



MINUTES

SOUTH BAYSIDE WASTE MANAGEMENT AUTHORITY
 MEETING OF THE LEGISLATIVE COMMITTEE
 June 25, 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, Cyndi Urman

Others Present: Reed Addis, Kayla Robinson, Bridget McKay 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 noted that he gave a pretty robust Executive Director’s report at yesterday’s board meeting, and he didn’t have any additional items that need to be called out.

4. 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 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 the Minutes from the April 23, 2021 Legislative Committee Meeting
- B. Approval of 2021 Legislative Committee Meeting Calendar

Executive Director La Mariana pulled item 4A from the consent calendar noting the meeting minutes needed corrections that would be presented for consideration at the next meeting.

Member Dehn asked staff to go back to Member Groom to see if Fridays still work, noting that they tend to be open for her so she would like to keep the meetings on Fridays if possible. She also asked if July would still be a dark meeting.

Staff Au answered that the legislature is in recess in July which is why there was no Legislative Committee meeting for July, and that staff would reach out to Member Groom and try to find a date and time that would work for everyone's schedule.

No action was taken.

5. Old Business: Discussion to Publicly Endorse the California Recycling and Plastic Pollution Reduction Act

Staff Au noted that in looking back at the notes on this discussion at the last meeting, the committee requested feedback from Member Groom who is absent today and has not yet commented on this item. So, it would be added to the next meeting agenda, and they would ask someone from Recology (a major funder of the ballot initiative) to come and speak to the committee. She noted that the ballot measure hasn't officially qualified for the November 2022 ballot, but is expected soon.

6. Legislative Updates from Environmental and Energy Consulting (EEC) and Committee Discussion

Reed Addis reminded the committee where the state is in the legislative process. July 1 (next week) is the beginning of the fiscal year, and at any moment he was expecting a budget deal for the state. He didn't think they would know if there would be environmental infrastructure funding in the budget, and he expected most of the money the SBWMA would be interested in would be put off into trailer bills which could continue until the second week in September. On policy bills, there are 3 more weeks for bills to be heard in committee before summer recess. After the recess there will be one month to get the bills through the fiscal committees and off the floor of each house. By mid-October the governor has to act on all the measures in order for them to become law.

He then noted that there are 4 legislative items to highlight:

- 1) **Batteries** – Kayla Robinson gave background information on RethinkWaste's co-sponsorship of SB 289 by Senator Newman. She noted the appropriations committee held the bill which means the bill did not get moved forward and has to start over in January. She also noted that appropriations is a committee where they don't tell you why the bill got held or what went on. So, she did try to do some behind the scenes digging and found out that it's likely opposition concerns as opposed to policy concerns. They are now in the process of rethinking the policy language to address some of the retailer concerns. Batteries are still a major issue, so we need to recraft this policy to address those concerns and get opposition to come to the table. She added that one of the ways that they see getting opposition to come to the table is through local ordinances across the state. Very few cities have taken local action, and it can be very effective to have a hodge-podge of local ordinances, then opposition comes to the table to get behind one state law rather than dealing with a multitude of local ordinances. Reed Addis added that since the bill got held, there has been a passionate and frustrated reaction, and he hopes they are fired up enough to invest some political energy with their legislators on the issue.

The committee discussed local ordinances. Member Dehn wondered about the timing of getting ordinances passed before January. Kayla Robinson noted that part of the strategy is just to get them introduced and moving through the process. Member Dehn also wondered if they should be county ordinances or city ordinances and how many would be significant. Kayla Robinson answered that 10

counties would be a great start in one year. Reed Addis added that it doesn't have to be counties, but 10 is a good initial number to get industry opposition to the negotiation. He also added that having these multiple local ordinances be slightly different is important because then industry opposition sees that they will have all of these different rules to deal with, and a statewide law becomes easier to deal with. Member Rak asked if there were any model ordinances in existence and that he would be willing to introduce the ordinance in San Carlos as the host of the facility. Kayla Robinson noted that EEC is working with California Product Stewardship Council on several versions of ordinances and would work with Member Rak to get him some language examples. Staff Au added that the county would likely use the model of the medicine ordinance so that each individual city doesn't have to pass their own ordinance. Member Rak asked staff to work through strategy and think about how much pressure and how public the pressure should be on Senator Portantino, chair of the appropriations committee and Senator Atkins, Senate President pro Tem.

- 2) **Bottle Bill** – Reed Addis gave background on the years long process to modify and tweak the bottle bill. He noted that there is a Senator in the East Bay trying to abolish the bottle bill and turn it into EPR, SB 38. He brought it to the committee for discussion because he thought it would be difficult for the SBWMA to weigh in on. However, if the SBWMA were to weigh in, he suggested opposing the bill to garner points with CalRecycle. EEC is of the opinion to stay out of it, and watch. Member Rak suggested just staying away from this bill and watch. The committee agreed to take a watch approach.
- 3) **Budget and Trailer Bills** – Reed Addis noted that what they believe the state is going to do on the budget is have \$100-200M appropriated pursuant to legislation available for organic waste facility infrastructure, recycling, 1383 implementation, etc. which are known as trailer bills. He added that EEC and this committee will have to be really focused on the advocacy around these trailer bills to have that money appropriated to SBWMA issues. Kayla Robinson added that so far advocacy has included coming to a compromise on a letter that requests \$200M for local government to get funding for implementation of SB 1383, and \$200M for infrastructure. She did note that the administration has put forth a proposal that doesn't include funding for local governments, so there is opposition, but they know local funding was a priority in the senate, so they are trying to leverage that support.
- 4) **SB 619** – Kayla Robinson gave an overview of SB 619 by Senator Laird of Santa Cruz County which delays penalties related to SB 1383 by one year. CalRecycle is uncomfortable with a blanket one year delay and are instead proposing a report and ask for exemption approach. At this point it is unclear how Senator Laird will be moving forward on this. She added that the bill just passed out of committee and is headed to appropriations, and the timeline is tight. She thought there would be a call to action from local governments to support. She also added that Senator Laird has said from the beginning that this bill would be a mechanism to get funding and help local governments with the costs of SB 1383 implementation. RethinkWaste has taken a support in concept on SB 619, and EEC will continue to put pressure on Senator Laird's office to see where they are headed to determine next steps.

Member Rak suggested a check in in July since there are legislative items that may need action. The committee decided to hold July 9, and check with Member Groom before confirming the next meeting date.

Lastly, Kayla Robinson noted that Rachel Wagoner is up for confirmation vote as the Director of CalRecycle and wondered if EEC could draft a letter on behalf of RethinkWaste in support of that confirmation.

Motion/Second: Rak/Dehn in support of a letter of support for Rachel Wagner's confirmation.
Roll Call Vote: 2-0-0-1

Member	Yes	No	Abstain	Absent
Fran Dehn, West Bay Sanitary District	X			
Carole Groom, County of San Mateo				X
Adam Rak, San Carlos	X			

7. Follow up on Action Items from the previous Legislative Committee Meeting

Staff Au noted that the information requested is in the staff report.

8. Legislative Committee Member Comments

Member Rak noted that he would like to stay in touch over the recess on some of the items discussed and if any action was needed, and asked EEC to follow up with language on a model ordinance on batteries.

9. Adjourn: 3:01PM