IMPLEMENTATION COMMITTEE
SPECIAL MEETING AGENDA

DATE: January 9, 2020
TIME: 12:00 p.m. – 1:30 p.m.
LOCATION: Vector Control Training Room
1580 Berger Drive
San Jose, CA 95112

(** Denotes item on which action may be taken)

1. Call to Order and Introductions**

2. Approval of Draft Summary Minutes of the December 12, 2019 meeting**

3. Public Comment
   (This item is reserved for persons desiring to address the committee on any matter not on this agenda.) For members of the public who wish to address the committee on any item not listed on the agenda this would be the appropriate time. The Chair will call individuals in turn. Speakers are limited to three (3) minutes. The committee is not permitted action or extended discussion of any item not on the agenda except under special circumstances. If committee action is requested, the committee may place the matter on a future agenda. All statements that require a response will be referred to staff for reply in writing.

4. Fund Balance Policy**

5. Establish how much discretionary budget is to be allocated**

6. Review Proposals**

7. Final vote on FY21 Proposed budget to forward to RWRC**

8. Review and wordsmith goals/issues**

9. Adjournment**

Commissioners: Susan M. Landry, Chair ~ Mary-Lynne Bernald ~ Pam Foley ~ Linda J. LeZotte ~ Anthony Phan ~ Rod Sinks ~ Nancy Smith ~ Mike Wasserman ~ Kathy Watanabe ~ Vacant
<table>
<thead>
<tr>
<th>Proposal</th>
<th>Project</th>
<th>Submittal Entity</th>
<th>Amount</th>
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<tr>
<td></td>
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<td>FY20-21</td>
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<tr>
<td>1</td>
<td>PubEd</td>
<td>Ursula Syrova</td>
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<td>Giving &amp; Cups Campaign</td>
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<td>Joint SCVURPPP</td>
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<td>Food Waste Prevention</td>
<td>Lori Topley</td>
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<td>4</td>
<td>Food Recovery Requirements</td>
<td>Lori Topley</td>
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<td>Create mobile app</td>
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To: Implementation Committee
From: Members of the Public Education Subcommittee
Re: Public Education Budget Proposal for FY 20-21

The Public Education Subcommittee requests $175,000 for Fiscal Year 20-21 to implement projects that support two current RWRC Legislative Policies and Priorities.

1) Experiential Giving and Cups:
   Continue to promote previously developed materials that encourage experiential giving during the holidays instead of “stuff,” and encourage use of reusable beverage containers.
   • The Public Education Subcommittee is currently overseeing completion of outreach campaigns under a contract with Gigantic Idea. Two campaigns were developed and launched in FY 18-19, and the contract was extended to run them again with minor modifications in the current fiscal year. The subcommittee requests funding to promote the campaigns again through continued media buys in FY 20-21.
   • The cups campaign includes directly interacting with a variety of businesses that sell to-go beverages, and these relationships will also benefit the second proposed project (below) for reduction of non-reusable foodware.
   • This project supports RWRC Priority #1 (promote sustainable resource management and reduction in greenhouse gases generated from the use of material resources) and Priority #8 (litter control via reduction in single-use items and outreach campaigns).
   • Funding request to TAC IC - $100,000 for media buys, direct engagement, and labor to make minor adjustments to outreach pieces for both campaigns.

2) PubEd/SCVURPPP Joint Outreach Project:
The Pub Ed Subcommittee has been working with representatives from the Santa Clara Valley Urban Runoff Pollution Prevention Program (SCVURPPP) on mutually beneficial messaging around the reduction of non-reusable foodware. The groups propose to share the cost of customizing existing outreach materials. Non-reusable food and beverage packaging accounts for 67%\(^1\) of littered trash and is currently the subject of various product bans, restrictions, and ordinances. Coordinated messaging will serve to educate and engage customers, businesses, and elected officials about the issue and support existing and future ordinances.
   • Customize existing radio and video pieces developed by AdManor for BayROC and Central Coast Recycling Media Coalition with themes of individuals refusing single use items, the benefits of reusables, and promoting both themes through media buys over a six-week period. $63,000.
   • Customize existing collateral developed by ReThink Disposable to “truth talk” the impacts of non-reusable foodware to individuals at the point of sale as well as to businesses and elected officials, complemented by positive messaging and actions to source-reduce and reuse.
     o Customize two pieces for print and two digital graphics with messaging. $12,000.
     o Distribute pieces through existing jurisdictional communication channels – social media, communication with elected officials, chambers of commerce, direct outreach to food establishments, etc.
     o Printing of outreach pieces will be done by local agencies.
   • These outreach pieces support RWRC Priority #8 (litter control via outreach campaigns and reduction in single-use items).
   • The draft SCVURPPP FY20-21 budget includes $25,000 for this joint campaign pending approval in January 2020. Total campaign estimate = $75,000. Request to TAC IC is $50,000.

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\(^1\) From Clean Water Action’s 2011 litter survey of 12,000 pieces collected: “The data gathered indicate that, discounting cigarette butts, take-out food and beverage packaging comprises the most significant type of trash on Bay Area streets. It was 67% of all trash collected; food packaging comprised 48% and beverage packaging was 19%. Staff and volunteers identified the sources of 19% of the litter collected, using brand identification and other unique recognizable characteristics. Of the trash for which sources were identified (i.e. known sources), fast food chains comprised 49% of the litter. Other large sources included grocery stores (11%), convenience stores (10%), retail stores (8%), and café/coffee shops (7%). Less significant sources included pharmacies, restaurants, transit stations, and banks.”
Food Recovery Funding Request
Joint Venture Silicon Valley, 2020-2021
The Food Recovery Steering Committee offers the following list of suggestions, focused on prepared food recovery capacity building and information sharing, for Santa Clara County:

**Expanded Steering Committee Membership, 300 hours**
Use the Food Recovery Steering Committee to focus needed attention on prepared food recovery. Second Harvest Food Bank, a partner, has a mission-driven interest in grocery food rescue. To compliment, rather than duplicate this service, the Steering Committee can focus attention on the prepared foods going to waste in the County and methods to stem the waste:
- Discuss food recovery capacity – building/facility needs and opportunities
- Identify sustainable funding, potentially through franchise fees, contracts, fundraising, etc.
- Work with recovery organizations to establish criteria for recipient organizations

**Support prepared food recovery information sharing and coordination, 300 hours**
- There are many nonprofits active in this space, new state laws, government interventions, and corporate partners and donors. Joint Venture (JV) would help nonprofits work more efficiently, serve as an independent agency developing recovery best practices, and serve as a space to foster partnerships. JV received a Wells Fargo grant to start this work.
- Design and initiate joint projects between entities active in this space, suggest new innovations to bring to Silicon Valley, develop and maintain a list of recovery organizations, serve as technical support for new recovery organizations, form working groups on specific issues as needed, develop recovery protocols in conjunction with recovery organizations, have 6 meetings with other innovators across the state and write a report about findings.

**Fundraising, Identification of long-term funding streams for food recovery, 30 hours**
- Raise an additional $30,000 towards food recovery programs and identify at least one significant long-term funding stream for food recovery programs.
- Continue to support and assist in raising funds for the expansion of the Loaves & Fishes A La Carte program. Work with the steering committee to raise an additional $100,000.

**Support SRR/1383 Ad Hoc Legislative Comm as they focus on food recovery, 190 hours**
- Attend all Source Reduction and Recycling Committee and 1383 Ad Hoc Legislative Committee meetings, take on at least 2 research projects to support the efforts of the committee, serve as a connection point between government efforts/recovery organizations.

**Host Updated Food Recovery Form, no hours, NO RWRC FUNDING REQUEST**
- Connect members from the Food Forum, 2016, as well as the County’s Food System Alliance, to reignite interest, participation, and leverage the work of all county agencies.

<table>
<thead>
<tr>
<th>Fiscal Year 2020-2021</th>
<th>RWRC Funding Request</th>
<th>Funds to be raised by JHSV, steering comm</th>
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FY 2020-21 RWRC Budget Request

**Project:** Food Waste Prevention

**Amount Requested:** $100,000

**Description:** The SRR subcommittee is currently overseeing a project to reduce household food waste in Santa Clara County by using a CBSM framework to effect behavior change. This project has a budget of $100,000 and is being completed through a contract with SCS Engineers. The goal is to design and implement a pilot using a control group to test several strategies to prevent food waste. The initial project research has been completed and the strategies should be developed in January 2020. The pilot will be conducted and results analyzed by June.

This request is to continue the important work of preventing food waste by capitalizing on the results of the pilot. Although it is not yet known exactly what phase II of the project might consist of, several possibilities include (and are not mutually exclusive):

- Based on the results of the first pilot, conduct a second pilot to dial in the most successful strategies;

- Using the results of the pilot, develop a project template or model for a food waste prevention program that any City could utilize to implement their own program. This might include providing outreach materials and other recommended collateral.

- Design a program or materials that can be used by Countywide partners (nutrition programs, food rescue organizations) to help prevent food waste among their member constituents.

**Deliverables:** TBD

**Prepared by:** Lori Topley on behalf of SRR, December 18, 2019
Edible Food Recovery Requirements of SB 1383 Regulations
(Prepared by Lori Topley, based on October 2, 2019 version of regulations, subject to change)

Requirements of jurisdictions are described first, these are most relevant to budget
costdiscussions, followed by requirements for edible food generators and then those for
recovery organizations or services. Terms that are defined are underlined the first time
they appear and the definitions are provided at the end.

General

By January 1, 2022, jurisdictions must adopt an enforceable ordinance or similarly
enforceable mechanisms to mandate compliance with SB 1383 regulations, including
those related to edible food recovery. (Section 18981.2.a)

A jurisdiction may designate a public or private entity to fulfill its responsibilities for
any part of SB 1383 regulations (except to impose penalties), through contracts or
agreements such as MOU’s. (Section 18981.2.b)

Jurisdiction Requirements

1. Implement an edible food recovery program with actions that accomplish the
   following (Section 18991.1):

   o Educate **commercial edible food generators** (per specific requirements, see 3
     and 4 below);
   o Increase commercial edible food generator access to **food recovery
     organizations and food recovery services**;
   o Monitor commercial edible food generator compliance (per specific
     requirements, see 5 – 7 below);
   o Increase edible **food recovery** capacity if the analysis (the capacity planning
     report to be prepared by the County) indicates the jurisdiction does not have
     sufficient capacity to meet its edible food recovery needs.

2. Document the program for the Implementation Record including (Section 18991.2):

   o A list of commercial edible food generators in the jurisdiction that have a
     contract or written agreement with food recovery organizations or services;
   o A list of food recovery organizations and food recovery services in the
     jurisdiction and their edible food recovery capacity;
   o Actions taken to increase edible food recovery capacity.
3. No later than February 1, 2022 post a list of food recovery organizations on the website that includes information about each edible food recovery organization and providers (Section 18985.2.a):
   o Name and physical address;
   o Contact information;
   o Collection service area;
   o Indication of types of food accepted for recovery.

4. Annually, provide commercial edible food generators with information about (Section 18985.2.b):

   o The jurisdiction’s edible food recovery program;
   o The commercial edible food generator requirements;
   o Food recovery organizations and food recovery services operating within the jurisdiction, and where a list of those food recovery organizations and food recovery services can be found;
   o Actions that commercial edible food generators can take to prevent the creation of food waste;
   o This noticing can be combined with other noticing a City already does or must do based on other SB 1383 noticing requirements.

5. Beginning January 1, 2022, conduct inspections of, and investigate any complaints about, Tier One commercial edible food generators and food recovery organizations and services for compliance. Beginning January 1, 2024 conduct inspections of Tier Two generators. (Section 18995.1.a.2&3) Number of inspections is not specified, but must be “sufficient to adequately determine overall compliance” and jurisdictions may “prioritize inspection of entities that are more likely to be out of compliance.” (Section 18995.1.b)

6. Between January 1, 2022 and December 31, 2023, provide education to violators. Beginning January 1, 2024, enforce against violators. (Section 18995.1.a.4&5)

7. If an enforcement action is taken against a commercial edible food generator for noncompliance, the generator may demonstrate that either of the below extraordinary circumstances exist beyond its control that make compliance impractical:

   o A failure by the jurisdiction to increase edible food recovery capacity;
   o Acts of God such as earthquakes, wildfires, flooding, and other emergencies or natural disasters. (Section 18991.3.d)

8. Maintain specified written records and documents for each inspection. (Section 18995.1.c&d)
Commercial Edible Food Generator Requirements (Section 18991.3 and .4)

1. Tier One commercial edible food generators must comply with below starting January 1, 2022. Tier Two generators must comply starting January 1, 2024.

2. Must arrange to recover the maximum amount of edible food that would otherwise be disposed through a contract or written agreement with either of the following:
   - Food recovery organizations or services that collect edible food for recovery
   - Food recovery organizations that will accept self-haul

3. Large venues or large event operators (both are Tier Two generators) that do not provide food services, but that allow food to be provided, must require food facilities operating at the venue or event to comply with the requirements.

4. Must keep records of:
   - The food recovery organizations or services that accept its edible food
   - The types of foods and the frequency collected or self-hauled by each
   - The quantity of food, in pounds per month, collected or self-hauled by each
   - Copies of the contracts and agreements

Food Recovery Services and Organizations Requirements (Section 18991.5)

1. Food recovery organizations and services that have established written contract or agreement to collect or receive food from commercial edible food generators must maintain following records:
   - Name, address and contact for each generator they service
   - Quantity in pounds per month of edible food collected or received from each generator
   - Quantity in pounds per month of edible food transported to each food recovery organizations (requirement for food services)
   - Name, address and contact information for each food recovery service that an organization receives food from
   - Name, address and contact information for each food recovery organization that a service transports food to

Definitions

“Commercial edible food generator” includes a Tier One or a Tier Two commercial edible food generator. Food recovery organizations and food services are not commercial edible food generators.
“Edible food” means food intended for human consumption. It’s not solid waste if it is recovered and not discarded. Recovery of edible food that does not meet the food safety requirements of the California Retail Food Code is not required.

“Food distributor” means a company that distributes food to entities including, but not limited to, supermarkets and grocery stores.

“Food recovery” means actions to collect and distribute food for human consumption which would otherwise be disposed.

“Food recovery organization” means an entity that engages in the collection or receipt of edible food from commercial edible food generators and distributes that edible food to the public for food recovery either directly or through other entities, including, but not limited to, food banks, nonprofit charitable organizations and nonprofit charitable temporary food facility.

“Food recovery service” means a person or entity that collects and transports edible food from a commercial edible food generator to a food recovery organization or other entities for food recovery.

“Food service provider” means an entity primarily engaged in providing food services to institutional, governmental, commercial, or industrial locations of others based on contractual arrangements with these types of organizations.

“Grocery store” means a store primarily engaged in the retail sale of canned food; dry goods; fresh fruits and vegetables; fresh meats, fish, and poultry; and any area that is not separately owned within the store where the food is prepared and served, including bakery, deli, and meat and seafood departments.

“Inspection” means a site visit where a jurisdiction or the Department reviews records, containers, and an entities collection, handling, recycling, or landfill disposal of organic waste or edible food handling to determine if the entity is complying with requirements set forth in this chapter.

“Large event” means an event, including but not limited to, a sporting event or a flea market, that charges an admission price, or is operated by a local agency, and serves an average of more than 2,000 individuals per day of operation of the event, at a location that includes, but not is not limited to, a public, nonprofit, or privately owned park, parking lot, golf course, street system, or other open space when being used for an event.

“Large venue” means a permanent venue facility that annually seats or serves an average of more than 2,000 individuals within the grounds of the facility per day of operation of the venue facility, including but not limited to a public, nonprofit, or privately owned or operated stadium, amphitheater, arena, hall, amusement park, conference or civic center, zoo, aquarium, airport, racetrack, horse track, performing arts center, fairground, museum, theater, or other public attraction facility. A site under common ownership or control that includes more than one large venue that is contiguous with other large venues in the site, is a single large venue.
“Restaurant” means an establishment primarily engaged in the retail sale of food and drinks on-premises or immediate consumption (Section 18982.64).

“Supermarket” means a full-line, self-service retail store with gross annual sales of $2 million dollars or more and which sells a line of dry grocery, canned goods, or nonfood items and some perishable items.

“Tier one commercial edible food generator” means a commercial edible food generator that is:

- **Supermarket**
- **Grocery store** with a total facility size equal to or greater than 10,000 square feet
- **Food service provider**
- **Food distributor**
- **Wholesale food vendor**

“Tier two commercial edible food generator” means a commercial edible food generator that is:

- **Restaurant** with 250 or more seats, or a total facility size equal to or greater than 5,000 square feet.
- **Hotel** with an on-site food facility and 200 or more rooms
- **Health facility** with an on-site food facility and 100 or more beds
- **Large venue**
- **Large event**
- A state agency with a cafeteria with 250 or more seats or a total cafeteria facility size equal to or greater than 5,000 square feet.
- A local education agency with an on-site food facility.

“Wholesale food vendor” means a business or establishment engaged in the merchant wholesale distribution of food, where food (including fruits and vegetables) is received, shipped, stored, prepared for distribution to a retailer, warehouse, distributor, or other destination.
Project Name: Santa Clara County Food Rescue
July 1, 2020 - June 30, 2021

Project Purpose:

Second Harvest of Silicon Valley will create a reliable and scalable system to rescue short-dated or surplus food from food generators for free distribution to food-insecure people, helping low-income residents access nutritious food and free up funds they can apply toward housing or other needs. This project will keep quality food out of the local waste stream, reducing greenhouse gas emissions and having a profound impact on the health of our residents, our environment, and the strength of our community. Since Second Harvest already has a huge network and the experience or relationships required with food generators, community agency partners, and government agencies, we are in the ideal place to design a better system for rescuing this excess food and ensuring it is used to feed our community.

In particular, Second Harvest of Silicon Valley will partner with Santa Clara County Recycling and Waste Reduction Commission (RWRC) to test new methods of edible food recovery in preparation for the scaling that will be required with the implementation of SB1383. Second Harvest will rescue food from retailers, distributors, wholesalers, and manufacturers. Existing solutions are fragmented, inefficient, unreliable and not scalable. Second Harvest will assist RWRC in understanding what models will scale to pick-up food and ensure that it gets to people in need. These pilots will inform the development of business models that can be used to scale the programs and potentially share costs with food generators.

Project Objectives:

- Estimate recoverable, edible food by city from retailers, distributors, wholesalers, and manufacturers within Santa Clara County
- Determine the largest sources of potential food rescue and how they may be addressed and targeted
- Analyze a variety of models for food rescue and delivery

Deliverables:

1. Capacity Estimate: Create a baseline estimate of the recoverable, edible food by city from retailers, distributors, wholesalers, and manufacturers within Santa Clara County based on EPA methodology, Feeding America data, Second Harvest experience, and other considerations (i.e. food generators’ business practices and consumer trends)
2. Prioritization: Determine food generators and recipients to target and design rescue and distribution models to pilot
3. Pilot: Work with Second Harvest’s agencies and targeted food generators to pick up and distribute food rescue
4. Final Report: Produce a final report describing food rescue costs, scaling considerations, and advantages and disadvantages of different models

Proposed Budget:

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<th>Item</th>
<th>Cost</th>
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<tr>
<td>Eco-friendly, refrigerated vehicle(s)</td>
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<td>Food rescue driver (partial funding)</td>
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<td>Electric pallet jack with built-in scale for weighing donations</td>
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<td><strong>Total</strong></td>
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Request for Supplemental Funding: FY 20-21/22

1. Expand the term of agreement to 2 years
   a. Given CDR’s long-term reliability as a service-provider expand the term by 1 year to achieve cost and staff time efficiencies. Include a CPI of 2% for year 2 as noted in the budget provided to the county staff.

2. Fund one student who is tasked to conduct outreach (social media, other) at 16 hrs./week to expand public awareness/use of the hotline and website, and B) to support the phone staff: $14,000 staff + $5,000 social media = $19,000
   a. This student will create and place ads on FB and other social media sources (Nextdoor, Instagram, Twitter), study and report on the results, communicate with other media sources (print and broadcast), coordinate with the SJSU Media Relations Specialist, determine potential community partners, and reach out to haulers, cities, and recycling and reuse sources.
   b. This will relieve a staffing issue when staffing is short because of class schedules/final exams week, illness, vacations, and between semesters (mid-December through mid-January and mid-May through Sept). CDR policy and practice is to have one manager assisting interns at all times.
   c. Little-to-no public outreach hampers public awareness of the recycling hotline and website. 5 of 16 jurisdictions have linked to RecycleStuff.org. CDR has a hotline brochure but has no printing budget to share it. One-time funded outreach (FY 17-18) was remarkably successful: 1) Search Engine Optimization increased use of the site, 2) Two $1k 1-week campaigns resulted in 96,000 new page views and 5,500 new visits to RecycleStuff, and a 66% increase in people following the RecycleStuff Facebook page, and, 679 comments, likes and shared posts.

3. Site architecture improvements: $14,000.
   a. The architecture of RecycleStuff was built in the late 1990's and is becoming increasingly unstable. It needs to be rebuilt. Improvements have been made to the front end of the site (what the viewers see) and to the ‘back-end,’ where staff uploads and manages data. Stable architecture is an essential requirement to enter and edit data, and to upload documents. San Mateo County Office of Sustainability (SMC) has expressed a willingness to contribute half of the funding and will likely do so.

4. Create a mobile app: $17,000.
   a. RecycleStuff was built on platform, Bootstrap, that works as an app on mobile devices. Some users or the cities may prefer an app. This project will create an app for both Android and Apple devices. San Mateo County Office of Sustainability (SMC) has expressed a willingness to contribute half of the funding.