

APPROVED

**MINUTES OF THE REGULAR MEETING OF THE
PLANNING AND ORGANIZATION COMMITTEE
AND
ALAMEDA COUNTY RECYCLING BOARD**

Thursday, November 10, 2016

7:00 P.M.

**Castro Valley Public Library
3600 Norbridge Avenue
Castro Valley, CA 94546
510-667-7900**

I. CALL TO ORDER

Tim Rood, President, called the meeting to order at 7:00 p.m.

II. ROLL CALL

Adan Alonzo, Recycling Programs
Bernie Larrabe, Recycling Materials Processing Industry
Peter Maass, City of Albany
Dianne Martinez, City of Emeryville
Daniel O'Donnell, Environmental Organization
Jim Oddie, City of Alameda
Michael Peltz, Solid Waste Industry Representative
Jerry Pentin, City of Pleasanton
Tim Rood, City of Piedmont
Steve Sherman, Source Reduction Specialist
Toni Stein, Environmental Educator

Staff Present:

Wendy Sommer, Executive Director
Tom Padia, Deputy Executive Director
Farand Kan, Deputy County Counsel
Arliss Dunn, Clerk of the Board

Others Present:

Joshua Perez, Independent Recycling Services
Peter Deibler, HF&F, LLC

III. ANNOUNCEMENTS BY THE PRESIDENT

There were none.

IV. CONSENT CALENDAR

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|---|--------------------|
| 1. Approval of the Draft Minutes of October 13, 2016 (Tom Padia) | Action |
| 2. Board Attendance Record (Tom Padia) | Information |
| 3. Written Report of Ex Parte Communications (Tom Padia) | Information |
| 4. Grants under \$50,000 (Tom Padia) | Information |

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Board member Maass made the motion to approve the Consent Calendar. Board member Pentin seconded and the motion carried 9-0.

(Ayes: Larrabe, Maass, Martinez, Moore, Oddie, Peltz, Pentin, Rood, Stein. Nays: None. Abstain: None. Absent: Alonzo, Sherman)

V. OPEN PUBLIC DISCUSSION

Jonathan Perez, Independent Recycling Services, a C&D debris hauler/recycler located in Oakland, provided public comment. Mr. Perez stated that he was attending the meeting to learn more about recycling and how to reach the diversion goal by 2020. He learned about the meeting from Kerry Parker, City of Alameda, Public Works Department.

VI. REGULAR CALENDAR

1. Member Agency Conformance with “Adequate Commercial Recycling” Standard Information And Municipal Eligibility to Receive Measure D Per Capita Allocations (Tom Padia)

This report is for information only.

Tom Padia provided a summary of the staff report. The report is available here: [Adequate Commercial Recycling-11-10-16.pdf](#)

There was no public comment on this item.

2. Award of Contract for Five Year Program Review (Tom Padia) Action

Staff recommends that the Recycling Board approved award of contract for the Five Year Program Review to HF&F Consultants, LLC per the attached proposal in an amount not-to-exceed \$88,330 from the Five Year Audit project in the FY 16/17 budget and authorize the Executive Director to execute a contract for proposed services, subject to approval as to form by legal counsel.

Tom Padia provided a summary of the staff report. The report is available here: [Five Year Review Contract-11-10-16.pdf](#)

Peter Deibler, HF&H Consultant, was in attendance to answer any questions. Board member Stein inquired about the mention of Kevin McCarthy in an attachment of the RFP. Mr. Padia stated that Mr. McCarthy had expressed an interest in submitting an RFP for the project, and that the referenced attachment to the RFP was an initial list of consultants to whom the RFP was emailed, in addition to posting on the agency website. Board member Stein thanked staff for recommending a contract award under \$100,000.

Board member Pentin made the motion to approve the staff recommendation. Board member Stein seconded and the motion carried 10-0-1. (Ayes: Larrabe, Maass, Martinez, Moore, Oddie, Peltz, Pentin, Rood, Sherman, Stein. Nays: None. Abstain: Alonzo. Absent: None).

3. Board Member Eligibility Verification Process (Wendy Sommer) Information

This item is for information only.

Executive Director Wendy Sommer provided an overview of the staff report (available here: [Board Verification Process-11-10-16.pdf](#)) and explained the process currently utilized by the Board of Supervisors for vetting the applications and subsequent appointments of Board of Supervisor appointees to the Recycling Board. Ms. Sommer stated that County Counsel, agency staff, and the Board of Supervisors staff suggested establishing a process of verification that is clear to everyone involved. The new process will include an additional step with the addition of a ‘Board Qualification Form’ that would be included with the application. Tom Padia stated that the Measure D charter states “No two employees of a for-profit corporation shall be members of the Board at any one time.”

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He added this circumstance happened only one time in the nineties and unfortunately was not discovered through any screening process and is one of the reasons why they are asking for Board members to verify if they work for a “for-profit” corporation or not. Ms. Sommer asked that Board Members complete the form and submit it at the board meeting or by November 18, 2016.

Board Member Stein stated that she had completed and submitted the form and inquired if more information was required. Ms. Sommer stated that Board Member Stein’s slot as Environmental Educator is the only one that is required to be “employed as such on full time basis” as stated in Measure D. Board member Stein stated that she was upset and felt that this issue was being discussed in a “defamatory way” at the board meeting. Board member Stein inquired as to why she is being compelled to provide her W2 and salary. Mr. Padia stated that it would be fine to redact any personal information that she deemed to be sensitive as it pertains to her salary. Board member Peltz suggested that the Board of Supervisors in collaboration with agency staff develop a list of criteria that can be used as verification of employment. Ms. Sommer stated that it was the Board of Supervisor’s purview and staff is simply assisting in the process.

Board member Pentin inquired if Recycling Board Members are required to fill out Form 700s. Ms. Sommer replied yes. Board Member Peltz inquired if this would be an ongoing process and if the form would be given to the applicant at the time of the interview with the Board of Supervisors. Mr. Padia stated yes the form would be requested from applicants at the point of application, along with a cover letter and resume.

VII. OTHER PUBLIC INPUT

Mr. Perez inquired about the process for becoming a Recycling Board member. Ms. Sommer directed Mr. Perez to page 19 of the staff report which outlines the different categories of Board appointees and the application process.

VIII. COMMUNICATIONS/MEMBER COMMENTS

Board member Sherman announced the success of passage of Prop 67 and the defeat of Prop 65. Board member Sherman stated that the NCRA had put together a video that has been viewed by thousands (available here: [Ban the bag](#)) as well as a write up in the Sacramento Bee (available here: [Sac Bee Bag Ban](#)) that has received national attention. Board member Sherman thanked staff for bringing the recommendation before the Board and for the Board to endorse staffs’ recommendation to support Prop 67 and oppose Prop 65.

IX. ADJOURNMENT

The meeting adjourned at 7:32 p.m.