

DRAFT

**MINUTES OF THE REGULAR MEETING OF THE  
PLANNING & ORGANIZATION COMMITTEE  
AND  
ALAMEDA COUNTY RECYCLING BOARD**

**Thursday, May 12, 2016  
7:00 p.m.**

**Hayward City Hall  
777 B Street  
Conference Room C, 1st Floor  
Hayward, CA 94541  
(510) 583-4000**

**I. CALL TO ORDER**

Dianne Martinez, 2<sup>nd</sup> Vice President, called the meeting to order at 7:01 p.m.

**II. ROLL CALL**

Tim Rood, City of Piedmont, Chair  
Adan Alonzo, Recycling Programs  
Greg Jones, City of Hayward  
Bernie Larrabe, Recycling Materials Processing Industry  
Don Biddle, City of Dublin, for Peter Maass, City of Albany  
Dianne Martinez, City of Emeryville  
Daniel O'Donnell, Environmental Organization  
Michael Peltz, Solid Waste Industry Representative  
Steve Sherman, Source Reduction Specialist  
Toni Stein, Environmental Educator

**Members Absent:**

Jerry Pentin, City of Pleasanton

**Staff Present:**

Wendy Sommer, Executive Director  
Tom Padia, Deputy Executive Director  
Kelly Schoonmaker, Program Manager  
Debra Kaufman, Senior Program Manager  
Meghan Starkey, Senior Program Manager  
Audrey Beaman, County Counsel  
Arliss Dunn, Clerk of the Board

**Others Present:**

Lori Mara, City of Fremont  
Jennifer Yee, City of Hayward  
Andreea Simion, Oro Loma Sanitary District  
Natasha Neves, Oro Loma Sanitary District

**III. ANNOUNCEMENTS BY THE PRESIDENT**

There were none.

**IV. CONSENT CALENDAR**

- 1. Approval of the Draft Joint Minutes of April 27, 2016 (Wendy Sommer) Action**

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| <b>2. Board Attendance Record (Wendy Sommer)</b>                   | <b>Information</b> |
| <b>3. Written Report of Ex Parte Communications (Wendy Sommer)</b> | <b>Information</b> |

Board member Jones made the motion to approve the Consent Calendar. Board member Biddle seconded and the motion carried 7-0-1 (Pentin, Rood, and Stein absent) (Martinez abstained).

**V. OPEN PUBLIC DISCUSSION**

There was none.

**VI. REGULAR CALENDAR**

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| <b>1. Legislative Positions for 2016 (Debra Kaufman)</b>  | <b>Action</b> |
| Staff recommends that the Committees recommend the preliminary Legislative positions outlined in the staff report to the full Authority Board for the 2016 session of the California legislature. |               |

Debra Kaufman provided a summary of the staff report. The report is available here: [Legislative Positions for 2016 memo-05-12-16](#). Ms. Kaufman informed the Board of an additional bill to be added to the list of bills to be supported. AB 1577 (Eggman) would expand tax credits for donating food to food banks. The bill is also supported by Californians Against Waste (CAW). Ms. Kaufman revised the staff recommendation to include AB 1577 (Eggman).

President Rood arrived and assumed chairmanship of the meeting following the staff presentation.

Board member Martinez inquired if AB 45 does not die in session if there is opportunity to add some EPR aspects. Ms. Kaufman stated that there have been futile attempts to change the bill but the pharmaceutical industry has strong opposition to adding any EPR aspects to the bill. Board member Sherman inquired about AB 1063 and 1103 and why the agency has taken a watch position on both bills. Ms. Kaufman stated that AB 1063 seeks to increase the State tip fee surcharge and the agency was considering additional costs posed to member agencies as well as ratepayers. However, it is at the Board's discretion to determine the agency's position. Ms. Sommer concurred with Ms. Kaufman's statement and added staff determined we should take a cautious approach to legislation that includes any additional costs to ratepayers. Board member Sherman stated for the record that the legislation is considering a \$4 per ton fee and in Europe fees exceed \$100 per ton as a way to reduce the amount of materials going into the landfills. Ms. Sommer added AB 1103 has already failed. Board member Sherman commented that a recent draft California Air Resources Board proposal seeks to eliminate organics from the landfill by 2025 and inquired if staff has submitted a letter of comment or support on this matter. Ms. Kaufman stated yes, we did. Board member Sherman asked that staff provide a copy of the letter. Ms. Sommer stated that we would comply with the request.

Board member Martinez made the motion to approve the staff recommendation with the addition of AB 1577 (Eggman). Board member Biddle seconded and the motion carried 8-0-1 (Pentin and Stein, absent) (Sherman abstained).

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| <b>2. Scope of Work for Five Year Program Review (Tom Padia)</b>   | <b>Information</b> |
| Staff recommends that the Recycling Board review and discuss the proposed schedule and scope of work for the Five Year Program Review and that the Board propose additions/modifications as appropriate. Additional input will be solicited from member agency staff and recycling industry partners/stakeholders. |                    |

Tom Padia provided a summary of the staff report. A link to the report is available here: [Scope of Work for Five Year Audit memo-05-12-16](#)

Board member Martinez inquired if the last program review included a review of the HHW program. Mr. Padia stated no, we have not specifically looked at the HHW program. Board member Martinez stated that she is interested in evaluating the effectiveness of the current program. Board member Rood inquired if there was a mechanism for evaluating the program embedded in the ordinance. Ms. Kaufman stated that prior to adopting the \$9.55 fee, an outside consultant conducted an extensive study of our program in comparison to other similar programs comparing cost and participation rates. The study was conducted in 2013. The expansion increased the hours and days of the facilities and added the one day events. The study also reviewed participation rate comparisons of other cities which ranged from 6-12%. The Fremont facility has one of the highest participation rates at 12% and we are trying to get the other 3 facilities to reach that higher rate. The national high rate point is between 12-14% participation. Ms. Kaufman added we get an annual report in October of each year where we look at participation and program effectiveness. We can share more of that data with the Board. Board member Martinez stated that the program is important and visible and she would like to have a report agendaized at a future meeting to look at the data comparison to other jurisdictions. Ms. Sommer stated that we will present a report of the HHW program at the June meeting as part of the fee collection report presentation.

Board member Sherman stated that he thoroughly reviewed the previous Five Year Program report and concludes that the work is highly commendable and recommends that staff scale it down to make the process more interactive and more useful to the member agencies. Some ideas would be to allow some of the leading examples to present to the TAC and not expend \$150,000 on such an extensive written document but maybe channel funding to more pilot programs, such as every other week collection, multi-family organics collection, etc. Ms. Sommer agrees and stated that this topic can be further explored during the upcoming priority setting session for the Board. Board member Biddle stated that report should focus on new opportunities and not solely what we've done in the past. Board member Jones stated that we should also do research internationally to see what other countries are doing and although we may not be able to actually replicate their programs we can look at best practices.

Mr. Padia stated that there is a lot of room for scaling it back as a significant portion of time is spent on back and forth with member agencies on data collection, and different haulers categorize accounts in different ways, e.g. multi-family is combined with commercial accounts, etc. President Rood inquired if the consultant field has changed since 5 years ago. Mr. Padia added it is somewhat dynamic. President Rood added he would like to see the last report and the scope of work for the previous RFP as well as the final scope of work for the proposed RFP. He added we could possibly ask the bidders to suggest metrics that they think would be helpful to us. Mr. Padia stated that we could agendaize the discussion in July or August.

Board member Stein commented on the significant litter on the streets, odors from waste containers and the effort to move waste in our county via trucks and their impact on air quality. She added we must keep public health concerns at the forefront of our efforts. President Rood inquired if Alameda County Public Health commented on the EIR when adopting the mandatory recycling ordinance. Ms. Kaufman stated that an EIR was circulated and CEQA analysis was conducted in 2012 which covered both the MRO and the reusable bag ordinance and all county environmental agencies had the opportunity to review and comment. President Rood stated yes we should coordinate our efforts with these agencies but not take over their mandates. Board member Alonzo commented that the Local Enforcement Agency (LEA) conducts monthly inspections and identifies parameters to address all of the air quality and facility related issues that may arise. The LEA is the leading authority on these issues.

Board member Martinez inquired if the "every other week" collection can be expanded to include looking at restaurant collection as well. Mr. Padia stated that "every other week" just refers to single family residents. Commercial collections can vary from 3-5 times a week or more. President Rood commented that the multi-family recovery rates are the important topic to pursue as the county has a significant number of multi-family properties and the MRO is relatively new. Board member Sherman

commented that if we decide to have the consultant focus on multi-family recovery rates he encouraged staff to expand the discussion beyond recovery rates and to describe and discuss some of the fault lines that exist in communities regarding the social and economic issues with regard to worker health and safety at so called “Dirty MRF’s.”

President Rood thanked Mr. Padia for the thorough report.

**3. Municipal Panel: Adequate Space for Recycling and Composting (Meghan Starkey) Information**

This item is for information only.

Meghan Starkey provided an overview of the staff report (available here: [Adequate Space for Recycling and Composting memo-05-12-16](#)) and introduced the members of the municipal panel. The panel included: Lori Mara, City of Fremont, Jennifer Yee, City of Hayward, Andreea Simion, Oro Loma Sanitary District, and Natasha Neves, Oro Loma Sanitary District. The City of Newark panelist had a scheduling conflict and was unable to attend but sent along his information.

The panelists shared their current issues and solutions for ensuring adequate space for recycling and composting. A link to the audio of the discussion is available here: [Municipal Panel Audio Discussion-05-12-16](#)

President Rood thanked Ms. Starkey and the panelists for their participation.

**4. New Regional Lawn to Garden Website (Kelly Schoonmaker) Information**

This item is for information only.

Kelly Schoonmaker provided a summary of the staff report and provided an overview of the Lawn to Garden website and associated grant activities. A copy of the combined staff report and presentation is available here: [Lawn to Garden Website memo-05-12-16](#)

A link to the website is available here: <http://lawntogarden.org/>

Ms. Schoonmaker requested that Board members add a link on their respective websites and inform staff of sheet mulching events in their jurisdictions so we can put them on the agency calendar.

Board member Stein inquired about the criteria or impetus for the water savings. Ms. Schoonmaker stated that if people don’t like their current lawn then sheet mulching is the preferred method for lawn conversions. Ms. Schoonmaker added over the past two years the interest in sheet mulching has increased so that the conversation is no longer about why use sheet mulch but how to sheet mulch. Board member O’Donnell commented that in Fremont over the past five years native/bay-friendly gardens have become more acceptable and requests to convert lawns have increased quite a bit. The message of sheet mulching is spreading to outlying areas as well.

President Rood thanked Ms. Schoonmaker for the presentation.

**VII. OTHER PUBLIC INPUT**

There was none.

**VIII. COMMUNICATIONS/MEMBER COMMENTS**

President Rood announced that he cut the ribbon at the “Grand Avenue Bike Lane” installation ceremony. The cities of Piedmont and Oakland collaborated to complete the project. Board member Martinez announced that she cut the ribbon for the Christie Avenue Bike Trail that will allow cyclists to ride the Bay Trail uninterrupted from Richmond to San Leandro.

**IX. ADJOURNMENT**

The meeting adjourned at 8:45 p.m.