

MARIN COUNTY HAZARDOUS AND SOLID WASTE MANAGEMENT JOINT POWERS AUTHORITY

Executive Committee Meeting Minutes

Thursday, April 18, 2024

8:30 am – 9:30 am

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

EXECUTIVE BOARD MEMBERS PRESENT

City of Mill Valley: Todd Cusimano (Vice Chair)

County of Marin: Dan Eilerman (Alt.)

City of Novato: Jessica Deakyne (Alt.)

City of San Rafael: John Stefanski

STAFF PRESENT

Kimberly Scheibly (Executive Director)

Casey Poldino (Staff)

Amy Kolnes (Staff)

Meilin Tsao (Staff)

Justin Newsome (Admin)

Melody Mitchell (Admin)

Call to Order Regular Meeting

Regular session was called to order.

Open Time for Public Comment (Items not on the agenda)

No public comments.

Approve JPA Board Meeting Minutes from February 29, 2024

Vice Chair Cusimano asked if there were any comments or changes to the minutes.

Board Member Eilerman suggested adding to his existing comments under the agenda minutes (second paragraph) regarding who the new County Executive will be overseeing. Eilerman would like to add on to “With the exception of County Counsel the excerpt “as well as elected officials” to clarify the record.

Motion to approve the JPA Board Meeting Minutes from February 29, 2024

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

Abstain: None

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Executive Director Report

Executive Director Scheibly shared her talk given on April 12 [2024] regarding SB-54 and its impacts on the reusable foodware ordinances part of the California Organics Recycling Council Board with attendance from across California. For the towns, cities, and unincorporated areas that adopted Marin County's ordinance they will be within compliance for a while with the possibility of a few minor adjustments; however, Corte Madera's ordinance will be out of compliance with state law, and they have been notified. The staff will keep the board members informed as the process moves along.

There was a meeting with the program subcommittee. The group suggested replacing the reimbursement program with a line item called New Program Development; this would pilot new waste streams. Scheibly shared that the waste disposal numbers are increasing and would like to focus on this as many of these materials are not being collected by the haulers in the curbside containers.

Scheibly added the need for a Countywide Waste Characterization study to fulfill our CalRecycle mandate to determine the capacity for organic waste in the county. Both steps can be funded with the Local Assistance Grant funding at CalRecycle's urging.

Additionally, informal bid quotes were sent to 6 vendors, The 4 that replied were Cascadia, Envirolutions, Race to Zero Waste and SCS Engineers. After an evaluation, staff recommended using SCS engineering as they have completed the Waste Characterization studies for Marin Sanitary and other larger businesses. They are also familiar with the CalRecycle Waste Characterization process and were also selected to perform a Waste Characterization study for Alameda County. Staff is in the process of getting a more formal quote with a more detailed plan.

The \$450,000 that was set aside for member agency reimbursement this year would be shifted to different fund line items to go after program development and pilot studies. Another suggestion is for a pilot Climate Corp cohort, which would be a group of 3 individuals to help all the cities and towns with the gaps in SB-1383.

A brief question and answer session was held regarding Climate Corp cohort, the question was addressed by Scheibly.

Scheibly concluded the Executive Director's report. Information item only. No action taken.

SB 54 Public Comment Letter

Scheibly updated the committee on the Plastic Pollution Prevention and Packaging Producer Responsibility Act which was signed into law on June 30, 2022. This extended producer responsibility regulation aims to eliminate packaging that is not

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100% recyclable or compostable, improve the recycling rates of materials deemed recyclable to at least 60%, and reduce the overall amount of packaging by at least 25% by 2032.

The law requires producers to manage single-use plastic and develop a sustainable funding mechanism. Producers in California will be required to join the Producer Responsibility Organization (PRO), who is Circular Action Alliance that was appointed by CalRecycle. They PRO will oversee producers; establish a plan, collect fees, and report to CalRecycle. The regulation is part of a multiyear effort meant to shift the costs associated with these materials from local jurisdictions to producers. CalRecycle formally opened the 45-day public comment period on March 8, 2024.

Scheibly provided the recommendation to approve SB 54 public comment letter for the Executive Director to provide to CalRecycle on behalf of all Member Agencies.

Motion: Approve SB 54 public comment letter for the Executive Director to provide to CalRecycle on behalf of all Member Agencies.

Motion: Deakyne Second: Eilerman. Vote: Unanimous. Abstentions: None.

Fiscal Year 22/23 Audit

Kellin Gilbert of Pistenti & Brinker presented and spoke from a PowerPoint slideshow (attached in the Executive Committee meeting packet). Gilbert shared that the audit was 95% complete and the expectation of the report was to provide an unmodified opinion. During the presentation the key highlights were the relative roles and responsibilities of management and the auditors and the significant areas of focus for the audit. Additionally, requirement communications regarding accounting policies and practices, observations about the audit process, and internal controls matters were shared.

Eilerman raised a question/suggestion for mention of the term “citizens” in the audit report to be changed to “residents” or “community” as a replacement. Deakyne added that the suggestion of “community member” for inclusion.

A brief question and answer session was held regarding Munis functionality moving forward, questions and comments were addressed by Gilbert and Scheibly.

The finalization of the final report was confirmed by Gilbert, it is to be finalized “next week” prior to going to the full board.

Fiscal Year 24/25 Draft Proposed Budget

Scheibly spoke to a PowerPoint slideshow (attached in the Executive Committee meeting packet). Staff received notice in March that the JPA was awarded the Local

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Assistance Grant in the amount of \$1,157,867.00. At the suggestion of the Budget Subcommittee, two scenarios have been created for spending this money. Scenario 1 spends the money in one fiscal year, while Scenario 2 spreads the funding out over two fiscal years. For scenario 2 only FY 25 was included.

For FY 24-25 budget and associated hauler and facility fee assessments are charged to the landfill, material recovery facility, transfer station, and the five haulers operating in the County. Due to the Local Assistance Grant funding, the proposed budgets for both Scenarios 1 and 2 result in a decrease in the overall assessments.

Assessment fees are calculated based on disposal figures from the haulers and facilities in the County. The tonnage allocations are reset every 2 years and the current year's fees are based on tonnage from 2023. The franchised haulers may pass along these costs to their customers as prescribed in the rate setting methodology section of the franchise agreements. If it is not in their [franchise agreement] methodology, they do not have to pass it on. The facility operators may choose to pass on these costs to the customers who use their facilities, which includes the haulers and the public self-hauler.

The PowerPoint presentation displayed added details in the differences between Scenario 1 and Scenario 2. Starting out with a comparison of how the hauler/facility assessments would have been affected had the JPA not received the Local Assistance Grant from CalRecycle. The program expenses are the same for each scenario presented. The revenue requirements stay the same, it is the assessments and the Local Assistance Grant money that drives the change. In the presented Scenario 1, the Local Assistance Grant money is spent in one year. For Scenario 2, half of the money received from the LAG would be spent in FY25 and the remaining half would be spent in FY26. After the presentation, Scheibly presented the recommendation for vote.

Cusimano shared Chair Abrams' previously submitted questions to Scheibly's presentation in which these questions were separately addressed after the presentation.

A brief question and answer session was held regarding the budget Scenario options, raters, and preferences of the haulers. Questions and comments were discussed between the board members and Scheibly.

Motion: Adopt a Motion to approve the Proposed FY 24-25 Draft Budget for Scenario 1 or Scenario 2 or the Executive Committee could select one or the other for spending the Local Assistance Grant to be considered for adoption by the full board at its upcoming May 2024 meeting or provide specific direction specific direction to Staff on any desired changes.

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Option 2 - Half of the money received from the Local Assistance Grant fund would be spent in FY 25 and the remaining half would be spent in FY 26.

Motion: Eilerman. Second: Board Member John Stefanski. Vote: Unanimous.
Abstentions: None.

Fiscal Year 24/25 Draft HHW Facility Budget

Scheibly updated the committee that as of July 1, 2023, the JPA now funds and oversees the operations of the Household Hazardous Waste Facility and The Very Small Quantity Generators for Marin located at 565 Jacoby Street in San Rafael. Many materials received at the facility are either directed for recycling or fuel incineration. This budget shows a minor increase from the 2024 approved budget. Justin Wilcock, Director of General Operations from Marin Sanitary Service was present to answer questions for the Executive Committee regarding the proposed budget. The recommendation is to adopt a motion providing specific direction to staff on the HHW facility operating budget that will come before the full board in May for review and approval.

A brief question and answer session was held regarding the operating budget. Scheibly displayed the operating budget for the committee via PowerPoint to assist in answering their questions.

Wilcock shared thoughts on the contract transition from the City of San Rafael to the County of Marin.

Motion: Move the HHW facility operating budget to the full board in May for review and approval.

Motion: Stefanski. Second: Eilerman. Vote: Unanimous. Abstentions: None.

Eilerman followed up with a question to Executive Director Scheibly regarding the Solar Panel and a Take Back pilot included in the budget and wanted to confirm it was a part of the Solar Take Back idea that allows residents and businesses can return old small off-road engine equipment. Executive Director Scheibly confirmed yes, and that the program subcommittee will discuss the programs for study.

Adjournment

Cusimano 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: _____