

APPROVED

**MINUTES OF THE MEETING
OF THE
ALAMEDA COUNTY WASTE MANAGEMENT AUTHORITY (WMA)
AND
THE ENERGY COUNCIL (EC)
Wednesday, July 26, 2017**

3:00 P.M.

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

**Teleconference
Lorrin Ellis
331 Seminary Road
Milford, NY 13807
510-952-9236**

I. CALL TO ORDER

President Mike Hannon, WMA, called the meeting to order at 3:00 p.m.

II. ROLL CALL

WMA & EC:

County of Alameda	Keith Carson, WMA, EC
City of Alameda	Jim Oddie, WMA, EC
City of Albany	Rochelle Nason (alternate), WMA, EC
City of Berkeley	Kriss Worthington (alternate), WMA, EC
Castro Valley Sanitary District	Dave Sadoff, WMA
City of Dublin	Don Biddle, WMA, EC
City of Emeryville	Dianne Martinez, WMA, EC
City of Fremont	Vinnie Bacon, 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	Lorrin Ellis, WMA, EC (teleconference)

ABSENT:

City of Pleasanton	Jerry Pentin, WMA, EC
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Staff Participating:

Wendy Sommer, Executive Director
Tom Padia, Deputy Executive Director
Pat Cabrera, Administrative Services Director

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Jeff Becerra, Communications Manager
Richard Taylor, Legal Counsel, Authority Board
Arless Dunn, Clerk of the Board

Others Present:

Supervisor Richard Valle, Alameda County Board of Supervisors, Tri-CED

III. ANNOUNCEMENTS BY THE PRESIDENTS

There were none.

IV. CONSENT CALENDAR

1. Approval of the Draft Minutes of June 28, 2017 (Wendy Sommer)

2. Changes to the Human Resource Manual (Pat Cabrera)

The P&A Committee recommends that the WMA Board approve the attached changes to the HR manual.

3. Minutes of the June 19, 2017 Technical Advisory Group (TAG) (Karen Kho)

Board member Martinez made the motion to approve the Consent Calendar with the following correction to the Technical Advisory Group (TAG) minutes. Board member Worthington seconded and the motion carried: 19-0. The Clerk called the roll:

(Ayes: Bacon, Biddle, Carling, Carson, Cox, Ellis, Hannon, Kalb, Lamnin, Martinez, Nason, Oddie, Rood, Sadoff, Worthington, Young. Nays: None. Abstain: None. Absent: Pentin).

Correction: Fanny Yang, CivicSpark Intern, serves both the City of Albany and the City of Emeryville.

V. OPEN PUBLIC DISCUSSION

There was none.

VI. REGULAR CALENDAR

1. CalRecycle Food Waste Prevention and Rescue Grant Program – Resolution to submit cooperative grant application as lead agency (Wendy Sommer)

That the WMA authorize the Executive Director to submit a Food Waste Prevention and Rescue Grant Program (Grant ID: 20347) cooperative application on behalf of itself as Lead Agency and the participating entities as shown by the resolution attached.

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

[CalRecycle-Food-Waste-Grant-memo-07-26-17.pdf](#)

Board member Carling commented that the program is a great idea and inquired about the term and intent of the grant. Ms. Sommer stated that it is a three year grant that will be used to help support and train the food runners (those picking up and delivering recovered food from schools) and to help the unified school districts implement the food share program.

There were no public comments on this item. Board member Kalb made the motion to approve the staff recommendation. Board member Bacon seconded and the motion carried 19-0: The Clerk called the roll: (Ayes: Bacon, Biddle, Carling, Carson, Cox, Ellis, Hannon, Kalb, Lamnin, Martinez, Nason, Oddie, Rood, Sadoff, Worthington, Young. Nays: None. Abstain: None. Absent: Pentin).

2. Bottle Bill Fixes and Support for SB 102 (Tom Padia)

That the Waste Management Authority take a “support” position on SB 102, and direct staff to continue its support of Bottle Bill fixes via its lobbyist in Sacramento and partner organizations such as Californians Against Waste.

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Prior to the staff report, Wendy Sommer introduced Eric Engelbart. Mr. Engelbart will be joining StopWaste as the new Legislative and Regulatory Affairs Manager. Tom Padia provided an overview of the staff report. The report is available here: [Bottle-Bill-Fixes-SB102-memo-07-26-17.pdf](#)

Board member Lamnin commented that the bill is a small fix but the market is driven by the use of the materials. Mr. Padia stated that California is more fortunate for glass than other parts of the country mostly due to the wine industry. Board member Cox inquired about the siting of the recycling centers especially given the problems with the recycling centers located in the Safeway parking lots and asked if the bill addresses these issues. Mr. Padia stated that he doesn't believe that the bill addresses these issues but focuses primarily on payment mechanisms. Those types of issues would be addressed by local zoning officials. Board member Carling inquired as to why staff is seeking support for a bill that is a moving target. Jeff Becerra, Communications Manager, stated that the legislature will take action on the bill prior to the next Board meeting and one of our trusted partners, Californians Against Waste (CAW), is taking the lead on developing the legislation. Mr. Becerra added that staff is supportive of the language in the bill as it currently stands and would back out if going forward the bill did not meet the provisions that we would support. Board member Young inquired if staff is working with Senator Wieckowski. Mr. Becerra stated no, Senator Wieckowski's bill is dead. The senate and assembly are working on finalizing language. President Hannon asked that staff elaborate on SB102 with respect to increasing the distance for convenient zones from ½ mile to one mile. Mr. Becerra stated that the issue of distance is currently in development and there has been a lot of support for this bill, however not all of the processors or recycling centers are on board. Board member Sadoff inquired if the convenient zones are listed on the StopWaste website. Mr. Becerra stated that the recycling center locations are located on the StopWaste RecycleWhere search tool and is updated as new information becomes available. President Hannon inquired if SB102 included wine and liquor bottles. Mr. Becerra stated no, SB102 is a smaller fix and does not address larger issues such as inclusion of wine and liquor bottles. There was no public comment on this item.

Board member Kalb made the motion to accept the staff recommendation. Board member Carson seconded and the motion carried 17-0-2-1:

(Ayes: Bacon, Biddle, Carling, Carson, Ellis, Hannon, Kalb, Lamnin, Martinez, Nason, Rood, Sadoff, Worthington, Young. Nays: None. Abstain: Oddie, Cox. Absent: Pentin).

The Board requested that staff report on the status of the bill following the State action.

3. Presentation by Supervisor Valle

Wendy Sommer introduced Supervisor Richard Valle.

Supervisor Valle presented a PowerPoint presentation. A link to the presentation is available here: [Valle-Bottle-Bill-Presentation-07-26-17.pdf](#)

A link to the audio of the presentation is available here: [Valle-Bottle-Bill-audio-presentation](#)

Board member Rood inquired about how out-of-state winery shipments would be handled if wine and liquor bottles were added to the legislation. Supervisor Valle stated that wine imported into California from out of the country must have a CRV label affixed on the bottle. The redemption value is set by the target state. Board member Sadoff inquired as to why 2008 was an outlier for the rate of recycling. Supervisor Valle stated that CAW started tracking the numbers in 2008. Board member Sadoff inquired if there was data on the number of wine and liquor bottles sold in California. Supervisor Valle stated that he is not sure of the number of bottles sold but it is a significant number. Board member Young inquired about Gallo's objection to recycling of liquor bottles. Supervisor Valle stated that it would cost more to produce the bottles with added labeling and would reduce their profit margin. Board member Martinez inquired if there was a recommended action for the WMA Board. Supervisor Valle responded we need to initiate dialogue and to delegate staff to draft language regarding decriminalization of scavengers. Board member Rood

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stated with respect to anti-scavenging, what would prevent a professional operation from rummaging through residential recycling containers. Supervisor Valle responded there are exceptions but it is largely individuals scavenging for survival. Board member Kalb stated that he believes that the Oakland police do not strongly enforce scavenger issues. Board member Kalb added maybe there should be some discussion about drafting legislation to just add the hard liquor bottles first and then add wine bottles as the smaller wineries around the state are more actively communicating with their legislators to oppose the bill. Supervisor Valle responded the larger wineries run the hard liquor manufacturers as well. Board member Lamnin inquired if the surplus funds in the bottle bill can be used to repair any of the issues. Mr. Padia responded that the surplus funds in the bottle bill would be utilized however they are not allowed to by the formulas that are in the current regulation and it would take about a year to augment those changes. Board member Lamnin inquired if there is opportunity for retailers of wine and spirits to collect the five cents. Supervisor Valle responded that there is a \$100 fine per day for supermarkets that do not have a redemption center. The accumulated cost to a supermarket is approximately \$36,000 per year which they will pay to not deal with the issue. Board member Lamnin commented that when individuals collect recyclables at curbside it cuts into profits for operators such as Tri-Ced and solicited a response. Supervisor Valle responded that the cost is very minimal because the cost for recycling is built in the collection rates but the cost for processing and sorting is not. President Hannon commented that he concurs with Board member Kalb that scavenging is not a huge issue of criminalization and during his fifteen years of code enforcement for the City of San Jose they never issued a citation for scavenging. However, he concurs with Board member Rood regarding the issue of scavenging in neighborhoods. President Hannon added there should be continued dialogue concerning how we handle individuals that are scavenging to support their daily needs. President Hannon thanked Supervisor Valle for his presentation. Ms. Sommer stated that we will continue to have dialogue with CAW and Supervisor Valle and staff will come back to the Board with a legislative report in October.

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

(P&O and Recycling Board meetings, August 10, 2017, 4:00 pm and September 14, 2017, 7:00 pm – StopWaste Offices, 1537 Webster Street, Oakland, CA)

Board members Pentin and Martinez requested an interim for the August 10, 2017 meeting. Board members Biddle and Young, respectively, volunteered to attend. Board member Sadoff made the motion to approve the interim appointments. Board member Rood seconded and the motion carried 19-0: The Clerk called the roll:

(Ayes: Bacon, Biddle, Carling, Carson, Cox, Ellis, Hannon, Kalb, Lamnin, Martinez, Nason, Oddie, Rood, Sadoff, Worthington, Young. Nays: None. Abstain: None. Absent: Pentin).

5. Election of Energy Council Officers for Fiscal Year 2017-18 (Wendy Sommer)

Staff recommends that the Energy Council elect officers for Fiscal Year 2017-18.

Board member Kalb made the motion to elect the following slate of officers for the Energy Council for Fiscal Year 17/18: Board member Dianne Martinez (Emeryville) as President, Board member Jim Oddie (Alameda) as First Vice President, and Board member Deborah Cox (San Leandro) as Second Vice President. Board member Oddie seconded and the motion carried 19-0. The Clerk called the roll.

(Ayes: Bacon, Biddle, Carling, Carson, Cox, Ellis, Hannon, Kalb, Lamnin, Martinez, Nason, Oddie, Rood, Sadoff, Worthington, Young. Nays: None. Abstain: None. Absent: Pentin).

VII. COMMUNICATION/MEMBER COMMENTS

Ms. Sommer announced that the Household Hazardous Waste program will be having a one-day event on August 20, 2017 at the Oakland Coliseum. The event will be accepting mattresses (no limit). There is also an

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event for Oro Loma scheduled in September. Board member Young asked that the location of the Oro Loma event not be disclosed as it will be a smaller event and registration is required in order to manage attendance.

Ms. Sommer announced that the Executive Director's evaluation is scheduled for September. A meeting with the Board Officers will be held sometime in August.

President Rood inquired if any of the waste haulers provide backyard collection services. Board member Kalb responded that Waste Management provides this service in Oakland at an added cost.

VIII. ADJOURNMENT

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