



MINUTES
RETHINKWASTE
SOUTH BAYSIDE WASTE MANAGEMENT AUTHORITY
MEETING OF THE BOARD OF DIRECTORS
 April 24, 2025– 2:00 p.m.
 RethinkWaste Administrative Offices
 1245 San Carlos, Ave. Suite E San Carlos, CA 94070

Call to Order: 2:02 PM

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 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.**

Chair Rak announced two ceremonial resolutions for retiring TAC Chair Andra Lorenz (Foster City), and retiring Recology General Manager John Zirelli, both were thanked for their years of service.

3. Executive Director's Report

Executive Director La Mariana also thanked John and Andra for their years of service and exemplary careers, he then gave the following updates:

- He thanked the Board/TAC members for their time and engagement at the retreat last month. And noted that those items will come back to the board for further discussion and decision making throughout the year and next few years.
- The trash to art contest winners will be recognized today at 4:30 and he invited any board members to stay if they would like.
- Last Saturday there was an Earth Day event at Shoreway, it was day full of booked tours,
- He asked members to save October 25 for Rethink Recycling Day at Shoreway.

- The Agency is co-sponsoring AB 762, and he will be going to Sacramento next week to testify in support of the bill, and he was very excited that the California Teamsters had come out in support of the bill.
- Staff Gans will be missing today's meeting due to some family obligations, so he would be presenting some of the Shoreway items on today's agenda.

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 February 27, 2025, Board of Directors Meeting
- B. Approval of the Minutes from March 27, 2025, Board and TAC Retreat
- C. Resolution Approving a Professional Services Agreement with New Aspect Financial for the Management of the Employee Retirement 401A Funds
- D. Resolution Approving the MRF Harris Baler Refurbishment at a Not to Exceed amount of \$174,475

Member Loraine pulled item 4B.

Motion/Second: Romero/McCune

Voice Vote: 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								

5. Administration and Finance

- A. Resolution Approving Finalized 2025 RethinkWaste Committee Appointments

Staff Urman updated the Board that since the packet went out, the two TAC positions on the Pub Ed Committee had been filled, and there were still two vacant Board Member positions, one on the Pub Ed Committee and one on the Legislative Committee. As of this morning Board Member Dehn volunteered to be on the Legislative Committee, which leaves just one Board Member position to fill on the Pub Ed Committee.

Chair Rak asked Member Adams if she would sit on the Pub Ed Committee as the only board member who was not yet sitting on a committee, and it being the goal that every board member sit on at least one committee.

Member Adams will sit on the Pub Ed Committee but will not be available for the already scheduled May 12 meeting.

Executive Director La Marian thanked the Board for filling the regular committee open positions. He then noted that based on feedback from the retreat last month, staff would like to recommend creating a Masterplan Steering Committee. He added that at the Executive Committee meeting there was discussion about the time burden for Board Members and finding ways to lighten the load. So, one of the recommendations that came out of that discussion was the idea to put the Zero Waste Committee on hiatus after their next meeting in May and create the Masterplan Steering Committee.

Member Brownrigg commented that he thought the Zero Waste Committee members would become the Masterplan Steering Committee.

Executive Director La Mariana answered yes, that would work if that were the board's decision.

Member Brownrigg commented that he thought it made sense to have the Zero Waste Committee members help advance the Masterplan because the committee had already been advising on future technology.

Member Romero asked for confirmation that the Zero Waste Committee would be in abeyance, and a Masterplan Steering Committee would be initiated.

Executive Director noted that the vision of the agency is a “Zero Waste Future” and it’s important to staff that the Zero Waste Committee continue this work, but there is overlap in the two committees’ roles.

Member McCune asked if this Masterplan was referring to the site layout, and if yes, he would like to do that work, with the caveat that Zoom meetings were easier for him.

Counsel Savaree gave an update that legislation was still pending on whether discontinuation of addresses from where you are remotely attending a meeting would need to be posted, but with Ad Hoc you could work around that request.

Chair Rak agreed that it would be easiest to just transfer the members over, and that it would be a temporary Ad Hoc committee.

Motion/Second: Romero/Brownrigg

Roll Call Vote: 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 Program Support and Compliance

- A. Resolution Approving Contract with MSW Consultants, Inc. for SB1383 Record Keeping Compliance at a not to exceed annual fee of \$72,500

Staff Chung gave the background and overview of the staff report.

Member Kiesel noted that the contract language doesn’t include any recourse if their response time is lacking similarly to the current contract and asked that language be included in the contract to assure response time.

Member Dehn asked if staff has used the software or only seen a demo at this point and asked that the contract be amended to include a trial period. She also asked how the data would be moved from system to system.

Staff Chung explained that there is only the new software and it’s a browser-based system. The data is uploaded into MSW system by Recology, and then tracks 1383 compliance, and Recology, RethinkWaste, and all of the member agencies will have access to the data which includes route reviews, procurement, and waiver processes. He added that individual jurisdictions will only have access to their jurisdiction information, but RethinkWaste will have the information service area wide.

Member Kiesel asked if the data that exists will be moved into the new system.

Staff Chung answered yes.

Member Dehn noted that she is worried about transition between vendors, and asked for contracts to have a trial period in the future.

Chair Rak asked for a 30 to 60 day implementation update at a future board meeting.

Motion/Second: Romero/Kiesel

Roll Call Vote: 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 Contract Amendment with South Bayside Industries regarding the Marketing of Commodity Materials

Executive Director La Mariana gave an overview of the staff report. He noted that the marketing plan is part of the SBI Operating Agreement and the Agency receives 100% of the commodity revenue including 2 marketing partners - Waste Management and Potential Industries. SBI has notified staff that Potential Industries is no longer a reliable partner. He added that there are two considerations on this issue, one is the operating issues, there is too much material to move, and when there isn't a reliable partner, and the second is the financial or revenue side. He noted that staff have done the revenue analysis and Potential is slightly favorable depending on the commodity type, but they are close to being even. The approval would allow SBI to work only with one partner for one year and give SBI to find alternative partners to market the material.

Chris Valbusa Chief Operating Officer for SBI noted that it is a critical issue for SBI to have a reliable partner to assist in the movement of commodity materials, which is very fluid month to month. He added that ACI (SBI sister company) has been a partner with Waste Management and has been a very reliable partner, and furthermore it has become increasingly challenging to find a reliable partner. He also noted that the agreement would be just to the end of 2025, and it would be a meet and confer on an annual basis to continue the partnership.

Member Adams asked if the contract could be stopped or is there a process, and she asked for clarification on how this would be an amendment to the operations agreement if the contract can just be stopped.

Chris Valbusa noted that the marketing plan needs to be reviewed periodically and if it's going to be changed the Board needs to approve that change.

Member Romero asked if it made sense to have only one marketing partner.

Executive Director La Mariana commented that SBI has asked to have a primary partner while still looking for secondary partners.

Member Romero asked how much material was Potential Industries taking.

Executive Director La Mariana answered about ½ of the material.

Member Brownrigg asked if there is no competition, how do we know we are getting the best price, given that SBI doesn't receive any of the commodity revenue.

Executive Director La Mariana noted that staff has given SBI the option to continue to look for an additional partner so ensure best pricing, but as Chris mentioned earlier the markets are very fluid. SBI is duty bound by the contract to get the best rate.

Chris Valbusa noted that in their other agreement with ACI they do have a revenue share arrangement there, and they also have a vested interest.

Chair Rak added that there is definitely value in having multiple vendors, so he was good with having an essentially sole source contract through the end of the year, but doing a full search for additional options in 2026.

Motion/Second: Adams/Romero

Roll Call Vote: 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 SBI's Request to Retain Carson Consulting Corporation to Provide Staffing for Material Recovery Facility (MRF) Sorters

Executive Director La Mariana gave a brief overview of the staff report noting that there is a subset of the workforce known as the sorters. This workforce has been fulfilled through temporary labor agreements, and just recently Nelson Services has given 30 days notices to SBI to terminate their agreement. SBI has been looking for an alternative vendor, and their recommendation is Carson Consulting.

Member Loraine noted that there was a change in recommended vendor after the packet went out and he wondered why the originally recommended vendor was no longer recommended, and if Carson Consulting was the next responsive bidder in the process.

Chris Valbusa answered that given the 30 days' notice and board packet deadline requirements, SBI had parallel negotiations with both companies. He added that the original vendor that was recommended could not meet all of the contract terms in the operating agreement. He also noted that cost-wise, Carson Consulting is in line with the current terms with Nelson staffing.

Member Adams asked what the reason 30 days notice was given, and do you think it's likely to happen again with a different vendor.

Chris Valbusa answered that Nelson had disruption in their labor force 2 to 3 months prior due to a disagreement outside of the SBI contract terms, but the disruption caused a disruption in workforce at the Shoreway facility, and even though the workforce issue was resolved quickly, it got to a point where Nelson didn't want to deal with it any longer. He did note that while they don't anticipate notice within the contract terms again, they can't guarantee it won't happen. He added that many of the workers are staying on through new agreements with Carson, and they've assured us the balance of the workers will be trained by the time the contract begins.

Member Romero asked if this workforce is represented by labor unions.

Chris Valbusa answered no.

Member McCune asked if the Board is required to approve the subcontractor.

Counsel Savaree answered yes, the board is required to approve subcontractors to the operations agreement.

Motion/Second: McCune/Dehn

Roll Call Vote: 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 Specifications for the Transfer Station Tunnel Pits Edge Repair Project and Authorizing Bidding of the Project for Construction

Staff Nghiem gave an overview and background of the staff report. She noted that the broken steel at the edge of the tunnel pits is becoming quite a concern for worker safety, so staff sees this work as extremely urgent and requests to go out for bid to do these repairs on two of the 4 pits.

Member Adams commented that the need for repair is obvious, but she asked how to prevent it going forward.

Staff Nghiem answered that this is considered wear and tear due to the nature of the tunnel pit design, but the steel hasn't needed to be repaired in 15 years. The way to protect the steel is by staying on top of the concrete floor topping. She also noted that staff is already planning a long-term maintenance plan for the entire facility, and is working on getting an engineer's estimate of the tip floor condition and a long-term plan for maintenance.

Member Dehn asked if this was a budgeted item in the CIP and if the other two pits will need to be done next year.

Executive Director La Mariana answered that this is unbudgeted but there are two projects that are being rolled to 2026 that were \$300,000 so by differing those projects most of the cost will be covered, so we may have to dip into the capital reserve to cover the rest.

Member Romero noted that in October a floor repair was approved, he asked if that was to the entire floor, he added that he was surprised this wasn't seen when the floor repairs were done.

Staff Nghiem answered that the floor repair was a completely different area of the floor.

Executive Director La Mariana added that periodically every two to three years the LEA flags what are called "hot spots" on the tip floor for repair. Last summer the LEA identified "hot spot" areas for repair on the tip floor. At that time staff requested authorization to repair those areas. And that was the item that was approved in October, and the work was completed about 6 weeks ago. This damage is recent and thus why staff is coming to you for approval now. He also noted that staff plans to do an engineer's assessment of the floor to get an engineer's opinion on whether it's better to continue to repair "hot spots" every two to three years, or do we look an option of resurfacing the entire floor.

Member Romero reiterated that it's really important to create a maintenance schedule, otherwise we will exhaust what little reserves there are.

Chair Rak asked if the two other pits have been inspected and if is there benefit to do all 4 at once as a cost savings.

Staff Nghiem answered that the two smaller pits aren't used as much and she thinks there is a year or two remaining in their life.

Chair Rak recommended including the other two pits in this project.

Member Loraine supported exploring costs to do all pits at once.

Member Dehn made a motion to amend the resolution to include all 4 pits to explore the cost for repairing all 4 with this project.

Member McCune seconded the motion.

Roll Call Vote: 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. Presentation of the 2024 Annual Report

Staff Rosales-Jose gave a PowerPoint presentation on the first look of the Agency’s 2024 Annual Report.

Member Brownrigg asked if it was available in print.

Staff Rosales-Jose answered that it is currently digital, but staff is able to provide a printed copy for anyone that would like one.

9. Informational Items Only (no action required)

A. Staff Update on Zero Emission Vehicle Transition Plan

Member Brownrigg noted that the staff report at agenda item 9A asked for guidance and asked if the guidance would be discussed at the Zero Waste Committee Meeting.

Executive Director La Mariana answered yes discussion would be at the Zero Waste Committee, this was a prelude, it will be a deep dive to plan for the 2026 budget on this item.

Member Brownrigg asked that staff check the cost estimates post tariffs, noting that the tariffs will increase pricing.

- B. 2025 Legislative and Regulatory Update
- C. Update on SB 1383 Compliance Program on behalf of RethinkWaste Member Agencies
- D. 2025 Finance and Rate Setting Calendar
- E. Check Register Detail for January to March, 2025
- F. 2025 Meeting Planning Guide

10. Board Member Comments

Member Brownrigg congratulated John Zirelli on his retirement and commended him as a contracting partner. He noted that it’s unusual for a contractor to be proactive and John has been very proactive on issues from not enough parking to planning for the master plan not only to the Agency, but to all of us in our individual cities, and thanked him for being a consummate professional.

11. Adjourn 3:39PM