

APPROVED

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

Wednesday, February 27, 2019

3:00 P.M.

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

I. CALL TO ORDER

President Dave Sadoff, 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	Keith Carson, WMA, EC
City of Berkeley	Susan Wengraf, WMA, EC
Castro Valley Sanitary District	Dave Sadoff, WMA
City of Dublin	Melissa Hernandez, WMA, EC
City of Emeryville	Dianne Martinez, WMA, EC
City of Fremont	Jenny Kassan, WMA, EC
City of Hayward	Sara Lamnin, WMA, EC
City of Livermore	Bob Carling, WMA, EC
City of Newark	Mike Hannon, WMA, EC
City of Oakland	Dan Kalb, WMA, EC
Oro Loma Sanitary District	Shelia Young, WMA
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 Pleasanton	Jerry Pentin, WMA, EC
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Staff Participating:

Wendy Sommer, Executive Director
Kelly Schoonmaker, Program Manager
Rachel Balsley, Senior Program Manager
Miya Kitahara, Program Manager
Richard Taylor, WMA Legal Counsel
Arliss Dunn, Clerk of the Board

III. ANNOUNCEMENTS BY PRESIDENTS

There were none.

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)

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 11-0-1: (Ayes: Cox, Duncan, Hannon, Hernandez, Martinez, Nason, Oddie, Rood, Sadoff, Wengraf, Zermeño; Nays: None. Abstained: Young. Absent: Carson, Kalb, Kassan, Lamnin, Pentin).

VI. REGULAR CALENDAR

1. SB 1383 Short Lived Climate Pollutant Plan: Rulemaking Update (Kelly Schoonmaker)

This item is for information only.

(Board members Carson, Kalb, Kassan, and Lamnin arrived during the presentation).

Kelly Schoonmaker presented an overview of the staff report and presented a PowerPoint presentation. A link to the report and the presentation is available here:

http://www.stopwaste.org/sites/default/files/SB-1383-pres_19-02-27.pdf

Board member Rood inquired as to how a city can comply with the new regulations if the city has recently renewed its franchise agreement and the practices are not included in the agreement. Ms. Schoonmaker stated that the franchise agreement would need to be amended. Board member Wengraf requested that staff send to the Board a copy of the League of CA Cities letter to CalRecycle along with StopWaste's recommended language and the intended addressee. Board member Kalb added it would be better if the cities sent individual letters that support the comments that StopWaste has submitted and asked that staff provide this information to the Board members. Ms. Schoonmaker stated that staff provided the draft letter to TAC along with the League letter and additional text. Staff can also send the letter directly to the Board. Board member Duncan stated that she received a copy of the letter as the representative to the League of Cities and she forwarded the letter to city staff. Board member Cox inquired if staff is receiving pushback from TAC as there is concern that StopWaste is agreeing to issues the cities will be unable to do. Ms. Schoonmaker stated that StopWaste is aware of what the cities are able to handle and is working with TAC to resolve any issues. Ms. Schoonmaker added our comments to CalRecycle reflect our work with the TAC. Board member Lamnin inquired regarding the increase in staff time. Ms. Balsley stated that although some of the requirements are already covered by the Mandatory Recycling Ordinance (MRO) which most jurisdictions have opted into, there are other items in the regulations such as the new requirement to report on haulers that may lead to an increase in staff time. We will not know this until the regulations are finalized. Board member Lamnin inquired about an update on the All-In Initiative and the food donation app. Board member Carson stated that he learned through an update of the County's 2028 Visioning Plan that developers are actively working on the app. Board member Young stated that the sanitary districts are also subject to SB 1383 and CASA (California Association of Sanitation Agencies), like the League of Cities, also has comment letters. Board member Young added there is a bio-solids committee working on the rulemaking for SB 1383 but she is not sure about the deadline for the 45-day comment period. Ms. Schoonmaker stated that the comments are due on Monday, March 4. Ms. Schoonmaker added CalRecycle is required to respond to all comments which will probably require them to have another 45-day comment period which would

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lead to another set of draft regulations. Board member Hannon referenced page 11 of the staff report regarding enforcement and oversight and inquired about the language that states “CalRecycle will primarily oversee jurisdictions and entities outside of local government regulatory authority.” Ms. Schoonmaker stated that this is referring to entities such as special districts, public schools, etc. Board member Hannon referenced page 11, “Legislative guidance allows CalRecycle regulations to: 1. Impose penalties on regulated entities of up to \$10,000 per day for noncompliance.” Ms. Balsley stated that the legislative guidelines lay out the fine structure that jurisdictions are allowed to impose on generators as well as a penalty table that outlines what fines CalRecycle can impose on local jurisdictions. Additionally, CalRecycle will look to local jurisdictions to ensure compliance. Authority Counsel Taylor added that changes would be harder as the process continues. If local agencies would like to change the direction that the legislation is going with respect to funding mechanisms or degree of enforcement, contacting legislators and submitting comments now is very important. Board member Kalb stated that we need to not only tell them what we want but show them how we can get to the goal that we all share.

President Sadoff thanked Ms. Schoonmaker for the presentation.

2. Materials-Energy-Climate Nexus (Miya Kitahara)

This item is for information only.

Miya Kitahara provided an overview so the staff report and presented a PowerPoint presentation. A link to the staff report and the presentation is available here: [Materials-Energy-Climate-Nexus.pdf](#)

Board member Oddie commented that the City of Alameda is completing their climate action plan and concurs with the City of Berkeley when they declared a climate emergency. Board member Oddie added as an island city, they are on the front lines with respect to sea level rise and wants to ensure that city staff regard climate action as a priority and direct revenue to address the issues. Board member Wengraf stated that the City of Berkeley will be considering prohibiting the use of natural gas in new construction. Board member Kalb commented that the City of Oakland is embarking on a year-long project to develop a new and more robust climate action plan. Board member Martinez commented that we could move the needle related to agriculture and specifically the production of beef products and inquired if local governments can educate the public on how their eating habits can effect levels of GHG. Ms. Kitahara stated that local governments cannot regulate what we eat but can have influence in entities like school kitchens in the areas of nutrition and school guidelines.

President Sadoff thanked Ms. Kitahara for the presentation.

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.

VII. MEMBER COMMENTS AND COMMUNICATIONS FROM THE EXECUTIVE DIRECTOR

Ms. Sommer thanked Kelly Schoonmaker, Rachel Balsley, and Anu Natarajan for their work on SB 1383. Ms. Sommer stated that it is not easy to navigate the entire process and to bring our knowledge to the table and help our member agencies. Also to Miya Kitahara for highlighting the interconnectivity of all the issues that affect the climate. Board member Cox asked that it become standard policy for the

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Board to receive links to the presentations following the meeting. Ms. Sommer stated that we will send links to the presentations after the meetings. Board member Young thanked staff for including the news clips in the agenda packet and referenced the current news clipping from Bloomberg News “Big Consumer Brands Will Start Taking Their Packaging,” and inquired if staff is following this information. Ms. Sommer stated yes. Board member Duncan thanked Ms. Sommer and staff for coming to Union City to meet with city staff, the city manager and deputy city manager to provide an overview of StopWaste activities and priorities, and stated that it was very helpful as a new Board member. Ms. Sommer thanked Board member Duncan and Union City staff for hosting the meeting and stated that staff provides an orientation to all new Board members and would be happy to hold the orientation in the respective jurisdiction upon request.

VIII. ADJOURNMENT

The meeting was adjourned at 4:11 p.m.