

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

Board of Directors Meeting  
Thursday, June 16, 2022  
10:00 A.M.

In-Person: 240 Tamal Vista Boulevard, Suite 108  
Online: via Zoom  
Hybrid Format

**MEMBERS PRESENT**

Heather Abrams, Fairfax  
Greg Chanis, Tiburon  
Todd Cusimano, Corte Madera  
Dan Eilerman (Alt.), County of Marin  
Christa Johnson, Ross  
Alan Piombo, Mill Valley  
Dan Schwarz, Larkspur

**MEMBERS ABSENT**

Cristine Alilovich, (Alt.) San Rafael  
David Donery, San Anselmo  
Adam McGill, Novato  
Craig Middleton, Belvedere  
Chris Zepeda, Sausalito  
Jim Schutz, San Rafael

**STAFF PRESENT**

Berenice Davidson, Interim Exec. Director  
Casey Poldino, Senior Planner

**OTHERS PRESENT**

Jenna Brady, County Counsel  
Bill Carney, Marin Biomass Study  
Belle Cole, Marin Biomass Study  
John Maher, Maher Accountancy  
Rebecca Vaughn, Corte Madera  
Chad White, Marin Biomass Study

1. Open Time for Public Comment  
No public comment was tendered.

**Consent Calendar**

2. Approval of the JPA Board Meeting Minutes from May 19, 2022
3. Proposed Resolution No. 2022-01 Making Findings and Determinations Under AB 361 Regarding Virtual Meetings
4. Receive and File the Fiscal Year 2020-2021 Audit

Motion: by Mr. Eilerman to approve Items 2, 3, and 4 on the Consent Calendar.  
Second: by Mr. Cusimano. Abstentions: None.  
Vote: Unanimous.

## Regular Agenda

### 5. Presentation from Marin Biomass Group

Ms. Davidson introduced the Marin Biomass Group, a volunteer organization, which requested to do a presentation for the Board with the recommendation of delegating the authority to assign a representative to the Biomass Underutilization Study Steering Committee to the Interim Executive Director. Belle Cole, Chair of the Steering Committee, and Chad White, Project Manager, delivered the PowerPoint presentation, an overview of the Marin Biomass Study and its essential relationship to Zero Waste Marin (ZWM), in the hopes of conveying the timeliness and value of having a representative from ZWM participate in their steering committee by this summer.

A brief question and answer session was held after the presentation.

Ms. Abrams asked if it could be an option to have a member of the Local Task Force (LTF) fill the seat instead of a member of the Zero Waste Board itself. Mr. Chanis asked to clarify the Marin Biomass Study Group request, and Ms. Davidson confirmed that the group recommends that the Board delegate the authority to assign a representative to their steering committee to the Interim Executive Director.

Bill Carney, from Marin Biomass Study, added that from the standpoint of the steering committee, it would be acceptable to have ZWM assign a member of the LTF to serve on the committee and that it is up to ZWM to decide the best representation. The Group understands, as well, the constraints and other concerns of the Board.

Mr. Schwarz asked the Group who else would be participating on the committee. Ms. Cole answered the question, stating they have been members of the Study Group from the beginning, which has now been appointed as a steering committee by a fiscal agent. Mr. Schwarz further shared the reasoning behind his question, asking whether the members are elected officials or staff and their understanding of the issues surrounding the delivery of waste and the cost to the agencies of dealing with SB 1383. He stated he would like to know because it affect whomhe thinks should represent this organization. Ms. Cole shared the names of the members, including herself, one of the project's original architects, and the following people: Bill Carney (who introduced himself), Chair of Sustainable San Rafael, and a member of the Board of the recently formed CAN. He stated he has a background in landscape architecture and has worked in the public and private sector for years; Dr. Jeff Creque, Chair of the Carbon Cycle Institute, also integrated into the management of West Marin Compost; Chris Carstens, Co-Founder, and CTO of Carbo Culture; Larry Minikes, Marin Conservation League; Bruce Goines, President of Marin Wildfire Prevention Authority (MWPA); Barbara George, Organizing for Action Marin; Chad White, BAAQMD.

Mr. White added that part of the interest here is two-fold: one, they see ZWM as very important to the JPA in helping to organize the way the County will see this project, and two, they do not have someone who understands the details of

waste management contracts and costs. He stated that many of the members are familiar with SB 1383, and he has experience with it for the last five years, but he works on it from the standpoint of air quality management, not from the perspective of in-line waste management. He clarified that the Group is looking specifically for the type of expertise that the Board suggests and would want them to have.

Ms. Davidson also added that the fiscal sponsor for this non-profit is the Marin Resource Conservation Agency.

Mr. Schwarz stated that he would submit based on what was said and his limited understanding that official representation of this government body on this steering committee is not appropriate and that the governing body should appoint staff to attend to monitor the discussions of the Group's meetings. He believes that placing a representative of ZWM on the steering committee may suggest that the ZWM and the Group agree with something before it has been produced. He believes the Board should be attending the committee meetings only as a monitor but not allowing ZWM's name to be represented as an officially sanctioning body of the work. The JPA/ZWM Board is a regulatory body in many respects.

Mr. Cusimano concurred with Mr. Schwarz on his recommendation.

Ms. Cole stated that it is a working group, and they have made significant progress with the project in the two years they have worked together. She noted that the project has been very well-received at all tables, especially since they have received funding at the State level. It is seen as a model for what's to come in other communities. She sees this as an opportunity for ZWM to gather the information that will be useful to their goals. Having a representative there regularly to interact with the Group would benefit both organizations.

Mr. Chanis asked about the structure of the steering committee. Do they take votes, or is it more of an informational exchange?

Ms. Cole answered that it depends upon the issue. For example, they are about to prepare an RFP for a study consultant, and they tend to seek unanimity on certain decisions, such as choosing the consultant based on their qualifications.

Mr. Carney stated that they are a part of the Marin Resource Conservation District (RCD), which convened the Group officially are an advisory body to the District. Ultimate decisions about accepting the deliverables of the Study go through the RCD Executive Director, and in a few cases, up to their Board.

Mr. Chanis asked if the language in the recommendation as written in the Staff report is acceptable to you, given what you just heard.

Mr. Schwarz replied that his preference is that this organization, as a regulatory and fiduciary agent in and of itself and a steward of ratepayer money, not be an official member of this steering committee that may produce reports with recommendations that the Board cannot necessarily implement or support. He recommends that the Board send someone to their meetings and will not be listed as an official member of this steering committee.

Mr. Cusimano stated that he supports the work of the Group and that the Board should be involved, but he agrees with Mr. Schwarz on his recommendation.

Ms. Johnson concurred with Mr. Schwarz and Mr. Cusimano on the recommendation, as well as Mr. Piombo.

Ms. Davidson recommended for the Board's consideration to add additional language to the recommendation to clarify the role of the representative at the steering committee meetings, and the goal is for the staff member to report back to the Board the activities and work that happens at the meetings, perhaps as an action item.

Mr. Eilerman concurred with Ms. Davidson's recommendation and agreed that the work is significant, and he takes into account what the Board members have said. He recommended that "liaison" is perhaps a better word to use, rather than an "official representative" of the steering committee.

Motion: by Mr. Cusimano to approve the recommendation of delegating the authority to assign a representative to the Biomass Underutilization Study Steering Committee to the Interim Executive Director as amended, replacing the word "representative" with "liaison."

Second: by Ms. Johnson.

Abstentions: None.

Vote: Unanimous.

6. Adopt Proposed FY 22-23 Budget and Associated Proposed Resolution No. 2022-02 Regarding Hauler and Facility Assessments

Ms. Poldino presented the proposed budget and resolution to the Board, which was prepared mainly by Steve Devine before his departure from the County. She stated it was thoroughly reviewed during the May meeting, but she wanted to call out two items: 1) the only change was restoring the \$100,000 back into the State reporting fund per the Board's direction from the May 19 meeting. This line item is for SB 1383 support for all members, and 2) the item is on page 58 of the Agenda packet (or page 2 of Item 6), in which she called out an oversight. It was in the table at the bottom of the page, the new full-time Executive Director, using the County Planning Manager classification, was not updated in the Agenda, but it was updated in the actual budget itself, reflecting the change from \$282,000 to \$230,917 as discussed during the May 19 meeting. It did not make it into the Staff report narrative.

Motion: by Mr. Eilerman to adopt the proposed FY 22-23 Budget and associated proposed Resolution No. 2022-02 regarding hauler and facility assessments.

Second: by Mr. Cusimano.

Abstentions: None.

Vote: Unanimous.

7. Review and Approve Compliance Reimbursement Program Payments

Ms. Poldino recalled that from the May 19 meeting, the Board had added \$317,708 to the Budget to support all franchisers in the initial implementation of SB 1383. Out of that fund, which was named the Compliance Reimbursement Fund, \$255,198 has been requested for reimbursement. The table provided in the report shows a breakdown of funds requested by the Cities, Towns, and Special Districts. Every franchiser used some, if not all, funds except for Stinson Beach. All reports are attached in the Agenda packet, and the Staff requests the Board to adopt a motion today to receive and file the information and authorize Staff to make payments.

Motion: by Mr. Cusimano to receive and file the Budget reports and authorize Staff to make payments from the Compliance Reimbursement Program funds.

Second: by Mr. Eilerman.

Abstentions: None.

Vote: Unanimous.

8. Review and Approve the Newly Combined "Zero Waste Reimbursement Program."

Ms. Poldino recalled to the Board that for many years Staff has been administering the Zero Waste Grant Program to help facilitate communities towards our Zero Waste goal. The \$350,000 fund was allocated to Cities, Towns, and Special Districts based on population. During the last fiscal year, 2021/22, the Compliance Reimbursement Fund of \$317,708 was introduced. To simplify and improve efficiency; these two funds have now been combined into what is now called the Zero Waste Reimbursement Program. A total of \$667,708 will be available to all Cities, Towns, and Special Districts on a reimbursement schedule, shown in attachment "A." The breakdown of funds is found on page 335 of the Agenda packet (or page 4 of Item 8).

Staff recommends the Board adopt a motion to approve the program and authorize the Executive Director to administer the program, including making modifications as necessary and allowing the County to utilize funds not claimed by Special Districts to further the goal for the unincorporated County of Marin.

Motion: by Ms. Abrams to approve the newly combined Zero Waste Reimbursement Program and to authorize the Executive Director to administer the program, including making modifications as necessary and allowing the County to utilize funds not claimed by Special Districts to further the goal for unincorporated County of Marin.

Second: by Mr. Eilerman.

Abstentions: None.

Vote: Unanimous.

9. Update from Zero Waste Plan Update Subcommittee on Executive Director Recruitment

Mr. Chanis recalled to the Board a discussion at the May 19 meeting regarding the classification of the new Executive Director position for Zero Waste Marin. After the last public meeting, the Subcommittee met with representatives from the County last week and had a robust discussion. He stated that the members recognize that it is a challenging recruitment environment. Still, they are satisfied with the proposal, and the Subcommittee agreed to support the classification proposed by the County.

Mr. Eilerman stated that Mr. Chanis's statement is accurate from the Subcommittee's perspective. He hopes it will be successful recruitment; if not, the County will re-address.

#### 10. Delegate Signature Authority for Certain Contracts to Executive Director

Ms. Davidson presented the item as a matter of annual business. Staff requests the Board to delegate signature authority for specific ongoing contracts to the Executive Director, and those typical annual contracts are listed on the Staff report.

Ms. Johnson asked if it was safe to assume County's purchasing and contracting policies and procedures all apply.

Ms. Davidson confirmed Ms. Johnson's question, stating that Staff works closely with their Purchasing Division to ensure they comply with all process steps.

Motion: by Mr. Cusimano to delegate signature authority for specific contracts to the Executive Director.

Second: by Ms. Abrams.

Abstentions: None.

Vote: Unanimous.

#### 11. Adjournment

*The next meeting is tentatively scheduled for August 18, 2022.*

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

Motion: \_\_\_\_\_ Second: \_\_\_\_\_

Ayes: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Noes: \_\_\_\_\_  
\_\_\_\_\_

Abstentions: \_\_\_\_\_