

# County of Santa Clara

Recycling and Waste Reduction Commission  
Integrated Waste Management Division

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www.ReduceWaste.org



## TECHNICAL ADVISORY COMMITTEE MEETING MINUTES

November 13, 2008

### VOTING MEMBERS IN ATTENDANCE

CITY OF CUPERTINO	Cheri Donnelly
CITY OF GILROY	Lisa Jensema
CITY OF MILPITAS	Elizabeth Koo
CITY OF MORGAN HILL	Tony Eulo
CITY OF MOUNTAIN VIEW	Lori Topley
CITY OF SAN JOSE	Skip Lacaze
CITY OF SANTA CLARA	Dave Staub
CITY OF SUNNYVALE	Mark Bowers
CLARA MATEO	Gil Chesó
COUNTY ENVIRONMENTAL HEALTH	Stan Chau
COUNTY UNINCORPORATED AREA	Elizabeth Constantino
WEST VALLEY CITIES	Marva Sheehan

**Commissioners:** Jamie McLeod, Chair; Ronit Bryant, Kansen Chu, Peter Drekmeier, Jose Esteves, Steve Glickman, Patrick Kwok, Cat Tucker, Kris Wang, Ken Yeager

**VOTING MEMBERS NOT ATTENDING**

- ACTERRA
- CALIFORNIA RESOURCE RECOVERY ASSN.
- CITY OF CAMPBELL
- CITY OF LOS ALTOS
- CITY OF MONTE SERENO
- CITY OF PALO ALTO
- CITY OF SARATOGA
- LEAGUE OF WOMEN VOTERS
- SAN JOSE STATE UNIVERSITY
- SANTA CLARA VALLEY WATER DISTRICT
- SIERRA CLUB
- SILICON VALLEY LEADERSHIP GROUP
- TOWN OF LOS ALTOS HILLS
- TOWN OF LOS GATOS

**OTHERS IN ATTENDANCE**

- |                     |                       |
|---------------------|-----------------------|
| Clifton Chew        | SCC IWM               |
| Jeff Cristina       | Zanker Road Landfill  |
| Rob D’Arcy          | SCC HHW               |
| Zachary DeVine      | SCC IWM               |
| Wendy Fong          | SCC HHW               |
| Karen Gissibl       | City of Sunnyvale     |
| Cynthia Palacio     | City of Mountain View |
| Lisa Rose           | SCC IWM               |
| Greg Van Wassenhove | County of Santa Clara |
| Leslie Wilcox       | City of Gilroy        |
| Jo Zientek          | City of San Jose      |

**1. Call to Order**

Mark Bowers, Chair, called the meeting to order at 1:34 p.m. A quorum of 10 was present. Those present introduced themselves.

**2. Approval of Minutes**

A motion to approve the minutes of the October 9, 2008 TAC meeting was made by Tony Eulo and seconded by Stan Chau. All present voted to approve the minutes. Those not present at the October 9, 2008 TAC meeting abstained.

### 3. Public Presentations

There were no public presentations.

### 4. HHW Fee

Rob D'Arcy, HHW Program Manager, indicated that a staff and subcommittee recommendation on the HHW fee was not available at this time. He anticipated that the recommendation will be available for consideration at the December TAC meeting.

### 5. Division Manager's Report and Updates on Countywide Programs

Elizabeth Constantino said all items were in the TAC packet.

- A. Disposal Reporting System – in the TAC packet.
- B. Green Business – in the TAC packet.
- C. Home Composting Education Program – in the TAC packet.
- D. Recycling Hotline – in the TAC packet.

### 6. Subcommittee Reports and Updates on Countywide Programs

- A. Household Hazardous Waste - Nothing at this time.
- B. Implementation – Mark Bowers said there were two items: 1) Have TAC formally move forward with a motion for the organizational study (moved from FY 2009-10 to FY 2008-09). Tony Eulo made the motion to move the organizational study from next fiscal year's (FY 2009-10) budget cycle to the current (FY 2008-09) cycle. The motion was seconded by Lori Topley. All present voted in favor of the motion; and 2) Keep the AB939 Implementation Fee at \$1.50/ton on the expanded material such as ADC, Inerts, Cover, AIC, i.e. material that remains at the landfill just as the Solid Waste Planning Fee (SWPF) materials which were approved at the last TAC meeting. The HHW Fee would only apply to disposed tonnage (as it currently is) and not the expanded materials. Greg Van Wassenhove expressed that the County had legal and policy concerns related to the expanded materials base approved at the October 2008 TAC meeting and extensive discussion followed.

Tony Eulo made a motion to reconsider last month's recommendation of \$0.50/ton for the expanded materials base and \$0.76/ton on the current materials base for the SWPF. The reason for the motion was that during the last implementation subcommittee meeting, the revenue and fund balance figures underlying the previous (October 2008) SWPF recommendation by TAC had to be modified due to some budget item movement from one fiscal year to another. The motion was seconded by Dave Staub. The vote was unanimous in favor of the motion to reconsider. Tony Eulo then moved that the TAC recommend that a SWPF amount of \$0.51/ton be applied to all solid waste materials brought to solid waste facilities (landfills and transfer/processing stations), with the exception of recycled or composted material that goes off-site and is not delivered to another solid waste facility. Recyclable material includes bio-fuels, such as wood chips, that are used as fuel at a power plant other than a permitted transformation facility. If applying the SWPF to the expanded materials is found to be contrary to state law, then the SWPF would be increased to \$0.78/ton and applied in the manner used at present. The motion was seconded by Lori Topley. All present voted in favor except Gil Chesno who opposed the motion and Elizabeth Constantino who abstained.

Clifton Chew noted that applying the fee on expanded materials for the Implementation Fee and the SWPF would make fee collection and verification of fee amounts more difficult. The expanded material base would apply to the combined SWPF/AB 939 Implementation Fee, but not to the HHW Fee. This would increase the possibility of errors on the part of landfill operators collecting the fees. Additionally, Non Disposal Facilities are not currently required to report “beneficial use” tonnages to the County and the state does not track materials listed as inert or cover so County staff lacks a secondary data source with which to double check and verify reported tonnage for these materials. ADC and AIC are tracked by the CIWMB and can be verified to some extent.

Tony Eulo then made a motion to apply the \$1.50/ton Implementation Fee to the same materials as the SWPF. If applying the fee to the expanded materials is found to be contrary to state law, then the Implementation Fee would be increased to \$2.25/ton and applied in the manner used at present. The motion was seconded by Skip Lacaze. All present voted to approve except Gil Cheso and Elizabeth Constantino, who opposed.

There was consensus that the whole package—SWPF, AB 939 Implementation Fee and HHW Fee—will be presented to the RWRC in February. Greg Van Wassenhove indicated that his office would do its best to ensure that County Counsel publishes a report prior to the January TAC meeting on the legal issues related to expanding the list of materials upon which the fees are applied.

- C. Legislation – Russ was not present.
- D. Operations – Nothing at this time.
- E. Public Education – Dave Staub had three items: 1) The holiday “Give an Experience” campaign is running on Comcast Cable Television for five weeks and on radio for three weeks; 2) Cary Bloomquist has accepted the nomination to be the Pub Ed Subcommittee Chair for next year; and 3) Dave commented that there have been some discussions between SCVURPPP and the solid waste folks on incorporating Green Gardening and Bay Friendly classes. Cheri Donnelly explained that they are trying to work together where the groups overlap and determine funding. She also circulated a draft handout about Green Gardening.
- F. Source Reduction/Recycling – Skip Lacaze said the next meeting would be with the stakeholders group Wednesday, November 19, 2008.

The subcommittee will make a recommendation to RWRC regarding the fee split once a decision has been made.

## **7. Future Agenda Items**

Officer Elections for December

December 11 is the Holiday Potluck at the Sunnyvale Community Center in the Neighborhood Room. 550 East Remington Drive, Sunnyvale, CA 94087.

## **8. Informational Updates and Announcements**

Lisa Jensema announced the City of Gilroy was cutting at least 44 staff positions due to budget considerations. It is anticipated that both Leslie’s and Lisa’s positions will be cut.

Marva Sheehan asked if anyone experienced any difficulties with commodity prices. TAC members provided anecdotal notes about prices of materials dropping rapidly and their

ability to “move” items to buyers.

Elizabeth Constantino had two items: 1) she would like to introduce John George, the new HCEP person when he is available; and 2) an RFP for Unincorporated South County Area just closed. She thanked Lisa, Tony and Stan for volunteering their help in the interview process scheduled for next week.

**9. Adjournment**

The meeting adjourned at 3:22 p.m.

NEXT SCHEDULED TAC MEETING: December 11, 2008 @ 1:30 P.M