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Staff Report for Member Agency Voting Methodology Related to StopWaste.org’s Proposed Energy Council Board Joint Exercise of Powers Agreement

SUMMARY AND RECOMMENDATIONS

At the January 23, 2013 Alameda County Waste Management Authority (ACWMA) Board meeting, StopWaste.org staff will present the final Energy Council Board Joint Exercise of Powers Agreement (JPA) to include the weighted voting methodology among member cities. The larger cities have stepped up advocacy for the weighted voting model, which they would gain from, and have garnered support. The weighted voting model would benefit larger cities by increasing their votes on the ACWMA Board for Energy Council-related matters based on their larger energy usage rates and populations. Under the weighted voting model, Oakland would receive three votes; Hayward, Fremont and Alameda County would have two votes each; and all other member cities including San Leandro would have one vote each.

Tonight, the City Council should discuss and provide direction to Councilmember Pauline Cutter, who represents the City on the ACWMA Board, primarily on the voting methodology language in the JPA. Staff will present the final JPA in its entirety for City Council review in early March. Staff recommends 1) the one agency/one vote structure primarily as a matter of equity among member agencies and 2) against the weighted vote option. However, because the weighted vote option will ensure that all Alameda County cities will participate in the JPA, there are some benefits to joining even under this weighted model and staff will present them when the full JPA comes before the City Council in early March.

BACKGROUND

The ACWMA and the Source Reduction and Recycling Board are known collectively as StopWaste.org and function as one agency to provide waste management and program planning

services in Alameda County. The ACWMA Board consists of elected officials from each of the seventeen member agencies, which include the County, fourteen cities within the County and two sanitary districts that provide refuse and recycling collection services.

The purpose of enacting the JPA to establish an Energy Council is to coordinate grant seeking efforts and regional implementation of energy efficiency and sustainable energy initiatives. Many cities within Alameda County, including San Leandro, have adopted Climate Action Plans and other environmental initiatives that will be greatly facilitated by obtaining outside funding. San Leandro adopted its Climate Action Plan in 2009. Also, energy-related initiatives such as consumer or commercial incentives may be more effective and efficient if implemented regionally.

Staff's recommendation from the onset regarding the JPA proposal has been for the one agency/one vote model. Since the new agency will operate on grant funds, not fees or taxes on energy usage or the general population, and any funds will be distributed based on population or energy usage formulae, there does not seem to be a strong rationale why a more equitable voting structure could not occur. The ACWMA Board has indicated that the larger cities will not join the JPA unless the weighted model is implemented.

The ACWMA is requesting that cities that are interested in joining the proposed JPA formally adopt a resolution by March 29, 2013. The cities of Albany, Emeryville, Newark and Union City have recently voted to join the JPA under the one agency/one vote model. Staff is projected to bring forward the final JPA and resolution for City Council review at the March 4, 2013 regular City Council meeting.

Applicable General Plan Policies

- Goal 27: Resource Conservation - promote recycling, water conservation and other programs which create a more sustainable environment.
- Goal 28: Energy - promote the efficient use of energy and a reliable long-term energy supply for San Leandro residents and businesses.

Fiscal Impacts

No fiscal impacts are expected regarding tonight's agenda item, which seeks City Council direction on the issue of the voting model for the proposed Energy Council Joint Exercise of Powers Agreement. Staff is preparing to present the final JPA and resolution for City Council review in early March.

ATTACHMENT(S)

None

PREPARED BY: Tom Liao, Acting Community Development Director, Community Development Department