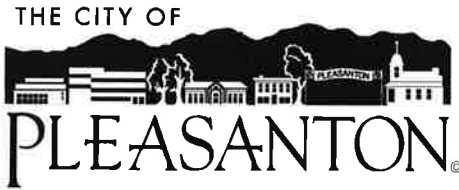


**COMMITTEE ON
ENERGY AND THE ENVIRONMENT
AGENDA**



January 22, 2020 - 6:30 P.M.

**Operations Service Center
Remillard Conference Room
3333 Busch Road, Pleasanton**

CALL TO ORDER

ROLL CALL

AGENDA AMENDMENTS

CONSENT CALENDAR

1. Approve regular meeting minutes of November 18, 2019

MEETING OPEN TO THE PUBLIC

2. Introductions/Presentations
 - a. Introduction of new Committee staff liaison and overview of the Committee on Energy and the Environment
3. Public comment from members of the audience regarding items not listed on the agenda.

OTHER MATTERS BEFORE THE COMMITTEE

4. Climate Action Plan Update
5. East Bay Community Energy (EBCE) Update
6. Single Use Disposable Ordinance Update

MATTERS INITIATED BY COMMITTEE MEMBERS: Brief reports on conferences, seminars, and meetings attended by Committee members.

ADJOURNMENT

Next regularly scheduled meeting: March 25, 2020 at 5:00 p.m.

Notice

Under Government Code §54957.5, any writings/documents regarding an open session item on this agenda provided to a majority of the Commission after distribution of the agenda packet are available for public inspection at the Operations Services Center, 3333 Busch Road, Pleasanton.

Accessible Public Meetings

The City of Pleasanton can provide special assistance for persons with disabilities to participate in public meetings. To make a request for a disability-related modification or accommodation (e.g. an assistive listening device), please contact Derek Lee, Operations Services Center, 3333 Busch Road, Pleasanton, CA 94566, or (925) 931-5525 at the earliest possible time. If you need sign language assistance, please provide at least two working days' notice prior to the meeting date.

**MINUTES
CITY OF PLEASANTON
COMMITTEE ON ENERGY AND ENVIRONMENT
November 18, 2019**

CALL TO ORDER

The regular meeting of the Committee on Energy and the Environment was called to order at 5:01 p.m.

ROLL CALL

Present: Catherine Brown, Eric Cartwright, Terry Chang, Bruce Daggy, Laurene Green, Joel Liu, Robert Gan

AGENDA AMENDMENTS

None.

CONSENT CALENDAR

1. Approve the regular meeting minutes of September 25, 2019, with the following change:
 - 1) On page 5, paragraph 4, change January 21, 2020 to January 22, 2020.

Motion by: Brown Seconded by: Daggy

Ayes: Brown, Cartwright, Chang, Daggy, Gan, Green and Liu

MEETING OPEN TO THE PUBLIC

1. Introductions / Presentations:

Ms. Yurchak introduced Ms. Hopkins, Assistant to the City Manager, as the new committee staff liaison effective January, 2020. Ms. Yurchak indicated that Ms. Hopkins has been working closely with Mr. Reda on a lot of the environmental initiatives in the City Manager's office.

Ms. Hopkins provided an overview of the various committees and projects she has worked on in the past that were related to the committee and indicated she looked forward to working with the group.

The committee expressed their appreciation to Ms. Yurchak for her service.

2. Public Comment from members of the audience regarding items not listed on the agenda:

Jill Buck, Pleasanton resident, expressed her concerns regarding PFAS and the contract being executed with a consultant, which to her knowledge does not include information about identifying the source of the PFAS. She also was not in favor with the blending treatment option.

Ms. Yurchak indicated that Zone 7 is responsible for managing the Tri-Valley ground water basin and they are leading the ground water monitoring program with the assistance of the States Investigative group and are playing an active role in identifying the source of PFAS. In addition, the City is working collaboratively with both these agencies to assist in these efforts (i.e. providing test results and responding to inquiries).

OTHER MATTERS BEFORE THE COMMITTEE

3. Select Chair and Vice Chair

Eric Cartwright recommended appointing Catherine Brown to Chair.

Motion by: Cartwright **Seconded by:** Chang
Ayes: Brown, Cartwright, Chang, Daggy, Gan, Green and Liu

Laurene Green recommended appointing Terry Chang to Vice Chair.

Motion by: Green **Seconded by:** Daggy
Ayes: Brown, Cartwright, Chang, Daggy, Gan, Green and Liu

The committee thanked Ms. Green for all her leadership as chair for the past year.

4. Climate Action Plan (CAP) Update

Ms. Campbell reported that the City has selected Cascadia as the consultant to complete CAP 2.0. The group felt they were the most qualified applicant and have recently completed CAP's in Dublin, Albany, and various others in the business community. It was noted they have a local office in Oakland, CA. The contract will go to City Council later in December and the project is estimated to take approximately 18 months to complete. She reviewed the following project schedule and scope: Project Kick-off in January, community Outreach plan, reviewing existing conditions, determine where the City is currently at with emissions, forecasting, projections, reviewing vulnerability and adaptation chapters of the existing plan, setting Green House Gas Emission reduction targets, establishing goals, actions, co-benefits, and putting together a implementation monitoring plan, compiling a draft Climate Action Plan, CEQA environmental review, and adoption.

Ms. Brown inquired if the CEQA process has a public comment period.

Ms. Campbell indicated that it will be determined what level of CEQA is required, which will determine what the comment period will look like and that she would check in with the committee during the CEQA analysis and allow an opportunity for comments. Ms. Campbell noted the committee will have numerous opportunities to comment throughout the project. She indicated that a website has been created and once live (sometime in mid-December), she will send the link to the committee members. She highly recommended the committee members sign up for project notifications as it will have detailed information on relevant documents and status updates of where the project is at. She also reported that staff will be attending regularly scheduled meetings when there is substance to talk about.

Ms. Hopkins also reported there will be a public input process to obtain feedback from various committees and also a Council workshop where individuals can speak for themselves but not on behalf of the committee. Ms. Campbell also indicated there will be an outreach plan which will include stakeholders and there will be plenty of opportunities for public input at various events in the city.

Mr. Liu inquired when the consultant would be starting work. Ms. Campbell indicated the consult would most likely start work after the kick-off meeting. Staff plans to meet with Cascadia prior to the kick-off to outline the expectations and communication plan for the project.

Mr. Cartwright inquired if the existing CAP will be in place until the new one is adopted. Ms. Campbell indicated that the horizon period for the current CAP is 2020 and until the new one is adopted it will remain in place when referring to policies and measures.

Ms. Hopkins distributed her business cards to the committee members.

5. Updates from the subcommittees

Water Supply Alternatives: Ms. Green indicated that she was pleased the City of Pleasanton moved relatively quickly on the PFAS issue and hired a consultant as there is a lot of work to be done.

Ms. Yurchak said she would send out the link to the PFAS presentation and staff report from the November 5th, City Council meeting. The committee requested that the committee be updated as information becomes available. Ms. Yurchak indicated staff anticipates that the consultant will be returning to the City in February, 2020, with treatment options.

Ms. Green reported that she will be forwarding the committee members a copy of her responses and comments on the Potable Reuse Water Project and the necessity to keep this on the committee's radar. She reported the next Tri-Valley Water Liaison committee meeting will be held on January 22, 2020 at 4 p.m. and Mr. Cartwright and Ms. Green will provide an update at the January 22, committee meeting.

Climate Action Plan: Mr. Daggy indicated that there are new building standards that are calling for no gas lines and other regional issues the committee should stay informed on should there be items that could be added to the CAP 2.0.

East Bay Community Energy Evaluation: Ms. Brown reported there is a standing community advisory meeting being held on Monday, November 18, 2019 and a standing board meeting on Wednesday, November 20, in which they will review if they are interested in accepting Pleasanton, Tracy and Newark to join the JPA. Ms. Hopkins reported that Mr. Reda will be attending the meeting representing the City of Pleasanton and will address the board if necessary.

Mr. Reda indicated that if approved by the board, the City will join the JPA in January, 2020 and the public outreach efforts will begin in early, 2020, with service scheduled to start in Spring, 2021.

Ms. Brown inquired when the City will decide who will represent the City on the EBCE board. Ms. Yurchak indicated that at the first meeting in December Council will appoint a primary and secondary person to be appointed to board.

Ms. Brown reported that she reached out to Alex DiGiorgio, EBCE, as a resident and indicated she would like to assist with outreach efforts to inform residents about the process and services available.

MATTERS INITIATED BY COMMITTEE MEMBERS

Ms. Green expressed the importance of Water Conservation and felt it warranted future discussion for components be added to the CAP 2.0.

Ms. Yurchak reported the Water Conservation Council priority is specific to emerging legislation and the City is following it, however; there hasn't been a prescribed approach to the methodology that we would be using for water conservation. She said the State has talked about 55 gallons/day and setting parameters for both indoor and outdoor usage which would be self-monitored by residents. The City is going to have to self-certify how the City is going to monitor usage and it hasn't been completely defined yet at this point. She indicated that Water Conservation staff could provide an update on what we know thus far, and once it is finalized staff could review the process on what the City of Pleasanton will be required to do. In addition, staff could provide information on current Water Conservation Programs, Water Conservation efforts in the existing CAP, update on SMART meters/SEW Portal, water usage in 2013, trends and continuous water conservation efforts.

Mr. Cartwright indicated that this is a timely discussion as he understands that by end of 2020 the Urban Water Management Plan is required to be submitted to the State and adopted. Ms. Yurchak reported that the City is required to update the Urban Water Management Plan every five years.

Ms. Brown inquired on how many of the smart meters have been installed. Ms. Yurchak reported that 90-95% of the meters have been installed.

Ms. Chang indicated that a few years back the committee was introduced to the app in which residents could monitor water usage and inquired if people have been using it.

Ms. Yurchak said residents are continuously signing up for the app and staff is being very proactive about notifying residents of potential leaks and excessive usage. She reported that staff recently sent out a mailing to encourage people to sign up and use every opportunity to advertise the program. In addition, there is information available on the sustainability website to encourage residents to register.

Ms. Chang inquired on how the City ensures the continuous pumping of the water filtration system and that waste is processed during PG&E power outages. Ms. Yurchak indicated that staff has been working closely with PG&E since 2017 to prepare for these types of outages by obtaining back-up generators to ensure that all water pumps and sewer lift stations continue to run without interruption during outages. The systems that were put in place were all effective during the last power outage in October and there were no interruptions to service. She indicated that staff also worked closely with Zone 7 and DSRSD to coordinate the efforts for the water distribution system.

Ms. Liu inquired how many water pumps are operated by the City. Ms. Yurchak provided a brief overview of the water distribution system.

Ms. Green inquired on the cost of the generators. Ms. Yurchak indicated that since July, the cost of generator rentals were approximately \$100,000. She also said that staff is looking into some potential projects to purchase generators for some of the sites.

Mr. Daggy reported that he has spoken to some of his neighbors and they are not informed on the dire circumstances pertaining to the water projections of a 50 percent shortage if nothing is completed to address the supply issue or change the culture of water conservation. He said by in far, his residents were shocked which leads him to believe the public is not informed and the word needs to get out. He felt something needs to be done to address the culture and prepare the public.

Ms. Green asked if Zone 7 could possibly do a presentation to inform the public at a committee meeting to educate people about the importance of water conservation and general studies they've been completing lately.

Mr. Gan recommended reaching out to Zone 7 to recommend they provide presentations to children in Pleasanton as often times one of the greatest outlets to reach adults in the community is through what their kids are experiencing.

Mr. Daggy reported that Ann Brown provides community outreach and education at Zone 7.

Ms. Brown suggested creating a subcommittee to help develop a Water Conservation Culture.

Ms. Hopkins suggested the committee wait to hear about what the City of Pleasanton is currently doing for Water Conservation and also what the State is going to require before creating another subcommittee. She indicated there is a lot of work to be done that can be addressed by the committee without creating another subcommittee.

Ms. Green indicated that maybe this could be captured under the Climate Action Plan Subcommittee if necessary.

Ms. Chang reported on her attendance at a soil workshop demonstration by Stop Waste on September 28th which was well attended. She received various resources which could potentially be added to the CAP 2.0 (i.e. rebuilding soil for Water Conservation, community farm, and carbon sequestration).

Mr. Daggy reported that Stop Waste recently came out to Eden Garden where he volunteers at the organic garden which provides food to the Food Pantry. They accessed the way they were composting and offered advice on ways to improve it. Stop Waste also offered to do a public demonstration workshop in the Spring for the public.

Ms. Brown inquired if Stop Waste emphasis on composting has reached the city as far as the Parks are concerned. Ms. Yurchak indicated that Parks does purchase organic compost and Operations Services has their own mulch pile and take advantage of the materials for street medians and parks in Pleasanton. The City also has an agreement with Terry's tree service where they dump their tree materials at the yard.

Mr. Gan asked if carbon sequestration was similar to desertification.

Ms. Chang indicated there are some overlaps and provided some more detailed information on the topic.

Mr. Gan provided some information on a Ted Talk he recently viewed on desertification and inquired if the city has taken this solution into account at all.

Ms. Yurchak reported that City has not, however, the City is responsible for a lot of open space but haven't gone to any sort of efforts to do anything more than provide weed abatement with grazing cattle. She indicated that this is something that would be great to add to CAP 2.0.

Ms. Hopkins reported that Stop Waste is completing a carbon farming project at the Altamont Pass and she will report back to the committee as more information becomes available.

Mr. Liu provided an update on a recent workshop he attended on SB327, (American Water Infrastructure Act). The law is regards to cyber-attacks on power plants both infrastructure and cyber security. Ms. Hopkins indicated that the city attorney's office keeps informed on all laws that effect the City.

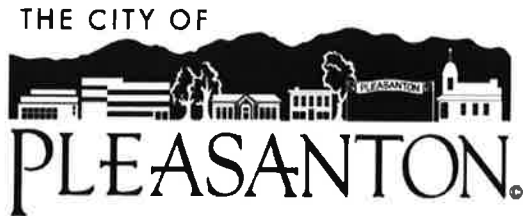
Mr. Liu reported that he did not receive a name tag when he started with the committee. Ms. Hopkins reported that staff would order one for him.

ADJOURNMENT

The meeting was adjourned at 6:10 p.m.

Next regularly scheduled meeting: January 22, 2020 at 6:30 p.m. (Please note: later start time)

Respectfully Submitted,
Jennifer Tagalog



The Committee on Energy and the Environment Meeting Agenda Report

January 22, 2020

Item 4

SUBJECT: CLIMATE ACTION PLAN 2.0 UPDATE

SUMMARY

At the previous Committee on Energy and Environment (Committee) meeting held on November 18, 2019, City of Pleasanton staff gave a verbal update about the preparation of an updated Climate Action Plan (CAP 2.0). This report's intention is to inform the Committee and community members of staff's progress since November 18 and describe next steps as the CAP 2.0 project commences.

RECOMMENDATION

Receive update on the City's Climate Action Plan 2.0 project launch.

FINANCIAL STATEMENT

None.

BACKGROUND

The City of Pleasanton's established Work Plan for 2019-2020 includes preparation of an updated Climate Action Plan. The City's original CAP was adopted in 2012 and outlines local actions to reduce greenhouse gas (GHG) emissions, enhance environmental sustainability, and prepare for climate change. The effects of climate change have been extensively studied and the California Governor's Office of Planning and Research notes that increasing global temperatures have far-reaching consequences such as more frequent heat waves and wildfires, sea level rise, and snowpack decline. As with Pleasanton's 2012 Climate Action Plan, CAP 2.0 will continue to respond to the impacts of climate change through local actions.

The updated CAP will shorten, simplify, and improve the aesthetics of the existing CAP, be "qualified" for future project level streamlining with the California Environmental Quality Act (CEQA), and provide goals and objectives that are realistic and implementable.

DISCUSSION

Staff prepared a Request for Proposal for professional services which was reviewed by the Committee in July, interviewed three firms, and selected Cascadia Consulting Group to lead the CAP 2.0 consultant team. Rincon Consultants will assist Cascadia in the update effort. At the December 17, 2019 Council meeting, Council unanimously authorized the City Manager to execute a Professional Services Agreement with Cascadia Consulting Group in the amount of \$249,985 for services related to the preparation of an updated Climate Action Plan. The project is anticipated to take 18 months.

Staff had a kickoff meeting with Cascadia and Rincon on January 17, 2020. The meeting included finalizing the schedule, setting consultant expectations, and identifying links and gaps with existing plans.

Staff identified the following as next steps:

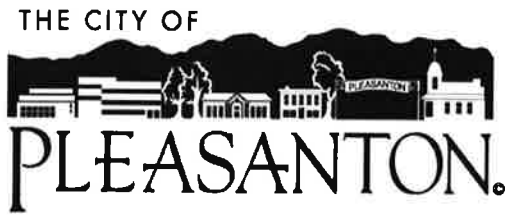
- Launch the CAP 2.0 website
- Create a community outreach plan
 - a. Identify stakeholders, Commissions, and Committees
 - b. Develop outreach strategy and toolkit
- Begin examining existing conditions
 - a. Review relevant City documents (e.g., original CAP, General Plan, etc.)
 - b. Review baseline (i.e., 2005) and recent (i.e., 2017) GHG emissions inventories and report reduction to date
 - c. Determine if any modifications to inventories are required to ensure consistency

Staff will continue to check-in with the Committee regularly as the CAP update progresses.

Submitted by:



Megan Campbell
Associate Planner



The Committee on Energy and the Environment Meeting Agenda Report

January 22, 2020

Item 5

SUBJECT: EAST BAY COMMUNITY ENERGY UPDATE

SUMMARY

This report is an informational item that discusses next steps as the City approaches its automatic opt-in date in spring 2021.

RECOMMENDATION

Receive update on East Bay Community Energy.

FINANCIAL STATEMENT

None.

BACKGROUND

East Bay Community Energy is a not-for-profit Community Choice Aggregation (CCA) program that consists of the County of Alameda and 11 cities within the county and started delivering power to its first customers in 2018. EBCE purchases electricity for its customers, and partners with PG&E who delivers the power, maintains the grid, and handles billing.

Per CPUC Resolution E4907, Pleasanton had to join EBCE in 2019 for the City to receive the CCA's electricity service in 2021. This new requirement is designed to ensure CCAs have procured sufficient energy generation to meet the demand for the coming year and fulfill their resource adequacy obligations.

In September 2019 the Pleasanton City Council unanimously voted to join the EBCE Joint Powers Authority (JPA). Each new jurisdiction (Pleasanton, Tracy, Newark) is designated a seat on the JPA's Board of Directors in 2020.

DISCUSSION

CPUC approval process. EBCE Board of Directors. In November 2019, the City Manager signed the JPA, and EBCE submitted their updated Implementation Plan to the California Public Utilities Commission (CPUC) before the end of the year. EBCE expects to receive confirmation of the CPUC's certification of the updated Implementation Plan in quarter 1 (February/March) 2020.

City participation on EBCE Board of Directors. After the CPUC approval of the EBCE Implementation plan, new jurisdiction board members are expected to be sworn in and participate as voting members in February or March 2020. Councilmember Jerry Pentin will be the Pleasanton representative on the EBCE Board. EBCE's Board of Directors meetings are scheduled for the first and third Wednesday of each month at 6pm but in practice meet once a month on the third Wednesday.

The voting structure for the EBCE Board is as follows:

1. Percentage Vote
 - One vote per member and the majority wins
2. Voting Shares Vote
 - Immediately after an **affirmative** percentage vote, three or more Directors may request that a vote of a voting share shall be held
 - Each Jurisdiction's vote is based on their load size
 - It must be invoked by 3 or more members of the JPA
 - It has never been invoked by the EBCE Board
 - Pleasanton's weight-based vote is ~5.7% in 2020 (Combined with Livermore, Dublin and Tracy ~20%)

The Board Subcommittees are the Marketing, Regulatory and Legislative Sub-Committee, and the Finance, Administration, and Procurement Sub-Committee. There is also an Executive Committee. To become a part of any of these, there must be an opening and a majority vote by the Board approving the new member.

The EBCE Board has a non-voting member from a citizen-run Community Advisory Committee (CAC). The nine CAC members are comprised of residents from EBCE's service territory and are appointed by the EBCE Board of Directors. As community stakeholders they provide guidance and recommendations to the Board. Typically, the CAC members have stakeholder categories they are particularly interested in (e.g., environmental justice, public health). The CAC representative to the Board can participate at Board meetings but cannot vote.

Local Development Business Plan (LDBP). The LDBP is a comprehensive framework for accelerating the development of clean energy assets within Alameda County. Currently, most LDBP initiatives are in the development stage, and staff expects new jurisdictions to be eligible to participate in 2021 when the service begins. City staff will monitor LDBP initiatives closely and make recommendations when necessary.

Communication plan. EBCE will send out four notices by mail to residents and business owners during the 2021 rollout. Two will arrive in the two months before the automatic

enrollment date and two will arrive within two months after service commencement. These letters give background information, explain EBCE's partnership with PG&E, describe the different energy service tiers, and offer the option to opt out. Additionally, EBCE offers to table at public events and speak with the Chamber of Commerce and any other groups or organizations we recommend they connect with.

City staff developed an EBCE communication plan to begin in January 2020 through December 2021. This communication plan will bolster the efforts of EBCE. Information will be disseminated through a variety of means such as: a Pleasanton EBCE webpage, the Progress Newsletter, City Manager E-Newsletter, social platforms, local media and community organizations.

Electricity Service Options. Three options are available as shown in Table 1.

The Go Green Initiative gave a presentation on the greenhouse gas (GHG) emissions from municipal buildings in Pleasanton in October 2019. Eliminating GHG emissions associated with electricity can be a first step towards achieving the Climate Action Plan 2.0 goals and demonstrating to the public that the City endorses EBCE.

There is no date that the City must opt up by. Opting up in the winter of 2020 can be a useful marketing tool as residents and business owners – for the first time – are empowered to make a choice about their own electricity procurement.

Table 1.

			
2018 Energy Mix	91% carbon free* 41% renewable**	100% Carbon free 45% renewable	100% carbon free 100% renewable
Cost vs PG&E	1.5% reduced price	Same price	\$0.01/kWh increase
EBCE Member Cities' Municipal Opt-In Level	Union City	Albany, Berkeley, Emeryville, Fremont, Hayward, Livermore, Oakland, San Leandro, Unincorporated Alameda County	Dublin, Piedmont

**EBCE's energy portfolio changes on a yearly basis. EBCE staff acknowledges that the organization over-purchased when service began in 2018, and it is probable that Bright Choice's carbon free energy mix will be lowered in 2020.*

***The other 9% of Bright Choice's energy makeup comes from Unspecified Sources of Power.*

"Unspecified sources of power refer to electricity that is not traceable to a specific generating facility, such as electricity traded through open market transactions. Unspecified sources of power are typically a mix of all resource types and may include renewables" and natural gas.

Conclusion

This memo provided an overview of the EBCE program, Board of Directors, and the next steps the City will take to educate the community regarding the transition to EBCE in 2021.

Submitted by:



Zachary Reda
Management Analyst

THE CITY OF



The Committee on Energy and the Environment Meeting Agenda Report

January 22, 2020

Item 6

SUBJECT: SINGLE USE DISPOSABLE ORDINANCE UPDATE

SUMMARY

This report is an informational item to update the Committee about research to consider developing a single use disposable ordinance, which is a City Council Priority.

RECOMMENDATION

Receive update on single use disposable ordinance project.

FINANCIAL STATEMENT

None.

BACKGROUND

In September 2018, Governor Brown signed into law AB 1884 – a bill that prohibits the use of single-use plastic straws in full-service (dine-in) restaurants, unless requested by the customer.

In February 2019, City Council heard from students and other community members regarding the impact of plastics on public health and the environment. In response, the City Council made it a fiscal year 2019-2020 and fiscal year 2020-2021 priority to explore an ordinance aiming to reduce single-use disposables from retail and dining establishments.

DISCUSSION

The primary objective of a single use disposable ordinance is to reduce consumption of non-reusable materials, leading to a reduction in litter, plastic pollution, and compost contamination. Single-use food service ware has a short useful life (often only used for minutes) and must be managed and successfully routed to a recycling facility, industrial compost facility, or a landfill at considerable expense.

Staff conducted research on alternative products and followed up with early ordinance adopters, such as the City of Alameda, to understand implementation, enforcement and compliance issues. In order to comply with single-use plastic restrictions, businesses have relied upon biobased and compostable alternatives to replace some restricted plastic products. Unfortunately, these alternatives can be problematic and do not always provide the intended environmental benefit. Some products, such as utensils, seldom break down completely during the standard composting cycle and are screened out and ultimately landfilled as residue. Other products, such as bowls and food containers, commonly include moisture barriers or linings that contain fluorinated chemicals, which have been linked to numerous health problems. Fluorinated chemicals do not break down in the composting process and are a contaminant in the finished compost product.

Biobased (made from renewable feedstock) and compostable products (designed to degrade completely by biological processes) can also have higher environmental impacts during production than traditional plastic products. A 2018 study released by the State of Oregon Department of Environmental Quality evaluated the lifecycle costs of biobased and compostable food serviceware and found higher production impacts including fossil energy use, water consumption, and acidification/acid rain than traditional plastic materials. The report states:

“Given the suite of materials and formats evaluated in the literature, compostable food service ware (if composted) typically results in higher environmental impacts when compared to other food service ware that is non-compostable, even if that other food serviceware is landfilled.”

Switching from single-use plastics to compostables is not a solution because it does not reduce consumption. Reusables are the best option for reducing food packaging waste at the source and shifting away from the disposable culture that has become a societal norm.

There are several challenges and considerations that inform the design of an effective food service ware ordinance.

Avoiding disposable alternatives. In order to be truly effective, the ordinance must reduce consumption of single-use food ware rather than shifting consumption to an alternative that is still disposable. There are many materials and formats used for food service ware that claim to be recyclable or compostable yet pose significant challenges for collection and processing. Many of these items still end up as litter, or are not successfully processed as recycling or compost, and end up in the landfill.

Building up reusables infrastructure. Reusables have the potential to significantly reduce consumption of single-use food ware, but local infrastructure for reusables is not well developed in Alameda County. Significant investment is needed to support the growth of services and solutions that facilitate the use of reusables for takeout dining, such as dishwashing services, cup and container rental services, reusable dining ware designed for takeout, etc.

Burden on businesses and consumers. Outreach and education to food vendors is needed to address health code-related concerns about reusables, and to ensure equity and accessibility to less-abled customers, lower-income individuals, and transient populations just 'passing through' and not likely to have reusable food service ware readily available.

In May of 2019, StopWaste staff gave a presentation to the Program and Administration (P&A) Committee and the Recycling Board to provide some background for a single-use disposable foodware ordinance. The presentation highlighted some of the challenges with different food serviceware options including toxicity and composting difficulties. StopWaste staff returned to the P&A Committee and the Recycling Board on November 14 to present single-use disposable ordinance options and request feedback. The options include developing a model ordinance for adoption by individual member agencies or a single countywide ordinance coordinated through StopWaste.

StopWaste proposed a **basic ordinance** which includes the following elements:

1. Reusable food service ware required for all dine-in establishments
2. Single-use food ware (plates, cups, bowls) and accessories (straws, utensils, condiment cups) must be BPI certified compostable fiber (non-plastic)
3. Single-use accessories (straws, utensils, condiment cups) available only on demand/self-service

A more **comprehensive ordinance** could include the above elements as well as the following:

1. \$0.25 charge on single-use cups
2. \$0.25-0.50 charge per meal for to-go food service ware if requested

The ordinance can be developed as a model, ready for customization and adoption directly by member agencies, or implemented countywide. Rolling out the ordinance in distinct phases that add more complex elements over time would allow time for affected parties to prepare for the changes and address operational considerations. Additionally, a phased approach can gradually expand the affected audience – starting with municipal operations and expanding over time to include special events, food vendors, and third-party delivery services. If implemented countywide, the ordinance could affect up to 6,000 establishments, including restaurants, food trucks, catering businesses, prepared food vendors, and food provided via third party delivery.

If consensus among jurisdictions is possible, the countywide ordinance will provide the greatest waste reduction impact. The consistency beyond city boundaries will limit confusion and effectively help communities shift to more reusable products. Subsequent steps are anticipated to include a California Environmental Quality Act (CEQA) analysis, technical assistance, phased implementation, outreach, and complaint-based enforcement. This option may cost StopWaste approximately \$1.2M in fiscal year 2019-2020 and fiscal year 2020-2021, with an ongoing annual cost of approximately \$350,000. It is expected that StopWaste will request funding from all member agencies to help fund the countywide ordinance. At this time, the amount of funding StopWaste will ask jurisdictions for is unknown. However, jurisdictions can use Measure D funds to cover these expenses. The City could choose to bolster the effectiveness of a County-wide ordinance by providing supplemental outreach or our own complaint-based responses.

Alternatively, the StopWaste model ordinance gives member agencies the greatest amount of flexibility. Cities will be able to adopt different regulations regarding single-use disposables to meet their jurisdictions specific needs. The model ordinance option would require cities to conduct their own enforcement efforts which would come with a cost. Subsequent steps are anticipated to include a CEQA analysis, model language, technical assistance, and outreach assistance.

StopWaste staff will engage with all member agencies to create ordinance options that are the most effective for all jurisdictions. It is expected that StopWaste's County Ordinance proposal will include all the basic ordinance elements. The Committee and Board's feedback will shape the recommendation presented to the Authority Board in early 2020.

CONCLUSION

The City's single use disposable ordinance project aligns with StopWaste's current efforts in addressing reduction of single use plastics through the reusable food ware ordinance. Staff will continue to participate and monitor their efforts and advise the City Council as needed.

Submitted by:



Zachary Reda
Management Analyst