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STATE OF CALIFORNIA
CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY
CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD
BOARD MEETING

CITY OF EL CENTRO
CITY COUNCIL CHAMBERS
1275 MAIN STREET
EL CENTRO, CALIFORNIA

WEDNESDAY, MARCH 13, 2002

9:34 A.M.

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PETERS SHORTHAND REPORTING CORPORATION (916) 362-2345

A P P E A R A N C E S

BOARD MEMBERS PRESENT:

JOSE MEDINA, ACTING CHAIRMAN
STEVEN R. JONES
MICHAEL PAPARIAN
DAVID A. ROBERTI

STAFF PRESENT:

MARK LEARY, Executive Director
KATHRYN TOBIAS, Chief Legal Counsel
ELLIOT BLOCK, Legal Counsel
DEBORAH MCKEE, Board Assistant
YVONNE VILLA, Board Secretary
EDNA WALZ, Office of Attorney General

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

2 --oOo--

3 ACTING BOARD CHAIRMAN MEDINA: Good morning.

4 This meeting will come to order.

5 And if you'll stand for the Pledge of

6 Allegiance, please.

7 (Thereupon the Pledge of Allegiance was

8 recited.)

9 BOARD MEMBER MEDINA: If the secretary would

10 call the roll, please?

11 BOARD SECRETARY VILLA: Eaton?

12 (Not present.)

13 BOARD SECRETARY VILLA: Jones?

14 BOARD MEMBER JONES: Here.

15 BOARD SECRETARY VILLA: Medina?

16 BOARD MEMBER MEDINA: Present.

17 BOARD SECRETARY VILLA: Paparian?

18 BOARD MEMBER PAPARIAN: Here.

19 BOARD SECRETARY VILLA: Roberti?

20 BOARD MEMBER ROBERTI: Here.

21 BOARD SECRETARY VILLA: Moulton-Patterson?

22 (Not present.)

23 BOARD MEMBER MEDINA: Okay. We do have a

24 quorum today and we're going to start out, we're very

25 pleased to have the Chair of the Board of Supervisors

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1 for the County of Imperial, Mr. Hank Kuiper who will
2 share a few words with us this morning.

3 Welcome.

4 MR. KUIPER: Thank you, Mr. Chairman. My
5 picture is on that wall too, I'm a former mayor of the
6 City of El Centro, so it's nice to be in familiar
7 chambers.

8 I'm here as Chairman of the Board of
9 Supervisors. Thank you. And this is an important body
10 with important goals and important tasks ahead of you.
11 And it's nice to see that you've taken that, this group
12 and brought it to Imperial County and looked at the
13 border issues and the rural issues. I want to thank you
14 for that and commend you for that.

15 I also want to thank you on behalf of the
16 merchants around. You've brought a tremendous amount of
17 staff. I think you're well aware we have one of the
18 lowest unemployment rates in the state per capita, and
19 you brought a lot of people in, and I'm sure that job
20 created economic development is enhanced by all the
21 people you brought with you, with your staff. We thank
22 you for all that too.

23 The main thing I want to do, I know that you've
24 got a big task ahead of you and an awful lot of
25 important issues. But I wanted to thank you for what

1 you've done for Imperial County to date. I'm aware that
2 \$750,000 for the Brawley Landfill, for example, that
3 came through this body.

4 I'm also aware that we had some, I think it
5 was close to 49 or \$50,000 worth of cleanup for the farm
6 grant programs. And I want to thank you for all that.
7 And you've probably seen some of our terrain. We need
8 some cleanup.

9 We're interested in economic development in
10 Imperial County. We think farming will be our basis
11 probably forever, but we think economic development is
12 something we're seeking also at this time, and so we
13 have to Beautify our county. And we're looking forward
14 to as we say, keep the cards and letters coming for
15 Imperial County and for all the rural areas, and cleanup
16 and enhancements of our community.

17 We thank you for your presence and for your
18 hard work. Thank you very much.

19 They told me not to make the speech long.
20 Besides that, they've got me busy. I'm busy with what
21 they call, I prefer to say I'm busier than a mustard
22 paddle at a weenie roast. So there's an awful lot of
23 things to be accomplished, and I know that you have a
24 lot of things to accomplish, so I'll thank you for your
25 time.

1 BOARD MEMBER MEDINA: Thanks, Supervisor, and
2 it's a pleasure to be in your county.

3 MR. KUIPER: Thank you.

4 ACTING BOARD CHAIRMAN MEDINA: And we're glad
5 that we could help the local economy.

6 MR. KUIPER: You bet.

7 With that, we'll go into ex-partes.

8 Board Member Jones.

9 BOARD MEMBER JONES: We had a reception last
10 night that I think was hosted by all the cities at the
11 Alford Distributing, and there was some folks that I
12 talked to. I wouldn't let Lindsay Smith or anybody talk
13 to me about tires or tire grants. I don't think
14 anything was really specific.

15 I did get a copy of the Barry Takallou letter
16 complaining about our tire process, so I read that and
17 I'll respond to that later.

18 BOARD MEMBER MEDINA: Okay. Thank you, Steve.

19 And with that we'll move over to Senator
20 Roberti. Any ex-partes?

21 BOARD MEMBER ROBERTI: Yes. I spoke to Mr.
22 Jerry Sontee, the city manager of the City of Brawley
23 regarding, I believe, a past grant award from the CIWMB
24 to the city.

25 I spoke to Mr. Norman Lamb regarding recycling

1 grants to San Diego.

2 And I spoke to Mr. Barry Takallou, but not
3 about agenda item 25, but about Board responsiveness in
4 general to stakeholders.

5 And I did receive Mr. Takallou's letter,
6 however, so I would like to do that as an ex-parte on
7 agenda item 25.

8 BOARD MEMBER MEDINA: Thank you, Senator. With
9 that, Board Member Paparian will do his ex-partes and
10 also report some presentations.

11 BOARD MEMBER PAPARIAN: Thank you, Mr.
12 Medina.

13 As to ex-partes, John Cupps and John Fitzgerald
14 from the Mesquite Landfill.

15 And also Mr. Lamb regarding the electronic
16 waste in San Diego.

17 And just briefly, I wanted to apologize to my
18 fellow Board members and everyone who was here and
19 interested in the items yesterday for having missed the
20 meeting yesterday.

21 I was back in Washington, D.C. for a meeting of
22 the National Electronics Product Stewardship Initiative.
23 And you know, sometimes you go on these trips and you
24 kind of wonder why you did it. Fortunately, this was
25 one where I was very glad I went.

1 I made quite a bit of progress in working with
2 other states and the electronics industry and other
3 stakeholders on electronic waste issues.

4 And we actually agreed to continue pursuing our
5 dialogue with the framework being that we would look
6 towards a front end financing system for computers and
7 T.V.'s and monitors; and work together on putting
8 together what that might look like, what type of federal
9 legislation might be needed to enact such a system, and
10 what steps could be taken that would enhance such a
11 system, but the steps being taken ahead of such a system
12 being implemented.

13 So I'm optimistic as we move forward in this
14 national dialogue that it may come up with something
15 pretty groundbreaking and significant over the next few
16 months.

17 So with that, I just again offer my apologies
18 for not having been here yesterday, but I feel that we
19 did accomplish some significant things back in
20 Washington.

21 BOARD MEMBER ROBERTI: Mr. Chairman.

22 BOARD MEMBER MEDINA: Yes, Senator.

23 BOARD MEMBER ROBERTI: Member Papanian has
24 jogged my memory as to my conversation with Mr. Lamb
25 also included electronic waste issues, so that should be

1 included in my ex-parte declaration.

2 BOARD MEMBER MEDINA: And Board Member
3 Paparian, I appreciate your apologies, however I did
4 state yesterday that you were back in Washington, D.C.
5 on behalf of the Board on official business. So we
6 appreciate you going down there and bringing back
7 valuable information for us.

8 BOARD MEMBER PAPARIAN: Thank you.

9 BOARD MEMBER ROBERTI: And if you don't watch
10 out the San Francisco Chronicle will write an article
11 about you.

12 BOARD MEMBER MEDINA: Thank you, Senator.

13 BOARD MEMBER ROBERTI: Mr. Medina and I, our
14 feelings are hurt.

15 BOARD MEMBER MEDINA: As for myself, I also
16 received a letter from Barry Takallou as well as from
17 the California Association of Professional Scientists.
18 Kristin Hainey, specifically in regard to one of the
19 items that we have before us.

20 At the reception last night I talked to Lindsay
21 Smith from Rubber Sidewalks, John Fitzgerald and Mr.
22 John Cupps this morning. And that concludes my
23 ex-partes.

24 And what that we'll take up the first agenda
25 item.

1 First we'll do consent, the items we moved over
2 from consent yesterday.

3 Board members, are there any items that you
4 wish to pull from the consent calendar?

5 And before we move into that I just want to say
6 that there's been a request to continue item number ten
7 to next month's meeting.

8 So with that, we'll move on to the consent
9 items carried over from yesterday.

10 EXECUTIVE DIRECTOR LEARY: And Mr. Chairman, if
11 I might I'll elucidate those for you. In addition, the
12 executive staff had proposed for Board consideration
13 which were agenda items seven, twelve, and 21. As a
14 result of yesterday's discussion I would propose that we
15 add to that consent calendar agenda items two, three,
16 five, seven, eight, nine, eleven, twelve, and thirteen
17 for the Board's consideration.

18 BOARD MEMBER MEDINA: Thank you, Mr. Leary.

19 Board members, do we wish to pull any of the
20 items two, three, five, seven, eight, nine, eleven,
21 twelve or thirteen out of consent? Any of those?

22 BOARD MEMBER ROBERTI: Mr. Chairman, I am not
23 pulling an item from consent, however it will have the
24 same effect. And that is the item on the loan service
25 agreement.

1 EXECUTIVE DIRECTOR LEARY: We've done that.

2 BOARD MEMBER ROBERTI: Oh, you've already done
3 that?

4 BOARD MEMBER MEDINA: Yeah, that will be
5 continued to next month, Senator.

6 BOARD MEMBER JONES: Mr. Chair.

7 BOARD MEMBER MEDINA: Yes, Board Member Jones.

8 BOARD MEMBER JONES: I'll move adoption of the
9 resolution -- of the consent calendar, items seven,
10 twelve, 21, two, three, five, eight, nine, eleven, and
11 thirteen.

12 BOARD MEMBER MEDINA: Is there a second on the
13 motion?

14 EXECUTIVE DIRECTOR LEARY: Twelve additionally.

15 BOARD MEMBER JONES: I said twelve. I said
16 seven, twelve, 21, two, three, five, eight --

17 EXECUTIVE DIRECTOR LEARY: Okay. Okay.

18 BOARD MEMBER MEDINA: There is a motion to move
19 the consent calendar, is there a second?

20 BOARD MEMBER ROBERTI: Second.

21 BOARD MEMBER MEDINA: Okay. Second from Board
22 member Roberti. The consent calendar is passed.

23 And with that we'll move on to item number
24 seventeen.

25 (Thereupon there was simultaneous discussion.)

1 BOARD MEMBER MEDINA: Okay. If we can have the
2 vote? Are we on a roll call or the vote?

3 BOARD SECRETARY VILLA: Vote.

4 ACTING BOARD CHAIRMAN MEDINA: Okay. Let's do
5 the vote.

6 BOARD SECRETARY VILLA: Jones?

7 BOARD MEMBER JONES: Aye.

8 BOARD SECRETARY VILLA: Medina?

9 BOARD MEMBER MEDINA: Aye.

10 BOARD SECRETARY VILLA: Papanian?

11 BOARD MEMBER PAPANIAN: Aye.

12 BOARD SECRETARY VILLA: Roberti?

13 BOARD MEMBER ROBERTI: Aye.

14 BOARD MEMBER MEDINA: Okay, it passes, items
15 on consent.

16 Item one will be taken up ahead of item
17 seventeen.

18 MR. SCHIAVO: Good morning, Board members, Pat
19 Schiavo of the Diversion, Planning and Local
20 Assistance.

21 And item number one is consideration of
22 approval of a work plan for implementing Board adopted
23 SB 2202 recommendations.

24 And Lorraine Van Kekerix will be making this
25 presentation.

1 MS. VAN KEKERIX: We're getting the Power Point
2 back to the right place here. Okay.

3 The staff is bringing before you the proposed
4 work plan to implement the recommendations and the
5 Board's report to the legislature on the diversion rate
6 measurement system that was required by SB 2202. And
7 I'm going to go through this very quickly since you've
8 heard about this report many times before.

9 We did get the report done, and I understand
10 that it is soon to be out of Cal EPA and over to the
11 Governor's office.

12 The report had several drafts before the Board
13 finally adopted it in November of 2001, and this work
14 plan only includes the Board's adopted report
15 recommendation.

16 The report itself includes an expanded table
17 with more information in it, and this work plan is
18 organized differently than the report.

19 We have various categories in the report, and
20 here we've broken it down into legislation, regulations,
21 and Board policy that would be needed to implement
22 them.

23 Broad themes in the report recommendation was
24 potential for error in all components of the diversion
25 rate measurement system, diversion rates are estimates

1 and indicators. Small jurisdictions are more likely to
2 have an inaccurate diversion rate. And we need to focus
3 on diversion program implementation.

4 There are several recommendations that would
5 require legislative changes. The first is to increase
6 incentives to regional agencies. The larger the area
7 and the fewer the boundaries, the more accurate data
8 you're going to have.

9 The second follows along with that, and Steve
10 Jones had asked for a little bit of clarification in the
11 agenda item when it was revised and brought back this
12 month.

13 This is allowing jurisdictions to, within a
14 county, to voluntarily decide to work together and
15 report a county-wide diversion rate. But during the
16 Board review of the jurisdiction progress, each
17 jurisdiction would be responsible and would be held
18 accountable for implementing the programs that they had
19 selected locally.

20 The third of the legislative changes is
21 establishing due process procedures, Board enforcement,
22 and penalties for the disposal reporting system.

23 There are also some recommendations that were
24 approved for further review during the Board's strategic
25 plan. And the Board has taken a number of these up and

1 is planning to do more work during the strategic plan.

2 So this work plan recommends that you continue
3 to implement the strategic plan and consider these
4 during your strategic plan implementation.

5 There are also some items that would require
6 changes in policy and procedures. And the Board has
7 already directed staff to proceed on several of these
8 recommendations. And I was asked to explain a little
9 more, and in the agenda item I tried to expand on what
10 the Board had done.

11 We've got the focus on increasing markets. And
12 Board Member Papanian had asked about dates for updating
13 the LEA advisory on alternative daily cover. Since at
14 the February meeting the Board directed staff to prepare
15 some revised regulations on state minimum standards, the
16 staff believes that it would be better to wait to update
17 the advisory until the new regulatory standards are in
18 place. So this would like, we would likely update the
19 advisory in 2003 after those regulations on alternative
20 daily cover go into place.

21 We have recognized potential for errors in the
22 diversion rate measurement system. And the place that
23 the Board would be doing that is during the biennial
24 review process, and continue use and study of our
25 existing adjustment method.

1 There are new recommendations to increase
2 disposal reporting system audits and reports on the
3 Web.

4 Increase training for facility operators.

5 Ask jurisdictions to explain the validity of
6 their base year when their growth is more than 14
7 percent.

8 And prepare an accuracy indicator table to go
9 in the biennial review agenda items. And the dates for
10 those are spelled out in the agenda item.

11 We're also looking at regulations revisions,
12 setting statewide standards for collecting disposal
13 reporting system data.

14 Making solid waste facility participation in
15 the disposal reporting system a permit requirement.

16 Allowing use of alternative adjustment method
17 factors and formulas.

18 And allowing rural jurisdictions to demonstrate
19 compliance based on diversion programs.

20 And Steve Jones had asked for some additional
21 clarification on the last one. What this is, what this
22 is looking at is rather, since the rural jurisdictions
23 have potentially more variability in the data for base
24 years, for disposal reporting system data for taxable
25 sales, this would say up front that if they're doing

1 compliance we should be focusing more on the program
2 implementation rather than changing the numbers which
3 keep varying over time.

4 And that's the end of my presentation. I'd be
5 happy to answer any questions.

6 BOARD MEMBER MEDINA: Board members, any
7 questions?

8 BOARD MEMBER JONES: Just one, Mr. Medina.

9 Lorraine, what we were talking about with the
10 rurals, as I understand it, is because they've got such
11 a low disposal rate to begin with, some of them are ten
12 or fifteen, 20,000 tons a year, if they get a hit,
13 rather than make them do a new base year, you'll go out
14 and audit the programs, make sure they're doing
15 programs, because it could be misreporting of a DRS from
16 some other jurisdiction. It could be a whole lot of
17 things or a one time outlier of some big project, all of
18 ten homes built somewhere or something like that.

19 MS. VAN KEKERIX: Correct.

20 BOARD MEMBER JONES: So, and I agree with that
21 because the numbers are going to fluctuate left and
22 right, and we need to go out and do the base year is
23 probably what makes a lot of sense with some of those
24 rural jurisdictions.

25 The one question I had on, I think it was two

1 or three slides back where we talked about the use of a
2 scale at every facility. The rural, a lot of the rural
3 landfills don't have any ability to get, it would be
4 pretty tough to do that. Are we saying that we're
5 definitely going to do where all jurisdictions have to
6 have scales or --

7 MS. VAN KEKERIX: Well one of the things that
8 was talked about was that there would be some, a
9 different set of --

10 BOARD MEMBER JONES: Conversion.

11 MS. VAN KEKERIX: -- standards for the rural
12 disposal reporting system data.

13 BOARD MEMBER JONES: Okay. Because some of
14 these landfills are located where there is no
15 electricity.

16 MS. VAN KEKERIX: Right.

17 BOARD MEMBER JONES: And some of them can't
18 afford the generators and the alternative sources of
19 energy to run the scale for four or five loads a day.

20 MS. VAN KEKERIX: Uh-huh.

21 BOARD MEMBER JONES: So as long as there's some
22 flexibility there so the rurals would feel like they're
23 not getting killed.

24 MS. VAN KEKERIX: Right. There is flexibility
25 because one of the, it didn't show up on the screen

1 because the report is fairly lengthy and I was just
2 trying to pick out some highlights, but there is taking
3 a look at having a set of standards for the rurals that
4 could be different.

5 BOARD MEMBER JONES: Okay. Thank you.

6 BOARD MEMBER MEDINA: Board Member Paparian.

7 BOARD MEMBER PAPARIAN: Yes. Thank you. I
8 just wanted to, I had asked that this item be put over
9 for some more detail, and I just wanted to express my
10 appreciation for the work that staff did in putting
11 together the information that I asked for.

12 The item is looking real good to me.

13 BOARD MEMBER MEDINA: Good. Senator Roberti?

14 BOARD MEMBER ROBERTI: No, I think the report
15 satisfies me, we'll proceed.

16 BOARD MEMBER MEDINA: Wonderful, yeah, I would
17 concur with that, and thank you for doing really good
18 work on this.

19 And we do have one speaker on this item, that's
20 Larry Sweetser.

21 If you would come up, please?

22 MR. SWEETSER: Good morning, Board members.
23 I'll make it quick, I don't want to mess with a good
24 thing, we're on a roll. Larry Sweetser representing the
25 Rural Counties Environmental Services Joint Powers

1 Authority.

2 And I just want to echo support for staff in
3 this effort. We've been active attendees in all the
4 meetings and appreciated the recognition of the
5 uniqueness of the rural counties. And also, Mr. Jones,
6 your support on the scale issue was and is part of the
7 recommendation, it didn't show up on the short version
8 but is in the long version, and we made sure that rural
9 counties didn't have to go putting in scales everywhere,
10 so we did support that.

11 We did also float around, based on some
12 concerns from the last meeting, a recommendation or an
13 option to choose if the wording is better. The original
14 wording out of context from all the meetings that we
15 went to looked like the rural counties were trying to
16 get away with a free ride on AB 939; not that there
17 would be any objection to that necessarily. But we do
18 recognize the need to focus on programs and, as you
19 recognized earlier, fluctuations in the waste streams
20 are tremendous.

21 I have been playing with the numbers for the
22 closure regs and also ran into some situations where
23 Alturas, Modoc County had a fire in one building and it
24 increased their disposal for the landfill 50 percent
25 over what it was the previous year, just from the one

1 fire. So the fluctuations are really hard.

2 And rather than having us spend a lot of money,
3 between 10, 15, \$30,000 on waste diversion studies and
4 all these creative accounting playing with numbers, we'd
5 rather focus on the programs. And all we're asking is
6 recognition of that.

7 We'll do our best to keep up. So thank you
8 very much.

9 BOARD MEMBER MEDINA: Thank you. Any
10 questions?

11 BOARD MEMBER JONES: Just one to Lorraine. On
12 a deal like that, as part of the biennial review they
13 would have to list that as an outlier, right? Because
14 they had a fire and it generated this, they'd have, so
15 we'd get that information, we'd know why there was a
16 spike?

17 MS. VAN KEKERIX: Yeah, they would be reporting
18 that in the annual report.

19 BOARD MEMBER JONES: Right.

20 MS. VAN KEKERIX: And I think also we've got
21 provisions that would allow the Board to take that into
22 account when looking at their progress.

23 BOARD MEMBER JONES: Beautiful. Beautiful.

24 MR. SWEETSER: Thank you.

25 BOARD MEMBER MEDINA: Are there any other

1 speakers on this item?

2 BOARD MEMBER JONES: Mr. Medina.

3 BOARD MEMBER MEDINA: Yes.

4 BOARD MEMBER JONES: I'd like to, I want to
5 make the motion. I know all the Board members have said
6 this at other meetings.

7 This has been an incredible process that staff
8 has led with the help of all of the different
9 stakeholders, and there's a bunch of them in the
10 audience that have participated in meetings, and that's
11 what makes the system work. And I appreciate your
12 responsiveness, as always, and I know the other Board
13 members do.

14 I want to move adoption of Resolution number
15 2002-70, the consideration of approval of the work plan
16 for implementing the Board adopted SB 2202
17 recommendations.

18 BOARD MEMBER PAPARIAN: Second.

19 BOARD MEMBER MEDINA: It's been moved by Board
20 Member Jones, seconded by Board Member Papanian.

21 Would you take roll, please?

22 BOARD SECRETARY VILLA: Jones?

23 BOARD MEMBER JONES: Aye.

24 BOARD SECRETARY VILLA: Medina?

25 BOARD MEMBER MEDINA: Aye.

1 BOARD SECRETARY VILLA: Papanian?

2 BOARD MEMBER PAPANIAN: Aye.

3 BOARD SECRETARY VILLA: Roberti?

4 BOARD MEMBER ROBERTI: Aye.

5 BOARD MEMBER MEDINA: Okay. The motion
6 passes.

7 And with that we'll move on to number
8 seventeen, and let me make an announcement. At this
9 time if you would please turn off your cell phones and
10 pagers to avoid disrupting the meeting.

11 Also, for those of you in the audience, there
12 are speaker request forms on the back table, so if you
13 wish to address any items on the agenda, please fill out
14 a slip with the specific item or items you plan on
15 addressing, and give it to Ms. Villa who will make sure
16 that we know of your desire to speak.

17 Thank you. With that we'll move on to item
18 seventeen.

19 MR. SCHIAVO: Okay. Item number seventeen is
20 consideration of award recipients for the Board's Trash
21 Cutter Awards Program to recognize local governments for
22 outstanding waste reduction programs.

23 And Cara Morgan will be making this
24 presentation.

25 MS. MORGAN: Good morning, Board members.

1 The purpose of this item is to request the
2 Board's approval for the proposed nine Trash Cutters
3 Award recipients and the honorable recognition
4 recipients.

5 The jurisdictions have submitted applications
6 to have their outstanding waste reduction programs
7 considered by the Board for statewide recognition.

8 The jurisdictions proposed to receive awards
9 are Central Contra Costa Solid Waste Authority, Los
10 Angeles County Department of Public Works, San Francisco
11 Department of the Environment, City of San Jose
12 Environmental Services Integrated Waste Management
13 Division, Marin County Hazardous and Solid Waste Joint
14 Powers Authority, and Stanislaus County.

15 Honorable recognition goes to Laguna Wood and
16 the community of Leisure World, Los Angeles County
17 Department of Public Works, and the City of San Jose.

18 Staff is requesting approval of the award
19 winners as well as the honorable recognition
20 recipients. Staff will be making a presentation at next
21 month's Board meeting for presentation of the awards.

22 That concludes staff's presentation.

23 BOARD MEMBER MEDINA: Thank you. Board
24 members?

25 BOARD MEMBER JONES: Mr. Medina.

1 BOARD MEMBER MEDINA: Yes.

2 BOARD MEMBER JONES: I'd like to move adoption
3 of Resolution 2002-146, the consideration of award
4 recipients for the Board's Trash Cutter Awards Program
5 to recognize local governments for outstanding waste
6 reduction programs.

7 BOARD MEMBER MEDINA: Second.

8 BOARD MEMBER MEDINA: Okay. Resolution
9 2002-146 has been moved by Board Member Jones, seconded
10 by Board Member Papanian.

11 Would you call the roll, please?

12 BOARD SECRETARY VILLA: Jones?

13 BOARD MEMBER JONES: Aye.

14 BOARD SECRETARY VILLA: Medina?

15 BOARD MEMBER MEDINA: Aye.

16 BOARD SECRETARY VILLA: Papanian?

17 BOARD MEMBER PAPANIAN: Aye.

18 BOARD SECRETARY VILLA: Roberti?

19 (Not present.)

20 BOARD MEMBER MEDINA: We'll hold the vote over
21 for Mr. Roberti.

22 MR. SCHIAVO: Item number eighteen is
23 consideration of award recipients for the Board's State
24 Agency Recycling Recognition Awards Program to recognize
25 state agencies and facilities for outstanding waste

1 reduction programs.

2 And Phil Morales will be making this
3 presentation.

4 MR. MORALEZ: Good morning, Board members.

5 The item before you requests the Board approve
6 the State Agency Recycling Recognition, or STARR program
7 as we refer to it, winners and honorable recognition
8 winners.

9 This year five state agencies and facilities
10 submitted six individual applications to have their
11 outstanding waste reduction programs considered for the
12 Board and statewide recognition.

13 The categories and selection criteria were
14 approved at the May, 2001, Board meeting.

15 The application process involved eligible
16 applicant facilities, and applicants were invited to
17 participate. Applications were received and reviewed by
18 an evaluation panel which scores the application, using
19 the Board's selection process.

20 The application process, though we have a
21 limited number of applicants, we can probably attribute
22 this to two things.

23 One, many of the state agencies are brand new
24 in initiating their programs. There were several others
25 that did have good programs but did not have the staff

1 resources at this time to submit an application. We
2 believe we'll get a lot more applications in the next
3 cycle.

4 In addition to that, staff will be taking other
5 efforts to provide some workshop training. I've noted
6 that at many of the Board meetings the Board members
7 have requested that staff look at developing grant
8 workshops and be able to help the public apply for
9 grants. We're going to do the same for the state agency
10 to help them fill out applications in terms of applying
11 for these awards, because many of them are due for
12 recognition and we'd like to make sure they take
13 advantage of that.

14 The recipients that we've asked you to consider
15 are agencies that have had exemplary programs, and
16 they're listed in your packet. And I think for brevity
17 I'll refer you to that.

18 If you have any questions I'll be glad to
19 answer it for you.

20 Staff would recommend the adoption of
21 Resolution 2002-147.

22 That concludes staff's presentation. If there
23 are any questions I'd be glad to answer them.

24 BOARD MEMBER MEDINA: Thank you. Board
25 members?

1 BOARD MEMBER JONES: Mr. Chair.

2 BOARD MEMBER MEDINA: Yes, Board Member Jones.

3 BOARD MEMBER JONES: I'd like to move adoption
4 of Resolution 2002-147 which is consideration of award
5 recipients for the Board's State Agency Recycling
6 Recognition Awards Program --

7 BOARD MEMBER PAPARIAN: Second.

8 BOARD MEMBER JONES: Okay. That's fine, it
9 works.

10 BOARD MEMBER PAPARIAN: Second.

11 BOARD MEMBER MEDINA: Resolution 2002-147 has
12 been moved by Board Member Jones, seconded by Board
13 Member Paparian.

14 Would you call the roll, please?

15 BOARD SECRETARY VILLA: Jones?

16 BOARD MEMBER JONES: Aye.

17 BOARD SECRETARY VILLA: Medina?

18 BOARD MEMBER MEDINA: Aye.

19 BOARD SECRETARY VILLA: Paparian?

20 BOARD MEMBER PAPARIAN: Aye.

21 BOARD SECRETARY VILLA: Roberti?

22 BOARD MEMBER ROBERTI: Aye.

23 MR. SCHIAVO: Okay. Item number 19.

24 BOARD MEMBER MEDINA: Excuse me. The
25 resolution passes.

1 And Senator, we're holding item number
2 seventeen open for your vote.

3 BOARD MEMBER ROBERTI: Thank you. I vote aye.

4 BOARD MEMBER JONES: Senator Roberti votes aye
5 on item seventeen and that resolution passes.

6 MR. SCHIAVO: Okay.

7 BOARD MEMBER MEDINA: Next item, please.

8 MR. SCHIAVO: Item number 19 is consideration
9 of request for extending the compliance order due dates
10 for the City of Westmorland in Imperial County, and
11 Kaoru Cruz will be making this presentation.

12 MR. CRUZ: Good morning, Board members.

13 The Board issued a 1995-'96 biennial review
14 compliance order to the City of Westmorland on October
15 29th, 1999. To meet the compliance order requirement,
16 the city conducted a new solid waste generation study to
17 establish a new 1998 base year. This was approved by
18 the Board on July 25th, year 2001. However, the city
19 did not achieve 25 percent diversion.

20 Therefore, the city was required to work with
21 the Office of Local Assistance staff to outline the
22 scope of local assistance plan.

23 The city implemented most of the programs by
24 the due date set by the staff. The city has requested
25 to extend the due date from December 31st, 2001, to May

1 1st, 2002, to complete the remaining two programs, the
2 materials diversion program and commercial waste
3 diversion program.

4 Because the city has been working to implement
5 a majority of the programs and their diversion rate have
6 been increasing, 28 percent for 1999 and 39 percent for
7 year 2000, and the city wishes to fulfill all the
8 requirements in the assistance plan, staff recommends
9 that the Board approve the city's request.

10 This concludes my presentation, and a
11 representative from the city is available for any
12 questions.

13 BOARD MEMBER MEDINA: Thank you. Board
14 members?

15 BOARD MEMBER ROBERTI: I move --

16 BOARD MEMBER JONES: Before we move, Senator
17 Roberti, is there any speakers from the public? Do we
18 have any speakers on this item?

19 Okay. If not, then we'll move forward.

20 BOARD MEMBER ROBERTI: I move Resolution
21 2002-148.

22 BOARD MEMBER MEDINA: Is there a second?

23 BOARD MEMBER JONES: I'll second.

24 BOARD MEMBER MEDINA: Okay. Resolution
25 2002-148 has been moved by Board member Roberti,

1 seconded by Board Member Jones.

2 Would you take the roll, please?

3 BOARD SECRETARY VILLA: Jones?

4 BOARD MEMBER JONES: Aye.

5 BOARD SECRETARY VILLA: Medina?

6 BOARD MEMBER MEDINA: Aye.

7 BOARD SECRETARY VILLA: Paparian?

8 BOARD MEMBER PAPARIAN: Aye.

9 BOARD SECRETARY VILLA: Roberti?

10 BOARD MEMBER ROBERTI: Aye.

11 BOARD MEMBER MEDINA: Okay. Resolution

12 2002-148 has been adopted.

13 Next item, please.

14 MR. SCHIAVO: Item number 22 is consideration
15 of staff recommendation on the 1999-2000 biennial review
16 findings for the source reduction and recycling element
17 and household hazardous waste element for a number of
18 jurisdictions.

19 And Steve Uselton will be making this
20 presentation.

21 MR. USELTON: Good morning, Board members.

22 Item 22 and 23 present to the Board for the
23 Board's consideration, Board staff's 1999-2000 biennial
24 review findings for eighteen jurisdictions.

25 Before proceeding I would like to mention the

1 following updates or corrections to the material in your
2 agenda packet, specifically attachment one, the scope.

3 Regarding the city of Covina on page three,
4 code 5030, a school education program. Your coding
5 currently shows that as not implemented.

6 In working with the jurisdiction regarding this
7 program after the preparation of the agenda item, the
8 city did inform staff that it has distributed the
9 Board's curriculum material to the schools.

10 Also, the city is a funding participant in the
11 counties, County of Los Angeles' school programs for
12 both the primary school grades and secondary school
13 grades. We have now reflected these codes to indicate
14 selected ongoing since 1995.

15 Also, for the City of La Mirada, page six, code
16 1030. Again, since the preparation of this item staff
17 have obtained supporting documentation from the city
18 indicating that the city had incorrectly been reporting
19 that its procurement program was dropped.

20 In reviewing the SRRE staff identified that the
21 city had not selected a procurement program in its
22 SRRE.

23 In addition, staff can also report that the
24 city has adopted a resolution to establish a recycled
25 consent purchasing practice giving a fifteen percent

1 price preference to recycled content goods.

2 Board staff have also forwarded information to
3 the city regarding the County of Los Angeles'
4 cooperative purchasing agreement for recycled content
5 paper, and the city has expressed an interest in
6 pursuing that.

7 The *Paris coding in this situation has been
8 updated to indicate that this alternative implementation
9 of this program started in 1991.

10 There are also, there have also been
11 corrections to the Paris coding for Barstow, and that
12 new program listing has been distributed to you.

13 AB 939 requires that the Board conduct a review
14 at least once every two years of each jurisdiction's
15 progress in meeting the mandated diversion requirements.

16 The eighteen jurisdictions listed in item 22
17 and 23 are streamlined agenda items and represent the
18 second wave of approximately 120 jurisdictions statewide
19 that the Board plans, Board staff plans to present in
20 the streamlined format.

21 Staff have conducted their biennial review and
22 found that these jurisdictions have achieved a 2000
23 diversion rate of at least 50 percent, and are
24 adequately implementing the source reduction, recycling,
25 composting, and public education and information

1 programs that were outlined in the SRRE.

2 As part of the biennial review, Board staff
3 conducted site visits and verified that each
4 jurisdiction's diversion program implementation is solid
5 in its foundation and effectiveness, which is the basis
6 for our staff recommendation today.

7 In some cases you will note the diversion rate
8 from 1999 to 2000 has improved dramatically. Board
9 staff have looked at these incidents carefully to
10 determine the accuracy of the diversion measurement,
11 reasons for the increase, and the program activities
12 supporting the claimed rate.

13 Reasons for differences include transformation
14 credit that became available in the year 2000;
15 misallocation errors that have been corrected; expanded
16 program activity that came into place in 2000;
17 improvements in the DRS accuracy that are due to changes
18 that the county has implemented from quarterly surveys
19 of landfills to now conducting daily surveys; and in the
20 case of the City of La Habra, there was a disposal
21 anomaly in 1999 resulting from a city construction
22 project.

23 At the briefing Board members also indicated
24 the need for staff to ensure that an appropriate
25 alternative was selected for any dropped or not

1 implemented program.

2 Board staff has reviewed these situations and
3 have identified the reason for any dropped programs or
4 alternative programs that were put into place.

5 In most cases where a program was not
6 implemented, the city selected an alternative that
7 targeted the same waste generated.

8 There are also two situations that I've already
9 mentioned where the program coding was changed -- I'm
10 sorry, three situations where the program coding was
11 changed since the development of this agenda item.

12 Other reasons for dropped program include lack
13 of local control, specifically in two situations over
14 school education and diversion programs. Or the
15 programs only required the jurisdiction conduct a
16 feasibility study.

17 In each case of a dropped school education or
18 diversion program, the jurisdiction has demonstrated
19 their intent to work with the school districts or
20 schools.

21 Board staff or city representatives can comment
22 further on any specific jurisdiction activities if the
23 Board would like more information.

24 Agenda item 22 lists those jurisdictions for
25 which staff is recommending approval of the 1999-2000

1 biennial review.

2 Should the Board not accept staff's
3 recommendation, these jurisdictions have reserved the
4 right in their 2000 annual report to submit an SB 1066
5 time extension request.

6 This concludes my presentation. Both Board
7 staff and representatives for the jurisdiction are
8 available to answer any questions.

9 Also, I'd like to note that several
10 jurisdictions did send us a e-mail, a comment that they
11 would have liked to have been here, but their schedules
12 prevented them from coming.

13 BOARD MEMBER MEDINA: Thank you. Board Member
14 Paparian.

15 BOARD MEMBER PAPARIAN: Thank you, Mr.
16 Chairman.

17 A couple of things. I've talked to staff about
18 this. I understand the need for streamlined items and
19 trying to move the jurisdiction forward where the
20 results seem to be very obvious, you know, but I kind of
21 find that when there's big jumps up or down, I'd like to
22 have a little bit more information in the background.

23 And I had a suggestion for the future for
24 accomplishing that. And that would be that in future
25 streamlined items that any jurisdictions that have a

1 five percent or greater increase or decrease in
2 diversion numbers for the goal year, that those items,
3 that those, that there be a brief written explanation
4 for this rise or fall in diversion in the agenda item.

5 I'm not looking for something really super
6 extensive but, you know, a couple of sentences or a
7 paragraph that would explain a five percent or greater
8 either increase or decrease would be helpful.

9 And of course, if there's anything else that
10 the Board ought to be aware of with these jurisdictions
11 that would be fine to include too.

12 But, you know, in some cases we've had jumps of
13 25 or 50, big jumps up and down. And I'm not
14 questioning those on these two items, but I'd like to
15 know in the background a sentence or two about why that
16 happened.

17 Also, Mr. Chairman, I gather there are some
18 people from some of the jurisdictions here in the room.
19 They have made a long trip to come here, and I would
20 hope that maybe we could even, they could just introduce
21 themselves and identify themselves.

22 I think that what we have here are folks who
23 have done good work and are being recognized by this
24 Board for the good work that they've done. And if we
25 pass this resolution I'd like to at least know who's

1 here from some of these jurisdictions.

2 MR. USELTON: Can we have the jurisdictions up
3 here?

4 MR. USELTON: Would you like them to call out
5 or come to the podium?

6 BOARD MEMBER PAPARIAN: Yeah.

7 BOARD MEMBER MEDINA: I think before we do
8 that, we'll give each one of you an opportunity to come
9 up and speak. Before we do so, however, and I think
10 Board member Paparian's remarks were well taken.

11 Board members, do you have any comments?

12 BOARD MEMBER JONES: Just one quick one,
13 thanks, Mr. Chair.

14 For the City of Lomita, they, they've got
15 curbside, they've got a whole lot of collection
16 programs, but they say they dropped their MRF. I'm
17 wondering how they process any of this material, whether
18 it's -- I don't care what city it's in.

19 MR. USELTON: They are using two MRF facilities
20 that are located outside of their jurisdiction.

21 BOARD MEMBER JONES: All right. So they do use
22 a MRF?

23 MR. USELTON: They're still using a MRF but
24 they, the SRRE description was for the construction of
25 the MRF.

1 BOARD MEMBER JONES: Okay. Within their
2 jurisdiction, okay.

3 MR. USELTON: Yeah.

4 BOARD MEMBER JONES: So that would be good
5 then. It just seemed kind of ironic that their number
6 jumped, their number is pretty high, and they don't show
7 a processing facility, it's a little tough to
8 understand, so.

9 BOARD MEMBER MEDINA: Thank you, Board Member
10 Jones.

11 Senator Roberti, any comments?

12 BOARD MEMBER ROBERTI: No comments.

13 BOARD MEMBER MEDINA: With that, if you would
14 come up, please introduce yourself, and tell us
15 something about yourself and your programs.

16 MR. SAMANIEGO: My name is Steve Samaniego and
17 I represent the City of West Covina.

18 I'd just like to say that West Covina really
19 does support the recycling diversion programs. And we
20 have a real proud program as far as educational and
21 promotional programs. We really, we have cable T.V., we
22 have a monthly newsletter that goes out to each of the
23 residences. So in, with those two programs we really
24 promote a lot of recycling.

25 We have a little -- what do you call it? --

1 exchange, product exchange program that we have in the
2 city where we just let the residents use this newsletter
3 on a monthly basis to list items that they were really
4 going to throw away but which are usable and can be used
5 by somebody else.

6 They list those items in this paper and the
7 people will call into our office saying that they would
8 like this T.V. or this refrigerator, and we put the two
9 parties together. And it's a complete exchange program
10 without any purchase or money involved with it. So, and
11 we really do get a lot of exchanges out of that. We
12 have about ten or twelve items monthly that are being
13 listed on this paper.

14 But we'd like to thank the Board for the used
15 oil program grant. And also, we use that a lot as far
16 as promoting recycling, and then also the Department of
17 Conservation, their grants for the CRV, we actually have
18 an in-house person that is promoting recycling of the
19 beverage containers.

20 More importantly, we're starting to get into
21 all the schools. And we're actually getting students
22 recycling clubs. There are about six or seven public
23 schools in West Covina, so we're getting groups together
24 to actually put some bylaws or commitments together that
25 actually commit to recycling in that school under

1 certain events. And once they get this program
2 together, then through the grant program we will
3 purchase recycling containers for the club. And then at
4 their events, football games, basketball games or
5 whatever, you've got recycling. And we're also
6 promoting that throughout the school.

7 But again, we take pride in education in West
8 Covina, and we thank the Board for their support and
9 staff support with the program as well.

10 Thank you.

11 BOARD MEMBER MEDINA: Thank you.

12 MR. HULS: Honorable Board members, my name is
13 Michael Huls, I'm representing two of the smallest
14 cities in Los Angeles County, and that's Bradbury and
15 Rolling Hills Estates.

16 And both of those communities are essentially
17 bedroom type communities. Both communities have a
18 considerable amount of personal ordinances that they
19 maintain in the communities.

20 And in the case of Bradbury, all of the green
21 waste and manure that is collected from curbside
22 residences is actually composted, it is not used for ADC
23 whatsoever.

24 In the City of Rolling Hills Estates, the city
25 maintains also a large stable for the residents to place

1 their horses. And at that stable is a very unique
2 program of using road construction debris and other
3 types of materials that is actually crushed to a certain
4 extent and used on all the bridal trails within the
5 facility.

6 So the, both cities are very happy to implement
7 these particular programs and to have the support of the
8 Waste Board to approve their biennial reviews.

9 So thank you very much.

10 BOARD MEMBER MEDINA: Wonderful. Thank you.

11 MS. LEONARD: Good morning. My name is
12 Michelle Leonard, and I'm with SCS Engineers, and I'm
13 here today representing the City of Rolling Hills. The
14 city manager and the city's father apparently took a
15 vote and elected me to come here today. But I'm, I've
16 been in El Centro and Brawley working on a few projects
17 in the past, and I've always looked forward to coming
18 out here.

19 The City of Rolling Hills is also a very small
20 community, it is entirely residential except for the
21 four employees that work at city hall. It's a gated
22 community. And the city has implemented a number of
23 programs, including also a curbside horse manure
24 collection, curbside recyclables, and green waste
25 collection.

1 The city's diversion rate changes, we feel
2 primarily due to problems with the disposal reporting
3 system. And I might add that the city manager spends a
4 considerable amount of time researching the origin of
5 waste that is reported as coming from the city. They
6 have an exclusive franchise. He actually does all the
7 footwork himself to track down waste and to try to
8 determine where it actually came from, and submits that
9 information to the county and to the state.

10 A couple of new programs that have been
11 implemented over the last couple of years; like I said,
12 the manure recycling program, as well as concrete and
13 asphalt recycling and road projects.

14 The city is very proud to have met and exceeded
15 the 50 percent goal, and they will continue to implement
16 their programs and continue to implement new programs as
17 necessary.

18 I may just add that the peninsula cities have
19 for a long time been trying to obtain a grant for used
20 oil collection and curbside program. I think they've
21 submitted their grant application two or three times in
22 the past, and we're still hoping that someday we may be
23 able to implement that program with a grant from the
24 state.

25 Thank you.

1 ACTING BOARD CHAIRMAN MEDINA: Thank you.

2 BOARD MEMBER JONES: Chairman Medina.

3 BOARD MEMBER MEDINA: Yes, Board Member Jones.

4 BOARD MEMBER JONES: Michelle, not so quick.

5 MS. LEONARD: Sorry, Jim.

6 BOARD MEMBER JONES: Michelle was one of the
7 people that worked on the base year group where we were
8 trying to work through the issues of what counts and
9 what doesn't count. And I think she, I mean I know that
10 she was very valuable in that process, and I think she
11 has a pretty good idea of how many times we should count
12 a pallet, right?

13 MS. LEONARD: Yes, sir, exactly.

14 BOARD MEMBER JONES: Because there were
15 actually some that sat in that committee that continued
16 to say they don't have any idea what counts and what
17 doesn't count. So I just find it strange after that
18 many hours of discussion that that would still be
19 something that people couldn't understand.

20 MS. LEONARD: You know, I still dream about
21 pallets so --

22 BOARD MEMBER JONES: Yeah, me too, they're
23 called nightmares.

24 But thank you for your efforts in the past, I
25 appreciate it and so does the Board.

1 MS. LEONARD: Thank you very much.

2 MR. KUHL: Good morning. My name is Jim Kuhl
3 with the City of Long Beach.

4 And I was hired in October, '89 to comply with
5 939 for the city, so I'm very happy today to see this
6 happen. And we don't count pallets.

7 Thank you very much.

8 BOARD MEMBER MEDINA: Thank you.

9 MS. GROSSO MONTGOMERY: Good morning. I'm
10 Teresa Grosso Montgomery, and I'm with Brown, Vince, and
11 Associates. I'm here today representing the City of
12 Irwindale.

13 Irwindale is quite unique in that we only have
14 one school and about 350 homes, so about 96 or 97
15 percent of our waste is generated by businesses. So we
16 found that what works for us is to work very closely
17 with the Chamber of Commerce, do a lot of presentations,
18 talk to a lot of businesses one on one, see how we can
19 help them divert as much as possible.

20 And we target about the top 20 percent of
21 businesses to go out and do some real in-depth audits,
22 work with them and their hauler to maximize all their
23 diversion and reduction programs.

24 Thank you.

25 BOARD MEMBER MEDINA: Okay. Thank you.

1 Board members?

2 BOARD MEMBER JONES: Mr. Chair.

3 BOARD MEMBER MEDINA: Yes, Board Member Jones.

4 BOARD MEMBER JONES: I'd like to move adoption
5 of Resolution 2002-150.

6 BOARD MEMBER MEDINA: Is there a second?

7 BOARD MEMBER JONES: Yeah, that's fine.

8 BOARD MEMBER MEDINA: Okay, go ahead.

9 BOARD MEMBER JONES: No. No, that's good.

10 BOARD MEMBER PAPARIAN: Second.

11 BOARD MEMBER MEDINA: Okay. Resolution
12 2002-150, consideration of staff recommendation for the
13 1999-2000 biennial review findings for the source
14 reduction and recycling element and household hazardous
15 waste element for the following jurisdictions: Los
16 Angeles Covina, La Mirada, Lancaster, Lomita, Palos
17 Verdes Estates, Rollings Hills Estates, Santa Monica
18 have been moved by Board member Jones, seconded by Board
19 Member Paparian.

20 Call the roll, please.

21 BOARD SECRETARY VILLA: Jones?

22 BOARD MEMBER JONES: Aye.

23 BOARD SECRETARY VILLA: Medina?

24 BOARD MEMBER MEDINA: Aye.

25 BOARD SECRETARY VILLA: Paparian?

1 BOARD MEMBER PAPARIAN: Aye.

2 BOARD SECRETARY VILLA: Roberti?

3 BOARD MEMBER ROBERTI: Aye.

4 BOARD MEMBER MEDINA: Resolution 2002-150 has
5 been moved.

6 MR. SCHIAVO: Item number 23 is related to 22,
7 and Steve already covered a lot of this material.

8 This item is consideration of staff
9 recommendation on the 1999-2000 biennial review findings
10 for the source reduction and recycling element and
11 household hazardous waste element for a number of
12 jurisdictions.

13 And Steve will just do a real brief
14 presentation.

15 MR. USELTON: Yes. Again the information would
16 be very similar to the preceding item. However, should
17 the Board not accept staff's recommendation in these
18 situations, these jurisdictions did not elect to reserve
19 the right for any time extension, and this offers the
20 Board an alternative set of options as outlined in the
21 item.

22 BOARD MEMBER JONES: Mr. Chair.

23 BOARD MEMBER MEDINA: Yes, Board member.

24 BOARD MEMBER JONES: I think that was the end
25 of Steve's report. I'll move adoption of Resolution

1 2002-151, consideration of staff's recommendation of the
2 1999-2000 biennial review findings for the SRRE and HHWE
3 for the following jurisdictions in L.A. or in Los
4 Angeles County: Bradbury, Burbank, El Segundo,
5 Glendale, Industry, Irwindale, Long Beach, Rolling Hills
6 Estates, Temple City, West Covina, and in San Bernardino
7 County, Barstow.

8 BOARD MEMBER PAPARIAN: Second.

9 BOARD MEMBER ROBERTI: Second.

10 BOARD MEMBER PAPARIAN: Go ahead.

11 BOARD MEMBER MEDINA: Roberti seconded.

12 Resolution 2002-151 has been moved by Board
13 Member Jones, seconded by Senator Roberti.

14 Call the roll, please.

15 BOARD SECRETARY VILLA: Jones?

16 BOARD MEMBER JONES: Aye.

17 BOARD SECRETARY VILLA: Medina?

18 BOARD MEMBER MEDINA: Aye.

19 BOARD SECRETARY VILLA: Paparian?

20 BOARD MEMBER PAPARIAN: Aye.

21 BOARD SECRETARY VILLA: Roberti?

22 BOARD MEMBER ROBERTI: Aye.

23 BOARD MEMBER MEDINA: Resolution 2002-151 has
24 been moved.

25 MR. SCHIAVO: Item number 24 is consideration

1 of approval of redirection of funds, the contract
2 concept and scope of work to review audit methodologies
3 for generation studies and to develop analytical audit
4 tools.

5 And Cara Morgan will be making this
6 presentation.

7 MS. MORGAN: At last month's Board meeting the
8 California Association of Professional Scientists'
9 representative raised concern regarding the proposed
10 scope of work and award of contract after this agenda
11 item.

12 In response, Office of Local Assistance and
13 Administrative Services management met with the CAPS
14 representative to discuss whether the work could be
15 performed within Civil Service.

16 Upon the request from the CAPS representative,
17 staff contacted the following agencies: The Office of
18 Environmental Health Hazard Assessment, Department of
19 Pesticide Regulation, State Energy Resources,
20 Conservation, and Development Commission, Department of
21 Transportation, Department of General Services, and
22 Department of Health Services. Staff also contacted an
23 additional four other state agencies.

24 Of all of the state agencies contacted, there
25 was one agency, the State Controller's Office, that did

1 express interest in taking on the project. In followup
2 meetings, staff met with SCO on two occasions.

3 Based on these meetings, the State Controller
4 office staff conveyed that they believe they have the
5 ability to complete the scope of work as well as the
6 expertise.

7 Therefore, staff is recommending the Board
8 approve the redirection of funds, the contract concept,
9 and scope of work for this project.

10 That concludes staff's presentation.

11 BOARD MEMBER MEDINA: Thank you very much.

12 Board members, any discussion on this item?

13 BOARD MEMBER JONES: No. I just hope, you
14 know, that they do it. I'll move adoption of Resolution
15 2002-66 Revised, consideration of approval of the
16 redirection of funds, contract concept, and the scope of
17 work to review audit methodologies for generation
18 studies, and to develop analytical audit tools, fiscal
19 year '99-2000, 2001-2002.

20 BOARD MEMBER MEDINA: Thank you, Board Member
21 Jones.

22 Is there a second?

23 BOARD MEMBER PAPARIAN: Second.

24 BOARD MEMBER MEDINA: Resolution 2002-66
25 Revised has been moved by Board Member Jones, seconded

1 by Board Member Paparian.

2 Would you call the roll, please?

3 BOARD SECRETARY VILLA: Jones?

4 BOARD MEMBER JONES: Aye.

5 BOARD SECRETARY VILLA: Medina?

6 BOARD MEMBER MEDINA: Aye.

7 BOARD SECRETARY VILLA: Paparian?

8 BOARD MEMBER PAPARIAN: Aye.

9 BOARD SECRETARY VILLA: Roberti?

10 BOARD MEMBER ROBERTI: Aye.

11 BOARD MEMBER MEDINA: Resolution 2002-66 has
12 been passed.

13 At this point we'll take a ten minute break.

14 (Thereupon there was a brief recess.)

15 BOARD MEMBER MEDINA: The meeting is called
16 back to order.

17 Would you call the next item, please?

18 MS. GILDART: Item 25.

19 ACTING BOARD CHAIRMAN MEDINA: Excuse me, we
20 have to do the ex-partes first.

21 Board members, any ex-partes?

22 BOARD MEMBER JONES: Yes, thanks, Mr. Chair.

23 Jim Kuhl from the City of Long Beach. And
24 Larry Sweetser who is doing our load checking in the
25 rural counties. And Michelle Leonard. Sorry, Michelle.

1 BOARD MEMBER MEDINA: Mr. Papanian.

2 BOARD MEMBER PAPANIAN: Thank you, Mr. Chair.

3 I have the letter from Mr. Takallou that was referred to
4 by the other Board members this morning.

5 BOARD MEMBER MEDINA: Yes, and we'll ex-parte
6 that for all of us.

7 BOARD MEMBER ROBERTI: Mr. Chairman, just a
8 meet and greet with the representative from the City of
9 Rolling Hills that, and she testified before us.

10 BOARD MEMBER MEDINA: Thank you, Senator
11 Roberti.

12 And myself, same letter from CRM Rubber, Barry
13 Takallou.

14 And with that, we'll go into the item.

15 MS. GILDART: Good morning. Martha Gildart
16 with the Special Waste Division.

17 Item 25 is consideration of the approval of the
18 grant awards for the reissued tire product
19 commercialization grant programs for fiscal year
20 2001-2002.

21 This item will be presented by Boxing Cheng of
22 the waste tire diversion section.

23 MR. CHENG: Good morning, Board members. My
24 name is Boxing Cheng.

25 As the grant program manager, I'm here to

1 present agenda item 25.

2 The tire commercialization grant program is a
3 competitive grant program, and intended to fund grants
4 up to 250,000 each, not to exceed a total program
5 funding of two million for eligible projects for this
6 grant cycle.

7 This funding is mainly for the individual,
8 business, and the research institution to undertake the
9 projects that will promote and commercialize new and
10 existing products manufacturing using significant
11 quantities of tire derived rubber.

12 The proposed projects must be located in
13 California, and consume a minimum of 250, 250,000
14 California passenger tire equivalents a year after the
15 project is successfully implemented.

16 The funding. The five year plan allocated two
17 million per fiscal year for this grant from fiscal year
18 2001-2002, through fiscal year 2005-2006.

19 The five year plan stated the following:

20 The tire product commercialization grant
21 program will target businesses that need assistance to
22 establish or expand their products to a commercial
23 scale. The grants will be aimed primarily towards
24 developing more rubber products.

25 According to Board's November meeting

1 direction, staff made changes to the program's scoring
2 criterion for December 4, '01 Board meeting. Staff
3 added points for the molded rubber products in criteria
4 eight. And also for the innovative uses for waste tire
5 in criterion number ten.

6 Starting from December, Board staff distributed
7 the notice of funding available to approximately five
8 hundred interested parties. The NOFA was also made
9 available on the Board grants Web page. The application
10 period began December 17th, 2001, and ended February
11 1st, 2002.

12 The Board received total 23 applications, total
13 funding request is \$5,294,581. But there's one
14 application was disqualified because the applicants
15 request \$292,738 in grants funding. The application is
16 over the 200,000, the limit. Therefore, Board received
17 totally 22 qualified applicants. The total funding
18 requested \$5,001,843.

19 After we received the 22 qualified application,
20 Board staff to create a review panel, according to
21 Board, December Board meeting's direction.

22 This review panel consists of four members,
23 two members, two Board members and two staff. They
24 joined this panel. They go through the training
25 section, and then panel members use a new scoring

1 criteria adopted by the Board at the December meeting to
2 review the applicants.

3 Panel members review all applicants
4 individually, and then met as a group to discuss the
5 score.

6 Once the scoring was completed, the panel chair
7 averaged the individual scores to develop a panel score
8 for each applicant. The score results, according to a
9 score panel scoring, nine applicants had passing score
10 with over seventies. The score went from 72 to 90.

11 There are thirteen applicants that did not
12 achieve the minimum passing score granted from 46 to 69
13 points. As grant program manager, I sincerely
14 appreciated all four score team members for their great
15 contribution. Special thanks to Board members for their
16 excellent job. They not only worked just as ordinary
17 staff, contributed their huge time and energy on
18 scoring, discussing, but also brought fresh airs,
19 knowledge of public and industry, and even made more
20 suggestions for future improvements.

21 According to the score results, staff made the
22 recommendation, you can see attachment two and three. I
23 just summarize it here.

24 There's eight applicants receive seventy points
25 or above for a total funding of \$1,929,389.

1 There's one applicant receiving 72 points, may
2 be funded if funding became available during the
3 allocation.

4 Thirteen applicants receiving less than the
5 minimum passing score of 70 points were not recommended
6 for funding. But all applicants will be retained on the
7 Board's mailing list, and they will be notified of any
8 future funding opportunities.

9 All the eight applicant, applications being
10 recommended for funding, they are the five projects
11 director related to making molded rubber products.
12 Three have products producing crumb rubber.

13 So that -- okay. Staff recommends that Board
14 adopt Resolution 2002-115.

15 This completes my presentation. Thank you.

16 BOARD MEMBER MEDINA: Thank you. And at this
17 time we will take testimony from the Board members. And
18 before we do, I just want to let those persons that wish
19 to speak know that there are speaker slips in the back
20 of the room, so if you wish to speak on this item please
21 fill 'em out so we can hear from you.

22 Board members Jones.

23 BOARD MEMBER JONES: Thanks, Mr. Medina. First
24 I want to thank the staff. I think that as a Board
25 member sitting on this scoring panel these things take

1 about anywhere from an hour to three hours to really
2 work through on some of 'em. That's a lot of time when
3 you're looking at this many grants.

4 But I feel, I feel very good about the
5 process. Senator Roberti, I know, is going to address
6 some things that we came up with in that, in the course
7 of that. But I have a much deeper appreciation for the
8 amount of work that staff has to put into these grant
9 scorings. And I'll tell you that as a industry member
10 on this Board, I had an awful lot of people that used to
11 work for me and bring me proposals on different
12 projects, different business additions and, you know,
13 you read, you read a grant proposal the same way as if
14 somebody that worked for you brought it forward.

15 What's, have you evaluated what the issue is?
16 Do you have a plan on how you're going to get there?
17 How are you going to treat it, you know, if there's a
18 hiccup in the road? And how do the numbers work out?

19 And when I asked myself those questions on
20 every grant proposal, if there weren't answers they
21 didn't get scores. So I have to tell you, the scores
22 are what the scores are, and I got no problem with any
23 of 'em. Thanks.

24 BOARD MEMBER MEDINA: Thank you, Board Member
25 Jones.

1 Any other Board member wishes to comment?

2 BOARD MEMBER ROBERTI: Yeah.

3 BOARD MEMBER MEDINA: Board member Roberti.

4 BOARD MEMBER ROBERTI: Participating in the
5 scoring process was a very unique and educational
6 experience, and I recommend to the other Board members
7 that they do the same, because there are just so many
8 things that we vote on that we think we have a complete
9 view of, but we don't really. And some things that we
10 may vote on that are rote, or seem to be rote, are
11 fairly complex.

12 And it's almost impossible for staff to explain
13 that to us at the dais because they don't have any way
14 of knowing, unless you participate, as to what in your
15 mind, the Board member's mind is complex, what is easy,
16 where we have prior knowledge or where we don't.

17 So with that I have a few suggestions before we
18 go into the Board scoring. And I just lost my note so I
19 have to do most of this from memory.

20 We classified based on, we give points based on
21 need, objective, methodology, and evaluation. It didn't
22 take long for me in reading these classifications that
23 they overlap, or in the minds of any reasonable person
24 they overlap or can be interpreted differently. For
25 those who are seeking grants, please don't be

1 distressed, it's just the way normal people are going to
2 react to classification and trying to be reasonable at
3 the same time.

4 So if I had to pick any two things that I
5 really think overlap the most, and it all depends on how
6 you read this, I would say methodology and objectives
7 seem to overlap quite a bit.

8 Need is clear, that I would interpret as the
9 general need for a program in the greater scheme of
10 things.

11 Objectives strike me as what you, the grantee,
12 the grantee will try to do in order to achieve a portion
13 of that objective.

14 Methodology is how you're going to do it. That
15 pretty much overlaps. And what, in effect, for the
16 score you get is a certain degree of confusion as to
17 where one category begins and the other ends. But we
18 make even the possibility more critical in that the area
19 of methodology can be overweighted as opposed to all the
20 other criteria.

21 So I think that is something. I hope staff
22 will come up with some ideas, some recommendations,
23 because somewhere in those classifications there is,
24 there can be overlapping. And you try very hard not to
25 have that occur, but there can be overlap.

1 Evaluation can, as well, overlap. Well,
2 evaluation is interesting because it is really a
3 question of a touch of overlapping with methodology too.
4 In the end evaluation can also overlap a little bit with
5 the budget, because is the evaluation something which we
6 are expecting the grantee to do? In which case should
7 that be part of the budget? That is not totally clearly
8 spelled out. And so it's a little bit vague.

9 Even just items that I've come about simply
10 because I think it's good for staff to be working on
11 this. For staff to wend his way along these things, I
12 along with member Jones have a deep appreciation of
13 their work because, from what I gather, these were
14 relatively easy.

15 When you get to the ones where you have little
16 differentiation as to subject matter, like the
17 playground mats, I think there had to be in the
18 playground mats because it's, you had to be terribly
19 conscientious to keep these in your mind, and of course,
20 that's something you tried very hard to do.

21 So I'm speaking, I guess, from the perspective
22 of somebody who has really in effect had the softball
23 thrown at him. And it is, but it's a difficult study.

24 I think we should have a little bit more leeway
25 in the points scoring. Something that frankly never

1 crossed my mind, and I suspect it never crossed your
2 mind, maybe I'm wrong, where we talk about scoring
3 something from 0 to 10. So in this case you have a
4 250,000 tire market, you get ten. If you're at 249,999
5 tires, you're at zero. I think that's just too severe.

6 So I think there has to be a little leeway in
7 there allowing the Board to have some gradations.
8 Because what will happen is we almost always have to
9 rely upon, in large part, not totally, the grantee's
10 idea as to what they can recycle, reuse, or use up,
11 because you have very few other bases to go on.

12 I think if we had a gradation, our reliance on
13 the grantee's self-evaluation would be diminished
14 considerably.

15 Strangely enough, something that I was very,
16 very much a strong advocate for and still am, but I
17 think I'm asking you trends quite a bit, and having gone
18 through the scoring myself is "Buy Green."

19 The reason for that is that we do not have an
20 enforcement mechanism in place. That being the case, we
21 run the risk of making some of our criteria consultant's
22 paradise.

23 They know how to fill the right form out to
24 take care of buying green or any other requirement that
25 we have. We don't have an enforcement mechanism, which

1 I hope staff can work on as to how we can better enforce
2 what we mean by bringing in check what people are doing,
3 because I want to keep the criteria in there.

4 So what I feel has happened is that we almost
5 have something in the forms that gives an automatic
6 number of points to people, skewing, skewing the process
7 to form application rather than to the subject matter of
8 a grant in the first place.

9 So my suggestion is that we should have
10 stricter guidelines as to evaluating a grantee's
11 application on the "Buy Green," and not score it quite
12 as high.

13 And I say that as somebody who wants, wants and
14 pushed for it to be a part of the application. But you
15 just almost have to score these to realize that, in
16 effect, we aren't doing as much as we would like to
17 encourage buy green, and what we are doing is putting
18 form application above the subject matter of the program
19 itself.

20 I would hope that either in this program or in
21 some other program we have a little higher research and
22 development component. We called for, and this is in
23 the tire grants, but I would suspect in the whole of
24 things that we deal with on this Board.

25 We called for -- I'm losing my train of thought

1 here.

2 We called for -- we scored some points for
3 novelty or newness.

4 BOARD MEMBER JONES: Innovation.

5 BOARD MEMBER ROBERTI: Innovation, that sounds
6 better, and that's what it provides for. We score for
7 innovation, but then we ask for your ability to
8 commercialize.

9 Now those things aren't necessarily
10 contradictory, but it is very, there aren't going to be
11 too many grants where someone who is seeking the loan is
12 going to maybe have to choose between one or the other,
13 which way do you want to go on your story, because they
14 can be contradictory.

15 And so as we, so I think maybe staff can help
16 us so that we have a process where they are not
17 contradictory or we bifurcate the program so we have
18 some of our program in the tried and true and tested,
19 and then we do what we have to do because we want to
20 really break out and really reduce waste, we have to
21 have some R and D.

22 And yet, because we have to be conservators of
23 the taxpayers money out of necessity and right, we can't
24 do it all R and D. So we have to strike a balance. And
25 either we do that within the program itself, or we

1 bifurcate our program and make it very clear that some
2 is R and D and some is tested commercialization.

3 We don't want to just do all playground mats,
4 but in order to be consistent with the taxpayers we
5 better do some, because we want to have a surety that
6 they're getting some bang for their buck. But we're
7 never going to reduce waste totally if our system is
8 always geared toward what's already been tested.

9 We should have a method whereby, and this costs
10 money and it's something which, you know, we like any
11 other agency don't have in unlimited amounts. And I
12 spoke a little bit on another matter, but we should have
13 a system whereby we can find out if there are any prior
14 violations, either from our Board or sister agencies or
15 agencies at the local level.

16 And we don't have that, and that's not our
17 fault because I mean we don't have unlimited money. But
18 there must be some way to where we can glean this
19 information.

20 We should have a system whereby we know if
21 somebody owes us money. That's a simple one to do and
22 it came up. And we, because we should, we have to
23 consider, we score as to whether somebody has had prior
24 grants, that I think was legitimate for it to come up,
25 under that rubric; but frankly, under our system we

1 don't have the methodology whereby we can just say
2 whether someone owes us money or not.

3 So I don't know if that entails a change in our
4 regulations, or if that just entails a different way of
5 our operating. But one way or another I think that and
6 violations should be sort of at the top. Not keeping
7 somebody out from the process, because I think it would
8 be wrong for us to say because somebody was in violation
9 two years ago, three years ago, they cleaned their act
10 up, you know, now forever more it's going to be on our
11 minds that they're bad operators that aren't necessarily
12 bad operators, they may be negligent and they found
13 their act together.

14 But I think it is something that should come to
15 our attention early on in the process.

16 BOARD MEMBER MEDINA: Well I think, Senator,
17 having you and Board Member Jones on the panel will
18 certainly help us to improve this process.

19 BOARD MEMBER ROBERTI: Absolutely.
20 Absolutely. Absolutely. And I enjoyed it, I enjoyed
21 working with the staff. We, we negated one, we negated
22 one application, and that was from --

23 BOARD MEMBER MEDINA: Board Member Jones.

24 (Thereupon there was a discussion off the
25 record.)

1 BOARD MEMBER ROBERTI: Counsel would prefer
2 that I don't bring this up, but I don't think it's a
3 violation. One asked for more money than was allowed
4 and we couldn't consider it.

5 MS. GILDART: It was a disqualification.

6 BOARD MEMBER ROBERTI: It was a
7 disqualification. I would think that, and we adhere to
8 our rules on disqualification.

9 However, in part I feel that they were
10 disqualified, and we did what we had to do. I think
11 they were disqualified, in part, because they, in this
12 case the community college district didn't have a
13 consultant.

14 So we should have a way for, not to put a
15 premium on hiring consultants. Not that I'm against any
16 of you who are consultants, but the people who are, want
17 to be free operators should have equal access to the
18 Board. So we should have a way of, for minor amendments
19 in a forum.

20 BOARD MEMBER MEDINA: In a lot of cases,
21 Senator, people ask for more money than --

22 BOARD MEMBER ROBERTI: That's right. They
23 asked for more money and didn't realize, I guess, in
24 this case the 18,000 more they were asking for knocked
25 them out of the ballgame.

1 So maybe staff could come back with us on some
2 of the methods whereby we could handle that too.

3 The completeness section is very complicated.
4 Does that mean your application is complete as far as
5 form, or does it mean that it is complete as to the
6 methodology? There we go with methodology again -- in
7 getting, in doing what you set out to do. And the way
8 it reads, it's a little bit of both. But those are
9 really two very divergent things, so I think that has to
10 be clarified a little bit more.

11 And finally we need, finally, it is not so easy
12 to find the differentiation as to the various things we
13 had grants, what's shred, what's crumb, what's product.
14 Some may think these things can be categorized very
15 easy, but they cannot be. There are, you run into the
16 possibility of hybrids or reasonable people doing things
17 differently. And maybe on this, every other grant that
18 we had maybe tire definitions, to the extent we can do
19 it, would be very, very helpful.

20 Having said that, and I hope staff can come
21 back with some recommendations as to how we can tighten
22 this, especially where certain categories seem to have a
23 possibility of being overweighted simply because there
24 is a, there could be an overlap, I would hope staff
25 would come back with these recommendations.

1 I enjoyed this very much. It was a great
2 learning experience, and it gives me a heavy
3 appreciation for people who have to wend their way
4 reading through this material that is very, very, very
5 difficult, but very helpful in understanding this Board
6 that I sit on.

7 BOARD MEMBER MEDINA: Thank you, Senator.
8 Board Member Jones and then Board Member Papanian.

9 BOARD MEMBER JONES: Thanks, Chairman Medina.
10 I just wanted to, obviously my comments were short
11 originally because with respect for the Senator I wanted
12 him to go ahead and make his points.

13 I just wanted to show for the record I support
14 all of those points. We've talked about them in that
15 process. He did surprise me, I think the first day of
16 the meeting, when he said I think we've got to knock
17 this, the "Buy Recycled" piece down from fifteen to ten.

18 BOARD MEMBER ROBERTI: I didn't want to scare
19 Mr. Papanian into Apoplexy.

20 BOARD MEMBER JONES: It was not, I mean we
21 wanted to continue our message. It was ironic that
22 using a, our own form that somebody could adopt as a
23 policy at their company could actually move them up
24 where they may not have really deserved to get moved up
25 on the merits of the grant.

1 But I also wanted to say I really appreciated
2 working with the Senator, that group of four, that there
3 was an awful lot of interaction, and we all brought
4 something a little different to the table. But I think
5 it's amazing how the consensus of scores come so
6 quickly. As different as people are, it really was mind
7 boggling.

8 BOARD MEMBER ROBERTI: Having four people or
9 five people is just terribly important.

10 BOARD MEMBER JONES: Yeah.

11 BOARD MEMBER ROBERTI: It is terribly
12 important. Because that consensus of ideas and
13 viewpoints, you know, helps you see things that you
14 might not have seen, and also gives others the benefit
15 of things that you would have seen that they didn't.
16 You need at least four.

17 BOARD MEMBER JONES: Exactly. So thank you,
18 Chairman Medina.

19 BOARD MEMBER ROBERTI: Thank you.

20 BOARD MEMBER JONES: Senator Roberti, it was a
21 pleasure and --

22 BOARD MEMBER MEDINA: Thank to both of you for
23 the time and effort that you put into this, and for your
24 recommendations for improving the process.

25 Mr. Papanian, did you have any comments you

1 wish to make?

2 BOARD MEMBER PAPARIAN: I did have some
3 thoughts, but maybe I'll save them until after the
4 speakers.

5 BOARD MEMBER MEDINA: Thank you. In regard to
6 the speakers, the first speaker slip that I have is Jana
7 Nairn.

8 If you would come up, please?

9 MS. NAIRN: Thank you, Board members. My name
10 is Jana Nairn, I'm with Ag Link, Inc. Actually that's
11 my company, we own that company. My husband and I are
12 here today representing our company.

13 We fell into the B list with the qualified
14 score, and we understand that funds ran out with the
15 other applicants, which is fine.

16 Just to let you know that we intended to
17 develop a unique vulcanized molding operation in Merced
18 County which is in Northern California.

19 We sincerely appreciate the consideration of
20 the Board of our project, the funding, with this tire
21 commercialization grant program.

22 We realize, we'd like to support the Board and
23 encourage the Board to pass the resolution that's in
24 front of you today. And also, although this may not be
25 addressed today, maybe not until April, we'd like to

1 encourage the Board to consider reallocation of some
2 additional funding to fund all projects that qualified
3 with a passing score of 70 or above.

4 And that's my presentation. Thank you again.
5 I think the involvement of the Board members on the
6 scoring criteria, on the scoring panel has really, will
7 really strengthen this whole grant program, and I think
8 it was very valuable. I really appreciate your comments
9 about it, Board member Roberti.

10 Thank you.

11 BOARD MEMBER MEDINA: Thank you. With that,
12 the next speaker is Dr. Barry Takallou and Harry
13 Gunderson.

14 MR. TAKALLOU: Hi, I am Barry Takallou, I'm the
15 president of CRM Company. Thank you for the opportunity
16 to let me to speak on this agenda item.

17 First of all, I would like to appreciate the
18 effort the Board members, especially Senator Roberti and
19 Mr. Jones to put on this scoring process. As you know,
20 this is a very difficult process, a very lengthy
21 process, and I would like to make my sincere
22 appreciation to the staff that put on this process in
23 June of 2001.

24 It is a pretty complex process. I've been in
25 this business since 1988 and I've been attending the

1 Board since 1990. This is the very first time I have to
2 stand in front of the Board to defend my application,
3 because as a concerned California resident I usually
4 stand in front of the Board and I make my comments for
5 improvement of the programs.

6 And the concerns that I have in front of the
7 Board, this is for improving the program as Senator
8 Roberti mentioned, this new program which is based on SB
9 876 in its infancy, it is a new program for the staff,
10 for the industry, for the Board; so none of these
11 comments by any means or form, it is all constructive
12 feedbacks which I get from the industry.

13 You have in front of you my March 11th date
14 letter which is fifteen pages, including four pages of
15 letter and, and several attachments to support my
16 argument.

17 Since the time is short here I would like to
18 bring up your attention to one of the areas I felt like
19 I needed to point it up, the inconsistency of scoring
20 results.

21 CRM started this process, submitting the first
22 grant proposal in August 17th. We've been on their A
23 list or list which is the staff recommended for funding;
24 however, because the recommendation for some of the
25 companies that were recommended originally did not meet

1 the commercialization classification on the five year
2 plan, the Board decided that they would have to start
3 this process all over again.

4 And I would applaud the Board for what they
5 have done, that is very brave, that was a good, good
6 move for protecting California taxpayer's money.

7 In December, which I'm a crumb rubber producer
8 and rubber molded products, we were told this is not
9 anything against the business, we've been on the A list
10 since September, and we can submit, and we're sure we're
11 going to get funded again on the next time around.

12 For the first criteria, the first time around
13 CRM was one of the, ranked number six, and on the new
14 scoring CRM did not meet a passing grade.

15 I was scratching my head, "Where I've gone
16 wrong?" Because the new criteria, eight, nine, and ten
17 came, we thought as a crumb rubber producer our project
18 was pretty needed by the, by the molded rubber industry.
19 Because if there's, if you don't have the crumb rubber,
20 the molded industry cannot function. So crumb rubber
21 and molded industries have to be together.

22 So we were under the assumption that the new
23 criteria, which we changed, our score is actually gonna
24 go up, but in this case we actually failed.

25 And I wanted to bring up an example of one

1 company which is recommended on the A list, Golden
2 Byproducts. This company was on the B list on the
3 original scoring, and this company moved from rank
4 number nine on the original, and went up to rank number
5 two.

6 And one thing, I was looking at this ranking,
7 that came to my attention was based on new criteria, if
8 you do molded rubber products you're going to get
9 fifteen points, if you do crumb then you're going to get
10 ten points, if you do chips you're going to get five
11 points.

12 This company received on the new scoring grade
13 of ninety. And when you're adding up the numbers it's
14 almost impossible that this company can get ninety,
15 because the company is proposing fire chips, you're
16 going to lose automatically ten points. Losing five
17 points for innovation, we all know there is no
18 innovation by shredding tires.

19 So you automatically, even if this company
20 would have got a perfect grade on everything else, with
21 this the best score the company could have received was
22 85.

23 We, the only difference with this application
24 with crumb rubber producers, our project is for
25 proposal, crumb rubber production, there's a production

1 of chips. And we don't know actually how come such a
2 big gap? You know, one company goes to ninety, and the
3 company who's actually producing crumb rubber, and it
4 was in the eighties before, failed the second time
5 around.

6 So I wanted to bring it up, this, one of the
7 example of inconsistency which we felt like is not fair
8 to CRM. And we would like this, the Board to consider
9 scoring our application.

10 The other thing I would like to point it out,
11 and this is again passed onto us today, the description
12 of the projects. This description of the projects is
13 posted on the Web site on March 5th of 2002. The top
14 score is going to a company called U.S. Rubber Recycling
15 and the project is crumb rubber. This company do not
16 make crumb rubber, this is a molded rubber product. The
17 president of the company is in the audience, is right
18 here and can testify to that.

19 So I would like the Board to direct the staff
20 to correct this public information because, you know,
21 people are submitted, they are going to look at this.
22 These are important. So the project type for the top
23 score, it's molded rubber products.

24 For Golden Byproducts, as they say, they're
25 going to make tire chips. In the project description it

1 should be tire chips.

2 So I think it would be for the Board to act on
3 this. The public should have time to know that the
4 project classification is incorrect, and make that
5 correction by the Board taking action on this.

6 And we were very surprised to see a rubber
7 molded product which is an innovative use, very
8 innovative, going to get ninety points, and a company
9 who is just going to do tire chips is going to get also
10 ninety points. That didn't make sense to me how a tire
11 chip, specifically on criteria number eight you lose ten
12 points if you are not molded rubber product, get the
13 same weight.

14 So with that I would like to ask the Board
15 again to correct the website. The public has the chance
16 to see the correct project type, and also have a chance
17 to get the CRM proposal scored with the concerns I just
18 mentioned to you.

19 With that, I would like to invite Mr. Gunderson
20 to speak.

21 BOARD MEMBER MEDINA: Yes. Thank you, Dr.
22 Takallou, and then Board Member Jones.

23 BOARD MEMBER JONES: I've just got a couple --
24 I'm not going to talk to the specific grants, I'm not
25 going to talk to your grant, but I want to make one

1 thing very, very clear in my mind.

2 The fact that there's a category and it's got a
3 number of points for it doesn't mean if you put some
4 words in that category you automatically check the box
5 and you get ten or fifteen points. It is the content
6 that is included in impact category. It is what is
7 written, how it's described. Did you make us smarter?
8 Did we understand the project? Did we understand those
9 things?

10 And so just to, when you start comparing one,
11 which you haven't read any of those proposals, so you're
12 going strictly off of the scoring criteria, but yet your
13 letter is damning other people's projects except yours,
14 and I think it's, you need to understand that it's the
15 content.

16 The fact that it was different between what an
17 original staff did and what this staff did, including
18 the Senator and I who were staff, we brought a different
19 level of expertise because we have different
20 backgrounds. And that's what happens when you go to a
21 grant. You see who the people are on the grant that are
22 doing the, that are doing the grading, and it is that
23 historical background and knowledge that they have that
24 helps them in that criteria.

25 So ours is obviously going to be a little

1 different than if Mr. Medina and Mr. Papanian were on
2 another panel. It doesn't mean it's not consistent with
3 what the grant laid out, but it's the content of what
4 was written, not an automatic ten points if you put some
5 words into a category.

6 So I want that -- is that fair, Senator?

7 BOARD MEMBER ROBERTI: Absolutely. If I could
8 address that. First, Mr. Takallou, I'm very happy
9 you're here. And to make that absolutely clear, I think
10 that it is important for those who seek grants to come
11 testify before the Board, advocate their case, and also
12 make a case for either maintenance or change in our
13 methodology. So I think that's important and, as per
14 our conversation last night which I ex-partied, I think,
15 you know, stakeholders should feel free to come before
16 us.

17 However, one of the things that we anticipated
18 when we changed the scoring, as I'm sure you know, was
19 that there would be a change in scores themselves. And
20 that occurred probably, and I'm speaking in generalities
21 now, I'm not in any specific program, probably on the
22 upswing more than on the downswing, because we are
23 giving points now specifically for rubber molded, rubber
24 molded products.

25 The issue of innovation is a difficult one and

1 I addressed that earlier. But innovation sometimes is
2 in the eye of the beholder. That's one category why
3 it's important to have four people, simply because each
4 of us can help the other as to what is innovative, or
5 our viewpoint that you may not think this is innovative
6 but is an aspect of a program that is indeed
7 innovative.

8 So I don't want to get into the scoring of the
9 specific, the specific projects, but the specificity
10 which we gave to rubberized molded products obviously
11 would have the effect of pushing some scores up, even
12 though that's not where they were in the past.

13 I guess, you know, that's the best, and I think
14 actually Martha Gildart has a more specific response to
15 your concerns, which I take very well. And certainly
16 our hearing what the stakeholders have to say will help
17 us in the future as we try to develop what is a new
18 program.

19 BOARD MEMBER MEDINA: Thank you, Senator. And
20 with that we'll go on to the next speaker.

21 MR. TAKALLOU: I just wanted to make a comment
22 Mr. Medina, quick, to Mr. Jones' comment.

23 Mr. Jones, when a recipient gets a grant
24 application these are the rules of the game established
25 between the Board and applicant. The rules of the game

1 state, specifically on page 11 there is a definition for
2 crumb rubber. "If you produce product which is less
3 than *poor range, that is considered crumb rubber."

4 And if our proposal producing less than poor
5 range, and there's a box here it's ten points, you get
6 ten points if you make crumb rubber.

7 And I think what the Board, they wanted to make
8 sure we don't get this subjective scoring, to prevent
9 this very clear, they made it very clear for people what
10 is crumb rubber, with what is *tie chip, there are
11 definitions here.

12 BOARD MEMBER JONES: Mr. Takallou, I understand
13 that part, that's not what I was talking about. There's
14 a whole lot of other categories that take a descriptive
15 dialogue that has to be put forward, and that's where
16 our points are.

17 BOARD MEMBER ROBERTI: One concern of ours was
18 self-categorization --

19 BOARD MEMBER JONES: Right.

20 BOARD MEMBER ROBERTI: -- which Mr. Jones had
21 addressed. And I'm not speaking to you specifically,
22 Mr. Takallou, I'm just speaking in general now. In
23 fact, we had one form which asked, which I hope we
24 change, I didn't mention this, which asked the
25 applicants to score themselves. Is this fifteen points?

1 Is this ten points? Which one? That was on --

2 BOARD MEMBER JONES: I don't know.

3 BOARD MEMBER ROBERTI: I can't remember. At
4 any rate I'm sure all the applicants will remember
5 that. That had to be only sort of a product to the, to
6 us. We wouldn't be doing our job if we just accepted
7 the score which the applicant gave himself because
8 obviously they would always, any applicant is going to
9 try to give themselves the highest score.

10 But there are times when what is a product and
11 what is crumb or shred is not so easily defined. Maybe
12 much more easily defined than as between crumb and
13 shred, but as a product, which is a product is
14 different. And I think Martha, our expert here, should
15 be called on to say something on that.

16 MS. GILDART: I think one of the concerns here
17 was with the staff's use of the term tire chip. The
18 project under consideration here proposes to create a
19 series of different sized particles, most of which falls
20 within the crumb range.

21 But when you're operating one of these
22 granulators, the material that comes off goes to a
23 screening process, and then you can recirculate the
24 larger size chip back through it to get more and more of
25 the finer mesh material.

1 In their proposal they split out how much of
2 the various products, the twenty mesh, which is a fairly
3 fine chip, the eight inch -- one-eighth inch chip which
4 still qualifies as crumb, plus the larger three quarter
5 inch, half inch tire shred.

6 Because of the quantities of materials produced
7 that passed the definition of crumb, this thing was
8 scored as a crumb production.

9 The description that appears in attachment
10 three used the word chip because it was shreds, it was
11 crumb, it was different sized crumb, it was different
12 mesh crumb. Staff came up with a term that is not in
13 the application package to describe it. If that was
14 misleading, then we can correct that word very simply.
15 But the project as proposed does produce crumb and
16 qualified for the ten points rather than just the five
17 points as a shred production.

18 BOARD MEMBER MEDINA: Okay. Thank you. Thank
19 you, Dr. Takallou.

20 And Mr. Eric Gunderson, and then we're going to
21 have Board Member Papanian come up.

22 MR. GUNDERSON: Thank you very much, Chairman
23 Medina. I am CRM's attorney, and I have been asked to
24 come up and speak with you about a few procedural
25 matters that we thought it was more appropriate that I

1 address as counsel.

2 BOARD MEMBER MEDINA: If we can just halt a
3 second there, I'd like to consult with our legal counsel
4 in regard to this. Can we get into legal issues?

5 CHIEF LEGAL COUNSEL TOBIAS: I think you ought
6 to let him say what his issues are and then we can
7 decide if we should answer.

8 MR. GUNDERSON: Thank you very much. The first
9 issue that I want to address is an issue that Senator
10 Roberti raised before, and that is concern about permits
11 and licenses.

12 I know you've all read Dr. Takallou's letter
13 where he addresses that issue with regard to the
14 specific applicants, that's not my function here today.

15 BOARD MEMBER MEDINA: And we have, we have read
16 it.

17 MR. GUNDERSON: What I would point out to the
18 Board is in the grant application itself, all applicants
19 are directed to provide copies of finalized permits and
20 licenses. It appears that that hasn't been the case. I
21 can't be sure, we haven't read any of the other
22 applications.

23 The reason I say it appears that that is the
24 case is that we've hired a consultant to go out and look
25 for permits, and we've found that some aren't there.

1 I'm not trying to knock down any other grant
2 applicant, I think they're all trying to do good work
3 and it's all supposed to help the state and further the
4 objectives of the Board, but it's also important that
5 this Board not be working at cross-purposes with another
6 agency such as the AQMD which has the same overall
7 objective of protecting the environment.

8 The other procedural issue that I'd like to
9 raise, and while it appears that this Board has
10 benefitted from this process and will continue to
11 benefit from the process, is the issue of whether the
12 Board members who have participated in the scoring
13 process are going to vote on adoption of the
14 resolution.

15 I don't know if that is something that is
16 appropriate under various provisions of the Government
17 Code or the meetings act and other similar procedures.
18 That is something that the Board is going to do what the
19 Board is going to do, you know, and that's the only
20 concern that I raise for the Board's consideration
21 today.

22 And those are my points for the Board to
23 consider.

24 BOARD MEMBER MEDINA: Thank you.

25 And with that we'll move to Board Member

1 Paparian. Do you have any comments you'd like to make
2 at this time?

3 BOARD MEMBER PAPARIAN: Just a couple items,
4 Mr. Chairman.

5 Mr. Takallou has raised a number of interesting
6 points, but I, I am, I do take comfort in knowing that
7 two of my colleagues, at times who are on opposite sides
8 of the spectrum, rather infrequently but occasionally.

9 BOARD MEMBER MEDINA: This is not a rubber
10 stamp board by any means.

11 BOARD MEMBER PAPARIAN: Both participated in
12 this process and both feel that they can stand by the
13 results of the process.

14 The issue of permits that was just brought up,
15 I would assume that before we give money out we have
16 some evidence of, you know, applicable permits being in
17 the possession of those who are, I wanted to ask counsel
18 if that's true or not. But why don't you go ahead and
19 respond to that?

20 CHIEF LEGAL COUNSEL TOBIAS: The way we do that
21 with permits is that we ask the applicants to certify
22 under penalty of perjury in their applications that they
23 have all their necessary permits and other requirements
24 for their projects.

25 I think that it would be probably somewhat

1 onerous to have staff review every permit that an
2 applicant might have for the business, that could run
3 into a serious amount of time. So the way we do that is
4 to ask them to basically swear that they have the
5 permit.

6 If someone raises an issue that a permit may be
7 missing or not obtained, we would certainly check into
8 that before the money is sent to the applicant. So we
9 rely more on a self-certification process, but if there
10 is an issue raised then we would check that.

11 BOARD MEMBER PAPARIAN: Okay. Thank you.
12 Obviously there's been a lot of interest in these
13 grants, and in some ways understandably so, we've a
14 quarter of a million dollars, we'll give a quarter of a
15 million dollars to all but one of the applicants, and
16 it's a very competitive industry obviously. We're
17 giving, in a sense, those that are getting the money are
18 getting a jump start on some things that are out there
19 technologically.

20 But this isn't the end of this process. This
21 is a five year grant program. We're expecting,
22 according to our plan, to look at \$2 million a year,
23 four or five years.

24 Now at this point we're pretty well into this
25 current fiscal year. The next fiscal year starts July

1 1st, and it's in that next fiscal year that the next \$2
2 million in grants will come forward.

3 What I'd like to request of staff is that we
4 bring forward the grants as early as possible in the
5 next fiscal year, that is next fiscal year's grants.
6 That could mean bringing forward in this fiscal year the
7 agenda item regarding the criteria, and possibly even
8 soliciting grant applications even though they would
9 have to be contingent upon the funding being available
10 in the next fiscal year.

11 I wanted to ask staff if that would be possible
12 to bring forward within the next couple of months;
13 let's see, we're in March, by no later than May an
14 agenda item that would address the grants for the next
15 fiscal year. By address it I mean get the Board to
16 approve the criteria so that the process for the NOFAs
17 can go forward.

18 MS. GILDART: Coincidentally, staff had already
19 scheduled, it's a tentative agenda schedule for the
20 remainder of the year, to bring the tire
21 commercialization grant forward in May.

22 There is one thing. The comments that the
23 Senator made and maybe additional comments from Board
24 member Jones, I think we'd like to work more closely
25 with some of the Board member offices in crafting the

1 criteria.

2 Some of the comments that were made about the
3 application of criteria and the overlap between them
4 apply to the Board's general criteria which are usually
5 outside of the scope of the specific program to change.
6 We have the authority to, we can recommend points for
7 those criteria, but we don't change the content.

8 If the Board is interested in changing some of
9 the general program, the general criteria, we may need
10 to have two concurrent items; one addressing those
11 Board-wide, and then one specific to the
12 commercialization program by May. And that would
13 entail, then, a commitment of time by the admin division
14 staff.

15 BOARD MEMBER PAPARIAN: It would be, and I, I
16 look forward to engaging in this dialogue, I have some
17 of my own thoughts about some of the items that were
18 talked about. But I wouldn't want the next round of
19 commercialization grants to get hung up on our ability
20 to deal with the general criteria, and I would --

21 BOARD MEMBER JONES: I think some of them are
22 pretty simple. I mean some of the things we talked
23 about I think we can do pretty easy.

24 BOARD MEMBER ROBERTI: Yeah.

25 BOARD MEMBER PAPARIAN: And I mean even though

1 we do have these criteria, we can look towards counsel,
2 even though we have a general criteria that we've agreed
3 to, as we bring forward a specific proposal for a grant
4 program, can we alter it then if we feel strongly that
5 we need to for that one specific program?

6 CHIEF LEGAL COUNSEL TOBIAS: Well I guess I
7 would ask admin first, or staff on that. I think the
8 reason we set up general criteria is to have something
9 that applies to all the programs. So if we get into a
10 situation where on each program we're adjusting the
11 general instead of the specific, it might bog down the
12 process. But I'll certainly bow to Ms. Jordan's
13 expertise on that.

14 MS. JORDAN: Yes, Terry Jordan with the Admin
15 Division.

16 With regards to that, there is Board policy
17 where the general criteria has been approved by the
18 Board. Certainly we can look at working on an item, but
19 I would work with legal, defer to legal; but I would
20 believe that for the sake of the tire commercialization
21 grant, it could be suggested in the item that some of
22 the general criteria would be changed for the purpose of
23 that grant program, simply to meet these requirements.

24 And what we would hope to do is have an item
25 that we could bring forward concurrently that would

1 happen before March that's, that would change all of
2 this so it wouldn't be an issue.

3 But if it were to occur, if she could suggest
4 it in her item that the Board make an exception to their
5 policy of the general criteria.

6 CHIEF LEGAL COUNSEL TOBIAS: I think certainly
7 if you've seen, you know, some confusion that would
8 carry out, you know, on all of the programs, that's
9 something we really need to fix, we don't want to
10 continue with something that we have found is not
11 working.

12 On the other hand, I think that if it's
13 something that, you know, that we could make work, we
14 might want to do that. So why don't we get back to the
15 Board at the next meeting with just a quick review on
16 what we can do about it. And the meantime we'll start
17 working with Mark's opinion on, you know, the timing and
18 everything.

19 BOARD MEMBER MEDINA: Very good.

20 BOARD MEMBER PAPARIAN: Thank you. And again,
21 as long as that discussion doesn't hang us up from a May
22 timeframe, for the timeframe for the next fiscal year
23 commercialization grant program.

24 BOARD MEMBER MEDINA: Okay. Thank you.

25 Mark.

1 EXECUTIVE DIRECTOR LEARY: If I may comment on
2 the timing. It occurs to me that we may be able to take
3 advantage of the creation of the committees and maybe
4 workshop this kind of special and general criteria in
5 the admin committee on April 10th, or in the admin
6 committee and special waste committee if it were to
7 start in April also. Maybe it will be brought forward,
8 and bring an agenda item forward in May, both concurrent
9 with the tire commercialization grant criteria.

10 BOARD MEMBER MEDINA: I think that's a very
11 good suggestion.

12 Mr. Jones.

13 BOARD MEMBER JONES: Mr. Chair. I'm going to
14 make this motion but I want to just say, some of the
15 things that Mr., that the Senator and I were talking
16 about were just expanding the definition and changing
17 some of the, some of the words so that they became
18 clearer, both to applicants as well as to graders. This
19 may be a lot easier than we think.

20 BOARD MEMBER ROBERTI: Absolutely.

21 BOARD MEMBER JONES: We had a great discussion.

22 BOARD MEMBER ROBERTI: You hit it, that's
23 exactly what the point is.

24 BOARD MEMBER JONES: Right. Right.

25 BOARD MEMBER ROBERTI: Before you make a

1 motion, Mr. Jones, I would like counsel to address the
2 point --

3 BOARD MEMBER JONES: That one issue.

4 BOARD MEMBER ROBERTI: -- which the gentlemen
5 representing CRM came up with as to our ability to vote
6 on that.

7 BOARD MEMBER JONES: Sure.

8 CHIEF LEGAL COUNSEL TOBIAS: In the Public
9 Resources Code section 40430 it does say that, "The
10 Board shall appoint an executive director." And then it
11 says, "The Board may delegate any power, duty, purpose,
12 function, and jurisdiction to the executive director
13 which the Board deems to be appropriate."

14 I read that to mean that if, at any time if the
15 Board decides in its wisdom that individual Board
16 members should participate in some function of the
17 Board, they are able to do that.

18 So the fact that two Board members sat in on a
19 panel I think is within the general ability, authority,
20 and jurisdiction of the Board.

21 I think that it would take away from the full
22 power of the Board to say that those Board members could
23 not then vote on that. I think it, in any circumstance
24 that they are able to bring their expertise to that
25 panel and then come back.

1 I will point out for purposes of the public
2 that we did ask that the, those Board members not have
3 ex-parte communications during this time, viewing that
4 if they were sitting on the panel they should not be
5 subject to communications outside of the Board
6 meetings.

7 So that was an effort to protect those Board
8 members who sat on the panel and functioned, if you
9 will, as staff in that particular situation.

10 BOARD MEMBER MEDINA: Thank you. With that
11 advice of counsel, we'll move on.

12 BOARD MEMBER JONES: Thank you, Mr. Chair. And
13 see, Lindsay, that's why I told you I couldn't talk to
14 you last night.

15 Mr. Chair, I want to move adoption of
16 Resolution 2002-115, the consideration of the approval
17 of the grant award for the reissued tire product
18 commercialization grants which, if you look at the last
19 be it further resolved, we are going to totally fund the
20 list which includes:

21 U.S. Rubber Recycling, Inc. for 250;
22 Golden Byproducts for 250,000;
23 Waste Tire Products R&D for \$184,389;
24 Rubber Sidewalks, Incorporated for \$250,000;
25 Environmental Molding Concepts Limited,

1 245,000;

2 Huffco Manufacturing for 250,000;

3 Echo Block Limited, LLC, 250,000;

4 BAS Recycling for 250,000.

5 And also approve Ag Link, Inc. which we cannot
6 fund, but if dollars become available and the Board so
7 chooses to redirect some dollars, that this be an
8 approved project.

9 BOARD MEMBER MEDINA: Thank you.

10 Is there a second to the motion?

11 BOARD MEMBER PAPARIAN: Second.

12 BOARD MEMBER MEDINA: Okay. Resolution 2002
13 has been moved 2-115 has been moved and seconded.

14 Would you call the roll, please?

15 BOARD SECRETARY VILLA: Jones?

16 BOARD MEMBER JONES: Aye.

17 BOARD SECRETARY VILLA: Paparian?

18 BOARD MEMBER PAPARIAN: Aye.

19 BOARD SECRETARY VILLA: Roberti?

20 BOARD MEMBER ROBERTI: Aye.

21 BOARD SECRETARY VILLA: Medina?

22 BOARD MEMBER MEDINA: Aye.

23 Resolution 2002-115 has been approved.

24 (APPLAUSE.)

25 BOARD MEMBER MEDINA: Next item, please.

1 MS. GILDART: Agenda item 26 is consideration
2 of approval of proposed scoring criteria and evaluation
3 process for fiscal year 2001-2002 and 2002-2003 energy
4 recovery from tires grant program.

5 There have been some revisions made to the
6 item, we handed them out today, and have attempted to
7 highlight the revisions that we put into the language in
8 response to Board direction at the briefing.

9 Very briefly, this is an attempt to carry out
10 one of the provisions in the five year plan. There is
11 \$500,000 set aside to support energy recovery research
12 and applications for this fiscal year, and an additional
13 million dollars for next fiscal year.

14 Staff is proposing to combine the two years
15 funding and make the grant program with a very targeted
16 audience. In this case we are going to offer the grant
17 to those facilities within California that combust coal
18 as a primary fuel in an attempt to include tire fuel in
19 that mix.

20 The criterion on attachment one will try to
21 distinguish the type of project.

22 *Criteria number eight is available, research
23 into in-field application of fuel feed system
24 development, twenty points; analysis of utilization,
25 fuel sizing, ten points; ash or emissions testing, five

1 points.

2 So the intent here is to solicit applications
3 from entities to put in the appropriate equipment to
4 process and handle tires as a fuel, to test the ability
5 of their systems to handle tires as a fuel, and how they
6 comply with any emissions or permit limits.

7 That information then would be gathered and
8 reported back to the Board and disseminated to others
9 within the industry in the hopes that that might spread
10 the use of tires as fuel farther.

11 The staff is also proposing, and I think member
12 Jones and Roberti will understand the proposal, to try
13 to streamline this process. We are hoping to bring the
14 award recommendations back to the Board in May. And to
15 do so we're going to have a very abbreviated application
16 period and a very abbreviated review period.

17 So we are going to be instructing any of the
18 review panel members to try to apply the criteria in
19 almost an either/or fashion, and this is somewhat
20 different from the discussion we had on the earlier
21 item.

22 If the applicant has addressed the issue
23 adequately, then they will get the entirety of the
24 points. If they have failed to address it adequately,
25 then they will get zero points.

1 We are attempting to speed up the scoring
2 process and make a clear distinction between the passing
3 and failing applicants.

4 Are there any questions?

5 BOARD MEMBER MEDINA: Any questions Board
6 members?

7 BOARD MEMBER PAPARIAN: Yeah.

8 ACTING BOARD CHAIRMAN MEDINA: Board Member
9 Paparian.

10 BOARD MEMBER PAPARIAN: A number of these
11 changes I think were made at my request, and I actually
12 have some changes that I want to propose to the
13 resolution.

14 But just by way of background, and this
15 actually gets at what Senator Roberti said on the last
16 item.

17 In the five year tire plan we have a very large
18 chunk of money set aside for product commercialization.
19 That was money that we used for the last item that we
20 voted on a minute ago.

21 We also have money set aside for research
22 directed at promoting and developing alternatives to the
23 landfill disposal of tires.

24 This money on this item is coming out of
25 research. The last item was commercialization. This

1 item is research. And my concern has been that if
2 we're, if we're paying for research, we should get some
3 research product back. Instead of paying for research,
4 we should get a research product back. And staff has
5 worked, addressed my concerns by incorporating the
6 research items into the agenda item and into the scoring
7 criteria.

8 But I'd like to also add a few items to the
9 resolution, and I'll go over that now. And again this
10 is intended to ensure that everybody understands that
11 this is research that the state is paying for.

12 If you look at Resolution 2002-118, in the
13 fourth whereas I wanted to add the phrase, "Research
14 regarding" at the end of the second line right before
15 the word "energy." So it would read,

16 "Whereas at its March 21st,
17 2001 meeting, the Board allocated
18 \$500,000 for FY 2001-2002, one
19 million dollars for FY 2002-2003 to
20 fund activities, including grants
21 involving research, regarding energy
22 recovery from tires," etcetera.

23 And use that same wording on the sixth whereas
24 so it would say, "Whereas award of the research
25 regarding energy recovery from tire grant is contingent

1 upon."

2 And then I have a slightly longer addition to
3 the fifth whereas. And that would be at the end of the
4 whereas to add the wording,

5 "And the Board is committed to
6 disseminating to the industry and
7 other interested parties the
8 research findings as a result of the
9 grant awards."

10 So those are the changes that I'd like to make
11 to the resolution. And if folks are comfortable with
12 that, I'd go ahead and move Resolution 2002-118.

13 BOARD MEMBER MEDINA: Before you do, we do have
14 one speaker. We have a speaker slip from Donald Waln.
15 Would you step up, please?

16 MR. WALN: Board members, thank you for taking
17 the time to hear what I have to say. I'm here on behalf
18 of the Cogeneration Ash Council in support of this
19 amendment.

20 Through the combined efforts of the Integrated
21 Waste Management Board and the Cogeneration Ash Council,
22 the use of tire derived fuel or TDF has been made
23 possible.

24 Currently two of our member facilities have
25 used TDF with others proceeding as inhibiting economic

1 issues have resolved. TDF is viewed as a beneficial
2 portion of our fuel mix only to the extent that it is
3 economically viable, and when compared to coal and
4 petroleum coke.

5 Importantly, one of the primary goals of the
6 Co-generation Ash Council is to seek environmentally
7 sound, beneficial uses for co-generation ash.

8 All of the ash currently produced by member
9 co-generation facilities is subject to a variety of
10 beneficial uses.

11 The Co-generation Ash Council plants are
12 recognized as the cleanest coal running facilities in
13 the U.S., if not the world. The technology to do that
14 wasn't recognized ten years ago, it's new.

15 I believe your objective for research, the
16 ability to use energy conversion is easily met by these
17 facilities. There are others that don't believe this
18 can be done, but I think it's being demonstrated.

19 So I believe that the ability to burn this
20 supplemental fuel without an increase in emissions, with
21 no increase in emissions, in other words, the same
22 emissions levels are being met with or without TDF, I
23 think that's critical to the worldwide use of TDF as a
24 supplemental fuel in these processes.

25 So I see, although I didn't know, I see this as

1 being a fit for your, for your objective as well for
2 research.

3 The assistance potentially made available
4 through this grant program would serve to enable the
5 installation of several handling systems, and put TDF on
6 a competitive economic footing.

7 Therefore, we respectfully request that this
8 item be approved.

9 BOARD MEMBER MEDINA: Thank you.

10 MR. WALN: Thank you.

11 BOARD MEMBER MEDINA: Any questions?

12 BOARD MEMBER JONES: Sure, just one, Mr. Chair,
13 just on the scoring. Where we've talked -- well not for
14 you, for our staff.

15 When we're talking about number ten, program
16 criteria, or number nine, "Evidence of the market
17 potential to divert tires from landfills," I think we
18 need to have some category worth ten points that, where
19 there's a process that clearly demonstrates with an
20 execute contract the additional use of tires within a,
21 an existing marketplace.

22 So what I'm talking about is we've got a lot of
23 stuff that comes in that says we can do 250,000 tires.
24 It doesn't say they can add 250,000 tires all the time.
25 We ought to give points, if somebody is doing up three

1 million tires, two million tires, whatever they're
2 doing, but if they see that the addition of whatever
3 we're doing here will expand the marketplace, okay,
4 which means more tires out of bad places in some cases,
5 we ought to give that some kind of a better point. But
6 they gotta be able to prove it.

7 What do you think? I mean does that --

8 BOARD MEMBER ROBERTI: Yeah, that's fine.

9 BOARD MEMBER JONES: Is that okay?

10 BOARD MEMBER JONES: Mike, is that all right?

11 BOARD MEMBER PAPARIAN: Yeah.

12 BOARD MEMBER JONES: Mr. Medina?

13 BOARD MEMBER MEDINA: Yes.

14 BOARD MEMBER JONES: Would we be able to figure
15 out a way to do that, Martha?

16 MS. GILDART: I think in criteria nine right
17 after it says, "Annual passenger tire equivalent
18 diversion of," an additional could be added colon, and
19 then the numbers and points as written.

20 BOARD MEMBER JONES: Let me just ask the
21 Senator a question. Under the "Evidence of the recycled
22 content," would be willing to go from fifteen points
23 down to ten, and that would free up five points to add
24 to that criteria?

25 CHIEF LEGAL COUNSEL TOBIAS: I don't think we

1 can do that.

2 BOARD MEMBER JONES: You don't want to do that.

3 Okay, that's cool.

4 BOARD MEMBER PAPARIAN: I actually, I'd like to
5 have the broader discussion of that before we start
6 making different things.

7 BOARD MEMBER JONES: No problem. No problem.

8 BOARD MEMBER MEDINA: Board Member Paparian.

9 BOARD MEMBER ROBERTI: Well Counsel says we
10 can't --

11 CHIEF LEGAL COUNSEL TOBIAS: Well not in this
12 item.

13 BOARD MEMBER ROBERTI: Not in this item, yeah.
14 What's our deadline?

15 MS. GILDART: For this item?

16 BOARD MEMBER ROBERTI: Yeah.

17 MS. GILDART: Today.

18 BOARD MEMBER ROBERTI: Well that takes care of
19 that.

20 (LAUGHTER.)

21 BOARD MEMBER ROBERTI: I would say at some
22 point in the very near future, however, we have to
23 discuss the apportionment of these numbers in a greater
24 amount of detail. But --

25 CHIEF LEGAL COUNSEL TOBIAS: Can I ask a point

1 of clarification?

2 BOARD MEMBER MEDINA: Certainly.

3 CHIEF LEGAL COUNSEL TOBIAS: Martha, in the
4 change that Board Member Jones was asking for in nine,
5 will that make it clear that it's either of those two
6 things, either an additional amount or these? I wasn't
7 exactly clear how you were changing nine.

8 MS. GILDART: It would say annual passenger
9 tire equivalent diversion of an additional million tires
10 gets the ten points, between a million and 500,000 gets
11 five points, and 500,000 to 250,000 would get only two
12 points.

13 So the idea is that points are being awarded
14 for the size of the project and the amount of tires
15 diverted as long as it's above and beyond what they're
16 doing now, if anything.

17 BOARD MEMBER JONES: Right. Within an existing
18 market is what I think you've got to add to that.

19 CHIEF LEGAL COUNSEL TOBIAS: So, well maybe I'm
20 the only person unclear on this. So it seems to me that
21 it changes it a little bit when it says an additional.

22 BOARD MEMBER JONES: I thought it would be two.

23 CHIEF LEGAL COUNSEL TOBIAS: Yeah.

24 BOARD MEMBER JONES: I think it could be this
25 or you can get ten points if you're adding within an

1 existing marketplace.

2 CHIEF LEGAL COUNSEL TOBIAS: Right. So is that
3 clear, Martha?

4 MS. GILDART: No.

5 CHIEF LEGAL COUNSEL TOBIAS: I think --

6 BOARD MEMBER JONES: Go ahead, counsel.

7 CHIEF LEGAL COUNSEL TOBIAS: I think what he
8 wants is that it's this, it can be a diversion of a
9 million or more, or an additional million. I think if
10 you put in the word additional where you were putting it
11 it changes it to mean that they're already taking out X
12 number and that this is on top of that.

13 BOARD MEMBER JONES: Right.

14 CHIEF LEGAL COUNSEL TOBIAS: I think what Mr.
15 Jones and the Board is saying is that they're saying
16 either you take out these amounts or these amounts in
17 addition to what you're doing.

18 BOARD MEMBER JONES: So that there would be a
19 higher points given for the increase of tire use within
20 an existing market. This kind of looks at people that
21 haven't been doing this before and they're going to get
22 points. And what I'm saying is if you've got an
23 existing market that already uses tires but you're going
24 to add this methodology and do the research, see what's
25 going to get you more; you should get an automatic ten

1 points if you're actually adding to what your existing
2 numbers are with, you know, with being able to grow
3 that, that marketplace, grow that market share because
4 of this. And it should get ten points.

5 Because we may be looking at a facility that's
6 doing two million and can get up to three million, they
7 should get that ten points automatically, and not just
8 rely on the fact that they're already doing two million
9 so they get the ten points.

10 CHIEF LEGAL COUNSEL TOBIAS: Does staff need a
11 little bit of additional time to come back to this item
12 to work out the wording?

13 MS. GILDART: Right, to get the wording just
14 right. Is there a way we can sit and craft -- I
15 haven't --

16 BOARD MEMBER JONES: You have a pretty good
17 idea of the concept?

18 MS. GILDART: I think I know what you're trying
19 to get at, but it will take me a minute to write out the
20 phrases.

21 BOARD MEMBER MEDINA: Why don't we go onto the
22 next three items and then we can come back to you.

23 MS. GILDART: Okay.

24 ACTING BOARD CHAIRMAN MEDINA: Having said
25 that, let's go on to item 27.

1 MS. GILDART: Item 27 is the consideration of
2 approval of the scope of work for the consumer education
3 tire survey and marketing research contract, Tire
4 Recycling Management Fund, fiscal year 2001-2002.

5 If you recall, this was formerly titled,
6 Consideration of approval of scope of work for the
7 consumer education tire survey brochure and public
8 service announcement contract."

9 At the previous Board meeting when this scope
10 was presented, there were concerns expressed about
11 monies being spent on developing yet another brochure,
12 and so staff has made revisions and is presenting them
13 today for your approval.

14 Christina Pennington will be presenting this
15 item.

16 MS. PENNINGTON: Members of the Board, hello.

17 As Martha said, last February we brought an
18 item before the Board that encompassed a tire survey as
19 well as some of the media outreach campaign to be in the
20 same contract.

21 Based on recommendations by the Board what
22 we've done is split the contract into two, using this
23 fiscal year's money to do an extensive literature
24 review, tire survey, and marketing research component,
25 come back to the Board with those findings, and then

1 bring forth another contract to wage a media outreach
2 campaign after that, after we've got the research
3 finished and we know what exactly what it is we want to
4 do.

5 The literature review will go before the
6 survey. We will do a design of the survey, conduct a
7 sample survey, possibly with focus survey groups to be
8 conducted, come before the Board, the contractor will
9 come before the Board, present the sample survey
10 findings prior to completing the entire survey. That
11 way the Board has some input, if the Board wishes to
12 change anything change it at that time.

13 Then go forth with a complete survey, do the
14 marketing research and analysis, and develop some
15 concept of how we want to wage a media outreach
16 campaign.

17 The item proposes to spend \$250,000 to
18 accomplish this. It is to be encumbered this fiscal
19 year. It is part of the five year plan for the waste
20 tire program that was brought forth.

21 And staff proposes that hopefully the Board
22 will adopt Resolution 2002-154.

23 BOARD MEMBER JONES: Mr. Chair.

24 BOARD MEMBER MEDINA: Yes, Mr. Jones.

25 BOARD MEMBER JONES: I'd like to thank the

1 staff for responding to the Board's issues and putting
2 together this thing.

3 I'm going to move adoption of Resolution
4 2002-154, consideration of the approval of the scope of
5 work for the consumer education tire survey and
6 marketing research contract. That's enough.

7 BOARD MEMBER ROBERTI: And I'd like to second
8 it.

9 BOARD MEMBER MEDINA: Resolution 2002-154 has
10 been moved and seconded.

11 Would you call the roll, please?

12 BOARD SECRETARY VILLA: Jones?

13 BOARD MEMBER JONES: Aye.

14 BOARD SECRETARY VILLA: Paparian?

15 BOARD MEMBER PAPARIAN: Aye.

16 BOARD SECRETARY VILLA: Roberti?

17 BOARD MEMBER ROBERTI: Aye.

18 BOARD SECRETARY VILLA: Medina?

19 BOARD MEMBER MEDINA: Aye.

20 MS. PENNINGTON: Thank you.

21 ACTING BOARD CHAIRMAN MEDINA: Item 28,
22 please.

23 MS. PENNINGTON: Item 28 is a proposal of the
24 contractor for the scope of work for the consumer
25 education tire survey and marketing research contract.

1 Staff proposes that California University Chico
2 State perform the work for us, and they are here to do a
3 presentation for you.

4 BOARD MEMBER JONES: Guess what?

5 MS. PENNINGTON: I'd like to introduce Dr.
6 James Fletcher.

7 BOARD MEMBER JONES: And he drove a long way,
8 he came a long way for this.

9 BOARD MEMBER ROBERTI: From one end of
10 California to the other.

11 MR. FLETCHER: Actually I didn't drive, I flew.

12 Thank you for inviting me to speak with you.

13 In order to conduct a survey and find out how different
14 groups best get credible information about the issue of
15 recycling tires and how they can make that a part of
16 their effort to protect the environment, and to perhaps
17 better utilize the tires that they have, we propose to
18 do an extensive literature review on existing recycling
19 behavior of consumers, particularly as it relates to
20 tires. Also look at, perhaps, programs that other
21 states have implemented or are in the process of
22 implementing.

23 Second is to conduct a qualitative survey for
24 focus groups or different ethnic groups in their native
25 languages to find out where and how and when they get

1 information; the relative worth in their opinion, the
2 worth of that information that they're getting; what
3 kinds of messages or information would motivate them to
4 change their behavior in terms of servicing their tires;
5 in terms of their selection of tires, how they go about
6 buying tires; and also their concerns about tire
7 recycling.

8 As Ms. Pennington pointed out, after we do that
9 we'll come back to the Board with a set of topics that
10 we feel that need to be included in the survey along
11 with a description and justification of why those topics
12 need to be included.

13 We will also come with a set of recommended
14 questions. We'll present those to the Board, get the
15 Board's input, get staff's input.

16 And then after we come to a consensus on the
17 topics and the questions to be included, then we will
18 pre-test the questionnaire on a sample of the different
19 language groups that we'll be surveying. We'll make
20 whatever minor adjustments need to be made of that, and
21 then we'll do the full survey.

22 And we'll give you a report by language group.
23 So in other words, we can look at different ethnic groups
24 and how they responded to the survey.

25 We have done several surveys for Caltrans and

1 for the California Public Utility Commission on slightly
2 different topics, but with very similar methodology.

3 Do you have any questions?

4 BOARD MEMBER MEDINA: Any questions?

5 BOARD MEMBER JONES: No, Mr. Chair.

6 BOARD MEMBER MEDINA: Board Member Jones.

7 BOARD MEMBER JONES: I'd like to move adoption
8 of Resolution 2002-155, the consideration of the
9 approval of California State University at Chico as the
10 contractor for the consumer education tire survey and
11 marketing research contract.

12 BOARD MEMBER ROBERTI: Second.

13 BOARD MEMBER MEDINA: Resolution 2002-155 has
14 been moved and seconded.

15 Call the roll, please.

16 BOARD SECRETARY VILLA: Jones?

17 BOARD MEMBER JONES: Aye.

18 BOARD SECRETARY VILLA: Papanian?

19 BOARD MEMBER PAPANIAN: Aye.

20 BOARD SECRETARY VILLA: Roberti?

21 BOARD MEMBER ROBERTI: Aye.

22 BOARD SECRETARY VILLA: Medina?

23 BOARD MEMBER MEDINA: Aye. And with that,
24 Resolution 2002-155 has been approved.

25 EXECUTIVE DIRECTOR LEARY: Mr. Chair, might I

1 request a short recess before we move into electronic
2 waste?

3 BOARD MEMBER ROBERTI: I think --

4 MS. PENNINGTON: I wanted --

5 EXECUTIVE DIRECTOR LEARY: I'm sorry, did I
6 blow it?

7 MS. PENNINGTON: I just wanted to thank the
8 Board for all their assistance and their time in
9 considering this item.

10 EXECUTIVE DIRECTOR LEARY: Well said Christine,
11 I'm sorry.

12 MS. PENNINGTON: That's okay.

13 EXECUTIVE DIRECTOR LEARY: Anyway, can we get
14 just five minutes to work on some of this language?

15 BOARD MEMBER MEDINA: Certainly. We'll take a
16 five minute break at this time.

17 EXECUTIVE DIRECTOR LEARY: Great. Thank you
18 very much.

19 (Thereupon there was a brief recess.)

20 BOARD MEMBER MEDINA: Board members, any
21 ex-partes?

22 Senator Roberti?

23 BOARD MEMBER ROBERTI: General meet and greets
24 after the fact with Mr. Murray of BAS, Mr. Schneider of
25 U.S. Rubber, Mr. Valariano of Rubber Sidewalks, and Ms.

1 Smith of Rubber Sidewalks.

2 BOARD MEMBER MEDINA: Board Member Paparian.

3 BOARD MEMBER PAPARIAN: Thank you. Actually
4 the same ones that Senator Roberti just mentioned, plus
5 a conversation with Barry Takallou.

6 BOARD MEMBER MEDINA: Board Member Jones?

7 BOARD MEMBER JONES: Thanks, Mr. Chairman.

8 Actually just meet and greets with probably
9 the same people that the Senator said and I guess that
10 worked.

11 BOARD MEMBER MEDINA: Okay. Just meet and
12 greet with Barry Takallou also.

13 BOARD MEMBER JONES: Yeah.

14 BOARD MEMBER MEDINA: And can we come back to
15 the item, number 26 was it?

16 MS. GILDART: Yes. I think we've got some
17 wording now for the criterion number nine in item 26.
18 The new criterion will read,

19 "Evidence of market potential
20 to divert tires from landfill
21 disposal. Annual passenger tire
22 equivalent diversion of one million
23 or more, ten points; 999,999 to
24 500,000, five points; 499,999 to
25 250,000, two points; or for existing

1 users, any incremental increase over
2 50,000 PTEs, ten points."

3 BOARD MEMBER JONES: Mr. Chair, I'm not going
4 to make the motion, I'll leave that to Mr. Paparian.

5 BOARD MEMBER PAPARIAN: Oh no, you can just go
6 ahead.

7 BOARD MEMBER JONES: I just wanted to say
8 thanks to staff. The reason was just to acknowledge
9 existing uses and the increase over and above these
10 tires.

11 BOARD MEMBER PAPARIAN: If you've got it
12 faster, just go ahead.

13 BOARD MEMBER JONES: Thanks, Mr. Paparian. I'm
14 going to move adoption of Resolution 2002-118 revised,
15 to include member Paparian's language, the three or four
16 changes that have been made.

17 BOARD MEMBER PAPARIAN: Second.

18 BOARD MEMBER MEDINA: Okay. Resolution
19 2002-118 revised has been moved and seconded.

20 Would you call the roll, please?

21 BOARD SECRETARY VILLA: Jones?

22 BOARD MEMBER JONES: Aye.

23 BOARD SECRETARY VILLA: Paparian?

24 BOARD MEMBER PAPARIAN: Aye.

25 BOARD SECRETARY VILLA: Roberti?

1 BOARD MEMBER ROBERTI: Aye.

2 BOARD SECRETARY VILLA: Medina?

3 BOARD MEMBER MEDINA: Aye. Resolution 2002-118
4 with full fanfare has been approved.

5 MS. WILLD-WAGNER: Good afternoon, Board
6 members. The final item is agenda item 29. I'm Shirley
7 Willd-Wagner for the Special Waste Division.

8 And item 29 is the approval of a contract for
9 the scope of work, actually the scope of work not the
10 contract, but the approval of the scope of work for
11 developing the best management practices for electronic
12 waste. This is contract number 15 funded out of the
13 IWMA Integrated Waste Management Account in the amount
14 of \$69,000.

15 I wanted to first point out a typographical
16 error on page 29-3 of the item under fiscal impacts. In
17 one place there it says for fiscal year it says
18 2002-2003, the rest of the places in the item does have
19 the correct fiscal year, 2001-2002.

20 The scope of work involved with the internal
21 working group of the Board, involving all of the Board's
22 affected divisions and offices, and I think the impact
23 and the real need for this contract concept has been
24 underscored by some articles that you may have seen
25 recently about exporting harm, the high tech trashing of

1 America.

2 The report has come out in the last couple of
3 weeks, and it's gotten quite a bit of press reporting
4 about the types of electronic waste that's being shipped
5 overseas under the guise of recycling. Well meaning
6 companies from America are sending our computers and
7 E-waste over to Asia for reuse and recycling.

8 Unfortunately, the environmental controls there
9 are such that it's causing some significant problems.
10 Workers are actually melting down computers over open
11 fires and having significant health impacts to get the
12 precious metals that are in the computer. The water has
13 been highly polluted.

14 And unfortunately, there's also pictures that
15 show state identification tags from the state computers
16 and local government, different counties within
17 California.

18 So this underscores the real need to have some
19 best management practices, some guidance tools, and
20 documents.

21 It's our intent with this contract to enter
22 into a standard agreement with the local government and
23 an award of contract will be coming forward next month.
24 They wanted to see the Board approval and make sure that
25 you're okay with the scope of work, and then we'll bring

1 forward the contract as well as the contractor profile
2 next month.

3 The intent is that the contractor will use data
4 that's been gathered by staff in various surveys to
5 actually develop tools for our stakeholder groups. We
6 have different stakeholder groups, local enforcement
7 agencies, the CUPAs, local governments, certainly
8 private landfill operators, and E-waste facility
9 operators.

10 We're going to model the tools after the very
11 successful LEA permit toolbox that's on the Web. So
12 we're going to make this an interactive document on the
13 Web, to actually have the tools available there to
14 answer the question what do we really do with all this
15 electronic stuff that's being left in different places.

16 Also, public education materials will be
17 developed which are reproducible and customizable by the
18 local governments.

19 I'll also point out one other change in the
20 timeline, simply because the award will be coming next
21 month everything in the timeline will be set back one
22 month.

23 And our recommendation is to approve Resolution
24 2002-116.

25 Are there any other questions?

1 BOARD MEMBER PAPARIAN: Mr. Chairman, I think
2 the staff has made a great presentation and are
3 continuing to do great work on this topic.

4 I'd like to move Resolution 2002-116.

5 BOARD MEMBER JONES: I'll second it.

6 BOARD MEMBER MEDINA: Resolution 2002-116 has
7 been moved and seconded.

8 Call the roll, please.

9 BOARD SECRETARY VILLA: Jones?

10 BOARD MEMBER JONES: Aye.

11 BOARD SECRETARY VILLA: Paparian?

12 BOARD MEMBER PAPARIAN: Aye.

13 BOARD SECRETARY VILLA: Roberti?

14 BOARD MEMBER ROBERTI: Aye.

15 BOARD SECRETARY VILLA: Medina?

16 BOARD MEMBER MEDINA: Aye. And with that vote,
17 Resolution 2002-116 has been approved.

18 BOARD MEMBER JONES: Chairman Medina.

19 BOARD MEMBER MEDINA: Yes.

20 BOARD MEMBER JONES: Before you go onto the
21 next item since I think it's just public comment, I just
22 think, you know, we're missing some members, but you did
23 a nice job for the last couple of days in moving this
24 thing along.

25 (APPLAUSE.)

1 BOARD MEMBER MEDINA: Thank you, Board Member
2 Jones.

3 With that we will now take any public
4 testimony. Any member of the public who wishes to
5 speak?

6 If not, does that conclude all the items?

7 This meeting is adjourned.

8 (Thereupon the foregoing was concluded
9 at 12:32 p.m.)

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1 CERTIFICATE OF CERTIFIED SHORTHAND REPORTER

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3 I, DORIS M. BAILEY, a Certified Shorthand
4 Reporter and Registered Professional Reporter, in and
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7 foregoing proceedings in shorthand writing; and
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9 by computer.

10 I further certify that I am not of counsel or
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14 IN WITNESS WHEREOF, I have hereunto set my hand
15 as a Certified Shorthand Reporter and Registered
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