California Integrated Waste Management Board

Board Meeting

March 15-16, 2005

AGENDA ITEM 12

ITEM

Consideration Of A Second SB1066 Application By The City Of Kerman, Fresno County

I. ISSUE/PROBLEM STATEMENT

The City of Kerman (City) has submitted to the California Integrated Waste Management Board (Board) a second Senate Bill (SB) 1066 Application. The first application was for an Alternative Diversion Requirement (ADR) request, which was granted by the Board in February, 2003. This second application is for a Time Extension (TE) request. Public Resources Code (PRC) Section 41820 allows a jurisdiction that has not achieved the diversion requirement of PRC Section 41780 to petition for one or more time extensions to meeting the 50 percent diversion requirement for a maximum of five years; no extension may be effective beyond January 1, 2006.

The City's first SB1066 ADR has ended, and despite its efforts to meet the timeline in its Goal Achievement Plan (GAP), the City will need additional time to implement programs proposed in its first SB1066 ADR request, and implement additional programs. Staff's analysis of this second SB1066 TE request is that it is reasonable given the barriers the City has faced, as explained in Attachment 1 of this item.

II. ITEM HISTORY

The Board approved the City's first SB1066 ADR request at the February 11, 2003, Board meeting.

III. OPTIONS FOR THE BOARD

1. The Board may approve the City's application as submitted for a second extension to the 2000 diversion requirement on the basis of its good faith efforts to-date to implement its Goal Achievement Plan from the first 1066 request and plans for future implementation.
2. The Board may approve the City's application as may be modified by the City at the Board meeting.
3. The Board may accept the application as submitted, and also make recommendations that the City implement alternative programs that it believes should be added to the new Plan of Correction for it to be successful.
4. The Board may make recommendations for the implementation of alternative programs that it believes the City should add for its new Plan of Correction to be successful, and continue the item to the next Board meeting to allow the City time to revise its application.
5. The Board may disapprove the City's application and allow the City to revise and resubmit the application based on the Board's specified reasons for disapproval.
6. The Board may disapprove the City's application and direct staff to commence the process to issue a compliance order because the Board's specified reasons for disapproval cannot be addressed by a revised application.

IV. STAFF RECOMMENDATION

Staff recommends the Board adopt option No. 3: The Board may accept the application as submitted, and also make recommendations that the City implement alternative programs that it believes should be added to the new Plan of Correction for it to be successful.

V. ANALYSIS

A. Key Issues and Findings

1. Background

Public Resources Code (PRC) Section 41820 allows a jurisdiction that has not achieved the diversion requirement of PRC Section 41780 to petition for one or more time extension requirements to meeting the 50 percent diversion requirement for a maximum of five years; no extensions may be effective beyond January 1, 2006 (PRC Section 41820).

PRC Section 41820(b) further provides that:
"(1) When considering a request for an extension, the board may make specific recommendations for the implementation of alternative programs.
(2) Nothing in this section shall preclude the board from disapproving any request for an extension.
(3) If the board disapproves a request for an extension, the board shall specify its reasons for the disapproval."

The City has submitted a second SB1066 application requesting more time to implement additional programs, overcome the barriers encountered during the first request that kept it from implementing certain programs, and to expand or fully implement programs in its ADR from the first SB1066 request.

In the second SB1066 request, the application addresses all of the requirements of a SB 1066 application, and includes a discussion as to why the jurisdiction needs additional time to implement the diversion programs listed in its second SB 1066 request.

2. Basis for staff's analysis
Staff's analysis is based upon the information below.

Existing Jurisdiction Conditions:

Diversion Rate Data (Percent)							Key Jurisdiction Conditions			
							Report Year Waste Stream Data			
Base Year	**1997**	**1998**	**1999**	**2000**	**2001**	**2002**	**Pounds waste generated per person per day (ppd)**	**Population (2002)**	**Non-Residential Waste Stream Percentage**	**Residential Waste Stream Percentage**
1990	28	*ND	24	29	26	33	8.92	9,575	63	37

* The City claimed that the tonnage reported in the Disposal Reporting System to the Board for tonnage received at the American Avenue Landfill was in error.

SB 1066 Data				
Program Review Site Visit by Board Staff	**Reporting Frequency**	**Proposed % Diversion Increase**	**Extension End Date**	**Is Time Request Appropriate?** (yes/no)
2004	6 Month/and Final Report in Annual Report	17	12/31/05	yes

City's geographic location: The City is located in Fresno County in the Central San Joaquin Valley.

Staff Analysis of the City's Second SB 1066 Application:
Attachment 1 provides an overview of the following:

- The barriers faced by the City to meeting the diversion requirement within the first SB 1066 request, and its explanation as to why additional time is necessary for meeting the diversion requirement;
- Staff's analysis of the reasonableness of the request;
- Diversion programs the City is proposing to expand or newly implement in the second SB 1066 (Section IV-A of the SB1066 Time Extension application), and their relationship to programs proposed for the first extension;
- Staff's analysis of whether the programs to be expanded or newly proposed are appropriate, given the barriers confronted in the first SB 1066 request period, and the jurisdiction's waste stream.

Time Extension:
A jurisdiction's SB1066 TE request must include a POC that:

a. demonstrates meeting the diversion percent before the Time Extension expires;
b. includes new source reduction, recycling, and composting programs the City will implement, or existing programs it will modify;
c. identifies the date when the diversion percent will be achieved;
d. identifies funding necessary for new and/or expanded programs.

The City's POC meets the above requirements. Board staff has also conducted an assessment of the City's current program implementation, including a program review site visit. Based on Board staff's understanding of the relevant circumstances in the jurisdiction that contributed to its need for a second extension, Board staff believes the City's proposed new POC to be reasonable. In addition, staff also recommends that the City add a program to investigate the feasibility of implementing a mandatory commercial recycling ordinance. The City's request and staff's analysis are explained in Attachment 1.

In addition, PRC Section 41820(d) directs Board staff to provide technical assistance to a jurisdiction that requests assistance in meeting the diversion requirements, such as identifying model policies and programs implemented by other jurisdictions of similar size, geography, and demographic mix. Lastly, a jurisdiction with a Board-approved TE is required to include a summary of its progress in complying with its TE in each annual report that is due prior to the end of the TE [per PRC Section 41821(b)(5)]. In addition to reporting its progress in its Annual Report, staff recommends the City be required to submit a six month progress report as well as a final report at the end of the extension.

3. Findings
Staff has determined that the Board may grant the requested second SB 1066 request because it meets the requirements of PRC Section 41820; specifically:

- The City has submitted all required planning elements.
- The City is making a good faith effort to implement the programs identified in its SRRE and those proposed in its first SB 1066 ADR request.
- The City has submitted a second SB 1066 request for a TE demonstrating that it will meet or attempt to meet the diversion requirements by the time the extension expires including: the programs that it will expand or start implementing, the dates of implementation and the means of funding.

B. Environmental Issues

Based on available information, staff is not aware of any environmental issues related to this item.

C. Program/Long Term Impacts

Allowing this jurisdiction more time to implement diversion programs will help to increase waste diversion, both locally and statewide.

D. Stakeholder Impacts

Allowing this jurisdiction more time to implement new and expand existing diversion programs and to measure the impact these newly implemented and expanded programs have had on diversion will assist the jurisdiction to achieve the diversion requirements of PRC Section 41780.

E. Fiscal Impacts

No fiscal impact to the Board results from this item.

F. Legal Issues

As discussed above, this item represents the process for implementing PRC Section 41820 that allows jurisdictions to petition for more time to implement additional diversion programs to achieve the 50 percent diversion requirement for 2000, and allows the Board the discretion to grant these TE requirement requests.

G. Environmental Justice
Community Setting.

2000 Census Data – Demographics for City of Kerman						
% White	**% Hispanic**	**% Black**	**%Native American**	**% Asian**	**%Pacific Islander**	**%Other**
24.2	64.9	0.3	0.3	8.2	0.0	0.4

2000 Census Data – Economic Data for City of Kerman		
Median annual income*	**Mean (average) income***	**% individuals below poverty level**
*31,188	*43,437	20.2

* Per household

- **Environmental Justice Issues.** According to the jurisdictional representatives, there are no environmental justice issues related to this item in this community.
- **Efforts at Environmental Justice Outreach.** The County provides most of the outreach for the City and uses brochures, newsletters, and radio announcements to promote recycling in all residential and commercial sectors. The County prints many of its brochures in Spanish, which is the primary language amongst the non-English speaking population.
- **Project Benefits.** The expansion of the existing programs, and implementation of the additional programs which will help to increase the City's diversion rate.

H. 2001 Strategic Plan

This item supports Strategic Plan goal 2, objective 3 (Support local jurisdictions' ability to reach and maintain California's waste diversion mandates), strategy (D) (Assess and assist local governments' efforts to implement programs and reduce disposal, taking corrective action as needed) by assessing the jurisdiction's efforts to implement programs and reduce disposal.

This item also supports Strategic Plan goal 7, objective 1 (Promote source reduction to minimize the amount of waste generated, strategy (B) (Continue to work with jurisdictions to ensure they meet and/or exceed existing waste diversion mandates) by demonstrating staff's continual efforts to work with jurisdictions to ensure they meet and/or exceed the waste diversion mandates.

VI. FUNDING INFORMATION

This item does not require any Board fiscal action.

VII. ATTACHMENTS

1. Time Extension Matrix for the City of Kerman
2. City of Kerman's Second 1066 Application
3. Program Listing for the City of Kerman
4. Resolution Number 2005-70

VIII. STAFF RESPONSIBLE FOR ITEM PREPARATION

A. Program Staff: Terri J. Edwards **Phone:** (916) 341-6733
B. Legal Staff: Elliot Block **Phone:** (916) 341-6080
C. Administrative Staff: N/A **Phone:** N/A

IX. WRITTEN SUPPORT AND/OR OPPOSITION

A. Support

City of Kerman

B. Opposition

Staff had not received any written opposition at the time this item was submitted for publication.

City of Kerman's Second 1066 Application Matrix

Barriers/Reason for Second 1066	Staff's Analysis
Barriers in Commercial Recycling Program: • Due to lack of staffing, it was difficult for the City to implement this program, and as a result, the program was partially implemented with full implementation delayed. Ultimately, this affected the implementation date for the cardboard recycling program. • During the City's business assessment process, the City experienced lack of interest and participation from the commercial sector. **Reasons For Second 1066:** • Additional time is needed for the program to be fully implemented and the success of the program to be realized.	**Commercial Recycling:** • During the City's first SB 1066 extension, the City assessed their commercial waste stream and identified 20 businesses that would benefit from commercial cardboard recycling services. As part of the second extension, the City will work to provide this service to these businesses. The City plans to offer separate bins for recycling as well as a new rate structure, which will hopefully increase business interest and participation. Also, recycling services will be offered to other businesses and the school district in 2005. • The City recently hired a Finance Director, which will allow the City Manager more time to oversee the implementation of this program with the hauler.
Barriers in Residential Recycling Program: • This program is currently seeing a low diversion rate of 33 percent. The City believes that this has something to do with weekly garbage service which allowed residents to exceed their 3/30 gallon can limit by placing more trash out than allowed. Therefore, there was little incentive to recycle. • Due to lack of staffing, it was difficult for the City to implement this program, and as a result, the program was delayed. The City fell behind in implementing the Garbage Cart program that in the long run, will assist with curbside recycling. **Reasons for a Second 1066:** • Because of the delays experienced through the City's lack of staffing, additional staff needed to be hired to focus on diversion program implementation. Additional time is also needed for the success of the program to be realized.	**Residential Recycling Program:** • In response to the lack of participation, the City reinstituted a public information program to encourage recycling. The program will be continuous and has been incorporated into the City's other promotional and public information programs. • The Garbage Cart system is now in place, providing 96 gallon containers for trash in place of the 3/30 gallon containers. By clearly identifying the trash containers, this will help residents identify recycling containers, and also decrease contamination. City will also look into the feasibility of implementing a commingled collection system. • The City recently hired a new Finance Director. With a new Finance Director in place, there will be stability in the Department and additional staff time can then be dedicated to future diversion efforts.

Barriers in C&D program: • Because the County was looking into the feasibility of implementing a C&D Ordinance, the City waited to see how the County's ordinance would affect them. This resulted in a time delay on the implementation of a C&D Ordinance for the City. **Reasons for Second 1066:** • The City needs time to determine the effects of a C&D ordinance on the building permit process. • The City is currently in the process of implementing a C&D diversion program, additional time would allow them to implement and monitor the program's success.	**C&D:** City will implement a C&D Ordinance. They are currently in the process of implementing a C&D diversion program in light of increased construction that is anticipated through the year 2005. They also have a plan to allow contractors to self-certify through building permits. The City also plans to look into the feasibility of setting up recycling facilities to report by origin.

Plan of Correction	Staff's Analysis	Estimated Percent Diversion
2000- Residential Curbside: City will work to increase participation to 50 percent in 2005, and to 60 percent in 2006. They have recently coverted to single cart pick-up for trash; have distributed more recycling tubs to residents; and plan to conduct a survey of residents regarding their ideas for improvments. Will consider converting from recycling bins to commingled "Cart" system. This will require renegotiation of new contract with hauler.	Staff agrees that this is a good strategy and these efforts will most likely offer additional diversion opportunities for the City. Although the City intends to increase participation incrementally over the next few years, Board staff are confident that the City can easily attain 50 percent or more participation over the next year.	4%
2030-Commercial On-Site Pickup: City and Hauler have surveyed businesses and determined that approximately 20 would benefit from recycling service. City will offer new rates and separate bins for cardboard materials. Also, other paper generating businesses & the school district will be offered recycling services.	Staff agrees that the City is on target in addressing paper in their commercial wastestream. Staff concurs with the City in that this program should effectively address commercial waste within the City and allow them additional diversion opportunities. Board staff is also recommending that the City evaluate the effectiveness of the commercial program, and assess whether they need to implement a mandatory recycling ordinance.	5%
3000-Greenwaste: City will increase promotion of this program by rolling it into the promotion of the curbside recycling program. City will also monitor the mixing of loads to ensure that loads are clean.	This program is an effective one, and staff concurs that added promotion and monitoring will ensure that this program continues to be a successful one.	1%
6020- Ordinances: City staff will present a C&D Ordinance to City Council for consideration.	Although the County has a C&D landfill ban in place, a C&D Ordinance will assist in preventing C&D waste from the City from being taken outside the County line.	2%
4060-Concrete/Asphalt/Rubble: The County recently passed a Countywide ban on construction debris. City will coordinate diversion efforts with contract hauler to address construction waste. City works with developers & street paving contractors in the re-use of asphalt & concrete. This effort will continue.	The additional time will allow the City to realize full diversion potential of this program. Staff concurs that these actions will provide the City with additional diversion opportunities	3%
2070-Special Collection Seasonal (regular): City will increase promotion and involvement of recyclers in semi-annual City wide clean-up programs. City park sites & the community center will have recycling containers.	This program was implemented in the City's first 1066 request. The additional time will allow the City to expand this program and realize full diversion potential.	1%
2050-Schools Recycling: The City is currently working with the high school to implement school recycling program.	City will implement recycling program at the high school as a pilot program for possible future school recycling programs in the City.	1%
Total Estimated Diversion Percent From New and/or Expanded Programs		17.0 %
Current Diversion Rate Percent From Latest Annual Report		33.0 %
Total Planned Diversion Percent Estimated		50 %

Support Programs	
1030-SR-PMT/Procurement: City Resolution to give certain purchasing preference to products containing recycable materials. Resolution was approved July 2004.	Staff concurs with the City efforts to implement this program. In the last 1066 request, the City was in the process of drafting a procurement policy. In the second request the City will implementation phases of this program. Board staff have also provided the City with reference material on purchasing recycled content products.
5020-Outreach: City will expand education through all of its communications and promotions. The City surveyed their residential sector regarding recycling and ways to increase useage of programs and facilities. Results indicate interest in same day reycling.	Staff agrees that the City's plan to expand education to residents is an effective one. Board staff would like to see the City follow through with the results of their survey and consider setting recycling pickup on the same day as trash pickup, so that residents can easily understand the days for recycling pick-up and utilize that day.
5010- Print: City will place recycling information in "Utility Newsletter" and all related City flyer/announcements.	Staff agrees that this is a good plan that will enhance the City's efforts to increase participation in the Residential Curbside program.
6010- Economic Incentives: City will also consider "cash" awards for residents for recycling. Progress for this program will be monitored with hauler on March 1, 2005.	Staff concurs with the City's plan to provide this incentive will assist in the City's efforts to increase participation in the Residential Curbside program.
5030-School (Education and Curriculum): Promotional contest for themes and posters, School site recycling, utilizing school publications and classroom for promotion. Semi-annual promotional contests with prizes in conjunction with elementary schools. Also, special promotional programs with "US Savings Bonds" awards have been implemented with schools for essay and poster contests to promote recycling.	Staff agrees that the City's plan to continue these efforts is an effective one.
Waste Origin Dispute: The County installed a GIS (Global Information System) tracking at the County landfill, where much of the City's waste goes. The GIS and other additional tracking measures that the County has taken have had a significant impact on the proper tracking of jurisdictional waste. This program was implemented in the first 1066 request, and has not yet realized its full implementation. This potential will be realized within the life of the second 1066 request.	This program was implemented in December 2002. Staff concur that this is a very effective program, and that the City will realize more accurate disposal numbers, resulting in a more accurate diversion calculation. The City will continue to work with the County to correctly identify the origin of waste.
Waste Generation Study: The City has a large business sector. This sector was not adequately represented in the City's original base year. The City, with staff assistance, will work on a new base year study to update their 1990 base year to reflect all diversion efforts occurring within the City limits.	Board staff concur that this action would benefit the City by providing an up-to-date picture of diversion occurring in the City; and would also serve the City well in identifying areas for potential new waste diversion, as well as areas of needed improvement.

To request a Time Extension (TE) or Alternative Diversion Requirement (ADR), please complete and sign this request sheet and return it to your Office of Local Assistance (OLA) representative at the address below, along with any additional information requested by OLA staff. When all documentation has been received, your OLA representative will work with you to prepare for your appearance before the Board. If you have any questions about this process, please call (916) 341-6199 to be connected to your OLA representative.

Mail completed documents to:

California Integrated Waste Management Board
Office of Local Assistance, (MS 25)
1001 I Street
PO Box 4025
Sacramento CA 95812-4025

General Instructions:

For a Time Extension complete Sections I, II, III-A, IV-A, and V.

For an Alternative Diversion Requirement complete Sections I, II, III-B, IV-B and V.

Section I: Jurisdiction Information and Certification
All respondents must complete this section.

I certify under penalty of perjury that the information in this document is true and correct to the best of my knowledge, and that I am authorized to make this certification on behalf of:

Jurisdiction Name	County
City of Kerman	Fresno

Authorized Signature	Title

Type/Print Name of Person Signing	Date	Phone
Ron Manfredi	August	(559) 846-9387

Person Completing This Form (please print or type)	Title
Ron Manfredi	City Manager

Phone	E-mail Address	Fax
(559)846-9387	rmanfredi@cityofkerman.org	(559)846-6199

Mailing Address	City	State	ZIP Code
850 S. Madera Avenue	Kerman	California	93637

Section II—Cover Sheet

This cover sheet is to be completed for each Time Extension (TE) or Alternative Diversion Requirement (ADR) requested.

1. Eligibility

Has your jurisdiction filed its Source Reduction and Recycling Element, Household Hazardous Waste Element, and Nondisposal Facility Element with the Board (must have been filed by July 1, 1998 if you are requesting an ADR)?

☐ No. If no, stop; not eligible for a TE or ADR.

☒ Yes. If yes, then eligible for a TE or ADR.

2. Specific Request and Length of Request

Please specify the request desired.

☒ **Time Extension Request**

Specific years requested _7/1/04-12/31/05_____

Is this a second request? ☐ No ☒ Yes Specific years requested. _same as above_____

(**Note:** Requests for an additional extension will need to address why the jurisdiction's efforts to meet the 50% goal by the end of the first extension were not successful.)

☐ **Alternative Diversion Requirement Request (*Not allowed for Regional Agencies*).**

Specific ADR requested _ _____%, for the years_ _____.

Is this a second ADR request? ☐ No ☐ Yes Specific ADR requested _ ____%, for the years _ _____

(Note: Requests for an additional ADR will need to address why the jurisdiction's efforts to meet 50% by the end of the first ADR period were not successful.)

Note: Extensions may be requested anytime by a jurisdiction, but will only be effective in the years from January 1, 2000 to January 1, 2006. An original request for a TE/ADR may be granted for any period up to three years and subsequent requests for TE/ADR may extend the original request or be based on new circumstances but the total number of years for all requests cannot total more than five years or extend beyond January 1, 2006.

Section IIIA—TIME EXTENSION

Within this section, discuss your jurisdiction's progress in implementing diversion programs that were planned to achieve 50%. Provide any additional information that demonstrates "good faith effort." The CIWMB shall determine your jurisdiction's progress in demonstrating "good faith effort" towards complying with AB 939. Note: The answers to each question should be comprehensive and provide specific details regarding the jurisdiction's situation.

Attach additional sheets if necessary—please reference each response to the appropriate cell number (e.g., IIIA-1).

1. Why does your jurisdiction need more time to meet the 50% goal? Describe why SRRE selected programs did not achieve 50% diversion. Identify barriers to meeting the 50% goal and briefly indicate how they will be overcome.

a) Green Waste pick-up program is going well and improving. b) Curbside Recycling is only achieving 33% participation. City believes this had something to do with weekly garbage service which allowed residents to exceed their 3/30gal. can limit by placing more trash out than allowed. Therefore, there was little incentive to recycle. In June 2004 City instituted a 96-gal Garbage Cart system, which will tightly control the amount of trash placed for garbage pick-up. At the same time the City reinstituted a public information program to encourage recycling, etc. Program will be continuous and has been incorporated into City's other promotional and public information programs. c) City & hauler (BFI) have indentified approximately twenty (20) businesses that would benefit from a "separate" carboard recycling bin. This will be instituted in October 2004. d) County of Fresno has passed an Ordinance which prevents Construction Debris from going to the landfill. City of Kerman has substantial construction activity. Now these materials will be going to alternative sites. e) City will work with schools to place recycling bins at elementary schools. f) at City's Community/Teen Center and ball parks reycling containers will be placed.

2. Why does your jurisdiction need the amount of time requested? Describe any relevant circumstances in the jurisdiction that contribute to the need for a Time Extension.

a) Due to lack of staffing it was difficult to carry out the programs assoicated with diversion. b) Therefore, City fell behind in instituting Garbage Cart program which will, in the long run, assist with curbside recycling. c) Staffing storages also placed City behind in working with commerical sector in beginning the commercial "cardboard" recycling program. d) County of Fresno operates area Landfill (American Ave. Landfill). Until 2003 landfill operations could not accurately identify "orgin of refuse" . Therefore, refuse from the Kerman Zip code (93630) was frequently "credited" to the City of Kerman. Now the County as a GIS tracking system in place to more accurately identify whether the "orgin' in within the City of Kerman or "outside" the jursidication of the City and should not be "counted' as City waste. This has previously affected the "total" orgin of waste tonnage amounts attributed to City of Kerman. e) City has previously worked with a recycler to increase alternative method and locations for recycling. However, his business operations have been inconsistant. f) City's utility billing system is managed by the Finance Dept. Since 2000 the City has had three (3) Finance Directors. This has taken a signficant amount of the City Manager's time. The City Manager, who wears many hats in a small jurisdiction, had been the principal staff reasonable for implementation of the SRRE. With a new Finance Director, stablity in the Dept. and additional staff time dedicated to diversion efforts the programs will be implemented. g) Fresno County was extremely slow in: 1) instituting a C & D Ordinance, 2) establishing a Green Waste area at the landfill and 3) It will not consider consolidating a dirty MRF within the operations of the landfill. This previously hampered efforts to achieve higher diversion rates.

3. Describe your jurisdiction's Good Faith Efforts to implement the programs in its SRRE.

a) City has a very good Green Waste program with high participation. b) While participation has not been very high in the recycling program the City has already taken several measures to increase participation. c) City has allocated more staff time and funds to implement the programs. d) Communication is on going with School District re: placement of recycling bins. e) City purchased Garbage Carts and hauler has placed additonal recycling tubs for residential use. f) City worked with hauler to conduct commerical business need for cardboard recycling an is working on residential questionnaire re: recycling. g) City is working with school district to involve elementary students in promotional efforts

4. Provide any additional relevant information that supports the request.

City had taken following measures to increase diversion and report more accurate diversion rates:

a) Worked with Fresno County, American Landfill in more accurate reporting of "correct" origin of waste credited to City of Kerman

b) School site recycling bins will be ordered

c) Semi -annual City Clean-Up programs (Fall & Spring) will involve sponsored prizes for Elementary student s to develop themes, motto, essay contest and poster contest which will promote recycling along with other themes related to the environment. Local businesses will donate Saving Bonds to contest winners, etc.

d) City has passed Resolution enacting purchasing policy giving preference to products containing recyclable materials

e) City has conducted residential recycling questionnaire to determine how to increase this program and better serve our customers. While results are inconclusive it appears that the following factors will increase residential recycling: Carts for regular trash (instituted); more frequent promotion (ongoing); separate recycling cart with lid & wheels vs. current tub system (alternative is under consideration and financing is being explored); move recycle date to same as trash pick-up date (current schedule would need to be changed (under review))

f) City will institute Commercial cardboard recycling for approximately 20 businesses in April '05.

g) City will work with construction industry in implementing the County C & D ban at the landfill and "diverting" materials. City will consider C & D Ordinance requiring such materials to be recycled similar to Fresno County ban.

h) City will place recycling containers at key City facilities.

i) City will work with local recycler re: promotion of his business

Section IIIB—ALTERNATIVE DIVERSION REQUIREMENT

Within this section, discuss your jurisdiction's progress in implementing diversion programs that were planned to achieve 50%. Provide any additional information that demonstrates "good faith effort." The CIWMB shall determine your jurisdiction's efforts in demonstrating "good faith effort" towards complying with AB 939. Note: The answers to each question should be comprehensive and provide specific details regarding the jurisdiction's situation.
Attach additional sheets if necessary—please reference each response to the appropriate cell number (e.g., IIIB-1.).

1. Why does your jurisdiction need and Alternative Diversion Requirement? Describe why SRRE selected programs did not achieve 50% diversion. Identify barriers to meeting the 50% goal and briefly indicate how they will be overcome.

2. Why is your jurisdiction requesting an Alternative Diversion Requirement in lieu of a Time Extension?

3. Describe your jurisdiction's Good Faith Efforts to implement the programs in its SRRE.

4. Describe any relevant circumstances in the jurisdiction that contribute to the need for an ADR. Provide any relevant information that supports the request.

Section IV A—PLAN OF CORRECTION

A Plan of Correction is required by PRC Section 41820(a)(6)(B). The plan is fundamentally a description of the actions the jurisdiction will take to meet the 50% goal by the expiration of the Time Extension.

Attach additional sheets if necessary.

Residential %	37	Non-residential %	63

PROGRAM TYPE **Please use the Board's Program Types. The Program Glossary is online at:** www.ciwmb.ca.gov/LGCentral/PARIS/Codes/Reduce.htm	NEW or EXPAND	DESCRIPTION OF PROGRAM	FUNDING SOURCE	DATE FULLY COMPLETED	ESTIMATED PERCENT DIVERSION
Residential Curbside Recycling	expand	Increase particpation to 50plus % in '05 and 60% in '06. Steps: Covert to Single Cart Pick-up for trash; distribute more recycling tubs to residents; survey residents re: their ideas for improvments; conduct semi-annual school events to promote recycling etc. Place reycling information in "Utility Newsletter & all related City flyers/announcements. Consider "cash" awards for recycling. Evaulate progress with hauler 03/01/05 Consider will consider converting from recycling bins to commingled "Cart" system. This will required a renegotiation of new contract w/hauler	waste collection fees	12/05	4%
Procurement	new	City Resolution to give certain purchasing preference to prouducts containing recycable materials	Waste collection	9/2004	N/A
Commercial Recycling	new	City and Hauler have surveyed businesses and determined that approximately 20 may benefit from such a service Coordinate record keeping with major local box factory which diverts 4850 tons annually. Also, other generating businesses (April '05) & school district (Sept. '05) will be offered programs. Local Supermarkets are currently "bailing" their own cardboard but this has not been documented. City will offer new rates and "separate" bins for cardboard materials	. Waste Collection	08/2005	5%
Greenwaste	expand	Increased enforcement and promotion Green waste program is promoted along with curbside recycle. Compliance with "mixing" will be monitored.	Waste Collection	9/2005	1%
Concrete/ Asphalt/Rubble	new	County wide band on construction debris. City will coordinate diversion with contract hauler County has passed Ordinance banning C& D from landfill. City works with developers & street paving contractors in the re-use of asphalt & concrete. Much of what is currently recycled is not being documented. City will work with various parities to document such activities	direct user fees	09/2005	3%

C&D Ordinance	New	City staff will present C & D Ordinance to City Council for consideration May '05 and public hearings, etc. will be conducted. Approval is expected sometime in July w/implementation in Sept. '05	City	09/2005	2%
Schools Recycling	new	City is currently working with local high school to implement student recycling efforts	City & schools	03/2005	1%
Special Collections	expand	City will increase promotion and involvement of recyclers in semi-annual City wide clean-up programs. Special promotional programs with "US Saving Bonds" awards have been implemented with schools for "essay & poster art" contests to promote recycilng, etc. City park sites & community center will have reycling containers.	Waste Collection fees	05/2005	1%
		Total Estimated Diversion Percent From New and/or Expanded Programs			17%
		Current Diversion Rate Percent From Latest Annual Report			33%
		Total Planned Diversion Percent Estimated			50%

PROGRAMS SUPPORTING DIVERSION ACTIVITIES

PROGRAM TYPE	NEW or EXPANDED	DESCRIPTION OF PROGRAM	DATE FULLY COMPLETED
Public Education	Expand	City will expand education through all of its communications and promotions. Survey residential re: recycling and ways to increase useage of programs and facilities. Results indicate interest in same day reycling and larger	Ongoing
School Site Involvment	New	Promotional contest for themes and posters, School site recycling, utilizing school publications and classroom for promotion . Semi-annuall promotional contests w/prizes in conjunction w/elementary schools. City will work w/School District to determine best methods to encourage diversion and recycling.	Ongoing
Waste Generation Study	New	With CWMB staff assistance City will work on a Waste Generation Study	12/05
Waste Origin	New	Monitor Fresno County Landfill re: appropriately designating source/location of waste that is not generated in City limits of Kerman	Ongoing

Section IV B—GOAL ACHIEVEMENT

Goal Achievement describes the activities the jurisdiction will use to achieve the ADR.
Attach additional sheets if necessary.

Residential %		**Non-residential %**	

PROGRAM TYPE **Please use the Board's Program Types. The Program Glossary is online at:** www.ciwmb.ca.gov/LGCentral/PARIS/Codes/Reduce.htm	**NEW or EXPAND**	**DESCRIPTION OF PROGRAM**	**FUNDING SOURCE**	**DATE FULLY COMPLETED**	**ESTIMATED PERCENT DIVERSION**
		Total Estimated Diversion Percent From New and/or Expanded Programs			
		Current Diversion Rate Percent From Latest Annual Report			
		Total Planned Diversion Percent Estimated			

PROGRAMS SUPPORTING DIVERSION ACTIVITIES

PROGRAM TYPE	**NEW or EXPAND**	**DESCRIPTION OF PROGRAM**	**DATE FULLY COMPLETED**

Section V – PARIS

Office of Local Assistance staff will be reviewing your Jurisdiction's Planning Annual Report Information System (PARIS) database printout as part of the evaluation of your request. Should the Jurisdiction have updates or revisions to the program implementation from the latest Annual Report submitted to the Board, please attach to the application the Jurisdiction's PARIS database printout showing updates or revisions.

Contact your Office of Local Assistance Representative at (916) 341-6199 for a copy of PARIS, or go to the Board's website at **www.ciwmb.ca.gov/LGCentral/PARIS/***.*

PARIS Printout

Office of Local Assistance

Program Listing for Kerman

Date Printed
February 1,2005

Program Code	Existed	Slcted?	Pre 1995 Start	------ 1995 ------ Status	------ 1996 ------ Status	------ 1997 ------ Status	------ 1998 ------ Status	------ 1999 ------ Status	------ 2000 ------ Status	------ 2001 ------ Status	------ 2002 ------ Status
1000-SR-XGC Xeriscaping/Grasscycling	Y	Y	1990	SO	SO	SO	SO	SO	SO	SO	SO
1010-SR-BCM Backyard and On-Site Composting/Mulching	Y	Y	1990	SO	SO	SO	SO	SO	SO	SO	SO
1020-SR-BWR Business Waste Reduction Program	Y	Y	1990	SO	SO	SO	SO	D 99	DE 99	DE 99	PF
1030-SR-PMT Procurement	N	Y	1993	SO	SO	SO	SO	D 4	DE 4	DE	PF
1050-SR-GOV Government Source Reduction Programs	N	Y	1993	SO	SO	SO	SO	SO	SO	SO	SO
1060-SR-MTE Material Exchange, Thrift Shops	N	Y	1995	SI	SO	SO	SO	SO	SO	SO	SO
2000-RC-CRB Residential Curbside	N	Y	1991	SO	SO	SO	SO	SO	SO	SO	SO
2010-RC-DRP Residential Drop-Off	Y	Y	1990	SO	SO	SO	SO	SO	SO	SO	SO
2020-RC-BYB Residential Buy-Back	Y	Y	1990	SO	SO	SO	SO	SO	SO	SO	SO
2030-RC-OSP Commercial On-Site Pickup	Y	Y	1990	SO	SO	SO	SO	SO	SO	SO	SO

Status Code Legend

SO = Selected Ongoing
AO = Alternative Ongoing
SI = Selected Implemented
AI = Alternative Implemented
M = Regional Agency did not exist or city was not incorporated or city
D = Dropped
DE = Dropped in Earlier Year
NI = Selected and Not Implemented
PF = Planned Future
NA = Program did not exist

Reason Code

1 = Delays in bringing diversion facilities online.
2 = Unavoidable regulatory delays.
3 = Existing contractual or legal problems.
4 = Insufficient funding.
5 = Insufficient staffing.
6 = Lack of cooperation from other entities.
7 = Sufficient diversion without selected program.
8 = Lack of markets necessary to support

Application: PARIS

Office of Local Assistance

Program Listing for Kerman

Date Printed
February 1,2005

Program Code	Existed	Slcted?	Pre 1995 Start	1995 Status	1996 Status	1997 Status	1998 Status	1999 Status	2000 Status	2001 Status	2002 Status
2040-RC-SFH Commercial Self-Haul	N	N	1999	NA	NA	NA	NA	AI	AO	AO	AO
2050-RC-SCH School Recycling Programs	N	N	NA	PF	PF	PF	PF	PF	PF	PF	PF
2070-RC-SNL Special Collection Seasonal (regular)	N	Y	1994	SO	SO	SO	SO	SO	SO	SO	SO
2080-RC-SPE Special Collection Events	N	Y	NA	NI 7	NI 7	NI 7	NI 7	NI 7	NI 7	NI 7	PF
3000-CM-RCG Residential Curbside Greenwaste Collection	N	Y	1998	PF	PF	PF	SI	SO	SO	SO	SO
3020-CM-COG Commercial On-Site Greenwaste Pick-up	N	Y	NA	NI 99	NI 99	NI 99	NI 99	NI 99	NI 99	NI 99	NI 99
3030-CM-CSG Commercial Self-Haul Greenwaste	N	N	1995	AI	AO	AO	AO	AO	AO	AO	AO
4010-SP-SLG Sludge (sewage/industrial)	N	Y	NA	NI 99	NI 99	NI 99	NI 99	NI 99	NI 99	SI	SO
4020-SP-TRS Tires	Y	Y	1990	SO	SO	SO	SO	SO	SO	SO	SO
4030-SP-WHG White Goods	Y	Y	1990	SO	SO	SO	SO	SO	SO	SO	SO

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Application: PARIS

Office of Local Assistance

Program Listing for Kerman

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4050-SP-WDW Wood Waste	N	Y	1998	NI 99	NI 99	NI 99	SI	SO	SO	SO	SO
4060-SP-CAR Concrete/Asphalt/Rubble	Y	Y	1990	SO	SO	SO	SO	SO	SO	SO	SO
5000-ED-ELC Electronic (radio ,TV, web, hotlines)	Y	Y	1990	SO	SO	SO	SO	SO	SO	SO	SO
5010-ED-PRN Print (brochures, flyers, guides, news articles)	N	Y	1993	SO	SO	SO	SO	SO	SO	SO	SO
5020-ED-OUT Outreach (tech assistance, presentations, awards, fairs, field trips)	N	Y	1993	SO	SO	SO	SO	SO	SO	SO	SO
5030-ED-SCH Schools (education and curriculum)	Y	Y	1990	SO	SO	SO	SO	SO	SO	D 99	SI
6000-PI-PLB Product and Landfill Bans	N	Y	NA	NI 99	NI 99	NI 99	NI 99	NI 99	NI 99	NI 99	PF
6010-PI-EIN Economic Incentives	N	Y	1995	SI	SO	SO	SO	SO	SO	SO	SO
6020-PI-ORD Ordinances	N	Y	NA	PF	PF	PF	PF	PF	PF	PF	PF
7000-FR-MRF MRF	N	Y	NA	PF	PF	PF	PF	PF	PF	SI	SO

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Application: PARIS

Office of Local Assistance

Program Listing for Kerman

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7030-FR-CMF Composting Facility	N	Y	1998	PF	PF	PF	AI	AO	AO	AO	AO
8010-TR-BIO Biomass	N	Y	2002	PF	PF	PF	PF	PF	PF	PF	SI
9000-HH-PMF Permanent Facility	Y	Y	1990	SO	SO	SO	SO	SO	SO	SO	SO
9010-HH-MPC Mobile or Periodic Collection	N	Y	1994	SO	SO	SO	SO	SO	SO	SO	SO
9020-HH-CSC Curbside Collection	N	N	2001	PF	PF	PF	PF	PF	PF	AI	AO
9040-HH-EDP Education Programs	N	Y	1995	SI	SO	SO	SO	SO	SO	SO	SO

Add any additional programs below

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Application: PARIS

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

Resolution 2005-70

Consideration Of A Second SB1066 Application By The City Of Kerman, Fresno County

WHEREAS, Senate Bill (SB) 1066 modified Public Resources Code (PRC) Sections 41820 and 41785 for multiple year and multiple requests from jurisdictions for Time Extensions or Alternative Diversion Requirements in meeting the 50 percent diversion requirement; and

WHEREAS, the Board approved the City of Kerman's (City's) first SB1066 Alternative Diversion Rate Requirement application on February 11, 2003; and

WHEREAS, the City has subsequently found that it needs additional time to implement those programs described in its second SB1066 request for a Time Extension; and

WHEREAS, based on the staff review of the City's progress to-date in implementing the programs described in its first Goal Achievement Plan, Board staff found that the City has made a good faith effort to implement those programs, but needs additional time to implement the programs described in its Plan of Correction (POC) for the second SB 1066 request; and

WHEREAS, the City has submitted the necessary information and documentation required in a completed SB1066 Time Extension application; and

WHEREAS, Board staff believes that this jurisdiction's proposed second Plan of Correction would be enhanced were they to include a program to investigate the feasibility of implementing a mandatory commercial recycling ordinance in the future.

NOW, THEREFORE, BE IT RESOLVED that the Board hereby accepts the City of Kerman's second SB 1066 request and recommends including a program to investigate the feasibility of implementing a mandatory commercial recycling ordinance in the future. The Time Extension will go through December 31, 2005, to allow the City time to implement its SRRE and to meet the 50 percent diversion requirement.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Board directs the City of Kerman to report on its progress in implementing its POC by submitting a six month report and a final report at the end of the extension.

CERTIFICATION

The undersigned Executive Director, or his designee, of the California Integrated Waste Management Board does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the California Integrated Waste Management Board held on March 15-16, 2005.

Dated:

Mark Leary
Executive Director