

APPROVED

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

Wednesday, September 27, 2017

3:00 P.M.

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

Teleconference

**Jim Oddie
Hyatt Regency Fukuoka
2-14-1 Hakataeki Higashi,
Hakata-Ku
Fukuoka, Japan, 812-0013
Tel: + 81 92 412 1234**

I. CALL TO ORDER

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

II. ROLL CALL

WMA & EC:

City of Alameda	Jim Oddie, WMA, EC (teleconference)
City of Albany	Peter Maass, WMA, EC
City of Berkeley	Kriss Worthington, 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 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
City of Pleasanton	Jerry Pentin, WMA, EC
Oro Loma Sanitary District	Shelia Young, WMA
City of San Leandro	Deborah Cox, WMA, EC

ABSENT:

County of Alameda	Keith Carson, WMA, EC
City of Fremont	Vinnie Bacon, WMA, EC
City of Piedmont	Tim Rood, WMA, EC
City of Union City	Lorin Ellis, WMA, EC

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Staff Participating:

Wendy Sommer, Executive Director
Tom Padia, Deputy Executive Director
Karen Kho, Senior Program Manager
Jennifer West, Program Manager
Brian Mathews, Senior Program Manager
Teresa Eade, Senior Program Manager
Richard Taylor, WMA Legal Counsel
Arless Dunn, Clerk of the Board

Others Participating:

Martin Bond, Community Energy Services Corporation (CESC)

III. ANNOUNCEMENTS BY THE PRESIDENTS

President Hannon reordered the agenda. Items VI. 3 and VI. 4 were moved to follow the closed session items.

IV. CONSENT CALENDAR

- 1. Approval of the Draft Minutes of July 26, 2017 (Wendy Sommer)**
- 2. Minutes of the August 15, 2017 Technical Advisory Group (Karen Kho)**

There were no public comments on the Consent Calendar. Board member Lamnin made the motion to approve the Consent Calendar with the correction noted below. Board member Pentin seconded and the motion carried: 14-0. The Clerk called the roll:

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

Correction: Board members Sadoff and Young, non-members of the Energy Council, were incorrectly listed as voting for the Energy Council agenda item. The vote count of 19-0 remained unchanged.

V. OPEN PUBLIC DISCUSSION

There were no public comments for public discussion. Executive Director Wendy Sommer acknowledged Brian Mathews and Teresa Eade on their retirement from the agency. Ms. Sommer recognized their 20+ years of service and their significant accomplishments and contributions to the agency. Mr. Mathews and Ms. Eade expressed their appreciation for working with the Board and staff and acknowledged some of the programs and initiatives during their tenure. President Hannon thanked Ms. Eade and Mr. Mathews for their 20+ years of dedicated public service.

VI. REGULAR CALENDAR

- 1. Changes to the Waste Management Authority Rules of Procedure (Wendy Sommer & Richard Taylor)**

That the WMA Board approve the attached amendments to the Rules of Procedure and that the Energy Council President direct staff to make comparable amendments to the Rules of Procedure for the Energy Council and place those amendments on the consent calendar for the next regular meeting of the Energy Council.

WMA Legal Counsel Richard Taylor and Executive Director Wendy Sommer provided a summary of the staff report. The report is available here: [WMA-Rules-of-Procedure-09-27-17.pdf](#)

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Board member Young suggested under Other Revisions item #3, to add to the italicized statement: Board members who did not attend a prior meeting of the Board or of a Committee *“but have read the minutes”* may nonetheless vote on approval of the minutes of that meeting. Board member Sadoff suggested under Article 5, Committees, Section 5-11, to add the italicized statement: the meeting of the Committee shall be specifically scheduled by *“a majority vote of”* the Committee, and in Section 5-12, to add an *“s”* to the absent member. Board member Young inquired of the President if the Board could vote on the mechanics of the changes to the document as recommended by staff and then to forward the document to the Programs and Administration Committee for a more thorough review. Board member Young added she has particular concerns regarding public comments and teleconferencing. President Hannon stated that it is a good recommendation. President Hannon stated that he is unable to serve as a WMA interim appointment to the Recycling Board due to the Recycling Board and his own City Council meeting times. He inquired if it is possible to discuss opportunities for making changes to the meeting time that would be of benefit to the entire Board. Legal Counsel stated that the Recycling Board sets its own rules and this is an appropriate time to ask staff to discuss the issue with the Recycling Board.

There were no public comments on this item. Board member Sadoff inquired if Board member Young was introducing a motion. Board member Young made the motion to approve the staff recommendation with the minor amendment to direct staff to discuss the Recycling Board meeting time with the Recycling Board. Board member Biddle seconded and the motion carried 14-0: The Clerk called the roll: (Ayes: Biddle, Carling, Cox, Hannon, Kalb, Lamnin, Maass, Martinez, Oddie, Pentin, Sadoff, Young. Nays: None. Abstain: None. Absent: Bacon, Carson, Ellis, Rood, Worthington).

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

(P&O and Recycling Board meeting, October 12, 2017 at 4:00 pm, StopWaste Offices, 1537 Webster Street, Oakland, CA)

There were no public comments on this item. There were no requests for an interim appointment.

Energy Council President Martinez chaired the Energy Council items.

3. 2017 BayREN Contract Amendment (Karen Kho) (EC only)

That the Energy Council adopt the attached resolution authorizing the Executive Director to enter into an amended contract with ABAG for Bay Area Regional Energy Network (BayREN) and other related actions.

(This item was heard after the closed session). Karen Kho introduced Ben Cooper, Program Manager. Mr. Cooper is the new Program Manager for the energy team and will be working on the Energy Commission Multi-Family grant. Ms. Kho provided an overview of the staff report. The report is available here: 2017-BayREN-Contract-Amendment-09-27-17.pdf

Board member Carling stated that the first part of the staff memo was unclear as to whether the agency was receiving funding or distributing the funding and asked that staff going forward provide clarity on the intent of the funding in the opening summary. President Martinez inquired about the planned social media presence for the activity. Ms. Kho stated that the program is operating on a shoestring budget and there is not a significant marketing budget. The program website <http://homescoreca.org/> is a resource where consumers can find information. There are also collateral materials that are distributed by member agencies and the assessors as well. We have also created postcards for assessors in co-op areas to use as direct marketing tools for specific customers. Board member Lamnin inquired regarding the \$50k for marketing activities. Ms. Kho stated that the \$50k was for the marketing campaign in 2016 and a similar campaign is proposed for 2017 as well and she would be happy to discuss the details. Board member

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Lamnin inquired if any of the unspent funds could be used to assist homeowners in implementing the improvements. Ms. Kho stated that the committee didn't consider this as an option because they anticipated that there would be unspent rebate funds from the single-family program. Board member Lamnin inquired if there had been any discussion regarding additional marketing of the program across the region. Ms. Kho stated there had not been any discussion regarding geographic equity because based on the projections of the single-family program they don't think that they could fully subscribe to target projections. Board member Lamnin inquired about the deadline for the funds. Ms. Kho stated that available funds will expire in December 2017.

There were no public comments on this item. Board member Biddle made the motion to approve the staff recommendation. Board member Worthington seconded and the motion carried 11-2. The clerk called the roll: Ayes: Biddle, Carling, Cox, Hannon, Kalb, Maass, Martinez, Pentin, Worthington. Nays: Lamnin. Abstain: None. Absent: Bacon, Carson, Ellis, Oddie, Rood).

4. **2017 EBEW Contract Amendment (Jennifer West) (EC only)**

That the Energy Council adopt the attached resolution to authorize the Executive Director to enter into an amended contract with PG&E and with CESC and other related actions.

(This item was heard after the closed session). Jennifer West provided an overview of the staff report. The staff report is available here: [2017-EBEW-Contract-Amendment-09-27-17.pdf](#)

Ms. West introduced Martin Bond, Executive Director of Community Energy Services Corporation (CESC). Mr. Bond was available to answer any questions. Mr. Bond thanked the Board and staff for their partnership. President Martinez inquired if the program is an online calculator tool. Mr. Bond stated that CESC provides an Energy Manager to small businesses to analyze their utility bills to provide low cost energy savings opportunities as well as capital improvement projects. Board member Carling inquired if there would be a financial impact to the agency. Mr. Bond stated that it is PG&E contracted funds. Ms. West added these are pass-through funds and the agency has already taken the administrative fee through the larger contract. President Martinez asked for an estimate of the percentage of pass-through funds in the Energy Council budget. Ms. Sommer estimated about 80% to be pass-through funds and added a portion of those funds benefit member agencies as well. Ms. Sommer stated that the agency receives an administrative fee when administering any grant. Ms. West added PG&E also has direct contracts with some of the implementer providers and she can provide that information. Board member Lamnin asked that staff provide more transparency in the staff reports regarding how finances are allocated.

There were no public comments on this item. Board member Kalb made the motion to approve the staff recommendation. Board member Cox seconded and the motion carried 13-0. The clerk called the roll: (Ayes: Biddle, Carling, Cox, Hannon, Kalb, Lamnin, Maass, Martinez, Pentin, Worthington. Nays: None. Abstain: None. Absent: Bacon, Carson, Ellis, Oddie, Rood).

The Board convened to closed session at 3:18 p.m. to discuss an Employee Performance Evaluation and returned to open session at 4:23 p.m.

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

Pursuant to Government Code Section 54957

PUBLIC EMPLOYEE PERFORMANCE EVALUATION

Title: Executive Director

(Confidential materials mailed separately)

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6. CLOSED SESSION (WMA only)

Pursuant to Government Code Section 54957.6

CONFERENCE WITH LABOR NEGOTIATOR

Agency Designated Representatives: Board Members Hannon, Sadoff, Rood, Kalb

Unrepresented Employee: Executive Director

There was nothing to report from the closed sessions.

VII. COMMUNICATION/MEMBER COMMENTS

Board member Lamnin announced that she had received a request from constituents regarding ordinances related to banning straws and plastic utensils and would like further information on the scope of the issue. Ms. Sommer inquired if the Board would like to have an item on this issue. President Martinez stated that she would like to have an information item on the issue and announced that the City of Alameda had recently passed a ban on straws. Board member Cox stated that it would be better to have an “on demand” ban as the disabled community heavily relies on plastic straws. President Martinez added she would like to have more carrot and less stick. Ms. Sommer reminded the Board that during the priority setting process the Board agreed to not adopt any additional mandatory ordinances for the next two years and we still have one year to go. Board member Lamnin stated that Walgreens and CVS stores are participating in the take back of prescription drugs but are not doing so in Hayward. She would like the Board to discuss the issue to see if we can address geographic equity.

Board member Young announced that Oro Loma Sanitary District had a very successful one day Household Hazardous Waste drop off event. The event serviced 100 people per hour. The customers preregistered and the event was very efficient and there was no waiting lines. Board member Young added we should increase the number of events held each year as the events are very successful in helping us reach our diversion goals. Ms. Sommer stated that the agency target is 12 events per year and the issue is finding suitable sites to host the event.

VIII. ADJOURNMENT

The meeting was adjourned at 4:48 p.m.