



---

**MINUTES**  
SOUTH BAYSIDE WASTE MANAGEMENT AUTHORITY  
MEETING OF THE LEGISLATIVE COMMITTEE  
April 23, 2021 2:00PM  
Via Zoom Tele or Video Conference

---

**Call To Order: 2:03PM**

**1. Roll Call**

Member	Present	Absent
Fran Dehn, West Bay Sanitary District	X	
Carole Groom, County of San Mateo		X
Adam Rak, San Carlos	X	

SBWMA Staff Members Present: Joe La Mariana, Julia Au, Joanna Rosales

Others Present: Reed Addis and Kayla Robinson, Environmental and Energy Consulting

**2. Public Comment**

Pursuant to Government Code Section 54954.3(a), members of the public wishing to address the Committee may do so, and the comments shall be limited to the Special Meeting notice topic(s). Speakers may join the Zoom meeting via the meeting link and using the “raise hand” feature and the Clerk of the Board will call on people.

None

**3. Executive Director’s Welcome**

Executive Director La Mariana welcomed everyone to the first meeting and made the following announcements:

- The Organics-to-Energy pilot started operating this week.
- Board Member Davina Hurt has been appointed to the California Air Resources Board (CARB)

Executive Director La Mariana also gave a recap of the Board retreat the day prior to this meeting. Member Dehn commented that she felt the retreat and the format was great because everyone was on the same level.

**4. 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 Committee, 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. Approval of 2021 Legislative Committee Meeting Calendar

The Committee discussed potential meeting times and dates, the goal is to meet monthly for an hour. Member Rak and Member Dehn agreed that a Friday meeting date worked for them but wanted to make sure that the schedule would work with Member Groom before finalizing the calendar.

No Action taken

## **5. Election of a Legislative Committee Chair**

Executive Director La Mariana gave background noting that Board Member Brownrigg chairs the Zero Waste Committee, and helps staff execute the meetings and takes full ownership as Chair for the discussion.

The committee discussed appointing a chair, both Member Rak and Member Dehn thought that a 3-person committee was too small to appoint a chair but wanted Member Groom's input on the matter. Executive Director La Mariana noted that having a chair to speak up at Board meetings is helpful for Board interaction. The Committee decided to contemplate and wait to the next meeting to make the chair decision.

## **6. Discussion on Legislative Committee Structure and Goals of Committee**

Staff Au asked for the committee's input on what kind of discussions the legislative committee should have.

Member Dehn commented that she would like to see the notes from the committee recorded. Staff Au answered that the standing committees have minutes, but the ad hoc committee do not have minutes. She would like to see summary notes from these meetings.

Member Rak commented that he also serves on C/CAG legislative committee, they have monthly meetings and have a separate lobbyist. He thought following the C/CAG model of presenting a living document with a list of bills being tracked and whether a position has been taken on the bills would be helpful to review each month. He also would like this committee to meet with members of the legislature Josh Becker and Kevin Mullin and would like to use the meeting time to discuss the SBWMA's priorities, and their priorities and where they might align. The committee agreed that, at each meeting, there would be a summary document noting which bills are being watched, supported, or opposed, and this committee would pre-review the legislative updates that are in the Board packet each month.

Member Dehn asked for a follow up document at the next meeting noting which agencies the SBWMA supports formally with funding, informal support, and partnerships. Staff Au agreed to have that with the next meeting's agenda. Executive Director La Mariana added that at EEC's suggestion we have formed a statewide coalition of similar JPA's throughout the state called Zero Waste Now that has 15-20 JPA members who meet every other month for the purpose of having a louder voice on environmental issues in Sacramento.

## **7. Discussion to Publicly Endorse the California Recycling and Plastic Pollution Reduction Act of 2022**

Staff Au gave background on the ballot initiative about reducing/banning single use plastic and packaging, funded by Recology. There is a fee associated with the ballot measure to fund outreach and education to mitigate this type of plastic pollution. She also noted that there was an attachment in the packet from Counsel Savaree related to public agencies supporting ballot measures, and that it will most likely be on the Fall of 2022 ballot

The committee discussed potential support. Member Dehn is in support but is wondering where that 1 cent charge is going, noting that it would be passed on to the consumer, and with the negative connotation around

CRV charges and residents not being able to get that charge back, she was concerned about the fee. She also wondered how broad the bill was in terms of what kind of plastic the bill is trying to address.

Executive Director La Mariana answered that the bill addresses single use non-recyclable plastics. He explained the plastics numbering system set forth by the oil industry and noted that plastics 1 and 2 have strong domestic recyclability markets, plastics 3-7 are the problem. They used to go to China with terrible environmental consequences, and China closed the door on accepting that material. He added that these plastics are the primary component of litter, and are very difficult to handle at solid waste facilities.

Member Rak thought there needs to be clear definitions around how non-recyclable is defined and at some point, the strong plastics industry will argue that all plastics will be banned and then the bill becomes unfattenable. He wondered who defines the market.

Kayla Robinson answered that the measure requires producers to ensure that their products are compostable, recyclable, or reusable by 2030. So, it doesn't ban any type of plastic but rather requires it to be recyclable. It also requires reduction in plastic use by 25% and targets single use plastic packaging and single use plastic foodware. Reed Addis addressed the fee side noting that the fee is at the manufacturer side, not the consumer side, granted, it'll probably filter downstream, but it is an upstream cost.

Reed Addis noted that this is a private initiative and California law states private initiatives can't be on a primary election ballot, so this won't be on the ballot until November 2022.

Member Rak commented that he'd like to spend a little more time on it, read the full language of the proposed ballot initiative, and get Member Groom's opinion before making a recommendation to the Board.

Kayla Robinson noted she would send the full language to the committee before the next meeting so they could be more prepared to discuss.

Executive Director La Mariana suggested asking Christine Wolfe of Recology who wrote the ballot measure to the next legislative committee meeting to answer questions.

## **8. Legislative Updates from Environmental and Energy Consulting (EEC) and Committee Discussion**

Reed Addis noted that he and Kayla Robinson have a goal of having this committee share the pain of how difficult the work is in Sacramento, so that when things aren't working as envisioned this committee has a sense of how complicated the process is. Secondly, when he or Kayla mentions legislators' names at these meetings if the committee or other Board colleagues have connection to them use that power mapping to deploy outreach on the JPA's behalf.

The committee discussed if members of the public would be present at these meetings. Anyone attending the meeting would need to be admitted to the meeting via the waiting room and would be seen on screen. The meetings are also recorded and could be requested through a public records request. The committee agreed as a matter of protocol, if someone from the public has joined the meeting can everyone in the room be informed.

Reed Addis then went over the logistics of the legislative session, noting that the first year of the two-year legislative session is about a third of the way through. He noted that the first year is important because if a bill doesn't survive through the process in the first year there is a chance it could come back in the second. A bill has to go through both houses including all the committees on both sides.

Reed Addis noted there were 4 items to bring up with the committee today:

- 1) SB1383 – Organics Waste Diversion Policy. He noted that there is a piece of legislation put forth by Senator Laird SB 619 that is pushing for modifications, changes, and delays to how SB 1383 should be implemented. He and Kayla Robinson are in discussions with Senator Laird and are working to be part of the process and will put a review document together for this committee to discuss at future meetings.
- 2) California State Budget - California is in a fiscal year that starts July 1, so the legislature is ramping up right now for getting a budget passed. He noted the timing of the budget is that normally the governor put out a budget in January, received the tax receipts in April and then presents an adjusted budget in May based on the tax receipts. He noted that all indications are that there will be surplus dollars available, and the legislature is contemplating spending some of that surplus on one-time projects. Through their work over the last few years and especially last year the senate is signaling that some of those projects will be infrastructure projects that will be useful to RethinkWaste.
- 3) Bond - There is the possibility that a bond could be passed by legislature and then go to voters - either June of next year or November 2022. The idea of getting money in that bond for RethinkWaste will be heavily affected by the May revised budget that will be put forth. He noted that it is possible with the surplus money on the table the legislature may not try to pass a bond this year. He noted that EEC is trying to get into every revenue stream (Bond, budget surplus funds) for RethinkWaste's interests.
- 4) SB 289 – Kayla Robinson noted that SB 289 which is sponsored by RethinkWaste, California Product Stewardship Council and Californians Against Waste would create a producer run recycling and collection program for batteries and embedded batteries at retailers. The goal of this bill is to get lithium-ion batteries out of the waste stream. The bill passed out of Senate Environmental Quality Committee. There will be a hearing Tuesday, April 27 in Senate Judiciary where Joe will give testimony. She noted that they are facing heavy opposition from retailers, battery producers, Cal-chamber, and their big hurdle will be getting the bill passed out of Senate appropriations committee. They are working on amendments to appease the opposition. Reed Addis added that Senator Portantino from Burbank is the chair of Appropriations Committee and asked if any of the committee members or anyone in their networks has a relationship with Senator Portantino because they could use help in getting word to him on how important the battery issue is in the next couple of weeks. Kayla Robinson added that both League of Cities and CSAC are in support of this bill.

Member Rak asked if there is any indication or insight on where Senator Portantino is on this issue. Reed Addis answered that it is too early to tell, however, there was a recent fire in his constituency at a similar facility in the City of Burbank, so there should be some personal constituents with the same issue.

## **9. Legislative Committee Member Comments**

Member Dehn asked staff to make certain that a Friday afternoon is a preferable time for Member Groom moving forward.

## **10. Adjourn at 3:04pm**