

APPROVED

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

Wednesday, March 27, 2019

3:00 P.M.

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

Teleconference
Tim Rood
San Jose City Hall
3rd Floor Tower
200 East Santa Clara St.
San Jose, CA 95113
408-535-8122

I. CALL TO ORDER

President Dave Sadoff, WMA, called the meeting to order at 3:00 p.m.

II. ROLL CALL OF ATTENDANCE

City of Alameda	Jim Oddie, WMA, EC
City of Albany	Rochelle Nason, 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	Lily Mei, 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 (teleconference)
City of Pleasanton	Jerry Pentin, WMA, EC
City of San Leandro	Deborah Cox, WMA, EC
City of Union City	Emily Duncan, WMA, EC

ABSENT:

County of Alameda	Keith Carson, WMA, EC
-------------------	-----------------------

Others Participating:

Jason Schmelzer, Shaw, Yoder, Antwih, Inc.
Priscilla Quiroz, Shaw, Yoder, Antwih, Inc.
AR Boone

Staff Participating:

Wendy Sommer, Executive Director
Anu Natarajan, Legislative Affairs Manager
Justin Lehrer, Senior Management Analyst
Michelle Fay, 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

Arthur Boone provided public comment on his opposition to mixed waste processing of materials. Mr. Boone distributed a handout (attached).

V. CONSENT CALENDAR

1. Approval of the Draft Minutes of February 14, 2019 (Wendy Sommer)

2. Annual Audit for Fiscal Year 2017-18 (Jennifer Luong)

That the WMA Board and Energy Council review, accept and file the Fiscal Year 2017-18 Annual Audit.

3. Grants Issued Under Executive Director Signature Authority (Wendy Sommer)

There were no public comments for the Consent Calendar. Board member Young made the motion to approve the Consent Calendar. Board member Hernandez seconded and the motion carried 12-0: (Ayes: Carling, Cox, Duncan, Hannon, Hernandez, Martinez, Nason, Rood, Sadoff, Wengraf, Young, Zermeño; Nays: None. Abstained: None. Absent: Carson, Kalb, Mei, Oddie, Pentin).

VI. REGULAR CALENDAR

1. Legislative Positions for 2019 (Anu Natarajan)

That the WMA Board adopt the recommended positions for the 2019 session of the California Legislature.

Anu Natarajan provided a summary of the staff report and presented a short video. A link to the staff report is available here: [Legislative-Positions-2019.pdf](#). A link to the video is available here: [Plastics-Pollution-03-27-19](#). The agency's lobbyists, Jason Schmelzer and Priscilla Quiroz, were available via teleconference.

Board member Zermeño requested a link to the video. Ms. Natarajan stated that she would provide a link to the video. Board member Martinez inquired with respect to recycling how eliminating the chasing arrows symbol reduces confusion. Justin Lehrer stated that many people think that the "chasing arrows" symbol means the plastic can be recycled and that is untrue. The only useful information in the "chasing arrows" symbol is the number inside the arrows, which indicates the type of resin used to make the container. The How2Recycle label was created to provide the public with consistent and transparent on-package recycling information. Board member Zermeño recommended that we pledge strong support for bills AB 1163 Right to Repair and AB 667 Recycling Infrastructure and Facilities. Chair Sadoff inquired if AB 1509 Rechargeable Batteries included auto manufacturers such as Tesla. Mr.

APPROVED

Schmelzer stated no, the bill excludes car batteries. Chair Sadoff added hopefully some legislation will be brought forward to address automotive batteries as firefighters and first responders are having a hard time with this issue. Ms. Natarajan mentioned AB 1216 Solid Waste Illegal Dumping. The bill is a pilot project sponsored by County of Alameda and would include two enforcement officers to focus on illegal dumping. The agency position is to watch the bill as it is still evolving. Ms. Sommer mentioned that some or all of the Board members had received an email from staff at Supervisor Miley's office requesting attendance at our meeting. We were not copied on that email. Ms. Sommer stated that staff will work with Supervisor Carson as the WMA rep to the County. Ms. Sommer added illegal dumping is not a priority for the agency and we have limited resources for education and outreach. Board member Young commented that AB 1672 Product Labeling Flushable Wipes be moved from S-3 to S-1 as this is a critical issue for sanitary districts as well as cities. Board member Hannon stated that he will support the staff recommendation but has concerns regarding a number of the bills, such as; AB 792 Recycling Beverage Containers; Minimum Content Standards, and SB 43 Carbon Taxes, with respect to the proposed penalties and impacts on consumers. Also, AB 1276 Green New Deal, although we support the laudable goal there is more detail contained in the bill with respect to unions and the bill requires upgrading of industrial and residential properties but not commercial properties. Finally, AB 1509 Solid Waste Rechargeable Batteries: Rechargeable Consumer Products, and the impacts and additional costs to local governments and consumers.

Board member Kalb made the motion to approve the staff recommendation with the following modification: Change AB 1672 Product Labeling Flushable Wipes from S-3 to S-1. Board member Pentin seconded and the motion carried 18-0:

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

2. The Milk Carton Conundrum (Justin Lehrer)

This item is for information only.

Justin Lehrer provided an overview of the staff report. A link to the report is available here:

[Milk-Carton-Conundrum.pdf](#)

Board member Zermeño inquired regarding the shiny packaging for toothpaste or soap and the agency plan for addressing the packaging issues. Mr. Lehrer stated that the shiny packaging is most likely a marketing strategy to attract consumers to their products. The compost industry as a whole is coming together with a consistent message to not compost poly-coated packaging. The paper on the product is of high value if you have the equipment to separate it. The agency is working with the TAC and the cities are having conversations with their haulers as some of these issues are tied into long-term franchise agreements so it will take some time to resolve them. However, plastic is not good for compost. Board member Cox inquired about what to do with the packaging with the plastic spout. Mr. Lehrer stated that some recyclers can separate the paper from the rigid plastic components but he is unsure about how much contamination results from the plastic spouts. Board member Duncan asked for clarification regarding the range of responses and inquired whether this is the result of what is contained in the franchise agreements or direction from StopWaste. Mr. Lehrer responded it is mostly a reflection of the franchise agreements, however, the milk carton conundrum is an emerging issue and based on new information that we have learned in recent years about poly-coated cartons. Ms. Sommer added these issues are introducing challenges for us with respect to zero waste as the trend has been to push the hauler to accept more materials, but if they are not recycling the materials, that is not zero waste.

President Sadoff thanked Mr. Lehrer for the presentation.

3. Reusable Transport Packaging Project Update (Michelle Fay)

This item is for information only.

Michelle Fay provided an overview of the staff report and presented a PowerPoint presentation. A link to the report and the presentation is available here: [Reusable-Transport-Packaging-03-27-19.pdf](#)

Board member Carling referenced the grants report on the consent calendar and noted the reusable transport packaging grantees and inquired if there are companies that are doing this without grants as grants are not infinite. Board member Carling inquired how we ensure that companies are aware of the financial benefits without resorting to a grant. Ms. Sommer stated that the grant program is small, about \$30,000 per fiscal year. We utilize the case studies and success stories to inform companies of the financial benefits of utilizing reusable transport packaging. Ms. Fay added we do see companies replicating the use of reusable transport packaging without grant funding. Board member Carling inquired if there is a way to promote the financial savings to companies. Ms. Fay added when we evaluate grant opportunities sometimes we will receive a proposal and when we run the numbers, we discover that the business may not require a grant to implement the program or they might require an initial investment to get the program off and running. Mr. Lehrer added, several years ago we funded a grant with Tesla Motors that led them to understand the benefits and at the end of the project they showed us a spreadsheet that they had developed with thousands of parts that were now being shipped via disposable packaging. Board member Zermeño stated that he supports Board member Carling's suggestion to educate as many businesses as possible regarding the financial benefits of implementing reusable transport packaging. Ms. Fay stated that we have an ongoing messaging campaign where we work with chambers and associations to connect with businesses about the program. We are also trying to leverage our business connections through the MRO. Board member Hannon encouraged staff to stay in touch with cities regarding local businesses that are coming into cities. Board member Mei stated that it would be good to have a framework or fact sheet along with case studies to demonstrate the financial benefits to businesses as well as create a project for students to develop messaging to promote the program. Board member Mei added Fremont will be celebrating Earth Day with an opportunity for the agency to have a booth presence.

Chair Sadoff thanked Ms. Fay for the presentation.

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

The April 11, 2019 Planning Committee and Recycling Board meeting is cancelled in lieu of a joint meeting of the WMA Board, Energy Council, and Recycling Board on Wednesday, April 24, 2019 at 3:00 p.m. at StopWaste offices, 1537 Webster St., Oakland, CA.

There were no requests for an interim appointment.

VII. MEMBER COMMENTS AND COMMUNICATIONS FROM THE EXECUTIVE DIRECTOR

Board member Oddie announced that the City of Alameda passed a declaration declaring a climate emergency and thanked the City of Berkeley for leading in this effort. Board member Cox thanked staff for getting the presentations to Board members in a timely fashion as it is helpful when reporting to Council. Ms. Sommer recognized Mayor Lily Mei as the alternate for Fremont.

VIII. ADJOURNMENT

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