

DRAFT

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

Thursday, February 11, 2021

7:00 P.M.

TELECONFERENCE MEETING

I. CALL TO ORDER

President Darby Hoover called the meeting to order at 7:00 p.m. Timothy Burroughs explained the process that would be utilized during the meeting. A link to the process is available here: [Virtual-Meetings-Instructions](#)

II. ROLL CALL OF ATTENDANCE

Bob Carling, ACWMA
Deborah Cox, ACWMA
Eric Havel, Environmental Educator
Darby Hoover, Environmental Organization
Dan Kalb, ACWMA
Laura McKaughan, Source Reduction Specialist
Tianna Nourot, Solid Waste Industry Representative
Dave Sadoff, ACWMA
Francisco Zermeño, ACWMA
Vacant, Recycling Materials Processing Industry
Vacant, Recycling Programs

Staff Present:

Wendy Sommer, Executive Director
Timothy Burroughs, Deputy Director
Pat Cabrera, Administrative Services Director
Jeff Becerra, Communications Manager
Justin Lehrer, Operations Manager
Meri Soll, Senior Program Manager
Alma Freeman, Program Manager
Michelle Fay, Program Manager
Arliss Dunn, Clerk of the Board
Farand Kan, Deputy County Counsel

III. ANNOUNCEMENTS BY THE PRESIDENT

There was none.

IV. OPEN PUBLIC COMMENT

There were no public comments on the remote call and there were no public comments received in the public comment email address.

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V. CONSENT CALENDAR

1. **Approval of the Draft PC & RB Minutes of January 14, 2021 (Jeff Becerra)**
2. **Board Attendance Record (Jeff Becerra)**
3. **Written Report of Ex Parte Communications (Jeff Becerra)**

There were no public comments for the consent calendar. Board member McKaughan made the motion to approve the consent calendar. Board member Zermeño seconded and the motion carried 8-0.

The Clerk called the roll:

(Ayes: Carling, Cox, Havel, Hoover, Kalb, McKaughan, Sadoff, Zermeño. Nays: None. Abstain: None. Absent: Nourot. Vacant: Recycling Programs)

VI. REGULAR CALENDAR

1. **Recycling Commission Report Recommendations (Alma Freeman & Michelle Fay)**

This item is for information only.

Timothy Burroughs provided background on the Recycling Commission's work and introduced Alma Freeman and Michelle Fay, StopWaste Program Managers. Ms. Freeman and Ms. Fay presented an overview of the Recycling Commission's recommendations and outlined areas where StopWaste and local jurisdictions could have influence and opportunities for leadership. A link to the staff report and the presentation is available here: [Recycling-Commission-Presentation.pdf](#)

Board member Cox commented on the volume of useful and important information that StopWaste offers and inquired about the most effective methods for communicating this information to the public. Ms. Freeman stated that by carving a path for more cohesive and collective messaging we have the opportunity to have a more powerful voice as a county as well as provide transparency to the public. Board member Carling stated that he agrees that communication is vital but more important is uniformity across jurisdictions and franchise agreements as to which materials are accepted. Board member Carling inquired as to the next steps in having the state create standards for what is acceptable. Ms. Fay replied that some jurisdictions are starting to negotiate their franchise agreements and this new information provides an opportunity to have conversations with haulers about recyclability and make modifications to agreements when appropriate. Board member Zermeño asked for clarity on whether or not the berry containers are recyclable. Ms. Fay stated that the commission is still reviewing certain products such as thermoform plastic containers for their July report and staff will provide an update to the board once that is available. Board member Zermeño commented that two significant challenges are working upstream with the manufacturers and communication with the public. Board member Sadoff stated that he supports limiting the use of the chasing arrows symbols on products that are not considered truly recyclable and is looking forward to any efforts from StopWaste that seek alignment across jurisdictions. Board member McKaughan commented on the confusion and misinformation regarding the chasing arrows symbol and supports efforts to regulate items at the manufacturing level. Board member McKaughan commented on the recommendation to monitor where franchise haulers are taking their materials and recommended to also include self-haulers to better understand the seepages in the system. Board member Havel stated his support for StopWaste's mission for landfill obsolescence, upstream efforts to limit the variety of packaging in the waste stream as well as transparency and truth telling with regard to where the materials are going and disposal practices. President Hoover commented that she is pleased to see the critical shift in focus on the environmental impacts of how materials are manufactured as opposed to keeping materials out of the landfill.

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There were no public comments on this item. President Hoover thanked staff for the presentation.

2. Revisions to Recycling Board Resolution RB 2014-2 to address accumulated Measure D fund balances (Meri Soll)

Provide direction to staff on policy revisions to Resolution 2014-2.

Timothy Burroughs introduced the item. Meri Soll provided an overview of the staff report and presented a PowerPoint presentation. A link to the report and the presentation is available here: [RB-Policy-Revision.pdf](#)

Board member Carling inquired if there appeared to be any common threads among the jurisdictions that are having problems with spending the funding. Ms. Soll stated that a couple of member agencies have shared that they are waiting for the SB 1383 requirements to be finalized so that they may ascertain the expenditures associated with the implementation of the requirements. Additionally, the impacts of COVID-19 have contributed to hiring freezes for staff that would be working in the area of recycling and other Measure D activities. Board member Carling stated that he is leaning towards option A and inquired if the policy includes consequences for member agencies that do not submit yearly reports to the Recycling Board. Ms. Soll stated not currently but it can be added to the policy. Board member Cox inquired about the number of agencies that are requiring expenditure plans. Ms. Soll stated that over the past two fiscal years, three member agencies requested and were granted expenditure plans by the Recycling Board. Staff is in frequent contact with them regarding their fund balances. Board member Cox inquired if there were issues with Measure D fund balances prior to SB 1383 and COVID-19. Ms. Soll stated the auditors have had ongoing concerns about fund balances being too high and the lack of adequate monitoring and tracking mechanisms for the board to take action. Board member Cox inquired if the member agencies are currently required to submit quarterly reports. Ms. Soll stated it is not currently in the existing policy but we can make it a requirement when seeking an expenditure plan. Board member Kalb inquired if this is a serious issue or prescriptive in response to the auditors and does StopWaste provide assistance in helping to keep the fund balances under the threshold. Ms. Soll stated that in November 2020, the board directed staff to modify and strengthen the existing policy. Ms. Soll added yes, staff works throughout the year with member agency staff advising them on how to effectively utilize the funds. Board member Zermeño stated that in consultation with the City of Hayward staff, they would recommend option A with the addition of the reporting requirement. Board member McKaughan stated that she would support option B but would not want to impose additional work for the jurisdictions by requiring quarterly reporting. Ms. Sommer clarified that the jurisdiction would not be required to submit a lengthy written report but StopWaste staff would request quarterly check-ins with the jurisdiction. Board member Sadoff stated his support for option B and added encumbering three years of Measure D funding is more than enough time to implement programs. Board member Cox stated that although a majority of the member agencies is complying with the policy she would support option B as it adds checks and balances that deter non-compliance. Board member Carling stated that he would lend his support for option B but has concerns about requiring a member agency to forfeit funding that is above the threshold. Ms. Soll stated that staff and the TAC (Technical Advisory Committee) would need to work on establishing protocols to implement that measure, with guidance from legal counsel. Board member Havel stated that the impacts of COVID-19 and SB 1383 should be considered but the board also has to implement policies to ensure that the funding is being spent appropriately and in a timely manner.

There were no public comments on this item. President Hoover thanked the board for its direction to staff and thanked staff for the report.

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VII. MEMBER COMMENTS AND COMMUNICATIONS FROM THE EXECUTIVE DIRECTOR

Ms. Sommer announced that the Waste Prevention Grants Round for FY 20/21 is now open. For FY 2021 StopWaste is offering up to \$475K in funding for innovative projects that prevent waste in Alameda County. Grant amounts per funded project range from \$10K to \$20K. Ms. Sommer asked the board to notify businesses and nonprofits located in their communities. The application deadline is March 15, 2021.

VIII. ADJOURNMENT

The meeting adjourned at 8:28 p.m.