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STATE OF CALIFORNIA

CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

DIVERSION, PLANNING AND LOCAL ASSISTANCE COMMITTEE

JOE SERNA JR., CAL EPA BUILDING

COASTAL HEARING ROOM

1001 I STREET, SECOND FLOOR

SACRAMENTO, CALIFORNIA

TUESDAY, JUNE 11, 2002

9:02 A.M.

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Certified Shorthand Reporter
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A P P E A R A N C E S

COMMITTEE MEMBERS PRESENT:
STEVEN R. JONES, CHAIR
DAN EATON
JOSE MEDINA

STAFF PRESENT:
MARK LEARY, Executive Director
ELLIOT BLOCK, Chief Legal Counsel
DEBORAH MCKEE, Board Assistant
JEANNINE BAKULICH, Committee Secretary

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1 P R O C E E D I N G S

2 --oOo--

3 COMMITTEE CHAIR JONES: Welcome to the June

4 11th meeting of the Diversion, Planning and Local

5 Assistance Committee.

6 Would you go ahead and call the roll, Jeannine?

7 COMMITTEE SECRETARY BAKULICH: Eaton?

8 COMMITTEE MEMBER EATON: Here.

9 COMMITTEE SECRETARY BAKULICH: Medina?

10 COMMITTEE MEMBER MEDINA: Here.

11 COMMITTEE SECRETARY BAKULICH: Moulton-

12 Patterson?

13 (Not present.)

14 COMMITTEE SECRETARY BAKULICH: Jones?

15 COMMITTEE CHAIR JONES: Here. Would anybody

16 that's got cell phones, pagers, please mute 'em.

17 If you want to fill out a, if you want to speak

18 on an item, go ahead and fill out a speaker slip. We

19 have fifty items on this agenda for this committee

20 meeting. The members have all had this documentation

21 for quite a while, so we've read it and we're ready to

22 rock and roll.

23 So this will be, if you got something to say

24 come up, say it, make your case, and we're going to be

25 moving.

1 Mr. Schiavo, Deputy Director's report.
2 MR. SCHIAVO: Yes. Pat Schiavo of Diversion,
3 Planning and Local Assistance.
4 In the interest of time I don't have anything
5 to you tell you regarding the process or what we've
6 accomplished this past month.
7 But there's a few things I want to tell you is
8 that, one, in your agenda packet we've started putting
9 in a new format for the SB 1066 and good faith effort
10 agenda items, and agenda item 28 is an example of the
11 proposed new format. We just didn't incorporate it into
12 all of the items because of when we developed this new
13 format.
14 And two, in the interest of time staff will be
15 presenting brief presentations, and in some cases
16 lumping together a couple of items into one.
17 Okay?
18 COMMITTEE CHAIR JONES: Very good. We did have
19 an issue with number 50, AX, which is South San
20 Francisco. There's been a lot of work being done on
21 that where the numbers have been sort of all over the
22 place. There was a report yesterday, I guess, that some
23 other things have been found.
24 I'm proposing that we continue this for one
25 month if none of the members have a problem with that.

1 And who -- is the applicant, South San
2 Francisco, have they gotten here yet?
3 MR. SCHIAVO: They'll be here in about a half
4 an hour.
5 COMMITTEE CHAIR JONES: All right. We're going
6 to, well I think we'll continue that until July to give
7 them a chance to be able to validate and verify whatever
8 these changes are. But I will say that it's got to be
9 frustrating for local governments and this Board,
10 haulers, and some consultants when the numbers are
11 bouncing. So we'll continue this one for a month if
12 it's okay.
13 All right. Mr. Schiavo.
14 MR. SCHIAVO: Okay. Item number two is
15 consideration of the 1999/2000 biennial review findings
16 for the source reduction and recycling element and
17 household hazardous waste element for a number of
18 jurisdictions.
19 And Steve Sorelle will be presenting items
20 number two and three.
21 MR. SORELLE: Good morning, Chairman Jones and
22 committee members.
23 Items two and three present to the committee
24 for its consideration of Board staff's biennial review
25 findings for the '99/2000 biennial review period.

1 Staff have conducted their biennial review and
2 found that these jurisdictions have achieved a 2000
3 diversion rate of at least 50 percent.
4 These jurisdictions are adequately implementing
5 source reduction, recycling, composting, public
6 education, and information programs as outlined in their
7 source reduction and recycling elements and household
8 hazardous waste elements.
9 Upon review, staff analysis indicates that ten
10 of the 21 jurisdictions in these items show a greater
11 than five percent change from '99 to 2000. Details of
12 these jurisdictions can be found in attachment two in
13 both items.
14 In addition, Siskiyou County Integrated Solid
15 Waste Management Regional Agency has attained their goal
16 with a diversion rate of 49 percent which surpasses
17 their rural reduction goal.
18 Agenda item two lists those jurisdictions for
19 which staff is recommending approval of the '99/2000
20 biennial review.
21 Should the Board not accept staff's
22 recommendations, these jurisdictions have reserved the
23 right in their 2000 annual report to submit an SB 1066
24 time extension request.
25 Agenda item three lists those jurisdictions for

1 which staff is also recommending approval of the
2 '99/2000 biennial review.
3 However, should the Board not accept staff's
4 recommendations, these jurisdictions did not elect to
5 reserve the right in their 2000 annual reports to submit
6 an SB 1066 request, which gives the Board an alternative
7 set of options as outlined in the agenda item.
8 This concludes my presentation. Both Board
9 staff and representatives from the jurisdictions are
10 available to answer any questions.
11 Thank you.
12 COMMITTEE CHAIR JONES: Thank you. Are there
13 any questions from the members?
14 Mr. Eaton.
15 COMMITTEE MEMBER EATON: I have one. With
16 respect to item three, did those jurisdictions reach 50
17 percent?
18 MR. SORELLE: Yes. The only exception is
19 Siskiyou which had a reduced goal --
20 COMMITTEE MEMBER EATON: No. No, but in item
21 three you said --
22 MR. SORELLE: Yes, at item three they're at 50
23 percent.
24 COMMITTEE MEMBER EATON: So why would they have
25 to even reserve if they reached 50?

1 MR. SORELLE: That's an option for all
2 jurisdictions.
3 COMMITTEE MEMBER EATON: Even if they're at 50?
4 MR. SORELLE: So if the Board made a decision
5 contrary to that finding.
6 COMMITTEE MEMBER EATON: Okay, gotcha. All
7 right.
8 COMMITTEE CHAIR JONES: Mr. Eaton.
9 COMMITTEE MEMBER EATON: Mr. Chairman, I move
10 that we adopt Resolution 2002-298.
11 COMMITTEE MEMBER MEDINA: Second.
12 COMMITTEE CHAIR JONES: Okay. We've got a
13 motion by Mr. Eaton, a second by Mr. Medina.
14 Could you call the roll?
15 COMMITTEE SECRETARY BAKULICH: Eaton?
16 COMMITTEE MEMBER EATON: Aye.
17 COMMITTEE SECRETARY BAKULICH: Medina?
18 COMMITTEE MEMBER MEDINA: Aye.
19 COMMITTEE SECRETARY BAKULICH: Jones?
20 COMMITTEE CHAIR JONES: Aye.
21 Mr. Eaton, on consent?
22 COMMITTEE MEMBER EATON: Fine.
23 COMMITTEE CHAIR JONES: Mr. Medina?
24 COMMITTEE MEMBER MEDINA: Yes.
25 COMMITTEE MEMBER EATON: Mr. Jones.

1 COMMITTEE CHAIR JONES: Very good.
2 Mr. Eaton.
3 COMMITTEE MEMBER EATON: I move that we adopt
4 Resolution 2002-299.
5 COMMITTEE MEMBER MEDINA: Second.
6 COMMITTEE CHAIR JONES: We've got a motion by
7 Mr. Eaton, a second by Mr. Medina.
8 Is it okay if we substitute the previous roll?
9 COMMITTEE MEMBER EATON: Yep. Consent as well.
10 COMMITTEE CHAIR JONES: Consent as well.
11 All right. Item D, number four.
12 MR. SCHIAVO: Number four or item D is
13 consideration of the adequacy of the amended
14 non-disposal facility element for the City of San Diego
15 and San Diego County.
16 And Maria Kakutani will be making this
17 presentation.
18 MS. KAKUTANI: Good morning, Chairman Jones and
19 committee members.
20 COMMITTEE CHAIR JONES: Hit the button, please.
21 MS. KAKUTANI: Good morning, Chairman Jones and
22 committee members.
23 The city of San Diego has amended its
24 non-disposal facility element to streamline their
25 internal process. There's no corresponding permits

1 item, this is San Diego's fourth non-disposal facility
2 element. The city has submitted all required
3 documentation.
4 And Board staff, therefore, recommends approval
5 of the city's amended NDFE.
6 That concludes my presentation.
7 COMMITTEE CHAIR JONES: Thank you.
8 Members, questions?
9 COMMITTEE MEMBER EATON: No questions.
10 COMMITTEE CHAIR JONES: Mr. Eaton.
11 COMMITTEE MEMBER EATON: Yes, Mr. Jones. I
12 move that we adopt Resolution 2002 dash --
13 COMMITTEE CHAIR JONES: 300.
14 COMMITTEE MEMBER EATON: 300.
15 COMMITTEE MEMBER MEDINA: Second.
16 COMMITTEE CHAIR JONES: We've got a motion by
17 Mr. Eaton, a second by Mr. Medina.
18 Substitute the previous roll? On consent?
19 COMMITTEE MEMBER EATON: Yep.
20 COMMITTEE CHAIR JONES: Thank you.
21 Item five, E.
22 MR. SCHIAVO: Five is consideration of the
23 scope of the work for the large public venue diversion
24 contract, and this is for fiscal year 2001 and 2002,
25 contract concept number seventy.

1 And Chris Kinsella will be making this
2 presentation.
3 MS. KINSELLA: Good morning, committee
4 members. I'm Chris Kinsella.
5 I'm bringing forth today agenda item number
6 five, the scope of work for the large public venue
7 diversion contract, and agenda item number six, approval
8 of the City of Indian Wells as contractor for the large
9 public venue diversion contract.
10 This contract will assist the city of Indian
11 Wells in the institutionalization of a comprehensive
12 diversion program at their large public venue, the
13 Indian Wells Tennis Gardens, and serve as a model for
14 other large public venues throughout the state.
15 The program originally began as a food scrap
16 diversion program and evolved into additional
17 activities, including the collection of other
18 recyclables and the donation of excess prepared food to
19 local food banks.
20 Over the next two years the city, in
21 cooperation with the Tennis Gardens, will strive to
22 divert as much waste as possible for composting and
23 recycling.
24 One key element of the program is to determine
25 the practical feasibility of using biodegradeable food

1 serviceware to further reduce contamination of the
2 materials taken off-site for composting.
3 By building upon the existing waste separation
4 infrastructure, new products can be introduced and
5 refinements made and implemented to make the entire
6 program as simple and efficient as possible for
7 participants and management.
8 At the culmination of the contract, the city
9 will provide a comprehensive diversion guidance tool for
10 other large public venues. This tool will also be
11 helpful to the needs of other Board staff currently
12 developing large public venue diversion efforts.
13 Staff recommends approval of the scope of work
14 and approval of the city of Indian Wells as the
15 contractor for large public venue diversion.
16 COMMITTEE CHAIR JONES: Okay. I have a couple
17 of questions.
18 The tool, is that a pamphlet, is it printed
19 material that will be made available to other
20 jurisdictions?
21 MS. KINSELLA: We envision a downloadable
22 publication. Our publications department seems to be
23 going that direction, where folks that need it can print
24 it themselves, or we can print it off as well.
25 COMMITTEE CHAIR JONES: Okay. There were --

1 MS. KINSELLA: And/or made available on our
2 website.
3 COMMITTEE CHAIR JONES: There were a lot of
4 questions brought up, I think, by the advisors that they
5 felt that there were some gaps in the scope of work.
6 The biodegradeable utensils and plates and all
7 those types of things, while they have one source, are
8 they going to be doing the research to find other such
9 companies as a part of this scope?
10 MS. KINSELLA: Yes. Yes. And our organics
11 section here at the Board has done research on other
12 companies, and they will go beyond what has been done
13 here to research other companies.
14 COMMITTEE CHAIR JONES: Okay. Your staff is
15 going to go beyond?
16 MS. KINSELLA: The contractor.
17 COMMITTEE CHAIR JONES: The contractor will
18 will go beyond?
19 MS. KINSELLA: Yeah, right.
20 COMMITTEE CHAIR JONES: Okay. What were the
21 other issues that were brought up by the advisors? I'm
22 sure, I mean I know they made you aware.
23 MS. KINSELLA: The first one was the
24 availability of these materials, and we found that they
25 were available.

1 And of course, how the, the guidance tool will
2 be made available to the public and other large public
3 venues.
4 And of course we want to do that. It seems to
5 be economical to make it available on our website.
6 COMMITTEE CHAIR JONES: Okay. I don't have a
7 problem with this, with this thing, but I want to make
8 sure that the scope, that the issues that were brought
9 up by the advisors, because they do represent the Board
10 offices, have all been plugged.
11 So it would be my desire to have this
12 presentation at the full Board meeting to make sure that
13 those questions are answered and the Board can vote on
14 it. But I do think that we need to make sure that all
15 of those issues that were brought up are --
16 MS. KINSELLA: Right. I know, I remember one
17 is some of the costs associated with perhaps the
18 purchase of these products and, you know, the amount of
19 research that would be done.
20 The bulk of the research would be the use of
21 these materials and refinement of the program, you know,
22 for ease of management, not researching the availability
23 or compostability of these materials.
24 And costs and tasks and timelines would all be
25 laid out in the work plan that would be approved by the

1 contract manager, myself.

2 COMMITTEE CHAIR JONES: I think some of those

3 issues need to be talked about, because Indian Wells is

4 a beautiful place, but it's also a high dollar place.

5 And if we're going to be able to duplicate a study

6 that's going to go out to, you know, to venues all over

7 the State of California, we've got to make sure that

8 we've got some affordable options. And I think that's

9 what the value is in this kind of scope, but we've got

10 to make sure that we have got that contemplated in that

11 scope of work.

12 MS. KINSELLA: Right.

13 COMMITTEE CHAIR JONES: Mr. Medina.

14 COMMITTEE MEMBER MEDINA: Yes, Board Member

15 Jones, I wanted to say a few words in regards to this

16 item.

17 And that's first of all that I had an

18 opportunity to make an on-site visit to Indian Wells,

19 and I must say that I was very impressed with the work

20 that Chris Kinsella and staff have done there to set

21 this program up. I was very impressed with the level of

22 commitment by the city of Indian Wells.

23 Board member Paparian and I have been looking

24 to do a similar thing over at Pac Bell Park with the San

25 Francisco Giants.

1 And I know that we're looking at this
2 carefully, and any lessons that can be learned from here
3 will certainly apply to Pac Bell Park.
4 COMMITTEE CHAIR JONES: So you okay with this
5 coming back to the full Board so they can answer a few,
6 you know, tighten up a few of those other issues?
7 COMMITTEE MEMBER MEDINA: Yeah, yeah. I would
8 support it now, but I have no problems with it going to
9 the full Board.
10 COMMITTEE CHAIR JONES: You fine with that too?
11 COMMITTEE MEMBER EATON: Yep.
12 COMMITTEE CHAIR JONES: All right. I think the
13 committee generally supports this. We've got to make
14 sure that we've got some of those issues tightened up so
15 it can be, especially the research issues and the dollar
16 issues, and we'll hear it at the Board meeting down in
17 San Luis Obispo or Oxnard or wherever we're going.
18 All right. So that will take care of items
19 five and six.
20 Item seven, Mr. Schiavo.
21 MR. SCHIAVO: Okay. Item 7 or G in the
22 committee packet is a discussion of jurisdictions that
23 have reserved the right but have not submitted the SB
24 1066 application and have received a 60 day notification
25 for submittal of an application, that would also serve

1 as notice for a potential compliance order.
2 And Phil Moralez will be making this
3 presentation.
4 MR. MORALEZ: Chairman Jones and Board members.
5 California Integrated Waste Management Board staff have
6 conducted a preliminary review of the 1999/2000 biennial
7 reviews for the jurisdictions identified in attachment
8 one of this agenda item.
9 Staff's analysis indicates that jurisdictions
10 listed in attachment one have not numerically achieved
11 the diversion requirements as diversion rates of these
12 jurisdictions are below 50 percent, and adequate
13 documentation to support a more accurate diversion rate
14 was not submitted.
15 The Board approved county-wide integrated waste
16 management plan enforcement policy two, part two,
17 identifies criteria for evaluating jurisdictions,
18 implementation of SRRE's and HHWE's.
19 The criteria established that a fully
20 implemented SRRE means a jurisdiction is carrying out
21 the selected programs and achieving the diversion
22 requirements.
23 Board staff has contacted each jurisdiction
24 listed in attachment one to discuss the reported
25 diversion program and diversion rate.

1 Based on the response from each jurisdiction,
2 staff has prepared the attachment to inform the Board of
3 an initial listing of those jurisdictions that have not
4 achieved a diversion rate requirement and have reserved
5 the right to submit a time extension, and agree to
6 submit a time extension.
7 At this time I would like to update attachment
8 one and note that the city of Avalon, the city of
9 Hawthorne, and the city of Maywood have already
10 submitted their 1066 application and staff is currently
11 reviewing them.
12 In addition, please add to attachment one the
13 city of Clayton in Contra Costa County whose preliminary
14 1999 diversion rate of 17 percent and the preliminary
15 2000 diversion rate of 25 percent.
16 This completes staff's presentation. Are there
17 any questions?
18 COMMITTEE CHAIR JONES: We have one speaker on
19 this, John Davis.
20 MR. DAVIS: Chairman Jones, committee members.
21 I had some questions asked me about the level
22 at which a good faith effort would be considered to be,
23 to go forward for a finding of good faith effort as
24 opposed to a staff recommendation and a requirement for
25 a 1066 petition. And I'm confused, and I'm sensing some

1 confusion by at least one jurisdiction on this list.
2 And so I guess my question is, is there clear
3 cutoff point where a jurisdiction would not go forward
4 for a finding of a good faith effort and instead would
5 have this process started which would either require
6 1066 time extension or ultimately, you know, action by
7 your Board?
8 COMMITTEE CHAIR JONES: Okay. I want to speak
9 to this if it's okay with the members, just from some
10 past discussions, and a lot of 'em were held down in
11 Riverside County which is pretty close to San
12 Bernardino.
13 This has been a question that's been asked by
14 local government for a long time, "What's the number?"
15 I know Mr. Eaton and I have sat in an awful lot of
16 meetings and been asked, "What's the number?"
17 The thing about good faith effort is that if
18 you have a city that might have a number of 32 percent,
19 but they've exhausted every way possible to divert
20 waste; they've got high participation in their program,
21 the waste stream just doesn't lend itself to a lot of
22 recovery, that may be good faith effort.
23 You may have another jurisdiction that is at 49
24 percent and have never done programs to attack fibers or
25 containers, because they have an inordinate amount of

1 C&D waste.

2 That's why good faith effort was put in the law

3 was to give people the flexibility where it was never a

4 hard and fast number.

5 So when you ask for a hard and fast number,

6 what the cutoff is; there was a discussion that I had

7 with a hauler whose city was at, let's say, at 45

8 percent, 46 percent, and it was suggested that they do a

9 1066 as well as come forward for the good faith effort.

10 It wasn't so much the 46 percent, it was the fact that

11 the following year their number's going to plummet into

12 the abyss.

13 And this program doesn't go away. Every

14 jurisdiction will be back in front of this Board every

15 two years to determine whether or not they are in

16 compliance with AB 939.

17 So those 1066 mutually agreed to compliances

18 are beneficial to the local government as well as

19 haulers as well as citizens where if we just say okay,

20 35 percent is the number, that's not fair to anybody.

21 So that may not be the answer you want to hear,

22 John, and I don't know if I represented it adequately by

23 my fellow Board members?

24 But I think that discretion allows you to

25 continue to meet the goal and be effective, and it

1 allows us the flexibility to determine what those
2 conditions are that might not get somebody to some
3 arbitrary number.
4 MR. DAVIS: So my understanding there is there
5 really is no arbitrary number and it's more of a --
6 COMMITTEE CHAIR JONES: What you doing?
7 MR. DAVIS: Yeah, okay. Because the staff
8 report does say that apparently these jurisdictions were
9 advised that they were, it's not likely to be staff's
10 recommendation that they have met a good faith effort,
11 and so this is more in the context of the effectiveness
12 of the programs.
13 COMMITTEE CHAIR JONES: Right.
14 MR. DAVIS: And the completeness of the
15 programs.
16 COMMITTEE CHAIR JONES: Our staff is out on the
17 road quite a bit looking at jurisdictions trying to
18 offer assistance, and they see what's there.
19 Mr. Eaton.
20 COMMITTEE MEMBER EATON: I think you probably
21 were kinder than most of us. These quite frankly, I
22 mean, you know, the 1066 process started when I first
23 came to the Board, and Mr. Jones and myself as well as
24 other Board members at the time, we traveled up and down
25 the state, I can remember two or three weeks, we went

1 through the good faith efforts, we went through the
2 projects.
3 If you look at the list of individual
4 jurisdictions that are here, some of them have already
5 been on a compliance order. And so for them to fail and
6 then be taken off of a compliance order, I believe,
7 there's at least one or two that I see there, not to
8 have reserved the right for an extension, there's just
9 absolutely no responsibility on behalf of our staff or
10 the Board or this organization or anyone connected with
11 939 for not providing sufficient opportunities for all
12 jurisdictions, whether it be the reservation of rights
13 in the 1066, base year changes, all of these things that
14 have taken place.
15 I don't know where, John, you've heard the
16 arbitrary number, it's just, you know, it's never come
17 up, it's never come up.
18 If you're thinking about the law where you need
19 to reach 25 percent by 1995, yeah, that was not part of
20 the 1066 or anything. The question is in the year 2000
21 did they reach, you know, the goal?
22 I think these are the stragglers and there
23 always are some. And my recommendation is going to be
24 that if this Board doesn't take some action against
25 jurisdictions which have been given every opportunity,

1 then it will be a plague upon this organization for not
2 having done what is being expected to us, both in the
3 audit report with regard to the fact that jurisdictions
4 have been given every opportunity to do what's right.
5 If they've had particular problems, you know, we've had
6 teams out, we've had everything.
7 What more can you do? You want a number? You
8 ain't going to get a number, because that's just not
9 what is going on. That's not a fair and reasonable
10 approach to how we work out the problem.
11 Our idea is to see people succeed. I don't
12 know what's going on when you put 'em on a compliance
13 order and then they don't do 1066, they were up here,
14 actually up here testifying.
15 So there's just a few, and my recommendation is
16 that we move forward with enforcement proceedings,
17 period.
18 MR. DAVIS: And just to be clear I --
19 COMMITTEE MEMBER EATON: And you even had a
20 bill with the cities and the counties that wanted a
21 special process where we had to give them more due
22 rights and everything, and then they still didn't get it
23 right.
24 MR. DAVIS: Yeah. And I think this, and what
25 you're talking about -- by the way, that's what I had

1 understood, but I have also heard a number, and I think
2 it, I think it's important to clear the air on that, and
3 I'll do what I can to carry that message back.
4 COMMITTEE MEMBER EATON: I can't tell you what
5 the private sector is trying to do with regard to
6 consultants, but I can tell you that the Board has never
7 ever given a number.
8 COMMITTEE CHAIR JONES: Never.
9 MR. DAVIS: Thank you.
10 COMMITTEE CHAIR JONES: Mr. Medina.
11 COMMITTEE MEMBER MEDINA: I think that you both
12 covered it pretty well. We look at these on a case by
13 case basis. We do have six Board members that are going
14 to sit here to review them as they come up, and we're
15 going to be looking at the totality of the circumstances
16 and each one individually.
17 COMMITTEE CHAIR JONES: Absolutely. Thank you,
18 Mr. Medina.
19 All right. That was a discussion item. Is it
20 the intent to bring this to the Board meeting and let
21 Board members know what this list is?
22 MR. SCHIAVO: Yeah, we'd be glad to.
23 COMMITTEE CHAIR JONES: I think that would make
24 sense.
25 All right, item number eight, H.

1 MR. SCHIAVO: Item number eight and nine, H and
2 I we'd like to combine, these are some more items. And
3 this is consideration of the proposed compliance
4 schedule for completing and submitting the source
5 reduction and recycling element, household hazardous
6 waste element, and non-disposal facility element by the
7 newly incorporated city of Rancho Santa Margarita in
8 Orange County, and also the city of Oakley in Contra
9 Costa County.
10 And Catherine Cardoza will be making this
11 presentation.
12 MS. CARDOZO: Good morning committee members.
13 I think Pat pretty much said my presentation,
14 so I won't repeat it other than for Rancho Santa
15 Margarita. Their original compliance schedule that they
16 had submitted said that they would be submitting their
17 three planning documents by June 30th.
18 They will be submitting their SRRE this month,
19 their source reduction and recycling element. But they
20 contacted staff on June 4th that they had, there were
21 unexpected issues that came up with the household
22 hazardous waste element and non-disposal facility
23 element so that they won't be able to take those before
24 their city council in time for that June 30th proposed
25 schedule.

1 So they have submitted a new schedule asking
2 for two more months and said that they would submit
3 their final documents, those last two, by August 30th.
4 Agenda item I, the city of Oakley in Contra
5 Costa County, they also have submitted a compliance
6 schedule saying they would be submitting their required
7 documents by June 15th.
8 However, the city of Oakley, they chose to
9 comply with the planning document requirements by
10 forming a regional agency with Contra Costa County. And
11 the regional agency agreement has been submitted, and
12 staff anticipates taking the agreement before the Board
13 for your approval next month.
14 That concludes my presentation. Are there any
15 questions?
16 COMMITTEE CHAIR JONES: All right. Okay. All
17 right. Actually getting these done that quick beats the
18 heck out of 500 or about 250 cities that we had to send
19 threatening letters to six years after the deadline.
20 Mr. Eaton.
21 COMMITTEE MEMBER EATON: Yes, I'll move that we
22 adopt Resolution 2002-303.
23 COMMITTEE CHAIR JONES: Mr. Medina seconds.
24 COMMITTEE MEMBER MEDINA: Second.
25 COMMITTEE CHAIR JONES: We've got a motion and

1 a second.

2 COMMITTEE MEMBER EATON: We'll take another

3 roll.

4 COMMITTEE CHAIR JONES: Take another roll.

5 COMMITTEE SECRETARY BAKULICH: Eaton?

6 COMMITTEE MEMBER EATON: Aye.

7 COMMITTEE SECRETARY BAKULICH: Medina?

8 COMMITTEE MEMBER MEDINA: Aye.

9 COMMITTEE SECRETARY BAKULICH: Jones?

10 COMMITTEE CHAIR JONES: Aye. For consent?

11 COMMITTEE MEMBER EATON: Correct.

12 COMMITTEE CHAIR JONES: Okay. For consent.

13 Mr. Eaton.

14 COMMITTEE MEMBER EATON: I move that we adopt

15 Resolution 2002-304 regarding the compliance schedule

16 for the city of Oakley, Contra Costa County.

17 COMMITTEE CHAIR JONES: Mr. Medina.

18 COMMITTEE MEMBER MEDINA: Second.

19 COMMITTEE CHAIR JONES: We've got a motion and

20 a second to adopt 2002-304.

21 Substitute the previous roll. And on the

22 consent.

23 All right. Item number ten.

24 MR. SCHIAVO: Item number ten, J, is

25 consideration of the 1999/2000 biennial review findings

1 for the source reduction and recycling element and
2 household hazardous waste element for the city of Santa
3 Barbara, Santa Barbara County.
4 And Nikki Mizwinski will be making this
5 presentation.
6 MS. MIZWINSKI: Good morning, Chairman and
7 committee members.
8 The city of Santa Barbara's diversion rate for
9 1999 is 41 percent; for 2000, it's 48 percent.
10 To determine the level of source reduction and
11 recycling element and household hazardous waste
12 implementation, staff has analyzed the historic
13 diversion rate trend which has been trending upward near
14 50 percent in the last two years after their new base
15 year in 1998. Staff has also conducted a program
16 verification and a site visit in the year 2002.
17 Both of the jurisdiction's programs and staff
18 analysis of these programs can be found in detail on
19 page 10-1 of your binder.
20 Some of the major programs that have been
21 implemented include residential curbside recyclables,
22 residential curbside of green waste, construction and
23 demolition recycling and reuse.
24 Staff recommends that the Board finds the city
25 of Santa Barbara has made a good faith effort in meeting

1 its diversion requirements.

2 Representatives of the city of Santa Barbara

3 are present to answer any questions.

4 This concludes my presentation.

5 COMMITTEE CHAIR JONES: Thank you.

6 Any questions from members?

7 Congratulations Santa Barbara and I know Mario

8 and BFI worked awfully hard to get this.

9 Mr. Eaton.

10 COMMITTEE MEMBER EATON: I move that we adopt

11 Resolution 2002-305.

12 COMMITTEE CHAIR JONES: And Mr. Medina?

13 COMMITTEE MEMBER MEDINA: Second.

14 COMMITTEE CHAIR JONES: Seconds. We have a

15 motion by Mr. Eaton, a second by Mr. Medina.

16 Substitute the previous roll. Put it on

17 consent.

18 All right. Item number 11.

19 MR. SCHIAVO: Item number 11 is consideration

20 of the 1999/2000 biennial review findings for the source

21 reduction and recycling elements and household hazardous

22 waste element for the city of Victorville, San

23 Bernardino County.

24 And Rebecca Brown will be making this

25 presentation.

1 MS. BROWN: Good morning, Chairman Jones and
2 committee members.
3 The city of Victorville's diversion rate for
4 1999 is 43 percent, and for 2000 is 45 percent.
5 To determine the level of source reduction and
6 recycling element and household hazardous waste element
7 implementation, staff analyzed the historic diversion
8 rate trend which has been trending upward near 50
9 percent in the last four years, and conducted a program
10 verification site visit in 2002.
11 Both the jurisdiction's programs and staff
12 analysis of these programs can be found in detail on
13 page 11-3 of your binder.
14 Some of the major programs that have been
15 implemented include residential curbside collection,
16 commercial on-site collection, a materials recovery
17 facility, and a regional composting facility.
18 Staff recommends the Board finds that
19 Victorville has made a good faith effort in meeting
20 diversion requirements.
21 A representative of Victorville is present to
22 answer any questions.
23 This concludes my presentation.
24 COMMITTEE CHAIR JONES: Thank you. Any
25 questions of the members?

1 COMMITTEE MEMBER MEDINA: No questions.
2 COMMITTEE CHAIR JONES: All right.
3 COMMITTEE MEMBER EATON: All right. Mr. Jones,
4 I move that we adopt Resolution 2002-306.
5 COMMITTEE MEMBER MEDINA: Second.
6 COMMITTEE CHAIR JONES: Okay. We've got a
7 motion by Mr. Eaton and a second by Mr. Medina to adopt
8 2002-306.
9 Substitute the previous roll. And on consent.
10 So ordered.
11 Item number twelve.
12 MR. SCHIAVO: Item number twelve or committee
13 agenda item L is consideration of the 1999/2000 biennial
14 review findings for the source reduction and recycling
15 element and household hazardous waste element for the
16 city of Lakewood, Los Angeles County.
17 And Steve Uselton will be making this
18 presentation.
19 MR. USELTON: Good morning, Chairman Jones and
20 committee members.
21 The city of Lakewood's diversion rate for '99
22 is 23 percent, and for 2000 is 41 percent.
23 To determine the level of source reduction and
24 recycling element and household hazardous waste element
25 implementation, staff analyzed the program improvement

1 in the city's reported diversion rate since approval of
2 the city's '99 base year study. Staff also conducted a
3 program verification site visit in 2002.
4 Both the jurisdiction's programs and staff
5 analysis of these programs can be found in detail on
6 page 12-3 of your binder.
7 Some of the major programs that have been
8 implemented include the city was able to take the full
9 ten percent transformation credit in 2000; the city also
10 is sending selected residential loads for full MRF
11 processing; and technical outreach and recycling
12 collection were established at local businesses.
13 Staff recommends the Board finds the city of
14 Lakewood has made a good faith effort in meeting the
15 reduced diversion requirement of 42 percent which was
16 approved by the Board at its August 22nd, 23rd, 2000
17 Board meeting.
18 Representatives of the city are present and
19 able to answer any questions.
20 This concludes my presentation.
21 COMMITTEE MEMBER EATON: Mr. Chairman.
22 COMMITTEE CHAIR JONES: Mr. Eaton.
23 COMMITTEE MEMBER EATON: When are this
24 particular city and the two previous going to be back
25 before us? Do they come back every two years?

1 MR. SCHIAVO: Every two years.
2 COMMITTEE MEMBER EATON: So on all three of
3 those we'll have a chance to evaluate whether or not
4 they need to do something in addition, correct?
5 MR. SCHIAVO: Right. They also submit annual
6 reports every year so we get an indication of what the
7 status is.
8 COMMITTEE MEMBER EATON: Right.
9 MR. SCHIAVO: And we'll be making field visits
10 every year as well.
11 COMMITTEE MEMBER EATON: Right.
12 COMMITTEE CHAIR JONES: And I think that's an
13 important question to ask, Mr. Eaton, because some of
14 these are coming in at numbers that, you know, 41, 45.
15 But it's like I was saying to Mr. Davis, that one
16 jurisdiction that came in at 46, it wasn't so much the
17 46 for that year, it was what the evidence already
18 showed for the following year where they were going to
19 be running into problems, and they'll be back in front
20 of us under a biennial review because this law did say
21 the findings stay in place, the mechanisms stay in
22 please, and you will do a, instead of '95 and 2000 it
23 will be every two years from 2000 on, and there's no
24 sunset date.
25 So these that go through today that don't have

1 SB 1066's, and we've approved them under good faith
2 effort, if in two years when they come back to us and
3 they have slipped, then the Board would hold a hearing
4 if we deem them not to be in compliance with AB 939.
5 And at that point we do like we did under the,
6 a couple of years ago where we put 60 something
7 jurisdictions on compliance orders, but they weren't
8 voluntary compliance orders, basically they were ordered
9 by the Board and constructed by your staff as well as
10 the cities.
11 That's the mechanism that will be in place from
12 here on, correct?
13 MR. SCHIAVO: Correct.
14 COMMITTEE CHAIR JONES: Okay. Thank you, Mr.
15 Schiavo, and thanks for that question, Mr. Eaton.
16 COMMITTEE MEMBER EATON: I'll move that we
17 adopt Resolution 2002-307.
18 COMMITTEE MEMBER MEDINA: Second.
19 COMMITTEE CHAIR JONES: We've got a motion by
20 Mr. Eaton, a second by Mr. Medina.
21 Substitute the previous roll. And on consent.
22 So ordered.
23 Item number thirteen.
24 MR. SCHIAVO: Item number thirteen is
25 consideration of the 1999/2000 biennial review findings

1 for the source reduction and recycling element and
2 household hazardous waste element for a number of
3 cities.
4 And Melissa Vargas will be making the
5 presentation.
6 MS. VARGAS: Good morning, committee members.
7 Staff conducted the 1999/2000 biennial review
8 for Moreno Valley, Indio, Indian Wells, Rancho Mirage,
9 and Riverside unincorporated, source reduction and
10 recycling elements, household hazardous waste elements,
11 program implementation, and diversion rate achievements.
12 These jurisdictions have achieved biomass
13 diversion credit. This information can be found on page
14 13-4 in your binder.
15 As shown in the handout for this item, the
16 jurisdiction's 2000 diversion rates with biomass would
17 be:
18 Moreno Valley, 50 percent; Riverside
19 incorporated, 50 percent; Indio, 56 percent; Indian
20 Wells, 52 percent; Rancho Mirage, 52 percent.
21 To determine the level of SRRE and HHWE
22 implementation, staff conducted site visits to all these
23 jurisdictions in 2001.
24 Because these jurisdictions have demonstrated
25 that they are adequately implementing their SRRE and

1 HHWE, and they have met the 50 percent diversion
2 requirement, and have documented that they meet the
3 conditions for claiming biomass diversion in 2000, staff
4 recommends the Board approve of staff's biennial review
5 findings.
6 A representative from each of the cities is
7 present to answer any questions.
8 This concludes my presentation.
9 COMMITTEE MEMBER EATON: Mr. Jones, this is the
10 subject of a local news article that you may have
11 received, I know all Board offices received it from Mr.
12 Paparian's office, about a previous jurisdiction in this
13 locale being guinea pigs and opening up the door.
14 I don't know if it, if that article from Mr.
15 Paparian and his staff are getting any questions, but I
16 don't have a problem moving this to the Board, I don't
17 have a problem with what they have, but I would just
18 like to make sure that his office had no real questions
19 with regard to what was intended by that article.
20 COMMITTEE CHAIR JONES: Okay. Understood.
21 The, so we will, we will have a motion and then put it
22 forward, but we won't put it on consent?
23 COMMITTEE MEMBER EATON: Correct.
24 COMMITTEE CHAIR JONES: Okay. Are you --
25 BOARD MEMBER JONES: And then if Mr. Paparian

1 or any of the others after reading that article have
2 questions or don't have questions, we can always put it,
3 prior to the consent calendar it can be taken up as an
4 item and added to the consent calendar.
5 COMMITTEE CHAIR JONES: All right. Would
6 you --
7 COMMITTEE MEMBER EATON: I move that we move it
8 to the full committee.
9 COMMITTEE CHAIR JONES: Okay. With a
10 recommendation from this -- with no recommendation.
11 COMMITTEE MEMBER EATON: (Shook head.)
12 COMMITTEE CHAIR JONES: So this is going to the
13 full Board.
14 COMMITTEE MEMBER EATON: But I think you can
15 check through there, there were some articles, I'm not
16 sure exactly what, you know, have been contained
17 therein.
18 Mr. Schiavo, you may --
19 MR. SCHIAVO: Yeah, he actually forwarded the
20 article to me and I sent an e-mail back to them just
21 talking about, yeah, they could legally take advantage
22 of this, the law allows for that. And I just made some
23 comment about that the article made it look like they
24 were getting away with something where, in fact, they
25 weren't, and he agreed with me in the e-mail. And that

1 was the extent of our conversation.

2 COMMITTEE MEMBER EATON: That's it then. At

3 the beginning of the Board meeting you can request it be

4 placed on consent calendar.

5 COMMITTEE CHAIR JONES: Okay. Then I'm going

6 to make a motion -- oh, okay. So then if, if there are

7 no issues at the Board meeting, the committee is going

8 to see if there's any issues with any of the members, if

9 there aren't this could get put on the consent

10 calendar. If there are still issues it will be heard as

11 a full agenda item.

12 Do I need to take, do we need to take an

13 action, Elliot?

14 LEGAL COUNSEL BLOCK: I was going to say. If

15 the committee's thought is to put it on consent if there

16 are no questions, then you probably would want to have a

17 vote at the committee so that there's a committee vote

18 which would normally put it on. Otherwise, the Board

19 would be hearing it without a committee vote if you're

20 not making a recommendation, and I'm not sure that

21 that's, because that's not the procedure that we've used

22 in matters for consent.

23 COMMITTEE CHAIR JONES: So if we make a motion

24 and vote on it three 0 --

25 LEGAL COUNSEL BLOCK: But not put it on

1 consent.

2 COMMITTEE CHAIR JONES: And put it on

3 consent -- or don't put it on consent but it could go

4 on consent unless --

5 LEGAL COUNSEL BLOCK: Right.

6 COMMITTEE CHAIR JONES: Okay. All right. That

7 makes sense. That makes sense.

8 COMMITTEE MEMBER EATON: Okay.

9 COMMITTEE CHAIR JONES: All right. Mr. Eaton.

10 COMMITTEE MEMBER EATON: I move that we adopt

11 Resolution --

12 COMMITTEE CHAIR JONES: 308.

13 COMMITTEE MEMBER EATON: Yeah.

14 COMMITTEE CHAIR JONES: Okay. We're going to

15 move adoption of Resolution --

16 COMMITTEE MEMBER EATON: 2002-308.

17 COMMITTEE MEMBER MEDINA: Second.

18 COMMITTEE CHAIR JONES: Okay. We have a motion

19 and a second.

20 Substitute the previous roll.

21 COMMITTEE MEMBER EATON: And it can be placed

22 on consent.

23 COMMITTEE CHAIR JONES: And it can be placed on

24 consent, and if there is a question we will remove it

25 from the consent.

1 COMMITTEE MEMBER EATON: What we probably
2 should do prior to the Board meeting, and what I think
3 is the procedural thing to work through the committee
4 process, is normally we have the director's report, you
5 know, at the time that the section is taken up.
6 This may be one of those occasions where we
7 advise the Board members prior to the vote on the
8 consent calendar that there were these items that we did
9 X, Y, and Z on.
10 COMMITTEE CHAIR JONES: Right.
11 COMMITTEE MEMBER EATON: That would be the
12 proper way. That way if they have a question they can
13 take it up and take it off consent, if not, it just
14 moves it forward.
15 COMMITTEE CHAIR JONES: Okay. My office will
16 notify each one of the Board offices of our action, and
17 if there's an issue to let us know or the executive
18 director to move it. And that's a good way to deal with
19 that.
20 So you know what we gotta do?
21 Okay. Item number fourteen.
22 MR. SCHIAVO: Item fourteen or committee item N
23 is consideration of the 1999/2000 biennial review
24 findings for the source reduction and recycling element
25 and household hazardous waste element for the city of La

1 Palma in Orange County.

2 And Melissa Vargas will be making this

3 presentation.

4 MS. VARGAS: Good morning, Chairman Jones and

5 committee members.

6 The city of La Palma's diversion rate for 1999

7 is 49 percent, and for 2000 it's 47 percent.

8 To determine the level of SRRE and HHWE

9 implementation, staff analyzed the historic diversion

10 rate trend which has been at or above the 50 percent

11 range for three out of the last six years, and conducted

12 an extensive program verification site visit in 2002.

13 Both the jurisdiction's programs and staff's

14 analysis of these programs can be found in detail on

15 page 14-3 in your binder.

16 Some of the major programs that have been

17 implemented include business waste reduction, commercial

18 on-site pickup, school recycling, and curbside

19 collection.

20 Based upon staff's program review, staff

21 recommends the Board find that La Palma has made a good

22 faith effort in meeting diversion requirements.

23 Representatives are present to answer any

24 questions.

25 This concludes my presentation.

1 COMMITTEE CHAIR JONES: Do members have any
2 questions?
3 I have just one quick thing. Their pounds per
4 person per day is four pounds, four and a quarter pounds
5 per person per day, and they're at 49 percent or 47,
6 whatever it is.
7 I mean it's amazing how many we see that come
8 in here that their pounds per person per day are
9 eighteen pounds, twenty pounds, 25 pounds, and
10 mysteriously they're at 50 percent.
11 So to get to this number with a four pound per
12 person per day takes some real effort.
13 Mr. Eaton -- I'm sorry.
14 COMMITTEE MEMBER MEDINA: I have one question.
15 COMMITTEE CHAIR JONES: You want to move this,
16 Mr. Medina?
17 COMMITTEE MEMBER MEDINA: No, first I had a
18 question with regard to the diversion rate drop from 49
19 to 47 percent.
20 What accounts for the two percent drop-off?
21 MS. VARGAS: A representative from the city is
22 here to answer that question.
23 MS. PISCOTTY: Good morning, Chairman and
24 members of the committee.
25 I'm Tammi Piscotty, the Assistant City Manager

in La Palma. La Palma is, in fact, the smallest city in Orange County.

We did have a small construction project. We built an affordable housing project which the city constructed. That is the reason, we believe, for the two percent drop.

COMMITTEE MEMBER MEDINA: And this is not a downward trend, do you expect it to --

MS. PISCOTTY: No, it's not. In fact, the city is completely built out and it was an in-field development.

COMMITTEE MEMBER MEDINA: Thank you.

MS. PISCOTTY: Thank you, sir.

COMMITTEE CHAIR JONES: Thank you.

COMMITTEE MEMBER EATON: Mr. Jones, I move that we adopt Resolution 2002-309 regarding the city of La Palma in Orange County.

COMMITTEE MEMBER MEDINA: Second.

COMMITTEE CHAIR JONES: We've got a motion and a second.

Substitute the previous roll. On consent. So ordered.

Item number 15.

MR. SCHIAVO: Item number 15 and 16 will be presented by Steve Sorelle.

1 And this is consideration of a petition for
2 sludge diversion credit, and consideration of the
3 1999/2000 biennial review findings for the source
4 reduction and recycling element and household hazardous
5 waste element for the city of Carlsbad, and also a
6 review of the source recycling and recycling element for
7 the city of Escondido, both in San Diego County.
8 MR. SORELLE: Good morning, Chairman Jones and
9 committee members.
10 The city of Carlsbad diversion rate for 1999 is
11 50 percent, and for 2000 is 59 percent.
12 The city of Escondido's diversion rate for 1999
13 is 43 percent, and for 2000 is 47 percent.
14 To determine the level of source reduction and
15 recycling element and household hazardous waste element
16 implementation for both cities, staff analyzed the
17 historic diversion rate trends, reviewed diversion
18 program development, and conducted program verification
19 site visits in 2002.
20 Both jurisdiction's programs and staff analyses
21 of these programs can be found in detail in your binders
22 on pages 15-3 and 16-3 respectively.
23 Some of the major programs that have been
24 implemented by both cities include residential curbside
25 recycling, residential curbside green waste collection,

1 commercial on-site collection for recyclables, and a
2 mandatory recycling ordinance for residential,
3 commercial, and industrial sectors.
4 The city of Carlsbad also submitted a sludge
5 diversion credit application requesting that 25,477 tons
6 of sludge be added to its base year.
7 Staff determined that the petition for sludge
8 diversion credit is adequately documented.
9 Based on our reviews, staff recommends the
10 Board approve both cities' 1999 and 2000 biennial
11 reviews.
12 Representatives for both cities are available
13 to answer any questions.
14 This completes my presentation. Do you have
15 any questions?
16 COMMITTEE MEMBER EATON: Yeah. Just a
17 question. Are these the only two cities that use the
18 facility?
19 MR. SORELLE: I'm sorry, use?
20 COMMITTEE MEMBER EATON: Are each of the cities
21 going to get a portion of the diversion credit from this
22 facility, from the Encina --
23 COMMITTEE CHAIR JONES: The Synagro.
24 MR. SORELLE: No, that's only for Carlsbad,
25 Escondido is not affected. Carlsbad has a sludge

1 petition.

2 COMMITTEE MEMBER EATON: I understand, but are

3 there other jurisdictions that utilize that facility

4 that can come in and claim?

5 MR. SORELLE: No. The facility is in the city

6 of Carlsbad, and they have credit for one hundred

7 percent of the diversion.

8 COMMITTEE MEMBER EATON: And what was the reuse

9 of the sludge?

10 MR. SORELLE: It's land application through

11 Synagro.

12 COMMITTEE CHAIR JONES: Synagro is a bio, it's

13 a co-composting, right, it's a co-composting?

14 MR. SORELLE: I Believe so.

15 COMMITTEE CHAIR JONES: Okay. Thank you. And

16 I believe what Mr. Eaton is saying is if Synagro has

17 other jurisdictions, whether it's out of Encina or any

18 other jurisdiction, these are accurate numbers for that

19 specific entity, correct?

20 MR. SORELLE: Yes, exactly.

21 COMMITTEE CHAIR JONES: Thank you, I wasn't

22 sure.

23 All right. Any other questions?

24 COMMITTEE MEMBER EATON: I move that we adopt

25 Resolution 2002-310.

1 COMMITTEE MEMBER MEDINA: Second.
2 COMMITTEE CHAIR JONES: We've got a motion and
3 a second.
4 Substitute the previous roll. On consent. So
5 ordered.
6 And on item 16, Mr. Eaton.
7 COMMITTEE MEMBER EATON: I move that we adopt
8 Resolution 2002-311.
9 COMMITTEE MEMBER MEDINA: Second.
10 COMMITTEE CHAIR JONES: We've got a motion and
11 a second.
12 Substitute the previous roll. And on consent.
13 Thank you, gentlemen.
14 Item number 17.
15 MR. SCHIAVO: Item number 17 and 18 are both
16 consideration of the 1999/2000 biennial review findings
17 for the source reduction and recycling element and
18 household hazardous waste element for the city of
19 Berkeley, and also the city of Emeryville, both in
20 Alameda County.
21 MS. SULLIVAN: Good morning, Chairman Jones and
22 committee members. I'm Carolyn Sullivan with the Office
23 of Local Assistance.
24 The city of Berkeley's diversion rate for 1999
25 was 50 percent, and for 2000 is 49 percent.

1 The city of Emeryville's diversion rate for
2 1999 is 42 percent, and for 2000 is 48 percent.
3 To determine the level of source reduction and
4 recycling element and household hazardous waste element
5 implementation for both cities, staff has analyzed the
6 historic diversion rate trends, reviewed diversion
7 program development, and conducted program verification
8 site visits or program reviews in 2001 and 2002. Both
9 jurisdiction's programs and staff analyses of these
10 programs can be found in detail in your binder on pages
11 17-3 and 18-3 respectively.
12 Some of the major programs that have been
13 implemented by both cities include residential curbside
14 recycling, commercial on-site collection of recyclables,
15 construction and demolition debris programs, and
16 procurement policies encouraging or requiring recycled
17 content material.
18 Staff recommends that the Board find the cities
19 of Berkeley and Emeryville have made a good faith effort
20 in meeting diversion requirements.
21 Based on our reviews, staff recommends the
22 Board approve both cities 1999 and 2000 biennial review.
23 Representatives for the cities are available to
24 answer any questions.
25 This concludes my presentation.

1 COMMITTEE CHAIR JONES: Thank you. Any
2 questions?
3 Mr. Medina.
4 COMMITTEE MEMBER MEDINA: Same question as
5 previously. The city's diversion rate for '99 was 50
6 percent, for 2000 it's 49 percent. What accounts for
7 the drop-off and is this a trend in the --
8 MS. SULLIVAN: Is Rebecca here?
9 MS. DOWDAKIN: Hi, my name is Rebecca Dowdakin,
10 I'm the recycling program manager for the city of
11 Berkeley. And the most honest answer is we don't really
12 know what accounts for that, but it's my belief that we
13 just hit a plateau here and we're headed back up.
14 We've implemented all the programs in our SRRE
15 and other programs in addition, and I believe that the
16 real drop is probably far less than one percent, it's
17 just, you know, from what I can figure we're about 1,200
18 tons short of meeting our goal. And our recycling
19 programs are all in line and continuing vigorously.
20 COMMITTEE MEMBER MEDINA: So do you see the
21 city exceeding the 50 percent?
22 MS. DOWDAKIN: I do. I think in the last two
23 years, last year and a half we have improved our
24 programs, we're getting more tonnage, especially from
25 our food waste program that we've been operating as a

1 pilot program for a few years now.

2 COMMITTEE MEMBER MEDINA: Okay. Thank you.

3 COMMITTEE MEMBER EATON: Mr. Jones, I move that

4 we adopt resolution 2002-312 regarding the city of

5 Berkeley.

6 COMMITTEE MEMBER MEDINA: Second.

7 COMMITTEE CHAIR JONES: We have a motion and a

8 second.

9 Substitute the previous roll. On consent.

10 Thank you, members.

11 COMMITTEE MEMBER EATON: Chair, I move that we

12 adopt Resolution 2002-313 regarding the city of

13 Emeryville in Alameda County.

14 COMMITTEE MEMBER MEDINA: Second.

15 COMMITTEE CHAIR JONES: We've got a motion and

16 a second to -- we've got a motion and a second to adopt

17 Resolution 2002-313.

18 Substitute the previous roll. On consent.

19 Thank you, members.

20 Item number 19.

21 MR. SCHIAVO: Items number 19, 20, and 21 will

22 be combined. And this is -- these are consideration of

23 the 1999/2000 biennial review findings for the source

24 reduction and recycling element and household hazardous

25 waste element for the cities of Gonzales and Greenfield

1 in Monterey County and the city of Santa Cruz in Santa
2 Cruz County.
3 And Carrie Edwards will be making this
4 presentation.
5 MS. EDWARDS: Good morning, Chairman Jones and
6 committee members.
7 The city of Gonzales' diversion rate for '99 is
8 49 percent, and for 2000 is 40 percent.
9 The city of Greenfield's diversion rate for
10 1999 is 49 percent, and for 2000 is 49 percent.
11 On August 27th, 1997, both cities received
12 Board-approved reduced diversion rates, 32.1 percent for
13 Gonzales, and 32.9 percent for Greenfield.
14 Due to variations seen in both cities'
15 diversion rates over the years as well as recent
16 establishment of 1999 base years for both cities, Board
17 staff has elected not to rescind the petitions for each
18 of these cities at this time.
19 The city of Santa Cruz's diversion rate for
20 1999 is 47 percent, and for 2000 is 48 percent.
21 To determine the level of source reduction and
22 recycling element and household hazardous waste element
23 implementation, the staff analyzed the historical trend
24 diversion rate which has been trending steadily upward
25 for the last four years for the city of Santa Cruz, and

1 is varied but meeting diversion requirements for
2 Gonzales and Greenfield, and conducted a program site
3 verification visit in 2001 for the cities of Greenfield
4 and Gonzales, and in 2002 for Santa Cruz.
5 The jurisdiction's programs and staff analysis
6 on these programs can be found in detail on the
7 following pages of your binder. 19-3 for Gonzales, 20-3
8 for Greenfield, and 21-3 for Santa Cruz.
9 Some of the major programs that have been
10 implemented for all three cities include residential
11 curbside recycling collection, commercial on-site
12 collection, residential drop-off and buy back,
13 residential and commercial self-haul green waste
14 drop-off.
15 Staff recommend that the Board find that the
16 city of Santa Cruz has made a good faith effort in
17 meeting diversion requirements. And that the cities of
18 Gonzales and Greenfield have met both, have both met
19 their diversion requirements for 1999 and 2000.
20 Representatives of Santa Cruz, Gonzales, and
21 Greenfield are present to answer any questions.
22 This concludes my presentation.
23 COMMITTEE CHAIR JONES: Thank you. I just have
24 one quick question before we do it.
25 Gonzales I know went through a new base year

1 that we, the Board adopted the Waste Board staff's
2 changed base year number. So we know that one is
3 accurate. Didn't Greenfield do the same thing? Didn't
4 we have to change that one? It was a while ago. I
5 don't remember.
6 MR. SCHIAVO: We didn't verify those numbers,
7 that was the before the process for verifying.
8 COMMITTEE CHAIR JONES: Okay. But I know
9 Gonzales was done.
10 MS. EDWARDS: Yes. And we actually revisited
11 Greenfield to look and see what diversion tonnage was
12 accurate, and there was maybe a two percent perhaps.
13 COMMITTEE CHAIR JONES: Variance between that
14 base year?
15 MS. EDWARDS: Variance.
16 COMMITTEE CHAIR JONES: Okay. Thank you.
17 Questions, members?
18 COMMITTEE MEMBER EATON: No, just a comment
19 that cities such as Gonzales and others which are going
20 to be experiencing growth, look at Hollister down in
21 that area. Gonzales, I think that you should be
22 forewarned that the rural exemption and rural status
23 that you enjoy are really, probably not through any
24 fault of your own, but through all of those who come
25 from the north to the south and from the south to the

1 north and seem to converge in your area, that some
2 additional things will have to be taken in a couple of
3 years. And I think at that point we'll have to look at
4 the rural status for sure.
5 COMMITTEE CHAIR JONES: Before we have motions
6 but to follow up on what you said, those jurisdictions
7 may want to be thinking about C&D ordinances, things
8 like that in place prior to that expansion so that
9 disaster doesn't hit.
10 Mr. Eaton.
11 COMMITTEE MEMBER EATON: I move that we adopt
12 Resolution 2002-314 regarding the city of Gonzales.
13 COMMITTEE MEMBER MEDINA: Second.
14 COMMITTEE CHAIR JONES: We've got a motion and
15 a second.
16 Substitute the previous roll. On consent.
17 Thank you, members.
18 COMMITTEE MEMBER EATON: Chair, I move that we
19 adopt Resolution 2002-315 regarding the city of
20 Greenfield.
21 COMMITTEE MEMBER MEDINA: Second.
22 COMMITTEE CHAIR JONES: We've got a motion and
23 a second.
24 Substitute the previous roll. And on consent.
25 Thank you, members.

1 COMMITTEE MEMBER EATON: Mr. Chair, I move that
2 we adopt Resolution 2002-316 regarding the city of Santa
3 Cruz.
4 COMMITTEE MEMBER MEDINA: Second that motion.
5 COMMITTEE CHAIR JONES: We've got a motion and
6 a second.
7 Substitute the previous roll. And on consent.
8 Thank you, members. I told you we were going
9 to rock and roll today.
10 COMMITTEE MEMBER EATON: You're behind in an
11 hour you only got 21, you told me 26.
12 COMMITTEE CHAIR JONES: I know, and that's my
13 fault, I got a belly full of words.
14 Okay. Item number 22, P.
15 MR. SCHIAVO: Okay. Item 22, 23, and 24 will
16 be combined. And these items are consideration of the
17 1999/2000 biennial review findings for the source
18 reduction and recycling element and household hazardous
19 waste element for the town of Danville, the city of
20 Walnut Creek, and the city of Lafayette, all in Contra
21 Costa County.
22 And this will be presented by Eric Bissinger.
23 MR. BISSINGER: Good morning, Board members.
24 Staff conducted the 1999/2000 biennial review
25 for the cities of Danville, Lafayette, and Walnut

1 Creek's source reduction and recycling element and
2 household hazardous waste element program
3 implementation, and diversion rate achievement.
4 Diversion rates for the cities are as follows.
5 Danville for 1999 is 46 percent, and for 2000
6 is 51 percent.
7 Lafayette, '99 is 41 percent, and for 2000 it's
8 45 percent.
9 Walnut Creek for '99 is 44 percent and for 2000
10 is 47 percent.
11 To determine the level of the source reduction
12 and recycling element and household hazardous waste
13 element implementation, staff analyzed the historic
14 diversion rate trend which has been trending upward near
15 50 percent in the last four years, and conducted a
16 program verification site visit in 2002.
17 All jurisdiction's and staff analysis of these
18 programs can be found in detail on page 22-3, 23-3, and
19 24-3 of your binder.
20 Some of the major programs that have been
21 implemented include construction and demolition
22 recycling requirements; residential curbside collection
23 for recyclables, compostables, and reusables; permitted
24 commercial collections.
25 And staff recommends the Board finds the cities

1 of Danville, Lafayette, and Walnut Creek have made a
2 good faith effort in meeting diversion requirements.
3 And representatives from the cities are here to
4 answer any questions.
5 This concludes my presentation.
6 COMMITTEE CHAIR JONES: Thank you, Eric.
7 Any questions from the members?
8 COMMITTEE MEMBER EATON: No, just that I do
9 know that, I have some familiarity with this part of
10 Contra Costa County, and I do know that from time to
11 time they do have strong views on issues, that when the
12 issues do not go their way they don't sit there and
13 complain, they go and do the work. That's really true
14 of Schneider and some of the others who are part of that
15 whole board and continue to work toward all of the
16 cities, having some sense of closure responsibility as
17 well as environmental values in light of a lot of
18 difficult problems that they have.
19 COMMITTEE CHAIR JONES: I would agree a hundred
20 percent.
21 COMMITTEE MEMBER EATON: Mainly transportation.
22 All right, Mr. Chairman. I move that we adopt
23 Resolution 2002-317 for the city of Danville -- for the
24 town of Danville, excuse me.
25 COMMITTEE MEMBER MEDINA: Second.

1 COMMITTEE CHAIR JONES: We've got a motion by
2 Mr. Eaton, a second by Mr. Medina.
3 Substitute the previous roll. And on consent.
4 Thank you, members.
5 COMMITTEE MEMBER EATON: And Chairman Jones, I
6 move that we adopt Resolution 2002-318 regarding the
7 city of Walnut Creek.
8 COMMITTEE MEMBER MEDINA: Second the motion.
9 COMMITTEE CHAIR JONES: We've got a motion and
10 a second.
11 Substitute the previous roll. And on consent.
12 So done.
13 COMMITTEE MEMBER EATON: I move that we adopt
14 Resolution 2002-319 regarding the city of Lafayette.
15 COMMITTEE MEMBER MEDINA: Second.
16 COMMITTEE CHAIR JONES: We've got a motion and
17 a second.
18 Substitute the previous roll, and on consent.
19 COMMITTEE MEMBER MEDINA: Yeah.
20 COMMITTEE CHAIR JONES: Thank you, members.
21 That takes us to item 25. But first I'm going to ask,
22 because she's been pounding away pretty good, we okay
23 for a while or you want to take ten minutes?
24 THE REPORTER: We're okay.
25 COMMITTEE CHAIR JONES: You sure?

1 THE REPORTER: Yeah.

2 COMMITTEE CHAIR JONES: Okay. Go ahead, Mr.

3 Schiavo.

4 MR. SCHIAVO: Item 25, Y, is consideration of

5 the 1999/2000 biennial review findings for the source

6 reduction and recycling element and household hazardous

7 waste element for the city of Campbell in Santa Clara

8 County.

9 And Kathy Davis will be making this

10 presentation.

11 MS. DAVIS: Good morning, Chairman Jones and

12 committee members.

13 COMMITTEE CHAIR JONES: Hit the button there if

14 you would, please?

15 MS. DAVIS: There we go.

16 COMMITTEE CHAIR JONES: Thank you.

17 MR. DAVIS: The city of Campbell's diversion

18 rate for 1999 is 41 percent, and for 2000 is 46 percent.

19 To determine the level of SRRE and HHWE element

20 implementation, staff analyzed the historic diversion

21 rate trend with, which with the exception of 1998 has

22 been trending upward the last five years. And conducted

23 a program verification site visit in 2002.

24 Both the jurisdiction's programs and staff

25 analysis of these programs can be found in detail on

1 page 25-3 of your binder.

2 Some of the major programs that have been

3 implemented include residential curbside and

4 multi-family curbside collection, weekly curbside green

5 waste collection, commercial on-site pickup for

6 cardboard and mixed paper, and a construction and

7 demolition sort line at the Guadalupe Landfill.

8 Staff recommends that the Board finds that the

9 city of Campbell has made a good faith effort in meeting

10 diversion requirements.

11 Representatives of the city of Campbell are

12 present to answer questions.

13 And this concludes my presentation.

14 COMMITTEE CHAIR JONES: Thanks.

15 Members, any questions?

16 Mr. Eaton.

17 COMMITTEE MEMBER EATON: I move that we adopt

18 Resolution 2002-320 regarding the city of Campbell.

19 COMMITTEE MEMBER MEDINA: Second.

20 COMMITTEE CHAIR JONES: We've got a motion to

21 adopt 2002-320, and a second by Mr. Medina.

22 Substitute the previous roll. On consent. So

23 ordered.

24 Thank you, members.

25 Item number 26.

1 MR. SCHIAVO: Item number 26 is consideration
2 of the 1999/2000 biennial review findings for the source
3 reduction and recycling element and household hazardous
4 waste element for the city of San Bruno in San Mateo
5 County.
6 And Keir Furey will be making this
7 presentation.
8 MR. FUREY: Good afternoon, Chairman Jones and
9 committee members.
10 Staff conducted a 1999 biennial review of the
11 city of San Bruno's source reduction and recycling
12 element and household hazardous waste element program
13 implementation and diversion rate achievements.
14 The diversion rate for the city was 47 percent
15 for 1999, and 49 percent for the year 2000.
16 To determine the level of source reduction and
17 recycling element and household hazardous waste element
18 implementation, staff analyzed the historic diversion
19 rate trend which has been trending upward towards 50
20 percent for the last six years. Staff also conducted a
21 program verification site visit for, in 2002.
22 Some of the major programs that have been
23 implemented include construction and demolition;
24 diversion ordinance; C&D diversion by San Bruno garbage
25 company's transfer station and the city's public works

1 department; residential curbside collection of
2 recyclables and green waste; commercial and multi-family
3 collection of recyclables.
4 Staff recommends that the Board find the city
5 of San Bruno is in good faith effort in meeting their
6 diversion rate requirements.
7 Representatives of the city are present to
8 today to answer questions.
9 That concludes my presentation.
10 COMMITTEE CHAIR JONES: Are there any questions
11 of the members?
12 I would like to just say a couple things,
13 okay. This is one that when Mike Schowitch was at San
14 Bruno and worked with a councilwoman named Beth Barnard,
15 and I was the guy that came out of the corporate office
16 to work with them to start putting a lot of programs
17 together in the city of San Bruno. And they worked hard
18 and have been committed for a long, long time.
19 And a lot of you that hear me talk about source
20 reduction, it is the city of San Bruno that I use as
21 that example, when after four years, with participation
22 staying equal, commodities staying equal, we started
23 taking less trash from our transfer station to the
24 landfill, which meant people were making change based on
25 those programs.

1 And I became a firm believer right around then
2 that complete dirty MRF's maybe weren't just the only
3 answer, that we needed to do other programs.
4 So if the members don't mind I'd like to make
5 the motion to adopt the biennial review for the city of
6 San Bruno on Resolution 2002-321.
7 COMMITTEE MEMBER MEDINA: Member Jones, as my
8 brother lives in San Bruno, I'd like to second the
9 motion.
10 COMMITTEE CHAIR JONES: How about you, Dan?
11 COMMITTEE MEMBER EATON: And I don't want it to
12 go on consent, I want my fellow Board members to hear
13 both of you talk.
14 COMMITTEE CHAIR JONES: That's okay. I talk
15 too much anyway.
16 All right. Substitute the previous roll. And
17 on consent.
18 Thank you.
19 All right. Item number 27.
20 MR. SCHIAVO: Item number 27 is consideration
21 of the 1999/2000 biennial review findings for the source
22 reduction and recycling element and household hazardous
23 waste element for the Inyo Regional Waste Management
24 Agency, Inyo County.
25 And Cedar Kehoe will be making this

1 presentation.

2 MS. KEHOE: Good morning, Chairman Jones and

3 Committee members. The Inyo Regional Waste Management

4 Agency's diversion rate for 1999 is 41 percent, and for

5 2000 is 28 percent.

6 On June, or excuse me, on July 27th of '99 this

7 Board approved the formation of the Inyo Regional Waste

8 Management Agency and, at which time it approved the

9 regional agency's rural reduction in the 2000 diversion

10 goal to be 29 percent.

11 To determine the level of source reduction and

12 recycling element and household hazardous waste element

13 implementation, the staff analyzed the historical

14 diversion rate trend which had been ranging from 18

15 percent to as high as 41 percent between '95 and 2000,

16 and conducted a program verification site visit in 2001.

17 Both the jurisdiction's programs and the staff

18 analysis for these programs can be found in detail on

19 page 27-3 and 27-4 of your binder.

20 Some of the major programs that have been

21 implemented include a residential drop-off, commercial

22 on-site collection and pickup, landfill salvage

23 operations which divert a variety of recycled materials,

24 including clean construction and demolition debris and

25 scrap metal, asphalt and concrete recycling, and

1 household hazardous waste program.

2 Staff recommend the Board finds the Inyo

3 Regional Waste Management Agency has made a good faith

4 effort in meeting these diversion requirements.

5 Representatives of the Inyo Regional Waste

6 Management Agency are here to answer any questions.

7 This concludes my presentation.

8 COMMITTEE CHAIR JONES: Mr. Eaton.

9 COMMITTEE MEMBER EATON: I have a couple of

10 questions. I see that the makeup is, of the residential

11 waste stream is about 71 percent, and that they drop,

12 and the diversion rate's from 1999 went from 41 to 28.

13 The question is with the city's makeup, the

14 agency, is there any call for any kind of green waste or

15 residential green waste pickup since that seems to be a

16 portion of it? Or how do you propose to answer the

17 question which is basically, you know, high residential

18 dropping diversion rate? Where are the programs? I

19 don't quite see that yet.

20 MS. KEHOE: I have Chuck Hamilton here to

21 answer that question.

22 MR. HAMILTON: Good morning, Chuck Hamilton,

23 Inyo County.

24 With regard to the 41 percent, we did have an

25 anomaly that year where, for Inyo County we had some

1 significant construction activity going on that year
2 which created a lot of construction debris that we were
3 able to divert.
4 We do have a green waste --
5 COMMITTEE MEMBER EATON: That wasn't
6 residential?
7 MR. HAMILTON: No, it wasn't, but --
8 COMMITTEE MEMBER EATON: I'm looking, trying to
9 focus on the residential aspect of it. That would have
10 been commercial, right, because it would have been
11 either highway and/or -- because there wasn't much
12 residential development my understanding is.
13 MR. HAMILTON: No, there wasn't.
14 COMMITTEE MEMBER EATON: Right. So I'm looking
15 at the residential waste stream here and trying to focus
16 on that. It seems to be the highest element of your
17 overall waste stream.
18 MR. HAMILTON: We do have what we consider
19 considerable residential diversion now where we have
20 tried to, we have drop-offs at our landfill, we have
21 drop-offs at the local recycling companies, and we
22 have -- there is no curbside pickup. We have, we've
23 looked at that, but no matter where you're at in Inyo
24 County you're probably about four miles away from the
25 landfill, so there's a lot of self-haul. So we have

1 kind of directed our recycling efforts at the landfills.
2 And it's not to say that we wouldn't implement
3 a curbside recycling, we've looked at that, but for
4 whatever reason people do want to go to the landfill.
5 And then there's the issue with the, the only
6 waste hauler to do curbside recycling, they have to
7 invest in a lot of equipment.
8 So we have, like I said, tried to put drop-offs
9 convenient for the residents and admitted that, what we
10 feel are the best programs that we can implement for
11 Inyo County.
12 COMMITTEE MEMBER EATON: Let me ask staff.
13 Why, what is your explanation for making good faith when
14 it goes from 41 to 28? What did you see in the analysis
15 that allowed you to recommend 41 to 28?
16 MS. KEHOE: My understanding is because they
17 have been granted a regional reduction they only have to
18 reach a 29 percent goal. They're at 28 percent. So the
19 determination was they were at a good faith effort
20 because 28 percent is only one percentage point away
21 from 29.
22 COMMITTEE MEMBER EATON: Right.
23 MS. KEHOE: I did, I was not here when the
24 regional reduction was granted, but once it was granted
25 that was the goal that I was looking at.

1 COMMITTEE MEMBER EATON: All right.

2 MR. GRECKLE: Can I --

3 COMMITTEE CHAIR JONES: Go ahead, Jim.

4 MR. GRECKLE: Jim Greckle, California Waste

5 Associates.

6 I assist the regional agency from time to time

7 as needed. If the question is why the drop from 41 to

8 29 percent, we think we know why, we're trying to find

9 out why.

10 But you have to realize there's three active

11 landfills in the county. They average 34, four, and

12 twelve tons a day. Total countywide that's less than

13 two trucks a day. No scales.

14 And as far as what has happened in '99 and

15 2000, there was significant construction activity. This

16 can throw the residential commercial split way off,

17 particularly when that 29, 71 residential commercial

18 split -- the commercial residential split was done for

19 the base year, '91.

20 To give you an idea. In 1999 and 2000 the

21 county took in about the same amount of material at the

22 landfills, and that was about 25,000 tons.

23 In 1999 there was a new superstore, a K-Mart

24 and a Vons that was built. There was significant land

25 clearing and brush. 9,300 tons was brought to the

1 landfill. That significantly affected the diversion
2 rate because that wasn't disposed. Previously that
3 material was disposed because the landfills were free
4 prior to 1995.
5 Now, one last point because your staff has
6 recognized the variability of small rural jurisdictions
7 on the waste stream. When the regional agencies
8 submitted their annual report, they were right on their
9 reduced goal, 29 percent. Independently I reviewed the
10 disposal reporting. I found that 264 tons in the third
11 quarter at the smallest landfill wasn't reported. It
12 was reported to be a HHWE, it was missed inadvertently
13 in reporting it to the Board. That affected their
14 diversion rate by one percent.
15 So it's a variable stream. But what happened
16 in '99 was you had a significant construction of a major
17 store, two stores.
18 In the year 2000 you had additional
19 construction, but not at that level. And the contractor
20 wasn't able to provide that material as clean, so it was
21 diverted.
22 And if you wanted to go more into the green
23 waste, yard waste area is that 79, 21, as I mentioned
24 before, was determined as an estimate in 1991. There's
25 been significant development activity, construction,

1 road paving with the weather changes, and that's
2 changed.
3 There's significant dropoff opportunities for
4 the public for businesses to bring their yard waste and
5 brush to the landfills. And actually in '96 I think the
6 county purchased a tub grinder and they started to grind
7 the yard waste, green waste, and some wood waste, and
8 make it available to the public and customers to come
9 and use that as fill or landscape materials.
10 COMMITTEE MEMBER EATON: When do you think
11 you're going to get scales? You know, we do have
12 programs that can benefit the purchase, I believe, of
13 scales. And so I, part of always what happens when I
14 hear no scales and I hear someone tell me how accurate
15 the numbers are, and they know 9,300 tons moved and
16 there's no scales, I'm kind of wondering well, you know,
17 how it occurs?
18 MR. HAMILTON: Well we use a conversion factor.
19 The contractor tells us and we observe how many cubic
20 yards and we convert that.
21 But we have talked about scales, scales you can
22 buy, and they come in all different prices. We would
23 like to put scales at least at our largest landfill, we
24 don't have a timeframe on it yet but we have talked
25 about it. And if there's some help from the Board or do

1 you know of, I don't know if there's grants or some kind
2 of assistance, we're all ears. But we have talked about
3 that.
4 COMMITTEE CHAIR JONES: Okay. Any questions?
5 Anymore questions?
6 All right. Thank you. Going to -- I'm going
7 to move adoption of Resolution 2002-322 for the
8 consideration of the good faith effort for the Inyo
9 Regional Waste Management Authority in Inyo County.
10 COMMITTEE MEMBER MEDINA: I'll second.
11 COMMITTEE CHAIR JONES: Can we substitute?
12 COMMITTEE MEMBER EATON: Sure.
13 COMMITTEE CHAIR JONES: Substitute the previous
14 roll. On consent. So done.
15 We're going to take a break for about ten
16 minutes.
17 (Thereupon there was a brief recess.)
18 COMMITTEE CHAIR JONES: I neglected at the
19 beginning of the meeting to ask members if they had any
20 ex-partes, and for that I apologize.
21 If anybody has any new ones?
22 COMMITTEE MEMBER EATON: I'm up to date, Mr.
23 Jones.
24 COMMITTEE CHAIR JONES: Mr. Medina?
25 COMMITTEE MEMBER MEDINA: None to report.

1 COMMITTEE CHAIR JONES: Okay. I have two,
2 Steve South from Edco, and John Cupps. And I did say hi
3 to some folks, but there wasn't any ex-parte, Michelle
4 Leonard and a couple of others.
5 All right. We are on item number AB which is
6 item number 28.
7 MR. SCHIAVO: Okay. Item number 28 begins the
8 applications for SB 1066 petitions through item 45.
9 And this particular item is consideration of
10 the application for a SB 1066 time extension by the city
11 of Brentwood, Contra Costa County.
12 And Eric Bissinger will be making this
13 presentation.
14 MR. BISSINGER: Hello, Board members.
15 The city of Brentwood has requested an
16 extension through December of 2003.
17 The specific reasons the city needs a time
18 extension are as follows:
19 The city's population has grown at an
20 exhausting rate, growing from 7,000 in 1990 to over
21 23,000 in the year 2000.
22 The situation caused an extensive increase in
23 new construction at a time when the city had limited C&D
24 flow control or C&D recycling options.
25 The programs listed in the plan of correction

are on page 28-14 of your binder.

The city anticipates a twelve percent increase in its diversion rate.

Board staff has determined that the information submitted in the application is adequately documented.

Based on this information, Board staff is recommending that the Board approve the time extension request for the city.

Representatives from the city of Brentwood is present to answer any questions.

This concludes my presentation.

COMMITTEE CHAIR JONES: Any questions of the members? I have one. Option three is that we take their 1066 and then add staff's recommendation which is to include a C&D ordinance. The city was okay with that? I think that's it on this one, right?

MR. BISSINGER: I'm not sure if it's a C&D ordinance but there is --

COMMITTEE CHAIR JONES: Requirement. Requirement. C&D activity. And the city was comfortable with that?

MR. BISSINGER: Yeah, they're doing C&D recycling and price incentives.

COMMITTEE CHAIR JONES: Thanks, Eric, that's why this system works.

1 Mr. Eaton.

2 COMMITTEE MEMBER EATON: I move that we adopt

3 Resolution 2002-323 regarding the city of Brentwood's

4 extension under SB 1066.

5 COMMITTEE MEMBER MEDINA: Second.

6 COMMITTEE CHAIR JONES: We've got a motion by

7 Mr. Eaton, a second by Mr. Medina. We will call the

8 roll.

9 Jeannine.

10 COMMITTEE SECRETARY BAKULICH: Eaton?

11 COMMITTEE MEMBER EATON: Aye.

12 COMMITTEE SECRETARY BAKULICH: Medina?

13 COMMITTEE MEMBER MEDINA: Aye.

14 COMMITTEE SECRETARY BAKULICH: Jones?

15 COMMITTEE CHAIR JONES: Aye.

16 Members, put it on consent?

17 COMMITTEE MEMBER MEDINA: Yeah.

18 COMMITTEE CHAIR JONES: So ordered.

19 Item number 29, AC.

20 MR. SCHIAVO: Consideration of the application

21 for a SB 1066 time extension by the city of Arcata,

22 Humboldt County.

23 And Jill Simmons will be making this

24 presentation.

25 MS. SIMMONS: Good morning, Chairman Jones and

1 committee members. The city of Arcata has --

2 COMMITTEE CHAIR JONES: Hit the button.

3 MS. SIMMONS: Thanks. One more time. Good

4 morning, Chairman Jones and committee members.

5 The city of Arcata has requested an extension

6 through December 31st, 2003. The specific reason this

7 city needs the time extension is as follows:

8 With the changes in disposal measurement by the

9 county, the city now realizes that they need to

10 implement and expand additional programs in order to

11 reach 50 percent. The city will be expanding its

12 business source reduction program, food waste,

13 vermicomposting program, and their residential self-haul

14 green waste, and commercial self-haul green waste

15 programs. They will also be implementing a business

16 source reduction program.

17 These programs are listed in the plan of

18 correction on page 29-13 of your binder.

19 The city anticipates an 11 percent increase in

20 its diversion rate.

21 Board staff has determined that the information

22 submitted in the application is adequately documented.

23 Based on this information, Board staff is

24 recommending that the Board approve the time extension

25 request for the city. A representative from the city is

1 present to answer any questions.

2 This concludes my presentation. Thank you.

3 COMMITTEE CHAIR JONES: I've got one question

4 on the barriers. When Arcata was going to the Eureka

5 transfer station, everything was being weighed, and I

6 know they had an awful lot of programs with Arcata

7 Recycling, I think one of our former members, Senator

8 Chesbro, was one of the founders of that organization.

9 Now that there's this difference, I know it's

10 got something to do with that new transfer station, is

11 it, is there an allocation issue where they're taking

12 the county's waste and allocating recycling activity, or

13 what exactly is that barrier? Because Arcata always

14 seemed to have their stuff together pretty well.

15 MS. SIMMONS: Right. I'm going to defer to

16 Mark Andre if he would come up and address your

17 question, please?

18 MR. ANDRE: Good morning, Chairman Jones and

19 Board members.

20 COMMITTEE CHAIR JONES: Could you identify

21 yourself?

22 MR. ANDRE: My name is Mark Andre, Deputy

23 Director of Environmental Services, City of Arcata.

24 Basically it's not changed that much. But

25 previously the waste stream from Humboldt State

1 University was thought to us to be part of the tally,
2 that's wholly within the city limits of Arcata, and so
3 it was a surprise to us when it showed up later on. So
4 that's part of the reason for the extension.
5 COMMITTEE CHAIR JONES: Oh, okay. All right.
6 That answered it. Thank you very much. I appreciate
7 that.
8 COMMITTEE MEMBER EATON: Mr. Chair, I move --
9 COMMITTEE MEMBER MEDINA: Excuse me, I had one
10 question.
11 COMMITTEE CHAIR JONES: I'm sorry.
12 COMMITTEE MEMBER MEDINA: Yeah, I had one
13 question. Again, the city's diversion rate was 48 in
14 1999, and it dropped nine percent to 39 percent for
15 2000. Could you tell me what would account for that,
16 and what is the city doing to reverse that trend?
17 MR. ANDRE: Yes. We were, we thought we were
18 at 50 percent and cruising along pretty good. It has
19 everything to do with the way the county changed the
20 accounting system for the allocation of the waste
21 stream. So basically that's it. It's the accounting
22 system, and there were some issues with quarterly
23 weights that we made some projections on that it turns
24 out weren't accurate.
25 So basically we've got a waste task force now

1 and we are implementing serious C&D issues, and we have
2 a mini building boom going on in our community now as
3 well, so. But it's all to do with the way, the county's
4 new accounting system for allocating disposal. We
5 didn't think there was a serious change in the actual
6 waste stream from Arcata which we have been monitoring.
7 COMMITTEE MEMBER MEDINA: So then 39 percent is
8 your current diversion rate?
9 MR. ANDRE: That's correct.
10 COMMITTEE MEMBER MEDINA: And what do you
11 project it will move to in the next year?
12 MR. ANDREW: We're looking to get back over 50
13 percent in the next three years, so hopefully at least
14 in a five percent increment per year.
15 COMMITTEE CHAIR JONES: Thank you, Mr. Medina.
16 Thank you.
17 COMMITTEE MEMBER EATON: Mr. Jones, I move that
18 we adopt Resolution 2002-324 regarding the city of
19 Arcata's request for extension of time.
20 COMMITTEE CHAIR JONES: Okay.
21 COMMITTEE MEMBER MEDINA: Second.
22 COMMITTEE CHAIR JONES: We've got a motion by
23 Mr. Eaton, a second by Mr. Medina.
24 Substitute the previous roll. And on consent.
25 So ordered.

1 Item number 30, AD.

2 MR. SCHIAVO: This is consideration of

3 application for an SB 1066 time extension by the city of

4 Pleasanton, Alameda County.

5 And Carolyn Sullivan will be making this

6 presentation.

7 MS. SULLIVAN: Good morning. The city of

8 Pleasanton has requested an extension through December,

9 2003.

10 The specific reasons the city needs the time

11 extension are as follows:

12 An expanded recycling area and upgraded sorting

13 line at the Pleasanton Garbage Service transfer station

14 is currently under construction, and is anticipated to

15 be fully operational by mid-2002.

16 When the expansion of the transfer station and

17 upgraded mechanized sorting line are operational, the

18 city will fully implement its commingled commercial

19 recycling program.

20 The programs listed in the plan of correction

21 are on page 30-11 of your binder.

22 The city anticipates a ten percent increase in

23 its diversion rate.

24 Board staff has determined that the information

25 submitted in the application is adequately documented.

1 Based on this information, Board staff is
2 recommending that the Board approve the time extension
3 request for the city.
4 This concludes my presentation, and I am happy
5 to answer any questions you may have.
6 COMMITTEE CHAIR JONES: One of the issues,
7 questions that I have is the funding of that new
8 material I think went through CPCFA.
9 MS. SULLIVAN: I believe so.
10 COMMITTEE CHAIR JONES: And it took them a
11 while to get it. I do want to acknowledge that a couple
12 of years ago when those numbers were going south on
13 money available to the industry to build this
14 infrastructure, Mr. Eaton worked with the treasurer to
15 make sure the dollars were available. And I think this
16 addition, as well as a lot of others, are a result of
17 that. And I just think that nobody ever said it and so
18 I decided to.
19 Somebody want to make a motion?
20 COMMITTEE MEMBER EATON: Thank you. I just
21 have one question, not about the merits of it.
22 But with regard to the expansion or the plan of
23 correction, how many other communities that, are we
24 aware of that are doing something such as Pleasanton
25 wherein we recognize that there is a business community

1 waste stream and they're going after it in a way that
2 makes it easier for the business community which is
3 basically putting it all in one container as opposed to
4 some of the blue smoke and mirrors we see in other kinds
5 of business recycling? Is this one of the few
6 communities in the state to do it?
7 I mean it's ten percent, it's a good nut, I
8 mean, of the waste stream. And if it's successful and
9 it ought to be, you know, spread around. I mean,
10 because it, what I'm basically seeing is that they're
11 duplicating what we do in a residential area, they're
12 telling the business community just give us all your
13 waste and then we'll go and we'll separate it at a
14 facility, and we'll get, we'll get the recyclables out
15 of it.
16 I don't know, everyone else is doing all this,
17 you know, liquor store cardboard recycling, you know,
18 so --
19 COMMITTEE CHAIR JONES: That's Imperial County.
20 COMMITTEE MEMBER EATON: I could do pallets
21 too, you know.
22 COMMITTEE CHAIR JONES: Well I love pallets as
23 much as you do, but I mean --
24 COMMITTEE MEMBER EATON: I'm just saying, are
25 there other communities doing this, or is this a model?

1 MS. MORGAN: I think, Board Member Eaton, it
2 certainly is a model program. I'm not exactly sure of
3 the number of jurisdictions that are doing a similar
4 program, but from what we've seen with other
5 applications that we've been reviewing, many of the
6 communities are trying to look at how best to target
7 their commercial sectors, I think it definitely is a
8 good program.
9 COMMITTEE MEMBER EATON: All right. I'll move
10 that we adopt Resolution 2002-325 regarding the city of
11 Pleasanton.
12 COMMITTEE MEMBER MEDINA: Second.
13 COMMITTEE CHAIR JONES: We've got a motion by
14 Mr. Eaton, a second by Mr. Medina.
15 Substitute the previous roll. And on consent.
16 So ordered.
17 Thank you, members.
18 Item number 31, or AD, I'm sorry.
19 MR. SCHIAVO: Item number 31 is consideration
20 of the application for an SB 1066 time extension by the
21 Sonoma County Waste Management Agency, Sonoma County.
22 And Tabetha Willmon will be making this
23 presentation.
24 MS. WILLMON: Good morning. The Sonoma County
25 Waste Management Agency has requested an extension

1 through December of 2003.

2 The specific reasons the city needs a time

3 extension are as follows:

4 The expanded recycling area at the central

5 disposal site is currently under construction and is

6 anticipated to be fully operational by mid-2002.

7 Additional time is needed to fully implement the

8 expanded automated curbside collection system, and

9 multi-family collection of recyclables in all nine

10 incorporated cities and in the unincorporated county.

11 This is expected by January, 2003, and the final version

12 of the agency's social marketing report is not due to be

13 completed until mid-2002.

14 The programs listed in the plan of correction

15 are on page 31-16 of your binder.

16 The agency anticipates an 11 percent increase

17 in its diversion rate.

18 Board staff has determined that the information

19 submitted in the application is adequately documented.

20 Based on this information, Board staff is

21 recommending that the Board approve the time extension

22 request for the agency.

23 A representative from the agency is present to

24 answer any questions.

25 This concludes my presentation.

1 COMMITTEE CHAIR JONES: I have one question.
2 Sonoma Composting is located at that central, is that
3 all within the same area out at the landfill? Are you
4 guys building a MRF out there or? I'm confused.
5 MR. WELLS: I hope I can clear that up. This
6 is Ken Wells, I'm the director of the Sonoma County
7 Waste Management Agency. Good morning, Chairman and
8 committee members.
9 The question about the Sonoma Compost Company,
10 yes, that is an operator of a composting operation that
11 actually does operate at the landfill on interim cover
12 at this point in time.
13 COMMITTEE CHAIR JONES: Great.
14 MR. WELLS: And the programs that we're
15 proposing are to, in fact they're under 98 percent
16 completed construction right now, is an expanded and
17 more convenient recycling area, reuse area, household
18 hazardous waste area, a large tipping building that will
19 have source separated, and those are all under
20 construction.
21 COMMITTEE CHAIR JONES: Great. I don't think I
22 have to tell you, but Will Box and the folks at Sonoma
23 have been pretty vocal here on a lot of our composting
24 issues, but they've helped us. And I know that Sonoma
25 County was meeting their mandates, but it's a good

1 operation.

2 And hopefully sudden oak death and Clopyralid

3 and arsenic treated wood and all the other good things

4 that we got to deal with, including maybe PR 1133, don't

5 kill that, so.

6 Any questions?

7 Mr. Eaton, thank you.

8 COMMITTEE MEMBER EATON: I move that we adopt

9 Resolution 2002-326.

10 COMMITTEE MEMBER MEDINA: Second.

11 COMMITTEE CHAIR JONES: We've got a motion by

12 Mr. Eaton, a second by Mr. Medina.

13 Substitute the previous roll. On consent.

14 Thank you, members. So ordered.

15 Item number 32, AF.

16 MR. SCHIAVO: Okay. We'd like to combine 32,

17 33, 34.

18 And 32 is consideration of an application for

19 an SB 1066 alternative diversion requirement for the

20 city of Arvin.

21 Also 33 is consideration of an application for

22 an SB 1066 time extension by the city of Delano, Kern

23 County.

24 And also an extension for the city of El Paso

25 De Robles, San Luis Obispo.

1 And these will be presented by Nikki Mizwinski.
2 MS. MIZWINSKI: Good morning, committee
3 members.
4 The cities of El Paso De Robles and Delano have
5 each requested a time extension through December, 2002
6 and December, 2003 respectively, while the city of Arvin
7 has requested an alternative diversion requirement, or
8 ADR, of 45 percent through December, 2003.
9 The specific reasons why El Paso De Robles and
10 Delano need a time extension are as follows:
11 Delano needs time for the franchised hauler to
12 plan, fund, and implement the new residential curbside
13 green waste and the new residential recyclables
14 programs.
15 The city of El Paso De Robles needs time for
16 the franchise hauler to plan, fund, and implement the
17 program expansions and the new programs that will target
18 waste generating sections -- or sectors as identified in
19 a preliminary waste generation study.
20 The specific reasons why Arvin is requesting an
21 ADR is the city needs time for the franchised hauler to
22 plan, fund, and implement the program expansions and the
23 new programs that will target school systems, commercial
24 businesses, residents, local government agencies, and
25 community groups.

1 The programs listed in El Paso De Robles' plan
2 of correction are on page 34-11 of your binder. El Paso
3 De Robles anticipates a 20 percent increase in its
4 diversion rate.
5 Delano's programs are on page 33-11 of your
6 binder. And they anticipate a 16 percent increase in
7 diversion rate.
8 The programs listed in Arvin's goal achievement
9 plan are on page 32-11 of your binder. Arvin
10 anticipates achieving a 45 percent diversion rate by
11 December, 2003; that is a seventeen percent increase in
12 its current 2000 diversion rate.
13 Board staff has determined that the information
14 submitted in all three applications is adequately
15 documented.
16 Based on the information, Board staff is
17 recommending that the Board approve the two time
18 extension requests for El Paso De Robles and Delano and
19 the ADR requested by Arvin.
20 A representative from each of the cities is
21 present to answer any questions.
22 This concludes my presentation.
23 COMMITTEE CHAIR JONES: Thank you. Are there
24 any questions?
25 Mr. Eaton.

1 COMMITTEE MEMBER EATON: No, I'm supportive of
2 these, but I'd just like to ask our staff. What has
3 been the average estimated diversion from curbside?
4 You've got six percent here, that seems to be well
5 within the margin of error. But the green waste at ten
6 percent, not that I don't doubt that they can do it, I
7 just don't want them to feel somehow that, you know,
8 their programs aren't working. That's a pretty high
9 number for green waste, I mean. So the question is, are
10 there other programs that, for the average?
11 MR. SCHIAVO: Usually we see anywhere from
12 four, and if it's an automated system we've seen
13 estimates of 18 percent for the green waste. And
14 mostly --
15 COMMITTEE MEMBER EATON: So is the higher end
16 of the scale on automated or --
17 MR. SCHIAVO: Yeah.
18 COMMITTEE MEMBER EATON: All right.
19 COMMITTEE CHAIR JONES: Okay.
20 COMMITTEE MEMBER EATON: All right.
21 COMMITTEE CHAIR JONES: I'll entertain motions.
22 COMMITTEE MEMBER EATON: Mr. Jones, I'll move
23 that we adopt Resolution 2002-327 --
24 COMMITTEE MEMBER MEDINA: Second.
25 COMMITTEE MEMBER EATON: -- regarding the city

1 of Arvin.

2 COMMITTEE CHAIR JONES: Okay. We have, for the

3 city of Arvin we've got a motion by Mr. Eaton, a second

4 by Mr. Medina.

5 Substitute the previous roll. On consent.

6 Thank you, members.

7 On the city of Delano, Mr. Eaton.

8 COMMITTEE MEMBER EATON: I move that we adopt

9 Resolution 2002-328 regarding the city of Delano.

10 COMMITTEE MEMBER MEDINA: Second.

11 COMMITTEE CHAIR JONES: We've got a motion by

12 Mr. Eaton, a second by Mr. Medina.

13 Substitute the previous roll. And on consent.

14 COMMITTEE MEMBER EATON: And then for the other

15 in this --

16 COMMITTEE CHAIR JONES: Paso Robles.

17 COMMITTEE MEMBER EATON: Paso Robles, I move

18 that we adopt Resolution 2002-329.

19 COMMITTEE MEMBER MEDINA: Second.

20 COMMITTEE CHAIR JONES: We've got a motion and

21 a second.

22 And substitute the previous roll. And put 'em

23 on consent. So ordered.

24 Item number 35, AL -- AI, sorry, I can't read.

25 MR. SCHIAVO: This is consideration of an

application for an SB 1066 time extension by the City of San Diego, San Diego County. And this will be presented by Tara Gauthier.

MS. GAUTHIER: Good morning, committee members.

The City of San Diego has requested a 1066 time extension through December, 2004, to reach or exceed its waste diversion goals.

The specific reasons the city needs a time extension are as follows:

To expand its residential curbside recycling and greenery collection programs; to implement pilot programs to explore the feasibility of expanding its food waste composting project at the Miramar Landfill for institutional, medical, restaurant, and seagoing naval segments of San Diego; to increase its focus on providing waste diversion assistance to state facilities within the city; to work with the cities biosolids handling contractor; to co-develop a long-term sustainable market for this material which is now being disposed through a long-term contract; and to plan and implement a project to explore the feasibility of incorporating clean drywall scraps into compost for use as a soil amendment.

The programs listed in the plan of correction are on page 35-15 of your binder.

1 The city anticipates an increase of from four
2 to seven additional percent in its diversion rate.
3 Board staff has determined that the information
4 submitted in the application is adequately documented.
5 Based on this information, Board staff is
6 recommending that the Board approve the time extension
7 request for the city.
8 A representative from the city is present to
9 answer any questions.
10 This concludes my presentation.
11 COMMITTEE CHAIR JONES: Any questions from the
12 members?
13 Very briefly, the City of San Diego at their
14 landfill's working on a project to draw methane gas,
15 scrub it, and use it as the fuel to propel its trucks.
16 When that comes about that is really considered closing
17 the loop and something that we've in this industry
18 talked about for years and years, and I wish them luck.
19 I hope that keeps going through.
20 Can I hear a motion, Mr. Eaton?
21 COMMITTEE MEMBER EATON: Mr. Chair, I move that
22 we adopt Resolution 2002-230 regarding the extension of
23 time regarding the City of San Diego.
24 COMMITTEE MEMBER MEDINA: Second the motion.
25 COMMITTEE CHAIR JONES: We've got a motion by

1 Mr. Eaton, a second by Mr. Medina.

2 Substitute the previous roll. On consent.

3 Thank you, members. So ordered.

4 Item 36 -- oh, hold it, I get to change binders

5 here now.

6 Item number 36, AJ.

7 MR. SCHIAVO: Okay. We would like to combine

8 36 through 45, these are all in Los Angeles County, and

9 these are consideration of the application for an SB

10 1066 time extension by the cities of San Gabriel,

11 Walnut, Glendora, San Marino, Palmdale, Norwalk, Pico

12 Rivera, city of Bell, Downey, and Bellflower, all in Los

13 Angeles County.

14 And these will be presented by Steve Uselton.

15 MR. USELTON: Good morning, committee members.

16 Regarding the cities just listed by Pat

17 Schiavo, these cities have all requested an extension

18 through December 31st of 2003, except for the city of

19 Walnut whose extension would go through June, 2003, and

20 Pico Rivera who would go through December, 2002.

21 Each of these cities have requested the time

22 extension in order to implement new or expanded

23 programs. The programs listed in the jurisdiction's

24 plan of correction and their respected anticipated

25 percent increase in diversion rate are on various pages

1 in your binder as also noted in the matrix that you were
2 provided.
3 Board staff has determined that the information
4 submitted in all the applications is adequately
5 documented.
6 And based on this information Board staff is
7 recommending that the Board approve the timely extension
8 request for these jurisdictions.
9 I would like to note one change that staff
10 would like to make, and that is to Resolution 2002-336
11 for the city of Norwalk. We would like to add a six
12 month reporting to the resolution, as well as a final
13 report to be submitted by the city.
14 COMMITTEE CHAIR JONES: The City of Norwalk is
15 item 41, AQ. You want to add what, Steve?
16 MR. USELTON: We want to add a six month
17 progress report and a final report for the completion of
18 the time extension. Those are not currently in the
19 resolution.
20 COMMITTEE CHAIR JONES: I don't think we're
21 going to have a problem with that, that was what the
22 Board had hoped for on most of these anyway. Okay.
23 MR. USELTON: That would conclude my
24 presentation. If there are any questions, we do have
25 representatives from most of the jurisdictions for these

1 items.

2 COMMITTEE CHAIR JONES: Mr. Eaton, did you have

3 a question?

4 COMMITTEE MEMBER EATON: I just have one

5 question with regard to the city of Pico Rivera. They

6 are, in essence, requesting six additional months from

7 today. What are they going to do in that six months to

8 get them there? Are we sort of setting them up for the

9 failure by giving, by, did they request only six months?

10 And is that reasonable given, you know, the economic

11 times and the flow that maybe they should have, you

12 know, a year? Or is there something that's coming

13 on-line that we haven't seen yet that boosts them there?

14 MR. USELTON: Fortunately this is one of our --

15 COMMITTEE MEMBER EATON: Because you know,

16 there's a lot of paper flowing through both offices, and

17 I just thought maybe, you know, six months is a really

18 short time to boost four percent. So what is it, where

19 do they get the four percent?

20 MR. USELTON: Fortunately this is one of our

21 cities that we started implementing programs in 2000, so

22 they actually started these before the time extension

23 was ever prepared.

24 What they've done with this time extension is

25 given us an idea of what programs were started. Most of

1 these programs will be completed, were already planned
2 to be completed by the end of the year, and it was a
3 mutual agreement between the city and staff to go ahead
4 with this six month time period.
5 If there were problems that were encountered,
6 the city is prepared to meet with us again and, you
7 know, relook at what's been proposed, and if there are
8 other targets. But we feel that the programs that
9 they've planned hit at the right areas, and we think it
10 could be completed by the end of the year.
11 COMMITTEE MEMBER EATON: You understand my
12 point? It's not to chastise them, but to see if, you
13 know, are we really not giving enough time to see this
14 come in? So on your word we're not going to see you
15 here next year on this particular city is what you're
16 telling me.
17 MR. USELTON: We're going to do our best.
18 COMMITTEE CHAIR JONES: And the city is
19 comfortable with that six months?
20 MR. USELTON: I believe they were, they are
21 comfortable, and when we prepared the application we
22 were both in agreement. But there is a city
23 representative here that can speak to that if there was
24 any problem with that date.
25 COMMITTEE CHAIR JONES: Is there an issue with

1 the city of Pico Rivera with this extension, or are you
2 guys comfortable with that?
3 MR. TOMAYA: (Nodded head.)
4 COMMITTEE CHAIR JONES: Okay. We're getting a
5 nod from the audience that they're happy. And I
6 appreciate those comments, Mr. Eaton.
7 Obviously there's a sensitivity by all of us to
8 hope that the city can comply and be successful, and
9 sometimes that means a little more time.
10 We've got an awful lot of items to go through
11 right here. I have one quick question on Pico Rivera.
12 15 pounds per person per day, a lot of lawns, a lot of
13 green waste in that jurisdiction, or is it an industrial
14 stream?
15 MR. TOMAYA: It's -- should I come to the mike?
16 COMMITTEE CHAIR JONES: Sure.
17 MR. TOMAYA: Of the 46 percent diversion we
18 have now 75 percent is from commercial and 25 percent is
19 residential.
20 COMMITTEE CHAIR JONES: Okay. Thank you. All
21 right.
22 COMMITTEE MEMBER EATON: Mr. Jones, I move that
23 we adopt Resolution 2002-331, a time extension for the
24 city of San Gabriel.
25 COMMITTEE MEMBER MEDINA: Second.

1 COMMITTEE CHAIR JONES: We've got a motion and
2 a second.
3 Substitute the previous roll. On consent. So
4 ordered.
5 COMMITTEE MEMBER EATON: Mr. Jones, I move that
6 we adopt Resolution 2002-332 regarding extension of time
7 requested by the city of Walnut.
8 COMMITTEE MEMBER MEDINA: Second.
9 COMMITTEE CHAIR JONES: We've got a motion by
10 Mr. Eaton, a second by Mr. Medina for the city of
11 Walnut.
12 Substitute the previous roll. And on consent.
13 So ordered.
14 COMMITTEE MEMBER EATON: Mr. Jones, I move that
15 we adopt Resolution 2002-333 regarding extension of time
16 by the city of Glendora.
17 COMMITTEE MEMBER MEDINA: Second the motion.
18 COMMITTEE CHAIR JONES: We have, we've got a
19 motion by Mr. Eaton, a second by Mr. Medina for the city
20 of Glendora.
21 Substitute the previous roll. And put it on
22 consent. So ordered.
23 COMMITTEE MEMBER EATON: Mr. Jones, I move that
24 we adopt Resolution 2002-334, extension of time
25 requested by the city of San Marino.

1 COMMITTEE MEMBER MEDINA: Second the motion.
2 COMMITTEE CHAIR JONES: We have a motion by Mr.
3 Eaton, a second by Mr. Medina on the city of San Marino.
4 Substitute the previous roll. And put it on
5 consent. So ordered.
6 COMMITTEE MEMBER EATON: Mr. Jones, I move
7 that we adopt Resolution 2002-335, the time extension
8 requested by the city of Palmdale.
9 COMMITTEE MEMBER MEDINA: Second the motion.
10 COMMITTEE CHAIR JONES: We have a motion by Mr.
11 Eaton, and a second by Mr. Medina on the city of
12 Palmdale's extension.
13 Substitute the previous roll. Put it on
14 consent. So ordered.
15 Item 41.
16 COMMITTEE MEMBER EATON: Mr. Jones, I move that
17 we adopt Resolution 2002-336 with the additions
18 requested by staff which would be a six month reporting
19 requirement as well as a final report to be submitted at
20 that time, so that would be Revised Resolution on
21 2002-336.
22 COMMITTEE CHAIR JONES: And I'll second.
23 We've got a motion for a Revised Resolution
24 2002-336 to include those changes, and a second by
25 Jones.

1 Substitute the previous roll. On consent. So
2 ordered.
3 Item number 42.
4 COMMITTEE MEMBER EATON: Mr. Jones, I move that
5 we adopt Resolution 2002-337 regarding the extension of
6 time for the city of Pico Rivera.
7 COMMITTEE MEMBER MEDINA: Second the motion.
8 COMMITTEE CHAIR JONES: We've got a motion by
9 Mr. Eaton, a second by Mr. Medina.
10 Substitute the previous roll. And put it on
11 consent. So ordered.
12 Item 43, city of Bell Garden.
13 COMMITTEE MEMBER EATON: Mr. Jones, I move that
14 we adopt Resolution 2002-338 regarding the extension of
15 time requested by the city of Bell.
16 COMMITTEE MEMBER MEDINA: Second the motion.
17 COMMITTEE CHAIR JONES: We've got a motion by
18 Mr. Medina -- I'm sorry, by Mr. Eaton, a second by Mr.
19 Medina.
20 Substitute the previous roll. And put it on
21 consent. And that was it.
22 Boy, I told you we were going to rock and roll.
23 COMMITTEE MEMBER EATON: We have more.
24 COMMITTEE CHAIR JONES: We have more? Okay.
25 COMMITTEE MEMBER EATON: Item 44.

1 COMMITTEE CHAIR JONES: Through Bellflower.
2 Item 44, the city of Downey.
3 COMMITTEE MEMBER EATON: Mr. Jones, I move that
4 we adopt Resolution 2002-339.
5 COMMITTEE MEMBER MEDINA: Second the motion.
6 COMMITTEE CHAIR JONES: We have a motion by
7 Mr. Eaton, a second by Mr. Medina.
8 Substitute the previous roll. And place it on
9 consent. So ordered.
10 45, city of Bellflower.
11 COMMITTEE MEMBER EATON: Mr. Jones, I move that
12 we adopt Resolution 2002-340 regarding the extension of
13 time requested by the city of Bellflower.
14 COMMITTEE MEMBER MEDINA: Second.
15 COMMITTEE CHAIR JONES: We've got a motion by
16 Mr. Eaton, a second by Mr. Medina on the extension for
17 the city of Bellflower.
18 Substitute the previous roll. Put it on
19 consent. So ordered.
20 All right. Item number 46, AT.
21 MR. SCHIAVO: This is completion of compliance
22 order IWMA BR99-77, and consideration of staff
23 recommendation on the 1997-'98 biennial review findings
24 for the source reduction and recycling element and
25 household hazardous waste element for the city of

1 Westmorland, Imperial County.

2 And Tara Gauthier will be making this

3 presentation.

4 MS. GAUTHIER: Good morning again, committee

5 members.

6 During the '95 and '96 biennial review process,

7 the city was placed on a compliance order. Although the

8 city had implemented the majority of their source

9 reduction and recycling element selected programs, the

10 diversion rate fell significantly below the 25 percent

11 goal.

12 The city decided to develop a new base year

13 based on 1998 data which was approved by the Board on

14 July 25th, 2001. However, the city achieved only a 19

15 percent diversion rate as a result of its new base year.

16 Therefore, the compliance order was continued for

17 diversion program development.

18 The Board approved an extension for completion

19 of compliance order requirements from December 31st,

20 2001 to May 1st, 2002 at its March 12th-13th, 2002

21 meeting for the city to complete its commercial curbside

22 collection program for cardboard, and to source separate

23 green waste materials in its annual cleanup event.

24 The city reports that both of these programs

25 have now been completed, in addition to the rest of the

1 tasks listed in its compliance order.

2 Board staff made a visit to Westmorland in

3 March, 2002 to verify that the commercial curbside

4 collection program had begun.

5 The city has also reported that its May cleanup

6 event was successful, and they are source separating and

7 diverting green materials as well as white goods.

8 Based upon this information, Board staff is

9 recommending option one of the agenda item which would

10 accept the '97-'98 SRRE and HHWE biennial review

11 finding, and end the compliance order for the city.

12 Representatives from the city will be present

13 at the Board meeting to answer any questions, however it

14 was a hardship for the representatives to attend the

15 committee meeting.

16 COMMITTEE CHAIR JONES: Mr. Eaton.

17 COMMITTEE MEMBER EATON: I just have one

18 question. If we were to adopt this particular

19 resolution, then what takes place? Do they then apply

20 for a 1066 or a good faith effort?

21 MS. MORGAN: Their next step is going to be to

22 apply for a 1066 and then come forward to the Board.

23 COMMITTEE MEMBER EATON: I move that we adopt

24 Resolution 2002-341 regarding the city of Westmorland

25 and compliance order.

1 COMMITTEE MEMBER MEDINA: Second the motion.
2 COMMITTEE CHAIR JONES: We've got a motion by
3 Mr. Eaton to adopt the compliance, consideration of the
4 compliance order for Westmorland, and a second by Mr.
5 Medina.
6 Substitute the previous roll? Mr. Eaton.
7 COMMITTEE MEMBER EATON: I just have a question
8 for legal. Mr. Block, on other previous compliance
9 orders we have always held a public hearing with the
10 full Board. Will, if we were to put this on consent,
11 does it constitute a public hearing for purposes of the
12 statute to meet that requirement?
13 LEGAL COUNSEL BLOCK: It would, for the
14 purposes, yes, I do -- for the purposes of this statute
15 even though it's on consent it would still be considered
16 a decision at a public hearing. CEQA is where we have
17 some different issues where there's an actual
18 requirement that there be a meeting taking place, for
19 instance, we have some regulations coming up. But this
20 would be okay on consent.
21 COMMITTEE MEMBER EATON: Okay.
22 COMMITTEE CHAIR JONES: Okay. Then having a
23 motion by Mr. Eaton and a second by Mr. Medina, I think
24 I'll take a roll or substitute the previous roll?
25 COMMITTEE MEMBER EATON: Sure.

1 COMMITTEE CHAIR JONES: All right, put it on
2 consent. So ordered.
3 Item number 47, AU.
4 MR. SCHIAVO: This is consideration of a
5 request to change the base year to 1999 for the
6 previously approved source reduction and recycling
7 element for the city of Brawley, Imperial County.
8 And Tara Gauthier will also be making this
9 presentation.
10 MS. GAUTHIER: The city of Brawley originally
11 submitted a new base year change request with a
12 diversion rate of 62 percent.
13 As part of the base year study review, Board
14 staff conducted a detailed site visit. As a result
15 inaccuracies of estimates of both residential and
16 non-residential diversion were discovered.
17 Board staff recommended changes can be viewed
18 in their entirety by referring to attachment three of
19 the agenda item packet.
20 As a result of these differences, Board staff
21 recommends a revised diversion rate of 31 percent for
22 the base year of 1999.
23 Board staff has determined that the information
24 is adequately documented.
25 Based on this information, Board staff is

1 recommending option two of the agenda item which would
2 approve the revised new base year with staff
3 recommendations.
4 Representatives from the city are present to
5 answer any questions.
6 This concludes my presentation. Thank you.
7 COMMITTEE CHAIR JONES: Okay. I just have --
8 anybody have questions? Mr. Eaton?
9 COMMITTEE MEMBER EATON: No.
10 COMMITTEE CHAIR JONES: Okay. Just two
11 questions. The 25,000 tons that was not allowed by our
12 staff at the one packing plant indicated that there
13 weren't any records of it or that, whatever. Is there
14 going to be an effort to try to quantify that later or
15 what exactly, I understand that it couldn't be
16 quantified now, but maybe somebody starts keeping
17 records and they can establish something if, in fact,
18 that material is being recycled.
19 MS. MORGAN: We understand that the city is
20 going to be looking at trying to get some base weights
21 for those truckloads of produce coals, so that's going
22 to be the next step. They may very well be able to get
23 that information, and we may come back to the Board with
24 a base year correction, which if we can get that kind of
25 documentation we certainly would support.

1 COMMITTEE CHAIR JONES: Sure. All right, that
2 makes sense.
3 And maybe we have a speaker.
4 MR. ACEVES: Yeah, good morning, Mr. Chairman.
5 Manual Aceves, Public Works Director for the city of
6 Brawley.
7 Staff discounted those tonnages because in
8 talking to the owners we rely on their experience of the
9 percentage of coals that were diverted.
10 In talking to staff this morning, we're going
11 to be given the opportunity to go back and maybe just
12 take a unit weight, whether it be a cubic yard or a
13 cubic foot, and then base the weights on those, in that
14 unit weight that we come up with.
15 COMMITTEE CHAIR JONES: Okay. And you feel
16 that's a fair way to deal with it?
17 MR. ACEVES: Yes, I think it is.
18 COMMITTEE CHAIR JONES: Good. I appreciate
19 that.
20 Mr. Eaton, questions? No question.
21 COMMITTEE MEMBER MEDINA: If there are no
22 questions, I'd like to move Resolution 2002-342 for the
23 city of Brawley, Imperial County.
24 COMMITTEE MEMBER EATON: Second.
25 COMMITTEE CHAIR JONES: We have a motion by Mr.

1 Medina, a second by Mr. Eaton to adopt the request for a
2 base year change for the city of Brawley in Imperial
3 County.
4 Substitute the previous roll. On consent. So
5 ordered.
6 Item number 48, AV, city of Lakeport.
7 MR. SCHIAVO: This is consideration of the
8 1997/98 and 1999/2000 biennial review findings for the
9 source reduction and recycling element and the household
10 hazardous waste element and consideration of completion
11 of compliance order IWMA BR99-42 for the city of
12 Lakeport, Lake County.
13 And Betty Fernandez will be making this
14 presentation.
15 MS. FERNANDEZ: Good morning, committee
16 members.
17 The city originally submitted a generation
18 study for 1999 and 2000 with a diversion rate of 43 and
19 49 percent respectively.
20 Board staff conducted a detailed site visit as
21 part of the generation study review. In that review
22 inaccuracies of estimates of non-residential diversion
23 were discovered.
24 Board staff recommended deductions, additions
25 can be reviewed in their entirety by referring to

1 attachment three of the agenda item packet.

2 As a result of deductions and additions, Board

3 staff recommends a revised diversion rate of 40 percent

4 for 1999, and 51 percent for the generation study year

5 of 2000.

6 Since 1999 the city has implemented a

7 residential curbside green waste collection program, a

8 variable can rate resolution, and a commercial compost

9 facility.

10 Board staff determined that the information is

11 adequately documented.

12 And based on this information, Board staff is

13 recommending option one of the agenda item which would

14 approve a generation study with staff recommendations,

15 and approve their 1999/2000 biennial review.

16 Representatives from the city are available to

17 address your questions.

18 This concludes my presentation. Thank you.

19 COMMITTEE CHAIR JONES: As I read this, through

20 your audit you actually found them more diversion than

21 what they had done originally?

22 MR. HERNANDEZ: That is correct.

23 COMMITTEE CHAIR JONES: And I, it has to be

24 said because so many come in with, with, where we can't

25 even find the lawn that they're supposed to be cutting,

1 so we do appreciate the efforts, believe me.

2 Can I get a -- any questions? A motion?

3 COMMITTEE MEMBER EATON: I move that we adopt

4 Resolution 2002-343 for the city of Lakeport.

5 COMMITTEE MEMBER MEDINA: Second the motion.

6 COMMITTEE CHAIR JONES: We've got a motion by

7 Mr. Eaton, a second by Mr. Medina.

8 Substitute the previous roll. Put it on

9 consent. So ordered.

10 Item number 49, city of La Puente.

11 MR. SCHIAVO: This is consideration of a

12 request to change the base year to 1999 from the

13 previously approved source reduction and recycling

14 element, consideration of the 1997/1998 biennial review

15 findings for the source reduction and recycling element

16 and household hazardous waste element, and consideration

17 of completion of compliance order IWMA BR99-79 for the

18 city of La Puente, Los Angeles County.

19 And Zane Poulson will be making this

20 presentation.

21 MR. POULSON: Good morning, committee members.

22 After receiving a compliance order at the

23 October 20th, 1999 Board meeting, the city of La Puente

24 completed and submitted a waste generation study with

25 the intent of establishing a more recent and more

1 accurate base year.

2 The city originally submitted a new base year

3 request with a diversion rate of 31 percent for 1999.

4 As part of the base year study review, Board

5 staff conducted a detailed site visit.

6 Board staff proposed changes can be seen in

7 their entirety in attachment three.

8 With these changes, the city's diversion rate

9 for 1999 would be 22 percent.

10 Although the city did not meet the 25 percent

11 diversion goal in 1999, with the Board staff

12 recommended, revised new base year, the city will exceed

13 the 25 percent diversion goal in 2000.

14 Based on this information, Board staff is

15 recommending option two of the agenda item which would

16 approve the revised new base year with staff

17 recommendations, accept the 1997/1998 biennial review

18 findings, and end the compliance order for the city.

19 Representatives from the city are present to

20 answer any questions.

21 This concludes my presentation. Thank you.

22 COMMITTEE CHAIR JONES: Are there any

23 questions?

24 Does the city of La Puente have anything to say

25 or any questions? Any issues?

1 Nope. All right. I'm looking for a motion.
2 COMMITTEE MEMBER MEDINA: I'd like to move
3 Resolution 2002-344.
4 COMMITTEE MEMBER EATON: Second.
5 COMMITTEE CHAIR JONES: We have a motion by Mr.
6 Medina, and that's to accept our staff's, the revised
7 number, correct?
8 COMMITTEE MEMBER MEDINA: For the city of La
9 Puente.
10 COMMITTEE CHAIR JONES: Correct, okay.
11 We've got a motion by Mr. Medina, and a second
12 by Mr. Eaton.
13 Substitute the previous roll. And put it on
14 consent.
15 All right. Item number 50 has been continued
16 to the month of July while some numbers can get
17 repaired, fixed, validated, whatever.
18 Does anybody from the public have any issues
19 which they would like to address this Board on before we
20 adjourn?
21 I want to thank the committee members for
22 getting through 49 items this quickly.
23 I want to especially thank the staff on behalf
24 of the Board members and the committee, these items were
25 easy to read, presented well, and I said we would rock

1 and roll, and we did.

2 I call this meeting to order -- I mean I'm

3 ending this thing.

4 (Thereupon the foregoing was concluded at

5 11:23 a.m.)

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1 CERTIFICATE OF CERTIFIED SHORTHAND REPORTER

2

3 I, DORIS M. BAILEY, a Certified Shorthand
4 Reporter and Registered Professional Reporter, in and
5 for the State of California, do hereby certify that I am
6 a disinterested person herein; that I reported the
7 foregoing proceedings in shorthand writing; and
8 thereafter caused my shorthand writing to be transcribed
9 by computer.
10 I further certify that I am not of counsel or
11 attorney for any of the parties to said proceedings, nor
12 in any way interested in the outcome of said
13 proceedings.
14 IN WITNESS WHEREOF, I have hereunto set my hand
15 as a Certified Shorthand Reporter and Registered
16 Professional Reporter on the 22nd day of June, 2002.
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