

**APPROVED**

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

**Wednesday, December 19, 2018**

**3:00 P.M.**

**StopWaste Offices  
1537 Webster Street  
Oakland, CA 94612  
510-891-6500**

**I. CALL TO ORDER**

President Dave Sadoff, WMA, called the meeting to order at 3:02 p.m.

**II. ROLL CALL OF ATTENDANCE**

City of Alameda	Malia Vella, WMA, EC
City of Albany	Peter Maass, WMA, EC
City of Berkeley	Susan Wengraf, WMA, EC
Castro Valley Sanitary District	Dave Sadoff, WMA
City of Dublin	Melissa Hernandez, WMA, EC
City of Emeryville	Dianne Martinez, WMA, EC
City of Fremont	Vinnie Bacon, WMA, EC
City of Hayward	Sara Lamnin, WMA, EC
City of Newark	Mike Hannon, WMA, EC
City of Oakland	Dan Kalb, WMA, EC
Oro Loma Sanitary District	Shelia Young, WMA
City of Piedmont	Tim Rood, WMA, EC
City of Pleasanton	Jerry Pentin, WMA, EC
City of San Leandro	Deborah Cox, WMA, EC

**ABSENT:**

County of Alameda	Keith Carson, WMA, EC
City of Livermore	Bob Carling, WMA, EC
City of Union City	Emily Duncan, WMA, EC

**Staff Participating:**

Wendy Sommer, Executive Director  
Tom Padia, Deputy Executive Director  
Justin Lehrer, Senior Management Analyst  
Anu Natarajan, Legislative and Regulatory Affairs Manager  
Karen Kho, Principal Program Manager  
Richard Taylor, WMA Legal Counsel  
Arliss Dunn, Clerk of the Board

**Others Participating:**

Melissa Immel, Shaw Yoder and Antwih (Agency Lobbyist)  
Jason Schmelzer, Shaw Yoder and Antwih (Agency Lobbyist - via teleconference)

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### III. ANNOUNCEMENTS BY PRESIDENTS

There were no announcements by the President. Board member Peter Maass (Albany) announced that starting in January, he would become the alternate for the City of Albany and Mayor Rochelle Nason would become the representative to the WMA Board. Wendy Sommer announced other changes to the Board effective in January. Susan Wengraf will serve as the representative for the City of Berkeley. She will replace Kriss Worthington. Board member Lamnin will be reassigned as the alternate for the City of Hayward and Francisco Zermeño will become the representative. Board member Vinnie Bacon will no longer serve as the City of Fremont representative and Jenny Kassin will potentially serve as his replacement. Theresa Kang will possibly serve as the alternate. Emily Duncan will become the City of Union City representative replacing Lorrin Ellis and Jaime Patino will become the alternate.

### IV. OPEN PUBLIC DISCUSSION FROM THE FLOOR

There was none.

### V. CONSENT CALENDAR

#### 1. Approval of the Draft Joint Minutes of November 14, 2018 (Wendy Sommer)

#### 2. Contract/Vendor Authorization (Pat Cabrera)

The P&A Committee recommends that the WMA Board approve the contracts, vendors and/or spending authority listed in the staff report.

There were no public comments for the Consent Calendar. Board member Young made the motion to approve the Consent Calendar. Board member Rood seconded and the motion carried 14-0-1: (Ayes: Bacon, Cox, Hannon, Kalb, Lamnin, Maass, Martinez, Pentin, Rood, Vella, Sadoff, Young; Nays: None. Abstained: Wengraf. None. Absent: Carling, Carson, Duncan, Hernandez)

### VI. REGULAR CALENDAR

#### 1. 2018 Priority Setting (Wendy Sommer & Justin Lehrer)

Adopt the Guiding Principles to be used for programmatic strategy and budgetary planning through 2021 as outlined in the staff report.

Wendy Sommer provided an overview of the staff report and made a PowerPoint presentation. A link to the report and the presentation is available here: [2018-Priority-Setting.pdf](#). Ms. Sommer distributed a handout that included a summary of the notes and survey from the November 14 WMA meeting (attached).

Board member Hannon stated that as we look at pursuing new programs whether mandated by the state or not, in addition to looking at the cost benefit analysis or staff resources, we need to look at existing programs and other deliverables that won't be done based on the new programs. Board member Lamnin added in addition to staff resources and deliverables, we should be looking at program outcomes and measurements, and their effect on the guiding principles. Ms. Sommer stated that she concurs with Board member Lamnin with respect to measurements and mentions that SB 1383 will have requirements in this regard. Board member Kalb stated that he is fine with the language in the guiding principle regarding mandatory ordinances but the explanation did not really address mandatory ordinances. Ms. Sommer stated that staff is proposing a parallel track that does not require additional

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resources but if we would want to pursue mandatory ordinances, we would do a cost benefit analysis first.

There were no public comments on this item. Board member Kalb made the motion to approve the staff recommendation. Board member Pentin seconded and the motion carried 16-0:

(Ayes: Bacon, Cox, Hannon, Hernandez, Kalb, Lamnin, Maass, Martinez, Pentin, Rood, Sadoff, Vella, Wengraf, Young; Nays: None. Abstained: None. Absent: Carling, Carson, Duncan)

### **2. 2019 Legislative Priorities (Anu Natarajan)**

Discuss and adopt the legislative priority areas for 2019.

Ms. Natarajan introduced Melissa Immel and Jason Schmelzer (attending via teleconference) of Shaw, Yoder, Antwih, the new agency lobbyist. Ms. Immel provided an overview of the firm and their activities in Sacramento. Ms. Natarajan provided a summary of the staff report and presented an overview of the agency's legislative goals for 2019. A link to the report is available here: [2019-Legislative-Priorities.pdf](#).

Ms. Natarajan distributed the topic brief for December (Meal Kits). The topic brief is available here: [Meal-Kits.pdf](#)

Board member Hannon stated that he would like to see StopWaste put forward uniformity of language of products with respect to use by, sell by, best by, etc. as it will eliminate ambiguity for the public. Board member Kalb inquired about domestic recycling infrastructure if there is opportunity with California's size to create a local recycling market. Ms. Natarajan stated that there are ideas floating around, particularly a bond measure for revenue directed towards the purpose of creating recycling markets Ms. Immel added she met with Scott Smithline, Director of CalRecycle, and he stated that CalRecycle is exploring options in this area as well as the feasibility of building a paper mill and a paper pulping facility. Board member Kalb stated that legislators are starting to put together bill packages and there are two new legislators, and inquired if it would be useful for staff and a couple of Board members to meet and brief the new legislators. Ms. Natarajan stated yes, and staff and the lobbyist have not met with them because they had not staffed up yet. Board member Maass suggested broadening the proposed legislation on meal kits to also include medication packaging that is sent via mail. Board member Cox stated that she is pleased to see the attention towards meal kit packaging but there is still an urgency for education or legislation regarding proper recycling. Board member Martinez stated that she is also pleased with the focus on meal kit delivery package legislation and stated her support for domestic recycling infrastructure. Board member Lamnin stated her support for attention to medication packaging and a recycling infrastructure and suggested that the straw bill should include fast food packaging as well, and to keep a focus on EPR with respect to packaging labeling. Board member Vella stated that she is pleased to see the effort targeting meal kit packaging and is concerned regarding the emergence of styrofoam alternatives as the public is unsure of how to dispose of them. Ms. Vella added Amazon is starting to use reusable packaging and stated that the use of reusable packaging should be standard.

Ms. Sommer asked Ms. Immel and Mr. Schmelzer to comment on the issues discussed among the Board. Ms. Immel stated that the issues discussed among the Board are aligned with other stakeholders as well as the major issues being discussed at the state. Ms. Immel stated that EPR programs generally subsidize recyclers and they help markets as well. She added that meal kit packaging legislation is a

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good idea and stated that the feedback from Board was helpful but it will be a big fight. However, packaging reform is an issue that legislators are open to exploring. Mr. Schmelzer added we will receive pushback from the packaging industry but the meal kit legislation is a good idea and it will also depend on how the legislation is crafted.

There were no public comments on this item. Board member Rood made the motion to approve the staff recommendation. Board member Wengraf seconded and the motion carried 16-0:

(Ayes: Bacon, Cox, Hannon, Hernandez, Kalb, Lamnin, Maass, Martinez, Pentin, Rood, Sadoff, Vella, Wengraf, Young; Nays: None. Abstained: None. Absent: Carling, Carson, Duncan)

### **3. 2019 Meeting Schedule (Arless Dunn)**

Staff recommends that the Authority Board and the Energy Council adopt the 2019 Meeting Schedule.

There were no public comments on this item. Board member Hannon made the motion to approve the staff recommendation. Board member Rood seconded and the motion carried 16-0:

(Ayes: Bacon, Cox, Hannon, Hernandez, Kalb, Lamnin, Maass, Martinez, Pentin, Rood, Sadoff, Vella, Wengraf, Young; Nays: None. Abstained: None. Absent: Carling, Carson, Duncan)

### **4. Interim appointment(s) to the Recycling Board for WMA appointee unable to attend future Board Meeting(s) (Wendy Sommer)**

(Planning Committee and Recycling Board meeting, January 10, 2019 at 4:00 p.m., StopWaste Offices, 1537 Webster Street, Oakland, CA, 94612)

There were no requests for an interim appointment. Board member Lamnin stated that she is currently serving as a WMA appointee on the Recycling Board and due to her reassignment as the alternate she is strongly recommending that the WMA Board appoint the new Hayward representative, Francisco Zermeño, as her replacement on the Recycling Board. Ms. Sommer stated that staff will place the nomination and request for appointment on the January WMA agenda.

**Sara Lamnin, EC 2<sup>nd</sup> Vice President, chaired the Energy Council item.**

### **5. 2019 BayREN Contract (Karen Kho) (EC only) (Lamnin chaired)**

Adopt the attached Resolution authorizing the Executive Director to enter into a 2019 contract with ABAG for Bay Area Regional Energy Network (BayREN) services and other related actions.

Karen Kho provided an overview of the staff report. A link to the report is available here:

[2019-BayREN-Contract.pdf](#). Board member Lamnin asked that staff use an outcomes-based lens when prioritizing programs.

There were no public comments on this item. Board member Cox made the motion to approve the staff recommendation. Board member Maass seconded and the motion carried 16-0

(Ayes: Bacon, Cox, Hannon, Hernandez, Kalb, Lamnin, Maass, Martinez, Pentin, Rood, Vella, Wengraf. Nays: None. Abstained: None. Absent: Carling, Carson, Duncan)

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

Board member Cox announced that she had attended a legislative event at the Alameda County Food Bank. Board member Cox stated that she learned from Alex Boscovich, Government Relations Officer at

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Alameda County Community Food Bank, that they operate the largest food recovery system. Board member Cox stated that she was pleased to learn that they not only obtain new food but they also are an avenue for diverting recovered food. Board member Young commented about a very disheartening program on 60 minutes about plastics and recycling. Board member Young inquired about comments she saw on Nextdoor regarding the increase in PG&E bills and EBCE (East Bay Community Energy). Board member Rood stated that EBCE has three products and the default product is less expensive than PG&E. Customers can opt out of the 100% carbon fee product that cost the same as PG&E or pay \$0.01 per kilowatt hour for the 100% renewable product. Most of the jurisdictions in the county have opted for the default product, which is 4% below PG&E's rates. Board member Rood added customers received a rebate in the most recent bill, which may have caused some confusion. Board member Bacon added EBCE staff stated that they needed to improve in their outreach to inform customers.

Ms. Sommer announced that the agency received an award from State Fund Insurance. Ms. Sommer recognized Nathan Greene, who announced that State Fund recently concluded a review of our safety policies and practices and found that the agency had nine years of work without lost time for accidents. Ms. Sommer announced that the agency was in escrow for the conservation easement agreement. The process should conclude around December 21 and the agency should receive \$1.8 million for the easement. This is an increase of \$300,000 that was initially negotiated.

President Sadoff read a proclamation from the Board for Tom Padia on his retirement from the agency. Mr. Padia thanked the Board for their support and acknowledged their commitment and impacts over the years. Mr. Padia acknowledged staff for their support and collaborative teamwork.

## **7. ADJOURNMENT**

The meeting was adjourned at 4:02 p.m.

# StopWaste Board Priority Setting - Survey

Current run (last updated Nov 26, 2018 11:23am)

3

Polls

17

Participants

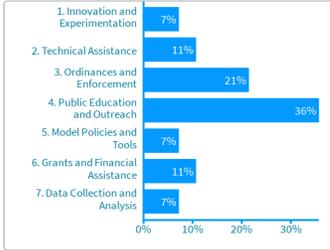
28

Average responses



Average engagement

## What is the most essential service StopWaste provides?



Response options

1. Innovation and Experimentation
2. Technical Assistance
3. Ordinances and Enforcement
4. **Public Education and Outreach**
5. Model Policies and Tools
6. Grants and Financial Assistance
7. Data Collection and Analysis

Count Percentage

2	7%
3	11%
6	21%
10	36%
2	7%
3	11%
2	7%

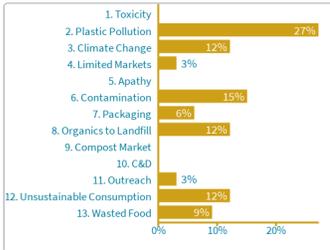


Engagement

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Responses

## What are the most important issues?



Response options

1. Toxicity
2. **Plastic Pollution**
3. Climate Change
4. Limited Markets
5. Apathy
6. Contamination
7. Packaging
8. Organics to Landfill
9. Compost Market
10. C&D
11. Outreach
12. Unsustainable Consumption
13. Wasted Food

Count Percentage

0	0%
9	27%
4	12%
1	3%
0	0%
5	15%
2	6%
4	12%
0	0%
0	0%
1	3%
4	12%
3	9%



Engagement

33

Responses

## In ONE word, what is the most important trend impacting StopWaste?



Responses

Foodwaste	Contamination	Plastics	Packaging	China	Cost	Sacramento
Plastics	Carbon	Packaging	Plastics	Climate	AB1383	Plastic
Chinasword	Plastic	Contamination	Disposables	China	Plastic	Apathy
4						



Engagement

22

Responses

## OVERVIEW

The following is a summary of the Board's discussion regarding StopWaste's Guiding **Principles** and **Priority Setting**. Images of the wallgraphics notes are on the last page.

## REFINEMENT OF SUSTAINABILITY LINKED TO WASTE PRINCIPLE:

*From: "Pursue projects with multiple sustainability benefits (greenhouse gas reduction, water conservation), only when linked with materials and waste management."*

*To: "Pursue **waste reduction** projects only when clearly linked with **climate benefits** (greenhouse gas / carbon reduction)"*

- Rules for SB 1383 are evolving and will go into effect in 2022
- How does StopWaste influence climate change?
  - Aren't most of the emissions from transportation and building?
  - Supply chain analysis indicates that food and goods equals 40% of emissions – and so directly inline
    - *Reimagined principle*
    - *Connect to Jurisdictions Climate action plans*
    - *Consumption/materials use*
    - *Methane impacts? 85% more damaging than carbon*
  - *Can we add "prevention" to Principle so it would read:  
"Pursue **waste reduction and prevention** projects only when clearly linked with **climate benefits** (greenhouse gas / carbon reduction)"*
- Otherwise the refined principle works.

## DISCUSSION RELATED TO NO ADDITIONAL MANDATORY REGULATIONS:

- Cities want to see how StopWaste will conduct plastic straw legislation/policy.
  - Is there a regional solution? Or Statewide solution?
  - How is enforcement handled? Is there a shifting focus?
    - It is expensive.
    - Can this pay for itself? *It is limited and cannot pay for self.*
- **There is a huge amount of packaging and it is growing. What can be done?**
  - *Sponsor legislation*
- We may need more flexibility on principle?!
- StopWaste can create **model ordinances** with City enforcement? Create **Alignment**.
  - There was some **success** with ordinances such as **Bag Ban**...?
  - Is StopWaste the leader?
  - Advocating/Lobby to the State.
  - Could develop a template ordinance with opportunity to opt out for jurisdictions (supports State)
- What is the most effective way to achieve goals?
  - Go beyond straws (*sponsor legislation*)
  - What can we do to be a model and drive Sacramento?

- Expanding enforcement means increasing budgets.
  - *Sponsor legislation instead.*
  - *Reduce/remove single-use plastics*
  - Straws are not the biggest deal. They cannot just be recycled
- Are we looking at the whole picture?
  - i.e. Utilizing thicker plastic bags: what does that mean from a sustainable perspective?
  - Need to make sure not to have unintended consequences.
- How are we allocating Measure D?
- **Can Staff develop some short-term ideas are within a 3-month timeframe**
  - Provide specifics on what can be done.
  - Is feedback from partner agency's needed?
    - Who does enforcement? Can cities do this rather than StopWaste?
    - It is hard to see StopWaste doing the enforcement
- **Cost benefit analysis is needed.**
  - What would be dropped?
  - A critical analysis needs to be done
- Could StopWaste develop a program for packaging?
  - **Focused?** maybe not all plastics but some specific types or audiences
    - *Amazon is providing \$10 million funding to address packaging*
  - This could illustrate the opportunity to help advocate for change.
  - Start the program with education and outreach.
  - Create a pilot program.
- Pilot Program: food delivery as an idea? (Connect to SB 1383)
  - It is a growing issue as the market pushes for convenience.

## SUMMARY POINTS:

- Create a flexible principle that incorporates the concept of cost/benefit analysis for new regulations
- Consider how state advocacy and lobbying can address the issue of plastics
- Consider the development of a model ordinance that can be used by cities; and potentially a mandatory county ordinance with the ability to opt out
  - Convene and engage stakeholders and provide outreach and education
  - Consider a pilot
- Address single use plastics and how StopWaste can impact.

*Also, to note are the stakeholder comments of the need for **consistency countywide, leadership, and the leveraging of partner activities.***

**StopWaste**  
PRIORITY SETTING

- SB 1383 - 2022
  - RULES EVOLVING
- CLIMATE CHANGE -
  - HOW DOES STOPWASTE INFLUENCE - TRANS/BUDG
  - REIMAGINED PRINCIPLE
  - CLIMATE ACTION PLANS
  - CONSUMPTION/MATERIALS
  - + PREVENTION TO PRINCIPLE
  - METHANE IMPACTS?
  - 85% MORE DAMAGING.

**NO ADD'L MANDATORY?!**

WANT TO SEE HOW SW CONDUCT PLASTIC STRAW LEGIS/POLICY

- CITIES - REGIONAL SOLUTION? - STATE
- ENFORCEMENT? SHIFTING FOCUS?
- SW CREATE MODEL ORDINANCES w/CITY ENFORCEMENT? ALIGNMENT.

CAN THIS PAY FOR ITSELF? LIMITED + NO COST!

\$\$\$

▷ SOME SUCCESSSES w/ORDINANCES SUCH AS BAG BAN... (?)

▷ IS SW THE LEADER

- ADVOCATING / LOBBY
- TEMPLATE ORDINANCE w/OUT OUT FOR JURIS.

TO STATE

↑ SUPPLIES

□ HUGE AMOUNT OF PACKAGING + GROWING. WHAT TO DO?

□ HOW ARE WE ALLOCATING MEASURED?

WHAT DOES THIS LOOK LIKE?

- WHAT IS MOST EFFECTIVE WAY TO ACHIEVE GOALS?
  - BEYOND STRAWS
  - WHAT CAN WE DO TO BE AS A MODEL + DRIVE SACD?
- EXPANDING ENFORCEMENT =
  - ↑ BUDGETS
  - SPONSOR LEGISLATION
  - INSTEAD
  - REDUCE/REMOVE SINGLE USE PLASTICS
  - STRAWS NOT THE BIGGEST DEAL + CAN'T JUST RECYCLE!

FOOD + GOODS = 40%

**PRINCIPLES**

**NON MANDATORY?**

- 3 MONTH...
- SHORT TERM IDEAS
- SPECIFICS ON WHAT CAN BE DONE

→ GET FEEDBACK FROM PARTNER AGENCIES?  
→ ENFORCEMENT?

□ COST/BENEFIT ANALYSIS  
→ WHAT WOULD BE DROPPED?  
→ CRITICAL ANALYSIS!

□ HARD TO SEE SW DOING ENFORCEMENT

□ COULD SW DEVELOP A PROGRAM FOR PACKAGING?  
- FOCUSED? MAYBE NOT ALL BUT SOME  
- ILLUSTRATE OPPORTUNITY TO HELP ADVOCATE FOR CHANGE  
→ START W/ EDUCATION + OUTREACH + PILOT

□ MORE FLEXIBILITY ON PRINCIPLE?

□ PILOT → FOOD DELIVERY?  
GROWING ISSUE  
○ CONVENIENCE +

□ ARE WE LOOKING AT WHOLE PICTURE?  
I.E. THICKER BAGS - WHAT DOES THAT MEAN...

□ FLEXIBLE PRINCIPLE + COST/BENEFIT

□ STATE ADOLENCY/LOBBY

□ MODEL ORDINANCE + POTENTIAL MAN. ORD.

□ OUTREACH + ED

□ PILOT

□ LOOK @ SINGLE USE PLASTICS + HOW SW CAN IMPACT.

SB/SES REPORT

CONVENIENCE + ENGAGE W/ STAKEHOLDERS

SDM. FROM AMAZON TO ADDRESS

**STAKEHOLDER COMMENTS...**

- CONSISTENCY COUNTRYWIDE
- LEADERSHIP
- LEVERAGE PARTNER ACTIVITIES