

APPROVED

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

Wednesday, January 23, 2019

3:00 P.M.

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

**Teleconference
Dave Sadoff
Renaissance Indian Wells
44400 Indian Wells Lane
Indian Wells, CA 92210
(760) 773-4444**

I. CALL TO ORDER

First Vice President Tim Rood, WMA, called the meeting to order at 3:03 p.m.

II. ROLL CALL OF ATTENDANCE

City of Alameda	Jim Oddie, WMA, EC
City of Albany	Rochelle Nason, WMA, EC
County of Alameda	Scott Haggerty, WMA, EC
City of Berkeley	Susan Wengraf, WMA, EC
Castro Valley Sanitary District	Dave Sadoff, WMA (teleconference)
City of Dublin	Melissa Hernandez, WMA, EC
City of Emeryville	Dianne Martinez, WMA, EC
City of Hayward	Francisco Zermeño, WMA, EC
City of Newark	Mike Hannon, WMA, EC
City of Oakland	Dan Kalb, WMA, EC
City of Piedmont	Tim Rood, WMA, EC
City of San Leandro	Deborah Cox, WMA, EC
City of Union City	Emily Duncan, WMA, EC

ABSENT:

City of Fremont	Vinnie Bacon, WMA, EC
City of Livermore	Bob Carling, WMA, EC
Oro Loma Sanitary District	Shelia Young, WMA
City of Pleasanton	Jerry Pentin, WMA, EC

Staff Participating:

Wendy Sommer, Executive Director
Jennifer West, Program Manager
Richard Taylor, WMA Legal Counsel

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Arliss Dunn, Clerk of the Board

III. ANNOUNCEMENTS BY PRESIDENTS

First Vice President Rood welcomed the new members to the Board: Councilmember Francisco Zermeño, City of Hayward; Mayor Rochelle Nason, City of Albany; and Councilmember Emily Duncan, City of Union City.

IV. OPEN PUBLIC DISCUSSION FROM THE FLOOR

There was none.

V. CONSENT CALENDAR

1. Approval of the Draft Minutes of January 23, 2019 (Wendy Sommer)

2. Records Retention Schedule (Arliss Dunn)

That the WMA Board adopt the following as recommended by the P&A Committee:

1. Adopt the attached resolution and records retention schedule effective immediately.
2. Authorize the Executive Director to make administrative changes that are minor in nature and/or are consistent with applicable, state, local or federal laws or guidelines.

There were no public comments for the Consent Calendar. Board member Cox made the motion to approve the Consent Calendar. Board member Hannon seconded and the motion carried 16-0: (Ayes: Cox, Duncan, Haggerty, Hannon, Hernandez, Kalb, Martinez, Nason, Oddie, Rood, Sadoff, Wengraf, Zermeño; Nays: None. Abstained: None. Absent: Bacon, Carling, Pentin, Young)

VI. REGULAR CALENDAR

The Board adjourned to Closed Session at 3:05 p.m. and returned to Open Session at 3:15 p.m.

1. CLOSED SESSION

CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION – two Cases (Government Code section 54956.9(d)(1))

Name of case: Alameda County Waste Management Authority v. Waste Connections US, Inc. et al.
(Contra Costa County Superior Court Case No. CIVMSC18-01546)

Name of case: A.W. Stein & A.R. Boone v. Alameda County Waste Management Authority
(Court Of Appeal For The State Of California, First Appellate District, Case No. A154804)

There was nothing to report from the Closed Session.

2. Appointment to the Recycling Board (Wendy Sommer)

That the WMA Board fill the vacancy on the Recycling Board.

There were no public comments on this item. Board member Martinez made the motion to appoint Board member Zermeño (Hayward) to the Recycling Board. There were no other nominations. Board member Cox seconded and the motion carried 16-0: (Ayes: Cox, Duncan, Haggerty, Hannon, Hernandez, Kalb, Martinez, Nason, Oddie, Rood, Sadoff, Wengraf, Zermeño; Nays: None. Abstained: None. Absent: Bacon, Carling, Pentin, Young).

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3. Interim appointment(s) to the Recycling Board for WMA appointee unable to attend future Board Meeting(s) (Wendy Sommer)

(Planning Committee and Recycling Board meeting, February 14, 2019 at 7:00 p.m., San Leandro Senior Center, 13909 E 14th St, San Leandro, CA 94578)

There were no requests for an interim appointment.

EC President Oddie chaired the Energy Council items.

4. Election of Second Vice President (Wendy Sommer) (EC only)

Elect a new Second Vice President.

There were no public comments on this item. Board member Haggerty made the motion to elect Board member Hernandez to serve as the Second Vice President. There were no other nominations. Board member Zermeño seconded and the motion carried 16-0:

(Ayes: Cox, Duncan, Haggerty, Hannon, Hernandez, Kalb, Martinez, Nason, Oddie, Rood, Wengraf, Zermeño; Nays: None. Abstained: None. Absent: Bacon, Carling, Pentin).

5. 2019 PG&E Local Government Partnership Contract (Jennifer West) (EC only)

Adopt the attached Resolution authorizing the Executive Director to enter into a 2019 contract agreement with PG&E to continue the administration of the East Bay Energy Watch Strategic Advisory Committee and programmatic coordination and other related actions.

Jennifer West provided an overview of the staff report. A link to the report is available here: [2019-PGE-LGP-EBEW-Contract-Acceptance.pdf](#)

Board member Haggerty inquired if the PG&E bankruptcy would have any effect on the funding. Ms. West stated that it is unknown if the bankruptcy would impact the funding as the funds are pass-through funds from the CPUC and not directly from PG&E. Board member Zermeño inquired if we should wait until we see what will transpire as a result of the PG&E bankruptcy. Ms. West stated that the Civic Spark and Climate Corps Fellows are halfway through their project year and holding off on accepting the funding would impact the program as these positions are funded through these grant funds. Board member Cox inquired about any implications if we needed to pull out of the agreement and asked about the origin of the funds. Ms. West stated that ratepayers are charged a monthly fee on their bills that is allocated to a public goods fund. The CPUC approves the way the funding is used. Ms. West pointed out that this same fund supports our BayREN work and is not expected to be affected by the bankruptcy. Board member Wengraf inquired about how the funds are paid out. Ms. West stated that staff time is paid on a monthly basis and the fellows program is paid in one lump sum.

There were no public comments on this item. Board member Wengraf made the motion to approve the staff recommendation. Board member Haggerty seconded and the motion carried 16-0:

(Ayes: Cox, Duncan, Haggerty, Hannon, Hernandez, Kalb, Martinez, Nason, Oddie, Rood, Wengraf, Zermeño; Nays: None. Abstained: None. Absent: Bacon, Carling, Pentin).

VII. MEMBER COMMENTS AND COMMUNICATIONS FROM THE EXECUTIVE DIRECTOR

Board member Zermeño announced that the City of Hayward approved a project for the development of all electric houses and encouraged other cities to consider such projects. Board member Nason

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stated that the City of Albany was considering it. Board member Wengraf stated that the City of Berkeley is considering it as well, and added there is a lot of pushback as people like to cook with gas. Board member Wengraf announced that the Berkeley City Council passed a very progressive reuse ordinance that will require carry-out restaurants and coffee shops to use 100% compostable products, and sit-down establishments will phase into reuse only starting in 2020. Carry-out establishments will have to charge \$0.25 for a disposable cup in 2020 as well. The establishments will have one year to comply with the ordinance. Corporate kitchens, such as McDonald's, and smaller restaurants, can apply for a waiver if there is a provable hardship. Board member Wengraf encouraged all cities to consider such an ordinance. Ms. Sommer stated that staff is working with the Technical Advisory Committee to develop a working group to come up with a model ordinance. Board member Wengraf thanked StopWaste for its assistance. Ms. Sommer distributed the monthly topic brief "Reuse and Repair," available here: [Reuse-Repair-Topic-Brief.pdf](#)

VIII. ADJOURNMENT

The meeting was adjourned at 3:33 p.m.