



**MINUTES**

**SOUTH BAYSIDE WASTE MANAGEMENT AUTHORITY  
MEETING OF THE BOARD OF DIRECTORS  
October 24, 2013 – 2:00 p.m.  
San Carlos Library Conference Room A/B**

**1. Call to Order: 1:09 PM**

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 (Regular Session Only)	
Foster City	X		County of San Mateo	X	
Hillsborough		X	West Bay Sanitary District	X	

**2. Adjourn to Closed Session – Pursuant Government Code Section 54956.9(A): Conference with Legal Counsel – anticipated litigation – one case; and pursuant to Government Code Section 54954.5: Public Employee Performance Evaluation: Executive**

Regular Session Called to order at 2:05 PM

**3. Report from Closed Session**

None

**4. 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.

No Public Comment

**5. 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 September 26, 2013 BOD Meeting Minutes**

- B. Resolution Approving 4<sup>th</sup> Amendment to Executive Director's Employment Agreement
- C. Resolution Approving Release of Bid Documents for Transfer Station Floor Repair and Authorizing Executive Director to Accept Bids and Enter into a Contract
- D. Receipt of Recology and SBR Monthly Reports

Chair Ira noted that Item 5B was being removed from consent.

M/S: Brownrigg/Frisella  
 Voice Vote: All in Favor

Member Olbert noted that he requested item 5B be removed from consent because the number was outside his own city's expectation for the position.

Chair Ira stated that this is based the Executive Director's review that was started by the previous Board, but was not completed, and reiterated that this Board couldn't ask the Executive Director to be judged on different criteria without an opportunity to know what that criteria was.

Member Brownrigg asked how this Board planned to handle compensation going forward, noting that Burlingame is moving away from comparing to other jurisdictions.

Chair Ira suggested putting together a Board subcommittee to develop employee review criteria.

Member Carlton noted that it was an uncomfortable position when she is in a city whose staff has had no raise.

Chair Ira asked for committee volunteers for the staff compensation review.

Member Carlton, Member Gauthier, and Member Dehn volunteered to be on the subcommittee.

Member Frisella made a motion to approve the 4<sup>th</sup> Amendment to the Executive Director's Employment Agreement.

Member Slocum seconded the motion.

Roll Call Vote: 8-2-0-2

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 District	X			

**6. New Business:**

- A. Resolution Approving 2014 Public Education Plan

Staff Devincenzi gave an overview and background of the staff report.

Member Slocum noted that 900 people receiving the newsletter electronically seemed low and would like to see the plan include ways to get that number higher.

Member Dehn added that she would like to see measurement criteria to measure effectiveness of the outreach. She also commented that she'd like to see a transition away from brochures and inserts, noting that it a responsibility of this agency to eliminate paper when possible.

Staff Devincenzi answered that it is in the plan to measure outreach effectiveness and determine how the SBWMA population prefers to receive information. She added that these types of questions were going to be part of the customer satisfaction survey, but due to time and budget they were cut from that survey.

Executive Director McCarthy added that our industry is in a bit of a time warp, not from lack of effort, it's just that the percentage of people signing up for e-newsletters or electronic billings is very low.

Member Dehn questioned that if we have such a small population interested in e-newsletters is it worth the investment in the My Waste App. She added that she thought the Public Education Plan was a good one, but that there needed to be more behind it in terms of measuring effectiveness.

Chair Ira asked Staff Devincenzi to bring back measurement criteria.

Staff Devincenzi added that it takes about three times for a message to sink in, so we are always looking for ways to deliver the message in multiple ways, to reach the largest number of people.

Vice Chair Frisella commented that she didn't think we needed to include reusable bags in the budget, and asked what the bags would be advertising.

Staff Devincenzi it would be depend on the pleasure of the Agencies. She also noted that when this project was added to the budget was just as the bag bans were being put into place, and there was a desire for the bags, if it is determined that this isn't the best use of those dollars the money will be allocated elsewhere.

Member Carlton asked that if the reusable bags move forward they be washable and be used as an education piece and not an advertisement. Member Carlton thanked Staff Mutata and Staff Co for their tour and education.

Member Olbert is now absent.

Member Dehn commented that she would like to see the anti-litter insert renamed.

Motion/Second: Frisella/Wozniak

Roll Call Vote: 9-0-0-3

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

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East Palo Alto	X				San Mateo	X			
Foster City	X				County of San Mateo	X			
Hillsborough				X	West Bay Sanitary District	X			

B. Discussion on Roles and Responsibilities for Collection Services Franchise Agreement Contract Administration

Staff Feldman gave an overview of the staff report, and noted that staff is the Board's resource related to the Franchise Agreement Contracts.

Member Olbert is now present.

Executive Director McCarthy added that this was brought up at the August 22, Board Meeting and at the Blue Ribbon Committee, and noted that this is meant to be a resource document for the Board Members.

C. Discussion on Potential JPA Amendments

Executive Director McCarthy noted that at the August 22 Board meeting there was a discussion item on the agenda, the SBWMA staff was directed to come back at a future meeting and discuss the item further.

Member Brownrigg stated that he appreciated staff keeping the item on the agenda, but noted that his ability to parse the JPA has been zero.

Chair Ira noted that if something comes up, this Board can address it individually and make the changes one at a time.

Member Olbert asked when the Board can think about structure and different approach to the renewal of the collections and operations contracts.

Executive Director McCarthy noted that the way each of Franchise Agreements are written there is a prescribed one year period which is 2017 to come to terms or not with the service provider. He noted that advanced planning is locked into the document. He also added that there is a planned agenda item for 2014 to talk about the long range plan.

E. Discussion on Non-Exclusive Franchise Options for Commercial Recycling

Staff Feldman explained that this item was for discussion only and staff would like to get Board feedback on the framework of the project. He added that the eventual goal being that the SBWMA pass an ordinance to be able to capture data from non-franchised commercial haulers to get a better idea of commercial diversion rates.

Executive Director McCarthy noted staff would like to refer this item to TAC, but wanted to give the Board some sense of the issue and where staff would like to go with it.

Member Dehn asked if each city would adopt this ordinance.

Executive Director McCarthy noted that the staff assumption is that it's a benefit to all the agencies and staff thinks it would cost more time and effort if all of the Agencies adopted it individually. He added that our JPA allows for our agency to adopt ordinances.

Vice Chair Frisella asked if each city would individually get credit for the diversion, and recommended this item be reviewed by the TAC.

Staff Feldman answered yes, SBWMA staff would compile the data for each individual Agency as well as in aggregate for the service area.

Chair Ira clarified that the goal is that each Agency would get diversion credit for the items not currently being reported.

Staff Feldman gave the timeline for the process, noting that an ordinance would be presented to the Board in January, at which time the public stakeholder process would commence.

Member Olbert commented that he would like to weigh the cost of SBWMA staff versus City Staff doing the administrative and enforcement work of the ordinance to see if it really is more cost effective for JPA staff to do.

Member Brownrigg noted that he is concerned about protecting business confidential information.

Executive Director McCarthy noted that a model has been built by other agencies that have done this to ensure that the business information is kept confidential, and the data would be kept aggregated.

Staff Feldman also added that this agency could consider franchising commercial recycling, but that a change of that nature would require a 5 year notice.

## **7. Staff Updates**

- a) Update on Recology Commercial Recycling Outreach Efforts
- b) Recycling and Outreach Programs Update
- c) Shoreway Operations and Master Plan Update
- d) Update on 2013/2014 Franchise Rate Setting Process
- e) Preview of Upcoming Board meetings

Executive Director McCarthy noted the need to have an election of new officers at the November meeting, so that there wouldn't be a two month period without Board officers. He also mentioned the November discussion on tipping fees, and reminded Board Members of the invitation to the Holiday lunch at the Shoreway Environmental Center on November 21<sup>st</sup>, before the Board meeting.

Member Wozniak noted that most cities don't seat their officers until December, and that they may not know at the November meeting who the Board representative would be, and thought it might be best to have an interim chair and vice chair.

## **8. Board Member Comments**

## **9. Adjourn 4:10 PM**

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