

Deborah Cox, **WMA President**

City of San Leandro, WMA, EC

Shelia Young, **WMA 1<sup>st</sup> Vice President**

Oro Loma Sanitary District, WMA

Dianne Martinez, **WMA 2<sup>nd</sup> Vice President**

City of Emeryville, WMA, EC

Melissa Hernandez, **EC President**

City of Dublin, WMA, EC

Dan Kalb, **EC 1<sup>st</sup> Vice President**

City of Oakland, WMA, EC

Jenny Kassan, **EC 2<sup>nd</sup> Vice President**

City of Fremont, WMA, EC

Jim Oddie, City of Alameda, WMA, EC

Keith Carson, County of Alameda, WMA, EC

Nick Pilch, City of Albany, WMA, EC

Susan Wengraf, City of Berkeley, WMA, EC

Dave Sadoff, Castro Valley Sanitary District, WMA

Francisco Zermeño, City of Hayward, WMA, EC

Bob Carling, City of Livermore, WMA, EC

Michael Hannon, City of Newark, WMA, EC

Tim Rood, City of Piedmont, WMA, EC

Jerry Pentin, City of Pleasanton, WMA, EC

Emily Duncan, City of Union City, WMA, EC

Wendy Sommer, Executive Director

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

**Wednesday, July 22, 2020**

**3:00 P.M.**

**TELECONFERENCE MEETING**

**Teleconference/Public Participation Information to Mitigate the Spread of COVID-19**

This meeting will be held entirely by teleconference. All Board members, staff, and the public will only participate via the Zoom platform using the process described below. The meeting is being conducted in compliance with the Governor's Executive Order N-29-20 suspending certain teleconference rules required by the Ralph M. Brown Act. The purpose of this order was to provide the safest environment for the public, elected officials, and staff while allowing for continued operation of the government and public participation during the COVID-19 pandemic.

Board members will receive a separate unique email invite. Staff and members of the public may attend and participate in the meeting by:

1. Calling US: +1 669 900 6833 or +1 253 215 8782 or +1 346 248 7799 or +1 929 205 6099 or +1 301 715 8592 or +1 312 626 6799 webinar ID 849 5379 6221
2. Using the [Zoom](#) website or App and entering meeting code 849 5379 6221

During the meeting the chair will explain the process for members of the public to be recognized to offer public comment. The process will be described on the StopWaste website at <http://www.stopwaste.org/virtual-meetings> no later than noon Wednesday, July 22, 2020. The public may also comment during the meeting by sending an e-mail to [publiccomment@stopwaste.org](mailto:publiccomment@stopwaste.org) prior to the close of public comment on the item being addressed. Each e-mail will be read into the record for up to three minutes.

In accordance with the Americans with Disabilities Act and the Governor's Executive Order, if you need assistance to participate in this meeting due to a disability, please contact the Clerk of the Board at (510) 891-6517. Notification 24 hours prior to the meeting will enable the agency to make reasonable arrangements to ensure accessibility to this meeting.

## **AGENDA**

### **I. CALL TO ORDER**

### **II. ROLL CALL OF ATTENDANCE**

### **III. ANNOUNCEMENTS BY PRESIDENTS - *(Members are asked to please advise the board or the council if you might need to leave before action items are completed)***

### **IV. OPEN PUBLIC DISCUSSION FROM THE FLOOR**

An opportunity is provided for any member of the public wishing to speak on any matter within the jurisdiction of the board or council, but not listed on the agenda. Total time limit of 30 minutes with each speaker limited to three minutes unless a shorter period of time is set by the President.

### **Page V. CONSENT CALENDAR**

#### **1 1. Approval of the Draft WMA & EC Minutes of June 24, 2020 (Wendy Sommer)**

### **VI. REGULAR CALENDAR**

#### **7 1. Executive Director Contract Amendment (Tim Rood, WMA Past President)**

That the Waste Management Authority Board amend the Executive Director Employment Agreement.

#### **2. Interim appointment(s) to the Recycling Board for WMA appointee unable to attend future Board Meeting(s) (Arliss Dunn)**

(Planning Committee and Recycling Board meetings, August 13, 2020, 4:00 p.m. and September 10, 2020, 7:00 p.m. Meetings will be held via teleconference).

#### **11 3. BayREN Residential Programs Update (Karen Kho)**

This item is for information only.

### **VII. MEMBER COMMENTS AND COMMUNICATIONS FROM THE EXECUTIVE DIRECTOR**

### **VIII. ADJOURNMENT**

**DRAFT**

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

**Wednesday, June 24, 2020**

**3:00 P.M.**

**TELECONFERENCE MEETING**

**I. CALL TO ORDER**

President Rood 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	Keith Carson, WMA, EC
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
City of Dublin	Melissa Hernandez, WMA, EC
City of Emeryville	Dianne Martinez, WMA, EC
City of Fremont	Jenny Kassan, WMA, EC
City of Livermore	Bob Carling, WMA, EC
City of Hayward	Francisco Zermeño, 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, WMA President
City of Pleasanton	Jerry Pentin, WMA, EC
City of San Leandro	Deborah Cox, WMA, EC President
City of Union City	Emily Duncan, WMA, EC

**ABSENT:**

**None Staff Participating:**

Wendy Sommer, Executive Director  
Pat Cabrera, Administrative Services Director  
Jeff Becerra, Communications Manager  
Jennifer West, Program Manager  
Karen Kho, Principal Program Manager  
Justin Lehrer, Senior Management Analyst  
Arliss Dunn, Clerk of the Board  
Richard Taylor, WMA Legal Counsel

**Others Present:**

Milena Fiore, ReScape California

Teresa Martinez Gonzalez, ReScape California

Teresa Eade, Retired Annuitant

**III. ANNOUNCEMENTS BY PRESIDENTS**

There were no announcements by the Presidents.

**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 Joint WMA, EC, & RB Minutes of May 27, 2020 (Wendy Sommer)**

There were no public comments for the Consent Calendar. Board member Wengraf made the motion to approve the Consent Calendar. Board member Pentin seconded and the motion carried 18-0. The Clerk called the roll:

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

**VI. REGULAR CALENDAR**

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

That the WMA Board hold a public hearing on the Fee Collection Report and approve by resolution, the Fee Collection Report for FY 2020-21.

There were no public comments on this item. Board member Young made the motion to hold a public hearing on the Fee Collection Report and approve by resolution, the Fee Collection Report for FY 2020-21. Board member Zermeño seconded and the motion carried 18-0. The Clerk called the roll:

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

**2. Election of WMA Officers for Fiscal Year 2020-21 (Arliss Dunn)**

Staff recommends that the WMA Board elect officers for Fiscal Year 2020-21.

There were no public comments on this item. Board member Pentin made the motion to advance Board member Cox to the office of President, Board member Young to the office of First Vice President, and nominated Board member Martinez to serve as Second Vice President. There were no other nominations. Board member Kalb seconded and the motion carried 18-0. The Clerk called the roll:

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

**3. Election of Energy Council Officers for Fiscal Year 2020-21 (Arliss Dunn)**

Staff recommends that the Energy Council elect officers for Fiscal Year 2020-21.

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There were no public comments on this item. Board member Pentin made the motion to advance Board member Hernandez to the office of President, Board member Kalb to the office of First Vice President, and nominated Board member Kassan to serve as Second Vice President. There were no other nominations. Board member Rood seconded and the motion carried 18-0. The Clerk called the roll: (Ayes: Carling, Cox, Duncan, Hannon, Hernandez, Kalb, Kassan, Martinez, Oddie, Pentin, Pilch, Rood, Wengraf, Zermeño. Nays: None. Abstained: None. Absent: Carson).

### **4. Vacancy on the Recycling Board (Arliss Dunn)**

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

There were no public comments on this item. Board member Oddie nominated Board member Kalb to fill the WMA vacancy on the Recycling Board. Board member Kalb accepted the nomination. Board member Wengraf seconded and the motion carried 18-0. The Clerk called the role:

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

### **5. Sustainable Landscapes in Alameda County - Final Report (Jennifer West)**

This item is for information only.

Jennifer West provided an overview of the staff report and presented a PowerPoint presentation. A link to the memo and the presentation is available here: [Sustainable-Landscapes-Final-Report-06-24-20.pdf](#). Ms. West distributed the topic brief for the month of June on Sustainable Landscapes, available here: [Sustainable-Landscapes-Topic-Brief](#). Ms. West also provided an overview of the Sustainable Landscapes website, available here: [Sustainable-Landscapes-2020-report](#).

Ms. West acknowledged Teresa Eade for her leadership on the project and for her contributions when she returned as a part-time retired annuitant for the culmination of the project. Ms. Eade penned a note expressing her appreciation in working with member agency staff that have used ReScape California standards to build sustainable landscapes in the county, and stated that she enjoyed working with Jennifer West. Ms. West introduced Milena Fiore, Executive Director, ReScape California. Ms. Fiore expressed appreciation for the ACWMA in appointing ReScape California as the designee for the Landscape Programs and provided an overview of how they plan to continue to encourage public agencies and landscape professionals in Alameda County and beyond to engage with ReScape California. Teresa Martinez Gonzales, Senior Manager, ReScape California, announced that on August 20, 2020, ReScape would be hosting a virtual orientation for Alameda County staff of each jurisdiction to connect with their team and learn about how ReScape can support the jurisdictions and communities. The orientation will include information about landscape trainings, resources to update and refresh cities' regenerative landscape resolution, policy or ordinance, and explore ways to work together to address climate change and environmental workforce equity.

President Rood inquired if ReScape was an existing organization and if they had a larger geographic focus. Ms. Fiore stated that the original name was the Bay-Friendly Coalition and the name was changed to ReScape California to reflect their reach beyond the Bay Area. President Rood commented that it is good to see this work becoming institutionalized and it is reminiscent of Build it Green's practices and how it began locally and became imbedded in the CalGreen Building code. Ms. Fiore stated that the rated landscape program is modeled on the LEED Building Rating system. Ms. Sommer reminded the Board that some of their cities have not implemented California's Water Efficient Landscape Ordinance (WELO) and this is a good opportunity to touch base with their staff to ensure that they are in compliance with WELO. Board member Hernandez inquired if a city is required to be a part of the program to be rated. Ms. Martinez Gonzalez stated that she is encouraging the jurisdictions

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to attend the meeting in August to study the practices and ordinances in each jurisdiction as well as to work together to implement the rating system in each of their jurisdictions. Ms. Martinez Gonzalez added there are nominal fees associated with the rated landscape program that are mainly application fees. Ms. Sommer clarified that a fee will ensue if the landscape project is being rated by a third party rater, such as ReScape. However, some cities have trained raters on staff. Ms. Eade stated that it is not the case with Dublin. They would need to complete the scorecard and meet the verification requirements. Ms. Eade added she would encourage them to get the full recognition and rating for the landmark landscape projects.

Board member Sadoff inquired if there are different ratings for different geographical areas or is it a uniform rating system. Ms. Fiore stated that it is a uniform prescriptive rating system. Ms. Martinez Gonzalez added it could be different among regions for example a choice of a plant or different irrigation practices would be tailored to the locality. Board member Duncan inquired if a jurisdiction would receive notification if out of compliance with WELO. Ms. West stated that the NRDC has filed lawsuits against jurisdictions across the state that have not reported on WELO, however Alameda County jurisdictions have done pretty well although are not at 100%. Ms. West added she would be happy to share with jurisdictions if they have filed their reports. President Rood stated that the City of Piedmont has a staff person that is a Bay-Friendly (now ReScape) Rated landscape architect and they have implemented some water conservation projects but they don't appear to have gone through the third party certification and he would welcome an orientation with his city staff. Board member Hannon asked that staff provide notification to the Board regarding any ordinances or documentation that the jurisdictions are not responsive to. There were no public comments on this item. President Rood thanked staff for the report and presentation.

6. **Interim appointment(s) to the Recycling Board for WMA appointee unable to attend future Board Meeting(s) (Arliss Dunn) (WMA only)**  
(Planning Committee and Recycling Board meeting, July 9, 2020 at 7:00 pm. Teleconference meeting)

There were no requests for an interim appointment.

**EC President Deborah Cox chaired the EC item.**

7. **BayREN 2020-22 Contract Amendment #1 (Karen Kho) (EC only)**

Adopt a Resolution authorizing the Executive Director to enter into a 2020 contract amendment of \$100,000 for Bay Area Regional Energy Network (BayREN) and other related actions.

Karen Kho provided a summary of the staff report. A link to the report is available here: [BayREN-Contract-Amendment.pdf](#). There were no public comments on this item. Board member Rood made the motion to approve the staff recommendation. Board member Zermeño seconded and the motion carried 18-0. The Clerk called the roll:

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

## VII. MEMBER COMMENTS AND COMMUNICATIONS FROM THE EXECUTIVE DIRECTOR

Ms. Sommer announced that the Hayward, Livermore, and Oakland Household Hazardous Waste facilities have reopened on an appointment basis and to call 800-606-6606 to schedule an appointment. Ms. Sommer added the Fremont location has been open during COVID-19. Ms. Sommer announced that the Alameda County Public Health Department has revised their order to allow reusable bags to be

**DRAFT**

brought into stores as long as they are not touching employees or other customers. The City of Berkeley has not revised their order. Ms. Sommer added the state Executive Order has already expired for single use bags. Staff will provide an update to the Board in July as there is still confusion as stores are continuing to reject customers for bringing in reusable bags. We will also inform the stores that it is permissible for customers to bring in reusable bags.

**The board adjourned to closed session at 4:19 p.m. and returned to open session at 4:58 p.m.**

There were no public comments on the remote call and no public comments were received via the public comments email portal for the closed session item.

**VIII. CLOSED SESSION (WMA only)**

Pursuant to Government Code Section 54957

PUBLIC EMPLOYEE PERFORMANCE EVALUATION

Title: Executive Director

(confidential materials mailed separately)

**IX. CLOSED SESSION (WMA only)**

Pursuant to Government Code Section 54957.6

CONFERENCE WITH LABOR NEGOTIATORS

Agency Designated Representatives: Board Members Cox, Rood, Sadoff, and Young

Unrepresented Employee: Executive Director

There was nothing to report from the closed session.

**X. ADJOURNMENT**

The meeting was adjourned at 5:00 p.m.

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**DATE:** July 22, 2020  
**TO:** Waste Management Authority Board  
**FROM:** Tim Rood, WMA Past President  
**SUBJECT:** Executive Director Contract Amendment

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#### **SUMMARY**

At the WMA meeting in June, the Board approved the annual review for Executive Director Wendy Sommer conducted by Deborah Cox, Shelia Young, Dave Sadoff and me.

Based on her outstanding performance, we recommend a 3% salary increase (CPI of 2.9% + 0.1% merit increase) retroactive to the first pay period for FY 2020-21, and an additional \$1,500 bonus that would not be subject to PERS.

#### **RECOMMENDATION**

That the Waste Management Authority Board amend the Executive Director Employment Agreement.

Attachment:

Amendment to Agreement for Employment as Executive Director of the Alameda County Waste Management Authority

**AMENDMENT TO  
AGREEMENT FOR EMPLOYMENT AS EXECUTIVE DIRECTOR  
OF THE ALAMEDA COUNTY WASTE MANAGEMENT AUTHORITY**

This agreement is between the ALAMEDA COUNTY WASTE MANAGEMENT AUTHORITY (“Authority”) and Wendy Sommer (“Employee”) and provides:

WHEREAS, Authority hired Employee as Executive Director of the Authority beginning on January 1, 2016 pursuant to an agreement dated September 16, 2015 which was revised and restated effective July 1, 2018 and further amended effective July 1, 2019 (“Employment Agreement”); and

WHEREAS, Authority desires to continue to employ Employee as Executive Director and amend the Employment Agreement based on Employee’s positive annual review for 2020 by increasing Employee’s salary by 3% to \$272,120 per year effective the start date of the new fiscal year (June 28, 2020) and providing a one-time bonus of \$1500 that is not subject to PERS.

NOW THEREFORE, in consideration of the mutual covenants contained herein the parties agree as follows:

1. Section 5 of the Employment Agreement is amended as shown below:

5. SALARY.

Effective ~~July 1, 2019~~ **with the 2020-21 fiscal year** Authority agrees to pay Employee ~~\$264,194 (Two hundred sixty four thousand and one hundred ninety four dollars)~~ **\$272,120 (Two hundred seventy-two thousand and one hundred twenty dollars)** per annum (“salary”) for her services, payable in installments at the same time as other employees of the Authority are paid. Authority may increase this base salary annually based on the results of performance evaluation as described in Section 7. In the event the Board does not hold such evaluation prior to the end of the calendar year, the base salary shall be increased on the next anniversary of the Effective Date by the California CPI for Urban Wage Earners and Clerical Workers for the most recent 12 months between June and June as calculated by the Department of Industrial Relations as authorized by Government Code §§ 3511.1 and 3511.2. Payment will be retroactive to the pay period closest to ~~October~~ **July** 1st, which is consistent with the time that other employees receive salary increases.

2. Section 6 of the Employment Agreement is amended as shown below:

6. BENEFITS.

Employee shall retain all benefits accrued from her past employment by Authority and receive the same benefits as received by other Authority employees and shall have an additional 20 hours of management leave and a

\$400 per month transportation allowance. For fiscal year 2020-21 Employee shall receive a one-time bonus of \$1500 to be paid in a lump sum no later than August 31, 2020 and categorized as "Other Pay" in the Authority - payroll system.

3. All other terms of the Employment Agreement remain in full force and effect.
4. This Agreement shall be executed simultaneously in three counterparts each of which shall be deemed an original, but all of which together shall constitute one and the same instrument.

**WMA:**

By: \_\_\_\_\_ Date: \_\_\_\_\_  
Deborah Cox, President  
Alameda County Waste Management Authority

APPROVED AS TO FORM:

By: \_\_\_\_\_ Date: \_\_\_\_\_  
Richard S. Taylor  
Authority Counsel

**EMPLOYEE:**

By: \_\_\_\_\_ Date: \_\_\_\_\_  
Wendy Sommer

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**DATE:** July 22, 2020

**TO:** Energy Council

**FROM:** Karen Kho, Principal Program Manager

**SUBJECT:** BayREN Residential Programs Update

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## **SUMMARY**

The Bay Area Regional Energy Network's (BayREN) two largest programs target existing residential buildings, a sector in which it has been historically difficult to achieve energy savings. At the July 22 Board meeting, staff will share updates from the multifamily and single-family programs.

## **DISCUSSION**

StopWaste has worked with member agencies and building professionals to advance sustainable construction policies and practices for over two decades. Our early green building program activities led to statewide acceptance of green building practices and to the State of California's adoption of the nation's first green building code. When the real estate industry collapsed during the 2008 recession, our focus shifted to promoting existing building retrofits and collaborating with other local governments to secure economic stimulus funding. The multifamily and single-family programs that we implemented with American Recovery and Reinvestment Act (ARRA) funding formed the basis of BayREN's current portfolio. StopWaste leads the regional multifamily program and conducts outreach for the single-family program within Alameda County.

The BayREN Multifamily program has consistently exceeded its annual program participation targets and has been recognized for its innovation, including receiving the prestigious American Council for an Energy-Efficient Economy (ACEEE) Exemplary Program Award. It offers no-cost consulting to property owners and a \$750 per unit rebate for energy and water savings. Since its inception in 2013 the program has:

- Served over 480 projects regionally; 127 in Alameda County
- Upgraded over 32,800 units regionally; 6,367 in Alameda County
- Issued over \$24.6 million in property owner rebates; \$4,775,250 in Alameda County
- Saved 1,241,341 therms and 15,853,317 kWh regionally; 236,745 therms and 2,113,565 kWh in Alameda County

The BayREN Single Family program is led by the Association for Bay Area Governments (ABAG) and was redesigned in 2019 to target moderate-income households. Since January 2019 the program has:

- Served 784 projects in Alameda County
- Installed 2,311 energy efficiency measures in Alameda County
- Saved 160,604 therms and 229,909 kWh in Alameda County
- Issued \$955,602 in property owner rebates in Alameda County

#### **RECOMMENDATION**

This item is for information only.

# August 2020 Meetings Schedule

## Alameda County Waste Management Authority, the Energy Council, & Source Reduction and Recycling Board

(Meetings will be held **via teleconference** unless otherwise noted)

SUN	MON	TUES	WED	THURS	FRI	SAT
						1
2	3	4	5	6	7	8
9	10	11	12	13  Summer Recess Programs & Administration Committee  <hr/> 4:00 PM Planning Committee & Recycling Board Key Items: 1. Recycling Plan update 2. ColWMP Amendment: Certified Blue (tentative)	14	15
16	17	18	19	20	21	22
23	24	25	26  Summer Recess Waste Management Authority & Energy Council	27	28	29
30	31					

## September 2020 Meetings Schedule

### Alameda County Waste Management Authority, the Energy Council, & Source Reduction and Recycling Board

(Meetings will be held **via teleconference** unless otherwise noted)

SUN	MON	TUES	WED	THURS	FRI	SAT
		1	2	3	4	5
6	7 AGENCY HOLIDAY	8	9	10  9:00 AM Programs & Administration Committee Key Items: 1. School programs post SIP (tentative) 2. SB 1383 update <hr/> 7:00 PM Planning Committee & Recycling Board Key Items: 1. Muni Panel 2. School programs post SIP (tentative) 3. SB 1383 update	11	12
13	14	15	16	17	18	19
20	21	22	23  3:00 PM Waste Management Authority & Energy Council Key Items: 1. Pre Planning: Priority Setting 2. Vasco Winds telecommunications tower lease 3. CoIWMP Amendment: Certified Blue	24	25	26
27	28	29	30			