



MINUTES

**SOUTH BAYSIDE WASTE MANAGEMENT AUTHORITY
MEETING OF THE TECHNICAL ADVISORY COMMITTEE**

March 14, 2016 – 11:30 a.m.
San Carlos Library Conference Room A

Call to Order: 11:41AM

1. Roll Call

| Agency | Present | Absent | Agency | Present | 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 District | | X |

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.

None

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 October 8, 2015 TAC Meeting Minutes

Member Porter made a motion to approve the minutes
Member Murray seconded the motion
Voice Vote: All in Favor

4. Discussion of New Recycling Programs Affecting Member Agencies

A. Presentation by Mattress Recycling Council on grant funds for cities for illegally dumped mattresses (Presentation)

Interim Executive Director Gans introduced Rodney Clara of the Mattress Recycling Council. He noted that Cal Recycle has funded a new program called Bye Bye Mattress, and it is now free for residents to drop off mattresses or box springs at Shoreway. The goal of the program is to get mattresses to the point where CRV is now so that illegal dumping becomes a non-issue.

Rodney Clara spoke about the new program, and handed out two informational items on the program as well as his card. He noted that the Mattress Recycling Council is a nonprofit funded by Cal Recycle that has funds that have been set aside for processing and handling mattresses, and the idea is to recycle mattresses before they are illegally dumped and therefore keep them out of the landfill. He emphasized that the program is for residents only and currently 75 locations in California are registered as collection locations, and 11 mattress recycling centers are registered. He noted that an \$11 fee is collected by the retailer that pays for the Mattress Recycling Council. He also noted SB254 requires that the Mattress Recycling Council report back to Cal Recycle on what is being collected at all of the registered locations on a monthly basis.

Chair Oskoui asked if the Bulky Item Collection that Recology provides through the Franchise Agreements count.

Rodney Clara answered no.

Member Daher asked how this program would get past illegal dumping, because this program sounds like it will sustain it.

Rodney Clara answered that the law states that there has to be an illegal dump fund, but we want to provide an easy way for the consumer to do the right thing so the mattress doesn't end up in the street.

Member LaMariana asked if the program was a pilot program, and how it is being promoted to let people know about it.

Rodney Clara answered that the program is in full force, and is not a pilot program.

Member Abrams asked what the outreach plan for the program is.

Staff Leonhardt answered that once it is clear how the program works in the service area the intention would be to put the information on the website and include it in bill inserts and newsletters.

Gino Gasparini of Recology asked what about mattresses that are not recyclable.

Rodney Clara noted that the goal is to get rid of illegal dumping, but some mattresses are still going to go to the landfill if they are not acceptable for recycling. He added that there is a formula used to cover the cost of landfilling a mattress through this program.

Member Abrams asked about the mattresses Recology picks up at the corp yards.

Chair Oskoui noted that those are part of the Franchise Agreement, and a discussion about how a mattress flows through the Franchise Agreements should be brought back.

Member Galli asked about the process at Shoreway, and if mattresses were already being taken for free at Shoreway.

Interim Executive Director Gans answered yes, mattresses are now taken for free.

Staff Feldman added that Recology doesn't pay disposal fees - those go through Shoreway operations, and SBR would get the reimbursement.

Chair Oskoui noted that there are two parts to the program - disposal and collection. He noted that SBR should get the disposal reimbursement and Recology should get the collection reimbursement for illegally dumped mattresses.

Staff Feldman noted that through the Franchise Agreements Recology is compensated for picking up the illegally dumped mattresses already, so now that there is a fund to cover those costs the Member Agency would get reimbursed.

Member Galli thought the SBWMA should register and keep an accounting of all of the collected mattresses and file for the reimbursement.

Chair Oskoui reiterated that how mattresses are collected processed and reported needs to be made clear.

Rodney Clara suggested the SBWMA register.

Mario Puccinelli asked if it made sense to have the Member Agency corp yards register as drop off sites.

Member Abrams asked if a City's corp yard were to register would the corp yard become a drop off location listed on the website of the Mattress Recycling Council.

Rodney Clara answered that those are completely separate things. A public works yard could become a collection location and the mattress recycling Council will pay for it. He also noted that the Mattress Recycling Council will provide two free collection events per year.

B. Staff update on AB 1826 Mandatory Organics Recycling (*Discussion item*)

Interim Executive Director Gans introduced the item, noting that the JPA is working on getting notices out to businesses about the law.

Staff Feldman gave a quick over view of the first deadline of April 1st for AB 1826 regulations affecting commercial customers. He noted that on January 1st of 2017 the threshold is 4 cubic yards, and that staff is working with Recology to identify those businesses that need to comply. He also added that the largest organics generators that will be affected by the April 1 deadline likely already are compliant, but there will be more challenges as the law affects businesses with lower levels of organic generation

Staff Leonhardt noted that the plan for AB1826 outreach was included in the 2016 public education and outreach plan that was reviewed and approved by the Board in October, and was also reviewed by the pub ed committee in December. She gave an update on the direct mail and notifications that would be going out to businesses regarding AB1826.

Member Daher thanked Recology for getting out ahead of the new regulations and for the support they have received.

Member Galli noted that up until this point the multi family dwelling organics program has been optional, and she wondered if there was going to be a way to assess penalties for non-compliance.

Staff Feldman commented that Cities could adopt a mandatory ordinance that would incentivize property

owners to participate in organics collection.

Member Galli asked if outreach and a good faith effort put a member agency in compliance with AB1826.

Staff Feldman answered that staff is very confident that that they are on track with compliance.

Member Galli asked how multifamily customers are identified as being in a certain category for compliance.

Staff Feldman answered that it based on waste characterization work that has already been completed and there is a formula based on percentage of trash. He added that more detail will be given at the April Board meeting regarding the list of businesses that are or are not compliant.

Member Murray asked if the modifications being considered at the transfer station will automatically put the agency in compliance.

Interim Executive Director Gans noted that the plan for modifications has not been approved by the Board, and we will continue to do both, and will certainly be covered under the law.

Chair Oskoui commented that there are air board issues regarding mandatory methane gas emissions reductions as well and there is not a coordinated effort.

Interim Executive Director Gans noted that the agency driving the JPA's efforts has always been Cal Recycle but this is the Air Board, and the Air Board wants to ban organics from the landfills, to reduce methane gas. He added that that would require a tremendous amount of work and infrastructure.

Member Porter commented that he has heard that the Air Board is not interested in permitting new composting facilities, so the Air Board has a problem.

Member LaMariana commented that there is a bill in the works that will force intra agency cooperation so that Cities won't continue to get mixed signals.

5. Discuss the Plan and Recommended Process for Supporting Member Agencies with Negotiating a Potential Franchise Agreement Extension with Recology

A. Member Agency Notice of Commitment to Participate in the Franchise Agreement Extension Negotiations (*Staff Update*)

Chair Oskoui introduced the item, and gave a history of the discussions had so far on the topic.

Staff Feldman noted that in July the TAC approved the plan and process that went to the Board and was adopted by the Board in January. He reiterated that the negotiation will not lead to a binding agreement, each Member Agency will then need to approve a contract extension individually, but the JPA will take the lead in negotiations. He also added that the process has specific deadlines to keep the process on track, and at this point we are looking for a Council resolution, or a letter from each Agency's City Manager noting the commitment to participating in the process. And he noted that it will be important for staff to know which agencies are in or out, in order to put a committee together to be a sounding board for staff during the negotiation process.

Member Abrams commented that she appreciated the mock staff report and resolution. She asked what staff commitments and resources would be required, as this would be needed on her staff report to her council.

Staff Feldman answered that there are two pieces. One is the members of the committee that assists staff in the negotiation process, which would lead to a staff commitment if on the committee. And the second is each Member Agencies role in the negotiations. He added that in order to proceed with the negotiations, staff will need to know intended amendments, with the intent of developing one uniform agreement and have that as a basis for negotiations.

Chair Oskoui commented that the wheel was not going to be reinvented, because the agreement for the most part was working, and it would come down to agency issues.

Member La Mariana asked for clarification on the type of notification that would be required as notice of commitment to participate in the negotiations.

Staff Feldman answered that it is up to the individual Member Agencies, but if he got an email confirming participation that would suffice.

Vice Chair Rodericks noted that Atherton's council agreed at their last meeting to be a part of the process, and he would send a letter noting that to Staff Feldman. He asked if he should send issues that Atherton Council has brought up at the time of sending that email.

Staff Feldman answered that it was up to the City Manager as to when they let JPA staff know about issues that come up for discussion in the negotiation process.

Interim Executive Director Gans restated that this is not an exclusive process for the Member Agencies. A Member Agency could run a parallel process and their own RFP. He noted that if a Member Agency chooses to go that route, staff time and resources will be much greater than with group process that the JPA staff is taking the lead on.

Staff Feldman noted that staff is seeking a recommendation from the TAC to put a specific deadline for Agencies to express their notice of commitment by May 16th.

Member Porter made a motion to have member agencies express commitment to participate by May 16th.

Member Murray seconded the motion.

Voice Vote: All in favor

B. Formation of the Ad Hoc Committee to Review Negotiated Contract Amendments (*Discussion item*)

Interim Executive Director Gans noted that the TAC will be making a recommendation to the Board on the committee structure, but the Board will decide on the committee structure. JPA staff will lead the negotiations with a consultant, and will report to the committee on negotiation details and discussions, and the committee will report and make recommendations to the Board. He also noted that he has contacted Larry Patterson, the City Manager of San Mateo, who was the Chair of the JPA board at the time of the last contract negotiations, and asked if he would agree to be on the committee.

Member Murray nominated Larry Patterson to be on the committee.

Chair Oskoui noted that he would open it up for discussion, and acknowledged that some TAC members may need to take it back to their Agencies before the committee is formed, but if they were in a position to say yay or nay today they could take care of it today. He also reiterated that the committee is supposed to be a sounding board to help the JPA staff move negotiations forward.

Member Daher noted that the Finance Director had asked that East Palo Alto participate given their unique position in the County.

Member Porter volunteered to be on the committee, noting that Larry Patterson wanted a little bit of continuity from the first contract, which he was involved in.

Member Abrams also volunteered for the committee given her experience with the City of Los Angeles as a consultant.

Chair Oskoui commented that he would volunteer and be a link between the TAC and the committee.

Member Augustine asked for clarification if the Board wants an ad hoc committee of the TAC.

Staff Feldman noted that the plan and recommended process that has already been approved prescribes that the committee will be made up of TAC members and or other Member Agency staff.

Member Gibbons commented that someone from Redwood City would be participating in the committee as well.

Staff Feldman summarized that there are six Member Agencies, making up a six member committee, and this committee would come back to the TAC at the April meeting for approval, and then go to the April Board meeting for Board approval.

Chair Oskoui commented that six should be the maximum, as seven gets into a quorum, and gave direction to staff to finalize a report to the Board with this group.

C. Recology San Mateo County 2011 - 2015 Self-Review (*Discussion item*)

Staff Feldman gave background of this item noting that once the Plan and Recommended Process was approved in January Recology was asked to provide a self-review as set forth in the plan by early March of 2016. Recology let staff know that getting the report completed by March 3 was problematic. The idea was to have it vetted at this TAC meeting, but it's not yet available. Recology is committed to having the report completed by next week, and will be available for comment and discussion at the next meeting.

6. TAC Member Comments

Member LaMariana gave an update on some legislation affecting the Agencies' work.

7. Adjourn 1:06PM