

RULES AND PROCEDURES
SOLID WASTE ADVISORY TASK-FORCE
COUNTY OF SAN BERNARDINO

ARTICLE I

PURPOSE

Section 1: The Solid Waste Advisory Task-Force (SWAT) of San Bernardino County will carry out the responsibilities mandated by the State of California through AB 939. SWAT may also consider and make recommendations to the County on such other solid waste related matters as they may deem appropriate.

ARTICLE II

MEMBERSHIP

Section 1: Governmental Membership

The SWAT will be comprised of members appointed as required under Public Resources Code Section 40950 to consist: one representative, who must be an elected city official, from each incorporated city within the County of San Bernardino who is

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appointed by such city as a Governmental member; one representative, who must be an elected County official, from each San Bernardino County supervisorial district and who is appointed by the Board of Supervisors of the County of San Bernardino as a Governmental member. Each representative of a city or the County, when absent, may be represented in turn by a designated alternate. Both delegate and alternate must be appointed by the appropriate governmental body.

Section 2: Public Membership

A. Ten (10) representatives from the solid waste industry, environmental organizations, the general public or special districts, shall be appointed by the governmental membership of the SWAT. Each representative of the public, when absent, may be represented in turn by a designated alternate. Both delegate and alternate must be appointed by the appropriate governmental body.

Revised September 27, 1994, after resolutions were adopted by a majority of the cities with a majority of the incorporated population and Resolution No. 94-200 was adopted by the San Bernardino County Board of Supervisors, see Exhibit F.

B. The SWAT shall seek geographic representation in appointing the ten Public members. In order to assure geographic representation, three Public members shall be selected from the East Valley of San Bernardino County; three from the West Valley; three from the Desert area; and one from the Mountain area.

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C. Upon the occurrence of a vacancy of a Public member, a geographical caucus will be convened to recommend a replacement nominee to the SWAT from the geographical area represented by the former member. Geographical caucuses are constituted as follows:

- West Valley: Representatives from the second and fourth supervisorial districts and two West Valley cities.
- East Valley: Representatives from the third and fifth supervisorial districts and two East Valley cities.
- Mountain/Desert: Representatives from the first supervisorial district and one Mountain city and one Desert city.

For the purposes of this caucus, the western most city in the East Valley is designated as Rialto; Fontana and all cities west are, therefore, considered West Valley.

D. In considering Public member appointments, the SWAT members shall assure that the following groups are represented:

Private solid waste collector;

Private recycler;

Environmental organization;

Public regional water district or organization;

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- Special Districts;
- Construction industry;
- Manufacturing industry;
- Public-at-large (three members)

E. The term of appointment of Public members of the SWAT shall be two (2) years.

ARTICLE III
COMMITTEES

Section 1: The following Communities are established to explore solid waste issues in depth and develop recommendations for SWAT consideration;

1. Technical Committee

Revised September 17, 1992, by majority action of the Solid Waste Advisory Task-Force, see Exhibit B.

Revised April 17, 1997, by majority action of the Solid Waste Advisory Task-Force, see Exhibit H.

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Section 2:

- A. A geographic balance shall be one basis of membership on Committees. The geographic balance shall be the same as the balance described for the **Public Membership** (Article II, Section 2[b]).
- B. Task-Force members on each Committee shall nominate a Chairman and Vice-Chairman and forward that recommendation to the SWAT for ratification.
- C. Non-SWAT members may be included on Committees. Upon the recommendation of the Committee Chairperson and Vice-Chairperson, non-SWAT members shall be brought to the SWAT as a nominee for approval.
- D. Non-SWAT Committee members shall be appointed for a two (2) year term.

Revised/clarified May 16, 1991, by a unanimous action of the Solid Waste Advisory Task-Force, see Exhibit A.

Section 3: Each Committee shall have the authority to fully explore any issue as directed by the SWAT.

ARTICLE IV

APPOINTMENTS

Section 1: Appointment of Public members of the SWAT, and non-SWAT Committee members, is at the discretion of the SWAT after receiving a recommendation by the

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Nominating Committee or Committee Chairperson or Vice-Chairperson, as the case may be.

Section 2: Appointment of each Public member of the SWAT, and of each non-SWAT Committee member, may be terminated at any time by the SWAT.

ARTICLE V

AUTHORITY

Section 1: The SWAT has the full authority to fulfill its purpose as stated in AB 939, Chapter 1, Article 2, Section 40950 as amended from time to time.

ARTICLE VI

MEETINGS

Section 1:

A. The SWAT shall meet every six months, or as frequently as necessary to discharge its responsibilities and carry out its purpose. A time and place for the subsequent SWAT regular meeting shall be set at adjournment of each meeting.

Revised September 17, 1992, by unanimous action of the Solid Waste Advisory Task-Force, see Exhibit C.

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Revised December 6, 1995, by unanimous action of the Solid Waste Advisory Task-Force, see Exhibit G.

- B. Committees shall meet as frequently as necessary to discharge their responsibilities as designated by the SWAT. A time and place for the subsequent regular Committee meeting shall be set at adjournment of each meeting.
- C. Meetings of the SWAT and each Committee shall be conducted in accordance with the Brown Act and shall be conducted in an appropriate facility designated by the SWAT for SWAT meetings, and by each Committee for committee meetings.
- D. Regular meeting times of the SWAT and each Committee shall be designated by the SWAT for SWAT meetings, and by each Committee for committee meetings.
- E. Special meetings of the SWAT or of each Committee may be called by the Chairperson and Vice-Chairperson of the SWAT for SWAT meetings, or by the Chairperson and Vice-Chairperson of each Committee for meetings of that committee. Special meetings also may be called by petition of one-third (1/3) of the governmental members of the SWAT for special SWAT meetings, or by one-third (1/3) of the Governmental members of each Committee for special meetings of that committee.

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Section 2:

- A. Attendance by nine (9) of the SWAT members shall constitute a quorum for SWAT voting purposes.

Revised January 20, 1994, by a unanimous action of the Solid Waste Advisory Task-Force, see Exhibit D.

Revised April 19, 2001 by a unanimous action of the Solid Waste Advisory Task-Force, see Exhibit I.

- B. Attendance by a majority of Committee members shall constitute a quorum for Committee voting purposes.
- C. In the absence of a quorum, the members present may conduct a meeting for discussion purposes only. No voting may occur. The minutes of the meeting shall reflect the absence of a quorum.

Section 3:

- A. Each member of the SWAT shall have one vote.
- B. SWAT members may vote on any agenda item. Designated alternates may vote in absence of a member. All actions and recommendations of the SWAT or of a Committee must be made by a simple majority vote of the quorum present.

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Section 4:

- A. The secretary of the SWAT, and each Committee, shall record in the minutes: the time and place of each meeting; the names of the members present and absent and all official acts.
- B. Upon request, a member with a dissenting argument may have it recorded in the minutes. The minutes shall be written and presented for approval or amendment at the next meeting. The minutes, or a true copy thereof, shall be open for public inspection at the business office of the secretary.

Section 5:

- A. Agenda items and background material for distribution to the SWAT shall be submitted to the secretary at least three weeks prior to the scheduled meeting date.
Revised January 29, 1994, by a unanimous action of the Solid Waste Advisory Task-Force, see Exhibit E.
- B. The Chairperson and Vice-Chairperson of the SWAT and the respective Committees shall approve all agenda items prior to distribution of the respective agendas.
- C. The secretary shall distribute the agenda and background materials at least two weeks prior to the scheduled meeting date.
- D. SWAT members may submit agenda items, on their own motion, to the secretary three weeks prior to scheduled meeting date.

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Revised January 20, 1994, by a unanimous action of the Solid Waste Advisory Task-Force, see exhibit E.

ARTICLE VII
OFFICERS AND STAFF

Section 1:

- A. Officers of the SWAT and its Committees consist of a Chairperson and a Vice-Chairperson for each.
- B. The SWAT Chairperson shall be appointed by the Board of Supervisors from its membership. The Chairperson shall preside at all SWAT meetings.
- C. The SWAT Vice-Chairperson shall be appointed by the city members of the SWAT. The Vice-Chairperson shall preside in the absence of the Chairperson.
- D. The SWAT members of each Committee shall select the Chairperson and Vice-Chairperson of each Committee from among the SWAT members of the committee. The Chairperson and Vice-Chairperson of each Committee shall serve until replaced by the members of the SWAT. The Chairperson of each Committee shall preside at all committee meetings. The Vice-Chairperson of each Committee shall preside in the absence of the Chairperson.

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Section 2: The County Solid Waste Management Department shall provide a secretary for the SWAT and for each Committee. The secretary shall keep accurate minute records of each SWAT and committee meeting; prepare agendas for Chairperson and Vice-Chairperson's review and approval; and distribute meeting notices, agendas, and background materials.

Section 3:

- A. In addition to County Solid Waste Management staff, other technical support staff may be offered by member jurisdictions to the Nominating Committee for approval by the SWAT.
- B. Qualified administrative staff will be provided by the County Solid Waste Management Department.

ARTICLE VIII

COMMUNICATIONS AND CONDUCT

Section 1:

- A. SWAT and Committee proceedings shall be conducted in conformance with parliamentary procedures.
- B. Communications and request to the SWAT or a Committee shall be made in writing, except as specified in (C) and (D).

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- C. Any person(s) wishing to address the SWAT or a Committee on any item shall complete a request form available at the agenda table and submit the form to the secretary prior to discussion of the time. Unless otherwise authorized by the Chairperson and Vice-Chairperson, comments are limited to three (3) minutes in length.
- D. Each SWAT agenda, and each Committee agenda, shall include a Public Comment item during which time any person may address the SWAT or Committee. Such presentations are limited to three (3) minutes in length, unless the time is extended by the Chairperson and Vice-Chairperson.
- E. Each SWAT agenda, and each Committee agenda, shall include a Member Comment item during which time any member may address the SWAT or Committee for the purpose of bringing up new business for inclusion on a subsequent agenda, or of providing comment or information to the other members or the public.

ARTICLE IX

AMENDMENTS

Section 1: These rules and procedures may be revised, amended, and/or augmented by majority vote of the members of the SWAT.

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ARTICLE X
CONFLICT OF INTEREST

Section 1:

- A. Public members of the SWAT, and non-SWAT members of each Committee, may be required to file conflict of interest statements in conformance with the County's Conflict of Interest Code.
- B. Governmental members of the SWAT may be required to file conflict of interest statements in conformance with the appointing agency's Conflict of Interest Code.

ARTICLE XI
ADOPTION OF RULES AND PROCEDURES

Section 1: The SWAT, by majority vote of its members, adopted these Rules and Procedures on May 17, 1990.

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