

APPROVED

**MINUTES OF THE JOINT MEETING OF THE
ALAMEDA COUNTY WASTE MANAGEMENT AUTHORITY (WMA) BOARD,
ENERGY COUNCIL (EC),
SOURCE REDUCTION AND RECYCLING BOARD**

Wednesday, November 18, 2020

3:00 P.M.

TELECONFERENCE MEETING

I. CALL TO ORDER

President Cox called the meeting to order at 3:00 p.m. Wendy Sommer explained the process that would be utilized during the meeting. A link to the process is available here: [Virtual-Meetings-Instructions](#)

II. ROLL CALL OF ATTENDANCE

WMA & EC

County of Alameda	Scott Haggerty, WMA, EC (alternate)
City of Alameda	Jim Oddie, WMA, EC
City of Albany	Nick Pilch, WMA, EC
City of Berkeley	Susan Wengraf, WMA, EC
Castro Valley Sanitary District	Dave Sadoff, WMA, RB
City of Dublin	Melissa Hernandez, WMA, EC (President)
City of Emeryville	Dianne Martinez, WMA, EC
City of Fremont	Jenny Kassan, WMA, EC
City of Hayward	Francisco Zermeño, WMA, EC, RB
City of Livermore	Bob Carling, WMA, EC, RB
City of Oakland	Dan Kalb, WMA, EC, RB
Oro Loma Sanitary District	Shelia Young, WMA
City of Piedmont	Tim Rood, WMA, EC
City of San Leandro	Deborah Cox, WMA (President), EC, RB
City of Union City	Emily Duncan, WMA, EC

RB

Environmental Educator	Eric Havel, RB
Environmental Organization	Darby Hoover, RB
Recycling Materials Processing Industry	Lillian Carrell, RB
Source Reduction Specialist	Laura McKaughan, RB
Recycling Programs	Vacant, RB

ABSENT:

City of Newark	Mike Hannon, WMA, EC
City of Pleasanton	Jerry Pentin, WMA, EC
Solid Waste Industry Representative	Tianna Nourot, RB

Staff Participating:

Wendy Sommer, Executive Director
Timothy Burroughs, Deputy Director
Jeff Becerra, Communications Manager
Justin Lehrer, Operations Manager

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Kelly Schoonmaker, Program Manager
Arliiss Dunn, Clerk of the Board
Richard Taylor, WMA Legal Counsel
Farand Kan, Deputy County Counsel

Others Participating:

Peter Slote, Solid Waste & Recycling Program Supervisor, City of Oakland

III. ANNOUNCEMENTS BY PRESIDENTS

President Cox extended best wishes on behalf of the Board to Board members Oddie, Pentin (absent) and Pilch, as they will be leaving the Board in December. President Cox thanked them for their service over the years. President Cox also acknowledged the members that will continue to serve.

IV. OPEN PUBLIC DISCUSSION FROM THE FLOOR

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

V. CONSENT CALENDAR

- 1. Approval of the Draft WMA & EC Minutes of October 28, 2020 (Wendy Sommer) (WM/EC only)**
- 2. Approval of the Draft PC/RB minutes of October 8, 2020 (Jeff Becerra) (RB only)**
- 3. Recycling Board Attendance Record (Jeff Becerra) (RB only)**
- 4. Written Report of Ex Parte Communications (Jeff Becerra) (RB only)**

There were no public comments for the Consent Calendar. Board member Oddie made the motion to approve the Consent Calendar for the WMA Board and the Energy Council. Board member Zermeño seconded and the motion carried 18-0. The Clerk called the roll:

(Ayes: Carling, Cox, Duncan, Haggerty, Hernandez, Kalb, Kassan, Martinez, Oddie, Pilch, Rood, Sadoff, Wengraf, Young, Zermeño. Nays: None. Abstained: None. Absent: Hannon, Pentin)

Board member Cox made the motion to approve the Consent Calendar for the Recycling Board. Board member McKaughan seconded and the motion carried 9-0.

(Ayes: Carling, Carrell, Cox, Havel, Hoover, Kalb, McKaughan, Sadoff, Zermeño. Nays: None. Abstained: None. Absent: Nourot)

VI. REGULAR CALENDAR

- 1. Status Update – SB 1383 (Timothy Burroughs and Kelly Schoonmaker)**

This item is for information only.

Kelly Schoonmaker and Timothy Burroughs provided an overview of the staff report and presented a PowerPoint presentation. A link to the report and the presentation is available here: [SB-1383-Status-Update.pdf](#)

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Board member Carling inquired about the baseline for the 75% diversion goal. Ms. Schoonmaker stated that the 75% diversion rate will be compared to the state waste characterization study numbers from 2014. Board member Zermeño inquired about the status of delaying the implementation and asked if we are the only organization that is requesting a delay. Mr. Becerra stated that we have had a couple of meetings with CalRecycle and other partners and CalRecycle stated that they cannot delay the implementation but may have some flexibility with regard to enforcement. Mr. Becerra added, StopWaste, along with the League of Cities, California Association of Counties (CSAC), Rural Cities and Counties, and Los Angeles County, will be exploring introducing legislation in the 2021 legislative session that could potentially push back the implementation of SB 1383. Mr. Becerra stated that staff will be providing a legislative update to the Board in December which will include more information on the proposed legislative approach. Board member Zermeño stated that the City of Hayward supports any efforts towards delaying the implementation and added they have included the SB 1383 elements into their franchise agreement with Waste Management, and will be installing cameras in the trucks. Board member Wengraf inquired about the effects of COVID-19 on the food recovery efforts in SB 1383. Mr. Burroughs stated that staff is sensitive to the effects that COVID-19 is imposing on food recovery organizations. Cities will need to design their enforcement programs for an implementation date of 2022, but actual enforcement of generators is not required until 2024. Staff plans to utilize this two-year period to focus on sustained education and outreach. Board member Pilch stated that City of Albany supports a countywide ordinance and added that the larger cities may prefer a model ordinance. Board member Pilch inquired if there is legislative action that might mandate the economy of scale and provide some relief to the cities. Mr. Becerra stated that staff is not aware of any such legislation. Board member Young asked for clarification regarding the assistance that StopWaste could provide with the procurement of recycled organics products. Ms. Schoonmaker stated that SB 1383 requires that cities procure a minimum amount of compost, mulch, energy from renewable natural gas or electricity from biomass. Ms. Schoonmaker noted that the Oro Loma Sanitary District and Castro Valley Sanitary District were exempt from these requirements. Board member Sadoff inquired about possible uses of pooled funding to assist with SB 1383 implementation. Mr. Burroughs stated that the use of such funds, if such an option were to be pursued, is not currently defined, as staff would have additional discussion with the Board and the member agencies. However, potential uses could be directed towards the infrastructure of the edible food recovery work. Staff will take the lead in doing a capacity study to determine how much food is being wasted, how much can be recovered, and evaluate any existing infrastructure. Board member Sadoff inquired if Measure D funds would be eligible for use in this area. Ms. Sommer stated yes.

Peter Slote, City of Oakland, provided public comments. Mr. Slote summarized a statement from the City Administrator for the City of Oakland which urged staff to conduct a comprehensive assessment of StopWaste assuming countywide responsibility for the inspection and enforcement requirements for SB 1383. Board member Pilch expressed appreciation for the comments from the City of Oakland and for the legislation to keep organics out of the landfill. President Cox stated that the City of San Leandro is currently discussing proposed legislation for next year and encouraged staff to start having conversations with member agencies as COVID will continue to have an effect on the legislative process. Board member Kalb suggested that staff survey other city managers to see if there is shared interest in having StopWaste assume countywide responsibility for inspections and enforcement for SB 1383, and if so, staff could provide information on the financial needs and options for the Board to review and discuss. President Cox thanked staff for their presentation.

2. FY 2021-2023 Priority Setting Discussion (Wendy Sommer, Timothy Burroughs and Justin Lehrer)

This item is for discussion and providing direction to staff.

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Prior to the presentation, Ms. Sommer responded to the comments from the City of Oakland staff. Ms. Sommer stated that the request from the City of Oakland to have StopWaste assume countywide responsibility for inspections and enforcement for SB 1383 will completely shift the nature of our agency and would require the agency to add an inspection division. Ms. Sommer added we are currently inspecting only commercial and multi-family and to assume 1383 would require that we inspect single-family residential properties, which may pose legal issues. Ms. Sommer encouraged the Board to consider these issues as we review the proposed agency priorities. Ms. Sommer stated that externally the priorities were developed in collaboration with our various stakeholders and their input and feedback is reflected in the guiding principles. Internally it was a staff driven process using a bottom-up approach.

Timothy Burroughs and Justin Lehrer provided an overview of the staff report and presented a PowerPoint presentation. A link to the report and the presentation is available here: [FY2021-2023-Priority-Setting.pdf](#). Additionally, staff conducted a multiple choice poll of the Board members to see how the proposed guiding principles resonated with the Board. There was some additional discussion of guiding principle #1 -*Assist member agencies to strategically and cost-effectively address regional and state-level regulations and policies, such as SB 1383 and AB 32*. Board member Kalb commented that it was possible that there is some consideration for a more centralized inspection and enforcement process for SB 1383. Board member Carrell commented that the issue of cost effectiveness and the financial impacts is a concern. President Cox asked if the poll was also conducted with the TAC (Technical Advisory Committee) and the TAG (Technical Advisory Group). Mr. Lehrer stated no, but the staff presented the guiding principles to the TAC and TAG in joint meetings and received verbal feedback from them. Board member Zermeño asked if Guiding Principle #6 could be prioritized at a higher level. Mr. Lehrer stated that the numbering does not reflect the prioritization of the principles. Board member Havel commented that he appreciates the synergy within the guiding principles and encouraged the Board to consider the impacts of food insecurity and climate change in disenfranchised and underserved communities. Board member Havel added he would like to see a specific project that applies most of the guiding principles. President Cox stated that she appreciates the nomenclature that was developed and commended staff on their hard work and efforts. There were no public comments on this item. President Cox thanked staff for an informative presentation.

3. Interim appointment(s) to the Recycling Board for WMA appointee unable to attend future Board Meeting(s) (Arliiss Dunn) (WMA only)

(Planning Committee and Recycling Board meeting, December 10, 2020, 7:00 p.m. Meeting will be held via teleconference).

There were no requests for an interim appointment.

VII. MEMBER COMMENTS AND COMMUNICATIONS FROM THE EXECUTIVE DIRECTOR

Ms. Sommer expressed congratulations to the Board members that won reelection and will be continuing to serve on the Board if reappointed by their respective councils and recognized Board members Haggerty, Oddie and Pilch for their dedication and service to the Board as they will be leaving the Board. Board members Oddie and Pilch expressed their appreciation for serving on the Board and thanked staff for their hard work and dedication. President Cox thanked Supervisor Haggerty for his many years of service on the Board as an alternate and for his service on the Alameda County Board of Supervisors.

VIII. ADJOURNMENT

The meeting was adjourned at 4:40 p.m.