



Date: August 12, 2021  
To: Board of Directors  
From: Marti Brown, General Manager  
Subject: Amend Bay View Refuse Collection Agreement to include Organic Waste Recycling

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**Recommendation:**

Staff recommends appointing the Interim General Manager the lead negotiator to start negotiations and amend the existing contract with Bay View Refuse to include organic waste recycling per State Senate Bill 1383.

**Rationale for Recommendation:**

State Senate Bill 1383 requires public agencies to implement organic waste recycling by January 1, 2022. Currently, the District and its service provider, Bay View Refuse, do not offer this service. Hence, an amendment to the existing agreement is necessary as soon as possible in order to comply with State law.

**Background:**

In September 2016, the Governor set methane emissions reduction targets for California ([SB 1383 Lara, Chapter 395, Statutes of 2016](#)) in a statewide effort to reduce emissions of short-lived climate pollutants (SLCP). SB 1383 requires the following:

- Reduce organic waste disposal 50% by 2020 and 75% by 2025.
- Rescue at least 20% of currently disposed surplus food by 2025 so that it may be humanly consumed.

In order to satisfy the State's organic waste reduction targets, mandatory recycling takes effect on January 1, 2022.

**Discussion and Analysis:**

The District has been discussing Senate Bill 1383 and its implications to the District's current waste collection contract with Bay View Refuse for the past several years. Research and analysis by Vice-President Nottoli was completed and shared with the Board of Directors in the fall of 2019. However, since then, no action has been taken to amend the collection agreement with Bay View Refuse. In

addition, there has been ongoing discussion in and interest with Kensington residents to implement State regulations and start organic waste recycling. With the State deadline less than five months away, the District needs to work quickly to amend the waste collection agreement and, at a minimum, outline a schedule with target dates for implementing SB 1383 and submit the plan to the State.

**Fiscal Impact:**

There is no fiscal impact by appointing the Interim General Manager as the lead negotiator to start negotiations with Bay View Refuse.