



Waste Management Commission
 Thursday, March 10, 2016 2:00 P.M.
 300 N. Flower St., Suite 400
 Santa Ana, CA 92703

**Waste
 Management
 Commission
 Local Task Force
 Orange County, CA**

AGENDA

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.

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.

Pledge of Allegiance

Roll Call The Clerk of the Commission will call roll.

Chairman's Report Chairman David J. Shawver

Director's Report Dylan Wright, Director, OC Waste & Recycling

Action Item Recap Commission Clerk

Agenda Item 1: Minutes of Waste Management Commission/Local Task Force, December 10, 2015
 Summary: Review and approve minutes of December 10, 2015 WMC/LTF meeting.
Recommended Action: Review and approve minutes.

Agenda Item 2: OC Waste & Recycling FY 2015/16 2nd Quarter Financial Report
 Summary: Staff will provide the OC Waste & Recycling 2nd Quarter Financial Report for FY 15/16.
Recommended Action: Receive and file report.

Agenda Item 3: AB 939 Report
 Summary: Staff will present a written report on AB 939 programs, projects and issues.
Recommended Action: Receive and file report.

Agenda Item 4: Legislative and Regulatory Report
 Summary: Staff will present a written report summarizing legislative and regulatory activities that could impact operations of OC Waste & Recycling.
Recommended Action: Receive and file report.

Chair (At Large)
 David J. Shawver*

Vice-Chair (2nd District)
 Joe J. Carchio

1st District
 Michele Martinez*
 Xuan-Nhi Van Ho
 Deepak J. Krishan

2nd District
 Rob Johnson*
 Tina M. Nieto

3rd District
 Mike Alvarez*
 Donald R. Froelich
 Steve Chavez Lodge

4th District
 Charles J. Kim
 Chad P. Wanke
 Christine Marick*

5th District
 Cynthia Connors*
 Joe Soto
 Mark Tettermer

City Managers' Representative
 Doug Chotkevys*

**Director
 OC Waste & Recycling**
 Dylan Wright

*Appointed by Orange County City Selection Committee



WASTE MANAGEMENT COMMISSION/LOCAL TASK FORCE

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Agenda Item 5: Subcommittee Reports

Summary: Subcommittee members will report on their respective meetings:

- Legislation and Regulations Subcommittee
- Ad hoc Bylaws Committee

Recommended Action: Receive and file reports

Commissioner Comments

Public Comment

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.

Copies of Waste Management Commission Agenda packets may be obtained from OC Waste & Recycling by any of the following methods:

- 1) By accessing the OC Waste & Recycling website at www.oilandfills.com and viewing the Waste Management Commission page.
- 2) By sending a written request to OC Waste & Recycling, 300 N. Flower, Suite 400, Santa Ana, CA 92703-5000;
- 3) By telephoning the Commission Clerk at (714) 834-4059;
- 4) By sending an e-mail request to Commission Clerk at julie.chay@ocwr.ocgov.com.

NEXT MEETING: Thursday, June 9, 2016



Agenda Item 1 - Minutes of Waste Management Commission/ Local Task Force Meeting, December 10, 2015

Commissioners Roll (√ Indicates Present)

<u>1st District</u>	<u>2nd District</u>	<u>3rd District</u>	<u>4th District</u>	<u>5th District</u>
Michele Martinez*	√ Rob Johnson*	√ Mike Alvarez*	√ Christine Marick*	√ Cynthia Conners*
√ Xuan-Nhi Ho	√ Joe J. Carchio	√ Donald Froelich	√ Charles J. Kim	√ Joe Soto
√ Deepak J. Krishan	√ Tina Nieto	√ Steve Chavez Lodge	√ Chad P. Wanke	Mark Tettermer
Doug Chotkevys* – <i>City Manager</i>		√ David Shawver* – <i>At Large (Stanton)</i>		
√ Dylan Wright, Director, OC Waste & Recycling		*City Selection Committee Appointee		

Also Present:

David Ross	TVI	Nick Alvaro	GHD
Chip Monaco	Waste Management	Brian Johsz	Athens Services
Stu Luce		Robert Gomez	Aguinaga Green
Betty H. Olson	SMWF	Debbie Killey	JRMA
Alan Yuki	OC Waste & Recycling	Karalyn Meeh	OC Waste & Recycling
Dean Ruffridge	CR&R	Judith Rosser	
Mary Beth Anderson	OC Waste & Recycling		

Call to Order

Chairman Chad Wanke called the meeting to order at 2:05 p.m.

Pledge of Allegiance

The Pledge of Allegiance was led by Commissioner Marick.

Roll Call

Roll call was conducted by the Commission Clerk.

Chairman’s Report

Chairman Wanke welcomed Commissioner Christine Marick to the Commission and thanked Commissioners for the opportunity to serve as Chairman of the Commission.

Director’s Report

Director Wright also welcomed Commissioner Marick, noting the new Commissioner’s position as Mayor of Brea, a host city to the Olinda Landfill. Director Wright also called attention to a recent visit by Senegalese journalists to the Olinda Landfill to film a documentary on good environmental practices. Mr. Wright announced the Department’s recent award of the Golden Bell Award—in partnership with Inside the Outdoors—from the California School Boards Association. He introduced Lori Kiesser, from Inside the Outdoors, to share her message with the Commission.

Agenda Item 1a: Minutes of the September 10, 2015 Waste Management Commission/Local Task Force

The minutes were approved as read, with Commissioners abstaining who were not present at the meeting.

Agenda Item 1b: Minutes of November 5, 2015 Special Meeting of the Waste Management Commission/Local Task Force

The minutes were approved as read, with Commissioners abstaining who were not present at the meeting.

Agenda Item 2: OC Waste & Recycling FY 2015/16 1st Quarter Financial Report

Manager of Budget Services, Alan Yuki, presented the report.

The report was received and filed.

Agenda Item 3: AB 939 Report

Manager of Educational Outreach & Recycling, Isabel Rios, presented the report and announced that the unincorporated areas of the County were now part of a Recycling Market Development Zone (RMDZ), through which CalRecycle offers various incentives to businesses and manufacturers that utilize products that normally would end up in the landfill. Vice Chair Shawver thanked staff for taking action to participate in the RMDZ with other Orange County cities.

The report was received and filed.

Agenda Item 4: Legislative and Regulatory Report

Manager of Waste Disposal Contracts & Recycling Programs, Lisa Keating, presented the report.

The report was received and filed.

Agenda Item 5: Subcommittee Reports

The Renewable Technologies Subcommittee

Vice Chair Shawver provided a status update on the Renewable Technologies Implementation Plan (RTIP). He complimented the RTIP team for their thorough approach to the study, which has completed two of the five tasks.

The report was received and filed.

The CIWMP 5-Year Review Subcommittee report was provided by Commissioner Johnson.

Commissioner Rob Johnson provided a report on the work of the CIWMP 5-Year Review Subcommittee. After review of the current Countywide Integrated Waste Management Plan the subcommittee determined there were no changes needed to the plan.

It was moved, seconded and approved to

- approve the minutes from the CIWMP 5-Year Subcommittee;
- transmit the Local Task Force (LTF) comment letter and the CIWMP 5-Year Review Report to the California Department of Resource Recycling and Recovery (CalRecycle); and
- transmit the LTF comment letter and the CIWMP 5-Year Review Report to the 34 cities in Orange County.

The report was received and filed.

The Finance Committee Report

Commissioner Deepak Krishan provided a report on the recent Finance Committee meeting. At the meeting OCWR staff provided the Finance Committee with an overview and details of the proposed FY 16/17 annual cost recovery analysis and fee increase

Effective January 1, 2016 Importation Rate will be \$23.90 per ton (\$23.72 January 1, 2015)

Effective July 1, 2016 WDA Rate will be \$32.96 per ton (\$32.90 July 1, 2015)

It was noted that the proposed rates are based on contractual formulas. Should importation of waste not be continued, OCWR would recommend a WDFFA rate adjustment to the County Board of Supervisors.

It was moved, seconded and approved to approve rate increases as presented to the Finance Committee.

The report was received and filed.

Agenda Item 6: OC Waste & Recycling Strategic Plan

Director Dylan Wright presented the draft final plan, which is based on the Commission's review at its meeting on November 5, 2015. Director Wright noted that this Strategic Plan has unified two plans into one, building on the RELOOC Strategic Plan and the Long-Range Landfill Capacity and Rate Stabilization Plan to create a plan that reflects OC Waste & Recycling's strategic direction and the current solid waste industry environment.

It was moved, seconded and approved (Commissioner Marick abstained) to approve finalization and presentation of the draft final OC Waste & Recycling Strategic Plan to the County of Orange Board of Supervisors.

The report was received and filed.

Agenda Item 7: Waste Management Commission Bylaws

Chairman Chad Wanke led discussion of the Bylaws, with particular attention to the prohibition of representatives of the waste industry from serving on the Commission. Following discussion of possible scenarios for industry participation, Chairman Wanke appointed an Ad Hoc Bylaws Committee to examine the issue with guidance from County Counsel and bring recommendations back to the Commission.

The following Commissioners will serve as members of the Ad Hoc Bylaws Committee: Mike Alvarez, Joe Carchio, Rob Johnson, Charles Kim, Steve Lodge and Chad Wanke.

Agenda Item 8: Election of 2016 Chair and Vice Chair of the Waste Management Commission

Chairman Wanke opened nominations for 2016 Chairman of the Commission and nominated Vice Chair David Shawver. There were no other nominations. Vice Chair Shawver was elected Chairman by acclamation.

Chairman Wanke opened nominations for 2016 Vice-Chair of the Commission. Vice Chair Shawver nominated Commissioner Carchio. There were no other nominations. Commissioner Carchio was elected Vice Chair by acclamation.

Commissioner Comments:

Vice Chair Shawver thanked Chairman Wanke for his leadership and encouraged Commissioners to participate in subcommittees.

Public Comments:

Debbie Killey, Huntington Beach resident, voiced her support for industry experts in the Waste Management Commission, and suggested that there are many waste industry representatives who are not waste haulers, and who could provide a broader perspective. She thanked Commissioners for volunteering.

The meeting was adjourned at 3:09 p.m.



Agenda Item 2 – *OC Waste & Recycling’s Financial Report*
Second Quarter of FY 15/16
Alan Yuki, Section Manager, Budget, Purchasing &
Landfill Administration

This report presents the financial status of OC Waste & Recycling for the second quarter of FY 15/16 (October - December, 2015). Included in the report is financial information related to tonnage, expenditures, revenues, cash, and fund balance/reserves.

System Tonnage

Total OC Waste & Recycling system tonnage received during the second quarter of FY 15/16 was 1,207,548 tons, consisting of 746,512 In-county tonnage and 461,036 Importation tonnage. By landfill site, the second quarter of FY 15/16 tonnage was as follows:

Olinda Alpha Landfill

In-county tonnage 238,192 (32%) of total In-county tonnage
Importation tonnage 290,259 (63%) of total Importation tonnage

Frank R. Bowerman Landfill

In-county tonnage 421,631 (56%) of total In-county tonnage
Importation tonnage 148,333 (32%) of total Importation tonnage

Prima Deshecha Landfill

In-county tonnage 86,689 (12%) of total In-county tonnage
Importation tonnage 22,444 (5%) of total Importation tonnage

Revenues

For the second quarter of FY 15/16, revenue recorded in OC Waste & Recycling’s Enterprise/Operating (Fund 299) was \$26,842,432 or 25% versus the adopted revenue budget of \$106,781,000. Primary sources of revenue received during the first quarter included:

- \$24,690,521 Disposal fees (95% of the total)
- \$1,149,435 Operating Transfers-in (2.5%)
- \$837,387 Leases & Royalties (2%)

For the second quarter of FY 15/16, revenue recorded in OC Waste & Recycling’s Capital Project Fund (Fund 273) was \$4,745,766 or 24% versus the modified revenue budget of \$19,900,000. Primary source of revenue received during the second quarter was Operating Transfers-in from Fund 285 – Bankruptcy Recovery Plan.

Expenditures

Second quarter of 15/16 expenditures and encumbrances recorded in OC Waste & Recycling's Enterprise/Operating (Fund 299) totaled \$22,854,819 or an approximate 17% spend-out versus the modified expense budget of \$133,428,064.

Second quarter of FY 15/16 expenditures and encumbrances recorded in OC Waste & Recycling's Capital Project Fund (Fund 273) totaled 10,602,889 or 33% spend-out versus the modified expense budget of \$32,440,061.

For the second quarter of FY 15/16, OC Waste & Recycling's categories of major expenditures were:

- \$10,598,917 Capital Project Spend-out (32% of the \$33,457,708 total expenditures)
- \$6,899,045 Services & Supplies (21%)
- \$6,342,416 Equipment Purchases & Maintenance (19%)
- \$5,894,747 Salaries & Employee Benefits (18%)
- \$1,926,361 Taxes, Fees, Assessments (6%)
- \$884,500 Landfill Regulatory Compliance (3%)

Cash Balance and Reserves

As of December 31, 2015, the OC Waste & Recycling's Enterprise/Operating Fund 299 had a cash balance of \$157,618,472.

As of December 31, 2015 the OC Waste & Recycling's Enterprise/Operating Fund 299 had an available reserves balance of \$74,035,032.

Summary

Should you have any questions or would like additional information, please contact Alan Yuki, OC Waste & Recycling Budget, Purchasing & Landfill Administration Manager at (714) 834-4161.

Recommended Action: Receive and file report.

Attachments:

1. Budget Report FY 2015/2016 2nd Quarter – Fund 299, 273 & 285 Overview
2. System-Wide Tonnage - FY 2011/2012 to 2015/2016 (Projected)
3. System-Wide Revenue (Excluding \$19 Surcharge) - FY 2011/2012 to 2015/2016
4. Fund 299 Revenues – FY 2015/2016 2nd Quarter
5. Expenditures by Categories – FY 2015/2016 2nd Quarter
6. Cash Balances – FY 2011/2012 – 2015/16 as of 12/31/2015

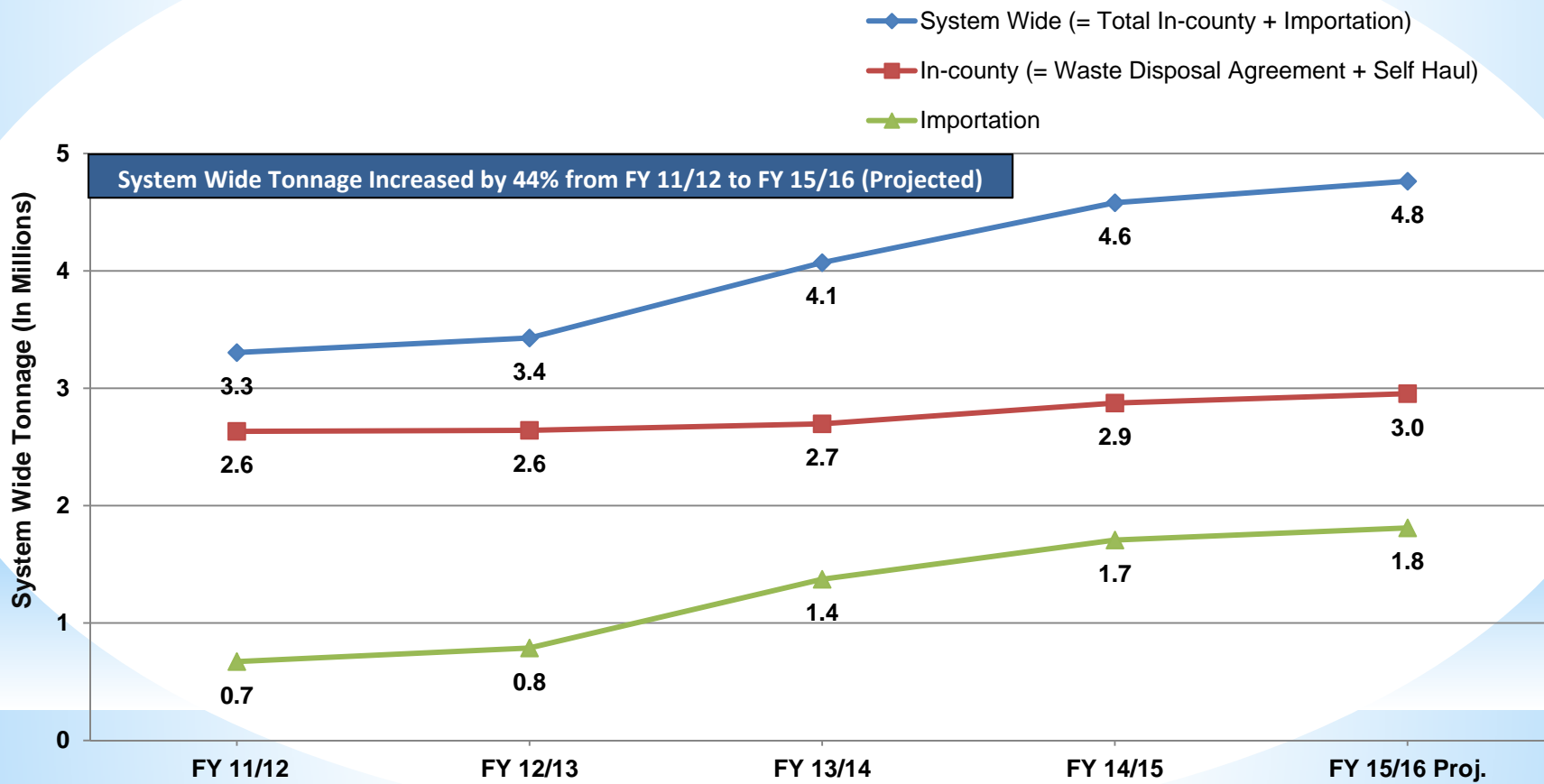
OC WASTE & RECYCLING

Budget Report Fiscal Year 2015/2016 – 2nd Quarter

Fund 299, Fund 273 and Fund 285 Overview

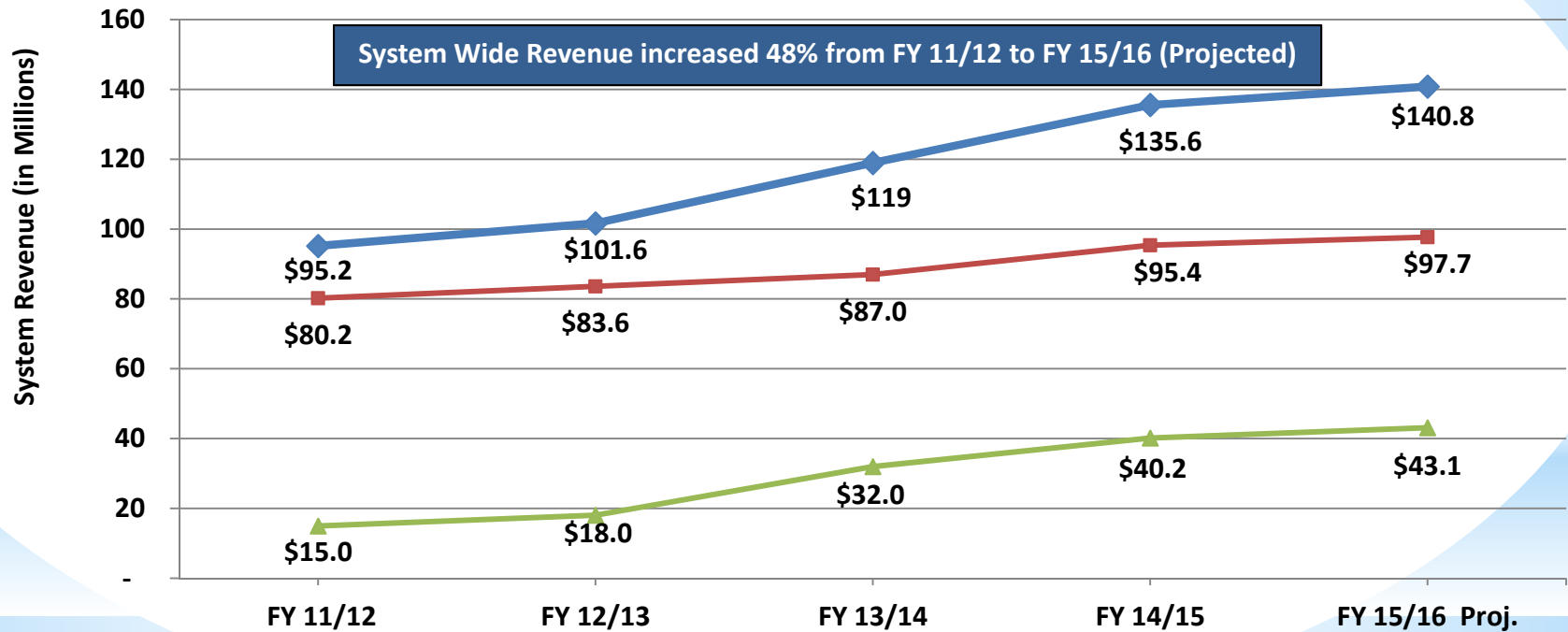
	FY 15/16 Adopted Budget	FY 15/16 Modified Budget	FY 15/16 2nd Quarter Actuals	FY 15/16 YTD Actuals	YTD Actuals (% of Modified Budget)
In-County Tonnage	2,724,250	2,724,250	746,512	1,477,080	54%
Importation Tonnage	1,624,663	1,624,663	461,036	904,853	56%
Total System Tonnage	4,348,913	4,348,913	1,207,548	2,381,933	55%
Enterprise/Operating (Fund 299) Revenues	106,781,000	106,781,000	26,842,432	46,579,832	44%
Enterprise/Operating (Fund 299) Expenditures	124,815,064	133,428,064	22,854,819	51,934,460	39%
Capital Projects (Fund 273) Revenues	11,900,000	19,900,000	4,745,766	4,769,811	24%
Capital Projects (Fund 273) Expenditures	25,814,194	32,440,061	10,602,889	13,245,432	41%
Importation (Fund 285) Revenues	40,810,000	40,810,000	10,953,530	17,869,132	44%
Importation (Fund 285) Expenditures	41,008,606	41,012,765	10,539,293	10,539,799	26%

OC WASTE & RECYCLING System Wide Tonnage FY 2011/2012 – 2015/2016 (Projected)



OC WASTE & RECYCLING System Wide Revenue (Excluding \$19 Surcharge) FY 2011/2012 – 2015/2016 (Projected)

◆ System Wide (= Total In-county + Importation) ■ In-county (= Waste Disposal Agreement + Self Haul) ▲ Importation



OC WASTE & RECYCLING Fund 299 Revenues FY 2015/2016 2nd Quarter - October-December 2015

	FY 15/16 Adopted Budget	FY 15/16 Modified Budget	2nd Quarter Actuals	FY 15/16 YTD Actuals	YTD Actuals (% of Modified Budget)	
Disposal Fees & Services	94,978,500	94,978,500	24,690,521	44,103,500	46%	
Operating Transfers-in	6,986,050	6,986,050	1,149,435	1,149,436	16%	
Interest Income	650,000	650,000	235,937	376,025	58%	
Leases & Royalties	3,654,150	3,654,150	837,387	923,836	25%	
Other Revenues	512,300	512,300	(70,848)	27,035	5%	[1],[2]
Grand Total	\$106,781,000	106,781,000	\$26,842,432	\$46,579,832	44%	

Note(s):

- (1) Other Revenues includes: Other Licenses & Permits, Franchises, Forfeitures & Penalties, Other Governmental Agencies Payments, Other Charges for Services, Returned Checks, Capital Asset Sales, Non-Taxable Resale and Miscellaneous Revenues.
- (2) Other Revenues is negative due mostly to the loss in Capital Assets retirement/surplus in the 2nd quarter.

OC WASTE & RECYCLING Expenditures by Categories FY 2015/2016 2nd Quarter - October-December 2015

Description	FY 15/16 Adopted Budget	FY 15/16 Modified Budget	FY 15/16 2nd Quarter Actuals	FY 15/16 YTD Actuals	YTD Actuals (% of Modified Budget)
Salaries & Employee Benefits	27,672,719	26,943,991	5,894,747	11,865,794	44%
Capital Project Spend-out	25,564,194	29,106,501	10,598,919	13,233,045	45%
Services & Supplies ^[1]	19,163,070	20,630,785	6,899,045	12,363,974	65%
Landfill Regulatory Compliance	11,739,750	11,738,350	884,500	5,798,660	49%
Facility Expenditures	6,498,975	6,495,718	792,765	1,766,494	27%
Equipment Purchases, Usage & Maintenance	21,250,850	21,249,101	6,342,416	14,610,217	69%
Taxes, Fees, Assessments ^[2]	8,011,650	8,011,650	1,926,361	2,130,906	27%
Recycling and Community Service Programs ^[3]	7,359,500	7,471,170	5,429	3,235,035	43%
Non-recurring Expense ^[4]	7,350,000	7,118,749	0	91,712	1%
Transfers-out to Other Funds	18,550	18,550	0	0	0%
Depreciation Expense & Capitalized Assets ^[5]	16,000,000	19,083,560	113,525	84,058	N/A
Total Expenditures^[6]	\$150,629,258	\$157,868,125	\$33,457,708	\$65,179,894	41%

Note(s):

- 1) Includes Cost Applies, IT Professional Services, Multi-Disciplinary Engineering Support Services
- 2) Includes Excise Taxes and Host Fees for In-County Tonnage
- 3) Includes Hazardous Waste Services, Recycling Program & Community Outreach and Surcharge Program AB939
- 4) Expense includes \$3.7 million for GASB 49 site remediation and \$3.1 million for cost share for La Pata Gap Closure project
- 5) Reversal of depreciation for disposed fixed assets
- 6) Does not include Operating Transfers between Fund 299 and Fund 273

OC WASTE & RECYCLING Cash Balances FY 2011/12 – 2015/16 as of 12/31/2015

FUND	Description	Fund Restricted Y/N	FY 11/12	FY 12/13	FY 13/14	FY 14/15	FY 15/16 As of 12/31/15
299	OC Waste & Recycling Enterprise / Operating	No	\$98.48M	\$93.27M	\$122.63M	\$145.66M	\$157.62M
272	Prima Deshecha Landfill & La Pata Avenue Gap Closure	Yes		\$0.10M	\$0.10M	\$0.10M	\$0.10M
273	Capital Project Fund	No	\$10.00M	\$25.42M	\$44.59M	\$24.63M	\$21.03M
274	Corrective Action Escrow	Yes	\$6.08M	\$6.11M	\$7.13M	\$8.17M	\$8.19M
275	Environmental Reserve (Liabilities)	No	\$62.24M	\$69.28M	\$69.73M	\$71.06M	\$72.67M
276	Deferred Payment Security Deposits	Yes	\$0.75M	\$0.70M	\$0.56M	\$0.54M	\$0.57M
277	Rate Stabilization	Yes	\$28.05M	\$28.15M	Closed	Closed	Closed
278	San Joaquin Marsh Escrow	Yes	\$3.12M	Closed	Closed	Closed	Closed
279	Landfill Post-Closure Maintenance	No	\$167.27M	\$145.97M	\$139.91M	\$148.57M	\$147.34M
284	Bee Canyon Landfill Escrow (Closure)	Yes	\$28.77M	\$28.88M	\$28.95M	\$29.05M	\$29.13M
285	Bankruptcy Recovery Plan	No	\$0.03M	\$1.18M	\$2.12M	\$6.26M	\$7.45M
286	Brea-Olinda Landfill Escrow (Closure)	Yes	\$38.34M	\$38.48M	\$38.58M	\$38.71M	\$38.81M
287	Prima Deshecha Landfill Escrow (Closure)	Yes	\$20.26M	\$20.34M	\$20.39M	\$20.46M	\$20.51M
288	FRB Wetland Creation & Agua Chinon Wash Riparian	Yes		\$0.88M	\$0.88M	\$0.88M	\$0.88M
	TOTAL		\$463.40M	\$458.77M	\$475.58M	\$494.11M	\$504.30M



Agenda Item 3 – *AB 939 Report – Isabel Rios, Manager, Educational Outreach & Recycling*

The purpose of the AB 939 Report is to update the Waste Management Commission on AB 939 programs, projects, and issues of mutual interest.

COUNTYWIDE COMMUNITY OUTREACH PARTNERSHIP PROGRAMS

OC Waste & Recycling (OCWR) and Discovery Cube OC (DC-OC) have partnered to develop the Eco Challenge exhibit as part of a mutual goal to educate the general public about waste-diversion goals and encourage them to adopt habits to protect the environment in order to stimulate long-term behavioral change. As an extension of that goal, both organizations have a mutual interest in increasing the number of visitors to the Eco Challenge exhibit, thereby maximizing the educational reach and impact of the exhibit's messages, and accelerating behavioral change.

In 2015, the Eco Challenge Public Education & Outreach Program partnership between OCWR and DC-OC established itself as Orange County's campaign for recycling. With the support of public-private partnerships with Angels Baseball, Goodwill of Orange County and others, the Eco Challenge has gained momentum and proven its ability to impact long-term behavioral change in our community. This multifaceted program consists of an educational outreach program in schools and at the Cube, opportunities for community engagement through events and contests, as well as a strategic communications campaign that drives families to experience the County's Eco Challenge exhibits at DC-OC. Measurable outcomes and the Eco Challenge's growing impact have shown the success of the program and potential for years to come.

The Discovery Cube Orange County Eco Challenge Annual Report is currently being finalized. It includes highlights of the Eco Challenge Marketing elements; OCWR's partnership with DC-OC, Angels Baseball, and Goodwill of Orange County; as well as measurable results of the program.

ECO CHALLENGE EDUCATION AND OUTREACH PROGRAM

Angels Baseball LP Eco Challenge Poster Contest

The 4th Annual Eco Challenge Poster Contest was launched in early March 2016. The contest is open through June 30, 2016. Orange County residents between the ages of eight (8) and fourteen (14) are invited to submit a poster depicting this year's theme. The poster should clearly demonstrate how they personally "Take the Eco Challenge" by showing examples of projects or activities that they have developed or engaged in to promote a greener planet.

These activities can be in their school, home or community. Posters should focus on the proper disposal of green waste and/or food waste. Bring or mail your entry to Discovery Cube OC by June 30, 2016, and one lucky winner from each of Orange County's Supervisorial Districts will be awarded the status of Honorary Bat Kid during an Angels home game in 2016.

Recommended Action: Receive and file report.



Thursday, March 10, 2016

**Agenda Item 4 – *Legislative and Regulatory Report –Lisa Keating,
Manager of Waste Disposal Contracts &
Recycling Programs***

This report provides the Waste Management Commission regular updates on the California Legislature as it pertains to solid waste management and OC Waste & Recycling's participation in regulatory activities.

California Legislature

The attached Legislative Matrix includes a summary of key bills that OC Waste & Recycling has identified and is monitoring. The status of these bills are labeled as Newly Introduced, 2-Year and Dead.

Recommended Action: Receive and file report.

Attachment:

Attachment A – Legislative & Regulatory Matrix

OC Waste & Recycling Legislative & Regulatory Matrix

Bill ID/Topic	Status	Summary
AB 45 Mullin D Household hazardous waste.	2 YEAR OPPOSE	This bill was significantly revised. Specific HHW diversion requirements that would have been placed on jurisdictions were eliminated. Current language requires CalRecycle to adopt one or more model ordinances for a comprehensive program for the collection of household hazardous waste and would authorize a local jurisdiction that provides for the residential collection and disposal of solid waste that proposes to enact an ordinance governing the collection and diversion of HHW to adopt one of the model ordinances adopted by CalRecycle. The bill would require CalRecycle to determine whether a nonprofit organization has been created and funded to make grants to local jurisdictions for specified purposes relating to HHW disposal and would specify that if CalRecycle does not determine that such a nonprofit organization exists by December 31, 2018, then the bill's provisions would be repealed on January 1, 2019 Last Amended on 1/21/2016
AB 1063 Williams D Solid waste: charges.	2 YEAR WATCH	This bill would raise the fee imposed on an operator of a disposal facility to \$4 per ton commencing January 1, 2017. The bill would require a minimum of \$1.50 per ton of the fee collected from each operator, until January 1, 2022, and would authorize some or all of the fee collected thereafter, to be allocated to activities that promote recycling and the highest and best use of materials, as specified. Last Amended on 8/17/2015
AB 1103 Dodd D Solid waste: organic waste.	2 YEAR WATCH	This bill would require a person who transports a certain amount of food waste to be registered by CalRecycle, except as specified. The registered transporter must maintain an accurate record of the quantity of food waste transported, at least quarterly, and to certify, under penalty of perjury, to the accuracy of the record. The bill would authorize the imposition of fees on registered transporters for vehicles used to transport food waste for the administration of this program. The bill would require a jurisdiction or other local governmental agency to inspect vehicles that are used by transporters to transport food waste. By imposing additional duties on local governmental agencies, the bill would impose a state-mandated local program. Last Amended on 7/16/2015
AB 1159 Gordon D Product stewardship: pilot program	DEAD	This bill would have established the Product Stewardship Pilot Program and, until January 1, 2024, would have required producers and product stewardship organizations of home-generated sharps waste or household batteries, to develop and implement a product stewardship plan, as specified. Last Amended on 4/21/2015. Died on the floor.

Bill ID/Topic	Status	Summary
AB 1555 Gomez D Greenhouse Gas Reduction Fund	Introduced 1/4/16 WATCH	This bill would state the intent of the Legislature to enact future legislation that would appropriate \$1,700,000,000 from the Greenhouse Gas Reduction Fund for the 2015-16 fiscal year that would be allocated to different entities in amounts to be determined in the future legislation for purposes including low carbon transportation and infrastructure, clean energy communities, and community climate improvements, wetland and watershed restoration, and carbon sequestration.
AB 1669 Hernandez D Displaced employees: solid waste collection and transportation services contracts.	Introduced 1/15/16 WATCH	<p>Current law requires a local government agency letting a public transit service contract out to bid to give a bidding preference for contractors and subcontractors who agree to retain for a specified period certain employees who were employed to perform essentially the same services by the previous contractor or subcontractor. Such a contractor or subcontractor must offer employment to those employees, except for reasonable and substantiated cause. This bill would add employees of solid waste collection and transportation contractors and subcontractors to those provisions. By requiring local agencies to give a bidding preference to those contractors and subcontractors, this bill would impose a state-mandated local program.</p> <p>This contractual requirement would be problematic and time consuming for the County, with little added benefit. Enforcing this contract requirement would require the County to investigate and become involved with the hiring decisions of the hauler. When a new waste hauler is awarded a new agreement, it is already common industry practice to attempt to hire employees from the outgoing hauler, unless there is an issue with the employee or the hauler already has available staff due to the loss of another contract.</p>
AB 2396 McCarty D Solid Waste Annual Reports	Introduced 2/18/16 WATCH	Current law requires each state agency to submit an annual report to Cal Recycle summarizing its progress in reducing solid waste. This bill would require each state agency to include in that annual report a summary of the state agency's compliance with specified requirements relating to recycling commercial solid waste and organic waste.
SB 970 Leyva D Organic food waste diversion	Introduced 2/8/16 WATCH	Current law requires CalRecycle to cooperate with local jurisdictions and industry to provide assistance for increasing the feasibility of organic waste recycling and to identify certain state financing mechanisms and state funding incentives and post this information on its Internet Web site. This bill would require, by June 1, 2017, CalRecycle, in consultation with the State Air Resources Board and the State Energy Resources Conservation and Development Commission, to develop a pilot program that encourages cost-effective and efficient integrated organic food waste diversion projects.



Thursday, March 10, 2016

Agenda Item 5 – *Subcommittee Reports*

Legislative & Regulatory Subcommittee Ad hoc Bylaws Committee

Summary

Subcommittee members will report on their respective meetings:

Legislative & Regulatory Subcommittee	Commissioner Lodge
Ad hoc Bylaws Committee	Commissioner Alvarez

Should you have any questions or would like additional information regarding the subcommittees, please contact the following staff members:

Renewable Technologies Subcommittee:	Jeff Arbor, Environmental Compliance & Closed Sites Manager (714) 834-4056
Legislative & Regulatory Subcommittee	Lisa Keating, Waste Disposal Contracts & Recycling Programs Manager (714) 834-5513
Finance Committee	Alan Yuki, Budget and Landfill Administration Services (714) 834-4161
Ad hoc Bylaws Committee	Julie Chay, Commission Clerk (714) 8340-4059 or James Steinmann, County Counsel, (714) 834-3300

Recommended Action: Receive and File Reports