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**MINUTES OF THE ALAMEDA COUNTY WASTE
MANAGEMENT AUTHORITY MEETING
OF THE
PROGRAMS AND ADMINISTRATION COMMITTEE**

Thursday, May 14, 2015

9:00 A.M.

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

Members Present:

Dave Sadoff, Chair, Castro Valley Sanitary District
Dianne Martinez, Vice Chair, City of Emeryville
Jim Oddie, City of Alameda
Susan Wengraf, City of Berkeley
Don Biddle, City of Dublin
Luis Freitas, City of Newark (left 9:50 a.m.)
Dan Kalb, City of Oakland
Shelia Young, Oro Loma Sanitary District
Pauline Cutter, City of San Leandro

Absent:

Keith Carson, County of Alameda
Suzanne Lee Chan, City of Fremont
Laureen Turner, City of Livermore

Staff Present:

Wendy Sommer, Deputy Executive Director
Meri Soll, Senior Program Manager
Arliss Dunn, Clerk of the Board

Other's Participating:

Allison Chan, Save the Bay
Jim Scanlin, Alameda County Clean Water Program
Kathy Cote, City of Fremont

1. Convene Meeting

Dave Sadoff, Chair, called the meeting to order at 9:05 a.m. Chair Sadoff welcomed Board member Oddie as the new representative for the City of Alameda. Wendy Sommer shared a photo including WMA Board member Shelia Young, Recycling Board member Daniel O'Donnell and agency staff. The photo was taken at a sheet mulching lawn conversion event in San Lorenzo. 500 people were in attendance at the landscape expo and 60 people helped with lawn conversion. The event was covered by KGO.

2. Public Comments

There were none.

DRAFT

3. Approval of the Draft Minutes of April 9, 2015 (Wendy Sommer) Action
Board member Freitas made the motion to approve the draft minutes of April 9, 2015. Board member Martinez seconded and the motion was carried 9-0 (Carson, Chan and Turner absent).

4. Reusable Bag Ordinance 2012-2: Potential Expansion (Discussion) Information
(Wendy Sommer & Meri Soll)
This item is for information only.

Meri Soll presented a PowerPoint presentation and led the discussion regarding the Reusable Bag Ordinance 2012-2: Potential Expansion. A copy of the PowerPoint presentation is available here: <http://www.stopwaste.org/2015/committee/bags/presentation.pdf>

Allison Chan, Save the Bay, stated that self reporting data from cities indicated that plastic bags continue to be dominant litter items. Ms. Chan encouraged the Board to catch-up with other counties and move forward with an expanded ordinance.

Jim Scanlin, Alameda County Clean Water Program stated that he appreciates the Board for adopting the initial bag ban and clarified that the \$180,000 in funding from the Clean Water Program is based on expansion costs given by StopWaste staff. The funding is to support an expansion of the ordinance to all retail stores using a complaint based system similar to what other jurisdictions are doing.

Kathy Cote, City of Fremont staff, spoke in the absence of Board member Chan in support of expanding the ordinance but expressed concern about a patchwork approach if there isn't unanimous support and recommends a countywide expansion.

Board member Martinez asked for background from the Committee members on how the process was approved and stated that she supports expansion but feels the decision should be made by the Board and not left to City Managers/staff. Board member Cutter stated that at the time the Board developed the process, they had just completed multiple initiatives including the HHW Fee, Mandatory Recycling Ordinance and the Benchmark Service Fee and the Board wanted to strive for consensus. The final decision remains with the Board, not City staff. Board member Kalb stated that he recalls the bulk of the presentation focused on the options for expansion and he's not comfortable with a process of giving one CEO veto authority to block the decision. He felt that it is not necessary to have consensus from all jurisdictions for an expansion and supported continuing the discussion on ways to move forward.

Board member Wengraf also expressed support for continuing the discussion for expanding the ordinance and recommended that the agency think regionally as customers aren't aware of city boundaries. She recommended not focus on just hot spot trash information but on efforts educating the public regarding the damage to the environment from plastic bags. Ms. Sommer added that although the reusable bag ordinance is beneficial with respect to storm water issues, the agency's mission is to address waste reduction. There are approximately 1,800 tons of additional plastic bags that an ordinance expansion could potentially address, as compared to the 350,000 potential tons that could be diverted through the Mandatory Recycling Ordinance. The large difference in tonnages made MRO a higher priority project at this time.

Ms. Sommer added clarification with respect to the expansion process that was approved by the Board. At the September 2014 meeting, staff reported the effectiveness of the ordinance so that the Board could make a finding that the ordinance has achieved its goal to substantially reduce environmental impacts, and

DRAFT

thus the minimum price per compliant bag will not increase from \$0.10 to \$0.25. At the October meeting staff presented a schedule, budget and scope for potential ordinance expansion. WMA Board unanimously adopted the proposed schedule and process. The Board agreed that participation from all fifteen jurisdictions is important. The decision to move ahead with expansion is up to the WMA Board, not staff.

Board member Oddie commented that he is very familiar and supportive of the State's plastic bag bill. He works for Assembly member Bonta, who was the floor jockey for the bill. Board member Martinez stated she is in support of expansion as well and appreciates the behavior change element of the program. Board member Cutter stated a position of support for herself and Board member Chan in her absence. She added that if we were to include smaller mom and pop stores and restaurants, we would need to provide significant assistance to them. Ms. Soll stated that restaurants are not included in the additional 7,000 stores and not recommended by Clean Water Program members.

Chair Sadoff recommended that staff develop a process to be voted on by the Board later on. Chair Sadoff stated his support for expansion and added that he would like to see restaurants included as an option. Board member Young asked that staff provide information on SB270 and how it would affect the decision. Ms. Soll stated that SB270 was passed by legislature but there was a referendum. The issue will be placed on the 2016 voter ballot. If it were to become law in 2016, it would limit our ability to change our ordinance; we could only change two aspects of our ordinance: the type of stores affected and the amount of the bag price. Our ordinance is currently not affected by SB 270.

Board member Biddle stated that Dublin is not in favor of changing the process that was previously approved. Neighboring counties have not adopted consistent ordinances. It is still being adopted city by city. Board member Biddle added that the agency will be facing future budget constraints and does not support taking on additional work. He also expressed a feeling of ordinance fatigue with the recent adoption of the MRO, HHW, and Benchmark Ordinances.

Ms. Sommer stated that the majority of the committee desires to reopen the process to consider expansion. However, staff will need until at least June to come back to the Board. Board member Cutter inquired about the types of plastic bags being found in the hot spots. Ms. Soll pointed to the link in the staff report ([Municipal Regional Stormwater Reports](#)) and the data is pulled from each Alameda County City. Ms. Soll explained that the data point only identifies the presence of plastic bag(s), not the type and quantity found or if there was an increase or decrease of the number of bags found at each hot spot. Plastic bags identified in the report were only of several types of plastic items identified and categorized as "dominant litter". Board member Cutter asked that the P&A Committee's comments be provided to the Recycling Board at their evening meeting. Ms. Sommer stated that she would do so.

5. Member Comments

There were none.

6. Adjournment

The meeting adjourned at 10:00 a.m.