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Board of Directors Meeting Agenda
February 8, 2018
7:00 p.m.

San Pablo City Hall
City Council Chambers
1 Alvarado Square (13831 San Pablo Avenue)
San Pablo, CA 94806

Americans with Disabilities Act

In compliance with the Americans with Disabilities Act of 1990, if you need special assistance to participate in an Authority meeting, or you need a copy of the agenda, or the agenda packet in an alternative format, please contact the Authority's Manager of Administrative Services at (510) 215-3125. Notification of at least 48 hours prior to the meeting or time when services are needed will assist Authority staff in assuring that reasonable arrangements can be made to provide accessibility to the meeting or service.

Public Comment

Members of the public may address the Board of Directors on items that are within the jurisdiction of the Authority. Comments by the public pertaining to items listed in this Agenda should be made at the time the item is considered by the Board of Directors. Please note this Agenda contains an item for the Public to address the Board on non-agenda matters. Each speaker is limited to 3 minutes and may speak only once under each agenda item. The Board of Directors may waive these provisions. If you desire to address the Board, please submit your request on a Speaker's Card available from the Secretary.

1. CALL TO ORDER AND ROLL CALL

The Chair will call the meeting to order and the Secretary will call the roll to establish the presence of a quorum.

2. CLOSED SESSION-

- 1. Conference with Legal Counsel – Anticipated Litigation:** Initiation of litigation pursuant to subdivision (c) of Section 54956.9: (one potential case).
- 2. Report Out of Closed Session:** Provide a report to the Public in open session of reportable action(s) taken by the Board during closed session.

3. PLEDGE OF ALLEGIANCE

The Chair or a Member of the Board will lead the Pledge of Allegiance.



recycle more
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WASTE MANAGEMENT AUTHORITY

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4. EX PARTE COMMUNICATIONS DISCLOSURES

The Chair of the Board will ask if any Director has an ex parte disclosure, pursuant to the Authority's Ex Parte Communications Policy, on any agenda items.

5. PUBLIC COMMENT

Receipt of public comment on non-agenda matters.

6. CONSENT CALENDAR

All matters listed in the Consent Calendar will be enacted with one motion. There will be no separate discussion of the items listed. However, upon request by a member of the Board or the Public, items will be removed from the Consent Calendar and considered separately in the order they appear on the agenda.

Consideration of a motion to approve the following actions:

6.0 Approve the 2018 Board Meeting Schedule

Approve the 2018 Board meeting schedule.

END OF CONSENT CALENDAR

7. STAFF REPORT

Staff will provide updates on recent and upcoming activities.

Process for Addressing Agenda Items Before the Board of Directors

- *Chair reads the agenda item*
- *Staff presents their report*
- *Board questions staff*
- *Public comments are heard*
- *Board discusses item*
- *A motion is made*
- *Final Board discussion*
- *Motion is restated and seconded for the record*
- *Board votes or provides direction to staff*

REGULAR AGENDA

8.0 Election of Board Chair and Vice-Chair

Nomination of candidates and election of Board Chair and Vice Chair for a term beginning February 8, 2018 and ending January 31, 2019.

8.1 AB 1826 Compliance Update

Receive and file report and hear an oral presentation on past and scheduled future staff actions to address Assembly Bill 1826 (AB 1826) Cal Recycle concerns.

8.2 Resolution for Submitting Grant Applications to Cal Recycle

Consideration of a motion to adopt Resolution 18-01 authorizing the Executive Director to submit and execute documents for the purpose of applying for any CalRecycle Grant Programs that RecycleMore may be eligible for in the next five years.

END OF REGULAR AGENDA

9. BOARD MEMBER AND STAFF ANNOUNCEMENTS

INFORMATION ONLY. Announcement of matters of interest by Board Members, Alternate Board Members, Executive Director and General Counsel.

10. ADJOURNMENT

Consideration of a motion to adjourn. The next regular Board of Directors' Meeting is scheduled for March 8, 2018.



recyclemore
WEST CONTRA COSTA INTEGRATED
WASTE MANAGEMENT AUTHORITY

Agenda Report

Date: February 8, 2018
To: West Contra Costa Integrated Waste Management Authority Board
From: Stan Hakes, Executive Director
Subject: Approve 2018 Board Meeting Schedule

ACTION REQUESTED

Approve the 2018 Board meeting schedule.

BACKGROUND

The current Joint Exercise of Powers Agreement (JEPA) says that the "Board shall hold at least four regular meetings each year." Traditionally, the Board has met monthly on the second Thursday evening of the month, except in August. December Board meetings are sometimes cancelled. The customary meeting location is the San Pablo City Council Chambers, 1 Alvarado Square in San Pablo.

After conferring with the Chair, staff recommends the Board approve a schedule for 2018. For most months, the Board would meet on the second Thursday of each month at 7 PM in the San Pablo City Council Chambers. There would be two exceptions. The Board would not meet in August. Also, in order to avoid conflicting with the schedule of the monthly Mayor's meetings, the Board would meet on the third Thursday in July (July 19, 2018). The proposed Board meeting schedule is attached.

The current JEPA also notes the Board may call special meetings as needed. Any special meetings would require advance notice, so that staff can meet noticing requirements of State law.

FISCAL IMPACT

There is no fiscal impact associated with the recommended action in this report.

RECOMMENDATION

Approve the 2018 Board meeting schedule.

Submitted by:

Stan Hakes
Executive Director

Attachment 1: Recommended 2018 RecycleMore Board Meeting Schedule



**WEST CONTRA COSTA INTEGRATED WASTE MANAGEMENT AUTHORITY
BOARD OF DIRECTORS REGULAR MEETING SCHEDULE**

Calendar Year 2018

Meeting Location: San Pablo Civic Center Council Chambers, 13831 San Pablo Ave., San Pablo

MEETING DATE
18-Jan-18
8-Feb-18
8-Mar-18
12-Apr-18
10-May-18
14-Jun-18
19-Jul-18
No Meeting in August
13-Sep-18
11-Oct-18
8-Nov-18
13-Dec-18



Agenda Report

Date: February 8, 2018
To: West Contra Costa Integrated Waste Management Authority Board
From: Stan Hakes, Executive Director
Subject: Election of Board Chair and Vice-Chair

ACTION REQUESTED

Nomination of candidates and election of Board Chair and Vice Chair for a term beginning February 8, 2018 and ending January 31, 2019.

BACKGROUND

Section 7.4, Section 1, Amendment 4 of the Joint Powers Agreement provides that the Board of Directors shall select from the membership of the Board representing the Member Cities, a Chair and Vice-Chair who shall hold office for a period of one year commencing February 1 of each year. Section 7.4, provides the following guidelines: (1) the Chair and Vice-Chair shall not be representatives of the same Member Agency, (2) no person may serve consecutive terms as Chair or Vice-Chair, and (3) successive Chairs shall not be representatives of the same City.

The current Board Chair is Director Romero from the City of Hercules and the Vice-Chair is Director Choi from the City of Richmond. According to the selection process guidelines, the new Chair cannot be Director Romero or represent the City of Hercules, Director Choi cannot continue to be the Vice-Chair, and both the Chair and Vice-Chair cannot be from the same Member Agency.

The Board should complete selection of the new Board Chair before moving to select the new Board Vice-Chair. For information purposes, a listing of past Chairs and Vice-Chairs of the Authority is attached to this agenda item.

FISCAL IMPACT

None.

RECOMMENDED ACTION

Nomination of candidates and election of Board Chair and Vice Chair for a term beginning February 8, 2018 and ending January 31, 2019.

Submitted by:

A handwritten signature in black ink, appearing to read "Stan Hakes".

Stan Hakes
Executive Director

Attachment 1: WCCIWMA List of Past Chairs and Vice-Chairs

West Contra Costa Integrated Waste Management Authority

**LIST OF PAST CHAIRS AND VICE CHAIRS
OF THE AUTHORITY BOARD OF DIRECTORS**

Fiscal Year	CHAIR		VICE CHAIR	
	Director	Representing	Director	Representing
1990/1991	Granzella	West Contra Costa Sanitary District	Corbin	Richmond
1991/1992	Purnell	Pinole	Washington	Richmond
1992/1993	Washington	Richmond	Gomes	San Pablo
1993/1994	Bartke	Hercules	Ziesenhenne	Richmond
1994/1995	Corbin	Richmond	Gomes	San Pablo
1995/1996	Gomes	San Pablo	Griffin	Richmond
1996/1997	Griffin	Richmond	Ritz ¹	El Cerrito
1997/1998	Alegria	Pinole	Evans	Richmond
1998/1999	Evans	Richmond	Friedman	El Cerrito
1999/2000	Friedman	El Cerrito	Bell ²	Richmond
2000/2001	Bell	Richmond	Gomes ³	San Pablo
2001/2002	Gomes	San Pablo	Balico	Hercules
2002/2003	Balico	Hercules	Rogers	Richmond
2003/2004	Moore	El Cerrito	Alegria	Pinole
2004/2005	Alegria	Pinole	Bates	Richmond
2005/2006	Bates	Richmond	Gomes	San Pablo
2006/2007	Gomes	San Pablo	Viramontes/Marquez ⁴	Richmond
2007/2008	Marquez	Richmond	Balico	Hercules
2008/2009	Balico	Hercules	Moore/Jones ⁵	El Cerrito
2009/2010	Jones	El Cerrito	Lopez	Richmond
2010/2011	Lopez ⁶	Richmond	Murray	Pinole
2011 ⁷	Murray	Pinole	Bates	Richmond
2012	Bates	Richmond	McNeil	San Pablo
2013	Romero	Hercules	Valdez	San Pablo
2014	Valdez	San Pablo	Lyman	El Cerrito
2015	Lyman	El Cerrito	Murray	Pinole
2016	Murray	Pinole	Myrick	Richmond
2017	Romero	Hercules	Choi	Richmond

- 1 Office of Vice Chair vacant as of March 1997 due to resignation of Director Ritz.
- 2 Office of Vice Chair served by former Director Bates through November 1999, beginning May 11, 2000 Director Bell served the remainder of the term.
- 3 Office of Vice Chair served by former Director Watson (Hercules) through November 2000. Beginning February 2001, Director Gomes served the remainder of the term.
- 4 Office of Vice Chair served by former Director Viramontes (Richmond) through November 2006. Beginning April 2007, Director Marquez served the remainder of the term.
- 5 Office of Vice Chair served by former Director Moore (El Cerrito) through November 2008. Beginning April 2009, Director Jones served the remainder of the term.
- 6 Office of Chair service by former Director Lopez (Richmond) through January 2011
7. Section 7.4 of the Joint Powers Agreement was amended changing the commencement date of the terms of a Board Chair and Vice Chair from July 1st of each fiscal year to February 1st with the term ending date of January 31st of the following year.



Agenda Report

Date: February 8, 2018
To: West Contra Costa Integrated Waste Management Authority Board
From: Stan Hakes, Executive Director
Subject: AB 1826 Compliance Update

ACTIONS REQUESTED

Receive and file report and hear an oral presentation on past and scheduled future staff actions to address Assembly Bill 1826 (AB 1826) Cal Recycle concerns.

BACKGROUND

California State law (Assembly Bill 1826) requires that each California city and county has a commercial composting program and that each jurisdiction identify and notify businesses about the law. RecycleMore, as the regional planning agency for five member agency cities, is responsible for complying with AB 1826 on behalf of the member agencies. More information on AB 1826 was included in a report to the Board at the January 8, 2018 Board meeting.

RecycleMore is also responsible for submitting an Electronic Annual Report (EAR) to the California Department of Resources, Recycling and Recovery (CalRecycle) each year prior to August 1. The EAR includes information on complying with AB 1826, AB 341 (Mandatory Commercial Recycling) and compliance with other State laws and regulations.

Based on the data provided by Republic, RecycleMore, with assistance from R3 Consulting, provided the best available information to CalRecycle in our 2016 EAR on our AB 1826 programs. CalRecycle requested some additional cross checking of account lists in October, which RecycleMore provided. At that time, staff believed that RecycleMore was in full compliance with AB 1826, and that our response was sufficient to address CalRecycle's concerns.

As the Board is aware, CalRecycle sent an AB 1826 letter on January 2, 2018 to RecycleMore, as well as member agency staff and City Managers. The letter stated there are gaps in our jurisdiction's compliance monitoring under AB 1826. This letter was included with the January 18, 2018 Board meeting agenda packet.

RecycleMore staff has had several follow up phone calls with CalRecycle representatives since January 2. On January 16, 2018, RecycleMore staff met a CalRecycle deadline by sending a Compliance Plan to CalRecycle Local Assistance and Market Development representatives. CalRecycle representatives responded with recommended updates to make the Compliance Plan more complete, including RecycleMore providing better records on multifamily complexes that are required to meet AB 1826 standards.

On January 22, 2018, RecycleMore participated in a conference call with CalRecycle, our member agency staff and Republic Services to further discuss the compliance plan and AB 1826 follow up actions. On January 26, 2018, RecycleMore staff submitted an updated Compliance Plan. Consistent with the updated Compliance Plan, RecycleMore staff has mailed out warning letters to businesses and multi-family complexes that appear to be out of compliance with AB 1826. RecycleMore staff and Republic Services representatives will be following up these letters with phone calls and/or site visits in the near future.

Cal Recycle representatives have scheduled annual site visits with RecycleMore and member agency staff, starting on January 29 and ending on February 12. These site visits will be another opportunity for RecycleMore staff and member agencies to demonstrate our intentions and actions to comply with AB 1826.

It should be noted that RecycleMore and our member agencies remain in full compliance with AB 939, AB 341 (Mandatory Commercial Recycling) and other State waste reduction, household hazardous waste and reporting requirements. It should also be noted that many other local government agencies have received warning letters from Cal Recycle on compliance with either AB 341 or AB 1826. Some local agencies are already in a mandatory compliance stage. Staff is confident that we are on the right path and can take follow up action to address CalRecycle's concerns and remain in compliance with AB 1826.

Staff will provide the Board with an oral update at the February 8, 2018 and March 8, 2018 Board meetings.

FISCAL IMPACT

There are no fiscal impacts associated with this report. Staff intends to take actions to continue full compliance with AB 1826, so that no financial penalties (or other penalties) will be assessed to RecycleMore or our member agencies.

RECOMMENDED ACTIONS

Receive and file report and hear an oral presentation on past and scheduled future staff actions to address Assembly Bill 1826 (AB 1826) CalRecycle concerns.

Approved by:



Stan Flakes
Executive Director



Agenda Report

Date: February 8, 2018
To: West Contra Costa Integrated Waste Management Authority Board
From: Lorna Thomson, Programs Manager
 Stan Hakes, Executive Director
Subject: Resolution for Submitting Grant Applications to CalRecycle

ACTION REQUESTED

Consideration of a motion to adopt Resolution 18-01 authorizing the Executive Director to submit and execute documents for the purpose of applying for any CalRecycle Grant Programs that RecycleMore may be eligible for in the next five years.

BACKGROUND

The RecycleMore Board approved Resolution 13-7 at the March 2013 Board meeting. Resolution 13-7 allows RecycleMore staff to submit grants as a regional agency on behalf of its member cities. Resolution 13-7 will soon expire, and a new Resolution is needed to authorize staff to apply for grants. A new proposed Resolution (Resolution 18-01) is attached for Board consideration. Resolution 18-01 has almost identical language to the language in Resolution 13-7. Should CalRecycle recommend one or more of the grants submitted by RecycleMore staff, staff would return to the Board for authorization to accept the grant.

HHW grants in the recent past have allowed purchases and expenditures on the following items and staff expects similar eligibility in the near future:

Small Projects (up \$100,000 for regional or JPA applicants)

- HHW public education and outreach for general audiences (may include extended producer responsibility (EPR) information).
- Implementation of new and sustainable EPR collection opportunities (e.g., retail take-back or collection events of batteries or fluorescent lamps).
- Setup and operation of temporary or mobile collection program for one-day or multiday collection events.
- Minor improvements to an existing HHW facility. (Examples include but are not limited to: storage bins, signage, painting, paving, shelving, etc.)
- Purchase of personal protection equipment and/or 8-hour refresher Hazardous Waste Operations and Emergency Response Standards (HAZWOPER) training.

- Pilot project to implement the most cost effective and safe collection methods for propane gas cylinders and marine flares.
- Pilot project to identify and implement effective education programs and incentives to reduce the disposal of household hazardous waste.

Large Projects (up to \$250,000)

- Construction of a new Permanent HHW facility or Recycle-Only HHW Facility
- A construction project that physically expands/improves an existing Permanent HHW facility or Recycle-Only Facility

FISCAL IMPACT

The grants do not require matching funds from RecycleMore and would be solely grant funded.

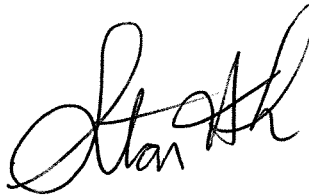
RECOMMENDED ACTION

Consideration of a motion to adopt Resolution 18-01 authorizing the Executive Director to submit and execute documents for the purpose of applying for any CalRecycle Grant Programs that RecycleMore may be eligible for in the next five years.

Approved by:



Lorna Thomson
Programs Manager



Stan Hakes
Executive Director

Attachment 1: Proposed Resolution 18-01

RESOLUTION NO. 18-01

**RESOLUTION OF THE BOARD OF DIRECTORS OF THE
WEST CONTRA COSTA INTEGRATED WASTE MANAGEMENT AUTHORITY
(WCCIWMA) APPROVING SUBMITTAL OF APPLICATIONS FOR ALL
CALIFORNIA DEPARTMENT OF RESOURCES RECYCLING AND RECOVERY
(CALRECYCLE) GRANTS FOR WHICH THE WCCIWMA IS ELIGIBLE**

WHEREAS, Public Resources code sections 40000 et seq. authorizes the California Department of Resources Recycling and Recovery (CalRecycle) to administer various Grant Programs (grants) in furtherance of the state of California's (State) efforts to reduce, recycle and reuse solid waste generated in the State thereby preserving landfill capacity and protecting public health and safety and the environment; and

WHEREAS, in furtherance of this authority, CalRecycle is required to establish procedures governing the application, awarding, and management of the grants; and

WHEREAS, CalRecycle grant application procedures require, among other things, an Applicant's governing body to declare by Resolution certain authorizations related to the administration of CalRecycle grants; and

WHEREAS, CalRecycle allows individual and regional grant projects; and

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the West Contra Costa Integrated Waste Management Authority authorizes the WCCIWMA to submit regional applications on behalf of itself as Lead Agency and its participating jurisdictions (City of San Pablo, City of Pinole, City of Hercules, City of Richmond and City of El Cerrito) and authorizes the submittal of application(s) to CalRecycle for all grants for which WCCIWMA is eligible;

WEST CONTRA COSTA
INTEGRATED WASTE MANAGEMENT AUTHORITY
BOARD OF DIRECTORS RESOLUTION NO. 18 - 01

BE IT FURTHER RESOLVED that the Executive Director, or his/her designee, is hereby authorized and empowered to execute on behalf of the West Contra Costa Integrated Waste Management Authority all grant documents including but not limited to, applications, agreements, amendments and requests for payment, necessary to secure funds and implement the approved grant project(s) pursuant to this Resolution are effective for five years from the dated of adoption of this Resolution.

ATTEST:

CHAIR OF THE BOARD

Melinda Wong – Authority Secretary Date

Date

I hereby certify that the foregoing resolution was adopted by the Board of Directors of the West Contra Costa Integrated Waste Management Authority at its meeting February 18, 2018 by the following vote:

AYES: Directors: _____

NOES: Directors: _____

ABSENT: Directors: _____

Melinda Wong, Authority Secretary