

DRAFT

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

**Wednesday, June 28, 2023
3:00 P.M.**

***IN PERSON MEETING LOCATION:
STOPWASTE BOARD ROOM
1537 WEBSTER STREET, OAKLAND, CA***

I. CALL TO ORDER

Interim President Carling called the meeting to order at 3:00 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

WMA & EC

County of Alameda	David Haubert, WMA, EC
City of Alameda	Tracy Jensen, WMA, EC
City of Albany	Jennifer Hansen-Romero, WMA, EC
City of Berkeley	Susan Wengraf, WMA, EC
City of Dublin	Melissa Hernandez, WMA, EC
City of Emeryville	David Mourra, WMA, EC
City of Fremont	Yang Shao, WMA, EC
City of Hayward	Francisco Zermeño, WMA, EC
City of Livermore	Bob Carling, WMA, EC, RB (WMA First Vice President)
City of Newark	Mike Hannon, WMA, EC
City of Oakland	Treva Reid, WMA, EC, RB (alternate)
Oro Loma Sanitary District	Shelia Young, WMA
City of Piedmont	Jen Cavanaugh, WMA, EC
City of Pleasanton	Jack Balch, WMA, EC (EC President)
City of San Leandro	Fred Simon, WMA, EC
City of Union City	Jeff Wang, WMA, EC

Absent

Castro Valley Sanitary District	Dave Sadoff, WMA
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Staff Participating

Timothy Burroughs, Executive Director
Pat Cabrera, Administrative Services Director
Justin Lehrer, Operations Manager
Jennifer West, Program Manager
Elese Lebsack, Program Manager
Arliss Dunn, Clerk of the Board
Adrienne Ramirez, Assistant Clerk of the Board
Richard Taylor, WMA Legal Counsel

Others Participating:

Pricilla Quiroz, Shaw Yoder Antwih Schmelzer & Lange

III. ANNOUNCEMENTS BY PRESIDENTS

There were none.

IV. OPEN PUBLIC DISCUSSION FROM THE FLOOR

Arthur Boone provided public comments. There were no other public comments.

V. CONSENT CALENDAR

1. Approval of the Draft Joint WMA & EC Minutes of May 24, 2023

There were no public comments for the Consent Calendar. Board member Young moved approval of the Consent Calendar and Board member Zermeño seconded.

The Clerk called the roll: WMA Vote: 14-0 and EC Vote: 15-0.

(Ayes: Balch, Carling, Cavanaugh, Hannon, Hansen-Romero, Hernandez, Jensen, Mourra, Sadoff, Shao, Simon, Wang, Wengraf, Young, Zermeño. Nays: None. Abstained: None. Absent: Haubert, Kalb, Sadoff)

VI. REGULAR CALENDAR

1. Executive Director Contract Amendment (Bob Carling, WMA Interim President)

That the Waste Management Authority Board amend the Executive Director Employment Agreement.

Interim President Carling provided a brief overview of the staff report. A link to the report is available here: [ED-Contract-Amendment](#). Based on the outstanding performance of Mr. Burroughs and input from the full Board, the Evaluation Team recommended a 5.0% salary increase (\$13,676) for fiscal year 2024, effective the first pay period for FY 2024. In addition, the evaluation team recommended that the employment agreement be amended to reflect that he shall earn 80 hours per year of management leave. Interim President Carling thanked the evaluation committee and staff for their participation.

There were no public comments on this item. Board member Zermeño moved approval that the Waste Management Authority Board amend the Executive Director Employment Agreement. Board member Wengraf seconded, and the motion carried 14-0. The Clerk called the roll:

(Ayes: Balch, Carling, Cavanaugh, Hannon, Hansen-Romero, Hernandez, Jensen, Mourra, Shao, Simon, Wang, Wengraf, Young, Zermeño. Nays: None. Abstained: None. Absent: Haubert, Kalb, Sadoff)

2. Public Hearing and Annual Adoption of Fee Collection Report for Household Hazardous Waste Fee (Pat Cabrera)

That the WMA Board hold a public hearing on the Fee Collection Report and approve by resolution the Fee Collection Report for FY 2024.

Timothy Burroughs introduced the item and Pat Cabrera provided a brief overview of the staff report. A link to the report is available here: [HHW-FCR-memo.pdf](#). Additional time was provided to the Board for discussion and for clarifying questions. An audio link to the discussion is available here: [HHW-FCR-Discussion](#)

Interim President Carling opened the public hearing. There were no public comments, and the public hearing was closed. Board member Kalb moved approval of the HHW Fee Collection Report for FY 2024 and Board member Jensen seconded. The motion carried 16-0. The Clerk called the roll:

(Ayes: Balch, Carling, Cavanaugh, Hannon, Hansen-Romero, Hernandez, Jensen, Kalb, Mourra, Simon, Wang, Wengraf, Young, Zermeño. Nays: None. Abstained: None. Absent: Haubert, Sadoff, Shao)

3. Enforcement Ordinance Proposed Changes (Elese Lebsack & Rachel Balsley)

Staff recommends that following the public hearing, the WMA Board introduce and waive the first reading of the attached ordinance and direct staff to place it on the consent calendar for adoption at the next regular meeting of the Board. The ordinance makes minor revisions to the WMA's 2013 enforcement ordinance to facilitate enforcement of violations of Authority legislation together with various typographical revisions.

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Timothy Burroughs introduced the item and Else Lebsack provided an overview of the staff report and presented a PowerPoint presentation. A link to the report and the presentation is available here: [Enforcement-Ordinance-memo.pdf](#). Additional time was provided to the Board for discussion and for clarifying questions. An audio link to the discussion is available here: [Enforcement-Ordinance-Discussion](#).

Interim President Carling opened the public hearing. There were no public comments, and the public hearing was closed. Board member Cavanaugh moved approval to introduce and waive the first reading of the attached ordinance and direct staff to place it on the consent calendar for adoption at the next regular meeting of the Board. Board member Young seconded, and the motion carried 16-0. The Clerk called the roll:

(Ayes: Balch, Carling, Cavanaugh, Hannon, Hansen-Romero, Hernandez, Jensen, Kalb, Mourra, Simon, Wang, Wengraf, Young, Zermeño. Nays: None. Abstained: None. Absent: Haubert, Sadoff, Shao)

4. Legislative Positions Update for 2023 – Energy-Related Bills (Jennifer West)

Staff recommend that the Board adopts the stated positions on the bills identified in the staff memo.

Timothy Burroughs provided an overview of the staff report. A link to the report is available here: [Legislative-Positions-memo.pdf](#). Priscilla Quiroz, Agency lobbyist, was present to answer any questions. Additional time was provided to the Board for discussion and clarifying questions. An audio link to the discussion is available here: [Legislative-Positions-Discussion](#).

Board member Kalb made a motion for the Board to approve a support position for SB 233 and remain neutral on SB 420 and SB 619. Interim President Carling asked for a roll call on the motion. The Clerk called the roll and the motion failed by a vote of: 6 ayes, 9 nays and 5 absent.

(Ayes: Kalb, Cavanaugh, Simon, Zermeño. Nays: Balch, Carling, Jensen, Hansen-Romero, Hannon, Mourra, Wang, Wengraf, Young. Abstained: None. Absent: Haubert, Hernandez, Sadoff, Shao)

There were no public comments on this item. Board member Mourra moved approval of the staff recommendation. Board member Young seconded, and the motion carried 12-0-3. The Clerk called the roll: (Ayes: Balch, Carling, Cavanaugh, Hannon, Hansen-Romero, Jensen, Mourra, Simon, Wang, Wengraf, Young, Zermeño. Nays: None. Abstained: Kalb. Absent: Haubert, Hernandez, Sadoff, Shao)

5. Appointment to fill upcoming vacancy on the Recycling Board (Timothy Burroughs)

Staff recommends that the WMA Board fill the vacancy on the Recycling Board by June 28 or July 26, 2023.

Timothy Burroughs provided a brief overview of the staff report. Interim President Carling opened the floor for nominations. Interim President Carling nominated Board member Wang (Union City) as the WMA representative to the Recycling Board and Board member Jensen seconded. There were no other nominations. There were no public comments on this item. The Board voted 16-0 to approve the appointment. The Clerk called the roll.

(Ayes: Balch, Carling, Cavanaugh, Hannon, Hansen-Romero, Hernandez, Jensen, Kalb, Mourra, Simon, Wang, Wengraf, Young, Zermeño. Nays: None. Abstained: None. Absent: Haubert, Sadoff, Shao)

6. Election of WMA Officers for Fiscal Year 2024 (Timothy Burroughs)

Staff recommends that the WMA Board elect officers for Fiscal Year 2024.

Timothy Burroughs provided a brief overview of the staff report. Interim President Carling opened the floor for nominations. Board member Zermeño nominated Board member Jensen to serve as 2nd Vice President, Interim President Carling to serve as President and Board Member Zermeño as 1st Vice President. Board member Young seconded. There were no other nominations. There were no public comments on this item. The Board voted 16-0 to approve the slate of officers for FY 2024. The Clerk called the roll.

(Ayes: Balch, Carling, Cavanaugh, Hannon, Hansen-Romero, Hernandez, Jensen, Kalb, Mourra, Simon, Wang, Wengraf, Young, Zermeño. Nays: None. Abstained: None. Absent: Haubert, Sadoff, Shao)

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7. Election of EC Officers for Fiscal Year 2024 (Timothy Burroughs)

Staff recommends that the Energy Council elect officers for Fiscal Year 2024.

Timothy Burroughs provided a brief overview of the staff report. Energy Council President Balch opened the floor for nominations. Board member Carling nominated Board member Haubert to serve as President, Board member Hannon to serve as 1st Vice President, and Board member Mourra to serve as 2nd Vice President. Board member Mourra seconded. There were no other nominations. Board member Cavanaugh recommended that the Board consider how term limits (some Board members have term limits at their member agency and some do not) may adversely affect the opportunity for some members to serve as officers. There were no public comments on this item. The Board voted 16-0 to approve the slate of officers for FY 2024. The Clerk called the roll:

(Ayes: Balch, Carling, Cavanaugh, Hannon, Hansen-Romero, Hernandez, Jensen, Kalb, Mourra, Simon, Wang, Wengraf, Zermeño. Nays: None. Abstained: None. Absent: Haubert, Shao)

8. Interim appointment(s) to the Recycling Board for WMA appointee unable to attend future Board Meeting(s) (Arliss Dunn) (WMA only)

(The Planning Committee/Recycling Board meeting on Thursday, July 13, 2023 at 6:00 p.m. LEAF C.R. Stone Garden, 55 Mowry Ave, Fremont, CA 94536)

Board member Kalb requested an interim appointment and Board member Hannon volunteered to serve. There were no public comments on this item. Board member Kalb moved approval of the appointment and Board member Hansen-Romero seconded, and the motion carried 15-0. The Clerk called the roll:

(Ayes: Balch, Carling, Cavanaugh, Hannon, Hansen-Romero, Jensen, Kalb, Mourra, Simon, Wang, Wengraf, Young, Zermeño. Nays: None. Abstained: None. Absent: Haubert, Hernandez, Sadoff, Shao)

VII. MEMBER COMMENTS AND COMMUNICATIONS FROM THE EXECUTIVE DIRECTOR

Board member Mourra suggested to the Board that, given increasing electricity costs and the implications of the high cost of electricity on efforts to advance electrification, the Board consider what role the Agency should play to advocate for state policy that helps increase clean electricity supply. Timothy Burroughs suggested that the Board schedule a discussion for later in the year for the Board to consider further. The Board agreed and staff will schedule the discussion. Board member Hannon suggested that, as part of the discussion, staff also include in the memo an overview of existing staff priorities identified by the Board.

Board member Balch announced that Alameda County Fair is in progress and encouraged everyone to attend.

Mr. Burroughs announced an HHW One-Day Event in Oakland on Sunday, July 9th from 9-1 pm. The event will be held at the Oakland Coliseum. Mr. Burroughs announced the monthly topic brief highlights the 2023 StopWaste Environmental Leadership Awards. The awards were presented at the June 8 Recycling Board meeting. A link to the topic brief is available [here](#). Board member Zermeño announced that he would not attend the July 26 meeting as he will be celebrating his 46th year wedding anniversary. President Carling wished everyone a happy 4th of July.

VIII. ADJOURNMENT – to JULY 26, 2023 at 3:00 P.M.