

**DRAFT**

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

**Thursday, June 11, 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  
Suzanne Lee Chan, City of Fremont  
Luis Freitas, City of Newark (left 9:50 a.m.)  
Shelia Young, Oro Loma Sanitary District  
Pauline Cutter, City of San Leandro

**Absent:**

Keith Carson, County of Alameda  
Laureen Turner, City of Livermore  
Dan Kalb, City of Oakland

**Staff Present:**

Wendy Sommer, Deputy Executive Director  
Gary Wolff, Executive Director  
Brian Mathews, Senior Program Manager  
Heather Larson, Program Manager  
Debra Kaufman, Senior Program Manager  
Wes Sullens, Program Manager  
Arliss Dunn, Clerk of the Board

**1. Convene Meeting**

Dave Sadoff, Chair, called the meeting to order at 9:05 a.m.

**2. Public Comments**

There were none.

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**3. Approval of the Draft Minutes of May 14, 2015 (Wendy Sommer)**

**Action**

Board member Biddle made the motion to approve the draft minutes of May 14, 2015. Board member Young seconded and the motion was carried 9-0 (Carson, Kalb and Turner absent).

**4. Property Update - Renewal of Leases on WMA Property  
(Gary Wolff, Brian Mathews & Heather Larson)**

**Action**

Staff recommends that the P&A Committee recommend to the WMA Board that it authorize the Executive Director to enter into renewals of leases with Paulo Farms, Sprint, and T-Mobile, per the terms described in the staff report, subject to approval as to form by legal counsel.

Brian Mathews introduced Heather Larson. Ms. Larson will be taking over leadership of the project in Fiscal year 2015-16. Mr. Mathews provided an overview of the staff report. The report is available here:

<http://www.stopwaste.org/property/lease/renewals.pdf>

Board member Martinez requested background on the condition of the monthly rental income of less than \$5,000 for the grazing agreement. Mr. Mathews replied that as a JPA we have to follow the most restrictive leasing policy of one of our member agencies and in this case it is the County, unless we have an alternative leasing arrangement. In adopting the leasing ordinance we established that the rent is below \$5,000 a month, which follows State law. Board member Chan stated that it appears that the Electrical Trench lease and the Communications Site lease do not adhere to the same limitation. Mr. Mathews agreed and stated the rent will adjust according to CPI, however, we will unlikely reach the \$5,000 monthly threshold.

Board member Chan inquired about the lack of responses to the public bidding process. Mr. Mathews explained for each bid why he thought more bidders did not respond. For the grazing lease, we received two bids of which only one was responsive. The non-responsive bid did not agree to the terms of the existing lease which took them out of the running. Gary Wolff provided further clarification on the telecommunication leases, that only the current tenants are interested in the leases.

Ms. Larson added T-Mobile did respond with as much information as they could and we are still working with them about additional rental income for the land required for this permanent power supply (solar generator). With respect to the Sprint agreement, their lease does not expire until 2016. They did however indicate in writing that they would like to renew the agreement under the existing terms.

Board member Wengraf made the motion to accept the staff recommendation. Board member Biddle seconded and the motion carried 9-0 (Carson, Kalb and Turner absent).

**Adjourned to closed session at 9:15 a.m. and returned to open session at 9:45 a.m.**

**5. CLOSED SESSION:**

CONFERENCE WITH REAL PROPERTY NEGOTIATORS

(Pursuant to Government Code Section 54956.8)

Property:

APN #: 99A-1780-1-4 & 99A-1790-3, 99A-1770-2-2, 99A-1770-2-1,  
99A-1770-4, 99A-1810-1 & 99A-1770-2-3, 99A-1820-2

Agency Negotiator: Gary Wolff, Agency Staff,  
Richard Taylor, Authority Counsel

Negotiating Parties: NextEra Energy Resources

Under Negotiation: Price and terms of payment

There was nothing to report from the closed session.

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**6. Legislation 2015 Update (Wendy Sommer, Debra Kaufman & Wes Sullens) Information**

This item is for information only. Staff recommends that the Boards receive this status update on Agency legislative positions for the 2015 session of the California Legislature.

Wes Sullens provided an overview of the staff report. The report is available here:

<http://www.stopwaste.org/legislative/update/2015.pdf>

Mr. Sullens updated the Committee on the status of AB 901 (Gordon) Disposal Reporting. Staff is pleased to report that earlier this week Assemblyman Gordon has taken our amendments for AB 901. The bill is slated to be discussed on July 1<sup>st</sup> in the Senate Environmental Quality Committee. Once the bill is amended, staff will request the Board's assistance by sending out letters of support and request assistance from their lobbyists. Staff will draft a letter of support in the coming weeks and will provide a copy that Board members may use to disseminate. Staff will report back to the Board in October or earlier if needed on the status of the bill. Mr. Wolff added Bob Wieckowski, former Fremont council member, is the Chair of the Senate Environmental Quality Committee and asked that Board members contact him if appropriate, to let him know that the coming language from the Author originated from StopWaste and to assist in any way in his role as Chair. Debra Kaufman will be in Sacramento next Tuesday and has offered to meet with him or his staff to brief them on the bill and its importance to our County.

Board member Chan inquired if the agency coordinates with the League of Counties. Mr. Wolff affirmed that we do, however we have not approached the League for support yet but staff has been in conversation with them. Board member Chan stated that she is on their Board and offered her assistance. Mr. Wolff stated staff will follow up with her.

Mr. Sullens stated that Extended Producer Responsibility (EPR) did not do well this session. We were watching two competing bills; AB 45 (Mullin) HHW failed in session as well as AB 1159 (Gordon) EPR Manufacturing (Batteries and Sharps).

Mr. Sullens was pleased to report that we have had some success in Cal Green Code Building and Update. It appears that there will be a 65% mandatory diversion requirement for Construction and Demolition materials in 2017.

**7. Member Comments**

There were none.

**8. Adjournment**

The meeting adjourned at 9:55 a.m.