

**DRAFT**

**MINUTES OF THE MEETING OF THE  
ALAMEDA COUNTY WASTE MANAGEMENT AUTHORITY (WMA) BOARD  
AND  
THE ENERGY COUNCIL (EC)**

**Wednesday, June 24, 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 3:03 p.m.

**II. ROLL CALL**

**WMA & EC**

City of Alameda	Trish Spencer, WMA, EC (arrived 3:25 p.m.)
City of Albany	Peter Maass, WMA, EC
City of Berkeley	Susan Wengraf, WMA, EC
City of Dublin	Don Biddle, WMA, EC
City of Emeryville	Dianne Martinez, WMA, EC
City of Fremont	Suzanne Lee Chan, WMA, EC
City of Hayward	Greg Jones, WMA, EC
City of Newark	Luis Freitas, WMA, EC
City of Oakland	Dan Kalb, WMA, EC (arrived 3:30 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 (arrived 3:15 p.m.)

**Absent:**

County of Alameda	Keith Carson, WMA, EC
Castro Valley Sanitary District	Dave Sadoff, WMA
City of Livermore	Laureen Turner, WMA

**Staff Participating:**

Gary Wolff, Executive Director  
Wendy Sommer, Deputy Executive Director  
Debra Kaufman, Senior Program Manager  
Karen Kho, Senior Program Manager  
Richard Taylor, Counsel, Authority Board  
Arless Dunn, Clerk of the Board

**III. ANNOUNCEMENTS BY THE PRESIDENT**

There were none.

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

- 1. Approval of the Draft Minutes of May 27, 2015  
(WMA & EC-Separate Votes) (Gary Wolff)**

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

The P&A Committee recommends that the Authority Board authorize the Executive Director to enter into renewals of agreements with Paulo Farms, Sprint, and T-Mobile per the terms described in the memo to the committee linked above, subject to approval as to form by legal counsel.

**3. Minutes of the May 15, 2015 Technical Advisory Group (TAG) Information**  
**(EC only) (Gary Wolff, Wendy Sommer & Karen Kho)**

Board member Pentin made the motion to approve the Consent Calendar for the WMA Board. Board member Biddle seconded and the motion carried 11-0 (Carson, Ellis, Kalb, Sadoff, Spencer and Turner absent).

Board member Rood made the motion to approve the Consent Calendar for the Energy Council. Board member Jones seconded and the motion carried 11-0 (Carson, Ellis, Kalb and Spencer absent).

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

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

**1. Public Hearing and annual adoption of Fee Collection Report for the household Action/  
hazardous waste (HHW) Fee to be collected on the property tax roll (WMA only) Public Hearing**  
**(Gary Wolff & Debra Kaufman)**

Staff recommends that the WMA Board hold a public hearing on the Fee Collection Report for FY15-16, and approve it with any appropriate corrections.

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

<http://stopwaste.org/2015/Fee/Collection/Report/Adoption.pdf>

President Cutter opened the public hearing. There were no public comments on this item. The public hearing was closed.

Board member Wengraf reported that the HHW event in Berkeley and Albany was a success however many constituents were angry as only 500 people were able to participate and many others were turned away. Board member Wengraf asked if we can do more events and inquired as to where the fee revenue is going. Ms. Kaufman stated yes staff is planning to do more events in the fall, September/October. With respect to event logistics, attendees are required to register for the event in order to manage flow and access to services. Board member Pentin inquired if people are turned away if they have not registered. Ms. Kaufman stated no but a majority of the attendees do pre-register. Mr. Wolf added we budgeted for up to 12 events annually but have not scheduled all of them yet as this is the first year and we are still scouting and securing locations. Board member Biddle added people can also visit the fixed locations. Ms. Kaufman stated that we routinely send out postcards informing the public about the location and hours for the fixed facilities and we hand them out at the events as well. Ms. Kaufman stated the next event will be held at the Pleasanton Fair Grounds on July 19<sup>th</sup>. Staff is working with Pleasanton staff on logistics and outreach.

Board member Chan stated the City of Fremont has concerns that revenue may not cover all the costs of the program. Mr. Wolff stated the \$9.55 fee is designed to collect more revenue at the beginning of the program and less revenue in the latter years of the 10 year period before the fee expires. So revenue will not cover costs in the latter years, but that should be OK. Also, if tonnages that pay the historic \$2.15 per ton HHW fee come in higher than estimated, the excess revenue will be used to lower the \$9.55 fee in future years. Mr. Wolff added that he expects to be able to sustain funding for

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the Fremont facility for the duration of the program, but that there are some expenses at Fremont that were not anticipated when the fee was adopted and our current inability to pay those expenses is perhaps what Board member Chan has heard about. Board member Pentin inquired if the San Francisco contract affects the HHW program. Mr. Wolff stated no.

Board member Freitas made the motion to approve the staff recommendation. Board member Biddle seconded and the motion carried 11-1 (Pentin, no) (Carson, Kalb, Sadoff, Spencer and Turner absent).

- 2. Election of Officers for Fiscal Year 2015-2016 (WMA only) (Gary Wolff) Action**  
Staff recommends that the Authority Board elect officers for the 2015-2016 fiscal year.

Board member Rood made the motion to elect Board member Pentin as President. Board member Ellis seconded and the motion carried 11-0-1(Pentin abstained) (Carson, Kalb, Sadoff, Spencer and Turner absent).

Board member Pentin made the motion to elect Board member Kalb as First Vice President. Board member Chan seconded and the motion carried 12-0 (Carson, Kalb, Sadoff, Spencer and Turner absent).

Board member Freitas made the motion to elect Board member Jones as Second Vice President. Board member Cutter seconded and the motion carried 12-0 (Carson, Kalb, Sadoff, Spencer and Turner absent).

- 3. Interim appointment(s) to the Recycling Board for WMA appointee unable to attend future Board Meeting(s) (WMA only) Action**  
(P&O and Recycling Board meeting, July 9th at 5:30 pm – Fremont Transfer Station, 41149 Boyce Rd, Fremont, CA 94538)

There were no requests for an interim appointment.

- 4. Legislative Positions -- Update for 2015 (WMA only) Information**  
**(Gary Wolff, Debra Kaufman & Wes Sullens)**  
Staff recommends that the Waste Management Authority hear a staff update on AB 901 at the June meeting and share the attached support letter with their jurisdiction's lobbyist and others as appropriate, after the meeting.

Debra Kaufman provided an overview of the staff report. The report is available here:  
<http://stopwaste.org/2015/Legislative/Update.pdf>

Gary Wolff indicated that Assembly member Gordon urged us to obtain industry support and we have obtained some support and that others in the industry seem to be moving toward support. President Cutter thanked Ms. Kaufman for the report.

- 5. Bay Area Regional Energy Network Contract Amendment #2 (EC only) Action**  
**(Gary Wolff, Wendy Sommer & Karen Kho)**  
Adopt the Resolution attached.

Karen Kho provided a summary of the staff report. The report is available here:  
<http://stopwaste.org/BayREN/Contract/Amendment.pdf>

Board member Rood inquired if there is a net cost to the agency. Ms. Kho stated no it is cost neutral. Board member Jones inquired about the location of the 3,500 units. Ms. Kho replied that the units will be fairly distributed around the region, and added that there is a pool of approximately 6,000 currently in the que that could potentially complete in 2015, with a fairly large amount located in Alameda County. We can't predict with absolute certainty what the distribution is but so far our allocations have been roughly proportional to actual distribution of multi-family units in the region. Board member Jones announced that

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the City Council last night voted to self- fund the PACE program and wanted to ensure that would not cause Hayward to fall lower on the funding priority list. Ms. Kho stated that the funding is only through 2015 and if the projects are currently ready they will be able to provide the funding needed.

Board member Rood made the motion to accept the staff recommendation. Board member Maass seconded and the motion carried 16-0 (Carson absent).

**6. Election of Officers for Fiscal Year 2015-2016 (EC only) (Gary Wolff) Action**

Staff recommends that the Energy Council elect officers for the 2015-2016 fiscal year.

Board member Biddle made the motion to elect Board member Kalb as President. Board member Jones seconded and the motion carried 16-0 (Carson absent).

Board member Ellis made the motion to elect Board member Jones as the First Vice President. Board member Rood seconded and the motion carried 16-0 (Carson absent).

Board member Freitas made the motion to elect Board member Ellis as the Second Vice President. Board member Chan seconded and the motion carried 16-0 (Carson absent).

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

Gary Wolff distributed a copy of the new Benchmark Report. President Cutter stated that her daughter lives in an apartment unit and the residents do not have food scrap collection service. Board member Kalb stated that as part of the City of Oakland's franchise agreement with Waste Management, Inc., it is a requirement that beginning July 1<sup>st</sup> all multi-family buildings in Oakland are to receive food scrap collection service.

Gary Wolff presented outgoing President Cutter with a recycled content glass bowl for her tenure as President.

**VIII. ADJOURNMENT (EC only)**

The Energy Council portion of the meeting adjourned and the closed session began at 3:40 p.m.

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

**PUBLIC EMPLOYMENT**

(Pursuant to Government Code Section 54957)

Title: Executive Director

(confidential materials mailed separately)

There was nothing to report from the closed session.

**X. ADJOURNMENT (WMA)**

The WMA portion of the meeting adjourned at 4:10 p.m.