September 24, 2019

Marin County Board of Supervisors
3501 Civic Center Drive
San Rafael, CA 94903

SUBJECT: New Professional Services Agreement to provide technical assistance in the development of ordinance language, an outreach program and training plan to reduce single-use plastic food service products at retail food establishments in Marin County.

Dear Supervisors,

RECOMMENDATION:
1. Review and approve the proposed contract with R3 Consulting Group, Inc. for $99,775, to provide support and assistance in amending the existing polystyrene ordinance to phase out single-use plastic food service products at retail food establishments, and the implementation of the Single Use Plastic Reduction Program.
2. Approve the related budget adjustments as detailed in the Fiscal Impact section.

SUMMARY: The Marin County Board of Supervisors adopted Ordinance No. 2009-3531 on November 10, 2009. The ordinance added Chapter 7.25 to the Marin County Code that prohibited the use of polystyrene foam in food packaging by retail food vendors, restaurants and County facilities. The ordinance requires vendors to use biodegradable food packing when using disposable food packaging which includes cups, plates, hinge containers, bowls, trays, and cartons. The ordinance allows durable/reusable, paper or bio-plastic (BPI certified) compostable food ware items.

WM EarthCare™ Compost Facility located on the Redwood Landfill in unincorporated Novato processes the majority of the organic waste produced in Marin County, which results in compost approved for organic farming. According to WM EarthCare™ Compost Facility, "compost that is suitable for use in organic food production in California must be registered as an Organic Input Material with the California Department of Food and Agriculture. This means only a very limited, if any, amount and type of synthetic (i.e. paper and cardboard) material can be included. As such, WM EarthCare™ Compost Facility does not accept many commonly labeled "compostable" materials such as bio-plastics.

An amendment to the existing polystyrene ordinance is needed to phase out the use of single-use plastic food service products and bio-plastic "compostable" food ware
items for use by retail food vendors and food establishments in unincorporated County to protect the environment and health of the community.

The project will include:

- Development of ordinance amendment language;
- Coordination with local food service industry and the community;
- Coordination with Marin's cities/towns to allow for potential countywide implementation consistency
- Exploration of options for charging for non-reusable packaging items;
- Development of enforcement protocols;
- Recommendations of potential funding strategies for continued implementation;
- Development of an outreach/education and training plan; and
- Development of materials for the education of businesses, the public and enforcement staff.

FISCAL/STAFFING IMPACT:
There is no impact to the General Fund net county cost as a result of your Board's approval of the recommended actions. Your Board's approval will increase Community Development Agency's Miscellaneous Project Fund (1010) expenditure appropriations by $99,775 (project 40UTENSILS), as approved by your Board as a FY 2019-20 Budget Change Proposal and fully offset by a corresponding reduction in non-departmental appropriations.

REVIEWED BY:     (These boxes must be checked)

[ ] Department of Finance   [ ] N/A
[ ] County Counsel          [ ] N/A
[ ] Human Resources         [ ] N/A
[X] CAO                     [ ] N/A

SIGNATURE:

[Signature]

Rebecca Ng, R.E.H.S.,
Deputy Director, Environmental Health Services

Munis BUA #23 (Period 03/2020)
Munis Contract #TBD