

**APPROVED**

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

**Wednesday, June 25, 2014  
3:00 p.m.**

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

**I. CALL TO ORDER**

President Biddle, WMA, called to meeting to order at 3:00 p.m.

**II. ROLL CALL**

**WMA & EC**

County of Alameda	Keith Carson (arrived 3:15 p.m. left 3:45 p.m.)
City of Alameda	Lena Tam (left 4:40 p.m.)
City of Albany	Joanne Wile (left 4:45 p.m.)
City of Berkeley	Kriss Worthington (left 4:40 p.m.)
Castro Valley Sanitary District	Dave Sadoff (left 4:40 p.m.)
City of Dublin	Don Biddle
City of Emeryville	Jennifer West
City of Fremont	Anu Natarajan
City of Hayward	Barbara Halliday
City of Newark	Luis Freitas (left 4:30 p.m.)
City of Oakland	Dan Kalb (arrived 3:05 p.m.)
Oro Loma Sanitary District	Laython Landis (left 4:10 p.m.)
City of Piedmont	Tim Rood
City of Pleasanton	Jerry Pentin (left 4:40 p.m.)
City of San Leandro	Pauline Cutter

**Absent:**

City of Union City	Lorrin Ellis
City of Livermore	Laureen Turner

**Staff Participating:**

Gary Wolff, Executive Director  
Wendy Sommer, Principal Program Manager  
Richard Taylor, Counsel, Authority Board  
Arliss Dunn, Clerk of the Board

**Others Participating:**

Seth Baruch, Carbonomics  
Tom Kelly, KyotoUSA

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**III. ANNOUNCEMENTS BY THE PRESIDENTS**

There were none.

**CLOSED SESSION:**

1. PUBLIC EMPLOYEE PERFORMANCE EVALUATION (pursuant to Government Code Section 54957) – Title: Executive Director. (confidential materials mailed separately)
2. Pursuant to Government Code Section 54957 PUBLIC EMPLOYEE PERFORMANCE EVALUATION (Legal Counsel) - (confidential materials mailed separately)

There was nothing to report from the closed sessions.

**IV. CONSENT CALENDAR (WMA & EC)**

1. **Approval of the Draft Minutes of May 28, 2014 (WMA & EC-Separate Votes) (Gary Wolff)** **Action**
2. **Proposed Budget Adjustments for FY13/14 and FY14/15 (WMA only)** **Action**  
Staff recommends that the WMA Board approve the following actions:
  1. Increase the Authority's total spending appropriation for FY 13/14 by \$120,000, which will be reimbursed by the countywide HHW program as outlined in Attachment A.
  2. Change the funding source for project 1240 in FY14/15 (the HHW point of purchase alternative project), totaling \$262,858, to the externally funded category for reimbursement by the countywide HHW program as outlined in Attachment B. Direct staff to incorporate these changes in the final FY14/15 budget document.
3. **Legislative Positions -- Update for 2013/2014 Session (Gary Wolff) (WMA only)** **Action**  
Staff and the committees recommend that the Waste Management Authority adopt the legislative positions stated in the linked memo provided to the committees.
4. **Minutes of the June 17, 2014 Technical Advisory Group (TAG) (EC only) (Gary Wolff)** **Information**
5. **Grants Under \$50,000 (WMA only) (Gary Wolff)** **Information**

Mr. Worthington made the motion to approve the Consent Calendar for the WMA Board. Mr. Freitas seconded and the motion carried 16-0 (Carson, Ellis, and Turner absent).

Ms. Cutter made the motion to approve the Consent Calendar for the Energy Council. Ms. Halliday seconded and the motion carried 15-0 (Carson and Ellis absent).

**V. OPEN PUBLIC DISCUSSION (WMA & EC)**

There was none.

**VI. REGULAR CALENDAR (WMA only)**

1. **Benchmark Service Opt-Out Update and Options (Gary Wolff) (WMA only)** **Action**  
Staff recommends that the Authority Board take no action.

Mr. Wolff provided an overview of the staff report and a powerpoint presentation. The staff report is available here: <http://www.stopwaste.org/docs/06-25-14-benchmark.pdf> and the presentation is available here: <http://www.stopwaste.org/docs/bmpres.pdf>

Mr. Rood inquired if the fee opt-out process excludes the resident from sampling. Mr. Wolff stated no, but the resident can separately request to be excluded from sampling. Mr. Wolff indicated new accounts will be able to opt-out of the fee and report but the opt-out deadline has passed for existing account holders. Ms. Halliday inquired about violation of privacy with respect to curbside sampling. Mr. Wolff stated legal

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research indicates there are no privacy concerns under the fifth Amendment and access issues are allayed once the materials are placed curbside. Ms. Halliday stated that it would be helpful for the next report to include information on where to put materials.

Ms. Wile stated her support for the staff recommendation. Mr. Biddle inquired if staff will develop an assessment tool. Mr. Wolff stated yes, but work on that has not begun yet.

Rebecca Jewell, Recycling Program Manager, Waste Management, Inc. stated that Waste Management, Inc. strongly supports the benchmark program as it helps to guide outreach efforts with respect to informing the public on how to properly recycle.

Ms. West made the motion to accept the staff recommendation to take no action. Mr. Rood seconded and the motion carried 14-0 (Carson, Ellis, Freitas, Landis, and Turner, absent).

### **2. Election of Officers for Fiscal Year 2014-2015 (Gary Wolff) (WMA only)**

Staff recommends that the Authority Board elect officers for the 2014-2015 fiscal year.

Ms. Cutter made the motion to elect Ms. West as President. Mr. Rood seconded and the motion carried 14-0 (Carson, Ellis, Freitas, Landis, and Turner, absent). Ms. Natarajan made the motion to elect Ms. Cutter as 1st Vice President. Mr. Pentin seconded and the motion carried 14-0 (Carson, Ellis, Freitas, Landis, and Turner, absent). Ms. West made the motion to elect Mr. Pentin as 2nd Vice President. Mr. Rood seconded and the motion carried 14-0 (Carson, Ellis, Freitas, Landis, and Turner, absent).

### **3. Interim appointment(s) to the Recycling Board for WMA appointee unable to attend future Board Meeting(s) (WMA only) Action**

(P&O and Recycling Board meeting - Finelite, Inc., Union City - July 10, 2014 at 7:00 p.m.)

There were none.

### **4. Election of Officers for Fiscal Year 2014-2015 (Gary Wolff) (EC only) Action**

Staff recommends that the Energy Council elect officers for the 2014-2015 fiscal year.

Ms. Cutter made the motion to elect Ms. Halliday as President. Mr. Kalb seconded and the motion carried 14-0 (Carson, Ellis, and Freitas absent). Ms. Halliday made the motion to elect Ms. Cutter as 1st Vice President. Mr. Kalb seconded and the motion carried 14-0 (Carson, Ellis, and Freitas absent). Ms. Wile made the motion to elect Mr. Kalb as 2nd Vice President. Ms. West seconded and the motion carried 14-0 (Carson, Ellis, and Freitas absent).

### **5. Community Choice Aggregation (CCA) – Informational Presentation (Wendy Sommer) (EC only) Information**

Ms. Sommer provided an overview of the staff report: The report is available here:

<http://www.stopwaste.org/docs/06-25-14-cca.pdf>.

Ms. Sommer introduced Seth Baruch, Carbonomics and Tom Kelly, KyotoUSA, who presented an overview of CCAs. The powerpoint presentation and handouts are available here:

[www.stopwaste.org/docs/CCA\\_101\\_06\\_2014.pdf](http://www.stopwaste.org/docs/CCA_101_06_2014.pdf) and [http://stopwaste.org/docs/CCA-Handouts\\_6\\_25%20\\_14.pdf](http://stopwaste.org/docs/CCA-Handouts_6_25%20_14.pdf).

An audio of the presentation is available here: [www.stopwaste.org/docs/06-25-14%20WMA-EC-2.mp3](http://www.stopwaste.org/docs/06-25-14%20WMA-EC-2.mp3)

## **VII. COMMUNICATIONS/MEMBER COMMENTS (WMA & EC) Information**

Mr. Wolff presented a recycled content glass bowl to Mr. Biddle for his service as the immediate past President of the Authority Board.

## **VIII. ADJOURNMENT (WMA & EC)**

The meeting adjourned at 5:30 p.m