

Statewide Commission on Recycling Markets and Curbside Recycling Draft Commission Charter

First adopted in Summer of 2020 and amended May 5, 2021.

Background

This Commission was established pursuant to Assembly Bill (AB) 1583 (Eggman, Chapter 690, Statutes of 2019) to advise CalRecycle on policies pertaining to recycling market development and waste reduction goals and to provide regular feedback on public messaging to encourage proper recycling and to minimize contamination in curbside recycling. Policy recommendations shall address strategies that will help CalRecycle meet the following:

- The state's market development goals:
 - Increase market demand for postconsumer waste materials
 - Increase demand for recycled content products
 - Promote systems that yield high quality feedstocks
 - Promote competitive collection and use of secondary waste materials
- The state's waste reduction goals:
 - Not less than 75 percent of solid waste generated be source reduced, recycled, or composted by the year 2020
- The state's methane emission reduction goals to reduce the amount of organics disposed in landfills:
 - 50 percent reduction in disposed organics from 2014 levels by 2020
 - 75 percent reduction in disposed organics from 2014 levels by 2025

Statutory Objectives for the Commission

- The Commission shall convene by July 1, 2020
- By January 1, 2021, the Commission shall:
 - Issue policy recommendations to achieve the market development and waste reduction goals.
 - Identify products that are recyclable or compostable and regularly collected in curbside recycling programs.
- The Commission shall update the recommendations and identifications not less than annually.

- The Commission shall provide regular feedback to the department on public messaging designed to encourage proper recycling and to minimize contamination in curbside recycling programs.

Organization and Structure

Commissioners

- John Bouchard – Teamsters 350, Principle Officer
- Deborah Cadena – Kern County Recycling, RMDZ Administrator
- John Davis – Mojave Desert and Mountain Recycling Authority, Zone Administrator
- Jan Dell – The Last Beach Cleanup, Founder
- Jeff Donlevy - Ming’s Recycling, General Manager
- Laura Ferrante – Waste Alternatives, Owner
- Joseph Kalpakoff – Mid Valley Disposal, CEO
- Nick Lapis – Californians Against Waste, Director of Advocacy
- Manuel Medrano – City of Chula Vista, Environmental Services Manager
- Alex Oseguera – Waste Management, Director of Government Affairs
- Heidi Sanborn – National Stewardship Action Council, Executive Director
- Ann Schneider – City of Millbrae, Vice Mayor
- Coby Skye – Los Angeles County Public Works, Assistant Deputy Director
- Sara Toyoda – City of Indio, Environmental Programs Coordinator
- Richard Valle – Tri-CED Community Recycling, CEO
- Tedd Ward – Del Norte Solid Waste Management, Director

Governance

- The Commission shall consist of representatives of public agencies, private solid waste enterprises, and environmental organizations with expertise in recycling.
 - A quorum shall consist of a simple majority of the Commission.
- The Chair and Vice-Chair of the Commission shall be selected by the members of the Commission. Duties of the Chair include:
 - Setting the agenda for the Commission meetings, which shall include any item requested by any Commissioner.
 - Presiding over and facilitating Commission meetings.
 - Taking actions as necessary to ensure that the objectives of the Commission are properly and fully met.
- The Vice-Chair of the Commission will serve as a back-up should the Chair be unable to attend a meeting.
- The Commission may establish committees.
 - The Chairs of any committees appointed by this Commission will be responsible for setting those Committee agendas and forwarding

associated written materials in time for publication on Commission agendas.

- CalRecycle will provide staffing for all public meetings.
- Only duly appointed Commissioners may vote on matters at a Commission meeting.
- Proxy voting is not permitted.
- No funds are available to assist the Commission on travel, lodging, or other expenses.

Terms of Office

- Applicants will be selected for the Commission based on a scoring rubric.
- The term of appointment to the Commission shall be no less than 2 years, or as otherwise determined by CalRecycle.
- Commissioners are expected to participate in all Commission meetings barring emergency circumstances
- Commissioners may be removed from the Commission if they miss two or more consecutive meetings without an accepted explanation, at the discretion of the Chairperson in consultation with CalRecycle.
- Commissioners must inform CalRecycle if there is a change in their occupation or duties, which may affect their appointment.
- If there is a vacancy on the Commission, CalRecycle, in consultation with the Commission, may appoint Commissioners.

Schedule and Process

- The initial meeting of the Commission shall take place via teleconference. Subsequent meeting dates, times/durations, and locations shall be determined at the initial meeting.
- Meetings shall be held at least monthly until January 1, 2021, and then at least annually after that.
- The Commission shall maintain a page on the CalRecycle website at <https://www.calrecycle.ca.gov/markets/commission>.
- Per [Executive Order N-25-20](#), all public meetings will be held via teleconference and accessible telephonically or otherwise electronically to all members of the public seeking to attend.

Meetings & Communications

- Meetings held to hear, discuss, or deliberate upon any item that is within the subject matter jurisdiction of the Commission will be conducted according to the Bagley-Keene Open Meeting Act (Gov. Code, § 11120 et seq.).

- No discussion or deliberation on commission matters shall be conducted outside of the public meetings, as required by the Bagley-Keene Open Meeting Act.
- When it is necessary for the Commission or Committees of this Commission to make decisions, it will seek consensus whenever possible (see Consensus item under Decision Making section). Otherwise, decisions will be approved by a majority of the full Commission, as determined by a roll call vote by the Chair. Each Commissioner will have one vote.
- All meeting notices and agendas will be posted at least ten (10) days prior to regular meetings, in accordance with the Bagley-Keene Open Meeting Act.

Ground Rules

All Commissioners commit to:

1. Beginning and ending meetings on time.
2. Participating in each meeting to the best of their abilities to ensure continuity throughout the process.
3. Not substituting or alternating members.
4. Treating everyone and their opinions with respect, both inside and outside of meetings.
5. Allowing one person to speak at a time.
6. Commenting constructively and specifically.
7. Engaging in honest, open-minded, constructive and good-faith discussions to seek understanding and optimal decisions and outcomes.
8. Coming prepared for meetings by reading materials prior to the meeting, thinking through questions and developing responses and discussion ideas.
9. Consulting regularly with their particular constituencies and providing input to the discussions from those constituencies.
10. Operating according to, and staying focused on, the Commission's specific charge.
11. Not attempting to represent the views of the Commission as a whole to the public except as clearly agreed upon.
 - 11.1 Not identifying themselves as representing the Commission when conducting business on behalf of their employer, or in furtherance of their personal business interests.
 - 11.2 Disclosing themselves as members of the Commission when engaged on any item that is within the subject matter jurisdiction of the Commission. Commissioners are expected to identify whose perspective is being represented when discussing such topics - unless they have been granted permission in advance by the full Commission.
 - 11.3 Acknowledging that Commissioners are appointed in part based on their professional affiliations, Commissioners are expected to be mindful when conducting business on behalf of the Commission to avoid a perception of a conflict of interest and to disclose or recuse themselves when needed to avoid such a perception. A conflict of interest occurs when a Commissioner or an entity they may represent has a direct undisclosed financial interest not common to other Commissioners.

12. Committing to following the Bagley-Keene Open Meeting Act and engaging with public and interested stakeholders using a CalRecycle managed listserv and considering their input prior to taking any action. Complaints regarding a perceived unethical action or inappropriate public representation by a Commissioner - acting as a Commissioner - may be brought to the Commission for discussion and possible sanction.

Rules of Order

- The then current edition of *Robert's Rules of Order* shall be the rules of order for the conduct of business at Commission meetings, unless otherwise provided by these Rules of the Commission or unless the Commission waives those rules of order or specified provisions thereof for a particular meeting.

Decision Making

- The Commission shall strive to work toward consensus recommendations. Consensus is defined as agreement of all Commissioners and will be the preferred method of determining recommendation agreement on issues. Recommendations shall be in writing and presented to the Commission for its consideration. Full consensus involves agreement of all Commissioners, described as:
 - Consensus: The group agrees upon a single approach and each participant can honestly say:
 - I believe that other participants understand my point of view
 - I believe I understand other participants' points of view
 - Whether or not I prefer this approach, I support it because it was arrived at openly and fairly, and it is the best decision for us at this time.
- In instances where consensus cannot be reached, the Commission shall hear from those with concerns, determine why there is concern, and work to resolve those concerns in order to achieve consensus.
 - If a recommendation does not reach full consensus, it can still be included in the report with concerns noted.
 - The final report will capture agreements and differing perspectives.
- All meeting notes will be reviewed, revised as needed, and approved by the Commission.

Records Retention Policy

- Official records of the activities of the Commission shall be maintained by CalRecycle.
- Recordings of public meetings, agendas, meeting minutes, and other documents shall be accessible via the Commission page of the CalRecycle website at <https://www.calrecycle.ca.gov/markets/commission>.