

# WEST CONTRA COSTA INTEGRATED WASTE MANAGEMENT AUTHORITY (WCCIWMA) BOARD OF DIRECTORS MEETING MINUTES – FEBRUARY 8, 2024

**Meeting Date | Time 2/8/2024 6:15 PM | Meeting Location City of Hercules City Council Chambers, 111 Civic Drive, Hercules CA 94547**

**Meeting called by** Board of Directors  
**Type of meeting** Regular  
**Authority Staff Present** Peter Holtzclaw, Reka Abraham, Lisa Borreani, and Webster Nguyen  
**Legal Counsel** John Bakker

**Board Members Present:**  
Directors: T. Rudnick, El Cerrito (Chair); D. Romero, Hercules; A. Tave, Pinole (Vice Chair); G. McLaughlin, D. Robinson and C. Zepeda, Richmond; and R. Xavier, San Pablo  
Absent: F. Glover (Ex-Officio) Contra Costa County

## CALL TO ORDER/ROLL CALL

Chair Rudnick called the regular meeting to order at 6:16 P.M.

The Roll Call established the existence of a quorum (McLaughlin, Robinson, Romero, Rudnick, Tave, Xavier, and Zepeda).

## CLOSED SESSION

There was no closed session.

## PLEDGE OF ALLEGIANCE

Chair Rudnick led the Pledge of Allegiance.

## EX-PARTE COMMUNICATIONS & DISCLOSURES

There were no ex-parte communications or disclosures.

## PUBLIC COMMENT

No written comments were submitted, or oral comments made, by any member of the public.

## CONSENT CALENDAR

1. December 14, 2023 Authority Board Meeting Minutes.
2. Approve the Calendar Year 2024 Board Meeting Schedule.
3. Reorganization of West Contra Costa Integrated Waste Management Authority.
4. Interagency Contractual Agreement Between County of Contra Costa, California, and RecycleMore for Inspections of California Senate Bill No. 1383 Tier Two Commercial Edible Food Generators.

**MOTION** by Director Romero to approve the Consent Calendar, as submitted. **SECOND** by Director Tave.

MOTION PASSED unanimously by a Roll Call vote.

## STAFF REPORT

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**Staff Report Item 7.1 – Recycling and HHW Programs Update | Presenter | Reka Abraham – Recycling & Household Hazardous Waste Program Manager**

The report from the Recycling and Household Hazardous Waste (HHW) Program Manager was presented in writing. There were no questions related to the report.

Executive Director Peter Holtzclaw commented with respect to the question as to the status of facilities given the recent winter storms, that there was no long-term damage from the storms and Republic Services had a lot of experience dealing with storms in the past and mitigating any short-term impacts.

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**Staff Report Item 7.2 – Outreach Programs Update | Presenter | Lisa Borreani – Program Manager - Outreach**

The report from the Outreach Program Manager was presented in writing. There were no questions related to the report.

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**Agenda Item 8.1 – Election of Board Chair and Vice Chair | Presenter | Peter Holtzclaw – Executive Director**

Executive Director Holtzclaw referred to the rotational history of the selection of Chair and Vice Chair for the RecycleMore Board of Directors, as shown in the staff report dated February 8, 2024.

**MOTION** by Chair Rudnick to elect Vice Chair *Anthony Tave* to be Chair of the West Contra Costa Integrated Waste Management Authority Board of Directors (RecycleMore) for 2024.  
**SECOND** by Director Xavier.

**MOTION PASSED** unanimously by a Roll Call vote.

**MOTION** by Chair Tave to elect Director *Cesar Zepeda* to be Vice Chair of the West Contra Costa Integrated Waste Management Authority Board of Directors (RecycleMore) for 2024.  
**SECOND** by Director Rudnick.

**MOTION PASSED** unanimously by a Roll Call vote.

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**Agenda Item 8.2 – Ad Hoc Committee Post Collection Agreement (PCA) Recommendation for RFQ or RFP | Presenter | Peter Holtzclaw – Executive Director**

Executive Director Holtzclaw referred to the debate and discussion of the item at the December meeting and stated it was time to direct staff how to proceed. He referred to three options laid out at first: 1) Sole source; 2) Request for Qualifications (RFQ); or 3) Request for Proposals (RFPs). Now it has come down down to two choices for the PCA: 1) RFQ or 2) RFP.

No written comments were submitted, or oral comments made, by any member of the public.

Director Romero referred to the Executive Director's report which had noted that any vendor that is a consultant for any city or the agency would not be able to participate in the RFP/RFQ process. Mr. Holtzclaw clarified that had nothing to do with the PCA itself, and that staff had put out an RFP for a consultant to assist RecycleMore with the completion of the process and because of an inherent conflict of interest the consultants currently in contract with member agencies or service providers would not be able to participate.

Director Romero explained that regardless of an RFQ or an RFP, a number of questions would have to be asked as part of the process about facilities, whether the applicant had a local transfer station, a local HHW facility, a compost facility in the area, where the corporation was located, and if not, the cost of trucking everything out of the area would have to be identified.

Director Rudnick wanted to include a termsheet as part of the request and a city advisory team to ensure cooperation with all applicable agencies working with RecycleMore to ensure a collaborative effort with the RFQ or RFP process, as well as a timeline built in with other agencies.

Executive Director Holtzclaw noted that a timeframe had been included in his monthly report and between now with direction from the Board and March, a recommended consultant would assist in the process and return to the Board in March for approval. Between March and April, the model RFQ from 2012 that had been put out by the Agency would be a very straightforward document. He added that the blended rate would be used as the cost aspect. The consultant would help finish that up and add any other agreed-upon items, to be brought back to the Board for approval, to then be distributed, and between July 1 and November the evaluation would occur. As a result, between March and April and June and July when the responses had been received, the Board could decide with staff how to set up the evaluation process and who would be on the evaluation team. By December 2024, there would be a recommended contractor for Board approval which would allow time for a contract to be negotiated.

Director Rudnick asked if there was a possibility to extend the PCA, if needed, and Mr. Holtzclaw noted that Republic would have to agree to do that. He preferred to stick to the timeframe to get it done by June 2025.

Director Zepeda asked if the RFQ or RFP would be worded in a way to indicate that the applicant might be taking on the current volume of the agency or a decreased volume if some member agencies were to choose other providers, and Mr. Holtzclaw clarified that at this point the PCA was just for Republic Franchise operations to use Republic facilities, and the current process was for five city volumes. For anything to change with respect to the member agencies currently involved there would have to be a change to the JPA, which would be a new situation for the whole PCA process.

In further response to Director Zepeda, Mr. Holtzclaw clarified that El Cerrito uses both Republic collection facilities with the exception of the Materials Recovery Facility (MRF), and uses the Napa facility for recyclables. As to whether six months would allow sufficient time for a transition to another provider, he stated it would be tight for a transition but it would be possible as long as there was no new construction or new permitting. He did not recommend any option for new construction. He added that if new construction was required the process should have started seven or eight years ago, and he questioned why new construction would be needed given that there was currently a well-functioning waste facility.

Chair Tave suggested there was uncertainty associated with the RFQ and RFP process, and Mr. Holtzclaw explained he had clarified and detailed in the ad hoc report what could occur with a decision to pursue any of the original three options. His professional opinion was that with an RFQ and RFP, odds were fairly high that there would be only one response, and that would be from Republic Services.

Mr. Holtzclaw explained that in the 2012 process, an RFQ had been distributed for Post Collection Services when six responses had been submitted. He added that process showed that West County had good facilities, those facilities were nearby, and the marketplace was such that all the other facilities were too far away to provide competitive services. As a result, only one bid was currently expected, which would negate bargaining power. He had recommended a sole source negotiation. While he understood the Board's desire for an open and transparent process, which the Board had done in 2012 with an RFQ, the basis of an RFQ was status quo pricing while with an RFP there would likely be much higher pricing.

**MOTION** by Director Romero to issue a Request for Qualifications (RFQ) for the Post-Collection Agreement (PCA). **SECOND** by Director Tave.

**MOTION FAILED TO PASS** by the following Roll Call Vote:

Ayes: Romero, Tave  
Noes: McLaughlin, Robinson, Rudnick, Xavier, Zepeda  
Absent: None

**MOTION** by Director Xavier to issue a Request for Proposal (RFP) for the Post-Collection Agreement (PCA). **SECOND** by Director McLaughlin.

**MOTION PASSED** by the following Roll Call vote.

Ayes: McLaughlin, Robinson, Rudnick, Xavier, Zepeda  
Noes: Romero, Tave  
Absent: None

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**Agenda Item 8.3 – RecycleMore Memorandum of Understanding (MOU) with Pinole and Unincorporated Contra Costa County | Presenter | Peter Holtzclaw - Executive Director**

Mr. Holtzclaw described the long two-year process with respect to the Memorandums of Understanding (MOUs) with the member agencies. He reported that currently the Pinole MOU was the structure that was more or less the same through the other four cities and El Cerrito, although the MOU with Contra Costa County was a bit different. He expected the MOUs from Hercules, El Cerrito and San Pablo by next month, with the final MOU from Richmond to come after that time. He clarified that the MOUs were not required by CalRecycle in that the requirement for SB 1383 was to adopt an ordinance that identified how the cities would respond to SB 1383, and all the member agencies had done that and all member agencies were in compliance with the state. The MOUs memorialized what had occurred where RecycleMore had taken the responsibility of SB 1383 compliance and handled 98 percent of the activities.

No written comments were submitted, or oral comments made, by any member of the public.

**MOTION** by Director Rudnick to approve the MOUs negotiated between RecycleMore and the City of Pinole and the Unincorporated Area of Contra Costa County. **SECOND** by Director Tave.

**MOTION PASSED** unanimously by a Roll Call vote.

## BOARD MEMBER AND STAFF ANNOUNCEMENTS

Director Xavier brought up the San Pablo's Beautification Campaign "San Pablo Shines" to help with the problems associated with the City such as illegal dumping.

Director Rudnick announced the loss of Patrick Corder, a Firefighter with the City of Alameda who had lost his life due to a PTSD injury. She emphasized the need to remember that first responders carried a very heavy load and she wanted to make sure they could ask for help and that agencies would respond and provide that help.

Director Romero identified his attendance on January 25, 2024 at the Industrial Association of Contra Costa County meeting where, among other things, it was reported that PG&E had indicated it would not be able to guarantee power to recharge electric vehicle (EV) garbage trucks overnight. Expressing concern for the implications of that situation, he had emailed the information to Mr. Holtzclaw for the benefit of the Board.

Chair Tave referred the passing of Irma Anderson on January 28, 2024, at 93 years of age. He invited Board members from Richmond to add additional information.

Director McLaughlin indicated that Richmond honored Irma Anderson with a memorial and proclamation at the last council meeting. She explained that she had been the first African-American Councilmember and Mayor of Richmond and she was being honored by the State of California and the City of Richmond.

Director Zepeda added that Celebration of Life had been proposed for February 29, 2024 around 12noon at the Richmond Auditorium during Black History Month, for Irma Anderson.

Director Robinson explained that Ms. Anderson's many achievements and contributions over the years would be highlighted at the memorial, and the City of Richmond put together a website, as well.

Director Xavier reported that the San Pablo City Council had adjourned its February 5, 2024 meeting in honor of Irma Anderson.

## ADJOURNMENT

With consensus of the Board, Chair Tave adjourned the meeting at 7:00 P.M. *in Honor of Irma Anderson* until the regular Board meeting scheduled for March 14, 2024 at 6:15 P.M.

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I hereby certify the foregoing to be a true and correct statement of the Official Minutes of the West Contra Costa Integrated Waste Management Authority Board meeting held February 8, 2024.



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03/21/24

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Lisa Borreani, Interim Board Secretary

Date