

DEPARTMENT OF PUBLIC WORKS

FLOOD CONTROL • LAND DEVELOPMENT & CONSTRUCTION • OPERATIONS
SOLID WASTE MANAGEMENT • SURVEYOR • TRANSPORTATION



COUNTY OF SAN BERNARDINO

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GERRY NEWCOMBE
Director of Public Works

SOLID WASTE ADVISORY TASK FORCE (SWAT) Meeting Minutes of April 18, 2012

MEMBERS PRESENT:

George Huntington (D) - Vice Chair

John Davis (A)
Bob Figoni (A)
Bill Holland (D)
Dave Caretto (D)
Ray Hansen (A)
Melissa Morgan (A)
Gino Filippi (D)
Mark Sorensen (D)
Nancy Sidhu (D)
Zachariah Medley (D)
Jeff Ziegenbein (D)
Chas Kelley (A)

Town of Yucca Valley
City of Victorville
City of Ontario
City of Hesperia
City of Big Bear Lake
City of Chino Hills
City of Highland
City of Upland
Public-at-Large, West Vly Region
Public-at-Large, East Vly Region
Public-at-Large, Desert Region
IEUA-West Vly Region
SBCo. Board of Supervisors-Third District

DRAFT

MEMBERS ABSENT:

Ed Camargo, (D)
Barb Stanton (D)
Tim Saenz (D)
Tom Haughey (D)
Alex Perez (D)
Lydia Wibert (D)
Darcy McNaboe (D)
Phillip Dupper (D)
Vacant (D)
Janet Kulbeck (A)
Linda Kidd (D)
Vacant (D)
Linda Ceballos (A)
Pete Aguilar (D)
Ed Scott (D)
Rikke Van Johnson (D)
Dan Mintz (D)
Tom Masner (D)
Bambi Tran (D)
Cole Burr (D)

City of Adelanto
Town of Apple Valley
City of Barstow
City of Chino
City of Colton
City of Fontana
City of Grand Terrace
City of Loma Linda
City of Montclair
City of Montclair
City of Needles
City of Rancho Cucamonga
City of Rancho Cucamonga
City of Redlands
City of Rialto
City of San Bernardino
City of Twentynine Palms
City of Yucaipa
Construction-East Vly Region
Private Recycler, Desert Region

John Day (D)	Special District Representative, Mountain Region
Brad Mitzefeld (D)	SBCo. Board of Supervisors, First District
Janice Rutherford (D)	SBCo. Board of Supervisors, Second District
Gary Ovitt (D)	SBCo. Board of Supervisors, Fourth District
Josie Gonzales (D) Chair	SBCo. Board of Supervisors, Fifth District

OTHER ATTENDEES:

Gerry Newcombe	SBCo. DPW-Director
Julie Ryan	City of Hesperia
Tony Mata	City of Fontana
Belinda Barbour	City of Barstow
Joseph Moon	Town of Apple Valley
Julie Surber	SBCo. County Counsel
Olivia Sanchez	Burrtec Waste Industries
Erma Hurse	SBCo. DPW
Claudia Rozzi	SBCo. SWMD
Erika Ellis	SBCo. SWMD
Liz Villa	SBCo. SWMD
Rex Richardson	SBCo. SWMD

(D) = Delegate (A) = Alternate

I. Call to Order and Self Introductions: Meeting called to order by **George Huntington**, Vice-Chair, at 1:31 PM, followed by the Pledge of Allegiance and self-introductions. Quorum present.

II. Informational items available at the sign-in table: **George Huntington** advised those in attendance that the following items were located on the sign-in table.

- A. SWAT Roster
- B. Local Enforcement Agency (LEA) Projects List
- C. Legislation Update
- D. Five-year CIWMP review
- E. Update SWAT Committee Rosters
 - a. Technical
 - b. Strategic Planning
 - c. Membership
- F. SWAT membership application form

III. Approval re-appointment of public members/alternate of SWAT: Rex Richardson presented this item explaining that these SWAT Delegates'/Alternates' current appointments are due to expire and would need to be re-appointed or their seats filled.

Public-at-Large, East Valley Region: Nancy Sidhu, Delegate & John Ragsdale, Alternate
Public Regional Water District, West Valley Region: Jeff Ziegenbein, Delegate
Private Recycler, Desert Region: Cole Burr, Delegate & Chuck Tobin, Alternate
Special District Representative, Mountain Region: John Day, Delegate & Mark Motherspaw, Alternate

Approved, all in favor.

IV. Approval of Meeting Minutes – October 19, 2011

Approved as submitted, all in favor.

V. Legislation Update. Presented by **John Davis**. He stated that this year doesn't look like it's going to be a big year for legislation. See handout for more information.

VI. LEA Projects Update. **Erma Hurse** advised that Jon Reid of the LEA was unable to attend, but the update was available at the sign-in table and if members had any comment to give him a call at 909-387-4655.

VII. SWAT Committee Reports, discussion & approval of committee rosters.

A. Technical Committee

a. Elect a new vice-chair – Rex Richardson states, no quorum, and no action taken.

b. Draft Committee roster approved by the SWAT with these changes: Diana McKeen remains a member, but is no longer affiliated with the Town of Apple Valley and can no longer be committee vice-chair. Deleted were Michael Delgado and Barbara Dellinger as committee members. Gerry Newcombe was replaced with Art Rivera. Members Deborah Allen, Joe Cylwik, Jon Reid, Diana McKeen and Julie Ryan were re-appointed.

B. Strategic Planning Committee – John Davis states the committee prepared report on systems in the county; committee is prepared to move forward to phases 3 & 4.

a. Elect committee vice-chair No quorum at last committee meeting, no action taken.

b. Infrastructure Report update AB341 derailed work, 7 elements in report and try apply that format to the county system.

c. Draft Committee roster approved by the SWAT with these changes: Diana McKeen remains a member, but is no longer affiliated with the Town of Apple Valley and added new member Dan Noble.

C. Membership Committee – John Davis updates, membership application form is ready for use once approved.

a. Approval of SWAT membership application form – approved, all in favor.

b. Roster approved by the SWAT as submitted.

VIII. Authorize the elimination of the Technical Committee, Membership Committee and the Strategic Planning Committee. Items 8, 9 & 10 are covered by **Gerry Newcombe**.

Gerry explains to SWAT members of the need to decrease/eliminate the meetings of the SWAT committees and the SWAT due to the fact that the SWAT has essentially fulfilled its purpose under regulation. Under regulation, SWAT must meet at a minimum of once every five years or as needed. He said Riverside County does it this way. In Item VIII the County is recommending eliminating the three standing committees. In Item IX, would authorize the SWAT to go to the minimum statutory requirement of meeting once every five years, or as needed. And Item X would extend public member appointments to a 5-year term to assure the public continues to be represented in the SWAT if it goes to a 5-year meeting cycle. **Gerry** stated that this is an appropriate change to the SWAT meeting structure. He said the County has developed a very good relationship between County and City staff and as an alternative to formal SWAT affiliated meetings, the County would be willing to host informal meetings periodically to continue the dialog and interaction at a staff level. **Gerry** added that any SWAT member could request a SWAT meeting by contacting the SWAT Chair, which is the Chair of the Board of Supervisors. There were many concerns and questions from the SWAT members:

Nancy Sidhu asked about how the public is represented although there hasn't been much activity by the public anyway she said. **Gerry** responded stating that back in the 90's when the SWAT was active, there was a lot of public participation/activity, but it's just dwindled over the years, the agendas now are pretty sparse, there's not a lot going on, most of the work's been done and just don't see general public participation-it's mostly staff.

Bill Holland expressed his concern that an elected official's four year term could go by without the official ever participating in a SWAT meeting which could make and it difficult to track who is a city's current SWAT delegate. Some continuity may be lost.

George Huntington states that in his almost four years attending the SWAT, 99% of elected officials send their alternate rather than attend themselves.

Mark Sorensen, as a member of the public, stated we have to make the distinction between the County saying the work's done and the perception of the public saying you, the county, mean everything is fine-that is kind of hard to reconcile. He also states that maybe there's another avenue other than SWAT to move forward but it's unclear what that looks like. Saying that all the work has been done, said Mark, implies that San Bernardino County (not the governmental entity but the geographic entity) has a recycling rate that is the envy of the State of California, and it has source reduction programs that are endemic to the area, and that the county has food waste processing & composting programs. Mark stated that from his perspective as a member of the public, he doesn't see that.

Bill Holland asked if there is some alternative to the five year meeting frequency to somewhere in the middle?

Nancy Sidhu stated that the issue isn't about meeting frequency but what is the SWAT doing. She doesn't see the SWAT as helping create a better solid waste situation in southern California.

Bob Figoni, agreed with **Gerry** in that if the purpose of the SWAT is assist in meeting AB 939, then it's fulfilled its purpose. He asked if we're not done, then what else is there to do? If there something else that could be done in this forum, we need to be clear on what that is before deciding on whether we should meet or not. As **Gerry** stated work can be and is being done at a staff level—what kinds of things really need to be done at the SWAT level?

Gerry Newcombe, California is ahead of the diversion requirements. Jurisdictions are currently required to be at a 50% diversion rate or better. The State, not local jurisdictions, is required to get to a 75% diversion rate. New requirements may spark meetings. Communication is occurring but hard to keep up on when there is not much to work on. Public can attend informal meetings. Item continued to next meeting.

IX. Authorize the SWAT to meet every five (5) years or as frequently as necessary to discharge its responsibilities and carry out its purpose. Item continued to next meeting.

X. Authorize the term of appointment of Public Members of the SWAT to be five (5) years. Item continued to next meeting.

XI. Five-year County Integrated Waste Management Plan (CIWMP) review.

CIWMP coordinator **Erma Hurse** states that this review is going to CalRecycle soon. Comments, if any, are due by July 27, 2012. Call for questions and comments to 909-387-1864 or email Erma at erma.hurse@dpw.sbcounty.gov. Drafts have been mailed with email attachment to SWAT mailing list, also on County website.

XII. WDA update. **Gerry Newcombe** states he has been discussing the WDA agreements and their potential expiration as early as December of this year with city managers. A group of WDA city managers, met last week to consider an offer by the County to extend the WDA agreements by five years without change. The response was the managers felt a three year extension would be more appropriate. The County will consider a three year extension. The idea would be that all 16 cities would sign a new agreement that would take effect January 1, 2013 and expire on January 1, 2016. He said the County would reply fairly shortly via the city manager's group.

XIII. Solid Waste System Update. **Gerry Newcombe** said the County has met twice (in January and February) mostly with city managers and city staff of the 16 WDA cities to present the County's concern that the Solid Waste Enterprise Fund is headed to insolvency if we don't generate additional revenue and/or cut costs in the next seven to ten years. With the economy being down and tonnage down by 32-35% over the last four or five years, the County is having a significant problem with revenue keeping pace with expenses. There are a lot of fixed costs and

fixed infrastructure in the ground that has to be maintained. The County is spending money out of reserves every year to balance the budget, so there's only so much time before the bank runs out and into red ink. The County is also concerned that because of this tough economy, landfills in the surrounding counties are lowering their rates, and the County raising rates here might not be the best business decision. So that only leaves cutting expenses. One way to cut costs is to close facilities. One of the struggles we have in this county is that the county is so large and we've tried to have facilities everywhere that people could access, we've got ourselves into running a lot of low volume, and infrequently used facilities that are very expensive on a unit cost basis. Those kinds of things drive the overall cost structure way up. We've had a uniform fee approach across the county where everyone pays the same rate regardless of how much it really costs to run that facility. In good years with lots of tonnage and revenue that system works, in lean years those kinds of expenses are difficult, if not impossible, to cover. The County has looked at a variety of issues, but has not made any particular proposal yet, no decisions or plan yet to address this issue. The County is considering a variety of options that could include closing landfills, closing all the transfer stations, just running landfills—there's a variety of things on the table—nothing is certain. The suggestion from the city managers was to hold off on the changes to see if economy improves. **Gerry** said he doesn't think we have time to sit tight for three or four years and although we don't have to make a decision immediately, it is not a rosy picture at all and it does need to be corrected. The County will continue working with the cities on it. **Jeff Ziegenbein** asked with Puente Hills Landfill closing, if the County was looking at other business models to include import of out-of-county waste? **Gerry** replied that the County has not factored that in, but does feel it may be an opportunity. The challenge is our pricing, \$38/ton for WDA cities and \$58/ton regular gate rate, while Puente Hills rate is in the low- to mid- \$20 range. The County is responding to RFP from the City of Los Angeles to bring some of their waste to Mid-Valley Landfill. He stated that the County is taking a conservative approach regarding potential changes in market conditions. **Melissa Morgan** said one of the concerns at a staff level, is the lack of discussion at these meetings and recent dissolution of the Zero Waste Communities meetings. She asked if we could have at least on a quarterly basis, a staff level meeting with the County and WDA cities, because without the Zero Waste and SWAT meetings, how is the County going to funnel information about the system down to the WDA cities? **Gerry** replied that working with the city managers (or their designated staff) will continue to be the method of communicating what's going on with the system and WDA agreements. **Mark Sorensen** agreed that the meeting should be open to a wide group of people to facilitate coming up with other options. **Nancy Sidhu** what if we have to go to 75% diversion, and have we worked that out? **Gerry** responded that we will see landfill rates and collection rates go through the roof because somebody has to pay for that-it doesn't just happen. The 75% goal would be very costly to achieve-with fewer tons coming in, the number of active sites would have to be reduced and/or rates increased dramatically. **Nancy** suggested maybe now is the time to look at a different way to fund the solid waste operation in the county. **Gerry** responded saying perhaps a parcel-based fee that funds a significant portion of the fixed costs, with a gate fee that funds the operating costs. Of course, he said, the fee is tantamount to a tax which would require election with a 2/3 approval vote which is very unlikely. **Bill Holland** said given the possibility that things may change for the better

financially, such as importing waste, that it may make sense to postpone wholesale system changes, like closing landfills, for a very short period of time. **Gerry** suggests that maybe we have a plan in place that identifies the options that are triggered by tonnage-if it climbs to a certain level, certain things drop off the plan-if tonnage doesn't reach a certain level by a date certain then we have to implement and move ahead. He said he'd rather get the plan done sooner rather than later and get some agreement on that, but maybe the trigger points are based on some things that are still down the road that would give us some time to see what changes may occur. **Jeff Ziegenbein** asked is the County's short term plan to price its disposal lower to compete and get more volume or price higher on fewer tons? **Gerry** replied that there's only so much in-county trash, until that comes back up, which is a function of the economy, the County is actively looking for other sources, and those rate(s) would be priced much lower than what in-county rates are. He went on to say that because of the economy the County system has plenty of capacity to meet/exceed our commitments to the cities with agreements and still have capacity to market. For example, Mid-Valley Landfill has capacity to about 2057. So, yes, taking out-of-county waste for a 3-5 year period of time may be a short term cash flow fix. **Nancy** asked it if anyone or entity is looking at all the implications, such as environmental, of moving trash around from Los Angeles? **Gerry** stated that if there's an impact that needs to be addressed, Los Angeles would have to address it since they are the one's moving the trash. **John Davis** added that, for example, solid waste permits are issued by the local enforcement agency and that CalRecycle can only concur or reject (on technical grounds) a permit-they cannot modify the permit. So if the state wanted to limit the flow or delivery of waste, there is no way they could unless legislation was enacted. **Nancy** said she was asking if anyone was looking at policy redesign not regulation.

XIV. Member Comment. None

XV. Public Comment (limited to three (3) minutes per speaker). None

XVI. Set next tentative meeting date and adjourn. Next meeting is set for October 17, 2012 @ 1:30PM.