

AGENDA

OC WASTE MANAGEMENT COMMISSION

THURSDAY, **December 12**, **2019 – 2 P.M.**

County Administration South, Room 103/105 601 N. Ross St., Santa Ana, CA 92701

Chair – DONALD FROELICH, Fifth District Vice Chair – CHRISTINE MARICK, Fourth District

First District Second District
KIMBERLY HO JOE CARCHIO
JUAN VILLEGAS ROB JOHNSON*

TRI TA* DAVID HARRINGTON

Third District Fourth District Fifth District

MIKE ALVAREZ* MEGAN MOSCOL CYNTHIA CONNERS*
BETH HANEY JOE SOTO

MARK NEWGENT

OC Waste & Recycling Director – TOM KOUTROULIS City Managers' Representative – MARK DENNY* At Large Commissioner – DAVID SHAWVER*

Welcome to the OC Waste Management Commission Meeting.

If you wish to speak on an item contained in the agenda, please complete a Public Comment Form identifying the item(s) and submit it to the Commission Clerk. If you wish to speak on a matter which does not appear on the agenda, you may do so during the Public Comment period at the close of the meeting. Speaker forms are available at the sign-in table at the back of the room. Speakers may be limited to three minutes.

The Orange County Waste Management Commission consists of 18 members. Nine members present constitute a quorum. In the absence of a quorum the meeting will be convened and adjourned, and no actions may be taken by the Commission.

^{*}City Selection Committee Appointment



AGENDA

OC WASTE MANAGEMENT COMMISSION

THURSDAY, DECEMBER 12, 2019 – 2 P.M. County Administration South, Room 103/105 601. N. Ross St., Santa Ana, CA 92701

- I. PLEDGE OF ALLEGIANCE
- II. ROLL CALL
- III. CHAIRMAN'S REPORT
- IV. DIRECTOR'S REPORT
- V. ACTION ITEM RECAP
- VI. AGENDA ITEMS:
 - A. AGENDA ITEM 1: Minutes of Waste Management Commission/Local Task Force,

September 12, 2019

Summary: Review minutes.

Recommended Action: Review and approve minutes.

B. AGENDA ITEM 2: OC Waste & Recycling FY 2019/20 First Quarter Financial Report

Summary: Staff will provide the OC Waste & Recycling Financial Report

for FY 2019/20 First Quarter.

Recommended Action: Receive and file report.

C. AGENDA ITEM 3: Subcommittee Reports

Summary: Report of Legislative subcommittee meeting.

Recommended Action: Receive and file report.

D. AGENDA ITEM 4: Legislative and Regulatory reports/updates

Staff will present an update on the status of SB 1383 final language and other legislative activity pertaining to solid waste management, and report

OC Waste & Recycling's participation in regulatory activities.

E. AGENDA ITEM 5: Report on AB 939 Surcharge-Funded Programs and Outreach

Summary: Staff will provide an update of OCWR's programs, events and

activities.

Recommended Action: Receive and file report.

F. AGENDA ITEM 6: Waste Industry Presentation

Summary: Kathryn Cross, Supervising Hazardous Materials Specialist,

Solid Waste Local Enforcement Agency, will address the LEA's

responsibilities, landfill regulations, inspections and any changes SB 1383

will bring to the regulatory scope.

Recommended Action: Receive and file report.

G. AGENDA ITEM 7: Election of Commission officers

Summary: Elect Chair and Vice Chair for 2020

Recommended Action: Nominate and vote

VII. COMMISSIONER COMMENTS

VII. PUBLIC COMMENTS

At this time members of the public may address the Commission regarding any items within the subject matter jurisdiction of the Commission, provided that NO action may be taken on offagenda items unless authorized by law. When addressing the Commission, please state your name for the record prior to providing your comments. Please address the Commission as a whole through the Chair.

Comments shall be limited to three (3) minutes per person and up to twenty (20) minutes for all comments, at the discretion of the Chair and the approval of the Commission.

To obtain copies of Waste Management Commission Agenda packets you may either:

- Visit the OC Waste & Recycling website at <u>www.oclandfills.com</u>; view the Waste Management Commission page.
- · Request in writing: OC Waste & Recycling, 601 N. Ross Street, 5th Floor, Santa Ana, CA 92701.
- · Call the Commission Clerk at (714) 834-4060.
- · Send an e-mail request to Commission Clerk at ruth.wardwell@ocwr.ocgov.com.

NEXT MEETING:

Thursday, March 12, 2020 - 2 p.m.

Location: County Administration South, Room 103/105 - 601. N. Ross St., Santa Ana, CA 92701



REGULAR MEETING OF THE WASTE MANAGEMENT COMMISION/ LOCAL TASK FORCE December 12, 2019 601 N. Ross St., Santa Ana, CA, Room 103/105

AGENDA ITEM 1 - Minutes of Waste Management Commission/ Local Task Force Meeting

OC WASTE MANAGEMENT COMMISSION

Held THURSDAY, SEPTEMBER 12, 2019 – 2 P.M. at Stanton Central Park Community Center, Multi-Purpose Room 10660 Western Avenue, Stanton, CA 90680

Call to Order

Chairman Donald Froelich called the meeting to order at 2:09 p.m. The meeting location was OCWR Headquarters

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Commissioner Johnson

ROLL CALL (✓ - present, **EX** - excused absence, **AB** - absent)

1 st District	2 nd District	3 rd District
Tri Ta √	David Harrington √	Beth Haney √
Kimberly Ho √	Joe Carchio EX	Mark Newgent √
Juan Villegas √	Rob Johnson √	Mike Alvarez √
4 th District	5 th District	County Wide
Megan Moscol √	Chair Donald Froelich ✓	David J. Shawver ✓
Vacant	Joe Soto EX	Tom Koutroulis √
Christine Marick ✓	Cynthia Conners √	City Manager VACANT

Other attendees: Kevin Gaxiola, Irene Alonso, Nissa Eljor, Trang Doan, Matthew Sweet, Jeff Southern, Paul Albarian, Brian Probolsky, Matt Cotton, David Tieu, Jorge Hernandez, Hany Ahmed, Jeff Rice.

CHAIRMAN'S REPORT

Welcome new members Landfill tours – staff to coordinate

DIRECTOR'S REPORT

- · Welcome new commissioners.
- MND process underway for Bee Canyon Greenery at FRB in Irvine; public meeting September 26.
- · Workshop held for city managers about OC's response to organic waste management legislation.
- Events announcements: Moon Festival, Brea Library, Irvine Global Village
- · Announcement of OCRecycleGuide.com
- · New deputy directors: Hany Ahmed, South Region Manager; Jorge Hernandez, North Region Manager; Julian Sabri, Compliance Support Manager

CLERK'S ACTION ITEM REPORT

· Followed up on landfill tour sign-ups.

AGENDA ITEM 1: Minutes of Waste Management Commission/Local Task Force,

June 13, 2019

Questions: 0

MOVED: Commissioner Johnson SECONDED: Commissioner Marick

ABSTAIN: Commissioners Harrington, Conners, Haney

APPROVED: Yes

AGENDA ITEM 2: OC Waste & Recycling Fiscal Year-End 2018/19 Financial Report

Questions: 0

Conners – What goes into system tonnage, system revenue, operating revenue? Shawver – Money paid to state. What is that for? Special fee imposed by the state. We pay \$1.40 per ton. Is that passed on to cities? Residents? Does CalRecycle provide oversight? Why are they taking \$1.40 per ton? Thought it was part of oversight.

Same issue about how the public perceives the reserves.

Shawver suggests explaining how OCWR records reserves in budget

MOVED: Commissioner Johnson SECONDED: Commissioner Marick

ABSTAIN: -APPROVED: Yes

AGENDA ITEM 3: Subcommittee Reports

Legislative Subcommittee did not meet due to scheduling conflicts.

Commissioner Johnson provided the report of the inaugural meeting of the newly formed Educational Outreach Subcommittee. It will meet annually at minimum and as often as

needed.

MOVED: Commissioner Marick SECONDED: Commissioner Ho

ABSTAIN: APPROVED: Yes

AGENDA ITEM 4: Legislative and Regulatory reports/updates

Staff provided a glossary of terms in addition to the update.

Questions:

Shawver - Is OCWR addressing PFAS?

MOVED: Commissioner Marick SECONDED: Commissioner Johnson

ABSTAIN: Commissioner Ta

APPROVED: Yes

AGENDA ITEM 5: Report on AB 939 Surcharge-Funded Programs and Outreach

Summary: Subcommittee Chair Rob Johnson provided a meeting report, sharing that OCWR's overarching strategy is to create regional programming and efforts that align with its core business function, which is to provide the essential public service of landfilling and eventually resource recovery. The key strategic messages relate to preserving space in the landfills, through promoting recycling best practices and in the near future resource recovery through composting. Provided grant success document.

Questions:

Shawver – Asked for activities booklets, which are available for each city recycling

coordinator to customize.

MOVED: Commissioner Johnson SECONDED: Commissioner Marick

ABSTAIN: Commissioner Ta

APPROVED: Yes

AGENDA ITEM 6: Waste Industry Presentation by Matthew Cotton, "Organics Collection for Everybody,

Everywhere, All of the Time." MOVED: Commissioner Johnson SECONDED: Commissioner Haney ABSTAIN: Commissioners Ta and Ho

APPROVED: Yes

COMMISSIONER COMMENTS none

PUBLIC COMMENT none

The meeting was adjourned at 3:44 p.m.



Agenda Item 2 – OC Waste & Recycling's FY 19/20 Financial Report, Trang Doan - Section Manager, Budget & Purchasing Services

This report presents the financial status of OC Waste & Recycling for the first quarter of FY 19/20 (July – September). Included in the report is financial information related to tonnage, expenditures, revenues, and cash balances.

System Tonnage

Total OC Waste & Recycling system tonnage received during the first quarter of FY 19/20 was 1,324,295 tons, consisting of 830,327 in-county tonnage and 493,968 importation tonnage. By landfill site, first quarter tonnage was as follows:

Olinda Alpha Landfill

In-County tonnage 292,935 (35%) of total in-county tonnage Importation tonnage 211,029 (43%) of total importation tonnage

Frank R. Bowerman Landfill

In-county tonnage 411,981 (50%) Importation tonnage 261,216 (53%)

Prima Deshecha Landfill

In-County tonnage 125,412 (15%) Importation tonnage 21,723 (4%)

Revenues

For the first quarter of FY 19/20, revenue recorded in OC Waste & Recycling's Enterprise/Operating (Fund 299) was \$23,896,175 versus the modified revenue budget of \$152,429,000.

Revenue recorded in OC Waste & Recycling's Capital Project Fund (Fund 273) was \$97,676 versus the modified revenue budget of \$16,283,000.

Revenue recorded in OC Waste & Recycling's Importation Net Revenue Sharing Fund (Fund 295) was \$9,660,804 versus the modified revenue budget of \$55,375,000.

Sources of revenue received in the first quarter of FY 19/20 included:

- \$31,640,853 Tonnage Revenue (92.7% of total revenue received)
- \$1,179,190 AB939 Surcharge Revenue (3.5%)
- \$1,064,590 Interest Income (3.2%)
- \$157,794 Leases & Royalties (0.6%)

Expenditures

First quarter of FY 19/20 expenditures and encumbrances recorded in OC Waste & Recycling's Enterprise/Operating (Fund 299) totaled \$29,012,590 or approximately 19.6% of the modified expense budget of \$ 148,373,906.

First quarter of FY 19/20 expenditures and encumbrances recorded in OC Waste & Recycling's Capital Project Fund (Fund 273) totaled \$2,488 versus a modified expense budget of \$32,105,102.

First quarter of FY 19/20 expenditures and encumbrances recorded in OC Waste & Recycling's Importation Fund (Fund 295) totaled \$78,825 versus a modified expense budget of \$55,375,000.

For FY 19/20 first quarter, OC Waste & Recycling's major categories of expenditures were:

- \$14,840,466 Services and Supplies (50.7%) • \$6,682,756 Salaries and Employee Benefits (22.8%)
- \$6,640,523 Equipment (22.7%)
- \$756,782 AB 939 Surcharge Program (2.6%)
- Taxes, Fees, Assessments (0.6%) • \$173,396
- Post-Closure Maintenance (0.6%) • \$162,017

Cash Balance and Reserves

As of September 30, 2019, the OC Waste & Recycling's Enterprise/Operating Fund 299 had a cash balance of \$211,480,005.

As of September 30, 2019, the OC Waste & Recycling's Enterprise/Operating Fund 299 had an available reserves balance of \$107,181,778.

Should you have any questions or would like additional information, please contact Trang Doan, OC Waste & Recycling Budget & Purchasing Services Manager at (714) 834-4149.

Recommended Action: Receive and file report.

<u>Attachments</u>

- FY 2019/2020 Tonnage, Revenue and Expenditures Summary As of September 30, 2019
- System-Wide Tonnage Trend FY 2005/2006 to 2019/2020 Budget
- System-Wide Tonnage Revenue Trend FY 2015/2016 to 2019/2020 Budget
- FY 2019/2020 Revenue Budget to Actuals As of September 30, 2019 4.
- FY 2019/2020 Expenditure Budget to Actuals As of September 30, 2019
- Cash Balances FY 2015/2016 to 2019/2020 As of September 30, 2019

OC WASTE & RECYCLING FY 2019/2020 Tonnage, Revenue and Expenditures Summary As of September 30, 2019

	FY 19/20 Adopted Budget	FY 19/20 Modified Budget	FY 19/20 1st Quarter Actuals (Recorded)	YTD Actuals (% of Modified Budget)
System-Wide Tonnage				
In-County Tonnage	3,145,000	3,145,000	830,327	26.4%
Importation Tonnage	1,900,000	1,900,000	493,968	26.0%
Total System-Wide Tonnage	5,045,000	5,045,000	1,324,295	26.2%
Enterprise/Operating (Fund 299) Revenues Expenditures Capital Projects (Fund 273)	\$ 152,429,000 \$ 148,373,906	\$ 152,429,000 \$ 148,373,906	\$ 23,896,175 \$ 29,012,590	15.7% 19.6%
Revenues	\$ 16,283,000	\$ 16,283,000	\$ 97,676	0.6%
Expenditures [1] Importation (Fund 295)	\$ 32,105,102	\$ 32,105,102	\$ 2,488	0.0%
Revenues	\$ 55,375,000	\$ 55,375,000	\$ 9,660,804	17.4%
Expenditures ^[2]	\$ 55,375,000	\$ 55,375,000	\$ 78,825	0.1%

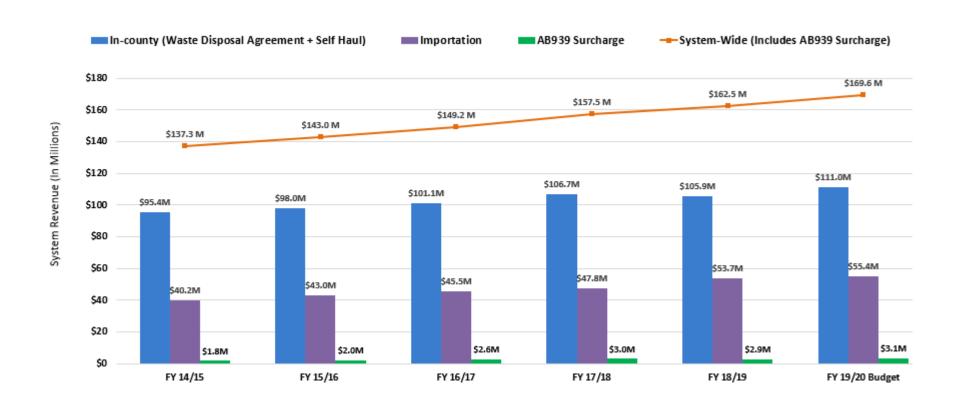
^[1] Expenditures are low because prior year encumbrances are used to pay invoices received in 1st Quarter FY 19/20

^[2] Payments for 1st Quarter importation expenditures are prepared in late October after the quarter ends. Therefore, as of September 30, expenditure is only for Admin Fee of interest expense

OC WASTE & RECYCLING System-Wide Tonnage Trend FY 2005/2006 – FY 2019/2020 Budget



OC WASTE & RECYCLING System-Wide Tonnage Revenue Trend FY 2015/2016 – FY 2019/2020 Budget



OC WASTE & RECYCLING FY 2019/2020 Revenue Budget to Actuals As of September 30, 2019

	FY 19/20 Adopted Budget	FY 19/20 Modified Budget	FY 19/20 1st Quarter Actuals	YTD Actuals (% of Modified Budget)
Tonnage Revenue	163,558,500	163,558,500	31,640,853	19%
AB939 Surcharge Revenue	3,135,000	3,135,000	1,179,190	38%
Interest Income	4,161,000	4,161,000	1,064,590	26%
Leases & Royalties	4,447,000	4,447,000	157,794	4%
Other Revenues [1]	2,867,500	2,867,500	(387,773)	-14%
Revenue before Transfers	\$178,169,000	\$178,169,000	\$33,654,655	19%
Internal Transfer [2]	45,918,000	45,918,000	-	0%
Transfers-in from Other Funds	0	0	-	N/A
Total Revenue	\$224,087,000	\$224,087,000	\$33,654,655	15%

^[1] Other Revenues includes: Licenses, Permits & Franchises; Forfeitures & Penalties; Capital Asset Sales; and other miscellaneous Revenues. 1st Quarter FY 19/20 negative revenue was due to the reversal of book value for capital asset sales.

^[2] Internal Transfers are for the portion of importation revenue sharing to Fund 299 Operating, and funding for capital projects to Fund 273 Capital Project.

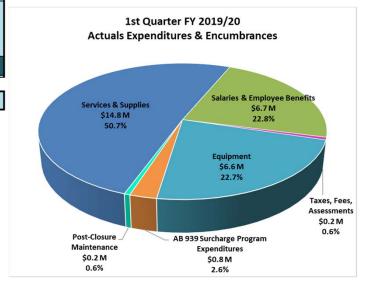


OC WASTE & RECYCLING FY 2019/2020 Expenditure Budget to Actuals As of September 30, 2019

	FY 19/20	FY 19/20	FY 19/20	YTD Actuals
Expenditure Category	Adopted Budget	Modified Budget	1st Quarter Actuals (Recorded)	(% of Modified Budget)
Services & Supplies	30,198,423	30,198,423	14,840,446	49%
Capital Projects	19,300,000	19,300,000	0	0%
Salaries & Employee Benefits	30,198,423	30,198,423	6,682,756	22%
Taxes, Fees, Assessments [1]	21,382,890	21,382,890	173,396	0.8%
Equipment	14,505,000	14,505,000	6,640,523	46%
AB 939 Surcharge Program Expenditures	1,106,000	1,106,000	756,782	68%
Net Importation Revenue Sharing to Cities and County	17,260,000	17,260,000	0	0%
Total before Contingency, Adjustments & Transfers	\$133,950,736	\$133,950,736	\$29,093,903	22%
Contingency	5,645,583	5,645,583	500,000	9%
Depreciation & Adjustments for Capitalized Assets	0	0	0	-
Internal Transfers	46,768,000	46,768,000	0	0%
Total Encumbrances and Expenditures	\$186,364,319	\$186,364,319	\$29,593,903	16%
Fund 279 Post-Closure Maintenance [2]	4.679.900	4.679.900	162,017	3.5%

Fund 279 Post-Closure Maintenance [2]	4,679,900	4,679,900	162,017	3.5%

^[1] Includes payments to host cities.



^[2] Post-Closure Maintenance expenditures for Coyote Canyon and Santiago Canyon. Funded by monies set aside in Fund 279.

OC WASTE & RECYCLING Cash Balances FY 2015/2016 – FY 2019/2020 as of September 30, 2019

FUND	Description	FY 15/16	FY 16/17	FY 17/18	FY 18/19	FY 19/20 As of 09/30/2019
299	OC Waste & Recycling Enterprise / Operating [1]	\$166.22 M	\$180.08 M	\$159.16 M	\$199.48 M	\$211.48 M
273	Capital Project Fund	\$15.73 M	\$16.98 M	\$45.50 M	\$27.59 M	\$23.56 M
295	Importation Revenue Sharing Fund [2]	\$1.35 M	\$7.39 M	\$35.89 M	\$34.55 M	\$33.80 M
	Operating Cash	\$183.30 M	\$204.45 M	\$240.55 M	\$261.62 M	\$268.84 M
275	Environmental Reserve (Liabilities)	\$72.90 M	\$58.81 M	\$59.12 M	\$60.18 M	\$60.52 M
279	Landfill Post-Closure Maintenance	\$143.16 M	\$132.71 M	\$129.33 M	\$129.40 M	\$123.34 M
	Cash Earmarked for Future Obligations	\$216.06 M	\$191.52 M	\$188.45 M	\$189.58 M	\$183.85 M
272	Prima Deshecha Landfill & La Pata Avenue Gap Closur	\$0.10 M				
274	Corrective Action Escrow	\$8.22 M	\$8.29 M	\$8.37 M	\$8.52 M	\$8.57 M
276	Deferred Payment Security Deposits	\$0.55 M	\$0.65 M	\$0.69 M	\$0.79 M	\$0.80 M
284	Bee Canyon Landfill Escrow (Closure)	\$29.22 M	\$29.45 M	\$29.74 M	\$30.29 M	\$30.47 M
286	Brea-Olinda Landfill Escrow (Closure)	\$38.92 M	\$39.25 M	\$39.64 M	\$40.37 M	\$40.60 M
287	Prima Deshecha Landfill Escrow (Closure)	\$20.58 M	\$20.74 M	\$20.95 M	\$21.33 M	\$21.46 M
288	FRB Wetland Creation & Agua Chinon Wash Riparian	\$0.88 M				
	Restricted Cash	\$98.37 M	\$99.25 M	\$100.26 M	\$102.18 M	\$102.78 M
	TOTAL CASH	\$497.83 M	\$495.33 M	\$529.37 M	\$553.48 M	\$555.57 M

^[1] Fund 299 Operating Cash includes cash earmarked for AB939 Surcharge, Capital Expenditures, and Reserves (25% of Operating Expense Budget).

^[2] Fund 295 (FKA Fund 285 Bankruptcy Recovery Fund) distribution of Importation Net Revenue occurs after the close of the fiscal year by September 29th.



Agenda Item 3 — Subcommittee Reports

Reports of Legislative and Educational Outreach Subcommittees meetings.

Recommended Action: Receive and file report.

.



Agenda Item 4 — Legislative and Regulatory Report

Summary: Staff will present an update on legislation pertaining to solid waste management, and report on regulatory activity affecting OC Waste & Recycling.



Agenda Item 5—Report on AB 939 Surcharge-Funded Programs and Outreach

Summary: Staff will provide updates on OCWR programs and activities funded by the AB939 surcharge budget, which provides for diversion programs and educational outreach expenditures focused on diversion.

Thursday, December 12, 2019

Agenda Item 6 — Waste Industry Presentation

Kathryn Cross, Supervising Hazardous Materials Specialist, Solid Waste Local Enforcement Agency, will address the LEA's responsibilities, landfill regulations, inspections and any changes SB 1383 will bring to the regulatory scope.

Speaker Bio:

Kathy Cross joined the Orange County Environmental Health Division LEA program in October 2007. Prior to becoming a supervisor for the LEA program, she joined the Orange County, Environmental Health Division in 2000 as a geologist and hazardous waste specialist in the Underground Tank Cleanup program and Industrial Cleanup program. She came to Orange County from the private industry, where she worked in the consulting industry as a project geologist (oilfields, gasoline stations, industrial sites and landfills).

Kathy earned a Bachelor of Science degree in geology from California State University, Fullerton. She received her Professional Geologist (PG) license from the State of California, Board of Professional Engineers, Land Surveyors and Geologist in 2003 and Certified Engineering Geologist (CEG) in 2017. The CEG allows Kathy to review all types of engineering plans required for landfill operations and others as mentioned in Title 27, CA Code of Regulations. In addition, Kathy became a Registered Environmental Health Specialist (REHS) in 2010.



Agenda Item 7 — *Election of Commission Officers*

Summary: Elect Chair and Vice Chair for 2020

Recommended Action: Nominate and vote.