

MINUTES

**SOUTH BAYSIDE WASTE MANAGEMENT AUTHORITY
MEETING OF THE BOARD OF DIRECTORS
January 27, 2011 – 2:00 p.m.
Shoreway Environmental Center**

1. **Roll Call:** CTO 2:27 p.m.

2. **Public Comment**

Persons wishing to address the Board on matters NOT on the posted agenda may do so.

Each speaker is limited to two minutes. If there are more than five individuals wishing to speak during public comment, the Chairman will draw five speaker cards from those submitted to speak during this time. The balance of the Public Comment speakers will be called upon at the end of the Board Meeting.

If the item you are speaking on is not listed on the agenda, please be advised that the Board may briefly respond to statements made or questions posed as allowed under The Brown Act (Government Code Section 54954.2). The Board's general policy is to refer items to staff for attention, or have a matter placed on a future Board agenda for a more comprehensive action or report and formal public discussion and input at that time.

3. **Approval of Consent Calendar:**

Consent Calendar item(s) are considered to be routine and will be enacted by one motion. There will be no separate discussion on these items unless members of the Board, staff or public request specific items be removed for separate action. *Items removed from the Consent Calendar will be moved to the end of the agenda for separate discussion.*

A. Adopt the November 18, 2010 BOD Meeting Minutes

Member Nava: Requested clarification on Item 4A from 11/18/2010 minutes; revised as follows:

New motion. M/S Hardy/LaMariana to accept the Resolution Approving Shoreway Facility Tipping Fee Adjustments Effective 1/1/11 as follows:

	Staff Proposed Rate	Board Approved
Franchised solid waste	\$93.00/ton	\$90.00/ton
Franchised organics	\$79.00/ton	\$79.00/ton
Public C&D materials	\$88.00/ton	\$90.00/ton
Public solid waste	\$40.00/cubic yard	\$40.00/cubic yard
Public plant material	\$29.00/cubic yard	\$29.00/cubic yard
Public C&D	\$28.00/cubic yard	\$29.00/cubic yard

Motion passes 7-2-1-2 (Burlingame, San Mateo)

B Resolution Accepting the Fiscal Year 2009-2010 Annual Financial Statements - Resolution 2011-01

C. Receipt of Allied Monthly Metrics

Nava/Debry approve Consent Calendar, amending November 18, 2010 Meeting Minutes as described above.

Voice Vote: All in Favor

Motion passes 10-0-0-2 (Atherton, San Mateo)

Agency	Yes	No	Abstain	Absent	Agency	Yes	No	Abstain	Absent
Atherton				X	Menlo Park	X			
Belmont	X				Redwood City	X			
Burlingame	X				San Carlos	X			
East Palo Alto	X				San Mateo				X
Foster City	X				County of San Mateo	X			
Hillsborough	X				West Bay Sanitary Dist	X			

4. **New Business:**

A. Election of New Officers for 2011

Chair Porter nominates Moura as Chair, second by Member Steffens. All in favor approved 10-0-0-2.

Member Porter nominates Member Steffens as Vice Chair, second by Member Gervais. All in favor approved 10-0-0-2.

B. Mid Year Review of FY2011 Annual Operating Budget

Discussion:

Member Nava questioned if the additional costs incurred by Recology Customer Service during the roll out would impact the budget. Executive Director (ED) McCarthy responded that there wouldn't be any impacts since these costs are not an expense that the Member Agency's are responsible for per the Franchise Agreements.

Member Fotu requested clarification on CIWMB reporting. Staff Feldman indicated that there has been a request from the state for reporting that overlaps and a budget adjustment of \$25k is necessary in order to meet the reporting requirements.

Clarification was requested on deduction of \$75k on Mandatory Commercial Recycling Ordinances, which Staff Feldman responded this was due to a change in policy; not required by state.

Member Nava questioned if reports of Mandatory Recycling Program is more advantageous for JPA to enforce when the new law is in place. Requested Staff to research. Chair Moura responded that education and outreach would be the key. Staff Feldman responded that including bill inserts to give notification of new law meets the state requirements. Chair Moura stated that he believes more is needed. Member Nava recommends a few enforcers JPA wide, not 12 since the goal is to increase Commercial tonnage.

Member Boyd requested clarification on Shoreway Investigation being part of the budget since funds were available through settlement to pay for the remediation. ED McCarthy confirmed that the funds were available elsewhere and that the line item is an indication of how much is anticipated to be spent in this fiscal year; staff will adjust budget

Member Fotu requested clarification on solar system engineering line item. Staff Gans explained that is was related to a Power Purchase Agreement (PPA) that the SBWMA is involved with to install photovoltaic cells at Shoreway. The PPA effort is being led by Santa Clara County.

Member Fotu requested clarification on cuts in green business program. Staff Feldman stated it was due to reduced demand for staff time to conduct business certifications.

C. Discussion on Third Party (i.e., Non-Franchise) Pricing Approach for New MRF Tonnage

Discussion:

Member Nava suggested review of a different model, a lease model; non JPA members should pay full rate since agencies have franchised rates, others have to cover full cost.

Member Gervais requested clarification on the length of the contract. ED McCarthy stated they were short. Member Gervais asked if they were short to see how it would work. Wanted to know if there were any liability concerns taking on additional tonnage from other municipalities. ED McCarthy replied no, that there is a daily allowance of 3000 tons by permit; historically the facility runs 1500 tons.

Staff Gans included that contracts would be a requirement in order to process.

Vice Chair (VC) Steffens questioned if there was enough storage capacity for waste, trucking, etc. ED McCarthy responded that there was plenty of capacity. Tip floor can store 2 full days of waste,

Member Hardy stated that he agrees on Policy with member Nava. No subsidizing rates. Likes the entrepreneur approach for new revenues with such new revenue used for rate reduction. Questioned if we are setting aside funds to replace equipment after its life; wants to make sure we cover any accelerated depreciation ED McCarthy responded that the Board adopted new Reserve policy for equipment depreciation over 12 year schedule with schedule starting two years after bonds sold. .

Member Hardy wanted to know if adding a second shift will shorten the life time of the equipment. ED McCarthy responded that he would confirm with BHS and SBR and respond

Member Nava questioned if SBR had full control of the facility 24/7. ED McCarthy responded there are parameters of operations in the contract.

Member Nava questioned if staff visited lease payment options with SBR.

Chair Moura stated that there needs to be an analysis of both models to see which model would be more advantageous.

Vice Chair Steffens stated that clear record of who brought what in for commercial revenue would be needed.

ED McCarthy stated that the operations agreement is written to show parameters. There would need to be negotiations with SBR on the processing fee and any revenue sharing.

5. Old Business:

A. Update on Rollout of New Collection Services Effective 1/1/11

Member Nava expressed gratitude to Mark, Mario, Gino and Gina for being responsive and handling each complaint. Added that the RFP Contract was written so that driver's with seniority had first choice of routes, doesn't believe the issues with routes were the fault of the company. Displeasure also with the rates increase at the same time, believes that Prop 218 notice in October would have limited complaints.

Vice Chair Steffens requested responsibility clarification on billing issues from SFDs in Menlo Park. Some cases Recology CSRs tell residents to call the City. Mark Arsenault, Recology (RSMC), responded, in no instance. Some residents did believe they were owed refunds, but CSRs shouldn't refer to the City. Will address issue with Customer Service.

Member Hardy wanted to know how improper placement issues were going to be addressed going forward. Mr. Arsenault responded currently drivers are physically moving carts to street. Driver's have tags that they will begin to use by placing on cart advising residents.

Chair Moura stated that he believes that people need to know "why" placement is important. Staff Devincenzi added that the Rethinker newsletter will be addressing this issue. In addition, another mailer will be sent out.

Vice Chair Moura requested adding Cart Return to outreach.

Member Gervais stated that Belmont is changing their street sweeping; request to add this info to outreach.

Member Nava also requested to be added since Burlingame is changing their street sweeping.

Member DeBry stated that the Roll out went well, however back yard service is not being handled and requested RSMC to resolve.

Member Fotu stated that Menlo Park call volumes have lowered; believes issues have been resolved. Requested contact numbers. Requested info on Compost events (SBWMA staff will follow up). Carts on same side instead of opposite side on different days, needs maps.

Chair Moura summarized that upcoming outreach is to include information regarding days of service opposite sides of streets due to efficiency and safety.

B. Update on South Bay Recycling Start-Up of Shoreway Facility Operations Effective 1/1/11

6. Staff Updates

- a) Final Update on Allied Contract Compliance
- b) Shoreway Construction Update
- c) Update on Recology Commercial Recycling Outreach Efforts
- d) Recycling and Outreach Programs Update
- e) Preview of Upcoming Board meetings

7. Board Member Comments

8. Adjourn-4:42pm

Next Regular meeting scheduled for February 24, 2011, San Carlos Library at 2 pm

Audio of this meeting can be found at www.rethinkwaste.org
