



A Public Agency

# SBWMA TECHNICAL ADVISORY COMMITTEE MEETING

THURSDAY August 10, 2023 at 2:00 to 4:00p.m.

San Mateo County Transit District Office  
1250 San Carlos Ave  
4th Floor Dining Room  
San Carlos, CA 94070

The public may observe/participate in Committee meetings using remote public comment options or attending in person. Committee members shall attend in person unless remote participation is permitted by law.

### TO ADDRESS THE COMMITTEE IN PERSON

Masking is not required but according to the California Department of Public Health guidelines, people at higher risk for severe illness should consider masking. To help maintain public health and safety, we respectfully request that people NOT attend in-person if they are experiencing symptoms associated with COVID-19 or are otherwise ill and likely contagious (e.g., respiratory illnesses).

To address the Committee on any item – whether on the posted agenda or not – please fill out a Request to Speak Form and submit it to the Board Clerk. Speakers are not required to submit their name or address.

### REMOTE PARTICIPATION

Members of the public may participate in public Agency meetings by logging into the Zoom:

<https://us02web.zoom.us/j/89081988165?pwd=WForYkITNkw0ejhQWHp0WIR4YmtsZz09>

Meeting ID: 890 8198 8165      Passcode: 521695

Written public comments for the record may be submitted in advance by 12:00 p.m. on the meeting date by email to: [rethinker@rethinkwaste.org](mailto:rethinker@rethinkwaste.org) and will be made part of the written record but will not be read verbally at the meeting. Written public comments submitted by email should adhere to the following: 1) Clearly indicate the Agenda Item No. or specify "Public" in the Subject Line for items not on the agenda and 2) Include the submitter's full name. You may also use the raise hand feature on Zoom to enter a verbal public comment.

\*Pursuant to Ralph M. Brown Act, government code section 54953, all votes shall be by roll call if any members of the board of directors are participating by teleconference and/or video conference.

### AGENDA

#### 1. Call to Order/Roll 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](mailto:rethinker@rethinkwaste.org).*

#### 3. Executive Director's Report (Verbal Update)

p. 3

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#### MEMBER AGENCIES

BELMONT \* BURLINGAME \* EAST PALO ALTO \* FOSTER CITY \* HILLSBOROUGH \* MENLO PARK \* REDWOOD CITY  
\* SAN CARLOS \* SAN MATEO \* COUNTY OF SAN MATEO \* WEST BAY SANITARY DISTRICT

August 3, 2023

#### 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 May 11, 2023, TAC Meeting **ACTION p. 7**

#### 5. SB 1383 Implementation Update **p. 15**

- Route Reviews/Contamination Monitoring
- Outreach Technical Assistance
- Enforcement
- SB 1383 Local Assistance Grant Funding

#### 6. Preview of 2024 Contractor Compensation Applications and Rate Adjustment **p. 21**

#### 7. Debrief on SB 1383/EAR Reporting **p. 23**

#### 8. Contractor Updates **p. 25**

- Recology
- SBR

#### 9. Committee Member Comments

#### 10. Adjourn

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August 3, 2023



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# EXECUTIVE DIRECTOR'S UPDATE

Agenda Item 3 is a verbal report only at the  
08/10/2023 SBWMA TAC Committee Meeting





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# CONSENT CALENDAR



**DRAFT MINUTES**

SOUTH BAYSIDE WASTE MANAGEMENT AUTHORITY  
MEETING OF THE TECHNICAL ADVISORY COMMITTEE  
May 11, 2023 at 2:00PM.

San Mateo County Transit District, 1520 San Carlos Ave. 4<sup>th</sup> Floor Dining Room, San Carlos CA 94070

**Call to Order: 2:01PM**

**1. Roll Call**

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				

**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**

Staff Mangini gave the Executive Director's report in Executive Director La Mariana's absence, and made the following announcements:

- Two new fellows have joined the RethinkWaste team, he welcomed Manpreet Chandok, a new Public Outreach Fellow, and Meghan Pletsch, a new Environmental Education Fellow.
- Rachel Dice, a Public Outreach Fellow has accepted a position at RecycleMore and today will be her last day at RethinkWaste.
- The Board and TAC retreat will be in person on May 25<sup>th</sup> at 2PM at Canada College
  - There will be one action item on consent.
  - There will be a closed session at the end of the retreat.

- Recology has had some staffing changes. Mia Rossi has been promoted to Community Outreach Manager and General Manager Evan Boyd has been promoted and will be moving to Recology of San Francisco. He thanked Evan for his leadership during his tenure in San Mateo.

**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 March 9, 2023, TAC Meeting**

Motion/Second: Cooke/Johnson

Voice Vote: All in favor

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 SB 1383 Implementation**

Staff Carter noted that there are four items he wanted to talk about related to SB 1383:

**1) Collection and Processing**

At the Board Meeting on April 27, the Board approved Recology’s expanded scope of services to comply with the SB 1383 regulations. This includes three additional positions to support this work. Two Waste Zero Specialists, and a Sustainability Coordinator to support the increase in reporting required by SB 1383.

Member Mello asked what is the timeline for hiring and recruitment for the three additional positions.

Evan Boyd answered that the plan is to hire the first Zero Waste Specialist by October, and the other two positions by January 1, 2024.

**2) Outreach and Education**

SCS is working this year on getting non-compliant customers to become compliant. Letters are going out to both residential and commercial customers. Staff will be working with Member Agencies on the residential letters. Currently SCS and Recology is focusing on commercial generators who are unresponsive, making sure that they are contacted at least three times by email, phone or mail. He noted that of the 2,300 generators SCS was contracted to contact in 2023, 43% made their way through the compliance pipeline, and 3% from that list have refused service. By the end of summer or early fall Member Agencies need to be making sure they have enforcement mechanisms in place for 2024.

Member Johnson asked if there would be training for Member Agencies on enforcement mechanisms or templates.



Staff Carter answered that he thought training was a great idea, and that staff would definitely be providing Member Agencies with a template for enforcement letters.

Member Johnson commented that as he gears up for enforcement by October, he would like a report that includes the list of non-compliant customers in his jurisdiction that includes how many times they've been contacted.

Staff Carter answered that all of the work that SCS is doing is being recorded in Recyclist, which every TAC member has access to now, so you can now see customers' history as you begin enforcing SB 1383 requirements.

### **3) Contamination Monitoring**

Staff Carter noted that contamination monitoring requirements are managed through route reviews which are required annually. In 2022 and 2023 SCS Engineers will complete these on the Member Agencies behalf. Beginning in 2024 Recology will take on this compliance task. He noted that this year the route reviews will be conducted in August and spread out over the full month. This consists of lid flips on all three carts the morning of collection service. Carts are then tagged with "good job" or "needs work" tags, and commercial accounts are followed up with a letter and offering resources. RethinkWaste staff will be providing Member Agency staff with media content to make sure that city councils and staff, local law enforcement as well as members of the public are aware of the audits are taking place by the end of May.

Member Brown noted that last year Belmont did get some feedback from members of the community, so this year they would like to send letters to the addresses affected so they know it's coming.

Staff Carter noted that they do know which addresses are selected ahead of time, so staff can help facilitate a letter that explains the effort.

Member Clark suggested that RethinkWaste send out a postcard to the residents affected.

Staff Carter thought a postcard would be fairly doable since there are about 3,000 accounts included. But, he noted that audits need to be random to get accurate results.

Member Ramirez commented that it is a good idea to try all the different print and media methods and noted that in the West Bay Sanitary District they have found that door hangers work the best.

Staff Carter noted that staff will look into these ideas to target the accounts that are selected for route reviews.

Member Johnson commented that he didn't think 1,000 customers and 3,000 lid flips seemed a sufficient number to eventually get to compliance. He wondered how the number of accounts was chosen.

Staff Carter noted that the regulations didn't specify an exact amount or percentage, just that it had to be a significant number of accounts. He noted that he had information he could forward to Member Johnson about why that number was chosen for the sample of route audits.

Member Johnson brought up privacy concerns and asked if there was an official ruling on privacy concerns, and asked if there was an official legal opinion on who owns the waste.

Evan Boyd noted that it is written in the Franchise Agreement, that once it's in the bin it's the property of the waste hauler.

Counsel Savaree noted that they would get the TAC Members something in writing that answers the question of who owns the waste.

Member Brown asked for a report on non-compliance on the bins audited.

Staff Carter answered that some of those metrics are in place from the last audit and less than 10% contamination is good. He also noted that the outreach team has taken the information gathered in the 2022 route audit to conduct a proper sorting outreach campaign later this year.

#### **4) Procurement**

Staff Carter noted that all Member Agencies are working through the recycled content paper aspect of SB 1383 which was 30% recycled content across the board. As of 2023 AB 661 adjusts the recycled content for specific paper products, and those are called out in the staff report, as there are now multiple recycled content variables depending on the paper product.

#### **5. Discussion on 2022 Electronic Annual Report (EAR)**

Staff Carter gave the committee updates on the CalRecycle EAR which as of last year has now been expanded to include SB 1383 reporting. He noted that each Member Agency will receive a request from Ascent Environmental and he highlighted some of the things that will need to be provided to Ascent for the reports to be completed:

- SB 1383 regulations require each jurisdiction to maintain an implementation record. He noted that for RethinkWaste Member Agencies this is done through Recyclist.
- Recovered organic waste procurement records will need to include any compost or mulch projects cities have done. He reminded members that all the Member Agencies are a part of the Resource Conservation District procurement, and RethinkWaste has those records, but anything cities have done to meet procurement targets beyond that will need to be included.
- Records and invoices from paper that each Member Agency purchased in 2022.
- Cal Green compliant projects conducted in the last year.
- The number of Model Water Efficient Landscaping Ordinance (MWELO) projects that have been conducted.
- Any new or modified ordinances, policies or resolutions related to waste programs.
- Any outreach and education or events conducted that RethinkWaste or Recology was not involved with.

Member Clark noted that in the past they had to included disaster debris tonnage like the fires. She asked if there was any disaster debris to be included in 2022.

Evan Boyd noted that there was no specific call from a jurisdiction regarding disaster debris in 2022. The CZU fire debris went directly to Ox Mountain and storms debris happened in 2023, so won't get included until next year.

Staff Carter noted that West Bay Sanitary District will need to complete to the SB 1383 portion of the EAR which is different from year's past.

Member Clark noted that West Bay Sanitary District falls under the County.

## 7. Contractor Updates

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

- He congratulated Mia again, as of May 5, Mia Rossi has been promoted to Community Outreach Manager.
- As noted in the ED Report, the General Manager transition will be a rolling transition. Evan will be in San Mateo several days a week until the role is filled and the right candidate to support the Member Agencies is secured. He noted that it should be a seamless transition for the Member Agencies.
- The office is largely back in action at the facility. The only thing not completed is the cubicles which have had some supply chain issues, they are on order, but it looks like they are getting pushed out another 3-4 weeks. So, customer services is still working remotely for another month or so.
- There have been a lot of questions about sandbag disposal, so he noted that sandbags should not be put in the trash, they are handled as an inert material the sand is the inert material to be handled like dirt and the bag itself is trash. Some corporation yards and Ox Mountain are taking them back full if they are in good shape.
- Last week he attended the Waste Expo trade show, and EV was a big push there. It was validated that the technology is not quite to the point where an 8-to-10-hour route is feasible.

Member Michael asked when the fleet would be replaced.

Evan Boyd answered complete transition will happen in 2028.

Member Ramirez asked if the trucks at the expo were American or European made.

Evan Boyd answered primarily American, some European but not collection vehicles, and one Asian manufacturer.

SBR Update – Phil Couche gave the following updates.

- SBR has completed the transition to CARB compliant trucks.
- They demoed a material handler, which has a large claw to sort material, it was looked at as an option for the new operator in 2024.
- SBR has completed negotiations with VRS, they are just waiting for the County to complete the amendment.
- Finally, now that the rains have subsided the material being received at the MRF is much drier that it was before and the efficiency at the facility is much improved.

## 9. TAC Member Comments

Member Brown commented that Belmont has an SB 1383 Compliance Coordinator position open and asked other Member Agencies to spread the word if they know of any candidates.

**10. Adjourn 3:02PM**



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# SB 1383 IMPLEMENTATION UPDATES



## STAFF REPORT

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**To:** RethinkWaste TAC Members  
**From:** Tj Carter, Program Manager II, Recycling and Compliance  
**Date:** August 10, 2023 Technical Advisory Committee Meeting  
**Subject:** Senate Bill (SB) 1383 Implementation Update

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### Summary

Over the next few months, RethinkWaste staff will be managing the transition of SB 1383 compliance support services from SCS Engineers to Recology San Mateo County (Recology). These services include Outreach Technical Assistance, Waiver Reviews, and Route Review Contamination Monitoring. The SCS Engineers contract ends December 31, 2023. All teams want to ensure a smooth and continuous transition. At the September 14, 2023 TAC Meeting, SCS Engineers will present a summary of their deliverables to date.

RethinkWaste and Recology staff have a series of meetings scheduled throughout the Fall to scope and schedule these services. The first of these meetings was held on August 1, 2023. RethinkWaste staff will present an implementation plan to members at the first TAC Meeting in 2024.

As detailed in the RethinkWaste SB 1383 Memorandum of Understanding, RethinkWaste staff has been delegated a significant portion of the SB 1383 program responsibilities.

Staff will provide updates and seek TAC Member input on the following four (4) items during this meeting:

### **1. Route Review Contamination Monitoring**

SB 1383 requires jurisdictions to conduct annual contamination monitoring of all three containers to keep organics waste stream clean. In 2023, as they did in 2022, SCS Engineers will conduct this review through inspections of randomly selected containers on each collection route for solid waste, recyclable materials, and organic materials.

Additionally, RethinkWaste and SCS Engineers will educate accounts that were identified to have contamination about proper sorting of materials and consequences for future contamination and maintain records pursuant to the reporting requirements of SB 1383 regulations.

SCS Engineers is conducting contamination monitoring route reviews from August 6<sup>th</sup> through August 11<sup>th</sup>. RethinkWaste staff will provide an update on the current status of reviews with the TAC during the meeting.

### **2. Outreach Technical Assistance**

SCS Engineers continues to provide Outreach and Education Technical Assistance. Roughly 3,800 generators remain non-compliant with SB 1383. RethinkWaste plans to send out additional non-compliance letters to reach the remaining residential, commercial and multi-family dwelling generators by the end of August.

### **3. SB 1383 Enforcement**

For SB 1383 violations occurring after January 1, 2024, jurisdictions must issue a Notice of Violation requiring compliance within 60 days. If after 60 days, the entity is still not in compliance, the jurisdiction shall impose penalties.

Conducting SB 1383 enforcement has not been a responsibility delegated to RethinkWaste by Member Agencies, though RethinkWaste staff plan to support Member Agencies as needed as SB 1383 implementation moves from outreach and education to enforcement.

RethinkWaste staff will plan to discuss possible templates and assistance that can be provided to Member Agency staff.

### **4. SB 1383 Local Assistance Grant Funding**

CalRecycle recently approved the criteria for another round of the SB 1383 Local Assistance Grant program (FY 2022-23). This non-competitive grant program offers eligible entities a base grant award of \$75,000, with remaining funding distributed on a per capita basis. CalRecycle anticipates that grant applications will be released in September 2023, with a November 2023 due date. This is an opportunity for Member Agencies or RethinkWaste to receive funding and support for SB 1383 implementation. The previous round of SB 1383 grant funding was beneficial for Member Agencies to contribute to the San Mateo Resource Conservation District Compost Broker Program.

There are a few proposed criteria changes that RethinkWaste has voiced support for with CalRecycle including increasing the base award amount from \$50,000 to \$75,000, adding additional eligible items to be reimbursed and allowing Joint Power Authorities to apply for funding without all members. This would allow RethinkWaste to apply for funding on behalf of interested Member Agencies, but would not require all Member Agencies to participate in order to receive the funding. Ideally, this would decrease the administrative burden on Member Agency staff for joint funding projects, like the Compost Broker Program.

At the meeting, RethinkWaste staff plan to discuss the level of interest from the TAC about the possibility of RethinkWaste applying for grant funding on behalf of Member Agencies to support joint SB 1383 implementation.

### **Background**

September 2016, SB 1383 (Lara, Chapter 395, Statutes of 2016) established statewide methane emissions reduction targets in an effort to reduce emissions of short-lived climate pollutants in various sectors of California's economy. It includes statewide goals to reduce the disposal of organic waste and recover edible food for human consumption. To accomplish these statewide goals, SB 1383 regulations were developed, which were approved on November 3rd 2020, and include prescriptive requirements for jurisdictions related to recycling and organics collection, inspection, and enforcement policies and programs and edible food recovery. RethinkWaste and its Member Agencies need to comply with nearly all SB 1383 requirements by January 1, 2022 with the significant exception that enforcement actions do not need to commence until January 1, 2024.



More information regarding SB 1383 can be found online at [www.calrecycle.ca.gov/organics/slcp/](http://www.calrecycle.ca.gov/organics/slcp/).

**Fiscal Impact**

This is an information only report.

**Attachments:**

None.





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# Preview of 2024 Contractor Compensation Applications



## STAFF REPORT

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**To:** RethinkWaste TAC Members  
**From:** Joe La Mariana, Executive Director  
**Date:** August 10, 2023 Technical Advisory Committee Meeting  
**Subject:** Preview of 2024 Contractor Compensation Applications and Rate Adjustment

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### **Summary**

The intent of this agenda item is to provide an early preview of the 2024 rate adjustment resulting from the 2024 Contractors Compensation Applications. Our two main contracts for collection of material from the service area and for facility operations will increase the overall cost of service, which are covered by each Member's service rates. The Collection Contract with Recology is mainly increasing by the year-over-year indices as stipulated in the contract. The Facility Operations Contract Compensation is increasing due to the selection of a new facility operator, South Bay Industries (SBI), beginning operations of the facility in January 2024. SBI was selected through a competitive bid process and approved by the Board of Directors in November of 2022.

Handouts will be provided at the meeting containing each Member Agency's preliminary calculation of their specific Agency's expected rate adjustment for 2024.

### **Fiscal Impact**

The calculated fiscal impact will be provided in a handout at the meeting.

### **Attachments:**

None.





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# Debrief On SB 1383/EAR Reporting

Agenda Item 6 is a verbal report only at the  
03/09/2023 SBWMA TAC Committee Meeting







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# CONTRACTOR UPDATES

Agenda Item 8 is a Verbal Update only  
to be given at the 08/10//2023 TAC Meeting