



County of San Mateo

Inter-Departmental Correspondence

Department: COUNTY MANAGER: OFFICE OF SUSTAINABILITY

File #: 24-186

Board Meeting Date: 3/12/2024

Special Notice / Hearing: None
Vote Required: 4/5ths

To: Honorable Board of Supervisors

From: Carolyn Bloede, Director, Office of Sustainability

Subject: Agreement with Environmental Innovations, Inc. to provide outreach, education, and technical assistance to food facilities

RECOMMENDATION:

Recommendation to:

- A) Adopt a resolution authorizing an agreement with Environmental Innovations, Inc. to fund a food service ware and edible food recovery education and outreach program, for the term of March 12, 2024 to March 11, 2027, in an amount not to exceed \$500,000; and
- B) Approve an Appropriation Transfer Request (ATR) in the amount of \$500,000 from Non-General Fund General Reserves to Services and Supplies to fund the food service ware and edible food recovery education and outreach program.

BACKGROUND:

On March 1, 2011 this Board adopted Ordinance No. 04542, prohibiting the use and distribution of polystyrene-based (e.g., Styrofoam) disposable food service ware by food vendors. On February 25, 2020 this Board repealed and replaced Ordinance No. 04542 with Ordinance No. 04823, the Disposable Food Service Ware Ordinance (FW Ordinance). The FW Ordinance prohibited the use of single-use plastic food service ware and regulated the distribution of food service ware accessories by food facilities in the unincorporated areas of the county.

On December 8, 2020 this Board approved an agreement with Environmental Innovations, Inc. (EI) to support the Office of Sustainability's (OOS) efforts to develop and implement a single outreach and education program for the County and on behalf of any city that adopted the model FW Ordinance developed by OOS. The scope of the EI agreement was to bring resources and technical assistance to all covered food facilities in the region. The program successfully educated food facilities about the Ordinance requirements and helped prevent single-use plastic food service ware waste. EI created a suite of publicly available resources, contacted covered food facilities, provided one-on-one assistance to over 450 food facilities, resolved over 80 public complaints about non-compliant food

facilities, and helped 144 food facilities switch to the use of reusable food service ware to prevent single-use plastic pollution.

As the FW Ordinance program was being implemented, the County passed another law affecting the food facility industry. On December 7, 2021 this Board adopted Ordinance No. 04857 (Edible Food Recovery (EFR) Ordinance), establishing an edible food recovery program in accordance with California Senate Bill 1383 (Lara, Chapter 395, Statutes of 2016), also known as SB 1383. SB 1383 requires jurisdictions to establish an ordinance mandating that large, food-generating businesses and organizations arrange for the recovery of the maximum amount of their edible food that would otherwise go to landfills. In San Mateo County, all the jurisdictions responsible for fulfilling these new edible food recovery requirements agreed to coordinate on one countywide edible food recovery program administered by the County. Through this program, each jurisdiction has passed identical edible food recovery ordinances and the County has taken a leadership position for the education of regulated generators. Since the launch of the edible food recovery program, over 17 million pounds of food has been recovered and redistributed to county residents.

DISCUSSION:

Due to the success of the regionally coordinated effort on FW Ordinance outreach and education and the overlap of food generators that must comply with the regional EFR programs, the OOS conducted a procurement process to provide outreach and education services for both programs under one contract to achieve efficiencies of implementation.

The scope of the EI education and outreach program for regional FW Ordinance implementation will include updating and distributing outreach materials, providing direct technical assistance, and coordinating financial incentives such as rebates and pre-bates to impacted food facilities to help them comply. Furthermore, funding will be available to food facilities that wish to reduce waste by replacing the use of disposable food service ware with reusable food service ware. EI will also support the County in administering the countywide edible food recovery program by educating regulated generators about the new EFR Ordinance requirements and by collecting information to help grow the county’s capacity to recover edible food.

The County Attorney’s Office has reviewed and approved the agreement, ATR, and resolution as to form.

It is anticipated that as part of the agreement, EI will reach out to 100% of food facilities that are covered by the Ordinance to inform them of the Ordinance requirements.

PERFORMANCE MEASURE:

Measure	FY 2023-24 Projected	FY 2024-25 Projected	FY 2025-26 Projected
Percentage of covered food facilities to receive outreach from EI	10%	50%	100%

FISCAL IMPACT:

This agreement will be funded by revenue from the County’s AB 939 fee, which is levied on all waste disposed of within the county and is designated specifically for waste reduction programs. The term of this agreement is from March 12, 2024 through March 11, 2027 for an amount not to exceed \$500,000. Approval of the Appropriations Transfer Request will appropriate funds in the amount of \$500,000 from Non-General Fund General Reserves to Services and Supplies. There is no net

County cost.

ATTACHMENTS:

- Exhibit A: Agreement with Environmental Innovations, Inc.
- Exhibit B: RFP Matrix