



A Public Agency

CONSENT CALENDAR

DRAFT MINUTES

**SOUTH BAYSIDE WASTE MANAGEMENT AUTHORITY
MEETING OF THE BOARD OF DIRECTORS
January 27, 2022– 2:00 p.m.
Via Zoom Tele or Video Conference Only**

Call to Order: 2:00 PM

1. Call to Order/Roll Call (Closed Session)

Agency	Present	Absent	Agency	Present	Absent
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	
Menlo Park	X				

All Members and public participated by Zoom Video or Conference Call

2. Public Comment

Persons wishing to address the Board on matters NOT on the posted agenda may do so. Each speaker is limited to three 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. **Speakers may also submit comments via email prior to the meeting by sending those comments to rethinker@rethinkwaste.org.**

Mike Kelly, General Manager of Recology San Mateo County, thanked the SBWMA staff for their assistance in getting the message out regarding the impact of COVID to their work force. He noted that Recology is still experiencing driver shortages, but it is improving slowly. They continue to work extra hours and on Saturdays to service the SBWMA service area and collect trees and thanked the Board for their patience as they work through these issues.

Chair Aguirre thanked Recology for connecting with their customers and getting the word out about what is going on.

Member Hurt asked if it was possible to extend an extra week of pick up for Christmas trees.

Mike Kelly answered yes, that they will pick up Christmas trees when they see them throughout the year, but that he would talk to operations about having some satellite routes continue into the first week of February.

Member Froomin commented that the drivers of the trucks are normally in the truck alone, and he wondered if the workers were asymptomatic, or having symptoms.

Mike Kelly answered that all Covid scenarios are occurring, from close contact to actual symptoms, but Recology is following the County guidelines.

3. Executive Director's Report

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

- There has been a change at the Board level in SBWMA Leadership. He recognized Board Member Davina Hurt for her service and advocacy supporting RethinkWaste, who is stepping off the RethinkWaste Board, and this will be her last Board meeting. Council Member Tom McCune will be stepping onto the SBWMA Board representing Belmont.
- This year 8 of 11 Board Members are either serving as either Mayors or Vice Mayors. This is an extraordinary level of commitment to our communities and our agency is grateful for their efforts.
- Staff Member Joanna Rosales-Jose has been promoted to a Program Manager I position.
- Staff Gans' office has been relocated to Shoreway, so now he will be home based at the Shoreway facility. He also explained that there has been some shuffling of offices at the RethinkWaste office to make more space, to add Covid safety precautions and to have an on-site presence at the facility.
- He thanked Recology for their collaborative efforts in getting the word out about their COVID-Omicron-related staffing shortages, and noted that the letter that went out was very well received - he received positive calls from Board and TAC members and members of the community.
- He announced that there has been a change in leadership at Recology San Mateo County. Mike Kelly has accepted another position at the South Bay Recology division (based in Morgan Hill/Gilroy) and introduced Evan Boyd has been assigned as the General Manager of Recology San Mateo County as of February 7. He also noted that Carl Mennie has been promoted to Regional Group VP of Recology and will be part of Recology San Mateo County's senior Management team.
- The Shoreway Operations RFP deadline was earlier this month, and there were multiple responses to the solicitation. He noted that there will be a very significant cost increase, it is quite clear that the market has shifted. He reviewed the evaluation, selection, negotiation and contract award timeline, and noted that staff is still targeting to have a recommendation to the Board at the September 2022 Board meeting.
- February 24 the next Board meeting, which will be the annual Board/TAC retreat, and he asked Board and Committee members to block out 12N to 4PM.

Member Hurt thanked the Board for the hard work that they are doing and noted that she has enjoyed her time on this Board. She also noted that it's been a difficult few years, and there are challenges ahead, including electrification, the needed evolution in recycling, and keeping rates palatable for people. She closed by noting that she will be working on behalf of all the member agencies at the California Air Resources Board (CARB).

Mike Kelly thanked the Board for being so collaborative during his time in San Mateo County and noted that even though there will be a new general manager, the San Mateo County team is still in place, and thanked the Board for helping him grow, and with Evan Recology is in a great spot.

Member Brownrigg thanked Mike Kelly for being a great partner at Recology for the last 5 years. He also thanked Board Member Hurt for her instrumental and courageous leadership.

Executive Director La Mariana noted that with Member Hurt leaving the Board there will be a vacancy on the Zero Waste Committee, and if any Board member is interested in joining the Zero Waste Committee to email Joe or Chair Aguirre.

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 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. Approval of the Minutes from the November 18, 2021 Board of Directors Meeting
- B. Resolution Approving the Audited Financial Statements for the Six-Month Period ending December 31, 2020
- C. Resolution Approving the SBWMA Investment Policy for 2022
- D. Resolution Approving Contract Amendment #1 with HFH Consulting not-to-exceed \$96,970 for SBWMA Operating Agreement RFP Technical Support
- E. Resolution Approving the Acceptance of the remaining \$500,000 Grant funds from the County of San Mateo for the SBWMA's Organics-to-Energy pilot program's Organics Extrusion Recovery System (OREX) Mechanical Processing System
- F. Approval of Quarterly Investment Report for the Quarter Ended September 30, 2021
- G. Resolution Direction that all meetings of the SBWMA Board of Directors, Technical Advisory Committee and all Board Appointed Subcommittees will continue to be held via teleconference Pursuant to California Government Code Section 54953(e)

Motion/Second: Hurt/Bonilla

Roll Call Vote: 11-0-0-0

Agency	Yes	No	Abstain	Absent	Agency	Yes	No	Abstain	Absent
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			
Menlo Park	X								

5. Administration and Finance

- A. Election of SBWMA Board Officers for 2022

Counsel Savaree introduced the item and invited nominations for Board Chair for 2022.

Vice Chair Bonilla nominated Member Aguirre to serve a second year as chair, Member Rak seconded the nomination.

Roll Call Vote: 11-0-0-0

Agency	Yes	No	Abstain	Absent	Agency	Yes	No	Abstain	Absent
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			
Menlo Park	X								

Member Rak nominated Vice Chair Bonilla to serve a second term as Board Vice Chair. Member Groom seconded the nomination.

Roll Call: 11-0-0-0

Agency	Yes	No	Abstain	Absent	Agency	Yes	No	Abstain	Absent
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			
Menlo Park	X								

B. Resolution Approving Fourth Amendment to the Executive Director’s Employment Agreement

Counsel Savaree introduced the item and highlighted the changes to the Executive Director’s contract that would include: 1) Amend salary to \$219,390 annually, 2) a onetime \$10,000 bonus and 3) to allow the Executive Director to cash out 50% of accrued sick leave upon separation from the agency in alignment with the employee policies of the Agency.

Motion/Second: Froomin/Abrica

Roll Call: 11-0-0-0

Agency	Yes	No	Abstain	Absent	Agency	Yes	No	Abstain	Absent
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			
Menlo Park	X								

- C. Introduction of an Ordinance to amend SBWMA Ordinance NO. 001, Informal bidding and award procedures for public projects, in accordance with the uniform public constructions cost account procedures to increase public project bidding threshold to the amounts authorized under California public contract code section 22032

Counsel Savaree gave an overview of the cost accounting ordinance which has been in place for many years but needs to be amended to align with California public contract code.

Motion/Second: Royce/Froomin

Roll Call: 11-0-0-0

Agency	Yes	No	Abstain	Absent	Agency	Yes	No	Abstain	Absent
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			
Menlo Park	X								

Second reading will come to the Board in February along with changes to the purchasing policy.

6. Collection and Recycling Program Support and Compliance

- A. Resolution Approving a Two-Year Contract with SCS Engineers for \$685,000 for Non-Franchised, Mandated Senate Bill 1383 Support Services for FY2022-23 with optional one year extension for FY2024

Staff Carter gave a PowerPoint presentation highlighting the background and the need for this contract to support SB 1383 requirements that are not part of the Franchise Agreements.

Executive Director La Mariana explained that staff’s recommendation to go out for an RFP for these services was based on their research that what Recology was proposing for costs related to implementation of these services appeared to be significantly out of alignment with the rest of the industry. He added that Recology is a valued partner and will be expected to still be an important part of these services during their collaborative implementation. He also reemphasized staff’s excitement about former City of San Mateo Solid Waste Programs Manager and former TAC Chair, Roxanne Murray, joining the SCS team for this contract.

Vice Chair Bonilla commented that the SBWMA will be in really good hands if Roxanne Murray is working with SCS on this project, and he supports staff recommendation.

Member Froomin expressed concern that this contract is time and materials based and not flat rate, noting that flat rate is easier to budget. He asked how many time and material based contracts has the agency had that have gone over and need to be amended and increased costs.

Executive Director La Mariana answered that the agency has favored time and materials contracts as it puts the burden on staff to manage them smartly. There have been very few contracts being modified for going over and it's typically because something has changed in the scope, and many where the final billables are actually under the not to exceed number.

Member Froomin noted that the price per year in the contract is \$399,569 but noted that the approval of the two-year contract is \$685,000, and that simple math says that the contract amount doesn't balance.

Executive Director Joe La Mariana and Staff Carter answered that there will be a heavier burden in the first year, and staff expects that to scale back in year two. There will be a heavier burden on the consultant in the first year as they manage waiver requests and work with Recology to scope out what the partnership looks like to comply with the law.

Member Froomin asked for clarification on what the contractor will do versus what staff will do in regard to the task – assist with waiver management.

Staff Carter answered that under the SB 1383 regulations, the actual approval of the waiver cannot be delegated to a private third party. So, through the MOU the member agencies have delegated this responsibility to the SBWMA. SCS will provide research and analysis on the waiver requests before submitting a recommendation to RethinkWaste.

Member Froomin asked for clarification around the twice per year audits that are required and the 5,000 bin audits in the scope.

Staff Carter noted that he would review the language and get back to Member Froomin.

Member Froomin commented that he wants to make sure that the SBWMA is responsible for monitoring and managing the bin audits to ensure that this process is in compliance with the law, and any additional audits requested by the contractor are approved by staff to determine the need for additional auditing.

Motion/Second: Rak/Bonilla

Roll Call: 11-0-0-0

Agency	Yes	No	Abstain	Absent	Agency	Yes	No	Abstain	Absent
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			
Menlo Park	X								

7. Shoreway Operations and Contract Management

- A. Resolution Approving RFP to Solicit for Technical Design Services Contract for SBWMA Shoreway Site Optimization Plan

Executive Director La Mariana gave an overview of the staff report noting that the Shoreway site has had heavy use every day since 1982, and every year there are more state mandates and environmental regulations, in addition to agency operational goals, and the site is increasingly space constrained. Therefore, the purpose of this site optimization study is to clarify what the agency's needs are and identify and maximize the operational attributes of the Shoreway site.

Member Brownrigg noted that sometimes it feels like all the board does is hire contractors, so he reminds himself that it is a very small management team that sits on top of very large contractors. Very often consultants are needed because there just isn't a big staff, so he supports this work. He also added that this agency needs more space to reach its goals to lead the state, so the space need is going to need to be justified with the County, and this report will help do that.

Member Abrica is now absent

Member Froomin expected the contractor to look at the site through this study into the distant future as best as possible.

Motion/Second: Brownrigg/Hurt

Roll Call: 10-0-0-1

Agency	Yes	No	Abstain	Absent	Agency	Yes	No	Abstain	Absent
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			
Menlo Park	X								

- B. Resolution Approving Contract with Common Goal Consulting Group not-to-exceed \$55,000 providing Technical Project Management Services in FY2022-2023 to Develop a SBWMA Shoreway Site Optimization Study and Design Development

Executive Director La Mariana noted that 7B directly ties to 7A, the model for our agency has always been to have a lean staff, and to look into the marketplace when we need to flex up, so staff is recommending that Common Goal Consulting Group project manage the Site Optimization project and its RFP process.

Motion/Second: Groom/Royce

Roll Call: 10-0-0-1

Agency	Yes	No	Abstain	Absent	Agency	Yes	No	Abstain	Absent
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			
Menlo Park	X								

- C. Resolution approving contract with Anergia for three-year OREX Press System Maintenance Agreement for FY2022-FY2024 consisting of 1) annual service intervals not to exceed \$74,093.74 parts and labor and 2) \$78,036 for quarterly maintenance inspection and calibration (July 1, 2022 through December 31, 2024)

Staff Gans gave an overview of the staff report and overview of the contract to be approved.

Member Froomin noted that 42% of the costs of the inspections is related to travel, and he hoped the costs could go down if the company grows and develops a local office. He wondered if there was a possibility of the company to contract with a local contractor.

Staff Gans noted that he had asked the company to only charge for half of the travel costs, assuming they would have other customers to visit, he said the Anaergia has agreed assuming they have other customers to visit, so they are growing and he thought they would get there, but they wanted to protect themselves in this proposal.

Motion/Second: Groom/Rak

Roll Call: 10-0-0-1

Agency	Yes	No	Abstain	Absent	Agency	Yes	No	Abstain	Absent
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			
Menlo Park	X								

D. Resolution to Authorize Granting Authority to the Executive Director to Enter into Contracts for MRF Wall on an Emergency Basis for an Amount Not to Exceed \$250,000 without Further Competitive Bidding

Staff Southworth explained the history and market challenges of the MRF wall repair work to date that needs to be completed as soon as possible, noting the LEA has flagged this at the highest level of violation, and their next level of violation would be to revoke the operating license. Material is being stacked too high and is spilling over the wall, and thus material is ending up outside the building. Staff put this work went out for RFP in summer of 2021 and no bids were received. So, staff is now recommending breaking the project up into prefabricated units, so this portion of the work can be done off site, and within regular hours and cause minimal disruption to the MRF schedule, as well as outside the normal RFP process to allow for this work to be completed as quickly as possible due to the current LEA violations. It is our hope that this action will make the work more attractive to technical service providers to complete this project.

Executive Director La Mariana added that the facility is handling more material that had been envisioned 12 years ago when the MRF was designed, and that is why the material has been stacked too high and has caused the material to spill over outside the building. He noted that the space constraints are on the list for the site optimization study.

Chair Aguirre noted that she was concerned about the fact that a wall was coming down due to using the facility in a way it was designed to be used and wanted to make sure operations were occurring within the limited space available to not ruin what is already there.

Member Rak noted that he felt like this problem that needs to be fixed which shouldn't have been a problem and wondered how much staff knew about the damage.

Executive Director La Mariana commented that staff has been working on this for over a year. An engineering design firm was hired to design a fix to the problem before it was as bad as it is now, and that took longer than expected because of the pandemic, then there was the RFP process which resulted in no bids. So this has been going on for some time, and staff has been in contact with SBR throughout and both our staff and SBR are collaborating to find a solution.

Staff Southworth added that part of the design work for the repair will allow SBR to put piles a few feet higher without damaging the wall.

Member Froomin asked that language be added to the forthcoming Operations Agreement that if the operator sees that they are reaching capacity regularly they notify staff before there is a problem, and if not they are financially responsible for damage done to the building if this were to happen again in the future.

Vice Chair Bonilla commented that he agreed that the financial responsibility of fixing damage caused to the building by operations should be in the operations agreement.

Motion/Second: Froomin/Groom

Roll Call: 10-0-0-1

Agency	Yes	No	Abstain	Absent	Agency	Yes	No	Abstain	Absent
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			
Menlo Park	X								

8. Public Education Outreach and Legislation

- A. Resolution Authorizing the Executive Director to Execute a Contract with FinalOption Corp dba Pacific Printing for Printing and Mailing Services in 2022 not to exceed \$165,000

Staff Au gave an overview of the staff report, and that this resolution would allow staff to work with a single mailing house throughout the year, and not have to come to the board for approval of each mailing.

Member Dehn asked what percentage of single-family residences don't have compost.

Staff Au thought that number was just under 1,000 (out of about 92,000).

Vice Chair Bonilla noted that he has worked with Pacific Printing, and noted that they are a sustainable employer in San Mateo County who provides Union jobs.

Motion/Second: Bonilla/Taylor

Roll Call: 10-0-0-1

Agency	Yes	No	Abstain	Absent	Agency	Yes	No	Abstain	Absent
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			
Menlo Park	X								

- B. 2021 Public and Environmental Education Recap Report

Staff Au introduced the item, and the education and outreach team, and several members of the team gave a PowerPoint presentation recapping the 2021 public outreach and environmental education activities of the agency.

The board members enjoyed the presentation, games and songs displaying all the work the education team is doing.

Member Froomin commented that door hanging projects could be given to service organizations as service projects or a fundraising opportunity.

9. Informational Items Only (no action required)

- A. Legislative Session Update
- B. 2022 Finance and Rate Setting Calendar
- C. Check Register Detail for October, November and December 2021
- D. 2022 Meeting Planning Guide

10. Board Member Comments

Member Brownrigg commented that he and Vice Chair Bonilla visited the bio-plastics company Fully Circle Bii Plastics that is a potential client for RethinkWaste, and it was a very exciting opportunity to see a lot of organic waste converted into plastic that actually breaks down to organic material.

11. Adjourn 3:49PM

DRAFT MINUTES

**SOUTH BAYSIDE WASTE MANAGEMENT AUTHORITY
MEETING OF THE BOARD OF DIRECTORS**

February 24, 2022– 1:00 p.m.

Followed by the 2022 Board of Directors Technical Advisory Committee Retreat
Via Zoom Tele or Video Conference Only

Call to Order: 1:01 PM

1. Call to Order/Roll Call (Closed Session)

Agency	Present	Absent	Agency	Present	Absent
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	
Menlo Park	X				

All Members and public participated by Zoom Video or Conference Call

2. Public Comment

Persons wishing to address the Board on matters NOT on the posted agenda may do so. Each speaker is limited to three 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. **Speakers may also submit comments via email prior to the meeting by sending those comments to rethinker@rethinkwaste.org.**

None

3. Executive Director's Report

Executive Director La Mariana welcomed all to the short regular meeting, to be followed by the annual retreat. He welcomed new Board member Tom McCune representing Belmont, and made the following announcements:

- Recology and SBR workforces have stabilized since the last report out in January when the Omicron COVID variant surge was causing inconsistency in service. He thanked both contractors for their efforts in getting things back on track.
- Bill numbers have been assigned for the SBWMA sponsored SB 1215 and AB 2440 - *The Responsible Battery Recycling Act*. These bills will be identical in both houses and travel through the process simultaneously—the version that gets more political traction will advance in the legislative review process.
- The first phase (of two phases) of the tip floor repairs was completed in the transfer station last weekend, and with board approval today, the floor repairs in the MRF will take place the last weekend in March.

- Silicon Valley Clean Water is running new pipe along Shoreway Road, and this project closed traffic flow on the north side entrance of Shoreway Road during the past two years. Next week that will flip to the Holly side entrance, and there will only be one lane of traffic available (with traffic flaggers), so there will be operational challenges getting in and out of Shoreway.
- On the staff updates front: Staff Laura Wessberg the Environmental Education Coordinator, will be leaving the SBWMA next week for a position at Stanford. And there is an interview scheduled tomorrow for the management analyst vacancy.

TAC Member Brown asked that staff get a one page summary of the upcoming traffic changes on the Silicon Valley Clean Water project so that Belmont could update their traffic advisories.

Executive Director La Mariana answered that staff would forward what Silicon Valley Clean Water has sent to them. Chair Aguirre added that she thought Silicon Valley Clean Water had forwarded the information to all three of the affected municipalities, but that staff should also follow up.

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 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.*

- Approving Second Reading and Adoption of an Ordinance to amend SBWMA Ordinance No. 001, Informal bidding and award procedures for public projects in accordance with the uniform public construction cost accounting procedures to increase public project bidding threshold to the amounts authorized under California Public Contract Code Section 22032
- Resolution approving amendments to SBWMA's Purchasing Policies
- Resolution Authorizing the Executive Director to enter into contract change order #2 in the amount of \$98,554 with American Restore Inc. for MRF and Transfer Station Tip Floor Repairs for a total contract value not-to-exceed \$358,554
- Resolution Amending Resolution 2021-14 to Add Chair Alicia Aguirre to the Ad Hoc Selection Committee for the Operations Agreement RFP
- Resolution Directing that all meetings of the SBWMA Board of Directors, Technical Advisory Committee and all Board Appointed Subcommittees will continue to be held via teleconference Pursuant to California Government Code Section 54953(e)

Motion/Second: Bonilla/Brownrigg

Roll Call Vote: 10-0-1-0

Agency	Yes	No	Abstain	Absent	Agency	Yes	No	Abstain	Absent
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			
Menlo Park	X								

5. Administration and Finance

- Resolution Approving Agreement with Resource Recycling Systems, Inc. for Audit Review Services of Annual Reports and Financial Systems of the Collection Services Contractor and Facility Operations Contractor for Calendar Years 2021, 2022 and 2023

Staff Mangini gave an overview of the staff report. There were no questions.

Motion/Second: Dehn/Royce

Roll Call Vote: 10-0-1-0

Agency	Yes	No	Abstain	Absent	Agency	Yes	No	Abstain	Absent
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			
Menlo Park	X								

6. Adjourn Regular Meeting 1:12PM

7. Call to Order/Roll Call Board/TAC Retreat (Board Members and TAC Members)

CTO: 1:13PM

Roll Call Board Members

Agency	Present	Absent	Agency	Present	Absent
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	
Menlo Park	X				

Roll Call TAC Members:

Agency	Present	Absent	Agency	Present	Absent
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	
Menlo Park	X				

8. Board/TAC Retreat

Chair Aguirre welcomed board and TAC members to the retreat and noted that the goal is to check in on the goals established last year and solicit Board and TAC-level focus on where the agency is headed in 2022.

Vice Chair Bonilla noted that he is excited by the engagement by the Board and staff, and he is impressed with the strides the Agency is making on SB 1383 implementation. He noted that he sees plastics as a huge problem, and is a problem the Agency will need to tackle going forward.

Jim Delia gave an overview of the 2022 retreat, and launched the poll with the question: what do you think the Agency's biggest accomplishment in 2021 was? The majority of participants voted for making strides on SB1383 Implementation.

Senior Management Staff gave an overview of the 2021 accomplishments as well as an update on the Long-Range Plan.

Vice Chair Bonilla commented on the presentation, noting that he was happy to hear about the Zero Waste Now Coalition, he felt like that was the beginning of a statewide movement, showing leadership and helping others especially in regards to SB 1383 implementation. He noted that he was really proud of what he just heard.

Member Froomin commented that battery legislation is a good start, but there needs to be easy ways for residents to turn in batteries and get them out of the waste stream. He asked if there were any learning opportunities from the way other agencies are handling batteries.

Executive Director La Mariana commented that others in the state and the nation are looking to RethinkWaste for solutions in this area, and we continue to be on the leading edge of this issue. That said, there are some ideas and plans for additional future capital improvements on our site that will help.

Chair Aguirre reiterated thanking the staff and noting that she is very proud to be a part of this board.

The Board and TAC Members then went into smaller groups to discuss: What new or revised action items should be considered to help us execute our Long Range Plan? Any thoughts to make it better?

Board Member Ruben Abrica now absent.

Topics that came up in the breakout rooms during the long-range plan session included:

Legislation:

- Supporting legislation that regulates the use of the recycling symbol on products.
- Local legislation to make developers make their multi-family units have more accessible and easier to use recycling.
- Focusing on thoughtful legislation and getting more politically active

Outreach:

- Increasing and improving education to increase and better sort recyclables at multi-family units.
- Increased outreach to support multifamily units with their high turnover of residents.
- Pictures on every trash can and recycling bin with what goes in the bin, every can everywhere. Especially for people who may be visiting a park or business but live out of the area.
- Identifying other outreach focus points like batteries and plastics
- The Agency faces a branding issue between the SBWMA, RethinkWaste and Recology, and at times, this can be problematic when trying to take a more active role in our community, in Sacramento or nationwide.
- Focus outreach and find new outreach approaches to better help the entire community

Batteries:

- Introduce incentive programs like insurance rate reductions if they take back batteries.
- Increase the use of orange battery bags - get them in libraries, schools and community centers.

SB1383

- Continue to focus on SB 1383 compliance
- Focus on the procurement element of SB 1383
- Create new ideas for how to meet the procurement requirements, possibly providing free compost to landscape companies
- Longer contracts with composting facilities to help stabilize costs and maintain relationships with processors.

Facility

- Other alternative resources similar to the EV fleet project
- How to expand the facility and better use the underutilized spaces.
- Find ways to create a better use for the O2E residuals such as bioplastics

Other:

- Work with companies like Amazon to have extended producer responsibility for their packaging, put pressure on them to take their packaging back.
- Think about our local bubble and step out of it to see if there are innovative ideas in other states or countries.
- Look into broadening the Agency's reach by garnering new members – Request for an elevator pitch for Board Members when trying to garner new members.
- Would like to see the Agency find a way to be more proactive in the issues being faced so staff is not always reacting but better able to plan.
- Interest in connecting schools and businesses and having the SBWMA be a facilitating agent in coordinating compost use for beatification projects.

The group then discussed the proposed Shoreway/Site Optimization Plan.

Member Brownrigg gave a presentation on the background of why the site optimization study is so important. The fact sheet Member Brownrigg used for statistics in his presentation is attached (**Attachment A**) here. The SBWMA has a dual mission of handling waste efficiently, but also being a leader for our residents on environmental progress. This is unique to this Agency because it is a government-owned facility. One of the goals of this study is to find out if there is alignment between staff, elected officials, contractors and public, because he noted big things don't happen without alignment.

The group then broke into smaller groups again to discuss: What ideas do you have for how the Shoreway site could be utilized? And What else should be considered as part of the site optimization study?

Topics that came up in the breakout rooms during the site-optimization study session included:

- There is a need to plan for long-term growth at the facility, as San Mateo is expected to grow denser in the coming years, need to make sure the facility is right sized for coming growth, possibly up to 20% growth.

Parking

- Too much of the facility is dedicated to employee parking, but more parking is needed especially for visitors/tour groups, all 6 of the groups mentioned parking as a big issue.
- 3 Acres of the facility is currently used for employee parking.

Alternative Fuel

- Need to find space for the infrastructure needed for electric fueling.
- Explore fuel options and electric trucks, can this be successful given the layout.
- Interested in biofuels and seeing if trucks can be fueled by O2E
- Can biofuels be opened up to Member Agencies City owned vehicles
- Look into having a pipeline of EV infrastructure to take Organics-to-Energy slurry to wastewater treatment plant partners
- Using organics-to energy to produce power at the site rather than bringing it to treatment plants.

Space Ideas

- How do we ensure that the facility is right sized for the future especially given the increase in material that needs to be recovered to meet SB 1383 requirements?
- Work towards making space at Shoreway for innovation like the bioplastics company
- Working to find space for increased compost due to SB 1383 compliance

- Consider what parts of the operation could be moved off site or done remotely, perhaps admin staff to make more operational space
- Consider looking at other expansion options that aren't necessarily the County owned site behind the facility. Maybe there are other partners nearby like Lyngso.
- How to reconfigure the site and still maintain operations is a concern

Other Ideas

- Use the outdoor education area as a way to increase pollinators in the environment.
- Expand recycling add textiles collection and Styrofoam
- Finding the public recycling center is a challenge, the site needs more signage about where to find what.
- More outreach is needed regarding pointing people to the public recycling center.
- Establish an area of Shoreway for permanent shredding and fix-it clinics
- Repair the roads leading into Shoreway to make the site more accessible and inviting.
- Put protective measures into floors and walls so operations don't have to be put on hold for repairs and tours can be safer
- Add more solar to create more energy
- Create an area on site for meetings and staff.
- Using split vehicle collection trucks to reduce the number of vehicles on the road.
- Partner with Peninsula Clean Energy to get more solar at Shoreway.

Jim Delia then launched a second poll question to introduce the topic of Outreach/Education and Policy Changes: In your community what type of RethinkWaste outreach have you seen or been a part of? Newsletter, and website were the highest votes in the poll.

TAC Chair Lorenz gave an overview of the public outreach committee, that is made up of board members, TAC Members and Recology, and works regionally to unify the messaging.

Member Rak gave an overview of work of the Legislative Committee and their policy engagement to promote environmental leadership and stewardship. The committee looks at all environmental areas of policy to see where the Agency can affect positive change.

The group then broke into smaller groups to discuss ways to help RethinkWaste better connect with the community, and what resources should staff be reaching out to help that connection.

Topics that came up during the outreach, education and policy changes session included:

Partnership ideas

- Leverage partnerships with organizations and community leaders that are more well known in the region like Recology and the County's Office of Sustainability.
- Partner with local media and news outlets to find ways to successfully educate people on how to do the right thing.
- Embed RethinkWaste goals and action items into each of the Member Agency's Climate Action Plans, so that the elected officials in each city have bought into RethinkWaste's goals as part of their City/Agency goals.
- Work with partners like BayROC on a more consistent basis
- Use community groups to get the message out to the public rather than going the governmental route. Partner with neighborhood and homeowners' associations, faith based, and cultural organizations, communication in native language builds trust.
- Partner with schools to use student ambassadors to be the voice of the environmental future, have those ambassadors present at City Council meetings, present at senior centers to create multi-generational buy in. Possibly use Leo clubs for this service work.

- Partner with SBWMA Board members who sit on other boards to promote topics at other board meetings.
- Partner Agency social media with Board members' social media to promote agency initiatives through Board Members. It's important to arm the Board Members with talking points so the message is clear and consistent.
- Partner with the firefighters to help get the word out about battery safety and recycling.
- Partner with high school districts that have work programs for students with disabilities
- Form a subcommittee/work group with community partners and stakeholders to create a unified message.
- Identify connections that can support lobbying efforts specifically.
- Partner with property management companies so that staff doesn't have to connect with every single HOA.

Outreach Ideas

- Focused outreach on urban compost and recycling since it's less common.
- Leverage Nextdoor which creates traction on issues hyper locally.
- Increase participation at in person events, fairs, community centers, farmers markets, libraries
- Focus on other benefits of doing the right thing, not just the environment, but cost, health, safety, long term effects etc.
- Need more consistent messaging people don't know what is and is not recyclable all the time.
- Create a Board Members Corner in the newsletter to highlight what issues are important to the Board Members.
- Expand the master composter/recycler program to architects and developers so that new construction can better plan for waste collection to make it easy for future occupants to recycle correctly.
- Movie theater ads, billboards, BART stations, busses etc.
- Promote the 5th R – Refuse
- Increase webinars for the community.
- Have games in the newsletter to make it more engaging for people.
- Create fun informative videos explaining how to recycle and how to compost, then have a contest on which cities can get the most views
- Increase the frequency of Newsletters and do electronically.
- Livestream events with Member Agencies and Recology staff
- Strengthen the RethinkWaste brand to eliminate the confusion about who is sharing information.
- Have Board Members ride along on Recology/RethinkWaste waste audits so they have the opportunity to see what is actually going on in the waste stream.

Member Royce now absent

Jim Delia then asked the group to consider the last topic of the day: Based on the discussion today, what possibilities for the agency excite you as you think about 2022?

Board and Committee members said they were excited about these possibilities in 2022:

- Getting the community more involved in outreach and education, senior centers, and high school students and renters
- How rapidly new technologies are being developed to deal with environmental problems, and the fact that people in general are more aware of the harm we've been causing to our planet and are willing to make changes.
- The SBWMA has a tremendous leadership opportunity in front of us and it's important to continue to expand that outward to make positive changes.
- Beginning to tackle the plastics

- Excited about the Site Optimization study and using the site mor efficiently.
- Exploring new ideas through the search for finding the next facility operator.
- Connecting with the community in person.
- Getting more consistent with SB 1383 implementation, so that it feels less unknown.
- A year from now look back at the first year of SB 1383 implementation and reflect on progress. Continue to be progressive leaders in SB 1383 work, so that people don't get complacent and just do what they always have.
- Progress with EPR on all kinds of products.

Member Brownrigg now absent.

Executive Director La Mariana noted that staff is listening and taking today's feedback very seriously, so that it can be integrated into all the work that staff does.

Jim Delia then asked the Board and Committee Members for closing thoughts: What inspired or intrigued you the most about today and why? What makes you feel most positive about being part of this agency?

Those present went round robin and gave closing thoughts that included:

- Excited to be setting a course for a long-term plan and really looking much more long-term and being visionary to actually move the needle
- Excited to see a group of people who are all in alignment and excited about the progress the Agency is making around climate change. Also excited to know that the Board also feels how important the Site Optimization study is. Great team assembled to get the work done.
- Everyone on this call is a true environmental hero
- Excited that this village is a role model to move us forward, and the partnerships that could exist.
- Excited about the idea of shifting education focus to our very oldest members or our community.
- Inspired by how interesting trash can be, and that the group was talking about solutions not problems.
- Grateful for the small but mighty staff to implement all the work that was discussed today.
- Excited about the possibility to strengthen existing partnerships and create new partnerships.
- Inspired to find a way to tap into all the statistics Member Brownrigg discussed.
- Inspired by the level of interest in this group, and openness to work on creative solutions.
- Excited to see what everyone's ideas for SB 1383 enforcement are in two years.
- Excited to work on some really high-level things over the next planning period.
- Excited to be a part of an organization that can make real world change.

Executive Director La Mariana commented that this a relationship building business and tapping into our community through everyone in this meeting is very exciting for staff.

9. Board Member Comments

Chair Aguirre and Vice Chair Bonilla closed the meeting but noting that they feel enthusiastic and excitement about the Agency's positive work. Also inspired that there was an 100% turnout and that speaks to the importance of this work.

Chair Aguirre challenged the Staff, Board and Committee Members to figure out what to do with the information that came out of this retreat. What are the next steps, and how do we set goals for each committee based on feedback from this retreat.

10. Adjourn 3:39PM

Attachments

Attachment A - Member Brownrigg Fact Sheet from the Board Retreat Presentation

SBWMA BOARD RETREAT 2/24/2022

Michael Brownrigg Opening Comments to the Re-Visioning of Shoreway Facilities

- *In US today, there are 3,144 counties or county-equivalents. In terms of per capita income, San Mateo County is the second richest county IN THE COUNTRY, after Loudoun County, Maryland.*
- *Our residents are among the most highly educated in the Country, with over 50% having a Bachelors degree and 25% having an advanced degree.*
- *That said, almost 17% of our residents are over 65, generally means fixed income, and 7% of seniors in SMC living below the Poverty line*
- *In “extremely low-income households”, 80% are paying more than half of their income on housing costs, 2/3 of Low Income residents are cost-burdened. And BTW Low Income is defined as household of 4 making \$150k/year!*
- *So we have the financial capital and the resident desire for us to be environmental leaders not just for our State, but for our Country. But we also have residents who are cost burdened and do not want to see garbage rates rise more than they have to.*
- *Whether rich or poor, our residents care about the environment and they care about plastics getting into our oceans and our children.*
- *California is trying to lead, but interestingly we have more waste in landfills per person than almost any state in the union – 35 tons (vs. 17 tons/person in Texas according to the EPA) and as a result we generate more landfill gas every year than ANY state in the Union. California produces 420 million cu.ft.3 of methane every day from our landfills (compared to 33 million tons in Oregon). This is why SB1383, as painful as it is, is so necessary.*
- *Let’s move to the 16 acre level, which is the **Shoreway Recycling Center** site operated by our agency, SBWMA.*
- *This is an impressive operational asset for our community, We serve 430,000 residents (almost 60% of SM County) and 11,000 businesses. Our \$100 mm site is centrally located within our 100+ sq. mile service area; adjacent to Highway 101 and near Highway 92 (to Ox Mountain) which shortens average truck trips and therefore saves money. Tip of the hat to San Carlos for allowing us to be located in the city for all these years.*
- *Our facilities today are an incredibly efficient and hardworking asset handling ~410,000 tons of materials per year and is open every day except Christmas and New Year’s. (Maybe one day we will be closed on Election Day – I hope so.)*
- *That said, I think we Electeds don’t always appreciate the resource we have.*
- *The Shoreway Environmental Center handles a total of 410,000 tons/year of waste/recycling/compostables (= 1,500 tons/day = 70 tractor trailer load per day).*
- *National context –That makes us one of the largest waste management facilities IN THE COUNTRY, according to a recent nationwide survey by Resource Recycling.*

- *The study also found that larger MRFs are often twice and sometimes 3X as efficient than smaller plants in terms of the throughput per sorting employee.*
 - *Through the Shoreway facility, we SAVE money for residents, or at least slow down the rate of rate increase, and our diversion efforts improving our recycling recovery (revenue) and reducing trips to landfill and composting sites which are miles away (cost avoidance).*
 - ***Details about the Shoreway Environmental Center:*** *we have 16 acres of land, of which the Transfer Station and MRF sit on about 4 acres. Between the Collection operation and the Recycling operations, we have over 350 people based on site with hundreds of inbound/outbound vehicle trips onto site every day. It is a hardworking, space-constrained site that needs a re-think on space use and optimization, which our Board authorized recently.*
 - *The goals of this work are to*
 - *Improving operational flow by optimizing space for future site needs and to continue to improve efficiency and throughput*
 - *Which allows us to continue to modernize the processing and handling facilities*
 - *And gives our Agency a chance to demonstrate Environmental Leadership and Stewardship in the use, when available, of relevant innovative technologies including:*
 - *Alternative Fuels; Greening facility ops*
 - *Environmentally friendly processing—The Zero Waste Committee is very excited about a potential partnership with Full-Cycle Bioplastics, which could take our food waste slurry and turn it into truly ORGANIC plastic, which cannot pollute oceans rivers or children. WE should lean into making this happen – but where? How? We need to optimize our space to make sure our facility can be part of the solution to this and other waste hazards.*
 - *Continue to lead the way for California on solid waste, diversion and resource recovery programs and laws.*
 - *Continue to deliver and improve our best-in-class interactive educational center for our community’s future generations*
 - *As we all know as Elected’s, we can only do big things if we are in alignment. So another goal of this enterprise will be to ensure clear alignment amongst staff, member agencies, Board Members and program partners and agency resources to address these points. Speak up! And let’s get to work!*
 - *Create a world-class operational facility with a best-in-class engaging, interactive educational center for our community’s future generations*
-

References:

MRF Comparison Study: <https://resource-recycling.com/recycling/2018/10/01/sortation-by-the-numbers/#:~:text=MRF%20plants%20vary%20widely%20in%20size&text=First%2C%20the%20majority%20of%20MRFs,being%20over%20200%2C000%20square%20feet.>

Income: <https://housing.smcgov.org/sites/housing.smcgov.org/files/2021%20Income%20Limits%20revised%20042721.pdf>

Cost Burdened Households in San Mateo County: https://1p08d91kd0c03rlxhmhtydpr-wpengine.netdna-ssl.com/wp-content/uploads/2020/06/San_Mateo_Housing_Needs_Report_2020-HNR.pdf

EPA Survey of Landfills and Landfill Gases by State: <https://www.saveonenergy.com/land-of-waste/#:~:text=That's%20a%20Ton%20of%20Trash&text=Idaho%2C%20North%20Dakota%2C%20and%20Connecticut,of%20landfill%20garbage%20per%20person.>

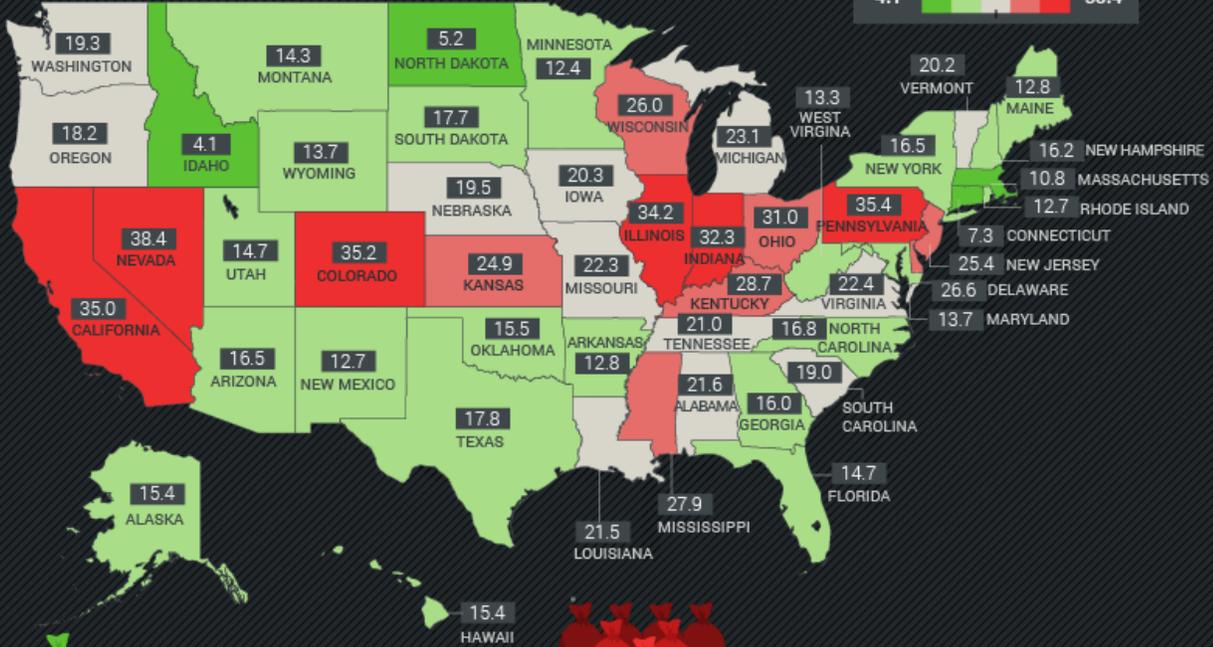
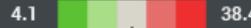
EDUCATIONAL ATTAINMENT IN SMC: <https://www.towncharts.com/California/Education/San-Mateo-County-CA-Education-data.html>

SMC SECOND WEALTHIEST COUNTY IN USA: https://en.wikipedia.org/wiki/List_of_highest-income_counties_in_the_United_States

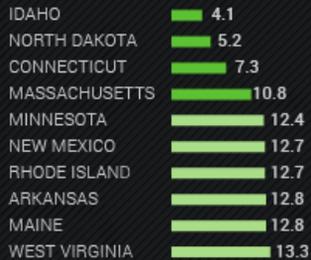
HOW MUCH TRASH IS THERE?

TONS OF TRASH IN LANDFILLS PER PERSON, BY STATE

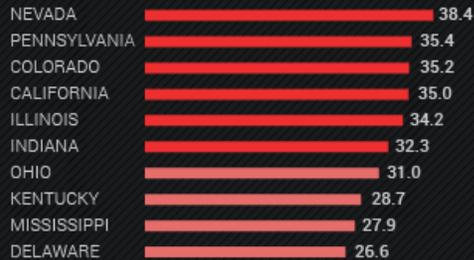
TONS OF TRASH PER PERSON



STATES WITH FEWEST TONS OF WASTE PER PERSON



STATES WITH HIGHEST TONS OF WASTE PER PERSON



Source: <https://www3.epa.gov/lmop/projects-candidates/>



STATES THAT GENERATE THE LEAST LANDFILL GAS



STATES THAT GENERATE THE MOST LANDFILL GAS



Source: <https://www3.epa.gov/lmop/projects-candidates/>



STAFF REPORT

To: SBWMA Board Members
From: John Mangini, Senior Finance Manager
Date: April 28, 2022 Board of Directors Meeting
Subject: Approval of Quarterly Investment Report for the Quarter Ended December 31, 2021

Recommendation

It is recommended that the SBWMA Board review and accept the Quarterly Investment Report.

Analysis

The primary objective of the Investment Policy for the SBWMA is safety of principal, while meeting the cash flow needs of the Authority, through prudent investment of unexpended cash. As of December 31, 2021, the investment portfolio was compliant with the Investment Policy. The portfolio contains sufficient liquidity to meet the next six months of expected expenditures by the Authority as well as by other third parties.

Fiscal Impact

The attached Investment Portfolio Summary indicates that as of December 31, 2021, funds in the amount of \$34,361,601 were invested, producing a weighted average yield of 0.33%.

Below is a summary of the changes from the last quarter.

	Qtr Ended 9/30/21*	Qtr Ended 12/31/21	Increase (Decrease)
Total Portfolio	\$ 33,830,362	\$ 34,361,601	\$ 531,239
Weighted Average Return	0.32%	0.33%	0.01%
Interest/Dividends Earnings	\$ 27,279	\$ 30,001	\$ 2,722

*9/30/21 amount was re-stated to remove escrow funds that were paid by Town of Atherton

The total quarter-end portfolio balance increased by \$531,239 when compared with the previous quarter. The increase was primarily due to a transfer into LAIF of \$2,000,000 from the operating bank account at Wells Fargo and investment earnings, partially offset by a drawdown of project funds of \$1.5 million. Total interest and dividend earnings were slightly higher than the previous quarter, due to the increased investment balance and a slightly higher average return.

A table comparison of the portfolio components is provided below:

	9/30/2021 Balance	% of Total	12/31/2021 Balance	% of Total	Change over Prior Quarter
SM County Pool	\$ 9,494,426	28.1%	\$ 9,518,081	27.7%	\$ 23,655
LAIF	10,375,190	30.7%	12,381,550	36.0%	2,006,360
Bond Accounts	13,960,746	41.3%	12,461,970	36.3%	(1,498,776)
Total Portfolio	\$ 33,830,362	100.0%	\$ 34,361,601	100.0%	\$ 531,239

Note: There may be minor differences in totals as individual amounts are rounded

Due to arbitrage restrictions, bond investments are not included in our Local Agency Investment Fund (LAIF) rate or investment pool comparison. As of December 31, 2021, the bond cost of issuance and project accounts of approximately \$12.5 million were invested with the trustee in cash and short-term investments

As of December 31, 2021, investment in the County Investment Pool totaled 43.5% of SBWMA's funds available for investment pools (see Attachment 1), while the investment in LAIF totaled 56.5%. These percentages are within the range specified by the SBWMA Board.

The weighted average yield of the portfolio in the quarter excluding the bond proceeds was .51%. LAIF is used as a benchmark and the average LAIF yield for the quarter ending December 31, 2021, was 0.23%, down from 0.24% the prior quarter. The San Mateo County Pool average yield for the quarter was 0.86%, down from 0.91% the prior quarter.

Derek Rampone, the Financial Services Manager of the City of Redwood City, has reviewed this report before presentation to the Board.

Attachments

- A. Summary of All Investments for Quarter Ending December 31, 2021
- B. Investment Portfolio 12/31/2021 - Chart
- C. Historical Summary of Investment Portfolio

SOUTH BAYSIDE WASTE MANAGEMENT AUTHORITY

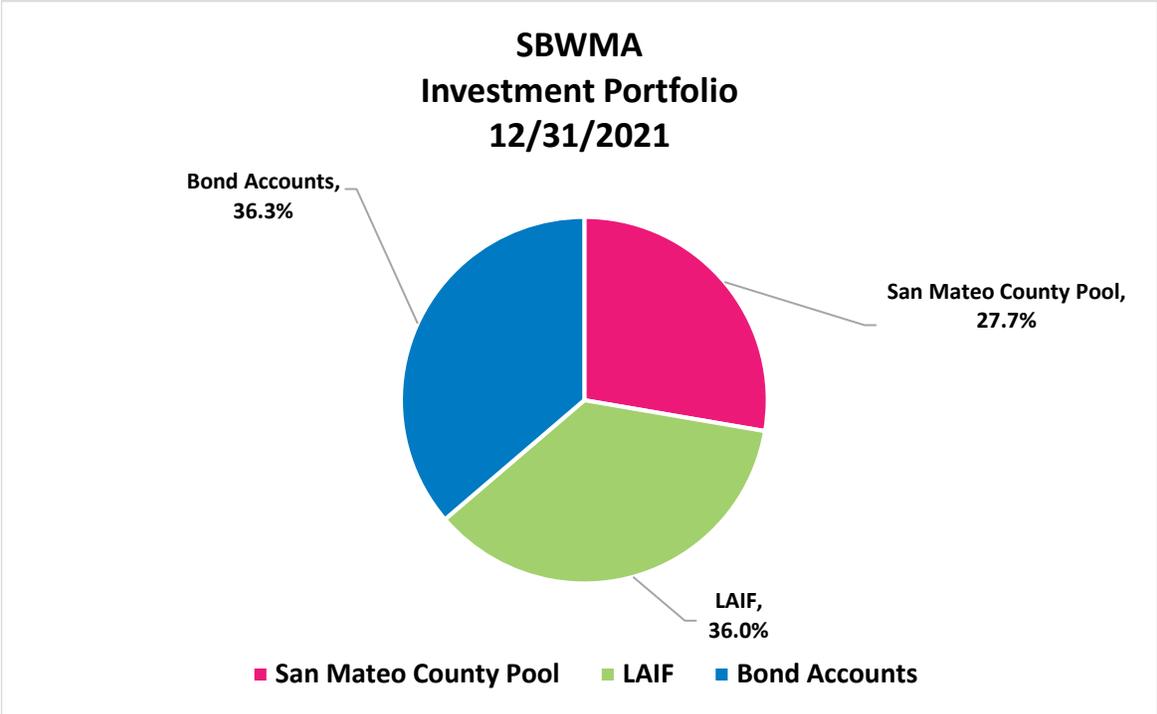
SUMMARY OF ALL INVESTMENTS
For Quarter Ending December 31, 2021

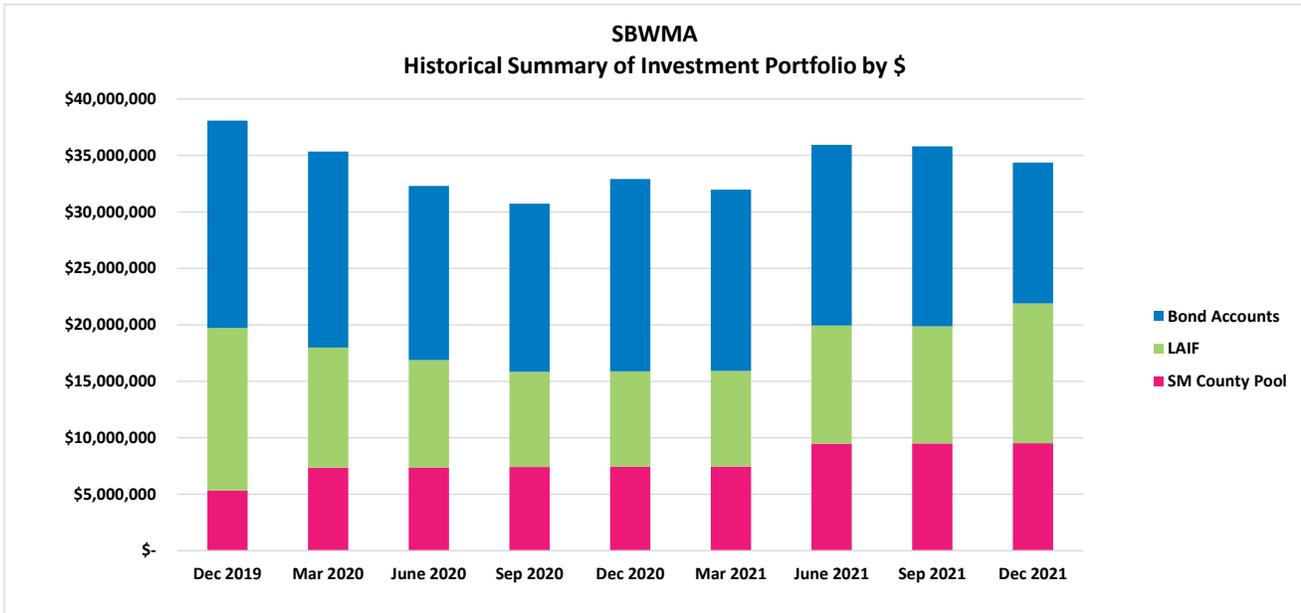
Category	Rate of Return	Historical Cost	% of Portfolio	Market Value*	Interest/Dividend Earned
Liquid Investments:					
San Mateo County Investment Pool (COPOOL)	0.86%	\$ 9,518,081	43.5%	\$ 9,474,657	\$ 23,655
Local Agency Investment Fund (LAIF)	0.23%	12,381,550	56.5%	\$ 12,349,842	6,002
	Weighted Average				
Total - Investments	0.51%	21,899,631	100.0%	21,824,499	29,657
	Rate of Return				
Bond Accounts - Cash with Fiscal Agents					
BNY - 2009A Reserve Fund	0.00%	-		-	-
BNY - 2009A Payment Fund	0.00%	-		-	-
BNY - 2019AB Payment Fund	0.02%	41		41	-
BNY - 2019AB Refunding Costs Fund	0.00%	1		1	-
BNY - 2019AB Refunding Project Fund	0.03%	12,461,928		12,461,928	344
Total - Bond Accounts	0.03%	12,461,970		12,461,970	344
	Weighted Average				
GRAND TOTAL OF PORTFOLIO	0.33%	\$ 34,361,601		\$ 34,286,469	\$ 30,001
Total Interest/Dividend Earned This Quarter					30,001
Total Interest/Dividend Earned Fiscal Year-to-Date					117,588

Note: SBWMA Board approved the following investment mix at its January 22, 2015 meeting:

LAIF - 50% to 70%
COPOOL - 30% to 50%

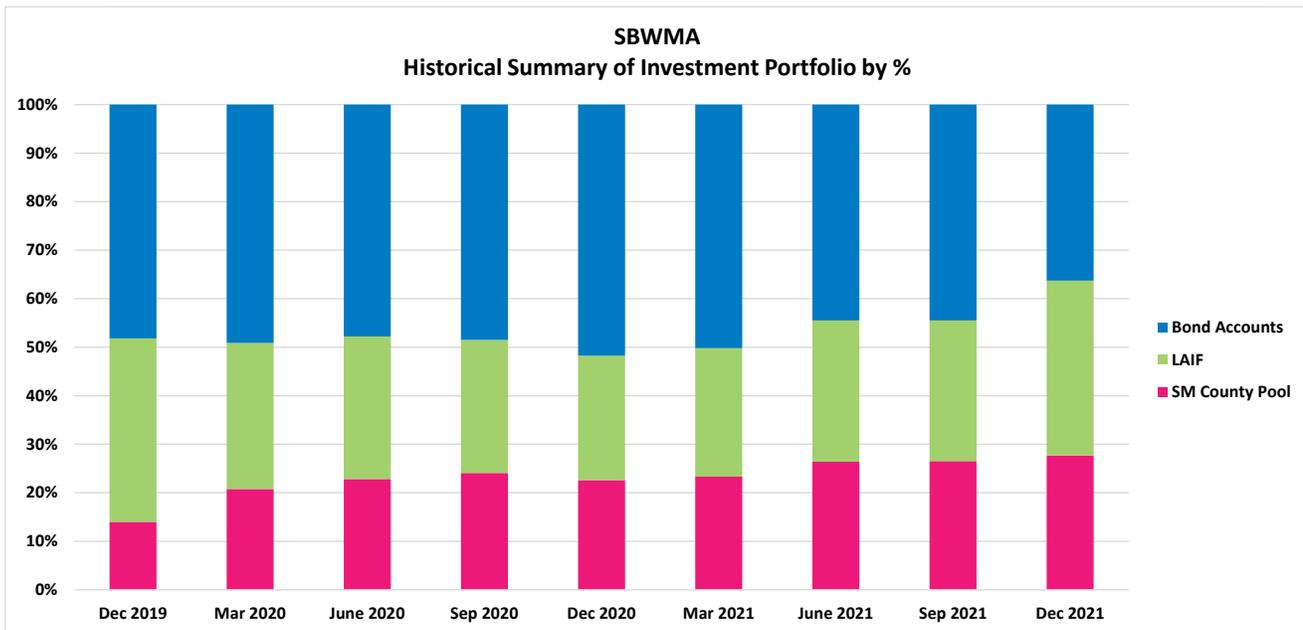
*Difference in value between Historical Cost and Market Value may be due to timing of purchase. Investments in the investment pools may have been purchased when interest rates were lower or higher than the end date of this report. As interest rates increase or decrease, the value of the investment pools will decrease or increase accordingly. However, interest rate fluctuations do not have any impact to SBWMA's balance in the investment pools (other than interest earnings). The market values are presented as a reference only and are used for accounting purposes.





South Bayside Waste Management Authority Portfolio

	Dec 2019	Mar 2020	June 2020	Sep 2020	Dec 2020	Mar 2021	June 2021	Sep 2021	Dec 2021
SM County Pool	5,321,963	7,347,186	7,374,118	7,403,715	7,432,906	7,454,664	9,474,545	9,494,426	9,518,081
LAIF	14,412,065	10,630,374	9,491,582	8,426,617	8,445,144	8,458,497	10,467,738	10,375,190	12,381,550
Bond Accounts	18,354,509	17,358,643	15,432,152	14,895,200	17,022,676	16,048,067	16,000,448	15,928,708	12,461,970
Grand Total	\$ 38,088,537	\$ 35,336,203	\$ 32,297,852	\$ 30,725,532	\$ 32,900,726	\$ 31,961,228	\$ 35,942,731	\$ 35,798,324	\$ 34,361,601



	Dec 2019	Mar 2020	June 2020	Sep 2020	Dec 2020	Mar 2021	June 2021	Sep 2021	Dec 2021
SM County Pool	14.0%	20.8%	22.8%	24.1%	22.6%	23.3%	26.4%	26.5%	27.7%
LAIF	37.8%	30.1%	29.4%	27.4%	25.7%	26.5%	29.1%	29.0%	36.0%
Bond Accounts	48.2%	49.1%	47.8%	48.5%	51.7%	50.2%	44.5%	44.5%	36.3%
Grand Total	100.0%								

STAFF REPORT

To: SBWMA Board of Directors
From: Jean Savaree, General Counsel
Date: April 28, 2022 Board of Directors Meeting
Subject: RESOLUTION DIRECTING THAT ALL MEETINGS OF THE SBWMA BOARD OF DIRECTORS, TECHNICAL ADVISORY COMMITTEE, AND ALL BOARD-APPOINTED SUBCOMMITTEES CONTINUE TO BE HELD VIA TELECONFERENCE PURSUANT TO CALIFORNIA GOVERNMENT CODE SECTION 54953(e)

Recommendation

It is recommended that the SBWMA Board of Directors adopt the attached resolution, making the findings required under AB 361 (California Government Code Section 54953) to continue holding public meetings of the Board, Technical Advisory Committee (TAC) and all subcommittees of the Board via teleconference/Zoom videoconference to allow members of those bodies, staff, and the public to attend meetings remotely.

Background and Discussion

On October 21, 2021, November 18, 2021, January 27, 2022, and February 24, 2022, the SBWMA Board of Directors approved resolutions that made the findings required to continue SBWMA's practice of holding public meetings by Zoom videoconference. Specifically, those resolutions found that:

- 1) the declared state of emergency in response to the COVID-19 pandemic remained in effect;
- 2) State or local officials have imposed or recommended measures to promote social distancing; and
- 3) meeting in person would present imminent risks to the health and safety of attendees.

Pursuant to AB 361, the Board's findings and authorization to continue meeting remotely cannot remain effective for more than thirty (30) days. As such, the Board must reconsider its determination at each of its meetings to reauthorize remote meetings until the Board no longer believes remote meetings are necessary.

The attached resolution makes similar findings to those made by the Board on February 24, 2022. Staff believes that these findings can and should be made by the Board, due to the ongoing threat of COVID-19 transmission.

On February 9, 2022, the San Mateo County Health Officer, in conjunction with health officers from the other Bay Area counties, announced that he would align the County with the State's masking requirements. While the State subsequently lifted its indoor masking requirements for vaccinated people on February 16, 2022, and for unvaccinated people on March 1, 2022, the California Department of Public Health (CDPH) continues to strongly recommend that all persons, regardless of vaccination status, continue indoor masking.

The San Mateo County Health Officer made a similar recommendation when announcing the County's alignment with the State. Specifically, County Health noted that "[c]ontinuing to mask in indoor public settings, especially crowded or poorly ventilated spaces, remains the safest choice for an individual and protects those who are

medically vulnerable or are not able to get vaccinated, like our youngest children.” Further, the County recommended that “[p]eople should continue to choose layered prevention strategies, such as wearing well-fitted masks (N95 or double layer cloth over surgical are best); staying home and testing when symptomatic; testing before gatherings; and improving indoor ventilation in situations where these strategies can add protection for themselves and others.”

Continuing to hold remote meetings is one of the least disruptive methods the Board can utilize to protect against the ongoing threat of COVID-19 transmission. COVID-19 spreads easily and quickly through airborne droplets, particularly when indoors. While face coverings, testing, and ventilating indoor spaces can reduce transmission, they cannot eliminate the threat. Conducting meetings remotely allows attendees to fully participate in each meeting without requiring that they gather in the same indoor space. Further, it allows members of public, staff, and members of the Board, TAC, or Board subcommittee to participate in meetings even if they have been exposed to COVID-19 or are experiencing symptoms of COVID-19.

Conclusion

As the California state of emergency in response to COVID-19 remains effective and because the California Department of Public Health and San Mateo County Health Officer recommend face coverings for everyone in indoor public locations, staff believes that the Board can make the findings required under AB 361 to continue meeting remotely by videoconference.

If the Board approves the attached resolution, the Board, TAC, and all Board subcommittees will continue to hold meetings by Zoom videoconference. Because the Board must reconsider and reaffirm this action at least every 30 days, similar resolutions will appear on each of the Board’s agendas until the Board can no longer make the findings required to continue meeting remotely.

Attachments:

Resolution 2022-18



RESOLUTION NO. 2022-18

RESOLUTION DIRECTING THAT ALL MEETINGS OF THE SBWMA BOARD OF DIRECTORS, TECHNICAL ADVISORY COMMITTEE, AND ALL BOARD-APPOINTED SUBCOMMITTEES CONTINUE TO BE HELD VIA TELECONFERENCE PURSUANT TO CALIFORNIA GOVERNMENT CODE SECTION 54953(e)

WHEREAS, on March 4, 2020, the Governor declared a state of emergency in response to the COVID-19 pandemic and California remains in a declared state of emergency; and

WHEREAS, on March 17, 2020, the Governor issued Executive Order N-29-20, temporarily suspending certain provisions of the Ralph M. Brown Act to allow local agencies to hold public meetings teleconference; and

WHEREAS, through subsequent Executive Orders, local agencies were able to continue holding public meetings by teleconference through September 30, 2021; and

WHEREAS, on an emergency basis, on September 16, 2021, the State adopted AB 361, codified at California Government Code Section 54953, which allows local agencies to continue meeting by teleconference under certain circumstances and after making certain findings; and

WHEREAS, the South Bayside Waste Management Authority (SBWMA) Board of Directors, Technical Advisory Committee (TAC), and all Board-appointed subcommittees have met by videoconference since March 2020 and found it to be an effective method of receiving public input, holding deliberations, and conducting the general business of the SBWMA; and

WHEREAS, remote meetings held by videoconference, which also allow attendees to participate by telephone, allow attendees of the meetings to avoid the risk of potential COVID-19 exposure and allows those that may have been exposed or experiencing symptoms of COVID-19 to participate in meetings without posing a threat to other attendees; and

WHEREAS, the California Department of Public Health (CDPH) and San Mateo County Health Officer lifted their respective indoor mask requirements on February 16, 2022, but still "strongly recommend" that people wear masks when in indoor public settings; and

WHEREAS, the San Mateo County Health Officer continues to recommend additional strategies to prevent transmission of the COVID-19 virus, including staying home and testing when symptomatic, testing before gatherings, and improving indoor ventilation; and

WHEREAS, on October 21, 2021, the Board of Directors considered the imminent risk to the health and safety of attendees at in-person meetings and the distancing measures required and recommended by Federal, State, and local health officials; and

WHEREAS, after such consideration, the Board directed by resolution adopted on October 21, 2021 that all meetings of the Board of Directors, TAC, and all Board-appointed subcommittees would continue to be held by videoconference; and

WHEREAS, the Board of Directors reconsidered its direction to continue meeting by videoconference on November 18, 2021, January 27, 2022, and February 24, 2022, and each time directed by resolution that meetings continue to be held by videoconference; and

WHEREAS, the Board of Directors has reconsidered this action again and finds that meeting by videoconference continues to be necessary due to the ongoing threat of COVID-19.

NOW, THEREFORE, BE IT RESOLVED, that the SBWMA Board of Directors does find and declare as follows:

1. Since March 4, 2020, and continuing through the date of this Resolution, there has been a declared state of emergency in California in response to the COVID-19 pandemic; and
2. The California Department of Public Health and San Mateo County Health Officer continue to recommend face coverings be worn in indoor public settings as a social distancing measure; and
3. The California Department of Public Health and San Mateo County Health Officer continue to recommend that people take measures to prevent the transmission of COVID-19, particularly when gathering in indoor public settings; and
4. Holding meetings in person creates an imminent risk to the health and safety of attendees because COVID-19 spreads particularly quickly during indoor public gatherings; and
5. Holding remote meetings by videoconference/teleconference will prevent the possibility of COVID-19 transmission during those meetings and allow those who are at-risk or potentially suffering COVID-19 symptoms to participate in meetings without physically attending.

NOW, THEREFORE BE IT FURTHER RESOLVED, that the SBWMA Board of Directors directs that the Board, TAC, and all Board-appointed subcommittees shall hold meetings remotely by videoconference/teleconference for at least the next thirty days, at which time, or as soon thereafter as the Board shall meet, the Board will review whether this action remains necessary to protect the health and safety of meeting attendees. Any public comment period at any such meeting shall allow comments from members of the public attending remotely in the same form and fashion as would be taken during an in-person meeting. If at any time during any such meeting the ability to broadcast the meeting and accept public comments from remote attendees is disrupted, the body holding the meeting shall recess until the disruption is resolved or continue the meeting to a later date when videoconference/teleconference participation can be restored.

PASSED AND ADOPTED by the Board of Directors of the South Bayside Waste Management Authority, County of San Mateo, State of California on the 28th day of April 2022, by the following vote:

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

I HEREBY CERTIFY that the foregoing Resolution No. 2022-18 was duly and regularly adopted at a meeting of the South Bayside Waste Management Authority on April 28, 2022.

Alicia Aguirre, Chairperson of SBWMA

ATTEST:

Cyndi Urman, Board Secretary

STAFF REPORT

To: SBWMA Board Members
From: Tj Carter, Program Manager II, Recycling and Compliance
Date: April 28, 2022 Board of Directors Meeting
Subject: Resolution Approving a Second Contract Amendment in the amount of \$25,000 with HF&H Consulting, LLC for Senate Bill (SB) 1383 Planning and Implementation Services

Recommendation

It is recommended that the SBWMA Board of Directors approve Resolution No. 2022-19 attached hereto authorizing the approval of a contract amendment in the amount of \$25,000 with HF&H Consulting, LLC for continued Senate Bill 1383 planning and implementation services.

Summary

The second contract amendment is needed due to increased support for "Task 1: SB 1383 Planning and Implementation" of the Scope of Work. Given continued challenges implementing SB 1383 with Recology San Mateo County (Recology), additional staff time is needed by HF&H Consulting, LLC (HF&H) for evaluation and technical assistance to ensure Recology meets the expectations of the Franchise Agreement and the compliance requirements of SB 1383 on behalf of Member Agencies. Additionally, more technical assistance is needed to support Member Agencies with planning for the substantial annual recovered organic materials targets required by SB 1383.

It should be noted that Staff and HFH Consultants both spent significant extra time working with Recology management in the hopes of securing an agreement to secure mandated additional services, including:

- Waiver program management
- Container auditing; and
- Commercial and multifamily dwelling solicitation (of non-participating food scraps/organics accounts)

Unfortunately, the two parties were not able to come to a viable agreement of terms for this scope of work. Therefore, additional unplanned Staff and HFH Consulting staff's time was incurred in preparing and executing an RFP for these services. As a result of this solicitation, SCS Engineers has been awarded a two-year contract for this work.

The second contract amendment will increase HF&H's contract budget of \$79,500 by \$25,000 for a total dollar value of \$104,500 and extend the contract terms from April 30, 2022 to December 31, 2022 to account for the longer timeline needed to implement these services.

Analysis

Mandated Collections Contractor (Recology)—Program Engagement & Oversight

Continued and substantial effort is needed to work with Recology to subscribe customers required to have organic materials collection services by SB 1383, as well as other recycling regulations including AB 341 and AB 1826. There has been a continued need for consultant technical assistance and evaluation to ensure Recology meets the operational expectations of the approved franchise agreement to limit Member Agencies from exposure to penalties of non-compliance from CalRecycle. Recology rejected cost proposals from the SBWMA to account for changes with SB 1383 and opted to keep the existing terms of the franchise agreement. The SBWMA has requested Recology provide an SB 1383 implementation plan to explain how they plan to operationally account for the increased subscription of organics and recycling, as well as ensure Bulky Item Collection and drop box colors meet SB 1383 standards. The SBWMA will require assistance from HF&H for review and assessment Recology's plans. The SBWMA is taking diligent steps to maintain compliance for Member Agencies of SB 1383 regulations and manage cost implications for ratepayers.

Recovered Organic Materials Procurement Planning Assistance

SB 1383 regulations requires cities and counties to procure annually a quantity of recovered organic waste products to meet their annual recovered organic waste product procurement target ("annual procurement target"). CalRecycle has assigned an annual procurement target to each jurisdiction based on its population. Jurisdictions can fulfill their annual procurement target by procuring any combination of compost, mulch, or renewable energy from anaerobic digestion or biomass conversion.

It is estimated the SBWMA jurisdictions, except West Bay Sanitary District (special districts are excluded from this requirement), needs to procure 17,802+ tons of compost annually to meet the SB 1383 targets. State-wide, many jurisdictions, including the SBWMA, have asked CalRecycle for relief of this requirement. Recovered organic material procurement is a substantial barrier to complying with SB 1383. Approval of the second contract amendment with HF&H would allow SBWMA to engage HF&H further in procurement planning on behalf of Member Agencies and develop specific planning-level guidance to Member Agencies on meeting their individual targets.

Other SB 1338-Related Technical Assistance

The SBWMA is also focused on several other compliance initiatives to ensure compliance with SB 1383 for its Member Agencies and for the Shoreway Environmental Center (SEC) including, but not limited to: ensuring that SB 1383 facility sampling requirements are performed at the SEC; having its compost processors meet certain performance standards; implementing record keeping and reporting requirements; estimating organics processing capacity needs; responding to various CalRecycle inquiries; and more. HF&H will provide planning and/or implementation support as needed to support the SBWMA staff with these activities.

Timeline

The timeline extension of the contract would allow the SBWMA to work with HF&H through the end of FY2022. By December 2022, the SBWMA is expected to have a robust SB 1383 program in place by targeting and engaging nearly half of the 7,500 non-compliant generators through receiving new organics service from Recology or receiving a waiver. The timeline would also allow SBWMA staff to engage HF&H throughout the first year of recovered organic material procurement requirements and other SB 1383-program related requirements.

Task 1 Services Performed to Date

Through this contract, HF&H has provided the following services under Task 1:

- Provided SB 1383 guidance to the SBWMA through regular meetings with staff

- Defined SB 1383-compliant materials sampling requirements for the SEC and engaged to CalRecycle to secure confirmation of the sampling approach
- Prepared an Excel-based list of SBWMA SB 1383 compliance plan action items and updated the action items to reflect status of tasks
- Reviewed and commented on numerous SB 1383-related letters and agreements
 - Memorandum of Understanding between the SBWMA and Member Agencies
 - SB 1383 Mandatory Ordinance
 - SB 138 compliance letters to processing facilities
 - Procurement survey for Member Agencies
 - Organics-to-energy SB 1383 alternative sampling plan
 - Scope of work for SB 1383 technical assistance consultant

Background

The SBWMA previously engaged HF&H to prepare an SB 1383 Compliance Plan, which was approved by the Board of Directors in November 2020. The SBWMA then hired HF&H in April 2021 to assist in several SB 1383 planning and implementation tasks. Those tasks included planning outreach and education, contamination monitoring, reporting, and other activities to ensure the SBWMA's Member Agencies are in compliance with SB 1383 regulations, along with refining estimates of SB 1383 Performance and Standard Approach compliance that account for new information pertaining to the SBWMA's Organics-to-Energy (O2E) Pilot Project, and negotiating SB 1383-related program and reporting changes to the Recology Franchise Agreement.

In July 2022, the SBWMA Board of Directors approved a \$30,000 contract amendment for the additional staff time needed to support and evaluate the franchise agreement amendment negotiations with Recology for SB 1383 services not covered by the existing Franchise Agreement. This action was known as Amendment Two. After extensive meetings and evaluation of cost proposals, the SBWMA could not reach agreement with Recology. The level of cost proposed and the approach to compensation requested by Recology would have resulted in substantially greater impact to ratepayers than staff and consultants believed were necessary and appropriate, given the scope.

Fiscal Impact

The adopted FY 2022 budget includes \$1,043,022 (see line 65) for SB 1383 compliance program implementation. It has funding available for the additional \$25,000 contract amendment as a part of the \$150,000 for Technical Assistance (expense worksheet line item 60).

Attachments:

Resolution 2022-19

Exhibit A – Second Amendment to the Agreement for Professional Services between the South Bayside Waste Management Authority and HF&H Consultants, LLC



RESOLUTION NO. 2022-19

RESOLUTION OF THE SOUTH BAYSIDE WASTE MANAGEMENT AUTHORITY BOARD OF DIRECTORS APPROVING A SECOND CONTRACT AMENDMENT IN THE AMOUNT OF \$25,000 WITH HF&H CONSULTING, LLC FOR SB 1383 PLANNING AND IMPLEMENTATION SERVICES

WHEREAS, the State of California passed SB 1383 (Chapter 395, Statutes of 1383), which required the California Department of Resources Recycling and Recovery (CalRecycle) to adopt regulations to reduce organic waste by 50 percent from its 2014 baseline level by 2020 and 75 percent by 2025; and

WHEREAS, CalRecycle has finalized regulations and revised Chapter 12 (Short-lived Climate Pollutants) of Division 7 of Title 14 of the California Code of Regulations (“SB 1383 Regulations”); and

WHEREAS, The South Bayside Waste Management Agency (SBWMA) hired HF&H Consulting, LLC for SB 1383 planning and implementation services; and

WHEREAS, the SBWMA Board of Directors approved a first contract amendment of \$30,000 for addition staff time needed for participation in meetings with SBWMA and Recology, and evaluation of Recology’s proposed cost for SB 1383 services;

WHEREAS, the SBWMA and HF&H have determined that expansion of HF&H’s scope of work is needed due to increased support needed for Task 1: SB 1383 Planning and Implementation for technical assistance and guidance as the SBWMA proceeds with its SB1383 implementation efforts with Recology and planning for recovered organic materials procurement; and

NOW, THEREFORE BE IT RESOLVED that the South Bayside Waste Management Authority hereby approves a second contract amendment in the amount of \$25,000 with HF&H Consulting, LLC, resulting in a total contract amount of \$104,500.

PASSED AND ADOPTED by the Board of Directors of the South Bayside Waste Management Authority, County of San Mateo, State of California on the 28th day of April, 2022, by the following vote:

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

I HEREBY CERTIFY that the foregoing Resolution No. 2022-19 was duly and regularly adopted at a regular meeting of the South Bayside Waste Management Authority on April 28, 2022.

ATTEST:

Alicia Aguirre, Chairperson of SBWMA

Cyndi Urman, Clerk of the Board

EXHIBIT A TO SECOND AMENDMENT

SCOPE OF WORK, WORK SCHEDULE, AND FEE SCHEDULE FOR

SB1383 PLANNING, IMPLEMENTATION AND FRANCHISE AMENDMENT SERVICES

SUMMARY

The SBWMA sought HF&H's assistance in planning and implementation activities surrounding the Agency's CA Senate Bill 1383 (SB1383) Compliance Plan including provision of planning and implementation support and negotiations assistance related to amending the Recology Franchise Agreement.

The SBWMA and Consultant have determined that the scope of work needs to be revised due to increased support needed for Task 1: SB 1383 Planning and Implementation. Additional staff time is needed by Consultant to support various SB 1383-related planning and implementation services and to provide on-going guidance to SBWMA staff as the SBWMA proceeds with its SB1383 implementation efforts. The contract amount shall be increased for a not to exceed amount of \$25,000.00, resulting in a revised combined total of compensation and reimbursement of costs payable hereunder not to exceed \$104,500.00.