

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

Thursday, November 9, 2017

9:00 A.M.

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

Members Present:

Castro Valley Sanitary District	Dave Sadoff
City of Dublin	Don Biddle
City of Hayward	Sara Lamnin
City of Newark	Mike Hannon
Oro Loma Sanitary District	Shelia Young
City of San Leandro	Deborah Cox
City of Union City	Lorrin Ellis

Absent:

County of Alameda	Keith Carson
City of Berkeley	Jesse Arreguin
City of Fremont	Vinnie Bacon
City of Livermore	Bob Carling
City of Oakland	Dan Kalb

Staff Present:

Wendy Sommer, Executive Director
Pat Cabrera, Administrative Services Director
Tom Padia, Deputy Executive Director
Rachel Balsley, Senior Program Manager
Elese Lebsack, Program Manager
Michelle Fay, Program Manager
Arliss Dunn, Clerk of the Board

Others Present:

Andrea Deleon, Cascadia Consulting
Julia Chang Frank, Cascadia Consulting

1. Convene Meeting

Chair Dave Sadoff called the meeting to order at 9:02 a.m.

2. Public Comments

There were none.

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3. Approval of the Draft Minutes of October 12, 2017 (Pat Cabrera)

Board member Young made the motion to approve the draft minutes of October 12, 2017. Board member Biddle seconded and the motion carried 6-0 (Ayes: Biddle, Cox, Hannon, Lamnin, Sadoff, Young. Nays: None. Abstain: None. Absent: Arreguin, Bacon, Carling, Carson, Ellis, Kalb).

4. Mandatory Recycling Ordinance Project Update (Rachel Balsley)

This report is for information only.

Rachel Balsley provided a summary of the staff report and presented a PowerPoint presentation. The combined staff report and presentation is available here: [MRO-Presentation-11-09-17.pdf](#)

Ms. Balsley introduced staff from the MRO team, Elese Lebsack and Michelle Fay, as well as Andrea Deleon and Julia Chang Frank from Cascadia Consulting. Board member Hannon commended staff on an outstanding report and acknowledged the significant effort towards outreach. Board member Hannon inquired if the outreach materials were provided in multi-languages. Ms. Balsley stated that the outreach letters are not currently multi-language but the overview fliers are available in Spanish, Korean, Vietnamese and Chinese, and the inspectors and technical assistance team utilize the fliers when interacting with regulated parties. Board member Hannon suggested we include a statement on the outreach materials that fliers are available in multiple languages and can be provided upon request. Board member Hannon commended staff on the number of inspections that were conducted and not just merely driving by an establishment. Board member Hannon inquired about the primary enforcement officer for each jurisdiction. Ms. Balsley stated that it varies in each agency and is usually a TAC member that has completed the basic inspector training provided by CalEPA, or it can be the General Manager of a sanitary district. Board member Hannon stated that he is pleased to see that citations are given to send a strong message and inquired if there has been push-back from jurisdictions when issuing citations. Ms. Balsley stated that there has been minimal push-back from jurisdictions. Board member Hannon inquired if there is information on the increase in recycling rates for each city. Ms. Balsley stated that we have current data for the cities that have submitted their information, however, the problem is that it is not necessarily apples to apples baseline data which is why we only provided sampling information. Board member Hannon inquired regarding the coordination with haulers with respect to contamination. Ms. Balsley stated that it is a local issue dependent upon the protocols of the franchise agreement and we are not currently inspecting multi-family properties because they only have the service requirement. For commercial establishments, we will make a note if there is a finding of contamination but do not have enough time to communicate with the hauler prior to pick-up (usually the next day).

Board member Cox inquired about the classification for trailer parks. Ms. Balsley stated that trailer parks are a gray area and it depends on their service, i.e. if they have a single cart per trailer they are considered single family and if they have a shared dumpster they are considered multi-family if there are 5 or more residences. Board member Cox stated that the report illustrates such good news and information especially for small businesses to know that they can receive free assistance. Board member Cox suggested that staff work with chambers and business associations to disseminate the information much more visibly. Ms. Balsley stated that they partner with local chambers in helping to communicate new requirements to businesses but they are just now being able to consolidate the data and are looking at ways to get out the information. Ms. Sommer stated that the agency is now putting together one-page topic briefs and the upcoming brief will feature the Mandatory Recycling Ordinance and Technical Assistance. The one-page brief consolidates the information and highlights the program and will be more easily disseminated.

Board member Lamnin referenced page 8, with respect to the increase in costs for services. Ms. Balsley stated that it is difficult for smaller businesses to decrease their garbage services in order to make up for the increase in organics and/or recycling services, and in most cases they will incur an additional charge for

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the added service, and it varies widely by jurisdiction. Board member Lamnin concurred with Board member Cox regarding increasing public awareness of the information by collaborating with jurisdictions to promote businesses that are doing well. Ms. Balsley reminded the Board that the agency hosts a business recognition event in the spring that highlights businesses that are doing well. Board member Young inquired about the citation appeal process. Ms. Balsley stated that the agency contracts with a citation processing center aka Data Ticket, and they process the citation payments as well as handle the administrative hearings. Account holders that receive a citation have the opportunity to appeal the citation within 30 days of issuance and Data Ticket schedules a hearing officer where all parties are able to present their case. Board member Young inquired if the inspections are done by in-house staff. Ms. Balsley stated no, the inspectors are contracted and routinely only inspect commercial properties, and multi-family accounts after notification of a potential violation. Board member Ellis stated that we have made significant progress in the commercial sector and inquired if there has been progress made that we can leverage to tackle some of the challenges in the multi-family sector, e.g. can mixed recycling be efficiently integrated into aging multi-family dwellings. Ms. Balsley stated that the ordinance has some waivers and particularly for space constraints, however more often the property would prefer not to relinquish a parking space for bin placement. Mr. Padia added the service is a function of size and frequency and it also sometimes involves working with code enforcement to keep the garbage and organics inside to alleviate vector issues. Board member Hannon inquired about the percentage of paid citations. Ms. Balsley stated that there are approximately 100 delinquencies with some companies having multiple delinquencies. Dealing with broker services for some properties complicates the issue. Board member Hannon suggested that staff consider working with DMV and other agencies to recover the fees. Ms. Balsley stated that Data Ticket has the ability to levy against state tax refunds but staff will explore other options as well.

Chair Sadoff inquired if the technical assistance was apportioned by the number of accounts and violations. Ms. Balsley stated yes, and staff has been shifting technical assistance more towards accounts that have received violations as it allows staff to look at the entire county as accounts that receive a violation letter are more likely to need assistance. Chair Sadoff inquired about the funding source for the free bins. Ms. Balsley stated that the free bins are funded out of the Organics Processing Development (OPD) reserve. Chair Sadoff inquired if accounts that receive citations are publicly available. Ms. Balsley stated that the information could be made public upon a public records request. Chair Sadoff added possibly seriously delinquent accounts could receive some public shaming. Chair Sadoff inquired about what attributes to the success of certain jurisdictions such as Albany, Piedmont, and Alameda County. Ms. Balsley stated that Albany and Piedmont have very few covered accounts, and the accounts listed for Alameda County are in the rural areas. Board member Young recommended that the MRO presentation be featured on the agency website.

Chair Sadoff thanked Ms. Balsley for an excellent presentation.

5. Member Comments

Board member Lamnin announced that she had attended a CalPERS conference for employers and stated that elected officials have not been a part of the conversation and encouraged them to attend. She added CalPERS plans to include a track for elected officials next year in August. Board member Lamnin stated that the Board meets on Mondays, Tuesdays, and Wednesday, and Tuesday's agenda will include a discussion on adjusting the amortization rate from 30 years to 20 years which could cause another increase in rates. The December agenda items will be looking at liabilities around JPAs.

6. Adjournment

The meeting adjourned at 9:48 a.m.