member has been absent from more than one fourth (1/4) of the regular meetings in a calendar year, or from two (2) consecutive such meetings, her or his seat on the Recycling Board shall be considered vacant.

X=Attended

A=Absent

I=Absent - Interim Appointed

This page intentionally left blank

DATE: November 16, 2022

TO: Recycling Board

FROM: Timothy Burroughs, Executive Director

SUBJECT: Written Reports of Ex Parte Communications

BACKGROUND

Section 64.130 (Q)(1)(b) of the Alameda County Charter requires that full written disclosure of ex parte communications be entered in the Recycling Board's official record. At the June 19, 1991 meeting of the Recycling Board, the Board approved the recommendation of Legal Counsel that such reports be placed on the consent calendar as a way of entering them into the Board's official record. The Board at that time also requested that staff develop a standard form for the reporting of such communications. A standard form for the reporting of ex parte communications has since been developed and distributed to Board members.

At the December 9, 1999 meeting of the Recycling Board, the Board adopted the following language:

Ex parte communication report forms should be submitted only for ex parte communications that are made after the matter has been put on the Recycling Board's agenda, giving as much public notice as possible.

Per the previously adopted policy, all such reports received will be placed on the consent calendar of the next regularly scheduled Recycling Board meeting.

This page intentionally left blank



DATE: November 16, 2022

TO: Recycling 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 November 16, 2022, meeting, the Recycling 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 Recycling 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 Recycling 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 Recycling Board will need to revisit the need to conduct meetings remotely at least every 30 days following adoption of the attached resolution.

RECOMMENDATION

Adopt resolution #RB 2022-13.

Attachment: Alameda County Recycling Board Resolution #RB 2022-13

**ALAMEDA COUNTY RECYCLING BOARD
RESOLUTION #RB 2022-13**

**MOVED:
SECONDED:**

AT THE MEETING HELD NOVEMBER 16, 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 Recycling 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 Recycling Board 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 Recycling Board'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 and the Board desires to continue remote public meetings.

BE IT FURTHER RESOLVED, that:

1. Recycling Board 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 Recycling Board 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 Board 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 16th day of November 2022 by the following vote:

AYES:

NOES:

ABTAIN:

ABSENT:

Arliss Dunn, Clerk of the Board

This page intentionally left blank



DATE: November 16, 2022

TO: Waste Management Authority Board

FROM: Rachel Balsley, Senior Program Manager
Cassie Bartholomew, Program Manager
Kelly Schoonmaker, Program Manager

SUBJECT: SB 1383/ORRO Implementation Update

SUMMARY

State law SB 1383 and the Organics Reduction and Recycling Ordinance (ORRO) took effect on January 1, 2022 to reduce the amount of food and other compostable materials sent to landfill. StopWaste is supporting member agencies with various implementation activities including compliance monitoring/enforcement, reporting to CalRecycle, outreach and education, edible food recovery, recycled organics product procurement, and more. At the November 16 meeting, staff will provide a summary update of those efforts.

DISCUSSION

Compliance Monitoring and Enforcement

StopWaste is taking the lead on behalf of member agencies to conduct compliance monitoring and enforcement of the compost and recycling collection service requirements at commercial and multifamily properties. In partnership with members agencies, StopWaste's first objective is to provide assistance to businesses to achieve compliance with the requirements. Enforcement in the form of Notices of Violation and ultimately Citations are also being issued as needed.

Official enforcement activities began in October of this year with the first mailing of Notice of Violation (NOV) letters to notify generators of potential fines if they do not subscribe to service or have an approved waiver. Letters are being sent in weekly batches starting with the largest garbage generators and sites that have a food permit, with approximately 1,000 accounts expected to be under official enforcement by the end of the calendar year. Starting in January, citations will be sent to accounts that have not come into compliance within 60 days of their NOV. Fines for these larger generators start at \$100 and increase to \$250, then \$500 for continued non-compliance.

Additionally, StopWaste will send notification letters to the remaining non-compliant accounts with two or more cubic yards of total weekly service that have not recently received a city non-compliance letter. This mailing is separate from the official enforcement letters described above and supports member agencies with the requirement to notify all noncompliant accounts at least annually.

StopWaste is also the lead for processing business and multifamily property requests for SB 1383 waivers and documentation of alternative methods of recycling and composting such as through self-hauling, back-hauling, and shared service. Approximately 1,400 waiver requests have been submitted for de minimus generation of materials with a little over 1,000 approved to date. This equates to approximately 5% of the roughly 20,000 commercial garbage accounts countywide.

Advocacy and Reporting to CalRecycle

Jurisdictions recently submitted their Electronic Annual Reports (EAR) to CalRecycle with significant data required for the first six months of SB 1383 implementation (January through June 2022). To support member agencies with the state recordkeeping and reporting requirements, StopWaste provided jurisdictions with summary level data and developed a Member Agency Data Portal that provides a window into our tracking system for assistance and enforcement activities provided to accounts in their jurisdiction.

In addition, StopWaste continues to work closely with member agencies and other local government groups to communicate with CalRecycle about the importance of clear, collaborative communication and reasonable expectations and enforcement related not only to SB 1383 implementation, but also to older state requirements such as AB 1826, which requires businesses and multifamily properties with two or more cubic yards of total weekly collection service to subscribe to compost collection service.

Outreach, Education, and Technical Assistance

StopWaste continues to offer a suite of services and materials to educate businesses about the SB 1383/ORRO requirements and help with compliance. We work closely with chambers and business associations to amplify our messaging, including a new partnership formed this year with the Oakland Chinatown Chamber of Commerce. Through this partnership, we expanded our reach into the Chinese community by offering our first-ever webinar and in-person workshop for businesses presented entirely in Chinese. A general overview webinar for businesses was also conducted in English earlier this year.

The SB 1383/ORRO webpages at www.StopWaste.org/rules were recently re-designed to provide streamlined access to information on the requirements and free resources, and new guidance was added on the steps to take after receiving an enforcement letter. Google translate functionality has been added to provide accessibility in seven different languages.

In FY 2021-22, our contracted technical assistance (TA) team reached out to 285 accounts to offer assistance and provided either virtual or in-person assistance to 230 businesses and multifamily properties. A Request for Proposals (RFP) was recently conducted for consulting services and as a result, StopWaste expects to enter into a new contract with Cascadia Consulting Group, as well as smaller TA contracts with Jesse Tieger Consulting and Daily Bowl.

StopWaste also continues to provide indoor food scraps bins valued at up to \$500 per site as well as stickers to label indoor bins. Over 220 sites were approved for free green bins since January 2022, and over 250 sites received StopWaste's free stickers so far this year.

Pilot Testing

As the agency implements various aspects of the new law, the team continues to look at ways to improve effectiveness and efficiency. To that end, testing was done to analyze two different messaging tactics for non-compliance letters. In June 2022, approximately 560 commercial accounts that have a food permit were sent one of two letters: approximately half received a letter with a strong enforcement focus, while the second test group received a more prosocial letter urging compliance because it's "the right thing to do." The enforcement-focused letters were shown to be significantly more effective, yielding a service uptake rate more than double that of the softer, prosocial-centered letter. The team also looked at the impact of follow up calls and emails conducted by hauler and Cascadia TA reps. The study found that follow up to letters did not significantly increase the number of accounts that came into compliance, however, when comparing phone calls vs. email follow up, calls appeared to be twice as effective as emails.

Edible Food Recovery Outreach, Inspections, and Reporting

StopWaste continues our food recovery compliance work in partnership with the Alameda County Department of Environmental Health (ACDEH) which is assisting with education and compliance monitoring at Tier One (e.g., grocery stores and markets) and Tier Two (e.g., restaurants and entities serving prepared food) commercial edible food generator permitted sites in the county. All Member Agencies have signed MOUs with ACDEH and letter agreements with StopWaste, formally designating each to assist with implementation and enforcement of selected food recovery activities and conduct inspections of commercial edible food generators.

ACDEH started outreach and inspections of Tier One generators in April of this year, with over 200 facilities inspected through August 2022. The type of sites inspected included large grocery stores and supermarkets that typically generate fresh produce and shelf stable items. By January, StopWaste will begin outreach and inspections of additional Tier One generators that fall outside of the purview of ACDEH – those that hold food permits through the state such as primarily wholesale food vendors and distributors.

Our team has worked closely with ACDEH and other health departments throughout the state to develop safe food handling practices and guidance tools for donors. We've also worked to identify active food recovery partners in the County and now have a list of over 30 food recovery

organizations and services available to pick up or receive donated food from Alameda County's food generating businesses. The list is integrated with the Agency's RE:Source tool available at resource.stopwaste.org/food-recovery-organizations.

StopWaste developed a new reporting module in the agency's CRM system for Food Recovery Organizations and Services (FROS) to submit total pounds of food recovered and total donors with a written agreement or contract. StopWaste provided training for FROS through our Food Recovery Network several months prior to launching the ORRO reporting portal.

Food Donation Webinar

More than 80 participants attended the webinar "Donating Surplus Food @ Work" earlier this month, which provided an overview of the SB 1383 Edible Food Donation requirements for Tier One and Tier Two edible food generators. Staff gave an in-depth presentation covering food waste prevention tips, how to locate a food recovery partner, safe food handling considerations, resources to help establish a food donation program, and local examples of donation partnerships. A recording of the webinar can be found at www.StopWaste.org/rules-food-recovery.

Alameda County Food Recovery Network and Funding Opportunities

Over a year before SB 1383 implementation, StopWaste formed the Alameda County Food Recovery Network to increase coordination, transparency, and communication between organizations addressing food insecurity in our county. The Network has been integral in facilitating two-way dialogue and has grown into a true partnership with now over 50 member organizations across the county. The group meets monthly to explore topics such as best practices for weighing and tracking donations, edible food recovery capacity planning, volunteer needs, and written agreements with donors.

Through these discussions, StopWaste identified that many organizations lack the capacity to weigh recovered food, making it challenging to keep accurate records to meet SB 1383's record keeping and reporting requirements. In response, StopWaste offered funding to ACFRN participants to purchase weight-based scales to help better track and report recovered food.

Procurement

As discussed in the legislative update at the October WMA meeting, a priority for FY 2022-23 is to make common sense changes to SB 1383, including the procurement requirements. StopWaste is working to convene a stakeholder group made up of other Bay Area jurisdictions, composters, and large users of compost to develop and propose an alternate pathway(s) to compliance. The goal is to create a solution for jurisdictions that have had organics collection in place for many years and, as a result, already have mature markets that would be disrupted by the current procurement requirements.

Meanwhile, StopWaste is working with member agencies on compliance strategies to support implementation, including:

- Identifying the potential for compost and mulch use within city/county-managed landscapes through a comprehensive landscape inventory;
- Connecting member agencies to potential users in farming and ranching through direct service provider agreements and grant programs with partners Zero Foodprint and the Alameda County Resource Conservation District;
- Expanding and streamlining compost distribution through small-scale compost hubs at urban farms and other locations;
- Implementing a mechanism to allow member agencies to get procurement credit for compost and mulch used for lawn conversion rebates and Water Efficient Landscape Ordinance-compliant construction projects;
- Providing individual compost and mulch use workshops to member agencies' landscape staff;
- Creating and sharing additional tools and resources, such as model specifications and specification review, vendor lists, and direct service provider agreements; and
- Continuing to monitor the potential of compliance through electricity from biomass and renewable natural gas.

Capacity Planning

For August 1, 2022 reporting, SB 1383 required that counties demonstrate sufficient organic waste recycling and edible food recovery capacity for the period covering January 1, 2022, through December 31, 2024. To assist the county in submitting organics processing capacity information, StopWaste compared the necessary capacity using Alameda County waste characterization data to the available capacity and identified that no additional capacity is required at this time.

To support the county with edible food recovery capacity planning, StopWaste identified the number of Tier One and Tier Two commercial edible food generators and food recovery organizations and services operating in the county, estimated the annual quantities of surplus edible food generated, the percentage of that food feasible for donation, and used regional data to calculate estimated existing and new edible food recovery capacity. Through that analysis, it was determined that no additional capacity is required in the county at this time.

RECOMMENDATION

This item is for information only.

This page intentionally left blank



DATE: November 16, 2022

TO: Waste Management Authority Board/Recycling Board

FROM: Meri Soll, Senior Program Manager
Cassie Bartholomew, Program Manager

SUBJECT: Waste Prevention Grants Program Update

SUMMARY

The Agency utilizes several approaches to support waste prevention and build upstream infrastructure in Alameda County. One such approach is our long-running waste prevention grants program. Each year, StopWaste awards local nonprofits and businesses grant funding for projects focused on waste prevention and upstream infrastructure through repair, reuse, redistribution, food waste prevention and recovery, and food donation equipment. The program engages businesses and community-based organizations to reduce waste in Alameda County while helping to address some of the County's most pressing environmental and equity issues and helping member agencies advance their sustainability goals. Since 1996, StopWaste has provided more than \$9 million in grant funding. At the November 16 meeting, staff will provide an overview of the grants program.

DISCUSSION

Local community-based organizations and businesses have a critical role to play in not only preventing waste, but shaping a more circular, resilient, inclusive economy. The grants program offers entities an opportunity to jump start an idea or advance concepts that prioritize upstream source reduction and reuse measures over recycling, composting, and landfilling. Funding priorities are designed to shift depending on Agency priorities and needs in the community. For example, given the rise in food insecurity in the county due to the pandemic, the Agency increased funding for organizations working to recover food to feed people.

Over the years, the Agency has also increased funding and assistance to entities helping to meet requirements in state laws such as SB 1383 and the Plastics Pollution Prevention and Producer Responsibility Act (SB 54). For example, the increase in funding for food recovery helps build organizational capacity to recover and distribute donated food to meet SB 1383 mandates, while

the boost in funding for reusable foodware implementation reduces reliance on single-use packaging and builds infrastructure ahead of SB 54.

Staff will provide an overview of the grants program, including new approaches to streamline the grant application and review process, highlights of previous grantees and impact on their communities, as well as details related to the upcoming grant solicitation opportunity.

RECOMMENDATION

This item is for information only.

DATE: November 16, 2022

TO: Waste Management Authority Board

FROM: Timothy Burroughs, Executive Director

SUBJECT: Appointments to fill upcoming vacancies on the Recycling Board

SUMMARY

Board members Deborah Cox and Dave Sadoff will each complete their second 2-year term on the Recycling Board in November 2022, thereby creating two vacancies. The Waste Management Authority (WMA) Board may make new appointments to the Recycling Board within two months of when the vacancies occur. As such, the Board could decide to make the two appointments at its November 16, December 14, 2022 or January 25, 2023 Board meeting.

DISCUSSION

The eleven-member Recycling Board includes six county resident experts appointed by the Alameda County Board of Supervisors and five members of the WMA Board. As of December, there will be two vacancies on the Recycling Board. The WMA Board is responsible for appointing Board members to fill the vacancies. Per Measure D, which is the county charter amendment that created the Recycling Board, the WMA Board must fill any vacancies within two months, which means that the Board could appoint new members at its November 16, December 14, 2022, or January 25, 2023 meeting. Measure D does not allow for temporary appointments to the Recycling Board or for a member to serve beyond two 2-year terms.

If the WMA Board fails to make an appointment by its January 25 meeting, authority to make the appointment would transfer to the County Board of Supervisors, in consultation with a double majority of the cities, per Section 64.130 D.6 of Measure D.

Any WMA member may serve on the Recycling Board as long as they have not previously served on the Board.

The Recycling Board meets the second Thursday of each month at 4 p.m. or 6 p.m. Meetings are normally held either at StopWaste's offices or at different locations in each of the five supervisorial districts, although meetings have been held remotely during the COVID-19 state of emergency. Schedule and location of meetings are distributed at the beginning of each calendar year. A Recycling Board FAQ document is attached for reference.

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

The other WMA Board members currently serving on the Recycling Board are Bob Carling (Livermore), Dan Kalb (Oakland) and Francisco Zermeño (Hayward). Board member Zermeño's term on the Recycling Board ends in January 2023, and so staff will request that the WMA Board fill an additional vacancy in January.

RECOMMENDATION

Staff recommends that the WMA Board fill two vacancies on the Recycling Board by January 25, 2023.

Attachment: Recycling Board FAQs

Recycling Board/Measure D

FAQ's

WHAT IS THE RECYCLING BOARD AND MEASURE D?

The Alameda County Source Reduction and Recycling Board was created in 1990 by the voters of Alameda County through a County Charter amendment ballot initiative, Measure D (official name: The Alameda County Waste Reduction and Recycling Initiative Charter Amendment). The intention of the Measure was to ensure that the county meet & surpass CA AB 939 mandates of reducing the amount of waste sent to landfill by 50 percent by the year 2000.

The Recycling Board is responsible for programs that promote source reduction, recycling, recycled product procurement, market development, and grants to nonprofit waste reduction enterprises.

WHAT IS THE MEASURE D FEE AND HOW MUCH MONEY DOES IT GENERATE?

Program funding for Measure D related work is provided by a per-ton disposal surcharge (currently \$8.23/ton) at the Altamont and Vasco Road landfills.

On average, about \$9 million a year is collected through Measure D fees. The fee is applied to:

- All solid waste tons disposed within the unincorporated county of Alameda. The fee is paid by the landfill.
- "Municipally controlled" discards (wastes for which the municipality establishes the rates for collection or disposal) landfilled outside unincorporated Alameda County, where arrangements have been made for the fee to be paid by the municipally contracted hauler.

HOW IS THE MONEY USED?

The Recycling Board is required to distribute 50 percent of monies collected to participating "municipalities," the 14 cities and two sanitary districts. Funds are distributed quarterly, based on a per capita (population based) formula.

The County of Alameda receives five percent of Measure D funds to implement a Recycled Product Purchase Preference program at the county and provide support to member agencies on RPP.

The Recycling Board keeps 45 percent of the monies for Measure D programs managed by StopWaste, including:

- Grants to Nonprofits

- Source Reduction Programs
- Recycled Product Market Development
- Discretionary and Administration

WHAT DO THE MEMBER AGENCIES DO WITH THEIR SHARE?

The original intent for Measure D usage for member agencies was to continue and expand municipal recycling programs. A very broad overview of eligible Measure D expenses broken down by categories and general types of expenses has been available to member agencies, below:

Categories

- Recycling, composting
- Source reduction
- Market development
- Recycled product procurement
- Public education/outreach

Allowable uses relating to 4Rs (reduce, reuse, recycle, rot [compost])

- Administrative overhead (staffing)
- Capital assets
- Consultants and contractors
- Events
- Promotional materials, supplies
- Other costs legitimately connected to waste reduction

However, due to the constantly evolving nature of recycling programs and related conservation programs, many types of expenses have been approved over the years on a case-by-case basis.

WHO CHECKS TO MAKE SURE MEASURE D FUNDS ARE USED APPROPRIATELY?

The Recycling Board is required to contract for an audit to determine compliance with Measure D every five years, aka The Five Year Audit (which is broken out by finance/compliance and programmatic analysis). The finance/compliance portion is conducted in three- and two-year segments to make it easier for municipalities to respond to audit requests).

The recent Five Year Audit recommended that staff develop a more comprehensive list of eligible and non-eligible Measure D Expenses to provide member agencies with a written source guidance document for reference & advanced planning/budgeting.

WHO IS REPRESENTED ON THE BOARD, HOW ARE THEY SELECTED, AND WHAT ARE THE TERMS OF SERVICE?

The eleven-member Recycling Board includes six citizen experts appointed by the Alameda County Board of Supervisors and five elected officials from the Alameda County Waste Management Authority. Terms are for two years with a maximum of two consecutive terms for each member. Recycling Board members must attend 75 percent of regular meetings and may not miss two consecutive monthly meetings in a calendar year or their seat is vacated.

The Board of Supervisors appointments include the following six categories:

- A representative of an organization engaged primarily in operating recycling programs within Alameda County
- A source reduction specialist with substantial experience as such
- A representative of the recyclable materials processing industry
- A representative of the solid waste industry
- A representative of an environmental organization with a significant membership active in recycling issues within Alameda County; and
- An environmental educator employed as such on a full-time basis.

Board members must be residents of Alameda County, and no two employees or representatives of the same for-profit company may serve simultaneously.

WHAT ROLES DO THE RECYCLING BOARD SERVE?

- The Recycling Board acts as the Planning Committee of the Alameda County Waste Management Authority
- The Recycling Board oversees the administration and implementation of Measure D activities
- The Recycling Board serves as the Local Task Force mandated by CA Public Resources Code 40950

WHEN AND WHERE DOES THE RECYCLING BOARD MEET?

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

This page intentionally left blank

**December 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 <div> <p style="text-align: center;">9:00 A.M. Programs & Administration Committee Key Items:</p> <ol style="list-style-type: none"> 2023 Meeting Schedule FY 20/21 Audit Mid -year budget adjustment and/or revenue update-TBD <hr/> <p style="text-align: center;">6:00 P.M. Planning Committee & Recycling Board Key Items:</p> <ol style="list-style-type: none"> Election of Officers 2023 Meeting Schedule FY 20/21 Audit Review Board Teleconference Policy Measure D Expenditure Plan Mid-year budget adjustment and/or revenue update-TBD </div>	9	10
11	12	13	14 <div> <p style="text-align: center;">3:00 P.M. Waste Management Authority & Energy Council Key Items:</p> <ol style="list-style-type: none"> 2023 Meeting Schedule FY 20/21 Audit Review Board Teleconference Policy (Timothy) Model reusable foodware ordinance Waste characterization study contract Mid-year – TBD </div>	15	16	17
18	19	20	21	22	23 AGENCY HOLIDAY	24
25	26 AGENCY HOLIDAY	27	28	29	30	31