

Regional Solid Waste Association

City of Del Mar
Dwight Worden

City of Encinitas
Catherine Blakespear

City of National City
Ron Morrison

City of Poway
Dave Grosch

City of Solana Beach
Kelly Harless

City of Vista
Joe Green

Special Contract Party
City of Escondido
Michael Morasco

General Manager/General Counsel
James H. Eggart

SPECIAL MEETING AGENDA

November 18, 2021
8:00 a.m.

Via Teleconference / Video Conference Only
Pursuant to Government Code Section 54953(e)



REGIONAL SOLID WASTE ASSOCIATION

SPECIAL MEETING AGENDA

**November 18, 2021
8:00 a.m.**

VIA TELECONFERENCE / VIDEO CONFERENCE ONLY

In the interest of public health, this meeting will be conducted utilizing teleconferencing and electronic means only in accordance with Assembly Bill 361 and Government Code Section 54953(e). There will be no in person participation at the Fletcher Cove Community Center. Members of the public may view and participate in this meeting via Zoom or by teleconference by using the link or telephone number below:

<https://us06web.zoom.us/j/85652189622?pwd=SFFSYkdYT0kyVkxlMDF6Om5ENi82Zz09>

Phone No.: (669) 900-6833

Meeting ID: 856 5218 9622

Passcode: 564265

ADDRESSING THE ASSOCIATION BOARD: If you wish to speak to an item on the agenda, please advise the moderator which agenda Item number you wish to speak to before that item has been announced by the Chair. To donate time to another person, advise the moderator of that fact. The person or persons donating time must be present on the teleconference or video conference when the speaker to whom they have donated time is heard. In order to provide an opportunity for public comment by members of the public who are unable to participate in the meeting by teleconference or electronic means, comments may be submitted via e-mail at james@rswa.info.

ADDITIONAL INFORMATION: This agenda provides a brief description of each item to be considered by the Association Board. All revised or additional documents and writings related to any items on the agenda, which are distributed to all or a majority of the Board Members within 24 hours preceding the meeting, shall be made available for public inspection on the Regional Solid Waste Association website at <http://rswa.info>. Additional information is available through the General Manager to the Association at (714) 415-1062.

1. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

2. ORAL COMMUNICATIONS

This item is scheduled to provide an opportunity for public testimony on matters on this Agenda.

3. **CONSENT CALENDAR – ACTION ITEM (Roll Call Vote)**

(Consent Calendar items will be acted on simultaneously with one motion unless separate discussion and/or action is requested by a Board Member.)

A. Minutes of the October 7, 2021 Regular Meeting of the Board of the Regional Solid Waste Association – Recommended Action: Receive and File.

B. Minutes of the October 28, 2021 Special Meeting of the Board of the Regional Solid Waste Association – Recommended Action: Receive and File.

4. **ADOPTION OF A RESOLUTION NO. 2021-08 MAKING SPECIFIED FINDINGS AND RE-AUTHORIZING USE OF REMOTE TELECONFERENCE MEETINGS PURSUANT TO GOVERNMENT CODE SECTION 54953(e)(3) – ACTION ITEM (Roll Call Vote)**

The Board of Directors will reconsider the circumstances of the State of Emergency declared by the Governor as a result of the Covid-19 pandemic and consider adopting a resolution pursuant to Government Code Section 54953(e) re-authorizing the Board to continue to meet via videoconference and/or teleconference.

Recommended Action: Adopt Resolution No. 2021-08, A Resolution of the Board of Directors of the Regional Solid Waste Association Making Specified Findings and Re-authorizing Remote Teleconference Meetings in Accordance with Government Code Section 54953(e), as Presented.

5. **SB 1383 COMPLIANCE SUPPORT SERVICES UPDATE AND DISCUSSION – POTENTIAL ACTION ITEM (Roll Call Vote)**

The Board will receive a report on the status of the SB 1383 compliance support services being provided to the RSWA Member Cities by Solana Center for Environmental Innovation and San Diego Food System Alliance and discussions to expand the current scope of work to include additional SB 1383 compliance support services to address the “Next Steps” discussed at the October 28, 2021 special meeting of the Board. The Board may provide the General Manager with further direction.

6. **COMMENTS FROM ASSOCIATION MEMBERS, GENERAL COUNSEL AND GENERAL MANAGER**

The Members may ask questions, make comments and ask that any matter be agenzized for consideration at a later meeting.

7. **ADJOURNMENT**

Adjournment to the Special Meeting of December 9, 2021 at 8:00 a.m., to be conducted via teleconference / videoconference only.

**PUBLIC NOTICE AND CALL FOR THE SPECIAL MEETING OF
THE REGIONAL SOLID WASTE ASSOCIATION**

**November 18, 2021
8:00 a.m.**

VIA TELECONFERENCE / VIDEO CONFERENCE ONLY

In the interest of public health, this meeting will be conducted utilizing teleconferencing and electronic means only in accordance with Assembly Bill 361 and Government Code Section 54953(e). There will be no in person participation at the Fletcher Cove Community Center. Members of the public may view and participate in this meeting via Zoom or by teleconference by using the link or telephone number below:

<https://us06web.zoom.us/j/85652189622?pwd=SFFSYkdYT0kyVkxlMDF6Qm5ENi82Zz09>

Phone No.: (669) 900-6833

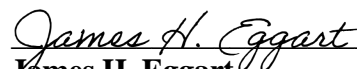
Meeting ID: 856 5218 9622

Passcode: 564265

In accordance with the requirements of California Government Code Sections 54956 and 54954.3(a), this Notice and the Agenda has been posted on the Regional Solid Waste website at <http://rswa.info> and at Solana Beach City Hall, 635 South Highway 101, Solana Beach, CA, not less than 24 hours prior to the meeting date and time above.

In compliance with the Americans With Disabilities Act, if you need special assistance to participate in this meeting, please contact the Association's General Manager, James Eggart, at (714) 415-1062 prior to 5:00 p.m. the day prior to the meeting to allow the Association to make reasonable arrangements to ensure accessibility to this meeting.

I, James H. Eggart, General Manager of the Regional Solid Waste Association, do hereby declare that I caused the posting of the agenda for the special meeting of the Regional Solid Waste Association for November 18, 2021 in the locations listed above which are freely accessible to the public at or prior to 8:00 a.m. on November 17, 2021.



James H. Eggart
General Manager
Regional Solid Waste Association

Item 3.A.

**MINUTES
REGIONAL SOLID WASTE ASSOCIATION
REGULAR MEETING**

**October 7, 2021
9:00 a.m.**

VIA TELECONFERENCE / VIDEO CONFERENCE ONLY

Pursuant to Assembly Bill 361 and Government Code Section 54953(e), and in the interest of public health, this meeting was conducted utilizing teleconferencing and electronic means only.

BOARD MEMBERS IN ATTENDANCE:

**Council Member Ron Morrison, City of National City – RSWA Chairperson
Deputy Mayor Joe Green, City of Vista – RSWA Vice-Chairperson
Deputy Mayor Dwight Worden, City of Del Mar– RSWA Secretary
Councilmember Dave Grosch, City of Poway – RSWA Treasurer
Deputy Mayor Mike Morasco, City of Escondido
Councilmember Kelly Harless, City of Solana Beach
Mayor Catherine Blakespear, City of Encinitas**

STAFF RESOURCES IN ATTENDANCE:

**James H. Eggart, General Manager/General Counsel
Mike Sylvia, Finance Director – City of Vista
Phil Davis, Financial Analyst – City of National City
Ashlee Stratakis – City of Encinitas**

1. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Chairperson Morrison called the meeting to order at 9:03 a.m.

Board Member Harless led the Board in the Pledge of Allegiance.

2. SWEARING IN OF NEW BOARD MEMBERS

None.

3. **ORAL COMMUNICATIONS**

Jessica Toth of Solana Center for Environmental Innovation (“Solana Center”) addressed the Board regarding Solana Center activities. Ms. Toth mentioned that Solana Center visited around 50 restaurants and other food providers to discuss food waste prevention and recovery and there is a general interest in staff training. Ms. Toth also mentioned that Solana Center was hosting “fix it” clinics at the Solana Center.

Board Member Blakespear shared that providing organic waste buckets to citizens has helped increase organic waste diversion.

4. **CONSENT CALENDAR**

The consent calendar included the following items:

- A. Resolution No. 2021-05, A Resolution of the Board of Directors of the Regional Solid Waste Association Making Findings in Accordance with Assembly Bill 361 and Government Code Section 54953(e) and Authorizing Use of Remote Teleconference Meetings.
- B. Minutes of the June 24, 2021 Regular Meeting of the Board of the Regional Solid Waste Association.
- C. Minutes of the July 22, 2021 Special Meeting re Transfer of Fiduciary Duties.
- D. RSWA Website Activity Report for Fiscal Year 20/21.
- E. RSWA Website Activity Report for the first quarter of Fiscal Year 2021/2022.

MOTION WAS MADE TO APPROVE THE CONSENT CALENDAR AS PRESENTED.

(Motion by Vice-Chairperson Green, City of Vista/Second by Board Member Blakespear, City of Encinitas). Motion was approved by a vote of 7 ayes, 0 nays, and 0 abstentions.

Ayes: Morrison, Green, Blakespear, Grosch, Morasco, Worden, Harless

Nays:

Abstain:

Absent:

5. FINANCE AND BUDGET

A. Review Final Financial Reports for FY 2020/2021 – Information Item (Receive and File)

General Manger Eggart provided an update on the final budget status, cash activity, paid warrant, and investment reports for FY 2020/2021. Details were provided to the Board Members in their respective agenda packets. For FY 2020/2021, actual revenues were approximately 107% of budgeted revenues, and actual expenditures were approximately 97% of budgeted expenditures. RSWA had a fund balance of \$464,807 and an invested cash balance of \$497,464 at the end of the Fiscal Year.

MOTION WAS MADE TO RECEIVE AND FILE THE FINANCIAL REPORTS FOR FISCAL YEAR 2020/2021 AS PRESENTED.

(Motion by Vice-Chairperson Green, City of Vista/Second by Board Member Blakespear, City of Encinitas). Motion was approved by a vote of 7 ayes, 0 nays, and 0 abstentions.

Ayes: Morrison, Green, Blakespear, Grosch, Morasco, Worden, Harless
Nays:
Abstain:
Absent:

B. RSWA Investment Report for the First Quarter of Fiscal Year 2021/2022 – Informational Item (Receive and File)

Treasurer Grosch, General Manager Eggart, and Fiduciary Agent Phil Davis of the City of National City reviewed the investment reports for the First Quarter of FY 2021/2022 with the Board. Details were provided to the Board Members in their respective agenda packets. As of September 30, 2021, RSWA had an invested cash balance of \$497,184. It was reported that RSWA's funds have been transferred from the City of Vista to the City of National City. Phil Davis of the City of National City provided the Board with information about National City's investment policies and portfolio. Investment earnings through July have been posted.

MOTION WAS MADE TO RECEIVE AND FILE THE INVESTMENT REPORT FOR THE FIRST QUARTER OF FICAL YEAR 2021/2022 AS PRESENTED.

(Motion by Vice-Chairperson Green, City of Vista/ Second by Treasurer Grosch, City of Poway). Motion was approved by a vote of 7 ayes, 0 nays, and 0 abstentions.

Ayes: Morrison, Green, Blakespear, Grosch, Morasco, Worden, Harless
Nays:
Abstain:
Absent:

C. Review Budget and Expenditure Status for the First Quarter of Fiscal Year 2021/2022 – Information Item (Receive and File)

Treasurer Grosch, General Manager Eggart and Fiduciary Agent Phil Davis of the City of National City reviewed the first quarter Financial Status and Cash Activity reports as of September 30, 2021. Details were provided to the Board Members in their respective agenda packets. The year-to-date activity reflected in the reports show actual revenues of \$281,740 and actual expenditures of \$252,123 through September 30, 2021. As of September 30, 2021, RSWA had a fund balance of \$500,973.

MOTION WAS MADE TO RECEIVE AND FILE THE BUDGET AND EXPENDITURE STATUS REPORTS FOR THE FIRST QUARTER OF FISCAL YEAR 2021/2022 AS PRESENTED.

(Motion by Vice-Chairperson Green, City of Vista/Second by Board Member Morasco, City of Escondido). Motion was approved by a vote of 7 ayes, 0 nays, and 0 abstentions.

Ayes: Morrison, Green, Blakespear, Grosch, Morasco, Worden, Harless
Nays:
Abstain:
Absent:

D. Report on Environmental Enhancement Program and HHW & Organic Waste Education Distributions – Information Item (Receive and File)

General Manager Eggart provided a report on the Environmental Enhancement Program and Educational Appropriation distributions to the RSWA member cities. Details were provided to the Board Members in their respective agenda packets.

MOTION WAS MADE TO RECEIVE AND FILE THE ENVIRONMENTAL ENHANCEMENT PROGRAM AND HHW & ORGANIC WASTE EDUCATION DISTRIBUTIONS REPORT AS PRESENTED.

(Motion by Vice-Chairperson Green, City of Vista/Second by Board Member Morasco, City of Escondido). Motion was approved by a vote of 7 ayes, 0 nays, and 0 abstentions.

Ayes: Morrison, Green, Blakespear, Grosch, Morasco, Worden, Harless
Nays:
Abstain:
Absent:

6. **HOUSEHOLD HAZARDOUS WASTE (HHW), ORGANIC WASTE, AND OTHER SOLID WASTE ISSUES – INFORMATION AND ACTION ITEMS**

A. HHW Participation Reports – Information Item

General Manager Eggart and Ashlee Stratakis of the City of Encinitas reviewed the HHW participation summary reports for the first quarter of FY 2021/2022 with the Board. Copies of the reports were provided in supplemental Agenda Packets provided to the Board and made available to the public prior to the meeting. No action was taken.

B. Legislative Update – Information and Potential Action Item

General Manager / General Counsel Eggart updated the Board on pending legislation of interest relating to solid waste, organic waste and household hazardous waste. A memorandum summarizing pertinent legislation of interest adopted during the recently concluded legislative session was provided to the Board Members in their respective agenda packets. A PowerPoint presentation was also provided. General Manager / General Counsel Eggart and representatives from EDCO and CalRecycle answered questions from Board Members. No action was taken.

C. SB 1383 Compliance Support Services – Information and Potential Action Item

Jessica Toth and Mallika Sen from the Solana Center provided a presentation on the status of the SB 1383 compliance support services being provided to the RSWA Member Cities by Solana Center for Environmental Innovation and San Diego Food System Alliance and additional steps RSWA Member cities need to take for SB 1383 compliance. General Manager Eggart and the consultants answered several Board Member questions. The Board discussed potentially allocating additional funding for SB 1383 compliance activities and amending the existing Solana Center contract to include additional tasks. General Manager Eggart advised the Board he would meet with staff of the RSWA member cities to discuss their priorities and bring back a report and recommendations to the Board a subsequent special meeting. The Board also discussed forming a subcommittee; however, the consensus of the Board was that the full Board should decisions regarding future funding and no subcommittee was needed.

Treasurer Grosch left the meeting at 10:26 a.m.

D. Update on HHW Issues, Organics Disposal Issues, and Other Potential Future Issues Information Item

This item was scheduled for the Board to be updated on other current household hazardous waste, organic waste, and solid waste issues, and other potential future issues affecting RSWA. No additional information was reported due to time constraints.

7. ADMINISTRATIVE MATTERS – INFORMATION AND ACTION ITEMS

A. Adoption of Conflict-of-Interest Code – Action Item

The Board discussed adopting a Conflict-of-Interest Code in order to facilitate the electronic filing of Statements of Economic Interest via the County of San Diego's eDisclosure system. A staff report, proposed Conflict of Interest Code, and proposed adopting resolution were provided to the Board Members in their respective Agenda Packets. General Manager Eggart discussed the contents and purpose of the RSWA draft Conflict of Interest Code.

The recommended action was to adopt Resolution No. 2021-06, A Resolution of the Board of Directors of the Regional Solid Waste Association Adopting a Conflict of Interest Code.

MOTION WAS MADE TO ADOPT RESOLUTION 2021-06 AS PRESENTED.

(Motion by Vice-chairperson Green, City of Vista/Second by Board Member Harless, City of Solana Beach). Motion was approved by a vote of 6 ayes, 0 nays, and 0 abstentions, with 1 absence.

Ayes: Morrison, Green, Blakespear, Morasco, Worden, Harless

Nays:

Abstain:

Absent: Grosch

B. Review Future Meeting Schedule – Possible Action Item

This item was scheduled for discussion and approval of the future meeting schedule. It was noted that the previously approved regular meeting schedule was as follows:

January 6, 2022

April 7, 2022

July 7, 2022

No changes were made to the regular meeting schedule.

The Board also discussed scheduling special meetings as needed in order to comply with AB 361's requirement for adoption of findings re-authorizing teleconference meetings at least every 30 days. The Board identified the following dates and times for special meetings needed to comply with AB 361.

October 28, 2022 at 8:00 a.m.
November 18, 2022 at 8:00 a.m.
December 9, 2022 at 8:00 a.m.

MOTION WAS MADE TO SCHEDULE SPECIAL MEETINGS OF THE BOARD ON THE DATES IDENTIFIED BY THE BOARD.

(Motion by Board Member Blakespear, City of Encinitas/Second by Vice-Chairperson Green, City of Vista). Motion was approved by a vote of 6 ayes, 0 nays, and 0 abstentions, with 1 absence.

Ayes: Morrison, Green, Blakespear, Morasco, Worden, Harless
Nays:
Abstain:
Absent: Grosch

C. Approval of Board Member and General Manager Attendance at and Reimbursement of Conference Expenses for all Meetings, Including Out of State Meetings, of the Following Organizations ("List of Accepted Organizations and Conferences") – Action Item

1. SWANA (Solid Waste Association of North America) sponsored conferences and SWANA chapter meetings.
2. Waste 360 – Waste Age and Waste Expo Events, including WasteExpo.
3. NSWMA (National Solid Waste Management Association) and WASTE (Waste Equipment Technology Association) sponsored conferences.
4. NAHMMA (North American Hazardous Materials Management Association) sponsored conferences and meetings.
5. National Recycling Coalition sponsored events.
6. California Department of Resources Recycling and Recovery (CalRecycle) sponsored events.

General Manager Eggart recommended the Board approve Board Member and General Manager attendance at meetings, including out of state meetings, on the List of Accepted Organizations and Conferences, and the reimbursement of associated expenses. This includes authorization for reimbursement of actual costs for attendance that exceed \$1,000.

MOTION WAS MADE TO APPROVE BOARD MEMBER AND GENERAL MANAGER ATTENDANCE AT, AND REIMBURSEMENT OF EXPENSES INCURRED FOR, MEETINGS AND CONFERENCES, INCLUDING OUT-OF-STATE MEETINGS AND CONFERENCES, OF THE ORGANIZATIONS LISTED ON THE LIST OF ACCEPTED ORGANIZATIONS AND CONFERENCES PRESENTED AT THE MEETING, INCLUDING AUTHORIZATION FOR REIMBURSEMENT OF ACTUAL COSTS FOR ATTENDANCE THAT EXCEED \$1,000.

(Motion by Board Member Morasco, City of Escondido/Second by Vice-Chairperson Green, City of Vista). Motion was approved by a vote of 6 ayes, 0 nays, and 0 abstentions, with 1 absence.

Ayes: Morrison, Green, Blakespear, Morasco, Worden, Harless
Nays:
Abstain:
Absent: Grosch

Chairperson Morrison moved item 7.E ahead of item 7.D.

E. Discussion Regarding the Addition of New Members, Participation of Non-Member Agencies in RSWA Activities, and Sharing of Information and Documents with Non-Member Agencies – Potential Action Item

This item was scheduled for discussion at the request of Secretary Worden. The consensus of the Board was to defer discussion of this item to a later meeting due to time constraints. No action was taken.

Board Member Morasco left the meeting at 10:45 a.m.

D. Reports by Board Members and/or RSWA Staff Regarding Conferences Attended – Information Item

This item was scheduled to provide an opportunity for Board Members or RSWA staff to report on conferences attended. Chairperson Morrison and Vice-Chairperson Green provided reports about their attendance of the recent WasteExpo conference in Las Vegas, Nevada.

Board Member Harless left the meeting at 10:50 a.m.

8. COMMENTS FROM ASSOCIATION MEMBERS, GENERAL COUNSEL AND GENERAL MANAGER

Secretary Worden reported that the City of Del Mar is currently going through a procurement process for waste hauling services.

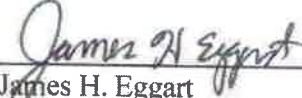
General Manger Eggart advised the Board about the upcoming WASTECON conference in Orlando in November and the status of stipend payments.

Board Member Blakespear asked if data was available regarding how much food waste EDCO's digester facility is processing. Jim Ambroso from EDCO state that it would likely have data to share at the end of the second quarter.

9. ADJOURNMENT

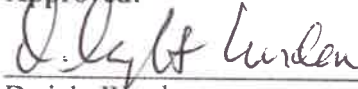
Chairman Morrison adjourned the meeting at 11:02 a.m. to the special meeting of October 28, 2021 at 8:00 a.m. to be held via teleconference / videoconference only.

Respectfully Submitted:



James H. Eggart
General Manager

Approved:

 11/18/21

Dwight Worden
RSWA Secretary

Item 3.B.

**MINUTES
REGIONAL SOLID WASTE ASSOCIATION
SPECIAL MEETING**

**October 28, 2021
8:00 a.m.**

VIA TELECONFERENCE / VIDEO CONFERENCE ONLY

Pursuant to California Governor Newsom's Executive Order N-08-21, and in the interest of public health, this meeting was conducted utilizing teleconferencing and electronic means only.

BOARD MEMBERS IN ATTENDANCE:

**Council Member Ron Morrison, City of National City – RSWA Chairperson
Deputy Mayor Joe Green, City of Vista – RSWA Vice-Chairperson
Deputy Mayor Dwight Worden, City of Del Mar– RSWA Secretary
Councilmember Dave Grosch, City of Poway – RSWA Treasurer
Deputy Mayor Mike Morasco, City of Escondido
Councilmember Kelly Harless, City of Solana Beach (Arrived at 8:10 a.m.)**

STAFF RESOURCES IN ATTENDANCE:

James H. Eggart, General Manager/General Counsel

1. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Chairperson Morrison called the meeting to order at 8:02 a.m.

Treasurer Grosch led the Board in the Pledge of Allegiance.

2. ORAL COMMUNICATIONS

This item was scheduled to provide an opportunity for public testimony on matters within the jurisdiction of the Association. There were no oral communications.

3. **ADOPTION OF RESOLUTION NO. 2021-07 MAKING SPECIFIED FINDINGS AND RE-AUTHORIZING USE OF REMOTE TELECONFERENCE MEETING PURSUANT TO GOVERNMENT CODE SECTION 54953(E)(3) – ACTION ITEM**

The Board reconsidered the circumstances of the State of Emergency declared by the Governor as a result of the Covid-19 pandemic and considered a proposed resolution pursuant to Government Code Section 54953(e) re-authorizing the Board to continue to meet via videoconference and/or teleconference means.

The recommended action was to adopt Resolution No. 2021-07 Making Specified Findings and Re-authorizing Remote Teleconference Meetings in Accordance with Government Code Section 54953(e), as Presented.

MOTION WAS MADE TO ADOPT RESOLUTION NO. 2021-04 AS PRESENTED.

(Motion by Vice-Chairperson Green, City of Vista/ Second by Treasurer Grosch, City of Poway). Motion was approved by a vote of 6 ayes, 0 nays, and 0 abstentions, with 1 absence.

Ayes: Morrison, Green, Grosch, Morasco, Worden, Blakespear
Nays:
Abstain:
Absent: Harless

Board Member Harless joined the meeting at 8:10 a.m.

4. **SB 1383 COMPLIANCE SUPPORT SERVICES UPDATE AND DISCUSSION – POTENTIAL ACTION ITEM**

General Manager Eggart updated the Board on discussions with RSWA member city staff members and Solana Center for Environmental Innovation regarding potentially adding tasks to the existing Solana Center contract for SB 1383 compliance support services, preferences expressed by the cities, and potential costs, and available funds. The Board Members discussed which “Next Step” tasks identified by Solana Center were most urgent, the anticipated cost, and tapping reserve funds to pay for them. The consensus of a Board majority was to consider adding and funding two additional core tasks: (1) determine potential rescuable edible food for each city using the County tool and (2) implement food recovery capacity survey to audit list of food recovery organizations. General Manager Eggart advised the Board that he would work with Solana Center and RSWA city staff members to refine the proposal and negotiate a potential contract amendment for consideration by the Board at a future meeting. No action was taken.

Board Member Morasco left the meeting at 8:35 a.m.

5. COMMENTS FROM ASSOCIATION MEMBERS, GENERAL COUNSEL, AND GENERAL MANAGER

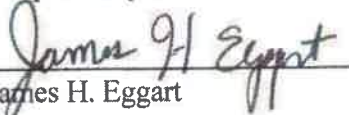
General Manager / General Counsel Eggart provided information to the Board regarding grant funding approved by the Legislature to help jurisdictions with SB 1383 compliance.

Secretary Worden provided an update on the City of Del Mar's procurement process for waste hauling services.


6. ADJOURNMENT

Chairman Morrison adjourned the meeting at 8:41 a.m. to the special meeting of November 18, 2021 at 8:00 a.m.

Respectfully Submitted:


James H. Eggart
General Manager

Approved:


Dwight Worden
RSWA Secretary

Item 4.

Resolution No. 2021-08

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE REGIONAL SOLID WASTE ASSOCIATION MAKING SPECIFIED FINDINGS AND RE-AUTHORIZING REMOTE TELECONFERENCE MEETINGS IN ACCORDANCE WITH GOVERNMENT CODE SECTION 54953(e)(3).

WHEREAS, the Board of Directors of the Regional Solid Waste Association (“RSWA”) holds regular and special public meetings pursuant to the Ralph M. Brown Act (the “Brown Act”), Government Code section 54950, et seq.

WHEREAS, pursuant to RSWA’s Bylaws, the designated location for regular meetings of the RSWA Board of Directors is the Fletcher Cove Community Center in the City of Solana Beach.

WHEREAS, on September 16, 2021 Governor Newsom signed Assembly Bill (“AB”) 361, which added subsection (e) to Government Code section 54953 and makes provision for remote teleconferencing participation in meetings by members of a legislative body, without compliance with the requirements of Government Code section 54953(b)(3), subject to the existence of certain conditions.

WHEREAS, a required condition of AB 361 is that a state of emergency is declared by the Governor pursuant to Government Code section 8625.

WHEREAS, on March 4, 2020 Governor Newsom declared a State of Emergency in the State of California pursuant to Government Code section 8625 as a result of the threat of the Coronavirus (COVID-19) pandemic, and the State of Emergency is still in effect.

WHEREAS, in addition to the Governor’s proclamation of a State of Emergency, as a result of the COVID-19 pandemic, the City of Solana Beach has declared a local emergency and has closed all nonessential City facilities, including the Fletcher Cove Community Center, to ensure the safety of the public.

WHEREAS, on October 7, 2021, the RSWA Board of Directors adopted Resolution No. 2021-05 making findings in accordance with AB 361 and Government Code Section 54953(e) and authorizing the use of remote teleconference meetings.

WHEREAS, as a condition of extending the use of the provisions found in Government Code Section 54953(e), the Board of Directors must reconsider the circumstances of the State of Emergency and make specified findings at least every 30 days.

WHEREAS, on October 28, 2021, the RSWA Board of Directors reconsidered the circumstances of the State of Emergency and adopted Resolution No. 2021-07 making specified findings and re-authorizing remote teleconference meetings in accordance with Government Code Section 54953(e).

WHEREAS, sustained COVID-19 community transmission continues to occur in San Diego County and the cities within RSWA's jurisdiction and various state and local officials continue to recommend measures to promote social distancing.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Directors of the Regional Solid Waste Association as follows:

1. The above findings and recitals are true and correct and are incorporated herein in full by this reference.
2. The Board of Directors of the Regional Solid Waste Association has reconsidered the circumstances of the proclaimed State of Emergency in California and has determined that (a) the State of Emergency continues to directly impact the ability of the members of the Board to meet safely in person and (b) state and local officials continue to recommend measures to promote social distancing.
- 3 That during the effective period of this Resolution, members of the Board of Directors of the Regional Solid Waste Association may continue to participate in meetings subject to the Brown Act by way of videoconference and/or teleconference in accordance with Assembly Bill 361 and Government Code section 54953(e).
4. The RSWA General Manager is authorized and directed to take all actions necessary to carry out the intent and purpose of this Resolution, including, conducting open and public meetings in accordance with Government Code Section 54953(e) and other applicable provisions of the Brown Act.
5. This Resolution shall take effect immediately upon its adoption and shall be effective until the earlier of: (1) December 18, 2021; or (2) such time the Board of Directors adopts a subsequent resolution in accordance with Government Code Section 54953(e)(3) to extend the time during which the Board may continue to hold virtual or teleconferenced meetings without complying with Government Code Section 54953(b)(3).

PASSED AND ADOPTED by the Board of Directors of the Regional Solid Waste Association, San Diego County, State of California, on November 18, 2021.

Ron Morrison, Chairman
Regional Solid Waste Association

APPROVED AS TO FORM:
James H. Eggart, General Counsel

By:_____

CERTIFICATION

I, Ron Morrison, Chairman of the Regional Solid Waste Association, do hereby certify that the foregoing Resolution No. 2021-08 was duly adopted at a regular meeting of the Association, held on the 18th day of November, 2021, by the following vote of the members of the Association:

AYES:

NOES:

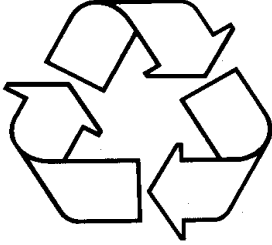
ABSENT:

ABSTAIN:

And I further certify that I signed and approved said Resolution on the ____ day of _____, 2021.

Ron Morrison, Chairman
Regional Solid Waste Association

Item 5.



REGIONAL SOLID WASTE ASSOCIATION

Member Agencies: Cities of Del Mar, Encinitas, Escondido,
National City, Poway, Solana Beach, and Vista

To: RSWA Board Members
From: General Manager James H. Eggart
Subject: SB 1383 Compliance Support Services Update
Date: November 18, 2021

BACKGROUND/DISCUSSION

On March 25, 2021, RSWA entered into an Agreement for Professional Consultant Services with Solana Center for Environmental Innovation (“Solana Center”) to provide specified SB 1383 compliance services to the six regular RSWA Member Cities. San Diego Food System Alliance (“SDFSA”) is a subcontractor under the Agreement.

The Board received an update from the consultants at the October 7, 2021 RSWA meeting regarding work completed through September and “next steps” the RSWA cities will need to address going forward to fully comply with the State’s requirements. At its October 28th meeting, the Board discussed the “next step” tasks and directed the General Manager to work with Solana Center and the RSWA City staff members on an Agreement amendment to add two additional core tasks.

The Board will receive a status update At the November 18th meeting.

The October Monthly Progress Report and additional deliverables completed by the consultants since the October 7th meeting are attached to this Report.

ATTACHMENTS

1. October Monthly Progress Report
2. SB 1383 Compliance Guide for Businesses and Inserts (Task 1.2)
3. Edible Food Recovery Checklist (Task 1.3)

October Monthly Progress Report

SB 1383 Compliance Support Services



General Progress

- Tier 1 and 2 identification work is complete. Approximately **3,800 businesses** from multiple data sources were reviewed to complete this task. Solana Center met with each city to review their lists and assess businesses that fall under a grey zone with respect to identification criteria. The final tally of businesses is as follows:

City	Tier 1	Tier 2
Del Mar	2	13
Encinitas	16	79
National City	17	97
Solana Beach	2	18
Vista	51	86
Total	88	293

The total number of Tier 1 and 2 businesses is 381. This figure does include a number of businesses for which we had insufficient data to make an accurate assessment. These businesses have been reviewed with the cities to ensure additional follow-up is completed for final determination. Expectation is that many of these businesses will be able to be removed from the list once required data is obtained.

- Next steps that need to be taken by the cities are compiled and included in the Tier Identification document under “Next Steps” tab. Tasks that can be supported by either Solana Center or SDFSA are identified in the list. List was reviewed and verified with CalRecycle.

This material was developed for RSWA and associated cities in partnership with Solana Center for Environmental Innovation and San Diego Food System Alliance.



- Status of core deliverables:

Task	Date	Status
Food recovery educational campaign for top generators	end of June 2021	Completed.
Preliminary list of food recovery organizations and services	end of June 2021	Completed.
Tier Identification	end of Sept 2021	Completed.
Inspection Checklist	end of Oct 2021	Completed. Under review
Edible Food Recovery Packet	end of Oct 2021	Completed. Spanish pending.
Compliance Resource Packets	end of Oct 2021	Completed. Spanish pending.
Edible Food Recovery Webinar	Nov 8 & 10, 2021	On track.
Edible Food Recovery Annual mailer	mid Dec 2021	On track.

Concerns/Risk Mitigation Needed: None

Task 1 Conduct Outreach and Education (Solana Center)

Task 1.1 Identify Tier 1 and Tier 2 generators

Status: Tier 1 and Tier 2 lists are completed and reviewed, and final versions have been delivered to cities.

Progress: Comprehensive raw data set is being prepared for each city to provide business details and reasoning for qualifying them as Tier 1 or 2 businesses. This additional data set was identified as a necessary companion to the Tier 1 and 2 lists so that cities are able to provide justification to CalRecycle for tier identification rationale.

This material was developed for RSWA and associated cities in partnership with Solana Center for Environmental Innovation and San Diego Food System Alliance.



Additional Notes:

- Tier 1 and Tier 2 businesses were analyzed as a desk-top exercise with no in-person visits. This is in line with CalRecycle’s expectations and how other jurisdictions in the County have conducted their tier identification work. Desk-top analysis included database searches, internet searches, emails and phone calls.

Task 1.2 Create baseline and compliance resources

Status: Four-page booklet style guide with two additional inserts (one for commercial kitchens and one for grocery stores) was completed and sent for review to the cities and CalRecycle.

Notes:

- This resource targets all commercial businesses impacted by SB 1383 and explains the legislative requirements they must take to comply. While this material covers all content required of jurisdictions to share in their educational materials, it was purposefully kept broad to account for differences across the cities with regards to ordinances, requirements, and exemptions.
- Compliance packet has been sent to the cities and CalRecycle for feedback. Final version will then be sent for Spanish translation with delivery scheduled for the end of November.
- Special variant will be created for the City of Del Mar to reflect the different waste hauler.

Task 1.3 Create inspection plan and protocol for inspections

Status: Checklist with additional reference table for inspector was completed and sent for review to the cities and CalRecycle.

Notes:

- This document is to be used by city staff or a designee who will be conducting inspections of Tier 1 (beginning January 1, 2022) and Tier 2 (beginning January 1, 2024) generators to ensure they have an edible food recovery program in place and are maintaining required records.
- This checklist includes all inspection components required per SB 1383 and offers a calculation method to decipher whether or not generators are within range of expected food donation quantities. Pages one-three are to be completed for each generator and page four is to serve as an attachment and reference point for inspectors.

This material was developed for RSWA and associated cities in partnership with Solana Center for Environmental Innovation and San Diego Food System Alliance.



Task 2 Edible Food Recovery Program (SDFSA)

Task 2.1 Plan food recovery educational campaign to educate top generators

Status: Completed.

Task 2.2 Develop and deliver food recovery resources to generators

Status: On track to be completed by late Oct. to early Nov.

Progress: Completed editing and design of all 6 handouts for the food recovery packet. Obtained translations from translator, Fernanda Vega, and are working to create Spanish versions of each handout. Food Donation 101 webinar fully planned and ready to be executed on November 8th and 10th. Developed and provided RSWA city representatives with Promotional Toolkit, which includes resources for social media promotion. Completed filming and editing of food donation case study for Jimbo's and Urban Street Angels, to be featured during the webinar. Finalized slide deck, and coordinated with Fernanda Vega for closed captioning support on Nov. 10th session.

Concerns: N/A

Task 2.3 Compile a preliminary list of food recovery organizations and service names

Status: Completed.

Task 2.4 Develop a food recovery newsletter/mailer for annual education

Status: Started Nov. 2021, to be completed Dec. 2021.

Progress: Collected feedback from RSWA city representatives on preference between paper mailer and electronic newsletter. Will now tally the majority vote and begin content mapping and design.

Concerns: N/A

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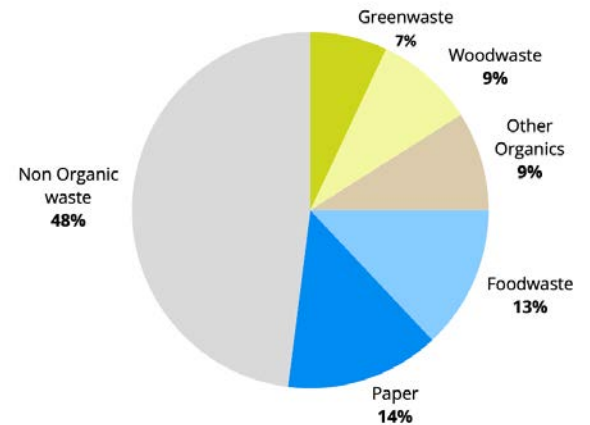
SB 1383 Compliance Guide for Businesses

Understanding the Legislation

Organic waste (meaning materials such as food, yard waste, food-soiled paper, and natural fibers) makes up over half of California's waste stream. When landfilled, it generates methane, an extremely potent greenhouse gas that contributes to climate change and public health concerns. In a statewide effort to reduce emissions of short-lived climate pollutants, particularly from organic waste, Senate Bill (SB) 1383 requires organic waste diversion and sets parameters for edible food recovery.

SB 1383 lays out a comprehensive guide for food waste prevention, edible food recovery, and organic waste diversion from landfills in the State. Simply put, SB 1383 requires that businesses implement programs to ensure organic materials are no longer put in the trash, with edible food instead being donated and the rest sorted for organic waste recycling.

California's Waste Stream



Source: CalRecycle

Why is SB 1383 Important?



- **Valuing Critical Resources** - Landfilling organic waste forever discards valuable resources. Recycling these materials extends landfill capacity and produces new resources, such as compost and renewable natural gas.



- **Fighting California's Climate Crisis** - The climate crisis is evident in sea level rise, extreme temperatures, longer fire seasons, and droughts. Recycling organic material reduces short-lived climate super pollutants that accelerate the climate crisis.



- **Feeding Hungry People** - Tons of edible food is disposed daily, while millions across California are food insecure. Rescuing edible food for recovery helps feed our communities.

SB 1383 Emission Reduction Targets

2020:

50% Reduction in Landfilled Organics

2025:

75% Reduction in Landfilled Organics & 20% Donation of Currently Disposed Edible Food

How Will SB 1383 Impact My Business?

Everyone living and working in California will be impacted by SB 1383, as it **requires** all residents and businesses to **divert their organic waste**. In order to meet SB 1383's targets, your business must take the following actions to comply with all program requirements:

1 Establish an Organics Recycling Program:

- **Enroll in curbside organics recycling service** with EDCO. They will deliver a green bin for organic material. Trash and recycling streams may be right-sized to accommodate your enclosure space.
- **Alternatively, self-haul organic materials** rather than enrolling in a curbside organics recycling program. The regulations allow you to take your organic material to a processing facility or to manage the material on-site, for example by composting. Contact your city for available options.
- **Provide organics and recycling bins** in all areas where disposal containers are provided and where such materials are generated, except in restrooms. Bins must be provided in adequate numbers, sizes, and locations, with correct labels and/or colors to align with the waste type. Customizable signage is available on CalRecycle's website.
- **Annually provide education** to employees, contractors, tenants (within 14 days of occupying premises), and customers about proper waste sorting.
- **Periodically inspect containers** for contaminants (e.g., edible foods or non organic material in your green bin). Inform employees and tenants if contamination is found and improve sorting signage.
- **Maintain responsibility** of ensuring that employees, contractors, tenants and customers properly sort organic materials into correct containers at business establishments.



To enroll in curbside organics recycling service, contact EDCO at **(760) 744-2700** or visit **www.EDCOdisposal.com**

2 Establish a Food Donation Program:

Food donation is mandatory for Tier One and Tier Two generators and encouraged for all food generating businesses. Tier classification depends on the following business categories plus additional size parameters. Contact your city for details.

Tier One generators are supermarkets, grocery stores, food service providers, food distributors, and wholesale food vendors.

Tier Two generators are restaurants, hotels, health facilities, large venues and events, state agencies and local education agencies.

Regulated generators must implement the following:

- **Create a contract** or written agreement with a food recovery entity.
- **Donate the maximum** amount of edible food.
- **Maintain records** of food donation activities.

Check the included insert for further guidance on food waste prevention and food recovery.



insert city logo here



Business Requirements Timeline

Beginning 2022: Participation in organics recycling program required

January 1, 2022: Tier One generators must have a food donation program

January 1, 2024: Tier Two generators must have a food donation program

Organic Waste Diversion

After enrolling in organics recycling service, all organic material needs to be sorted into a third stream, separate from trash and recyclables. In order to ensure compliance:

- Educate all employees and tenants on how to properly sort materials
- Co-locate organics recycling containers with trash and recycling bins
- Post sorting signage at eye-level in all disposal areas

Accepted Items:

- Meat & bones
- Dairy
- Bread & grains
- Fruits & vegetables (including peels, pits & rinds)
- Food-soiled paper (napkins, coffee filters, tea bags, paper plates)
- Green waste (plants, grass clippings, leaves, branches)



"If it grows, it goes!"

Contaminants:

- Plastic bags
- Compostable bags
- Glass
- Metal
- Styrofoam
- Plastic containers
- Bottles
- Fats, oils & greases (FOG)
- Wax paper
- Rocks & dirt



For more information on what goes where, contact EDCO at **(760) 744-2700** or visit **www.EDCOdisposal.com**.

How Are Materials Processed?

Organic material discarded in your green organics bin will be sent to an organic waste diversion facility such as a composting or anaerobic digestion facility. In these natural processes, microorganisms break down organic materials such as food waste. Organic material is recycled into renewable natural gas and soil amendments.



EDCO's Anaerobic Digestion Facility



insert city logo here

Self-Hauling and Exemptions

SB 1383 allows for businesses to self-haul their organic waste to a high-diversion facility. To assist cities with their reporting requirements, self-haulers are required to maintain records of the amount of organic material diverted through delivery receipts and weight tickets.

Exemptions from enrolling in organics recycling service may be granted by your city if your business:

1. generates more than 2 cubic yards (CY) of solid waste per week and organic waste is less than 20 gallons per week or
2. generates less than 2 CY of solid waste per week and organic waste is less than 10 gallons per week or
3. lacks adequate space for organic waste containers.

For more information on self-hauling options and potential exemptions, contact your city.

Monitoring & Inspections

SB 1383 requires cities to monitor and inspect businesses to ensure they follow legislative guidelines and to identify areas where support may be needed. All businesses must allow access to their property by the city and the waste hauler.



Organics Recycling Monitoring entails review of organics recycling program compliance, including bin setup, contamination levels, and signage. Monitoring will be conducted by EDCO once pick-up service is in place.



Edible Food Recovery Inspections will be conducted by your city at Tier One businesses beginning January 1, 2022 and at Tier Two businesses beginning January 1, 2024. Check the insert for compliance guidelines.

Your city will begin investigating noncompliance complaints starting January 1, 2022. Until the end of 2023, your city is responsible for providing educational material to support you with compliance.

Enforcement Timeline

January 1, 2022

- Compliance reviews of all solid waste collection accounts begin
- Inspections of Tier One generators begin

January 1, 2024

- Enforcement of all violations begin
- Inspections of Tier Two generators begin

Questions?

For more information on SB 1383 and how this will impact your business, please contact:



City

[Input email here]



[Input phone number here]

EDCO

csrsm@edcodisposal.com

1-760-744-2700

Solana Center for Environmental Innovation

zero.waste@solanacenter.org

(760) 436-7986 ex. 704



Food Waste Prevention for Commercial Kitchens

Before utilizing edible food recovery and organic recycling as a means to divert organic materials from the landfill, commercial kitchens should prioritize the first line of defense against food waste: prevention. Food waste prevention can take shape in many forms. Use the tips below to start preventing food waste before it happens!

Purchasing:



- Work with suppliers to enable flexibility for adjustments to purchase based on demand.
- Manage inventory with consistent procedures to streamline flow of items.
- Purchase seasonal and local foods and buy in bulk when possible.
- Buy produce with imperfections at a reduced cost - tastes just as good!

Storing:



- Learn best storage and handling techniques for all inventory and implement techniques to maximize the life of foods (e.g., freezing, dehydrating).
- Train staff on “first expired, first out” storage practices.
- Implement a labeling system that is thorough, descriptive, and visible.

Preparing:



- Reduce trim waste by refining knife skills.
- Use all parts of an ingredient with the ‘root to stalk’ and ‘nose to tail’ methods.
- Practice a just-in-time system to reduce overproduction and serve fresh.

Serving:



- Identify less popular items and drop poor performers.
- Cross-utilize ingredients, revamp leftovers, and offer seasonal options across menu items to minimize waste and spoilage.
- Adjust and reduce portion sizes and garnishes. On average, plate waste accounts for 70% of food waste in a restaurant.
- Offer before serving. Inquire if customers want complimentary sides before automatically serving them.

Food Donation for Businesses

While 1 in 3 San Diegans are food insecure, 500,000 tons of food is wasted in San Diego every year. In order to address inequity, SB 1383 requires edible food recovery from businesses identified as **Tier One** and **Tier Two generators**. All food generating businesses are also encouraged to participate in food donation programs. Establishing a food recovery program, which donates edible food to food banks and pantries, is an important way to keep food out of the landfill and feed people in need. To support you, resource guides on the following topics are available:

- SB 1383 Food Recovery Requirements Overview
- Food Donation Liability Protections and Food Safety
- A Guide to Food Donation Tax Deductions
- Food Recovery Agreement Template
- Steps for Setting Up and Maintaining a Food Recovery Program

Visit your city's website to access the guides and for more information.



Requirements & Record-Keeping

To comply with edible food recovery requirements, Tier One and Tier Two generators must implement a food recovery program through the following actions:

- **Create a contract** or written agreement with a food recovery entity.
- **Donate the maximum** amount of edible food that would otherwise be disposed.
- **Maintain records** of food donation activities:
 - Contract or written agreement information for food recovery organizations and services
 - Schedules for food donation deliveries or collections
 - Quantity of food donated in pounds per month
 - Types of food each food recovery organization receives or collects

Your city will conduct inspections of businesses beginning January 2022, focusing on the largest food-generators first. These inspections aim to ensure food generating businesses are complying with program requirements and maintaining sufficient records of their donations. Food recovery program records will be reviewed during city inspections.

The food recovery services and organizations that you contract with have similar record-keeping requirements under SB 1383. These services/organizations must maintain records of food they receive through food donation programs and must annually report the total pounds of edible food recovered to the city in which their primary address is located. Work together to ensure all food donations are consistently tracked and recorded.

Food Waste Prevention for Grocery Stores

Before utilizing edible food recovery and organics recycling as a means to divert organic materials from the landfill, grocery stores should prioritize the first line of defense against food waste: prevention. Food waste prevention can take shape in many forms. Use the tips below to start preventing food waste before it happens!

Analyze:



- **Identify types of food discarded** – when and under what conditions. Obtaining this knowledge is a critical first step in food waste prevention.
- **Conduct a mini-waste audit** by visually or manually inspecting the contents of the waste bins. Involve staff to increase their awareness.

Inventory:



- **Automate ordering systems** across departments in order to prevent over-ordering and inventory spoilage. This is especially important for perishable foods.
- **Stock imperfect produce** from suppliers. Arrange to receive the produce with cosmetic imperfections at a reduced cost.
- **Use expiration date tracking** technology to reduce effort and inaccuracy from manual tracking and to make it easier to rotate items and re-order appropriately.
- **Adopt standardized date labels** with your suppliers to minimize employee and customer confusion about expiration dates.

Display:



- **Train employees on food-handling best** practices including unloading, storing, transferring, and displaying. Proper care helps ensure food is not damaged and wasted.
- **Educate staff on their role in food waste prevention**, including the importance of shifting items on shelves to display the oldest items first and practice first in, first out.
- **Discount food** that is reaching expiration dates and create a **special section** that draws customers to these items.

Educate:



- **Provide customers with guidance** for reducing food waste, such as recipes for leftovers and meal planning tips.
- **Utilize different areas in-store to educate** on best food storage practices.
- **Share actions** the store is taking with customers and other stores to prevent food waste to increase awareness and promote sustainable food consumption.

Food Donation for Businesses

While 1 in 3 San Diegans are food insecure, 500,000 tons of food is wasted in San Diego every year. In order to address inequity, SB 1383 requires edible food recovery from businesses identified as **Tier One** and **Tier Two generators**. All food generating businesses are also encouraged to participate in food donation programs. Establishing a food recovery program, which donates edible food to food banks and pantries, is an important way to keep food out of the landfill and feed people in need. To support you, resource guides on the following topics are available:

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Requirements & Record-Keeping

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The food recovery services and organizations that you contract with have similar record-keeping requirements under SB 1383. These services/organizations must maintain records of food they receive through food donation programs and must annually report the total pounds of edible food recovered to the city in which their primary address is located. Work together to ensure all food donations are consistently tracked and recorded.

Edible Food Recovery Inspection Checklist

Date of inspection: _____ **Inspector Name:** _____

Commercial edible food generators must recover the maximum amount of edible food that would otherwise be disposed of and donate to a food recovery organization or service. Utilize this checklist for inspections to ensure Tier One & Tier Two generators are meeting legislative requirements for edible food recovery (SB 1383, Section 18991.3).

Business Name: _____ **Contact Name:** _____

Business Address: _____

Contact Phone & Email: _____

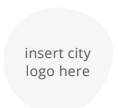
Record-Keeping

Ensure generators comply with edible food recovery program requirements by maintaining thorough records.

- Review each contract/written agreement that the generator has with all contracted food recovery entities.
- For **each** food recovery entity that the generator contracts with, complete the table below:

Food Donation

	Entity 1		Entity 2		Entity 3	
Contracted Food Recovery Entity						
Method of Donation (Circle Applicable)	Collected	Self-Hauled	Collected	Self-Hauled	Collected	Self-Hauled
Quantity of Donated Food (Pounds Per Month)						
Frequency of Donated Food (e.g. Daily, Times Per Week, etc.)						
Types of Food Donated (Check All Applicable)	<input type="checkbox"/> Non-perishable (Shelf stable packaged foods) <input type="checkbox"/> Perishable (e.g. fresh produce, dairy, meat, etc.) <input type="checkbox"/> Prepared (Hot, cold, or frozen prepared food) <input type="checkbox"/> Other: _____		<input type="checkbox"/> Non-perishable (Shelf stable packaged foods) <input type="checkbox"/> Perishable (e.g. fresh produce, dairy, meat, etc.) <input type="checkbox"/> Prepared (Hot, cold, or frozen prepared food) <input type="checkbox"/> Other: _____		<input type="checkbox"/> Non-perishable (Shelf stable packaged foods) <input type="checkbox"/> Perishable (e.g. fresh produce, dairy, meat, etc.) <input type="checkbox"/> Prepared (Hot, cold, or frozen prepared food) <input type="checkbox"/> Other: _____	



Visual Assessment

If incorrect sorting or edible food presence is evident, **capture a photo** and **describe type and location**. (e.g., "moldy fruits and wilted vegetables found in the trash dumpster").

Waste Disposal:

- Hauling service & frequency _____
(e.g., 3 CY dumpster, 2x/week)
- Inedible organics presence _____

- Edible food presence _____

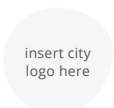
Organics Disposal:

- Hauling service & frequency _____
(e.g., 3 CY dumpster, 2x/week)
- Contamination _____
(e.g., trash or recyclables) _____
- Edible food presence _____

Food Donation Protocol Assessment

An edible food generator shall not intentionally spoil edible food that is capable of being recovered by a food recovery organization or service (SB 1383, Section 18991.3). Determine if a food donation program has been setup and if protocol is being followed. Assess food waste prevention practices to confirm no intentional spoilage is occurring.

- Are there well-defined food donation protocols? **Yes / No**
 - Is there food donation training for staff? **Yes / No**
 - Storage location _____
 - Containers used _____
 - Is the generator using any food waste prevention methods? **Yes / No**
 - If **yes**, mark and note below:
 - Inventory management
 - Repurpose & reuse
 - Imperfect produce
 - Other _____
- _____



Industry Standard Alignment

Compare generator's food donation quantities to industry standard in order to verify that the generator is donating the maximum amount of edible food for recovery. The attached table and sample calculation provide guidance for how to estimate food donation quantities based on generator type.

Calculate Industry Standard:

Step 1: Record industry standard of total donatable food per year (based on table): _____

Step 2: Determine generator's number of employees, beds, seats, visitors or revenue (based on generator type): _____

Step 3: Calculate generator's predicted donated food per year (based on numbers above):

Calculate Annual Donation Total:

Step 4: Multiply generator's total donated food per month by 12 (adjust for seasonality if needed) to find annual total:

Compare Generator Total to Industry Standard:

Step 5: Is generator's total donated food per year meeting expectations? Compare results from steps 3 and 4.

Yes / No _____

Conclusions

- Is the generator donating edible food? **Yes / No**
- Is the generator following required record-keeping protocol? **Yes / No**
- Is the generator intentionally spoiling food? **Yes / No**
- Is the generator's annual donation quantity in line with industry expectations? **Yes / No**

Photos

Insert photos taken on-site as needed for reference.

Notes: _____



Industry Estimates of Donatable Food

Commercial Edible Food Generator Type

Food Donation Estimates*

Supermarkets & Grocery Stores	9,300 pounds per facility per year
Food Distributors & Wholesale Food Vendors	0.002 pounds per dollar of revenue per year
Restaurants	1,900 pounds per facility per year
Hotels	99 - 198 pounds per employee per year
Health Facilities	0.17 - 0.34 pounds per bed per day (Hospitals) 0.09 - 0.18 pounds per bed per day (Nursing Homes)
Large Events & Large Venues	0.13 pounds per seat per day or 0.1 pounds per visitor
State Agencies	1 - 17.6 pounds per corporate/business employee per year
Local Education Agencies	0.02 tons per employee per year

*Estimates provided from studies by CalRecycle and the Natural Resources Defense Council (NRDC) sourced from CalRecycle's 2021 report entitled, "Estimating Factors for Edible Food Disposed by Commercial Edible Food Generators."

Key Tier One Generators Tier Two Generators

Sample Calculation

This example calculates estimated food donation quantities for a hotel, using sample employee numbers and total food donated per month. For Steps 2 and 4, use numbers obtained during inspection.

Step 1: Record industry standard of total donatable food per year (based on table): 99 - 198 pounds/employee per year

Step 2: Determine generator's number of employees, beds, seats, visitors or revenue (based on generator type): 100 employees

Step 3: Calculate generator's predicted donated food per year (based on numbers above):

$$(99-198) \times 100 \text{ employees} = (9,900 - 19,800) \text{ pounds/year}$$

Step 4: Multiply generator's total donated food per month by 12 (adjust for seasonality if needed) to find annual total:

$$200 \text{ pounds donated food/month} \times 12 \text{ (months/year)} = 2,400 \text{ pounds/year}$$

Step 5: Is generator's total donated food per year meeting expectations? Compare results from steps 3 and 4.

Yes / **No** **Total donated food per year (2,400 pounds) is significantly below predicted range (9,900 - 19,800 pounds).**