

**Alameda County Source
Reduction and Recycling Board**

**Alameda County
Waste Management Authority**

Alameda

Albany

Berkeley

Dublin

Emeryville

Fremont

Hayward

Livermore

Newark

Oakland

Piedmont

Pleasanton

San Leandro

Union City

Castro Valley Sanitary District

Oro Loma Sanitary District

STOPWASTE.ORG
Reducing the Waste Stream for Alameda County

**Five (5) Year Financial and
Compliance Audit for the
Alameda County Source
Reduction and Recycling Board**

Fiscal Years 2006/07 to 2010/11

November 26, 2012

NewPoint Group[®]
Management Consultants

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Executive Summary



Executive Summary

NewPoint Group conducted this Five Year Financial and Compliance Audit of funds raised through the Alameda County Waste Reduction and Recycling Initiative Charter Amendment (“Measure D”). This Five Year Audit was conducted in two (2) phases. The Phase I audit covered the three (3) fiscal years of 2006/07, 2007/08, 2008/09. The Phase II audit covered the two (2) fiscal years of 2009/10 and 2010/11.

For Phases I and II, we found no significant Measure D compliance issues after examining the finances of the Recycling Board, member agencies, and grant recipients. Our work included on-site reviews of the Recycling Board, each of the sixteen (16) member agencies (where eligible for Measure D funds), and a total of twenty-three (23) grant recipients. We conducted our Phase I field work between November, 2009, and April, 2010; and the Phase II field work between November, 2011, and April, 2012.

In **Section 1** of this report, we provide an introduction and background of the audit. In **Section 2** of this report, we trace the flow of Measure D monies, from collection by the Recycling Board from landfill operators, to distribution of Measure D monies for programs managed by the Recycling Board, and to the member agencies.

In **Section 3** of this report, we provide our financial and compliance assessment results. For each financial and compliance provision of Measure D, we identify whether the applicable entity met the requirement and, if so, how the entity met the requirement (in Exhibit 3-1 and 3-2). We found Alameda County and the Recycling Board in full compliance with nine (9) Measure D compliance areas.

We found the member agencies generally in compliance with seven (7) Measure D compliance areas, with some minor exceptions. We found some minor variations between expenditure amounts reported by member agencies on their Annual Measure D Programs report and expenditure amounts we found through our audit (described on page 3-11), however these differences were not considered material. Also, we found that member agencies had some challenges with Recycled Product Purchase Preference (RPPP) program reporting and planning (identified on page 3-12). **Exhibit ES-1**, following this page, summarizes our financial and compliance findings.

In **Section 4** of this report, we provide our review of Recycling Board waste diversion results for the audit period. We found the Recycling Board’s Recycling and Sustainability Index a robust set of measures to use as a way to track changes in waste diversion levels, and the new percentage of divertable materials within the refuse container a progressive approach for measuring and targeting reductions in curbside disposal volumes.

Exhibit ES-1

**Five Year Financial and Compliance Audit
Summary of Findings**

Entity	Findings
Recycling Board	<ul style="list-style-type: none"> ■ RB-1 – Alameda County and the Recycling Board Met Measure D Compliance Requirements ■ RB-2 – The Recycling Board Collected Measure D Monies From Landfill Operators in Accordance with Measure D Requirements ■ RB-3 – The Recycling Board Allocated Measure D Monies to Member Agencies, and Required Programs, Consistent with Measure D Requirements
Member Agencies	<ul style="list-style-type: none"> ■ MA-1 – Member Agencies Met the Compliance Requirements of Measure D ■ MA-2 – Member Agencies Spent Measure D funds on Legitimate Measure D Expenses ■ MA-3 – The Annual Measure D Programs Report Creates Some Challenges, but In General Is Working for Its Intended Purposes ■ MA-4 – Member Agencies Correctly Reported Interest on Measure D Fund Balances ■ MA-5 – Some Member Agencies Had Difficulty Planning for Recycling Product Purchase Preference (RPPP) Program Expenditures
Grant Recipients	<ul style="list-style-type: none"> ■ G-1 – Grant Recipients Complied with Terms and Conditions of the Grants and With Measure D Requirements

We found that it is likely that recent reductions in per capita disposal rates are related to economic factors (not program enhancements or increasing curbside recycling or organics participation levels). We found the Recycling Board in full compliance with AB 939 goals, and at 70 percent diversion Countywide in 2010 (on a weighted average basis across the sixteen member agencies), about five (5) percent short of the 75 percent diversion goal for 2010. We provided some recommendations for the Recycling Board to use with diversion related reporting to member agencies.

In **Section 5** of this report, we provide our recommendations from the audit.¹ **Exhibit ES-2**, on the next page, provides a summary of our recommendations. We provide these recommendations in the spirit of simplifying the

Measure D reporting process and improving, in some areas, how Measure D monies are tracked and monitored by the Recycling Board.

We provided the Board these recommendations during Phase I of the audit and the Board has implemented, or is in the process of implementing, several of these recommendations. The current status of each recommendation is identified in bold under the Recommendation column of Exhibit ES-2.

There are seven (7) appendices to this report. These appendices provide such information as the Measure D text; related Recycling Board resolutions and memoranda; member agency background; supporting details for our compliance testing; and a summary of grant recipients reviewed.

¹ With the exception of Recommendation RB-1 on page 4-7.

Exhibit ES-2

**Five Year Financial and Compliance Audit
Summary of Recommendations**

Entity	Recommendation	Description
<p>Recycling Board</p>	<ul style="list-style-type: none"> ■ RB-1 – Implement Methods to Convey Diversion Performance to Member Agencies; and Use Data Analyses to Target the Board’s Programmatic Efforts (Under Consideration) 	<ul style="list-style-type: none"> ■ Consider a report card for each jurisdiction, showing diversion progress (with qualitative and quantitative components and graphic displays). Include methods for how jurisdiction-specific diversion rates are calculated ■ Examine per capita generation and disposal levels over time for each jurisdiction, and in general, target programmatic efforts for those with higher per capita generation rates ■ Prioritize programs so that they target reduction of the top ten materials (by weight) from the 2008 waste characterization study. Calculate diversion percentages for these targeted materials, over time, and measure progress
	<ul style="list-style-type: none"> ■ RB-2 – Enhance Measure D Programs Report (Implemented) 	<ul style="list-style-type: none"> ■ Add specific categories of costs under Program Description and Expenditures section to refine reporting efforts ■ Identify whether the member agency is using cash or accrual basis accounting for revenues and expenses reported ■ Provide a cutoff date for allowable revenues and expenses in a given fiscal year ■ Limit member agency expenditures, for a given fiscal year, to the sum of member agency distributions, plus interest earned, plus the available beginning fund balance for that fiscal year (i.e., no negative balances carried forward) ■ Update the Annual Measure D Programs Report form. In Exhibit 5-1, on pages 5-3 to 5-6, we provide our recommended Annual Measure D programs report. This recommended report builds upon the existing Measure D programs report, and provides the timing of Measure D funds received (cash/accrual basis), incorporates more specific directions related to categorizing costs, and provides direction for the municipality to support allocated program costs.
	<ul style="list-style-type: none"> ■ RB-3 – Enhance the Recycled Product Purchase Preference (RPPP) Program Application and Reporting Form (Not Currently Applicable, See Footnote #2) 	<ul style="list-style-type: none"> ■ Include a summary table that provides the prior year beginning fund balance; prior year Recycling Board distributions; prior year expenditures; and the prior year ending fund balance ■ Include a summary table that provides the current year beginning fund balance; current year expected Recycling Board distributions; current year planned expenditures; and the projected current year ending fund balance ■ Provide an area on the form to identify adjustments to prior year projected expenditures and fund balances ■ Provide an area on the form to calculate whether the member agency’s fund balance exceeds the two-year requirement to prepare an expenditure plan
	<ul style="list-style-type: none"> ■ RB-4 – Provide Website Posting of Measure D and “Leftover” RPPP Distributions to Member Agencies (Under Consideration) 	<ul style="list-style-type: none"> ■ Post the date, and amount, of member agency Measure D and “leftover” RPPP distributions on the StopWaste.Org website (or accessible FTP site) so that member agencies can have an easy reference

² We recognize that with the recent declining availability of “leftover” RPPP program funding, distributions of RPPP program funds to member agencies have been discontinued. Consequently, this recommendation is applicable only if distributions resume.

Exhibit ES-2

Five Year Financial and Compliance Audit
 Summary of Recommendations *(continued)*

Entity	Recommendation	Description
Recycling Board <i>(continued)</i>	<ul style="list-style-type: none"> ■ RB-5 – Create Linkage of Measure D Payments Received With Measure D Tonnage Data (In Process) 	<ul style="list-style-type: none"> ■ Integrate Measure D payment data with landfill tonnages by incorporating the monthly Measure D per ton fee charged to landfill operators, and the Measure D revenues received from each landfill operator, into the disposal database. This would allow easy reference to amounts paid; tipping fee surcharge rates paid; Measure D tonnages received; and Measure D tonnages subject to the Measure D tipping fee surcharge and those tonnages not subject to the Measure D tipping fee surcharge. This would integrate Recycling Board accounting requirements for tracking Measure D amounts paid, with business analyst requirements to monitor tonnages received. The Recycling Board could then generate reports showing monthly Measure D tonnages, the Measure D fee per ton, and Measure D fee revenues
	<ul style="list-style-type: none"> ■ RB-6 – Require More Detailed Accounting of City of San Francisco Tonnage Disposed of at Altamont Pass Landfill (Implemented) 	<ul style="list-style-type: none"> ■ Require Waste Management, the owner/operator of Altamont Pass Landfill to provide a more detailed accounting of City of San Francisco refuse received so that the Recycling Board can distinguish amounts subject to the Measure D tipping fee surcharge (i.e., tonnage not originating from the Tunnel Road Transfer Station) and amounts not subject to the Measure D tipping fee (i.e., Tunnel Road Transfer Station)
	<ul style="list-style-type: none"> ■ RB-7 – Perform Periodic Sampling of Measure D Tonnage Data (Under Consideration) 	<ul style="list-style-type: none"> ■ On an ongoing basis, sample scale house weight tickets from landfill operators that support Measure D reports received (on a monthly basis) and review to confirm amounts match those reported on Measure D reports
Member Agencies	<ul style="list-style-type: none"> ■ MA-1 – Provide More Support for Indirect Administrative Cost Allocations (Implemented) 	<ul style="list-style-type: none"> ■ Require member agencies, that fund indirect administrative costs with Measure D monies, to provide more detailed support of the allocation methods that they use
Grant Recipients	<ul style="list-style-type: none"> ■ None 	<p>N/A</p>



Section I

Introduction and Background for Measure D Financial and Compliance Audit



1. Introduction and Background for Measure D Financial and Compliance Audit

In this introductory section, we provide an overview of the Alameda County Waste Reduction and Recycling Initiative Charter Amendment (“Measure D”) and background on this Five (5) Year Financial and Compliance Audit (Five Year Audit) conducted for the Alameda County Source Reduction and Recycling Board (Recycling Board). This section presents background on Measure D, the Recycling Board, and member agencies receiving Measure D funds. This section also provides the project scope and approach.

This final report includes Phase I audit results covering the three (3) fiscal years of 2006/07, 2007/08, and 2008/09; and Phase II audit results covering the two (2) fiscal years of 2009/10 and 2010/11.

This section is organized as follows:

- A. Overview of Measure D*
- B. Organization of Recycling Board, Waste Management Authority, and StopWaste.Org*
- C. Description of Member Agencies*
- D. Scope and Limitations of Financial and Compliance Audit.*

A. Overview of Measure D

The Alameda County Waste Reduction and Recycling Initiative Charter Amendment (“Measure D”), passed by Alameda County (County) voters in 1990, placed the County at the forefront of source reduction and recycling in California, and the nation. Measure D was intended to ensure that the County meet, and exceed, the State of California’s Assembly Bill 939 (AB 939), 25 percent and 50 percent, waste diversion mandates.¹

Measure D established the Alameda County Source Reduction and Recycling Board (Recycling Board) to create a framework for comprehensive source reduction and recycling programs. Measure D established a per ton landfill tipping fee surcharge to support source reduction and recycling in the County. The Measure D landfill tipping fee surcharge provides the County with revenues to fund proactive source reduction and recycling-related policies and programs.

¹ AB 939 required 25 percent diversion of solid waste from landfills by 1995, and 50 percent diversion of solid waste from landfills by 2000.

In part through implementation of Measure D, the County has exceeded the State's AB 939 mandates. In 1995, Alameda County had a 37 percent diversion rate, well above the 25 percent AB 939 mandate; and in 2000, Alameda County had a 54 percent diversion rate, above the 50 percent AB 939 mandate. In 2008, the County's diversion rate was 67 percent. The County established a challenging target of 75 percent diversion by 2010, well beyond the current 50 percent AB 939 goal. In 2010, the County's diversion rate was 70 percent (on a weighted average basis).

The Measure D tipping fee surcharge initially was \$6.00 per ton in 1990, and remained \$6.00 per ton through 2000. Since 2000, the Recycling Board has sought, and the Board of Supervisors has approved, annual increases in the Measure D tipping fee surcharge equal to the change in the Consumer Price Index (CPI). Beginning January 1, 2010, the Recycling Board set the Measure D tipping fee surcharge at \$8.17 per ton. Beginning January 1, 2011, the Recycling Board set the Measure D tipping fee surcharge at \$8.23 per ton.

Measure D requires that unincorporated County landfill operators collect the Measure D tipping fee surcharge on all refuse they receive for disposal (both in-County and out-of-County refuse). Unincorporated County landfill operators, in turn, pay these Measure D monies to the Recycling Board. The Recycling Board deposits Measure D monies received into the Measure D Recycling Fund.

The Measure D tipping fee surcharge applies to unincorporated County landfills only. The Measure D fee does not apply to County landfills located within city limits. Before fiscal year 2010/11, the "Tri-Cities," consisting of the Cities of Fremont, Newark, and Union City, sent their refuse to the Tri-Cities Recycling and Disposal Facility (TCRDF), located in the City of Fremont. The TCRDF was the only open landfill located within an Alameda County city

limit. The Tri-Cities became eligible to receive Measure D funding beginning in the first quarter of fiscal year 2010/11, when the Tri-Cities jurisdictions began to close the TCRDF, and the Tri-Cities redirected the majority of their refuse to the Altamont Pass Landfill located in unincorporated County.² Beginning in August 1, 2012, all Tri-Cities municipal solid waste will be directed to the Altamont Landfill, and the Tri-Cities will be eligible for Measure D funding for all of its municipal solid waste disposal tonnage.

In accordance with Measure D, the Recycling Board is required to distribute fifty (50) percent of Measure D monies it collects to member agencies. The Recycling Board retains the other fifty (50) percent for Measure D programs managed by StopWaste.Org.

In **Appendix A**, we provide a complete copy of the text of Measure D (**Exhibit A-1**). We summarize Measure D compliance requirements, in **Exhibit A-2** in Appendix A, for each of the following:

- Alameda County
- Recycling Board
- Member agencies
- General compliance (for all entities receiving Measure D monies).

Over time, the Recycling Board has adopted multiple resolutions, and a memorandum, clarifying aspects of Measure D. These clarifying rules relate to payment distribution methods, fund balance limitations, recipient eligibility, reporting requirements, and accounting practices. The approved resolutions and memoranda are presented in **Appendix B**.

² Between this time and the date that the TCRDF ceased to receive additional municipal solid waste (August 1, 2012), the Tri-Cities delivered 25 percent of its waste flow to the TCRDF, with the remaining 75 percent going to the Altamont Landfill.

Table 1-1
Alameda County Source Reduction
and Recycling Board Members
(April 2012)

Board Member	Position or Specialty
1. Nathan Ivy	Environmental Educator
2. Rebecca Jewel	Solid Waste Industry
3. Rebecca Kaplan	Councilmember, City of Oakland
4. David Krueger	Recycling Program Operations
5. Jason Mahon	Source Reduction Specialist
6. Anu Natarajan	Councilmember, City of Fremont
7. Treva Reid	Recycling Materials Processing Industry
8. Laureen Turner	Councilmember, City of Livermore
9. Joanne Wile	Councilmember, City of Albany
10. Gordon Wozniak	Councilmember, City of Berkeley
11. Vacant	Environmental Organization

B. Organization of Recycling Board, Waste Management Authority, and StopWaste.Org

1. Alameda County Source Reduction and Recycling Board

An eleven (11) member Alameda County Source Reduction and Recycling Board oversees Measure D activities. The Recycling Board is comprised of six (6) citizen experts appointed by the Alameda County Board of Supervisors, and five (5) elected officials from the Alameda County Waste Management Authority. **Table 1-1**, above, identifies Recycling Board members, as of April 2012.

The Recycling Board is charged with helping Alameda County achieve its 75 percent diversion rate by 2010. The Recycling Board is responsible for programs promoting residential and commercial recycling, source reduction, and recycled product market development and procurement.

2. Alameda County Waste Management Authority

In 1976, Alameda County’s Joint Exercise of Powers Agreement formed the Alameda County Waste Management Authority (Authority). The Authority is a seventeen-member board composed of elected officials appointed by each of the fourteen (14) cities, the County, and two (2) sanitary districts in the County. The Authority is responsible for programs related to solid waste facilities development, source reduction and recycling market development, technical assistance, and public education, in addition to the County’s Integrated Waste Management Plan and Hazardous Waste Management Plan.

The Authority currently receives funding from several sources including:

- (1) Assembly Bill 939 “facility fees” levied on (a) all wastes landfilled in the County, (b) wastes transferred through a County solid waste facility for out-of-County disposal, and (c) waste direct-hauled out-of-County (\$4.34 per ton, effective January 1, 2010)
- (2) Assembly Bill 939 household hazardous waste fees levied on (a) all wastes landfilled in the County, (b) wastes transferred through a County solid waste facility for out-of-County disposal, and (c) franchise waste direct-hauled out-of-County (\$2.15 per ton, in 2010)
- (3) Waste import mitigation fees charged on City and County of San Francisco contractual waste disposed of in the County (\$5.75 per ton, effective October 1, 2009)³
- (4) Import mitigation fees collected on wastes landfilled in the County originating out-of-County, other than for City and

³ The fee is subject to annual adjustments, per the contract, and is applied up to 15 million tons disposed of at Altamont Landfill (the total amount of Altamont Landfill capacity reserved by the City and County of San Francisco).

County of San Francisco contractual waste (\$4.53 per ton, in 2010).

None of these Authority-related fees are within the scope of this audit.

3. StopWaste.Org

The Recycling Board, and the Authority, together, comprise a single public agency, StopWaste.Org. StopWaste.Org has historically developed and implemented a wide range of projects including: (1) grants to non-profit organizations, (2) home composting, (3) recycled product procurement, (4) low interest loans, (5) public education, (6) technical assistance, and (7) waste prevention. StopWaste.Org manages projects such as (but not limited to):

- Bay-friendly landscaping
- Business waste reduction assistance
- Buy recycled
- Contract management
- Countywide Integrated Waste Management Plan (CoIWMP)
- Disposal reporting
- Grants and loans
- Green building guidelines
- Green building projects
- iRecycle@School education center
- Multifamily GreenPoint guidelines and rating system
- Ordinances (e.g., reusable bags, mandatory recycling)
- School curricula.

StopWaste.Org currently has forty seven (47) authorized staff (but only 42 full time equivalent (FTE) staff budgeted), and is organized as shown in **Chart 1-1**, on the next page. Of this total, twenty-six (26) FTEs are regular (permanent) staff,

eleven (11) FTEs are limited term (renewed year to year), and ten (10) FTEs are intermittent (up to 1,000 hours per year). In addition, StopWaste.Org has one (1) temporary staff position.⁴

C. Description of Member Agencies

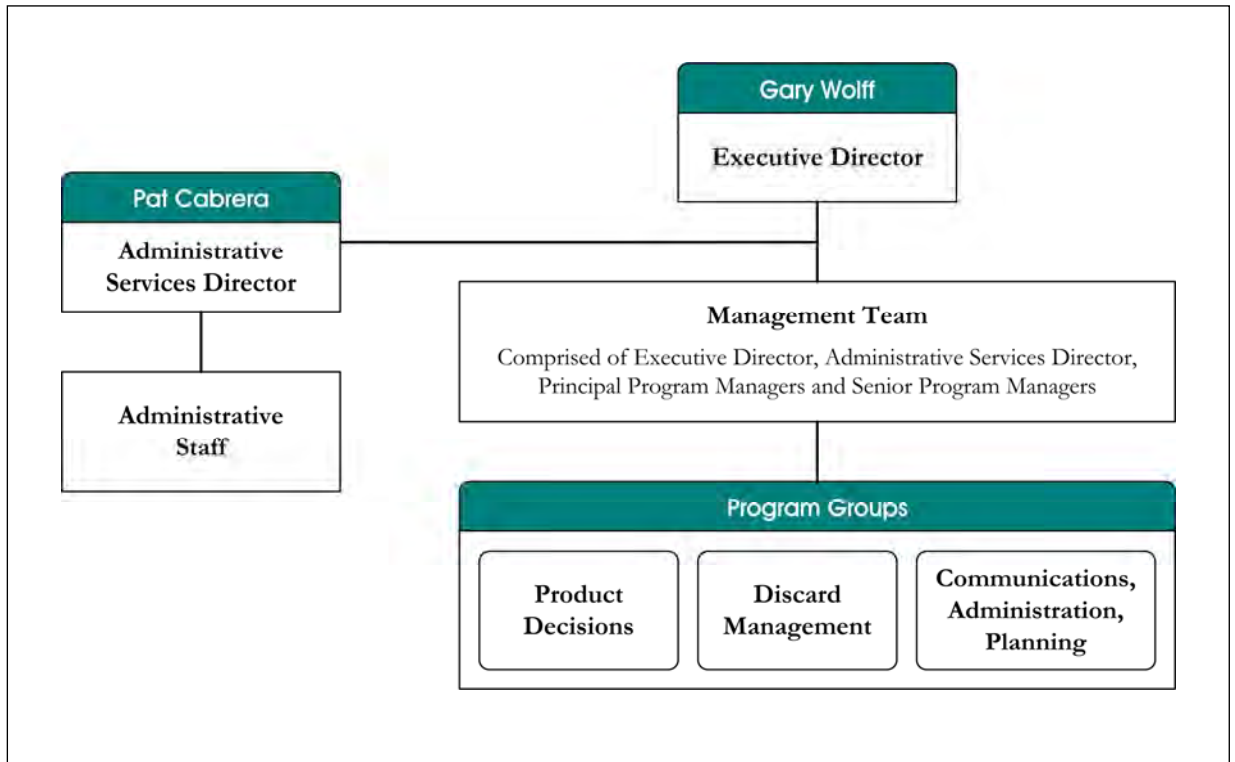
The Authority is comprised of seventeen (17) jurisdictions, including Alameda County, fourteen (14) cities, and two (2) sanitary districts. A total of thirteen (13) member agencies met the requirements to receive Measure D per capita funds during Phase I of the Five-Year Audit. A total of sixteen (16) member agencies met the requirements to receive Measure D per capita funds during Phase II of the Five-Year Audit.⁵ These sixteen (16) currently eligible member agencies include the following:

1. City of Alameda
2. City of Albany
3. City of Berkeley
4. City of Dublin
5. City of Emeryville
6. City of Fremont
7. City of Hayward
8. City of Livermore
9. City of Newark
10. City of Oakland
11. City of Piedmont
12. City of Pleasanton
13. City of San Leandro
14. City of Union City
15. Castro Valley Sanitary District
16. Oro Loma Sanitary District.

⁴ Of these 42 budgeted FTEs, 5.58 FTEs currently are billed against external funding (e.g., grant funded).

⁵ Three (3) of the sixteen (16) member agencies, including the Cities of Fremont, Newark, and Union City (Tri-Cities), became eligible to receive Measure D monies from the Recycling Board in the first quarter of fiscal year 2010/11.

Chart 1-1
 StopWaste.Org
 Organizational Structure
 (April 2012)



In **Appendix C** we provide an overview of member agency populations, recycling programs, Measure D reporting requirements, and Measure D accounting methods. The Cities of Fremont, Newark, and Union City (Tri-Cities) were not eligible for Measure D funding during fiscal years 2006/07, 2007/08, 2008/09, and 2009/10.

D. Scope and Limitations of Financial and Compliance Audit

Measure D requires fiscal responsibility and accountability. This Five Year Audit is mandated under Subsection 64.040(C) of Measure D, to ensure that the Recycling Board, County-wide recycling programs, and member agencies are spending Measure D funds appropriately, and

complying with Measure D requirements. These requirements include specific funding allocations, accounting methods, reporting requirements, and programmatic elements.

Originally, the Five Year Audit was performed at the end of each five year audit period. In 2003, the Recycling Board passed Resolution Number RB 2003-11, dividing the Five Year Audit into two phases. This is the second Five Year Audit performed in two (2) phases. The two (2) phases are:

- *Phase I* – the three (3) fiscal years of 2006/07, 2007/08, and 2008/09
- *Phase II* – the two (2) fiscal years of 2009/10 and 2010/11.

NewPoint Group performed our Phase I audit field work between December, 2009 and April, 2010; and performed our Phase II audit field work between December, 2011 and April 2012. For both phases, we conducted on-site meetings with Recycling Board management and staff, member agencies, and selected grant recipients during the five-month audit period.

We used a methodical approach to review all financial and compliance requirements related to Measure D funds. The audit was divided into tasks. Each task included multiple subtasks, including scheduling and attending meetings, obtaining and reviewing financial statements and other appropriate supporting documentation, and evaluating compliance with various Measure D requirements. In addition to reviewing the appropriateness of the financial tracking and fund activities, NewPoint evaluated current Measure D processes and procedures, and identified opportunities for improvement. Finally, we also reviewed and evaluated the Recycling Board's achievement of performance metrics, and made recommendations related to advancing diversion planning.

The Recycling Board previously engaged consultants to conduct Five Year Audits in 1996,

2001, and 2004, so this represents the fourth Measure D financial and compliance audit. These three (3) prior audits verified the appropriateness of Measure D funds, and provided recommendations that the Recycling Board has implemented at the Recycling Board, and member agency, levels. Prior audit recommendations targeted the following improvement areas:

- Accounting method requirements
- Fund balance limits
- Revised per capita reporting forms.

The Recycling Board, member agencies, and Alameda County receive and manage solid waste and recycling funds that are not derived from the Measure D per ton fee. These funds include Import Mitigation fees, Department of Conservation (DOC) payments, used oil grants, and various other grants. The Five Year Audit does not cover monies, or activities, related to these non-Measure D funding sources.

For each of the five fiscal years between 2006/07 and 2010/11, the Authority and Recycling Board was audited by the firm of Mann, Urrutia, Nelson, CPAs and Associates. In each year, the financial audit was unqualified.



Section 2

Measure D Monies Received and Expended



2. Measure D Monies Received and Expended

In this section, we quantify Measure D revenues received and expended by the Recycling Board for the five fiscal years from 2006/07 to 2010/11. We quantify Measure D revenues, received by the Recycling Board, from facility operators. We quantify the distribution of Measure D revenues, received by the Recycling Board, to the member agencies and to the various programs supported by the Recycling Board. Finally, we show the types of expenditures incurred by member agencies using Measure D monies.

This section is organized as follows:

- A. Measure D Monies Received by the Recycling Board*
- B. Allocation of Measure D Monies Received by the Recycling Board*
- C. Member Agency Expenditures of Measure D Funds.*

A. Measure D Monies Received by the Recycling Board

The Recycling Board received three (3) types of Measure D revenues. These three revenue types included (1) Measure D tipping fee surcharges remitted by facility operators, (2) interest earned on Measure D funds, and (3) Measure D Revolving Loan Fund (RLF) payments made on outstanding RLF loans (including interest, loan origination fees, and principal payments). We describe each of these three (3) revenue sources below.

1. Measure D Tipping Fee Surcharge

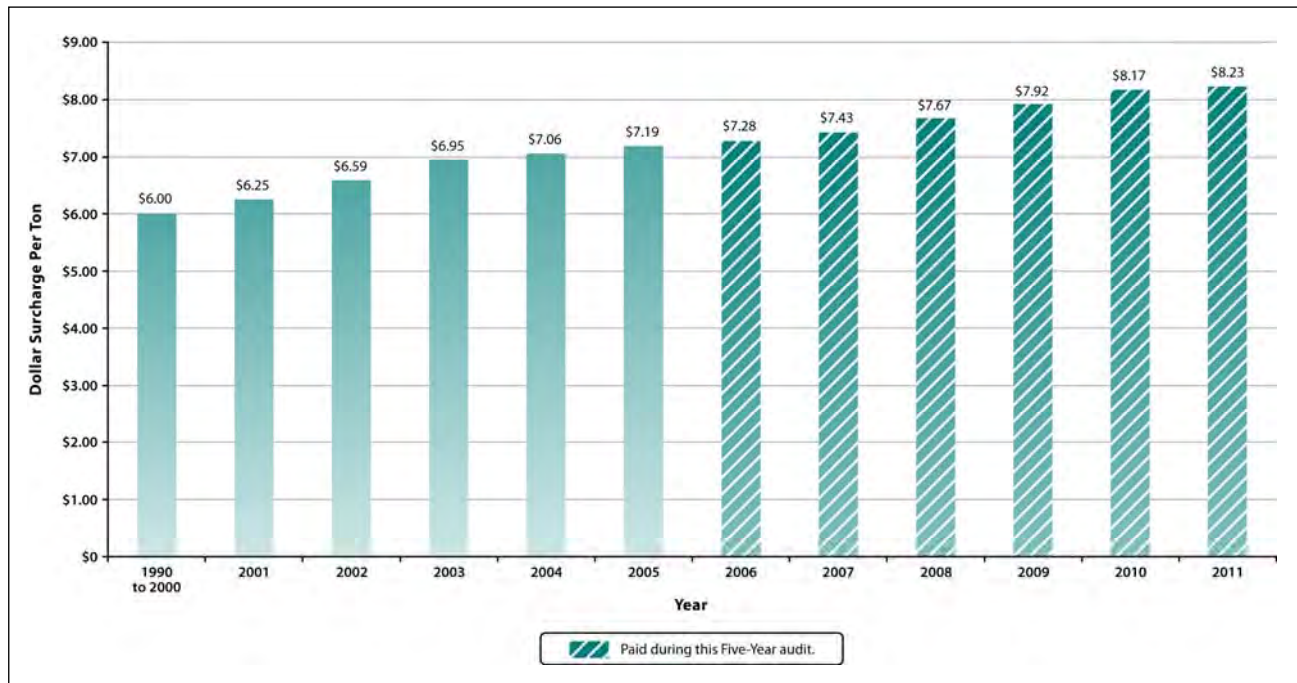
Subsection 64.050(A-C) of Measure D requires that landfill or incinerator operators in unincorporated Alameda County collect a surcharge on refuse accepted for landfilling or incineration. Facility operators must, in turn, pay this entire surcharge to the Recycling Board.

In 1990, the Act specified that the Measure D tipping fee surcharge initially be set at \$6.00 per ton. From 1990 to 1999 the Measure D tipping fee surcharge remained at \$6.00 per ton. Starting in 2000, the Alameda County Board of Supervisors approved annual increases in the Measure D tipping fee surcharge. **Figure 2-1**, on the next page, presents historical Measure D tipping fee surcharges, highlighting the applicable surcharges for this Five Year Audit.

Table 2-1, on page 2-3, shows that for Phase I, facility operators at three (3) in-County, and four (4) out-of-County facilities, paid Measure D monies to the Recycling Board. The three in-County facilities paid virtually all, or 98 percent, of Measure D monies received by the Recycling Board in both Phases I and II. The four (4) other out-of-County facilities paid the remaining two (2) percent of Measure D monies to the Recycling Board because they received a small amount of franchised waste from either the City of Berkeley, or

2. Measure D Monies Received and Expended

Figure 2-1
Measure D Tipping Fee Surcharge¹
Per Ton of Refuse Accepted for Disposal
(1990 to 2011)



City of Piedmont, that was originally intended for Vasco Road Landfill, but instead was shipped out-of-County.

Facility operators paid Measure D monies to the Recycling Board for in-County, and out-of-County, refuse accepted for disposal. Facility operators paid Measure D monies on franchised refuse, and self-haul refuse, received at their facilities. Facility operators paid Measure D monies on the following three (3) refuse types accepted for disposal:

- Construction and demolition waste
- Municipal solid waste
- Special waste.

Facility operators did not pay Measure D monies on materials recycled, or used for alternative daily cover (ADC), or used for other beneficial reuse. In-County facility operators paid Measure D monies on all out-of-County refuse accepted for disposal.² Based on terms of a separate disposal agreement in place prior to the 1990 passage of Measure D, the facility operator of the Altamont Pass Landfill, Waste Management Inc., did not pay Measure D fees to the Recycling Board on City and County of San Francisco refuse received for disposal, which was transferred from the San Francisco Tunnel Road transfer station (owned and operated by Recology).³

¹ A Superior Court Ruling in 1991, invalidating Measure D, created a two (2) year hiatus in the implementation of Measure D. The Superior Court ruling was reversed by the Court of Appeal in 1993, and Measure D was reinstated, including the mandated \$6 per ton surcharge.

² Other than for the contractual City and County of San Francisco agreement.

³ Recology Recycling & Disposal does however pay County mitigation fees on this City of San Francisco refuse.

Facility operators submitted monthly remittance reports to the Recycling Board, identifying refuse tons collected and Measure D monies paid. Over the five fiscal years, the Recycling Board received \$43,578,147 in Measure D payments, as shown in **Table 2-2**, on the next page. Facility operators generally paid Measure D monies to the Recycling Board on a monthly basis.

Table 2-2 also indicates that estimated Measure D refuse tonnage equaled approximately 5.7 million

tons for the five fiscal years in total. The average Measure D rate paid during the five year period was \$7.74 per ton. Annual Measure D tonnage declined by approximately twenty-seven (27) percent between fiscal years 2006/07 and 2010/11. Annual Measure D tipping fee surcharge revenues, in turn, declined by approximately eighteen (18) percent between fiscal years 2006/07 and 2010/11.

Table 2-1
Facility Operators Paying Measure D Monies to the Recycling Board
 (Phase I: Fiscal Years 2006/07, 2007/08, and 2008/09)
 (Phase II: Fiscal Years 2009/10 and 2010/11)

Facility	Operator/Owner	Location	Percent of Phase I Monies Paid to Recycling Board	Percent of Phase II Monies Paid to Recycling Board
In-County				
1. Altamont Landfill	Waste Management, Inc.	Unincorporated County (near Livermore, California)	63%	73%
2. Vasco Road Landfill	Republic Services, Inc.	Unincorporated County (near Livermore, California)	35%	25%
3. Tri-Cities Recycling & Disposal Facility	Waste Management, Inc.	City of Fremont	0%	0%
Out-of-County				
4. Keller Canyon Landfill ⁴	Republic Services, Inc.	Unincorporated Contra Costa County (near Pittsburg, California)	1%	2%
5. Golden Bear Transfer Station ⁵	Republic Services, Inc.	Richmond, California ⁶	1%	0%
6. Potrero Hills Landfill	Republic Services, Inc., (formerly Allied Waste Services)	Unincorporated Solano County	< 1%	0%
7. East Stockton Recycling and Transfer Station ⁷	East Stockton Recycling and Transfer Station	Stockton, California	< 1%	0%
Total			100%	100%

⁴ An out-of-County facility. Includes a small amount of refuse collected from the City of Berkeley.

⁵ An out-of-County facility. Includes some of the refuse collected from the City of Berkeley and City of Piedmont by its franchised hauler, Republic Services (originating within the County).

⁶ Refuse ultimately disposed of at the West County Landfill in Richmond, California (this landfill was closed in October, 2006).

⁷ An out-of-County facility. Includes a small amount of construction and demolition refuse for the City of Berkeley.

2. Measure D Monies Received and Expended

Table 2-2

Measure D Monies Paid by Facility Operators to Recycling Board
 (Phase I: Fiscal Years 2006/07, 2007/08, and 2008/09)
 (Phase II: Fiscal Years 2009/ and 2010/11)

Fiscal Year	Estimated Measure D Refuse Tonnage	Measure D Tipping Fee Surcharge ^a (Per Ton)	Total Measure D Monies Paid to Recycling Board
2006/07	1,391,422	\$7.28 to \$7.43	\$10,231,222
2007/08	1,216,053	\$7.43 to \$7.67	9,179,600
2008/09	1,070,472	\$7.67 to \$7.92	8,346,659
Phase I Total	3,677,947	Three-Year Average = \$7.55	\$27,757,481
2009/10	934,918	\$7.92 to \$8.17	\$7,445,158
2010/11	1,016,617	\$8.17 to \$8.23	8,375,498
Phase II Total	1,951,535	Two-Year Average = \$8.11	\$15,820,666
Five Year Total	5,629,482	Five-Year Average = \$7.74	\$43,578,147

^a The County adjusted the Measure D tipping fee surcharge on January 1 of each year (not on a fiscal year basis).

In **Figure 2-2**, on the following page, we show the relationship of Measure D revenues to Measure D tonnages, and the Measure D surcharge, for the eight (8) fiscal years from 2003/04 to 2010/11. This graphic reveals that while the Measure D surcharge increased steadily over this period, disposal tonnage reductions more than offset the impact of the Measure D surcharge increases, such that Measure D revenues have dropped significantly. Measure D revenues for fiscal year 2010/11 were approximately four (4) percent below fiscal year 2003/04 revenues.

2. Measure D Interest Earned

In addition to the revenues generated through the Measure D tipping fee surcharge, the Recycling Board earned interest on Measure D fund balances. The County Treasurer paid the Recycling Board interest on Measure D funds, on a quarterly basis.

The County Treasurer pooled all County investments (including Measure D funds) into a Treasurer investment portfolio. The County allocated income from its pooled investments to individual County funds, at the end of each quarter, based on the fund's average daily cash

balance during the quarter, in relation to the average daily balance of the County's total pooled cash. The County Treasurer invested in various instruments, including the State of California Local Agency Investment Fund (LAIF), collateralized time deposits, money market funds, bonds, and treasuries.

The County Treasurer performed the interest income calculation for all County funds. The Recycling Board had no involvement in this interest calculation. Approximate earned yields on all funds, held by the County, for the five fiscal years were as follows:

- FY 2006/07 – 4.45 percent
- FY 2007/08 – 4.18 percent
- FY 2008/09 – 2.21 percent
- FY 2009/10 – 0.72 percent
- FY 2010/11 – 0.55 percent.

Recycling Board interest earned on Measure D funds for Phase I totaled \$1,058,429, and for Phase II totaled just \$115,350, as shown in **Table 2-3**, on the next page. In total for the five fiscal years, the Recycling Board earned interest on Measure D funds of \$1,173,779.

Figure 2-2

**Alameda County Source Reduction and Recycling Board
Measure D Revenues, Disposal Tonnages, and Measure D Surcharges
(Fiscal Years 2003/04 to 2010/11)**

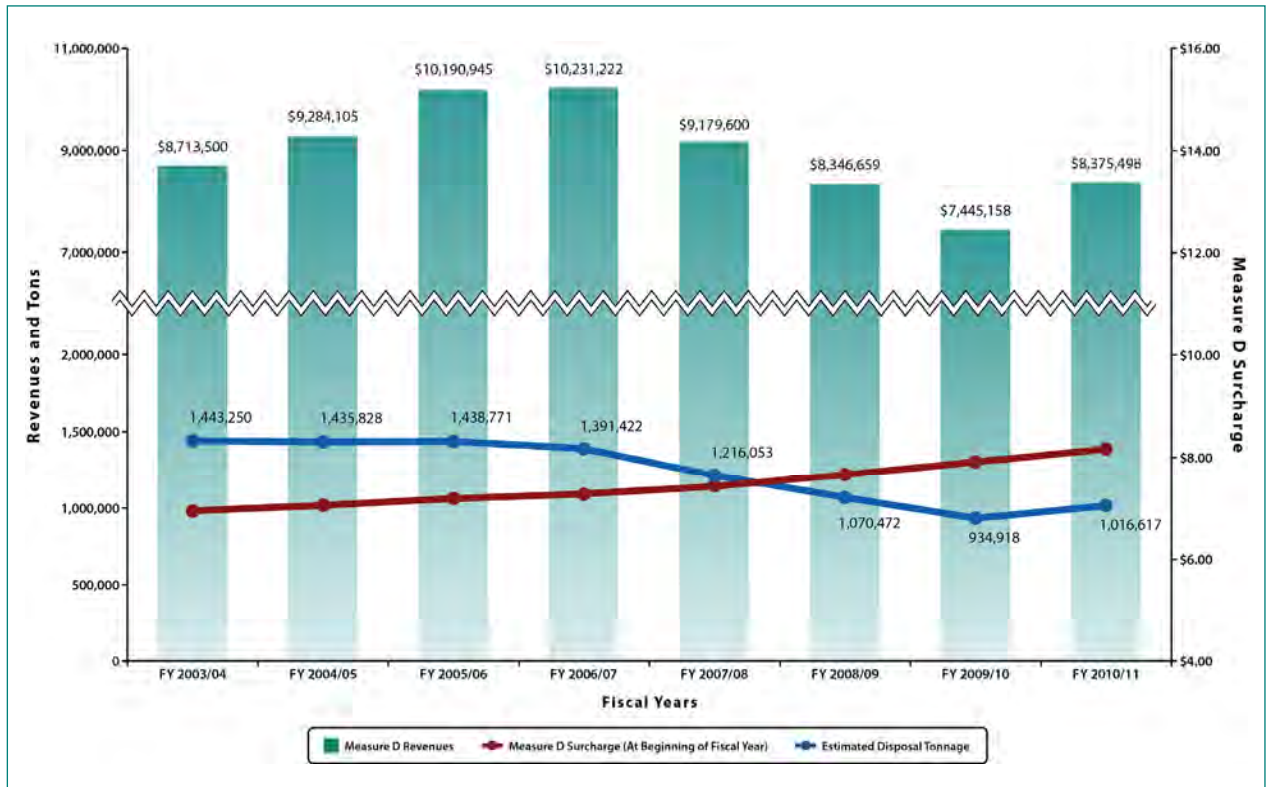


Table 2-3

**Alameda County Source Reduction and Recycling Board
Interest Earned on Measure D Funds
(Phase I: Fiscal Years 2006/07, 2007/08, and 2008/09)
(Phase II: Fiscal Years 2009/10 and 2010/11)**

Fiscal Year	Member Agency Account	Other Accounts	Revolving Loan Fund	Total
2006/07	\$34,040	\$295,094	\$40,623	\$369,757
2007/08	36,550	375,459	54,297	466,306
2008/09	17,455	173,613	31,298	222,366
Phase I Total	\$88,045 ⁸	\$844,166	\$126,218	\$1,058,429
2009/10	4,771	55,086	7,645	67,502
2010/11	3,541	35,351	8,956	47,848
Phase II Total	\$8,312 ⁹	\$90,437	\$16,601	\$115,350
Five Year Total	\$96,357	\$934,603	\$142,819	\$1,173,779

⁸ The actual \$13,966,483 in per capita payments do not equal the \$13,878,739 allocation plus the \$88,045 in interest because of minor differences in distribution timing and beginning and ending fund balances.

⁹ The actual \$7,931,577 in per capita payments do not equal the \$7,910,332 allocation plus the \$8,312 in interest because of minor differences in distribution timing and beginning and ending fund balances.

3. Measure D Revolving Loan Fund

Leftover Measure D funds collected prior to the 1991 Superior Court ruling (temporarily invalidating Measure D) were placed into a holding account. Once the ruling was overturned in 1993, the Recycling Board created the Revolving Loan Fund (RLF) to support local small and medium sized businesses engaged in source reduction and recycling activities. The Recycling Board uses the Revolving Loan Fund to provide financing to fill gaps in business funding. This self-sustaining fund relies on revenue generated from fund balance interest and repayment of loans.

The Revolving Loan Fund generated additional revenues totaling \$286,720, during the five fiscal years.¹⁰ These revenues resulted from payments for loan services provided through the Revolving Loan Fund. These revenues received are reflected in the Revolving Loan Fund balance.

B. Allocation of Measure D Monies Received by the Recycling Board

Section 64.060(B) of Measure D requires the Recycling Board to allocate Measure D tipping fee surcharge revenues in accordance with the allocation percentages shown in **Exhibit 2-1**, on the next page. The Recycling Board allocated monies consistent with requirements of Measure D. **Table 2-4**, on page 2-8, presents Recycling Board distributions to each program. Each program is described below.

¹⁰ The difference between this \$286,720 figure and the \$142,819 figure shown for interest in Table 2-3 is associated with loan origination fees and principal repayments.

1. Member Agencies (50 percent of Measure D programs allocation)

The Recycling Board distributed the required fifty (50) percent Measure D “per capita” allocation to member agencies (Measure D, Subsection 64.040(B)). Measure D “per capita” distributions by the Recycling Board to member agencies, totaled \$13,966,483 in Phase I, and \$7,931,577 in Phase II, for a total of \$21,898,060 over the five fiscal years, as shown in **Table 2-5**, on page 2-9.

The Recycling Board earns interest on Measure D monies received prior to distributing “per capita” funds to member agencies. Interest earned on Measure D monies remains in the Measure D fund. As part of Measure D “per capita” payments to member agencies, the Recycling Board pays member agencies their share of interest earned on Measure D funds.

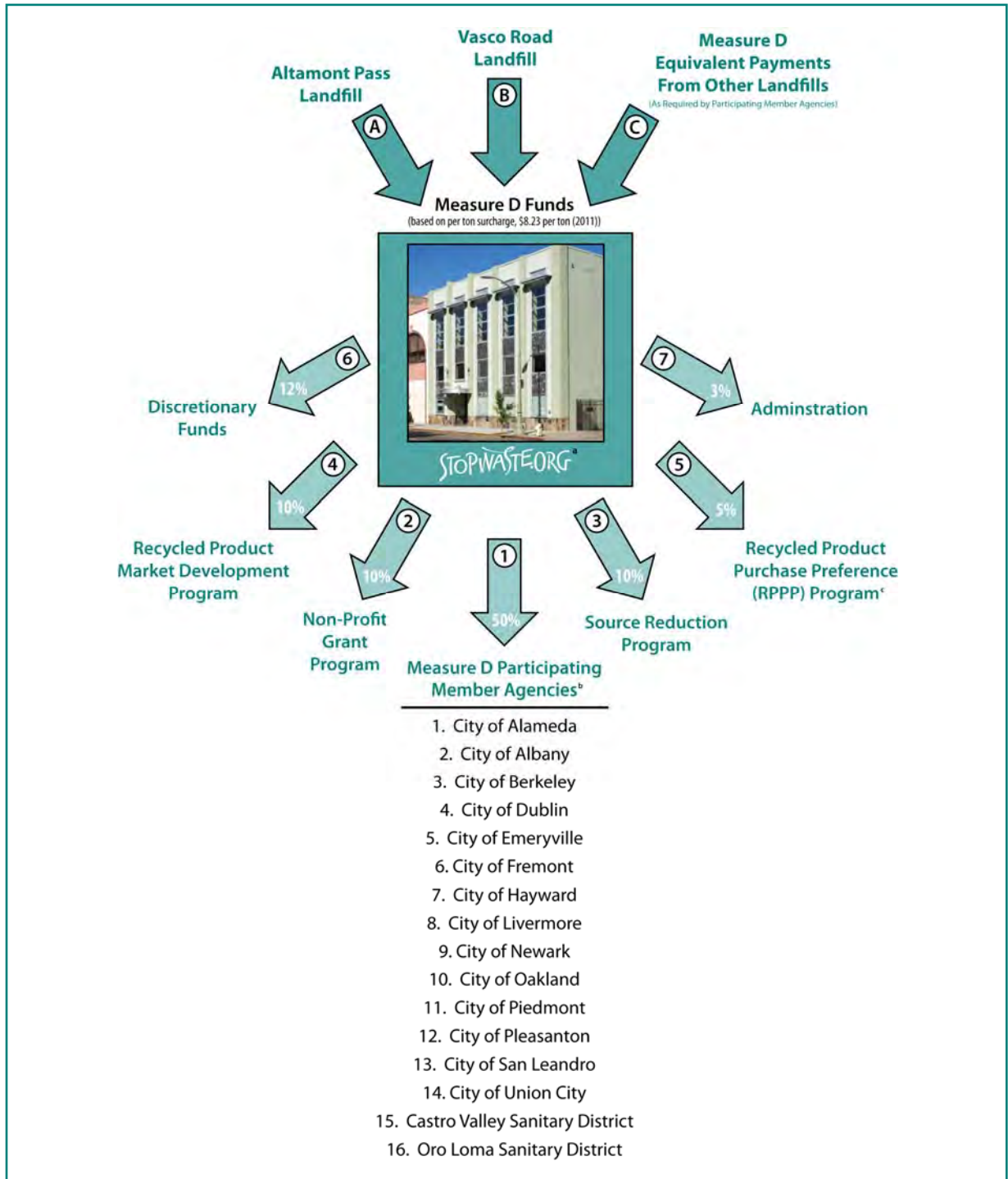
The basis for the member agency population based “per capita” allocations is shown in **Table C-1**, in **Appendix C**. The Recycling Board distributed per capita funds to member agencies quarterly.

As shown in Table C-1, the City of Emeryville, the least populated member agency, received approximately one (1) percent of the Measure D per capita funds during both Phases I and II. The City of Oakland, the most populated member agency, received almost thirty-five (35) percent and approximately twenty-nine (29) percent of the Measure D per capita funds, respectively, during Phase I and Phase II.

2. Non-Profit Grant Program (10 percent of Measure D programs allocation)

The Recycling Board awarded grants to non-profit organizations for innovative projects, increasing individual and community

Exhibit 2-1
Schematic of Measure D Funds Raised and Spent



^a Operated as one integrated organization, including the Alameda County Source Reduction and Recycling Board and Alameda County Waste Management Authority (a joint powers authority). This authority is comprised of seventeen (17) jurisdictions (fourteen cities, two sanitary districts, and the County). The Recycling Board was created by Measure D to support programs to achieve 75 percent diversion. The Board manages this audit. The Authority maintains the accounting records.

^b In the second phase of this audit (since the first quarter of fiscal year 2010/11), the Tri-Cities (Fremont, Newark, Union City) became eligible to receive Measure D monies from the Recycling Board.

^c Funding goes to the Alameda County General Services Agency (GSA), with leftover funding distributed to participating member agencies.

2. Measure D Monies Received and Expended

Table 2-4

**Alameda County Source Reduction and Recycling Board
Measure D Program Allocations
(Phase I: Fiscal Years 2006/07, 2007/08, and 2008/09)**

Program	Measure D Allocation	FY 2006/07	FY 2007/08	FY 2008/09	Total
1. Member Agencies	50%	\$5,115,611	\$4,589,799	\$4,173,329	\$13,878,739 ⁸
2. Non-Profit Grant Program	10%	1,023,122	917,961	834,666	2,775,749
3. Source Reduction Program	10%	1,023,123	917,960	834,666	2,775,749
4. Recycled Product Market Development Program	10%	1,023,123	917,960	834,666	2,775,749
5. Recycled Product Purchase Preference (RPPP) Program	5%	511,561	458,980	417,333	1,387,874
6. Discretionary	12%	1,227,746	1,101,552	1,001,599	3,330,897
7. Administration	3%	306,936	275,388	250,400	832,724
Total	100%	\$10,231,222	\$9,179,600	\$8,346,659	\$27,757,481

(Phase II: Fiscal Years 2009/10 and 2010/11)

Program	Measure D Allocation	FY 2009/10	FY 2010/11	Total
1. Member Agencies	50%	\$3,722,584	\$4,187,748	\$7,910,332 ⁹
2. Non-Profit Grant Program	10%	744,517	837,550	1,582,067
3. Source Reduction Program	10%	744,517	837,550	1,582,067
4. Recycled Product Market Development Program	10%	744,517	837,550	1,582,067
5. Recycled Product Purchase Preference (RPPP) Program	5%	372,258	418,775	791,033
6. Discretionary	12%	893,420	1,005,060	1,898,480
7. Administration	3%	223,355	251,265	4,74,620
Total	100%	\$7,445,168	\$8,375,498	\$15,820,666

involvement in recycling and source reduction efforts. For Phase I, the Recycling Board awarded twenty-three (23) grants through open procurement cycles, and thirty-five (35) grants through contracts for needed *StopWaste.Org* program services. These fifty-eight (58) grants totaled \$2.44 million during Phase I. For Phase II, the Recycling Board awarded fourteen (14) grants through open procurement cycles, and seven (7) grants through contracts for needed *StopWaste.Org* program services. These twenty-one (21) grants totaled \$0.76 million during Phase II. **Appendix**

F provides a description of the subset of these grants that we reviewed for this audit.

3. Source Reduction Program (10 percent of Measure D allocation)

The Recycling Board disbursed ten (10) percent of Measure D funds towards development of the Alameda County-wide Source Reduction Program. Subsection 64.080 of Measure D requires five (5) components of the source reduction program, including:

Table 2-5

**Alameda County Source Reduction and Recycling Board
Measure D “Per Capita” Payments to Member Agencies
(Phase I: Fiscal Years 2006/07, 2007/08, and 2008/09)¹¹**

Member Agency	FY 2006/07	FY 2007/08	FY 2008/09	Phase I Total
1. City of Alameda	\$324,940	\$292,118	\$264,325	\$881,383
2. City of Albany	72,844	65,371	58,835	197,050
3. City of Berkeley	460,235	413,080	371,956	1,245,271
4. City of Dublin	183,016	168,584	163,617	515,217
5. City of Emeryville	37,282	34,501	33,909	105,692
6. City of Hayward	639,346	574,782	520,142	1,734,270
7. City of Livermore	355,675	320,334	291,452	967,461
8. City of Oakland	1,798,206	1,617,128	1,464,798	4,880,132
9. City of Piedmont	48,035	43,078	38,696	129,809
10. City of Pleasanton	296,427	266,695	241,894	805,016
11. City of San Leandro	212,437	190,535	171,205	574,177
12. Castro Valley Sanitary District	222,189	199,526	179,950	601,665
13. Oro Loma Sanitary District	491,181	440,927	397,232	1,329,340
Total	\$5,141,813	\$4,626,659	\$4,198,011	\$13,966,483⁸

(Phase II: Fiscal Years 2009/10 and 2010/11)¹²

Member Agency	FY 2009/10	FY 2010/11	Phase II Total	Phases I & II Total
1. City of Alameda	\$233,956	\$214,911	\$448,867	\$1,330,250
2. City of Albany	52,258	48,510	100,768	297,818
3. City of Berkeley	330,775	308,133	638,908	1,884,179
4. City of Dublin	146,481	139,136	285,617	800,834
5. City of Emeryville	30,443	29,179	59,622	165,314
6. City of Fremont	–	444,349	444,349	444,349
7. City of Hayward	464,038	436,336	900,374	2,634,644
8. City of Livermore	259,644	243,135	502,779	1,470,240
9. City of Newark	–	90,407	90,407	90,407
10. City of Oakland	1,306,414	1,227,371	2,533,785	7,413,917
11. City of Piedmont	34,422	32,097	66,519	196,328
12. City of Pleasanton	215,421	201,522	416,943	1,221,959
13. City of San Leandro	152,363	142,240	294,603	868,780
14. City of Union City	–	152,891	152,891	152,891
15. Castro Valley Sanitary District	160,306	150,101	310,407	912,072
16. Oro Loma Sanitary District	353,770	330,968	684,738	2,014,078
Total	\$3,740,291	\$4,191,286	\$7,931,577⁹	\$21,898,060

¹¹ Totals represent distributions starting with the fiscal year 2006/07 first quarter payment, distributed to member agencies on November 15, 2006.

¹² Totals represent distributions starting with the fiscal year 2009/10 first quarter payment, distributed to member agencies on November 16, 2009.

- *County waste minimization program* – to reduce the weight of County purchases
- *Annual award program* – to provide non-monetary awards to businesses demonstrating a significant reduction in material usage or through product recyclability
- *Industry or university program* – to fund research and develop source reduction opportunities or incentives
- *Public education campaign* – to promote alternative individual consumer habits and in-house source reduction programs for businesses and institutions
- *Disposal cost reduction studies and waste audit services* – to demonstrate to businesses and institutions the value of recycling programs.

4. Recycled Product Market Development Program (10 percent of Measure D programs allocation)

The Recycled Product Market Development program received ten (10) percent of Measure D funds. The program’s purpose is to develop and expand recycled product markets (as detailed in Measure D, Subsection 64.110). This promotion of recycled materials includes the following components:

- A regional cooperative marketing strategy
- A County-wide information exchange, targeting potential users and sources of recycled products
- Grants for demonstration projects targeting new uses of recycled materials, and new techniques for recycling materials
- Municipal programs to administer permit assistance to recycling industries.

5. Recycled Product Purchase Preference (RPPP) Program (5 percent of Measure D programs allocation)

The Recycling Board allocated Recycled Product Purchase Preference (RPPP) program monies to the County for purchases of recycled products. RPPP monies were used to support the County’s price preference program for purchase of recycled products (which may be more expensive than use of virgin materials).

The Recycling Board distributed “leftover” RPPP monies (i.e., RPPP monies the County did not spend in a given fiscal year) to member agencies for the purposes of recycled product promotion and purchases. The Recycling Board distributed “leftover” RPPP funds to each member agency in a single annual payment, that occurring on, or after, the first quarterly Measure D “per capita” disbursement made at the end of August (Resolution Number RB 96-04). In practice, the Recycling Board made RPPP payments to member agencies throughout the fiscal year (i.e., not at one time).

During Phase I, the Recycling Board distributed \$480,378 in RPPP program monies to member agencies using a base payment of \$5,000 and a remaining fund distribution based on the “per capita” disbursement percentages (Resolution Number RB 96-04). In fiscal year 2009/10, the Recycling Board made an RPPP distribution totaling \$37,700 to the 13 member agencies (all but the Tri-Cities), in an equal amount of \$2,900 per member agency. In fiscal year 2010/11, the Recycling Board did not distribute RPPP program funding to member agencies because there were no leftover RPPP monies, and the Recycling Board does not anticipate there will be leftover RPPP monies in the future. **Table 2-6**, on the next page, shows that the Recycling Board made a total of \$518,078 in RPPP payments to member agencies for the five fiscal years.

Table 2-6

**Alameda County Source Reduction and Recycling Board
Excess Recycled Product Purchase Preference (RPPP) Program Payments to Member Agencies
(Phase I: Fiscal Years 2006/07, 2007/08, and 2008/09)**

Member Agency	FY 2006/07	FY 2007/08	FY 2008/09	Phase I Total
1. City of Alameda	\$13,868	\$12,468	\$6,700	\$33,036
2. City of Albany	6,988	6,674	5,381	19,043
3. City of Berkeley	17,560	17,560	5,426	40,546
4. City of Dublin	9,995	9,205	5,957	25,157
5. City of Emeryville	6,017	5,857	5,195	17,069
6. City of Hayward	22,448	19,695	8,345	50,488
7. City of Livermore	14,706	13,175	6,861	34,742
8. City of Oakland	54,074	46,330	14,408	114,812
9. City of Piedmont	6,311	6,104	5,251	17,642
10. City of Pleasanton	13,090	11,813	6,551	31,454
11. City of San Leandro	10,798	9,883	6,111	26,792
12. Castro Valley Sanitary District	11,064	10,107	6,162	27,333
13. Oro Loma Sanitary District	18,405	16,289	7,570	42,264
Total	\$205,324	\$185,160	\$89,918	\$480,378

(Phase II: Fiscal Years 2009/10 and 2010/11)

Member Agency	FY 2009/10	FY 2010/11	Phase II Total	Phase I and II Total
1. City of Alameda	\$2,900	–	\$2,900	\$35,936
2. City of Albany	2,900	–	2,900	21,943
3. City of Berkeley	2,900	–	2,900	43,446
4. City of Dublin	2,900	–	2,900	28,057
5. City of Emeryville	2,900	–	2,900	19,969
6. City of Hayward	2,900	–	2,900	53,388
7. City of Livermore	2,900	–	2,900	37,642
8. City of Oakland	2,900	–	2,900	117,712
9. City of Piedmont	2,900	–	2,900	20,542
10. City of Pleasanton	2,900	–	2,900	34,354
11. City of San Leandro	2,900	–	2,900	29,692
12. Castro Valley Sanitary District	2,900	–	2,900	30,233
13. Oro Loma Sanitary District	2,900	–	2,900	45,164
Total	\$37,700	–	\$37,700	\$518,078

2. Measure D Monies Received and Expended

Table 2-7

Member Agencies

Types of Measure D “Per Capita” Expenses

(Phase I: Fiscal Years 2006/07, 2007/08, and 2008/09)

(Phase II: Fiscal Years 2009/10 and 2010/11)

Expense Category	Expense Examples	Member Agencies Reporting Expenses in Phase I	Member Agencies Reporting Expenses in Phase II
1. Administration	<ul style="list-style-type: none"> ■ Employee salaries ■ Employee benefits ■ Liability insurance ■ Overhead expenses 	10	11
2. Franchised Recycling Program	<ul style="list-style-type: none"> ■ Commercial route curbside recycling collection ■ Christmas tree curbside collection ■ Residential household battery collection ■ Residential route curbside recycling collection ■ Food scrap and green waste collection 	5	6
3. Outreach and Education	<ul style="list-style-type: none"> ■ Promotional items ■ Earth Day events ■ Contests/achievement awards ■ Mandatory commercial recycling program ■ Green packages program contributions ■ Bay Area Recycling Outreach Coalition (BayROC) contributions ■ Recycling education ■ Recycling drives ■ Go Green Initiative outreach ■ Green business program contributions 	11	10
4. Physical Assets	<ul style="list-style-type: none"> ■ Outdoor storage containers ■ Artificial turf football fields ■ Curbside recycling carts ■ Recycled content playground structures ■ Recycled content furniture 	9	4
5. Professional Services	<ul style="list-style-type: none"> ■ Rate review services (related to recycling portion of rate) ■ Collection hauler contract services ■ Climate Action Plan ■ Commercial recycling technical assistance ■ Base year composition study ■ Zero Waste Implementation Plan ■ Recycling enclosure ordinance legal review ■ High Diversion Strategic Plan 	9	10
6. Other	<ul style="list-style-type: none"> ■ Paper supplies ■ Memberships ■ Conferences ■ Subscriptions ■ Postage ■ Training and education 	9	7

6. and 7. Discretionary and Administration (15 percent of Measure D programs allocation)

Discretionary funds, including administration costs, account for 15 percent of the Measure D allocation. The Recycling Board used up to three (3) percent of its total funds (i.e., up to 20 percent of discretionary funds) to cover expenses necessary to

administer the recycling fund. The Recycling Board used these Measure D monies to further support recycling programs and diversion efforts.

C. Member Agency Expenditures of Measure D Funds

Subsection 64.060(B) of Measure D requires that the per capita funds be disbursed to member agencies for “continuation and expansion of

municipal recycling programs.” **Table 2-7**, above, shows examples of member agency Measure D “per capita” expenses, organized into six (6) expense categories.

During Phase I, most, or 11 out of 13, member agencies spent Measure D “per capita” monies on outreach and education. The two (2) member agencies that did not have outreach and education expenses, used funds solely to fund their franchised recycling programs. Only five (5) member agencies spent Measure D “per capita” funds on franchise recycling programs, yet franchised recycling program expenses represented almost one-half of total Phase I expenses.

During Phase II, 10 out of 16, member agencies spent Measure D “per capita” monies on outreach and education. Among the six (6) member agencies that did not have outreach and education expenses, two (2) used funds solely to fund their franchised recycling programs; two (2) used funds solely to fund their administration costs; and two (2) did not have Measure D expenses. A total of eleven (11) member agencies spent Measure D “per capita” funds on administration, and administration expenses represented 42 percent of total Phase II expenses. Of the 16 member agencies, six (6) used Measure D “per capita” funds for franchise recycling programs, and franchised recycling program expenses represented 40 percent of total Phase II expenses.

Figure 2-3, on the next page, presents categorized expenses related to Measure D “per capita” funds, for each of the member agencies. Member agency “per capita” expenditures are further detailed in **Table G-2**, in **Appendix G**. In Phase I, franchised recycling program ranked as the largest Measure D expenditure category, and administration ranked as the second largest. In Phase II, administration ranked as the largest expenditure category, and franchised recycling program ranked as the second largest.

Figure 2-4, on page 2-15, shows expenses, by category, for the RPPP program. Member agencies primarily used Measure D RPPP funds for recycled material purchases.¹³ Physical asset expenditures represented approximately 94 percent and 95 percent of total RPPP expenses, for Phase I and Phase II respectively. These expenses included office furniture, carpeting, playground equipment, benches, planters, recycling bins/receptacles, and flooring. The remaining expenses included administrative, programmatic, and other costs for promoting recycled content purchases and recycled content office supplies. Member agency RPPP expenditures are further detailed in **Table G-3** in Appendix G.

¹³ In Phase I, each of the thirteen (13) member agencies expended funds on physical assets. In Phase II, fifteen (15) of the sixteen (16) member agencies expended funds on Physical assets.

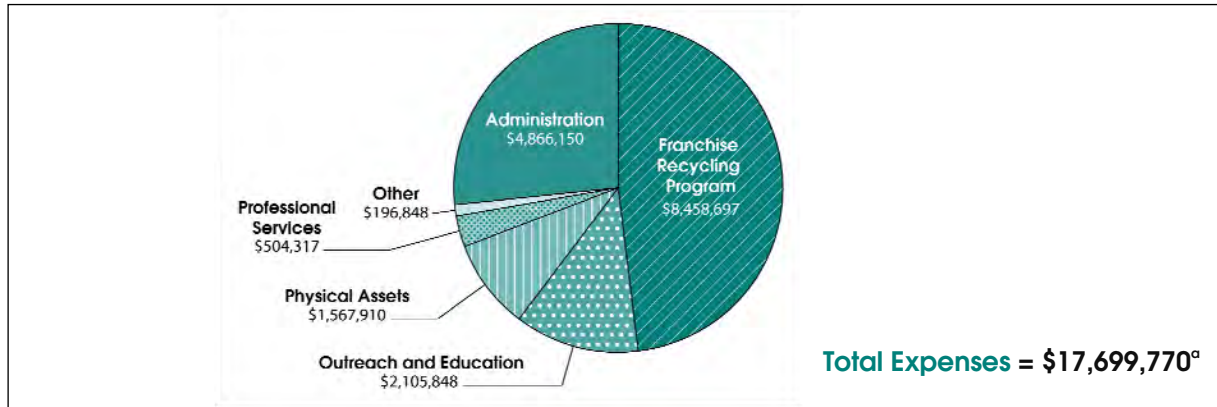
2. Measure D Monies Received and Expended

Figure 2-3

Member Agencies

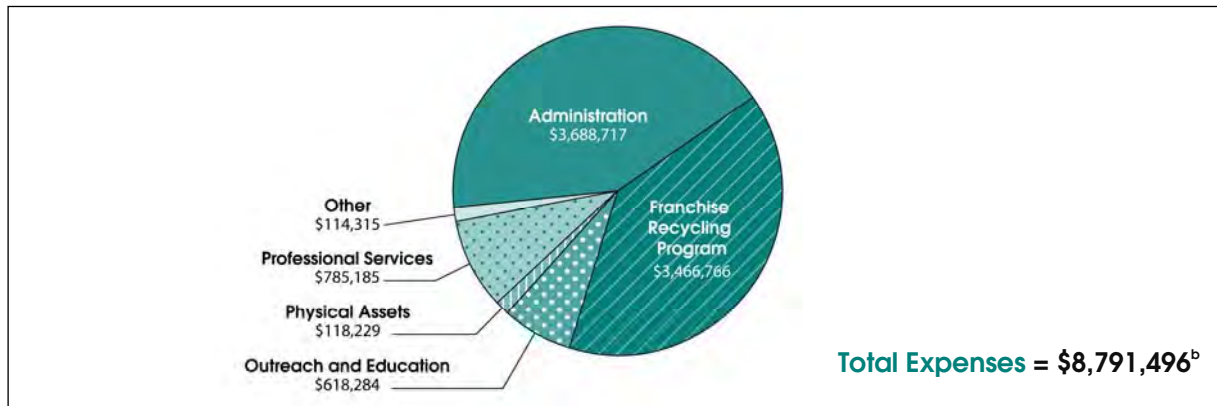
Measure D “Per Capita” Expenses, by Category¹⁴

(Phase I: Fiscal Years 2006/07, 2007/08, and 2008/09)



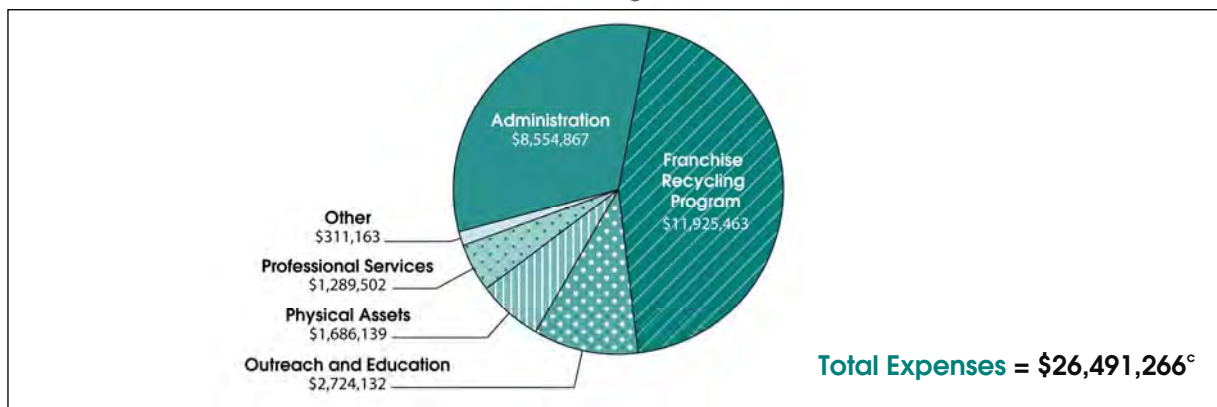
^a These total expenses of \$17,699,770 are greater than Board distributions for the same period because of existing member agency fund balances and interest earnings.

(Phase II: Fiscal Years 2009/10 and 2010/11)



^b These total expenses of \$8,791,496 are greater than Board distributions for the same period because of existing member agency fund balances and interest earnings.

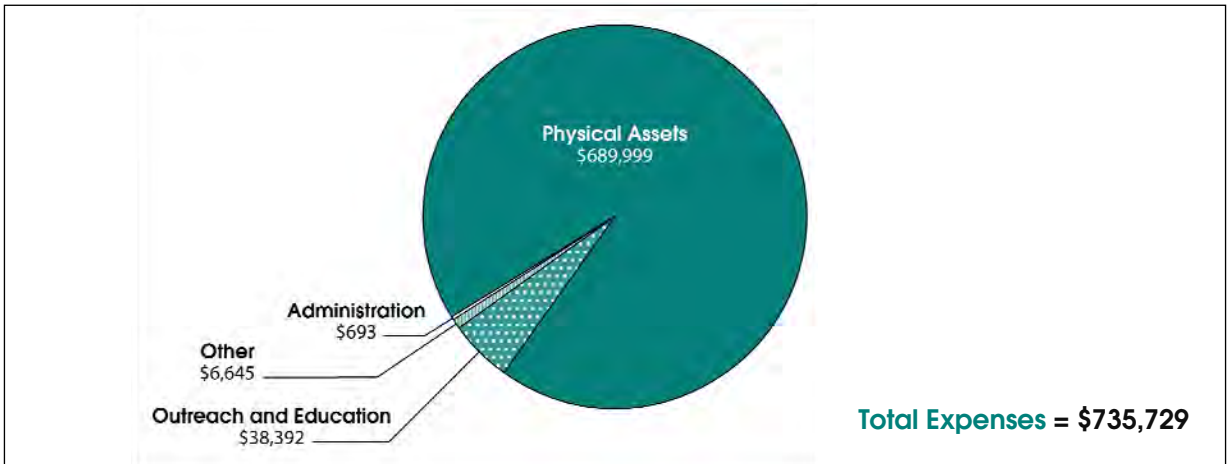
(Phases I and II Combined: Fiscal Years 2006/07 through 2010/11)



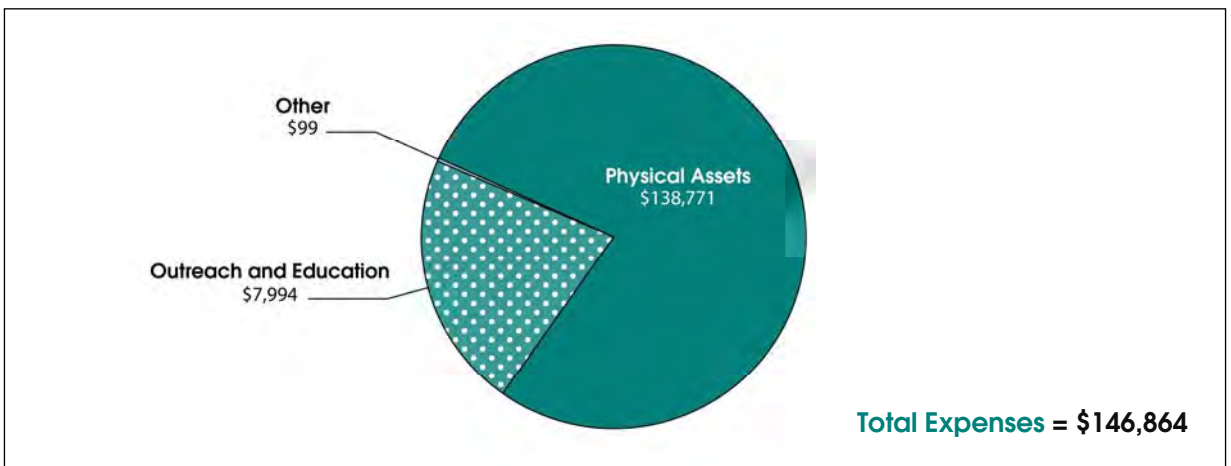
^c These total expenses of \$26,491,266 are greater than Board distributions for the same period because of existing member agency fund balances and interest earnings.

¹⁴ As part of the agreement for *Refuse, Green Waste and Recycling Services in the L3 Area*, Oro Loma Sanitary District recorded a payment to the City of San Leandro for a portion of the Oro Loma Sanitary District’s per capita monies. Oro Loma Sanitary District reported “pass through” payments to the City of San Leandro of \$54,630 in fiscal year 2006/07, \$49,758 in fiscal year 2007/08, \$45,291 in fiscal year 2008/09, \$39,422 in fiscal year 2009/10, and \$37,180 in fiscal year 2010/11. These expenditures are categorized as “Other” expenses. The City of San Leandro currently maintains separate fund accounting for the revenues and expenditures related to this “pass through” agreement, excluding these revenues and expenditures from Measure D per capita reports.

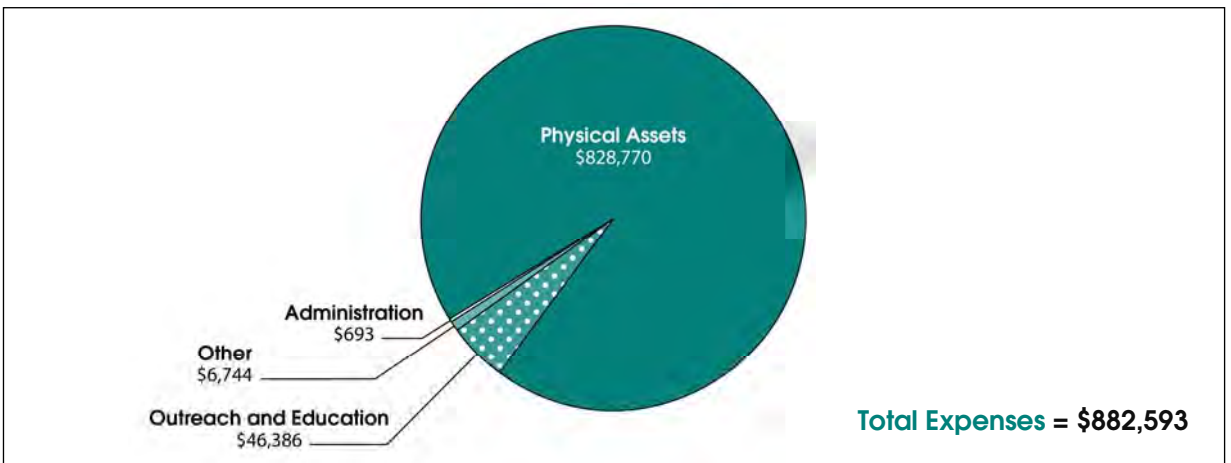
Figure 2-4
 Member Agencies
 Recycled Product Purchase Preference (RPPP) Program Expenses, by Category
 (Phase I: Fiscal Years 2006/07, 2007/08, and 2008/09)



(Phase II: Fiscal Years 2009/10 and 2010/11)



(Phases I and II Combined: Fiscal Years 2006/07 through 2010/11)



2. Measure D Monies Received and Expended

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Section 3

Measure D Financial and Compliance Assessment



3. Measure D Financial and Compliance Assessment

In this section, we provide our findings from Phase I and Phase II of this Measure D financial and compliance audit. This section is organized into findings related to Alameda County and the Recycling Board, member agencies, and grant recipients. Findings are numbered in each section (e.g., M-1 indicates finding number 1 related to member agencies). The remainder of this section is organized into three (3) subsections as follows:

- A. Alameda County and Recycling Board*
- B. Member Agencies*
- C. Grant Recipients.*

A. Alameda County and Recycling Board

This subsection provides three (3) findings related to our review of Alameda County and the Recycling Board's compliance with Measure D.

Finding RB-1 – Alameda County and the Recycling Board Met Measure D Compliance Requirements

In **Exhibit 3-1**, on the next page, we identify nine (9) Alameda County and Recycling Board compliance requirements specified in Measure D. We provide descriptions of these nine (9) Alameda County and Recycling Board compliance requirements in Appendix A (Exhibit A-2). For Phase I, we found that Alameda County and the Recycling Board met each of these nine (9) Measure D compliance requirements. In Exhibit 3-1, we describe Alameda County and Recycling Board efforts to meet these Measure D compliance requirements.

Finding RB-2 – The Recycling Board Collected Measure D Monies From Landfill Operators in Accordance with Measure D Requirements

We obtained and reviewed monthly remittance Measure D tonnage reports submitted by landfill operators to the Recycling Board for each month of the three (3) fiscal years of Phase I. We totaled payments made by landfill operators for the three (3) fiscal year Phase I period. In each of the three (3) fiscal years, we found minor differences between total revenues as reported in monthly tonnage reports, and revenues reported on the Recycling Board's audited financial statements. These minor revenue differences resulted from differences between the timing of actual landfill operator payments, and the timing of the Recycling Board's recognition of revenues on its audited financial statements.

3. Measure D Financial and Compliance Assessment

Exhibit 3-1

**Alameda County Source Reduction and Recycling Board
Efforts to Meet Measure D Compliance Requirements
(Phase I: Fiscal Years 2006/07, 2007/08, and 2008/09)
(Phase II: Fiscal Years 2009/10 and 2010/11)**

Page 1 of 4

Compliance Area	Summary of Requirement	Compliance (Yes/No)	Compliance Finding(s)
Alameda County			
1. Collection of Measure D Surcharge [Subsection 64.050 (A-C)]	Landfill (or incinerator) operators shall collect the Measure D tipping fee surcharge and pay this surcharge into the County's Recycling Fund.	Yes	The County collected the appropriate Measure D tipping fee surcharge from landfill operators. ¹
2. Recycled Product Purchase Preference (RPPP) Program [Subsection 64.120]	The County shall use a ten (10) percent price preference for County purchases of recycled products.	Yes	<ul style="list-style-type: none"> ■ The County used a ten (10) percent price preference for purchases of recycled products (as specified in the <i>Alameda County General Services, Purchasing Department, Vendor Guide</i>) ■ The County also has an <i>Environmental Preferable Purchasing Model Policy</i> (updated December 12, 2009) ■ As a condition of receiving leftover RPPP funds, each of the member agencies has adopted similar recycled product purchase preference programs.
Recycling Board			
1. Development of Recycling Plan [Subsection 64.040(B)]	The Recycling Board shall develop a plan to establish recycling programs, and amend the plan as necessary.	Yes	In 2006, the Recycling Board prepared the most recent update to its recycling plan titled <i>Vision 2010: 75% and Beyond</i> . In 2010, the Recycling Board released its <i>Strategic Workplan 2020</i> , identifying the nature, and timing, of activities designed to achieve the <i>75% and Beyond</i> goal.
2. Fund Allocations [Subsection 64.060(B)]	The Recycling Board shall disperse monies in accordance with the funding allocation specified in Table 2-4 (second column).	Yes	The Recycling Board applied the appropriate disbursement allocations for each of the five (5) fiscal years.
	No more than three (3) percent of funds paid into the Recycling Fund per year can be used to administer the Recycling Fund.	Yes	Administrative costs, as a percent of Measure D monies received by the Recycling Board, were as follows: <ul style="list-style-type: none"> □ FY 2006/07 – 2.70 percent □ FY 2007/08 – 2.15 percent □ FY 2008/09 – 1.82 percent □ FY 2009/10 – 1.88 percent □ FY 2010/11 – 1.49 percent.
3. Analysis and Review of Waste Characterization Studies [Subsection 64.060(C)]	The Recycling Board shall maintain accurate, and up-to-date, estimates of refuse and recycling generation, by member agency.	Yes	In 2008, the Recycling Board completed a comprehensive Countywide waste characterization study (prepared by RW Beck).

¹ There were no applicable incinerator operators in the County.

Exhibit 3-1

**Alameda County Source Reduction and Recycling Board
Efforts to Meet Measure D Compliance Requirements
(Phase I: Fiscal Years 2006/07, 2007/08, and 2008/09)
(Phase II: Fiscal Years 2009/10 and 2010/11) (continued)**

Compliance Area	Summary of Requirement	Compliance (Yes/No)	Compliance Finding(s)
4. Source Reduction Program Requirements [Subsection 64.080]	The Recycling Board shall provide a County waste minimization program with a goal of reducing the weight of County paper purchases.	Yes	<ul style="list-style-type: none"> ■ To assist County employees, the Recycling Board has developed a fact sheet titled <i>Environmentally Preferable Paper Office Products in Alameda County</i> which emphasizes reductions in paper weight (updated September 2011) ■ To assist County employees, the Recycling Board also has developed a fact sheet titled <i>Environmentally Preferable Janitorial Paper Supplies in Alameda County</i> which emphasizes reductions in paper weight through optimal paper dispensing system designs.
	The Recycling Board shall provide an annual non-monetary award program for business demonstrating significant waste reductions.	Yes	<p>The Recycling Board funded the following award program:</p> <ul style="list-style-type: none"> <input type="checkbox"/> Annual <i>StopWaste</i> Business Partnership efficiency awards (8 awards in 2011, 8 awards in 2010, 12 awards in 2009).
	The Recycling Board shall fund an industry and/or university research program.	Yes	<p>The Recycling Board provided business waste prevention funds to businesses for waste prevention projects. Recycling Board staff participated on the Sustainable Packaging Coalition’s development of a credible design tool for sustainable packaging (called COMPASS).</p>
	The Recycling Board shall fund an intensive public education campaign.	Yes	<p>The Recycling Board funded the following programs:</p> <ul style="list-style-type: none"> <input type="checkbox"/> Bay friendly gardening program (workshops) <input type="checkbox"/> Bay friendly landscaping for professionals program (training program in classroom setting) <input type="checkbox"/> Bay friendly landscape member agency workshop <input type="checkbox"/> Compost and worm bin distributions <input type="checkbox"/> Master composter training program. <p>The Board also funded the following educational efforts and programs:</p> <ul style="list-style-type: none"> <input type="checkbox"/> Bay Friendly Landscaping Guidelines (2010 edition) <input type="checkbox"/> Green Building Guidelines <input type="checkbox"/> Paper use reduction guide/best practices <input type="checkbox"/> StopWaste.org website (extensive information) <input type="checkbox"/> Sustainable packaging business survey <input type="checkbox"/> Use “reuseables” campaign (workshops).
	The Recycling Board shall fund disposal cost reduction studies and waste audit services that demonstrate recycling program efficacy to business and institutions.	Yes	<ul style="list-style-type: none"> ■ The Recycling Board, through the StopWaste Partnership, provided several waste audits (e.g., Oakland Coliseum, Pleasanton Corporate Commons) ■ The Recycling Board has a best practices database, identifying innovative waste reduction practices for business and public agencies ■ The Recycling Board funded development of a schools initiative to increase schools diversion to the 50 percent level.

3. Measure D Financial and Compliance Assessment

Exhibit 3-1

**Alameda County Source Reduction and Recycling Board
Efforts to Meet Measure D Compliance Requirements
(Phase I: Fiscal Years 2006/07, 2007/08, and 2008/09)
(Phase II: Fiscal Years 2009/10 and 2010/11) (continued)**

Page 3 of 4

Compliance Area	Summary of Requirement	Compliance (Yes/No)	Compliance Finding(s)
5. Recycled Product Market Development Program [Subsection 64.110]	The Recycling Board shall fund a regional cooperative marketing strategy.	N/A	This requirement was originally intended as a strategy for marketing recycled materials (e.g., newsprint, glass, and aluminum cans). Because member agencies use franchised haulers that have ready access to markets for these materials, this requirement is not applicable for the Recycling Board. The Recycling Board does fund the following regional media campaigns: <ul style="list-style-type: none"> <input type="checkbox"/> Comprehensive multi-media campaign <input type="checkbox"/> Food scraps campaign <input type="checkbox"/> Regional used oil recycling campaign <input type="checkbox"/> Curbside paper recycling campaign <input type="checkbox"/> BayROC online stop junk mail media campaign.
	The Recycling Board shall fund grants for demonstration projects targeted at new uses and new recycling techniques.	Yes	The Recycling Board funded mini-grants to start waste reduction projects (grants of up to \$5,000).
	The Recycling Board shall fund a County-wide information exchange targeting uses and source of recycling products.	Yes	The Recycling Board provided the following County-wide information and services: <ul style="list-style-type: none"> <input type="checkbox"/> A consumer attitude survey regarding curbside and food scrap recycling <input type="checkbox"/> A “Materials Database,” a searchable online database of green building products, local vendors, and service providers (a collaboration with Bay Area Build It Green) <input type="checkbox"/> A recycling wizard, showing information on where to recycle different materials, and where to buy recycled/green products (now integrated on a multi-jurisdiction level) <input type="checkbox"/> A StopWaste Partnership, an effort to partner with local business to reduce waste <input type="checkbox"/> Extensive free resources on the StopWaste.Org website (written guides, case studies).
	The Recycling Board shall fund municipal programs to administer permit assistance to recycling industries.	N/A	The Recycling Board has no land use authority to use for permit assistance programs targeted at recycling industries. Land use powers reside with each jurisdiction. Consequently, this requirement has limited applicability for the Recycling Board. The Recycling Board does provide model construction and demolition (C&D) ordinance language which requires generator compliance as a condition of a jurisdiction approving the generator’s building permit. The Recycling Board has facilitated member agency use of the web-based Green Halo compliance tracking program used to analyze and report on C&D activities and enforce C&D ordinances.

Exhibit 3-1

**Alameda County Source Reduction and Recycling Board
Efforts to Meet Measure D Compliance Requirements
(Phase I: Fiscal Years 2006/07, 2007/08, and 2008/09)
(Phase II: Fiscal Year 2009/10 and 2010/11) (continued)**

Compliance Area	Summary of Requirement	Compliance (Yes/No)	Compliance Finding(s)
6. Recycling Board Member Payments [Subsection 64.130(M)]	Recycling Board members shall receive payments equal to \$100 per meeting. Annual Recycling Board member compensation cannot exceed \$3,000 per calendar year.	Yes	Recycling Board member compensation did not exceed \$100 per meeting. Annual Recycling Board member compensation ranged as follows, per calendar year (depending on the Recycling Board member): <ul style="list-style-type: none"> <input type="checkbox"/> Calendar year 2007 – \$100 to \$1,200 <input type="checkbox"/> Calendar year 2008 – \$100 to \$1,100 <input type="checkbox"/> Calendar year 2009 – \$100 to \$1,200 <input type="checkbox"/> Calendar year 2010 – \$100 to \$1,200.
General Compliance (All Entities)			
1. Compliance with Restriction Against Use of Fund Monies for Contracts Longer than Five Years [Subsection 64.060(D)]	Contracts cannot exceed five (5) years without Recycling Board approval.	Yes	The Recycling Board issued contracts as follows for each fiscal year: <ul style="list-style-type: none"> <input type="checkbox"/> FY 2006/07 – Over 200 contracts, with ten (10) having a three-year term, and the remainder having less than or equal to a two (2) year term <input type="checkbox"/> FY 2007/08 – Over 250 contracts, with one (1) having a four-year term, five (5) having a three-year term, and the remainder having less than or equal to a two (2) year term <input type="checkbox"/> FY 2008/09 – Over 200 contracts, with two having a three (3) year term, and the remainder having less than or equal to a two (2) year term <input type="checkbox"/> FY 2009/10 – Over 250 contracts, with one (1) having a four-year term, four (4) having a three-year term, and the remainder having less than or equal to a two (2) year term <input type="checkbox"/> FY 2009/11 – Over 200 contracts, with three (3) having a three (3) year term, and the remainder having less than or equal to a two (2) year term.

We tested whether landfill operators used the correct Measure D surcharge amounts for the five (5) fiscal years. For each of the five (5) fiscal years, we found that landfill operators remitted monies to the Recycling Board based on the correct per ton Measure D tipping fee surcharge, as follows:

- FY 2006/07 – \$7.28 per ton for the first one half of the fiscal year, and \$7.43 per ton for the second one half of the fiscal year²
- FY 2007/08 – \$7.43 per ton for the first one half of the fiscal year, and \$7.67 per ton for the second one half of the fiscal year
- FY 2008/09 – \$7.67 per ton for the first one half of the fiscal year, and \$7.92 per ton for the second one half of the fiscal year
- FY 2009/10 – \$7.92 per ton for the first one half of the fiscal year, and \$8.17 per ton for the second one half of the fiscal year
- FY 2010/11 – \$8.17 per ton for the first one half of the fiscal year, and \$8.23 per ton for the second one half of the fiscal year.

Finding RB-3 – The Recycling Board Allocated Measure D Monies to Member Agencies, and Required Programs, Consistent with Measure D Requirements

We tested whether the Recycling Board used the correct methods for allocating Recycling Fund monies to member agencies, and to the programs the Recycling Board supports. We found the Recycling Board used the following required allocation percentages for each of the five (5) fiscal years:

- Member Agencies = 50 percent
- Non-Profit Grant Program = 10 percent
- Source Reduction Program = 10 percent
- Recycled Product Market Development Program = 10 percent

² During the first three (3) calendar months of 2007, one landfill operator continued to pay the 2006 rate, however this landfill operator made a “catch up” payment in May, 2007.

- Recycled Product Purchase Preference Program = 5 percent
- Discretionary uses = 12 percent
- Administrative uses = 3 percent.

We tested whether the Recycling Board used the correct population data (shown in Table C-1) to allocate Measure D “per capita” amounts to each member agency for each of the five (5) fiscal years. Consistent with Recycling Board Resolution RB 94-27 (see Exhibit B-1), we found that the Recycling Board correctly used 2006 population data for fiscal year 2006/07 and for the first three (3) quarters of fiscal year 2007/08. We found that the Recycling Board correctly used 2008 population data for the last quarter of fiscal year 2007/08 and for fiscal years 2008/09 and 2009/10; and 2010 population data for fiscal year 2010/11

We checked whether the Recycling Board allocated accumulated interest on Measure D monies to member agencies. The Recycling Board accumulated interest in the “member agency account” as shown in Table 2-3 (see Section 2.A.2 of this report for a description of interest earned). For each fiscal year, the Recycling Board added this additional accumulated interest to the 50 percent allocation of Measure D monies, and then allocated the total to the member agencies on a per capita basis.³

We tested whether the Recycling Board disbursed leftover Recycled Product Purchase Preference (RPPP) Program monies to member agencies consistent with the allocation method specified in Resolution RB 96-04 (\$5,000 to each member agency, plus the remaining amounts

³ For example, as a check, the total Phase I interest of \$88,045 (Table 2-3) plus the total 50 percent member agency allocation of \$13,878,739 (Table 2-4) equals \$13,966,784. This amount is \$302 greater than the total Phase I allocation to member agencies of \$13,966,482 in Table 2-5. The Recycling Board added this \$302 difference to the member agency fund balance bringing the total from \$13,702 at the beginning of fiscal year 2006/07 to \$14,004 at the end of fiscal year 2008/09 (see RB 27 account in Table E-1).

allocated using the Measure D population distribution methodology). For fiscal year 2006/07, the Recycling Board allocated leftover RPPP monies consistent with Resolution RB 96-04. For fiscal year 2007/08, the Recycling Board allocated leftover RPPP monies in a manner which was close to, but slightly different, from than that required in Resolution RB 96-04.⁴

B. Member Agencies

This subsection provides five (5) findings related to our review of member agencies compliance with Measure D.

Finding MA-1 – Member Agencies Met the Compliance Requirements of Measure D

In **Exhibit 3-2**, on the next page, we identify seven (7) member agency compliance requirements which are specified in Measure D. We provide descriptions of these seven (7) compliance requirements in Appendix A (Exhibit A-2). For Phase I and Phase II, we found that member agencies met each of these seven (7) Measure D compliance requirements. In Exhibit 3-2, we provide member agency efforts to meet these Measure D compliance requirements.

Finding MA-2 – Member Agencies Spent Measure D Funds on Legitimate Measure D Expenses

There is relatively broad applicability for uses of Measure D funds by member agencies. The intent of Measure D is for member agencies to use funds for “continuation and expansion of municipal recycling programs.” Over time, this definition has evolved to include a variety of different recycling-related expenditures. We

describe the types of Measure D expenses reported by member agencies in **Appendix G**.

We tested a sample of Measure D expenses at each of the thirteen (13) member agencies for Phase I, and each of the sixteen (16) member agencies for Phase II. We obtained supporting documentation for these expenses, including invoices and check stubs. Our sampling included the following number of transactions, by fiscal year:

- Fiscal year 2006/07 – 92 transactions
- Fiscal year 2007/08 – 85 transactions
- Fiscal year 2008/09 – 85 transactions
- Fiscal year 2009/10 – 116 transactions
- Fiscal year 2010/11 – 112 transactions.

From our testing, nothing came to our attention that indicated that a member agency spent Measure D funds on non-Measure D related expenses. We found some minor errors between amounts reported on Annual Measure D Reports, and amounts actually paid by member agencies, however we found that these differences were immaterial. Our adjustments for these minor expense differences are reflected in member agency fund balances as of June 30, 2009 and June 30, 2011, identified in Table E-2.

Finding MA-3 – The Annual Measure D Programs Report Creates Some Challenges, but In General Is Working for Its Intended Purpose

Throughout the five fiscal years, we found that member agencies generally used the Annual Measure D Programs Reports correctly and that we could reconcile data contained in the Annual Measure D Programs Reports to member agency accounting systems. Member agencies also made efforts to develop expenses into separate categories under the Program Description and Expenditures portion of the Annual Measure D Programs Reports.

⁴ Differences between actual amounts allocated by the Board and amounts required by Resolution RB 96-04 were considered immaterial. These small differences were caused by the Board's planning of end of year leftover RPPP funding availability.

3. Measure D Financial and Compliance Assessment

Exhibit 3-2

Member Agencies

Efforts to Meet Measure D Compliance Requirements

(Phase I: Fiscal Years 2006/07, 2007/08, and 2008/09)

(Phase II: Fiscal Years 2009/10 and 2010/11)

Page 1 of 3

Compliance Area	Summary of Requirement	Compliance (Yes/No)	Compliance Finding(s)
1. Requirement for Local Refuse Hauler Surcharge [Subsection 64.070(A)]	Member agencies shall provide full reimbursement to its local refuse hauler for full reimbursement of Measure D surcharge.	Yes	All member agencies provided for this full Measure D surcharge reimbursement.
2. Residential Recycling Program [Subsection 64.090]	Member agencies shall provide a residential recycling program to residents.	Yes	All member agencies provided a residential recycling program.
3. Commercial Recycling Program [Subsection 64.100]	Member agencies shall provide a commercial recycling program to businesses, government, and public entities.	Yes	<p>All member agencies are in compliance with the commercial recycling program minimum requirements as stated in the Recycling Board's February 3, 1994 policy. This minimum policy specifically required member agencies to develop a commercial/industrial outreach program (involving annual contact with customers), and make available educational and informational materials. The Recycling Board required member agencies to comply with these minimum requirements prior to December 4, 1994. At the time, the Recycling Board left open that these minimum standards could be revised with more experience gained with the commercial recycling programs (Source: Recycling Board minutes, February 10, 1994).</p> <p>As part of the Recycling Board's current strategic planning efforts, the Recycling Board has identified a need to review and possibly change the standards for an adequate commercial recycling program (as identified in the Agency Strategic Workplan adopted on July 28, 2010).</p>

Exhibit 3-2

Member Agencies

Efforts to Meet Measure D Compliance Requirements

(Phase I: Fiscal Years 2006/07, 2007/08, and 2008/09)

(Phase II: Fiscal Years 2009/10 and 2010/11) *(continued)*

Compliance Area	Summary of Requirement	Compliance (Yes/No)	Compliance Finding(s)
4. Recycling Fund Expenditures, Monitoring, and Reporting	Member agencies shall use Measure D annual reports. [Resolution RB 2003-11]	Yes	All member agencies submitted required Annual Measure D Programs Reports.
	Member agencies must report interest earned in a separate Measure D account (when the Measure D fund balance is greater than \$300,000 or the disbursement is made in the prior fiscal year). [Resolution RB 2003-11]	Yes (see Exhibit D-1 for data used in testing)	<ul style="list-style-type: none"> ■ In fiscal year 2006/07, five (5) member agencies met this requirement and all five (5) included interest in Measure D fund balances (Cities of Hayward, Livermore, Pleasanton, San Leandro, and the Castro Valley Sanitary District) ■ In fiscal year 2007/08, five (5) member agencies met this requirement and all five (5) included interest in Measure D fund balances (Cities of Hayward, Livermore, Pleasanton, San Leandro, and the Castro Valley Sanitary District) ■ In fiscal year 2008/09, four (4) member agencies met this requirement and all four (4) included interest in Measure D fund balances (Cities of Dublin, Hayward, Pleasanton, and San Leandro) ■ In fiscal year 2009/10, two (2) member agencies met this requirement and all two (2) included interest in Measure D fund balances (Cities of Hayward and Livermore) ■ In fiscal year 2010/11, three (3) member agencies met this requirement and all three (3) included interest in Measure D fund balances (Cities of Hayward, Livermore, and Pleasanton).
	Beginning on July 1, 2007, member agencies shall present a written expenditure plan to the Board if its unspent fund balance exceeds the sum of the last eight (8) per capita disbursements. [Resolution RB 2006-12]	Yes, (see Exhibit D-2 for data used in testing)	<ul style="list-style-type: none"> ■ In Phase I, one (1) member agency met this expenditure plan requirement (the City of Hayward in fiscal year 2006/07 and fiscal year 2007/08). The City of Hayward submitted a written expenditure plan which was approved by the Board in 2008 ■ In Phase II, one (1) member agency met this expenditure plan requirement (City of Hayward in fiscal year 2010/11).
5. Recycling Fund Accounting [RB 2006-12]	Member agencies shall account for recycling funds either through a separate account or a pooled account with a separate and distinct account code.	Yes	Member agencies used the accounting methods for tracking Measure D funds shown in Table C-4 in Appendix C.

3. Measure D Financial and Compliance Assessment

Exhibit 3-2

Member Agencies

Efforts to Meet Measure D Compliance Requirements

(Phase I: Fiscal Years 2006/07, 2007/08, and 2008/09)

(Phase II: Fiscal Years 2009/10 and 2010/11) (continued)

Page 3 of 3

Compliance Area	Summary of Requirement	Compliance (Yes/No)	Compliance Finding(s)
6. Recycled Product Purchase Preference (RPPP) Program [Subsection 64.120] [December's 2004 Memorandum]	<p>Member agencies must obtain approval from the Authority for use of RPPP funds, when more than two (2) years of RPPP funds have been accumulated.</p> <p>Note: As part of the RPPP funding process, the Recycling Board requires that member agencies submit an Application & Reporting Form for the RPPP funds. In cases where "banked funds" exceed the last two (2) years of RPPP disbursements, member agencies must have plans to spend all of the banked funds plus the planned disbursement for that fiscal year.</p>	Yes (see Exhibit D-3 for data used in testing)	<ul style="list-style-type: none"> ■ In fiscal year 2006/07, five (5) member agencies met this requirement (Cities of Alameda, Hayward, Oakland, Pleasanton, and the Castro Valley Sanitary District). The Cities of Alameda and Pleasanton, and the Castro Valley Sanitary District, spent down their "banked" RPPP funds in fiscal year 2007/08 ■ In fiscal year 2007/08, four (4) member agencies met this requirement (Cities of Berkeley, Emeryville, Hayward, and Oakland) ■ In fiscal year 2008/09, four (4) member agencies met this requirement (Cities of Berkeley, Emeryville, Hayward, and Oakland). The City of Hayward spent down its "banked" RPPP funds in fiscal year 2009/10 ■ In fiscal year 2009/10, six (6) member agencies met this requirement (Cities of Berkeley, Emeryville, Livermore, Oakland, and the Castro Valley Sanitary District and Oro Loma Sanitary District). The City of Emeryville spent down its "banked" RPPP funds in fiscal year 2010/11 ■ In fiscal year 2010/11, six (6) member agencies met this requirement (Cities of Berkeley, Hayward, Livermore, Oakland, and the Castro Valley Sanitary District and Oro Loma Sanitary District).⁵
General Compliance (All Entities)			
1. Compliance with Restriction Against Use of Fund Monies for Contracts Longer than Five Years [Subsection 64.060(D)]	Contracts cannot exceed five (5) years without Recycling Board approval.	Yes	Nothing came to our attention to suggest member agencies are not complying with this provision.

⁵ As of this writing, the Recycling Board had received fiscal year 2011/12 RPPP reports from the Cities of Berkeley, Hayward, Livermore, Oakland, and Castro Valley Sanitary District and Oro Loma Sanitary District indicating their plans to spend down their accumulated RPPP monies.

In Phase I, we found some variability in how member agencies used the Annual Measure D Programs Report. Some member agencies reported revenues and expenses in the Annual Measure D Programs Reports on a “cash” basis (i.e., accounting for when the monies are actually received or expended) and some member agencies reported revenues and expenses on an “accrual” basis (i.e., accounting for when the member agency earns the revenue, and when the member agency is obligated to pay the expense).

Additionally, in Phase I, some member agencies reported revenues and expenses in the Annual Measure D Programs Reports on a cash basis, but used accrual basis accounting for their own agency’s accounting. Some member agencies reported revenues and expenses in the Annual Measure D Programs Report on an accrual basis, but used cash basis accounting for their own agency’s accounting. In Phase II, with the new Annual Measure D Program Report, some of this cash versus accrual basis confusion was alleviated.

Though accounting variability created some challenges to reconcile Annual Measure D Program Reports to member agency accounting systems, we found this reporting variability acceptable in light of the fact that Measure D does not require member agencies to spend Measure D monies, that the member agency receives, in a particular period. Essentially, Measure D provides member agencies with maximum flexibility to account for, and use, Measure D monies as the member agency sees fit.

We have the following additional observations related to use of the Annual Measure D Programs Report (for the five fiscal years):

- Member agencies sometimes carried negative Measure D fund balances year-to-year
- Some member agencies included both “cash basis” and “accrual basis” Measure D fund balances on their Annual Measure D Programs Reports

- Nineteen (19) instances occurred where revenues reported in the Annual Measure D Programs Reports were different from the revenues shown in the member agency’s accounting system. Nearly all of these differences were associated with timing differences (e.g., revenues recorded in a period prior to, or after, the fiscal year of the Annual Measure D Programs Report)
- Two (2) instances occurred where the revenues reported in the Annual Measure D Programs Reports were different from the Recycling Board’s allocation, one of which was a very minor difference, and the other had no bearing on that member agency’s Final Phase I fund balance because the member agency had expenses far in excess of Measure D funds allocated for the three (3) fiscal years
- Thirteen (13) instances occurred where the expenses reported in the Annual Measure D Programs Reports differed from the expenses reported in the member agency’s accounting system, though most of these were very minor differences
- Ten (10) instances occurred where the fund balances reported in the Annual Measure D Programs Reports differed from the prior year (or from that of the prior Five Year Audit report). Most of these were relatively minor fund balance differences between the prior Five Year Audit and the FY 2006/07 beginning balance for Phase I of this audit
- Twelve (12) instances occurred where the fund balances differed between the Annual Measure D Programs Reports, and the fund balances shown in the member agency’s internal accounting system. For these instances, member agencies combined other funds with Measure D funds in these balances, and we relied on our own accounting for these member agency balances.

Finding MA-4 – Member Agencies Correctly Reported Interest on Measure D Fund Balances

For the three (3) year Phase I audit period, a total of nine (9) of the thirteen (13) member agencies reported some interest on Measure D fund balances; and for the two (2) year Phase II audit period, a total of nine (9) of the sixteen (16) member agencies reported some interest on Measure D fund balances (see Table E-2). Additionally, at the beginning of fiscal year 2006/07, one member agency (the City of Pleasanton) made a large one-time adjustment for interest earned on historical Measure D fund balances.

Measure D specifies that member agencies report interest, and leave this interest in their Measure D accounts, in cases where the beginning of year Measure D fund balance is greater than \$300,000, or the Measure D fund distribution in the prior year (whichever is greater, see Resolution RB 2003-11). During Phase I, a total of five (5) member agencies (of the nine (9) reporting interest) exceeded this interest reporting threshold, and all five (5) of these member agencies tracked interest, and included this interest amount in their Measure D fund balances. During Phase II, a total of three (3) member agencies (of the nine (9) reporting interest) exceeded this interest reporting threshold, and all three (3) of these member agencies tracked interest, and included this interest amount in their Measure D fund balances.

Measure D is silent on the treatment of interest when member agency fund balances do not meet the above interest reporting threshold. We found that four (4) member agencies (of the nine (9) reporting interest) fell below the interest reporting threshold (specified in Resolution RB 2003-11), but did include Measure D related interest in their Measure D fund balances during Phase I. We found that seven (7) member agencies (of the nine (9) reporting interest) fell below the interest reporting threshold (specified

in Resolution RB 2003-11), but did include Measure D related interest in their Measure D fund balances during Phase II. We found this treatment of interest, by these member agencies, acceptable even though they did not meet the interest reporting threshold.

Finding MA-5 – Some Member Agencies Had Difficulty Planning for Recycled Product Purchase Preference (RPPP) Program Expenditures

Member agencies used a combination of methods to track RPPP funds for annual reporting purposes. Of the thirteen (13) member agencies, six (6) member agencies depended on their accounting system to complete the annual RPPP Application and Reporting Form. Another five (5) member agencies used a spreadsheet maintained by the program manager. The two (2) remaining member agencies used the previous fiscal year RPPP annual report for the beginning balance, and revenue and expenditure information from the accounting system, to complete their annual RPPP report.

We reviewed annual RPPP Application and Reporting forms submitted by member agencies, and compared actual expenditures and fund balances reported on these forms with those in member agency accounting systems. During Phase I, of the thirteen (13) member agencies, six (6) member agencies inaccurately reported expenditures on their Annual RPPP Application and Reporting Forms at some time during Phase I. During Phase II, of the thirteen (13) member agencies, two (2) member agencies inaccurately reported expenditures on their Annual RPPP Application and Reporting Forms at some time during Phase II. Due to unforeseen delays, or poor internal communication, these member agencies either did not expend, or accurately report, RPPP expenditures as planned. Reasons for these RPPP reporting problems included:

-
- Delayed construction projects
 - Miscoded expenditures
 - Poor coordination between member agency program areas
 - Timing differences between approval and actual expenditure
 - Duplicate expenditures already included in a prior fiscal year.

C. Grant Recipients

Finding G-1 – Grant Recipients Complied With Terms and Conditions of Grants and with Measure D Requirements

As described in **Appendix F**, we reviewed a total of fifteen (15) grant recipients in Phase I and eight (8) grant recipients in Phase II to determine compliance with Measure D requirements. We

obtained and reviewed contract files from the Recycling Board. We found that Recycling Board staff performed a thorough analysis of grant applications prior to awarding grants and also closely monitored progress toward completion of the grant.

We contacted grant recipients and arranged in-person and/or telephone interviews with selected grant recipients. Nothing came to our attention in our review of these twenty-three (23) grant recipients that indicated that grant recipients were not complying with terms and conditions of the grant, or with Measure D requirements.⁶ Grant recipients had adequate accounting capabilities to capture the necessary financial information for the grants. Also, none of the grant terms were for longer than five (5) years (compliance with Subsection 64.060(D)).

⁶ In one minor case we could not substantiate an \$8,048 expense to the invoice level (Civicorps, FY 2009/10). In another case, the project deliverables were somewhat delayed (Watershed Project, FY 2008/09). Another sampled project was not complete at the time we completed our Phase II work (Bay Localize, FY 2010/11).

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Section 4

Waste Diversion Measurement Assessment



4. Waste Diversion Measurement Assessment

As part of this Measure D financial and compliance audit, we reviewed and evaluated the County's progress toward meeting diversion mandates required by the former California Integrated Waste Management Board (CIWMB), now the California Department of Resources Recycling and Recovery (CalRecycle). We also examined the County's progress in meeting its own, more stringent, diversion targets and use of the County's Recycling and Sustainability Index.

In this section, we provide the Recycling Board with recommendations for additional performance metrics and approaches that may help the County to monitor future diversion progress. This section is organized as follows:

- A. Seventy-Five (75) Percent Alameda County Diversion Goal*
- B. Alameda County Jurisdictional Waste Diversion Results Relative to Assembly Bill 939 Goals*
- C. Alameda County Source Reduction and Recycling Board Measurement Methods*
- D. Comparison of Alameda County Diversion With Other Neighboring Jurisdictions*
- E. Use of Performance Metrics and Indicators.*

A. Seventy-Five (75) Percent Alameda County Diversion Goal

Measure D set a target date of January 1, 1999, for the Board to set a diversion goal of 75 percent. In June, 1998, the Recycling Board first adopted the 75 percent diversion goal by 2010 as part of its interim Source Reduction and Recycling Plan. The Recycling Board subsequently adopted its final Source Reduction and Recycling Plan in 2000, reflecting this 75 percent diversion goal by 2010. The Recycling Board has affirmed this diversion goal in each subsequently adopted Source Reduction and Recycling Plan (most recently in 2007). Each member agency also has formally adopted this 75 percent diversion goal.

The Alameda County Source Reduction and Recycling Plan, *Vision 2010: 75% and Beyond* (Recycling Plan), sets goals for the county's recycling, source reduction, composting, and diversion. The Recycling Plan lays out specific targets and strategies to reach 75 percent diversion and builds the groundwork for a recycling rate greater than 75 percent. Sustainability practices needed to reach 75 percent become even more important to reaching diversion rates beyond 75 percent (i.e., zero waste).

In its *Strategic Workplan 2020* (dated July 2010), the Recycling Board identified its vision for the definition "75% and beyond." In this workplan, the Recycling Board established a new diversion milestone targeting reductions in the percent of discarded materials (called Discard Objectives) as follows:

Table 4-1
Diversion Rates (by County Jurisdiction)
(2000 to 2010)

Jurisdiction	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010
1. City of Alameda	65	62	64	64	68	68	66	66	67	71	75
2. City of Albany	62	67	66	63	70	70	70	71	77	78	83
3. City of Berkeley	49	52	47	52	57	59	57	62	66	72	76
4. City of Dublin	54	55	51	50	50	55	56	61	66	73	75
5. City of Emeryville	48	55	54	64	66	64	75	63	74	70	77
6. City of Fremont	62	63	63	62	66	63	64	64	68	71	74
7. City of Hayward	52	50	49	51	60	62	65	56	63	68	67
8. City of Livermore	50	59	55	61	65	63	63	60	64	71	73
9. City of Newark	53	52	50	56	61	62	66	67	72	75	69
10. City of Oakland	52	52	50	53	55	58	59	57	66	67	65
11. City of Piedmont	63	68	63	64	65	64	66	68	72	84	75
12. City of Pleasanton	48	47	48	48	52	53	56	55	61	71	71
13. City of San Leandro	51	64	55	62	60	59	65	64	73	61	69
14. City of Union City	61	52	61	57	58	62	64	71	76	77	77
Unincorporated County (includes Oro Loma Sanitary District and Castro Valley Sanitary District)	65	60	63	57	60	60	69	60	63	59	67
Average							64				72
Weighted Average											70

- By July 1, 2013 – Reducing the percentage of materials managed as garbage, that are recyclable or compostable, from 60 percent to 45 percent¹
- By 2020 – Reducing the percentage of materials deposited into landfills, that are recyclable or compostable, to less than 10 percent; and achieving a goal that less than 10 percent of materials placed in the recycling or composting containers is garbage.

For the 2020 Discard Objectives, the Recycling Board envisions that in situations where a source-separated collection system is used, less than 10 percent of materials placed in a garbage container should be readily recyclable or compostable. Additionally, for mixed waste processing

facilities, residuals from the processing system should contain less than 10 percent readily recyclable or compostable material.

B. Alameda County Jurisdictional Waste Diversion Results Relative to Assembly Bill 939 Goals

Below, we describe how Alameda County met State of California Assembly Bill 939 diversion goals for the five year audit period. In 2006, jurisdictions used the traditional method (referred to as “old”) for calculating diversion based on amounts disposed compared to a base year generation level (with adjustment factors for changes in population, taxable sales, employment, and inflation).

Exhibit 4-1, above, shows Alameda County diversion results for 2000 through 2010, by

¹ The 2008 Waste Characterization study showed that 60 percent of materials managed as garbage were readily recyclable or compostable.

jurisdiction, as reported to the California Integrated Waste Management Board CIWMB, now CalRecycle. Years 2000 through 2006 diversion rates are as reported to CalRecycle. Year 2007 through 2010 diversion rates are equivalent diversion rates calculated based on per capita disposal rates.

1. Old State of California Diversion Methodology

In 2006, the first year of this five year audit, CalRecycle used the old waste generation-based methodology. In all cases, in 2006, jurisdictions exceeded the 50 percent year AB 939 2000 goal. In 2006, the average nominal diversion rate for the sixteen (16) Alameda County jurisdictions in total was 64 percent. In 2006, diversion levels ranged from 56 to 75 percent. In 2006, the City of Emeryville was the only jurisdiction that met Alameda County's diversion goal of 75 percent diversion.

2. New State of California Diversion Methodology

Senate Bill 1016 (SB 1016, Wiggins, Statutes of 2008) changed the State of California's method for reporting jurisdictional diversion from a generation-based methodology to a disposal-based methodology. The disposal-based indicators beginning in 2008 are the per capita, and per employee, disposal rates (measured in pounds per day disposed). The former 50 percent diversion rate was replaced by 50 percent equivalent per capita, and per employee², disposal targets.

In this new methodology, the State essentially froze in time each jurisdiction's waste generation assumptions, which had formerly been adjusted annually. For example, for the per capita comparison, the baseline per capita disposal rate

is equal to the jurisdiction's average per capita generation rate from 2003 through 2006, divided by two (2), equivalent to a 50 percent equivalent per capita disposal target. Jurisdictions compare their actual per capita, and per employee, disposal rates against baseline disposal rates.

The new per capita, and per employee, disposal rate approach does not determine a jurisdiction's AB 939 compliance. CalRecycle uses per capita, and per employee, disposal data as an indicator in evaluating how well a jurisdiction's programs are performing. CalRecycle's evaluation of compliance is primarily focused on how jurisdictions are implementing their programs.

For 2010, when equivalent diversion rates are calculated based on per capita disposal rates, the average nominal diversion rate for the sixteen (16) Alameda County jurisdictions was 72 percent. In 2010, seven jurisdictions exceeded the 75 percent County goal and another three were above 70 percent.

Table 4-2, on the next page, provides per capita disposal rates relative to each Alameda County jurisdiction's per capita disposal target for 2007 through 2010. In all cases, for each of the four years, the jurisdictions met the per capita disposal target set by CalRecycle.

Table 4-3, on the next page, provides per employee disposal rates relative to each jurisdiction's per employee disposal target for 2007 through 2010. In all cases, for each of the four years, the Alameda County jurisdictions met the per employee disposal target set by CalRecycle.

C. Alameda County Source Reduction and Recycling Board Measurement Methods

The Board has implemented a multi-dimensional Recycling and Sustainability Index, composed of seventeen (17) performance metrics.

² The per employee calculation is based on the number of employees within a jurisdiction's boundaries, not the number of jurisdiction residents working.

4. Waste Diversion Measurement Assessment

Table 4-2
Pounds per Day Disposed per Person (by County Jurisdiction)
(2007 through 2010)

Jurisdiction	Disposal Target (50 Percent of Baseline Disposal from 2003 to 2006)	2007	Meets Disposal Target	2008	Meets Disposal Target	2009	Meets Disposal Target	2010	Meets Disposal Target
1. City of Alameda	5.5	3.8	Yes	3.6	Yes	3.2	Yes	2.8	Yes
2. City of Albany	5.0	2.9	Yes	2.3	Yes	2.2	Yes	1.7	Yes
3. City of Berkeley	6.5	5.1	Yes	4.5	Yes	3.7	Yes	3.2	Yes
4. City of Dublin	5.9	4.6	Yes	4.0	Yes	3.2	Yes	3.0	Yes
5. City of Emeryville	16.2	12.1	Yes	8.5	Yes	9.8	Yes	7.4	Yes
6. City of Fremont	6.6	4.8	Yes	4.2	Yes	3.8	Yes	3.1	Yes
7. City of Hayward	7.0	6.4	Yes	5.2	Yes	4.5	Yes	4.6	Yes
8. City of Livermore	8.3	6.7	Yes	6.0	Yes	4.8	Yes	4.4	Yes
9. City of Newark	7.3	4.7	Yes	4.1	Yes	3.7	Yes	4.5	Yes
10. City of Oakland	5.8	5.0	Yes	4.0	Yes	3.8	Yes	4.0	Yes
11. City of Piedmont	4.1	2.6	Yes	2.3	Yes	1.5	Yes	2.1	Yes
12. City of Pleasanton	10.0	9.1	Yes	7.7	Yes	5.9	Yes	5.8	Yes
13. City of San Leandro	8.7	6.2	Yes	4.9	Yes	6.8	Yes	5.4	Yes
14. City of Union City	6.3	3.6	Yes	3.1	Yes	3.0	Yes	2.9	Yes
Unincorporated County (includes Oro Loma Sanitary District and Castro Valley Sanitary District)	4.9	3.9	Yes	3.6	Yes	4.0	Yes	3.2	Yes

Table 4-3
Pounds per Day Disposed per Employee (by County Jurisdiction)
(2007 through 2010)

Jurisdiction	Disposal Target (50 Percent of Baseline Disposal from 2003 to 2006)	2007	Meets Disposal Target	2008	Meets Disposal Target	2009	Meets Disposal Target	2010	Meets Disposal Target
1. City of Alameda	21.4	13.8	Yes	12.4	Yes	11.6	Yes	10.2	Yes
2. City of Albany	19.3	11.0	Yes	8.2	Yes	8.7	Yes	7.8	Yes
3. City of Berkeley	11.2	8.4	Yes	7.5	Yes	6.2	Yes	6.9	Yes
4. City of Dublin	14.7	11.6	Yes	10.8	Yes	9.4	Yes	8.9	Yes
5. City of Emeryville	6.7	5.2	Yes	3.9	Yes	4.6	Yes	3.8	Yes
6. City of Fremont	16.1	10.9	Yes	9.7	Yes	9.5	Yes	8.3	Yes
7. City of Hayward	14.7	12.8	Yes	10.5	Yes	9.8	Yes	10.9	Yes
8. City of Livermore	18.1	14.4	Yes	13.2	Yes	11.6	Yes	12.0	Yes
9. City of Newark	16.0	11.2	Yes	10.0	Yes	10.0	Yes	13.1	Yes
10. City of Oakland	15.3	12.4	Yes	10.0	Yes	9.9	Yes	10.8	Yes
11. City of Piedmont	36.6	20.7	Yes	17.4	Yes	12.1	Yes	19.7	Yes
12. City of Pleasanton	11.6	10.0	Yes	8.7	Yes	7.5	Yes	8.1	Yes
13. City of San Leandro	18.2	12.5	Yes	10.0	Yes	14.6	Yes	13.0	Yes
14. City of Union City	22.6	12.2	Yes	10.5	Yes	10.6	Yes	10.4	Yes
Unincorporated County (includes Oro Loma Sanitary District and Castro Valley Sanitary District)	19.8	16.0	Yes	14.9	Yes	16.9	Yes	18.2	Yes

Table 4-4
Selected Alameda County
Recycling and Sustainability Indices
(2006 to 2008)

Index	2006	2007	2008	2009	2010	Percent Chg (2006-2010)
1. Annual tons disposed (adjusted)	1,435,429	1,449,359	1,237,310	1,165,813	1,072,404	-25%
2. Population	1,509,981	1,522,597	1,535,002	1,598,307	1,510,271	0%
3. Annual waste disposed per capita (adjusted)	0.99	0.95	0.81	0.73	0.71	-28%
4. Annual waste disposed per occupied household (adjusted)	2.75	2.64	2.24	2.10	1.97	-29%
5. Annual waste disposed per business (adjusted)	29.2	29.3	22.9	22.1	19.6	-33%
6. Annual waste disposed per employee (adjusted)	2.08	2.10	1.81	1.85	1.70	-18%
7. Taxable sales (thousand \$)	25,223,384	25,831,140	23,862,957	20,430,195	21,541,741	-15%
8. Annual waste disposed per \$1,000 in unallocated taxable sales (adjusted)	0.47	0.47	.44	0.51	0.41	-14%
9. County-wide diversion rate	59%	61%	67%	69%	70%	15%
10. Average recyclables capture rate (pounds per person per day)	0.569	0.519	0.494	0.443	N/A	N/A
11. Average organics capture rate (pounds per person per day)	0.574	0.577	0.585	0.596	N/A	N/A
12. Annual electricity usage (million kWh)	11,098	12,053	11,681	10,402	10,878	-2%
13. Annual electricity use per capita (kWh)	7,350	7,916	7,610	6,508	7,203	-2%
14. Annual natural gas usage (therms)	482,000,000	443,000,000	436,000,000	420,000,000	420,000,000	-5%
15. Annual natural gas use per capita (therms)	293	291	284	263	278	-5%
16. Annual water usage (hundred cubic feet)	88,400,000	88,900,000	87,900,000	82,100,000	79,500,000	-10%
17. Annual water use per capita (hundred cubic feet)	58.5	59.0	57.3	51.4	52.6	-10%

The Recycling and Sustainability Index far exceeds the breadth of the current per capita diversion measurement system used by CalRecycle. These seventeen (17) metrics, for 2006 through 2010, are shown in **Table 4-4**, above.

Using these indices, collectively the County showed overall progress in advancing its diversion objectives, with the per capita waste disposal indices experiencing declines of 28 percent between 2006 and 2010. Even though the

County population remained flat during the 2006 to 2010 period, annual waste tonnage disposed declined by approximately twenty five (25) percent. It appears that the decline in waste disposal may have been related to economic factors, as evidenced by the fact that taxable sales were down (a 15 percent decline between 2006 and 2010) and curbside recycling capture rates also were down. These results are consistent with declining disposal rates we have observed in other jurisdictions during this same period.

4. Waste Diversion Measurement Assessment

The net impact of changes in electricity and natural gas usage trends, and water usage, did not provide much insight into why disposal levels are declining.

Residential Recyclables Collection and Capture Rates

Between 2006 and 2009, Alameda County experienced a decline in recyclables collected, from 156,678 tons to 129,205 tons, or approximately eighteen (18) percent. During this time the recyclables capture rate (the number of pounds collected per person per day) declined from 0.569 to 0.443 (a twenty two (22) percent reduction). During this period, only one (1) of the sixteen (16) Alameda County jurisdictions experienced an increase in recyclables collection.

Residential Organics Collection Levels and Capture Rates

Between 2006 and 2009, Alameda County experienced a moderate increase in organics collected from 158,265 tons to 173,914 tons, or approximately ten (10) percent. During this time the organics capture rate (the number of pounds collected per person per day) increased from 0.574 to 0.596. During this period, fourteen (14) of the sixteen (16) Alameda County jurisdictions experienced an increase in organics collection.

D. Comparison of Alameda County Diversion with Other Neighboring Jurisdictions

In comparison to three (3) other similar Northern California counties (Contra Costa County, San Francisco County, and Santa Clara County), Alameda County compares well with respect to 2006 through 2010 diversion efforts as shown in **Table 4-5**, below.

Table 4-5
Alameda County
Comparison with Other Jurisdiction Diversion Results
(2006 through 2010)

Jurisdiction	Year 2006 Results	Year 2007 Results	Year 2008 Results	Year 2009 Results	Year 2010 Results
Contra Costa County	A total of 7 of 15 jurisdictions above 50 percent goal (range from 45 to 55 percent)	Mixed results, 10 of 15 below per capita disposal target	Ok, all 15 jurisdictions below per capita disposal target	Ok, all 11 jurisdictions below per capita disposal target ³	Ok, all 12 jurisdictions below per capita disposal target
San Francisco County	A 70 percent diversion rate	Ok, below per capita disposal target	Ok, below per capita disposal target	Ok, below per capita disposal target	Ok, below per capita disposal target
Santa Clara County	All 16 jurisdictions above 50 percent goal (range from 51 to 72 percent)	Ok, all 16 jurisdictions below per capita disposal target	Ok, all 16 jurisdictions below per capita disposal target	Ok, all 16 jurisdictions below per capita disposal target	Ok, 15 of 16 jurisdictions below per capita disposal target
Alameda County	All 15 jurisdictions above 50 percent goal (range from 57 to 74 percent)	Ok, all 15 jurisdictions below per capita disposal target	Ok, all 15 jurisdictions below per capita disposal target	Ok, all 15 jurisdictions below per capita disposal target	Ok, all 15 jurisdictions below per capita disposal target

³ Some jurisdictions within the Central Contra Costa County Waste Authority who reported separately in 2008, reported with the Central Contra Costa County Waste in 2009 and 2010, reducing the number from 15 to 11 jurisdictions reporting.

Table 4-6

**Comparison of Alameda County Waste Disposal Metrics
with Three (3) Comparative Northern California Counties
(2007 through 2010) (Tons)**

	2007			
Waste Disposal Metrics	Alameda County	Contra Costa County	San Francisco County	Santa Clara County
Waste disposed per capita	0.95	0.89	0.76	0.79
Waste disposed plus ADC per capita	1.20	1.04	0.87	0.87
Waste disposed per employee	2.10	1.86	1.51	1.75
Waste disposed per occupied household	2.64	N/A	N/A	N/A
Residential waste disposed per capita ^a	0.18	0.07	0.18	0.14
Commercial waste disposed per capita	0.83	0.82	0.59	0.65

	2008			
Waste Disposal Metrics	Alameda County	Contra Costa County	San Francisco County	Santa Clara County
Waste disposed per capita	0.81	0.83	0.67	0.76
Waste disposed plus ADC per capita	1.09	0.98	0.75	0.87
Waste disposed per employee	1.81	1.73	1.01	1.66
Waste disposed per occupied household	2.24	2.22	1.63	2.24
Residential waste disposed per capita ^a	0.19	0.07	0.15	0.14
Commercial waste disposed per capita	0.62	0.76	0.52	0.62

	2009			
Waste Disposal Metrics	Alameda County	Contra Costa County	San Francisco County	Santa Clara County
Waste disposed per capita	0.75	0.66	0.56	0.64
Waste disposed plus ADC per capita	0.97	0.79	0.62	0.71
Waste disposed per employee	1.81	2.19	0.88	1.38
Waste disposed per occupied household	2.24	1.93	1.47	2.03
Residential waste disposed per capita ^a	0.16	–	0.13	–
Commercial waste disposed per capita	0.59	–	0.43	–

	2010			
Waste Disposal Metrics	Alameda County	Contra Costa County	San Francisco County	Santa Clara County
Waste disposed per capita	0.70	0.64	0.55	0.66
Waste disposed plus ADC per capita	0.94	0.78	0.61	0.72
Waste disposed per employee	1.85	2.31	0.92	1.51
Waste disposed per occupied household	1.94	1.77	1.29	1.94
Residential waste disposed per capita ^a	0.15	–	0.13	–
Commercial waste disposed per capita	0.55	–	0.42	–

^a Residential waste disposed per capita plus commercial waste disposed per capita equals “waste” disposed per capita.

We also compared the County to these three (3) comparative jurisdictions using several waste disposal per capita measures (shown in **Table 4-6**, on the prior page). In general, Alameda County is on the higher end of the range of per capita disposal rates in comparison to these three (3) jurisdictions. Since *StopWaste.Org* began examining these jurisdictional comparisons some time ago, Alameda County has always had higher per capita disposal rates, though the exact causes for these jurisdictional differences are unknown.

E. Use of Performance Metrics and Indicators

Recommendation RB-1 – Implement Methods to Convey Diversion Performance to Member Agencies; and Use Data Analyses to Target the Board’s Programmatic Efforts

StopWaste.Org has an extensive set of performance metrics and indicators it is currently using for monitoring waste diversion. *StopWaste.Org* uses seventeen (17) performance measures in its Recycling and Sustainability Index to assess factors that contribute to changing diversion levels. For the Phase I portion of the audit, we found this broad Recycling and Sustainability Index approach is an effective and robust tool. We do not believe *StopWaste.Org* needs to expand the level of guiding performance measures as this time.

We recommend that *StopWaste.Org* consider preparing a “Report Card” for each jurisdiction to reflect both quantitative and qualitative diversion performance (see example in **Exhibit 4-1**, on the next page). We recommend that *StopWaste.Org* demonstrate progress over time in meeting per capita, and per employee, disposal goals. Where possible, *StopWaste.Org* should present member agency specific Recycling and Sustainability indices. Examples of these types of graphic displays are shown in Exhibit 4-5.

StopWaste.Org should include, in jurisdiction specific report cards, the jurisdiction’s generation data so that jurisdictions see how *StopWaste.Org* calculates numeric percentage diversion rates (calculated as amounts disposed divided by amounts generated). *StopWaste.Org* should develop a way to convey to individual jurisdictions how it calculates jurisdiction-specific and overall County-wide diversion levels (on a percentage basis), given that the State methodology has changed to a disposal-based system (a pounds per day target).

StopWaste.Org should examine per capita generation and disposal, by jurisdiction, over time. *StopWaste.Org* generally should focus its programmatic efforts on those jurisdictions with the highest per capita generation rates.

StopWaste.Org should review its 2008 waste characterization study and prioritize its efforts on high-volume materials. *StopWaste.Org* should select the top-ten materials from the waste characterization study, identify programs that address these materials, and project actual and expected diversion. *StopWaste.Org* may want to then calculate diversion percentages specifically for these targeted materials, over time.

Based on the recent strategic planning efforts conducted by the Board, *StopWaste.Org* is now poised to focus on measuring reductions in the percentage of divertible materials (recyclable and compostable materials) contained within the refuse container over time. This is a progressive approach for measuring and targeting curbside diversion efforts at the source. Consequently, in light of this shift in measurement approach, we suggest that *StopWaste.Org* include results of ongoing measurement of jurisdictional progress toward the 2013 and 2020 Discard Objectives within the Report Cards provided to member agencies.

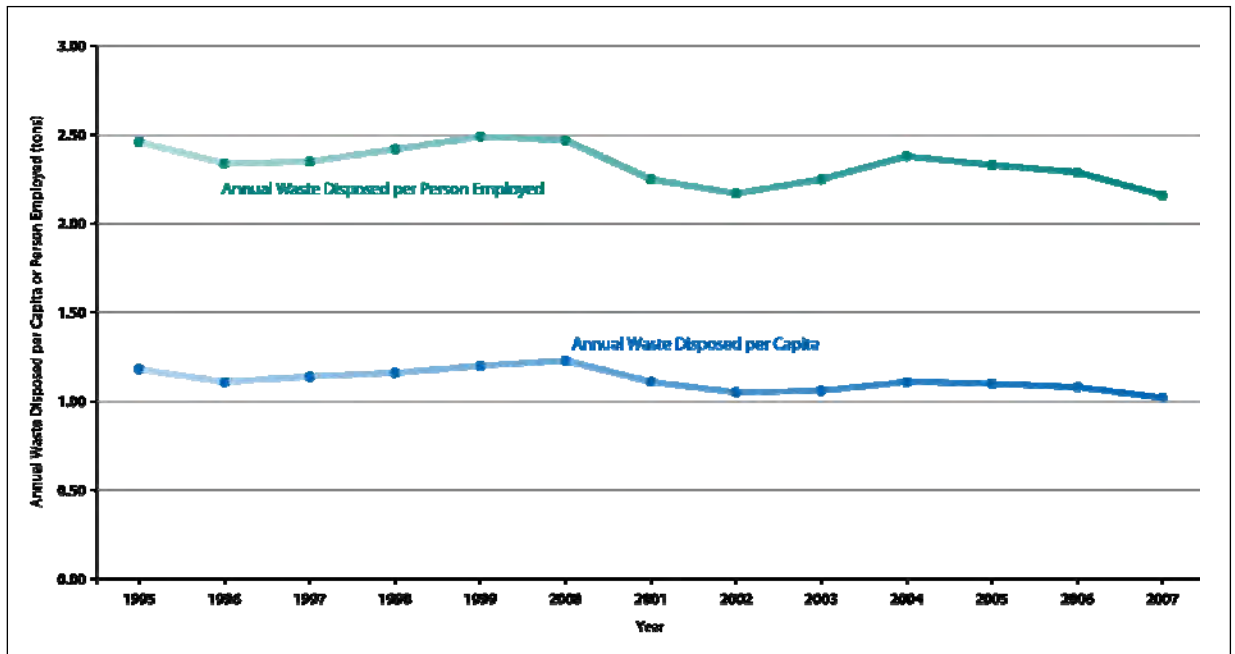
Example:

Jurisdiction – Albany				
Metric	2006	2007	Assessment	Comments
1. Diversion rate	70%	71%	+	One of highest diversions, slight improvement.
2. Residential curbside recycling capture rate	1.028	1.018	+	Slight decline, but much higher than County average
3. Residential organic collection capture rate	0.588	0.578	✓	Slight decline, but same as County average
4. Annual tons of residential recycling collected	3,041	3,106	+	Modest improvement
5. Annual tons of residential organics collected	1,739	1,765	+	Modest improvement
6. Programmatic efforts	NA	NA	+	Implemented all programs in all seven areas

Overall Assessment: Albany has implemented strong programs across all areas, resulting in high diversion rates and exceptional recycling capture rates.

Example:

Comparison of Alameda County Annual Waste Disposed per Capita and per Person Employed (tons), 1995 to 2007

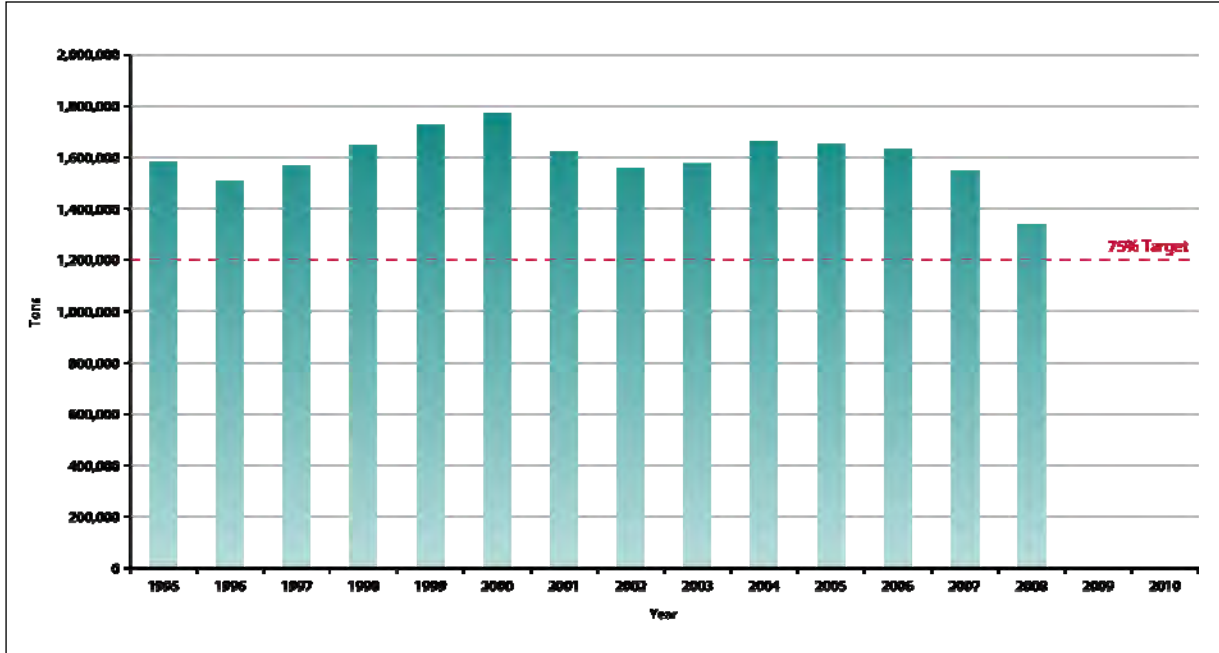


4. Waste Diversion Measurement Assessment

Exhibit 4-1
"Report Card" and Progress Report Examples (continued)

Page 2 of 2

Example:
Annual Waste Disposed (tons)





Section 5

Measure D Financial and Compliance Audit Recommendations



5. Measure D Financial and Compliance Audit Recommendations

This section presents recommendations from this Measure D financial and compliance audit. Recommendations are numbered in each section (e.g., RB-1 indicates recommendation related to the Recycling Board). Subsection 64.040 (C) of Measure D requires the Five Year Audit report to include “recommendations to the Recycling Board, Board of Supervisors, the Authority, and municipal governing bodies for the maintenance and expansion of recycling programs and any necessary resulting amendments to the Recycling Plan.” This section is organized into three (3) subsections as follows:

- A. Alameda County and Recycling Board*
- B. Member Agencies*
- C. Grant Recipients.*

A. Alameda County and Recycling Board

In addition to the performance metric and indicators recommendation (RB-1) provided in Section 4, this subsection provides six (6) additional recommendations related to our review of Alameda County and Recycling Board’s compliance with Measure D:

Recommendation RB-2 – Enhance Annual Measure D Programs Report

During Phase I, we recommended that the Recycling Board consider the following enhancements to the Annual Measure D Programs Report:

- Add specific categories of costs under Program Description and Expenditures to refine reporting efforts (e.g., Franchised Recycling Program, Outreach and Education, Physical Assets, Professional Services, Other)
- Identify whether the member agency is using cash or accrual basis accounting for revenues and for expenses reported (see **Table 5-1**, on the next page, for a sample of the recommended modification to the existing form)
- Provide a cutoff date for allowable revenues and expenses in a given fiscal year (e.g., August 31st)
- Limit member agency expenditures, for a given fiscal year, to the sum of member agency distributions, plus interest earned, plus the available beginning fund balance for that fiscal year. In other words, do not allow negative balances to carry forward year-to-year.
- Update the Annual Measure D Programs Report form. In **Exhibit 5-1**, on pages 5-3 to 5-6, we provide our recommended Annual Measure D programs report. This recommended report builds upon the existing Measure D programs report, and provides the timing of Measure D funds received (cash/accrual basis),

5. Measure D Financial and Compliance Audit Recommendations

incorporates more specific directions related to categorizing costs, and provides direction for the municipality to support allocated program costs.

The Recycling Board accepted this recommendation and distributed this revised Annual Measure D Programs Report to member agencies who will use this new report for fiscal year 2011/12.

Recommendation RB-3 – Enhance the Recycled Product Purchase Preference (RPPP) Program Application and Reporting Form

In Phase I, we recommended that subject to the future availability of leftover Recycled Product Purchase Preference (RPPP) program funds, the Recycling Board should enhance the annual Application and Reporting form for the RPPP to include:

- A summary table with the prior year beginning fund balance; prior year distributions from the Recycling Board; prior year expenditures; and the prior year ending fund balance
- A summary table with the current year beginning fund balance; current year expected distributions from the Recycling Board; current year planned expenditures; and the projected current year ending fund balance
- An area on the form to identify adjustments to prior year projected expenditures and fund balances
- An area on the form to calculate whether the member agency’s fund balance exceeds the two-year requirement to prepare an expenditure plan.

During Phase II, the level of RPPP funding diminished due to lack of funding availability. Going forward, should the level of RPPP funding remain at diminished levels, this recommendation will be less relevant. However, at some time in the future should the Recycling Board again begin to

Table 5-1
Sample of Revision
To “Funds Received” Section of Annual
Measure D Programs Report
(For Fiscal Year 2010/11)

Completed for Cash Basis:

Measure D Funds Received for FY 2010/11 (Provide Detail Below)		
Accounting Method	Cash Basis	
Quarter Ended	Date Received	Amount
June 30, 2010	August 31, 2010	\$100,000
September 30, 2010	December 5, 2010	\$100,000
December 31, 2010	March 5, 2010	\$100,000
March 31, 2011	June 5, 2010	\$100,000
June 30, 2011	Next Period	

Completed for Accrual Basis:

Measure D Funds Received for FY 2010/11 (Provide Detail Below)		
Accounting Method	Accrual Basis	
Quarter Ended	Date Recorded	Amount
June 30, 2010	Prior Period	
September 30, 2010	August 31, 2010	\$100,000
December 31, 2010	December 5, 2010	\$100,000
March 31, 2011	March 5, 2010	\$100,000
June 30, 2011	June 5, 2010	\$100,000

Shaded data shown in yellow represents what the member agency would enter.

provide member agencies with larger RPPP funding levels, we recommend that the Recycling Board consider this recommendation for enhanced RPPP reporting.

Recommendation RB-4 – Provide Website Posting of Measure D Distributions and “Leftover” RPPP Distributions to Member Agencies

The Recycling Board should provide the amount of Measure D and leftover RPPP distributions, and the timing of Measure D and leftover RPPP payments, on its *StopWaste.Org* website (possibly

5. Measure D Financial and Compliance Audit Recommendations

Exhibit 5-1

Sample Annual Measure D Programs Report (continued)

Page 2 of 4



ANNUAL MEASURE D PROGRAMS REPORT (continued)

3. Measure D Fund Balance Information for Fiscal Year _____

Beginning Fund Balance:	\$	<input type="text"/>
Plus Adjustments to Beginning Fund Balance:	\$	<input type="text"/>
Equals Adjusted Beginning Fund Balance:	\$	<input type="text"/>
Plus Total Measure D Funds Received (From Page 1):	\$	<input type="text"/>
Plus Interest Earned on Measure D Fund Balance:	\$	<input type="text"/>
Less Total Measure D Expenditures (From Pages 3 and 4):	\$	<input type="text"/>
Equals Ending Measure D Fund Balance:	\$	<input type="text"/>

Explanation for Adjustments to the Beginning Fund Balance:

4. Program Expenditures for Fiscal Year _____

On the following pages, provide a brief description of activities financed by your program's Measure D allotments and costs incurred during this reporting period. Identify the cost category most closely describing the type of cost incurred. The table below identifies examples of costs in each of six (6) cost categories.

Cost Category	Cost Examples
Administrative Costs	
1. Administrative	<ul style="list-style-type: none"> • Employee salaries • Employee benefits • Legal services • Insurances • Overhead expenses • Contract management
Direct Costs	
2. Franchised Recycling Program	<ul style="list-style-type: none"> • Commercial route curbside recycling collection • Residential route curbside recycling collection • Christmas tree curbside collection • Food scrap and green waste collection
3. Outreach and Education	<ul style="list-style-type: none"> • Promotional items • Earth Day events • Recycling education • Bay Area Recycling Outreach Coalition (BayROC) contributions • Contests/achievement awards • Go Green Initiative outreach • Recycling drives
4. Physical Assets	<ul style="list-style-type: none"> • Outdoor storage containers • Artificial turf football fields • Curbside recycling carts • Recycled content playground structures • Recycled content furniture
5. Professional Services	<ul style="list-style-type: none"> • Rate review services • Collection hauler contract services • Base year composition study
6. Other Expenses	<ul style="list-style-type: none"> • Paper supplies • Memberships • Subscriptions • Postage

Notes:

Please provide supplemental documentation supporting the methodology used to allocate staff positions, equipment, supplies, services, or any other cost funded with Measure D monies (i.e., when a percentage of a cost is funded with Measure D monies).

For each employee that works on Measure D related activities, please provide the following supporting documentation for that employee:

- A complete description of the actual Measure D related activities that employee performed
- A description of the methodology used to allocate that employee's time to Measure D activities (when that employee spends time on other activities)
- Supporting documents that substantiate the allocation of an employee's time to Measure D activities (e.g., accounting system reports, summaries of employee timesheet records, or a current cost allocation plan that ties exact allocation percentages to those used in this Annual Report).

It is not sufficient to just estimate an employee's time spent on Measure D activities, without backup documentation.

Page 2 of 4



ANNUAL MEASURE D PROGRAMS REPORT (continued)

4. Program Expenditures for Fiscal Year _____ (continued)

Item/Service: _____ Cost: \$ _____

Description of Cost:

Cost Category:

Administrative

Item/Service: _____ Cost: \$ _____

Description of Cost:

Cost Category:

Administrative

Item/Service: _____ Cost: \$ _____

Description of Cost:

Cost Category:

Item/Service: _____ Cost: \$ _____

Description of Cost:

Cost Category:

Item/Service: _____ Cost: \$ _____

Description of Cost:

Cost Category:

Subtotal: \$ _____

5. Measure D Financial and Compliance Audit Recommendations

Exhibit 5-1

Sample Annual Measure D Programs Report (continued)



ANNUAL MEASURE D PROGRAMS REPORT (continued)

4. Program Expenditures for Fiscal Year _____ (continued)

Item/Service: _____ Cost: \$ _____

Description of Cost: _____ Cost Category: _____

Item/Service: _____ Cost: \$ _____

Description of Cost: _____ Cost Category: _____

Item/Service: _____ Cost: \$ _____

Description of Cost: _____ Cost Category: _____

Item/Service: _____ Cost: \$ _____

Description of Cost: _____ Cost Category: _____

Item/Service: _____ Cost: \$ _____

Description of Cost: _____ Cost Category: _____

Subtotal: \$ _____

accessible by FTP) so that member agencies staff are aware of, and can easily refer to, the timing and amounts of Measure D and leftover RPPP distributions by the Recycling Board. The Recycling Board also could consider sending an electronic copy (by email) of the letter the Recycling Board sends by mail to member agencies with their Measure D and leftover RPPP distributions. These additional electronic notification efforts will allow member agencies to coordinate timely receipt and account coding of Measure D and leftover RPPP payments as well as provide an easy source of the Measure D and leftover RPPP distributions for quick reference by member agency staff.

Recommendation RB-5 – Create Linkage of Measure D Payments Received With Measure D Tonnage Data

Currently, Measure D payments received are reflected in the Recycling Board’s accounting system, while Recycling Board analysts maintain tonnage data in the Board’s separate disposal database. This recommendation would add the functionality within the Recycling Board’s disposal database to capture the monthly Measure D tonnages, Measure D fee per ton, and Measure D fees paid. This functionality would provide a more direct linkage between the Measure D revenues received by the Recycling Board and the tonnages used for Recycling Board planning purposes (e.g., AB 939 diversion calculations). This linkage would allow the Recycling Board’s to develop reports capable of easily showing that monthly Measure D payments received by the Recycling Board were paid on Measure D tonnages and at required Measure D fee per ton rates.

Recommendation RB-6 – Require More Detailed Accounting of City of San Francisco Tonnage Disposed of at Altamont Pass Landfill

Waste Management, the owner/operator of Altamont Pass Landfill, does not have to pay Measure D fees on materials received at the Altamont Pass Landfill from Sanitary Fill Company (i.e., materials transported from the Tunnel Road Transfer Station in San Francisco to Altamont Landfill for disposal). However, Waste Management is required to pay Measure D fees on materials received by other sources originating in the City and County of San Francisco (e.g., self haulers, other haulers). The backup tonnage reports submitted by Waste Management with their monthly Measure D payments show aggregated tonnage from all City and County of San Francisco sources, making it difficult to determine which materials were received from the Tunnel Road Transfer Station and which materials were received from other City and County of San Francisco sources (e.g., self hauled).¹

The Recycling Board should require Waste Management to identify Tunnel Road Transfer Station materials, separately from materials received from other City and County of San Francisco sources (and detail what these sources are), in Waste Management’s detailed tonnage reports submitted with its monthly Measure D payments.

Recommendation RB-7 – Perform Periodic Sampling of Measure D Tonnage Data

On an ongoing basis, the Recycling Board should select a sample of tonnage data provided in the Measure D monthly reports and request landfill

¹ Based on four (4) sampled months, we found a difference between total City and County of San Francisco refuse, and the amount received from Sanitary Fill (via Tunnel Road Transfer Station) at the Altamont Landfill (not subject to Measure D), of over 10,000 tons. This difference is subject to Measure D payments. We observed some wide variation in amounts of this non-Tunnel Road City and County of San Francisco waste flow.

operators to furnish weight tickets in support of the tonnage data. For example, for each monthly report received, the Recycling Board could request scalehouse weight tickets from landfill operators that support materials received for a specific day, or dates, of the month. Weight tickets would provide the Recycling Board with real-time confirmation that landfill operators are capturing and reporting correct Measure D tonnage data.

B. Member Agencies

This subsection provides one (1) recommendation related to our review of member agency compliance with Measure D:

Recommendation MA-1 – Provide More Support for Indirect Administrative Cost Allocations

We recommend that member agencies provide more support for their indirect administrative cost allocations. In our Phase I review, some member agencies furnished cost allocation reports in support of these indirect administrative cost allocations, however we found these reports dated or no longer applicable in the current operating environment. Other member agencies just estimated time spent on Measure D activities for each staff member that was allocated to Measure D activities. Member agencies should provide more quantitative support for these allocations (e.g., based on hours spent on Measure D activities and projects in the prior year, or projected for the current year).

As depicted in our recommended new Measure D Programs Report shown in Exhibit 5-1, we recommend that the Recycling Board expand the “Administrative

costs” language under “Program Description and Expenditures” of the Annual Measure D Program Report with the following language:

Please provide supplemental documentation supporting the methodology used to allocate staff positions, equipment, supplies, services, or any other cost funded with Measure D monies (i.e., when a percentage of a cost is funded with Measure D monies).

For each employee that works on Measure D related activities, please provide the following supporting documentation for that employee:

- *A complete description of the actual Measure D related activities that employee performed*
- *A description of the methodology used to allocate that employee’s time to Measure D activities (when that employee spends time on other activities)*
- *Supporting documents that substantiate the allocation of an employee’s time to Measure D activities (e.g., accounting system reports, summaries of employee timesheet records, or a current cost allocation plan that ties exact allocation percentages to those used in this Annual Report).*

It is not sufficient for a municipality to just estimate an employee’s time spent on Measure D activities, without backup documentation.

The Recycling Board included this indirect administrative cost language with the Annual Measure D Programs report.

C. Grant Recipients

For Phases I and II of the audit, we did not have any recommendations related to grant recipients.



Appendix A

Alameda County Waste Reduction and Recycling Initiative (“Measure D”)

Appendix A

Alameda County Waste Reduction and Recycling Initiative (“Measure D”)

Alameda County voters passed the Alameda County Waste Reduction and Recycling Initiative Charter Amendment “Measure D” in 1990. Measure D established the Alameda County Source Reduction and Recycling Board (Recycling Board), a per ton landfill tipping fee surcharge, and the foundation for comprehensive source reduction and recycling programs.

The original Measure D text is presented in **Exhibit A-1**, starting on page A-3. This final text was developed on November 13, 1989. Since its passage, the Recycling Board has updated, and clarified, various aspects of Measure D in the resolutions, and a memorandum, provided in **Appendix B**.

Exhibit A-2, beginning on page A-20, summarizes key Measure D compliance requirements, and the applicable Measure D subsection or resolution/memorandum reference. Exhibit A-2 is organized as follows:

Entity	Compliance Area	Page
A. Alameda County	1. Collection of Measure D Tipping Fee Surcharge	A-20
	2. Recycled Product Purchase Preference Program (RPPP) Requirements	A-20
B. Recycling Board	1. Development of a Recycling Plan	A-22
	2. Compliance with Fund Allocations	A-22
	3. Analysis and Review of Waste Characterization Studies	A-22
	4. Compliance with Source Reduction Program Requirements	A-23
	5. Compliance with Recycled Product Market Development Program Requirements	A-23
	6. Compliance with Limits on Board Member Compensation	A-23
C. Member Agencies	1. Requirement For Local Refuse Hauler Surcharge Reimbursement	A-24
	2. Residential Recycling Program Requirements	A-24
	3. Commercial Recycling Program Requirements	A-24
	4. Recycling Fund Expenditures, Monitoring, and Reporting	A-24
	5. Recycling Fund Accounting	A-24
	6. Recycled Product Purchase Preference (RPPP) Program Requirements	A-24
D. General Compliance (All Entities Receiving Measure D Monies)	1. Compliance with Restriction Against Use of Fund Monies for Contracts Longer than Five Years	A-24

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THE ALAMEDA COUNTY WASTE REDUCTION AND RECYCLING
INITIATIVE CHARTER AMENDMENT: (FINAL TEXT: NOVEMBER 13, 1989)

SECTION 64: WASTE REDUCTION AND RECYCLING

SUBSECTION 64.010: NAME

This Section of the Alameda County Charter shall be known and may be cited as the Alameda County Waste Reduction and Recycling Act of 1990 (hereinafter the "Act").

SUBSECTION 64.020: PURPOSE

The purpose of this Act is to:

- A. Provide for an Alameda County Source Reduction and Recycling Plan (hereinafter the "Recycling Plan") in conformance with new state law requiring all California cities and counties to plan, fund and implement a comprehensive source reduction and recycling program (Paragraph 64.040(B));
- B. Meet, by January 1, 1995, the state-mandated goal of reducing by at least twenty-five percent the refuse landfilled in Alameda County, then meet by January 1, 2000, the further state-mandated goal of fifty percent, and set longer-term goals starting at seventyfive percent (Paragraph 64.040(A));
- C. Ensure that the Recycling Plan provides for at least the following essential elements:
 1. An Alameda County-wide Source Reduction Program (Subsection 64.080) to minimize the generation of refuse;
 2. Residential Recycling Programs (Subsection 64.090) to provide each Alameda County residence with curbside pick-up of recyclable materials;
 3. Commercial Recycling Programs (Subsection 64.100) to reduce the refuse disposal costs of businesses and government agencies;
 4. An Alameda County-wide Recycled Product Market Development Program (Subsection 64.110) to create and strengthen stable markets for recycled materials; and
 5. A Recycled Product Purchase Preference Program (Subsection 64.120) to further encourage recycled materials markets by maximizing the amount of recycled products purchased by County government agencies;
- D. Fund the Recycling Plan by instituting a six dollar per ton surcharge on materials disposed of in Alameda County landfills (Paragraph 64.050(A));
- E. Create an Alameda County Source Reduction and Recycling Board (hereinafter the "Recycling Board") to coordinate the Recycling Plan (Subsection 64.130);
- F. Prohibit the incineration of refuse within Alameda County (Subsection 64.140).

SUBSECTION 64.030: FINDINGS

The people of Alameda County find and declare that:

- A. The increasing consumption of single-use and environmentally harmful products depletes natural resources, produces huge quantities of refuse -- most of which is disposed of in ways that damage the environment -- and, ultimately, will injure future generations;
- B. The use of terms such as "garbage" and "solid waste" result from -- and serve to reinforce -- wasteful attitudes; the materials referred to by these terms retain their value as natural resources, and should instead be described and treated as "discarded materials" to be recycled rather than incinerated or landfilled;
- C. At least ninety percent of the discarded materials generated within Alameda County are landfilled as are vast quantities of discarded materials from neighboring counties; existing landfill capacity in the Bay Area will be exhausted in less than twenty-five years, while new landfills are increasingly difficult and expensive to site; landfill is neither a long-term, nor a sustainable, nor an environmentally safe option for disposal of discarded materials;
- D. Refuse incinerators are a poor alternative to source reduction and recycling; such incinerators damage the environment by wasting natural resources that could instead be recycled, by accelerating the release of greenhouse gasses -- which worsen global warming -- and by generating toxic substances;
- E. Each person discards materials and should therefore be involved in solving the problems caused by the disposal of such materials; this involvement must include changes in individual behavior resulting from each person's awareness of her or his role in creating or finding solutions to environmental problems; only through such changes can sustainable consumption and disposal patterns be established and the biosphere restored;
- F. The County government shares a responsibility with Alameda County cities and sanitary districts to provide a comprehensive source reduction and recycling program which will foster these necessary changes in individual behavior as well as ensure that the goals set by state law are met; and
- G. The best available method for funding the Recycling Plan is a surcharge on materials disposed of at landfills.

SUBSECTION 64.040: RECYCLING POLICY GOALS AND RECYCLING PLAN

A. Recycling Policy Goals:

1. Consistent with the California Integrated Waste Management Act of 1990 (hereinafter the "CIWMA"), it shall be County policy to reduce, recycle, and compost, by no later than January 1, 1995, at least twenty-five percent (25%), and by no later than January 1, 2000, at least fifty percent (50%), by weight, of all discarded materials generated within Alameda County.
2. The Recycling Board shall establish, not later than January 1, 1999, a date to reduce, recycle, and compost at least seventy-five percent (75%), by weight, of all discarded materials generated within Alameda County, and, as necessary to the establishment of sustainable discarded materials management practices, shall subsequently establish a date (or dates) to reduce, recycle and compost further quantities of discarded materials.

- B. The Recycling Board shall develop, within one (1) year of the effective date of this Act, a plan to establish the recycling programs necessary to meet the recycling policy goals set forth in Subparagraph 64.040(A)(1) (all citations contained in this Act are, unless otherwise noted, to this Act), said plan to be known as the Alameda County Source Reduction and Recycling Plan (Recycling Plan). The Recycling Board subsequently shall amend the Recycling Plan as necessary to meet said recycling policy goals, and as necessary to meet the further recycling policy goals established by the Recycling Board pursuant to Subparagraph 64.040(A)(2). The Recycling Plan shall incorporate all Alameda County recycling programs, whether funded by this Act or not. In developing and amending the Recycling Plan, the Recycling Board shall consult with the Alameda County Board of Supervisors (hereinafter the "Board of Supervisors"), the Alameda County Waste Management Authority (hereinafter the "Authority") and Alameda County municipal governing bodies, and furthermore shall seek to maximize public input as to the contents of the Recycling Plan by holding public hearings and establishing public advisory committees.
- C. The Recycling Board shall contract, not more than four (4) years after the effective date of this Act, and then every five (5) years thereafter, for an audit to determine compliance with the Recycling Plan and the degree of progress toward the recycling policy goal then in effect. Said audits shall be conducted by an independent auditor (or auditors) with experience in source reduction and recycling. The reports of said audits shall be completed within one (1) year and issued to each municipality, the Board of Supervisors and the Authority. Said reports shall include at least the following:
1. A narrative and analytical evaluation of all recycling programs within Alameda County, whether funded through this Act or not, both Alameda County-wide and within each municipality;
 2. A statistical measure of the progress toward the recycling policy goal then in effect;
 3. An evaluation of the Recycling Board's activities, including, but not limited to, an accounting of the monies spent by the Recycling Board; and
 4. Recommendations to the Recycling Board, the Board of Supervisors, the Authority and the municipal governing bodies for the maintenance and expansion of recycling programs, and any necessary resulting amendments to the Recycling Plan.

SUBSECTION 64.050: RECYCLING FUND

- A. Commencing not later than three (3) months after the effective date of this Act, each landfill or incinerator in Alameda County shall collect a surcharge of six dollars (\$6.00) per ton on all refuse accepted for landfilling or incineration at said landfill or incinerator. All monies collected through said surcharge shall be paid by the operators of each landfill or incinerator into a fund, to be known as the Alameda County Recycling Fund (hereinafter the "Recycling Fund"), established for the purpose of receiving and disbursing monies pursuant to this Act. The Board of Supervisors shall ensure the collection of said surcharge, either by modifying the use permits of said landfills and incinerators or by any other necessary means.
- B. Should the collection of said surcharge be found to be in violation of an existing contract or agreement to import refuse generated outside of Alameda County for landfilling or incineration within Alameda County, the Board of Supervisors may vote to waive collection of said surcharge for the refuse described within said contract or agreement. However, any future contract or agreement for the importation of refuse for landfilling or incineration within Alameda County, executed or negotiated after the effective date of this Act, shall provide for the collection of said surcharge for the refuse described within said contract or agreement.

Exhibit A-1

Text of Measure D *(continued)*

- C. Any necessary costs of collection of said surcharge incurred by landfill or incinerator operators shall not be subtracted from said surcharge but, consistent with Subsection 64.070, shall be passed through to refuse generators by means of the refuse collection rates set by each municipality.
- D. Said surcharge may be adjusted only as follows:
 - 1. The Board of Supervisors may place a ballot measure on the Alameda County ballot for an alternative or additional funding mechanism for the Recycling Fund. Said funding mechanism may levy a surcharge or disposal fee on types of discarded materials. Said ballot measure may also include a provision to adjust said surcharge in direct correlation to the funding resultant from the proposed surcharge or disposal fee.
 - 2. The Authority may pay monies within its jurisdiction to the Recycling Fund with the intent of mitigating said surcharge. Should the Authority vote to do so, the Board of Supervisors shall adjust said surcharge accordingly, provided that no such adjustment shall result in a net loss to the total receipts to the Recycling Fund within a given year.
 - 3. The Board of Supervisors may vote at any time to adjust said surcharge in direct accordance with changes in the Consumer Price Index.
 - 4. Commencing January 1, 1995, and once every five years thereafter, the Board of Supervisors may vote, with the advice of the Authority and/or a double majority of the cities, to pass an ordinance adjusting said surcharge by up to twenty percent (20%). Said ordinance may take effect immediately, but shall be subject to approval or repeal by a vote of the people at the next regularly scheduled Alameda County election.
 - 5. The Board of Supervisors may vote, with the concurrence of a double majority of the cities, to adjust said surcharge, if either the federal government or the State of California institutes recycling programs that duplicate and fund the recycling programs established by this Act.
- E. The Recycling Board shall administer the Recycling Fund in accordance with the provisions of this Act. Recycling Fund monies that are not immediately expended may be temporarily invested, under the direction of the Recycling Board and in accordance with accepted principles of financial management, in financial instruments that encourage, to the extent possible, source reduction and recycling while discouraging nonsustainable uses of natural resources. Any interest or other income resulting from such investments shall accrue to the Recycling Fund.

SUBSECTION 64.060: SUPPORT FOR RECYCLING PROGRAMS

- A. During the first twenty-seven (27) months after the effective date of this Act, the Recycling Board shall support recycling programs and otherwise fulfill the provisions of this Act by disbursing monies from the Recycling Fund as follows:
 - 1. Eighty percent (80%) of the total shall be apportioned on a per capita basis to municipalities for the planning and implementation of Residential Recycling Programs and/or Commercial Recycling Programs, for new or expanded recycling programs, and for the preparation of the city source reduction and recycling elements, pursuant to the CIWMA. Funds so disbursed shall be used exclusively for supporting municipal recycling programs.
 - 2. Twenty percent (20%) of the total shall be applied to the following:

- a. The development and implementation of the Source Reduction Program, the Recycled Product Market Development Program and the Recycled Product Purchase Preference Program;
 - b. The Recycling Board's expenses for the administration of this Act; and
 - c. The preparation of the Alameda County source reduction and recycling element, pursuant to the CIWMA.
- B. Commencing twenty-eight (28) months after the effective date of this Act, the Recycling Board shall support recycling programs and otherwise fulfill the provisions of this Act by disbursing monies from the Recycling Fund as follows:
1. Fifty percent (50%) shall be disbursed on a per capita basis to municipalities for the continuation and expansion of municipal recycling programs.
 2. Ten percent (10%) shall be applied to a grant program for nonprofit organizations engaged in maximizing recycling, composting, and reducing waste within Alameda County. The Recycling Board shall be an organization eligible to receive funds under this Subparagraph, for the purposes of conducting planning, research, and studies directed at furthering the purposes of this Act.
 3. Ten percent (10%) shall be applied to the Source Reduction Program.
 4. Ten percent (10%) shall be applied to the Recycled Product Market Development Program.
 5. Five percent (5%) shall be applied to the Recycled Product Purchase Preference Program.
 6. Fifteen percent (15%) shall be disbursed on a discretionary basis by the Recycling Board to support any of the activities described within this Paragraph. A portion of said fifteen percent (15%) may be retained by the Recycling Board to cover the necessary costs of administering the Recycling Fund, provided, however, that said portion shall not exceed three percent (3%) of the total funds paid to the Recycling Fund in a given year.
- C. For the purpose of apportionment of funds under the provisions of this Subsection, and for the purpose of sound discarded materials management, the Recycling Board shall cause accurate, reliable, and up-to-date estimates to be maintained of the amounts and kinds of recycling and refuse generation occurring in each municipality. For the purpose of ensuring comparability of data, any composition study or waste characterization study performed with Recycling Fund monies shall comply with standards to be established by the Recycling Board. Said standards shall include, but shall not be limited to, both methodology and categories of discarded materials. In establishing said standards, the Recycling Board should utilize the categories for discarded materials outlined in Paragraph 64.150(0).
- D. Contracts using Recycling Fund monies shall be made for periods of not more than five (5) years, except that, upon a finding of the Recycling Board that a longer period is necessary in order to capitalize a specific project, the Recycling Board may vote to allow a particular contract to be made for a period of not more than ten (10) years. No contract using Recycling Fund monies shall provide for an option to renew or any similar provision that would result in the extension of a contract, on a less than fully competitive basis, for a cumulative period of more than five (5) years or, in the case of a contract which the Recycling Board has authorized to be made for a longer period for purposes of capitalization, more than ten (10) years.

Exhibit A-1

Text of Measure D *(continued)*

- E. Nothing in this Act shall prevent any municipality, other jurisdiction, or other organization within Alameda County from raising or expending additional funds or taking other actions in support of recycling programs.
- F. Commencing January 1, 1995, the Recycling Board may vote, with the concurrence of the Board of Supervisors and a double majority of the cities, to adjust the distribution of funds under Paragraph 64.060(B) in order to further progress toward the recycling policy goal then in effect.

SUBSECTION 64.070: MUNICIPAL RATE STRUCTURES

- A. In order to be eligible to receive monies from the Recycling Fund, each municipality must, either by adjusting local refuse collection rates or by instituting a product disposal fee, provide for full reimbursement to its local refuse hauler(s) for the costs of the surcharge established by Paragraph 64.050(A).
- B. Upon request of a municipality, the Recycling Board shall cooperate with said municipality, the Alameda County Joint Refuse Rate Review Committee and the refuse hauler(s) serving said municipality to design an incremental refuse collection rate structure which will:
 - 1. Fully reimburse said hauler(s) for the increased costs resulting from the surcharge established by Paragraph 64.050(A);
 - 2. Encourage source reduction and recycling among residents by charging successively higher amounts for each garbage can collected; and
 - 3. Provide residents with the option to use smaller garbage cans at a decreased rate in order to reward source reduction and recycling.
- C. Upon request of a municipality, the Recycling Board shall cooperate with said municipality, the Alameda County Joint Refuse Rate Review Committee, and the refuse hauler(s) serving said municipality to design a product disposal fee, to be levied on purchases of products, with emphasis on those products that either are non-recyclable or are environmentally harmful, which will:
 - 1. Allow said municipality to fully reimburse, in lieu of or in addition to an increase in refuse collection rates, said hauler(s) for the increased costs resulting from the surcharge established by Paragraph 64.050(A);
 - 2. Encourage source reduction among residents; and
 - 3. Discourage the purchase of environmentally harmful products.

SUBSECTION 64.080: SOURCE REDUCTION PROGRAM

The Recycling Board shall disburse monies allocated in Subparagraphs 64.060(A)(2) and 64.060(B)(3), on a discretionary basis, for the development of an Alameda County-wide Source Reduction Program. Funded components of the Source Reduction Program shall include, but shall not be limited to, the following:

- A. A county waste minimization program with a goal of reducing the weight of County purchases, and with a specific goal of reducing the weight of County purchase of paper products by ten percent (10%) by January 1, 1995, and by fifteen percent (15%) by January 1, 2000. Said program shall emphasize the conservation of paper products by means of a comprehensive employee education program. The Recycling Board may establish further goals for reduction in County purchases.

- B. An annual non-monetary award program for businesses which demonstrate a significant reduction in the use of packaging materials or the use of materials in manufacturing processes, or waste reduction through the durability and/or recyclability of their products.
- C. An industry and/or university program to research and develop source reduction opportunities and incentives.
- D. An intensive public education campaign to promote alternative individual consumer habits and in-house source reduction programs for businesses and institutions.
- E. Disposal cost reduction studies and waste audit services to demonstrate to businesses and institutions the efficacy of recycling programs.

SUBSECTION 64.090: RESIDENTIAL RECYCLING PROGRAMS

Within two (2) years of the initiation of the Recycling Fund, each municipality receiving monies from the Recycling Fund shall provide a Residential Recycling Program to every resident to whom refuse collection service is offered on a regular schedule which is as frequent as said refuse collection. However, it shall not be mandatory to provide said program to residents more than once a week.

SUBSECTION 64.100: COMMERCIAL RECYCLING PROGRAMS

Within two (2) years of the initiation of the Recycling Fund, each municipality receiving monies from the Recycling Fund shall make an adequate Commercial Recycling Program available to every business, government, and public or private institution to which refuse collection is offered, on a regular schedule. Municipalities may determine that a Recyclable Materials Recovery Program is an appropriate means of satisfying a part of this requirement.

SUBSECTION 64.110: RECYCLED PRODUCT MARKET DEVELOPMENT PROGRAM

The Recycling Board shall disburse monies allocated in Subparagraphs 64.060(A)(2) and 64.060(B)(4) of this Act, on a discretionary basis, for a program to develop and expand markets for recycled products. Funded components of the Recycled Product Market Development Program shall include, but shall not be limited to, the following:

- A. A regional cooperative marketing strategy;
- B. Grants for demonstration projects targeted at new uses of recycled materials and new techniques for recycling materials;
- C. An Alameda County-wide information exchange which targets potential users and sources of recycled products; and
- D. Municipal programs to administer permit assistance to recycling industries.

SUBSECTION 64.120: RECYCLED PRODUCT PURCHASE PREFERENCE PROGRAM

- A. The County shall purchase Recycled Products where they are comparable in function and equal in cost to products manufactured from virgin materials.

- B. The County shall apply, to the extent made possible by the availability of monies under Subparagraphs 64.060(A)(2) and 64.060(B)(5), a price preference of ten percent (10%) to its purchases of Recycled Products where said Recycled Products are comparable in function to products manufactured from virgin materials.
1. Price preferences shall be applied to a full range of recycled product categories, including, but not limited to, recycled paper products, compost and co-compost products, recycled glass, recycled oil, and recycled solvents and paints.
 2. The Recycling Board may establish a price preference which is greater than ten percent (10%) for certain recycled product categories, if it is demonstrated that the manufacturing costs for said recycled product categories are higher than the manufacturing costs for similar products produced with virgin materials such that a ten percent (10%) preference is insufficient for said recycled products to be competitive.
 3. Commencing January 1, 1995, the Recycling Board may reduce the price preference for certain recycled product categories, if it is demonstrated that the manufacturing costs for said recycled product categories are competitive with the manufacturing costs for similar products produced with virgin materials, and that any such reduction will not result in a substantial decrease in the percentage of recycled products purchased in the category affected by the reduction.
 4. Any monies remaining after fulfilling the other requirements of this Paragraph in a given year shall be apportioned by the Recycling Board to municipalities which have established similar price preferences and recycled product specifications.
- C. Consistent with Paragraphs 64.120(A) and (B), the County shall modify its purchasing forms and procedures to ensure that, beginning no later than one (1) year after the effective date of this Act, information as to the recycled content, including both postconsumer discards and secondary discards, of all supplies and materials purchased by the County is available and taken into account during the purchasing process. Said information shall also be obtained for the supplies and materials portions of all public works contract bids that are received by the County.
- D. Any County agency which has responsibility for drafting or reviewing specifications for procurement items shall be required to revise said specifications, within one (1) year of the effective date of this Act, to eliminate exclusions of recovered materials and requirements that said items be manufactured from virgin materials.
- E. To the extent that the practice of accepting bids for multiple products inhibits the purchase of recycled products, the County shall accept bids for individual products and/or bids for fewer products.
- F. The Recycling Board may establish standards for a recycled product category which exceed the levels of postconsumer and secondary discard content established by this Act, provided, however, that said standards will not result in a substantial decrease in the percentage of recycled products purchased in said category.
- G. Notwithstanding any other provision of this Charter, this Subsection shall apply to the supplies and materials portions of all public works contracts made by the County. The County may set minimum amounts of recycled products, both by quantity and by category, to be utilized in the execution of said contracts; and shall contract separately for the supplies and materials portions of said contracts where such separate contracting would result in more complete compliance with this Act while not significantly increasing the cost of a given contract, except as allowed by Paragraph 64.120(B).

- H. It shall be a County policy goal to purchase recycled paper products such that, by January 1, 1995, at least fifty percent (50%) of the total dollar amount of paper products purchased or procured by the County shall be purchased or procured as recycled paper products. Not later than January 1, 1999, the Recycling Board shall recommend to the Board of Supervisors further policy goals for County purchases of all types of recycled products.

SUBSECTION 64.130: RECYCLING BOARD

- A. The Board of Supervisors and the Authority shall appoint an eleven (11) member board, to be known as the Alameda County Source Reduction and Recycling Board (Recycling Board), to administer this Act as well as to carry out any other tasks consistent with the purposes of this Act that may subsequently be given to the Recycling Board by the voters or the Board of Supervisors.
- B. To avoid unnecessary administrative duplication, the Board of Supervisors shall seek the consent of a double majority of the cities for the Recycling Board to serve as the local task force mandated by California Public Resources Code Section 40950 (as enacted by the CIWMA). A failure to obtain such consent shall not be construed to inhibit the establishment of the Recycling Board. In the event that the Recycling Board is not named as said local task force, the Recycling Board shall review any recommendations of a local task force regarding source reduction and recycling.
- C. To further avoid unnecessary administrative duplication, the Authority may, within ninety (90) days of the effective date of this Act, accept the Recycling Board as a subsidiary body of the Authority. Should the Authority not so accept the Recycling Board, or if the Authority at any time ceases to exist, the Recycling Board shall be established as a separate entity within the structure of County government. However, notwithstanding an initial failure by the Authority to so accept the Recycling Board, the Board of Supervisors may at any time, upon request of the Authority, make the Recycling Board a subsidiary body of the Authority.
- D. Members of the Recycling Board shall be appointed in accordance with the following:
1. The Authority may appoint five (5) of its members to sit on the Recycling Board. Should any or all of said five (5) Recycling Board members not be appointed by the Authority within four (4) months of the effective date of this Act, the Board of Supervisors shall cooperate with a double majority of the cities to appoint said member or members, except that a member appointed under such circumstances need not be a member of the Authority, but must be a member of the governing body of a municipality.
 2. The Board of Supervisors shall appoint six (6) Alameda County residents to the Recycling Board as follows:
 - a. A representative of an organization engaged primarily in operating recycling programs within Alameda County;
 - b. A source reduction specialist with substantial experience as such;
 - c. A representative of the recyclable materials processing industry;
 - d. A representative of the solid waste industry;
 - e. A representative of an environmental organization with a significant membership active in recycling issues within Alameda County; and
 - f. An environmental educator employed as such on a full-time basis.

3. The membership of the Recycling Board shall reflect expertise in the field of source reduction and recycling.
 4. No for-profit corporation, including its divisions, affiliates, parents and subsidiaries, wholly or partially owned, may have more than one (1) employee or representative on the Recycling Board at any one (1) time.
 5. All members of the Recycling Board shall be appointed within four (4) months of the effective date of this Act. Members of the Recycling Board shall serve a term of two (2) years, and may be reappointed for one (1) successive term, except that, for the purpose of ensuring continuity in the administration of this Act, the initial terms of two (2) of the members appointed by the Authority and three (3) of the members appointed by the Board of Supervisors shall be one (1) year. Should a Recycling Board member appointed by the Authority cease to be a member of the Authority, or if a Recycling Board member who is a member of the governing body of a municipality should cease to be a member of said governing body, or if a Recycling Board member ceases to be a resident of Alameda County, her or his seat on the Recycling Board shall be immediately deemed to be vacant.
 6. Should a Recycling Board member for any reason vacate her or his seat, the governing body (or bodies) that appointed said member shall appoint a new member within two (2) months of the date the seat is vacated, except that if the appointing body is the Authority and the Authority has either ceased to exist or has failed to appoint a new member within said two (2) month period, the Board of Supervisors shall cooperate with a double majority of the cities to make the appointment. All such appointments to the Recycling Board shall otherwise be made in compliance with the requirements that applied to the original appointments.
 7. In the event of temporary incapacity or other inability to attend Recycling Board meetings, a Recycling Board member may request that the governing body (or bodies) that appointed said member appoint an interim Recycling Board member to serve, for a period of no more than three (3) months, in the place of said member.
- E. The Recycling Board shall schedule and conduct regular meetings at least once each calendar month, and shall schedule special meetings and committee meetings as necessary to the business of the Recycling Board. Regular meetings shall be scheduled with at least one (1) month advance notice to the public. Special meetings and committee meetings shall be scheduled with at least one (1) week advance notice to the public.
- 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.
- G. Consistent with the principle of maximizing public participation in all Recycling Board activities, the Recycling Board may establish advisory committees and shall provide for full participation of the public in the functions of such bodies.
- H. The Recycling Board shall hold its meetings, hearings, public hearings, and other proceedings in such places and at such times as are likely to maximize access to said proceedings by as broad a range of Alameda County residents as is reasonably possible. To this end, the Recycling Board shall hold at least one (1) regularly scheduled evening meeting per year in each supervisorial district in a location accessible by public transit and shall ensure full access to all Recycling Board meetings by the physically disabled.

- I. All hearing, meetings, proceedings or other discussions of the Recycling Board, or of any committee or other subsidiary body of the Recycling Board, shall be open to the public, as shall the minutes, records of proceedings or documents received or discussed by the Recycling Board or its subsidiary bodies. Access to meetings or documents of the Recycling Board may be restricted only in circumstances authorized by those provisions of the Ralph M. Brown Act (California Government Code Sections 54950 et seq.), or of the California Public Records Act (California Government Code Sections 6250 et seq.), or of any successor legislation to either said act, relating to actual or imminent litigation or to evaluation of an employee of the Recycling Board. No such restriction shall be lawful unless it is first justified in the relevant written notice of meeting by specific identification of the actual or anticipated litigant or by specific identification of the position of the Recycling Board employee to be evaluated. All Recycling Board documents shall be made available for copying by members of the public for the direct cost of the copies only, not to exceed a limit of ten (10) cents per page. Said limit may be adjusted by the Recycling Board in direct proportion to the Consumer Price Index.
- J. The Recycling Board shall formulate rules for its own procedures and other rules as necessary to facilitate the implementation of the provisions of this Act.
- K. Each Recycling Board member shall have one (1) vote. A quorum for decisions of the Recycling Board shall be a majority of its members, except that a smaller number may vote to adjourn meetings.
- L. The members of the Recycling Board shall elect from their number a chair to be the presiding officer of said Recycling Board. The term of office of said chair shall be no more than one (1) year and shall expire at the end of the calendar year in which the chair sits.
- M. Each Recycling Board member shall receive compensation not to exceed three thousand dollars (\$3,000.00) for one (1) calendar year, not to exceed one hundred dollars (\$100.00) for each regular meeting of the full Recycling Board, or each special meeting or committee meeting of at least two (2) hours duration, which said member has attended.
- N. The Recycling Board shall hire such staff as are required to implement the provisions of this Act. Staff salaries and benefits shall be paid out of the monies allocated for the administration of this Act, pursuant to Subparagraphs 64.060(A)(2) and 64.060(B)(6).
- O. The Recycling Board may apply for, receive and expend supplementary funding grants from private and public sources.
- P. Conflicts of Interest:
 1. No Recycling Board member shall participate in any Recycling Board action or attempt to influence any decision or recommendation by any employee of or consultant to the Recycling Board which involves herself or himself, or which involves any entity with which the member is connected as a director, officer, elected official, consultant, or full-time or part-time employee, or in which the member has a direct personal financial interest within the meaning of California Government Code Section 87100, or any successor statute thereto.
 2. No Recycling Board member shall participate in any proceeding before any agency of either the County or a municipality as a consultant or in any other capacity on behalf of any solid waste handler, recycling organization, or other person or organization which actively participates in matters before the Recycling Board. Nothing in this Subsection shall be construed to prohibit a representative from a municipality from fully participating in the deliberations of her or his own governing board.

3. For a period of one (1) year after leaving her or his seat on the Recycling Board, a former Recycling Board member shall not act as an agent or attorney for, or otherwise represent, any other person before the Recycling Board by making any formal or informal appearance or by making any oral or written communication to the Recycling Board.

Q. Ex Parte Communications:

1. No Recycling Board member, or person who serves as a consultant or in any other capacity on behalf of a solid waste handler, recycling organization, or other public or private entity which actively participates in matters before the Recycling Board, or other person who intends to influence the decision of a Recycling Board member on a matter before the Recycling Board, excepting a staff member of the Recycling Board acting in her or his official capacity, shall conduct an ex parte communication unless the following steps are taken:
 - a. The Recycling Board member shall notify the person who engaged in the ex parte communication that a full disclosure of said communication must be entered in the Recycling Board's record; and
 - b. Either the Recycling Board member or the person who engaged in said communication shall, prior to the next regularly scheduled meeting of the Recycling Board, submit a full written disclosure of said communication which shall be entered in the Recycling Board's official record.
2. For the purposes of this Paragraph, "ex parte communication" shall mean any oral or written communication concerning matters, other than purely procedural issues, under the jurisdiction of the Recycling Board which are subject to a vote of the Recycling Board, but shall not mean any such communication performed before the Recycling Board, or any subsidiary body thereto.

R. Violations of Paragraphs 64.130(P) or (Q) shall be punishable as a misdemeanor.

S. Upon request of any person or on her or his own initiative, the Alameda County District Attorney may file a complaint in Alameda County Superior Court alleging that a Recycling Board member has knowingly violated Paragraphs 64.130(P) or (Q), including the facts upon which said allegation is based, and asking that said Recycling Board member be removed from office. If, after trial, the court finds that the Recycling Board member has knowingly violated either of said Paragraphs, it shall enter a judgement removing said member from office.

T. All documents issued by or in the name of the Recycling Board shall be printed doublesided on recycled paper with the highest postconsumer content available.

SUBSECTION 64.140: PROHIBITION OF INCINERATION

It shall be unlawful to operate any incinerator within Alameda County. Furthermore, it shall be unlawful to landfill within Alameda County the ash or residue from any incinerator, regardless of the location of said incinerator.

SUBSECTION 64.150: DEFINITIONS

The following words and phrases used in this Act shall have, for the purposes of interpreting and applying this Act, the following meanings:

- A. "Act" shall mean this Section, Section 64 of the Alameda County Charter as enacted by the Alameda County Waste Reduction and Recycling Act of 1990.
- B. "Alameda County" shall mean the geographic entity, including both the incorporated and unincorporated areas.
- C. "Authority" shall mean the Alameda County Waste Management Authority.
- D. "Board of Supervisors" shall mean the Alameda County Board of Supervisors.
- E. "Buy-Back Program" shall mean a program to purchase recyclable supplies, materials or goods from the public.
- F. "Charter" shall mean the Alameda County Charter as amended by this Act.
- G. "CIWMA" shall mean the California Integrated Waste Management Act of 1989, presently codified as California Public Resources Code Sections 40000 et seq.
- H. "Commercial Recycling Program" shall mean a program to collect, purchase, receive, process, and/or market discarded materials generated by businesses or institutions, public or private, for the purpose of recycling said discarded materials; and shall include a Recycling Education Program to encourage the participation of said businesses or institutions.
- I. "Compostable materials" shall mean nontoxic materials collected for composting, including, but not limited to, plant debris, putrescibles, wood and soils.
- J. "Composting" means the controlled biological decomposition of organic materials that are separated from the discarded materials stream.
- K. "Composting Program" shall mean a program to collect, purchase, receive, process, and/or market compostable materials, or co-compost said compostable materials with manures, dairy discards, or fish processing discards, with the aim of producing a nontoxic finished product usable as a compost, soil amendment, landfill cover, or potting soil.
- L. "Construction and Demolition Debris Recycling Program" shall mean a program to collect, purchase, receive, process, and/or market discarded materials generated in the construction and/or demolition of improvements to real property.
- M. "Consumer Price Index" shall mean the index for the San Francisco Bay Area issued by the United States Department of Labor.
- N. "County" shall mean the government of Alameda County, including any department, board, commission, agency or duly authorized official thereof.
- O. "Discarded materials," "discarded materials supply" and "discards" shall mean materials that a person, business, industry, or institution has delivered to a disposal facility, or has set in or next to a receptacle that is regularly emptied for disposal, or has abandoned in a public place, but shall not be construed to mean materials that must be handled as hazardous or infectious waste; and shall be composed of the following categories:
 - 1. "Chemicals," including, but not limited to, recyclable and/or reusable solvents, paints, motor oil, and lubricants;

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Text of Measure D *(continued)*

2. "Crushables," including, but not limited to, rock, ceramics, concrete, and nonreusable brick;
 3. "Glass," including, but not limited to, glass containers and window glass;
 4. "Manures," including, but not limited to, sewage sludge that has been dewatered, treated or chemically fixed, and livestock and horse manure;
 5. "Metals," both ferrous and nonferrous, including cans, parts from abandoned vehicles, plumbing, fences, metal doors and screens, and any other discarded metal objects;
 6. "Paper," including, but not limited to, newsprint, ledger paper, computer paper, corrugated cardboard and mixed paper;
 7. "Plant debris," including, but not limited to, leaves, cuttings, and trimmings from trees, shrubs and grass;
 8. "Plastics," including, but not limited to, beverage containers, plastic packaging, tires, and plastic cases of consumer goods such as telephones or electronic equipment;
 9. "Putrescibles," including, but not limited to, garbage, offal, and animal, fruit and vegetable debris;
 10. "Reusable goods," including intact or repairable home or industrial appliances, household goods, and clothing; intact materials in demolition debris, such as lumber or bricks; building materials such as doors, windows, cabinets, and sinks; business supplies and equipment; lighting fixtures; and any other item that can be repaired or used again as is;
 11. "Soils," including, but not limited to, excavation soils from barren or developed land, and excess soils from yards;
 12. "Textiles," including, but not limited to, nonreusable clothing, upholstery and pieces of fabric; and
 13. "Wood," including, but not limited to, nonreusable lumber and pallets.
- P. "Disposal facility" shall mean a facility to receive, purchase, process, incinerate and/or landfill discarded materials.
- Q. "Double majority of the cities" shall mean a majority of the cities representing a majority of the population in the incorporated areas of Alameda County.
- R. "Drop-Off Program" shall mean a program to accept the donation of recyclable materials at a fixed site for the purpose of recycling said materials.
- S. "Hazardous waste" shall mean any material defined as hazardous waste by California Health and Safety Code Section 25117, or by any successor statute thereto, but notwithstanding said section or successor statute shall include ash and/or residue from an incinerator.
- T. "Incinerator" shall mean a facility that burns, as a means of disposal and/or energy production, refuse, refuse-derived fuel, any material recovered from a mixed supply of discarded materials, any type of plastic, and/or any type of hazardous waste, but shall not mean a facility dedicated to burning infectious waste or potentially infectious waste.
- U. "Infectious waste" shall mean any material defined as infectious waste by California Health and Safety Code Section 25117.5, or by any successor statute thereto.

- V. "Landfill" shall mean a facility that buries discards as a means of disposal.
- W. "Municipal recycling programs" shall mean recycling programs within a municipality, or recycling programs administered as a joint effort between municipalities.
- X. "Municipality" shall mean a city or sanitary district located in Alameda County.
- Y. "Postconsumer discards" shall mean finished materials which would have been disposed of as discarded materials, having completed their life cycle as consumer items, and does not include manufacturing discards.
- Z. "Recyclable Material Recovery Program" shall mean a program to receive, separate, and process mixed discarded materials for the purpose of removing materials which will later be used in the fabrication or manufacture of recycled products.
- AA. "Recycle" or "recycling" shall mean a process by which any good, material, supply or other object, which otherwise would be wasted, is recycled, reused, salvaged, or otherwise retrieved, collected, processed and/or marketed for return to use by society, either in its original form or in a new form; but shall not mean, with the exception of compost used for landfill cover, a program for landfilling or incinerating.
- BB. "Recycled product" shall mean a product, good, material, or supply, no less than fifty percent (50%) of the total weight of which consists of secondary and postconsumer discards with not less than ten percent (10%) of its total weight consisting of postconsumer discards; or any product, good, material or supply which has been diverted from the supply of discarded materials by refurbishing and marketing said product, good, material or supply without substantial change to its original form.
- CC. "Recycled Product Market Development Program" shall mean a program to create or improve markets for recycled products, including, but not limited to, one that facilitates the exchange of information between potential sources and users of recycled products; supports the development of techniques, systems, and practices of incorporating recycled materials into finished products; encourages enterprises that use recycled materials in place of non-recycled materials; and/or assists in the establishment of cooperative arrangements or organizations for marketing or purchasing recycled products.
- DD. "Recycling Board" shall mean the Alameda County Source Reduction and Recycling Board established pursuant to this Act.
- EE. "Recycling Education Program" shall mean a program to promote participation in recycling programs and/or disseminate information about the benefits of recycling; and encouraging sound consumption and disposal practices by using language and concepts consistent with achieving a sustainable environment.
- FF. "Recycling Fund" shall mean the Alameda County Recycling Fund established pursuant to this Act.
- GG. "Recycling Plan" shall mean the Alameda County Recycling Plan established pursuant to this Act.
- HH. "Recycling programs" shall mean Buy-Back Programs, Commercial Recycling Programs, Composting Programs, Construction and Demolition Debris Recycling Programs, Drop-Off Programs, Recyclable Material Recovery Programs, Recycled Product Market Development Programs, Recycled Product Purchase Preference Programs, Recycling Education Programs, Residential Recycling Programs, Salvage Programs, Source Reduction Programs, and/or research and planning to implement any of said programs.

Exhibit A-1

Text of Measure D *(continued)*

- II. "Refuse" shall mean mixed discarded materials that are disposed of by landfilling or incineration, including, but not limited to, discarded materials that have been contaminated and thus rendered non-recyclable during the disposal process, either by being mixed during compaction or by any other process, and discarded products of a manufacturing process which combines natural resources in a manner which renders said resources unrecoverable.
- JJ. "Residential Recycling Program" shall mean a program to collect at least three (3) different kinds of materials, from at least two (2) different categories of discarded materials, by means of one (1) or more containers, separate from conventional garbage containers, where said recyclable materials are placed by residents at the curb or an equivalent location; and shall include a Recycling Education Program to encourage the participation of residents.
- KK. "Salvage Program" shall mean a program to collect, purchase, receive, process and/or market any fabricated good, material, and/or supply for reuse.
- LL. "Secondary discards" shall mean finished products, or fragments of finished products, of a manufacturing process which has converted a resource into a commodity of real economic value, and includes postconsumer discards; but shall not include excess virgin resources of said manufacturing process, such as fibrous wood discards generated during the manufacturing process, including fibers recovered from waste water, trimmings of paper machine rolls (mill broke), wood slabs, chips, sawdust, or other wood residue.
- MM. "Source Reduction Program" shall mean a program that results in a net reduction in the generation of discarded materials, including, but not limited to, a program to reduce the use of non-recyclable materials and hazardous waste; replace disposable materials and products with reusable materials and products; reduce packaging; reduce the amount of plant debris generated; reduce the amount of household hazardous waste generated; establish refuse collection rate structures with incentives to reduce the amount of refuse that generators produce; increase the efficiency of the use of paper, cardboard, glass, metal, plastic, and other materials in the manufacturing process; and/or maintain public education programs to accomplish any of these ends; but shall not be construed to include any steps taken after the material is discarded.
- NN. "Waste" shall mean discarded materials that have been rendered valueless by being incinerated, buried, contaminated, or otherwise destroyed; or the act of incinerating, burying, contaminating, or otherwise destroying the value of discarded materials.

SUBSECTION 64.160: EFFECTIVE DATE

Unless otherwise specified in this Act, the provisions of this Act shall take effect on the date it is accepted for filing by the California Secretary of State.

SUBSECTION 64.170: EFFECT ON OTHER COUNTY LAWS

No provision of this Act shall be construed to bar the enforcement of any existing County ordinances or regulations where the subject matter of said ordinances or regulations is wholly or partly the same as that of this Act, or to bar the enactment of any future such County ordinances and regulations. All County ordinances or regulations involving the subject matter of this Act shall be construed to further the purposes of this Act.

SUBSECTION 64.180: STATUS OF EXISTING CHARTER PROVISIONS

Any provision of the Alameda County Charter in effect prior to the effective date of this Act which conflicts in any way with any provision of this Act is hereby declared to be amended by implication. No such existing provision of said charter shall be construed to affect the application of any provision of this Act in a manner inconsistent with the purposes of this Act.

SUBSECTION 64.190: SEVERABILITY

If any subsection, paragraph, subparagraph, sentence, clause, or word of this Act is held unconstitutional or otherwise invalid, either on its face or as applied, the invalidity of said part or application thereof shall not affect the validity of the other parts of this Act, or the applications thereof; and to that end the parts and applications of this Act shall be deemed severable. It is hereby declared, notwithstanding any finding that a part or application of this Act is unconstitutional or otherwise invalid, that each of the parts of this Act would have been enacted separately.

Exhibit A-2

Summary of Measure D Compliance Requirements (continued)

Requirement	Measure D Subsection
A. Alameda County	
<p>1. Collection of Measure D Tipping Fee Surcharge</p>	<p>A. Commencing not later than three (3) months after the effective date of this Act, each landfill or incinerator in Alameda County shall collect a surcharge of six dollars (\$6.00) per ton on all refuse accepted for landfilling or incineration at said landfill or incinerator. All monies collected through said surcharge shall be paid by the operators of each landfill or incinerator into a fund, to be known as the Alameda County Recycling Fund hereinafter the "Recycling Fund"), established for the purpose of receiving and disbursing monies pursuant to this Act. The Board of Supervisors shall ensure the collection of said surcharge, either by modifying the use permits of said landfills and incinerators or by any other necessary means.</p> <p>B. Should the collection of said surcharge be found to be in violation of an existing contract or agreement to import refuse generated outside of Alameda County for landfilling or incineration within Alameda County, the Board of Supervisors may vote to waive collection of said surcharge for the refuse described within said contract or agreement. However, any future contract or agreement for the importation of refuse for landfilling or incineration within Alameda County, executed or negotiated after the effective date of this Act, shall provide for the collection of said surcharge for the refuse described within said contract or agreement.</p> <p>C. Any necessary costs of collection of said surcharge incurred by landfill or incinerator operators shall not be subtracted from said surcharge but, consistent with Subsection 64.070, shall be passed through to refuse generators by means of the refuse collection rates set by each municipality.</p>
<p>2. Recycled Product Purchase Preference (RPPP) Program Requirements</p>	<p>A. The County shall purchase Recycled Products where they are comparable in function and equal in cost to products manufactured from virgin materials.</p> <p>B. The County shall apply, to the extent made possible by the availability of monies under Subparagraphs 64.060(A)(2) and 64.060(B)(5), a price preference of ten percent (10%) to its purchases of Recycled Products where said Recycled Products are comparable in function to products manufactured from virgin materials.</p> <ol style="list-style-type: none"> 1. Price preferences shall be applied to a full range of recycled product categories, including, but not limited to, recycled paper products, compost and co-compost products, recycled glass, recycled oil, and recycled solvents and paints. 2. The Recycling Board may establish a price preference which is greater than ten percent (10%) for certain recycled product categories, if it is demonstrated that the manufacturing costs for said recycled product categories are higher than the manufacturing costs for similar products produced with virgin materials such that a ten percent (10%) preference is insufficient for said recycled products to be competitive. 3. Commencing January 1, 1995, the Recycling Board may reduce the price preference for certain recycled product categories, if it is demonstrated that the manufacturing costs for said recycled product categories are competitive with the manufacturing costs for similar products produced with virgin materials, and that any such reduction will not result in a substantial decrease in the percentage of recycled products purchased in the category affected by the reduction. 4. Any monies remaining after fulfilling the other requirements of this Paragraph in a given year shall be apportioned by the Recycling Board to municipalities which have established similar price preferences and recycled product specifications.

Requirement	Measure D Subsection				
<p>A. Alameda County (continued)</p>					
<p>2. Recycled Product Purchase Preference (RPPP) Program Requirements (continued)</p>	<table border="1"> <tr> <td data-bbox="524 380 1377 772"> <p>A. The Board shall review and approve the uses of funds for the implementation of “Infrastructure” projects and services</p> <p>B. The Board disburses remaining funds after budgeting for “infrastructure” projects and services to member agencies receiving Measure D per capita monies, based on the following guidelines:</p> <ol style="list-style-type: none"> 1. Each member agency receives a base allocation of \$5,000 or the evenly distributed amount based on the number of member agencies, whichever is less; plus the remaining fund distribution based on population criteria used by the Measure D per capita (50%) disbursement. 2. Eligible member agencies complete and submit an application and reporting form specifying policies, practices, accomplishments, actual uses, and remaining funds. 3. Disbursement of remaining funds occurs at or after first quarterly Measure D per capita disbursement made at end of August. </td> <td data-bbox="1377 380 1534 772"> <p>Resolution RB 96-04</p> </td> </tr> <tr> <td data-bbox="524 772 1377 1629"> <p>C. Consistent with Paragraphs 64.120(A) and (B), the County shall modify its purchasing forms and procedures to ensure that, beginning no later than one (1) year after the effective date of this Act, information as to the recycled content, including both postconsumer discards and secondary discards, of all supplies and materials purchased by the County is available and taken into account during the purchasing process. Said information shall also be obtained for the supplies and materials portions of all public works contract bids that are received by the County.</p> <p>D. Any County agency which has responsibility for drafting or reviewing specifications for procurement items shall be required to revise said specifications, within one (1) year of the effective date of this Act, to eliminate exclusions of recovered materials and requirements that said items be manufactured from virgin materials.</p> <p>E. To the extent that the practice of accepting bids for multiple products inhibits the purchase of recycled products, the County shall accept bids for individual products and/or bids for fewer products.</p> <p>F. The Recycling Board may establish standards for a recycled product category which exceed the levels of postconsumer and secondary discard content established by this Act, provided, however, that said standards will not result in a substantial decrease in the percentage of recycled products purchased in said category.</p> <p>G. Notwithstanding any other provision of this Charter, this Subsection shall apply to the supplies and materials portions of all public works contracts made by the County. The County may set minimum amounts of recycled products, both by quantity and by category, to be utilized in the execution of said contracts; and shall contract separately for the supplies and materials portions of said contracts where such separate contracting would result in more complete compliance with this Act while not significantly increasing the cost of a given contract, except as allowed by Paragraph 64.120(B).</p> <p>H. It shall be a County policy goal to purchase recycled paper products such that, by January 1, 1995, at least fifty percent (50%) of the total dollar amount of paper products purchased or procured by the County shall be purchased or procured as recycled paper products. Not later than January 1, 1999, the Recycling Board shall recommend to the Board of Supervisors further policy goals for County purchases of all types of recycled products.</p> </td> <td data-bbox="1377 772 1534 1629"> <p>Subsection 64.120</p> </td> </tr> </table>	<p>A. The Board shall review and approve the uses of funds for the implementation of “Infrastructure” projects and services</p> <p>B. The Board disburses remaining funds after budgeting for “infrastructure” projects and services to member agencies receiving Measure D per capita monies, based on the following guidelines:</p> <ol style="list-style-type: none"> 1. Each member agency receives a base allocation of \$5,000 or the evenly distributed amount based on the number of member agencies, whichever is less; plus the remaining fund distribution based on population criteria used by the Measure D per capita (50%) disbursement. 2. Eligible member agencies complete and submit an application and reporting form specifying policies, practices, accomplishments, actual uses, and remaining funds. 3. Disbursement of remaining funds occurs at or after first quarterly Measure D per capita disbursement made at end of August. 	<p>Resolution RB 96-04</p>	<p>C. Consistent with Paragraphs 64.120(A) and (B), the County shall modify its purchasing forms and procedures to ensure that, beginning no later than one (1) year after the effective date of this Act, information as to the recycled content, including both postconsumer discards and secondary discards, of all supplies and materials purchased by the County is available and taken into account during the purchasing process. Said information shall also be obtained for the supplies and materials portions of all public works contract bids that are received by the County.</p> <p>D. Any County agency which has responsibility for drafting or reviewing specifications for procurement items shall be required to revise said specifications, within one (1) year of the effective date of this Act, to eliminate exclusions of recovered materials and requirements that said items be manufactured from virgin materials.</p> <p>E. To the extent that the practice of accepting bids for multiple products inhibits the purchase of recycled products, the County shall accept bids for individual products and/or bids for fewer products.</p> <p>F. The Recycling Board may establish standards for a recycled product category which exceed the levels of postconsumer and secondary discard content established by this Act, provided, however, that said standards will not result in a substantial decrease in the percentage of recycled products purchased in said category.</p> <p>G. Notwithstanding any other provision of this Charter, this Subsection shall apply to the supplies and materials portions of all public works contracts made by the County. The County may set minimum amounts of recycled products, both by quantity and by category, to be utilized in the execution of said contracts; and shall contract separately for the supplies and materials portions of said contracts where such separate contracting would result in more complete compliance with this Act while not significantly increasing the cost of a given contract, except as allowed by Paragraph 64.120(B).</p> <p>H. It shall be a County policy goal to purchase recycled paper products such that, by January 1, 1995, at least fifty percent (50%) of the total dollar amount of paper products purchased or procured by the County shall be purchased or procured as recycled paper products. Not later than January 1, 1999, the Recycling Board shall recommend to the Board of Supervisors further policy goals for County purchases of all types of recycled products.</p>	<p>Subsection 64.120</p>
<p>A. The Board shall review and approve the uses of funds for the implementation of “Infrastructure” projects and services</p> <p>B. The Board disburses remaining funds after budgeting for “infrastructure” projects and services to member agencies receiving Measure D per capita monies, based on the following guidelines:</p> <ol style="list-style-type: none"> 1. Each member agency receives a base allocation of \$5,000 or the evenly distributed amount based on the number of member agencies, whichever is less; plus the remaining fund distribution based on population criteria used by the Measure D per capita (50%) disbursement. 2. Eligible member agencies complete and submit an application and reporting form specifying policies, practices, accomplishments, actual uses, and remaining funds. 3. Disbursement of remaining funds occurs at or after first quarterly Measure D per capita disbursement made at end of August. 	<p>Resolution RB 96-04</p>				
<p>C. Consistent with Paragraphs 64.120(A) and (B), the County shall modify its purchasing forms and procedures to ensure that, beginning no later than one (1) year after the effective date of this Act, information as to the recycled content, including both postconsumer discards and secondary discards, of all supplies and materials purchased by the County is available and taken into account during the purchasing process. Said information shall also be obtained for the supplies and materials portions of all public works contract bids that are received by the County.</p> <p>D. Any County agency which has responsibility for drafting or reviewing specifications for procurement items shall be required to revise said specifications, within one (1) year of the effective date of this Act, to eliminate exclusions of recovered materials and requirements that said items be manufactured from virgin materials.</p> <p>E. To the extent that the practice of accepting bids for multiple products inhibits the purchase of recycled products, the County shall accept bids for individual products and/or bids for fewer products.</p> <p>F. The Recycling Board may establish standards for a recycled product category which exceed the levels of postconsumer and secondary discard content established by this Act, provided, however, that said standards will not result in a substantial decrease in the percentage of recycled products purchased in said category.</p> <p>G. Notwithstanding any other provision of this Charter, this Subsection shall apply to the supplies and materials portions of all public works contracts made by the County. The County may set minimum amounts of recycled products, both by quantity and by category, to be utilized in the execution of said contracts; and shall contract separately for the supplies and materials portions of said contracts where such separate contracting would result in more complete compliance with this Act while not significantly increasing the cost of a given contract, except as allowed by Paragraph 64.120(B).</p> <p>H. It shall be a County policy goal to purchase recycled paper products such that, by January 1, 1995, at least fifty percent (50%) of the total dollar amount of paper products purchased or procured by the County shall be purchased or procured as recycled paper products. Not later than January 1, 1999, the Recycling Board shall recommend to the Board of Supervisors further policy goals for County purchases of all types of recycled products.</p>	<p>Subsection 64.120</p>				

Exhibit A-2

Summary of Measure D Compliance Requirements (continued)

Requirement	Measure D Subsection	
B. Recycling Board		
<p>1. Development of a Recycling Plan</p>	<p>The Recycling Board shall develop, within one (1) year of the effective date of this Act, a plan to establish the recycling programs necessary to meet the recycling policy goals set forth in Subparagraph 64.040(A)(1) (all citations contained in this Act are, unless otherwise noted, to this Act), said plan to be known as the Alameda County Source Reduction and Recycling Plan (Recycling Plan). The Recycling Board subsequently shall amend the Recycling Plan as necessary to meet said recycling policy goals, and as necessary to meet the further recycling policy goals established by the Recycling Board pursuant to Subparagraph 64.040(A)(2). The Recycling Plan shall incorporate all Alameda County recycling programs, whether funded by this Act or not. In developing and amending the Recycling Plan, the Recycling Board shall consult with the Alameda County Board of Supervisors (hereinafter the "Board of Supervisors"), the Alameda County Waste Management Authority (hereinafter the "Authority") and Alameda County municipal governing bodies, and furthermore shall seek to maximize public input as to the contents of the Recycling Plan by holding public hearings and establishing public advisory committees.</p>	<p>Subsection 64.040(B)</p>
<p>2. Compliance with Fund Allocations</p>	<p>Commencing twenty-eight (28) months after the effective date of this Act, the Recycling Board shall support recycling programs and otherwise fulfill the provisions of this Act by disbursing monies from the Recycling Fund as follows:</p> <ol style="list-style-type: none"> 1. Fifty percent (50%) shall be disbursed on a per capita basis to municipalities for the continuation and expansion of municipal recycling programs. 2. Ten percent (10%) shall be applied to a grant program for nonprofit organizations engaged in maximizing recycling, composting, and reducing waste within Alameda County. The Recycling Board shall be an organization eligible to receive funds under this Subparagraph, for the purposes of conducting planning, research, and studies directed at furthering the purposes of this Act. 3. Ten percent (10%) shall be applied to the Source Reduction Program. 4. Ten percent (10%) shall be applied to the Recycled Product Market Development Program. 5. Five percent (5%) shall be applied to the Recycled Product Purchase Preference Program. 6. Fifteen percent (15%) shall be disbursed on a discretionary basis by the Recycling Board to support any of the activities described within this Paragraph. A portion of said fifteen percent (15%) may be retained by the Recycling Board to cover the necessary costs of administering the Recycling Fund, provided, however, that said portion shall not exceed three percent (3%) of the total funds paid to the Recycling Fund in a given year. 	<p>Subsection 64.060(B)</p>
<p>3. Analysis and Review of Waste Characterization Studies</p>	<p>For the purpose of apportionment of funds under the provisions of this Subsection, and for the purpose of sound discarded materials management, the Recycling Board shall cause accurate, reliable, and up-to-date estimates to be maintained of the amounts and kinds of recycling and refuse generation occurring in each municipality. For the purpose of ensuring comparability of data, any composition study or waste characterization study performed with Recycling Fund monies shall comply with standards to be established by the Recycling Board. Said standards shall include, but shall not be limited to, both methodology and categories of discarded materials. In establishing said standards, the Recycling Board should utilize the categories for discarded materials outlined in Paragraph 64.150(0).</p>	<p>Subsection 64.060(C)</p>

Requirement		Measure D Subsection
B. Recycling Board (continued)		
4. Compliance with Source Reduction Program Requirements	<p>The Recycling Board shall disburse monies allocated in Subparagraphs 64.060(A)(2) and 64.060(B)(3), on a discretionary basis, for the development of an Alameda County-wide Source Reduction Program.</p> <p>Funded components of the Source Reduction Program shall include, but shall not be limited to, the following:</p> <ul style="list-style-type: none"> A. A county waste minimization program with a goal of reducing the weight of County purchases, and with a specific goal of reducing the weight of County purchase of paper products by ten percent (10%) by January 1, 1995, and by fifteen percent (15%) by January 1, 2000. Said program shall emphasize the conservation of paper products by means of a comprehensive employee education program. The Recycling Board may establish further goals for reduction in County purchases. B. An annual non-monetary award program for businesses which demonstrate a significant reduction in the use of packaging materials or the use of materials in manufacturing processes, or waste reduction through the durability and/or recyclability of their products. C. An industry and/or university program to research and develop source reduction opportunities and incentives. D. An intensive public education campaign to promote alternative individual consumer habits and in-house source reduction programs for businesses and institutions. E. Disposal cost reduction studies and waste audit services to demonstrate to businesses and institutions the efficacy of recycling programs. 	Subsection 64.080
5. Compliance with Recycled Product Market Development Program Requirements	<p>The Recycling Board shall disburse monies allocated in Subparagraphs 64.060(A)(2) and 64.060(B)(4) of this Act, on a discretionary basis, for a program to develop and expand markets for recycled products. Funded components of the Recycled Product Market Development Program shall include, but shall not be limited to, the following:</p> <ul style="list-style-type: none"> A. A regional cooperative marketing strategy; B. Grants for demonstration projects targeted at new uses of recycled materials and new techniques for recycling materials; C. An Alameda County-wide information exchange which targets potential users and sources of recycled products; and D. Municipal programs to administer permit assistance to recycling industries. 	Subsection 64.110
6. Compliance with Limits on Board Member Compensation	<p>Each Recycling Board member shall receive compensation not to exceed three thousand dollars (\$3,000.00) for one (1) calendar year, not to exceed one hundred dollars (\$100.00) for each regular meeting of the full Recycling Board, or each special meeting or committee meeting of at least two (2) hours duration, which said member has attended.</p>	Subsection 64.130(M)

Exhibit A-2

Summary of Measure D Compliance Requirements (continued)

Requirement		Measure D Subsection
C. Member Agencies		
1. Requirement For Local Refuse Hauler Surcharge Reimbursement	In order to be eligible to receive monies from the Recycling Fund, each municipality must, either by adjusting local refuse collection rates or by instituting a product disposal fee, provide for full reimbursement to its local refuse hauler(s) for the costs of the surcharge established by Paragraph 64.050(A).	Subsection 64.070(A)
2. Residential Recycling Program Requirements	Within two (2) years of the initiation of the Recycling Fund, each municipality receiving monies from the Recycling Fund shall provide a Residential Recycling Program to every resident to whom refuse collection service is offered on a regular schedule which is as frequent as said refuse collection. However, it shall not be mandatory to provide said program to residents more than once a week.	Subsection 64.090
3. Commercial Recycling Program Requirements	Within two (2) years of the initiation of the Recycling Fund, each municipality receiving monies from the Recycling Fund shall make an adequate Commercial Recycling Program available to every business, government, and public or private institution to which refuse collection is offered, on a regular schedule. Municipalities may determine that a Recyclable Materials Recovery Program is an appropriate means of satisfying a part of this requirement.	Subsection 64.100
4. Recycling Fund Expenditures, Monitoring, and Reporting	Using the updated “Measure D” Annual Report, member agencies shall report beginning fund balance, receipts, expenditures, and ending fund balance. Member agencies shall document the allocations and allocation methodology used for staff positions, equipment, supplies, services, or anything else funded with Recycling Fund monies. If the beginning Measure D fund balance is greater than \$300,000 or disbursements in the prior fiscal year, whichever is greater, the municipality must allocate and report on the interest earned on its Measure D funds in that year, leaving that interest in the Measure D account.	Resolution RB 2003-11
	A member agency shall present a written expenditure plan to the Recycling Board if the unspent balance exceeds the sum of the member agency’s last eight (8) quarterly per Capita disbursements at the end of any fiscal year. If the member agency fails to provide the written plan or does not receive approval, the member agency is ineligible to receive further disbursements until the plan is approved by the Recycling Board. The forfeited monies shall be disbursed to the remaining eligible member agencies on a per capita basis.	Resolution RB 2006-12
5. Recycling Fund Accounting	Recycling fund disbursement may be accounted for through a separate account or a pooled account with a separate and distinct account code.	Resolution RB 2006-12
6. Recycled Product Purchase Preference (RPPP) Program Requirements	Member agencies accumulation more than their last two (2) years’ worth of RPPP funds need to obtain approval from Authority staff for planned uses of funds prior to receiving additional disbursements. If the plan is not implemented by the date indicated, no further disbursements will be made until those funds are used.	Memorandum approved on December 9, 2004
D. General Compliance (All Entities Receiving Measure D Monies)		
1. Compliance with Restriction Against Use of Fund Monies for Contracts Longer than Five Years	Contracts using Recycling Fund monies shall be made for periods of not more than five (5) years, except that, upon a finding of the Recycling Board that a longer period is necessary in order to capitalize a specific project, the Recycling Board may vote to allow a particular contract to be made for a period of not more than ten (10) years. No contract using Recycling Fund monies shall provide for an option to renew or any similar provision that would result in the extension of a contract, on a less than fully competitive basis, for a cumulative period of more than five (5) years or, in the case of a contract which the Recycling Board has authorized to be made for a longer period for purposes of capitalization, more than ten (10) years.	Subsection 64.060(D)



Appendix B

Measure D Recycling Board Resolutions and Memoranda



Appendix B

Measure D Recycling Board Resolutions and Memoranda

The Recycling Board passed six (6) resolutions, and one (1) memorandum, pertaining to the Measure D “per capita” and Recycled Product Purchase Preference (RPPP) programs. These resolutions and the memorandum, provide guidelines and policies related to the distribution, reporting, fund limits, and accounting of Measure D “per capita” and RPPP program funds. The following list summarizes these seven (7) policies, procedures, and rules:

- Resolution Number RB 94-27 – Adoption of policies for the population distribution of “per capita” funds using California Department of Finance census data, bi-annually
- Resolution Number RB 96-04 – Adoption of guidelines and policies for the distribution of “leftover” RPPP program funds
- Resolution Number RB 98-3 – Adoption of policies and procedures for implementation of subsection 64.060(D) of Measure D, relating to use of recycling fund monies for contracts longer than five years
- Resolution Number RB 2003-10 – Adoption of municipal eligibility to receive Recycling Fund per capita disbursements
- Resolution Number RB 2003-11 – Adoption of policies, rules, and procedures based on the Five Year Audit, relating to Recycling Fund “per capita” fund expenditures, monitoring, and reporting by member agencies
- Resolution Number RB 2006-12 – Adoption of rules regarding member agency accounting and fund balances of Recycling Fund “per capita” allocations
- Memorandum dated December 1, 2004 – Adoption of rules for RPPP fund balance limits and future distributions of RPPP funds to member agencies.¹

We provide copies of each of these seven (7) documents in the remainder of this appendix.

¹ Approved by the Recycling Board at their December 9, 2004, Recycling Board meeting.

ALAMEDA COUNTY SOURCE REDUCTION AND RECYCLING BOARD

RESOLUTION #R94-27

**MOVED: LANDIS
SECONDED: WIESKAMP**

AT THE MEETING HELD AUGUST 11, 1994

**POLICY FOR REVISION OF POPULATION BASED DISBURSEMENTS FROM
THE RECYCLING FUND**

WHEREAS, the Alameda County Waste Reduction and Recycling Initiative Charter Amendment requires the apportionment of funds to municipalities on a per capita basis for continuation and expansion of municipal recycling programs; and

WHEREAS, the Federal Census of Population is conducted only once every ten years by the U.S. Department of Commerce; and,

WHEREAS, interested parties in Alameda County have expressed concern that adjustments more frequent than once every ten years are necessary to reflect ongoing population changes among Alameda County municipalities; and,

WHEREAS, the State Department of Finance produces updated population estimates annually for cities and unincorporated county areas in California; and,

WHEREAS, it is necessary to adopt a policy regarding frequency, data source and methodology for updating the population formula for disbursement of funds to municipalities, and the Policy Committee unanimously made recommendations to the Board on these matters at their August 2, 1994 meeting;

NOW, THEREFORE, BE IT RESOLVED, that

1. The population distribution formula for municipal disbursements from the Recycling Fund be updated every other year in even numbered years, based upon updates from the State Department of Finance in between releases of final Federal Census data, effective with the disbursements made in August of each even numbered year.
2. State Department of Finance estimates for unincorporated population changes will be spread in a pro-rated manner over the Castro Valley Sanitary District, the unincorporated Oro Loma Sanitary District, and the remaining unincorporated County areas.
3. Final Federal Census block level data will be used to determine updated population counts for the Castro Valley and Oro Loma Sanitary Districts every ten years.

ADOPTED BY THE FOLLOWING VOTE:

**AYES: ABBE, LANDIS, MACDONALD, MILEY, RUBIN, RYNEC,
 SKINNER, VALLE, WIESKAMP**

NOES: NONE

ABSENT: MARTIN, SHINOHARA

ABSTAINED:NONE


**THOMAS M. MARTINSEN, EXECUTIVE DIRECTOR
ALAMEDA COUNTY RECYCLING BOARD**

**ALAMEDA COUNTY SOURCE REDUCTION AND RECYCLING BOARD
RESOLUTION #96-04**

**MOVED: WIESKAMP
SECONDED: LANDIS**

AT THE MEETING HELD MAY 9, 1996

**RECYCLED PRODUCT PURCHASE PREFERENCE PROGRAM -
GUIDELINES AND POLICIES FOR DISTRIBUTION OF "LEFTOVER" FUNDS**

WHEREAS, the Alameda County Source Reduction and Recycling Board (Recycling Board) is responsible for implementation of the Alameda County Waste Reduction and Recycling Initiative Charter Amendment (Measure D); and,

WHEREAS, the Recycling Board is responsible for oversight of the Recycled Product Purchase Preference Program mandated in Measure D and implemented by the Alameda County General Services Agency (GSA); and,

WHEREAS, the Recycling Board has considered recommended policies that would guide the Board in implementing Subsection 64.120 (B)(4), relating to apportionment of Recycled Product Purchase Preference Program funds remaining at the end of each year;

NOW, THEREFORE, BE IT RESOLVED, that the Alameda County Source Reduction and Recycling Board hereby:

1. Finds that "leftover" or "remaining" Recycled Product Purchase Preference Program funds shall be defined as Fund revenues for the months of July through June that are not disbursed to Alameda County for expenses invoiced for the same fiscal year for implementation of the Recycled Product Purchase Preference Program, nor expended by Recycling Board staff for management of said Program.

2. Approves the use of "remaining" Recycled Product Purchase Preference Program funds for both the "Infrastructure" and the "Entitlement" models described in the attached excerpt from a memo by Carla S. Lallatin and Nancy VandenBerg for Markets for Recycled Products, for the Recycling Board, and adopts the following policies and guidelines for the disbursement and use of said funds:

(A) Uses of funds for the implementation of "Infrastructure" projects and services shall be reviewed and approved by the Board as part of the budget development process for any given year.

(B) Funds remaining after budgeting for "Infrastructure" projects and services shall be disbursed to the same municipalities receiving disbursements of 50% of Recycling Fund revenues, according the following guidelines:

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(1) Each eligible municipality shall receive a base allocation of \$5000, or the amount calculated by dividing the total funds available by the number of eligible jurisdictions, whichever is less; plus an apportionment of the remainder, if any, according to the same population criteria utilized in disbursement of the 50% of Fund revenues to municipalities.

(2) Eligible municipalities shall complete and submit an application describing current policies, practices and accomplishments in the "Buy Recycled" arena; proposed uses of the "remaining" fund allocation for "Buy Recycled" purposes; and actual use and results of the prior year "remaining" fund allocation, if any, in order to qualify for receipt of funds.

(3) Disbursement of "remaining" funds to municipalities will occur at or after the first quarterly disbursement to municipalities made at the end of August.

3. Authorizes the Executive Director to distribute funds remaining after the close of each Fiscal Year in accord with the above policies and guidelines, beginning with the funds remaining after the close of Fiscal Year 1995/96.

ADOPTED BY THE FOLLOWING VOTE:

AYES: **ABBE, BURRELL, DENNIS, GORDON, LANDIS, NORDMAN,
 RUBIN, VALLE, WIESKAMP, RYNIC**
NOES: **NONE**
ABSENT: **MILEY**
ABSTAINED: **NONE**


Karen Smith
Executive Director

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ALAMEDA COUNTY SOURCE REDUCTION AND RECYCLING BOARD

RESOLUTION #98 - 3

**MOVED: HILSON
SECONDED: GORDON**

AT THE MEETING HELD FEBRUARY 12, 1998

**POLICIES AND PROCEDURES FOR IMPLEMENTATION OF SUBSECTION
64.060(D) OF MEASURE D, RELATING TO USE OF RECYCLING FUND
MONIES FOR CONTRACTS LONGER THAN FIVE YEARS**

WHEREAS, the Source Reduction and Recycling Board is responsible for implementation of the Alameda County Waste Reduction and Recycling Initiative which calls for waste reduction programs in Alameda County in the areas of Municipal Recycling Programs, Grants To Non Profit Organizations, Source Reduction, and Recycled Product Market Development; and,

WHEREAS, Subsection 64.060(D) of the Charter Initiative states:

Contracts using Recycling Fund monies shall be made for periods of not more than five (5) years, except that, upon a finding of the Recycling Board that a longer period is necessary in order to capitalize a specific project, the Recycling Board may vote to allow a particular contract to be made for a period of not more than ten (10) years. No contract using Recycling Fund monies shall provide for an option to renew or any similar provision that would result in the extension of a contract, on a less than fully competitive basis, for a cumulative period of more than five (5) years or, in the case of a contract which the Recycling Board has authorized to be made for a longer period for purposes of capitalization, more than ten (10) years; and,

WHEREAS, the Recycling Board has received two applications to date from municipalities requesting use of Measure D monies for contracts exceeding five years in length, and it is reasonable to expect that there will be more such applications in the future; and

WHEREAS, the Board has expressed a desire to develop standard policies and procedures for the receipt and evaluation of such applications; and

WHEREAS, the Recycling Board Policy Committee has considered and discussed relevant research, information and opinions relating to these issues and has made the following recommendations to the Board;

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NOW, THEREFORE, BE IT RESOLVED, that the Source Reduction and Recycling Board hereby adopts the following findings and procedures regarding applications to the Board for use of Measure D monies for contracts exceeding five years in length:

- The Board reserves the right to say “no” to any applicant.
- Every municipal applicant should submit information and data regarding:
 1. Their other uses of Measure D funds in the previous and current fiscal years, and proposed for the upcoming year, if known, including the percentage of Measure D revenues used to reduce ratepayer rates for recycling collection services.
 2. The circumstances of award of the contract under consideration.
 3. The expected benefits or factors necessitating a contract term longer than five years.
- Applicants requesting use of Measure D funds for contracts over eight years in length (and less than ten) shall also describe their good faith efforts to procure innovative services, where practical.

ADOPTED BY THE FOLLOWING VOTE:

AYES: DENNIS, BURRELL, GORDON, GROULX, HILSON,
NORDMAN, SPARKS, TAM, WHITE
NOES: NONE
ABSTAIN: NONE
ABSENT: SPRING, NADEL



Karen Smith
Executive Director

ALAMEDA COUNTY SOURCE REDUCTION AND RECYCLING BOARD

RESOLUTION #RB 2003-10

**MOVED: Thomsen
SECONDED: Irizarry**

AT THE MEETING HELD JULY 10, 2003

**POLICY ADOPTION – MUNICIPAL ELIGIBILITY TO RECEIVE RECYCLING FUND
PER CAPITA DISBURSEMENTS**

WHEREAS, the Alameda County Charter Section 64 (the Alameda County Waste Reduction and Recycling Act of 1990, hereinafter the "Act") establishes five requirements that municipalities must meet to qualify to receive a per capita share of the 50% of Recycling Fund revenues allocated to municipalities, but none of those requirements explicitly address the issue of whether or how much of the landfilled wastes under the control of a municipality are subject to the surcharge established by the Act; and

WHEREAS, the Act does establish a connection between municipal eligibility to receive monies from the Recycling Fund and municipal rate-setting powers for the collection of wastes under its control (Subsection 64.070 (A)); and

WHEREAS, the Act states that "The Recycling Board shall formulate rules for its own procedures and other rules as necessary to facilitate the implementation of the provisions of this Act," (Subsection 64.130(J)); and

WHEREAS, the Recycling Board has received a request from the City of Fremont to develop a "participation ratio" policy for municipal disbursements that would allow municipalities from which a portion of municipally-controlled wastes were subject to the surcharge, to receive a corresponding portion of their per capita share of Recycling Fund disbursements; and

WHEREAS, the Recycling Board Legal Counsel has issued an opinion stating that adoption of such a rule is within the discretion of the Recycling Board if the Board determines that a pro-rata participation rule would facilitate the implementation of the goals and policies of the Act; and

WHEREAS, the Recycling Board has consulted extensively with municipal staff throughout the County over the past year on this issue and has invited haulers, facility operators and other stakeholders to provide input, and no one has expressed any objections to the proposed rules; and

WHEREAS, the Recycling Board itself has discussed these issues over the course of the past year and a half at several Board and Committee meetings, and has conducted a public hearing on the proposed rules at the meeting held July 10, 2003; and

WHEREAS, the Recycling Board hereby finds that the adoption of a rule clearly delineating municipal eligibility to receive per capita disbursements from the Recycling Fund in instances where a municipal hauler delivers franchised wastes to an out-of-county landfill but reports and pays "in-lieu" fees to the Recycling Fund, in instances where none of a jurisdiction's municipally-

controlled wastes are subject to the surcharge, and in instances where a municipality's controlled wastes are split between facilities where a portion of the wastes are subject to the surcharge and a portion are not, among other instances, will facilitate implementation of the Act;

NOW, THEREFORE, BE IT RESOLVED, that the Alameda County Source Reduction and Recycling Board approves and adopts the following policies, procedures and definitions:

- For those Alameda County municipalities whose participation in the Measure D system is 25% or greater, the percentage of their population used to calculate quarterly Measure D disbursements will be equal to their quarterly participation in the Measure D system. For those whose participation is 99% or greater, 100% of their population shall be used to calculate quarterly disbursements.
- Those municipalities whose participation is less than 25% will not be eligible for any per-capita Measure D municipal disbursements.

The policy includes the following definitions, clarifications and procedures:

- "Participation" refers to the percentage of municipally-controlled landfilled wastes upon which the Measure D surcharge or an equivalent amount is levied and paid into the Recycling Fund.
- "Municipally-controlled" landfilled wastes refers to the universe of landfilled wastes for which a municipality establishes rates for collection and/or disposal.
- Participation will be calculated per calendar quarter. Municipalities whose participation is less than 100% must submit (or require their contractors to submit) reports to the Recycling Board within 30 days of the end of each calendar quarter detailing the total quantities of municipally-controlled solid wastes landfilled during that quarter, broken down by disposal destination and by "paying Measure D fee" and "not paying Measure D fee." Submitted municipal reports will be used for the purpose of the quarterly disbursements and later reconciled against state-mandated disposal reports subsequently received from solid waste facilities both in- and out-of-county. Any adjustments will be applied to the next disbursement. If Agency staff is unable to reconcile discrepancies in a timely manner, the data that results in the lower payment to the municipality will be used.
- If any fully participating municipality moves to a less than 100% participation level, before any pro-rated payments are released to that municipality, that municipality must demonstrate to the Recycling Board how they will continue to support the goals and objectives of the Charter, and how they expect to at least maintain their diversion level in the future.
- All other policies and rules regarding Measure D municipal disbursements remain in effect.
- After an appropriate period of time (e.g. one year) this system will be evaluated for efficiency and functionality and any appropriate changes may be proposed.

ADOPTED BY THE FOLLOWING VOTE:

AYES: Irizarry, Lockhart, Ott, Pianin, Sly, Thomsen, Waespi, Wan, Wolff, Young

NOES: None

ABSENT: Bloom

ABSTAINED: None



Karen Smith, Executive Director

ALAMEDA COUNTY SOURCE REDUCTION AND RECYCLING BOARD

RESOLUTION #RB 2003-11

**MOVED: PIANIN
SECONDED: OTT**

AT THE MEETING HELD JULY 10, 2003

**ADOPTION OF POLICIES, RULES AND PROCEDURES BASED ON THE "5 YEAR
AUDIT" RELATING TO RECYCLING FUND EXPENDITURES, MONITORING AND
REPORTING BY MUNICIPALITIES**

WHEREAS, the Alameda County Charter Section 64 (the Alameda County Waste Reduction and Recycling Act of 1990, hereinafter the "Act") states that "The Recycling Board shall formulate rules for its own procedures and other rules as necessary to facilitate the implementation of the provisions of this Act," (Subsection 64.130(J)); and

WHEREAS, the Act states that fifty percent of the monies from the Recycling Fund shall be disbursed on a per capita basis to municipalities for the continuation and expansion of municipal recycling programs (Subsection 64.060 (B)(1)); and

WHEREAS, Subsection 64.040 (C) of the Act requires the Recycling Board to conduct an independent audit every five years of recycling programs within the County including, but not limited to, an accounting of the monies spent from the Recycling Fund, and to develop recommendations based on the audit findings; and

WHEREAS, the Recycling Board has concluded the 5 Year Audit for the period FY 1996/97 through FY 2000/01 and has considered and discussed the recommendations relating to the use, accounting and reporting of Recycling Fund monies by the municipalities; and

WHEREAS, the Recycling Board has distributed copies of the "5 Year Audit" Financial Review and Evaluation by Brown, Vence & Associates to both financial and recycling staff of the municipalities and has consulted extensively with municipal staff throughout the County over the past year on these issues and has invited stakeholders to provide input; and

WHEREAS, the Recycling Board itself has discussed these issues over the course of the past year at Board and Committee meetings, and has conducted a public hearing on the proposed rules at the meeting held July 10, 2003; and

WHEREAS, the Recycling Board hereby finds that the adoption of rules, policies and procedures clearly defining municipal responsibilities to handle, expend, monitor and report on Recycling Fund disbursements will facilitate implementation of the Act;

NOW, THEREFORE, BE IT RESOLVED, that the Alameda County Source Reduction and Recycling Board approves and adopts the following policies, procedures and rules:

- The member agency "Measure D" Annual Report shall be restructured to include beginning fund balance, receipts, expenditures and ending fund balance per the Audit recommendations. Municipal ability to comply with this reporting requirement shall be in place no later than July 1, 2004 for FY 2004/2005.
- Require documentation in the Annual Report of any allocation methodology used by a member agency for "Measure D" expenditures. Municipalities will be required to document prospectively the allocations and allocation methodology used for staff positions, equipment, supplies, services or anything else funded with Recycling Fund monies (i.e. when a percentage of a given expense is funded with Recycling Fund monies).
- If, at the start of any fiscal year, the beginning Measure D fund balance for any given municipality is greater than \$300,000 or that municipality's total population-based disbursements in the prior fiscal year, whichever is greater, then that municipality must, for that year, allocate and report on the interest earned on its Measure D funds in that year, and leave that interest in the Measure D account, subject to the same expenditure restrictions as the Measure D funds disbursed by the Recycling Board. This policy will take effect July 1, 2004 for FY 2004/2005.
- The Recycling Board will release a Request for Proposals (RFP) for services to conduct financial audits of the municipalities and the Recycling Board itself in stages of 3 yrs./2 yrs. + final report (as opposed to going back five years per audit). The audits will include some compliance verification as well, such as for the use of Recycling Funds for contracts longer than 5 years. The costs indicated in the RFP responses will then be compared to the costs of proposals received in the last Request for Proposals for the full 5 years all at once, and a decision made about how to proceed based on costs and other factors such as timeliness for the municipalities, likelihood of firm stability over a five year period, ability to detect problems earlier, etc.

ADOPTED BY THE FOLLOWING VOTE:

**AYES: IRIZARRY, LOCKHART, OTT, PIANIN, SLY, THOMSEN, WAESPI, WAN,
WOLFF, YOUNG**

NOES: NONE

ABSENT: BLOOM

ABSTAINED: NONE


Karen Smith, Executive Director

ALAMEDA COUNTY SOURCE REDUCTION AND RECYCLING BOARD

RESOLUTION #RB 2006-12

MOVED: Quan
SECONDED: Jeffery

AT THE MEETING HELD NOVEMBER 9, 2006

**ADOPTION OF RULES REGARDING MUNICIPAL ACCOUNTING AND FUND
BALANCES OF RECYCLING FUND PER CAPITA ALLOCATIONS**

WHEREAS, the Alameda County Charter Section 64 (the Alameda County Waste Reduction and Recycling Act of 1990, hereinafter the "Act") states that "The Recycling Board shall formulate rules for its own procedures and other rules as necessary to facilitate the implementation of the provisions of this Act," (Subsection 64.130(J)); and

WHEREAS, the Act states that fifty percent of the monies from the Recycling Fund shall be disbursed on a per capita basis to municipalities for the continuation and expansion of municipal recycling programs (Subsection 64.060 (B)(1)); and

WHEREAS, Subsection 64.040 (C) of the Act requires the Recycling Board to conduct an independent audit every five years of recycling programs within the County including, but not limited to, an accounting of the monies spent from the Recycling Fund, and to develop recommendations based on the audit findings; and

WHEREAS, the Recycling Board has concluded "Phase One" of the current 5 Year Financial and Compliance Audit for the period FY 2001/02 through FY 2003/04 and has considered and discussed recommendations relating to the accounting and accumulation of Recycling Fund monies by the municipalities; and

WHEREAS, the Recycling Board has distributed copies of the "Phase One 5 Year Financial and Compliance Audit" by R3 Consulting Group, Inc. to staff of the municipalities and has solicited comments from municipal staff on the proposed rules; and

WHEREAS, the Recycling Board itself has discussed the proposed rules at the October 12, 2006 meeting and set the November 9, 2006 meeting for final consideration and adoption; and

WHEREAS, the Recycling Board hereby finds that the adoption of rules, policies and procedures clearly defining municipal responsibilities to monitor, track and report on Recycling Fund revenues, expenditures and fund balances will facilitate implementation of the Act; and

WHEREAS, the Recycling Board hereby finds that the adoption of rules, policies and procedures establishing guidelines regarding municipal use of Recycling Fund per capita disbursements, the accumulation of unspent fund balances, plans for the use of such accumulated funds, and eligibility to receive further per capita disbursements will facilitate implementation of the Act;

NOW, THEREFORE, BE IT RESOLVED, that the Alameda County Source Reduction and Recycling Board approves and adopts the following rules:

Rule 1: Municipalities receiving per-capita disbursements of Recycling Fund monies under the Alameda County Waste Reduction and Recycling Act, Section 64.060 shall account for those disbursements in a manner that provides the following information for each fiscal year:

- the balance of unexpended per capita disbursements at the beginning of each fiscal year;
- Recycling Fund per capita disbursements received during each fiscal year;
- Recycling Fund per capita monies expended during each fiscal year; and
- the ending balance of unspent Recycling Fund per capita disbursements on hand at the end of each fiscal year.

The disbursements may be accounted for through the use of a pooled or separate account. In the event the Recycling Fund per capita revenues and expenditures are pooled with other monies within the accounts of the municipality, the municipality shall utilize a separate and distinct account code, such as an account number, object code, sub-object code, etc., to segregate the Recycling Fund per capita monies for accounting purposes in a manner that provides the required information.

Rule 2: Any municipality receiving per capita disbursements of Recycling Fund monies under the Alameda County Waste Reduction and Recycling Act, Section 64.060, shall present to the Board for its approval a written expenditure plan if, at the end of any fiscal year, that municipality has an unspent balance of such monies that exceeds the sum of the municipality's last eight quarterly Recycling Fund per capita disbursements. If the municipality fails to provide that written plan or the Board does not approve that plan, the municipality shall be ineligible to receive further disbursements per Section 64.060. The municipality shall not be eligible for further disbursements until the required plan is submitted and approved by the Board and all such forfeited monies shall be disbursed to the remaining eligible municipalities on a per capita basis.

In evaluating a municipality's proposed expenditure plan, the Board shall consider the following:

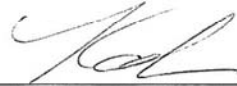
- The proposed specific use(s) of the remaining balance and future disbursements.
- The proposed length of time, or schedule over which disbursed funds or fund balances would be used.
- The scope or amount of funds proposed to be expended over the term of the plan.
- The extent to which the plan is designed to meet or promote the provisions, goals or policies of the Act including but not limited to timely expenditure of the funds "for the continuation and expansion of municipal recycling programs."

- Any other objective and reasonable factors that may be presented by the municipality to support its contention that its proposed plan meets or promotes the provisions, goals or policies of the Act.

These proposed rules shall take effect July 1, 2007. Rule 2 will be applied to the Measure D Annual Reports submitted after the end of FY 07/08 and each year thereafter.

ADOPTED BY THE FOLLOWING VOTE:

AYES: Boone, Bourque, Jeffery, Landis, Leider, McCormick, Quan, Spencer, Storti,
Wilson
NOES: None
ABSENT: Henson
ABSTAIN: None



Karen Smith, Executive Director



Alameda County Waste Management Authority
Alameda County Source Reduction and Recycling Board
www.stopwaste.org

MEMO

December 1, 2004

TO: Recycling Board
FROM: Debra Kaufman, Senior Program Manager
SUBJECT: Distribution of Recycled Product Procurement Funds to Member Agencies

BACKGROUND

Measure D provides for a Recycled Product Purchase Preference Program to encourage recycled materials markets by maximizing the amount of recycled products purchased by County government agencies. To help achieve this goal, five percent of the funds collected under Measure D is available for this Program.

The priority use of this money is to provide reimbursement to the County for increased costs that they may incur due to the use of price preferences on recycled content products. In practice, the County has used very little of this money for price preferences since most recycled content products have become competitive with their virgin counterpart. The Recycling Board has also allowed this money to be used for County staffing to implement these goals.

DISCUSSION:

Any monies remaining after reimbursing County and Agency project costs, are distributed to the Measure D-participating municipalities for recycled product purchases and promotion. Annually, approximately \$200-\$250,000 has been distributed.

The Authority asks the member agencies for an annual report covering their use of the previous year funds, including an accounting of any accumulated, unspent funds remaining from any prior years' disbursements.

The member agencies have utilized this funding for a variety of uses, ranging from recycled content plastic benches to staff training on recycled products. Reported uses of these funds include the following recycled content products and services:

- Paper
- Carpet
- Rubber sidewalks
- Plastic picnic tables and benches
- Playground equipment
- Office furniture
- Re-refined motor oil

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- Education to staff about recycled products or to attend the Recycled Products Trade Show
- Grants to schools for purchase of recycled content products

In the 2004 report on use of these funds, two jurisdictions reported accumulating more than two year's worth of RPP funds. To ensure that this money is put to the greatest use in the manner intended, staff recommends that the Recycling Board, as part of this year's recycled product procurement funds reimbursement cycle, change the requirement such that member agencies do not accumulate these funds for more than two years, unless they have a specific project that they intend to use the funds for. The money that would otherwise have been accumulated, would be distributed to the jurisdictions with eligible projects the following year.

RECOMMENDATION

Staff recommends that the Recycling Board, as part of this year's recycled product procurement funds reimbursement cycle, change the requirements as follows:

- Measure D participating municipalities accumulating more than their last two years' worth of recycled product procurement funds need to obtain approval from Authority staff for planned uses of funds prior to receiving additional disbursements. If the plan is not implemented by the date indicated by the jurisdiction, no further disbursements will be made until those funds are used.

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Appendix C

Overview of Member Agencies



Appendix C

Overview of Member Agencies

In this appendix, we provide an overview of the thirteen (13) member agencies that received Measure D monies from the Recycling Board during Phase I, and the sixteen (16) member agencies that received Measure D monies from the Recycling Board during Phase II.¹ These sixteen (16) currently eligible member agencies included:

1. City of Alameda
2. City of Albany
3. City of Berkeley
4. City of Dublin
5. City of Emeryville
6. City of Fremont¹
7. City of Hayward
8. City of Livermore
9. City of Newark¹
10. City of Oakland
11. City of Piedmont
12. City of Pleasanton
13. City of San Leandro
14. City of Union City¹
15. Castro Valley Sanitary District
16. Oro Loma Sanitary District.

We provide member agency data, including populations used for Measure D “per capita” distributions; franchised recycling haulers; programmatic efforts; reporting requirements; and an overview of accounting practices. This appendix is organized into the following four (4) subsections:

- A. Member Agency Population Data*
- B. Member Agency Recycling Programs*
- C. Member Reporting Requirements*
- D. Member Agency Measure D Accounting.*

A. Member Agency Population Data

Table C-1, on the next page, lists the 2006, 2008, and 2010 populations of the member agencies. In 2010, the largest member agency, the City of Oakland, had a population approximately 42 times larger than the smallest member agency, the City of Emeryville.

The Recycling Board bases distribution of Measure D “per capita” funds, to member agencies, on census information. Population adjustments, used for the “per capita” distribution, occur every other year. The Recycling Board used year 2006 population data for Measure D “per capita” allocation purposes for fiscal year 2006/07, and the first three (3) quarters of fiscal year 2007/08. The Recycling Board used year 2008 population data for fourth quarter fiscal year 2007/08, fiscal year

¹ Three (3) of the sixteen (16) member agencies, including the Cities of Fremont, Newark, and Union City (Tri-Cities), became eligible to receive Measure D monies from the Recycling Board in the first quarter of fiscal year 2010/11.

Table C-1
Member Agencies
Population Data Used for “Per Capita” Allocations of Measure D Funds
(Phase I: Fiscal Years 2006/07, 2007/08, and 2008/09)

Member Agency	FY 2006/07, 2007/08 Q 1-3		FY 2007/08 Q 4, 2008/09, 2009/10	
	2006 Population ²	Percent of Total Population	2008 Population ⁴	Percent of Total Population
1. City of Alameda	74,405	6.3196%	75,823	6.2965%
2. City of Albany	16,680	1.4167%	16,877	1.4015%
3. City of Berkeley	105,385	8.9508%	106,697	8.8603%
4. City of Dublin	41,907	3.5594%	46,934	3.8975%
5. City of Emeryville	8,537	0.7251%	9,727	0.8077%
6. City of Hayward	146,398	12.4343%	149,205	12.3902%
7. City of Livermore	81,443	6.9173%	83,604	6.9426%
8. City of Oakland	411,755	34.9722%	420,183	34.8927%
9. City of Piedmont	10,999	0.9342%	11,100	0.9218%
10. City of Pleasanton	67,876	5.7650%	69,388	5.7621%
11. City of San Leandro ³	48,644	4.1316%	49,111	4.0783%
12. Castro Valley Sanitary District	50,877	4.3212%	51,619	4.2865%
13. Oro Loma Sanitary District ⁵	112,471	9.5526%	113,948	9.4623%
Total	1,177,377	100.0000%	1,204,216	100.0000%

(Phase II: Fiscal Years 2009/10 and 2010/11)

Member Agency	FY 2010/11 Q 1 & Q 3		FY 2010/11 Q 2 & Q 4	
	2010 Population ⁴	Percent of Total Population	2010 Population ⁴	Percent of Total Population
1. City of Alameda	75,409	5.1215%	75,409	5.1332%
2. City of Albany	17,021	1.1600%	17,021	1.1600%
3. City of Berkeley	108,119	7.3400%	108,119	7.3600%
4. City of Dublin	48,821	3.3200%	48,821	3.3200%
5. City of Emeryville	10,227	0.6900%	10,227	0.7000%
6. City of Fremont ⁴	157,052	10.6700%	154,871	10.5400%
7. City of Hayward	153,104	10.4000%	153,104	10.4200%
8. City of Livermore	85,312	5.7900%	85,312	5.8100%
9. City of Newark ⁶	31,954	2.1700%	31,510	2.1400%
10. City of Oakland	430,666	29.2485%	430,666	29.3068%
11. City of Piedmont	11,262	0.7600%	11,262	0.7700%
12. City of Pleasanton	70,711	4.8000%	70,711	4.8100%
13. City of San Leandro ⁵	49,910	3.3900%	49,910	3.4000%
14. City of Union City ⁶	54,039	3.6700%	53,288	3.6300%
15. Castro Valley Sanitary District	52,668	3.5800%	52,668	3.5900%
16. Oro Loma Sanitary District ⁵	116,132	7.8900%	116,132	7.9100%
Total	1,472,407	100.0000%	1,469,031	100.0000%

² Estimated census population data is from the California Department of Finance (DOF). Population is adjustment to reflect updated population figures per DOF.

³ Population reflects a transfer of 40 percent of the City of San Leandro’s population to the Oro Loma Sanitary District.

⁴ Population reflects 72 percent of census population for the first and third quarters of FY 2010/11, and 71 percent of census population for the second and fourth quarters of FY 2010/11.

2008/09, and fiscal year 2009/10 Measure D “per capita” allocations. The Recycling Board used year 2010 population data for fiscal year 2010/11, Measure D “per capita” allocations.⁵

B. Member Agency Recycling Programs

Each member agency receiving Measure D monies must provide a residential recycling program (Measure D, Subsection 64.090) and make available an adequate commercial recycling program (Measure D, Subsection 64.100). Most member agencies utilize their recycling hauler for both residential and commercial recycling efforts. **Table C-2**, on the next page, shows each member agency’s recycling hauler(s) and franchise expiration date.

We show member agency diversion, and source reduction, programmatic efforts in **Table C-3**, on page C-5. The Recycling Board strongly promotes these ordinances, policies, and programs.⁶ Member agencies have unanimously accepted the Civic Green Building and Residential Food Waste Collection programs. The Recycling Board, and member agencies, all have adopted a 75 percent diversion policy (each member agency’s City Council or Board formally adopted this diversion goal).

C. Member Agency Measure D Reporting Requirements

Member agencies must submit an Annual Measure D Programs Report, using a standard form approved in Resolution Number RB 2003-11 (see a copy of this resolution on page B-5). We provide a copy of the Annual Measure D

Programs Report, used for Phase I, in **Exhibit C-1**, starting on page C-7; and the Annual Measure D Programs Report, to use for FY 11/12 and Beyond, in **Exhibit C-2**, starting on page C-9. Member agencies must include their beginning Measure D fund balance, receipts, expenditures, ending Measure D fund balance, and supplemental documentation. Member agencies submit Measure D “per capita” reports in October or November, of each year.

Member agencies that receive Measure D “per capita” funds also are eligible to receive leftover Recycled Product Purchase Preference (RPPP) funds (Resolution Number RB 96-04, see a copy of this resolution on page B-3). Member agencies must submit to the Recycling Board an annual Application and Reporting Form for the RPPP program, describing proposed uses of the funds, prior year expenditures, fund allocations, and remaining funds. To qualify for RPPP funding, member agencies must describe current policies, practices, and accomplishments pertaining to purchasing recycled content materials. Member agencies submit RPPP reports to the Recycling Board in February or March, of each year. A sample RPPP application form is provided in **Exhibit C-3**, starting on page C-13.

D. Member Agency Measure D Accounting

Member agencies track their year-to-year Measure D fund balances using one of three methods: (1) an accounting system, (2) a spreadsheet, or (3) using their annual reports. **Table C-4**, on page C-6, presents the methods each member agency uses to account for Measure D “per capita” funds, and to track Measure D fund balances for reporting purposes.

⁵ The Recycling Board adjusts population data every two (2) years, as adopted by the Recycling Board in 1994 (in Resolution Number RB 94-27. See page B-2).

⁶ The Recycling Board created eligibility criteria for receiving Import Mitigation funds, which included requiring the member agency to adopt number of the measures listed in Table C-3.

Table C-2
Member Agencies
Franchised Recycling Haulers
(As of January 2012)

Member Agency	Recycling Hauler(s)	Franchise End Date
1. City of Alameda	Alameda County Industries (ACI)	10/05/2022
2. City of Albany	Waste Management of Alameda County (WMAC)	10/31/2021
3. City of Berkeley	Ecology Center/City of Berkeley	6/30/2020
4. City of Dublin	Amador Valley Industries (AVI)	6/30/2020
5. City of Emeryville	WMAC	1/31/2021
6. City of Fremont	Allied Waste Service (AWS)	6/30/2018
7. City of Hayward	WMAC	5/13/2014
8. City of Livermore	Livermore Sanitation	6/30/2020
9. City of Newark	WMAC	5/31/2013
10. City of Oakland	California Waste Solutions (CWS)/WMAC ⁷	6/30/2015
11. City of Piedmont	Richmond Sanitary Service (RSS)	6/30/2018
12. City of Pleasanton	Pleasanton Garbage Service (PGS)	7/30/2019
13. City of San Leandro	ACI	1/31/2020
14. City of Union City	Tri-CED/AWS ⁸	3/21/2015 (Tri-CED) 6/30/2015 (AWS)
15. Castro Valley Sanitary District	WMAC	4/30/2019
16. Oro Loma Sanitary District ⁹	WMAC	8/31/2024

⁷ CWS serves in the northern portion of the City and WMAC provides residential curbside recycling services to the southern portion of the City of Oakland. The City of Oakland uses an open market for commercial recycling and food scrap collection.

⁸ Tri-CED Community Recycling provides residential and commercial cart recycling services, and Allied Waste provides commercial bin recycling service.

⁹ Oro Loma Sanitary District uses an open market for commercial recycling if the rate charged by a competitor is lower than an established capped rate for WMAC.

Table C-3
Member Agencies
Programmatic Efforts¹⁰
(As of April 2012)

Member Agency	Construction and Demolition (C&D) Ordinance	Civic Bay Friendly Landscaping	Civic Green Building	Environmentally Preferable Purchasing Policy	Residential Food Waste Collection	Commercial Food Waste Collection	75% Diversion Policy
1. City of Alameda	Y	Y	Y	N	Y	Y	Y
2. City of Albany	Y	Y	Y	Y	Y	Y	Y
3. City of Berkeley	Y	Y	Y	Y	Y	Y	Y
4. City of Dublin	Y	Y	Y	Y	Y	Y	Y
5. City of Emeryville	Y	Y	Y	N	Y	Y	Y
6. City of Fremont	Y	Y	Y	Y	Y	Y	Y
7. City of Hayward	Y	Y	Y	Y	Y	Y	Y
8. City of Livermore	Y	Y	Y	N	Y	Y	Y
9. City of Newark	Y	Y	Y	Y	Y	N	Y ¹¹
10. City of Oakland	Y	Y	Y	Y	Y	Y	Y
11. City of Piedmont	Y	Y	Y	Y	Y	Y	Y
12. City of Pleasanton	Y	Y	Y	Y	Y	N	Y
13. City of San Leandro	Y	Y	Y	Y	Y	Y	Y
14. City of Union City	Y	Y	Y	Y	Y	Y	Y
15. Castro Valley Sanitary District	Y	Y	Y	Y	Y	Y	Y
16. Oro Loma Sanitary District	Y	Y	Y	N	Y	N	Y
Number of Member Agencies with Program	16	16	16	12	16	13	16

¹⁰ Source: Annual Budget for Fiscal Year 2009/10, Appendix A: Recycling and Sustainability Index. Confirmed through discussions with member agencies.

¹¹ The City of Newark set this 75 percent goal by 2015.

Appendix C. Overview of Member Agencies

Table C-4
Member Agencies
Accounting Practices
(Phase I: Fiscal Years 2006/07, 2007/08, and 2008/09)
(Phase II: Fiscal Years 2009/10 and 2010/11)

Member Agency	Accounting Method for Measure D "Per Capita" Funds		Tracking Method for Measure D Fund Balances
	Revenues	Expenses	
1. City of Alameda	Pooled Fund and Separate Account Code	Pooled Fund and Separate Account Code	Accounting System
2. City of Albany	Pooled Fund and Separate Account Code	Pooled Fund and Separate Account Code	Spreadsheet/ Previous Report
3. City of Berkeley	Pooled Fund and Separate Account Code	Pooled Fund and Separate Account Code	Spreadsheet
4. City of Dublin	Separate Fund (some pooling)	Separate Fund (some pooling)	Spreadsheet
5. City of Emeryville	Separate Fund and Account Code	Separate Fund	Accounting System
6. City of Fremont	Separate Fund and Account Code	Separate Fund	Accounting System
7. City of Hayward	Separate Fund and Account Code	Separate Fund	Spreadsheet
8. City of Livermore	Separate Fund and Account Code	Separate Fund	Accounting System
9. City of Newark	Separate Fund and Account Code	Separate Fund	Accounting System
10. City of Oakland	Separate Fund	Separate Fund	Accounting System
11. City of Piedmont	Separate Fund and Account Code (some pooling)	Separate Fund	Spreadsheet
12. City of Pleasanton	Separate Fund (some pooling)	Separate Fund	Accounting System
13. City of San Leandro	Separate Fund and Account Code	Separate Fund	Spreadsheet
14. City of Union City	Separate Fund and Account Code	Separate Fund	Accounting System
15. Castro Valley Sanitary District	Pooled Fund and Separate Account Code	Pooled Fund and Separate Account Code	Accounting System/ Previous Report
16. Oro Loma Sanitary District	Separate Fund and Account Code	Separate Fund	Accounting System

ANNUAL MEASURE D PROGRAMS REPORT

Revenue and Fund Balance Information			Municipality Information
Reporting Period: July 1, 2008 - June 30, 2009			
Beginning Measure D Fund Balance for FY 2008/09 (should equal Ending Fund Balance per Measure D Report FY 2007/08)			<i>Municipality Name</i>
Adjustment to beginning Fund Balance (Explain below or on reverse)			Sample City
			<i>Contact Name</i>
Adjusted Beginning Measure D Balance for FY 6/30/08	-		City Employee
			<i>Phone Number</i>
Measure D Funds Received for FY 08/09 (Provide Detail Below)			(510) 321-9876
Quarter Ended	Date Received	Amount	<i>Email address</i>
9/30/2008			Empoyee@Dample.ci.gov
12/31/2008			
3/31/2009			
6/30/2009			
Total Measure D Funds Received:			Submittal Deadline:
			October 16, 2009
Interest on Measure D Fund Balance for FY 08/09:			
Total Program Expenditures FY 08/09:			-
Ending Measure D Fund Balance for FY 08/09:			-

Program Description and Expenditures

Please provide a brief description of activities financed by your municipality's Measure D allotments and costs incurred during this reporting period.

Administrative costs include contract management, overhead, legal services, etc. (Please provide backup documentation, including allocation methodology, for any allocations used for staff positions, equipment, supplies, services or anything else funded with Measure D monies (i.e. when a percentage of a given expense is funded with Measure D monies).

Direct costs include collection services, printing, containers, payments to program service providers, etc. Please note any payments made to recycling service providers for performance under a contract with your agency.

Administrative Costs \$ 0.00

Enter your description here.

Exhibit C-1

Annual Measure D Programs Report (for Phase I Audit Period) (continued)

Program Description and Expenditures (continued)
Program: Description: Direct Cost: \$0.00
Program: Description: Direct Cost: \$0.00
Program: Description: Direct Cost: \$0.00
Program: Description: Direct Cost: \$0.00
Program: Description: Direct Cost: \$0.00
Program: Description: Direct Cost: \$0.00
Program: Description: Direct Cost: \$0.00
Program: Description: Direct Cost: \$0.00
Program: Description: Direct Cost: \$0.00
Program: Description: Direct Cost: \$0.00



ANNUAL MEASURE D PROGRAMS REPORT

Reporting Fiscal Year: _____

Submittal Deadline for this Report: _____

1. Municipality Contact Information

Program Contact Information:

Municipality Name	
Contact Person	
Title	
Telephone Number	()
Email address	

Municipality Payee Information:

Payee Name	
Department	
Street Address 1	
Street Address 2	
City	
Zip Code	

2. Measure D Payments Received for Fiscal Year _____

Choose One of the Following Methods for Reporting (Cash or Accrual Basis):

Cash Basis		
Quarter Ended	Date Received	Amount
June 30, _____		
September 30, _____		
December 31, _____		
March 31, _____		
June 30, _____	Next Period	

Accrual Basis		
Quarter Ended	Date Recorded	Amount
June 30, _____	Prior Period	
September 30, _____		
December 31, _____		
March 31, _____		
June 30, _____		

Total Measure D Funds Received: \$ _____

\$ _____

As the Chief Executive for _____, I hereby affirm that the \$ _____ in Fiscal Year _____ funds received from StopWaste.Org will be appropriately utilized to continue and expand our municipal recycling program, which may include recycling, composting, source reduction, market development, recycled product procurement, public education, or other purchases related to source reduction and recycling efforts.

City/Agency Manager

Date

Exhibit C-2

Annual Measure D Programs Report (for FY11/12 and Beyond) (continued)



ANNUAL MEASURE D PROGRAMS REPORT (continued)

3. Measure D Fund Balance Information for Fiscal Year _____

Beginning Fund Balance:	\$	<input type="text"/>
Plus Adjustments to Beginning Fund Balance:	\$	<input type="text"/>
Equals Adjusted Beginning Fund Balance:	\$	<input type="text"/>
Plus Total Measure D Funds Received (From Page 1):	\$	<input type="text"/>
Plus Interest Earned on Measure D Fund Balance:	\$	<input type="text"/>
Less Total Measure D Expenditures (From Pages 3 and 4):	\$	<input type="text"/>
Equals Ending Measure D Fund Balance:	\$	<input type="text"/>

Explanation for Adjustments to the Beginning Fund Balance:

4. Program Expenditures for Fiscal Year _____

On the following pages, provide a brief description of activities financed by your program's Measure D allotments and costs incurred during this reporting period. Identify the cost category most closely describing the type of cost incurred. The table below identifies examples of costs in each of six (6) cost categories.

Cost Category	Cost Examples
Administrative Costs	
1. Administrative	<ul style="list-style-type: none"> • Employee salaries • Employee benefits • Legal services • Insurances • Overhead expenses • Contract management
Direct Costs	
2. Franchised Recycling Program	<ul style="list-style-type: none"> • Commercial route curbside recycling collection • Residential route curbside recycling collection • Christmas tree curbside collection • Food scrap and green waste collection
3. Outreach and Education	<ul style="list-style-type: none"> • Promotional items • Earth Day events • Recycling education • Bay Area Recycling Outreach Coalition (BayROC) contributions • Contests/achievement awards • Go Green Initiative outreach • Recycling drives
4. Physical Assets	<ul style="list-style-type: none"> • Outdoor storage containers • Artificial turf football fields • Curbside recycling carts • Recycled content playground structures • Recycled content furniture
5. Professional Services	<ul style="list-style-type: none"> • Rate review services • Collection hauler contract services • Base year composition study
6. Other Expenses	<ul style="list-style-type: none"> • Paper supplies • Memberships • Subscriptions • Postage

Notes:

Please provide supplemental documentation supporting the methodology used to allocate staff positions, equipment, supplies, services, or any other cost funded with Measure D monies (i.e., when a percentage of a cost is funded with Measure D monies).

For each employee that works on Measure D related activities, please provide the following supporting documentation for that employee

- A complete description of the actual Measure D related activities that employee performed
- A description of the methodology used to allocate that employee's time to Measure D activities (when that employee spends time on other activities)
- Supporting documents that substantiate the allocation of an employee's time to Measure D activities (e.g., accounting system reports, summaries of employee timesheet records, or a current cost allocation plan that ties exact allocation percentages to those used in this Annual Report).

It is not sufficient to just estimate an employee's time spent on Measure D activities, without backup documentation.



ANNUAL MEASURE D PROGRAMS REPORT (continued)

4. Program Expenditures for Fiscal Year _____ (continued)

Item/Service: _____ Cost: \$ _____

Description of Cost:

Cost Category:

Administrative

Item/Service: _____ Cost: \$ _____

Description of Cost:

Cost Category:

Administrative

Item/Service: _____ Cost: \$ _____

Description of Cost:

Cost Category:

Item/Service: _____ Cost: \$ _____

Description of Cost:

Cost Category:

Item/Service: _____ Cost: \$ _____

Description of Cost:

Cost Category:

Subtotal: \$ _____



ANNUAL MEASURE D PROGRAMS REPORT (continued)

4. Program Expenditures for Fiscal Year _____ (continued)

Item/Service: _____ Cost: \$ _____

Description of Cost: _____ Cost Category: _____

Item/Service: _____ Cost: \$ _____

Description of Cost: _____ Cost Category: _____

Item/Service: _____ Cost: \$ _____

Description of Cost: _____ Cost Category: _____

Item/Service: _____ Cost: \$ _____

Description of Cost: _____ Cost Category: _____

Item/Service: _____ Cost: \$ _____

Description of Cost: _____ Cost Category: _____

Subtotal: \$ _____
Page 4 of 4

Exhibit C-3

**Annual Recycled Product Preference Program (RPPP) Program Report
(for Phase I and II Audit Period)**



Alameda County Source Reduction and Recycling Board

**FY 07/08 APPLICATION & REPORTING FORM FOR THE
RECYCLED PRODUCT PURCHASE PREFERENCE PROGRAM**

Please respond to the following (use additional sheets if necessary):

1. Briefly describe any new policies, practices or accomplishments in the "Buy Recycled" or Environmentally Preferable Purchasing arena since your application in the prior fiscal year:
(Attach any reports or ordinances you have recently completed.)

Purchase Date	Item/Service Purchased	Brand/ Style	Vendor/Address/ Phone	% Post-consumer content	\$ Amount	Were RPPP funds used for the full-cost of the item or differential? Was it a first-time purchase or subsequent?
TOTAL AMOUNT OF EXPENDITURES:						

2. Please summarize actual expenditures of last year's allocation (FY 06/07) or *previously banked funds* of Recycled Product Purchase Preference Program funds, as indicated in the following chart.

Exhibit C-3

**Annual Recycled Product Preference Program (RPPP) Program Report
(for Phase I and II Audit Period) (continued)**

3. Have you banked any of your RPPP funds received last year or in previous years? (This does not include the amount to be distributed for FY 07/08.)

Yes ___ No ___

If so, what is your RPPP fund balance as of 6/30/08?

Does this amount include the disbursement for FY 06/07 or did it come after 6/30/07?

Please Note: If you have an accumulated fund balance greater than your jurisdiction's last two years of distribution, you must indicate a plan for use of those funds within question #5, before being able to receive the FY 07/08 disbursement.

4. Has any purchasing contract language been reviewed or modified to allow for post-consumer recycled content or environmentally preferable products? If yes, please specify the contract(s) and changes made.
5. Please outline the intended uses of the funds to be disbursed for FY 07/08 and intended uses of any previously banked funds (indicate as such). Please Note: These funds should be spent on recycled product purchases services by June 30, 2008, if possible.

Goods/Services to be Purchased	Indicate Timeline for Purchasing Item	Estimated Cost	Need Purchasing Assistance? (Y/N)	Staff Contact/Phone for this Purchase
Estimated Total Cost of Planned Expenditures:				

6. Is your jurisdiction interested in receiving assistance to develop an Environmentally Preferable Purchasing Policy in the coming year? If so, please list the name of the person responsible for implementation.

7. Please answer the following questions by checking the appropriate space.

Does your jurisdiction need assistance in:	Yes	No
(a) Identifying environmentally preferable or recycled content products suitable for your jurisdiction?	___	___
(b) Developing or using specifications for recycled content products?	___	___
(c) Developing tracking programs to track recycled content purchases?	___	___
(d) Staffing to administer this program?	___	___
(e) Training staff on how to find or use recycled content products?	___	___
(f) Developing and implementing EPP or recycled content policies?	___	___
(g) Did your jurisdiction use the services of Beth Eckl or Delyn Kies this past year?	___	___

8. Any other comments on the Authority's recycled content or environmentally preferable purchasing assistance:

Please provide the address where the check should be mailed to:

Member Agency
1234 Main Street
Any Town, CA 94567

Attn: Accounts Executive

As the Chief Executive for Member Agency, I hereby affirm that the \$ XX,XXX in allocated FY 2007/08 funds received from StopWaste.Org will be appropriately utilized to establish, continue, strengthen or expand the "Buy Recycled" policies or practices of our agency, and that the \$ XX,XXX in funds received in FY 2006/07 or previously banked funds have been expended as described above. I understand that a report on the utilization of the current year funds and the results obtained from their expenditure will be a prerequisite to receiving funding in future years.

City/Agency Manager

Date: _____

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Appendix D

Selected Member Agency Measure D Compliance Tests



Appendix D

Selected Member Agency Measure D Compliance Tests

In this appendix, we provide results of our tests of member agency compliance with the following three (3) Measure D compliance requirements:

1. Measure D Member Agency Interest Reporting Requirement (see **Exhibit D-1**, on the next page)
2. Measure D Member Agency Expenditure Plan Requirement (see **Exhibit D-2**, on page D-5)
3. Measure D Member Agency Recycled Product Purchase Preference (RPPP) Program Expenditure Approval Requirement (see **Exhibit D-3**, on page D-7).

Exhibit D-1

Member Agencies

Test for Interest Reporting Requirement

(Phase I: Fiscal Years 2006/07, 2007/08, and 2008/09)

(Phase II: Fiscal Years 2009/10 and 2010/11)

Fiscal Year 2006/07

Member Agency	Total Est. Population Based Disbursement in FY 2005/06	Threshold for Reporting Interest	Beginning Fund Balance FY 2006/07	Must Report Interest	Did Report Interest
1. City of Alameda	\$316,851.00	\$316,851.00	–	No	Yes
2. City of Albany	71,097.00	300,000.00	\$57,265.24	No	Yes
3. City of Berkeley	445,396.00	445,396.00	–	No	No
4. City of Dublin	167,309.00	300,000.00	150,621.00	No	Yes
5. City of Emeryville	33,652.00	300,000.00	24,458.32	No	Yes
6. City of Hayward	617,822.00	617,822.00	2,005,848.41	Yes	Yes
7. City of Livermore	337,920.00	337,920.00	849,750.00	Yes	Yes
8. City of Oakland	1,753,047.00	1,753,047.00	–	No	No
9. City of Piedmont	47,001.00	300,000.00	76,021.00	No	No
10. City of Pleasanton	286,941.00	300,000.00	1,665,422.00	Yes	Yes
11. City of San Leandro	207,963.00	300,000.00	433,436.00	Yes	Yes
12. Castro Valley Sanitary District	216,445.00	300,000.00	447,415.00	Yes	Yes
13. Oro Loma Sanitary District	479,179.00	479,179.00	29,181.00	No	No

Fiscal Year 2007/08

Member Agency	Total Est. Population Based Disbursement in FY 2006/07	Threshold for Reporting Interest	Beginning Fund Balance FY 2007/08	Must Report Interest	Did Report Interest
1. City of Alameda	\$324,940.00	\$324,940.00	\$60,619.34	No	Yes
2. City of Albany	72,844.00	300,000.00	67,856.86	No	Yes
3. City of Berkeley	460,235.00	460,235.00	–	No	No
4. City of Dublin	183,016.00	300,000.00	266,451.55	No	Yes
5. City of Emeryville	37,282.00	300,000.00	31,973.86	No	Yes
6. City of Hayward	646,448.00	646,448.00	2,219,959.10	Yes	Yes
7. City of Livermore	359,626.00	359,626.00	407,828.97	Yes	Yes
8. City of Oakland	1,798,206.00	1,798,206.00	–	No	No
9. City of Piedmont	48,035.00	300,000.00	80,754.34	No	No
10. City of Pleasanton	296,427.00	300,000.00	921,464.58	Yes	Yes
11. City of San Leandro	214,797.00	300,000.00	442,591.11	Yes	Yes
12. Castro Valley Sanitary District	222,189.00	300,000.00	422,220.63	Yes	Yes
13. Oro Loma Sanitary District	496,637.00	496,637.00	97,641.00	No	No

Exhibit D-1

Member Agencies

Test for Interest Reporting Requirement

(Phase I: Fiscal Years 2006/07, 2007/08, and 2008/09)

(Phase II: Fiscal Years 2009/10 and 2010/11) *(continued)*

Fiscal Year 2008/09

Member Agency	Total Est. Population Based Disbursement in FY 2007/08	Threshold for Reporting Interest	Beginning Fund Balance FY 2008/09	Must Report Interest	Did Report Interest
1. City of Alameda	\$292,118.00	\$300,000.00	–	No	Yes
2. City of Albany	65,371.00	300,000.00	\$30,626.47	No	Yes
3. City of Berkeley	413,080.00	413,080.00	–	No	No
4. City of Dublin	168,584.00	300,000.00	345,798.67	Yes	Yes
5. City of Emeryville	34,501.00	300,000.00	40,868.94	No	Yes
6. City of Hayward	731,838.00	731,838.00	2,400,552.00	Yes	Yes
7. City of Livermore	407,706.00	407,706.00	309,718.46	No	Yes
8. City of Oakland	1,617,128.00	1,617,128.00	–	No	No
9. City of Piedmont	43,078.00	300,000.00	12,729.95	No	No
10. City of Pleasanton	266,695.00	300,000.00	498,481.16	Yes	Yes
11. City of San Leandro	195,637.00	300,000.00	358,691.53	Yes	Yes
12. Castro Valley Sanitary District	199,526.00	300,000.00	292,423.34	No	yes
13. Oro Loma Sanitary District	452,342.00	452,342.00	154,697.00	No	No

Fiscal Year 2009/10

Member Agency	Total Est. Population Based Disbursement in FY 2008/09	Threshold for Reporting Interest	Beginning Fund Balance FY 2009/10	Must Report Interest	Did Report Interest
1. City of Alameda	\$264,325.00	\$300,000.00	–	No	Yes
2. City of Albany	58,835.00	300,000.00	\$16,187.73	No	Yes
3. City of Berkeley	371,956.00	371,956.00	–	No	No
4. City of Dublin	163,617.00	300,000.00	237,452.61	No	Yes
5. City of Emeryville	25,821.00	300,000.00	40,159.32	No	Yes
6. City of Hayward	520,142.00	520,142.00	1,862,163.26	Yes	Yes
7. City of Livermore	291,452.00	300,000.00	343,283.94	Yes	Yes
8. City of Oakland	1,464,798.00	1,464,798.00	–	No	No
9. City of Piedmont	38,696.00	300,000.00	66.47	No	No
10. City of Pleasanton	241,894.00	300,000.00	134,376.77	No	Yes
11. City of San Leandro	177,454.00	300,000.00	254,005.40	No	Yes
12. Castro Valley Sanitary District	179,950.00	300,000.00	160,138.04	No	Yes
13. Oro Loma Sanitary District	411,732.00	411,732.00	179,540.00	No	No

Exhibit D-1

Member Agencies

Test for Interest Reporting Requirement

(Phase I: Fiscal Years 2006/07, 2007/08, and 2008/09)

(Phase II: Fiscal Years 2009/10 and 2010/11) *(continued)*

Fiscal Year 2010/11

Member Agency	Total Est. Population Based Disbursement in FY 2009/10	Threshold for Reporting Interest	Beginning Fund Balance FY 2010/11	Must Report Interest	Did Report Interest
1. City of Alameda	\$233,956.00	\$300,000.00	–	No	Yes
2. City of Albany	52,258.00	300,000.00	\$1,582.41	No	No
3. City of Berkeley	330,775.00	330,775.00	25,889.00	No	No
4. City of Dublin	146,481.00	300,000.00	203,324.89	No	Yes
5. City of Emeryville	23,230.00	300,000.00	32,908.35	No	Yes
6. City of Fremont	n/a	n/a	–	n/a	n/a
7. City of Hayward	345,217.00	345,217.00	779,708.48	Yes	Yes
8. City of Livermore	259,644.00	300,000.00	388,969.83	Yes	Yes
9. City of Newark	n/a	n/a	–	n/a	n/a
10. City of Oakland	1,306,414.00	1,306,414.00	–	No	No
11. City of Piedmont	34,422.00	300,000.00	(14,858.52)	No	No
12. City of Pleasanton	215,421.00	300,000.00	268,030.35	No	Yes
13. City of San Leandro	154,463.00	300,000.00	166,292.05	No	Yes
14. City of Union City	n/a	n/a	–	n/a	n/a
15. Castro Valley Sanitary District	160,306.00	300,000.00	104,967.16	No	Yes
16. Oro Loma Sanitary District	358,386.00	358,386.00	163,573.00	No	No

Exhibit D-2

Member Agencies

Test for Expenditure Plan Requirement

(Phase I: Fiscal Years 2007/08 and 2008/09)

(Phase II: Fiscal Years 2009/10 and 2010/11)

Fiscal Year 2007/08

Member Agency	Prior 8 quarters of Disbursements (FY 2006/07, 2007/08)	Beginning Fund Balance FY 2008/09	Must Prepare Expenditure Plan	Expenditure Plan Prepared
1. City of Alameda	\$617,058.00	–	No	Not required
2. City of Albany	138,215.00	\$30,626.47	No	Not required
3. City of Berkeley	873,315.00	–	No	Not required
4. City of Dublin	351,600.00	345,798.67	No	Not required
5. City of Emeryville	71,783.00	40,868.94	No	Not required
6. City of Hayward	1,378,286.00	2,400,552.00	Yes	Yes
7. City of Livermore	767,332.00	309,718.46	No	Not required
8. City of Oakland	3,415,334.00	–	No	Not required
9. City of Piedmont	91,113.00	12,729.95	No	Not required
10. City of Pleasanton	563,122.00	498,481.16	No	Not required
11. City of San Leandro	410,434.00	358,691.53	No	Not required
12. Castro Valley Sanitary District	421,715.00	292,423.34	No	Not required
13. Oro Loma Sanitary District	948,979.00	154,697.00	No	Not required

Fiscal Year 2008/09

Member Agency	Prior 8 quarters of Disbursements (FY 2007/08, 2008/09)	Beginning Fund Balance FY 2009/10	Must Prepare Expenditure Plan	Expenditure Plan Prepared
1. City of Alameda	\$556,443.00	–	No	Not required
2. City of Albany	124,206.00	\$16,187.73	No	Not required
3. City of Berkeley	785,036.00	–	No	Not required
4. City of Dublin	332,201.00	237,452.61	No	Not required
5. City of Emeryville	60,322.00	40,159.32	No	Not required
6. City of Hayward	1,251,980.00	1,862,163.26	Yes	Yes
7. City of Livermore	699,158.00	343,283.94	No	Not required
8. City of Oakland	3,081,926.00	–	No	Not required
9. City of Piedmont	81,774.00	66.47	No	Not required
10. City of Pleasanton	508,589.00	134,377.08	No	Not required
11. City of San Leandro	373,091.00	254,005.40	No	Not required
12. Castro Valley Sanitary District	379,476.00	160,138.04	No	Not required
13. Oro Loma Sanitary District	864,074.00	179,540.00	No	Not required

Appendix D. Selected Member Agency Measure D Compliance Tests

Exhibit D-2

Member Agencies

Test for Expenditure Plan Requirement

(Phase I: Fiscal Years 2007/08 and 2008/09)

(Phase II: Fiscal Years 2009/10 and 2010/11) *(continued)*

Page 2 of 2

Fiscal Year 2009/10

Member Agency	Prior 8 quarters of Disbursements (FY 2008/09, 2009/10)	Beginning Fund Balance FY 2010/11	Must Prepare Expenditure Plan	Expenditure Plan Prepared
1. City of Alameda	\$498,281.00	–	No	Not required
2. City of Albany	111,093.00	\$1,582.41	No	Not required
3. City of Berkeley	702,731.00	25,889.00	No	Not required
4. City of Dublin	310,098.00	203,324.89	No	Not required
5. City of Emeryville	49,051.00	32,908.35	No	Not required
6. City of Hayward	865,359.00	779,708.48	No	Not required
7. City of Livermore	551,096.00	388,969.83	No	Not required
8. City of Oakland	2,771,212.00	–	No	Not required
9. City of Piedmont	73,118.00	(14,858.52)	No	Not required
10. City of Pleasanton	457,315.00	268,030.35	No	Not required
11. City of San Leandro	331,917.00	166,292.05	No	Not required
12. Castro Valley Sanitary District	340,256.00	104,967.16	No	Not required
13. Oro Loma Sanitary District	770,118.00	163,573.00	No	Not required

Fiscal Year 2010/11

Member Agency	Prior 8 quarters of Disbursements (FY 2009/10, 2010/11)	Beginning Fund Balance FY 2011/12	Must Prepare Expenditure Plan	Expenditure Plan Prepared
1. City of Alameda	\$448,867.00	–	No	Not required
2. City of Albany	100,768.00	–	No	Not required
3. City of Berkeley	638,908.00	\$34,022.00	No	Not required
4. City of Dublin	285,617.00	177,346.01	No	Not required
5. City of Emeryville	67,710.00	45,720.13	No	Not required
6. City of Fremont	444,349.00	–	No	Not required
7. City of Hayward	790,818.00	885,237.19	Yes	Yes
8. City of Livermore	502,779.00	462,602.21	No	Not required
9. City of Newark	90,407.00	90,407.00	No	Not required
10. City of Oakland	2,533,785.00	–	No	Not required
11. City of Piedmont	66,519.00	39.86	No	Not required
12. City of Pleasanton	416,943.00	416,367.88	No	Not required
13. City of San Leandro	299,723.00	72,980.72	No	Not required
14. City of Union City	152,891.00	152,891.00	No	Not required
15. Castro Valley Sanitary District	310,407.00	2,180.53	No	Not required
16. Oro Loma Sanitary District	696,382.00	92,212.00	No	Not required

Exhibit D-3

Member Agencies

Recycled Product Purchase Preference (RPPP) Program – Test for Funding Approval Requirement

(Phase I: Fiscal Years 2006/07, 2007/08, and 2008/09)

(Phase II: Fiscal Years 2009/10 and 2010/11)

Fiscal Year 2006/07

Member Agency	FY 2005/06 RPPP Funds	FY 2006/07 RPPP Funds	Total Prior Two (2) Years of RPPP Funds	Beginning Fund Balance FY 2007/08	Approval Required for Additional Funds
1. City of Alameda	\$13,611	\$13,868	\$27,479	\$38,938	Yes
2. City of Albany	6,933	6,988	13,921	7,415	No
3. City of Berkeley	17,074	17,560	34,634	32,867	No
4. City of Dublin	8,867	9,995	18,862	–	No
5. City of Emeryville	5,843	6,017	11,860	10,319	No
6. City of Hayward	21,656	22,448	44,104	78,514	Yes
7. City of Livermore	13,853	14,706	28,559	12,024	No
8. City of Oakland	52,186	54,074	106,260	165,603	Yes
9. City of Piedmont	6,287	6,311	12,598	4,335	No
10. City of Pleasanton	12,641	13,090	25,731	57,812	Yes
11. City of San Leandro	10,630	10,798	21,428	11,158	No
12. Castro Valley Sanitary District	10,856	11,064	21,920	55,349	Yes
13. Oro Loma Sanitary District	17,967	18,405	36,372	14,565	No

Fiscal Year 2007/08

Member Agency	FY 2006/07 RPPP Funds	FY 2007/08 RPPP Funds	Total Prior Two (2) Years of RPPP Funds	Beginning Fund Balance FY 2008/09	Approval Required for Additional Funds
1. City of Alameda	\$13,868	\$12,468	\$26,336	\$19,826	No
2. City of Albany	6,988	6,674	13,662	9,914	No
3. City of Berkeley	17,560	17,560	35,120	39,114	Yes
4. City of Dublin	9,995	9,205	19,200	9,205	No
5. City of Emeryville	6,017	5,857	11,874	16,033	Yes
6. City of Hayward	22,448	19,695	42,143	43,549	Yes
7. City of Livermore	14,706	13,175	27,881	24,256	No
8. City of Oakland	54,074	46,330	100,404	143,536	Yes
9. City of Piedmont	6,311	6,104	12,415	–	No
10. City of Pleasanton	13,090	11,813	24,903	2,179	No
11. City of San Leandro	10,798	9,883	20,681	5,463	No
12. Castro Valley Sanitary District	11,064	10,107	21,171	13,219	No
13. Oro Loma Sanitary District	18,405	16,289	34,694	10,860	No

Appendix D. Selected Member Agency Measure D Compliance Tests

Exhibit D-3

Member Agencies

Recycled Product Purchase Preference (RPPP) Program – Test for Funding Approval Requirement

(Phase I: Fiscal Years 2006/07, 2007/08, and 2008/09)

(Phase II: Fiscal Years 2009/10 and 2010/11) (continued)

Page 2 of 3

Fiscal Year 2008/09

Member Agency	FY 2007/08 RPPP Funds	FY 2008/09 RPPP Funds	Total Prior Two (2) Years of RPPP Funds	Beginning Fund Balance FY 2009/10	Approval Required for Additional Funds
1. City of Alameda	\$12,468	\$6,700	\$19,168	\$4,806	No
2. City of Albany	6,674	5,381	12,055	11,462	No
3. City of Berkeley	17,560	5,426	22,986	44,540	Yes
4. City of Dublin	9,205	5,957	15,162	–	No
5. City of Emeryville	5,857	5,195	11,052	21,228	Yes
6. City of Hayward	19,695	8,345	28,040	40,792	Yes
7. City of Livermore	13,175	6,861	20,036	17,778	No
8. City of Oakland	46,330	14,408	60,738	82,581	Yes
9. City of Piedmont	6,104	5,251	11,355	5,196	No
10. City of Pleasanton	11,813	6,551	18,364	8,138	No
11. City of San Leandro	9,883	6,111	15,994	4,296	No
12. Castro Valley Sanitary District	10,107	6,162	16,269	14,430	No
13. Oro Loma Sanitary District	16,289	7,570	23,859	18,430	No

Fiscal Year 2009/10

Member Agency	FY 2008/09 RPPP Funds	FY 2009/10 RPPP Funds	Total Prior Two (2) Years of RPPP Funds	Beginning Fund Balance FY 2010/11	Approval Required for Additional Funds
1. City of Alameda	\$6,700	\$2,900	\$9,600	\$7,706	No
2. City of Albany	5,381	2,900	8,281	–	No
3. City of Berkeley	5,426	2,900	8,326	47,440	Yes
4. City of Dublin	5,957	2,900	8,857	2,900	No
5. City of Emeryville	5,195	2,900	8,095	24,128	Yes
6. City of Hayward	8,345	2,900	11,245	3,667	No
7. City of Livermore	6,861	2,900	9,761	14,645	Yes
8. City of Oakland	14,408	2,900	17,308	80,264	Yes
9. City of Piedmont	5,251	2,900	8,151	1,879	No
10. City of Pleasanton	6,551	2,900	9,451	5,098	No
11. City of San Leandro	6,111	2,900	9,011	–	No
12. Castro Valley Sanitary District	6,162	2,900	9,062	17,296	Yes
13. Oro Loma Sanitary District	7,570	2,900	10,470	19,136	Yes

Exhibit D-3**Member Agencies****Recycled Product Purchase Preference (RPPP) Program – Test for Funding Approval Requirement****(Phase I: Fiscal Years 2006/07, 2007/08, and 2008/09)****(Phase II: Fiscal Years 2009/10 and 2010/11)** *(continued)**Page 3 of 3***Fiscal Year 2010/11**

Member Agency	FY 2009/10 RPPP Funds	FY 2010/11 RPPP Funds	Total Prior Two (2) Years of RPPP Funds	Beginning Fund Balance FY 2011/12	Approval Required for Additional Funds
1. City of Alameda	\$2,900	–	\$2,900	\$1,744	No
2. City of Albany	2,900	–	2,900	–	No
3. City of Berkeley	2,900	–	2,900	47,440	Yes
4. City of Dublin	2,900	–	2,900	–	No
5. City of Emeryville	2,900	–	2,900	–	No
6. City of Hayward	2,900	–	2,900	3,667	Yes
7. City of Livermore	2,900	–	2,900	14,645	Yes
8. City of Oakland	2,900	–	2,900	66,795	Yes
9. City of Piedmont	2,900	–	2,900	1,879	No
10. City of Pleasanton	2,900	–	2,900	1,662	No
11. City of San Leandro	2,900	–	2,900	–	No
12. Castro Valley Sanitary District	2,900	–	2,900	17,296	Yes
13. Oro Loma Sanitary District	2,900	–	2,900	10,024	Yes

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Appendix E

Measure D Fund Balances



Appendix E Measure D Fund Balances

This appendix provides a summary of Measure D fund balances for the Recycling Board and the member agencies. These fund balances result from our detailed review of the Recycling Board, and member agency, finances during this Five Year Audit. Subsection 64.040(C) of Measure D requires an accounting of monies spent by the Recycling Board as part of the Five Year Audit and results provided in this appendix fulfill this accounting requirement.

This appendix is organized as follows:

- A. *Recycling Board Fund Balances*
- B. *Member Agency Fund Balances.*

A. Recycling Board Fund Balances

The Recycling Board uses eight (8) Measure D program fund accounts. These eight (8) accounts include:

1. Member Agencies
2. Non-Profit Grant Program
3. Source Reduction Program
4. Recycled Product Market Development Program
5. Recycled Product Purchase Preference (RPPP) Program
6. Discretionary
7. Administration
8. Revolving Loan Fund.

Each of these accounts, excluding the revolving loan fund, received Measure D surcharge monies, based on the Measure D, Subsection 64.060(B) distribution requirements. Member agency (“per capita”), discretionary, and revolving loan funds generated additional revenues from interest allocations, based on daily fund balances. The revolving loan fund also generated revenues from loan repayments.

Each of the Recycling Board’s eight (8) funds had expenditures, and carried a balance during each of the five fiscal years. These Measure D fund balances are presented in **Table E-1**, on page E-3.

Exhibit E-1, on the following page, presents the Measure D surcharge revenues, interest allocations, program expenditures, and beginning and ending balances of Measure D program funds, for the five (5) fiscal years of, 2006/07, 2007/08, 2008/09, 2009/10, and 2010/11.

Appendix E. Measure D Fund Balances

Exhibit E-1

Alameda County Source Reduction and Recycling Board Changes in Measure D Program Fund Balances (Phase I: Fiscal Years 2006/07, 2007/08, and 2008/09)

	Member Agencies	Non-Profit Grant Program	Source Reduction Program	Recycled Product Market Development Program	Recycled Product Purchase Preference (RPPP) Program	Discretionary	Administration	Revolving Loan Fund	Pre-March 1995	Total
FY 2006/07										
Beginning Fund Balance	\$13,702	\$1,483,099	\$1,134,546	\$606,019	\$217,553	\$1,023,608	\$264,351	\$2,267,079	\$784,905	\$7,794,862
Revenues										
Measure D Fees	5,115,611	1,023,122	1,023,123	1,023,123	511,561	1,227,746	306,936	-	-	10,231,222
<i>(Validated Percent Allocation)</i>	<i>(50%)</i>	<i>(10%)</i>	<i>(10%)</i>	<i>(10%)</i>	<i>(5%)</i>	<i>(12%)</i>	<i>(3%)</i>	<i>(0%)</i>	-	<i>(100%)</i>
Interest	34,040	-	-	-	-	295,094	-	40,623	-	369,757
Other	-	-	-	3,954	-	-	-	71,199	-	75,153
Total Revenues	5,149,651	1,023,122	1,023,123	1,027,077	511,561	1,522,840	306,936	111,822	-	10,676,132
Expenditures	5,141,813	727,222	1,233,729	828,894	501,030	1,173,741	276,394	52,792	-	9,935,615
Ending Fund Balance	\$21,540	\$1,778,999	\$927,894	\$800,248	\$228,084	\$1,372,707	\$294,893	\$2,326,109	\$784,905	\$8,535,379
FY 2007/08										
Beginning Fund Balance	\$21,540	\$1,778,999	\$927,894	\$800,248	\$228,084	\$1,372,707	\$294,893	\$2,326,109	\$784,905	\$8,535,379
Revenues										
Measure D Fees	4,589,799	917,961	917,960	917,960	458,980	1,101,552	275,388	-	-	9,179,600
<i>(Validated Percent Allocation)</i>	<i>(50%)</i>	<i>(10%)</i>	<i>(10%)</i>	<i>(10%)</i>	<i>(5%)</i>	<i>(12%)</i>	<i>(3%)</i>	<i>(0%)</i>	-	<i>(100%)</i>
Interest	36,550	-	-	-	-	375,459	-	54,297	-	466,306
Other	-	-	-	4,316	-	1,000	-	54,497	-	59,813
Total Revenues	4,626,349	917,961	917,960	922,276	458,980	1,478,011	275,388	108,794	-	9,705,719
Expenditures	4,626,659	1,100,767	1,398,319	939,129	581,507	1,385,319	197,770	65,376	-	10,294,846
Ending Fund Balance	\$21,230	\$1,596,193	\$451,851	\$779,079	\$105,557	\$1,465,399	\$372,511	\$2,369,527	\$784,905	\$7,964,252
FY 2008/09										
Beginning Fund Balance	\$21,230	\$1,596,193	\$451,851	\$779,079	\$105,557	\$1,465,399	\$372,511	\$2,369,527	\$784,905	\$7,946,252
Revenues										
Measure D Fees	\$4,173,329	\$834,666	\$834,666	\$834,666	\$417,333	\$1,001,599	\$250,400	-	-	\$8,346,659
<i>(Validated Percent Allocation)</i>	<i>(50%)</i>	<i>(10%)</i>	<i>(10%)</i>	<i>(10%)</i>	<i>(5%)</i>	<i>(12%)</i>	<i>(3%)</i>	<i>(0%)</i>	-	<i>(100%)</i>
Interest	17,455	-	-	-	-	173,613	-	31,298	-	222,366
Other	-	-	2,634	-	-	-	-	54,810	-	57,444
Total Revenues	\$4,190,784	\$834,666	\$837,300	\$834,666	\$417,333	\$1,175,212	\$250,400	\$86,108	-	\$8,626,469
Expenditures	4,198,010	1,145,066	764,463	795,311	431,230	1,477,516	151,686	108,580	-	9,071,862
Ending Fund Balance	\$14,004	\$1,285,793	\$524,688	\$818,434	\$91,660	\$1,163,095	\$471,225	\$2,347,055	\$784,905	\$7,500,859

Exhibit E-1

**Alameda County Source Reduction and Recycling Board
Changes in Measure D Program Fund Balances
(Phase II: Fiscal Years 2009/10 and 2010/11) (continued)**

	Member Agencies	Non-Profit Grant Program	Source Reduction Program	Recycled Product Market Development Program	Recycled Product Purchase Preference (RPPP) Program	Discretionary	Administration	Revolving Loan Fund	Pre-March 1995	Total
FY 2009/10										
Beginning Fund Balance	\$14,004	\$1,285,793	\$524,688	\$818,434	\$91,660	\$1,163,095	\$471,225	\$2,347,055	\$784,905	\$7,500,859
Revenues										
Measure D Fees	3,722,584	744,517	744,517	744,517	372,258	893,420	223,355	-	-	7,445,168
<i>(Validated Percent Allocation)</i>	<i>(50%)</i>	<i>(10%)</i>	<i>(10%)</i>	<i>(10%)</i>	<i>(5%)</i>	<i>(12%)</i>	<i>(3%)</i>	<i>(0%)</i>	-	<i>(100%)</i>
Interest	4,771	-	-	-	-	55,086	-	7,645	-	67,502
Other	-	-	1,876	-	-	220,000	-	66,589	(220,000)	68,465
Total Revenues	3,777,355	744,517	746,393	744,517	372,258	1,204,506	223,355	74,234	(220,000)	7,481,135
Expenditures	3,740,291	902,095	833,506	1,026,643	442,848	1,391,436	139,839	205,845	-	8,682,503
Ending Fund Balance	1,068	1,128,215	437,575	536,308	21,070	940,165	554,741	2,215,444	564,905	6,399,491
FY 2010/11										
Beginning Fund Balance	1,068	1,128,215	437,575	536,308	21,070	940,165	554,741	2,215,444	564,905	6,399,491
Revenues										
Measure D Fees	4,178,748	837,550	837,550	837,550	418,775	1,005,060	251,265	-	-	8,375,498
<i>(Validated Percent Allocation)</i>	<i>(50%)</i>	<i>(10%)</i>	<i>(10%)</i>	<i>(10%)</i>	<i>(5%)</i>	<i>(12%)</i>	<i>(3%)</i>	<i>(0%)</i>	-	<i>(100%)</i>
Interest	3,541	-	-	-	-	35,351	-	8,956	-	47,848
Other	-	-	-	-	-	-	-	39,625	-	39,625
Total Revenues	4,187,748	837,550	837,550	837,550	418,775	1,041,041	251,265	48,581	-	8,462,971
Expenditures	4,191,287	917,762	783,227	523,161	377,976	1,045,541	125,109	50,243	-	8,014,306
Ending Fund Balance	1,070	1,048,003	491,898	850,697	61,869	935,035	680,897	2,213,782	564,906	\$6,848,157

Table E-1
Alameda County Source Reduction and Recycling Board
Measure D Program Fund Balances
(Phase I: Fiscal Years 2006/07, 2007/08, and 2008/09)

Account Number	Program	Beginning Fund Balance			Ending Fund Balance
		FY 2006/07	FY 2007/08	FY 2008/09	FY 2008/09
RB 27	Member Agencies	\$13,702	\$21,540	\$21,230	\$14,004
RB 6C	Non-Profit Grant Program	1,483,099	1,778,999	1,596,193	1,285,793
RB 6D	Source Reduction Program	1,134,546	927,894	451,851	524,688
RB 6E	Recycled Product Market Development Program	606,019	800,248	779,079	818,434
RB 6F	Recycled Product Purchase Preference (RPPP) Program	217,553	228,084	105,557	91,660
RB 6B	Discretionary	1,023,608	1,372,707	1,465,399	1,163,095
RB 6A	Administration	264,351	294,893	372,511	471,225
RB 26	Revolving Loan Fund	2,267,079	2,326,109	2,369,527	2,347,055
	Pre-March 1995 Funds Collected	784,905	784,905	784,905	784,905
	Total	\$7,794,862	\$8,535,379	\$7,946,252	\$7,500,859

(Phase II: Fiscal Years 2009/10, 2010/11)

Account Number	Program	Beginning Fund Balance		Ending Fund Balance
		FY 2009/10	FY 2010/11	FY 2010/11
RB 27	Member Agencies	\$14,004	\$1,068	\$1,070
RB 6C	Non-Profit Grant Program	1,285,793	1,128,215	1,048,003
RB 6D	Source Reduction Program	524,688	437,575	491,898
RB 6E	Recycled Product Market Development Program	818,434	536,307	850,696
RB 6F	Recycled Product Purchase Preference (RPPP) Program	91,660	21,071	61,869
RB 6B	Discretionary	1,163,095	940,165	935,035
RB 6A	Administration	471,225	554,741	680,897
RB 26	Revolving Loan Fund	2,347,055	2,215,444	2,213,782
	Pre-March 1995 Funds Collected	784,905	564,905	564,905
	Total	\$7,500,859	\$6,399,491	\$6,848,157

The Recycling Board maintained overall fund balances of between \$6.40 million and \$8.54 million for the five fiscal years. The revolving loan fund carried the largest balance, or approximately \$2.3 million for each fiscal year. The revolving loan fund does not receive annual Measure D surcharge monies. The ending Recycling Board fund balance for the five fiscal years was \$6,848,157.

The member agency “per capita” fund maintained the smallest balance. The year-ending

member agency fund balance represents a very small portion of the total Measure D “per capita” funds distributed to member agencies, or less than one (1) percent.

B. Member Agency Fund Balances

Member agencies receive “per capita” funds on a quarterly basis, and RPPP program funds on an annual basis. Member agencies tracked expenditures

each year, accounting for the beginning fund balance, expenditures, and ending fund balance.¹ **Table E-2**, on the following page, presents member agency “per capita” fund balances at the beginning and end of Phase I and Phase II.

Few member agencies expended their entire Measure D “per capita” funds in any given year. At the end of Phase I, just four (4) member agencies had a zero, or close to zero, fund balance. Member agencies’ ending fund balances for Phase I ranged between \$0 and \$1,862,163. Member agencies carried an average fiscal year 2008/09 ending fund balance of approximately \$257,000.

At the end of Phase II, five (5) member agencies had a zero, or close to zero, fund balance. Member agencies’ ending fund balances at the end of Phase II ranged between \$0 and \$885,237. Member agencies carried an average fiscal year 2010/11 ending fund balance of approximately \$161,000.

Table E-3, on page E-5, presents member agency recycled product purchase program (RPPP) fund balances at the beginning and end of Phase I and Phase II. Fund balances are adjusted to reflect actual RPPP expenditures. For nearly all member agencies, except for the City of Berkeley and Castro Valley Sanitary District, ending RPPP fund balances decreased from Phase I to Phase II.

At the end of Phase I, ending fiscal year 2008/09 RPPP fund balances ranged between \$0 and \$82,582. Only one member agency had a zero RPPP fund balance at the end of Phase I, however the average member agency RPPP fund balance was relatively small at approximately \$21,000.

At the end of Phase II, ending fiscal year 2010/11 RPPP fund balances ranged between \$0 and \$66,796. Four (4) member agencies had a zero RPPP fund balance at the end of Phase II, and the average member agency RPPP fund balance continued to be relatively small at approximately \$13,000.

¹ The fund balance is the amount of funds remaining after expenditures have been deducted from the beginning balance and revenues received (including interest), in the fiscal year.

Table E-2
Member Agencies
Measure D “Per Capita” Fund Balances
(Phase I: Fiscal Years 2006/07, 2007/08, and 2008/09)

Member Agency	Fund Balance as of June 30, 2006	Plus Monies Received Over Three Phase I Fiscal Years ¹	Plus Interest Income Over Three Phase I Fiscal Years	Less Monies Expended Over Three Phase I Fiscal Years	Plus Adjustments ⁴	Fund Balance as of June 30, 2009
1. City of Alameda	\$0	\$881,383	\$285,528	(\$1,166,911)	\$0	\$0
2. City of Albany	54,566	197,050	5,174	(243,301)	2,699	16,188
3. City of Berkeley	–	1,245,271	–	(1,245,271)	–	–
4. City of Dublin	148,436	515,217	47,451	(475,837)	2,185	237,452
5. City of Emeryville	26,706	97,604	4,187	(86,090)	(2,248)	40,159
6. City of Hayward	1,977,467	1,898,428	288,666	(2,330,779)	28,381	1,862,163
7. City of Livermore	849,750	1,058,784	36,220	(1,601,470)	–	343,284
8. City of Oakland	–	4,880,132	–	(4,880,132)	–	–
9. City of Piedmont	76,021	129,809	–	(205,764)	–	66
10. City of Pleasanton ²	1,134,232	805,016	120,665	(2,456,726)	531,190	134,377
11. City of San Leandro ³	433,436	587,888	102,766	(870,085)	117,603	371,608
12. Castro Valley Sanitary District	447,415	601,665	38,110	(927,052)	–	160,138
13. Oro Loma Sanitary District	29,181	1,360,711	–	(1,210,352)	–	179,540
Total	\$5,177,210	\$14,258,958	\$928,767	(\$17,699,770)	\$679,810	\$3,344,975

¹ The amounts shown in this column do not match the amounts in Table 2-5 due to timing differences between amounts paid by the Recycling Board and amounts reported on member agency annual reports.

(a) The City of Emeryville recorded the last fiscal year 2008/09 payment, from the Recycling Board, of \$8,088 in its fiscal year 2009/10 (\$105,692 - \$8,088 = \$97,604).

(b) The City of Hayward included the fourth quarter fiscal year 2005/06 payment, from the Recycling Board, of \$164,158 in its fiscal year 2006/07 (for a total of 13 payments, \$1,734,270 + \$164,158 = \$1,898,428).

(c) The City of Livermore included the fourth quarter fiscal year 2005/06 payment, from the Recycling Board, of \$91,323 in its fiscal year 2006/07 (for a total of 13 payments, \$967,461 + \$91,323 = \$1,058,784).

(d) The City of San Leandro included the fourth quarter fiscal year 2005/06 payment, from the Recycling Board, of \$54,545 in its fiscal year 2006/07; and recorded the last fiscal year 2008/09 payment from the Recycling Board of \$40,834 in its fiscal year 2009/10 (\$574,177 + \$54,545 - \$40,834 = \$587,888).

(e) The Oro Loma Sanitary District included the fourth quarter fiscal year 2005/06 payment, from the Recycling Board, of \$126,115 in its fiscal year 2006/07; and recorded the last fiscal year 2008/09 payment from the Recycling Board of \$94,744 in its fiscal year 2009/10 (\$1,329,339 + \$126,115 - \$94,743 = \$1,360,711).

² The City of Pleasanton made a large one-time adjustment of \$539,665 for historical interest income on Measure D funds.

³ The City of San Leandro received three (3) pass-through Measure D payments from the Oro Loma Sanitary District as part of a separate agreement (\$54,630 in FY 2006/07, \$49,758 in FY 2007/08, and \$45,291 in FY 2008/09). The City of San Leandro expended \$32,076 of these separate pass-through Measure D monies in FY 2008/09. The net balance for these separate pass-through Measure D funds is \$117,603 (\$54,630+\$49,758+\$45,291-\$32,076).

⁴ Includes adjustments to beginning fund balances and adjustments based on findings from audit.

Table E-2
Member Agencies
Measure D “Per Capita” Fund Balances
(Phase II: Fiscal Years 2009/10 and 2010/11) (continued)

Member Agency	Fund Balance as of June 30, 2009	Plus Monies Received Over Two Phase II Fiscal Years ⁵	Plus Interest Income Over Two Phase II Fiscal Years	Less Monies Expended Over Two Phase II Fiscal Years	Plus Adjustments ⁷	Fund Balance as of June 30, 2011
1. City of Alameda	\$0	\$448,867	\$58,876	(\$507,743)	\$0	\$0
2. City of Albany	16,188	100,768	660	(117,616)	–	–
3. City of Berkeley	–	638,908	–	(604,886)	–	34,022
4. City of Dublin	237,452	285,617	7,782	(364,142)	10,636	177,345
5. City of Emeryville	40,159	67,710	1,325	(63,474)	–	45,720
6. City of Fremont	n/a	444,349	–	(444,349)	–	–
7. City of Hayward	1,862,163	790,818	17,820	(1,785,564)	–	885,237
8. City of Livermore	343,284	502,779	5,300	(388,098)	(662)	462,603
9. City of Newark	n/a	90,407	–	–	–	90,407
10. City of Oakland	–	2,533,785	–	(2,533,785)	–	–
11. City of Piedmont	66	66,519	–	(69,855)	3,309	39
12. City of Pleasanton	134,377	416,943	10,754	(145,706)	–	416,368
13. City of San Leandro ⁶	371,608	299,723	12,807	(496,539)	29,566	217,165
14. City of Union City	n/a	152,891	–	–	–	152,891
15. Castro Valley Sanitary District	160,138	310,407	11,683	(480,047)	–	2,181
16. Oro Loma Sanitary District	179,540	696,382	–	(783,710)	–	92,212
Total	\$3,344,975	\$7,846,873	\$127,007	(\$8,785,514)	\$42,849	\$2,576,190

⁵ The amounts shown in this column do not match the amounts in Table 2-5 due to timing differences between amounts paid by the Recycling Board and amounts reported on member agency annual reports.

(a) The City of Emeryville recorded the last fiscal year 2008/09 payment, from the Recycling Board, of \$8,088 in its fiscal year 2009/10 (\$59,622 + \$8,088 = \$67,710).

(b) The City of Hayward recorded the fourth quarter fiscal year 2010/11 payment, from the Recycling Board, of \$109,556 in its fiscal year 2011/12 (\$900,374 - \$109,556 = \$790,818).

(c) The City of San Leandro included the fourth quarter fiscal year 2008/09 payment, from the Recycling Board, of \$40,834 in its fiscal year 2009/10; and recorded the last fiscal year 2010/11 payment from the Recycling Board of \$35,714 in its fiscal year 2011/12 (\$294,603 + \$40,834 - \$35,714 = \$299,723).

(d) The Oro Loma Sanitary District included the fourth quarter fiscal year 2008/09 payment, from the Recycling Board, of \$94,744 in its fiscal year 2009/10; and recorded the last fiscal year 2010/11 payment from the Recycling Board of \$83,100 in its fiscal year 2011/12 (\$684,738 + \$94,744 - \$83,100 = \$696,382).

⁶ The City of San Leandro received five (5) pass-through Measure D payments from the Oro Loma Sanitary District as part of a separate agreement (\$54,630 in FY 2006/07, \$49,758 in FY 2007/08, \$45,291 in FY 2008/09, \$39,422 in FY 2009/10, and \$37,180 in FY 2010/11). The City of San Leandro expended \$32,076, \$28,780, and \$21,240 of these separate pass-through Measure D monies, respectively, in FY 2008/09, FY 2009/10, and FY 2010/11. The net balance for these separate pass-through Measure D funds is \$144,185 (\$54,630+\$49,758+\$45,291+\$39,422+\$37,180-\$32,076-\$28,780-\$21,240).

⁷ Includes adjustments to beginning fund balances and adjustments based on findings from audit.

Table E-2

Member Agencies

Measure D "Per Capita" Fund Balances

(Phases I and II: Fiscal Years 2006/07, 2007/08, 2008/09, 2009/10, and 2010/11) (continued)

Member Agency	Fund Balance as of June 30, 2006	Plus Monies Received Over Five Phases I & II Fiscal Years ⁸	Plus Interest Income Over Five Phases I & II Fiscal Years	Less Monies Expended Over Five Phases I & II Fiscal Years	Plus Adjustments ¹⁰	Fund Balance as of June 30, 2011
1. City of Alameda	\$0	\$1,330,250	\$344,404	(\$1,674,654)	\$0	\$0
2. City of Albany	54,566	297,818	5,834	(360,917)	2,699	–
3. City of Berkeley	–	1,884,179	–	(1,850,157)	–	34,022
4. City of Dublin	148,436	800,834	55,233	(839,979)	12,821	177,345
5. City of Emeryville	26,706	165,314	5,512	(149,564)	(2,248)	45,720
6. City of Fremont	n/a	444,349	–	(444,349)	–	–
7. City of Hayward	1,977,467	2,689,246	306,486	(4,116,343)	28,381	885,237
8. City of Livermore	849,750	1,561,563	41,520	(1,989,568)	(662)	462,603
9. City of Newark	n/a	90,407	–	–	–	90,407
10. City of Oakland	–	7,413,917	–	(7,413,917)	–	–
11. City of Piedmont	76,021	196,328	–	(275,619)	3,309	39
12. City of Pleasanton ²	1,134,232	1,221,959	131,419	(2,602,432)	531,190	416,368
13. City of San Leandro ⁹	433,436	887,611	115,573	(1,366,624)	147,169	217,165
14. City of Union City	n/a	152,891	–	–	–	152,891
15. Castro Valley Sanitary District	447,415	912,072	49,793	(1,407,099)	–	2,181
16. Oro Loma Sanitary District	29,181	2,057,093	–	(1,994,062)	–	92,212
Total	\$5,177,210	\$22,105,831	\$1,055,774	(\$26,485,284)	\$722,659	\$2,576,190

⁸ The amounts shown in this column do not match the amounts in Table 2-5 due to timing differences between amounts paid by the Recycling Board and amounts reported on member agency annual reports.

(a) The City of Hayward included the fourth quarter fiscal year 2005/06 payment, from the Recycling Board, of \$164,158 in its fiscal year 2006/07; and recorded the fourth quarter fiscal year 2010/11 payment, from the Recycling Board, of \$109,556 in its fiscal year 2011/12 (\$2,634,644 + \$164,158 - \$109,556 = \$2,689,246).

(b) The City of Livermore included the fourth quarter fiscal year 2005/06 payment, from the Recycling Board, of \$91,323 in its fiscal year 2006/07 (\$1,470,240 + \$91,323 = \$1,561,563).

(c) The City of San Leandro included the fourth quarter fiscal year 2005/06 payment, from the Recycling Board, of \$54,545 in its fiscal year 2006/07; and recorded the last fiscal year 2010/11 payment from the Recycling Board of \$35,714 in its fiscal year 2011/12 (\$868,780 + \$54,545 - \$35,714 = \$887,611).

(d) The Oro Loma Sanitary District included the fourth quarter fiscal year 2005/06 payment, from the Recycling Board, of \$126,115 in its fiscal year 2006/07; and recorded the last fiscal year 2010/11 payment from the Recycling Board of \$83,100 in its fiscal year 2011/12 (\$2,014,078 + \$126,115 - \$83,100 = \$2,057,093).

⁹ The City of San Leandro received five (5) pass-through Measure D payments from the Oro Loma Sanitary District as part of a separate agreement (\$54,630 in FY 2006/07, \$49,758 in FY 2007/08, \$45,291 in FY 2008/09, \$39,422 in FY 2009/10, and \$37,180 in FY 2010/11). The City of San Leandro expended \$32,076, \$28,780, and \$21,240 of these separate pass-through Measure D monies, respectively, in FY 2008/09, FY 2009/10, and FY 2010/11. The net balance for these separate pass-through Measure D funds is \$144,185 (\$54,630 + \$49,758 + \$45,291 + \$39,422 + \$37,180 - \$32,076 - \$28,780 - \$21,240).

¹⁰ Includes adjustments to beginning fund balances and adjustments based on findings from audit.

Table E-3
Member Agencies
Recycled Product Purchase Program (RPPP) Fund Balances
(Phase I: Fiscal Years 2006/07, 2007/08, and 2008/09)

Member Agency	Fund Balance as of June 30, 2006	Plus Monies Received Over Three Phase I Fiscal Years	Less Monies Expended Over Three Phase I Fiscal Years	Plus Adjustments	Fund Balance as of June 30, 2009
1. City of Alameda	\$119,070	\$33,036	(\$147,300)	\$0	\$4,806
2. City of Albany	9,810	19,043	(17,391)	-	11,462
3. City of Berkeley	15,307	40,546	(11,313)	-	44,540
4. City of Dublin	1,012	25,157	(26,169)	-	-
5. City of Emeryville	11,622	17,069	(7,463)	-	21,228
6. City of Hayward	56,066	50,488	(65,762)	-	40,792
7. City of Livermore	24,060	34,742	(41,024)	-	17,778
8. City of Oakland	175,407	114,812	(199,853)	(7,784)	82,582
9. City of Piedmont	-	17,666	(12,470)	-	5,196
10. City of Pleasanton	53,269	31,454	(76,585)	-	8,138
11. City of San Leandro	360	26,792	(22,856)	-	4,296
12. Castro Valley Sanitary District	46,787	27,333	(58,373)	(1,317)	14,430
13. Oro Loma Sanitary District	25,336	42,264	(49,170)	-	18,430
Total	\$538,106	\$480,402	(\$735,729)	(\$9,101)	\$273,678

(Phase II: Fiscal Years 2009/10 and 2010/11)

Member Agency	Fund Balance as of June 30, 2009	Plus Monies Received Over Two Phase II Fiscal Years	Less Monies Expended Over Two Phase II Fiscal Years	Plus Adjustments	Fund Balance as of June 30, 2011
1. City of Alameda	\$4,806	\$2,900	(\$5,962)	\$0	\$1,744
2. City of Albany	11,462	2,900	(14,362)	-	-
3. City of Berkeley	44,540	2,900	-	-	47,440
4. City of Dublin	-	2,900	(2,900)	-	-
5. City of Emeryville	21,228	2,900	(24,128)	-	-
6. City of Hayward	40,792	2,900	(40,026)	-	3,666
7. City of Livermore	17,778	2,900	(6,033)	-	14,645
8. City of Oakland	82,582	2,900	(18,686)	-	66,796
9. City of Piedmont	5,196	2,900	(6,217)	-	1,879
10. City of Pleasanton	8,138	2,900	(9,376)	-	1,662
11. City of San Leandro	4,296	2,900	(7,196)	-	-
12. Castro Valley Sanitary District	14,430	2,900	(34)	-	17,296
13. Oro Loma Sanitary District	18,430	2,900	(11,307)	-	10,023
Total	\$273,678	\$37,700	(\$146,227)	\$0	\$165,151

Table E-3

Member Agencies

Recycled Product Purchase Program (RPPP) Fund Balances

(Phases I and II: Fiscal Years 2006/07, 2007/08, 2008/09, 2009/10, and 2010/11) *(continued)*

Member Agency	Fund Balance as of June 30, 2006	Plus Monies Received Over Five Phases I & II Fiscal Years	Less Monies Expended Over Five Phases I & II Fiscal Years	Plus Adjustments	Fund Balance as of June 30, 2011
1. City of Alameda	\$119,070	\$35,936	(\$153,262)	\$0	\$1,744
2. City of Albany	9,810	21,943	(31,753)	–	–
3. City of Berkeley	15,307	43,446	(11,313)	–	47,440
4. City of Dublin	1,012	28,057	(29,069)	–	–
5. City of Emeryville	11,622	19,969	(31,591)	–	–
6. City of Hayward	56,066	53,388	(105,788)	–	3,666
7. City of Livermore	24,060	37,642	(47,057)	–	14,645
8. City of Oakland	175,407	117,712	(218,539)	(7,784)	66,796
9. City of Piedmont	–	20,566	(18,687)	–	1,879
10. City of Pleasanton	53,269	34,354	(85,961)	–	1,662
11. City of San Leandro	360	29,692	(30,052)	–	–
12. Castro Valley Sanitary District	46,787	30,233	(58,407)	(1,317)	17,296
13. Oro Loma Sanitary District	25,336	45,164	(60,477)	–	10,023
Total	\$538,106	\$518,102	(\$881,956)	(\$9,101)	\$165,151



Appendix F

Description of Grants Reviewed



Appendix F Description of Grants Reviewed

The Recycling Board awarded grants to non-profits, providing funding for innovative projects intended to increase individual and community involvement in recycling and source reduction efforts. As specified in Subsection 64.060(B) of Measure D, the Recycling Board must allocate ten (10) percent of Measure D funds to a grant program for non-profit organizations engaged in maximizing recycling, composting, and waste reduction within the County.

During Phase I of the Five Year Audit, the Recycling Board awarded twenty-three (23) grants through open procurement cycles totaling \$655,742, and thirty-five (35) grants awarded for *Stop Waste.Org* program services totaling \$1,783,350. From these 23 open procurement grants, and 35 program services grants, we selected eight (8) open procurement and seven (7) program services grants for detailed review and compliance testing.

During Phase II of the Five Year Audit, the Recycling Board awarded fourteen (14) grants to non-profits through open procurement cycles totaling \$383,673, and seven (7) project contracts awarded for *Stop Waste.Org* program services totaling \$372,000. From these 14 open procurement grants, and seven (7) program services grants, we selected five (5) open procurement and three (3) program services grants for detailed review and compliance testing.

Table F-1, on the next page, summarizes the number, and dollar amounts, of grants tested. The eight (8) open procurement grants represent over one-half of the \$655,742 in awards for fiscal years 2006/07 through 2008/09. The five (5) open procurement grants awarded for fiscal years 2009/10 and 2010/11 represent approximately 45 percent of the \$383,673 in awards for fiscal years 2009/10 and 2010/11. Open procurement grants we selected for review ranged from \$15,000 to \$98,056 per award, totaling \$522,446 in awards.

The seven (7) program services grants we selected for review during Phase I accounted for \$585,615, or 33 percent, of total program services grants awarded. The three (3) program services grants we selected during Phase II for review accounted for \$213,000, or 57 percent, of total program services grants awarded. Program services grants we selected ranged from \$58,000 to \$100,000 per award, totaling \$798,615 in awards.

We conducted in-person and telephone interviews of grant recipients, during February and March 2010 for Phase I, and again during April 2012 for Phase II, in an effort to understand their operations and expenditures related to the grants. Selected grant recipients spent up to four (4) hours with us. Grant recipients provided the following types of data and information in support of Measure D grant funding received:

- Accounting summaries
- Activity dates and attendance lists

Table F-1

Summary of Grants Awarded and Tested

(Phase I: Fiscal Years 2006/07, 2007/08, and 2008/09, Phase II: Fiscal Years 2009/10 and 2010/11)

Fiscal Year	Grants Awarded		Grants Tested		Percent of Awarded Amount Tested
	Number	Amount	Number	Amount	
Phase I: Grants Awarded Through Open Procurement Cycles					
2006/07	7	\$211,996	3	\$171,996	81%
2007/08	11	293,346	3	127,850	44%
2008/09	5	150,400	2	50,200	33%
Subtotal	23	\$655,742	8	\$350,046	53%
Phase I: Grants Awarded As Contracts For Program Services Needed By StopWaste.Org					
2006/07	9	\$507,875	2	\$160,000	32%
2007/08	12	658,875	3	260,515	40%
2008/09	14	616,600	2	165,100	27%
Subtotal	35	\$1,783,350	7	\$585,615	33%
Phase I Total	58	\$2,439,092	15	\$935,661	38%
Phase II: Grants Awarded Through Open Procurement Cycles					
2009/10	9	\$247,723	3	\$122,400	49%
2010/11	5	135,950	2	50,000	37%
Subtotal	14	\$383,673	5	\$172,400	45%
Phase II: Grants Awarded As Contracts For Program Services Needed By StopWaste.Org					
2009/10	1	\$70,000	1	\$70,000	100%
2010/11	6	302,000	2	143,000	47%
Subtotal	7	\$372,000	3	\$213,000	57%
Phase II Total	21	\$755,673	8	\$385,400	51%
Total	79	\$3,194,765	23	\$1,321,061	41%

- Check stubs
- Diversion tracking reports
- Educational and promotional materials
- Expenditure summaries
- Intermediate, and final, project reports
- Invoices
- Payroll summaries
- Physical inspections
- Profit and loss statements
- Project deliverables (e.g., final reports)
- Project narratives
- Promotional material samples
- Supplemental documents
- W-2s.

Exhibit F-1, starting on the next page, provides a summary of the fifteen (15) grant recipients selected for our compliance review during Phase I and the eight (8) grant recipients selected for our compliance review during Phase II.

Exhibit F-1

**Non Profit Grant Recipient Summary
(Fiscal Years 2006/07, 2007/08, 2008/09, 2009/10, and 2010/11)**

Fiscal Year	Grant Recipient	Grant Purpose(s)	Validated Recycling Board Disbursements to Grant Recipient	Total Award Amount
Grants Awarded Through Open Procurement Cycles				
Phase I: 2006/07, 2007/08, 2008/09				
2006/07	1. East Bay Depot for Creative Reuse	Relocate facility to solidify business operations for sustainable revenue.	\$6,524 14,019 27,953 28,393 10,401 <u>10,776</u> \$98,066	\$98,056
	2. Chez Panisse Foundation	Support a program coordinator position, and purchase dishwashers and tableware to support onsite recycling and composting programs in three (3) middle schools located in the City of Berkeley.	\$10,000 30,000 10,000 <u>3,940</u> \$53,940	53,940
	3. Tri-CED Community Recycling	Conduct feasibility studies and prepare a business plan for an environmental education center.	\$5,000 <u>15,000</u> \$20,000	20,000
2007/08	4. Habitat for Humanity East Bay	Purchase a vehicle for donation pick up to increase used, recycled, and donated building materials collections.	\$40,000 17,000 <u>6,000</u> \$63,000	63,000
	5. MedShare	Purchase a truck for picking up medical materials reused in "third world" countries.	\$45,000 <u>4,850</u> \$49,850	49,850
	6. The ReUse People of America, Inc.	Support customer service position to increase customer service and sales.	\$7,500 <u>7,500</u> \$15,000	15,000
2008/09	7. Pacific Coast Farmers' Market Association	Support recycling stations, attendant positions, and public education materials for the Zero Waste Farmers' Market project in Alameda County.	\$20,000 11,000 <u>4,200</u> \$35,200	35,200 ¹
	8. The World Family Ethiopian Orphans and Medical Care	Support warehouse logistics coordinator position to sustain increased distribution of usable medical equipment from hospitals and health care centers.	\$7,500 <u>7,500</u> \$15,000	15,000
Phase I: Subtotal Grants Awarded Through Open Procurement Cycles				\$350,046

¹ Pacific Coast Farmers' Market Association had only received the first of three (3) payments, totaling \$20,000, as of the February 26, 2010, interview date.

Appendix F. Description of Grants Reviewed

Exhibit F-1

Non Profit Grant Recipient Summary

(Fiscal Years 2006/07, 2007/08, 2008/09, 2009/10, and 2010/11) (continued)

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Fiscal Year	Grant Recipient	Grant Purpose(s)	Validated Recycling Board Disbursements to Grant Recipient	Total Award Amount
Grants Awarded Through Open Procurement Cycles (continued)				
Phase II: 2009/10 and 2010/11				
2009/10	1. RAFT (Resource Area for Teachers)	Support portion of driver's salary used to collect surplus material from businesses which is made available to teachers.	\$10,000 <u>5,000</u> \$15,000	\$15,000
	2. Civicorp Schools in partnership with the City of Fremont	Support recycling stations, and attendant positions, in an effort to increase recycling and implement food scrap recycling at the two largest special events in the City of Fremont. *Civicorp Schools invoiced \$7,200 as a final expense, \$8,200 less than the remaining contract amount of \$15,400. The original contract award totaled \$37,400.	\$10,000 12,000 <u>7,200*</u> \$29,200	37,400
	3. St. Vincent de Paul of Alameda County	Purchase a three-axle diesel engine/biodiesel truck for reuse and recycling collection operations.	\$65,000 <u>5,000</u> \$70,000	70,000
2010/11	4. Community Child Care Council of Alameda County	Support programs for child care providers to promote recycling and waste reduction through ongoing training, resources, and support.	\$22,500 <u>2,500</u> \$25,000	25,000
	5. Bay Localize	Support Bay Localize's pilot project, called Recycling for Resilience (a.k.a., Scraps to Soil), at Laney College, designed to divert food scraps and carbon waste through campus-wide education and promotional efforts.	\$15,000 7,500 <u>2,500</u> \$25,000	25,000
Phase II: Subtotal Grants Awarded Through Open Procurement Cycles				\$172,400
Subtotal Grants Awarded Through Open Procurement Cycles				\$522,446

Exhibit F-1

Non Profit Grant Recipient Summary

(Fiscal Years 2006/07, 2007/08, 2008/09, 2009/10, and 2010/11) (continued)

Fiscal Year	Grant Recipient	Grant Purpose(s)	Validated Recycling Board Disbursements to Grant Recipient	Total Award Amount
Grants Awarded For Needed <i>StopWaste.Org</i> Program Services				
Phase I: 2006/07, 2007/08, and 2008/09				
2006/07	1. Build It Green	Provide Residential Green Building Support by: (1) expanding <i>GreenPoint Rated</i> to include remodeling and existing homes, and (2) updating and expanding the Access Green Directory.	\$25,000 3,974 9,625 13,086 <u>8,315</u> \$60,000	\$60,000
	2. YMCA of East Bay	Provide: (1) Four Rs (reduce, reuse, recycle, and rot) camperships at Camp Arroyo outdoor school, and (2) a Four Rs and Me educational curriculum at YMCA childcare centers.	\$10,000 70,000 10,000 <u>2 @ 5,000</u> \$100,000	100,000
2007/08	3. The Watershed Project	Provide a Bay-Friendly Gardening (BFG) workshop series, a BFG how-to guide for residents, a garden tour, BFG registration, a nursery outreach project, and a Master Composter training program.	\$25,800 20,000 19,000 <u>7,200</u> \$72,000	72,000
	4. Circus Center	Perform in-school productions of the <i>Scavenger!</i> for Alameda County public elementary schools, focusing on the Four Rs, and promote use of the school recycling program.	\$20,000 4 @ 10,000 20,000 10,000 <u>8,515</u> \$98,515	98,515
	5. Earth Island Institute/ Kids for the Bay	Provide Alameda County students and teachers with a school program, teaching the importance of waste reduction through the Four Rs, and promotion of the school recycling program.	\$9,000 3 @ 18,000 9,000 <u>18,000</u> \$90,000	90,000
2008/09	6. The Watershed Project	Provide in-service trainings; in-class presentations; a workshop; administration of Teacher Action Grants (TAGs) and technical assistance; all integrating the Four Rs curriculum and waste reduction practices in schools.	\$15,000 20,000 15,000 10,000 <u>5,100</u> \$65,100	65,100
	7. Build It Green	Update (1) New Home Construction Green Building Guidelines; (2) the Green Product Directory; and provide (3) <i>GreenPoint Rated</i> program support.	\$30,000 29,000 20,000 6,000 <u>2 @ 7,500</u> \$100,000	100,000
Phase I: Subtotal Grants Awarded For Needed <i>StopWaste.Org</i> Program Services				\$585,615

Appendix F. Description of Grants Reviewed

Exhibit F-1

Non Profit Grant Recipient Summary
 (Fiscal Years 2006/07, 2007/08, 2008/09, 2009/10, and 2010/11) (continued)

Page 4 of 4

Fiscal Year	Grant Recipient	Grant Purpose(s)	Validated Recycling Board Disbursements to Grant Recipient	Total Award Amount
Grants Awarded For Needed <i>StopWaste.Org</i> Program Services (continued)				
Phase II: 2009/10 and 2010/11				
2009/10	1. Build It Green	Perform the following projects: (1) update <i>GreenPoint Rated</i> tools; (2) update and expand Green Product directory; (3a) general support to Public Agency Council program; and (3b) Monitor California green building code development.	\$25,000 40,000 <u>5,000</u> \$70,000	\$70,000
2010/11	2. YMCA of East Bay	Provide 4Rs (reduce, reuse, recycle, and rot) camperships at Camp Arroyo outdoor school for approximately 425 people.	2 @ \$10,000 55,000 <u>2 @ 5,000</u> \$85,000	85,000
	3. Circus Center	Perform the 4R themed play "RTV" at Alameda County school assemblies, and provide circus arts training to Alameda County secondary school students and teachers. *Circus Center received payments totaling \$56,261 though the initial award amount of \$58,000.	6 @ 9,000 \$261 <u>2,000*</u> \$56,261	58,000
Phase II: Subtotal Grants Awarded For Needed <i>StopWaste.Org</i> Program Services				\$213,000
Subtotal Grants Awarded For Needed <i>StopWaste.Org</i> Program Services				\$798,615
Total				\$1,321,061

In the remainder of this appendix, we provide an overview of each of the grants we reviewed, specific findings related to the grant, and our conclusions concerning whether the grant recipient met Measure D requirements. The remainder of this appendix is organized as follows:

- A. *Recipients of Grants Awarded Through Open Procurement Cycles*
- B. *Recipients of Grants Awarded For Needed StopWaste.Org Program Services.*

A. Recipients of Grants Awarded Through Open Procurement Cycles

Below, we describe our findings for the thirteen (13) open procurement grants we reviewed, organized by the fiscal year that the Recycling Board awarded the grant.

Fiscal Year 2006/07

1. The **East Bay Depot for Creative Reuse** (Depot) collects and redistributes art and craft materials, educational materials, paper goods, fabrics, and home décor materials. The Recycling Board awarded the Depot a grant of \$98,066.

The grant supported relocating the Depot, hiring a retail manager, marketing the new site, workshops, and classes. During our visit to the Depot, we noted the structural changes to the facility and the various class offerings. The Depot also provided the profit and loss statement, invoices, advertising materials, required reports, and supporting documentation. We determined that the Depot complied with the terms and conditions of the grant, and complied with Measure D requirements.
2. **Chez Panisse Foundation** supports an educational program centered on fresh food and nutrition in schools. The Recycling Board awarded Chez Panisse a grant of \$53,940 for onsite recycling and composting

programs at three (3) middle schools. The Recycling Board, and Chez Panisse Foundation, agreed to an amendment, altering the third deliverable, requiring submittal of an itemized list of tableware purchased (including receipts).

The Chez Panisse Foundation provided us with invoices, copies of checks, profit and loss details, and materials purchased through the grant. We determined that the Chez Panisse Foundation complied with the terms and conditions of the grant, and complied with Measure D requirements.

3. **Tri-CED Community Recycling** (Tri-CED) provides environmental education and outreach, recycling services, and refuse hauling services in the Tri-Cities area of the County (Cities of Fremont, Newark, and Union City). Tri-CED partnered with Chabot College to design, build, and operate an environmental education center in the City of Union City. The Recycling Board awarded Tri-CED a grant of \$20,000, partially covering feasibility study expenses for the environmental education center. Tri-CED completed the feasibility study by the contract end date (May 10, 2008), but submitted the final deliverable, a completed business plan, after the contract end date. The Recycling Board paid Tri-CED the \$20,000 contract amount.

Tri-CED provided us with a description of the feasibility study process, copies of the feasibility study report and business plan, and invoices. We determined that Tri-CED complied with the terms and conditions of the grant, and complied with Measure D requirements.

Fiscal Year 2007/08

4. **Habitat for Humanity East Bay** supports its affordable home ownership efforts with a “restore” location that sells used, surplus, and donated building materials to the general public. The Recycling Board awarded Habitat for Humanity East Bay a grant of \$63,000 to purchase a second

box truck for picking up donations, and to pay the salary of a second driver.² At the end of 2008, the Recycling Board approved an amendment to extend the contract to July 7, 2009.

The reStore Manager provided us with vehicle-related invoices, employee earning records, required reports, a tour of their facility, and allowed us to inspect the box truck purchased through the grant. Habitat for Humanity East Bay reported they diverted 795.4 tons from January to June of 2009, an increase of 58 percent from 2008 levels. We determined that Habitat for Humanity complied with the terms and conditions of the grant, and complied with Measure D requirements.

5. **MedShare** collects, and redistributes, surplus medical supplies to underserved healthcare facilities in developing countries. The Recycling Board awarded MedShare a grant of \$49,850 to purchase a vehicle for material pick-ups at local and regional medical facilities. The original contract term was April 1, 2008 to March 31, 2009. The Recycling Board extended the contract to November 17, 2009.

MedShare provided us with invoices, checks, supplemental reports, a tour of their facility, and allowed us to inspect the vehicle purchased through the grant. MedShare reported they diverted 63 tons of materials in the 12-month period ending August 31, 2009. We determined that MedShare complied with the terms and conditions of the grant, and complied with Measure D requirements.

6. **The ReUse People of America, Inc.** (TRP) provides deconstruction services, and deconstruction training and certification. TRP also sells salvaged materials. The Recycling Board awarded TRP a grant for \$15,000 to support a new customer service position. The additional position increased

customer service levels and promoted additional sales at the Oakland store location.

TRP provided us with a summary of expenditures and a labor summary. We also based our review on records contained within the *StopWaste.Org* contract file. We confirmed that an employee was hired and paid for by the grant. We determined that the ReUse People complied with Measure D requirements.

Fiscal Year 2008/09

7. **Pacific Coast Farmers' Market Association** (PCFMA) develops, operates, and supports Certified Farmer's Markets in the San Francisco Bay Area. As part of its effort to divert materials generated at farmers' market events, the Recycling Board awarded PCFMA a grant of \$35,200 to fund its Zero Waste Farmers' Market project in Alameda County. The PCFMA is currently using grant funds to create waste stations, support part-time station monitors, and provide diversion information to the general public. PCFMA provided us with samples of educational and promotional materials, a tour of their facility, a demonstration of the waste station setup, bank statements, and supplemental financial documentation. PCFMA efforts diverted 1,470 gallons of compost materials, and 550 gallons of recyclables, in the initial four (4) month period of the project. We determined PCFMA complied with the terms and conditions of the grant, and complied with Measure D requirements.
8. **The World Family Ethiopian Orphans and Medical Care** (World Family) collects and redistributes surplus medical supplies to Ethiopian health care facilities and provides other forms of outreach. The Recycling Board awarded World Family a grant of \$15,000 to partially support a warehouse manager position, necessary for projected business expansion. World Family provided us a facility tour and explained their operations. World Family provided

² In 2003, Habitat for Humanity East Bay purchased its first box truck with the support of the Recycling Board.

payroll summaries for 2009, reports and sample bill of ladings, and other supporting information. Due to the current depressed state of the economy, rather than hiring the new warehouse manager, World Family could only hire an assistant warehouse manager, and maintain supporting staff as independent contractors, with the grant monies. World Family estimated they will divert approximately 1,815 tons of medical supplies in 2009. We determined World Family complied with the terms and conditions of the grant, and complied with Measure D requirements.

Fiscal Year 2009/10

9. **RAFT** (Resource Area for Teaching) collects surplus materials from manufacturers and businesses and makes these materials available to teachers and community educators. Classroom teachers and community educators use the material supplies to design hands-on activities for their students. The Recycling Board awarded RAFT a grant of \$15,000 to partially support a driver position, critical to collection of donated items.

RAFT provided us a facility tour and explained their operations. RAFT provided hiring notifications, 2010 W-2s (in support of two drivers), reports and sample bill of ladings, promotional materials, invoices, and other supporting information. In 2010, RAFT received donations totaling 10,323 cubic feet of material from approximately 30 companies located within Alameda County. RAFT stages the materials at their Sunnyvale location; distributing materials daily to their main facility in San Jose and second location in Redwood City, using one of two box trucks. We determined RAFT complied with the terms and conditions of the grant, and complied with Measure D requirements.

10. **Civicorps Schools** promotes active citizenship and environmental stewardship. As part of its diversion efforts, the Recycling Board awarded Civicorps Schools, in

partnership with the City of Fremont, a grant of \$37,400 to fund its effort to divert materials generated at the two largest City summer events. The executed agreement provided \$21,600 for purchase of recycling stations and signage, and \$15,800 for approximately 16 Civicorps staff at both of the two day events. Civicorps used grant funds to create waste stations, support part-time station monitors, and provide diversion information to the general public. Civicorps and the City of Fremont provided us with recycling station and signage quotations and invoices, labor summaries showing Civicorps staff hours for both events, and diversion data. The first summer event, supported by additional Civicorps staffing, yielded 6.47 tons of recycling and food waste diversion.

We identified that *StopWaste.Org* made three payments to Civicorps, totaling \$29,200. Civicorps did not invoice *StopWaste.Org* for \$8,200 of the \$37,400 contract amount. This \$8,200 savings resulted from Civicorps using a two-member crew, rather than the originally planned 16 member crew, for the second two-day event. We substantiated signage and equipment invoices totaled \$13,951.38. In total, we substantiated \$21,151.38 in invoices and labor-related documentation, but could not substantiate the remaining \$8,048.62. We determined Civicorps Schools generally complied with most of the terms and conditions of the grant, and complied with Measure D requirements.

11. **St. Vincent de Paul of Alameda County** operates a Social Enterprises division that performs reuse and recycling operations, including operating four thrift stores, an auto donation program, an E-waste recycling program, and a recyclable materials program. The Recycling Board awarded St. Vincent de Paul of Alameda County (SVdP) a grant of \$70,000 (in matching funds) to purchase a 3-axle biodiesel tuck for their reuse and recycling operations.

SVdP provided us with truck pricing quotations, invoices, checks, their final

report, a tour of their facility, and allowed us to inspect the biodiesel truck purchased through the grant. SVdP reported the truck hauled 1,670 tons of diverted materials in a 10-month period ending August 31, 2011 (and hauled an additional 1,666 tons of materials to Waste Management's Davis Street Transfer Station). We determined that SVdP complied with the terms and conditions of the grant, and complied with Measure D requirements.

Fiscal Year 2010/11

- 12. Community Child Care Council of Alameda County** (4C's) supports quality child care as a family resource agency, by providing free and low cost training, business counseling, professional development, and funding to local child care providers. As part of its effort to promote recycling and waste reduction, the Recycling Board awarded the 4C's a grant of \$25,000 to fund ongoing training, resources, and support to promote the greening of child care facilities. The 4C's worked with *StopWaste.Org's* school program staff to refine its existing curriculum and educational materials. The 4C's is currently focusing their efforts on large-scale child care facilities (facilities with more than 100 children), estimating that 59 tons of material may be diverted annually from the landfill by reaching these large facilities.

The 4C's provided us with an action plan; project timeline; training evaluation forms; survey questions and results; a sample draft of a disposal service proposal from a selected facility; resource lists; presentation slides; flyers; and its invoices. Based on responses from participating sites to-date, 4C's estimates its outreach efforts increased diversion by approximately 53 tons per year. The contract end date is May 1, 2012, at which time *StopWaste.Org* requires that the 4C's submit 4R's³ curricula, additional promotional materials (not

previously submitted), a final report, and a final invoice for \$2,500 (the remaining balance of the awarded grant). We determined the 4C's complied with the terms and conditions of the grant, and complied with Measure D requirements.

- 13. Bay Localize** (Earth Island Institute is the fiscal agent) supports Bay Area residents in building equitable and resilient communities as a local environmental non-profit organization. The Recycling Board awarded Bay Localize a grant of \$25,000 to support a pilot project at Laney College, promoting food scraps and carbon waste diversion, on campus. Bay Localize is currently undertaking this campus-wide project, using public education, surveys, events workshops, and promotional efforts. Bay Localize originally estimated that they would divert approximately eight (8) tons of food and dry carbon waste, reaching approximately 5,000 members of their target audience by the end of the spring 2012 semester. In the fall of 2011, the *Scraps to Soil* project resulted in 5.5 tons of estimated diversion. Bay Localize will provide *StopWaste.Org* with spring quarter 2012 diversion results at the end of May, 2012.

Bay Localize provided us with a project approach overview, outreach campaign strategy and materials, an education events series schedule, a project participation worksheet, a summary of composting levels, and invoices. Bay Localize expects to complete the *Scraps to Soil* project (originally titled *Recycling for Resilience* project) in June, 2012. Bay Localize plans to offer the project framework and best practices to other Peralta colleges for increased diversion. We determined that to-date Bay Localize had complied with the terms and conditions of the grant, and had complied with Measure D requirements.

³ The 4Rs represent the four elements in diversion: Reduce, Reuse, Recycle, and Rot (compost).

B. Recipients of Grants Awarded For Needed *StopWaste.Org* Program Services

Below, we describe our findings for the ten (10) program services grants we reviewed, organized by the fiscal year that the Recycling Board awarded the grant.

Fiscal Year 2006/07

1. **Build It Green** promotes healthy, energy and resource-efficient homes in California through local government support, professional training, collaboration forums, consumer education, and green product marketing. The Recycling Board awarded Build It Green a grant of \$50,000 to expand *GreenPoint Rated* (a third-party verification system to evaluate green building measures referenced in the Green Building Guidelines) to include remodeling, and existing homes. The Recycling Board approved amendments to the original \$50,000 award totaling \$25,000, for a total grant of \$75,000. The Recycling Board extended the contract to December 31, 2008. Build It Green invoiced and received \$60,000 of the \$75,000 awarded as of the time we prepared the Phase I report.

Build It Green developed guidelines and training materials, and updated product lists and the Access Green Directory (a listing of products, suppliers, and service providers that correspond to Build It Green's Green Building Guidelines). The program manager provided the *GreenPoint Rated* Existing Home Training binder, reports, invoice records, and an accounting summary. We viewed the website content, including the "remodel and existing home guide" and directory offerings. We determined that Build It Green complied with the terms and conditions of the grant, and complied with Measure D requirements.

2. **YMCA of East Bay** provides programs and services centered on child care, teen enrichment, health and wellness, and

cultural harmony. The Recycling Board awarded YMCA of East Bay a grant of \$100,000 to provide a "Four Rs" educational curriculum at YMCA childcare centers, and "Four Rs" camperships to students throughout Alameda County. The three-day, two-night, campership program is a residential outdoor environmental educational program at Camp Arroyo Outdoor School, located in Livermore, California. Camp Arroyo attendance totaled 348 students and 52 adults, during fiscal year 2006/07. The "Four Rs and Me" Program reached 442 child participants across Alameda County. YMCA of East Bay provided us with contract documents, accounting summaries, program reports, photographs, evaluations, lesson plans, invoices, and attendance lists. We determined that YMCA of East Bay complied with the terms and conditions of the grant, and complied with Measure D requirements.

Fiscal Year 2007/08

3. The **Watershed Project** offers programs and workshops to children, parents, educators, and the extended community, presenting various environmental principles. The Recycling Board awarded the Watershed Project a grant of \$72,000 to provide a Bay-Friendly Gardening (BFG) workshop series, including a basics workshop, design workshops, a gardening for wildlife workshop, a hybrid design workshop, and other pilot workshops. The grant also included a BFG "how-to" guide for residents, a garden tour, BFG registration, a nursery outreach project, and a Master Composter training program. In fiscal year 2007/08, the Watershed Project attracted approximately 290 BFG workshop participants, and added two nurseries to the Bay-Friendly Nursery Outreach Program. The Watershed Project provided invoices, accounting summaries, contracts, a workshop schedule, agency and attendance lists, and a final

report. We determined the Watershed Project complied with the terms and conditions of the grant, and complied with Measure D requirements.

4. **Circus Center** encompasses a professional performing company, a student performing troupe, and a performing school. The Recycling Board awarded Circus Center a grant of \$98,515 to perform in-school productions of *Scavenger!*, a performance based on the “Four Rs.” Circus Center received the grant as an extension of a previous annual grant, extending performances into the 2007/08 school year. The contract required Circus Center to perform the *Scavenger!* for students and teachers in Alameda County, between October 1, 2007, and April 15, 2008.

Circus Center performed *Scavenger!* eighty-seven (87) times for 21,733 elementary school students, and 1,193 teachers. Circus Center provided us with invoices, accounting summaries, evaluation summaries, tour schedules, scripts, promotional materials, survey forms, and a final report. We determined Circus Center complied with the terms and conditions of the grant, and complied with Measure D requirements.

5. **Earth Island Institute/Kids for the Bay** (KftB) teaches environmental education to elementary school students and teachers throughout the San Francisco Bay Area. KftB received \$90,000 to teach waste reduction using the Four Rs and to promote school recycling programs. The contract agreement required KftB to teach this Four Rs Action Program to twenty (20) fourth and fifth grade classrooms in targeted school districts within Alameda County. KftB was also required to provide follow-up support for the ten (10) classes involved in the Four Rs Action Program during the fiscal year 2006/07 school year. The program actually reached twenty-nine (29) classrooms, totaling 705 students in third, fourth, and fifth grades. KftB provided us with samples of evaluations, training materials, samples of

student work, promotion materials, photographs, participant lists, accounting summaries, and a final report. KftB also provided invoices, a final copy of a lesson plan, and a project description. We determined KftB complied with the terms and conditions of the grant, and complied with Measure D requirements.

Fiscal Year 2008/09

6. The Recycling Board awarded the **Watershed Project** a grant for \$65,100 to (1) provide “Four Rs” in-service training and in-class presentations, (2) administer and provide a resource for Teacher Action Grants (TAGs), and (3) integrate the Four Rs curriculum and waste reduction practices in schools. The Watershed Project provided us with invoices, accounting summaries, promotional materials, educational curriculums, agendas, teacher outreach materials, evaluation forms, a list of participants, and a final report of the Four Rs and TAG program. The Watershed Project projected that these trainings, and support programs, provided environmental education either directly or indirectly, to approximately 8,400 students and 16,800 community members.

We compared the contractual deliverable due dates with actual Recycling Board payment dates. The most significant lapse of time was seven (7) months between a deliverable due date and a payment approval by the Recycling Board. The average time between deliverable due date and Recycling Board approval was approximately four (4) months. The project manager at *StopWaste.Org* indicated the grant recipient adequately satisfied the deliverable requirements. We determined that though the deliverables were somewhat delayed, the Watershed Project complied with virtually all of the terms and conditions of the grant, and complied with Measure D requirements.

7. The Recycling Board awarded **Build It Green** a grant of \$100,000 to update various new home construction information. Build It Green used grant funds to update the New Home Construction Green Building Guidelines, and Green Product Directory, and to provide *GreenPoint Rated* program support. Build It Green provided us with contract documentation, invoices, accounting summaries, and a copy of the 2009 edition of the *New Home Construction Green Building Guidelines* booklet. We determined that Build It Green complied with the terms and conditions of the grant, and complied with Measure D requirements.

Fiscal Year 2009/10

8. The Recycling Board awarded **Build It Green** a grant of \$70,000 to complete three (3) projects. Per the executed agreement, Build It Green billed the first two projects on a time-and-materials basis. The third project is a fixed-fee project. For the first project, budgeted at \$10,000, Build It Green completed a *GreenPoint Rated*⁴ tools update for compatibility with the new state energy codes.

For the second project, budgeted at \$15,000, Build It Green updated and expanded the Green Product Directory, including revising the subcategory criteria. As part of this second project, Build It Green also developed a strategic plan for the Green Product Directory, outlining the goals and direction of growth over the next three years.

The third and final project, budgeted at \$45,000, tasked Build It Green with performing ongoing Public Agency Council support. Build It Green received \$40,000 to provide general Public Agency Council program support, and the remaining \$5,000 to monitor the development of California's green building code (known as *CALGreen code*).

⁴ *GreenPoint Rated* is a third-party verification system to evaluate green building measures referenced in the Green Building Guidelines.

Build It Green provided their project 1 and project 2 accounting summaries, a copy of the strategic plan for the Green Product Directory, and invoices. The *StopWaste.Org* program manager approved a shift of funds from project 2 to project 1. The shift resulted from higher than expected labor needs for project 1. As a result, the total labor costs to complete projects 1 and 2 exceeded the total grant amount for the two (2) projects. We viewed the website content, including the GreenPoint Rated tools, Green Product Directory, Public Agency Council's resources and event calendar, and the new *CALGreen code* and *GreenPoint Rated* tools. We determined that Build It Green complied with the terms and conditions of the grant, and complied with Measure D requirements.

Fiscal Year 2010/11

9. The Recycling Board awarded **YMCA of East Bay** a grant of \$85,000 to provide "4Rs" camperships to students throughout Alameda County. The three-day, two-night, campership program is a residential outdoor environmental educational program at Camp Arroyo Outdoor School, located in Livermore, California. The YMCA of East Bay selected eleven (11) schools to attend Camp Arroyo, totaling 404 students and 87 adults, during fiscal year 2010/11.

The YMCA of East Bay provided us with contract documents, orientation meeting documents, an orientation slideshow, program reports, photographs, evaluations, lesson plans, invoices, and attendance lists. We determined that the YMCA of East Bay complied with the terms and conditions of the grant, and complied with Measure D requirements.

10. The Recycling Board awarded **Circus Center** a grant of \$58,000 to perform in-school productions of "RTV", a performance based on the "4Rs". In addition, *StopWaste.Org* required Circus Center to provide an introduction to circus arts training for secondary school students and teachers

participating in the Service Learning Waste Reduction Project (SLWRP). The contract required Circus Center to perform the “RTV” for students and teachers in Alameda County, between January and March, 2011.

Circus Center performed “RTV” forty (40) times for 12,290 elementary school students, and 663 teachers in 42 Alameda County schools. Circus Center also performed circus arts training at two (2) Alameda County high schools. Circus Center provided us with invoices, accounting summaries, evaluation summaries, service provider monthly report forms, tour schedules,

scripts, promotional materials, survey forms, and a final report.

The Circus Center received eight (8) payments, totaling \$56,261. The Circus Center received \$23,200 for assembly performances, \$261 for travel reimbursement, \$2,000 for performer- specific production expenses, and \$30,800 in production and administration costs. The remaining \$1,739 of the original grant amount was reapplied to future grant funds. We determined Circus Center complied with the terms and conditions of the grant, and complied with Measure D requirements.



Appendix G

Types of Member Agency Measure D Expenses



Appendix G

Types of Member Agency Measure D Expenses

Member agencies received Measure D monies through (1) Measure D “per capita” allocation, and (2) “leftover” Recycled Product Purchase Preference (RPPP) program distributions. Resolution Number RB 2006-12 requires member agencies to account for these Measure D monies, including reporting expenditures during each fiscal year.

Subsection 64.060(B) of Measure D requires the 50 percent per capita distribution go to member agencies to continue and expand municipal recycling programs. This “municipal recycling programs” definition includes:

- Recycling
- Composting
- Source reduction
- Market development
- Recycled product procurement
- Public education.

Member agencies use Measure D funds for a range of expenses, including:

- Administrative overhead
- Capital assets
- Consultants
- Contractors
- Direct labor
- Events
- Promotional materials
- Other costs legitimately connected to waste reduction programs
- Supplies events, and legitimately connected to waste reduction programs.

We reviewed member agency expenses for the Phase I fiscal years of 2006/07, 2007/08, and 2008/09; and Phase II fiscal years of 2009/10 and 2010/11. We organized expenses into six (6) categories. **Table G-1**, on the following page, lists example expenses for each of these six (6) categories.

Table G-1
Member Agencies
Measure D Expense Examples
(Fiscal Years 2006/07 through 2010/11)

Expense Category	Expense Examples
1. Administration	<ul style="list-style-type: none"> ■ Employee salaries ■ Employee benefits ■ Liability insurance ■ Overhead expenses
2. Franchised Recycling Program	<ul style="list-style-type: none"> ■ Commercial route curbside recycling collection ■ Christmas tree curbside collection ■ Residential household battery collection ■ Residential route curbside recycling collection ■ Food scrap and green waste collection
3. Outreach and Education	<ul style="list-style-type: none"> ■ Promotional items ■ Earth Day events ■ Contests/achievement awards ■ Mandatory commercial recycling program ■ Green Packages program contributions ■ Bay Area Recycling Outreach Coalition (BayROC) contributions ■ Recycling education ■ Recycling drives ■ Go Green Initiative outreach ■ Green business program contributions
4. Physical Assets	<ul style="list-style-type: none"> ■ Outdoor storage containers ■ Artificial turf football fields ■ Curbside recycling carts ■ Recycled content playground structures ■ Recycled content furniture
5. Professional Services	<ul style="list-style-type: none"> ■ Rate review services ■ Collection hauler contract services ■ Climate Action Plan ■ Commercial recycling technical assistance ■ Base year composition study ■ Zero Waste Implementation Plan ■ Recycling enclosure ordinance legal review ■ High Diversion Strategic Plan
6. Other	<ul style="list-style-type: none"> ■ Paper supplies ■ Memberships ■ Conferences ■ Subscriptions ■ Postage ■ Training and education

Measure D “per capita” expenses are presented in **Table G-2**, on pages G-3 and G-4, for Phase I and Phase II. Individual expenses ranged from an under \$1.00 supply cost, to a \$1.8 million cost for a residential recycling program, during Phase I. Individual expenses ranged from an under \$1.00 supply cost, to a \$1.3 million cost for a residential recycling program, during Phase II.

RPPP expenses ranged from large infrastructure project assistance, to office product purchases, to recycled content product purchasing training. **Table G-3**, on pages G-5 and G-6, presents categorized expenses for the RPPP program, for Phase I and Phase II.

RPPP program expenditures totaled \$735,729 during Phase I, and \$146,866 during Phase II. Member agencies spend 94 percent and 95 percent of RPPP monies, respectively, during Phase I and Phase II, on physical assets, including recycled products, furnishings, building materials, and equipment. Every member agency purchased recycled content material at least once during Phase I. Twelve (12) of the thirteen (13) member agencies purchased recycled content material during Phase II. Outreach and education expenses accounted for five (5) percent of total RPPP expenditures during Phase I and Phase II. Other RPPP expenses accounted for one (1) percent and less than one (1) percent of total RPPP expenditures, respectively, during Phase I and Phase II.

Table G-2
Member Agencies
Measure D “Per Capita” Expenses, by Category
(Phase I: Fiscal Years 2006/07, 2007/08, and 2008/09)

Member Agency	Administration	Franchised Recycling Program	Outreach and Education	Physical Assets	Professional Services	Other	Total Expenses
1. City of Alameda	\$1,018,616	\$8,674	\$48,585	–	\$90,524	\$513	\$1,166,912
2. City of Albany	171,083	–	58,342	\$2,105	11,771	–	243,301
3. City of Berkeley	–	1,245,271	–	–	–	–	1,245,271
4. City of Dublin	71,396	–	8,049	353,495	42,871	26	475,837
5. City of Emeryville	78,590	–	7,500	–	–	–	86,090
6. City of Hayward	1,204,578	220,517	207,068	453,502	232,274	12,838	2,330,777
7. City of Livermore	266,644	–	1,054,296	257,047	16,308	7,176	1,601,471
8. City of Oakland	–	4,880,132	–	–	–	–	4,880,132
9. City of Piedmont	185,414	–	15,551	4,199	–	600	205,764
10. City of Pleasanton	–	2,104,103	49,805	280,157	22,648	14	2,456,727
11. City of San Leandro	566,516	–	242,499	33,372	20,087	7,611	870,085
12. Castro Valley Sanitary District	587,246	–	296,552	26,029	15,417	1,808	927,052
13. Oro Loma Sanitary District ¹	716,067	–	117,601	158,004	52,417	166,262	1,210,351
Total	\$4,866,150	\$8,458,697	\$2,105,848	\$1,567,910	\$504,317	\$196,848	\$17,699,770
Percentage	27%	48%	12%	9%	3%	1%	100%

¹ As part of the agreement for *Refuse, Green Waste and Recycling Services in the L3 Area*, Oro Loma Sanitary District recorded payment to the City of San Leandro for a portion of the District’s “per capita” monies. Oro Loma Sanitary District reported payments of \$54,630 (fiscal year 2006/07), \$49,758 (fiscal year 2007/08), and \$45,291 (fiscal year 2008/09), totaling \$149,679, in Phase I. We categorized these expenses as “Other” expenses. As requested by the Recycling Board, the City of San Leandro maintains separate funds for the revenues and expenditures related to this agreement, excluding these revenues and expenditures from its Measure D “per capita” reports.

Table G-2
Member Agencies
Measure D “Per Capita” Expenses, by Category
(Phase II: Fiscal Years 2009/10 and 2010/11) (continued)

Member Agency	Administration	Franchised Recycling Program	Outreach and Education	Physical Assets	Professional Services	Other	Total Expenses
1. City of Alameda	\$419,467	\$12,505	\$13,926	–	\$67,940	\$4,332	\$518,170
2. City of Albany	109,977	–	28,705	–	4,000	–	142,682
3. City of Berkeley	–	604,886	–	–	–	–	604,886
4. City of Dublin	301,216	135	42,030	\$4,792	15,969	–	364,142
5. City of Emeryville	63,474	–	–	–	–	–	63,474
6. City of Fremont	481,591	–	–	–	–	–	481,591
7. City of Hayward	795,676	311,081	24,971	76,122	557,286	20,429	1,785,565
8. City of Livermore	235,267	–	138,823	–	8,223	5,786	388,099
9. City of Newark	–	–	–	–	–	–	–
10. City of Oakland	–	2,533,785	–	–	–	–	2,533,785
11. City of Piedmont	45,000	–	14,395	–	9,860	600	69,855
12. City of Pleasanton	–	–	21,081	28,799	29,070	–	78,950
13. City of San Leandro	352,317	–	87,895	–	52,076	4,251	496,539
14. City of Union City	–	–	–	–	–	–	–
15. Castro Valley Sanitary District	341,320	4,374	120,858	8,516	2,665	2,315	480,048
16. Oro Loma Sanitary District ²	543,412	–	125,600	–	38,096	76,602	783,710
Total	\$3,688,717	\$3,466,766	\$618,284	\$118,229	\$785,185	\$114,315	\$8,791,496
Percentage	42%	40%	7%	1%	9%	1%	100%

² As part of the agreement for *Refuse, Green Waste and Recycling Services in the L3 Area*, Oro Loma Sanitary District recorded payment to the City of San Leandro for a portion of the District’s “per capita” monies. Oro Loma Sanitary District reported payments of \$39,422 (fiscal year 2009/10) and \$37,180 (fiscal year 2010/11), totaling \$76,602, in Phase II. We categorized these expenses as “Other” expenses. As requested by the Recycling Board, the City of San Leandro maintains separate funds for the revenues and expenditures related to this agreement, excluding these revenues and expenditures from its Measure D “per capita” reports.

Table G-3**Member Agency****Recycled Product Purchase Preference (RPPP) Program Expenses, by Category****(Phase I: Fiscal Years 2006/07, 2007/08, and 2008/09)**

Member Agency	Administration	Franchised Recycling Program	Outreach and Education	Physical Assets	Professional Services	Other	Total Expenses
1. City of Alameda	–	–	–	\$147,300	–	–	\$147,300
2. City of Albany	–	–	–	17,391	–	–	17,391
3. City of Berkeley	\$275	–	–	11,038	–	–	11,313
4. City of Dublin	–	–	–	26,169	–	–	26,169
5. City of Emeryville	–	–	–	7,320	–	\$143	7,463
6. City of Hayward	–	–	–	65,762	–	–	65,762
7. City of Livermore	–	–	–	41,024	–	–	41,024
8. City of Oakland	418	–	\$21,288	174,527	–	3,620	199,853
9. City of Piedmont	–	–	2,882	9,588	–	–	12,470
10. City of Pleasanton	–	–	80	76,505	–	–	76,585
11. City of San Leandro	–	–	–	22,856	–	–	22,856
12. Castro Valley Sanitary District	–	–	14,142	41,349	–	2,882	58,373
13. Oro Loma Sanitary District	–	–	–	49,170	–	–	49,170
Total	\$693	\$0	\$38,392	\$689,999	\$0	\$6,645	\$735,729
Percentage	0%	0%	5%	94%	0%	1%	100%

Table G-3
Member Agency
Recycled Product Purchase Preference (RPPP) Program Expenses, by Category
(Phase II: Fiscal Years 2009/10 and 2010/11) (continued)

Member Agency	Administration	Franchised Recycling Program	Outreach and Education	Physical Assets	Professional Services	Other	Total Expenses
1. City of Alameda	-	-	-	\$5,962	-	-	\$5,962
2. City of Albany	-	-	-	15,000	-	-	15,000
3. City of Berkeley	-	-	-	-	-	-	-
4. City of Dublin	-	-	-	2,900	-	-	2,900
5. City of Emeryville	-	-	-	24,128	-	-	24,128
6. City of Hayward	-	-	-	40,026	-	-	40,026
7. City of Livermore	-	-	-	5,934	-	\$99	6,033
8. City of Oakland	-	-	-	18,686	-	-	18,686
9. City of Piedmont	-	-	-	6,217	-	-	6,217
10. City of Pleasanton	-	-	-	9,376	-	-	9,376
11. City of San Leandro	-	-	-	7,196	-	-	7,196
12. Castro Valley Sanitary District	-	-	-	34	-	-	34
13. Oro Loma Sanitary District	-	-	\$7,994	3,312	-	-	11,306
Total	\$0	\$0	\$7,994	\$138,771	\$0	\$99	\$146,864
Percentage	0%	0%	5%	95%	0%	0%	100%