

**MINUTES
REGIONAL SOLID WASTE ASSOCIATION
REGULAR MEETING**

**April 2, 2015
9:00 a.m.**

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

BOARD MEMBERS IN ATTENDANCE:

**Council Member Terry Sinnott, City of Del Mar – RSWA Treasurer
Council Member Mark Muir, City of Encinitas
Council Member Michael Morasco, City of Escondido
Mayor Ron Morrison, City of National City – RSWA Chairperson
Council Member Peter Zahn, City of Solana Beach – (Alternate)
Deputy Mayor Dave Grosch, City of Poway
Council Member Cody Campbell, City of Vista**

STAFF RESOURCES IN ATTENDANCE:

**Thomas F. Nixon, General Manager/General Counsel
Dale Nielsen, Finance Manager/Treasurer – City of Vista**

1. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Chairperson Morrison called the meeting to order at 9:10 a.m. All Board members were present.

Chairperson Morrison led the Board in the Pledge of Allegiance.

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

There were no new Board members to be sworn-in. General Manager Nixon reported that Alternate Board Member Zahn was sworn in prior to the meeting.

3. ORAL COMMUNICATIONS

This item was scheduled to provide an opportunity for public testimony on matters within the jurisdiction of the Association.

There were no oral communications presented.

4. **CONSENT CALENDAR**

- A. The consent calendar included the receipt and filing of the Regular Board Meeting Minutes of January 8, 2015.

MOTION WAS MADE TO APPROVE THE CONSENT CALENDAR. (Motion by Board Member Muir, City of Encinitas / Second by Board Member Morasco, City of Escondido.) Motion was approved by a vote of 6 ayes, 0 nays, and 1 abstain.

Ayes: Campbell, Grosch, Morasco, Morrison, Muir, Sinnott

Nays:

Abstain: Zahn

Absent:

5. **ELECTION OF OFFICERS – ACTION ITEM**

This item was scheduled for the election of officers. The last election of officers was held at the April 3, 2014 Board meeting.

MOTION WAS MADE TO REAPPOINT EXISTING OFFICERS AS FOLLOWS: RON MORRISON – CHAIRPERSON; MIKE NICHOLS – VICE CHAIRPERSON; TERRY SINNOTT – TREASURER. (Motion by Board Member Muir, City of Encinitas / Second by Board Member Grosch, City of Poway.) Motion was approved by a vote of 7 ayes, 0 nays.

Ayes: Campbell, Grosch, Morasco, Morrison, Muir, Sinnott, Zahn

Nays:

Abstain:

Absent:

MOTION WAS MADE TO APPOINT DAVE GROSCH AS SECRETARY. (Motion by Board Member Muir, City of Encinitas / Second by Board Member Morasco, City of Escondido). Motion was approved by a vote of 7 ayes, 0 nays.

Ayes: Campbell, Grosch, Morasco, Morrison, Muir, Sinnott, Zahn

Nays:

Abstain:

Absent:

6. **SOLID WASTE DISPOSAL CONTRACT RATE – INFORMATION ITEM**

General Manager updated the Board on the annual disposal rate adjustment and advised the Board that there is no increase in the disposal rate.

7. **PRESENTATION TO BOARD OF DIRECTORS**

Charlene Graham, CalRecycle's Local Government Liaison, provided a presentation to the Board regarding Assembly Bill 1826 which establishes requirements for recycling of organic waste.

Ms. Graham provided a historical overview of recycling and waste diversion efforts in California since 1972. She then focused on state and local composting and diversion of organic wastes. The City of Encinitas has worked with the local school district to implement a food waste diversion and composting program in schools. The City of San Diego is operating a composting program at the Miramar Landfill. The City of Vista has implemented an onsite composting project using worms.

Ms. Graham stated that the State mandate for recycling commercial organic waste applies initially in 2016 to businesses generating 8 or more cubic yards of waste per week and beginning in 2017 will apply to businesses generating 4 or more cubic years of waste per week. She noted that EDCO Disposal Company is diverting green organic waste generated in the cities it serves to a ranch in Temecula.

Ms. Graham spoke of the need for facilities to be developed locally to receive organic waste from commercial facilities. To date, there is no collection of residential food waste. While onsite residential composting of food waste would be best, Ms. Graham believes that anaerobic digestion facilities will likely be developed to receive food waste. Restaurants and grocery stores may also be able to divert some food organics to food organizations.

Board Member Morasco left the meeting at 9: 54 a.m.

8 **FINANCE AND BUDGET - INFORMATION & ACTION ITEMS**

A. **RSWA Investment Report for the Third Quarter of Fiscal Year 2014/2015 – Information Item (Receive and File)**

Treasurer Sinnott, General Manager Nixon and Fiduciary Agent Dale Nielsen of the City of Vista reviewed the investment report as of March 20, 2015.

MOTION WAS MADE TO RECEIVE AND FILE THE INVESTMENT REPORT. (Motion by Board Treasurer Sinnott, City of Del Mar / Second by Board Member Muir, City of Encinitas.) Motion was approved by a vote of 6 ayes, 0 nays, and 1 absent.

Ayes: Campbell, Grosch, Morrison, Muir, Sinnott, Zahn

Nays:

Abstain:

Absent: Morasco

B. Review Budget and Expenditure Status for the Third Quarter of Fiscal Year 2014/2015 – Information Item (Receive and File)

Treasurer Sinnott, General Manager Nixon and Fiduciary Agent Dale Nielson of the City of Vista reviewed the second quarter budget and expenditure status as of March 20, 2015.

Chairperson Morrison stated that the budget and expenditure status would be deemed received and filed.

C. Review FY 2015/2016 and FY 2016/17 Budget Process – Possible Action

General Manager Nixon reviewed the past practice of annually appointing a budget subcommittee. He stated that the budget subcommittee for the past year was Chairperson Morrison, Treasurer Sinnott and Board Member Mullin.

MOTION WAS MADE TO APPOINT THE BUDGET SUBCOMMITTEE OF CHAIRPERSON MORRISON, TREASURER SINNOTT AND VICE CHAIRPERSON NICHOLS. (Motion by Board Treasurer Sinnott, City of Del Mar / Second by Board Member Grosch, City of Poway.) Motion was approved by a vote of 6 ayes, 0 nays, and 1 absent.

Ayes: Campbell, Grosch, Morrison, Muir, Sinnott, Zahn

Nays:

Abstain:

Absent: Morasco

D. Consultant Services Agreement – Renewal – Possible Action

The Board of Directors reviewed the extension of the Consultant Services Agreement with Woodruff, Spradlin & Smart for General Manager and legal support services.

MOTION WAS MADE TO APPROVE THE CONSULTANT SERVICES AGREEMENT WITH WOODRUFF, SPRADLIN & SMART FOR GENERAL MANAGER AND LEGAL SERVICES. (Motion by Board Member Muir, City of Encinitas / Second by Board Member Grosch, City of Poway.) Motion was approved by a vote of 6 ayes, 0 nays, and 1 absent.

Ayes: Campbell, Grosch, Morrison, Muir, Sinnott, Zahn

Nays:

Abstain:

Absent: Morasco

9. **HOUSEHOLD HAZARDOUS WASTE (HHW) ISSUES – INFORMATION AND POSSIBLE ACTION**

A. **Approval of Amendment to the Household Hazardous Waste Contract Between EDCO and RSWA – Action Item**

General Manager Nixon presented an Amendment No. 3 to the HHW Agreement between RSWA and EDCO to the Board. The Amendment No. 3 includes the new pricing for HHW services.

MOTION WAS MADE TO APPROVE AMENDMENT NO. 3 TO AGREEMENT FOR HOUSEHOLD HAZARDOUS WASTE SERVICES BETWEEN REGIONAL SOLID WASTE ASSOCIATION AND EDCO DISPOSAL SERVICES. (Motion by Board Member Muir, City of Encinitas / Second by Alternate Board Member Zahn, City of Solana Beach.) Motion was approved by a vote of 6 ayes, 0 nays, and 1 absent.

Ayes: Campbell, Grosch, Morrison, Muir, Sinnott, Zahn
Nays:
Abstain:
Absent: Morasco

B. **Approval of Updated Inter-Jurisdictional Agreement with the City of San Marcos for the Use of Household Waste Facilities – Action Item**

General Manager Nixon presented the updated inter-jurisdictional agreement with the City of San Marcos for the use of household hazardous waste facilities.

MOTION WAS MADE TO APPROVE THE INTER-JURISDICTIONAL AGREEMENT WITH THE CITY OF SAN MARCOS FOR USE OF HOUSEHOLD HAZARDOUS WASTE FACILITIES. (Motion by Board Member Muir, City of Encinitas / Second by Board Treasurer Sinnott, City of Del Mar.) Motion was approved by a vote of 6 ayes, 0 nays, and 1 absent.

Ayes: Campbell, Grosch, Morrison, Muir, Sinnott, Zahn
Nays:
Abstain:
Absent: Morasco

C. **HHW Participation Reports – Information Item**

Bill Wilson of the City of Encinitas reviewed the HHW participation reports for the Board.

D. Update on HHW Items – Information Item

General Manager Nixon updated the Board on the pending litigation filed by the pharmaceutical industry against the County of Alameda regarding the County's drug take-back program. Previously, the Ninth Circuit Court of Appeals had upheld the validity of the drug take-back program. Since that time, the pharmaceutical industry requested that the United States Supreme Court review the case. General Manager Nixon stated that it is optional for the United States Supreme Court to accept a case for review and that only a small percentage of requests for review are granted. The odds are against the case being accepted for review.

General Manager Nixon also updated the Board on the challenge by the paint industry to the State of California regulations implementing the Paintcare program. On February 3, 2015, the Court of Appeal affirmed the ruling of the trial court upholding CalRecycle's Paintcare regulations.

10. ADMINISTRATIVE MATTERS – POSSIBLE ACTION ITEMS

A. Review Future Meeting Schedule – Possible Action Item

July 2, 2015
October 1, 2015
January 7, 2016

This item was scheduled for discussion and approval of the future meeting schedule. After discussion of scheduling of the July Board meeting, the Board made no changes to the current meeting schedule.

B. Update on Potential Educational Conference Attendance – Action Item

General Manager Nixon stated that there was still an opportunity for any Board member who wanted to attend the WasteExpo conference in Las Vegas to do so.

C. 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. No conferences were attended since the last Board meeting.

11. COMMENTS FROM ASSOCIATION MEMBERS AND GENERAL MANAGER

There were no comments offered by Board Members.

12. ADJOURNMENT

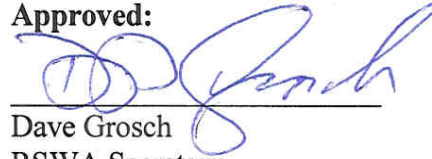
The Chairperson adjourned the meeting at 10:35 a.m. to the meeting of July 2, 2015 at 9:00 a.m. at the Fletcher Cove Community Center, 133 Pacific Avenue, Solana Beach.

Respectfully Submitted:



Thomas F. Nixon
General Manager

Approved:



Dave Grosch
RSWA Secretary