

MINUTES

SOUTH BAYSIDE WASTE MANAGEMENT AUTHORITY
 MEETING OF THE BOARD OF DIRECTORS
 February 22, 2024– 2:00 p.m.
 San Mateo County Transit District Offices
 1250 San Carlos, Ave. San Carlos, CA 94070

Call to Order: 2:00 PM

1. Call to Order/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				

Member Brownrigg attended via teleconference, all votes were taken via 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.**

None

3. Executive Director's Report

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

- He thanked Recology and South Bayside Industries for their work and extra effort during the storms, and extraordinary weather events that have been happening in recent weeks.
- He thanked the City of San Carlos for their help with the flooding on Shoreway road and noted that there is an extended dialogue on storm flooding on Shoreway coming with the City of San Carlos and Redwood City.
- SBI continues the hiring process-they've hired Frank Cornell as the Transfer Station manager
- The administrative office build-out project's conditional use permits were approved yesterday, and the project is moving forward, the contractor is getting set up.
- On February 28, he will be in Sacramento working with the agency's lobbyist to speak to legislators to ensure the waste industry's interest are represented in any climate bond measure.
- Administrative Staffing Updates:
 - The Program Manager II position that is vacant on the Administrative team has moved into the

- interview phase.
- He welcomed Clara Coady who joined the agency of February 12 to the Environmental Education team as a Fellow.
- Next week we will have the Administrative Associate position posted.
- Key upcoming dates:
 - 3/14/24 TAC Meeting
 - 3/28/24 Board/TAC/Contracting Partner Retreat from 1 to 4PM
 - 4/11/24 Zero Waste Committee Meeting
 - 4/25/24 Board Meeting
 - 4/28/24 Earth Day at Shoreway

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 January 25, 2024, Board of Directors Meeting

Motion/Second: Romero/Lorraine

Roll Call Vote: All in favor 9-0-1-1

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								

5. Administration and Finance

A. Resolution Approving a 6th Amendment to the Executive Director's Employment Agreement

Counsel Savaree gave an overview of the staff report, highlighting the four proposed changes to the existing employment agreement.

- 3.5% increase in compensation
- 25 days of vacation a year versus 20 days of vacation a year
- Add the Juneteenth holiday to align with the rest of staff
- Increase bereavement leave to 5 days to comply with state law

There were no questions.

Motion/Second: Dehn/Froomin

Roll Call Vote: All in favor 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								

6. Collection and Recycling Programs Support and Compliance

A. Resolution Approving a Renewal of Contract with RouteWare software in an amount not to exceed \$100,000 for SB 1383 Recordkeeping Compliance

Staff Au gave an overview of the staff report, and explained the need for the system to comply with 1383 reporting requirements.

Member Froomin asked for confirmation that the total cost is \$94K per year and an additional \$4,000 for quarterly updates and asked if there are any changes in process with this renewal.

Staff answered no, it's the same as before.

Motion/Second: Froomin/Aguirre

Roll Call Vote: All in favor 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								

7. Shoreway Operations and Contract Management

A. Resolution Approving the Execution of an Organics Processing Agreement Request for Proposal (RFP)

Staff Gans gave an overview of the staff report and an explanation of the current processors of the organics (green bin) material. The current contract with Newby Island, one of the two organics processing agreements currently held by the agency, expires at the end of 2024. We are asking proposers to respond based on 60K tons. He noted that there have been no new composting facilities built since the last RFP, but we will be reaching out to all known processors of organics, so it may be split up between multiple processors/proposers. He noted that compost is currently given away for free to residents in the service area, and a request for 2,000 tons is included in the RFP to come back to the agency for free. That compost will be given away at the facility. There is a request for pricing for additional finished compost above 2,000 tons to assist the member agencies in their procurement compliance requirements for 1383.

Chair Rak asked if the members are taking advantage of the compost available them now, and if not, how do we let them know.

Staff Gans answered that this material could be used by your public works departments for landscaping and turf projects, but it is not being taken advantage of at this point. There are compost give aways for residents, where residents can pick up compost at a designated location on a specific date, rather than get it from Shoreway.

Executive Director identified this as an opportunity for the Program Manager II position to help get the word out to member agencies through the TAC about compost being available for municipal landscaping projects.

Chair Rak thought additional outreach to the member agencies was a good idea, and he asked staff to reach out to public works departments to see how much could be used, and if that would alter the RFP language.

Member Krolik asked if there has been an effort to try and open an organics processing facility in San Mateo County.

Staff Gans answered no, there are odor issues, and they take up a lot of space, which is why most of these facilities are located on farmland.

Member Romero asked if green house gas emissions were considered in the scoring criteria. He also noted that he would like to figure out a way that customers coming to the facility to only collect compost don't have to wait in queue with cars that are taking large loads to the transfer station.

Staff Gans answered that member agency compost give aways continue to be a good way to get compost out to the residents without waiting in line, but there is only one entrance into the facility, so it's hard to reconfigure that part. He also answered in terms of emissions, the cost of transportation is part of the scoring, so the farther away a facility is the lower the score will be.

Member Froomin asked to add language in the evaluation criteria section that there would be a consideration for distance from Shoreway to the processing facility.

The board had a discussion regarding procuring compost as part of 1383.

Member Loraine asked if there should be more language in the agreement regarding procurement since the cities know about how much they need at this time. He asked if the proposals could include language around helping member agencies meet the procurement goals.

Staff Gans since how the compost is going to be used is still to be determined, if the member agencies can't use it then there is no place to put it if we specify a higher threshold of tonnage. This is a question that we can ask the responders, since they live in this world, but it's new for everyone so it's going to require some exploration.

Member Loraine commented regardless of how it is used, the member agencies still need to procure it.

Staff Gans noted that he sits on a statewide board for organics recycling, and this is a topic of discussion at those meetings, possible agricultural and energy uses for organic waste are being discussed.

Member Loraine asked to include a description of the processors screening process with regard to removing contamination in the RFP. As well as include member agencies having the ability to buy compost directly from the facility to meet procurement requirements and increasing the allotment of free compost.

Member Froomin asked that the RFP include language that the facility have the permits to receive materials by January 1, 2025, to allow for the possibility of more bidders. Secondly, he noted that increasing the 2,000 tons for free compost isn't free. Any free tons that we are asking proposers to bring back to the facility isn't free, it will increase the tip fees, and there is no place to put the compost. He also suggested regarding the cost above 2,000 tons language be changed to a percentage of wholesale or retail instead of getting a flat number. He also noted that there are lot of boxes already filled in, that he thought he thought should be blank including national vs local CPI. He thought it closed the door for getting the best responses.

Staff Gans noted that the RFP was written in such a way that we got responses that could be compared apples to apples in the evaluation process. So, the goal is to make the responses as simple as possible so that they are easy to compare so that it comes down to one number, but those can be captured before the release.

Member Loraine thought that future procurement requirements need to be addressed before the RFP goes out, any consulting involved in determining the amount needed and where it will go should be completed before the RFP goes out.

Staff Gans noted that having the benefit of the processors involved in the procurement solution and have them provide options and ideas can be included in the negotiation process. But, in terms of this deal for processing services, how any additional material would get used is something that the Agency would manage after the fact. However, if anyone has an idea around how that would be managed, staff would have that conversation.

Chair Rak concluded that an option to move this forward is to conditionally approve, and have a subcommittee to ensure that the Board's comments are implemented, or have this be a single item review and approval at the retreat in March. He asked for feedback from the board on next steps.

Member Dehn asked if conditional approval and subcommittee works with staff, then the full board would not see this again.

Chair Rak answered yes.

Member Aguirre noted that she liked the idea of the subcommittee working with staff to release the RFP with the board's changes but asked for a report from that committee at a future board meeting on the action taken.

Member Dehn asked if staff had gotten enough feedback from the board today to incorporate these comments into the RFP before it goes out and not have the need to form a sub committee.

Staff Gans answered yes, except for the broker option or use of compost that was brought up, but he could reach out to brokers.

Member Rak commented that the member agencies want to be able to get the remaining compost above the 2,000 tons included in the RFP at a discount to meet their 1383 procurement goals.

Member Froomin wanted the RFP language to include the ability to be prepared to buy it at a discount but not lock the agency in, when 1383 is still new and may change.

Chair Rak offered that the Executive Committee be the responsible review committee.

Member Dehn made a motion to have staff use the notes from today's meeting and incorporate those into the RFP document, then have the Executive Committee review the RFP before it is posted.

Member Krolik seconded the motion.

Discussion on the motion:

Member Romero asked if there should be a shorter contract term, in anticipation of changes to 1383, and do deal with the inundation of compost.

Executive Director La Mariana commented regarding the length of the contract, typically the best pricing is with a longer contract.

Member Froomin commented that if the concern is regarding laws changing, then contract can have language about the law changing causing need for renegotiations.

Executive Director La Mariana noted that this standard contract language.

Member Brownrigg agreed that a shorter term would give the most flexibility.

Roll Call Vote: All in favor 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 Approving a letter Requesting any Climate Bond Measure with Provide Funds that Support Sold Waste Industry Priorities

Staff Au gave an overview of the staff report.

Member Loraine commented that he appreciated tying in the ask to some quantitative work that is already being done in the legislature, he thought that made the ask easier.

There were no questions.

Motion/Second: Loraine/Krolik

Roll Call Vote: All in favor 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								

9. Informational Items Only (no action required)

A. Staff Update: Shoreway Environmental Center Site Signage Project

Member McCune commented that there is a whole science of wayfinding that is used in signage design, and encouraged staff to employ someone with wayfinding skills to assist in this project.

Executive Director La Mariana we have not engaged in that at this point, but this is an exciting overdue project, and we will look into it.

Public Comment from Lillian Clark, noted that in the updating of signage do a little more work on the things that will be accepted at the center for free, because the County is finding that items that are being illegally dumped are items that could be dropped off for free.

- B. 2024 Legislative and Regulatory Update
- C. 2024 Finance and Rate Setting Calendar
- D. Check Register Detail for January 2024
- E. 2024 Meeting Planning Guide

10. Board Member Comments

Member Nash commented that she was at a community meeting and the topic of replacing gas powered garden equipment with electric equipment came up, and she wondered what the disposal option for gas powered garden equipment would be.

Member Froomin commented that include battery info in that same outreach.

Staff will look into it and report back.

Next meeting Board/TAC retreat at 1:00PM at the Belmont Sports Complex.

11. Adjourn to Closed Session 3:18PM

- A. Conference with Real Property Negotiators Pursuant to Government Code Section 54956.8
- APN: 055400010--1700 Marsh Road, Menlo Park, CA, - Property Owner: West Bay Sanitary District
 - APN: 095220140--395 Shoreway Road, Redwood City, CA, - Property Owner: County of San Mateo
 - APN: 095220220--330 Twin Dolphin Drive, Redwood City, CA - Property Owner: Sobrato Foundation
 - APN: 033127050--24 So. Amphlett Drive, San Mateo, CA, - Property Owner: Zirelli Family Trust
 - APN: 033127030--24 So. Amphlett Drive, San Mateo, CA - Property Owner: Zirelli Family Trust
 - APN: 033127040--24 So. Amphlett Drive, San Mateo, CA - Property Owner: Zirelli Family Trust
 - APN:046081280--75 - 125 Shoreway Road, San Carlos, CA - Property Owner: GI Partners
 - APN: 046081610--145 Shoreway Road, San Carlos, CA - Property Owner: Public Storage
- Agency Negotiators Joe La Mariana Executive Director and Jean B Savaree Board Counsel
Negotiating Parties:
Under Negotiation: Price and terms for leasing of real property

12. Adjourn 3:49PM