

**MARIN COUNTY HAZARDOUS AND SOLID WASTE
MANAGEMENT JOINT POWERS AUTHORITY**

Belvedere Date: August 13, 2020

Corte Madera To: JPA Board of Directors

 From: Steve Devine, Program Manager

County of Marin Re: Approval of the May 28, 2020 JPA Board Meeting Minutes

Fairfax Please find attached the Draft Minutes from your last meeting.

Recommendation

Larkspur Adopt a motion to approve the May 28, 2020 Minutes.

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

Novato Motion: Dan Eilerman Second: Craig Middleton

Ross Ayes: Greg Chanis, Joe Chinn, Todd Cusimano,

 Garrett Toy

San Anselmo _____

San Rafael Noes: None

Sausalito Abstentions: Dan Schwarz, Alan Piombo, Adam McGill

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**MARIN COUNTY HAZARDOUS & SOLID WASTE
MANAGEMENT JOINT POWERS AUTHORITY**

Board of Directors Meeting
Thursday, May 28, 2020
Meeting Online Only via Zoom
9:00 – 10:00 a.m.

MEMBERS PRESENT

Cristine Alilovich, San Rafael
Greg Chanis, Tiburon
Joe Chinn, Ross
David Donery, San Anselmo
Dan Eilerman, County of Marin
Craig Middleton, Belvedere
Garrett Toy, Fairfax

MEMBERS ABSENT

Todd Cusimano, Corte Madera
Alan Piombo, Mill Valley
Adam McGill, Novato
Adam Politzer, Sausalito
Dan Schwarz, Larkspur

STAFF PRESENT

Steve Devine
Michael Frost
Melody Mitchell
Casey Poldino

OTHERS PRESENT

Heather Abrams, Tam Com. Serv. Dist.
Greg Christie, LTF Alt. Bay C. Refuse
Molly de Vries, LTF So. Marin Cities
Jim Iavarone, LTF & Mill Valley Refuse
Vicki Nichols, LTF & Marin Con. League
Adam Ratner, LTF Marine Mammal C.
Kim Scheibly, Public
Judy Schriebman, LTF Alt. & LGVSD

1. Open Time for Public Comment

Ms. Schriebman and Ms.de Vries checked in to announce their attendance.

2. Approval of the JPA Board Meeting Minutes from January 30, 2020

Mr. Devine stated that there was a correction to the Draft Minutes – being that Director Hymel should be listed as present as having been present at the 1/30/20 meeting on the first page.

Motion: by Mr. Eilerman to approve the JPA Board Meeting Minutes from January 30, 2020. Second: by Mr. Donery. Vote: Unanimous.

Regular Agenda

3. Update from Staff on Recent and Ongoing Activities

Mr. Devine reported that Zero Waste Marin is monitoring the evolving situation arising from COVID-19 and its impact on waste – such as grocery stores reverting back to use of plastic bags for sanitary reasons, and issues regarding re-usable items at restaurants. In light of these issues, outreach has pivoted to focusing on food waste reduction, and providing information to the general public on ways to reduce, re-use and recycle while sheltering in place. Mr. Devine also reported that

the JPA is in good hands with Michael Frost taking on the role (who has held that role in the past) of Executive Director – with the recent resignation of Ernest Klock. Also, Judith Silver, Senior Planner, left the County for the Central Contra Costa Solid Waste JPA. Lastly, one of the staff members fell ill with COVID while assisting with the COVID response, but fortunately has since recovered.

4. Update from your Board's Local Task Force (LTF) Advisory Group

Mr. Devine reported that this is a standing agenda item to provide the opportunity for the Board's thirteen member, Local Task Force (LTF) Advisory Group to share information with the Board. Mr. Devine praised the LTF members for their work over the last six months developing their recommendation to the Board (shared first with the Board back in January, to increase the advertising budget to specifically focus on reusables. He stated that due to COVID-19, and public concern over sanitation issues with reusables – that it is prudent to put this on hold – and reconsider the matter in the next budget cycle.

Ms. Schriebman (LTF Alternate representing the Las Gallinas Valley Sanitary District) expressed concern that the plastic industry is taking advantage of COVID-19 to promote plastic bags, and fight against single-use bans which have proven to make a significant difference in pollution prevention. Ms. Abrams (LTF Member representing the Tamalpais Community Services District) wished to thank the Board for supporting our prioritization of reusables and concurred with Ms. Schriebman that these are indeed challenging times regarding waste reduction. She stated that she appreciates the Board's efforts.

5. Update on the Organizational Assessment and Zero Waste Plan Update Project

Mr. Frost introduced himself and delivered an update to the Board on the Organizational Assessment project. Mr. Frost reviewed the Board's Subcommittee having selected R3 Consulting to run this project and let the Board know that R3 will be reaching out to each of the Board Members for interviews to gather their perspectives and learn about their particular agency's needs.

Mr. Frost reviewed the historical background of the current incarnation of this Agency being formed meet a then 50% required diversion rate pursuant to 1989's AB 939. The JPA Board then, years later, adopted an additional goal of "zero waste" by the year 2025.

However, diversion performance has been eroding the past few years – and is far short of the zero waste goal. Mr. Frost opened the floor for Board members to ask him questions and to give feedback on how they can work together to achieve the zero waste by 2025 goal. Ms. Alilovich asked about the timeline for completion of R3 Consulting's project, and if it was going to be completed within the fiscal year. Mr. Frost replied that the first phase of the project was set to be completed by this fiscal year, but because of the COVID situation, it will need to be carried over to the next fiscal year.

Ms. Alilovich requested that Chair Toy facilitate an updated project plan and timeline to present to the Board in October.

6. Extension to Household Hazardous Waste (HHW) Agreement between this JPA and the City of San Rafael

Mr. Devine presented a proposed one-year extension to the HHW Agreement between the JPA and the City of San Rafael Fire Department. That Agreement provides oversight, reporting, and billing services for the Marin Household Hazardous Waste Facility. The facility is located at 565 Jacoby Street co-located with the Marin Sanitary Service Transfer Station and Marin Resource Recovery Center.

The HHW operation is the single largest pollution prevention program in the County, diverting over 1 million pounds a year from local waterways, roadside dumping, and landfill. It serves over 25,000 customers a year and provides drop-off service to the public and small quantity business waste generators as required by State law. Operated in a three-way partnership, this program provides excellent service – which has resulted in not one complaint reaching our offices in ten years. The facility includes a re-use area for items still safe to be re-used or made available to the public at no charge. The current agreement expires on June 30, and it has worked well for all parties. The City of San Rafael already brought the agreement to its Council, where it was approved. They also work with Marin Sanitary to operate the facility and to extend associated agreements. He praised David Catalinotto with the San Rafael Fire Department for shepherding the agreement through the process, all during welcoming a new baby, and staff extends their congratulations to him.

The recommended action was to adopt the motion authorizing the Directing Board Chair to extend the subject agreement. This concludes the Staff report. No questions from the Board or public were tendered.

Motion by Mr. Middleton to adopt the motion authorizing the Directing Board Chair to extend the HHW Agreement between the JPA and the City of San Rafael. Second: by Mr. Donery. Vote: Unanimous.

7. Extension to Operating Agreement between this JPA and the County of Marin

Mr. Devine described that is a proposed one-year extension to the existing operating agreement between this JPA and the County of Marin, in which the County provides staffing, operations, contracting, legal, and other operating services for this separate public agency. This agency was formed and operates under its 1996 Joint Powers Authority agreement, and the existing agreement for operations is from 2013. The County provides day-to-day management of the agency, oversees State reporting, instruments, coordination with the Local Task Force, interactions with 23 franchising agencies in Marin, and coordination with the five waste haulers, Redwood Landfill, and Marin transfer station and recovery center. The arrangement provides for the budget setting process, and an annual flat fee for the County to provide day-to-day staffing, legal, accounting and administrative functions to operate this agency. Because of the ongoing Organizational Assessment and Zero Waste Plan Update – and possible changes to operations, the proposed extension is for one year – albeit with renewal provisions.

The proposed action is to adopt the motion authorizing the Board Chair to extend the existing agreement. This concludes the Staff Report. There was one question from the Board; no questions or comments from the public were tendered.

Motion: by Mr. Chinn to adopt the motion authorizing the Directing Board Chair to extend the Operating Agreement between the JPA and the County of Marin. Second: by Mr. Eilerman. Vote: Unanimous.

8. Proposed FY 20-21 Budget and Assessment Schedule

Mr. Devine reviewed that the Board adopted its budget development schedule at its January 30 meeting and appointed a Budget Subcommittee Chair, Toy and Directors Alilovich, Cusimano, and Hymel. With scheduling challenges from COVID-19, and to facilitate transparency the Draft Budget was transmitted to the full Board for review on April 23. Feedback from the Board was reviewed and addressed by Chair Toy meeting with Staff.

Additional information was then provided to the full Board on May 13 which addressed three main subjects:

1. Who pays the assessments and generates the funds for the JPA?

Mr. Devine reviewed that the assessments are paid for by the five waste haulers, Redwood Landfill, and the Marin Resource Transfer Station and Recovery Center. These facilities then pass on their fees on to their customers. The assessments are not a direct expense paid by the Member Agencies. Also, while the Agency goes by the moniker “Zero Waste Marin” – it is really a Household Hazardous Waste focused agency with 60% of the agency’s budget dedicated to providing household hazardous waste and small business waste services.

2. What is the impact of the assessments to the typical rate payer?

Mr. Devine shared that each year, the Agency queries the five waste haulers operating in the County how much the JPA Assessments translate into the rates they charge their customers. In 2020, the typical Marin County garbage rate is about \$47.00 a month. The five haulers report that the JPA portion that they pass through to their customers on the residential side ranges from \$.35 to \$.69 a month (0.7% - 1.9%) of the total, monthly residential rate.

3. Provide additional information on how labor expense is built into the Agency budget and on how pension and benefits are calculated.

The Board was provided additional information on labor component costs that comprise the flat fee that the County charges to operate the JPA on its behalf. Information was also provided to all the Board Directors on how the County calculates full labor costs including benefits and pension.

General Budget Overview

Structurally, the budget being proposed is about \$100,000 less in expenses than last year. With the unfolding COVID situation – staff has not included any new or expanded program this Fiscal Year. Despite the reduction in expenses there is an approximately 6% increase in overall assessments due to the carryover, cash balance being lower than the prior budget year.

Return to More Historical, Regional Landfill Tonnage without the Sonoma Fires

Mr. Devine reminded the Board that the JPA Agreement prescribes an every two-year tonnage reset to allocate the JPA Assessments among the haulers, transfer station and landfill. In 2018 – the formula resulted in the local waste haulers paying a lower share – with the landfill paying a higher share – due to the high tonnage received at the Redwood Landfill due to the Sonoma fires. We have now returned to a more normal distribution.

Nest, Mr. Devine gave a brief background of the three funds that comprise the Agency budget:

The first fund is the Zero Waste Fund

This fund accounts for 29% of proposed JPA expenditures and enables the Construction and Demolition Program, Home Composting Program, Member, Agency Support, distribution of Zero Waste tools (signage, etc.), outreach and advertising, public education, the Zero Waste Marin website updates and maintenance, and the Zero Waste Schools Program.

Mr. Devine called out the Zero Waste Schools Program as one of the Agency's most popular and effective programs. He praised Casey Poldino, on staff, for her excellent work in partnering with the Marin County Office of Education, all the Marin public school districts, custodial staff, five waste haulers and ore. The Zero Waste Grant Program is another important component of this fund, which is also included in the budget and will continue to provide \$350,000 in direct support to the member Cities, Towns, County and special districts that franchise solid waste.

The second of the three funds are the State Reporting and Admin Fund,

The fund provides resources for compiling and filing the Electronic Annual Report(EAR) with the CalRecycle state agency. Work also includes facilitating data collection and coordination with the five waste haulers, twenty three franchising entities, the landfill and transfer station. Other work includes contract management that oversees agreements to help leverage the work of this small agency, legal counsel, insurance, and the public agency audit.

The third fund is the Household Hazardous Waste Fund.

The main item in that sector is the Household Hazardous Waste facility in San Rafael, and through the San Rafael Fire Department we are providing two additional "Toxic Waste Away Days" for two remote areas in West Marin. It also funds the popular Bulb and Battery drop-off program at several different hardware store locations, the Sharps Collection Program in partnership with the Health Department, and the Oil Payment Program, which is funded by the State. This concludes the Staff Report.

The proposed action was to adopt a motion authorizing the Board Chair to execute the proposed Resolution 2020-01, which would list out the assessments for the haulers, landfill, and transfer station to generate the funds for Fiscal Year 20/21.

After an extensive discussion by Board members and one public comment from Ms. Schriebman, the Board voted as follows:

Motion: by Mr. Chanis to adopt the motion authorizing the Board Chair to execute the proposed Resolution 2020-01, which would list out the assessments for the haulers, landfill, and transfer station to generate the funds for Fiscal Year 20-21.
Second: by Mr. Eilerman. Vote: Unanimous.

9. Delegate Signature Authority to the Executive Director for Contracts Exceeding \$50,000

Mr. Devine shared that this has been a routine item to follow the County's Administrative and Procurement requirements in that contracts over \$50,000 require specific authorization. For efficiency purposes it is requested that signature authority be delegated to the Executive Director. Currently, there are four ongoing, routine agreements between the County and vendors conduct business.

Mr. Chinn expressed that he would prefer to have the contracts approved at a Board meeting so that any questions or concerns could be discussed prior to approval of the contract.

Executive Director Frost acknowledged that these proposed contracts could be brought back to the Board for specific authorization at a future Board Meeting – to ensure continued provision of services to the community.

10. Review and Approval of Annual Zero Waste Grant Program Guidelines

Mr. Devine gave a brief overview of the proposed FY 20-21 Zero Waste Grant program – which would be largely the same as recent past years. The program provides fiscal support for the JPA Members Cities, Town and special districts that franchise solid waste in Marin to provide zero waste programs that are tailored to their community's individual needs. Program funding is proposed to remain at \$350,000 consistent with recent years. The recommended action was to approve the program. No questions from the Board or the public were tendered.

Motion: by Mr. Eilerman to approve the Annual Zero Waste Program, which is included in the FY 20/21 Budget. Second: by Mr. Chanis. Vote: Unanimous.

11. Adjourn

Next JPA Board meeting TBD.