



MINUTES

SOUTH BAYSIDE WASTE MANAGEMENT AUTHORITY
 MEETING OF THE TECHNICAL ADVISORY COMMITTEE
 March 9, 2023, 3PM.

Silicon Valley Clean Water, 1400 Radio Road, Redwood Shores CA 94065

Teleconference Location: Belmont City Hall, 1 Twin Pines Lane, Belmont, CA 94402

Teleconference Location: 1021 El Dorado, Vallejo, CA 94590

Call to Order: 3:07PM

1. Roll Call

Agency	Present	Absent	Agency	Present	Absent
Belmont	X	X (4:01PM)	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				

Member Ramirez announced that he would use one of his two emergency exemptions to attend virtually due to the storm.

All members present voted in favor to allow Member Ramirez to attend virtually.

2. Public Comment

Persons wishing to address the Board on matters NOT on the posted agenda may do so.

Each speaker is limited to two minutes. If there are more than five individuals wishing to speak during public comment, the Chairman will draw five speaker cards from those submitted to speak during this time. The balance of the Public Comment speakers will be called upon at the end of the Board Meeting.

If the item you are speaking on is not listed on the agenda, please be advised that the Board may briefly respond to statements made or questions posed as allowed under The Brown Act (Government Code Section 54954.2). The Board's general policy is to refer items to staff for attention, or have a matter placed on a future Board agenda for a more comprehensive action or report and formal public discussion and input at that time.

None

3. Executive Director's Report

Executive Director La Mariana welcomed everyone to the meeting and gave the following updates:

- At the April Board meeting there will be an update on the costs of the storm damage and the restoration activities that fall into three categories: 1) restoration of 225 Shoreway Road, the Recology Admin building that was flooded during the January storms; 2) repair and replacement work on the

damaged tunnel pumps; and 3) increased transportation and overtime costs due to the sink hole that formed on Highway 92.

- The 2023 Shred and eWaste event calendar is posted on the RethinkWaste website.
- April 29 will be Earth Day at Shoreway which will be an in-person event. There will be a clothing and puzzle swap and the event will focus on reuse.
- The RethinkWaste administrative team will need to move by June 30, 2024, so he is looking into options that the Board will likely discuss in closed session in April.
- The Operations transition between SBR and SBI is going smoothly.
- With all of the repair work going on at Shoreway staff are being proactive and taking the opportunity to do a LED lighting retrofit.
- The solar panels that were installed in 2012 are part of a Power Purchase Agreement, and at the cost of this agreement they are being replaced over a 5-week period in March/April.

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 TAC, 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 September 8, 2022, TAC Meeting

Motion/Second: Cooke/Lee

Roll Call Vote: 6-0-1-4

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. Staff Update and Review of Recology San Mateo Senate Bill (SB) 1383 Cost Proposal

Executive Director La Mariana gave an update on the process being discussed today, but noted that it didn't include the details of the proposal.

Staff Carter gave an overview of the staff report, and background of why there is a need to have this discussion with the TAC. He noted that on the residential side there is healthy 3-bin system in place, so the focus has been on commercial and multi-family accounts. About 7,500 accounts were identified as needing to be brought into compliance and as of now about 1,500 have been subscribed. He gave the history of the work the Agency has done on behalf of the Member Agencies to help the Member Agencies comply with SB 1383, and how to approach long term considerations for complying with SB 1383. Which is why staff worked with Recology to set up a strategy on compliance that led to this proposal. He then went over the timeline to execute a Franchise Agreement recommendation at the SBWMA Board level, followed by Member Agencies then amending their franchise agreements via amendment 2.

Executive Director La Mariana noted that the current proposal from Recology is very much in alignment with what staff was expecting to see. There was a proposal about a year and half ago that was not in alignment with cost expectations which stopped the discussion and prompted staff to engage in the work with SCS Engineers, but staff had always envisioned a long-term scenario with Recology because they are a core part

of the mandated requirements. The costs come in two categories: one, expand the Waste Zero Specialists, because this program is really labor intensive; and two, a step up in collection operations due to increased tons. He noted that after the timeline with approval of the Franchise Agreement amendment Staff Carter mentioned these costs would be tucked into the annual contractor's compensation review process annually and get institutionalized.

Member Johnson asked what the shift was from the last proposal that makes it more acceptable to staff.

Executive Director La Mariana answered that the previous proposal which staff received from Recology was much larger from a cost standpoint and due to that staff never got to a point where it was brought forward for consideration. This proposal is much more in alignment with expectations and is appropriately and thoughtfully constructed.

Member Johnson commented that he has been impressed with the work Recology's waste zero team has done with him for the City of San Mateo and thought it was a wise move to continue down this path for moving forward with these services.

Member Mello asked if the SCS contract that has been providing these services for two years was paid for via raising rates.

Executive Director La Mariana answered that the \$685K that has been included in the RethinkWaste budget for the last two years and therefore is included in rates. Costs that have been going to the SCS contract is going to remain, because those back office tasks will just shift to Recology. What is new is on the operations side and the increase in costs will come with increase in labor, those costs will be captured in the annual compensation process.

Chair Lorenz commented that with the new tons there will be new accounts that have signed up and will be paying rates that will help offset the costs.

Executive Director La Mariana answered yes there will be new revenue in addition to new costs, but staff doesn't believe it will completely offset the costs because some of the Member Agencies offer a subsidy discount for compost services.

Chair Lorenz added that it may be time for the Member Agencies to discuss no longer offering a subsidy since SB 1383 requires composting service. Maybe Member Agencies don't need to offer incentives for participation through discounts.

Chair Lorenz then added that she would be interested in having a conversation around whether this can be done without a Franchise Agreement amendment. She didn't think there needed to be a franchise agreement to add service.

Executive Director La Mariana noted that Recology would be making a rather large investment in capital to add these collection routes, and he thought an amendment would protect their interests. He also noted that the operational changes wouldn't require an amendment but the administrative services would.

The committee discussed the possibility of a pilot for a year before amending the agreement, and many commented that avoiding a Franchise agreement amendment would be ideal.

Evan Boyd General Manger of Recology noted that this doesn't necessarily need an amendment from a service perspective, but the proposal for the administrative portion - the additional staffing, data analysis and reporting that were not contemplated in the original Franchise Agreement - may require an amendment. He also noted that he didn't think a pilot fit in because these requirements already exist. The reason there is currently a contractor is because these requirements already exist and Recology didn't have the resources under the current scope to complete those requirements. So, a pilot for administrative requirements that already exists doesn't make sense.

Member Clark asked if it had to be a Waste Zero Specialist position.

Evan Boyd answered that it may not, but the job requirements of the current Waste Zero Specialists tie to the SB 1383 requirements it's similar work, it will just move from a blitz approach to annual requirements.

Executive Director La Mariana added that there is a decision that needs to be made because the SCS contract was only for 2 years and expires at the end of 2023.

Member Mello asked if the SCS contract could be extended to allow for more time to figure out the operational impacts.

Staff Carter answered the reason the contract was set to end in 2023 is because there is a shift in 2024 to enforcement of SB 1383 regulations. So, there is a shift from getting customers signed up to become compliant to enforcing that compliance. Things like, informing MFD tenants about requirements within 14 days of moving in, is there proper signage, are restaurants compliant etc. So, if we were to just amend and extend the SCS contract we would not be fully compliant with SB 1383.

The committee discussion summarized that the goal is the have the complete package and cost impact rolled into the 2024 compensation application.

5. Update on SB 1383 Implementation

Staff Carter gave an update on SB 1383 implementation in 3 categories: record keeping, outreach and procurement.

Record Keeping – He reminded members of the requirements for record keeping, particularly the requirement for recycled content paper procurement which requires all paper products from paper to napkins to have at least 30% recycled content beginning Jan 1, 2022. All of those purchases need to be reported. He offered assistance to member agency staff of using the Recyclist database to track these product purchases. He also added that he has a list of 1383 compliant vendors that can provide recycled content paper products.

Chair Lorenz noted that if recycled content paper is more expensive the law allows for non-recycled paper purchases.

Outreach and Technical Assistance – This is one of the areas that SCS is assisting RethinkWaste with on behalf of all of the Member Agencies. He gave an update on the list of generators that were out of compliance. In 2022 SCS contacted 2,300 generators, there are still a lot to go, so that contact will continue through the beginning of this year. Then this summer the goal is to lay groundwork for enforcement, which is

up to each Member Agency. RethinkWaste will support Member Agencies, but enforcement is up to each Member Agency.

Member Cooke asked what cities are doing for enforcement, is it a code violation.

Staff Carter answered that in each member agency's 1383 ordinance it lays out the process for enforcement. Generally, there are three notices of violations that go out, and then member agency's go forward with a civil code violation.

Organics Procurement Targets – He noted that thanks to legislative efforts by RethinkWaste procurement targets are 30% this year. All member agencies are part of the Resource Conservation District's compost project, but that only gets Member Agencies part way to their regulatory targets. He is looking into ways for staff to help member agencies plan for procurement requirements as they ramp up.

The TAC members agreed they need all the help they can get to meet procurement requirements, as next year it's 65% and then in 2025 100% of procurement targets must be met.

Lastly Staff Carter noted RethinkWaste continues to do reporting on our Member Agencies' behalf, and that 1383 reporting has merged with EAR reporting, and right now there is an RFQ out for those reporting services.

7. Discussion on future meetings of the TAC

Counsel Savaree gave background information about the ability for public officials to attend meetings remotely during Covid, now that the emergency order has expired. She explained the three options for remote participation. The board has asked staff to look into additional location options for future meeting locations.

Executive Director added that the retreat will not be at Silicon Valley Clean Water, we will keep you posted on locations. And staff is looking for alternative meeting locations going forward.

Chair Lorenz asked why the TAC meeting has to be a Brown Act meeting.

Staff Urman answered that the Board has asked to have this discussion at the retreat about committees not being Brown Act meetings and just the Board being a Brown Act meeting. However, since that Board directed Counsel Savaree to meet with all the municipal attorneys in the County and the legal advice out of that meeting was that any committee appointed by an elected board has to meet in a Brown Act meeting.

Counsel Savaree added that San Carlos has asked someone in the state legislature to sponsor legislation to allow for changes, and her office will keep watching that, but until then this is the letter of the law.

8. Contractor Update

Recology Update – Evan Boyd gave the following updates to the committee.

- The restoration continues of 225 Shoreway - the Recology Admin building - that was damaged in the flooding on New Year's Day. He noted that they hope to have repairs completed and have staff back in the building by the end of April.

- He noted that December 26 to January 13 there was an EV pilot of a collection truck. There were a lot of good outcomes of the pilot, and the Recology drivers liked this Mack version better than previous pilots, but the technology isn't quite there yet. Only about 50% of a normal route was collected on a charge, and the price is currently double the cost of a current collection vehicle.
- Collection services have not been interrupted during all of the storms, there were no major service impacts, and they don't expect any with the current storms coming this week.

SBR Update – Phil Couche introduced himself and gave his background, he will be working as the General Manager of SBR for this year and helping to manage the transition. He gave the following updates.

- There was no significant delay with the highway 92 closure, operations were able to travel up and around Pacifica to keep material moving.
- SBR is currently 60% complete in transitioning to CARB compliant trucks per the new law and they expect to be finished by the end of March.
- They have completed the retrofit of the tunnel pumps, which failed during the first storms in January, but have been working in the subsequent storms, and they have diesel backups as well.
- Material coming into the MRF has been wet, so that has affected efficiency at the MRF, but the marketing team has been able to move the material, and we haven't had to store anything outside.
- SBR is currently renegotiating the contract with VRS and hope to have that completed by the end of the month for a contract through the end of the year.

Member Mello asked about the compost emissions requirements and how soon that infrastructure would need to be implemented.

Executive Director La Mariana answered that this discussion was put on the shelf during COVID, but we've been told it's coming, and it might be fast as the transition time might be quick. The Agency's lobbyist is keeping an eye on any changes for us.

9. TAC Member Comments

10. Adjourn 4:53PM