



AGENDA
December 9, 2021 Meeting of the
OC WASTE MANAGEMENT COMMISSION

First District	Juan Villegas, City of Santa Ana Kimberly Ho, City of Westminster Tri Ta, City of Westminster*
Second District	Commission Vice Chair David Harrington, City of Aliso Viejo Hong Alyce Van, City of Stanton*
Third District	Commission Chair Beth Haney, City of Yorba Linda* Isabell Kerins, Public Laura Thomas, Public
Fourth District	Megan Moscol, Public Tamara Wallace, Public Christine Marick, City of Brea*
Fifth District	Donald Froelich, Public Joe Soto, Public Cynthia Conners, City of Laguna Woods*
At Large	David Shawver, City of Stanton*
City Manager Rep.	Jarad Hildenbrand, City of Stanton*
OCWR Director	Tom Koutroulis

*City Selection Appointee



A G E N D A
OC WASTE MANAGEMENT COMMISSION
THURSDAY, December 9, 2021 – 2 P.M.

*****NOTICE*****

Pursuant to the provisions of California Governor Gavin Newsom’s Executive Order N-29-20, issued March 17, 2020, this meeting will be held virtually, via teleconference/online conferencing. While the virtual conference will originate from the CAS Building, 601 N. Ross St., Room 500, Santa Ana, physical presence there will be limited to OC Waste & Recycling staff and the Commission Chair.

To participate in the meeting via Zoom or by phone:

<https://us02web.zoom.us/j/86920082457?pwd=WEgxbHhSYWJhSmpxLzRvVi92MWljQT09>

Phone: 669-900-9128
Meeting ID: 869 2008 2457
Passcode: 090281

Public comments: Must be submitted by email to Ruth.Wardwell@ocwr.ocgov.com no later than 12 p.m., Thursday, December 9, 2021. Please indicate in the subject line: “FOR PUBLIC COMMENT.” Comments submitted by 12 p.m. will be part of the public record and presented to the Commission Chair, who will call upon the requester during Section VII of the teleconference. In compliance with the Americans With Disabilities Act, those requiring reasonable accommodations for this meeting should notify OC Waste & Recycling 72 hours prior to the meeting at Ruth.Wardwell@ocwr.ocgov.com or 714-834-4060.

I. PLEDGE OF ALLEGIANCE

II. ROLL CALL Commission Clerk

III. CHAIR’S REPORT Commissioner Beth Haney

IV. DIRECTOR'S REPORT Tom Koutroulis

V. ACTION ITEM RECAP Commission Clerk

VI. AGENDA ITEMS:

AGENDA ITEM 1: **Minutes of Waste Management Commission/Local Task Force, September 9, 2021**
 Summary: Review minutes.
 Recommended Action: Review and approve minutes.

AGENDA ITEM 2: Budget and Financial Update
 Summary: Staff will provide the FY 2021-22 Q1 report and financial/tonnage updates

Thursday, December 9, 2021

- AGENDA ITEM 3:** Recommended Action: Receive and file report.
Legislative and Regulatory reports/updates
Summary: Staff will provide an update of current and emerging California legislation related to solid waste management.
Recommended Action: Receive and file report.
- AGENDA ITEM 4:** **Report on AB 939 Surcharge-Funded Programs and Outreach**
Summary: Staff will provide an update of OCWR's programs, events and activities and grant program status.
Recommended Action: Receive and file report.
- AGENDA ITEM 5:** **Review of new County-directed format for WMC bylaws**
Summary: OCWR's County Counsel will discuss the directive and review the bylaws in the new template.
Recommended Action: Vote to receive and approve new format
- AGENDA ITEM 6:** **Election of Officers for 2022: Commission Chair and Vice Chair**
Recommended Action: Nominate/vote for both positions.
- AGENDA ITEM 7:** **Waste Industry Presentation**
Summary: Frank Severson of CalRecycle will discuss the state's Recycling Market Development Zone (RMDZ) program, including the local status.
Recommended Action: Receive and file report.

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 off-agenda 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 www.oclandfills.com; view the Waste Management Commission page.
- Request in writing: OC Waste & Recycling, 601 N. Ross Street, 5th Floor, Santa Ana, CA 92701.
- Call or email the Commission Clerk; (714) 834-4060 Ruth.Wardwell@ocwr.ocgov.com.

WASTE MANAGEMENT COMMISSION/LOCAL TASK FORCE
Thursday, December 9, 2021

NEXT MEETING:

Thursday, March 10, 2022 – 2 p.m.

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

Or virtual via Zoom, TBD

2022 Meeting Dates:

March 10

June 9

September 8

December 8



AGENDA ITEM 1 – *Minutes of September 9, 2021 Waste Management Commission/ Local Task Force Meeting*

Held virtually via Zoom on Thursday, September 9, 2021 – 2 P.M. Virtual meeting originated at OC Waste & Recycling Headquarters, 601 N. Ross St., Santa Ana

Call to Order

Chairwoman Beth Haney called the meeting to order at 2:06 p.m.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Chairwoman Haney

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

<i>1st District</i>	<i>2nd District</i>	<i>3rd District</i>
Tri Ta ✓ Kimberly Ho ✓ Juan Villegas ✓	David Harrington ✓ Hong Alyce Van ✓ Vacant	Beth Haney ✓ Isabell Kerins ✓ Laura Thomas ✓
<i>4th District</i>	<i>5th District</i>	<i>County Wide</i>
Megan Moscol AB Tamara Wallace EX Christine Marick ✓	Donald Froelich EX Joe Soto ✓ Cynthia Conners ✓	David J. Shawver ✓ Tom Koutroulis ✓ Jarad Hildenbrand EX

Other Attendees: See attachment

CHAIRWOMAN'S REPORT

Announced new Commissioner Laura Thomas

Announced CalRecycle web page for elected officials; will be sent in follow-up email

County is standardizing the format of board/commission bylaws documents; WMC may be establishing an ad hoc sub-committee to review the transition from the current format to the new format. Details to be announced.

Reminded about the AB1234 Ethics Training requirements.

Congratulated Commissioner Shawver for receiving lifetime achievement award in recognition of having served the County and his city with integrity and honor.

DIRECTOR'S REPORT

Acknowledged commissioner participation in the Discovery Cube new exhibit grand opening

Reminded about promoting use of Household Hazardous Waste Collection Centers.

Updated that after a competitive RFP process, three haulers (CR&R, Waste Management Inc. and Republic Services) were awarded contracts to service 11 franchise areas in the County's unincorporated areas.

Recapped City Managers Workshop; announced city managers were provided opportunity to meet with the director regarding SB 1383 responses and challenges.



CLERK'S ACTION ITEM REPORT

No meeting follow-up activity to report.

AGENDA ITEM 1: Minutes of Waste Management Commission/Local Task Force, June 10, 2021

Recommended Action: Review and approve minutes.

MOVED: Shawver

SECONDED: Kerins

ABSTAINED: Thomas

APPROVED: yes

AGENDA ITEM 2: Budget and Financial Updates

Recommended Action: Review and approve reports.

MOVED: Conners

SECONDED: Kerins

ABSTAINED: -

APPROVED: yes

Questions:

Shawver – What are the trends?

Conners – Do we accept PGM as ADC? Is composting the diversion?

AGENDA ITEM 3: Legislative and Regulatory Reports/Updates

Recommended Action: Approve status report.

MOVED: Conners

SECONDED: Haney

ABSTAINED: -

APPROVED: yes

Questions:

Shawver – To comply do cities have to police ourselves?

Kerins – Can edible food recovery partners and food banks participate at outreach events?

AGENDA ITEM 4: Report on AB 939 Surcharge-Funded Programs and Outreach

Recommended Action: Review and approve report.

MOVED: Marick

SECONDED: Conners

ABSTAINED: -

APPROVED: yes

Questions:

Kerins – What about service projects for food recovery?



AGENDA ITEM 5: Industry Expert Presentation – Founder and Ambassador for Energy and Infrastructure for PTS Advance, Ronald Stein, P.E.

Recommended Action: Review and approve report.

MOVED: Soto

SECONDED: Marick

ABSTAINED: -

APPROVED: yes

Questions: -

PUBLIC COMMENTS

None

Meeting Adjourned at 3:45 p.m.

MEETING SCHEDULE – All meetings begin at 2 p.m. Pending ongoing COVID-19 mitigation, determinations will be made regarding virtual or in-person meetings.

2021	2022
March 11	March 10
June 10	June 9
September 9	September 8
December 9	December 8

ATTACHMENT –Virtual Meeting Attendees

OCWR Staff Members:

Lisa Smith	Lulu Goh	Jessica Garcia	Francine Bangert
Paul Albarian	Kevin Gaxiola	Jesus Perez	Heidi Darby
Jorge Hernandez	Julian Sabri	Isaac Novella	David Ho
Hugo Pineda	Grace Felix	Luz Lopez	Hany Ahmed
Kara Carroll	Jeff Southern	Nancy Cook	David Tieu



AGENDA ITEM 2 – OC Waste & Recycling’s FY 21/22 Financial Report by Trang Doan - Section Manager, Financial Services

This report presents the financial status of OC Waste & Recycling for the first quarter of FY 21/22 (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 21/22 was 1,287,178 tons, consisting of 871,596 in-county tonnage and 415,582 importation tonnage. By landfill site, first quarter tonnage was as follows:

Olinda Alpha Landfill

In-county tonnage 324,398 (37%) of total in-county tonnage
Importation tonnage 218,745 (53%) of total importation tonnage

Frank R. Bowerman Landfill

In-county tonnage 423,186 (49%)
Importation tonnage 159,042 (38%)

Prima Deshecha Landfill

In-county tonnage 124,012 (14%)
Importation tonnage 37,795 (9%)

Revenues

For the first quarter of FY 21/22, revenue recorded in OC Waste & Recycling’s Enterprise/Operating (Fund 299) was \$26,415,207 or 15.3% of the revenue budget of \$172,514,378.

Revenue recorded in OC Waste & Recycling’s Capital Project Fund (Fund 273) was \$47,869 versus the revenue budget of \$51,250,000.

Revenue recorded in OC Waste & Recycling’s Importation Net Revenue Sharing Fund (Fund 295) was \$8,426,715 or 16.9% of the revenue budget of \$50,000,000.

Sources of revenue received in the first quarter of FY 21/22 included:

- \$31,557,532 Tonnage Revenue (90.4% of total revenue received)
- \$1,864,122 AB939 Surcharge Revenue (5.3%)
- \$804,657 Other Revenue (2.3%)
- \$353,405 Interest Revenue ((1%)
- \$310,076 Leases & Royalties (0.9%)

Expenditures

First quarter of FY 21/22 expenditures and encumbrances recorded in OC Waste & Recycling's Enterprise/Operating (Fund 299) totaled \$37,939,862 or an approximate 16.2% of the expense budget of \$234,140,417.

First quarter of FY 21/22 expenditures and encumbrances recorded in OC Waste & Recycling's Capital Project Fund (Fund 273) was negative due to the effect of accounting reversal entries. Total expense budget is \$98,604,332.

First quarter of FY 21/22 expenditures and encumbrances recorded in OC Waste & Recycling's Importation Fund (Fund 295) totaled \$50,680 versus a modified expense budget of \$50,146,839.

For FY 21/22 first quarter, OC Waste & Recycling's major categories of expenditures were:

- \$16,009,788 Services & Supplies (41.7%)
- \$14,158,108 Equipment (36.8%)
- \$7,863,692 Salaries & Employee Benefits (20.5%)
- \$308,385 Post-Closure Maintenance (2.6%)
- \$85,199 Taxes, Fees, Assessments (0.2%)

Cash Balance and Reserves

As of September 30, 2021, the OC Waste & Recycling's Enterprise/Operating Fund 299 had a cash balance of \$278,960,168.

As of September 30, 2021, the OC Waste & Recycling's Enterprise/Operating Fund 299 had an available reserves balance of \$100,283,477.

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

Recommended Action: Receive and file report.

Attachments

1. FY 2021/2022 Tonnage, Revenue and Expenditures Summary – As of September 30, 2021
2. System-Wide Tonnage Trend – FY 2005/2006 to 2021/2022 Budget
3. System-Wide Tonnage Revenue Trend – FY 2014/2015 to 2021/2022 Budget
4. FY 2021/2022 Revenue Budget to Actuals – As of September 30, 2021
5. FY 2021/2022 Expenditure Budget to Actuals – As of September 30, 2021
6. Cash Balances – FY 2017/2018 to FY 2021/2022 (As of September 30, 2021)



AGENDA ITEM 3 – Legislative Update

Summary: Steven Halligan, Special Projects Manager, will provide an update of current and emerging California legislation related to solid waste management.

This report includes the status of OCWR's SB 1383 jurisdictional and regional leadership activity.

Recommended Action: Receive and file report.



AGENDA ITEM 4 – Report on AB 939 Surcharge-Funded Programs

Summary: Irene Alonso, Community Programs Manager, and Kevin Gaxiola, Grant Program Manager, will report on the status of programs funded by the AB 939 Surcharge, including the new OC Department of Education (OCDE) partnership program, reopening of the Discovery Cube with the new OCWR organics/composting exhibit and grants.

Recommended Action: Receive and file report.



AGENDA ITEM 5 – Review of new County-directed format for WMC bylaws

Summary: OCWR’s County Counsel will discuss the directive and review the bylaws in the new template.

Approval of the new Bylaw template will enable the Waste Management Commission to comply with the Orange County Board of Supervisors directive that all County Boards, Commissions, and Committees operate under a uniform set of Bylaws.

With the exception of items discussed below, the change to the new County Bylaw Template has generated no substantive content changes in the bylaws language. Only the physical format has changed, to adopt use of the County’s new template and comply with Countywide standardization.

Changes of Note:

1. Board of Supervisors appointment terms changed from 2 years to a “term concurrent with the term of office of the nominating member of the Board of Supervisors.” (Note: The term City Selection Committee appointments remains unchanged.)
2. Board of Supervisor appointments must be:
 - a. Registered voters in the County; and,
 - b. Reside in the district of the nominating member of the Board of Supervisors, unless the Supervisor representing the district where the nominee resides provides written consent for the nomination.
 - c. Note: These residency and voter requirements only apply to Board of Supervisor appointments. City Selection Committee appointment requirements remain unchanged.

Recommended Action: Vote to receive and approve new format and directed that the Bylaws be recommended for approval by the Orange County Board of Supervisors.



AGENDA ITEM 6 – Election of Commission Officers for 2022

Summary: Commissioners will nominate a member for the position of Chair and the position of Vice Chair; will move to accept nominations; will vote to elect officers. Roll will be called for each position being elected.

Recommended Action: Nominate/vote for both positions.



AGENDA ITEM 7 – Industry Presentation

SUMMARY: Frank Severson will discuss a state program that is critical to the future of recycling, in multiple ways. He will discuss “The Benefits of the Recycling Market Development Zone Program,” also known by the initial RMDZ. Frank leads the Recycling Market Development Zone Program for CalRecycle. He assists manufacturers to site and expand in California, creating new jobs and new manufacturing infrastructure to support the state’s Circular Economy.

Background information available at: <https://www.calrecycle.ca.gov/rmdz>

Recommended Action: Receive and file report.