

# Regional Solid Waste Association

*City of Del Mar*  
Dwight Worden

*City of Encinitas*  
Catherine Blakespear

*City of National City*  
Ron Morrison

*City of Poway*  
Dave Grosch

*City of Solana Beach*  
Kelly Harless

*City of Vista*  
Joe Green

**Special Contract Party**  
*City of Escondido*  
Michael Morasco

*General Manager/General Counsel*  
James H. Eggart

## SPECIAL MEETING AGENDA

**March 3, 2022**  
**8:30 a.m.**

**Via Teleconference / Video Conference Only**  
**Pursuant to Government Code Section 54953(e)**



**REGIONAL SOLID WASTE ASSOCIATION**

**SPECIAL MEETING AGENDA**

**March 3, 2022**

**8:30 a.m.**

**VIA TELECONFERENCE / VIDEO CONFERENCE ONLY**

**In the interest of public health, this meeting will be conducted utilizing teleconferencing and electronic means only in accordance with Assembly Bill 361 and Government Code Section 54953(e). There will be no in person participation at the Fletcher Cove Community Center. Members of the public may view and participate in this meeting via Zoom or by teleconference by using the link or telephone number below:**

**<https://us06web.zoom.us/j/81435054567?pwd=dHhlZ0FHV2dRVytxVzMvK2ZtT0JvUT09>**

**Phone No.: (669) 900-6833**

**Meeting ID: 814 3505 4567**

**Passcode: 302356**

**ADDRESSING THE ASSOCIATION BOARD:** If you wish to speak to an item on the agenda, please advise the moderator which agenda Item number you wish to speak to before that item has been announced by the Chair. To donate time to another person, advise the moderator of that fact. The person or persons donating time must be present on the teleconference or video conference when the speaker to whom they have donated time is heard. In order to provide an opportunity for public comment by members of the public who are unable to participate in the meeting by teleconference or electronic means, comments may be submitted via e-mail at [james@rswa.info](mailto:james@rswa.info).

**ADDITIONAL INFORMATION:** This agenda provides a brief description of each item to be considered by the Association Board. All revised or additional documents and writings related to any items on the agenda, which are distributed to all or a majority of the Board Members within 24 hours preceding the meeting, shall be made available for public inspection on the Regional Solid Waste Association website at <http://rswa.info>. Additional information is available through the General Manager to the Association at (714) 415-1062.

- 1. CALL TO ORDER AND PLEDGE OF ALLEGIANCE**
- 2. SWEARING-IN OF NEW BOARD MEMBER(S) - ACTION ITEM**

This item is scheduled to swear-in new board members as the delegate/ representative from a member city.

3. **ORAL COMMUNICATIONS**

This item is scheduled to provide an opportunity for public testimony on matters on this Agenda.

4. **CONSENT CALENDAR – ACTION ITEM (Roll Call Vote)**

(Consent Calendar items will be acted on simultaneously with one motion unless separate discussion and/or action is requested by a Board Member.)

- A. Minutes of the February 3, 2022, Regular Meeting of the Board of the Regional Solid Waste Association – Recommended Action: Receive and File.

5. **ADOPTION OF A RESOLUTION NO. 2022-03 MAKING SPECIFIED FINDINGS AND RE-AUTHORIZING USE OF REMOTE TELECONFERENCE MEETINGS PURSUANT TO GOVERNMENT CODE SECTION 54953(e)(3) – ACTION ITEM (Roll Call Vote)**

The Board of Directors will reconsider the circumstances of the State of Emergency declared by the Governor as a result of the Covid-19 pandemic and consider adopting a resolution pursuant to Government Code Section 54953(e) re-authorizing the Board to continue to meet via videoconference and/or teleconference.

Recommended Action: Adopt Resolution No. 2022-03, A Resolution of the Board of Directors of the Regional Solid Waste Association Making Specified Findings and Re-authorizing Remote Teleconference Meetings in Accordance with Government Code Section 54953(e), as Presented.

6. **REVIEW FUTURE MEETING SCHEDULE – POSSIBLE ACTION ITEM (Roll Call Vote)**

This item is scheduled for discussion and approval of the future meeting schedule for the Board of Directors. The current meeting schedule is:

March 31, 2022 (Rescheduled Regular Meeting)  
July 7, 2022 (Regular Meeting)  
October 6, 2022 (Regular Meeting)  
January 5, 2023 (Regular Meeting)

The Board may make changes to the time, date, location, and/or format of future meetings. The Board may also discuss scheduling future special meetings pursuant to AB 361 or for other purposes.

7. **REPORT FROM SUBCOMMITTEE – INFORMATION ITEM**

The members of the ad hoc subcommittee consisting of Chairperson Morrison, Vice-Chairperson Green, and Secretary Worden will provide a report regarding their meeting(s) regarding policies parameters for adding new RSWA Members and for collaborating or sharing information with non-member cities and other agencies.

8. **HHW PARTICIPATION REPORTS – INFORMATION ITEM**

This item is scheduled for presentation of the HHW participation reports for the Second Quarter of FY 21/22.

9. **LEGISLATIVE UPDATE – INFORMATION AND POSSIBLE ACTINO ITEM**

This item is scheduled for the General Manager Eggart to update the Board on pending legislation of interest relating to solid waste and household hazardous waste. The Board may provide direction regarding taking positions on specific pieces of legislation.

10. **COMMENTS FROM ASSOCIATION MEMBERS, GENERAL COUNSEL AND GENERAL MANAGER**

The Members may ask questions, make comments and ask that any matter be agenized for consideration at a later meeting.

11. **ADJOURNMENT**

Adjournment to the Regular Meeting of March 31, 2022 at 9:00 a.m. at EDCO Waste and Recycling Services, 1021 W. Mission Ave., Escondido, CA 92025.

**PUBLIC NOTICE AND CALL FOR THE SPECIAL MEETING OF  
THE REGIONAL SOLID WASTE ASSOCIATION**

**March 3, 2022  
8:30 a.m.**

\*\*\*\*\*

**VIA TELECONFERENCE / VIDEO CONFERENCE ONLY**

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**<https://us06web.zoom.us/j/81435054567?pwd=dHhlZ0FHV2dRVVtxVzMvK2ZtT0JvUT09>**

**Phone No.: (669) 900-6833**

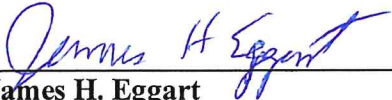
**Meeting ID: 814 3505 4567**

**Passcode: 302356**

**In accordance with the requirements of California Government Code Sections 54956 and 54954.3(a), this Notice and the Agenda has been posted on the Regional Solid Waste website at <http://rswa.info> and at Solana Beach City Hall, 635 South Highway 101, Solana Beach, CA, not less than 24 hours prior to the meeting date and time above.**

**In compliance with the Americans With Disabilities Act, if you need special assistance to participate in this meeting, please contact the Association's General Manager, James Eggart, at (714) 415-1062 prior to 5:00 p.m. the day prior to the meeting to allow the Association to make reasonable arrangements to ensure accessibility to this meeting.**

**I, James H. Eggart, General Manager of the Regional Solid Waste Association, do hereby declare that I caused the posting of the agenda for the special meeting of the Regional Solid Waste Association for March 3, 2022 in the locations listed above which are freely accessible to the public at or prior to 8:30 a.m. on March 2, 2022.**

  
**James H. Eggart**  
**General Manager**  
**Regional Solid Waste Association**

Item 4.

**MINUTES  
REGIONAL SOLID WASTE ASSOCIATION  
REGULAR MEETING**

**February 3, 2022  
8:00 a.m.**

**VIA TELECONFERENCE / VIDEO CONFERENCE ONLY**

Pursuant to Assembly Bill 361 and Government Code Section 54953(e), and in the interest of public health, this meeting was conducted utilizing teleconferencing and electronic means only.

**BOARD MEMBERS IN ATTENDANCE:**

**Council Member Ron Morrison, City of National City – RSWA Chairperson  
Council Member Joe Green, City of Vista – RSWA Vice-Chairperson  
Mayor Dwight Worden, City of Del Mar – RSWA Secretary  
Council Member Dave Grosch, City of Poway – RSWA Treasurer  
Mayor Catherine Blakespear, City of Encinitas (Arrived at 8:06)  
Council Member Kelly Harless, City of Solana Beach  
Council Member Mike Morasco, City of Escondido**

**STAFF RESOURCES IN ATTENDANCE:**

**James H. Eggart, General Manager/General Counsel**

**1. CALL TO ORDER AND PLEDGE OF ALLEGIANCE**

Chairperson Morrison called the meeting to order at 8:04 a.m.

Vice-Chairperson Green led the Board in the Pledge of Allegiance.

**2. SWEARING-IN OF NEW BOARD MEMBER(S)**

None.

**Board Member Blakespear arrived to the meeting at 8:06 a.m.**

**3. ORAL COMMUNICATIONS**

The Chairperson invited members of the public to address the Board on matters within the subject matter jurisdiction of the Association. Jessica Toth of Solana Center for Environmental Innovation offered to provide her insights on Item #6, parameters for adding new parties to RSWA and collaborating with non-member agencies.

**4. CONSENT CALENDAR**

The consent calendar included the following items:

- A. Minutes of the January 6, 2022, Special Meeting of the Board of the Regional Solid Waste Association – Recommended Action: Receive and File.

**MOTION WAS MADE TO APPROVE THE CONSENT CALENDAR.**

(Motion by Vice-Chairperson Green, City of Vista /Second by Board Member Harless, City of Solana Beach). Motion was approved by a vote of 7 ayes, 0 nays, and 0 abstentions.

**Ayes: Morrison, Green, Blakespear, Grosch, Morasco, Worden, Harless**

**Nays:**

**Abstain:**

**Absent:**

5. **ADOPTION OF RESOLUTION NO. 2022-02 MAKING SPECIFIED FINDINGS AND RE-AUTHORIZING USE OF REMOTE TELECONFERENCE MEETINGS PURSUANT TO GOVERNMENT CODE SECTION 54953(c)(3) – ACTION ITEM**

The Board of Directors reconsidered the circumstances of the State of Emergency declared by the Governor as a result of the Covid-19 pandemic and considered a resolution pursuant to Government Code Section 54953(e) re-authorizing the Board to continue to meet via videoconference and/or teleconference.

**MOTION WAS MADE TO ADOPT RESOLUTION NO. 2022-02 AS PRESENTED.**

(Motion by Vice-Chairperson Green, City of Vista /Second by Board Member Morasco, City of Escondido). Motion was approved by a vote of 7 ayes, 0 nays, and 0 abstentions.

**Ayes: Morrison, Green, Blakespear, Grosch, Morasco, Worden, Harless**

**Nays:**

**Abstain:**

**Absent:**

6. **PARAMETERS FOR ADDING NEW PARTIES TO RSWA AND COLLABORATING WITH NON-MEMBER AGENCIES – POSSIBLE ACTION ITEM**

The Board discussed establishing policies or parameters for adding new RSWA Members and for collaborating or sharing information with non-member cities and other agencies on SB 1383 compliance initiatives or other matters within RSWA's authority. The Board also discussed appointing an ad hoc subcommittee to evaluate this issue and make recommendations to the full Board. Jessica Toth from Solana Center, Jim Ambroso from EDCO, and Hilary Ego from the city of La Mesa provided comments and feedback.

Board Member Morasco left the meeting at approximately 8:36 a.m.



**MOTION WAS MADE TO FORM AN AD HOC SUBCOMMITTEE CONSISTING OF CHAIRPERSON MORRISON, VICE-CHAIRPERSON GREEN, AND SECRETARY WORDEN TO EVALUATE PARAMETERS FOR ADDING NEW RSWA MEMBERS AND COLLABORATING WITH NON-MEMBER AGENCIES AND TO BRING BACK RECOMMENDATIONS TO THE FULL BOARD.**

(Motion by Chairperson Morrison, City of National City/Second by Board Member Harless, City of Solana Beach). Motion was approved by a vote of 6 ayes, 0 nays, and 0 abstentions.

**Ayes: Morrison, Green, Blakespear, Grosch, Worden, Harless**  
**Nays:**  
**Abstain:**  
**Absent: Morasco**

**7. REVIEW FUTURE MEETING SCHEDULE**

This item was scheduled for discussion and approval of the future Board meeting schedule. It was noted that the previously approved regular and special meeting schedule was as follows:

March 3, 2022, at 9:00 a.m. (Special Meeting)  
March 31, 2022 (Rescheduled Regular Meeting)  
July 7, 2022 (Regular Meeting)  
October 6, 2022 (Regular Meeting)

The Board discussed moving the time of the March 3, 2022 special meeting from 9:00 a.m. to 8:30 a.m., moving the July 7, 2022 regular meeting to June 30, 2022, and holding either the March 31, 2022 regular meeting or another future meeting at EDCO's facility.

**MOTION WAS MADE (1) TO MOVE THE START TIME OF THE SPECIAL MEETING OF THE BOARD CURRENTLY SCHEDULED FOR MARCH 3, 2022, AT 9:00 A.M. TO 8:30 A.M. AND (2) MOVE THE DATE OF THE REGULAR MEETING OF THE BOARD CURRENTLY SCHEDULED FOR JULY 7, 2022, TO JUNE 30, 2022.**

(Motion by Vice-Chairperson Green, City of Vista/Second Board Member Blakespear, City of Encinitas). Motion was approved by a vote of 6 ayes, 0 nays, and 0 abstentions.

**Ayes: Morrison, Green, Blakespear, Grosch, Worden, Harless**  
**Nays:**  
**Abstain:**  
**Absent: Morasco**

9. **COMMENTS FROM ASSOCIATION MEMBERS, GENERAL COUNSEL AND GENERAL MANAGER**

Vice-Chairperson Green stated that he was looking forward to working with the other members of the newly formed ad hoc subcommittee.

General Manger Eggart provided the Board Members with information regarding payment of stipends, filing of their Form 700's through the San Diego County E-Disclosure system, and the filing of applications for SB 1383 Local Assistance grants by the member cities. He also asked the Board for input regarding future meeting agenda items.

Secretary Worden requested that General Counsel Eggart provide a legislative update at the March 3, 2022 special meeting.


10. **ADJOURNMENT**

Chairperson Morrison adjourned the meeting at 8:57 a.m. to the special meeting of March 3, 2022, at 8:30 a.m. to be held via teleconference / videoconference only.

Respectfully Submitted:

  
James H. Eggart  
General Manager

Approved:

  
Dwight Worden  
RSWA Secretary

Item 5.

**Resolution No. 2022-03**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE REGIONAL SOLID WASTE ASSOCIATION MAKING SPECIFIED FINDINGS AND RE-AUTHORIZING REMOTE TELECONFERENCE MEETINGS IN ACCORDANCE WITH GOVERNMENT CODE SECTION 54953(e)(3).**

**WHEREAS**, the Board of Directors of the Regional Solid Waste Association (“RSWA”) holds regular and special public meetings pursuant to the Ralph M. Brown Act (the “Brown Act”), Government Code section 54950, et seq.

**WHEREAS**, pursuant to RSWA’s Bylaws, the designated location for regular meetings of the RSWA Board of Directors is the Fletcher Cove Community Center in the City of Solana Beach.

**WHEREAS**, on September 16, 2021 Governor Newsom signed Assembly Bill (“AB”) 361, which added subsection (e) to Government Code section 54953 and makes provision for remote teleconferencing participation in meetings by members of a legislative body, without compliance with the requirements of Government Code section 54953(b)(3), subject to the existence of certain conditions.

**WHEREAS**, a required condition of AB 361 is that a state of emergency is declared by the Governor pursuant to Government Code section 8625.

**WHEREAS**, on March 4, 2020 Governor Newsom declared a State of Emergency in the State of California pursuant to Government Code section 8625 as a result of the threat of the Coronavirus (COVID-19) pandemic, and the State of Emergency is still in effect.

**WHEREAS**, in addition to the Governor’s proclamation of a State of Emergency, as a result of the COVID-19 pandemic, the City of Solana Beach has declared a local emergency and has closed all nonessential City facilities, including the Fletcher Cove Community Center, to ensure the safety of the public.

**WHEREAS**, on October 7, 2021, the RSWA Board of Directors adopted Resolution No. 2021-05 making findings in accordance with AB 361 and Government Code Section 54953(e) and authorizing the use of remote teleconference meetings.

**WHEREAS**, as a condition of extending the use of the provisions found in Government Code Section 54953(e), the Board of Directors must reconsider the circumstances of the State of Emergency and make specified findings at least every 30 days.

**WHEREAS**, on October 28, 2021, November 18, 2021, December 9, 2021, January 6, 2022 and February 3, 2022, the RSWA Board of Directors reconsidered the circumstances of the State of Emergency and adopted Resolutions No. 2021-07, 2021-08, 2021-09, 2022-01 and 2022-02, respectively, making specified findings and re-authorizing remote teleconference meetings in accordance with Government Code Section 54953(e).

**WHEREAS**, sustained COVID-19 community transmission continues to occur in San Diego County and the cities within RSWA’s jurisdiction and various state and local officials continue to recommend measures to promote social distancing.

**NOW, THEREFORE, BE IT RESOLVED**, by the Board of Directors of the Regional Solid Waste Association as follows:

1. The above findings and recitals are true and correct and are incorporated herein in full by this reference.
2. The Board of Directors of the Regional Solid Waste Association has reconsidered the circumstances of the proclaimed State of Emergency in California and has determined that (a) the State of Emergency continues to directly impact the ability of the members of the Board to meet safely in person and (b) state and local officials continue to recommend measures to promote social distancing.
- 3 That during the effective period of this Resolution, members of the Board of Directors of the Regional Solid Waste Association may continue to participate in meetings subject to the Brown Act by way of videoconference and/or teleconference in accordance with Assembly Bill 361 and Government Code section 54953(e).
4. The RSWA General Manager is authorized and directed to take all actions necessary to carry out the intent and purpose of this Resolution, including, conducting open and public meetings in accordance with Government Code Section 54953(e) and other applicable provisions of the Brown Act.
5. This Resolution shall take effect immediately upon its adoption and shall be effective until the earlier of: (1) April 2, 2022; or (2) such time the Board of Directors adopts a subsequent resolution in accordance with Government Code Section 54953(e)(3) to extend the time during which the Board may continue to hold virtual or teleconferenced meetings without complying with Government Code Section 54953(b)(3).

**PASSED AND ADOPTED** by the Board of Directors of the Regional Solid Waste Association, San Diego County, State of California, on March 3, 2022.

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Ron Morrison, Chairman  
Regional Solid Waste Association

APPROVED AS TO FORM:  
James H. Eggart, General Counsel

By:\_\_\_\_\_

**CERTIFICATION**

I, Ron Morrison, Chairman of the Regional Solid Waste Association, do hereby certify that the foregoing Resolution No. 2022-03 was duly adopted at a regular meeting of the Association, held on the 3rd day of March, 2022, by the following vote of the members of the Association:

AYES:

NOES:

ABSENT:

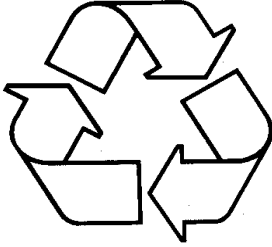
ABSTAIN:

And I further certify that I signed and approved said Resolution on the \_\_\_\_ day of \_\_\_\_\_, 2022.

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Ron Morrison, Chairman  
Regional Solid Waste Association

Item 7.



**REGIONAL SOLID WASTE  
ASSOCIATION**  
Member Agencies: Cities of Del Mar, Encinitas, Escondido,  
National City, Poway, Solana Beach, and Vista

To: RSWA Board Members  
From: General Manager James H. Eggart  
Subject: Report from Subcommittee Meeting  
Date: March 3, 2022

**BACKGROUND / DISCUSSION**

At the February 3, 2022, Special RSWA Board meeting, an ad hoc Board subcommittee consisting of Chairman Morrison, Vice-Chairperson Green, and Secretary Worden was formed to evaluate parameters for adding new RSWA members and collaborating with non-member agencies and to bring back recommendations to the full Board.

The subcommittee members met with the General Manager on February 23, 2022, to discuss the pros and cons of adding new members, the logistical challenges of adding new full members or special contract members, and the value proposition for local agencies interested in joining RSWA.

The subcommittee discussed RSWA’s mission and goals. Specifically, the subcommittee suggested that the RSWA Board should identify specific goals, which may include: (1) obtaining the best solid waste and recycling services and prices; (2) minimize duplicative efforts and take full advantage of economies of scale; (3) help ensure each member agency is compliant with all solid waste laws and regulations; and (4) make member agencies and the region more sustainable though sustainable and efficient waste and recycling practices. The subcommittee also suggested reviewing RSWA’s goals every 2-3 years.

The subcommittee also discussed the potential impact adding new members might have on RSWA. Notably, the subcommittee discussed potential staffing needs, potential impacts to the agreement with EDCO, various issues relating to funding, and what type of agencies would be a good fit. The subcommittee identified the following as next steps:

- (1) The Board should update RSWA’s Mission statement and goals.
- (2) The Board should consider and negotiate with potential new members on a case-by-case basis.
- (3) The Board should acknowledge that any expansion of RSWA will likely result in staffing needs and plan accordingly.
- (4) RSWA representatives should meet with EDCO to start discussing potential renewal of RSWA’s contract with EDCO and any changes in terms.

The subcommittee will provide an oral report at the Special RSWA Board meeting on March 3, 2022.



Item 8.

# Participation Summary

## PERMANENT FACILITIES (Poway/Vista)

All Jurisdictions - Including Universal Waste, E-Waste, Batteries and Sharps Only Loads													
CITY	JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	TOTAL
Carlsbad	182	141	119	164	104	91	0	0	0	0	0	0	801
Del Mar	0	1	0	2	2	2	0	0	0	0	0	0	7
Encinitas	47	43	42	45	27	24	0	0	0	0	0	0	228
Escondido *	0	0	0	0	0	0	0	0	0	0	0	0	-
National City**	0	0	0	0	0	0	0	0	0	0	0	0	-
Poway	527	434	358	532	312	313	0	0	0	0	0	0	2,476
San Marcos	129	82	82	88	63	65	0	0	0	0	0	0	509
Solana Beach	9	8	10	7	7	4	0	0	0	0	0	0	45
Vista	371	284	197	279	222	203	0	0	0	0	0	0	1,556
E/U-Waste Only	225	176	197	272	134	153	0	0	0	0	0	0	1,157
Batteries Only	12	11	8	23	7	5	0	0	0	0	0	0	66
Sharps Only	15	21	9	17	1	12	0	0	0	0	0	0	75
<b>TOTAL</b>	<b>1,517</b>	<b>1,201</b>	<b>1,022</b>	<b>1,429</b>	<b>879</b>	<b>872</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>6,920</b>

\*Escondido participation at Poway/Vista facilities. Total participation on page 2 (Escondido and RSWA facilities).

\*\* National City participation at Poway/Vista facilities. Total participation on page 2 (Chula Vista and RSWA facilities).

## HOME PICKUPS

All Jurisdictions - Including Batteries and E-Waste Only						
	Seniors/HB	Co-Pay	Sharps/U-	Batteries Only	E-Waste Only	Monthly Total
Jul-21	128	40	13	2	0	183
Aug-21	137	41	17	2	0	197
Sep-21	109	42	25	0	0	176
Oct-21	120	34	7	1	0	162
Nov-21	126	32	6	0	0	164
Dec-21	69	32	7	0	0	108
Jan-22	0	0	0	0	0	0
Feb-22	0	0	0	0	0	0
Mar-22	0	0	0	0	0	0
Apr-22	0	0	0	0	0	0
May-22	0	0	0	0	0	0
Jun-22	0	0	0	0	0	0
<b>Total</b>	<b>689</b>	<b>221</b>	<b>75</b>	<b>5</b>	<b>0</b>	<b>990</b>

## RSWA HHW Participation By Jurisdiction

	Del Mar		Encinitas		Escondido*		National City**		Poway		Solana Beach		Vista		Total***	
	PHHWCF	Home P/U	PHHWCF	Home P/U	V/P	Esc.	PHHWCF	Home P/U	PHHWCF	Home P/U	PHHWCF	Home P/U	PHHWCF	Home P/U	PHHWCF	Home P/U
Jul-Dec FY19	10	29	268	209	0	780	81	0	2,046	3	34	86	1,427	27	4,646	354
Jul-Dec FY20	13	7	279	235	0	882	155	0	2,315	5	43	83	1,460	34	5,147	364
Jul-Dec FY21	22	25	396	282	0	1,153	129	0	3,021	3	47	94	1,760	88	6,528	492
Jul-21	0	4	47	32	0	112	21	0	527	0	9	21	371	12	1,087	69
Aug-21	1	9	43	47	0	132	21	0	434	5	8	12	284	16	923	89
Sep-21	0	0	42	42	0	137	17	0	358	10	10	17	197	14	761	83
Oct-21	2	6	45	34	0	127	17	0	532	1	7	10	279	18	1,009	69
Nov-21	2	4	27	38	0	98	12	0	312	1	7	14	222	19	680	76
Dec-21	2	2	24	29	0	115	15	0	313	1	4	12	203	8	676	52
Jan-22	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Feb-22	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Mar-22	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Apr-22	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
May-22	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Jun-22	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Jul-Dec FY22	7	25	228	222	0	721	103	0	2,476	18	45	86	1,556	87	5,136	438
<b>TOTAL FY22</b>	<b>7</b>	<b>25</b>	<b>228</b>	<b>222</b>	<b>0</b>	<b>721</b>	<b>103</b>	<b>0</b>	<b>2,476</b>	<b>18</b>	<b>45</b>	<b>86</b>	<b>1,556</b>	<b>87</b>	<b>5,136</b>	<b>438</b>

\* Escondido - V/P = Vista/Poway facilities, Esc. = Escondido facility

\*\* National City residents utilize Chula Vista facility, \$5 co-pay (data provided by City of Chula Vista)

\*\*\* Total - PHHWCF includes all permanent facility participation by RSWA member cities (including Escondido facility)

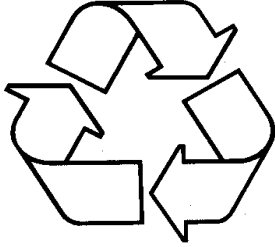
**RSWA HHW Program  
Participation and  
Volume Collected (lbs.)  
(includes HHW from all participating jurisdictions)**

	<u>Poway</u>		<u>Vista</u>		<u>Door to Door</u>		<u>Total</u>	
	Residents	Volume	Residents	Volume	Residents	Volume	Residents	Volume
<b>Jul-Dec FY19</b>	2,585	121,497	3,320	254,780	698	63,693	<b>6,603</b>	<b>439,970</b>
<b>Jul-Dec FY20</b>	2,830	124,343	3,704	286,420	846	71,603	<b>7,380</b>	<b>482,366</b>
<b>Jul-Dec FY21</b>	3,591	129,914	4,633	329,808	1,008	82,450	<b>9,232</b>	<b>542,172</b>
<b>Jul-21</b>	652	15,330	865	87,785	183	21,946	<b>1,700</b>	<b>125,061</b>
<b>Aug-21</b>	529	16,833	672	46,638	197	16,309	<b>1,398</b>	<b>79,780</b>
<b>Sep-21</b>	444	10,769	578	30,451	176	7,612	<b>1,198</b>	<b>48,832</b>
<b>Oct-21</b>	669	27,762	760	55,041	162	13,760	<b>1,591</b>	<b>96,563</b>
<b>Nov-21</b>	397	31,298	482	51,591	164	14,897	<b>1,043</b>	<b>97,786</b>
<b>Dec-21</b>	400	14,579	472	48,810	108	12,202	<b>980</b>	<b>75,591</b>
<b>Jan-22</b>	0	0	0	0	0	0	<b>0</b>	<b>0</b>
<b>Feb-22</b>	0	0	0	0	0	0	<b>0</b>	<b>0</b>
<b>Mar-22</b>	0	0	0	0	0	0	<b>0</b>	<b>0</b>
<b>Apr-22</b>	0	0	0	0	0	0	<b>0</b>	<b>0</b>
<b>May-22</b>	0	0	0	0	0	0	<b>0</b>	<b>0</b>
<b>Jun-22</b>	0	0	0	0	0	0	<b>0</b>	<b>0</b>
<b>Jul-Dec FY22</b>	3,091	116,571	0	320,316	990	86,726	<b>4,081</b>	<b>523,613</b>
<b>TOTAL FY22</b>	<b>3,091</b>	<b>116,571</b>	<b>3,829</b>	<b>320,316</b>	<b>990</b>	<b>86,726</b>	<b>7,910</b>	<b>523,613</b>
<b>Weight per Vehicle/Pickup</b>		<b>37.7</b>		<b>83.7</b>		<b>87.6</b>		<b>66.2</b>

## RSWA HHW Program Participation Paint Recycling (Oil Latex) (lbs)

	Poway	Vista
<b>July-Dec FY19</b>	<b>55,828</b>	<b>143,961</b>
<b>July-Dec FY20</b>	<b>38,530</b>	<b>142,833</b>
<b>July-Dec FY21</b>	<b>67,142</b>	<b>174,462</b>
<b>Jul-21</b>	5,930	42,464
<b>Aug-21</b>	6,651	25,227
<b>Sep-21</b>	3,689	4,001
<b>Oct-21</b>	10,743	28,143
<b>Nov-21</b>	9,244	25,057
<b>Dec-21</b>	4,576	22,560
<b>Jan-22</b>	0	0
<b>Feb-22</b>	0	0
<b>Mar-22</b>	0	0
<b>Apr-22</b>	0	0
<b>May-22</b>	0	0
<b>Jun-22</b>	0	0
<b>July-Dec FY22</b>	<b>40,833</b>	<b>147,452</b>
<b>TOTAL FY22</b>	<b>40,833</b>	<b>147,452</b>

Item 9.



**REGIONAL SOLID WASTE  
ASSOCIATION**

Member Agencies: Cities of Del Mar, Encinitas, Escondido,  
National City, Poway, Solana Beach, and Vista

To: RSWA Board Members  
 From: General Manager/General Counsel James H. Eggart  
 Subject: Legislative Update  
 Date: March 3, 2022

The following is a summary of select legislation of interest related to solid waste issues introduced and pending in the California Legislature. The status of each bill is as of February 22, 2022. One initiative measure is also discussed. Those measures which are most pertinent to RSWA will be discussed in more detail at the meeting.

**TWO YEAR BILLS**

**1. Plastic Waste Reduction**

Measure	Topic	Brief Summary
SB 54  Allen (D) Stern (D) Wiener (D)	Plastic Pollution Producer Responsibility Act	Beginning in 2032, this bill would prohibit single-use disposable packaging producers and single-use food service ware producers from selling, distributing, or importing into California any single-use disposable packaging or single-use food service ware manufactured after December 31, 2031, unless it is recyclable or compostable.  Status: Passed out of Senate and referred to Assembly on 1/24/22. Currently waiting for referral to Committee Assembly.

Measure	Topic	Brief Summary
<p>AB 478 Ting(D) Gonzalez(D) and Irwin(D)</p>	<p>Thermoform plastic containers</p>	<p>This bill would require most types of thermoform plastic containers sold by producers in California to contain no less than: 10% postconsumer recycled plastic by 2024; 20% postconsumer recycled plastic by 2027; and 30% postconsumer recycled plastic by 2030. It would also impose fees for violating these requirements. This bill would also require a producer to report, under penalty of perjury, the amount, and resin type, of virgin plastic and postconsumer recycled plastic used to manufacture the thermoform plastic containers sold or offered for sale in California in the previous calendar year. Importers of thermoform plastic containers would also be required to comply with specified reporting requirements.</p> <p>Status: No action on this bill since August 2021, but listed as an active bill and currently active and in Senate Committee process.</p>

**2. Beverage Containers**

Measure	Topic	Brief Summary
<p>SB 38 Wieckowski (D)</p>	<p>Beverage Container Distributor Stewardship</p>	<p>This bill would establish the Beverage Container Recycling Program and create an industry-run bottle and can recycling program by July 1, 2025, to replace the current Bottle Bill, which this bill revises and sunsets July 1, 2025.</p> <p>Status: Amended on 2/14/22. Currently in Assembly Committee process.</p>
<p>SB 451 Dodd (D)</p>	<p>Beverage Container Recycling Projects</p>	<p>This bill would extend and expand existing authority for pilot projects designed to improve beverage container redemption opportunities in unserved convenience zones.</p> <p>Status: No action on this bill since June 2021, but listed as an active bill and currently active and in Assembly Committee process.</p>



<p>AB 1454 Bloom (D), O'Donnell (D)</p>	<p>Bottle Drop Payments</p>	<p>This bill would require a certified bottle drop recycling program to pay the refund value electronically within three business days if the refund is not paid onsite. The bill would also authorize CalRecycle to increase certain processing and handling fee payments to certified recycling centers.</p> <p>Status: No action on this bill since June 2021, but listed as an active bill and currently active and in the Senate Committee process.</p>
<p>AB 1067 Ting (D)</p>	<p>Beverage Container Convenience Zones</p>	<p>The California Beverage Container Recycling and Litter Reduction Act requires dealers within a convenience zone where no recycling location has been established, or within a convenience zone that is unserved for 60 days and not exempt from convenience zone requirements, to alternatively (1) submit an affidavit to the department stating that the dealer has met specified standards for empty beverage container redemption or (2) pay \$100 per day to the department, for deposit into the continuously appropriated California Beverage Container Recycling Fund, until a recycling location is established or until the dealer meets the standards for redemption specified in the affidavit provisions. This bill would require the department to conduct a study inquiring whether the \$100 per day payment to the department provides inducement for dealers to meet the standards for redemption. The bill would require the department to submit to the Legislature a report regarding the study by July 1, 2023.</p> <p>Status: Passed out of the Assembly on 1/27/22 and is currently in the Senate Committee process.</p>

**3. Hazardous Waste**

<p><b>Measure</b></p>	<p><b>Topic</b></p>	<p><b>Brief Summary</b></p>
<p>SB 42 Wieckowski (D)</p>	<p>Creation of Board of Environmental Safety in DTSC</p>	<p>This bill would create the Board of Environmental Safety (“Board”) in the <u>Department of Toxic Substances Control</u>. The Board would hear and decide appeals of hazardous waste facility permit decisions; propose statutory changes for hazardous waste management; and develop a multiyear schedule for long-term goals for specified Department activities.</p> <p>Status: Passed out of the Senate on 6/1/21 and is currently in the Assembly Committee Process.</p>

**4. Organics**

Measure	Topic	Brief Summary
SB 45 Portantino (D)	Organic Waste Reduction Goals: Local Jurisdiction Assistance	<p>This bill would require CalRecycle to provide assistance to local jurisdictions, including, but not limited to, any funding appropriated by the Legislature in the annual Budget Act, for purposes of assisting local agencies to comply with SB 1383 and CalRecycle’s organic waste reduction regulations.</p> <p>Status: Gutted and amended on 1/3/22; is an entirely different bill. Passed out of the Senate and referred to the Assembly on 1/24/22. Currently in the Assembly Committee process.</p>

**5. Other Bills Related to Solid Waste**

Measure	Topic	Brief Summary
AB 649 Bennett (D)	Environmental Justice and Tribal Relations within CalRecycle	<p>This bill would establish the Office of Environmental Justice and Tribal Relations within CalRecycle. The bill would seek to ensure that the Department effectively address the needs of disadvantaged communities, low-income communities, California Native American tribes, and farmworkers.</p> <p>Status: Passed out of the Assembly on 1/27/22 and is currently in the Senate Committee process.</p>
AB 661 Bennett (D)	Recycled Material Priority	<p>This bill would require a state agency, if fitness and quality are equal, to purchase recycled products instead of nonrecycled products, without regard to cost.</p> <p>Status: Passed out of the Assembly on 1/31/22 and is currently in the Senate Committee process.</p>

**NEW BILLS INTRODUCED IN 2022 LEGISLATIVE SESSION**

**1. Hazardous Waste**

<b>Measure</b>	<b>Topic</b>	<b>Brief Summary</b>
AB 1817 Ting (D)	Prohibition of textiles containing PFAS	<p>This bill would prohibit, beginning January 1, 2024, any person from distributing, selling, or offering for sale in the state any textile articles that contain regulated PFAS, and requires a manufacturer to use the least toxic alternative when replacing regulated PFAS in textile articles to comply with these provisions.</p> <p>Status: Introduced 2/7/22. Currently in Assembly Committee Process.</p>
AB 2440 Irwin (D) & SB 1215 Newman (D)	Battery Recycling	<p>These bills would enact the Battery and Battery-Embedded Product Recycling and Fire Risk Reduction Act of 2022, which would prohibit a person from knowingly disposing of a lithium-ion battery in a container or receptacle that is intended for the collection of solid waste or recyclable materials, unless the container or receptacle is designated for the collection of batteries for recycling.</p> <p>Status: These bills were both introduced on 2/17/22 and are in the Committee process in their respective houses.</p>
SB 1256 Wieckowski (D)	Disposable propane cylinders	<p>This bill would prohibit the sale of disposable propane cylinders on and after January 1, 2028. It also authorizes a city attorney or county counsel to impose civil penalties for violations.</p> <p>Status: Introduced 2/17/21. Currently in Senate Committee process.</p>

**2. Plastics**

Measure	Topic	Brief Summary
Initiative 19-0028	Plastic Waste Reduction Regulations	<p>This ballot initiative would require CalRecycle to adopt regulations that reduce the use of single-use plastic packaging and foodware. Specifically, it would (1) require producers to ensure that single-use plastic packaging and foodware is recyclable, reusable, refillable, or compostable by 2030; (2) require producers to reduce or eliminate single-use plastic packaging or foodware that CalRecycle determines is unnecessary for product or food item delivery; (3) require producers to reduce the amount of single-use plastic packaging and foodware sold in California by at least 25 percent by 2030; (4) require producers to use recycled content and renewable materials in the production of single-use plastic packaging and foodware; (5) establish "mechanisms for convenient consumer access to recycling," including take-back programs and deposits; (6) establish and enforce labeling standards to support the sorting of discarded single-use plastic packaging and foodware; and (7) prohibit food vendors from distributing expanded polystyrene food service containers.</p> <p>It also enacts a fee, called the California Plastic Pollution Reduction Fee, on single-use plastic packaging and foodware. CalRecycle would determine the fee amount with a maximum amount of 1 cent per item of packaging or foodware. Beginning in 2030, the fee would be adjusted based on changes in the California Consumer Price Index</p> <p>Status: Qualified for November 2022 ballot.</p>
SB 1046 Eggman (D)	Pre- Checkout Bags	<p>This bill would prohibit stores from providing precheckout bags to customers that are not either compostable or made of recycled paper.</p> <p>Status: Introduced 2/15/22. Currently in Senate Committee process.</p>

<p>AB 2026 Friedman (D)</p>	<p>Plastic Packaging and Carryout Bags</p>	<p>This bill would prohibit online retailers from using single-use plastic packaging that consists of shipping envelopes, cushioning, or void fill to package or transport products. These restrictions would apply to large online retailers starting January 1, 2024, and to small online retailers starting January 1, 2026. Beginning January 1, 2025, this bill would also prohibit a manufacturer, retailer, producer, or other distributor that sells or ships products into the state from using expanded or extruded polystyrene packaging to package or transport the products, subject to certain exceptions.</p> <p>This bill would also establish the At-Store Recycling Program, which would require supermarkets and other large stores to establish an at-store recycling program that provides customers the opportunity to return clean plastic carryout bags and clean reusable bags to the store.</p> <p>Status: Introduced 2/14/22. Currently in Assembly Committee process.</p>
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**3. Other Bills Related to Solid Waste**

<b>Measure</b>	<b>Topic</b>	<b>Brief Summary</b>
AB 1690 Rivas (D)	Single-use Tobacco Products	<p>This bill would prohibit the sale of single-use cigarette filters, e-cigarettes and vape products in the state and authorize local prosecutors to levy \$500 fines for violation of the law.</p> <p>Status: Introduced 1/24/22. Currently in the Assembly Committee process.</p>
AB 1857 Garcia, C. (D)	Transformation, EMSW, or land disposal facility permits	<p>This bill would enact the Zero Waste Transition Act of 2022, which contains various measures designed to phase out the two remaining waste incineration (i.e., transformation) facilities in the state.</p> <p>Status: Introduced 2/8/22. Currently in Assembly Committee process.</p>
AB 2048 Santiago (D)	Franchise Agreement Database	<p>This bill would require CalRecycle to create and maintain a publicly accessible database of franchise agreements between contract waste and recycling haulers and public agencies.</p> <p>Status: Introduced 2/14/22. Currently in Assembly Committee process.</p>
AB 1985 Rivas, R. (D)	Edible Food Recovery Database	<p>This bill would require CalRecycle to compile and maintain on its internet website a list, organized by ZIP Code, of information regarding persons or entities that produce and have available in the state organic waste products and to update the list at least every 6 months.</p> <p>Status: Introduced 2/10/22. Currently in Assembly Committee process.</p>
SB 895 Laird (D)	Nonprofit Convenience Zone Recycler	<p>This bill would amend the Bottle Bill to reduce restrictions on nonprofit convenience zone recyclers.</p> <p>Status: Introduced 2/1/22. Currently in Senate Committee process.</p>