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MARIN COUNTY HAZARDOUS AND SOLID WASTE MANAGEMENT JOINT POWERS AUTHORITY

Board of Directors Meeting - Minutes

Thursday, January 18, 2024

1:45 pm – 2:45 pm

In Person: San Rafael City Hall, 1400 Fifth Ave, 3rd Floor Large Conference Room, San
Rafael, CA

MEMBERS PRESENT

Heather Abrams, Fairfax (Chair)
Adam Wolff – Corte Madera
Christa Johnson – Ross
Dave Donery – San Anselmo
Cory Bytof – San Rafael (Alt.)
Dan Eilerman, County of Marin (Alt.)
Grace Ledwith – Mill Valley &
Tiburon (Alt.)
Gretchen Schubeck – Novato (Alt.)
Jessica Deakyne, Novato (Alt.)
John Stefanski, San Rafael (Alt.)
Shannon O’Hare, Larkspur (Alt.)

MEMBERS ABSENT

Todd Cusimano, Mill Valley (Vice
Chair)
Chris Zapata, Sausalito
Dan Schwarz, Larkspur
Greg Chanis, Tiburon
Matthew Hymel, County of Marin
Robert Zadnik, Belvedere
Anthony Boyd, Belvedere (Alt.)
Catie Thow Garcia, Sausalito (Alt.)
David Woltering, Ross (Alt.)
Roberta Feliciano, Ross (Alt.)
Sean Youra, Fairfax & San Anselmo
(Alt.)

ZWM STAFF PRESENT

Kimberly Scheibly (Executive
Director)
Casey Poldino (Staff)
Casey Fritz (Staff)
Amy Kolnes (Staff)
Kathy Rico (Staff)
Ruben Hernandez (Staff)
Andy Buck (Staff)
Andrew Shelton (Staff)
Meilin Tsao (Staff)
Justin Newsome (Admin)

OTHERS PRESENT

Adam Ratner
Cole Yoxall – Recology
Justin Wilcock – Marin Sanitary
Service
Vicki Nichols
Madeline Hope
Jacklyn Oliver
Dee Member Johnson – Novato
Sanitary District

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Call to Order

1. Remote Public Participation Instructions

Information only.

2. Open Time for Public Comment

No public comments were tendered.

Consent Calendar

3. JPA Board Meeting Minutes from October 19, 2023

Motion to approve the JPA Board Meeting Minutes from October 19, 2023.

Motion: Member Johnson. Second: Member Eilerman. Abstain: None

Regular Agenda

4. Executive Director Report

Executive Director Scheibly reported Zero Waste Marin (ZWM) held their first annual staff retreat on January 3, 2024. This training allowed strategic planning for the upcoming year, part of the planning included the ZWM and the county's budget setting process. In addition, ZWM reviewed strategic work plan processes (which is through the County of Marin), coding, ZWM staff roles, and a draft work plan that aligns with the budget.

A workshop for SB 1383 was held on January 11, 2024. In the workshop the following was discussed; a review of the reusable foodware ordinance, requirements for the Letter of Agreement, and the SB 1383 responsibility matrix: including the role of the haulers, ZWM, and member agency roles. Additionally, the SB 1383 process was discussed and a plan for continued compliance was outlined.

Executive Director Scheibly shared that the graphs for the ZWM budget planning were due to the County of Marin in the beginning of January 2024 and that this is the first step in determining the JPA's budget for staff allocations, rent, and other items in the agreement. An award of \$100,000 for the Marin take-back grant was approved. Also, hauler and sustainability coordinator meetings were held to highlight the defined roles and how to best work together and avoid duplicate efforts with responsibility flowcharts.

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Executive Director Scheibly concluded the Executive Director's report.

5. Legislative Update

Staff Fritz gave an update on the deadlines for SB 1383 that were passed on January 1, 2024. The tier 2 generators are now online for the edible food recovery program, which is different than the food coming out of tier 1. Tier 2 includes: restaurants, health and state facilities, hotels, local education agencies, and large event venues. An inspection and enforcement program are required as of January 1, 2024. Compliance flows are currently being worked on for the collection, contamination, and edible food recovery compliance process.

A suggestion was made to Staff Fritz that the correspondence that is created be shared with the tier 2 food generators should also be shared with the board members overseeing the communications, sustainability, and economic development outreach. Staff Fritz responded that there is a 4-page informational item that gives an overview of the edible food recovery requirements that can be shared.

Staff Fritz went on to give an update on the Local Assistance Grant, stating the grant has been applied for as a countywide JPA for over one million dollars. The funding determinations will happen in March 2024 with the grant period being through April 1, 2026.

Staff Fritz was asked if San Quentin would be classified as a food generator and if it would be under the responsibility for the JPA. Staff Fritz confirmed that San Quentin would not be a part of the JPA responsibilities.

Staff Fritz continued with updates regarding the Plastic Pollution Prevention and Packaging Producer Responsibility Act (SB 54). This act was passed into law June 30, 2022 and is known as a Producer Responsibility Act, which requires the manufacturer to take responsibility for their products' plastic packaging. The law asks for the reduction of single-use plastics of 25% by 2032, 65% of single-use plastics in foodware and packaging must be recycled but 100% of the single-use plastic packaging and foodware must be recyclable or compostable.

Additionally, SB 54 mandates the creation of a Producer Responsibility Organization to manage the implementation of this law with oversight coming from CalRecycle. The Producer Responsibility Organization must raise five billion dollars to combat plastic pollution and support disadvantaged communities over the next 10 years.

Staff Fritz shared a visual slide to highlight the differences between the Producer

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Responsibility Organizations and CalRecycle then went on to update the board on SB 244.

The Right to Repair Act was passed in October 2023; the act empowers customers to have more options of where they can go to repair their phones and help reduce the amount of e-waste.

SB 353 is an update to the Bottle Bill that was also passed in October 2023. This update expands the Bottle Bill to include CRV for wine bottles, and fruit and vegetable juice containers of any size. The desired result will be an estimated additional 200 million containers per year in the recycling system.

Staff Fritz concluded the legislative update.

A brief question and answer session was held.

6. EPA Letter of Support

Staff Tsao introduced the EPA Letter of Support, stating that it is a part of the original 1996 Article 6.1 Section E. The JPA has program authority on behalf of all member agencies. Section E tracks legislation pertaining to hazardous and solid waste issues and recommends position statements to the board.

ZMW drafted a public comment statement for the U.S. Department of Agriculture, U.S. Environmental Protection Agency, and the U.S. Food and Drug Administration which are known as an interagency collaboration. This interagency released a draft national strategy for reducing food loss and waste, and recycling and organics published December 2, 2023. Public comment was asked for by the interagency up until January 2024 but was extended through February 3, 2024.

The four main objectives of the draft national strategy are to, where possible, prevent loss and waste of food, increase the recycling rate for all organic waste, and to support policies that incentivize and encourage food loss and waste prevention and organics recycling.

Staff Tsao continued by reading the ZWM public comment which was attached to the board agenda.

Motion approving sending EPA Letter of Support.

Motion: Member Donery. Second: Member Wolff. Vote: Unanimous

7. Approve Waste Characterization Study and WM Redwood Landfill and Recycling Center/WM Earthcare

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Staff Poldino updated the board on the status of the Organic Waste Recycling Capacity Report. This report is due in August 2024. The initial report was submitted and approved but needs additional data. To date neither the County of Marin nor ZWM has ever completed a full countywide waste characterization report. Staff Poldino proposed a countywide waste characterization study to be performed at Redwood landfill and WM Earthcare ahead of the August 2024 report deadline. The study would capture all the waste coming into the county from all the haulers. The benefit from receiving the study data would guide action on looking at organic waste recycling as a whole and biomass utilization.

A follow up question and answer session was held regarding the budgeting, overall process, and clarity of the request. These questions and comments were addressed by Staff Poldino and Executive Director Scheibly.

Motion to provide direction to staff to comeback with a proposal for a waste characterization study.

Motion: Member Eilerman. Second: Member Johnson. Vote: Unanimous

8. Approval of new LTF members

Staff Fritz informed the board that the LTF has five open seats, three of which are currently vacant. The current vacancies include southern Marin, unincorporated Marin, and Ross Valley. ZWM advertised the openings with three applicants responding. Two applicants were for the southern Marin seat and one for the unincorporated seat with the Ross Valley seat remaining open due to no applicants. Staff Fritz presented the staff recommendation to elect Chuck Hornbrook for the southern Marin seat and Deidre Fennessy for the Unincorporated Marin opening.

A follow up question and answer session was held regarding the function of the LTF, these questions and comments were addressed by Staff Fritz and Executive Director Scheibly.

Motion approving Chuck Hornbrook and Deidre Fennessy to the LTF.

Motion: Member Donery. Second: Member Wolff. Vote: Unanimous

9. Clarify the two subcommittees

Staff Poldino spoke regarding the two separate committees that were formed in last year's September 2023 meeting. Staff Poldino looked to clarify if the action of combining the two subcommittees into one still stood, and if the members Chair Abrams, Member Eilerman, Member Schubeck, Member Bytof, and Member Chanis were still onboard. Staff Poldino asked for confirmation that the

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subcommittee still stands and if the members of the committee were still active for the committee.

A follow up question and answer session was held regarding the meeting expectations of the subcommittee. These questions and comments were addressed by Staff Poldino and Executive Director Scheibly.

10. Set the 2024 Executive Committee Schedule

Staff Poldino presented intentions to bring back the Executive Committee with the function of advising the full board on the planning, financing, developing, and implementing of all programs and projects. Staff Poldino shared that the purpose of the Executive Committee would be to meet more frequently than the full board and create recommendations to the full board for approval. Staff Poldino read the composition of the Executive Committee which consists of the chair and vice chair, representatives for the cities of Novato and San Rafael, Unincorporated County of Marin, and Ross Valley and Southern Marin.

Staff Poldino listed the current Executive Committees' members: Chair Abrams – Ross Valley, Vice Chair Cusimano – Southern Marin Cities, Member Eilerman – County of Marin, Member Stefanski – City of San Rafael, and Member Deakyne – City of Novato.

The recommendation from staff is for the Executive Committee to comeback in 2024 and meet four times, a month prior to the JPA board meetings.

A follow up question and answer session was held, these questions and comments were addressed by Staff Poldino and Executive Director Scheibly.

Motion approving the Executive Committee to meet on the suggested days with the first being in February.

Motion: Member Deakyne. Second: Member Eilerman. Vote: Unanimous

11. Set the 2024 JPA Schedule

Staff Poldino read the proposal to have three JPA meeting dates for 2024 with the first being in March. Staff Poldino stated by having meetings aligning with the full MMA meetings, this would require a meeting one hour prior to the MMA meetings with a 15 minute break in between.

Motion approving the proposed JPA board meeting calendar.

Motion: Member Johnson. Second: Chair Abrams. Vote: Unanimous

No public comments were made.

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Member Eilerman asked if meeting invites would be sent out for the dates. Staff Poldino confirmed yes.

12. Suggested Agenda Items

Staff Poldino opened the floor to commentary from the board for agenda items for the next meeting.

Member Johnson commented on being informed about how districts have spent their SB 1383 grant funding or how they plan to. Member Johnson additionally requested the results from the executive committee's inquiry into Zero Waste grant program.

A follow up question-and-answer session was held, these questions and comments were addressed by Staff Poldino and Executive Director Scheibly.

13. Adjournment

Chair Abrams adjourned the meeting.

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Board Chair: Please confirm the vote on this item by reading the following items out aloud after the vote.

Motion: _____ Second: _____

Ayes: _____

Noes: _____

Abstentions: _____