

**MINUTES
REGIONAL SOLID WASTE ASSOCIATION
REGULAR MEETING**

**October 6, 2022
9:00 a.m.**

**Fletcher Cove Community Center
133 Pacific Avenue
Solana Beach, CA**

BOARD MEMBERS IN ATTENDANCE:

**Council Member Ron Morrison, City of National City – RSWA Chairperson
Mayor Dwight Worden, City of Del Mar – RSWA Vice-Chairperson
Council Member Joe Green, City of Vista – RSWA Secretary
Council Member Dave Grosch, City of Poway – RSWA Treasurer
Council Member David Zito, City of Solana Beach (Alternate)
Council Member Michael Morasco, City of Escondido**

STAFF RESOURCES IN ATTENDANCE:

**James H. Eggart, General Manager/General Counsel
Phil Davis, Financial Analyst – City of National City**

1. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Chairperson Morrison called the meeting to order at 9:15 a.m.

RSWA Secretary Green led the Board in the Pledge of Allegiance.

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

None. General Manager Eggart advised the Board that David Zito was sworn in as an Alternate Board Member for the City of Solana Beach prior to the meeting.

3. ORAL COMMUNICATIONS

None.

4. **CONSENT CALENDAR**

The consent calendar included the following items:

- A. Minutes of the June 30, 2022, Meeting of the Board of the Regional Solid Waste Association – Recommended Action: Receive and File.
- B. RSWA Website Activity Report for the First Quarter FY 22/23 – Recommended Action: Receive and File.

MOTION WAS MADE TO APPROVE THE CONSENT CALENDAR.

(Motion by Secretary Green, City of Vista / Second by Treasurer Grosch, City of Poway). Motion was approved by a vote of 6 ayes, 0 nays, and 0 abstentions, with 1 absent.

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

5. **AMENDMENT NO. 2 TO AGREEMENT FOR TRANSFER AND DISPOSAL SERVICES – ACTION ITEM**

General Manager Eggart and the Board Subcommittee consisting of Chairperson Morrison, Vice-Chairperson Worden, and Treasurer Grosch provided a report to the Board regarding the proposed amendment to the Agreement for Transfer and Disposal Services Between RSWA and EDCO Disposal Corp. A staff report and copy of the proposed amendment was included in the Board's agenda packet and made available to the public. It was noted that the terms of the proposed amendment had been provided to each RSWA member's city manager in advance of publication of the agenda packet. Steve South from EDCO addressed the Board. The Board discussed the amendment. Chairperson Morrison noted that the City of Escondido representative was not entitled to vote on this matter.

MOTION WAS MADE TO APPROVE AMENDMENT NO. 2 TO THE AGREEMENT FOR TRANSFER AND DISPOSAL SERVICES WITH EDCO DISPOSAL CORP. AS PRESENTED AND AUTHORIZE THE CHAIRPERSON TO EXECUTE THE AMENDMENT ON BEHALF OF RSWA.

(Motion by Secretary Green, City of Vista / Second by Vice-Chairperson Worden, City of Del Mar). Motion was approved by a vote of 5 ayes, 0 nays, and 1 abstention, with 1 absent.

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

6. **SB 1383 COMPLIANCE FUNDING AND PROPOSED AMENDMENT TO AGREEMENT FOR PROFESSIONAL SERVICES BETWEEN RSWA AND SOLANA CENTER FOR ENVIRONMENTAL INNOVATION – ACTION ITEM**

General Manager Eggart provided a report to the Board regarding the proposed revised scope of work, pricing, terms, and budget for a potential amendment to the agreement between RSWA and Solana Center for Environmental Innovation for SB 1383 compliance support services. He noted that a copy of the proposed scope of work and pricing had been provided to the RSWA member cities and he solicited the cities' input before it was finalized. It was noted that under the proposal, the term of the agreement would be extended through June 30, 2023, RSWA would pay for program management costs for the services utilized by the cities, with the cost capped at \$40,000, and that RSWA would also pay up to an additional \$25,000 of the initial costs the cities incur, which would be split proportionately between the cities based roughly on the number of Tier 1 and Tier 2 businesses and food recovery agencies in each city. It was also noted that the Board had previously given the General Manager authority to enter into amendments to the agreement on behalf of RSWA, provided the cost did not exceed funds budgeted by the Board, and that item 7.D. on the Agenda included a proposed budget adjustment. A staff report and copy of the proposed scope of work was included in the Board's agenda packet and made available to the public. The Board discussed the matter. Chairperson Morrison noted that the City of Escondido representative was not entitled to vote on this matter.

MOTION WAS MADE TO AUTHORIZE GENERAL COUNSEL TO MOVE FORWARD WITH ENTERING INTO THE AMENDMENT TO AGREEMENT FOR PROFESSIONAL SERVICES BETWEEN RSWA AND SOLANA CENTER FOR ENVIRONMENTAL INNOVATION IN ACCORDANCE WITH THE TERMS SET FORTH IN THE STAFF REPORT.

(Motion by Vice-Chairperson Worden, City of Del Mar / Second by Secretary Green, City of Vista). Motion was approved by a vote of 5 ayes, and 0 nays, 1 abstention, with 1 absent.

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

7. **FINANCE AND BUDGET – INFORMATION AND ACTION ITEMS**

A. Final Financial Reports for FY 2021/2022 – Information Item (Receive and File)

Treasurer Grosch, General Manager Eggart and Fiduciary Agent Davis of the City of National City reviewed the final budget status and cash activity reports for FY 2021/2022. Details were provided to the Board Members and public in their respective agenda packets. The reports show final revenues of \$343,478, or about 101% of the budgeted amount, and final expenditures of \$496,790, or about 99% of the adjusted budgeted amount for FY 2021/2022. As of June 30, 2022, RSWA

had a fund balance of \$322,632, which included \$80,000 in reserves for HHW facility closures.

MOTION WAS MADE TO RECEIVE AND FILE THE FINAL FINANCIAL REPORTS FOR FY 2021/2022 AS PRESENTED.

(Motion by Secretary Green, City of Vista / Second by Vice-Chairperson Worden, City of Del Mar). Motion was approved by a vote of 6 ayes, 0 nays, and 0 abstentions, with 1 absent.

Ayes: Morrison, Worden, Green, Grosch, Zito, Morasco

Nays:

Abstain:

Absent: Blakespear

B. Investment Report for the First Quarter of Fiscal Year 2022/2023 – Information Item (Receive and File)

Treasurer Grosch, General Manger Eggart, and Fiduciary Agent Davis of the City of National City reviewed the investment report as of September 30, 2022. All of RSWA's funds are invested in the City of National City's portfolio. As of September 30, 2022, RSWA had an invested cash balance of \$326,104. Details on the City of National City's portfolio and investment activity through June 30, 2022, was provided to the Board Members in their respective agenda packets.

MOTION WAS MADE TO RECEIVE AND FILE THE INVESTMENT REPORT FOR THE FIRST QUARTER OF FISCAL YEAR 2022/2023 AS PRESENTED.

(Motion by Treasurer Grosch, City of Poway / Second by Board Member Morasco, City of Escondido). Motion was approved by a vote of 6 ayes, 0 nays, and 0 abstentions, with 1 absent.

Ayes: Morrison, Worden, Green, Grosch, Zito, Morasco

Nays:

Abstain:

Absent: Blakespear

C. Budget and Expenditure Status for the First Quarter of Fiscal Year 2022/2023 – Information Item (Receive and File)

Treasurer Grosch, General Manger Eggart and Fiduciary Agent Davis of the City of National City reviewed the Financial Status and Cash Activity Reports for the First Quarter of FY 2022/2023. Details were provided to the Board Members and public in their respective agenda packets. The reports show revenues of \$68,914 and expenditures of \$71,991, as of September 30, 2022. As of September 30, 2022, RSWA had a fund balance of \$326,104, which includes \$80,000 in reserves for HHW facility closures.

MOTION WAS MADE TO RECEIVE AND FILE THE FINANCIAL STATUS AND CASH ACTIVITY REPORTS FOR THE FIRST QUARTER OF FISCAL YUEAR 2022/2023 AS PRESENTED.

(Motion by Secretary Green, City of Vista / Second by Treasurer Grosch, City of Poway). Motion was approved by a vote of 6 ayes, 0 nays, and 0 abstentions, with 1 absent.

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

D. Fiscal Year 2022/2023 Budget Adjustments – Action Item.

General Manager Eggart discussed the report on proposed adjustments to the Fiscal Year 2022/2023 Budget. The recommended action was to approve the adjustments to the Fiscal Year 2022/2023 Budget.

General Manger Eggart reviewed, and the Board discussed, proposed adjustments to the adopted Budget for Fiscal Year 2022/2023. A staff report and proposed Amended Budget detailing the proposed Budget adjustments was provided to the Board Members and the public in the agenda packet. The proposed Budget adjustments included (1) increasing the revenues budget to reflect an additional \$50,000 resulting from the approved contract amendment with EDCO, (2) increasing the expenditure budget SB 1383 compliance funding by \$50,000 to fund the proposed amendment to the agreement with Solana Center for Environmental Innovation, and (3) increasing the expenditure budget for website maintenance to reflect actual costs. Total anticipated revenues under the proposed Amended Budget increased from \$359,852 to \$409,852. Total expenditures under the proposed Amended Budget increasec from \$397,979 to \$448,039. The recommended action was to approve the proposed adjustments and Amended Budget for Fiscal Year 2022/2023.

MOTION WAS MADE TO APPROVE THE PROPOSED BUDGET ADJUSTMENT AND AMENDED BUDGET FOR FISCAL YEAR 2022/2023 AS PRESENTED.

(Motion by Secretary Green, City of Vista / Second by Alternate Board Member Zito, City of Solana Beach). Motion was approved by a vote of 6 ayes, 0 nays, and 0 abstentions, with 1 absent.

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

E. Report on Environmental Enhancement Program and HHW & Organic Waste Education Distributions – Information Item (Receive and File)

General Manager Eggart provided a report on the Environmental Enhancement Program and Educational Appropriation distributions to the RSWA member cities. Details were provided to the Board Members in their respective agenda packets.

MOTION WAS MADE TO RECEIVE AND FILE THE ENVIRONMENTAL ENHANCEMENT PROGRAM AND HHW & ORGANIC WASTE EDUCATION DISTRIBUTIONS REPORT AS PRESENTED.

(Motion by Secretary Green, City of Vista / Second by Treasurer Grosch, City of Poway).
Motion was approved by a vote of 6 ayes, 0 nays, and 0 abstentions, with 1 absent.

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

With the consent of the Board, Chairperson Morrison advanced items 9.A – 9.D.

9. ADMINISTRATIVE MATTERS – INFORMATION AND ACTION ITEMS

A. Review Future Meeting Schedule – Possible Action Item

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

January 5, 2023
April 6, 2023
July 6, 2023

The Board discussed holding another meeting in early December to ensure a quorum of the Board would be present.

MOTION WAS MADE TO MOVE THE DATE AND TIME OF THE JANUARY 5, 2023, REGULAR BOARD MEETING TO DECEMBER 1, 2022 AT 8:30 A.M. AT FLETCHER COVE COMMUNITY CENTER IN SOLANA BEACH.

(Motion by Secretary Green, City of Vista / Second by Treasurer Grosch, City of Poway).
Motion was approved by a vote of 6 ayes, 0 nays, and 0 abstentions, with 1 absent.

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

B. Approval of Board Member and General Manager Attendance at and Reimbursement of Conference Expenses for all Meetings, Including Out of State Meetings, of the Following Organizations (“List of Accepted Organizations and Conferences”) – Action Item

1. SWANA (Solid Waste Association of North America) sponsored conferences and SWANA chapter meetings.
2. Waste 360 – Waste Age and Waste Expo Events, including WasteExpo.
3. NSWMA (National Solid Waste Management Association) and WASTEC (Waste Equipment Technology Association) sponsored conferences.
4. NAHMMA (North American Hazardous Materials Management Association) sponsored conferences and meetings.
5. National Recycling Coalition sponsored events.
6. California Department of Resources Recycling and Recovery (CalRecycle) sponsored events.
7. San Diego Food System Alliance sponsored events.

General Manager Eggart recommended the Board approve Board Member and General Manager attendance at meetings, including out of state meetings, on the List of Accepted Organizations and Conferences, and the reimbursement of associated expenses. This includes authorization for reimbursement of actual costs for attendance that exceed \$1,000.

MOTION WAS MADE TO APPROVE BOARD MEMBER AND GENERAL MANAGER ATTENDANCE AT, AND REIMBURSEMENT OF EXPENSES INCURRED FOR, MEETINGS AND CONFERENCES, INCLUDING OUT-OF-STATE MEETINGS AND CONFERENCES, OF THE ORGANIZATIONS LISTED ON THE LIST OF ACCEPTED ORGANIZATIONS AND CONFERENCES PRESENTED AT THE MEETING, INCLUDING AUTHORIZATION FOR REIMBURSEMENT OF ACTUAL COSTS FOR ATTENDANCE THAT EXCEED \$1,000.

(Motion by Board Member Morasco, City of Escondido / Second by Board Member Zito, City of Solana Beach). Motion was approved by a vote of 6 ayes, 0 nays, and 0 abstentions, with 1 absent.

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

C. Update on Potential Educational Conference Attendance – Information Item

This item was scheduled for review of information on upcoming educational conferences. General Manager Eggart provided the Board with information about (1) the upcoming WASTECON conference to be held from December 5th through 8th at the San Diego Convention Center and (2) the WasteExpo conference scheduled for May 1-4 in New Orleans.

D. Reports by Board Members and/or RSWA Staff Regarding Conferences Attended – Information Item

This item was scheduled to provide an opportunity for Board Members or RSWA staff to report on conferences attended. There were no reports.

Board Member Morasco left the meeting at 10:00 a.m.

8. HOUSEHOLD HAZARDOUS WASTE (HHW), ORGANIC WASTE AND OTHER SOLID WASTE ISSUES – INFORMATION AND POSSIBLE ACTION ITEM(S)

A. HHW Participation Reports – Information Item

General Manager Eggart reported to the Board that the HHW Participation Reports would be presented at a future meeting.

B. Legislative Update – Information Item

General Manager Eggart advised the Board on pending legislation of interest relating to solid waste, organic waste, recycling, and household hazardous waste and provided a PowerPoint presentation. A memorandum was provided in the agenda packet and supplement provided to the Board Members and the public. No action was taken.

C. Update on HHW Issues, Organic Waste Disposal Issues and Other Potential Future Issues – Information Item.

This item was scheduled for the Board to be updated on other current household hazardous waste, organic waste, and solid waste issues, and other potential future issues affecting RSWA. General Manager Eggart provided a brief report. No action was taken.

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

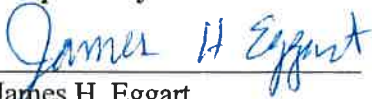
General Manager Eggart advised the Board about the Biennial Conflict of Interest Code review and that he had advised the County that no changes to RSWA's recently adopted Conflict of Interest Code was necessary.

No Board Members made comments.

11. **ADJOURNMENT**

Chairperson Morrison adjourned the meeting at 10:38 a.m. to the rescheduled regular meeting of December 1, 2022, at 8:30 a.m. to be held at the Fletcher Cove Community Center, 133 Pacific Avenue, Solana Beach, California.

Respectfully Submitted:


James H. Eggart
General Manager

Approved:

Joe Green
RSWA Secretary