



**A Public Agency**

CONSENT CALENDAR



**DRAFT MINUTES**

SOUTH BAYSIDE WASTE MANAGEMENT AUTHORITY  
MEETING OF THE BOARD OF DIRECTORS  
September 25, 2014 – 2:00 p.m.  
San Carlos Library Conference Room

Call to Order: 2:05PM

1. Roll Call

Agency	Present	Absent	Agency	Present	Absent
Atherton	X		Menlo Park	X	
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	

2. Public Comment

Persons wishing to address the Board on matters NOT on the posted agenda may do so.

Each speaker is limited to two 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.

None

3. 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. Adopt the September 11, 2014 BOD Meeting Minutes
- B. Consideration of Approval of Executive Director's Goals for FY1415
- C. Approval of Quarterly Investment Report as of 6/30/14

Member Olbert made a motion to approve the consent calendar

Member Carlton seconded the motion

Voice Vote: All in Favor, Chair Widmer abstained from item 3A

Agency	Yes	No	Abstain	Absent	Agency	Yes	No	Abstain	Absent
Atherton	X		X(3A)		Menlo Park	X			
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			

4. **Old Business:**

A. Consideration of Introduction of Ordinance Implementing a Recycling Reporting System for Commercial Recycling Haulers

Member Brownrigg now present

Executive Director McCarthy gave a brief overview of the staff report. He noted that JPAs adopting ordinances is common practice and gave examples of other regional JPAs that have adopted ordinances. He added that the ordinance language has been made as simple as possible as to not be a burden on the businesses affected, and that it would affect 109 businesses out of the 10,000+ in the SBWMA service area. He also added that if the ordinance were to be adopted it would allow the Executive Director to take enforcement action, and he noted that if he thought if an enforcement effort was required no enforcement action would be taken without first coming back to the SBWMA Board for approval.

Vice Chair Dehn wondered if the data collected through the ordinance would be granular enough to get the information needed by City and consequently is the state's 75% diversion goal measured service area wide or by City.

Executive Director McCarthy noted that currently the 75% goal is a goal and is not yet a local mandate.

Staff Feldman answered that the goal is to get the information by each Member Agency, and that is what is being asked for in the ordinance but isn't required if the hauler doesn't have the data at that level. He added that Cal Recycle will be going back to the state legislature in 2016, after looking at how the mandatory commercial recycling laws have affected diversion, and at that time a local mandate will likely be considered. He noted that the data collected through this ordinance would play into those numbers, because currently, the only commercial diversion data we have is what is collected by Recology.

Vice Chair Dehn asked if there would be an issue with double counting if a business reported to us what they took to Zanker, and then Zanker also reported the same tons.

Staff Feldman answered that Zanker, and any business doesn't have to report to the state, the individual jurisdictions have to report to the state, the businesses are required to recycle, but not to report.

Member Benton asked about language in the ordinance if the word commercial entities referred to the haulers or the clients.

Counsel Lanzone noted that commercial entity is defined as the business that generates the recyclables.

Member Benton asked why the ordinance was limited to commercial entities, and gave an example of Hillsborough residents using debris boxes for tree removal, but under the definition of commercial entity, the hauler wouldn't have to report that pick up.

Counsel Lanzone answered that the reporting requirements are asking for anything hauled from a commercial entity, and noted that if a tree service was using a debris box then the tree service would be the commercial entity.

Member Benton noted that Hillsborough has Clubs and Schools that use debris boxes, and he would like that diversion included even though it's not a commercial entity and wondered if the definition could be broadened.

Counsel Lanzone noted that on page 2 of the ordinance the definition of commercial is very broad, and includes non-profits and schools, so that only thing missing is an individual home owner.

Member Carlton wondered if it included nursing homes and apartment complexes.

Counsel Lanzone answered yes for the nursing home, but was unsure about the multifamily complexes.

Staff Feldman added that most of what Member Benton was mentioning would fall into the C&D category, which requires reporting.

Executive Director McCarthy added that the intent would be to include that tonnage in the data, and suggested tightening the language to amend the definition to include multi-family and C&D collected anywhere.

Member Aguirre now present.

Counsel Lanzone noted that multifamily residences and C&D collected anywhere would be added to the definition, and any motion to adopt this ordinance would include this change in the definition of commercial entity.

Member Benton asked if the online registration would be up and running by January 1.

Executive Director McCarthy stated that it would be ready on time for businesses to register for the program, and money is budgeted for that as listed in the fiscal impact section of the staff report.

Member Brownrigg requested that language be included to insure that the Board has oversight over penalties, and that enforcement action is subject to Board approval.

Counsel Lanzone noted that he would write it in, and it would be included in the motion.

Member Benton made a motion to approve the ordinance as amended and asked the first reading be waived.

Member Stone seconded the motion.

Roll Call Vote: 9-1-0-2

Agency	Yes	No	Abstain	Absent	Agency	Yes	No	Abstain	Absent
Atherton	X				Menlo Park	X			
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			

B. Consideration of Approval of Continued Use of County VRS Workers by South Bay Recycling

Executive Director McCarthy gave an overview of the staff report, noting that the last piece of securing additional 3<sup>rd</sup> party tons into the MRF is securing the labor supply and this contract will do that. He added that the VRS arrangement is written into the Operations Agreement, which is why this item comes to the Board for approval, and that the approval will allow SBR the continued use of the County VRS workers as a subcontractor. He also noted that table 1 in the staff report, shows the costs of the VRS program versus other options. He noted that there are some significant increases in labor costs included in the VRS contract, but none are included in what the SBWMA pays to SBR to operate the facility. He noted though that while it's not an issue now, if the VRS costs become out of alignment with what SBR is compensated for, it may be of concern down the road when the operation agreement expires.

Member Olbert asked for clarification if the issue of SBR using subcontractors required Board approval even if it continues the same relationship.

Executive Director McCarthy answered that this is a brand new contract with changes, and if there were no changes to the contract there would be no reason to bring it to the Board.

Counsel Lanzone added that it is a modification to the contract.

Chair Widmer commented that he was concerned about down the road in 2017, and would like to know what alternate supplies of labor are possible.

Executive Director McCarthy answered that staff has encouraged SBR to keep options open, noting that it's a 3 year contract.

Dwight Herring noted that it is SBR's intent to go through an RFP process before the 3 years is up and vet possible subcontractors through the RFP process.

Chair Widmer asked if there would be a plan to test out any other subcontractors.

Dwight Herring answered that through the RFP process SBR would make sure any new arrangement could secure the labor supply and understood the scope of work. Some limited testing might be possible.

Chair Widmer requested that the Board kept aware of the plan for future RFP and testing of possible additional labor sources.

Member Brownrigg spoke in favor of the VRS program and its continuance at Shoreway. He noted that using labor trying to get their life back on track and paying them a wage that actually allows them to get

their lives on track is really good public policy. He gave praise to SBR for increasing the wage, and challenged the County to possibly reduce the overhead charge to allow this program to continue.

Member Slocum noted that after the SBWMA Board approves this item it will then go to the County Board of Supervisors.

Chair Widmer requested that as SBR enters into agreements with subcontractors, the requirements in the contract flow down from the requirements with the SBR/SBWMA Operations Agreement Contract.

Member Brownrigg made a motion to approve the resolution

Member Aguirre seconded the motion

Voice Vote: All in favor

Agency	Yes	No	Abstain	Absent	Agency	Yes	No	Abstain	Absent
Atherton	X				Menlo Park	X			
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			

**5. New Business:**

**A. Resolution Approving 2015 South Bay Recycling Compensation Application**

Staff Gans gave the background on the compensation process that is formalized in the Operations Agreement. He noted that the compensation adjustment for SBR in 2015 is a 1.3% increase. He added that the reason for the modest increase is a result of the low increase in the indices that all the cost components are tied to with CPI.

Member Olbert questioned why on page 6 of Exhibit A of the report it noted that the variance couldn't be calculated, and wondered why.

Staff Gans answered that a payment for services in 2015 is being forecasted in this report, but SBR is actually paid month to month on tonnage that is actually processed, so this is an anticipated tonnage number based on historical records.

Member Olbert expressed concern that the language stated that this was based on the original tons in the RFP, and wondered if estimates were being based off numbers from 2009.

Staff Moran answered that the tonnage for this report has not been changed since the beginning of the contract. He explained that SBR is paid a rate per ton, and what's being approved is the payments in the 2015 column of table 1. He noted that those are interpreted on an annual basis depending on the tonnage that actually comes in.

Member Olbert concluded that it seemed odd not to use recent numbers, and that it should be concluded based on whatever recent experience is, because the total cost numbers are much less meaningful than they would be otherwise.

Executive Director McCarthy noted that every other document presented shows actual and forecasted numbers, the intent with this was to show a table that isolates the price effect. The total cost impact is put in our budget documents and shared with the Board at different times of the year in different forecasts.

Member Olbert suggested getting rid of the total cost columns in this particular table because they don't mean much.

Staff Moran added that the reason the column is there is to show the overall impact of 1.3% in tip fee changes. He suggested adding another line to show what the actual projected amounts for each year, but noted if there was a different tonnage amount for 2014 vs. 2015 the 1.3% would be distorted.

Executive Director McCarthy understood Member Olbert's point and agreed to take the conversation off line to fix it.

Member Benton asked if Table 1 represented numbers before commodity revenue.

Staff Moran answered yes this is just what SBR is paid to process material.

Member Benton asked what net of residue meant, and for clarification on what residue was.

Staff Gans answered that it is an added financial incentive for SBR to maximize recovery of materials at the MRF. The RFP included language that required the proposers to pay for the disposal of the residual as a disincentive. He noted that residue is that material that doesn't get sold.

Member Aguirre made a motion to approve the resolution  
 Member Benton seconded the motion  
 Roll Call Vote: 10-0-0-2

Agency	Yes	No	Abstain	Absent	Agency	Yes	No	Abstain	Absent
Atherton	X				Menlo Park	X			
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			

B. Resolution Approving 2015 Recology San Mateo County Compensation Application

Staff Moran presented the staff report that discussed Recology 2015 Compensation application, and the recommended 2015 rate adjustment. He noted that the total adjustment is a 0.2% increase, which happens to be the same as last year, so clearly the cost stability that was the goal when the new contracts were initiated has been achieved. He added that the most important take away in the report is table 8 which shows the cumulative total surplus for the end of 2015, noting that part of it is still estimated, but it is estimated to be a \$2.2M surplus and an overall 2.3% rate reduction. He noted that the results vary greatly by member agency, for many reasons.

Member Olbert asked for clarification on some of the costs indicated on table 3 as to whether there were indices based or not, and why interest expense was down.

Staff Moran answered that fuel costs are one of the costs that are index based. Regarding the interest expense he noted that Recology's interest is fixed on capital. At the beginning of the contract Recology spent roughly \$60M on capital, and they also get reimbursed the interest on that capital, at the beginning of the contract there was a schedule that showed the declining interest payment each year, so unless there is a change in capital that is approved the interest is fixed for every year of the 10 year contract.

Member Olbert asked for further explanation of the drop in performance incentives and disincentives.

Staff Feldman answered that Recology still got an incentive payment because of the overall diversion but it was not as large as in years past, so the number dropped. He also how the incentive payments work is that Recology has to achieve what they achieved the prior year plus in order to get to the incentive payment.

Member Olbert commented that performance incentive dropping isn't necessarily a good thing programmaticly, it is favorable from a financial point of view but not from a program point of view.

Staff Feldman noted that yes the goal is to have diversion increase continually over time, but as the bar continually gets raised higher and higher it becomes harder to achieve that goal, as predicted the larger strides were made very early in the contract and in the later years of the contract it will be harder to reach big diversion numbers.

Member Olbert commented that it sounded like there was a goal set of where diversion numbers should be over the life of the contract and in this last year that goal wasn't met.

Staff Feldman answered that there is no set trajectory; the goal is changed each year based on the previous year's performance.

Member Olbert noted that this raises cause for concern that Recology didn't do as well most recently as they had in years past.

Executive Director McCarthy added that the calculations are done on diversion, and the piece that Recology really controls is that sales force that tries to set up new services for businesses. For the most part after the first year of a franchise the residential organics and recyclables flatten out, so over time there is a smaller and smaller amount that Recology can move, but it's their commercial efforts that they are being measured on.

Member Olbert commented that the reason he asked these questions is because he wanted to be cautious to understand what is causing news, to make sure good news is really good news.

Member Benton noted that the table shows the wages up 1.9% controlled by the index, and asked how the new labor contracts Recology recently negotiated compare to the 1.9% increase.

Mario Puccinelli answered that Recology settled at an average of 2.4% per annum on wages, and health and welfare went up 8%, so the difference is not being compensated through the contract.

Member Benton asked how the Franchise influenced the negotiation with the union.

Mario Puccinelli answered that the union looks at the market and how other contracts and their increases line up, so Recology walked away feeling OK about the negotiations.

Executive Director McCarthy added that the previous average labor increase was about 4.5%, so this contract helped put pressure to get that number down, but the benefit side is still where there is risk exposure.

Member Olbert would like to see it as a total compensation number including wages and benefits relative to the indices.

Member Benton thanked Marshall and the SBWMA team for the work on preparing this data.

Member Brownrigg made a motion to approve the resolution

Member Olbert seconded the motion.

Roll call Vote:

Agency	Yes	No	Abstain	Absent	Agency	Yes	No	Abstain	Absent
Atherton	X				Menlo Park	X			
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			

**6. Staff Updates:**

- a) Potential Future Board Agenda Items

Chair Widmer asked Board Members to review future calendar dates so that if they overlap with something important the dates can be changed well in advance.

- b) Check Register for July and August 2014
- c) Technical Consulting Contracts – 3<sup>rd</sup> Quarter 2014
- d) Update on 2014/15 Franchise Rate Setting Process
- e) Recycling and Outreach Programs Update
- f) Shoreway Facility Operations and Maintenance Update
- g) Receipt of Recology and SBR Monthly Reports

**7. Board Member Comments**

**8. Adjourn 3:11 PM**

any reporting lapses by registrants. In addition, the Ordinance is not intended to place an undue burden on recycling haulers nor require significant JPA resources to implement. The Implementation Schedule to commence this project is provided as **Attachment B**.

### ***Alternatives to an Ordinance***

- The Board can request additional changes to the Ordinance which would require a reintroduction of the ordinance at a later date if the changes are substantive. This would delay the Board's consideration of adopting the Ordinance until the November Board meeting and may delay implementation of the Ordinance until sometime after January 1, 2015.
- Staff can proceed with the Long Range Planning effort without the data sought per the Ordinance. Assumptions can be used in lieu of actual data, but this will result in significantly lower confidence in the diversion and cost models presented for efforts to increase commercial diversion.
- Staff can continue attempting to obtain data voluntarily; however, Staff's recent attempts to obtain data voluntarily was not cost effective as the return on investment of this effort returned few results as explained to the Board at the July meeting. Further, staff does not have time budgeted in the current fiscal year to conduct such a data gathering effort.

### **Background**

Per discussion at the July 24, 2014 Board meeting, staff updated its working list of recycling haulers and shared it with the Board on August 28, 2014. Board Members were encouraged to get feedback from businesses potentially subject to the ordinance such as haulers and backhaulers and to share this feedback at the next Board meeting on September 11, 2014.

At the September 11, 2014 Special Board meeting Staff was directed to bring this item to the Board for consideration at the September 25, 2014 meeting. The Board also discussed the need to collect data quarterly, the potential that reporting would be an undue burden on small haulers, whether the JPA should have responsibility to pursue enforcement of an ordinance and feedback was provided regarding a large hauler that was contacted by a Board member and Staff. Staff assured the Board that they would periodically provide updates on the status of the program and would revisit the frequency of reporting once an adequate amount of data is compiled, perhaps in two years. In addition, Staff noted that one of the goals in conducting a stakeholder engagement is to reach out to small haulers to determine what assistance they would benefit from, but over time it was unlikely Staff would spend considerable time "chasing" the smaller haulers who had difficulty reporting data.

Regarding the JPA acting as an enforcement agency, Staff explained that the extent of the administrative enforcement would largely be to send letters and to work closely with Member Agencies to contact companies not complying with the ordinance. Additionally, the Ordinance prescribes that enforcement activities would be authorized by the Executive Director and Staff would apprise the Board of any enforcement pursued.

Section 4.01(B)(1) of the Member Agencies Franchise Agreements with Recology provide the company the non-exclusive right to collect source separated recyclables and compost from commercial accounts. Therefore, the open market competition for the collection of recycling and compost which has always characterized our service area has been preserved. While Recology's commercial recycling collection services and commercial recycling outreach staff of nine full time employees are paid for through the Member Agency's solid waste rates, the businesses in the service area are not bound to subscribing to Recology's collection service. Many businesses offer commodities for sale in the marketplace, such as high-grade paper and corrugated cardboard, and many others backhaul recyclables and/or compostables to their distribution facilities (e.g., large grocery and chain stores).

In addition, per AB341 (California's Mandatory Commercial Recycling Law), commencing July 1, 2012, all businesses that generate four cubic yards or more of garbage per week or multifamily dwelling complexes of five units or more are required to recycle.

**Fiscal Impact**

The approved FY1415 budget includes \$25,000 to hire a consultant to assist Staff with the stakeholder engagement and implementation of an SBWMA-wide Ordinance implementing a reporting system for commercial recycling haulers. Ongoing maintenance of the program is anticipated to be less in future years. The Ordinance establishes an administrative fee in an amount not to exceed \$150.00 to cover the SBWMA costs to administer the Ordinance. This administrative fee will be charged to commercial recycling haulers required to register and submit reports and is anticipated to generate approximately \$25,000 in revenue commencing in calendar year 2015.

In addition, the FY1415 budget includes a one-time expense of \$10,000-\$15,000 to develop the software update needed for the online registration and reporting system. (The FY1314 budget included similar funding which was not spent due to delays in adopting the Ordinance.)

For future implementation and maintenance, staff will not be proposing any additional staff to administer this program but will rely on the support of outside contractors if needed.

**Attachments:**

**Attachment A** – SBWMA Ordinance No. 002: Recycling Reporting Requirements for Commercial Recycling Haulers

**Attachment B** – Implementation Schedule



## ORDINANCE NO. 002

### ORDINANCE OF THE SOUTH BAYSIDE WASTE MANAGEMENT AUTHORITY ADOPTING RECYCLING REPORTING REQUIREMENTS FOR COMMERCIAL RECYCLING HAULERS

**IT IS ORDAINED** by the Board of Directors of SBWMA as follows:

**SECTION I:** The following ordinance regarding Commercial Recycling Reporting is adopted:

#### I. Findings

- A. The Board of Directors finds that there is a need to implement a Reporting System for Commercial Recycling Haulers to begin collecting recycling diversion data that is currently unavailable.
- B. Currently the Agency receives recycling diversion data only from the Member Agencies franchised recycling service provider, Recology San Mateo County. Based solely on the Recology data, the most recently reported annual commercial recycling diversion rate for Agency Service Area in 2013 was 28%.
- C. Implementation of a Reporting System requiring Commercial Recycling Haulers to submit quarterly reports on the volumes and types of recyclable materials that are collected within the Agency Service Area would allow the Agency to develop a more complete picture of existing recycling diversion efforts for the commercial sector.
- D. Implementing a Reporting System for Commercial Recycling Haulers will enable the Agency to capture data that is needed for future planning purposes related to increasing recycling diversion to better meet State mandates.

#### II. Purpose

- A. This Ordinance establishes a system for registering Commercial Recycling Haulers who are performing services in the Agency Service Area and receiving from them information on the volume and types of Recyclable Materials that they collect in the Agency Service Area. To achieve this reporting requirement, each Commercial Recycling Hauler will be required to submit to Agency a Recycling Report quarterly.
- B. This Ordinance is not intended to preclude a Commercial Entity or a building or demolition contractor from contracting with more than one Commercial Recycling Hauler or from donating, selling or otherwise disposing or hauling Recyclable Materials.

### III. Definitions

“Agency” means the South Bayside Waste Management Authority (SBWMA) or RethinkWaste, which is a joint powers authority comprised of the Member Agencies.

“Agency Clerk” means the SBWMA Board Secretary.

“Agency Service Area” means the service area comprised of the Member Agencies, which include the following: Town of Atherton, City of Belmont, City of Burlingame, City of East Palo Alto, City of Foster City, Town of Hillsborough, City of Menlo Park, City of Redwood City, City of San Carlos, City of San Mateo, sections of unincorporated San Mateo County, and West Bay Sanitary District.

"Applicant" means any person, business, firm, limited liability company, association, partnership, political subdivision, government agency, municipality, public or private corporation, or any other entity whatsoever who is required to register and report to the Agency.

“Board of Directors” means the governing body of the Agency.

“Collection Container” means any container used to store and collect Solid Waste, Targeted Recyclable Materials, Organic Materials, or any other material targeted for collection by a Recycling Hauler.

“C&D Debris” (“Construction and Demolition Debris” or “C&D”) means materials resulting from construction, renovation, remodeling, repair, or demolition operations on any Residential, Commercial or other structure or pavement. The C&D materials can be in mixed or source separated form.

"Commercial" means a business activity including, but not limited to, retail sales, wholesale sales, services, research and development, government, private schools, colleges and universities, non-profit, hospital, manufacturing, institutional and industrial operations, and Multi-Family Residential Complexes, but excluding business activity conducted upon single-family residential property which are permitted under applicable zoning regulations and are not the primary use of the property.

“Commercial Entity” means a Commercial business that generates Recyclable Materials and/or Organic Materials in the Agency’s Service Area.

“Commercial Recyclables” means Recyclable Materials generated by a Commercial business activity.

“Commercial Recycling Hauler” means a Person or Entity engaged in commercial hauling of Recyclable Materials in the Agency Service Area.

“Director” means the Executive Director of the Agency or designee.

“Discarded Material” means Solid Waste, Targeted Recyclable Materials, and Organic Materials placed by a Generator in a Collection Container and/or at a location that is designated for Collection pursuant to a Member Agency’s Code.

"Food Scraps" means a subset of Organic Materials including: (i) all kitchen and table food waste, and animal or vegetable fruit, grain, dairy or fish waste that attends or results from the storage, preparation, cooking or handling of foodstuffs, with the exception of animal excrement, (ii) paper waste contaminated with putrescible material, and (iii) biodegradable plastic food service ware.

“Generator” means any Person whose act or process produces Solid Waste, Targeted Recyclable Materials, or Organic Materials.

“Member Agencies” means the following jurisdictions: the cities of Belmont, Burlingame, East Palo Alto, Foster City, Menlo Park, Redwood City, San Carlos, and San Mateo; the towns of Atherton and Hillsborough; the County of San Mateo; and the West Bay Sanitary District.

“Multi-Family Residential Complex” means the building(s) containing five (5) or more individual Residential Premises.

“Organic Materials” means those materials that will decompose and/or putrefy and that the Agency permits, directs, or requires Generators to separate from Solid Waste and Targeted Recyclable Materials for collection in specially designated containers for Organic Materials collection. Organic Materials include Plant Materials, Food Scraps, paper contaminated with Food Scraps, biodegradable plastic food service ware, pieces of unpainted and untreated wood, and pieces of unpainted and untreated wallboard. Plant materials and wood may be in loose form or chipped or ground but excludes finished product such as mulch or compost for sale. No Discarded Material shall be considered Organic Materials, unless such material is separated from Solid Waste and Targeted Recyclable Material.

“Person” means any individual of Commercial Entity.

“Recycling Hauler” means an entity that engages in the business activity of hauling or transporting Targeted Recyclable Materials and/or Organic Materials generated by Commercial business activity, but does not include haulers and transporters of electronic scrap

(as defined by California Public Resources Code §66273), universal waste, hazardous waste or radioactive waste.

"Recyclable Materials" means discarded commingled or source separated materials including C&D Debris that can be re-used, remanufactured, reconstituted, or recycled.

"Recycling Registration " means the registration of Commercial Recycling Haulers required by this Ordinance to provide information on Recyclable Materials and/or Organic Materials hauled in the Agency's Service Area.

"Recycling Report" means the report providing information on the volume and types of Recyclable Materials and/or Organic Materials transported by the Recycling Hauler in the Agency's Service Area.

"Residential Premises" means individual dwelling units such as single-family dwelling units, the dwelling units comprising Multi-Family Residential Complexes (such as townhouses, apartments, and condominiums), mobile home park dwelling units, cooperative apartments, and dwelling units at yacht harbors and marinas where residents live aboard boats.

"Solid Waste" means all putrescible and non-putrescible solid, semisolid, and liquid wastes, as defined in California Public Resources Code §40191.

"Targeted Recyclable Materials" means a subset of Recyclable Materials that includes: newspaper (including inserts, coupons, and store advertisements); mixed paper (including office paper, computer paper, magazines, junk mail, catalogs, brown paper bags, paperboard, paper egg cartons, telephone books, books, colored paper, construction paper, envelopes, legal pad backings, shoe boxes, cereal and other similar food boxes); chipboard; corrugated cardboard; paper milk cartons; glass containers of any color (including brown, blue, clear, and green); aluminum (including food and beverage containers, foil, small pieces of scrap metal); scrap metal (ferrous and non-ferrous) steel, tin or bi-metal; plastics (i.e., both thermoform and thermoset plastics); and C&D Debris The Targeted Recyclable Materials can be in mixed (commingled) or source separated form.

#### IV. Commercial Recycling Hauler Registration

A. Commercial Recycling Haulers shall register with the Agency and provide Recycling Reports as set forth in this Ordinance in the Agency Service Area.

B. Registration shall be in writing and submitted in a format specified by the Director, and pay an administrative fee to the Agency in an amount not to exceed \$150.00 established by the Director.

C. Registration of a Commercial Recycling Hauler shall be renewed every two years.

## V. Appeals

Persons or Commercial Entities that are dissatisfied with any decision or determination of the Director pursuant to this Ordinance shall have the right to appeal that decision to the Board of Directors if the appeal is filed with the Agency Clerk fifteen (15) days of the decision of Director.

## VI. Reporting Requirements

A. Commercial Recycling Haulers shall be required to submit a report each calendar quarter to the Agency providing data on the volume and type of Recyclable Materials hauled during that calendar quarter from Commercial Entities in the Agency Service Area. To the extent feasible, the data provided in the Recycling Report should be attributable to the jurisdiction of the Member Agency where it was generated. The Recycling Report shall be due to the Agency thirty (30) calendar days after the end of each calendar quarter as follows: First Quarter (January-February-March) report due April 30; Second Quarter (April-May-June) report due July 30; Third Quarter (July-August-September) report due October 30; Fourth Quarter (October-November-December) report due January 30.

The format of the Recycling Report and submittal guidelines shall be determined by the Director. The data to be included by the Commercial Recycling Hauler in the Recycling Report must provide to the furthest extent possible the specific volumes and types of Recyclable Materials by weight (e.g., tons) and by the source of generation.

## VII. Civil Administrative Penalties

Recycling Haulers that fail to comply with any or all of the provisions of this Ordinance shall be subject to the issuance of civil administrative penalty by the SBWMA Board of Directors in the amount of \$100 for the first failure to comply, \$250 for the second failure to comply and \$500 for each subsequent failure to comply.

A. The Director shall establish the procedures and notification protocol to administer civil administrative penalties.

## VIII. Enforcement

Except as otherwise expressly provided, the provisions of this Ordinance shall be administered and enforced within the Agency Service Area by the Director or other staff and enforcement officials designated by the Director. The remedies set forth herein are cumulative to any other remedy available to the Agency or Member Agencies.

## IX. Effective Date:

This Ordinance shall not be effective until January 1, 2015. It is the intent of the Agency to provide Commercial Recycling Haulers with advance information and assistance with the terms of this Ordinance.

**SECTION 2: Severability.** If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The SBWMA Board hereby declares that it would have adopted this Ordinance and such section, subsection, sentence, clause, phrase or portion may be declared invalid or unconstitutional.

**SECTION 3:** Pursuant to Section 36937 of the Government Code of the State of California, this Ordinance shall not take effect and be in full force and effect until thirty (30) days from its final passage and pursuant to Section IX above shall not be in effect until January 1, 2015.

**SECTION 4:** The Clerk of the Board shall cause this Ordinance to be published and posted in accordance with the requirements of Section 36933 of the Government Code of the State of California.

Introduced this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

PASSED AND ADOPTED as an Ordinance of the Board of Directors of the SBWMA at a regular meeting thereof held on the \_\_\_\_\_ day of \_\_\_\_\_, 2014.

AYES, BOARD MEMBERS: \_\_\_\_\_

NOES, BOARD MEMBERS: \_\_\_\_\_

ABSENT, BOARD MEMBERS: \_\_\_\_\_

ABSTAIN, BOARD MEMBERS: \_\_\_\_\_

\_\_\_\_\_  
Chair of the SBWMA

ATTEST:

\_\_\_\_\_  
Clerk of the SBWMA Board of Directors



A Public Agency

**Attachment B**  
**Implementation Schedule**

<u>Date</u>	<u>Activity</u>
September 25, 2014	<ul style="list-style-type: none"> <li>• Board introduces Ordinance (first reading).</li> </ul>
October 23, 2014	<ul style="list-style-type: none"> <li>• Board adopts Ordinance (approval finalized).</li> </ul>
October - December 2014	<ul style="list-style-type: none"> <li>• Develop the protocol and procedures to implement the Ordinance, including: application and reporting formats, registration and reporting review process, enforcement process, outreach strategy and needs.</li> <li>• Establish registration fee.</li> <li>• Develop software to facilitate online application and reporting compliance.</li> <li>• Commence stakeholder engagement and outreach</li> </ul>
January 1, 2015	<ul style="list-style-type: none"> <li>• Effective date of Ordinance.</li> <li>• Compliance commences with submittal of 1<sup>st</sup> quarter 2015 report (due April 30, 2015).</li> </ul>
January - March 2015	<ul style="list-style-type: none"> <li>• Continue outreach effort</li> <li>• Conduct stakeholder meetings with haulers and chambers of commerce</li> <li>• Update website with information on the reporting system and commence accepting registrations.</li> <li>• Include hauler best practices information on website.</li> <li>• Test online application and reporting system with several stakeholders.</li> <li>• Refine application and reporting system.</li> <li>• Develop and produce outreach tools and design changes to website.</li> <li>• Provide assistance to haulers in completing registrations and submitting sample reports.</li> </ul>
March 30, 2015	<ul style="list-style-type: none"> <li>• Registration deadline for applicants.</li> </ul>
April - May 2015	<ul style="list-style-type: none"> <li>• Conduct additional outreach to facilitate haulers to register and submit reports.</li> </ul>
April 30, 2015	<ul style="list-style-type: none"> <li>• 1<sup>st</sup> Quarter 2015 Report(s) due (Jan-Feb-Mar)</li> </ul>
May 2015 - ongoing	<ul style="list-style-type: none"> <li>• Assess compliance.</li> <li>• Pursue enforcement as needed.</li> <li>• Compile data.</li> <li>• Make adjustments to system as needed.</li> </ul>
July 30, 2015	<ul style="list-style-type: none"> <li>• 2<sup>nd</sup> Quarter 2015 Report(s) due (Apr-May-June)</li> </ul>
October 30, 2015	<ul style="list-style-type: none"> <li>• 3<sup>rd</sup> Quarter 2015 Report(s) due (July-Aug-Sept)</li> </ul>
January 30, 2016	<ul style="list-style-type: none"> <li>• 4<sup>th</sup> Quarter 2015 Report(s) due (Oct-Nov-Dec)</li> </ul>





## STAFF REPORT

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**To:** SBWMA Board Members  
**From:** Monica Devincenzi, Recycling Outreach & Sustainability Manager  
**Date:** October 23, 2014 Board of Directors Meeting  
**Subject:** Resolution Approving 2015 Public Education Plan

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### Recommendation

It is recommended that the SBWMA Board of Directors approve Resolution No. 2014-24 attached hereto authorizing the adoption of the 2015 Annual Public Education Plan.

### Analysis

Preparation and Board approval of the Annual Public Education Plan by November 1<sup>st</sup> is a requirement of the Member Agency Franchise Agreements. Starting with the 2013 Annual Public Education Plan, RethinkWaste became responsible for developing and implementing the public education activities associated with the Franchise Agreements. RethinkWaste took over this responsibility as part of the administrative changes to the Franchise Agreements approved by the Board on March 28, 2013. These administrative changes included the elimination of Recology's Public Education Manager position as a cost-savings measure, which was responsible for developing, submitting and managing the Annual Public Education Plan as specified in Section 7.03(B) of the Franchise Agreement.

The 2015 Annual Public Education Plan (see **Exhibit A**) is a comprehensive plan that details the overall, coordinated efforts of both RethinkWaste and Recology San Mateo County to ensure residents and businesses are knowledgeable of and actively participating in all of the programs and services available to them in the RethinkWaste service area. The plan also includes RethinkWaste's broader outreach efforts (e.g., Multi-Family Toolkit, mandatory commercial recycling outreach, Door-to-Door Household Hazardous Waste collection outreach) as an added convenience for the Board of Directors so that all planned public education and outreach activities are detailed in one document annually. It is important to note that RethinkWaste specific outreach efforts were all captured in the Board-adopted FY1415 budget, and there are no new efforts or costs included in this plan. As RethinkWaste operates on a fiscal year budget, this plan includes only our planned activities through the end of June 2015 and not the full 2015 calendar year.

Staff will continue to work in collaboration with Recology and the adhoc Public Education Subcommittee in developing the content and look of the pieces identified in the 2015 Plan to ensure their effectiveness.

### Background

RethinkWaste overall mission is to provide cost effective waste reduction, recycling, and solid waste programs to Member Agencies through franchised services and other recyclers to meet and sustain diversion rates, recycling goals and other related programs as mandated by the State. As part of this goal, RethinkWaste is responsible for developing and implementing a variety of public education and public awareness activities to support the programs and services provided to residents and businesses in the service area, including those provided by Recology.

While RethinkWaste manages the public education requirements associated with the Franchise Agreements, Recology remains responsible for the costs associated with producing and distributing specific outreach pieces such as bill inserts and an annual service notice, and distributing such items as Buddy Bags, internal containers and multi-family outreach materials.

### Fiscal Impact

There is no fiscal impact associated with the implementation of Recology's public education requirements as the company remains responsible for the costs associated with producing and distributing the Franchise Agreement specified public

education requirements. The FY2015 approved budget details specific line items for RethinkWaste's public education efforts separate from the Recology requirements. It is important to note that there are no new efforts or costs included in this Plan.

**Attachments:**

Resolution 2014-24

Exhibit A – 2015 Annual Public Education Plan



## RESOLUTION NO. 2014-24

### RESOLUTION OF THE SOUTH BAYSIDE WASTE MANAGEMENT AUTHORITY BOARD OF DIRECTORS APPROVING THE 2015 ANNUAL PUBLIC EDUCATION PLAN

**WHEREAS**, the twelve Member Agencies of the South Bayside Waste Management Authority (SBWMA) have each executed a Franchise Agreement for Recyclable Materials, Organic Materials, and Solid Waste Collection Services with Recology San Mateo County (Recology); and

**WHEREAS**, The SBWMA Board of Directors on March 28, 2013 approved the recommendation for the Member Agencies to approve administrative changes to their respective Franchise Agreements concurred by Recology; and

**WHEREAS**, The approved administrative changes included implementing changes to the public education component, including the elimination of Recology's Public Education Manager position, which was responsible for developing, submitting and managing the Annual Public Education Plan per section 7.03B of the Franchise Agreements; and

**WHEREAS**, With the elimination of this position, the SBWMA has been submitting the plan to the SBWMA Board and managing Recology's Franchise Agreement public education requirements starting with the 2013 Annual Public Education Plan approved by the Board on February 28, 2013; and

**WHEREAS**, The SBWMA is also responsible for overall outreach on the programs and services on behalf of the Member Agencies; and

**WHEREAS**, The 2015 Annual Public Education Plan combines both Recology's Franchise Agreement public education requirements for calendar year 2015, and the SBWMA outreach per the Board-approved FY1415 budget;

**NOW, THEREFORE BE IT RESOLVED** that the South Bayside Waste Management Authority hereby approves the 2015 Annual Public Education Plan.

**PASSED AND ADOPTED** by the Board of Directors of the South Bayside Waste Management Authority, County of San Mateo, State of California on the 23<sup>rd</sup> day of October, 2014, by the following vote:

Agency	Yes	No	Abstain	Absent	Agency	Yes	No	Abstain	Absent
Atherton					Menlo Park				
Belmont					Redwood City				
Burlingame					San Carlos				
East Palo Alto					San Mateo				
Foster City					County of San Mateo				
Hillsborough					West Bay Sanitary Dist.				

I HEREBY CERTIFY that the foregoing Resolution No. 2014-24 was duly and regularly adopted at a regular meeting of the South Bayside Waste Management Authority on October 23, 2014.

ATTEST:

\_\_\_\_\_  
Cyndi Urman, Board Secretary

\_\_\_\_\_  
Bill Widmer, Chairperson of SBWMA



# **2015 ANNUAL PUBLIC EDUCATION PLAN**

**October 23, 2014**

## **INTRODUCTION**

The core mission of RethinkWaste is to provide cost-effective waste reduction, recycling, and solid waste programs to Member Agencies through franchised services and other recyclers to meet and sustain diversion rates, recycling goals and other related programs as mandated by the State. As part of this goal, RethinkWaste is responsible for developing and implementing a variety of public education and public awareness activities to support the continued success of the recycling, compost, and solid waste programs and services provided by the joint powers authority, and the services provided by Recology San Mateo County (Recology).

This 2015 Public Education Plan details the overall, coordinated efforts of both RethinkWaste and Recology to ensure residents and businesses are knowledgeable of and actively participating in our programs and services. The Plan encompasses Recology's public education requirements for calendar year 2015, and RethinkWaste's broader outreach efforts captured in our adopted FY1415 budget.

It should be noted that as of 2013, RethinkWaste is responsible for developing and implementing an annual Public Education Plan as specified in section 7.03B of the Franchise Agreements between Recology and each of the 12 RethinkWaste Member Agencies. This responsibility was previously required of Recology, but contract amendments have transferred the responsibility to RethinkWaste.

While RethinkWaste is responsible for developing and implementing the public education activities associated with the Franchise Agreement(s), Recology remains responsible for the costs associated with producing and distributing the public education materials prescribed in the Franchise Agreement(s) such as bill inserts, an annual service notice, etc.

The 2015 Annual Public Education is a comprehensive plan designed to ensure that residential and commercial customers are kept apprised of the programs available to them through the CartSMART and BizSMART collection services; the benefits of source reduction, reuse, recycling and compost and related program opportunities; and the proper handling of household hazardous waste, among others. The public education materials will emphasize the use of visuals and graphic images to be as clear as possible regarding program parameters.

This plan incorporates the knowledge gained from the 2014 Public Education Survey of Residents conducted in April 2014 which showed that for any message to be effective with residents, a multi-faceted and comprehensive approach needs to be utilized as there is not one specific means of outreach and message delivery that is significantly preferred by the residents. Instead, it is a combination of direct mail, electronic media, and bill inserts, among others.

In addition, various methods will be used to measure the effectiveness of the outreach materials and strategies by sector: single-family, multi-family and commercial. These methods will cover not just the means of communication, but the actual tools used as well. The knowledge gained will be used to refine existing outreach materials and strategies, and develop future ones to ensure that our limited public education budget is maximized for effectiveness.

RethinkWaste will continue to work in collaboration with Recology and the adhoc Public Education Subcommittee to develop outreach and education efforts designed to engage customers, promote program success and achieve Member Agencies' goals.

## RECOLOGY SAN MATEO COUNTY FRANCHISE AGREEMENT REQUIREMENTS

This section highlights Recology’s public education requirements and obligations per the Franchise Agreement(s) for calendar year 2015 (January-December). Please refer to the Public Education Schedule (**Attachment A**) for a complete timeline. RethinkWaste takes the lead in developing all public education materials with review provided by Recology.

### 1. **Bill Inserts – Franchise Agreement Section 7.03(E)(17)**

The Franchise Agreement allows for the insertion of up to a total of twelve solid waste bill inserts each rate year divided between residential and commercial customers, of which the contents for nine of these bill inserts are specifically stated. The intent behind the nine specific bill inserts is to ensure that the information conveyed is uniform and applicable to all Member Agencies regarding the specific programs provided to all residents and businesses by Recology in the RethinkWaste service area. The nine specified inserts are summarized on the following page. The remaining three inserts were left unspecified to allow Member Agencies the flexibility to develop their own bill inserts to promote related diversion programs or events specific to their Agency. For example, Foster City, Menlo Park and San Mateo all did Member Agency specific inserts/newsletters promoting their Shred/E-Scrap community events. Therefore, Member Agencies may develop up to three additional customized inserts (at no additional cost) in those instances where not all nine prescribed inserts are utilized, or when some are combined.

Please keep in mind that developing a customized bill insert requires a minimum of a six-week lead time to ensure production, printing and insertion in bills can be completed for the desired billing cycling. For reference, **Table 1** below provides the Member Agencies residential billing cycle with Recology. Residential customers are billed quarterly. However, all commercial customers (which include multi-family dwelling property managers/owners) are billed monthly in arrears.

**Table 1: Residential Billing Cycle**

Member Agency	Billed Dec. 31 (for service in)	Billed March 31 (for service in)	Billed June 30 (for service in)	Billed Sept. 30 (for service in)
San Mateo	Jan.-March	April-June	July-Sept.	Oct.-Dec.
Menlo Park	Jan.-March	April-June	July-Sept.	Oct.-Dec.
Redwood City*	Jan.-March	April-June	July-Sept.	Oct.-Dec.
West Bay Sanitary District	Jan.-March	April-June	July-Sept.	Oct.-Dec.
	<b>Billed Jan. 31 (for service in)</b>	<b>Billed April 30 (for service in)</b>	<b>Billed July 31 (for service in)</b>	<b>Billed Oct. 31 (for service in)</b>
Atherton	Feb.-April	May-July	Aug.-Oct.	Nov.-Jan.
Burlingame	Feb.-April	May-July	Aug.-Oct.	Nov.-Jan.
San Carlos	Feb.-April	May-July	Aug.-Oct.	Nov.-Jan.
	<b>Billed Feb. 28 (for service in)</b>	<b>Billed May 31 (for service in)</b>	<b>Billed Aug. 31 (for service in)</b>	<b>Billed Nov. 30 (for service in)</b>
Belmont	March-May	June-Aug.	Sept.-Nov.	Dec.-Feb.
San Mateo County – Franchised Area	March-May	June-Aug.	Sept.-Nov.	Dec.-Feb.
East Palo Alto*	March-May	June-Aug.	Sept.-Nov.	Dec.-Feb.
Foster City	March-May	June-Aug.	Sept.-Nov.	Dec.-Feb.
Hillsborough	March-May	June-Aug.	Sept.-Nov.	Dec.-Feb.
North Fair Oaks*	March-May	June-Aug.	Sept.-Nov.	Dec.-Feb.

\*Member Agency billed either directly or through property tax roll. Recology only bills residents for extra services such as a second or more carts.

- Annual Bulky Items On-Call Collection Service Notice:** The Annual Bulky Items On-Call Collection Service is provided twice annually to all residential customers upon request, at no additional cost. Customers can schedule a collection between February 1 and December 31 each year. (This service is not provided in January due to collection of holiday trees.) This bill insert is sent to single-family residents once per year, typically in the spring. In response to increases in illegal dumping, concerns by Member Agencies, and the need to increase public awareness and program participation, this insert will again be sent to residents twice in 2015 (i.e., in the spring and fall), replacing one of the two Compost Giveaway Notices listed later in this section. The effectiveness of the notices will be measured by multiple means, including doing month-to-month and year-over-year program participation comparisons, as well as having Recology's customer service representatives ask how residents became aware of the program periodically throughout the year when they call to schedule a Bulky Item Collection.
- Annual Holiday Tree Recycling Service Notice:** Recology is required to collect holiday trees from residential single-family and multi-family dwelling customers annually during the holiday season at no additional cost. While residential customers can simply place their trees out for collection between December 26 and January 31, multi-family dwelling property owners and managers must schedule the service, and can request that trees be collected loose in specific locations or that Recology deliver a large drop-box for residents to consolidate trees for collection. This bill insert provides information on the Holiday Tree Recycling program and is sent to both single-family and multi-family residents once per year in the last billing cycle of the year for each Member Agency. This insert will be combined with the Annual "Reduce Holiday Packaging" Notice to promote resource conversation using double-sided printing and will also include holiday collection schedule changes.
- Annual "Reduce Holiday Packaging" Notice:** Since the holiday season is a unique time of year, resulting in an enormous amount of packaging waste, this bill insert is designed to provide information on reducing waste during the holidays. This insert is sent to both single-family and multi-family residents once per year in the last billing cycle of the year for each Member Agency. This insert will be combined with the Annual "Holiday Tree Recycling" Notice to promote resource conversation using double-sided printing and will also include the pertinent holiday collection schedule changes.
- Twice Annual Compost Giveaway Notice:** This bill insert promotes both the Recology and RethinkWaste Compost Giveaway programs and is sent to both single-family and multi-family residents twice per year. One of the two inserts will be replaced by a second Bulky Items On-Call Collection Notice in response to increases in illegal dumping, concerns by Member Agencies, and the need to increase public awareness and program participation. The remaining Compost Giveaway bill insert can be customized to include Member Agency specific event date(s) or used to promote confidential materials Shred/E-Scrap collection events.
- Twice Annual Commercial Recycling Notice:** The commercial sector continues to contribute approximately two-thirds of the garbage sent to the landfill in the RethinkWaste service area and Recology's commercial recycling diversion rate was approximately 30% in 2013. This notice is sent to commercial customers (including multi-family) twice per year, typically in the spring and fall. The inserts will provide information on the State's mandatory commercial recycling

requirements through Assembly Bill (AB) 341 and AB 1826, general BizSMART program information and other related messages.

- **Annual Commercial Recycling Awards Notice:** This bill insert is sent to commercial customers (including multi-family) once per year promoting the annual BizSMART@Work Awards held by RethinkWaste in partnership with Recology described in greater detail in a later section of this Plan. This insert will provide information on the 2015 BizSMART@Work Awards program and solicits nominations.

## **2. Service Notice – Franchise Agreement Section 7.03(J)**

This annual Service Notice will provide a summary of the scope of services available to all Residential customers. The notice will highlight the full range of program guidelines and participation requirements regarding the services provided by Recology and it will also include other useful information regarding recycling and the Door-to-Door Household Hazardous Waste Collection Service managed by RethinkWaste. As part of our efforts to reduce the amount of printed material produced, a postcard highlighting the key program information will be direct mailed to residents. A more comprehensive brochure will be available online for those who would like detailed information. Both the postcard and brochure will be produced in English, Spanish and Chinese to reach the widest audience.

The postcard and brochure are in the process of being developed and distributed for the first time in the Fall 2014. The service notice was not previously produced and distributed due to having existing program brochures developed by RethinkWaste for the rollout of the new services in 2011 that met the needs of the service notice. However, they have since become outdated, prompting the need for producing the new postcard and brochure.

Their effectiveness will be measured by multiple means, including doing month-to-month and year-over-year program participation comparisons, as well as having Recology's customer service representatives ask how residents became aware of specific programs following their distribution, as well monitoring website analytics, among others.

## **3. Distribution of Materials – Franchise Agreement Section 7.03(E)**

Per the Franchise Agreement(s), Recology will continue to disseminate (i.e., mail, deliver door hangers, etc.) outreach collateral pieces and other promotional/educational items provided by RethinkWaste, including the Multi-Family Toolkit and Buddy Bags, and desktide and other internal containers for recycling and organic materials, among others. The effectiveness of the Buddy Bags and internal containers will be measured by Recology by providing data on service levels and other issues prior to their delivery, monitoring for improvements (e.g., reduced garbage service levels, higher diversion, lower contamination, etc.), and providing data on results. Similar measurements will be used for the Toolkit and other outreach materials, as well as seeking direct feedback from tenants, property owners and managers through online surveys.

## **4. Community Events**

- **Confidential Document Destruction Service Event – Section 5.07:** RethinkWaste will continue to coordinate all of the Shred/E-Scrap Community Events for Member Agencies, including the one Confidential Document Destruction Service Event previously provided by Recology for no

additional cost. Per the Franchise Agreements, Member Agencies are entitled to receive one Shred Event at no additional cost, which can be combined with E-Scrap collection.

As per the efforts of RethinkWaste staff in prior years, Member Agencies can have additional Shred/E-Scrap events as well. The hourly cost for the Shred Event vendor will be deducted from the revenue generated from the collected E-Scrap for the additional events. Any remaining revenue will be sent to the Member Agencies or RethinkWaste will bill the Member Agency for any uncovered costs.

RethinkWaste will continue to also promote events as in prior years per budgetary constraints, including through press releases, website and social media postings, posters and electronic flyers for Member Agencies' websites. Member Agencies will be receiving a separate request form to reserve their event(s) in December 2014/January 2015 for 2015 events.

- **Coats for Kids Program – Section 5.10:** Recology will implement its annual Coats for Kids Program in October 2015 for Member Agencies interested in participating. The program entails drivers collecting children's coats from residential customers over a one-week period. In addition, collection receptacles for coats will be provided at city halls and community centers over a two-week period, upon request for each Agency. Recology and RethinkWaste will jointly promote the program. These promotional efforts will include: press releases, website and social media postings, print advertisements, posters and electronic flyers. Member Agencies will be receiving additional information from Recology in the Fall 2015 to participate in the program. Recology will track how many coats are collected curbside vs. at the drop-off locations to help measure the program's success.
- **Compost Giveaway – Section 5.11:** Recology will continue to coordinate all of the Compost Giveaway events for Member Agencies. This will include Recology's Bring Your Own Bucket (BYOB) events and the RethinkWaste events.

The first Recology scheduled compost BYOB event (per each Member Agency request) will be provided at no additional cost. Additional Compost Giveaway events can be requested by Member Agencies at either the costs prescribed in Attachment Q of the Franchise Agreement for a Recology delivery, or per the backhaul delivery rate charged by South Bay Recycling.

RethinkWaste will continue to also promote events as in prior years, including press releases, website and social media postings, posters and electronic flyers for Member Agencies' websites. Member Agencies will be receiving a separate request form to reserve their event(s).

## RETHINKWASTE OUTREACH EFFORTS

This section provides details on RethinkWaste's general outreach efforts and responsibilities to promote the recycling and diversion related programs and services to residents and businesses in our service area. **Since RethinkWaste's budget is on a fiscal year basis, the efforts detailed in this section cover the period of July 1, 2014 through June 30, 2015, and consist only of the Board of Directors' approved FY1415 budget items – no new efforts or costs have been added.** Items prescribed as RethinkWaste responsibilities per the Recology Franchise Agreement(s) with the Member Agencies have also been noted. Please refer to the Public Education Schedule (**Attachment A**) for a complete timeline of the outreach efforts included in this section.

### FRANCHISE AGREEMENT OUTREACH

- **Newsletters – Franchise Agreement Section 7.03(D)(2) (supports CartSMART residential services)**

On behalf of the Member Agencies per compliance with the Franchise Agreement(s), RethinkWaste will continue to produce and distribute the *rethinker* newsletter to all single- and multi-family residents three times per year. The *rethinker* continues to serve as a primary source for public awareness based on anecdotal feedback from residents, as well as increases in call volumes and emails to both RethinkWaste and Recology following its distribution. Historically, this was a quarterly newsletter, but starting with the Board-approved FY1213 budget, it is now published three times per year as a cost-savings measure.

Two issues of the newsletter will be direct mailed to residents and one will be included as a bill insert to further reduce costs based on the findings of the spring 2014 Public Education Survey of Residents, which showed that nearly 58% of surveyed residents preferred receiving it directly in their mail and 22% preferred receiving it in their bills. RethinkWaste will also continue to promote and encourage sign-ups for electronic versions of the newsletter to further reduce costs and promote sustainability. Currently, approximately 900 households out over 150,000 have signed up for the electronic version.

- **Ongoing Single-Family Residential Outreach (supports CartSMART residential services)**

RethinkWaste will continue to provide ongoing residential outreach support and maintenance for the existing CartSMART programs on behalf of the Member Agencies and Recology through such avenues as brochures, posters, advertisements, website, social media, and community events. New and unique programs are specified below:

- **Collection Vehicle Signage** – As stated in last year's report, Recology's residential collection vehicles offer a unique opportunity to promote programs and messages to residents as they are in the neighborhoods on a daily basis during the week. As such, RethinkWaste will purchase additional metal sign frames and produce changeable signs to expand the program initiated last year. The signs will promote such services as the Bulky Items On-Call Collection and Door-to-Door Household Hazardous Waste Collection programs, among others.

Staff is currently measuring the effectiveness of the signs installed on 10 single-family compost collection vehicles at the end of the last fiscal year. Their effectiveness is being measured by multiple means, including doing month-to-month and year-over-year program participation comparisons where such data is available, as well as having

Recology's customer service representatives ask how residents became aware of programs featured on the signs.

Based on the results, frames and signs will be added on 10 additional residential compost collection vehicles this fiscal year. The compost collection vehicles were selected due their longer time in the field in comparison to the recycling or garbage trucks to ensure maximum exposure and usage.

- **“my waste” Mobile App** – RethinkWaste will continue to promote and expand the use of the “my waste” mobile application launched last year specific to the programs and services for single-family residents in collaboration with Recology. The app provides a calendar, information on all of the programs and services, and the ability to make service requests or report an issue. The ability to send alerts or notifications to users, such as reminding residents that their collection days will be changed due to holidays, has also recently become available making it one more tool for notifying residents about important changes to service. The mobile app is also one more asset for RethinkWaste to use to move residents toward more paperless outreach efforts.

“my waste” is available to both android and Apple users, and a link to download the application is provided on the RethinkWaste and Recology websites. The link is also available to Member Agencies to incorporate in their respective websites.

- **Anti-Littering Insert** – Municipalities are mandated by State and Federal laws to maintain a National Pollutant Discharge Elimination System (NPDES) permit for their stormwater discharge. As part of NPDES permit conditions, they are also required to implement a comprehensive Stormwater Management Plan of Best Management Practices including litter abatement. The San Francisco Regional Water Quality Control Board has imposed strict limits on the amount of litter allowed in stormwater runoff, mandating a 40% reduction in litter by 2014, 70% reduction by 2017, and 100% reduction by 2022 by each jurisdiction. As this is an issue that affects all of the RethinkWaste Member Agencies, RethinkWaste will be developing an insert to be sent to both residential and commercial customers. Timing of the insert is to be determined based on the County's regional public outreach effort.

As stated earlier, the Franchise Agreement(s) with Recology allows for the insertion of up to twelve solid waste bill inserts each rate year, of which the contents for nine of these bill inserts are specifically stated. Three additional customized inserts (at no additional cost) may be developed by Member Agencies in those instances where not all nine prescribed inserts are utilized, or when some are combined. Since not all twelve inserts will likely be used by all Member Agencies, RethinkWaste will be adding this insert for 2015 in addition to the nine specified ones detailed earlier.

- **Curbside Household Battery Recycling (supports CartSMART residential services)**

Single-family residents can set out used household batteries and old cell phones for recycling curbside through the CartSMART services provided by Recology. Residents simply place household batteries and cell phones in a zip-type plastic bag which is then placed on the lid of their blue Recycle Cart for collection. Button-type batteries must be taped individually and cell phones must

be wrapped in paper before placing them inside the bag. RethinkWaste will continue to promote the recycling of household batteries through holiday ads, inserts, newsletter, website and social media as this one of the programs identified in the 2012 Customer Satisfaction Survey as needing additional public awareness. The effectiveness of the outreach will be measured by multiple means, including doing month-to-month and year-over-year program participation comparisons, as well as having Recology's customer service representatives ask how residents became aware of the program following a targeted outreach.

- **State Assembly Bill 341 – Mandatory Commercial Recycling (supports BizSMART services)**

California Assembly Bill (AB) 341, mandatory commercial recycling, became effective as of July 1, 2012 and was put in place as a means to reduce garbage from landfills and reduce greenhouse gas emissions. The State mandate requires all businesses that generate four or more cubic yards of garbage and multi-family dwellings with five or more units to recycle. Businesses and multi-family complexes are considered in compliance with the law if they participate in the BizSMART commercial recycling program provided by Recology, self-haul the materials or arrange for their pickup by another party.

There are no penalties associated with AB 341, however, the responsibility for compliance has been placed on the jurisdictions. Jurisdictional compliance is heavily focused on educational requirements monitored through an annual reporting process to the State. In an effort to assist the Member Agencies, RethinkWaste has taken on the responsibility for all outreach efforts on AB 341, in collaboration with Recology, since the law was enacted.

In addition to the bill insert noted earlier in the Recology section, RethinkWaste will continue to provide ongoing outreach and education to businesses and multi-family property owners/managers, including making presentations and hosting workshops, to comply with the Assembly Bill (AB) 341 mandatory commercial recycling mandate. In addition, RethinkWaste will again develop the template for the required annual mandatory commercial recycling plan for submission by Member Agencies, and assist in their review with the State.

- **2015 BizSMART@Work Awards (supports BizSMART commercial services)**

Based on feedback from Recology and customers seeking recognition for their diversion efforts through the BizSMART services, RethinkWaste launched the first BizSMART@Work Awards in 2012 in partnership with Recology to recognize both businesses and multi-family complexes. The three recognitions held to date were very successful and garnered great feedback from participants. A luncheon is held at the Shoreway Environmental Center to recognize the winners, and includes commendations from local and state agencies, with local and state elected officials serving as award presenters.

The 2015 annual awards will take place in late spring/early summer 2015, and allow for self-nominations as well as submissions by others. The public will also have a chance to weigh in on some of the nominees through online voting for the "Rethinker's Choice" award category, which are selected from the winners in the Recycle and Compost category. The awards program is promoted through a bill insert, advertisements, RethinkWaste and Recology websites, social media, Member Agencies and word of mouth.

- **Multi-Family Outreach– Franchise Agreement Section 7.03(D)(3) (supports BizSMART commercial services)**

Per the Franchise Agreement(s), RethinkWaste is responsible for producing a Multi-Family Toolkit of outreach materials for Recology to distribute to property owners and managers, and their tenants. Historically, this Toolkit has included posters on the BizSMART program, move-in and move-out flyers, postcards and a property owner’s/manager’s guide, all of which are available in English, Spanish and Chinese. The Toolkit is typically provided to tenants in the recycling Buddy Bags also provided by RethinkWaste for Recology to deliver.

RethinkWaste will continue to support the multi-family outreach program as prescribed in the Franchise Agreement(s) by producing and adding supplemental materials as needed to promote the programs and services available both property owners/managers and tenants. The effectiveness of the items will be measured by Recology by providing data on service levels and other issues prior to their delivery, monitoring for improvements (e.g., reduced garbage service levels, higher diversion, lower contamination, etc.), direct feedback from tenants, property owners and managers through online surveys, and providing service-related data on results.

- **Commercial Outreach (supports BizSMART commercial services)**

Historically, both RethinkWaste and Recology have produced various materials for Recology to use as they promote the BizSMART services to businesses in the service area. These have included posters, flyers and brochures. RethinkWaste will develop supplemental materials to create a more comprehensive commercial Toolkit for Recology to use to promote the BizSMART commercial program, increase diversion and address other issues, as necessary. As part of the Toolkit, sector-specific outreach materials will be developed, including messaging specific for restaurants, retail and office.

The effectiveness of the items will be measured by Recology by providing data on service levels and other issues prior to their delivery, monitoring for improvements (e.g., reduced garbage service levels, higher diversion, lower contamination, etc.), direct feedback from tenants, property owners and managers through online surveys, and providing service-related data on results.

#### ***RETHINKWASTE PROGRAMS & AGENCY OUTREACH***

- **Door-to-Door Household Hazardous Waste Collection Program**

By early 2015, all twelve RethinkWaste Member Agencies will be participating in the Door-to-Door Household Hazardous Waste (HHW) Collection program provided by WM Curbside Inc., LLC (dba At Your Door Special Collection) under contract with RethinkWaste. The program is available to both single-family and multi-family residents in the participating communities, and continues to receive overwhelming positive response from customers who have used it based on the voluntary surveys they have completed over the course of the program being available.

Through September 2014, approximately 557,349 pounds of HHW material, 526,585 pounds of Universal Waste and 289,157 pounds of E-Scrap has been collected since the start of the program. To increase program participation, the FY1415 promotional effort began in late July 2014. These outreach activities include direct mail, outdoor and print advertising, *rethinker* newsletters, holiday ads (November and December), community events and social media. Residents received a direct mail postcard promoting the program which was delivered to all single-family and multi-family

residents (in the participating Member Agencies) starting in late July. The postcard was mailed over a staggered schedule through early September.

The need for additional outreach promoting this service was confirmed via the results of the Single-Family Residential Customer Satisfaction Telephone Survey commissioned by RethinkWaste in the Spring 2012, which identified the Door-to-Door HHW Collection Program as one of the programs that residents were not as familiar with. Staff plans to continue its efforts to maintain high participation levels through ongoing public outreach, including direct mail, outdoor and print advertising, *rethinker* newsletters, holiday ads, community events and social media, among others.

The effectiveness of the outreach will be measured by multiple means, including doing month-to-month and year-over-year program participation comparisons, as well as direct feedback from residents on how they became aware of the program through a voluntary survey included in their kit.

- **Reporting System for Commercial Recycling Haulers (contingent on Board adoption of Ordinance)**  
Stakeholder engagement and public outreach efforts will be initiated to support the new Reporting System for Commercial Recycling Haulers to ensure that program participants fully understand the process, and have the tools and resources needed to submit their information. This includes developing an easy-to-use online reporting system.
- **RethinkWaste Website**  
The RethinkWaste website serves as a one-stop-shop of information for everything – from residential and commercial programs and services, and the Shoreway Environmental Center to the Member Agencies and the Board of Directors. The site, which was redesigned in 2013, incorporates easier navigation, visual appeal, and innovative features, including: interactive activities to help educate residents with properly setting out recyclables, compost, and garbage using the CartSMART three-cart collection system; an interactive map of the Shoreway Environmental Center to help customers safely and efficiently utilize the many available services; a Home Diversion Calculator to help residents determine how much material they are diverting from the landfill on a weekly basis; and an online reservation calendar to help school groups, and public visitors schedule a tour of the Shoreway facility.

As mentioned above, an online Reporting System for Commercial Recycling Haulers accessible through the RethinkWaste website will be developed. RethinkWaste will also continue to work on improvements to its website to make it a more seamless user experience for all site visitors. Website analytics will continue to be used to monitor the website's effectiveness and implement improvements.

- **2014 Member Agency Snapshot Reports**  
RethinkWaste will develop and distribute a Member Agency specific snapshot report for calendar year 2014 in March 2015 that highlights the following key information: recycling and composting collection program results, outreach efforts, community events and other recycling related programs; tonnage and other operational information for the Shoreway Environmental Center, including tour totals; and a summary of upcoming future projects and services in development. RethinkWaste encourages Member Agencies to share their report with key stakeholders in their

community and make them available to the public. These reports were prepared for the first time in 2013 for calendar year 2012.

**SHOREWAY ENVIRONMENTAL CENTER OUTREACH**

- **School Groups and Public Tour Programs**

The School Groups and Public Tour Programs continue to be popular since their launch in January 2012, with over 16,000 people having toured the facility through the end of October 2014. The tours give the community an opportunity to learn firsthand what happens to their recyclables, plant materials, food scraps and garbage at a working materials recovery facility (MRF) and transfer station. In addition, students and the community are given an opportunity to learn and practice the 4Rs (reduce, reuse, recycle, and rot/composting), resource conservation and be empowered to conserve resources in their lives, at school and residences.

School groups are offered September through June of each year with the following schedule:

	Monday	Tuesday	Wednesday	Thursday	Friday
<b>Morning</b>	N/A	9:30-11:30 am	9:30-11:30 am	9:30-11:30 am	9:30-11:30 am
<b>Afternoon</b>	12:30-2:30 pm	12:30-2:30 pm	12:30-2:30 pm	N/A	N/A

Every first and third Thursday of the month now is a designated Public Open House Day for the general public, and tours are given from 9:30-10:30am and 11:30am-12:30pm. Tours will continue to be scheduled on a first-come first-served policy.

The Tour Program will continue to be promoted through emails, press releases, flyers, RethinkWaste website, social media, environmental education platforms, and e-newsletters, among others.

- **Night@Shoreway Event**

RethinkWaste will continue to host two “Night@ Shoreway” events as we continue to explore different opportunities to reach new audiences, expand their environmental knowledge, and showcase Shoreway’s role as a community resource and destination spot. The Night@Shoreway is targeted at third through fifth graders who will participate in an activity filled night including a flashlight tour of Shoreway, recycling and sustainability activities, zero waste dinner, and movie. Participants are typically onsite between 4 pm and 9 pm, and do not stay overnight.

- **2015 Earth Day@Shoreway**

RethinkWaste, in collaboration with Recology and South Bay Recycling, will be hosting its fourth annual Earth Day@Shoreway on April 25, 2015. The free event will feature a compost giveaway, art activities, tours of the facility, information booths, food and prizes, and will take place rain or shine. Approximately 350 people attended the 2014 Earth Day celebration, which also included recognition of RethinkWaste’s 2<sup>nd</sup> Annual “Trash to Art” Contest winners, which was open to all 4<sup>th</sup> through 6<sup>th</sup> grade classes in the RethinkWaste service area. Earth Day@Shoreway will be promoted through press releases, the RethinkWaste and other websites, social media, posters and print advertisements, among others.

- **Trash to Art Contest**

RethinkWaste will hold its third annual “Trash to Art” Contest in early 2015, with winners recognized at the 2015 Earth Day@Shoreway event in April. Open to all 4<sup>th</sup> through 6<sup>th</sup> grade classes

in the RethinkWaste service area, the contest challenges students and teachers to give trash a new meaning by creating artwork of any medium such as sculptures, collages and murals from material collected from home, school, and everyday life. A total of 12 classes submitted one-of-a-kind pieces in last year's contest.

- **Shoreway Brochures and Flyers**

RethinkWaste will update and develop new brochures and flyers as needed promoting the various programs and services available at the facility, including the tour programs, compost giveaways, special events and general facility information.

2015 Annual Public Education Master Schedule

ITEM	BUDGET	AUDIENCE	Jul-14	Aug-14	Sep-14	Oct-14	Nov-14	Dec-14	Jan-15	Feb-15	Mar-15	Apr-15	May-15	Jun-15	Jul-15	Aug-15	Sep-15	Oct-15	Nov-15	Dec-15
Multi-Family Outreach & Toolkit	RW	MFD																		
Commercial Outreach Materials	RW	Commercial																		
Door-to-Door HHW Collection Program	RW	SFD & MFD																		
rethinker newsletters (3 newsletters)	RW	SFD & MFD																		
"My Waste" Mobile App	RW	SFD																		
Collection Vehicle Signage	RW	SFD																		
Night at Shoreway Event	RW	All																		
Curbside Household Battery Recycling	RW	SFD																		
Twice Annual Compost Giveaway Notice (1 insert)	RSMC	SFD & MFD																		
Trash to Art Contest	RW	All																		
Annual Bulky Items On-Call Collection Notice (2 inserts)	RSMC	SFD																		
2014 Member Agency Snapshot Report	RW	All																		
2015 Earth Day@Shoreway	RW	All																		
Twice Annual Commercial Recycling Notice (2 inserts)	RSMC	Commercial																		
Annual Commercial Recycling Awards Notice (1 insert)	RSMC	Commercial																		
2015 BizSMART@Work Awards	RW	Commercial																		
AB 341 Outreach (presentations/workshops)	RW	Commercial																		
Service Notice (brochure)	RSMC	Residential																		
Annual Holiday Tree Recycling Notice (2 inserts )	RSMC	SFD & MFD																		
Annual "Reduce Holiday Packaging" Notice (1 insert)	RSMC	SFD & MFD																		
Anti-Littering Insert (1 insert)	RSMC	SFD & MFD																		

TBD based on the County's regional public outreach effort

LEGEND

- RW = RethinkWaste
- RSMC = Recology San Mateo County
- SFD = Single-family dwelling
- MFD = Multi-family dwelling
- Commercial = Businesses and Multi-family
- Recology Franchise Agreement Requirements
- RethinkWaste Outreach Program