

**DRAFT**

**MINUTES OF THE JOINT MEETING OF THE  
ALAMEDA COUNTY WASTE MANAGEMENT AUTHORITY (WMA) BOARD,  
THE ENERGY COUNCIL (EC), AND  
THE SOURCE REDUCTION AND RECYLING BOARD (RB)**

**Wednesday, April 22, 2015**

**3:00 P.M.**

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

**I. CALL TO ORDER**

President Pauline Cutter (WMA & EC), called the meeting to order at 3:05 p.m.

**II. ROLL CALL**

**WMA & EC**

County of Alameda	Scott Haggerty, WMA, EC (arrived 3:15 p.m.) (left 5:00 .p.m)
City of Alameda	Trish Spencer, WMA, EC (left 4:40 p.m.)
City of Albany	Peter Maass, WMA, EC
City of Berkeley	Susan Wengraf, WMA, EC
Castro Valley Sanitary District	Dave Sadoff, WMA
City of Dublin	Don Biddle, WMA, EC
City of Emeryville	Dianne Martinez, WMA, EC (left 5:05 p.m.)
City of Fremont	Suzanne Lee Chan, WMA, EC (left 4:55 p.m.)
City of Hayward	Greg Jones, WMA, EC
City of Oakland	Dan Kalb, WMA, EC (arrived 3:15 p.m.)
Oro Loma Sanitary District	Shelia Young, WMA
City of Piedmont	Tim Rood, WMA, EC
City of Pleasanton	Jerry Pentin, WMA
City of San Leandro	Pauline Cutter, WMA, EC
City of Union City	Lorin Ellis, WMA, EC

**Absent:**

City of Newark	Luis Freitas, WMA, EC
City of Livermore	Lauren Turner, WMA

**Recycling Board:**

Environmental Educator	Toni Stein, RB
Environmental Organization	Daniel O'Donnell, RB
Recycling Materials Processing Industry	Minna Tao, RB
Recycling Programs	Adan Alonzo, RB
Source Reduction Specialist	Steve Sherman, RB

**Absent:**

Solid Waste Industry Representative	Michael Peltz, RB
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**Staff Participating:**

Gary Wolff, Executive Director  
Wendy Sommer, Deputy Executive Director  
Pat Cabrera, Administrative Services Director  
Debra Kaufman, Senior Program Manager

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Tom Padia, Recycling Director  
Teresa Eade, Senior Program Manager  
Justin Lehrer, Senior Program Manager  
Meri Soll, Senior Program Manager  
Richard Taylor, Counsel, Authority Board  
Arliss Dunn, Clerk of the Board

**Others Participating:**

Arthur Boone, NCRA, Former Recycling Board Member  
Amy Willis, ILWU

**III. ANNOUNCEMENTS BY THE PRESIDENT**

There were none.

**IV. CONSENT CALENDAR (WMA, EC & RB)**

- |  |                    |
|--|--------------------|
| <b>1. Approval of the Draft Minutes of March 25, 2015 (WMA &amp; EC-Separate Votes) (Gary Wolff)</b>   | <b>Action</b>      |
| <br>   |                    |
| <b>2. Legislative Positions for 2015 (WMA Only) (Gary Wolff &amp; Debra Kaufman)</b><br>Staff requests that the WMA Board adopt the positions outlined in the memo for the April 9, 2015 Committees. | <b>Action</b>      |
| <br>   |                    |
| <b>3. Recycling Board Attendance Record (RB only) (Gary Wolff &amp; Wendy Sommer)</b><br>This item is for information only.  | <b>Information</b> |
| <br>   |                    |
| <b>4. Written Report of Ex Parte Communications (RB only) (Gary Wolff &amp; Wendy Sommer)</b><br>This item is for information only.  | <b>Information</b> |
| <br>   |                    |
| <b>5. Minutes of the March 17, 2015 Technical Advisory Group (TAG) (EC only) (Gary Wolff &amp; Wendy Sommer)</b>   | <b>Information</b> |

Board member Pentin made the motion to approve the Consent Calendar for the WMA Board. Board member Rood seconded and the motion carried 13-0 (Haggerty, Freitas, Kalb, and Turner absent).

Board member Ellis made the motion to approve the Consent Calendar for the Energy Council. Board member Rood seconded and the motion carried 12-0 (Haggerty, Freitas, and Kalb absent).

**V. OPEN PUBLIC DISCUSSION (WMA, EC & RB)**

Arthur Boone commented on L.A. Shares, a non-profit organization in Los Angeles that donates office supplies, software, personal electronics and other items headed for the trash. Corporations get tax breaks for donations of items they'd otherwise throw out. These items are given to schools and other nonprofits through L.A. Shares. Nonprofits register with L.A. Shares and list the materials they most need. The city is spared the cost of hauling them away. L.A. Shares uses an interactive website and interested schools and non-profits create an online profile of their organization and creates a list of needed items. Bert Ball is the Executive Director and might be willing to share the software in other communities. Mr. Boone stated that Mr. Ball is considering retiring and encouraged the Board to reach out him. Mr. Wolff stated that he will follow up on this issue.

**VI. REGULAR CALENDAR (WMA, EC & RB)**

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|---|---------------|
| <b>1. Alameda County Integrated Waste Management Plan (CoIWMP) Amendment Ordinance 2015-02: Hayward Transfer Station CDI facility (WMA only) (Gary Wolff &amp; Debra Kaufman)</b> | <b>Action</b> |
| <br>It is recommended that the Authority waive the requirement to read the full text of the Ordinance, and adopt Ordinance 2015-02.   |               |

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Debra Kaufman provided a brief overview of the staff report. The report is available here:

<http://stopwaste.org/2015-02coiwmpamendment.pdf>

Amy Willis, ILWU, stated her appreciation for the Board's support of their concerns regarding the wage and benefits for the workers at the new Transfer Station in Hayward. Ms. Willis stated that she was pleased to hear from the Transfer Station Consultant that the workers will be paid comparable wages. She also asked that the Board be willing to consider further action in this area if the new Transfer Station, or other facilities in County, do not in the future pay comparable wages. Board member Chan made the motion to approve the staff recommendation. Board member Wengraf seconded and the motion carried 18-0 (Freitas and Turner absent).

### **2. Proposed FY 2015/16 Budget (WMA, EC & RB) (Gary Wolff & Pat Cabrera) Information**

This item is for information only.

Gary Wolff provided an overview of the long term fiscal context for the agency. Staff; Wendy Sommer, Pat Cabrera, Teresa Eade, Justin Lehrer, Tom Padia, Jeff Becerra, and Meri Soll provided an overview of the agency's programmatic and planning projects. The PowerPoint presentation is available here:

<http://stopwaste.org/fy15/16budgetpresentation>

Board member Stein asked that the PowerPoint presentation be provided to the Board. Board member Stein inquired about the PERS Unfunded Liability (UL) and where it is shown on the balance sheet included in the budget document and how it is being paid. Mr. Wolff stated that there is no balance sheet in the budget document; the balance sheet is included in the agency audit of each fiscal year once it is over. However, as required by GASB 68, the UL will be shown as a liability on the balance sheet included in the audit for the current fiscal year 2014-15. In addition, we have been and will continue to pay a portion of the UL as part of our PERS monthly payment, which is included in the budget. Board member Stein asked why we don't pay off the liability as we are funding grants. Mr. Wolff stated that according to PERS we were not allowed to pay it off until next fiscal year. By the end of the calendar year we will bring before the Board options to address payment of the unfunded liability.

Board member Stein requested that staff provide a more detailed breakdown of cost for the HHW program, more detailed information regarding recycled content building materials and the EPP programs that affect building materials, and inquired if any building materials are used in the property management projects. Mr. Wolff stated that the property portfolio consists of 2 building structures and 1600 acres of land so there is minimal purchasing of building materials. However, the property at 1537 Webster Street recently received LEED Platinum certification for Existing Buildings and Operations Management and a copy of the report outlining the agency's purchasing data will be provided to her.

Board member Pentin asked for further clarification regarding the PERS unfunded liability and questioned why staff did not propose to pay it off previously. Mr. Wolff stated that PERS tells us that because we are participants in a risk pool we are not allowed to pay off the liability until this coming fiscal year 2015-16. Board member Pentin inquired about the \$356,000 budget for fee enforcement and asked if the project is a good investment of resources. Mr. Wolff stated that we have identified a significant number of people that owe us for fees and the amount of money we have been able to collect at least pays for the project. If we are able to get State Legislation adopted that clarifies issues associated with access to landfill records, the level of fee recovery will be much higher than project costs. Board member Pentin stated that he would like to have further information on the revenue received that would justify continuing the project. President Cutter asked for more detailed information on staff costs associated with fee enforcement. Mr. Wolff stated the labor cost shown in the project charter includes fully loaded (that is, salary plus benefits plus overhead) programmatic and administrative staff costs. Board member Pentin inquired about the hard costs listed in the project charter. Mr. Wolff stated the hard costs are the identifiable non-staff costs specific to the project; e.g. retired annuitants from the Sheriff's office to provide assistance for enforcement, printing, postage, mileage reimbursement, etc.

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Board member Jones inquired about projections regarding PERS fee increases. Mr. Wolff stated that we were notified by CalPERS that the normal rate will increase in 2015/16 to 9.67% and 2016/17 to 10.01%, and that additionally the payment toward the unfunded liability will be a fixed amount each year rather than a percent of payroll. The PERS increases are factored into our extended spending plan. Board member Stein inquired about workers compensation costs. Ms. Cabrera stated we have had very few workers compensation claims and the cost is 3% of payroll. President Cutter inquired if the budget scenario includes a 2.5% increase or variable. Mr. Wolff stated it includes a 2.5% increase each year.

Mr. Wolff asked the Board to send any additional questions that they may have after the meeting today, and staff will respond in the memo for next month's budget action item. President Cutter thanked staff for the presentation.

**3. Interim appointment(s) to the Recycling Board for WMA appointee unable to attend future Board Meeting(s) (WMA only)**

(P&O and Recycling Board meeting, May 14<sup>th</sup> at 7:00 pm – Hayward City Hall, Conf. Rm C, 1<sup>st</sup> Floor, 777 B Street, Hayward, CA)

There were no requests for an interim appointment.

**VII. COMMUNICATIONS/MEMBER COMMENTS (WMA, EC & RB)**

**Information**

Board member Spencer announced that effective immediately she will no longer serve as the Authority Representative for the City of Alameda. Councilmember Jim Oddie will become the representative and Mayor Spencer will become the alternate.

**VIII. ADJOURNMENT (RB only)**

The Recycling Board adjourned at 4:08 p.m.

**The WMA Board adjourned to closed session at 4:10 p.m. and returned to open session at 4:35 p.m.**

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

Pursuant to Government Code Section 54957.6

CONFERENCE WITH LABOR NEGOTIATOR

Agency Designated Representatives: Board Members Biddle, Cutter, Kalb, Pentin

Unrepresented Employee: Executive Director

(confidential materials mailed separately)

**X. OPEN SESSION (WMA only)**

Consideration of possible amendment to Executive Director's Contract

(President Cutter, WMA only, if appropriate)

A staff report and amendment to the Executive Director's contract was distributed. It is available here: <http://stopwaste.org/EDcontractamendment>. There were no public comments on this item. Board member Wengraf was absent from the room for the vote count.

Board member Rood made the motion to approve the amendment to the Executive Director's Contract. The amendment increased the Executive Director's salary effective April 1, 2015 by 3%. Board member Sadoff seconded and the motion carried 15-0 (Spencer and Pentin abstained) (Freitas, Turner, and Wengraf absent).

**The Board adjourned to closed session at 4:40 p.m.**

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

Pursuant to Government Code Section: 54957.6(a)

CONFERENCE WITH LABOR NEGOTIATOR

Agency Negotiator: Gary Wolff

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Employee Organization: Unrepresented employees (all Agency employees; position titles available upon request) (confidential materials mailed separately)

There was nothing to report from the closed session.

**XII. CLOSED SESSION (WMA only):**

Pursuant to Government Code Section 54957

PUBLIC EMPLOYEE PERFORMANCE EVALUATION

Title: Authority Counsel

(confidential materials mailed separately)

The closed session for the Authority Counsel will be carried over to the May 27<sup>th</sup> WMA meeting.

**XIII. ADJOURNMENT (WMA & EC)**

The WMA and Energy Council adjourned at 5:10p.m.