

Programs & Administration Committee

Dianne Martinez, **Chair**
City of Emeryville

Melissa Hernandez, **Vice Chair**
City of Dublin

David Haubert, County of Alameda

Trish Herrera Spencer, City of Alameda

Preston Jordan, City of Albany

Susan Wengraf, City of Berkeley

Jenny Kassan, City of Fremont

Mike Hannon, City of Newark

Shelia Young, Oro Loma Sanitary District

Jen Cavanaugh, City of Piedmont

Jack Balch, City of Pleasanton

Jaime Patiño, City of Union City

Timothy Burroughs, Executive Director

AGENDA

**ALAMEDA COUNTY WASTE
MANAGEMENT AUTHORITY MEETING
OF THE
PROGRAMS AND ADMINISTRATION COMMITTEE**

Thursday, February 10, 2022

9:00 A.M.

TELECONFERENCE MEETING

Teleconference/Public Participation Information to Mitigate the Spread of COVID-19.

This meeting will be held entirely by teleconference. All Board members, staff, and the public will only participate via the Zoom platform using the process described below. The meeting is being conducted in compliance with the recent amendments to the Ralph M. Brown Act suspending certain teleconference rules due to the ongoing state of emergency and state and local health officials recommendations to maintain social distancing. The purpose of these amendments was to provide the safest environment for the public, elected officials, and staff while allowing for continued operation of the government and public participation during the COVID-19 pandemic.

Members of the public and staff who are not presenting an item may attend and participate in the meeting by:

1. Calling US: +1 669 900 6833 and using the Webinar ID: 827 2118 4104
2. Using the [Zoom](#) website or App and entering meeting code 827 2118 4104

Board members and any other individuals scheduled to speak at the meeting will be sent a unique link via email to access the meeting as a panelist. All Board members MUST use their unique link to attend the meeting. During the meeting the chair will explain the process for members of the public to be recognized to offer public comment. The process will be described on the StopWaste website at <http://www.stopwaste.org/virtual-meetings> no later than 5:00 p.m., Wednesday, February 9, 2022. The public may also comment during the meeting by sending an e-mail to publiccomment@stopwaste.org prior to the close of public comment on the item being addressed. Each e-mail will be read into the record for up to three minutes.

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

AGENDA

I. CONVENE MEETING

II. ROLL CALL OF ATTENDANCE

III. PUBLIC COMMENTS

Open public discussion from the floor is provided for any member of the public wishing to speak on any matter within the jurisdiction of the Programs & Administration Committee, but not listed on the agenda. Each speaker is limited to three minutes unless a shorter period of time is set by the Chair.

Page IV. CONSENT CALENDAR

1 1. Approval of the Draft Minutes of January 13, 2022

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

Adopt Resolution #PA 2022-02.

V. REGULAR CALENDAR

7 1. Reusable Foodware Project Update (Justin Lehrer) This item is for information only.

VI. MEMBER COMMENTS

VII. ADJOURNMENT

The Programs & Administration Committee is a Committee that contains more than a quorum of the Board. However, all items considered by the Committee requiring approval of the Board will be forwarded to the Board for consideration at a regularly noticed Board meeting.

DRAFT

**MINUTES OF THE ALAMEDA COUNTY WASTE
MANAGEMENT AUTHORITY MEETING
OF THE
PROGRAMS AND ADMINISTRATION COMMITTEE**

Thursday, January 13, 2022

9:00 A.M.

TELECONFERENCE MEETING

Members Present:

County of Alameda

City of Alameda

City of Albany

City of Berkeley

City of Dublin

City of Emeryville

City of Fremont

City of Newark

Oro Loma Sanitary District

City of Piedmont

City of Union City

David Haubert

Trish Herrera Spencer

Preston Jordan

Susan Wengraf

Melissa Hernandez

Dianne Martinez, Chair

Jenny Kassar

Mike Hannon

Shelia Young

Jen Cavanaugh

Jaime Patiño

Absent:

City of Pleasanton

Jack Balch

Staff Present:

Timothy Burroughs, Executive Director

Pat Cabrera, Administrative Services Director

Jeff Becerra, Communications Manager

Justin Lehrer, Operations Manager

Jennifer Luong, Finance Services Manager

Soudy Abassi, Accountant

Jenny O'Brien, Senior Administrative Assistant

Nisha Patel, Management Analyst

Adrienne Ramirez, Assistant Clerk of the Board

Arliss Dunn, Clerk of the Board

Others Participating:

Ahmed Badawi, Badawi and Associates

I. Convene Meeting

Chair Dianne Martinez called the meeting to order at 9:00 a.m. Timothy Burroughs explained the process that would be utilized during the meeting. A link to the process is available here: [Virtual-Meetings-Instructions](#).

II. Public Comments

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

DRAFT

III. CONSENT CALENDAR

- 1. Approval of the Draft Minutes of December 9, 2021**
- 2. Resolution regarding meeting via teleconference to promote social distancing, pursuant to AB 361**
Adopt Resolution #PA 2022-01.

There were no public comments for the Consent Calendar. Board member Jordan moved approval of the Consent Calendar and Board member Hernandez seconded. The motion carried 10-0. The Clerk called the roll:

(Ayes: Cavanaugh, Hannon, Haubert, Hernandez, Jordan, Kassan, Martinez, Patiño, Spencer, Young.
Nays: None. Abstain: None. Absent: Balch, Wengraf)

IV. REGULAR CALENDAR

- 1. Fiscal Year 2020-21 Audit Report (Pat Cabrera & Jennifer Luong)**

That the Programs and Administration Committee review and forward the FY 20-21 audit report to the Waste Management Authority Board for acceptance and filing.

That the Recycling Board accept and file the FY 20-21 audit report.

Pat Cabrera provided an overview of the staff report. A link to the report is available here: [FY20-21-Audit-Report-memo.pdf](#). Ms. Cabrera acknowledged agency staff for their efforts in managing the agency's finances to ensure a clean audit with no significant recommendations or exceptions. The finance staff is comprised of Jennifer Luong, Finance Services Manager; Soudy Abbasi, Accountant; Jenny O'Brien, Senior Administrative Assistant; and Nisha Patel, Management Analyst. Staff from the auditing firm, Ahmed Badawi, Badawi and Associates, was available to answer any questions. Ms. Cabrera informed the Board that staff is contracting with Crowe Horwath to conduct a review of the agency's core fund balances and reserves and staff will provide those findings in March along with the fiscal forecast. Board member Cavanaugh acknowledged staff for undertaking the analysis of revenue and core fund balances. Board member Hannon asked that going forward staff include a statement that any areas of concern whether major or minor have been addressed or resolved in conformance with the auditor's recommendations. Ms. Cabrera stated that staff would do so.

Additional time was provided to the Board for discussion and clarifying questions. There were no public comments on this item. Board member Hannon moved approval of the staff recommendation that the Programs and Administration Committee review and forward the FY 20-21 audit report to the Waste Management Authority Board for acceptance and filing. Board member Martinez seconded and the motion carried 10-0. The Clerk call the roll:

(Ayes: Cavanaugh, Hannon, Hernandez, Jordan, Kassan, Martinez, Patiño, Spencer, Wengraf, Young.
Nays: None. Abstain: None. Absent: Balch, Haubert)

V. MEMBER COMMENTS

Chair Martinez wished everyone a happy new year.

VI. ADJOURNMENT

The meeting adjourned at 9:21 a.m.



DATE: February 10, 2022

TO: Programs & Administration Committee

FROM: Timothy Burroughs, Executive Director

SUBJECT: Resolution regarding meeting via teleconference to promote social distancing, pursuant to AB 361

SUMMARY

On September 16, 2021, the Governor signed into law as an urgency measure, AB 361 (Rivas), which allows local legislative bodies to continue to meet by teleconference in order to promote public health and safety, subject to certain conditions, which must be reconsidered every 30 days. At its February 10, 2022, meeting, the Programs & Administration Committee will consider a resolution to approve and direct the continued use of teleconferencing for its public meetings to enable social distancing, as long as the findings required by AB 361 are met and other provisions of the Brown Act are followed.

DISCUSSION

In light of the continued state of emergency declared by the Governor related to COVID-19, state and local officials have imposed or recommended measures to promote social distancing. This direction from state and local health officials is based on the increased safety protection that social distancing provides as one method to reduce the risk of COVID-19 transmission.

The state of emergency and associated direction from state and local health officials to promote social distancing continues to impact the ability for the Programs & Administration Committee to meet safely in person. The direction from public health officials that informs the findings in the attached resolution has not changed. Therefore, staff recommends that the Committee approve the attached resolution to direct the continued use of teleconferencing for its public meetings to enable social distancing, as long as the findings required by AB 361 are met and other provisions of the Brown Act are followed. The Committee will need to revisit the need to conduct meetings remotely at least every 30 days following adoption of the attached resolution.

RECOMMENDATION

Adopt resolution #PA 2022-02.

**PROGRAMS & ADMINISTRATION COMMITTEE
RESOLUTION #PA 2022-02**

**MOVED:
SECONDED:**

AT THE MEETING HELD FEBRUARY 10, 2022

WHEREAS, in response to the COVID-19 pandemic, the Governor adopted a series of Executive Orders allowing the legislative bodies of local governments to meet remotely via teleconference so long as other provisions of the Brown Act were followed; and

WHEREAS, on September 16, 2021, the Governor signed into law as an urgency measure, AB 361, which allows for the continued use of remote meetings by local legislative bodies subject to certain conditions, which must be reconsidered every 30 days; and

WHEREAS, the Programs & Administration Committee has considered the current state of health guidance related to public meetings in Alameda County and finds it necessary to continue with remote meetings to promote public health and safety.

NOW THEREFORE BE IT RESOLVED, that the Programs & Administration Committee approves and directs the continued use of teleconferencing for its public meetings based on the following findings required by Government Code Section 54953(e), as amended by AB 361:

- The entire State of California remains under a proclaimed state of emergency as declared by the Governor of the State of California related to the COVID-19 pandemic.
- State and local officials have imposed or recommended measures to promote social distancing. For example, on September 23 the Alameda County Health Care Services Agency Director recommended social distancing at all meetings of the Board of Supervisors and its committees. This recommendation is consistent with the Division of Occupational Safety and Health of California's (Cal/OSHA) Emergency Temporary Standards, which require employers to train and instruct employees that the use of social distancing helps combat the spread of COVID-19 (8 Cal. Code Regs. 3205(c)(5)(D).).
- The state of emergency continues to directly impact the ability to meet safely in person. For example, given the constraints of the Program & Administration Committee's available meeting spaces, social distancing is difficult without severely limiting space for members of the public to attend.
- The Committee anticipates this resolution will appear on its consent calendar for review and ratification or update at each regular Committee meeting for as long as the Governor's proclaimed state of emergency related to the COVID-19 pandemic remains in effect and the Committee desires to continue remote public meetings.

BE IT FURTHER RESOLVED, that:

1. Programs & Administration Committee meetings will continue to be conducted remotely for the next 30 days in compliance with AB 361, to better ensure the health and safety of the public.
2. The Programs & Administration Committee will reconsider the circumstances of the state of emergency and the need to conduct meetings remotely at least every 30 days following adoption of this resolution.
3. If the Committee determines the need still exists at each 30-day mark, the determination will be ratified by a vote of the Committee documented in the minutes of that meeting.

Passed and adopted this 10th day of February 2022 by the following vote:

AYES:

NOES:

ABTAIN:

ABSENT:

Arliss Dunn, Clerk of the Board

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DATE: February 10, 2022

TO: Programs & Administration Committee
Planning Committee/Recycling Board

FROM: Justin Lehrer, Operations Manager

SUBJECT: Reusable Foodware Project Update

SUMMARY

At the February 2022 Programs & Administration and Planning Committee/Recycling Board meetings, staff will provide an update on recent progress and near-term plans for the Reusable Foodware project. Based on Waste Management Authority (WMA) Board direction, staff is advancing several efforts, including grants, technical assistance, and outreach, designed to support implementation of reusable foodware in dining establishments in Alameda County.

DISCUSSION

The Reusable Foodware project focuses on developing policy, infrastructure, and capacity for greater adoption of reusable foodware in Alameda County. At its January 2020 meeting, the WMA Board directed staff to conduct research and pilot projects to better understand the challenges of implementing reusable foodware at dining establishments in Alameda County. COVID-19 impacted the timing of this effort, due to effects on food service businesses as well as public perception of the safety of reusables. In light of these challenges, the project team was able to adjust course, address safety concerns, and still fund four pilot projects in FY 2021-2022. We plan to fund additional projects this fiscal year through the current open grant solicitation. Through these projects we aim to test new solutions, further develop both market supply and demand for reusables, and gain a better understanding of the opportunities, requirements, and challenges we must address in order to build a more robust reuse infrastructure in the county.

During this period, staff issued a Request for Qualifications (RFQ) in order to identify providers of reusable foodware solutions to catalyze and launch pilot projects, as well as providers of technical assistance services to guide and support food service operators switching from single use to reusable foodware. A list of approved providers resulting from this process can be viewed [here](#).

Recent activity includes work with food service businesses in three focus areas: education on the safe use of reusables; direct technical assistance to businesses implementing reusable foodware for on-site dining; and working closely with Member Agency staff and food business operators to

identify and launch pilot projects to test, validate, and learn more about models for reuse in food service. At the February 10 meeting, staff will provide an update on these activities and near-term plans for the project.

RECOMMENDATION

This item is for information only.