

**APPROVED**

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

**Thursday, December 12, 2019**

**9:00 A.M.**

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

**Tim Rood  
San Jose City Hall  
3rd Floor Tower  
200 East Santa Clara St.  
San Jose, CA 95113  
408-535-8122**

**Members Present:**

County of Alameda	Keith Carson
City of Albany	Rochelle Nason
City of Berkeley	Susan Wengraf
City of Fremont	Jenny Kassan
City of Newark	Mike Hannon
City of Oakland	Dan Kalb
Oro Loma Sanitary District	Shelia Young
City of Piedmont	Tim Rood (teleconference)
City of Pleasanton	Jerry Pentin
City of Union City	Emily Duncan

**Absent:**

City of Dublin	Melissa Hernandez
City of Emeryville	Dianne Martinez

**Staff Present:**

Wendy Sommer, Executive Director  
Pat Cabrera, Administrative Services Director  
Meghan Starkey, Senior Management Analyst  
Justin Lehrer, Senior Management Analyst  
Arliiss Dunn, Clerk of the Board

**1. Convene Meeting**

Chair Jerry Pentin called the meeting to order at 9:03 a.m.

**2. Public Comments**

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There were none.

### **3. Approval of the Draft Minutes of November 14, 2019 (Pat Cabrera)**

There were no public comments on this item. Board member Young made the motion to approve the draft minutes of November 14, 2019. Board member Wengraf seconded and the motion carried 8-0. (Ayes: Duncan, Hannon, Kassan, Nason, Pentin, Rood, Wengraf, Young. Nays: None. Abstain: None. Absent: Carson, Hernandez, Martinez, Kalb).

### **4. 2020 Meeting Schedule (Arliss Dunn)**

**It is recommended that the Programs & Administration Committee adopt the regular meeting schedule for 2020.**

Clerk Arliss Dunn introduced the item. There were no public comments on this item. Board member Hannon made the motion to approve the meeting schedule for 2020. Board member Wengraf seconded and the motion carried 8-0: (Ayes: Duncan, Hannon, Kassan, Nason, Pentin, Rood, Wengraf, Young. Nays: None. Abstain: None. Absent: Carson, Hernandez, Martinez, Kalb).

### **5. Countywide Element Update: Goals, Objectives and Policies (Wendy Sommer and Meghan Starkey)**

Review the proposed goals, objectives, policies and issues listed in the staff report, provide input and give direction to staff.

Board members Carson and Kalb arrived during the presentation. Wendy Sommer introduced the item and acknowledged staff working on the project: Emily Alvarez, Jeff Becerra, Justin Lehrer, and Meghan Starkey. Ms. Sommer provided a summary of the policy questions that required Board direction and Ms. Starkey provided a summary of the proposed goals and objectives and led the Committee through an exercise where they were asked to provide input on the proposed goals and objectives and policy questions. A link to the staff report and a PowerPoint presentation is available here: [CoIWMP-Presentation-12-12-19.pdf](#)

Board member Wengraf inquired if there was consideration of any unintended consequences in making these changes. Ms. Sommer stated that staff has had extensive discussions with the Technical Advisory Committee (TAC) as well as in-house staff and legal counsel and so far we don't anticipate that we would have any unintended consequences. Ms. Sommer added with regard to the conformance finding process for all facilities within the county, that if we are not able to develop relationships with planning departments of the cities and county we would not be aware of planned developments of facilities. However, we would still be able to write a letter of comment, which would be more influential than the conformance finding process. Ms. Starkey added that another benefit of doing an update is it will make it easier to amend the CoIWMP if we discover that there is an unintended consequence or a policy that we agreed upon isn't working. Board member Hannon stated that he likes the aspirational goal of having 75% diversion and added it is important to receive a periodic update on how close we are to achieving the goal. Board member Hannon stated concern for not requiring the conformance finding process for all facilities within the county. In his experience there were many non-disposable facilities that had more than 10% residuals and should have been required to register as a solid waste facility, and inquired about the level of coordination that the agency has with the local LEA to ensure that the facilities are as stated. Ms. Sommer stated that we have a relationship with the LEA but we must remain very proactive as they are very sporadic in reaching out to us with regard to new facilities. Chair Pentin stated that he supports the staff recommendation to hold onto the agency property, but with regard to

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metrics and the 75% goal, the tipping fees have not dropped and we still have more volume going into the landfill and we are starting to utilize the second area of the landfill at Altamont. Chair Pentin added he supports the recommendation to focus on organics as well as the recommendation to only conduct the conformance finding process for solid waste facilities that required a Full Solid Waste Facility permit from CalRecycle. Board member Kalb stated with regard to the change in the agency's involvement with the conformance finding process, he is not concerned about the larger jurisdictions that may have the capacity but he is concerned that since StopWaste is the agency that has the expertise and he would recommend that we are involved at the time where we would have the most impact. Ms. Sommer stated that staff feels under the new proposal we would have more impact if we are involved in the beginning. We can reverse it later if we discover that it is not having the impact as we proposed. Chair Pentin inquired what would be CalRecycle's response if we requested to change the process to include the conformance finding earlier in the process. Ms. Sommer stated that this has occurred before and CalRecycle stated that they would still file it under the non-disposal facility element, instead of treating it as a CoIWMP amendment process. Chair Pentin inquired if staff would be doing double work if we were to leave the policy as is and also work with member agencies earlier in the process. Ms. Sommer stated yes. Board member Hannon commented that it is not unusual for cities to send an EIR packet to the water board and other agencies for them to weigh in on compliance and inquired how this is any different from the agency receiving an EIR packet at the onset of a project. Ms. Sommer stated that this is the intention of the proposed process and it is a matter of informing the Board, the City Managers, and planning departments that we are a responsible agency and should be notified. Board member Hannon inquired if the WMA can adopt a county ordinance that requires cities to circulate the required environmental documents to StopWaste along with the other required agencies. Ms. Sommer stated that she would need to consult with the agency counsel regarding this issue.

Ms. Sommer thanked the Committee for their input and direction. Overall, the committee is supportive of the policy recommendations, goals and objectives. Staff will continue to engage the committees in the next two months in this process and will send out materials ahead of time. Staff plans to bring the CoIWMP update to the Board for the first reading in March.

### **6. Member Comments**

The Committee extended birthday wishes to Executive Director Wendy Sommer.

### **7. Adjournment**

The meeting adjourned at 10:11 a.m.