

APPROVED

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

Wednesday, June 28, 2017

3:00 P.M.

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

I. CALL TO ORDER

President Dan Kalb, WMA, called the meeting to order at 3:02 p.m.

II. ROLL CALL

WMA & EC:

City of Alameda	Jim Oddie, WMA, EC
City of Albany	Peter Maass, WMA, EC
City of Berkeley	Jesse Arreguin, WMA, EC
Castro Valley Sanitary District	Dave Sadoff, WMA
City of Dublin	Don Biddle, WMA, EC
City of Fremont	David Bonaccorsi, 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 Pleasanton	Jerry Pentin, WMA, EC,
City of San Leandro	Deborah Cox, WMA, EC
City of Union City	Gary Singh, WMA, EC

ABSENT:

County of Alameda	Keith Carson, WMA, EC
City of Emeryville	Dianne Martinez, WMA, EC

Staff Participating:

Wendy Sommer, Executive Director
Tom Padia, Deputy Executive Director
Pat Cabrera, Administrative Services Director
Jeff Becerra, Communications Manager
Richard Taylor, Legal Counsel, Authority Board
Arliiss Dunn, Clerk of the Board

Others Present:

Bill Pollock, Program Manager, Household Hazardous Waste Program
Ken Pianin, Recycling Program Manager, City of Fremont

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III. ANNOUNCEMENTS BY THE PRESIDENTS

There were none.

IV. CONSENT CALENDAR

1. Approval of the Draft Minutes of May 24, 2017 (Wendy Sommer) Action

2. Fiscal Year 2016-17 Funding Approval for Retiree Medical Benefits (Pat Cabrera & Todd High) Action

The Programs & Administration Committee recommends that the WMA Board authorize the Executive Director to contribute the additional \$250,000 in FY 2016/17 to the Agency's CERBT fund for the Agency's OPEB account.

3. Minutes of the June 20, 2017 Technical Advisory Group (TAG) (Karen Kho) Information

Board member Young made the motion to approve the Consent Calendar. Board member Arreguin seconded and the motion carried: 14-0.

(Ayes: Arreguin, Biddle, Carling, Cox, Ellis, Hannon, Kalb, Lamnin, Maass, Martinez, Oddie, Young. Nays: None. Abstain: None. Absent: Bonaccorsi, Carson, Martinez, Rood, Sadoff).

Board member Lamnin requested that staff provide a definition of the acronyms for the Technical Advisory Group (TAG) minutes. There were no public comments on the Consent Calendar.

V. OPEN PUBLIC DISCUSSION

There was none.

VI. REGULAR CALENDAR

**1. Public Hearing and Annual Adoption of Fee Collection Report for Household Hazardous Waste Fee (Wendy Sommer & Pat Cabrera) Action/
Public Hearing**

Staff recommends that the WMA Board hold a public hearing on the Fee Collection Report and approve the Fee Collection Report for FY2017-18, which includes adjusting the fee downward from \$8.60 to \$8.46 per unit for FY2017-18.

Wendy Sommer provided an overview of the staff report and presented a PowerPoint presentation. A link to the report and the presentation is available here: [HHW-Annual-Report-06-28-17.pdf](#)

Ms. Sommer announced that Bill Pollock, Countywide HHW Program Manager, was present and available to answer any questions. Ken Pianin, City of Fremont was in attendance as well. Ms. Sommer stated that Pat Cabrera, Administrative Services Director, would assume management of the HHW program for StopWaste.

Mr. Pollock stated that the program requires assistance from the Board in identifying sites to hold Sunday events in underserved areas. Hostable sites require a minimum of 2 acres and a quarter mile of road that is not busy on a Sunday. Mr. Pollock stated that the Board can also provide assistance in encouraging the Police Departments to participate in the pharmaceutical drop-off program. Board member Bonaccorsi inquired about the infrastructure required for receiving the pharmaceuticals. Mr. Pollock stated that the stewardship program provides the required kiosk receptacles and they will also service the kiosks. Mr. Pollock added Kaiser has recently signed up and will have kiosks available at 13 sites throughout Alameda County. The added sites will increase our sites to 35 and we have set a goal of 100 sites throughout the County. Board member Carling inquired about the reluctance of Police departments for participating in the program. Mr. Pollock stated that he is not sure and encouraged Board members to speak to their respective Police departments.

Board member Sadoff inquired if there were any cost savings from the Hayward site being closed for three months. Ms. Sommer stated no, the residents were advised to go to the Fremont facility and we are

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reimbursing Fremont for providing service during the shut-down period. Board member Sadoff inquired if the Hayward workers transferred to the Fremont facility during the shut-down period. Mr. Pollock stated no, there is a core staff of County employees and contractors are used as well. Due to the Hayward facility shut-down, those employees were diverted to the Oakland and Livermore facilities and there was no requirement to utilize contractors. He added there were possible cost savings due to the decrease in the number of cars being served and disposal fees but there were costs incurred to repair the Hayward facility. Board member Sadoff inquired about the upcoming schedule for one day events. Mr. Pollock stated that the schedule is posted on the StopWaste website a month or two prior to the events and staff is still trying to nail down sites for events. Board member Lamnin requested that staff send the link to the HHW events to Board members and inquired about the list of locations for battery collection. Mr. Pollock stated that the list of participating partners is available on the StopWaste website and the information is provided on postcards that are mailed to residents. Board member Carling stated that he is pleased to see that Livermore is exceeding expectations and inquired if there are any lessons learned. Mr. Pollock stated that besides the fact that the facility is located in Livermore, he is not quite sure why Livermore has high participation.

President Kalb inquired if there is data on the most prevalent materials collected countywide. Mr. Pollock stated paint is the most prevalent material received. Mr. Pollock added the Product Stewardship organization for paint is operating in 14 local paint stores throughout Alameda County and the cost for disposal of paint is zero and it also lowers the HHW fee for residents. President Kalb stated that he is sure that there is more paint that is not being disposed of and suggested that staff provide any electronic outreach material to Board members to include in their newsletters and other messaging to constituents. Board member Maass stated that not disclosing the address to the HHW one day event site until registering for the event may discourage people from participating. Mr. Pollock stated that there is an event capacity of 500-600 cars and permitting does not allow the event to exceed capacity, also, requiring residents to sign up allows them to schedule an appointment time and allows staff to control the volume and traffic. Board member Singh inquired about the process for disposal of car batteries. Mr. Pollock stated that car batteries are sent to a car battery vendor for disposal. Board member Singh inquired if staff is certain that they are properly disposing the batteries. Mr. Pollock stated yes, we do due diligence that they are properly handling the materials. Board member Hannon stated that it is important to have more data to show residents the importance of the program in terms of the amount of waste diverted from the landfills as well as making the program customer focused. Board member Hannon recommended that staff look for ways to increase the numbers of cars allowed at events and not turn people away. Ms. Sommer reiterated the need for Board members to assist in identifying sites that will help us to accommodate more people.

President Kalb opened the public hearing. There were no public comments and the public hearing was closed.

Board member Pentin made the motion to approve the staff recommendation. Board member Lamnin seconded with the recommendation to reach out to the East Bay Association of Realtors and the rental housing sector. The motion carried 17-0.

(Ayes: Arreguin, Biddle, Bonaccorsi, Carling, Cox, Ellis, Hannon, Kalb, Lamnin, Maass, Martinez, Oddie, Rood, Sadoff, Young. Nays: None. Abstain: None. Absent: Carson, Martinez).

2. Authority General Counsel Contract (Wendy Sommer)

Action

Staff recommends that the Authority Board approves the contract extension for Shute Mihaly and Weinberger.

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

[Authority-Counsel-General-Contract-06-28-17.pdf](#)

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Board member Rood inquired regarding the financial terms of the contract. Ms. Sommer stated that it is time and materials and the agency does not pay a retainer fee. President Kalb stated that the current 3 year term is not efficient but is not sure about an open-ended contract without some type of check-in. Board member Bonaccorsi suggested a 5 year contract and to maintain the 120 day without cause termination clause. Board member Pentin supported a 5 year check-in or update to include the rate with CPI and other adjustments. Board member Young stated that she would support a 5 year check-in and would request that staff provide an annual report outlining Authority Counsel activities.

There was no public comment on this item.

Board member Bonaccorsi made the motion to accept the contract extension for Shute Mihaly and Weinberger with a 5 year check-in and 120 day without cause termination clause and an annual report of Authority Counsel activities. Board member Cox seconded and the motion carried 17-0:
(Ayes: Arreguin, Biddle, Bonaccorsi, Carling, Cox, Ellis, Hannon, Kalb, Lamnin, Maass, Martinez, Oddie, Rood, Sadoff, Young. Nays: None. Abstain: None. Absent: Carson, Martinez).

3. Legislative Positions for 2017 – June Update (Jeff Becerra) Information

This item is for information only.

Jeff Becerra provided an overview of the staff report. The report is available here:

[Legislative-Positions--2017-June-Update-06-28-17.pdf](#)

The Legislative item was listed on the agenda as an information item and therefore no action can be taken by the Board. Authority Counsel Taylor stated that going forward we can list the item as an action item but to preserve the Boards' discretion staff can inform the Board if no action is necessary. Mr. Becerra informed the Board that Supervisor Valle, representing TriCED, requested to appear before the Board to discuss issues with the bottle bill. Mr. Becerra added that the Board will have an opportunity to delve further into bottle bill legislation overall. Board member Bonaccorsi stated with respect to SB 168 (Bottle Bill), that their lobbyist in Sacramento identified several deficiencies and inquired if staff has had dialogue with the Senator Wieckowski regarding his intent. Mr. Becerra stated that staff has had dialogue through our lobbyist and Californians Against Waste (CAW). Mr. Padia stated that he had a meeting with the District Director for Senator Wieckowski and was informed that the Senator felt the need to fix the Bottle Bill at the Governor's direction and came up with some ideas. Mr. Padia stated that he offered on several occasions to provide assistance from StopWaste staff in garnering stakeholder support and was informed at the end of the meeting that the bill was now in the inactive file. Board member Oddie inquired about AB 1294 and who requested that the agency change our position from watch to support. Mr. Becerra stated that Californians Against Waste asked for our support as the bill is a current law and they would like for it to remain in place. President Kalb asked that staff provide a clearer picture of SB 168 with respect to what it would have done, potential fixes, Californians Against Waste' comments, etc. Ms. Sommer stated that staff will bring the bill back for discussion at the July WMA meeting in tandem with Supervisor Valle's presentation.

There were no public comments on this item.

4. Reappointment to the Recycling Board – Board member Dianne Martinez Action (Wendy Sommer)

Staff recommends that the Waste Management Authority Board reappoint Board member Martinez to a two-year term on the Recycling Board ending July 21, 2019.

Board member Oddie made the motion to reappoint Board member Martinez to a two-year term on the Recycling Board ending July 21, 2019. Board member Biddle seconded and the motion carried 17-0:
(Ayes: Arreguin, Biddle, Bonaccorsi, Carling, Cox, Ellis, Hannon, Kalb, Lamnin, Maass, Martinez, Oddie, Rood, Sadoff, Young. Nays: None. Abstain: None. Absent: Carson, Martinez).

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5. Election of WMA Officers for Fiscal Year 2017-18 (Wendy Sommer) Action
Staff recommends that the WMA Board elect officers for Fiscal Year 2017-18.

President Kalb opened the floor for public comments. There were no public comments. Board member Pentin made the motion to accept the rotation of Board member Hannon to serve as President of the WMA. There were no other nominations. Board member Rood seconded and the motion carried 17-0. (Ayes: Arreguin, Biddle, Bonaccorsi, Carling, Cox, Ellis, Hannon, Kalb, Lamnin, Maass, Martinez, Oddie, Rood, Sadoff, Young. Nays: None. Abstain: None. Absent: Carson, Martinez).

Board member Young made the motion to accept the rotation of Board member Sadoff to serve as First Vice President. There were no other nominations. Board member Hannon seconded and the motion carried 17-0.

(Ayes: Arreguin, Biddle, Bonaccorsi, Carling, Cox, Ellis, Hannon, Kalb, Lamnin, Maass, Martinez, Oddie, Rood, Sadoff, Young. Nays: None. Abstain: None. Absent: Carson, Martinez).

Board member Pentin nominated Board member Rood to serve as Second Vice President. There were no other nominations. Board member Oddie seconded and the motion carried 17-0.

(Ayes: Arreguin, Biddle, Bonaccorsi, Carling, Cox, Ellis, Hannon, Kalb, Lamnin, Maass, Martinez, Oddie, Rood, Sadoff, Young. Nays: None. Abstain: None. Absent: Carson, Martinez).

Ms. Sommer thanked President Kalb for his tenure as President of the WMA and presented him with a recycled glass gift. President Kalb thanked staff and the Board for their support and attention to the important work of the agency.

**6. Interim appointment(s) to the Recycling Board for WMA appointee unable to attend Action
future Board Meeting(s) (Wendy Sommer)**
(P&O and Recycling Board meeting, July 13, 2017 - 7:00 pm – Fremont Transfer Station, 41149 Boyce Road, Fremont, CA 94538)

President Kalb announced that Board member Maass, in his absence, would require an interim appointment for the July 13 meeting in Fremont. Board member Biddle volunteered to attend. Board member Biddle made the motion to accept the interim appointment. Board member Rood seconded and the motion carried 17-0.

(Ayes: Arreguin, Biddle, Bonaccorsi, Carling, Cox, Ellis, Hannon, Kalb, Lamnin, Maass, Martinez, Oddie, Rood, Sadoff, Young. Nays: None. Abstain: None. Absent: Carson, Martinez).

Ms. Sommer announced that the Oro Loma Sanitary District graciously offered to host the July 13 P&A meeting at 9:00 a.m. at the District offices. The meeting will also include a tour of the horizontal levee. Staff will send out directions and information.

VII. COMMUNICATION/MEMBER COMMENTS Information

Jeff Becerra distributed a copy of the final benchmark report. The fee will be in effect for two additional days and will sunset on July 1, 2017. The report will be mailed to all account holders in Alameda County and they should receive it around the second week in July. The report highlights our work in food waste prevention.

VIII. ADJOURNMENT

The meeting was adjourned at 4:10 p.m.