

Please note, these transcripts are not individually reviewed and approved for accuracy.

MEETING

STATE OF CALIFORNIA

INTEGRATED WASTE MANAGEMENT BOARD

DIVERSION, PLANNING AND LOCAL ASSISTANCE COMMITTEE

JOE SERNA JR., CALEPA BUILDING

SIERRA HEARING ROOM

1001 I STREET, 2ND FLOOR

SACRAMENTO, CALIFORNIA

WEDNESDAY, JANUARY 8, 2003

9:00 A.M.

JAMES F. PETERS, CSR, RPR
CERTIFIED SHORTHAND REPORTER
LICENSE NUMBER 10063

PETERS SHORTHAND REPORTING CORPORATION (916) 362-2345

APPEARANCES

COMMITTEE MEMBERS

Steven R. Jones, Chairperson

Sal Cannella

Jose Medina

Linda Moulton-Patterson

STAFF

Mark Leary, Executive Director

Julie Nauman, Chief Deputy Director

Pat Schiavo, Deputy Director

Elliot Block, Staff Counsel

Rebecca Brown

Terry Edwards

Keir Furey

Tara Gauthier

Maria Kakutani

Natalie Lee

Nikki Mizwinski

Zane Poulson

Yasmine Satter

Diane Shimizu

Carolyn Sullivan

Steve Uselton

Tabetha Willmon

INDEX

	PAGE
A. Selection Of Committee Chair	1
B. Roll Call And Declaration Of Quorum	3
C. Deputy Director's Report	3
D. Presentation On December 2002 Workshops Regarding Informal Disposal Reporting System And Adjustment Method Regulation Revisions -- (January 2003 Board Item 1)	7
E. Consideration Of The Amended Nondisposal Facility Element For The San Benito County Integrated Waste Management Regional Agency, San Benito County -- (January 2003 Board Item 2)	14
Motion	15
Vote	15
F. Consideration Of The Adequacy Of The Five-Year Review Report Of The Countywide Integrated Waste Management Plan For The County Of San Luis Obispo -- (January 2003 Board Item 3)	15
Motion	17
Vote	17
G. Consideration Of The 1999/2000 Biennial Review Findings For The Source Reduction And Recycling Element And Household Hazardous Waste Element For The City Of Claremont, Los Angeles County -- (January 2003 Board Item 4)	18
Motion	19
Vote	19
H. Consideration Of The 1999/2000 Biennial Review Findings For The Source Reduction And Recycling Element And Household Hazardous Waste Element For The City Of Dublin, Alameda County -- (January 2003 Board Item 5)	21
Motion	22
Vote	23

INDEX CONTINUED

	PAGE
I. Consideration Of The 1999/2000 Biennial Review Findings For The Source Reduction And Recycling Element And Household Hazardous Waste Element For The City Of Livermore, Alameda County -- (January 2003 Board Item 6)	21
Motion	23
Vote	23
J. Consideration Of The 1999/2000 Biennial Review Findings For The Source Reduction And Recycling Element And Household Hazardous Waste Element For The Unincorporated Area Of Imperial County -- (January 2003 Board Item 7)	23
Motion	27
Vote	28
K. Consideration Of The 1999/2000 Biennial Review Findings For The Source Reduction And Recycling Element And Household Hazardous Waste Element For The Sacramento County/City Of Citrus Heights Regional Agency -- (January 2003 Board Item 8)	28
L. Consideration Of The 1999/2000 Biennial Review Findings For The Source Reduction And Recycling Element And Household Hazardous Waste Element; And Consideration Of Issuance Of A Compliance Order Relative To The 1999/2000 Biennial Review Findings For The City Of McFarland, Kern County -- (January 2003 Board Item 9)	28
Motion	41
Vote	42
M. Consideration Of The Application For A SB1066 Alternative Diversion Requirement By The City Of Needles, San Bernardino County -- (January 2003 Board Item 10)	44
Motion	48
Vote	49
N. Consideration Of The Application For A SB1066 Time Extension By The City Of South San Francisco, San Mateo County -- (January 2003 Board Item 11)	49
Motion	53
Vote	53

INDEX CONTINUED

	PAGE
O. Consideration Of The Application For A SB1066 Time Extension By The City Of Redwood City, San Mateo County -- (January 2003 Board Item 12)	49
Motion	53
Vote	53
P. Consideration Of The Application For A SB1066 Time Extension By The Unincorporated Area Of Solano County -- (January 2003 Board Item 13)	54
Motion	55
Vote	55
Q. Consideration Of The Application For A SB 1066 Time Extension By The City Of Escalon, San Joaquin County -- (January 2003 Board Item 14)	58
Motion	60
Vote	61
R. Consideration Of The Application For A SB 1066 Alternative Diversion Requirement By The City Of Tracy, San Joaquin County -- (January 2003 Board Item 15)	58
Motion	61
Vote	61
S. Consideration Of The Application For A SB1066 Time Extension By The City Of La Habra, Orange County -- (January 2003 Board Item 16)	61
Motion	62
Vote	63
T. Consideration Of The Application For A SB1066 Time Extension By The City Of Fillmore, Ventura County -- (January 2003 Board Item 17)	63
Motion	65
Vote	65
U. Consideration Of The Application For A SB1066 Alternative Diversion Requirement By The Unincorporated Area Of Madera County -- (January 2003 Board Item 18)	65
Motion	73
Vote	74

INDEX CONTINUED

	PAGE
V. Consideration Of The Application For A SB1066 Alternative Diversion Requirement By The Unincorporated Area Of Mariposa County -- (January 2003 Board Item 19)	65
Motion	74
Vote	74
W. Consideration Of The Application For A SB1066 Time Extension By The City Of Cerritos, Los Angeles County -- (January 2003 Board Item 20)	75
Motion	77
Vote	77
X. Consideration Of The Application For A SB1066 Time Extension By The City Of Rosemead, Los Angeles County -- (January 2003 Board Item 21)	75
Motion	77
Vote	78
Y. Consideration Of The Application For A SB1066 Time Extension By The City Of Monterey Park, Los Angeles County -- (January 2003 Board Item 22)	80
Motion	85
Vote	85
Z. PULLED Consideration Of A Request To Change The Base Year To 2000 For The Previously Approved Source Reduction And Recycling Element; And Consideration Of The 1999/2000 Biennial Review Findings For The Source Reduction And Recycling Element And Household Hazardous Waste Element For The City Of Concord, Contra Costa County -- (January 2003 Board Item 23)	
AA. Consideration Of A Request To Change The Base Year To 2000 For The Previously Approved Source Reduction And Recycling Element For The City Of Brisbane, San Mateo County -- (January 2003 Board Item 24)	87
Motion	90
Vote	90

INDEX CONTINUED

	PAGE
AB. Consideration Of A Request To Change The Base Year To 2000 For The Previously Approved Source Reduction And Recycling Element; And Consideration Of The 1999/2000 Biennial Review Findings For The Source Reduction And Recycling Element And Household Hazardous Waste Element For The City Of Lodi, County Of San Joaquin -- (January 2003 Board Item 25)	91
Motion	92
Vote	92
AC. Consideration Of A Request To Change The Base Year To 2000 For The Previously Approved Source Reduction And Recycling Element; And Consideration Of The 1999/2000 Biennial Review Findings For The Household Hazardous Waste Element For The City Of Escalon, County Of San Joaquin -- (January 2003 Board Item 26)	55
Motion	57
Vote	57
AD. Consideration Of A Request To Change The Base Year To 2000 For The Previously Approved Source Reduction And Recycling Element; And Consideration Of The 1999/2000 Biennial Review Findings For The Source Reduction And Recycling Element And Household Hazardous Waste Element, For The Town Of Truckee, Nevada County -- (January 2003 Board Item 27)	92
Motion	94
Vote	94
AE. Consideration Of A Request To Change The Base Year To 2000 For The Previously Approved Source Reduction And Recycling Element For The City Of Woodland, Yolo County -- (January 2003 Board Item 28)	95
Motion	97
Vote	98
AF. Consideration Of A Request To Change The Base Year To 2000 For The Previously Approved Source Reduction And Recycling Element; And Consideration Of The 1999/2000 Biennial Review Findings For The Source Reduction And Recycling Element And Household Hazardous Waste Element For The City Of Coalinga, Fresno County -- (January 2003 Board Item 28)	98
Motion	101
Vote	101

INDEX CONTINUED

PAGE

AG. Consideration Of A Request To Change The Base Year To 1999 For The Previously Approved Source Reduction And Recycling Element; And Consideration Of The 1999/2000 Biennial Review Findings For The Source Reduction And Recycling Element And Household Hazardous Waste Element For The City Of Kingsburg, Fresno County -- (January 2003 Board Item 30)	98
Motion	101
Vote	102
AH. Consideration Of A Request To Change The Base Year To 2000 For The Previously Approved Source Reduction And Recycling Element; And Consideration Of Completion Of Compliance Order IWMA BR99-86, Consideration Of Issuance Of Compliance Order IWMA BR03-02 For The City Of Gardena, Los Angeles County -- (January 2003 Board Item 31)	102
Motion	106
Vote	106
AI. Consideration Of A Request To Change The Base Year To 2000 For The Previously Approved Source Reduction And Recycling Element For The City Of Monterey Park, Los Angeles County -- (January 2003 Board Item 32)	78
Motion	79
Vote	80
AJ. Consideration Of A Request To Change The Base Year To 2000 For The Previously Approved Source Reduction And Recycling Element; And Consideration Of The 1999/2000 Biennial Review Findings For The Source Reduction And Recycling Element And Household Hazardous Waste Element For The City Of Commerce, Los Angeles County -- (January 2003 Board Item 33)	106
Motion	110
Vote	110
Public Comment	113
Adjournment	113
Reporter's Certificate	114

1 PROCEEDINGS

2 CHAIRPERSON JONES: Good morning, ladies and
3 gentlemen. I'm actually the temporary Chair of this
4 committee. We're going through a process this week where
5 all of the committees are electing chairs.

6 The first thing is that if anybody's got a pager
7 or a cell phone, could you put on it vibrate mode please
8 during this meeting.

9 There are speaker slips in the back of the room.
10 If somebody wishes to speak to an item, could you please
11 fill out a slip and bring it up to the desk up here. And
12 they will get it to us, and we will be able to recognize
13 you to speak.

14 Our first item is the selection of a Committee
15 Chair.

16 COMMITTEE MEMBER MOULTON-PATTERSON: Mr. Jones.

17 CHAIRPERSON JONES: Madam Chair.

18 COMMITTEE MEMBER MOULTON-PATTERSON: I would like
19 to nominate you, Mr. Jones, Mr. Chair. You've done a
20 terrific job on our DPLA Committee. And I also want to
21 publicly thank you for really taking an undue burden and,
22 when we were just getting the Committee started, taking
23 two. I know that was a tremendous amount of work. And I
24 just don't think there would be anyone finer than you as
25 Chair of this Committee.

1 COMMITTEE MEMBER MEDINA: I'd like to second the
2 nomination.

3 BOARD MEMBER JONES: Thank you.

4 We've a motion by Chairwoman Moulton-Patterson
5 and a second by Mr. Medina.

6 Jeannine, Go ahead and call the roll.

7 SECRETARY BAKULICH: Cannella?

8 COMMITTEE MEMBER CANNELLA: Aye.

9 SECRETARY BAKULICH: Jones?

10 CHAIRPERSON JONES: Aye.

11 SECRETARY BAKULICH: Medina?

12 COMMITTEE MEMBER MEDINA: Aye.

13 SECRETARY BAKULICH: Moulton-Patterson?

14 COMMITTEE MEMBER MOULTON-PATTERSON: Aye.

15 CHAIRPERSON JONES: Thank you, members. I
16 appreciate it.

17 I gave up my Special Waste Committee yesterday.

18 And Mr. Medina is our new Chair of that committee. And I
19 thank that committee's -- or that staff for the work.

20 Just because I'm keeping on as the Chair of this

21 Committee, I'll still take the opportunity to tell the

22 folks of Diversion, Planning and Local Assistance that you

23 do an incredible job as a staff. The work you do with the

24 cities is sometimes not always appreciated, but it's

25 appreciated by our Board and by the rest of the cities in

1 the State and we do appreciate it.

2 Jeannine, could you call the roll.

3 SECRETARY BAKULICH: Cannella?

4 COMMITTEE MEMBER CANNELLA: Here.

5 SECRETARY BAKULICH: Medina?

6 COMMITTEE MEMBER MEDINA: Here.

7 SECRETARY BAKULICH: Moulton-Patterson?

8 COMMITTEE MEMBER MOULTON-PATTERSON: Here.

9 SECRETARY BAKULICH: Jones?

10 CHAIRPERSON JONES: Here.

11 Mr. Schiavo.

12 DEPUTY DIRECTOR SCHIAVO: Yes, sir.

13 Board members, Happy New Year. This will be our
14 first day in session after the New Year, so get acclimated
15 to each other again.

16 I'd like to go over just an update on what's
17 going on with various programs. Then we'll head into Item
18 Number 1.

19 Regarding our State Agency Program, AB 75, we're
20 down to about our last 100 reviews for the annual report.
21 So you'll be receiving that information via Mark Leary.
22 So that's moving forward. We're almost completed with
23 those.

24 Regarding AB 939 and compliance, we're down to
25 about the last 75 jurisdictions. Next month we'll be

1 hearing probably 40 plus. And hopefully we'll wind that
2 down by March. So we're almost there.

3 Regarding the education program, we had a
4 workshop yesterday with one of our advisory committees.
5 And Chairwoman Linda Moulton-Patterson made some
6 introductory remarks. And staff from various divisions
7 and offices throughout the Board made some presentations
8 as well as our contractors. And it went very well as
9 well.

10 Regarding the grants program with the United
11 Education School Grants, the due date on those will be
12 February 28th of this -- you know, the next month. And
13 we'll start the review process regarding those grants.

14 We were going to conduct six workshops throughout
15 the State. But in an effort to try to save some resources
16 and money, we're going to produce the information over the
17 web. And then people who want hard copy versions of
18 information, we'll provide that hard copy at the request.
19 So that's moving along really well.

20 Regarding the waste characterization study
21 effort, the due date for that process will be January 17th
22 of this month. And we'll be beginning the review process
23 immediately thereafter. We hope to start field work
24 regarding characterization in July. Again, so we have
25 some real positive progress there as well.

1 And, last, regarding the disposal reporting
2 system, we went through the preliminary draft regulations
3 with the workshops last month. We allowed people to
4 provide comments to us by January 3rd. And so we're going
5 through all of the commentary. You'll be hearing in the
6 first item today a brief overview of what's occurred
7 there.

8 And that's pretty much my update.

9 Any questions or --

10 CHAIRPERSON JONES: Any questions, members?

11 I've got one question, I think I'll do at the
12 beginning of this meeting. And maybe Mr. Leary or Ms.
13 Nauman or yourself could answer, because it kind of
14 crosses media lines. But I think it's something that
15 really comes to light in diversion and planning.

16 A lot of jurisdictions have put in curbside
17 recycling programs. A lot more people are going to single
18 stream, which I happen to think makes the most sense.

19 Yesterday or two days ago in Permitting we had a
20 permit for a recycling facility because the RFP that went
21 out by the City said there would be less than 10 percent
22 residual. When the material actually came into the
23 facility it had 26 percent residual. The City blamed the
24 hauler. The program was put together by the City.

25 We need to start talking about some of those

1 things, because the problem that I see is going to happen
2 is that facilities in responding to RFPs are responding
3 to, you know, what a City or their consultants put
4 together as what they can expect and how to price it.

5 And I've seen some where there is so much garbage
6 in the curbside that the cost of processing has gone
7 through the roof, and you're not getting any diversion
8 because there's so much garbage in the container. And yet
9 they're the same jurisdictions that are sitting there
10 talking about how wonderful they are and they're blaming
11 haulers or processor when in fact it was their program.

12 So I think we need to be thinking about a
13 workshop on single stream and on the responsibility of
14 folks. Because the idea is citizens that participate,
15 that put out a clean product, want to know that it's being
16 used correctly. Those that just see it as another garbage
17 can are creating real problems. And I think we need to
18 have a forum to talk about that, you know.

19 So I'm going to leave it up to you guys. What do
20 you think, members? I mean I think this is an appropriate
21 role for us to have this kind of discussion because people
22 are relying on us to talk about these things. And when
23 somebody says, "Well, we're doing our curbside programs so
24 everything is fine," well, it's not fine if 40 percent of
25 what's going in that curbside recycling bin is garbage.

1 So we need to talk about the ups and downs of
2 that material. So -- because I don't think it's fair, you
3 know. I mean I'm looking at one program that the city's
4 awfully proud of that, to me, is an absolute disgrace.

5 COMMITTEE MEMBER MOULTON-PATTERSON: I think
6 that's be a great idea, and I'd like to see it scheduled.

7 CHAIRPERSON JONES: Members, okay?

8 COMMITTEE MEMBER MEDINA: Yes.

9 CHAIRPERSON JONES: All right. I'll let you guys
10 work on the logistics of that.

11 Thank you.

12 All right. Mr. Schiavo, Item D.

13 DEPUTY DIRECTOR SCHIAVO: Item D, Item 1 in the
14 Board Agenda, is presentation for workshops regarding the
15 informal disposal reporting system and adjustment method
16 regulation revisions.

17 And Diane Shimizu will make this presentation.

18 (Thereupon an overhead presentation was

19 Presented as follows.)

20 MS. SHIMIZU: Good morning, Chairman Jones and
21 Committee members. I am Diane Shimizu with the Waste
22 Analysis Branch, Disposal Reporting Section.

23 I will present a brief overview of the types of
24 comments we've received from the participants of the first
25 informal disposal reporting system and adjustment method

1 regulations workshops which were held last month.

2 In addition to using a reasonably accurate and
3 representative base-year generation tonnage amount, DRS,
4 our source for measurement year disposal tons, and the
5 adjustment method are critical components in calculating
6 diversion rates.

7 --o0o--

8 MS. SHIMIZU: Workshops on the first informal
9 draft regulations were held in Sacramento and Diamond Bar,
10 and about 100 people attended the workshops. The
11 participants were comprised of a variety of stakeholders,
12 including haulers, facilitate operators, City and county
13 government representatives, district representatives and
14 consultants.

15 --o0o--

16 MS. SHIMIZU: Our next steps in the regulations
17 development process are to collect comments on the first
18 informal draft regulations. Comments were due last
19 Friday, January 3rd. Based on the comments we will revise
20 the draft regulations and release the revised regulations
21 for review and further comment.

22 We will hold workshops on this second set of
23 informal draft regulations, with focus sessions on
24 subtopics such as the adjustment method and DRS reporting
25 and weighing requirements.

1 helpful. They also asked for additional clarification.

2 --o0o--

3 MS. SHIMIZU: The SB 2202 groups recommended that
4 signs be posted at facilities to educate customers about
5 the origin survey requirement. Workshop participants
6 suggested that signs should not be required if waste only
7 comes from a single jurisdiction. There were also
8 concerns that the signs be in languages other than English
9 and that the wording of the signs should take cultural
10 sensitivities into consideration.

11 --o0o--

12 MS. SHIMIZU: The working groups recommended
13 daily waste origin surveys with reduced requirements for
14 rural facilities and for small self-haul loads. The
15 groups also wanted the Board to create standards for
16 collecting origin information.

17 Some of the comments we heard were that the
18 system has incentives to misreport origin of waste.
19 Again, language barriers sometimes contribute to
20 difficulties in obtaining accurate origin information.

21 Some participants felt that requiring daily
22 surveys at transfer stations is complex and needs further
23 work.

24 One commenter suggested that landfills should not
25 be required to weigh transfer truckloads if the transfer

1 trucks are already weighed at transfer stations. Another
2 commenter suggested that surveys should not be required if
3 waste only comes from a single jurisdiction.

4 --o0o--

5 MS. SHIMIZU: The working groups wanted improved
6 recordkeeping and access to records. They wanted haulers
7 to provide origin information based on their dispatch
8 records. Therefore, the first informal draft regulations
9 require commercial haulers to record waste collection
10 addresses. Local governments repeatedly said they needed
11 more accurate and timely information. Some stakeholders
12 wanted access to detailed data. Participants wanted
13 increased flexibility to address local conditions.

14 With regards to keeping address information, some
15 participants were concerned with record storage, and they
16 were also concerned with confidentiality of records.

17 --o0o--

18 MS. SHIMIZU: The working groups recommended that
19 facilities send reports to jurisdictions at the same time
20 they send it to the counties. There were mixed reactions
21 at the workshops to the concept of receiving reports from
22 facilities as well as from agencies. There were concerns
23 about the cost of sending revised reports. Others were
24 concerned with having to report beneficial use at
25 landfills. Some commenters wanted DRS and BOE reporting

1 requirements and due dates to be more consistent.

2 --o0o--

3 MS. SHIMIZU: Participants were also concerned
4 with the time needed to resolve discrepancies. Other
5 commenters were concerned about the timeliness and
6 accuracy of reports they received from other entities.
7 Commenters suggested that the focus should be on diversion
8 program implementation and not on DRS and diversion rate
9 calculations.

10 --o0o--

11 MS. SHIMIZU: SB 2202 working groups recommended
12 that the Board provide training on diversion rate
13 measurement system, including DRS. Workshop participants
14 suggested that the Board conduct the trainer courses to
15 help entities comply with the proposed requirements. They
16 also recommended development of training appropriate for
17 different sizes and types of facilities.

18 --o0o--

19 MS. SHIMIZU: To address issues of DRS compliance
20 the working groups recommended that DRS cooperation be a
21 condition of a solid waste facilities permit. They also
22 wanted the Board to specify a compliance process.

23 Commenters were concerned about noncompliance in
24 instances where they cannot get the information they need
25 from other entities. There were also mixed reactions to

1 the draft DRS compliance process. There was some concern
2 over using the term "noncompliance."

3 --o0o--

4 MS. SHIMIZU: Finally, there were some general
5 comments about these draft regulations. For example,
6 someone suggested revision to set stricter standards for
7 bad actors in DRS rather than impose a stringent set of
8 standards on all.

9 As was the case in 1994 during development of the
10 original DRS regulations, stakeholders are requesting
11 regulations that allow flexibility to address local
12 conditions.

13 And as a reminder, we are now in the process of
14 collecting and reading comments. Since the revisions were
15 complex and extensive, and because holiday schedules made
16 it difficult to meet the January 3rd deadline, we know
17 that some comments are still forthcoming.

18 Once the comments are in we will redraft the
19 proposed regulations and issue a second informal draft for
20 public review and comment. And we will also plan more
21 workshops.

22 This concludes my overview of the regulations
23 workshops. Are there any questions?

24 CHAIRPERSON JONES: Members, are there any
25 questions?

1 Doesn't look like it. But thank you for
2 continuing this effort.

3 I am a little amazed that somebody said don't
4 weigh any of the transfer rigs coming into a landfill.
5 That was clearly somebody that did not own that landfill,
6 you know.

7 (Laughter.)

8 CHAIRPERSON JONES: All right. Thank you very
9 much.

10 Item E, Mr. Schiavo, San Benito County.

11 DEPUTY DIRECTOR SCHIAVO: Okay. This is
12 consideration of an amended Nondisposal Facility Element
13 for the San Benito County Integrated Waste Management
14 Regional Agency.

15 And Terri Edwards will present.

16 MS. EDWARDS: Good morning Chairman and Committee
17 members.

18 The San Benito County Integrated Waste Management
19 Regional Agency has amended its Nondisposal Facility
20 Element, or NDFE, by identifying and describing the
21 Herbert family organic compost facility in the City of
22 Hollister. This facility will serve the City of Hollister
23 and surrounding San Benito County area. The Permits and
24 Enforcement Division will be presenting an agenda item for
25 the proposed permit for this facility in the future.

1 The City has submitted all required
2 documentation. And Board staff, therefore, recommends the
3 approval of the amendment to the regional agency's NDFE.

4 This concludes my presentation.

5 CHAIRPERSON JONES: All right. Any questions?

6 Do I have a motion?

7 COMMITTEE MEMBER MOULTON-PATTERSON: Mr. Jones.

8 CHAIRPERSON JONES: Madam Chair.

9 COMMITTEE MEMBER MOULTON-PATTERSON: I would like
10 to move for approval of Resolution 2003-35.

11 COMMITTEE MEMBER MEDINA: Second.

12 CHAIRPERSON JONES: We've got a motion by Chair
13 Linda Moulton-Patterson, a second by Mr. Medina.

14 Could you call the roll.

15 SECRETARY BAKULICH: Cannella?

16 COMMITTEE MEMBER CANNELLA: Aye.

17 SECRETARY BAKULICH: Medina?

18 COMMITTEE MEMBER MEDINA: Aye.

19 SECRETARY BAKULICH: Moulton-Patterson?

20 COMMITTEE MEMBER MOULTON-PATTERSON: Aye.

21 SECRETARY BAKULICH: Jones?

22 CHAIRPERSON JONES: Aye.

23 Thank you.

24 Item number 3, County of San Luis Obispo.

25 DEPUTY DIRECTOR SCHIAVO: Okay. This is

1 consideration of the adequacy of a five-year review report
2 for the countywide integrated waste management plan for
3 the County of San Luis Obispo.

4 And Nikki Mizwinski will make this presentation.

5 MS. MIZWINSKI: Good morning, Chairman Jones and
6 Committee members.

7 The San Luis Obispo County Integrated Waste
8 Management Authority has submitted its report for its
9 five-year review of the county integrated waste management
10 plan.

11 In concurrence with the county, the authority
12 determined that a revision of the county's plan was not
13 necessary at this time.

14 Board staff have evaluated the county's review
15 report and determined that the required elements have been
16 addressed. Therefore, it's staff's recommendation that
17 the Board approve the county's assessment that no revision
18 is necessary.

19 This concludes my presentation. A representative
20 from the county is available to answer any questions.

21 CHAIRPERSON JONES: Are there any questions,
22 members?

23 COMMITTEE MEMBER MEDINA: I see no issues at this
24 time.

25 CHAIRPERSON JONES: Mr. Medina.

1 COMMITTEE MEMBER MEDINA: I'd like to move
2 Resolution 2003-36, consideration of the adequacy of the
3 five-year review report of the countywide integrated waste
4 management plan for the County of San Luis Obispo.

5 COMMITTEE MEMBER CANNELLA: Second.

6 CHAIRPERSON JONES: I got a motion by Mr. Medina,
7 a second by Mr. Cannella.

8 Substitute the previous roll?

9 On consent, members?

10 The one before this I forgot to ask about
11 consent. I'll put first one on consent. Thank you.

12 And then the item on the DRS was just committee
13 only.

14 Before we go on to the next item, I'm not sure if
15 I said thank you to the Chairwoman for the nomination or
16 Mr. Medina. And I thought I did, and I'm not sure if I
17 did. I'm getting old timer's disease. I want to, you
18 know, say thank you. I appreciate the responsibility and
19 the confidence and I've enjoyed it. And I've really
20 enjoyed working with Mr. Cannella.

21 Enough of that. I just wasn't sure if I said
22 thank you, and I didn't want to leave the room without.

23 COMMITTEE MEMBER MOULTON-PATTERSON: You're
24 welcome.

25 CHAIRPERSON JONES: Go ahead. Next one.

1 DEPUTY DIRECTOR SCHIAVO: Okay. City of
2 Claremont. This is consideration of the 1999-2000
3 biennial review findings for the City of Claremont, Los
4 Angeles County.

5 And Steve Uselton will present.

6 MR. USELTON: Good morning, Chairman and
7 Committee members.

8 The City of Claremont's diversion rate for 1999
9 was 40 percent and in 2000 was 44 percent. To determine
10 the level of program implementation staff analyzed the
11 historic diversion rate trend, which has been increasing,
12 and conduct a program verification site visit in the Year
13 2000.

14 Some of the major programs that have been
15 implemented include source-separated curbside collection
16 of green waste and recyclables in 90-gallon containers
17 with a pay-as-you-throw provision for disposal; processing
18 of high yield commercial loads at a material recovery
19 facility; extensive outreach with landscapers and other
20 significant business generators within the community;
21 grass cycling at City parks, medians, and golf courses;
22 and implementation of a construction and demolition
23 project through a federal EPA grant.

24 Staff recommends the Board finds that Claremont
25 has made a good-faith effort in meeting the diversion

1 requirements.

2 A representative from the City is available to
3 speak.

4 CHAIRPERSON JONES: Are there any questions?

5 This is a good one to point out. This one came
6 forward for an SB 1066 originally. Then they decided they
7 wanted to go for good-faith effort instead of 1066 sort of
8 on the fly. Now, after the investigation they're getting
9 a good-faith effort. So, you know, it's not always the
10 other way around. I mean this time it was -- there was
11 verifiable programs that in fact they had done just about
12 everything they could do. So I think that's important.

13 Do we have a motion?

14 Mr. Medina.

15 COMMITTEE MEMBER MEDINA: Yeah, Chair Jones, I'd
16 like to move Resolution 2003-37, consideration of
17 the '99-2000 biennial review findings for the Source
18 Reduction and Recycling Element and Household Hazardous
19 Waste Element for the City of Claremont, Los Angeles
20 County.

21 COMMITTEE MEMBER CANNELLA: Second.

22 CHAIRPERSON JONES: I've got a motion by Mr.
23 Medina, a second by Mr. Cannella.

24 Substitute the previous roll?

25 On consent?

1 Thank you, members.

2 COMMITTEE MEMBER MOULTON-PATTERSON: I want to
3 keep my vote yes. But I did have a question. Did you say
4 that someone's here from the City or -- I was just
5 wondering -- and you might have covered this, but I don't
6 think I heard it -- do they work with the colleges in
7 Claremont? There's a big college population there?

8 And excuse me if you said that, Steve.

9 MR. USELTON: No, actually I didn't specifically
10 mention that in my presentation.

11 Yes, the City has done some direct outreach to
12 the colleges. In fact, they invited us along. And we
13 worked with them to show them some of the tools that we
14 have in working with businesses. I don't know the current
15 status of all of those programs, if you'd like to hear
16 from the City person on that.

17 COMMITTEE MEMBER MOULTON-PATTERSON: I just
18 wanted to make sure that they working. It's a lovely
19 community, and I thought that would be an important
20 factor.

21 Thank you.

22 MR. USELTON: Thanks.

23 CHAIRPERSON JONES: Thanks, Madam Chair.

24 Okay. Item H, which is the City of Dublin in
25 Alameda County.

1 DEPUTY DIRECTOR SCHIAVO: We'd like to combine
2 Items H and I. And these are consideration of the
3 1999-2000 biennial review findings for the cities of
4 Dublin and Livermore, both in Alameda County.

5 And Carolyn Sullivan will make these
6 presentations.

7 MS. SULLIVAN: Good morning.

8 Staff conducted 1999-2000 biennial reviews for
9 the cities of Dublin and Livermore and found both cities
10 have adequately implemented solid waste diversion
11 programs. In addition, staff found that the cities of
12 Dublin and Livermore have each achieved a 2000 diversion
13 rate of at least 50 percent with no more than 10 percent
14 diversion coming from the biomass diversion credit.

15 As described in the agenda items, with the
16 biomass diversion credit, the City of Dublin's 2000
17 diversion rate would change from 46 percent diversion to
18 54 percent diversion and the City of Livermore's 2000
19 diversion rate would change from 44 percent diversion to
20 50 percent.

21 In addition, staff verified that each
22 jurisdiction's diversion program implementation is solid
23 in its foundation and effectiveness, which is the basis
24 for staff's recommendation.

25 Board staff recommend Option 1 of each agenda

1 item, which would approve the biennial review findings for
2 the cities of Dublin and Livermore as well as each city's
3 biomass diversion claim.

4 Representatives from each of the cities are here
5 to answer any questions you might have.

6 This concludes my presentation.

7 CHAIRPERSON JONES: Are there any questions of
8 staff?

9 COMMITTEE MEMBER MOULTON-PATTERSON: No. I'd
10 like to move it.

11 CHAIRPERSON JONES: Madam Chair.

12 COMMITTEE MEMBER MOULTON-PATTERSON: I'd like to
13 move Resolution 2003-38.

14 Shall we take them separately on the vote, or can
15 we combine them?

16 CHAIRPERSON JONES: Yeah, we're going to
17 substitute.

18 COMMITTEE MEMBER MOULTON-PATTERSON: Okay. So
19 one at a time, Elliot?

20 STAFF COUNSEL BLOCK: One at a time since it's a
21 resolution.

22 COMMITTEE MEMBER MOULTON-PATTERSON: Okay,
23 2003-38, consideration of the '99-2000 biennial review
24 findings for the Source Reduction and Recycling Element
25 and Household Hazardous Waste Element for the City of

1 Dublin, Alameda county.

2 COMMITTEE MEMBER MEDINA: Second.

3 CHAIRPERSON JONES: I got a motion by Chair
4 Moulton-Patterson, a second by Mr. Medina.

5 Substitute the previous roll?

6 On consent?

7 Madam Chair.

8 COMMITTEE MEMBER MOULTON-PATTERSON: I'd like to
9 also move Resolution 2003-39, the same reading, for the
10 City of Livermore, Alameda county.

11 COMMITTEE MEMBER CANNELLA: Second.

12 CHAIRPERSON JONES: I've got a motion by Chair
13 Linda Moulton-Patterson, a second by Mr. Cannella.

14 Substitute the previous roll?

15 On consent?

16 Thank you, members.

17 Item Number J, which is unincorporated Imperial.

18 DEPUTY DIRECTOR SCHIAVO: And this is
19 consideration of a biennial review findings for the
20 unincorporated area of Imperial.

21 And Tara Gauthier will make this presentation.

22 MS. GAUTHIER: Good morning, Committee members.

23 Staff has conducted a 1999-2000 biennial review
24 of the unincorporated area of Imperial County and found
25 the county has achieved a 1999 diversion rate of 85

1 percent and a 2000 diversion rate of 88 percent.

2 Staff also believes the county is adequately
3 implementing source reduction, recycling, composting and
4 public education and information programs as outlined in
5 its Source Reduction and Recycling Element and Household
6 Hazardous Waste Element.

7 The county and the cities within the county are
8 all members of a Joint Powers Authority, or JPA, that has
9 been working on waste management issues for a number of
10 years. Recently the JPA has been working on the
11 development of a regional agency in order to share program
12 development, increased promotional and outreach
13 activities, and diversion rate calculations. Whether or
14 not the regional agency comes to fruition, Board staff
15 proposes that the county will need to continue working
16 with the cities to ensure that its own program development
17 is complementary and compatible with the current and new
18 programs developed by the cities.

19 Staff is recommending approval of the '99-2000
20 biennial review findings for the county.

21 This concludes my presentation. Board staff is
22 available to answer any questions.

23 CHAIRPERSON JONES: Are there any questions,
24 members?

25 I have one.

1 Didn't we a couple of -- I don't if it was last
2 month or the month before didn't we have some cities in
3 Imperial county that we had to put on either compliance or
4 SB 1066?

5 DEPUTY DIRECTOR SCHIAVO: Yes.

6 CHAIRPERSON JONES: Now, because they -- they
7 don't have a lot of people and they don't -- I mean here
8 the county's pounds per person per day are like 85 or 88
9 pounds a day because of the agricultural waste.

10 Is that formation of that regional agency
11 something that's going to be real? Or is it -- I mean
12 because some of these jurisdictions don't have a whole lot
13 of people or a whole lot of waste steam and they're
14 getting killed.

15 MS. GAUTHIER: That is correct. Actually there
16 were two questions I believe you've asked.

17 One, all of the cities -- nearly all of the
18 cities that had not passed the biennial review, which were
19 six cities, some of them rural in definition, had
20 submitted 1066 applications, which staff felt needed more
21 work, and were given a 30-day notice to resubmit. And
22 I've been in communication with the contacts there, and
23 they are hard at work to correct and rewrite those.

24 Also, I've heard from the JPA chairperson, Mr.
25 Steve Hogan of El Centro, who says that this month he is

1 bringing before the various City councils the item
2 regarding formation of a regional agency for programs
3 purposes, not for landfill but for programs.

4 CHAIRPERSON JONES: Right. Okay.

5 Let me ask you one more question then.

6 If there is -- this is one we gave them 30 days
7 or 60 days or something --

8 MS. GAUTHIER: Thirty days.

9 CHAIRPERSON JONES: Okay. So if they're in the
10 middle of trying to get this together and they need
11 another extension, will us come to us and say, you know,
12 "Can we give them a little more time to finalize?" I
13 don't want to give them an indefinite amount of time
14 because I don't want the county to just say the heck with
15 it, if in fact they're going to do that.

16 But I remember when we were in El Centro, it
17 was --

18 COMMITTEE MEMBER MOULTON-PATTERSON: Oh, I missed
19 that meeting.

20 CHAIRPERSON JONES: Oh, that's right. You were
21 becoming a grandmother, huh?

22 COMMITTEE MEMBER MOULTON-PATTERSON: Right.

23 CHAIRPERSON JONES: Sorry about that.

24 Well, they -- not sorry about that.

25 COMMITTEE MEMBER MOULTON-PATTERSON: Don't be

1 sorry. It's wonderful.

2 CHAIRPERSON JONES: You know what I mean.

3 Sorry you missed downtown El Centro.

4 (Laughter.)

5 CHAIRPERSON JONES: But they had a pretty tough
6 waste stream to deal with. And they were doing some
7 programs, but there wasn't a whole lot there. So --

8 COMMITTEE MEMBER MEDINA: I remember that well.

9 (Laughter.)

10 CHAIRPERSON JONES: Yeah, I know.

11 So let us know how that's going to workout
12 because -- you know.

13 MS. GAUTHIER: Certainly.

14 All right. Now that I've interrupted the flow.

15 I'm going to need a resolution for this item.

16 Who wants to make the motion?

17 COMMITTEE MEMBER MOULTON-PATTERSON: I'll be glad
18 to make the motion.

19 I'd like to move Resolution 2003-40, a
20 consideration of the '99-2000 biennial review findings for
21 the Source Reduction and Recycling Element and Household
22 Hazardous Waste Element for the unincorporated area of
23 Imperial County.

24 COMMITTEE MEMBER MEDINA: Second.

25 CHAIRPERSON JONES: I got a motion by Chair

1 Moulton-Patterson, a second by Mr. Medina.

2 Substitute the previous roll?

3 On consent.

4 Thank you, members.

5 Next item, 8, Sac County.

6 DEPUTY DIRECTOR SCHIAVO: Item Number 8 we would
7 like to continue until February, as this item we're -- the
8 City is seeking -- or the county is seeking some
9 additional information that they just discovered. And so
10 we're trying to reconcile the information.

11 CHAIRPERSON JONES: That's fine. So we're going
12 to postpone this for 30 days?

13 DEPUTY DIRECTOR SCHIAVO: Yeah.

14 CHAIRPERSON JONES: Okay.

15 All right. Item 9, L in your program, McFarland
16 in Kern County.

17 DEPUTY DIRECTOR SCHIAVO: Okay. This is
18 consideration of the 1999-2000 biennial review findings
19 and consideration of issuance of a compliance order
20 relative to the 1999-2000 biennial review findings for the
21 City of McFarland in Kern County.

22 And Nikki will make this presentation.

23 MS. MIZWINSKI: Good morning again.

24 Staff has conducted a 1999-2000 biennial review
25 of the City of McFarland's Source Reduction and Recycling

1 Element and their Household Hazardous Waste Element
2 program implementation, and also the diversion rate that
3 they achieved. The city's 1999 diversion rate was 34
4 percent. The city's 2000 diversion rate was also 34
5 percent.

6 As part of the biennial review Board staff
7 recommended, and the City agreed, that the City either
8 submit an SB 1066 application or a petition for a rural
9 reduction. The City elected to submit a petition for
10 rural reduction. However, submittal was incomplete and
11 the City was subsequently given additional time to
12 resubmit a complete application.

13 Because a complete application was never
14 received, the City was given both a 60-day notice of
15 conferring and a 30-day notice of intent for the issuance
16 of a compliance order. Board staff has provided technical
17 assistance to the City on several occasions. However, to
18 date, the City has still not submitted a completed
19 petition for reduction in its diversion goal.

20 Board staff is, therefore, bringing forward
21 biennial review findings that the City has failed to
22 adequately implement programs to achieve the 50-percent
23 diversion requirement for the year 2000.

24 Board staff recommends that the Board find the
25 City is not adequately implementing it's Source Reduction

1 and Recycling Element and approve the attached order of
2 compliance as written.

3 Staff also recommends the Board separately accept
4 staff's finding that the City is adequately implementing
5 it's Household Hazardous Waste Element.

6 A representative for the City is available to
7 answer any questions.

8 CHAIRPERSON JONES: Okay. We do have a speaker.
9 Mr. Medina, did you have a question?

10 COMMITTEE MEMBER MEDINA: No, the only question I
11 had is I would like to hear from the City of McFarland as
12 to why they have not accepted our staff's numerous offers
13 of assistance.

14 CHAIRPERSON JONES: Mr. Gary Johnson.

15 MR. JOHNSON: First of all, I would like to say
16 thank you to Ms. Mizwinski for her numerous contacts and
17 her offers of assistance and stuff. A lot of our
18 situations -- we're a very small rural community. We have
19 very limited staff. We have two people in all of City
20 hall. I wear all hats. And sometimes you just have to
21 prioritize some issues.

22 We have made a number of efforts to address
23 issues concerning waste reduction. We have as of this
24 year gone to a fully automated system.

25 As we've talked to her in numerous occasions,

1 it's very difficult for us to even minimize the refuse
2 that we do collect. One of the things that we did do was
3 to go from a twice-a-week pickup to a single pickup. And
4 from the four 30 -- the two 30-gallon containers, which
5 would be four 30s per week, to just the one single 110.

6 But the other -- we have very little that would
7 be gained by recycling in itself because we have a number
8 of elderly people that stay about a block ahead of the
9 garbage trucks on Monday that purge anything that's
10 recyclable. And that's rather evident by the amount of
11 recycles that are passed through RNF Disposal.

12 Like I said, I apologize for noncompliance. But
13 it's just one of them things when you have all the issues
14 that you have and you have yourself and one clerk, you
15 prioritize.

16 COMMITTEE MEMBER CANNELLA: Mr. Jones?

17 CHAIRPERSON JONES: Question, Mr. Cannella.

18 COMMITTEE MEMBER CANNELLA: Well, you said you
19 wear many hats. What hat are you wearing today before the
20 Board? What is your responsibility --

21 MR. JOHNSON: I'm the City Administrator.

22 COMMITTEE MEMBER CANNELLA: City Administrator.
23 Okay.

24 And so you also --

25 MR. JOHNSON: Public Works Director, sometimes

1 dogcatcher.

2 COMMITTEE MEMBER CANNELLA: So when you were
3 giving the description of what you've done, I saw --
4 thought staff was a little -- were you aware of what they
5 just said that they have been doing?

6 MS. MIZWINSKI: That they're picking up garbage,
7 yes.

8 COMMITTEE MEMBER CANNELLA: Not that they're
9 picking up garbage, but that they have changed the way
10 they pick up, the different schedulings, the different
11 type of containers, and all the other things that he
12 alleges that they've done, is this part of --

13 MS. MIZWINSKI: No, I wasn't aware of that.

14 COMMITTEE MEMBER CANNELLA: Okay. So what's the
15 communication breakdown between the City and the staff?

16 MR. JOHNSON: We discussed that -- you're aware
17 that we went to -- RNF went to the automated system. We
18 discussed that. In fact I've spent a number -- I can go
19 back and show a telephone call where we spent hours in
20 discussing -- you even discussed what the schools were
21 doing and you even had called and talked to the prison and
22 found some issues that I was totally unaware of that they
23 were doing to assist in compliance of a program that I did
24 not even know that the prisons had ongoing.

25 MS. MIZWINSKI: That's true. I don't recall

1 hearing it, but I do recall the conversation.

2 MR. JOHNSON: But we were on the phone an hour
3 and a half that day.

4 MS. MIZWINSKI: Yes, we were. Yes, we definitely
5 were.

6 CHAIRPERSON JONES: Okay. Tabetha.

7 MS. MIZWINSKI: I didn't realize it was an
8 automated system, or I don't recall that. But I'm sure he
9 said it.

10 MS. WILLMON: Tabetha Willmon from the Office of
11 Local Assistance.

12 I'm hearing the conversation. And I do -- I
13 think maybe there was some confusion as to whether it was
14 an automated recycling collection versus automated waste
15 collection, yeah. And I know that in my discussions with
16 Nikki, the recycling collection -- any kind of curbside
17 collection had never been happening other than the
18 scavenging that was occurring ahead of time.

19 But as far as the waste collection, I think that
20 that's where the confusion -- maybe Nikki was thinking
21 that it was recycling versus automated waste collection.

22 CHAIRPERSON JONES: Mr. Medina.

23 COMMITTEE MEMBER MEDINA: Yes, I had a further
24 question that's in regard to the rural petition for
25 reduction application. Is that proceeding or has that not

1 yet been acted upon?

2 MR. JOHNSON: That's proceeding.

3 CHAIRPERSON JONES: Okay. I know where McFarland
4 is, but I'm not familiar with, you know, what your issues
5 are as far as population and that. I do see that you only
6 got 5 1/2 pounds a person per day of waste generation.
7 But if you're going for a reduction or you're thinking
8 about going for reduction of what's there, is part of the
9 compliance order that activity? Because it sounds to
10 me -- I mean there's some issues with this one that you
11 guys -- you don't pick up your own waste. You contract
12 out to somebody?

13 MR. JOHNSON: Yes.

14 CHAIRPERSON JONES: Okay. And that person I'm
15 assuming picks up more than just the City of McFarland?

16 MR. JOHNSON: No, sir.

17 CHAIRPERSON JONES: Just the City of McFarland.

18 MR. JOHNSON: Yes.

19 CHAIRPERSON JONES: And --

20 MR. JOHNSON: They have a roll-off business in
21 another --

22 CHAIRPERSON JONES: -- community. But they have
23 a garbage collection business in McFarland?

24 MR. JOHNSON: Only in McFarland. Yeah, in
25 McFarland only.

1 CHAIRPERSON JONES: And do they offer any
2 recycling activities for residence?

3 MR. JOHNSON: Yes, we have -- they pick up all
4 aspects of recycling. They have a facility on frontage
5 road and then also one set up contiguous to the community
6 grocery store, which they purchase all types of recycling.

7 CHAIRPERSON JONES: All right.

8 MR. JOHNSON: And their records are -- when you
9 look at the amount that they purchase in the course of
10 recycling, on both regular recycling and the funded
11 recycling programs, they're exceptionally high for the
12 population, the 8700 that are in McFarland.

13 CHAIRPERSON JONES: Okay. Because we're getting
14 ready to vote on a compliance order that's going to
15 require certain things be done by the City. And I
16 understand that you're wearing the hat for the City. But
17 the way that this law is written, AB 939, is after a
18 series of compliance discussions and trying to work
19 through the issues, when there's a compliance order, if
20 the compliance order's ignored, then the next step is when
21 we start talking about the assessment of fines. So I want
22 it to be real clear. People have always wondered about
23 the fines. Well, the fines don't happen until the
24 compliance orders are ignored or not fulfilled. And so
25 it's at that point that we're talking about fines.

1 So what I'm hoping is even though you wear one
2 hat, that we work with the City to get them into
3 compliance; because, by law, if this gets blown off, the
4 next meeting is going to be about how much to assess in
5 fines. And that's not what -- we want to see you in
6 compliance.

7 So I'm hoping that we can -- in the world of
8 priorities, I hope this gets a little bit of priority
9 because I don't want to see this going to the 8700
10 citizens that -- you know, the next step is a fine.
11 That's the law and that's the way we have to deal with it.

12 MR. JOHNSON: Well, that's understandable. And,
13 like I say, we have been strapped with a number of issues,
14 including the closure of the local transfer station.
15 We're now having to truck all of our refuse all the way to
16 Shafter. Like I say, there's a number of issues there.

17 What would be the amount of time to bring this
18 into compliance?

19 CHAIRPERSON JONES: This compliance order is --

20 MS. MIZWINSKI: I think it goes till May.

21 Is that what you're asking?

22 CHAIRPERSON JONES: Well, I think it's June of --
23 the end of June 2003.

24 And I think what I would like to do, Mr. Schiavo,
25 is -- I think we need to have a vote on this. But then I

1 want to make sure that everybody -- the City understands
2 and that these time schedules, you know -- let me ask a
3 question a little differently.

4 You wouldn't have written this arbitrarily,
5 somebody had to have had a conversation, right?

6 DEPUTY DIRECTOR SCHIAVO: Right.

7 CHAIRPERSON JONES: Okay. So --

8 DEPUTY DIRECTOR SCHIAVO: I just want to add, the
9 June 30th date is the date for completion of the
10 assessment of a plan of action. So that would be -- we
11 would go out in the field and work with the City,
12 determine what programs that they could implement within,
13 you know, the resource conditions for that community, and
14 then that would be completed by that date.

15 CHAIRPERSON JONES: Okay. So then there's other
16 steps that are --

17 DEPUTY DIRECTOR SCHIAVO: And then there's the
18 program implementation element that takes place after
19 that.

20 CHAIRPERSON JONES: So all of these things are
21 like drop-dead things that have to be done by that time
22 period?

23 DEPUTY DIRECTOR SCHIAVO: Right.

24 CHAIRPERSON JONES: Okay. And we're aware that
25 this ia a one-man show.

1 DEPUTY DIRECTOR SCHIAVO: Yeah.

2 CHAIRPERSON JONES: So there's going to be some
3 work with the local hauler in this.

4 Okay. That's fair then. I got no problems with
5 that.

6 COMMITTEE MEMBER CANNELLA: I have a question.

7 CHAIRPERSON JONES: Mr. Cannella.

8 COMMITTEE MEMBER CANNELLA: Just a statement.

9 I'm a little concerned that the past history is
10 that even though there's a one-person operation, that they
11 have not prevailed upon our staff to help with this plan.
12 Just completely ignored. You applied for an extension for
13 the definition or the designation of rural county, but you
14 never did any follow up. And I'm watch the staff folks as
15 you're making statements, and it seems that what you're
16 saying it seems to be a bit new to these folks here who
17 have been attempting to help you. I've got to impress
18 upon you that -- what the Chairman had said, that there
19 are drop-dead dates for this to happen. This Board and
20 this agency bends over backwards to provide assistance.
21 But for those who continue to rub our nose in the offer of
22 assistance, there's going to be a heavy penalty to pay.
23 So I don't know if I can impress upon you as strongly as I
24 can, that you had better make contact with our staff and
25 you'd better develop a plan, because the next time you

1 come before the Board it's going to be the implementation
2 of fines as opposed to "What else can we do to help you?"

3 MR. JOHNSON: In all due respect, I understand
4 where you're coming from. But Ms. Mizwinski is the only
5 person on your staff that I have talked to.

6 COMMITTEE MEMBER CANNELLA: Did you have
7 something to say before we do the vote?

8 MS. MIZWINSKI: Perhaps a clarification.

9 What's missing is, when the school waste is
10 picked up, there isn't a curbside recyclables program for
11 the school waste. Also for the residential program, there
12 is not a residential recyclables collection program.
13 That's what's missing. That's all.

14 MR. JOHNSON: It's virtually impossible to have a
15 curbside recycling program. It would not -- it would be
16 cost prohibitive to implement. We have Delano that's
17 trying to implement one right up the road right now, and
18 they're having to hire 10 additional people to police the
19 issues because of the local social structuring stuff that
20 everything besides recyclables goes into the containers.

21 And they're, you know -- and what little -- we
22 have placed containers on the front of the trucks. And I
23 have asked them as you're dumping, you know, on the manual
24 run, just prior to us doing the automated system, and we
25 have looked to see what recyclables were in what was being

1 dumped.

2 In an entire community of 1700 homes, they are
3 not even able to fill one small cardboard box with
4 aluminum cans or bottles that are left in the entire pick
5 up.

6 The people -- and, like I say, you can look at
7 the RNF Disposal numbers. People take their recyclables
8 in to get their money.

9 And then you have -- like I say, you have a small
10 army that hit the parks -- the two parks and every can
11 that's in the community to pull recyclables out of it
12 before the garbage truck gets there if there is any --
13 when there is anything there.

14 So there's just some things that really -- that
15 might fit a lot of other cities, just won't work or won't
16 be productive in a community like McFarland. Ms.
17 Mizwinski has been -- she was down, she spent about an
18 hour in the town one day. You look around, for instance,
19 even in green waste, over half of my homes do not have
20 front yards or back yards, either one. They have dirt out
21 in front. That doesn't generate much green waste. So
22 where are you going to cut back -- and I have pointed that
23 out in written correspondence to them, that there are some
24 issues there that McFarland does not fit your typical mold
25 as to general waste production or the ability to recycle.

1 Now, with the growth and development of the new
2 tract that just started this last November, people are
3 putting in front yards, you're seeing landscaping and
4 stuff. And eventually things will transform to reflect
5 typical central San Joaquin Valley middle social standard
6 homes. At this time it just doesn't do it.

7 CHAIRPERSON JONES: Madam Chair.

8 COMMITTEE MEMBER MOULTON-PATTERSON: Mr. Jones, I
9 am going to move the recommended action. But I did want
10 to say, Mr. Johnson, I do understand about small towns.
11 But I see many rural areas that have done some really
12 great things. And I just have to tell you, I've worked in
13 a lot of local offices and State appointed offices. And
14 our staff is ready to work with you. And they can -- in
15 fact, my former technical advisor, Heidi Sanborn, went
16 down and worked with a lot of small cities in your area
17 and really turned things around.

18 So I really think that the offers to work with
19 you are sincere. And with that I'd like to move
20 Resolution 2003-42, consideration of the '99-2000 biennial
21 review finding for the Source Reduction and Recycling
22 Element and Household Hazardous Waste Element and
23 consideration of issuance of a compliance order relative
24 to the '99-2000 biennial review findings for the City of
25 McFarland, Kern County.

1 COMMITTEE MEMBER MEDINA: Second.

2 CHAIRPERSON JONES: I've got a motion by
3 Chairwoman Moulton-Patterson, a second by Mr. Medina.

4 Substitute the previous roll?

5 On consent?

6 Thank you.

7 Just one quick comment. I agree with the
8 Chairwoman and with the questions. You're 5 pounds -- 5.6
9 pounds per person, which is probably a base-year number
10 that was put together in 1990 or 1991. I don't know if
11 the region around -- this Kern county, so you weren't part
12 of the Fresno county debacle.

13 (Laughter.)

14 CHAIRPERSON JONES: But there are areas of
15 working together. But the fact that your citizens are
16 taking that material to a local recycler, that's all part
17 of the program. So if there's evidence that all of that
18 CRV value material is ending up going to a buy-back
19 center, that's a legitimate thing to look at. It's
20 looking at -- every City doesn't need a curbside recycling
21 program. You know, if there's nothing in there of value,
22 then it's just an expense. But how many businesses in
23 your City -- does the store recycle its cardboard or
24 anything --

25 MR. JOHNSON: Yes, they do.

1 CHAIRPERSON JONES: -- or do they just throw it
2 away?

3 MR. JOHNSON: Yes, they do. They have a press.

4 CHAIRPERSON JONES: Okay. So we need to -- you
5 know, we need to look at those kind of opportunities and
6 see where they are. Because it may just be a matter of
7 adjusting the numbers to better reflect what's happening
8 today as opposed to 1991.

9 But our staff and Tabettha and her group are going
10 to work with you to try to figure out what this is. But
11 there's nobody on this Board that says every city's got to
12 have a curbside program, every city's got to have this,
13 every city's got to have that, because they're all
14 different. But, you know, all of us understand that
15 they're different. But it doesn't mean that they become
16 excluded, you know, what I mean. So part of it may be a
17 reduction, part of it may be a focus on certain kind of
18 programs. And if you, you know -- and you'll get going
19 somewhere towards that goal.

20 MR. JOHNSON: I would like to say, I'm sorry you
21 have the perception that I'm rubbing your nose in it, Mr.
22 Cannella. I don't mean to convey that to you. And so for
23 the record, if I don't return your phone calls till after
24 the 18th -- I'm going -- I made a trip up here today even
25 though it's tight, because I was supposed to be in pre-op

1 today because I'm going in for major knee surgery
2 tomorrow, and I will not be back till the 18th. So if
3 you'll contact me after the 18th, I'll be more than glad
4 to work with you in remedying this situation.

5 MS. MIZWINSKI: You bet.

6 CHAIRPERSON JONES: Thank you.

7 COMMITTEE MEMBER MEDINA: I had one further
8 question.

9 CHAIRPERSON JONES: Mr. Medina.

10 COMMITTEE MEMBER MEDINA: Do you also serve as
11 the Justice of the Peace of that area?

12 MR. JOHNSON: Yes, I do. Marriage counselor too.

13 (Laughter.)

14 COMMITTEE MEMBER MEDINA: Oh, that's good to
15 know. I often go through McFarland, always within the
16 posted speed limit.

17 (Laughter.)

18 MR. JOHNSON: You think I'm kidding?

19 CHAIRPERSON JONES: No, we don't.

20 (Laughter.)

21 CHAIRPERSON JONES: All right. Item Number 10,
22 City of Needles, San Bernardino County.

23 DEPUTY DIRECTOR SCHIAVO: This is a consideration
24 of the application for an SB 1066 alternative diversion
25 requirement by the City of Needles in San Bernardino

1 County.

2 And Rebecca Brown will make this presentation.

3 MS. BROWN: Good morning.

4 The City of Needles has requested an alternative
5 diversion request through 2003. The city's current
6 diversion rate is 33 percent. The goal achievement plan
7 included programs that would result in an estimated
8 diversion of 25.9 percent. At the completion of the
9 alternative diversion request this would give the City a
10 total estimated diversion of 26 percent.

11 Staff discussed the shortcomings of the request
12 with the City of Needles and confirmed their intent to
13 request an alternative diversion requirement. The City
14 staff understands and concurs with Board staff's
15 recommendation to disapprove this request and provide the
16 opportunity to revise and resubmit the application within
17 30 days.

18 There is not currently a representative from the
19 City here.

20 This concludes my presentation. If you have any
21 questions, I'd be happy to answer them.

22 CHAIRPERSON JONES: Any questions, members?

23 So our action is to not accept this, delay it for
24 30 days?

25 MS. BROWN: Right.

1 CHAIRPERSON JONES: But I have a question. They
2 want a diversion reduction to 26 percent?

3 MS. BROWN: Yes.

4 CHAIRPERSON JONES: And they were at 33 percent?

5 MS. BROWN: Yes.

6 CHAIRPERSON JONES: Somehow I'm not getting this.

7 (Laughter.).

8 CHAIRPERSON JONES: You know, it's a little
9 hard -- how many jurisdictions are out here that are at
10 like 49 percentage, aiming for 50, and these guys are
11 at -- had just achieved 33 and they want to go down to 26?
12 Why don't we just reduce it like to 10?

13 (Laughter.)

14 MS. BROWN: Well, yes. And I think that was part
15 of the clarification that needed to occur. There are some
16 other issues surrounding this related to their concern
17 that they may not be able to meet or maintain it; that
18 they would like to be considered as a rural jurisdiction,
19 but there are no jurisdictions in San Bernardino County
20 that qualify. So we are trying to work with them to come
21 up with a reasonable goal achievement plan that would
22 reflect something that could be met and maintained and
23 satisfy the goals.

24 And so they looked at what they had initially
25 submitted in 1990 and thought that that might be what

1 would be reasonable.

2 CHAIRPERSON JONES: Okay. So you're going to go
3 back and work on it --

4 MS. BROWN: But we're saying, "There's other
5 opportunities for you; and you have been increasing your
6 diversion rate, so we think we can strengthen it."

7 CHAIRPERSON JONES: Now, the reason nothing in
8 San Bernardino can be listed as rurals is because of the
9 general population of the entire county?

10 MS. BROWN: It doesn't -- right, it doesn't meet
11 those requirements for rural jurisdiction.

12 CHAIRPERSON JONES: You know, I was almost late
13 for this meeting this morning because I was meeting with
14 local officials of the City of Apple Valley, who had just
15 requested a 1066 or have been denied good faith or
16 whatever we did.

17 But they weren't there to complain about our
18 action. They were there trying to figure out what they
19 could do to focus so that they would be in compliance.
20 They have a very different set of circumstances because
21 they also are high desert. So I think we need to be
22 looking -- I mean one of the things that we need to be
23 doing as a Committee here is looking at area -- Needles is
24 needles. I mean there's part of it that is dense and
25 other parts of it that there's a house every, you know,

1 400 or 800 yards. So maybe we need to be thinking a
2 little bit about ways to deal with some of that high
3 desert stuff, because there's more than just those. And I
4 know our hands are tied by statute. But that doesn't mean
5 we can't come up with a way to work within statute to
6 think about that, if that's okay for some to start looking
7 at. But --

8 MS. BROWN: But, yeah, the first step is to work
9 with developing a reasonable goal achievement plan for
10 them.

11 CHAIRPERSON JONES: That'll work. Okay. Because
12 it will come up in others, and we need to be consistent.

13 Any questions, members?

14 Motion?

15 Mr. Medina.

16 COMMITTEE MEMBER MEDINA: Thank you, Chair Jones.
17 I'd like to move Resolution 2003-43, consideration of the
18 application for a 1066 alternative diversion requirement
19 of the City of Needles, San Bernardino County.

20 COMMITTEE MEMBER MOULTON-PATTERSON: Second.

21 CHAIRPERSON JONES: We got a motion by Mr.
22 Medina, a second by Chair Moulton-Patterson. This
23 resolution reflects the action of a denial of this and
24 then a 30-day extension.

25 Substitute the previous roll, members?

1 On consent?

2 Thank you, members.

3 Item Number N, City of South San Francisco.

4 DEPUTY DIRECTOR SCHIAVO: We would like to hear N
5 and O together. And these are -- and that doesn't mean
6 no.

7 These are consideration of the application for an
8 SB 1066 time extension for the cities of South San
9 Francisco and Red Wood City, San Mateo County.

10 And Keir Furey will make these presentations.

11 MR. FUREY: Good morning, Chairman and Committee
12 members.

13 The City of South San Francisco requested a time
14 extension through December 31, 2004. The city's 2000
15 diversion is 32 percent.

16 The specific reasons the City needs a time
17 extension are as follows:

18 The city's hauler opened the new material
19 recovery facility in 2001. And the City is in the process
20 of expanding a number of programs to take advantage of the
21 increased processing capacity.

22 These programs include residential curbside
23 recycling, residential green waste collection, commercial
24 recycling collection, and construction and demolition
25 debris collection. Also, the City is in the process of

1 locating a new site to divert its biosolids.

2 With the new facility and the program expansions,
3 the City anticipates a 22 percent increase in its
4 diversion rate.

5 The City of Redwood City submitted a request for
6 a time extension through December 31, 2003. The city's
7 2000 diversion rate is 47 percent.

8 The specific reasons the City needs a time
9 extension are as follows:

10 The City is expanding its existing commercial
11 collection program by conducting technical outreach to its
12 largest generators. Also, the city's expanding its
13 multi-family collection program by initiating an intensive
14 outreach campaign to enhance participation.

15 With these program expansions the City
16 anticipates an 8-percent increase in its diversion rate.

17 Board staff has determined that the information
18 submitted in both applications is adequately documented.
19 Based on this information, Board staff is recommending
20 that the Board approve the time extension request for both
21 cities.

22 This concludes my presentation.

23 CHAIRPERSON JONES: Any questions, members?

24 COMMITTEE MEMBER MEDINA: Couple of questions.

25 CHAIRPERSON JONES: Mr. Medina.

1 COMMITTEE MEMBER MEDINA: Yes, I notice that the
2 residents can either supply their own container or rent a
3 96-gallon carton from the South San Francisco scavenger
4 company.

5 Do they have the same specifications for both
6 containers? Or can you just use any container? And is it
7 picked up either manually or mechanically?

8 MR. FUREY: I do not know that one --

9 CHAIRPERSON JONES: Mr. White, as their
10 consultant, do you -- if you could identify yourself for
11 our court reporter.

12 MR. WHITE: Good morning. Mark White with
13 Pacific Waste Consulting Group. We work with the South
14 San Francisco on their request for an extension.

15 Currently they do allow the resident to use his
16 own containers. They also rent the resident container.
17 They use rear-loading trucks so they can handle either
18 type of container.

19 CHAIRPERSON JONES: So their specification is
20 probably 32 gallons or less on the manual?

21 MR. WHITE: I think so, 32 -- maybe they allow a
22 40, but no bigger than that.

23 CHAIRPERSON JONES: But it's going to be a can?

24 MR. WHITE: But it's going to be a can.

25 CHAIRPERSON JONES: Right. Okay.

1 COMMITTEE MEMBER MEDINA: And then the other
2 issue here has to do with the grass cycling at all public
3 grounds. I notice that it says that only some of their
4 lawn mowers are mulching mowers.

5 And what do they mean by some -- 1, 2?

6 MR. WHITE: Mostly?

7 (Laughter.)

8 MR. WHITE: I really don't know the answer to
9 that question. But I can find out and get back to you.

10 COMMITTEE MEMBER MEDINA: I know that we have
11 supported programs for mulching mowers in the past. So I
12 think that's something the City should --

13 MR. WHITE: Maybe that's a reuse grant thing.

14 Thank you.

15 CHAIRPERSON JONES: You know, to follow up on
16 that question, we saw a base-year change. And it seemed
17 to me that they had some grass cycling in there. But it
18 was -- it was one of the ones that we didn't strike. We
19 struck enough other ones that, you know -- but I think the
20 grass cycling stayed in. So it probably wasn't all of it.
21 But it didn't seem like it was a huge number.

22 DEPUTY DIRECTOR SCHIAVO: Relatively small.

23 CHAIRPERSON JONES: So maybe that's one of the
24 areas they can look at, you know.

25 Any other questions?

1 Mr. Medina.

2 COMMITTEE MEMBER MEDINA: Thank you, Chair Jones.

3 I'd like to move Resolution 2003-44, consideration of the
4 application for a 1066 time extension by the City of South
5 San Francisco, San Mateo County.

6 COMMITTEE MEMBER MOULTON-PATTERSON: Second.

7 CHAIRPERSON JONES: Got a motion by Mr. Medina, a
8 second by Chair Moulton-Patterson.

9 Substitute the previous roll?

10 On consent?

11 Thank you, members.

12 Mr. Medina.

13 Redwood City.

14 COMMITTEE MEMBER MEDINA: I'd like to move
15 Resolution 2003-45, consideration of the application for a
16 1066 time extension by the City of Redwood City, San Mateo
17 County.

18 COMMITTEE MEMBER MOULTON-PATTERSON: Second.

19 CHAIRPERSON JONES: Got a motion by Mr. Medina, a
20 second by Chair Moulton-Patterson.

21 Substitute the previous roll?

22 On consent?

23 Thank you, members.

24 Item, P which is a time extension for Solano
25 county.

1 DEPUTY DIRECTOR SCHIAVO: And Nikki, will make
2 this presentation.

3 MS. MIZWINSKI: Hi. I'm back again.

4 The unincorporated area of Solano County is
5 requesting a time extension through June 30th, 2004. The
6 specific reasons why the City needs -- excuse me -- why
7 the county needs a time extension are as follows:

8 To complete negotiations with the existing
9 haulers and draw up new contracts; to implement rate
10 increases and to purchase and distribute containers; to
11 expand residential participation in the curbside recycling
12 of green waste and also seasonal collection programs; to
13 expand commercial participation in the on-site pick up of
14 recyclables; to track the expanded curbside recycling
15 collection programs to determine if and what adjustments
16 are necessary; and to make adjustments to public outreach
17 campaigns to reflect the results of the haulers' new solid
18 waste tracking system.

19 The county anticipates a 7-percent increase in
20 its diversion rate.

21 Board staff has determined that the information
22 submitted in the county's application is adequately
23 documented and recommend that the Board approve the
24 county's time extension request.

25 This concludes my presentation. And a county

1 representative is here to answer your questions.

2 CHAIRPERSON JONES: Thank you.

3 Are there any questions?

4 This one warms my heart, Solano county. We did a
5 base year on this. It had all kinds of slaughterhouse
6 waste in it to drive the generation number up. And I
7 said, "This is nuts. They'll never have to recycle." But
8 I was wrong, because they're coming for an extension to
9 recycle. So a apologize. When I'm wrong, I'm wrong.

10 (Laughter.)

11 CHAIRPERSON JONES: Who wants to make a motion?

12 Mr. Cannella.

13 COMMITTEE MEMBER CANNELLA: Mr. Chair, I'll move
14 Resolution 2003-46, consideration of the application for
15 an SB 1066 time extension by the unincorporated area of
16 Solano County.

17 COMMITTEE MEMBER MEDINA: Second.

18 CHAIRPERSON JONES: I got a motion by Mr.

19 Cannella, a second by Mr. Medina.

20 Substitute the previous roll?

21 On consent?

22 Thank you, members.

23 Next item is City of Escalon, San Joaquin County.

24 DEPUTY DIRECTOR SCHIAVO: Yeah, we'd like to move
25 and hear Item Number 26, or AC in the Committee packet,

1 which is the base year for Escalon first. And then we'll
2 go on to the 1066 -- just the administrative process.

3 Item AC is consideration of a request to change
4 the base year to 2000 and consideration of the 1999-2000
5 biennial review findings for the Household Hazardous Waste
6 Element for the City of Escalon, San Joaquin.

7 And this will be presented by Yasmin Satter.

8 CHAIRPERSON JONES: Okay. This is Item 26 in our
9 Board agenda. Okay.

10 MS. SATTER: Good morning, Chairman and Committee
11 members.

12 The City of Escalon originally submitted a new
13 base-year change request with a diversion rate of 43
14 percent for 2000. However, upon staff review it was
15 discovered that the City had not included diversion from
16 transformation and buy-back centers in its new 2000 base
17 year. With this additional diversion the city's 2000
18 diversion rate is actually 47 percent.

19 No extrapolation was used to calculate diversion.
20 Board staff proposed changes can be found in a Attachment
21 3.

22 Staff also conducted a review of the city's
23 implementation of its Household Hazardous Waste Element
24 and found that the city's household hazardous waste
25 programs have been adequately implemented. Implementation

1 of the city's Source Reductio and Recycling Element will
2 be addressed in a separate agenda item.

3 Board staff has determined that the information
4 submitted in the city's base-year change request is
5 adequately documented. Board staff is, therefore,
6 recommending Option 2, that would be approve the revised
7 new base year with staff recommendations and accept the
8 1999-2000 biennial review findings for the city's
9 Household Hazardous Waste Element.

10 That concludes my presentation.

11 CHAIRPERSON JONES: Any questions, members?

12 Mr. Medina.

13 COMMITTEE MEMBER MEDINA: Thank you, Chair Jones.
14 I'd like to move Resolution 2003-59, consideration of a
15 request to change the base year to 2000 for the previously
16 approved Source Reduction and Recycling Element and
17 consideration of the '99-2000 biennial review findings for
18 the Household Hazardous Waste Element for the City of
19 Escalon, San Joaquin County.

20 COMMITTEE MEMBER MOULTON-PATTERSON: Second.

21 CHAIRPERSON JONES: We have a motion by Mr.
22 Medina, a second by Chair Moulton-Patterson.

23 Substitute the previous roll?

24 On consent?

25 Thank you, members.

1 Item Number 14 or whatever it is.

2 DEPUTY DIRECTOR SCHIAVO: Q. And we'd like to
3 combine Items Q and R, which are 14 and 15 in the Board
4 packet. And these are consideration of the application
5 for SB 1066 time extensions by cities of Escalon and
6 Tracy, both in San Joaquin County.

7 And Yasmin will make these presentations.

8 MS. SATTER: The City of Escalon has requested a
9 time extension through December 31st 2004. Although the
10 City has been implementing the source reduction,
11 recycling, and composting programs selected in its Source
12 Reduction and Recycling Element, it will need to implement
13 the proposed plan of correction to achieve the 50 percent
14 diversion requirement. The City currently has a 47
15 percent diversion rate for 2000.

16 The City developed its plan of correction
17 thinking it had a 43 percent diversion rate. However, the
18 City had not included diversion from transformation and
19 buy-back centers in its new 2000 base year. With this
20 additional diversion, the city's 2000 diversion rate is
21 actually 47 percent.

22 Staff's analysis of the city's plan of correction
23 indicates the plan is reasonable given the city's waste
24 stream.

25 CHAIRPERSON JONES: Okay.

1 MS. SATTER: I'll move on to the City of Tracy.

2 The City of Tracy has requested an alternative
3 diversion requirement of 45 percent through December 31st,
4 2004. The City has requested an alternative diversion
5 requirement in lieu of a time extension because the City
6 believes that despite its good-faith effort, it will be
7 unable to meet the 50-percent diversion requirement within
8 the extension period.

9 The City of Tracy has been having difficulties
10 reaching the 50 percent diversion because, even though the
11 City has implemented all of its Source Reduction and
12 Recycling Element selected programs to date, it will need
13 to expand those programs and implement new programs to
14 meet the challenges of rapid growth in the City.

15 The City is requesting an alternative diversion
16 rate through December 31st, 2004, to allow time to fully
17 implement the new and expanded programs listed in the
18 city's goal achievement plan and additional time to
19 evaluate the impact the new and expanded programs will
20 have on the city's diversion rate.

21 The City also believes it may need to conduct a
22 new base-year study in the future to better quantify its
23 existing diversion.

24 Board staff has determined that information
25 submitted in both cities' applications is adequately

1 documented. Based on this information Board staff is
2 recommending that the Board approve the City of Escalon's
3 time extension request and City of Tracy's request for an
4 alternative diversion requirement of 45 percent.

5 Representatives from both cities are present to
6 answer any questions you may have.

7 This concludes my presentation.

8 CHAIRPERSON JONES: Questions?

9 I just have one.

10 Tracy, because we've only been giving extensions
11 for a certain period of time and then ask people to come
12 back, went to the alternative diversion rate because they
13 needed more time to get the programs together. So they're
14 going to be continuing to expand. I know Mike Rapetta. I
15 know they just built the MERF. They're working hard to do
16 a lot of programs there. So they're going to continue to
17 expand and look at things and not just rely on the
18 disposal.

19 MS. SATTER: Exactly.

20 CHAIRPERSON JONES: That's good. That's good.

21 Madam Chair.

22 COMMITTEE MEMBER MOULTON-PATTERSON: Okay. Thank
23 you. I'd like to move approval first of Resolution
24 2003-47, application for an SB 1066 time extension by the
25 City of Escalon, San Joaquin County.

1 COMMITTEE MEMBER CANNELLA: Second.

2 CHAIRPERSON JONES: Got a motion by Chair

3 Moulton-Patterson, a second by Mr. Cannella.

4 Substitute the previous roll?

5 On consent?

6 Thank you, members.

7 COMMITTEE MEMBER MOULTON-PATTERSON: Okay. And

8 next I'd like to move Resolution 2003-48, application for

9 an SB 1066 alternative diversion requirement by the City

10 of Tracy, San Joaquin County.

11 COMMITTEE MEMBER CANNELLA: Second.

12 CHAIRPERSON JONES: Got a motion by Chair

13 Moulton-Patterson, a second by Mr. Cannella.

14 Substitute the previous roll?

15 On consent?

16 Thank you, members.

17 Item Number 16, City of La Habra.

18 DEPUTY DIRECTOR SCHIAVO: Okay. This is an

19 application for an SB 1066 time extension.

20 And Maria Kakutani will make the presentation.

21 MS. KAKUTANI: Good morning, Committee members.

22 The City of La Habra has requested a time

23 extension through December 31st, 2004.

24 The specific reasons the City needs a time

25 extension are as follows:

1 The City needs the additional time to allow for
2 full implementation of the residential curbside green
3 waste, commercial on-site collection, and waste
4 assessments; construction and demolition diversion and
5 school row cycling programs. This amount of time will
6 also allow the City to evaluate the effectiveness of these
7 programs.

8 The City anticipates a 13 to 19 percent increase
9 in its diversion rate.

10 The Board staff has determined that the
11 information submitted in the application is adequately
12 documented. Based on this information Board staff is
13 recommending that the Board approve the time extension
14 request for the City.

15 A representative from the City is present to
16 answer any questions.

17 This concludes my presentation.

18 CHAIRPERSON JONES: Any questions, members?

19 Motion.

20 Mr. Medina.

21 COMMITTEE MEMBER MEDINA: Thank you, Chair Jones.

22 I'd like to move Resolution 2003-49, consideration of the
23 application for a 1066 time extension by the City of La
24 Habra, Orange County.

25 COMMITTEE MEMBER MOULTON-PATTERSON: Second.

1 CHAIRPERSON JONES: We've got a motion by Mr.
2 Medina, a second by Chair Moulton-Patterson.

3 Substitute the previous roll?

4 On consent?

5 Thank you, members.

6 Item Number T, City of Fillmore in Ventura
7 County.

8 DEPUTY DIRECTOR SCHIAVO: This is also
9 application for an SB 1066 time extension, to be presented
10 by Terri Gauthier.

11 MS. GAUTHIER: Good morning, Committee members.

12 The City of Fillmore has requested a 1066 time
13 extension through July 31st, 2004. The specific reasons
14 the City needs a time extension are as follows:

15 To continue to implement an innovative new
16 ordinance requiring resource recovery, recycling, and
17 waste stream collection services for all parcels within
18 the City; to expand the curbside program to include
19 underserved multi-family units and mobile-home parks; and
20 also to monitor the commercial sector's implementation of
21 its waste management plans.

22 Board staff is recommending that the City also
23 adopt a procurement policy and purchase recycled content
24 materials when feasible and expand public information
25 efforts.

1 This would include implementing an aggressive
2 public education program with bilingual materials and
3 information as needed to target the program expansions for
4 the commercial and residential sectors.

5 The City anticipates a 24-percent increase in its
6 diversion rate.

7 Board staff has determined that the information
8 submitted in the application is adequately documented.
9 Based on this information Board staff is recommending that
10 the Board approve the city's time extension request.

11 A representative from the City is not present,
12 but Boardstaff is available to answer any questions in
13 their absence.

14 This concludes my presentation.

15 CHAIRPERSON JONES: Any questions, members?

16 Is the City aware of the other requests that
17 you've made on procurement and things like that?

18 MS. GAUTHIER: Yes.

19 CHAIRPERSON JONES: And their feeling?

20 MS. GAUTHIER: They are very willing and in
21 agreement.

22 CHAIRPERSON JONES: They're willing to do it?
23 Okay.

24 Madam Chair.

25 COMMITTEE MEMBER MOULTON-PATTERSON: I'll be

1 happy to move Resolution 2003-50, application for an SB
2 1066 time extension by the City of Fillmore, Ventura
3 County.

4 COMMITTEE MEMBER MEDINA: Second.

5 CHAIRPERSON JONES: We've got a motion by Chair
6 Moulton-Patterson, a second by Mr. Medina.

7 Substitute the previous roll?

8 On consent?

9 Thank you, members.

10 Next item, unincorporated Madera.

11 DEPUTY DIRECTOR SCHIAVO: Ok. We'd like to
12 combine Board Items 18 and 19 and -- okay. Well,
13 apparently -- It can go either way.

14 We're going to combine them. Natalie's going to
15 present both. And at the conclusion of Item 19 we're
16 going to have a short video to show you regarding
17 Mariposa.

18 CHAIRPERSON JONES: We going to be looking at
19 bones?

20 MS. LEE: Good morning, Committee members.

21 The counties of Madera and Mariposa have both
22 requested alternative division requirements.

23 The County of Madera has requested a 47.5 percent
24 ADR through December 31st, 2004. The specific reasons why
25 Madera county's requesting the ADR are as follows:

1 The 1990 base year is no longer representative of
2 the unincorporated area's waste stream. The changes
3 significantly affect the proportion of residential versus
4 nonresidential waste and the resulting evaluation of
5 effective programs to reach diversion goals. Therefore,
6 the county needs time to conduct a new waste generation
7 study and potentially to establish a new base year.

8 The county plans to expand programs that Mammoth
9 Materials Recovery Facility and the Fairmead Landfill
10 already. But the permitting and environmental review work
11 will take significant time, and the programs will not be
12 fully implemented by the end of 2004.

13 The county is already working collaboratively
14 with the landfill and MERF operator to improve program
15 implementation, but staff time and resources limit the
16 speed with which these programs can be implemented.

17 In addition, the county is experiencing a growth
18 rate nearly three times the State average. The growth is
19 placing a strain on existing resources and government
20 systems. The growth is also creating a large addition to
21 the waste stream and large amounts of construction and
22 demolition waste. The new and expanded programs at the
23 landfill will be able to handle this waste once the
24 permitting is complete.

25 In addition to the program improvements

1 identified by the county in the goal achievement plan,
2 Board staff are recommending addition of one supporting
3 program. This is the proposed new waste generation study
4 which was committed to in the text of the ADR, but was not
5 put into the goal achievement plan.

6 A revised resolution was distributed at the
7 beginning of this Committee meeting to properly reflect
8 the addition of this one program. There are additional
9 copies available at the back of the room. And staff will
10 revise the agenda item prior to the Board meeting to
11 reflect these changes.

12 Vern Moss, the Chairman of the Board of
13 Supervisors for Madera county is available today for
14 questions. Leonard Garupa, the Resource Management Agency
15 Director and county staff are also present.

16 Regarding the county of Mariposa, their
17 alternative diversion requirement request is 33 percent.
18 The reasons Mariposa County is asking for the ADR are as
19 follows:

20 The county is rural and remote, has a very
21 disperse population. The geographic and climate
22 conditions within the county limit both the reasonableness
23 of diversion programs and the access to markets for
24 diverted materials.

25 The county has committed considerable resources

1 to the development of a mixed waste composting facility,
2 an innovative facility, the first of its kind in the
3 United States. Additional time, however, is needed for
4 this facility to be fully permitted, to go through
5 environmental review, and to be constructed. The facility
6 will not be completed during the term of the proposed ADR.
7 However, the county plans to expand existing diversion
8 programs in a manner that will support the long-term
9 solution of the composting facility.

10 These improvements are proposed within the ADR
11 term.

12 County staff has identified programs that they
13 believe will increase diversion. This foundation of
14 improvements will further support the higher increase of
15 diversion once the facility comes on line.

16 Board staff has determined that the information
17 submitted in both the County of Madera and the County of
18 Mariposa's ADR applications are adequately documented.
19 Board staff is recommending that the Board approve
20 Mariposa County's proposed ADR of 33 percent and that the
21 Board approve Madera county's proposed ADR of 47.5
22 percent with the addition of one program.

23 County staff and representatives from Mariposa
24 are also available for your questions. An again we would
25 like to show the video that was produced by the Office of

1 Public Affairs at this time.

2 CHAIRPERSON JONES: Hold on one second.

3 Mr. Medina.

4 COMMITTEE MEMBER MEDINA: Before we proceed with
5 the video I'd just like to hear from the Chair of the
6 Board of Supervisors who's hear since he's taken the time
7 to come out and --

8 CHAIRPERSON JONES: Sure.

9 From Madera County, Mr. Vern Moss.

10 MADERA COUNTY BOARD OF SUPERVISORS CHAIRPERSON

11 MOSS: Thank you, Mr. Chairman, members of the Board.

12 Thanks for giving me the opportunity to speak.

13 I really just wanted to come and thank Natalie
14 Lee for all the work she did in coming down into the
15 county, working with us to come up with a plan and
16 extension so that we can meet and comply with AB 939. I
17 want you to know that our board is totally dedicated to
18 doing that. We feel that even though we're a rural
19 county, we can meet the standards working together with
20 staff so that we can make this a better place, the State
21 of California, to live and work in. Because there are
22 challenges from an environmental standpoint. And we fully
23 acknowledge that and want to cooperate in every way to be
24 able to assist.

25 And, again, I'm Vern Moss. I'm the Chairman of

1 the Board for Madera County.

2 Have any questions?

3 CHAIRPERSON JONES: Yeah.

4 Mr. Cannella.

5 COMMITTEE MEMBER CANNELLA: Just a quick
6 question. I don't want to delay the program. But in the
7 staff presentation they mentioned an extraordinary growth
8 in Madera, particularly the C&D waste.

9 Has the county adopted a resolution addressing
10 the C&D waste?

11 MADERA COUNTY BOARD OF SUPERVISORS CHAIRPERSON
12 MOSS: We are -- couple things. In fact, Mr. Garupa, who
13 is the head of our Resource Management Agency's in the
14 audience, and we were talking about the fact that -- where
15 we've got planned projects of large size. We have one
16 project which has been tentatively approved for basically
17 what I call the expansion over the river from Fresno. But
18 it's a planned community of about 6400 homes. We will go
19 in to these main areas and we will plan for mandatory
20 collection from the time they come in. It'll be part of
21 the requirement for the approval of the project.

22 This will be one step toward being able to do the
23 displacement and meet and exceed the 50 percent.

24 COMMITTEE MEMBER CANNELLA: But make sure they
25 don't build too close to Pheasant Run.

1 MADERA COUNTY BOARD OF SUPERVISORS CHAIRPERSON

2 MOSS: We'll protect that for you.

3 By the way, I would like to say to the
4 distinguished member, I remembered talking with you when
5 you were on your campaign trail in our area. And it's
6 good to see you again.

7 COMMITTEE MEMBER CANNELLA: At least once a week
8 to visit your open space area with the trees and the
9 little holes --

10 MADERA COUNTY BOARD OF SUPERVISORS CHAIRPERSON

11 MOSS: You're always welcome.

12 If I can answer any other things for the Chair or
13 members of the --

14 CHAIRPERSON JONES: Any other questions, members.

15 I will say that I know you've got extraordinary
16 circumstances with Fairmead when you found a mammoth
17 artifacts there, you had -- obviously things got delayed.
18 So I'm sure that part of the environmental work that's got
19 to be done on expansion is going to have something to do
20 with prehistoric --

21 MADERA COUNTY BOARD OF SUPERVISORS CHAIRPERSON

22 MOSS: Well, when we get that museum built we want to be
23 sure everybody comes to visit. It basically -- just take
24 a minute of your time. This is a paid political
25 announcement.

1 (Laughter.)

2 MADERA COUNTY BOARD OF SUPERVISORS CHAIRPERSON

3 MOSS: But this find at our landfill is the most
4 significant find in the United States. And the key to it
5 is in most finds of fossils, you only have about four
6 species and it's dead. It's a repetition of the original
7 ones that were found.

8 This one continues to provide new species. And
9 they expect that there will be finds up to 25 years in the
10 future. And we thank the State for giving us an
11 opportunity to get some grant monies to be able to go
12 forward with the museum.

13 It's a fascinating deal. And if you've got kids
14 that are of responsible ages, as we go forward they'll be
15 able to actually come to their down dig and prepare their
16 own fossil remains so that they can actually be exhibited.

17 And we're also doing a little park across the
18 street, a little toddlers park in Fairmead proper. My
19 district, so I'm --

20 CHAIRPERSON JONES: Is Charlie Youngclaus
21 still active?

22 MADERA COUNTY BOARD OF SUPERVISORS CHAIRPERSON

23 MOSS: Charlie's getting to retire. In fact we just did a
24 resolution for him. Whereas, you know, with Charlie, you
25 never lose him. He just hides in shadows for a while and

1 comes out. Great guy, super, and a good friend.

2 CHAIRPERSON JONES: Thank you, Supervisor Moss.
3 We appreciate you taking your time to come up here and
4 address us.

5 MADERA COUNTY BOARD OF SUPERVISORS CHAIRPERSON
6 MOSS: My pleasure. Thank you very much.

7 CHAIRPERSON JONES: All right. Now we have the
8 video.

9 (Thereupon a video was played.)

10 CHAIRPERSON JONES: All right. Very good.
11 And that is a partnership I think between not
12 only the park in Mariposa County but also USDA, which I
13 think is real important to talk about because -- you know.
14 Now, if we can just get the park to use the end product as
15 a -- for erosion control and other things, we will have
16 done a great job.

17 Mr. Cannella.

18 COMMITTEE MEMBER CANNELLA: I'd be happy to move
19 Resolution 2003-51 revised, the application for a SB 1066
20 alternative diversion requirement by the unincorporated
21 area of Madera County.

22 COMMITTEE MEMBER MEDINA: Second.

23 CHAIRPERSON JONES: Got a motion by Mr. Cannella,
24 a second by Mr. Medina.

25 Substitute the previous roll?

1 On consent?

2 Thank you, members.

3 Mr. Cannella.

4 COMMITTEE MEMBER CANNELLA: I also offer
5 Resolution 2003-52, application for an SB 1066 alternative
6 diversion requirement by the unincorporated area of
7 Mariposa County.

8 COMMITTEE MEMBER MEDINA: Second.

9 CHAIRPERSON JONES: We've got a motion by Mr.
10 Cannella, a second by Mr. Medina.

11 Substitute the previous roll.

12 On consent?

13 Thank you, members.

14 All right. We are going to take a -- we'll be
15 back here at about 5 minutes to 11:00. Okay.

16 (Thereupon a recess was taken.)

17 CHAIRPERSON JONES: Okay. We are going to
18 reconvene from our break.

19 I'll ask if any members have ex partes?

20 Madam Chair.

21 COMMITTEE MEMBER MOULTON-PATTERSON: None.

22 CHAIRPERSON JONES: Mr. Medina.

23 COMMITTEE MEMBER MEDINA: None to report.

24 CHAIRPERSON JONES: Okay. And I had Mark Aprea
25 and Denise Delmatier, and really just a continuation of

1 the discussions with Tracy and Madera County.

2 And then we'll identify when Mr. Cannella gets
3 back.

4 All right. Next item is the City of Cerritos.

5 DEPUTY DIRECTOR SCHIAVO: Okay. We would like to
6 combine Items 20 and 21, Committee Items W and X. And
7 these are consideration of applications for an SB 1066
8 time extension, cities of Cerritos and Rosemead.

9 Steve Uselton will present.

10 MR. USELTON: Good morning, Committee members.

11 The City of Cerritos has requested a time
12 extension through December 31st, 2003. And the City of
13 Rosemead has requested a time extension through December
14 31st of 2004.

15 The specific reasons the City of Cerritos needs a
16 time extension are as follows:

17 They'd like to monitor corrections to the
18 agreement with their franchise hauler that requires
19 additional routing of all residential disposal through a
20 material recovery facility. They would also like to
21 monitor corrections to the agreement with a franchise
22 hauler to identify high recycling yield loads from the
23 commercial sector for a routing through a material
24 recovery facility. Also development and enactment of a
25 new C&D ordinance that will require all inert materials to

1 be recycled from C&D projects; and the ordinance will
2 include penalties for noncompliance.

3 The City of Cerritos anticipates a 22 percent
4 increase in its diversion rate from these programs.

5 Specific reasons for the City of Rosemead time
6 extension are the increase in commercial outreach to the
7 city's largest generators to increase participation in
8 diversion programs. They wish to enact a C&D ordinance
9 that will require 50-percent diversion project waste.
10 They will increase the routing of commercial accounts that
11 are deemed by the City to have excessive barriers to
12 implementation of source-separated programs to a
13 waste-to-energy facility. And the City will also develop
14 multi-lingual guides for residents intended to increase
15 participation in residential diversion programs.

16 The City of Rosemead anticipates a 10 percent
17 increase in its diversion rate from these programs.

18 Board staff has determined that the information
19 submitted in the applications is adequately documented.
20 And based on this information Board staff is recommending
21 that the Board approve the time extension requests for
22 both of these cities.

23 A representative from the City of Rosemead is
24 here. And I can answer any questions regarding Cerritos.

25 That concludes my presentation.

1 CHAIRPERSON JONES: Members, have any questions?

2 Madam chair.

3 COMMITTEE MEMBER MOULTON-PATTERSON: Mr. Jones,
4 I'd like to move approval of Resolution 2003-53 for an SB
5 1066 time extension by City of Cerritos, Los Angeles
6 County.

7 COMMITTEE MEMBER MEDINA: Second.

8 CHAIRPERSON JONES: Got a motion by Chair
9 Moulton-Patterson, a second by Mr. Medina.

10 Could you call the roll.

11 SECRETARY BAKULICH: Cannella?

12 COMMITTEE MEMBER CANNELLA: Aye.

13 SECRETARY BAKULICH: Medina?

14 COMMITTEE MEMBER MEDINA: Aye.

15 SECRETARY BAKULICH: Moulton-Patterson?

16 COMMITTEE MEMBER MOULTON-PATTERSON: Aye.

17 SECRETARY BAKULICH: Jones?

18 CHAIRPERSON JONES: Aye.

19 On consent, members?

20 Thank you.

21 Madam Chair.

22 COMMITTEE MEMBER MOULTON-PATTERSON: I'd like to
23 move Resolution 2003-54, application for an SB 1066 time
24 extension by the City of Rosemead, Loss Angeles County.

25 COMMITTEE MEMBER MEDINA: Second.

1 CHAIRPERSON JONES: Got a motion by Chair
2 Moulton-Patterson, a second by Mr. Medina.

3 Substitute the previous roll?

4 On consent?

5 Thank you, members.

6 Item Y, City of Monterey Park.

7 DEPUTY DIRECTOR SCHIAVO: Okay. We would like to
8 hear Item Number 32, or AI, first. It's linked to Item Y.
9 And Item 32, or AI, is the consideration of a request to
10 change the base year to 2000 for the previously approved
11 Source Reduction and Recycling Element for the City of
12 Monterey Park.

13 And this will be presented by Steve Uselton.

14 MR. USELTON: The City of Monterey Park
15 originally submitted a new base-year change request with a
16 diversion rate of 29 percent. As part of the base-year
17 study review Board staff conducted a detailed site visit
18 in the Year 2000. As a result of the review staff is
19 recommending some deductions in addition to the city's
20 original submittal and has revised the diversion rate for
21 staff recommended diversion rate of 31 percent.

22 The staff recommended changes can be viewed in
23 their entirety in Attachment 3.

24 The City worked with its franchise hauler in the
25 Year 2000 and 2001 to provide full MERF processing in both

1 its residential and commercial waste, and the City has
2 requested a time extension which will be presented to the
3 Committee at today's meeting pending approval of this base
4 year.

5 Board staff is determined that the base-year
6 change request is adequately documented. And based on
7 this information Board staff is recommending Option 2 that
8 would approve the revised new base year with staff
9 recommendations.

10 A representative from the City is available to
11 answer any questions.

12 That concludes my presentation.

13 CHAIRPERSON JONES: Any questions, members?

14 Madam Chair?

15 COMMITTEE MEMBER MOULTON-PATTERSON: Thank you,
16 Mr. Jones. As you remember, I grew up in Monterey Park.
17 So I would like to have the privilege of moving Resolution
18 2003-65, to change the base year to 2000 for the
19 previously approved Source Reduction and Recycling Element
20 for the City of Monterey Park, Los Angeles County.

21 COMMITTEE MEMBER CANNELLA: Second.

22 CHAIRPERSON JONES: We got a motion by Chair
23 Moulton-Patterson, former resident of the City of Monterey
24 Park, and a second by Mr. Cannella, who's driven through
25 Monterey park.

1 Substitute the previous roll?

2 On consent?

3 (Laughter.)

4 CHAIRPERSON JONES: Thank you, members.

5 Okay. Item Number 22, Monterey Park.

6 MR. USELTON: The City of Monterey Park has
7 requested a time extension request through December 31st
8 of 2005. Board staff recommends a time extension through
9 December 31st of 2004. Programs included in the city's
10 time extension have been implemented, and sufficient time
11 is available through December 31st, 2004, to monitor the
12 progress of programs, in staff's opinion.

13 And earlier deadline for the extension will allow
14 Board staff to work with the jurisdiction should it
15 encounter any difficulties in achieving diversion goals.

16 The specific reason the City needs a time
17 extension are as follows?

18 To monitor the effectiveness of full MERF
19 processing of all residential waste. They are
20 implementing an automated green waste collection container
21 to replace owner-provided containers for the residents.
22 They will monitor the effectiveness of a full MERF
23 processing of 90 percent of the city's commercial waste
24 accounts that are serviced by the city's franchise hauler.
25 They will also be implementing construction and demolition

1 requirements that will require the use of the city's
2 franchise hauler unless a building applicant can
3 demonstrate that 50 percent of project materials will be
4 diverted. And they will be expanding outreach materials
5 by providing trilingual brochures for distribution to
6 residents.

7 The City anticipates a 22 percent increase in its
8 diversion rate from these programs.

9 Board staff has determined that the information
10 submitted in the application is adequately documented.
11 And based on this information Board staff is recommending
12 that the Board approve the city's time extension request,
13 with the one modification to run it through December 31st,
14 2004, instead of December 31st, 2005.

15 The City is present and would like to request
16 from the Board a time extension through December 31st,
17 2005.

18 CHAIRPERSON JONES: Okay. The representative of
19 the City.

20 MS. CLARK: Thank you, Chairman and Committee
21 members.

22 First off I wanted again --

23 CHAIRPERSON JONES: Could you identify yourself
24 please.

25 MS. CLARK: Oh, I'm sorry. I'm Tina Clark. I'm

1 management analyst in the Public Works Department for the
2 City of Monterey park.

3 I want to begin by thanking Board staff. Steve
4 and both Jennifer Wallin have been tremendous during both
5 our base-year study process as well as our time extension
6 application process. And I'm here, as Steve mentioned, to
7 ask that our extension be through December 2005. And this
8 is for several reasons.

9 The programs that Steve described were
10 implemented -- the bulk of them have been implemented this
11 fall. And this is a culmination of over three years of
12 contract negotiations with at the time was our residential
13 exclusive hauler.

14 We have made tremendous changes to our program.
15 This October we automated our residential collection
16 system, not just the yard waste but also the trash. In
17 addition, for our commercial waste stream this is the
18 first time that we've had an exclusive hauler. We gave
19 five-year notice to the previously permitted haulers in
20 May. And as Steve mentioned, 10 percent of the accounts
21 are still in a phase-out process.

22 And, finally, for our construction and demolition
23 permits, anybody who's not using -- anybody who's self
24 hauling their waste -- everybody has to use our franchised
25 hauler for temporary accounts unless they're going to be

1 self hauling. And we're going to be requiring -- well, we
2 are requiring, our ordinance was passed this fall also,
3 that the self-haulers are diverting 50 percent of their
4 waste.

5 Because of these tremendous changes and the --
6 although we're going to -- throughout 2003 we'll be
7 getting program-specific data, the concern of Monterey
8 Park is we still won't know what the citywide diversion
9 rate will be until probably August of 2004 because we have
10 to wait for the disposal reporting system numbers to be
11 finalized and, more importantly, the adjustment
12 methodology figures before we'll know what the citywide
13 diversion impact is. And if we do need to make changes to
14 the program, because these are -- like I said, this is
15 just a complete overhaul of our waste management system,
16 we just wanted the additional time to actually be
17 proactive and implement those changes and be able to show
18 documentation of the increased diversion.

19 And I, lastly, want to thank you for your time
20 and consideration of our requests.

21 CHAIRPERSON JONES: Any questions or comments?

22 One of the reasons that we've limited the
23 extensions -- because every jurisdiction has the
24 opportunity to have two bites of the apple. One of our
25 concerns, and it was a concern of our Chair and of Mr.

1 Eaton, especially -- I mean both really brought it to the
2 forefront in a meeting. And I think all the members
3 agreed. What we were worried about is if we gave
4 extensions to 2005, and you put in an extension in the
5 middle of 2006, this law is only in place until the end of
6 2006. There wouldn't be an opportunity for another
7 extension. If you weren't there, you'd end up in a
8 compliance order.

9 So that was one of the reasons -- it's not to
10 hurt a jurisdiction. It's to give you the ability to get
11 that other extension. Does that make -- you know what I'm
12 saying?

13 MS. CLARK: Yeah, absolutely.

14 CHAIRPERSON JONES: And so it hasn't always been
15 easy for us to hold to that time period. And I argued
16 against it. But they -- it made sense what they were
17 arguing from a planning standpoint.

18 I don't if any members want to add to that. I
19 mean, you know -- so if we deny your request and just go
20 to 2004, it's not to hurt your program. It's to give you
21 the opportunity to get that year and a half.

22 MS. CLARK: And we understand that.

23 CHAIRPERSON JONES: Madam Chair.

24 COMMITTEE MEMBER MOULTON-PATTERSON: Thank you.

25 And thank you for being here. And I think Mr. Jones

1 certainly expressed my thought. And we want to work with
2 you. And, Steve, I want to go on your next site visit to
3 Monterey park.

4 (Laughter.)

5 COMMITTEE MEMBER MOULTON-PATTERSON: And I'd like
6 to move approval of Resolution 2003-55, application for an
7 SB 1066 time extension by the City of Monterey Park, Los
8 Angeles County, to December 31st, 2004.

9 COMMITTEE MEMBER MEDINA: Second.

10 CHAIRPERSON JONES: Okay. We've got a motion by
11 Chair Moulton-Patterson, a second by Mr. Medina.

12 Substitute the previous roll?

13 On consent?

14 Thank you, members.

15 And, Mr. Schiavo, point of information.
16 Somebody's in the middle of an SB 1066 extension, they're
17 making the progress along the lines that they had hoped
18 for, but they just haven't gotten everything they want to
19 do. They have to go through a bunch more hoops. So can
20 they -- is their next request for extension basically,
21 "This thing is on track, it's doing what we thought it
22 would do, but we need the extra year and a half or two
23 years to actually finalize it," we may add something or we
24 may delete something; it's not a big -- it's not a bunch
25 of hoops?

1 DEPUTY DIRECTOR SCHIAVO: My understanding it
2 would be similar to what we do right now.

3 CHAIRPERSON JONES: Okay. So they could
4 basically just say, "Here, we're on track, we're showing
5 our good faith, we're showing our progress, we may not
6 even have DRS numbers but we want the extension to finish
7 it up," so there's not a lot of time and effort?

8 Okay. That's reasonable.

9 Okay. All right.

10 STAFF COUNSEL BLOCK: Chairman Jones.

11 CHAIRPERSON JONES: Elliot.

12 STAFF COUNSEL BLOCK: Yeah, just to clarify that.

13 The only difference between the process now and an
14 additional extension request would be that they would be
15 that they would have to explain why they need an
16 additional extension request. So --

17 CHAIRPERSON JONES: And so that could be, "We
18 wanted till 2005. The Board wouldn't give it to us. So
19 we need what we had originally asked for." And that's
20 reasonable. I have no problem with that.

21 Okay. Next item is Item Number 23. As I
22 understand, that's going to be postponed for a month --
23 continued for a month. And that's an issue of just trying
24 to get a handle around some numbers and there wasn't
25 enough time to -- with some new information.

1 All right. So Item 23 will be continued until
2 February.

3 And, Mr. Cannella, did you have any ex partes or
4 anything on the break?

5 COMMITTEE MEMBER CANNELLA: I just spoke to the
6 Supervisor from Madera County, but just to say hello.

7 CHAIRPERSON JONES: Not a problem. Okay.

8 Item AA, Number 24, City of Brisbane, San Mateo
9 County.

10 DEPUTY DIRECTOR SCHIAVO: This will be presented
11 by Keir Furey, and it's dealing with a change in a base
12 year to the year 2000.

13 MR. FUREY: Good morning, Chairman and Committee
14 members.

15 The City of Brisbane originally submitted a new
16 base-year change request with a diversion rate of 48
17 percent. As part of the base-year study review, Board
18 conducted a detailed site visit and discovered
19 inaccuracies in the nonresidential diversion estimates.

20 Staff is, therefore, recommending deductions and
21 additions and a revised 2000 diversion rate of 21 percent.
22 This is greater than the negative 5 percent default
23 diversion rate for 2000 that is based on the original 1990
24 base year.

25 The staff recommended changes can be viewed in

1 their entirety in Attachment 3.

2 Since the beginning of 2001, the city's
3 franchised hauler has expanded the commercial collection
4 and transfer station salvage programs. With these program
5 improvements the city's disposal rate has decreased 15
6 percent from 2000 to 2001.

7 Board staff has determined that the base-year
8 change request is adequately documented. Based on this
9 information Board staff is recommending Option 2. It
10 would approve the revised new base year with staff
11 recommendations.

12 A representative from the City is available to
13 answer questions.

14 This concludes my presentation. Thank you.

15 CHAIRPERSON JONES: Thank you.

16 Are there any questions?

17 There's a couple things I want to say. This is a
18 another one when you look at the verification of staff --
19 and really what happens, for those of you that don't know,
20 they go and they talk to the same people that supposedly
21 were talked to in this original. And it's really
22 disturbing. I mean you guys picked up some things on the
23 front pages. But it's really disturbing when I see 298
24 tons of hangers. And then the management says, "No,
25 there's no program for hangers because the clothes come in

1 on hangers and they go out on the same hangers."

2 Two hundred ninety-eight tons.

3 There was a program here where they said they did
4 a bunch of cardboard, the managers say, "No, the cardboard
5 is the cheapest cardboard you can get. It can't be
6 reused." It's being recycled, but it can't be reused. So
7 it would have been picked up in another set of numbers.

8 The one that really fries me is that there was an
9 aluminum can, whatever ID3 aluminum is, source reduction
10 for 52 tons. Then when you talk to the management and the
11 foreman, they've never heard of the program. They don't
12 even know what it is.

13 This isn't fair to cities that go out and pay and
14 expect work to be done. And then you go out -- which we
15 expect and the cities expect you to go out and check to
16 make sure this is right, and we see stuff like that. So a
17 diversion rate goes from 48 percent to 21 percent.
18 Twenty-one is accurate. It's reflective of what's going
19 on. But there's things in here that when asked of
20 management, they don't even know existed.

21 Now, this City had to go out and hire another
22 consultant. The consultant that's representing them today
23 didn't do this work. And so -- I'll keep my blood
24 pressure down. This is the stuff that should make every
25 City and every consultant furious. And I bring it up at

1 every chance, because at some point cities are going to
2 start asking questions of consultants as to what's their
3 track record with the Waste Board on this stuff.

4 Because I hate seeing cities spend hundreds of
5 thousands of dollars or thousands of dollars to do
6 something, and then turn around with an expectation of
7 having a number that they think's reflective based on that
8 consultant's work and then find out that it's been cut by
9 almost two thirds because it never even existed.

10 That's not fair. So I bring it up as an issue.

11 All right. By the way, they -- well, never mind.

12 Mr. Medina.

13 COMMITTEE MEMBER MEDINA: Thank you, Chair Jones.
14 I'd like to move Resolution 2003-57, consideration of a
15 request to change the base year to 2000 for the previously
16 approved Source Reduction and Recycling Element for the
17 City of Brisbane, San Mateo County.

18 CHAIRPERSON JONES: I'll second.

19 We have a motion by Mr. Medina, a second by Mr.
20 Jones.

21 Substitute the previous roll, members?

22 On consent?

23 Thank you.

24 All right. Thanks Keir.

25 Next item, City of Lodi.

1 DEPUTY DIRECTOR SCHIAVO: Okay. This is
2 Committee Item AB, and this is consideration of a request
3 to change the base year to 2000 and consideration of the
4 1999-2000 biennial review findings and Household Hazardous
5 Waste Element for the City of Lodi, San Joaquin County.

6 And Yasmin Satter will make this presentation.

7 MS. SATTER: The City of Lodi originally
8 submitted a new base-year change request with a diversion
9 rate of 54 percent for 2000. As part of the base-year
10 study review, Board staff conducted a detailed site visit.
11 As a result staff recommended changes and advised a
12 diversion rate of 49 percent.

13 The City, however, subsequently submitted
14 documentation requesting additional diversion tonnage that
15 was previously uncounted for. With the additional tonnage
16 the city's diversion rate for 2000 would be 51 percent.

17 No extrapolation was used to calculate diversion.
18 Board staff proposed changes can be seen in their entirety
19 in Attachment 3.

20 Staff also conducted a review of the city's
21 diversion programs. The City reports that it has
22 successfully implemented source reduction, recycling,
23 composting, and public education programs to meet the 50
24 percent diversion mandate.

25 Board staff is recommending Option 2, that would

1 approve the city's revised new base year with staff
2 recommendations and accept staff's 1999-2000 biennial
3 review findings for the City.

4 A representative from the City of are present to
5 answer any questions.

6 This concludes my presentation.

7 CHAIRPERSON JONES: Any questions, members?

8 Mr. Medina.

9 COMMITTEE MEMBER MEDINA: Thank you, Chair Jones.
10 I'd like to move Resolution 2003-58, consideration of a
11 request to change the base year to 2000 for the previously
12 approved Source Reduction and Recycling Element and
13 consideration of the '99-2000 biennial review findings for
14 the Source Reduction and Recycling Element and Household
15 Hazardous Waste Element for the City of Lodi, San Joaquin
16 County.

17 COMMITTEE MEMBER CANNELLA: Second.

18 CHAIRPERSON JONES: We got a motion by Mr.
19 Medina, a second by Mr. Cannella.

20 Substitute the previous roll?

21 On consent?

22 Thank you, members.

23 All right. Item Number 27, Truckee.

24 DEPUTY DIRECTOR SCHIAVO: This is consideration
25 of a request to change the base year to 2000 and

1 consideration of the 1999-2000 biennial review findings
2 for the town of Truckee, Nevada County.

3 Kyle Pogue will make the presentation.

4 MR. POGUE: Good morning. Kyle Pogue with Office
5 of Local Assistance.

6 The town of Truckee in Nevada County originally
7 submitted a request for a new base year, claiming a
8 diversion rate of 53 percent for the year 2000. As a
9 result of Board staff's visit to the town and verification
10 of the claimed diversion, Board staff recommends several
11 deductions and additions and acceptance of the revised
12 2000 diversion rate of 51 percent.

13 Staff's proposed changes can be seen in their
14 entirety in Attachment 3.

15 The town is also claiming biomass diversion
16 credit for the Year 2000, which will add 8 percent to its
17 2000 diversion rate, for a total of 59 percent.

18 Staff also conducted a review of the town's
19 diversion programs. The town reported that it has
20 successfully implemented source reduction, recycling, and
21 composting, and public education programs in order to meet
22 the 50-percent diversion mandate.

23 Based on this information Board staff is
24 recommending Option 2, that would approve the town's new
25 base year with staff recommended changes and accept the

1 1999-2000 biennial review findings.

2 A representative for the town is available to
3 answer any questions you may have.

4 And that concludes my presentation.

5 CHAIRPERSON JONES: Any questions, members?

6 Mr. Medina.

7 COMMITTEE MEMBER MEDINA: Thank you, Chair Jones.

8 I'd like to move Resolution 2003-66, consideration of a
9 request to change the base year to 2000 for the previously
10 approved Source Reduction and Recycling Element and
11 consideration of the '99-2000 biennial review findings for
12 the Source Reduction and Recycling Element and Household
13 Hazardous Waste Element for the town of Truckee, Nevada
14 county.

15 COMMITTEE MEMBER MOULTON-PATTERSON: Second.

16 CHAIRPERSON JONES: We've got a motion by Mr.
17 Medina, a second by Chair Moulton-Patterson.

18 Substitute the previous roll?

19 On consent.

20 Thank you, members.

21 Just point of information. The folks from Nevada
22 County are here. One of those folks is Tracy Harper, who
23 used to be one of our staff. Now she works on the other
24 side, local government, and gets angry every time somebody
25 probably tells her to do something, huh?

1 (Laughter.)

2 CHAIRPERSON JONES: All right. Item number AE.

3 DEPUTY DIRECTOR SCHIAVO: AE, Board Item 28,
4 consideration of A request to change the base year to 2000
5 for the City of Woodland, Yolo County.

6 And Carolyn Sullivan will make the presentation.

7 MS. SULLIVAN: Good morning.

8 The City of Woodland submitted a request for a
9 new base year, claiming a diversion rate of 66 percent for
10 2000. No extrapolated data was used in the diversion rate
11 calculation.

12 After visiting the City to verify the diversion,
13 Board staff's revised 2000 diversion rate is 41 percent.
14 The Board staff calculated rate includes several
15 substantial deductions as well as additions.

16 As a result of reviewing the study and visiting
17 the City, staff suspects there is tonnage from diversion
18 activities taking place within the City that was not
19 included in the new base-year study.

20 Staff recommends the City be allowed an
21 additional 60 days to work with Board staff to identify
22 potentially missing diversion tonnage. Board staff has
23 discussed these changes and additional time request with
24 City representatives.

25 Based on this information Board staff is

1 recommending Option 3 of the agenda item, which would
2 allow the City an additional 60 days to improve the
3 accuracy of the study.

4 And representatives of the City are here to
5 answer any questions.

6 This concludes my presentation.

7 CHAIRPERSON JONES: Any questions, members?

8 Mr. Cannella.

9 COMMITTEE MEMBER CANNELLA: Well, it's just the
10 same example that you cited earlier about the information
11 that that was gathered about the consulting work not being
12 what it was representative to be. And I don't know how
13 you deal with that, but -- yes.

14 MS. SULLIVAN: In this case there was a very
15 large amount of tonnage from one business that was no
16 longer operating when we went out for a visit. It
17 represented I believe a 19 percentage point drop when we
18 deducted it.

19 So I don't know that it was necessarily that
20 case --

21 COMMITTEE MEMBER CANNELLA: Well, I'm glad we
22 clarified that then. I was under the assumption that we
23 were dealing with the same issues of the previous one
24 where Mr. Jones had indicated that it was a result of a
25 ongoing problem. But I'm glad then I asked the question.

1 Thank you.

2 CHAIRPERSON JONES: Now, just for clarification.
3 If the business no longer exists, even though it was 19
4 percent diversion, there would have been disposal that was
5 associated with that too when you -- right, with that
6 business?

7 MS. SULLIVAN: Correct.

8 CHAIRPERSON JONES: So it's sort of like revising
9 both of them to more accurately reflect --

10 MS. SULLIVAN: Right. And we're actually
11 investigating whether or not a new business has started up
12 the operation again. And that's why we feel we need more
13 time.

14 CHAIRPERSON JONES: All right. And is Sherry
15 Martin here?

16 MS. SULLIVAN: Heidi Hopper from the City of
17 Woodland.

18 CHAIRPERSON JONES: All right. So you're going
19 to work with them?

20 MS. SULLIVAN: Yes.

21 CHAIRPERSON JONES: Very cool.

22 All right. Mr. Cannella.

23 COMMITTEE MEMBER CANNELLA: I'll move Resolution
24 2003-61, request to change the base year to 2000 for the
25 previously approved Source Reduction and Recycling Element

1 for the City of Woodland, Yolo County.

2 COMMITTEE MEMBER MEDINA: Second.

3 CHAIRPERSON JONES: Okay. We have a motion by
4 Mr. Cannella which will give them another 60 days, a
5 second by Mr. Medina.

6 Substitute the previous roll?

7 On consent?

8 Thank you, members.

9 Item Number AF, 29, Coalinga.

10 DEPUTY DIRECTOR SCHIAVO: Yeah, we'd like to
11 combine AF and AG. And these are consideration of request
12 to change the base years and consideration of the
13 1999-2000 biennial review findings for the cities of
14 Coalinga and Kingsburg, Fresno County.

15 Terri Edwards will make the presentation.

16 MS. EDWARDS: Good morning, Committee members.

17 The City of Coalinga originally submitted its new
18 base-year change request with a diversion rate of 62
19 percent for 2000.

20 As part of the base-year study review Board staff
21 conducted a detailed site visit. As a result staff
22 recommends both deductions and additions for a revised
23 2000 diversion rate of 53 percent. Major deductions are
24 for one-time events that are not representative diversion
25 for the City. The additions are for new business

1 diversion that had not been counted as well as
2 underestimated diversion tonnage discovered during the
3 site visit.

4 Staff's recommended changes can be viewed in
5 detail in Attachment 3 of Item 29.

6 The City of Kingsburg originally submitted a new
7 1999 base-year change request with a diversion rate of 49
8 percent.

9 As part of the base-year study review Board staff
10 conducted a detailed site visit. As a result inaccurate
11 estimates of nonresidential diversion were discovered and
12 in more than one case diversion tonnage had been
13 underestimated. Board staff, therefore, recommends a
14 revised diversion rate of 52 percent for the City of
15 Kingsburg's 1999 base year.

16 These changes can also be viewed in detail in a
17 Attachment 3 of Item 30.

18 In addition, Kingsburg has submitted
19 documentation showing it meets the statutory conditions
20 for claiming biomass diversion credit in 2000. If the
21 city's new 1999 base year is approved, the city's 2000
22 diversion rate would be 62 percent, and 72 percent with
23 the addition of biomass diversion.

24 Board staff has determined that both cities have
25 adequately documented the information claimed in their new

1 base year requests. Based on this information Board staff
2 is recommending Option 2 for both items, which would
3 approve the revised new base years with staff
4 recommendations.

5 Staff also conducted a 1999-2000 biennial review
6 for both cities, including site visits in 2002. Staff
7 found that the jurisdictions have adequately implemented
8 the source reduction, recycling, composting, public
9 education, and information programs as outlined in their
10 Source Reduction and Recycling Element and Household
11 Hazardous Waste Element.

12 Because both cities have demonstrated adequate
13 implementation of their SRRE and HHWE and have met 50
14 percent diversion requirement, staff recommends the Board
15 approve the staff's biennial review for both the cities.

16 In addition, because Kingsburg has documented
17 that it meets the conditions for claiming biomass
18 diversion in 2000, staff also recommends that the Board
19 accept the city's biomass diversion claim.

20 A representative from the City of Coalinga is
21 available to answer any questions. A City representative
22 from Kingsburg, however, will not be present due to
23 financial constraints on travel.

24 This concludes my presentation.

25 CHAIRPERSON JONES: Any questions?

1 Mr. Cannella.

2 COMMITTEE MEMBER CANNELLA: I would move
3 Resolution 2003-62, request to change the base year to
4 2000 for the previously approved Source Reduction and
5 Recycling Element and consideration of for the 1999-2000
6 biennial review findings for the Source Reduction and
7 Recycling Element and Household Hazardous Waste Element
8 for the City of Coalinga in Fresno County.

9 COMMITTEE MEMBER MEDINA: Second.

10 CHAIRPERSON JONES: Got a motion by Mr. Cannella,
11 a second by Mr. Medina.

12 Substitute the previous roll?

13 On consent?

14 Thank you, members.

15 Mr. Cannella.

16 COMMITTEE MEMBER CANNELLA: Offer Resolution
17 2003-63, request to change the base year to 1999 for the
18 previously approved Source Reduction and Recycling Element
19 and consideration of the 1999-2000 biennial review
20 findings of the Source Reduction and Recycling Element and
21 Household Hazardous Waste Element for the City of
22 Kingsburg of Fresno County.

23 COMMITTEE MEMBER MEDINA: Second.

24 CHAIRPERSON JONES: Got a motion by Mr. Cannella,
25 a second by Mr. Medina.

1 Substitute the previous roll?

2 On consent?

3 Thank you, members

4 One question. Both these cities did programs on
5 their own and didn't rely on the county?

6 MS. EDWARDS: Right.

7 CHAIRPERSON JONES: Okay. Thank you.

8 All right. Item 31, City of Gardena.

9 DEPUTY DIRECTOR SCHIAVO: This is consideration
10 of a request to change the base year to 2000 and
11 consideration of completion of Compliance Order IWMA
12 BR99-36 and consideration of issuance of a new Compliance
13 Order IWMA BR03-02 for the City of Gardena, Los Angeles
14 County.

15 Zane Poulson will make the presentation.

16 MR. POULSON: Good morning, Chairman Jones and
17 Committee members.

18 In October of 1999 the City of Gardena was issued
19 a compliance order requiring the City to correct diversion
20 rate inaccuracies and to implement its Source Reduction
21 and Recycling Element, or SRRE, selected programs.

22 The City completed and submitted a new waste
23 generation study with the intent of establishing a more
24 recent and more accurate base year.

25 The city's new base-year change request as

1 originally submitted had a diversion rate of 24 percent
2 per 2000. That includes statistical methods to
3 extrapolate the nonresidential diversion from a sample of
4 businesses within the City.

5 Contracted statisticians as well as Board staff
6 reviewed the extrapolation methodologies and determined
7 that the sampling methodologies used in the extrapolation
8 did not meet statistical requirements for conducting
9 random surveys.

10 Board staff, therefore, recommends that the
11 additional diversion from the extrapolation not be allowed
12 in the new base-year request.

13 As part of the base-year study review Board staff
14 also conducted a detailed site visit. As a result and
15 with the exclusion of the extrapolated diversion, the
16 city's diversion rate for 2000 would be 13 percent.

17 Board staff's proposed changes can be seen in
18 their entirety in Attachment 3.

19 The City also worked with Board staff to develop
20 an assistance plan that outline new programs and expansion
21 of existing programs that the City agreed to implement to
22 meet the SRRE implementation requirements. The city's
23 reported that it has since implemented all the programs
24 included in the city's assistance plan.

25 Despite the city's new base year and its

1 implementation of programs in the assistance plan, the
2 city's diversion rate remains below 25 percent for the
3 Year 2000.

4 The City has also submitted a time extension in
5 order to give the City additional time to meet the 50
6 percent diversion requirement.

7 Based on this information, Board staff is
8 recommending Option 2, that would approve the base-year
9 change, not approve the time extension application in the
10 compliance order for the 1995-1996 biennial review, and
11 issue the City a compliance order for the 1999-2000
12 biennial review.

13 This concludes my presentation. Thank you.

14 CHAIRPERSON JONES: Thank you.

15 Do you have any questions?

16 I have a couple questions. But do any members
17 have questions?

18 Is the City representative here?

19 MR. POULSON: They're not here today.

20 CHAIRPERSON JONES: Okay. The form that's filled
21 out is filled out by a City representative?

22 MR. POULSON: Yes.

23 CHAIRPERSON JONES: Did the City try to do this
24 new base year by itself -- with City staff?

25 MR. POULSON: No, they hired a consultant to do

1 this.

2 CHAIRPERSON JONES: Okay. Because I do see some
3 huge deductions that make me crazy on the -- but anyway.

4 So they can't get an SB 1066 because they're not
5 even at 25 percent, right?

6 MR. POULSON: Yes.

7 CHAIRPERSON JONES: So they have to do compliance
8 and work through it that way?

9 MR. POULSON: That was our recommendation, yes.

10 CHAIRPERSON JONES: All right. And then -- help
11 me out here. They did an extrapolation -- which everybody
12 knows I love --

13 (Laughter.)

14 CHAIRPERSON JONES: -- that was found to be
15 statistically wrong?

16 MR. POULSON: Yes.

17 CHAIRPERSON JONES: But there was some -- there
18 would with have been something there, you know what I
19 mean, even though they did it wrong.

20 Do we look to the future to figure out what that
21 might be or -- you know, to count what might be there some
22 time through this next phase of this process?

23

24 DEPUTY DIRECTOR SCHIAVO: (Nods head.)

25 CHAIRPERSON JONES: No problem then. Okay.

1 So we are going to be issuing our second
2 compliance order here.

3 The fact that they did a new base year was one of
4 the conditions of their first compliance order. So they
5 did actually comply with their compliance order. They
6 just haven't got it quite right yet.

7 All right. No questions?

8 I'll move adoption of Resolution 2003-64,
9 consideration of a request to change the base year to 2000
10 for the previously approved Source Reduction and Recycling
11 Element and consideration of completion of Compliance
12 Order IWMA BR99-86 and consideration of an application for
13 a 1066 extension and the consideration of the issuance of
14 Compliance Order IWMA BR03-02 for the City of Gardena in
15 Los Angeles County.

16 COMMITTEE MEMBER MOULTON-PATTERSON: Second.

17 CHAIRPERSON JONES: Got a motion by Jones, a
18 second by Chair Moulton-Patterson.

19 Substitute the previous roll?

20 On consent?

21 Thank you, members.

22 All right. We're getting closer.

23 Item 33, which is AJ.

24 DEPUTY DIRECTOR SCHIAVO: This is a consideration
25 for a request to change base year to 2000 and

1 consideration of the 1999-2000 biennial review findings
2 for the City of Commerce, Los Angeles County.

3 Steve Uselton presents.

4 MR. USELTON: The City of Commerce originally
5 submitted a new base-year change request with a diversion
6 rate of 42 percent for the Year 2000.

7 As part of the base-year study review, Board
8 staff conducted a detailed site visit in December of 2002.
9 As a result of staff's verification findings, staff is
10 recommending changes to the base year that result in a
11 base-year diversion rate of 36 percent.

12 Staff would like to acknowledge that the City
13 representatives prepared this study and worked very
14 cooperatively with staff throughout the process.

15 Most of the deductions resulted from dirt that
16 was included in the landfill salvage value that the City
17 received in a report from the county. So that was where
18 most of the deduction came from.

19 CHAIRPERSON JONES: So is it double counting?

20 MR. USELTON: In that situation we would not
21 count dirt as a diversion material. So it's not included
22 in the salvage number.

23 When we add transformation credit to the base
24 year, if approved at 36 percent, the 2000 diversion rate
25 for this City would actually be 46 percent.

1 Staff's proposed changes can be seen in their
2 entirety in Attachment 3 to this item.

3 Some of the major diversion programs that the
4 City is currently implementing include curbside collection
5 of recycles. They have an extensive business recycling
6 the Source Reduction Technical Assistance and Outreach
7 Program. Their local government in schools are involved
8 in recycling programs. And the City is implementing
9 construction and demolition diversion on major projects.

10 Board staff has determined that the base-year
11 change request is adequately documented and the city's
12 program implementation is adequate despite the less than
13 50 percent diversion rate achieved.

14 Staff recommend the Board adopt Option 2, approve
15 the city's base-year change request with staff-recommended
16 changes, and also find that the City of Commerce has made
17 a good-faith effort to meet the 2000 diversion
18 requirement.

19 A representative of the City is present to answer
20 questions.

21 And that concludes staff's presentation.

22 CHAIRPERSON JONES: Any questions of staff?

23 Madam Chair.

24 COMMITTEE MEMBER MOULTON-PATTERSON: Just, do you
25 know in their business outreach program if they've reached

1 out to the casino? Because that seems to me it would be a
2 natural.

3 MR. USELTON: Actually I want to defer to the
4 City person on that, if I could.

5 COMMITTEE MEMBER MOULTON-PATTERSON: And then I
6 would like to make a motion.

7 CHAIRPERSON JONES: Sure.

8 MS. POWELL: Thank you for the question. My name
9 is Doris Powell with the City of Commerce.

10 And, yes, we have presented some outreach to the
11 casino. And they now have the hotel, which you're welcome
12 to come and visit Commerce. And so we're working with
13 them to develop a program for the hotel.

14 However, the bulk of the recycling is not coming
15 from facilities such as this. It's coming from mostly
16 lithographic companies who are recycling up to like 4,000
17 tons of paper from one company alone.

18 And I'd like to just take this opportunity to
19 thank Steve for working with us, and his staff. We had
20 last minute changes, which they were able to get through,
21 that were questionnaires that we got back from the
22 businesses that were not originally included.

23 And unfortunately the dirt is a big problem. We
24 didn't know that that was even in the landfill diversion
25 or we wouldn't have ever put it in our study.

1 And unlike many cities that you mentioned, I did
2 do the study myself and I put -- you know, we've done this
3 for three years running now, and we did put a lot of time
4 and effort into it and we tried to be as accurate as
5 possible. And I think that the review by the staff
6 reflects that.

7 COMMITTEE MEMBER MOULTON-PATTERSON: Thank you.

8 CHAIRPERSON JONES: Absolutely.

9 MS. POWELL: Any other questions?

10 CHAIRPERSON JONES: Madam Chair.

11 COMMITTEE MEMBER MOULTON-PATTERSON: I'd like to
12 move Resolution 2003-66, request to change the base year
13 to 2000 for the previously approved Source Reduction and
14 Recycling Element and consideration of the '99-2000
15 biennial review findings for the Source Reduction and
16 Recycling Element and Household Hazardous Waste Element
17 for the City of Commerce, Los Angeles County.

18 COMMITTEE MEMBER MEDINA: Second.

19 CHAIRPERSON JONES: Got a motion by Chair
20 Moulton-Patterson, a second by Mr. Medina.

21 Substitute the previous roll?

22 On consent?

23 Okay. Any public comment?

24 We're going to thank the staff for a good job.

25 Thanks members.

1 And, Mr. Cannella.

2 COMMITTEE MEMBER CANNELLA: I just have a quick
3 question.

4 We've talked about all these issues on the agenda
5 today and were mostly about curbside reduction. And it
6 goes to the question that you had asked earlier about
7 statements you made about the contaminated materials into
8 the recycling bins and how it skews the stuff and puts the
9 cities at risk.

10 I have a question and I don't know the answer.
11 Curbside recycling, is that mandatory or is it voluntary?

12 DEPUTY DIRECTOR SCHIAVO: From the state's
13 perspective it's voluntary. However, a number of
14 jurisdictions included them in their Source Reduction and
15 Recycling Elements. So then we would look at that program
16 as being part of their overall plan. So, you know, when
17 we do a program evaluation, we look at whether or not
18 they're committing to continue to do that or substitute
19 program. At the local levels some of them may make them
20 mandatory. Just depends on jurisdiction --

21 COMMITTEE MEMBER CANNELLA: And I'm not here
22 advocating that we do one or the other. My thoughts
23 are -- that I see my neighbors. You pay for one
24 container. And when that container is filled, they draw
25 all the other stuff in. And I've thought if it was a

1 voluntary basis, those people who are truly committed to
2 doing recycling would request that container, as opposed
3 to giving everybody one that would then cause the waste
4 stream to be contaminated because those folks view it as a
5 free container to get rid of unwanted stuff.

6 So, anyway, that was just a question. And I
7 didn't know the answer. It would seem to me that if there
8 are jurisdictions that have a problem with the recycling
9 being contaminated, then perhaps they ought to go to an
10 all-voluntary basis as opposed to a mandatory one.

11 CHAIRPERSON JONES: Either that or -- some of
12 them, and it's, I forget -- I think it was down in
13 southern California they tried the idea of the small
14 container for garbage, the big container for recyclables.
15 They found that all of the recyclables were contaminated
16 because people filled up the little container and dumped
17 it in with that curbside.

18 COMMITTEE MEMBER CANNELLA: Well, I have
19 arguments with my neighbors about the very same thing,
20 about not throwing that stuff in there. But it's a free
21 container. When you're paying 40 bucks a month or \$22 a
22 month to have it hauled off and you need just a little
23 more space, and it's free, you just throw it in there.

24 CHAIRPERSON JONES: So really what that City did
25 is they changed it around and made the big container for

1 garbage, the small container for recyclables, and they
2 ended up fixing the problem. But the bigger problem is a
3 lot of cities think that that's the way to do it. And so
4 they're contaminating their waste stream so bad, and that
5 creates big market problems, you know.

6 So good question.

7 All right.

8 Thank you all.

9 We're done.

10 (Thereupon the California Integrated Waste
11 Management Board, Diversion, Planning and
12 Local Assistance Committee adjourned at
13 11:45 a.m.)

14

15

16

17

18

19

20

21

22

23

24

25

1 CERTIFICATE OF REPORTER

2 I, JAMES F. PETERS, a Certified Shorthand
3 Reporter of the State of California, and Registered
4 Professional Reporter, do hereby certify:

5 That I am a disinterested person herein; that the
6 foregoing California Integrated Waste Management Board,
7 Diversion, Planning and Local Assistance Committee meeting
8 was reported in shorthand by me, James F. Peters, a
9 Certified Shorthand Reporter of the State of California,
10 and thereafter transcribed into typewriting.

11 I further certify that I am not of counsel or
12 attorney for any of the parties to said meeting nor in any
13 way interested in the outcome of said meeting.

14 IN WITNESS WHEREOF, I have hereunto set my hand
15 this 23rd day of January, 2003.

16

17

18

19

20

21

22

23

JAMES F. PETERS, CSR, RPR

24

Certified Shorthand Reporter

25

License No. 10063