

AGENDA

DEL NORTE SOLID WASTE MANAGEMENT AUTHORITY CITY OF CRESCENT CITY COUNTY OF DEL NORTE STATE OF CALIFORNIA

Board of Supervisors Chambers
Flynn Center 981 H Street
Crescent City, CA

Regular Session Wednesday April 9, 2014 3:30 PM

+++++
The Solid Waste Management Authority of the City of Crescent City and the County of Del Norte, State of California, is now meeting in Regular Session. Only those items that indicate a specific time will be heard at the assigned time. All items may be taken out of sequence to accommodate public and staff availability.

+++++
All documents referred to in this agenda are available at the Office of the Del Norte Solid Waste Management Authority at 1700 State Street in Crescent City, between the hours of 8 A.M. and 5 P.M. Monday through Friday OR online at www.recycledelnorte.ca.gov

For more information call 465-1100 or email dnswwma@recycledelnorte.ca.gov

3:30 PM CALL MEETING TO ORDER

PLEASE NOTE: The Board will hold closed Sessions (if scheduled and necessary) at the end of the open portion of the meeting.

PUBLIC COMMENTS:

3:30 PM ANY MEMBER OF THE PUBLIC MAY ADDRESS THE SOLID WASTE MANAGEMENT AUTHORITY ON ANY MATTER ON OR OFF THE AGENDA. After receiving recognition from the Chair, please give your name and address for the record. Comments will be limited to three minutes.

1. DEL NORTE SOLID WASTE TASK FORCE

1.1 Discussion about meeting of March 31, 2014. **

2. CONSENT AGENDA

- 2.1 Approve minutes, Regular Session, Wednesday March 12, 2014. **
- 2.2 Approve minutes, Special Session, Tuesday April 1, 2014. **
- 2.3 Approve budget transfer in the amount of \$26,000.00 **
- 2.4 Receive Annual Transfer Station Methods Reports submitted to CalRecycle for 2013. **
- 2.5 Approve Contract with Bickmore to complete annual OPEB / GASB 45 actuarial valuation process for an amount not to exceed \$3,150. **
- 2.6 Approve request from Yurok Tribe for waiving disposal fees associated with 13th Annual Klamath River Cleanup on May 10th. **

END CONSENT AGENDA

3. DIRECTOR'S & TREASURER'S REPORTS

Agenda items 3.1 through 3.5 are provided for information only

- 3.1 Acting Director's Report **
- 3.2 Treasurer/Controller Report for February 2014 **
- 3.3 Claims approved by Treasurer & Director for March 2014 **
- 3.4 Monthly Cash and Charge Reports for March 2014 **
- 3.5 Earned Revenue Comparisons between FY12/13 and FY13/14 **

END DIRECTOR'S & TREASURER'S REPORTS

DISCUSSION/ACTION ITEMS

4. LANDFILL POSTCLOSURE

- 4.1 Discussion and possible action regarding submittal of request to CalRecycle regarding reduction in the Post-Closure Maintenance Financial Assurance Multiplier for the Crescent City Landfill. **
- 4.2 Discussion and possible action regarding outstanding unpaid balance of Waste Discharge Requirement Fee, preliminary data from landfill Investigation wells, and Change Order 1 with Busch Geotechnical Consultants for extra work associated with Borehole / Well Installation Monitoring and Advice and Review regarding Preliminary Report regarding these Investigation Wells for the Regional Water Quality Control Board, for an amount not to exceed \$ 8,500.00 **

5. COLLECTIONS FRANCHISE

- 5.1 Discussion and possible action regarding Green Ribbon Awards and public outreach planned in coordination with Recology Del Norte for the Youth and Family Fair on April 26, 2014 from 11 AM to 2 PM at the Del Norte County Fairgrounds. **

6. TRANSFER STATION – No Items

7. GENERAL SOLID WASTE AUTHORITY MATTERS

- 7.1 Discussion and possible action regarding development, implementation and monitoring of additional fiscal controls addressing regular practices of the Del Norte Solid Waste Management Authority. **
- 7.2 Discussion and possible action regarding process for recruiting and appointing the public Commissioner of the Del Norte Solid Waste Management Authority. **
- 7.3 Discussion and possible action regarding potential future strategic planning efforts for the Del Norte Solid Waste Management Authority. **
- 7.4 Discussion and possible action regarding memo from Authority legal counsel Martha Rice regarding the relationship between AB 341 and Authority Ordinances. **
- 7.5 Discussion and possible action regarding re-introducing and waiving the first reading of Authority Ordinance 2014-02, regarding Flow Control and Franchises. **
- 7.6 Discussion and possible action regarding any additional comments to be submitted by Commissioners on R3 Consulting Group's Draft Report Assessment of the Del Norte Solid Waste Management Authority. **
- 7.7 Discussion regarding status of FY 13/14 budget and expenditures and process for preparing and approving budget for FY 14/15. **
- 7.8 Discussion and possible action regarding sending letters of support for AB 1843 (Jackson) regarding pharmaceutical take-back and producer responsibility. **

CLOSED SESSION: PUBLIC EMPLOYEE PERFORMANCE EVALUATION (Gov. Code 54957) Title: Program Manager/Acting Director

**** Asterisks next to Agenda Item indicates an associated attachment**

DEL NORTE SOLID WASTE TASK FORCE
DRAFT Minutes for meeting of Monday, March 31, 2014
5:30 – 7:30 p.m.
Ocean View Inn
270 Hwy 101 South
Crescent City, CA

Present: Wes Nunn, Chair
Brad Cass
Ralph Dickey
Andy Larson
Mary Wilson
Joel Wallen

Absent: Dave Mason
Pat Black
Ray Martell
Richard Miles

Also Present: Tedd Ward, M.S. – Authority Program Manager / Acting Director

ITEMS FOR DISCUSSION AND POSSIBLE ACTION:

1. Chair Nunn called the meeting to order at 5:34 PM.
2. Discussion and possible action regarding approval of minutes of the January 30, 2014 Del Norte Solid Waste Task Force Meeting. Mary Wilson moved and Ralph Dickey seconded a motion to approve the minutes. The motion passed with two abstentions.
3. Public comment. Any member of the public is welcome to make comments on matters regarding solid waste issues in Del Norte County. Comment is limited to three (3) minutes per person.
4. Discussion and possible action regarding the implementation of a 'Household Hazardous Waste' report. The intention for this item was to discuss the five year review. Director Ward said he could bring more information, including potential target dates for sub-tasks on this issue to the next meeting.
5. Discussion and possible action of any recommendations that may be made to the DNSWMA Board regarding the R3 draft report. Joel Wallen noted that the Authority will be discussing this tomorrow afternoon at the Fire Hall on Washington Blvd. at 3 PM. Discussion followed.
6. Discussion and possible action towards changing the regular calendar for Task Force meetings to a date accommodating as many members as possible and for

consideration of holding Task Force meetings every two months. Chair Nunn noted he didn't hear from anyone other than Pat Black. Joel Wallen spoke in favor of meeting every other month. Mary Wilson moved that the regular meeting be the first Monday of the month, specifying the next two meetings be in May and June, and the meeting following that to be in August. Ralph Dickey seconded that motion. Motion passed unanimously.

7. Report from Ray Martell and Tedd Ward. Director Ward explained that the reason for this item was an e-mail from Mr. Martell showing several ways that he misunderstood the roles, function and history of the Authority. As the Task Force will likely be engaged on the 5-year review and Mr. Martell had not attended several recent meetings, Ward said that perhaps this item could be addressed sometime later. Chair Nunn tabled the item indefinitely.
8. Continued discussion with regards to inviting members from the public for tips on waste management and recycling. Director Ward invited everyone to attend the Youth and Family Fair 11 AM to 2 PM to help with the promotions. Mary recommended promoting 'Free TV recycling.'
9. Discussion regarding any subject or concern by any member of the Solid Waste Task Force. Any new items requiring action will be placed on the agenda for the following meeting. Chair Nunn said he would communicate with members who have not attended meetings recently without prior notice, referencing the By-laws. Ralph Dickey moved that the Authority provide some guidance regarding the number of members of the Solid Waste Task Force for future appointments, then withdrew that motion.

Mary Wilson commented on a voucher program she was aware of in San Diego, and discussion followed about how illegal dumping & individual community cleanup efforts are supported.
10. Adjournment. The next meeting of the Del Norte Solid Waste Task Force will be May 5th. The meeting was adjourned at 6:45 PM.

MINUTES

DEL NORTE SOLID WASTE MANAGEMENT AUTHORITY CITY OF CRESCENT CITY COUNTY OF DEL NORTE STATE OF CALIFORNIA

Regular Session, Wednesday March 12, 2014 @ 3:30 PM

PRESENT: Commissioner Ron Gastineau, City
Commissioner Roger Gitlin, County, Chair
Commissioner Rick Holley, City, Vice-Chair
Commissioner Mike Sullivan, County
Commissioner Mary Wilson, Public, Clerk
Legal Counsel Martha Rice
Treasurer/Controller Richard Taylor
Acting Director/Program Manager Tedd Ward

ABSENT: None

ALSO PRESENT: Wes Nunn, Solid Waste Task Force
Wilma Madden, PS Business Services
Tommy Sparrow, Recology Del Norte
Joel Wallen, Hambro's/WSG
Clint Schaad, Del Norte County Auditor
Jay Sarina, Del Norte County CAO
Richard Taylor, Authority Treasurer / Controller

3:30 PM CALL MEETING TO ORDER

Chairman Gitlin opened the meeting in regular session at 3:30 p.m.

Chairman Gitlin announced that they were removing Item 7.1 from agenda as they did not have final report from the Sheriff's Department and the analysis is incomplete. Chairman Gitlin also announced that no discussion will be held on item 7.2 as it is a preliminary report.

3:30 PM PUBLIC COMMENTS

The following person(s) addressed the Authority:

Elizabeth Henry read and handed out a letter regarding the R3 preliminary draft report.

Patricia Black, City resident and member of the task force, acknowledged the R3 report is a draft and was pleased that the Solid Waste Authority was the best method. She indicated she wants the economically best solution. Ms. Black added that she was not happy that the report did not mention what the other joint powers authorities are responsible for with regard to the staffing. Chairman Gitlin pointed out that the report is preliminary. Ms. Black commented on the educational aspect being handled by Recology and wanted to know who would then pay for that education. She added that they need to know what the goals are.

Norma Williams commented on the R3 report and reminded the Commission that they are required to have a "meet and confer" under State law for the changes in the possible privatization of gate staff. She cited a Costa Mesa legal case. Ms. Williams added that she supported the union staff and the non-represented management staff. Chairman Gitlin asked Martha Rice if they were in any violation in relation to Norma's claim. Ms. Rice responded that this is a preliminary report, so there is no violation as yet.

Kathryn Murray asked if 7.3 and 7.4, the invoices for R3, are going to be discussed as well, since the Chairman had acknowledged the report was incomplete. She stated she did not feel they should be paid if the report is incomplete.

Eileen Cooper, county resident and customer, noted her concern about the issues she read in the newspaper, such as financial oversight. She asked why the Commission would wish to lessen the oversight of funds. Ms. Cooper then commented on the Commission being responsible for the environmental concerns related to the closure of the landfill. The City and County contributed in the past to that financial obligation. Ms. Cooper stated that she did not feel it was appropriate to privatize that aspect.

Mike Thompkins commented on the R3 report and that Acting Director Ward's response to the report was well written. He added that Ms. Rice's and Mr. Taylor's written responses were also well written and should be fully considered. He added that he did not feel that payments to R3 should be made until a more comprehensive report is presented by R3. He also wanted to see environmentally and ecologically responsible disposal of hazardous material. In addition, he wanted to see more responsible pricing for the public as well.

Kevin Hendrick, County resident, asked why they were having an agenda item for which they are not accepting public comment.

Ralph Johansson, resident of the county, presented a letter regarding the R3 report. He asked how many members of the Commission read the R3 report. There is no meat to the R3 report, in his opinion, and he wondered why they (Commission) were paying such a substantial sum for preparation of a "fluff" report. He wanted to know what the actual agenda was, and commented on the affect to the employees. He added there was no trenchant analysis here for the board to rely upon. He hoped this board would not be responsible for deterioration of this JPA.

Commissioner Holley indicated he had comments he wished to make regarding the 7.2 item. Chairman Gitlin responded they were prepared to discuss item 7.2, but he received call from R3 indicating that the report was not ready to be discussed in public, as it was only a preliminary draft.

Chairman Gitlin added that R3 will be submitting another report containing additional information. The report will be discussed at a future meeting to be scheduled during this meeting. Commissioner Holly asked how the information would be relayed to R3 and asked what the timeline was for doing so. Ms. Rice pointed out they would need a motion and a 2nd to put Item 7.2 back on the agenda.

Commissioner Sullivan confirmed there will be public input on the preliminary draft that will be submitted. Chairman Gitlin confirmed that was correct. Commissioner Sullivan stated he was okay with that process. Acting Director Ward commented there would be the opportunity to comment on the draft submittal. Commissioner Gastineau asked why they received this draft. Chairman Gitlin commented that the preliminary draft was placed on the Authority's website by the acting director, but should not have been. Commissioner Sullivan stated he was in favor of leaving the item as pulled from this agenda and for it to be on a future agenda. Commissioner Holly indicated again that he wanted to make comments on the preliminary draft to be provided to R3. Commissioner Wilson stated she was fine with leaving Item 7.2 off this agenda and having it come back with more information at a future meeting and as a more complete report. She added that it will be coming back as a draft, not as a final version, to which the public can provide comments.

Chairman Gitlin asked Ms. Rice if the Commission can acknowledge Item 7.2 in order to act on Items 7.3 and 7.4. Ms. Rice responded they could not. Commissioner Sullivan confirmed that the R3 contact information would be on the Authority website.

1. DEL NORTE SOLID WASTE TASK FORCE – No Items

2. CONSENT AGENDA

2.1 Approve minutes, Regular Session, Tuesday February 11, 2014.

- 2.2 Acknowledge and file applications to CalRecycle to the City/County Annual Payment and Reporting System (CAPRS) to support and promote recycling programs including beverage containers in Del Norte County. - 071802
- 2.3 Approve budget transfer in the amount of \$1,952 from Household Hazardous Waste Event to legal counsel. - 022101

END CONSENT AGENDA

There were no public comments or requests to remove items from the consent agenda.

On a motion by Commissioner Sullivan, seconded by Commissioner Holley, and unanimously carried on a polled vote, the Del Norte Solid Waste Authority Board of Commissioners approved and adopted the consent agenda, consisting of items 2.1-2.3, as presented.

3. DIRECTOR'S & TREASURER'S REPORTS

Agenda items 3.1 through 3.5 are provided for information only

- 3.1 Acting Director's Report - 231501
- 3.2 Treasurer/Controller Report for January 2014
- 3.3 Claims approved by Treasurer & Director for February 2014
- 3.4 Monthly Cash and Charge Reports for February 2014
- 3.5 Earned Revenue Comparisons between FY12/13 and FY13/14

END DIRECTOR'S & TREASURER'S REPORTS

The above reports were reviewed. Commissioner Wilson commented on a phone call she made to the Sheriff's Office about Detective Barber's report.

Commissioner Wilson commented on the finance report dating back to August. Acting Director Ward reminded the Commission that the Administrative Assistant has been out on medical leave, but they are working with the Auditor's Office to get caught up. Commissioner Wilson then asked about a negative amount of \$169,000 in the report. Acting Director Ward responded that it was coded to that line item incorrectly and was then backed out. Commissioner Sullivan asked where that error occurred. Acting Director Ward responded that he was unsure, but would follow up. Clint Schaad, County Auditor stated that it was a payment to Hambro that was coded to the wrong line item. He indicated he was not sure if it happened in his office or at the Authority office, but it was only a transposition of line item numbers. Rich Taylor added that 20236 was the wrong line item number and that 20239 was the correct line item number and it has been corrected. Mr. Taylor then presented his reports for item 3.2 and for 3.3. No action was taken.

DISCUSSION/ACTION ITEMS

4. LANDFILL POSTCLOSURE – No Items

5. COLLECTIONS FRANCHISE

- 5.1 Discussion and possible action regarding letter of February 27, 2014 from Recology Del Norte requesting rate adjustments based on changes to the Consumer Price Index, to become effective July 1, 2014. - 031507

Discussion was held regarding the February 27th letter. Acting Director Ward stated that this annual rate adjustment was a standard part of the agreement. Bill Lonsdale commented that Recology does a fine job, but he was a little concerned about rate increases. He asked what the procedure is for notifying the public about the increase and for public response. Commissioner Wilson asked what quarterly reports had been provided and commented she was not in favor of automatic rate adjustments. Commissioner Sullivan indicated that the increases are built into the contract. Ms. Rice commented that increase is included in the contract as is the requirement for notification ahead of the release of the CPI index for March, which probably won't be available till May. Ms. Rice added that an actual Resolution for the revised rates will come before the Board when the CPI is available. Ms. Rice also commented that there have been a couple of years without a CPI increase. Acting Director Ward stated that there are a number of different quarterly reports, quite detailed, that he could review for them. Mr. Sparrow indicated that a letter is sent to every customer ahead of the implementation of the increase.

On a motion by Commissioner Sullivan, seconded by Commissioner Holley, and unanimously carried on a polled vote, the Del Norte Solid Waste Authority Board of Commissioners directed Authority staff to draft a Change Order for Board consideration to adjust Rates to be charged under the Collections Franchise during fiscal year 2014/2015 based on changes to the Consumer Price Index.

6. TRANSFER STATION

- 6.1 Discussion and possible action regarding letter of February 28, 2014 from Hambro / WSG requesting service fee adjustments based on changes to the Consumer Price Index, to become effective July 1, 2014. - 080104

Discussion was held regarding the service fee adjustment request from Hambro/WSG. No public comments. No comments from Commission.

On a motion by Commissioner Sullivan, seconded by Commissioner Gastineau, and unanimously carried on a polled vote, the Del Norte Solid Waste Authority Board of Commissioners directed Authority staff to draft a Change Order for Board consideration to adjust Service Fees to be paid to Hambro/WSG for Transfer Station Operations during fiscal year 2014/2015 based on changes to the Consumer Price Index.

- 6.2 Discussion and possible action regarding sending a letter from Authority legal counsel Martha Rice to American Refuse, congratulating them on being awarded the contract for solid waste collection at Pelican Bay State Prison and informing them of the requirement to deliver solid waste collected within Del Norte County to the Del Norte County Transfer Station per the Authority's flow control ordinance. - 031507

Discussion was held regarding the American Refuse contract to haul refuse from Pelican Bay State Prison and the requirement that it be collected at the transfer station per the Authority's flow control ordinance. There were no comments from public. Commissioner Wilson commented that perhaps a phone call would be in order before the letter is sent. Acting Director Ward indicated he could call them the day the letter is sent. Chairman Gitlin asked if this contract was state-wide or just for Pelican Bay State Prison. Ms. Rice stated she was not aware of the status. Acting Director Ward indicated that Mr. Sparrow informed him that they American Refuse had submitted bids for several prisons in California.

On a motion by Commissioner Sullivan, seconded by Commissioner Wilson, and unanimously carried on a polled vote, the Del Norte Solid Waste Authority Board of Commissioners approved and authorized sending the letter.

7. GENERAL SOLID WASTE AUTHORITY MATTERS

- 7.1 Discussion and possible action regarding development, implementation and monitoring of additional fiscal controls addressing regular practices of the Del Norte Solid Waste Management Authority. 022102, 012101, 040501

This item was pulled from the agenda and no discussion was held. See public comments above.

- 7.2 Discussion and possible action regarding comments, questions, and input related to the Draft Report from R3 Consultants on Assessment of the Del Norte Solid Waste Management Authority. 130101

This item was pulled from the agenda and no discussion was held. See public comments above.

7.3 Discussion and possible authorization of payment of claim to R3 Consulting Group for Invoice 7261 in the amount of \$16,930.00

Commissioner Sullivan moved to approve payment of the R3 invoice in the amount of \$16,930, and Commissioner Wilson seconded the motion. There were no board comments. Public Comment- Bill Lonsdale recommended against making any payment to R3 at this point in time. Ralph Johansson commented that he had asked the Chairman when the report would be available to the public and was referred to Acting Director Ward. He felt that that referral was an acknowledgement of the Chair's approval of the information. Elizabeth Henry expressed confusion on the preliminary, preliminary draft report and felt the distribution of it was poorly handled by the Commission and that R3 pulled the report back in response to the prepared comments. Norma Williams, chapter president of the employees association, stated she was baffled that they are choosing to act on a payment considering the status of the report. She stated she felt the Commission should not act on Items 7.3 or 7.4. She also stated she felt the proceedings on Item 7.2 were highly questionable. Commissioner Sullivan asked Ms. Rice if the preliminary draft was a trigger for payment. Ms. Rice responded that she was unsure of what the terms were in the contract for payment. Commissioner Sullivan then rescinded his motion in support of payment. Commissioner Wilson stated would rescind her second on the motion. The motion died for lack of a second. She then apologized to the public for the confusion with regard to the draft. She stated she felt the Chairman had good intentions and his actions allow for more input into the draft. Commissioner Wilson added that by not moving forward today, it would give more opportunity for public input. Chairman Gitlin also apologized for the confusion.

Commissioner Holley asked if they could make a partial payment on the invoice. Acting Director Ward commented that the County Auditor will not authorize partial payment of invoices. Mr. Schaad confirmed that was correct. Commissioner Holley asked what had been paid to date. Acting Director Ward responded that the first invoice was a little over \$6,000.

7.4 Discussion and possible authorization of claim to R3 Consulting Group for Invoice 7281 in the amount of \$8,068.75

Chairman Gitlin asked if Item 7.4 should be pulled from the agenda as well. Commissioner Holley moved to pay this invoice as partial payment to R3, and Commissioner Gastineau seconded the motion. Elizabeth Henry asked if they knew what they were paying for under this invoice. Acting Director Ward pointed out that the full invoice was included in the agenda and reviewed the items being billed for under it. Janet Gilbert, county resident, commented the Commission needs to be aware of the terms of the contract they signed with regard to

payment. She suggested that if they do not have the contract available, they should make no payment.

Commissioner Sullivan made a motion to table both Items 7.3 and 7.4., as a substitute motion, and Commissioner Holley seconded the motion to table Items 7.3 and 7.4, which carried on a unanimous polled vote.

7.5 Discussion and possible action regarding re-introducing and waiving the first reading of Authority Ordinance 2014-02, regarding Flow Control and Franchises. - 151801

Discussion was held regarding Ordinance 2014-02, entitled, AN ORDINANCE OF THE BOARD OF COMMISSIONERS OF THE DEL NORTE SOLID WASTE MANAGEMENT AUTHORITY REGARDING FLOW CONTROL AND FRANCHISES. Ms. Rice explained this is a replacement ordinance for the responsibility ordinance that is in the process of being repealed. The packet includes both a clean version of the ordinance, and one that tracks the changes made to it. Elizabeth Henry felt they were taking a step backwards with removing the responsibility paragraph. She also commented on State regulation AB341 regarding mandatory commercial recycling. Ms. Henry stated they cannot ignore AB341. She requested the Commission pull this item for further review by legal counsel, the director and a commission committee. Ms. Henry stated that is was too early to pass an ordinance of this kind. Commissioner Sullivan asked why they would need the local ordinance if there is an applicable state law. Acting Director Ward responded they are obligated to report how they are implementing the mandatory program. Commissioner Holley was concerned about the impact on the City and County and would like to postpone action. Commissioner Gastineau commented that city and county staffs are reviewing the ordinance as well. Commissioner Holley commented on the need to review AB341. Acting Director Ward indicated that the Commission should not move forward with Ordinance 2014-01 without having the replacement ordinance in place. Both ordinances go to both City and County for approval and then come back to the Authority before final adoption. Commissioner Sullivan commented the initial version of 2014-02 has already been passed on a 4-1 vote. Ms. Rice commented that both have already been introduced to the Authority. They have to be approved as to form by both the City and the County before appearing on the City Council and County Board of Supervisors agendas. Ms. Rice stated she was not in support of completing adoption of the version of 2014-02 that was adopted by the Authority, but the Commission could direct staff to have information on AB341 on the next agenda and not submit the ordinances to the City and County until after that. Chairman Gitlin directed staff to revisit this item on the next agenda along with information on AB341. Commissioner Wilson commented she was familiar AB341 and what long term strategic goals this body should consider. Commissioner Sullivan asked they confirm that AB341 requires there be a local ordinance. Elizabeth Henry requested and received clarification

on the process for adopting ordinances by the Authority. Joel Wallen commented on AB341.

On a motion by Commissioner Sullivan, seconded by Commissioner Wilson, with Commissioners Holley and Gastineau voting "no" on a polled vote, the Del Norte Solid Waste Authority Board of Commissioners voted to re-introduce and waive the first reading of 2014-02. The motion failed for lack of a "yes" vote from either City Commissioner.

7.6 Discussion and possible actions regarding nominations for 2014 Green Ribbon Awards. - 071805

Discussion was held regarding the nominations for Green Ribbon Awards. Acting Director Ward stated they are planning to hand out the awards at the Youth and Family Fair on April 26th. Patricia Black commented this was a wonderful thing for the Board to do. Commissioner Wilson commented it would be nice to be able to publish or advertise the Green Ribbon awards or some other sort of public acknowledgement. Chairman Gitlin asked if there were any costs associated with the awards. Acting Director Ward responded they primarily involve staff time. Acting Director Ward indicated he could include this item on the next agenda to give the Commissioners time to think of additional categories, if they wished to do that.

On a motion by Commissioner Sullivan, seconded by Commissioner Wilson, and unanimously carried on a polled vote, the Del Norte Solid Waste Authority Board of Commissioners approved the list of nominations for the Green Ribbon Award, as presented.

7.7 Discussion and possible action regarding setting a special meeting of the Del Norte Solid Waste Management Authority for 3:30 PM on either March 25, 26 or 27, 2014 to discuss the draft budget for FY 14/15.

Discussion was held regarding the setting of a special meeting date. Chairman Gitlin stated that the R3 report will be on the agenda. Commissioner Gastineau indicated he was only available on 25th. Chairman Gitlin commented that 25th is a Board of Supervisors meeting day. Acting Director Ward commented that the budget discussion could be held at the April 8 regular meeting date. It would be challenging to handle both the draft budget and the R3 report at same meeting. Commissioner Wilson asked if they could hold a committee meeting for review of the budget before a full review of the draft budget. Commissioner Sullivan indicated he would not be available the last week of March. Commissioner Holley felt it would be beneficial to have a special workshop for the budget review. Commissioner Holley stated he had potential conflicts on the 25th and 26th. Chairman Gitlin commented he wanted to see the R3 revisions and have

them in the public's hands. Chairman Gitlin confirmed that the Commission wanted to have a stand-alone meeting for the R3 report. The budget discussion could be on the regular meeting of April 9. Acting Director Ward suggested they have an item on the April 8 meeting to set a special meeting for the R3 report.

Tuesday, April 1, was then suggested as a time convenient to all Commissioners either at the Flynn Center or at another location such as the room at the Wastewater Treatment Plant. The time was set for 3:00 p.m. on Tuesday, April 1, at a location yet to be determined and announced. The April 9 meeting will include the draft budget discussion. Chairman Gitlin asked for items 7.2, 7.3, and 7.4 to be on the April 1 meeting. Elizabeth Henry asked if the draft would be available to the public in advance of the April 1 meeting. Chairman Gitlin responded yes, after it is reviewed by staff and two commissioners, it will be posted to the website. Chairman Gitlin stated he will be following up with R3 as to the availability of the report.

CLOSED SESSION:

8. CONFERENCE WITH LABOR NEGOTIATORS: Agency designated representatives: Rick Holley and Martha Rice; Employee Organization: Mid-Management (Ward, Valdez).

There were no public comments regarding the closed session matter(s). Chairman Gitlin recessed the open session at 5:49 p.m. and immediately convened in closed session to discuss the above listed matter.

The closed session was adjourned at 6:08 p.m. and the open session was immediately reconvened. Counsel announced that the following action was taken in closed session: none.

ADJOURN

There being no further business to come before the Authority, Chair Gitlin adjourned the meeting at 6:09 p.m., until the special session scheduled for April 1, 2014.

Roger Gitlin, Chair
Del Norte Solid Waste Management Authority

Date / /

ATTEST:

Mary Wilson, Secretary/Clerk of the Board

Date / /

MINUTES

DEL NORTE SOLID WASTE MANAGEMENT AUTHORITY CITY OF CRESCENT CITY COUNTY OF DEL NORTE STATE OF CALIFORNIA

**Crescent Fire Protection District Meeting Room
255 West Washington Blvd.
Crescent City, CA**

Special Session

Tuesday April 01, 2014

3:00 PM

+++++

PRESENT: Commissioner Ron Gastineau, City
Commissioner Roger Gitlin, County, Chair
Commissioner Rick Holley, City, Vice-Chair
Commissioner Mary Wilson, Public, Clerk
Legal Counsel Martha Rice
Treasurer/Controller Richard Taylor
Acting Director/Program Manager Tedd Ward

ABSENT: Commissioner Mike Sullivan, County

ALSO PRESENT: Wes Nunn, Solid Waste Task Force
Robin Patch, PS Business Services
Tommy Sparrow, Recology Del Norte
Wes White, Hambro's/WSG
Clint Schaad, Del Norte County Auditor
Jay Sarina, Del Norte County CAO
Richard Taylor, Authority Treasurer / Controller

3:00 PM CALL MEETING TO ORDER

Chairman Gitlin called the meeting to order at 3:02 p.m.

PUBLIC COMMENTS:

The following citizens addressed the Commissioners:

Craig Strong: County resident - stated there is no evidence on outsourcing jobs as cost savings; suggested a management plan to be put into place.

Elizabeth Henry: County resident - stated the JPA should be kept in tact; all else needs further analysis.

Commissioner Sullivan arrived to the meeting room at 3:15 p.m.

Norma Williams – County resident- stated the Authority should set up a plan and its objectives, spoke about addressing union members. Report is much more positive and comprehensive.

Eileen Evermore: County resident: asked the Commissioners what was the relevance between the words "effective" or "efficient" in regards to the language in the draft assessment?

Patricia Black: County resident: stated her frustration with the expense of the assessment draft for what was already known; suggests a mission statement.

Kathryn Murray: City resident: suggested the Commissioners take the recommendation of legal staff; feels recycling and reusing is the way of the future.

Ralph Johansen: County resident: read the report and appreciates the option of keeping things as they are.

Michael Tompkins: County resident: feels recycling has far reaching economic consequences; stated that what Kevin and Ted have done is better for our community; refund it and reestablish it.

Janet Gilbert: County resident: chooses the area she visits due to whether or not they are "green" and feels it is critical for the tourist economy.

Jon Parmentier: County resident: overwhelming public support of the DNSWMA as it is now; is disappointed that R3 was paid as much as they were for the assessment report.

Victoria Dickey: County resident: the organization is top-end heavy; feels the Commission is being ridiculed for hiring R3 for this assessment.

Karen Rath: City resident: the support of the DNSWMA is overwhelming; service is great; staff is doing a great job.

Andy Larson: County resident: has been involved in this process for a long time and feels it is not working perfectly; it needs work; the Task Force needs to do more work.

1. GENERAL SOLID WASTE AUTHORITY MATTERS

1.1 Discussion and possible action regarding comments, questions, and input related R3 Consulting Group's 'Draft Report Assessment of the Del Norte Solid Waste Management Authority.' - 130101

Acting Director Tedd Ward read aloud from the staff report on the matter. Director Ward read the staff recommendations for the Board outlined in the staff report. Vice-Chair Holley stated he much preferred the second draft. Commissioner Wilson expressed interest in having the Commissioners submit their comments also. Chair Gitlin acknowledged the preliminary draft; there is a combination of drafts as a result of the last meeting's discussion. Discussion followed.

Chairman Gitlin read from the staff report's list of recommendations. This will give the Board the opportunity to vet the recommendations. Vice-Chairman Holley stated that if the Board chooses to do all the recommendations, it will take

some time to get back to the DNSWMA. Chairman Gitlin stated that it is his desire to have individual workshops to go through each one, and asked if the Board accepts the draft as presented; Commissioner Wilson stated that neither she, nor any other Commissioner has been contacted by staff for recommendations regarding the draft assessment and it is important to offer input. Stated her agreement with public comments; stated as a business owner, she became involved in this Board because the rising costs were affecting her business and wanted to see change. Commissioner Sullivan stated that he does not agree that the majority of the community is pleased with the Authority. The answer of "why are we here" needs to be addressed: he stated the Authority was not being handled appropriately by former staff - there is \$29k missing from the Authority's budget. He is concerned that the public is not addressing this as a concern. The JPA was passing laws without approval from the City or County. Stated a strategic planning session is necessary to go through this process and wants the matter of the missing \$29k to be an issue to be addressed. Documents were shredded and the known amount is \$29k, however, could be more money missing. He requests that the report on the matter be released by the Sheriff's office. Commissioner Gastineau agrees with Commissioners Wilson and Sullivan. The main thing is that the Solid Waste is in limbo due to what is being discussed; the Board should be the oversight. Before we move on, staffing issues need to be addressed, renegotiate the franchise fees to get the fees down and there are a lot of generalities in the assessment that need to be addressed. Vice-Chairman Holley stated that he doesn't feel the best interest of the City/County residents to have any of the governmental bodies to leave the JPA. Due to R3 doing an unbiased assessment, he does not want the Board to direct R3, but to submit comments. Stated \$30k was a reasonable price to pay for this assessment. Disappointed that different staffing formulas were not brought up - additionally it should be discussed for savings; agrees with a strategic planning session. Chairman Gitlin stated he is in agreement with the report; wants to have fees reduced and is concerned with the missing \$29k, which should be alarming to the community. He recommends a series of strategic planning workshops to address aspects of these options being given by R3. Asks for a series of dates chosen on the next agenda (April 9th).

Chairman Gitlin entertained a motion to acknowledge receipt of this draft assessment; the Commissioners did not offer a motion.

Commissioner Gastineau stated that the draft assessment is not ready for acceptance as there are too many typos and other issues that need to be addressed. He agreed, however, that R3 did need to be paid for the job that they did for the Authority.

The Commissioners were in consensus to have the consideration of final report on a future agenda; the Authority to submit comments from the Commissioners to R3 for the final draft. Commissioner Gastineau stated to submit comments to Acting Director Tedd Ward for him to submit to R3 by April 9th; there was a consensus of the Commissioners to do so.

On a motion by Commissioner Sullivan, seconded by Commissioner Gastineau, and carried on a 5-0 polled vote, the Del Norte Solid Waste Management Authority Board of Commissioners directed Authority staff to work with the County Personnel Department to develop and prepare an additional Option related to Authority staffing for consideration by the Board before taking action to accept or regarding the contents of the final Assessment Report.

1.2 Discussion and possible authorization of payment of claim to R3 Consulting Group for Invoice 7261 in the amount of \$16,930.00

1.3 Discussion and possible authorization of claim to R3 Consulting Group for Invoice 7281 in the amount of \$8,068.75

On a motion by Commissioner Sullivan, seconded by Commissioner Gastineau, and carried on a 5-0 polled vote, the Del Norte Solid Waste Management Authority Board of Commissioners approved payment of R3 Invoice 7261 in the amount of \$16,930 and payment of R3 Invoice 7281 in the amount of \$8,068.75.

Adjournment:

There being no further business to come before the Commissioners, Chairman Gitlin adjourned the meeting at 4:15 p.m. to the next regular scheduled meeting of April 9, 2014.

Roger Gitlin, Chair
Del Norte Solid Waste Management Authority

Date / /

ATTEST:

Mary Wilson, Secretary/Clerk of the Board

Date / /



Robin Patch, for Mary Wilson, Secretary/
Clerk of the Board

Date 4/15/14

Del Norte Solid Waste Management Authority Budget Transfer

Department Name	Fund	Dept.	Line Item	Description	Budget Transfer Amount(s) Reduce Expenditures or Increase Revenue	Budget Transfer Amount(s) Increase Expenditures or Reduce Revenue
Solid Waste	422	421	10020	Retirement Benefits	\$ 6,000	
Solid Waste	422	421	20151	Liability Insurance	\$ 7,000	
Solid Waste	422	421	20239	Transfer Station Operations	\$ 13,000	
Solid Waste	422	421	20121	Communications		\$ 400
Solid Waste	422	421	20140	Household Expense		\$ 675
Solid Waste	422	421	20234	Legal Counsel		\$ 5,000
Solid Waste	422	421	20235	Treasurer		\$ 2,500
Solid Waste	422	421	20281	Household Hazardous Waste Event		\$ 675
Solid Waste	422	421	20290	Travel		\$ 1,000
Solid Waste	422	421	20231	Professional Services		\$ 15,750
Total Amounts					\$ 26,000	\$ 26,000

Department complete and send to Auditor's Office for transfer number before sending

Department Justification - Include cover letter that addresses the following: 1) Reason for request; 2) Why sufficient balances exist to finance transfer:

Department Head Signature _____ Date 9-Apr-14

AUDITOR'S OFFICE: SUFFICIENT BALANCES EXIST PER ABOVE

Date _____ Deputy Auditor- Controller _____
 Classification Rev# _____ budget revision form

Auditor's Office: Sufficient balances exist per above
 (Under \$100 Auditor's Office approves)

Deputy Auditor-Controller _____ Date _____
 TR No. _____ Budget Revision No. _____
 _____ Includes Revenue Appropriation _____ Requires 4/5ths Vote

Passed by the Del Norte Solid Waste Management Authority on _____

Ayes:
 Noes:
 Absent:

Attest: Clerk of the Board

By: _____
 Mary Wilson, Clerk of DNSWMA

 Roger Gitlin, Chair
 Del Norte Solid Waste Management Authority

5 Jurisdiction Restrictions and Tipping Fee Differences

A. Facility restricts use to particular jurisdictions:

Yes

No

If yes, describe:

B. Tipping fees vary depending on jurisdiction of origin:

Yes

No

If yes, describe:

6 Allocation

A. Method(s) used to determine jurisdiction allocation percentages (describe):

Not Applicable

B. Percent of annual tons disposed for each jurisdiction that were assigned based on surveys each quarter rather than daily tracking.

Either attach a sheet listing all affected jurisdictions and their % of tons assigned from survey week,

OR: Check if all loads are tracked daily.

C. Percent of total annual tons disposed for each jurisdiction that were based on volumetric conversion rather than actual weight.

Either attach a sheet listing all affected jurisdictions and their % of tons assigned from survey week,

OR: Check if all loads are weighed.

7 Tracking Methods

A. Method(s) used to track disaster waste loads, if applicable:

B. Method(s) used to track C & D debris/inert loads, if applicable:

C. Computer program and/or method(s) used to track tons and origin:

Scale Management Software by Creative Information Systems

8 Facility Operation

A. Days and hours of operation:

Mon-Fri 8 Am - 5 PM, Sat-Sun: 9 AM - 5PM

B. Significant variations to schedule:

Closed: July 4th, Labor Day, Memorial Day, Thanksgiving, Christmas, New Year's & Easter

1 Facility Information

Facility Name: Klamath Transfer Station
Solid Waste Information System (SWIS) #: 08-AA-0002
Operator Name: Del Norte Solid Waste Management Authority
Operator Mailing Address: 1700 State Street Crescent City CA 95531
Contact Name: Tedd Ward
Contact Phone: 707-465-1100
Contact Email: tedd@recycledelnorte.ca.gov

2 Scales information

- A. Number of scales by type (e.g., permanent, temporary, etc.): None, this is a container site facility
B. Notification of scales used at destination facility: Yes [X] No [] full bins only

3 Volumetric Conversion Factors for Each Vehicle and/or Trailer and/or Load Type

Vehicle/trailer/load type Loose Refuse Conversion factor \$19.31 per cubic yard
Describe method used to determine conversion factor We use 275 pounds per cubic yard for these small volume transfer stations to correlate these rates with the per ton rate charged at the DNC Transfer Stn.
Vehicle/trailer/load type Conversion factor
Describe method used to determine conversion factor
Vehicle/trailer/load type Conversion factor
Describe method used to determine conversion factor
Vehicle/trailer/load type Conversion factor
Describe method used to determine conversion factor

4 Jurisdiction of Origin Information

- A. Method(s) used to determine jurisdiction of origin (check all that apply):
Origin obtained from haulers at gatehouse
Origin obtained from hauler records
Origin obtained from other facility operators
Other (describe): License plates
B. Origin question(s) asked: As a rural regional agency, the Del Norte Solid Waste Management Authority does not do origin surveys
C. Method(s) used to verify origin information:
D. Frequency of tracking where the waste come from (check one):
Daily for all waste loads
One week per quarter for all waste loads
Other frequency (describe using the check boxes below, as appropriate):

Check daily, surveys (at least 1-week per quarter), or both for each category below
Note: These categories are not mutually exclusive.

Table with 3 columns: Daily, Surveys, Both. Rows include: Franchised Hauler Loads, Compacted loads, Uncompacted loads > 12 cu yd, Industrial Self-Haul, Residential Self-Haul, Customer Accounts (non-franchised), Cash Accounts, Uncompacted loads <= 12 cu yd, Commercial Business Self-Haul, Construction & Demolition Loads.

5 Jurisdiction Restrictions and Tipping Fee Differences

A. Facility restricts use to particular jurisdictions:

Yes

No

If yes, describe:

B. Tipping fees vary depending on jurisdiction of origin:

Yes

No

If yes, describe:

6 Allocation

A. Method(s) used to determine jurisdiction allocation percentages (describe):

Not Applicable

B. Percent of annual tons disposed for each jurisdiction that were assigned based on surveys each quarter rather than daily tracking.

Either attach a sheet listing all affected jurisdictions and their % of tons assigned from survey week,

OR: Check if all loads are tracked daily.

C. Percent of total annual tons disposed for each jurisdiction that were based on volumetric conversion rather than actual weight.

Either attach a sheet listing all affected jurisdictions and their % of tons assigned from survey week,

OR: Check if all loads are weighed.

7 Tracking Methods

A. Method(s) used to track disaster waste loads, if applicable:

B. Method(s) used to track C & D debris/inert loads, if applicable:

C. Computer program and/or method(s) used to track tons and origin:

Scale Management Software by Creative Information Systems

8 Facility Operation

A. Days and hours of operation:

July- Sept: Sun, Wed & Fri from 10 AM - 4 PM

Oct - June: Wed & Sun: 10 AM - 4PM

B. Significant variations to schedule:

Closed: July 4th, Labor Day, Memorial Day, Thanksgiving, Christmas, New Year's & Easter

5 Jurisdiction Restrictions and Tipping Fee Differences

A. Facility restricts use to particular jurisdictions: Yes [] No [x]
If yes, describe: _____

B. Tipping fees vary depending on jurisdiction of origin: Yes [] No [x]
If yes, describe: _____

6 Allocation

A. Method(s) used to determine jurisdiction allocation percentages (describe): Not Applicable

B. Percent of annual tons disposed for each jurisdiction that were assigned based on surveys each quarter rather than daily tracking.
Either attach a sheet listing all affected jurisdictions and their % of tons assigned from survey week,
OR: [] Check if all loads are tracked daily.

C. Percent of total annual tons disposed for each jurisdiction that were based on volumetric conversion rather than actual weight.
Either attach a sheet listing all affected jurisdictions and their % of tons assigned from survey week,
OR: [] Check if all loads are weighed.

7 Tracking Methods

A. Method(s) used to track disaster waste loads, if applicable: _____

B. Method(s) used to track C & D debris/inert loads, if applicable: _____

C. Computer program and/or method(s) used to track tons and origin:
Scale Management Software by Creative Information Systems

8 Facility Operation

A. Days and hours of operation: July- Sept: Thurs, Sat from 10 AM - 4 PM
Oct - June: Saturdays: 10 AM - 4PM

B. Significant variations to schedule:
Closed: July 4th, Labor Day, Memorial Day, Thanksgiving, Christmas, New Year's & Easter

Bickmore

January 25, 2014

Kevin Hendrick
Director
Del Norte Solid Waste Management Authority
1700 State Street
Crescent City, CA 95531
khendrick@co.del-norte.ca.us

Dear Kevin,

The California Association of Joint Powers Authority recommends an audit of your self-funded programs, including workers' compensation (WC), property, and liability, at least every two years to ensure effective claims handling and identify opportunities for cost reductions. Bickmore's experts understand California joint powers authorities (JPA) requirements and can conduct these audits for you.

Our claims audit professionals each have over 30 years of experience in claims with an emphasis on liability, property, and WC in California. As claims managers with home office experience, our auditors have the skills to audit and analyze results of claims handling techniques. Our professionals are certified by the California Department of Industrial Relations, Office of Self-Insurance Programs, and have led scores of claims consulting projects for California JPAs of schools, cities, counties and various special districts.

An audit of your program(s) can identify opportunities to improve efficiencies and reduce costs. We can help:

- Ensure claim services are effectively performed;
- Assess appropriate reserve settings;
- Ensure sound and accurate procedures are in place; and
- Verify compliance with applicable industry best practices, tort laws, WC Labor Code and Regulations, as well as your policies and procedures.

Our auditing services culminate in final reports; practical working documents clients can use over a period of several years to implement changes and to monitor progress. We provide details and recommendations for each reviewed component and summarize overall findings in an executive summary. These reports are written to be readily understood by those without an insurance background, and to contain all data supporting our findings.

Bickmore

June 1, 2013

Mr. Kevin Hendrick
Director
Del Norte Solid Waste Management Authority
1700 State Street
Crescent City, CA 95531

Re: Engagement Letter for OPEB Actuarial Valuation Services

Dear Kevin:

We are sending this letter to document the Authority's request for Bickmore to complete an actuarial valuation of other postemployment benefits (OPEB) liabilities under GASB 45 for the Del Norte Solid Waste Management Authority (the Authority).

- The **valuation date** will be July 1, 2013 and the results expected to be applied for the District's fiscal years ending June 30, 2015 and 2016.
- The **data request** will be similar to what we have requested for prior valuations. We will plan to begin work within one week of receiving all requested data and complete the valuation as soon as possible thereafter.
 - Our fee quote is based on the assumption that there have been no changes in the benefits to be valued or in the eligibility to qualify for benefits. If there have been changes, please let us know.
- The **valuation process** will also be essentially the same as that followed in prior years. Depending on the quality of the initial data submitted, we generally prepare the draft report within 45-75 days following. If you need results by a specific date, please let us know and we will do our best to accommodate your needs. However, typically, the Authority has relied on the County to provide benefit and plan data; this might affect the timing of the valuation.
- The attached page summarizes the fees we propose for this project. We have included the option for the Authority to engage us for the 2013 and 2015 valuations at a reduced basic valuation fee for both.

If you are comfortable with the project as outlined and the fees quoted, please return a signed dated copy back to us by email. If you have any questions, please contact me at (503) 419-0462 or at cmacleod@bickmore.net. We appreciate the opportunity to work with you and the Authority on this assignment and look forward to hearing back from you.

Cordially,



Catherine L. MacLeod
Director, Health & Benefit Actuarial Services
Fellow, Society of Actuaries
Member, American Academy of Actuaries
Enrolled Actuary

Professional Service Fees for this Project

Based on our understanding of the OPEB program as described in the prior valuation report (see attached), Bickmore proposes the following fees for actuarial services.

July 2013 Actuarial Valuation Report: Actual time and expense not to exceed \$ 3,150¹

Results will be presented based on the Authority's current funding policy for the fiscal years ending June 30, 2015 and 2016. The fee above includes the cost for us to prepare the actuarial forms required by CERBT as well as a telephone conference to review report results with the Authority staff.

Optional services:

Personal visit (report presentation)	\$ 750
Breakout of cost results for subgroups	100 - 300 each, depending on the level of detail needed

We believe the services described above will meet the Authority's objectives for this project. We do not anticipate any other work related to the valuation which could result in additional services, with the possible exception of the following:

- Data: The basic valuation fee above includes up to 4 hours for analysis, consolidation and organization of employee and plan data to prepare it for our actuarial coding. Should the data require additional time to organize before we can begin our valuation, we reserve the right to charge for this time at the hourly rates shown below.
- Consulting or actuarial projections relating to possible plan redesign.
- Development of an "implicit subsidy liability", if the provisions of GASB 45 change in such a way as to eliminate the current exception to disclose this liability for smaller employers participating in very large community rated plans (like CalPERS).

While no additional services are expected, should they be needed, our hourly rates are:

<u>Consultant</u>	<u>Hourly Rate</u>
Senior Actuarial Staff	\$ 300
Actuarial Staff	160
Administrative Staff	80

The information provided in this letter may be incorporated into a separate contract or the Authority may indicate its acceptance of the above fees and timeline for this project with a binding signature and date entered below.

Please check box if the Authority intends to contract for the next two valuations as described in ¹ below.

Accepted: _____ Date: _____

Printed Name: _____ Title _____

¹ Assuming no change in benefits provided to retirees, if the Authority would prefer to contract for the next two valuations (July 2013 and July 2015), Bickmore will reduce the basic fee for each valuation from \$3,150 to \$2,900 (additional and/or optional fees described above would still apply).

**Table 3
Summary of Retiree Benefit Provisions**

OPEB provided: The Authority has indicated that the only OPEB provided are medical and dental plan coverage.

Access to coverage: This coverage is available to Safety employees who retire after having attained age 50 and to miscellaneous employees who retire after having attained age 55. Continuation of coverage in retirement also requires a minimum number of years of service with the Authority, based on employment date, as shown below:

Date of Hire	Years of Service
Before 1/1/07	5
1/1/07 to 10/31/09	10
11/1/09 and after	15

Current premium rates: The chart below provides the 2011 composite premium rates, for combined medical and dental coverage. The Authority recently made dental-only coverage available to retirees at age 65 and over.

Coverage	Employee Only	Employee + 1	Employee + 2 or more
Medical and Dental	\$ 565.61	\$ 1,091.62	\$ 1,379.41
Post 65 Dental Only	\$ 60.00	\$ 115.00	\$ 165.00

Benefits provided: Retirees who continue coverage benefit by the fact that premiums are first determined on an age-neutral basis, despite the expectation of higher claims in the retiree group as compared to actives. This is the implicit subsidy discussed earlier and valued as part of the OPEB cost. Authority retirees also receive the benefit of a premium reduction, based on the retiree's years of Authority service. The premium rates in effect on the valuation date applicable to retirees both before and after age 65 are as follows:

Premium Rates Charged to Retiree Effective November 1, 2009						
Age	Under 65			65 and over		
Years of Service	Retiree Only	Retiree & 1 Dependent	Retiree & Family	Retiree Only	Retiree & 1 Dependent	Retiree & Family
Less than the minimum ¹	Cobra coverage for up to 18 months					
At least the minimum ¹ , but less than 16	386.06	748.89	1127.20	225.00	439.91	555.15
At least 16, but less than 21	257.25	559.76	875.02	200.00	414.91	530.15
At least 21, but less than 25	128.68	343.59	458.83	175.00	389.91	505.15
At least 25 or more	0.00	214.91	344.50	150.00	364.91	480.15

¹ The minimum refers to the minimum service required based on employment date, as described above.

In the event the spouse survives the retiree, coverage may be continued with the premium determined as if the spouse were the retiree.

Subject: OPEB Valuation for Del Norte SWMA
From: Erin Watts <ewatts@bickmore.net>
Date: 2/12/2014 5:48 PM
To: "rtaylor9636@charter.net" <rtaylor9636@charter.net>
CC: Catherine MacLeod <cmacleod@bickmore.net>

Hi Rich,

I work with Cathy MacLeod. In the later part of 2013, she assisted with the year-end OPEB disclosures. There was some discussion of a new OPEB valuation dated 7/1/2013, but we haven't begun the work on it yet. Since CERBT will be wanting the valuation submitted sometime in mid-June, we thought it would be a good time to get in touch with you and get the ball rolling.

Is this a good time for me to send details on the updated information we need? I don't think it will be too much given that we are working on the OPEB valuation for the County right now and the information will overlap. Let me know if you would like to begin gathering the data, and, if I should direct the request to someone else at the Authority.

Thanks,

Erin

Erin Watts
Actuarial Analyst, Health & Benefits Actuarial Services

5200 SW Macadam Avenue
Suite 310
Portland, OR 97239
d. 503.419.0453 | p. 800.541.4591 x 0453 | f. 916.244.1199
ewatts@bickmore.net
bickmore.net | [linkedin](#) | [facebook](#)

Bickmore

Confidentiality Notice: Information contained within or attached to this email is confidential and may be legally privileged. If you are not the intended recipient, please immediately notify me by email or telephone and destroy the original transmission and its attachments without reading or saving them.



Bickmore Snapshot

- Established in 1984
- Headquartered in Sacramento, California
- Largest independent risk management consulting firm in Western U. S.

105 employees with over 60% holding advanced degrees and professional designations such as:

- Associate in Risk Management
- Juris Doctor
- Master of Business Administration
- Certified Public Accountant
- Fellow, Casualty Actuarial Society
- Fellow, Society of Actuaries
- Certified Safety Professional
- Workers' Compensation Claims Specialist
- Chartered Property Casualty Underwriter

About Us

Bickmore is a leading independent risk management, insurance, and actuarial consulting firm with clients in 33 states.

Formed in 1984, Bickmore is headquartered in California and has a staff of more than 100. Over 60% of our staff holds advanced degrees and professional designations in risk management, law, workers' compensation, accounting, actuarial, and loss and risk control.

Our professionals work together to provide clients with traditional risk management services such as coverage reviews, self-insured retention analysis, and claims consulting and non-traditional services such as data collection, self-insured group administration, program structure evaluation, and underwriting.

Commitment to Service

Bickmore performs more than 150 consulting assignments annually. Our greatest mark of client satisfaction is repeat business, with 95% of clients engaging us for additional projects after completion of initial assignments.

Independence

Bickmore does not sell insurance, nor are we affiliated with any such organization. This independence allows us to perform consulting activities free from actual or perceived conflicts of interest.

Risk Consulting Solutions

Claims Auditing and Consulting
Enterprise Risk Management
Risk Cost Management
Risk Finance Program Design
Expert Witness
Risk Management Information Systems

Actuarial and Risk Finance

Owner Controlled Insurance Programs
Safety and Risk Control
Employment Practices Risk Management
Insurance Coverage Adequacy
Carve-outs

Risk Retention CapaDistrict Study
Self-Insurance Reserve Setting
Risk Finance Alternatives Comparison
Risk Cost Allocation System Design
Other-Post Employment Benefits (OPEB)

Bickmore

Claims Consulting Solutions

Claims costs represent the largest component of today's risk dollar. Effective claims administration is critical to resolving claims *and* controlling legal and medical expenses. Our team has multi-jurisdictional experience with property and casualty claims of all types, including liability and workers' compensation. We can evaluate the claims administrator's application of best practices and ultimately contain costs for clients.

What We Do

- Best practices claims audits
- Targeted audits such as reserving, litigation management or medical cost mitigation
- Development of performance measurement criteria
- Third Party Administrator (TPA) selection assistance
- Peripheral service provider selection (investigation, medical management, medical bill review, etc.)
- Review and negotiation of claim administration and peripheral service contracts
- Loss trend analysis
- Evaluation of staffing, procedures and workflows, training and supervision
- Development of litigation management guidelines
- Claims information system selection and usage

How You Benefit

Facilitating Action: Bickmore reports are easy to understand and provide clear direction for reducing costs and achieving service improvements. Our team's hands-on experience translates to recommendations that are practical and technically sound.

Providing Reassurance: Our independent position in the industry assures that findings are objective, increases understanding of claim administration, and demonstrates how to best spend risk dollars.

Our People

The Bickmore claims consulting team is experienced with multi-line coverages including auto, general and professional liability, property, and workers' compensation across multiple jurisdictions in states, cities, pools, and insurance companies throughout the United States, and in Canada.

Our Clients

- State governments and agencies
- Counties, large cities, municipalities, and schools
- Public entity self-insured groups and risk pools, including transit and special districts
- Private entity self-insured companies and risk pools, including healthcare, automobile





Yurok Tribe Environmental Program
15900 Hwy 101, Klamath, CA, 95548
(707)482-1822 xt.1001

Dear Del Norte Solid Waste Management Authority,

On May 10th from 9 am to 2 pm the Yurok Tribe will be hosting the 13th annual Klamath River Clean Up. The mission of the Klamath River Clean Up is to remove human made trash from the riverside in an effort to: reduce water contamination, improve aquatic habitat, enhance the beauty of the river, and to bring the regional community together. The event has been very successful in the past years and has had up to 250 volunteers participate. Volunteers will receive a complementary t-shirt, breakfast, and lunch consisting of locally caught Klamath fish, and a large spread of other delicious food all donated by local and regional businesses and community members. We ask with appreciation that you consider donating whatever you can to help pay for our event.

In the past your business has been very instrumental in the event, by allowing reduced tipping fees for the waste collected. We very much appreciate this charity and hope that we can continue this partnership. Based on our past events we anticipate having approximately \$1000 in tipping fees.

In recognition of our appreciation we will be including all donors' names on the back of the complementary t-shirt provided to the volunteers. This is a wonderful advertising opportunity. Also, if you are interested in using your donation as a tax deduction, our tax id # is 68-0178020, feel free to use it for your donations to us.

If you have any further questions, or would like to meet in person to discuss this further please do not hesitate to contact me.

Wok-hlaw' (regards),

William Patterson

Assistant Director, Yurok Tribe Environmental Program

(707)954-1865 (cell)

2.6

The mission of the Yurok Tribe is to exercise the aboriginal and sovereign rights of the Yurok People to continue forever our Tribal traditions of self-governance, cultural and spiritual preservation, stewardship of the Yurok lands, waters and other natural endowments, balanced social and economic development, peace and reciprocity, and respect for the dignity and individual rights of all persons living within the jurisdiction of the Yurok Tribe, while honoring our Creator, our ancestors and our descendants.



Del Norte Solid Waste Management Authority

1700 State Street, Crescent City, CA 95531
Phone (707) 465-1100 Fax (707) 465-1300

Director's Report

Date: 09 April 2014
To: Commissioners of the
Del Norte Solid Waste Management Authority
From: Tedd Ward, M.S. - Acting Director / Program Manager
File: 231501 – Authority Work Plans

Summary: The Del Norte Solid Waste Management Authority continues to operate the Klamath, Gasquet and Del Norte County Transfer Stations and to provide required monitoring, accounting and reports to overseeing agencies.

I am in regular contact with the Authority Chair and Vice Chair regarding setting work priorities and informing them of delayed or deferred activities.

Major Activities since the Authority Meeting of 12 March 2014:

1. I spoke with Jeff Martin of American Refuse regarding the Authority's Ordinance 2008-01 as it relates to flow control, and informing him to expect a letter from the Authority's legal counsel.
2. I collected landfill surface water samples and conducted stormwater inspections and gather stormwater samples from both the Crescent City Landfill and the Del Norte County Transfer Station. During this inspection, I noted an area of erosion on the east slope of the landfill mound that had filled two drainage berms with sand. I shoveled out this sand and inquired with Ace rentals when the Authority could rent a track loader to fix the other damage. I was informed that the Del Norte County Unified School District will be using this piece of equipment for the next six weeks.
3. Assembled and prepared comments regarding the draft Assessment report to R3.
4. I made arrangements for special Authority meeting of April 1st, including arrangements for the room, clerk, video streaming, and setting up the room.
5. I spoke with Joel Wallen about potential strategies and methods to address damage to the asphalt at the base of the outbound scale at the Del Norte County Transfer Station.
6. After consulting with Commissioner Holley, Isabel Valdez, and the County Personnel Department, I addressed a personnel issue related to one of the

05 February 2014

1

Printed on >30% post-consumer recycled paper

I:\Tedd\DNSWMA\Directors Reports\140409 Dir Report.doc

3.1

- Authority's temporary part-time refuse site attendants.
7. I arranged for the collection of the carpet recycling trailer by CARE, the Carpet America Recycling Effort.
 8. I completed and requested Form 700s, Statements of Economic Interests from myself, legal counsel, and Authority Commissioners.
 9. I met with the Del Norte County Auditor, Sherrick Cron from the Auditor's office, the Authority Treasurer, and the Authority's Administrative Assistant regarding the list of Authority fiscal controls and outstanding accounts receivable.

Personnel / Staffing: All Authority-managed facilities were open during posted hours and all shifts were covered.

Finances and Audits: Our efforts on these issues are summarized under agenda item 7.1 (fiscal controls).

Administrative Assistant Isabel Valdez has been working with the County Auditor's office regarding deferred revenue. I expect this number to be substantially reduced this month. The remaining balance represents issues to be resolved regarding the Abandoned Vehicle Abatement Authority and payments due from Redwood National and State Park delayed due to issues implementing their on-line payment system.

Immediately following this meeting I will devote as much time as possible to drafting a budget for Board review at the May meeting.

Compliance: I met with County CAO Jay Sarina, Neal Lopez, DNC Auditor Clinton Schaad, County Counsel Gretchen Stuhr regarding the Pledge of Revenue. Their main concern appeared to be associated with an expectation that the City should also be a signatory to this document. We requested an opinion on this matter from the legal staff at CalRecycle prior to bringing this item to the County Board of Supervisors for action.

Programs / Policies: Staff trainings with respect to FEMA requirements continue to be temporarily deferred, though we are receiving monthly reminders from the County of this. To partially address this on-going issue, on April 22nd, Authority and Hambro/WSG are planning a joint safety meeting to better prepare for potential earthquakes and tsunamis.

Concerns: The number and intensity of tasks that are being deferred by staff are mounting. Staff strongly recommend that the Authority allow time for staff to prepare a budget for the Board's consideration.

Major Activities anticipated before Authority Meeting in May 2014:

I must recognize that during the past few months, many of the items I have listed in this section have not been completed within the month. Still, such items remain on the 'To

Do' list as time and staff capacity is available.

1. Draft, propose and present an Authority Budget for FY 14/15.
2. Conduct stormwater inspection and quarterly gas monitoring at the Crescent City Landfill.
3. Coordinate and obtain permits as needed to install fencing adjacent to the household hazardous waste building at the Del Norte County Transfer Station to facilitate storage of used paint collected under the PaintCare program.
4. Request reimbursement from PaintCare for outreach expenses that had been pre-approved by them, and for which the Authority has not yet been reimbursed.
5. Conduct an analysis of the small volume transfer stations in Klamath and Gasquet, the operations costs and service options to meet the needs of residents and businesses in these areas of Del Norte County.
6. Make arrangements as needed to place Authority-related items on City Council and Board of Supervisors agendas related to Authority Ordinances and the Pledge of Revenue Agreement.
7. Coordinate with Recology and the Youth and Family Fair Committee regarding the Green Ribbon awards and community outreach planned for April 26th from 11 AM to 2 PM at the Del Norte County Fairgrounds.
8. Personally conduct Inspections of certified oil recycling centers in Del Norte County, as required under CalRecycle's Oil Payment Program.
9. Coordinate with the County Auditor regarding the list of 'Bad Checks' to be addressed before the end of FY 13/14.

Solid Waste
Balance Sheet
March 31, 2014

Unaudited

ASSETS

422 010 00000	Cash Solid Waste	451,549.39
422 010 00300	Imprest Cash	100.00
422 010 00500	I Bank Loan Deposit Held by County	198,177.17
422 010 01100	Accounts Receivable	17,443.34
422 010 03200	Land	493,000.00
422 010 03300	Transfer Station	3,266,990.64
422 010 03400	Equipment	158,443.55
422 010 03410	Buildings & Improvements	141,638.89
422 010 03440	Accum Depr Equipment	(152,275.00)
422 010 03450	Accum Depr Bldg & Improv	(74,730.24)
422 010 03460	Accum Depr Transfer Station	(673,852.00)
	Total Assets	<u>3,826,485.74</u>

LIABILITIES AND FUND EQUITY

422 010 05210	Sublease Payable	3,205,118.55
422 010 05300	Compensated Absences Payable	44,130.79
422 010 05400	Deferred Revenue	17,443.34
422 010 05500	Post Closure Liability	2,650,636.00
422 010 07100	Fund Balance	(2,735,112.72)
422 010 09600	Investment in Capital Assets net of related debt	531,748.00
	Revenue	1,975,397.43
	Expenditure	(1,862,875.65)
	Total Liabilities and Fund Equity	<u>3,826,485.74</u>

Solid Waste

Statement of Revenues and Expenditures
8 Months Ended 2/28/2014

	CURRENT MONTH ACTUAL	YTD ACTUAL	YTD BUDGET	YTD VARIANCE	% EXPENDED
Revenues:					
422-421-90153	20,420.50	141,816.50	244,594.00	(102,777.50)	57.98%
422-421-90210	0.00	0.00	500.00	(500.00)	0.00%
422-421-90300	0.00	936.76	1,000.00	(63.24)	93.68%
422-421-91003	115,819.21	1,043,795.14	1,760,000.00	(716,204.86)	59.31%
422-421-91004	61,900.17	566,274.23	969,825.00	(403,550.77)	58.39%
422-421-91121	0.00	614.38	1,000.00	(385.62)	61.44%
422-421-90650-060	0.00	0.00	15,000.00	(15,000.00)	0.00%
422-421-90650-061	0.00	0.00	15,000.00	(15,000.00)	0.00%
422-421-91003-099	246.53	400.81	0.00	400.81	0.00%
422-421-91004-099	124.02	5,694.05	0.00	5,694.05	0.00%
422-421-91121-123	50.00	75.00	0.00	75.00	0.00%
422-421-91129-067	0.00	0.00	15,000.00	(15,000.00)	0.00%
422-421-91129-068	0.00	0.00	15,000.00	(15,000.00)	0.00%
Total Revenues	198,560.43	1,759,606.87	3,036,919.00	(1,277,312.13)	57.94%
Expenses:					
422-421-10010	15,889.61	174,712.66	260,077.00	85,364.34	67.18%
422-421-10012	0.00	86.00	1,000.00	914.00	8.60%
422-421-10015	1,812.72	12,456.99	16,600.00	4,143.01	75.04%
422-421-10020	4,371.89	46,138.84	84,693.00	38,554.16	54.48%
422-421-10030	7,665.66	61,769.01	83,243.00	21,473.99	74.20%
422-421-10033	22.40	195.20	331.00	135.80	58.97%
422-421-10035	40.85	382.85	1,295.00	912.15	29.56%
422-421-10040	2,240.83	17,926.64	26,890.00	8,963.36	66.67%
Total Salaries and Benefits	32,043.96	313,668.19	474,129.00	160,460.81	66.16%
422-421-20121	248.64	1,855.44	2,200.00	344.56	84.34%
422-421-20140	87.47	2,482.44	3,500.00	1,017.56	70.93%
422-421-20150	0.00	0.00	6,200.00	6,200.00	0.00%
422-421-20151	0.00	51.60	7,500.00	7,448.40	0.69%
422-421-20152	0.00	1,586.80	1,587.00	0.20	99.99%
422-421-20155	0.00	1,356.00	2,573.00	1,217.00	52.70%
422-421-20170	0.00	0.00	500.00	500.00	0.00%
422-421-20171	0.00	295.33	500.00	204.67	59.07%
422-421-20175	0.00	0.00	500.00	500.00	0.00%
422-421-20180	(200.00)	1,219.89	500.00	500.00	0.00%
422-421-20200	0.38	15.10	7,500.00	6,280.11	16.27%
422-421-20221	0.57	930.19	400.00	384.90	3.78%
			1,400.00	469.81	66.44%

422-421-10012	Overtime	1,812.72	12,456.99	16,600.00	4,143.01	75.04%
422-421-10015	Part-time/Temp	4,371.89	46,138.84	84,693.00	38,554.16	54.48%
422-421-10020	Retirement	7,665.66	61,769.01	83,243.00	21,473.99	74.20%
422-421-10030	Employee Benefits	22.40	195.20	331.00	135.80	58.97%
422-421-10033	Employee Life Insurance	40.85	382.85	1,295.00	912.15	29.56%
422-421-10035	Management Life Insurance	2,240.83	17,926.64	26,890.00	8,963.36	66.67%
422-421-10040	Worker's Compensation	32,043.96	313,668.19	474,129.00	160,460.81	66.16%
Total Salaries and Benefits						
422-421-20121	Communications	248.64	1,855.44	2,200.00	344.56	84.34%
422-421-20140	Household Expense	87.47	2,482.44	3,500.00	1,017.56	70.93%
422-421-20150	Insurance-Office	0.00	0.00	6,200.00	6,200.00	0.00%
422-421-20151	Liability Insurance	0.00	51.60	7,500.00	7,448.40	0.69%
422-421-20152	Vehicle Insurance	0.00	1,586.80	1,587.00	0.20	99.99%
422-421-20155	Liability Insurance	0.00	1,356.00	2,573.00	1,217.00	52.70%
422-421-20170	Maintenance-Equipment	0.00	0.00	500.00	500.00	0.00%
422-421-20171	Maintenance-Vehicles	0.00	295.33	500.00	204.67	59.07%
422-421-20175	Maintenance-Computers	0.00	0.00	500.00	500.00	0.00%
422-421-20180	Maint-Structures/Improvements & .T.S M	0.00	0.00	500.00	500.00	0.00%
422-421-20200	Memberships	(200.00)	1,219.89	7,500.00	6,280.11	16.27%
422-421-20221	Printing	0.38	15.10	400.00	384.90	3.78%
422-421-20223	Postage	99.57	930.19	1,400.00	469.81	66.44%
422-421-20224	Office Supplies	273.93	3,026.36	7,000.00	3,973.64	43.23%
422-421-20227	Books/Subscriptions	0.00	0.00	399.00	399.00	0.00%
422-421-20230	Prof Serv-Co/City	57.09	463.44	10,000.00	9,536.56	4.63%
422-421-20231	Prof Serv	19,623.25	41,442.54	58,460.00	17,017.46	70.89%
422-421-20232	Prof Serv-Well Monitoring	0.00	13,795.00	30,000.00	16,205.00	45.98%
422-421-20233	Audit	0.00	0.00	9,500.00	9,500.00	0.00%
422-421-20234	Legal Counsel	5,259.80	11,760.88	12,000.00	239.12	98.01%
422-421-20235	Treasurer	1,280.00	10,175.00	12,500.00	2,325.00	81.40%
422-421-20236	Security	0.00	197.76	500.00	302.24	39.55%
422-421-20237	Credit Card Service Fees	587.36	5,548.71	6,822.00	1,273.29	81.34%
422-421-20238	TS Collection	1,642.95	16,783.25	28,000.00	11,216.75	59.94%
422-421-20239	Transfer Station Operations	127,864.11	920,954.17	1,800,000.00	879,045.83	51.16%
422-421-20240	Advertising/Publications	0.00	750.35	1,000.00	249.65	75.04%
422-421-20250	Lease of Equipment	0.00	1,782.61	3,500.00	1,717.39	50.93%
422-421-20251	Lease - Gasquet Transfer Station	0.00	644.53	700.00	55.47	92.08%
422-421-20270	Minor Equipment	0.00	21.35	3,500.00	3,478.65	0.61%
422-421-20275	Small Tools	0.00	301.32	500.00	198.68	60.26%
422-421-20280	Delivery Service	0.00	208.00	600.00	392.00	34.67%
422-421-20281	Household Hazardous Waste Event	0.00	30,048.00	32,000.00	1,952.00	93.90%
422-421-20283	Community Clean-up	435.12	3,045.84	5,500.00	2,454.16	55.38%
422-421-20285	Special Dept Expense	93.95	1,095.02	2,500.00	1,404.98	43.80%
422-421-20286	Cash Over/Under	0.71	69.90	190.00	120.10	36.79%
422-421-20288	City Collections	1,740.51	10,748.03	17,500.00	6,751.97	61.42%
422-421-20290	Travel	45.36	2,734.67	3,000.00	265.33	91.16%
422-421-20297	Vehicle Fuel	107.50	1,422.58	2,100.00	677.42	67.74%
422-421-20301	State Fees	1,791.00	31,627.00	55,415.00	23,788.00	57.07%
422-421-20221-060	Printing-Oil Grant - 12/13	0.00	0.00	1,000.00	1,000.00	0.00%
422-421-20221-061	Printing-Oil Grant 13/14	0.00	0.00	1,000.00	1,000.00	0.00%
422-421-20221-067	Printing-DOC Grant 12/13	0.00	0.00	400.00	400.00	0.00%
422-421-20221-068	Printing-DOC 13/14	0.00	0.00	400.00	400.00	0.00%
3/17/2012-3/31/2015-001	Post Closure Maintenance	0.00	3,418.29	10,000.00	6,581.71	34.18%

422-421-20240-060	Advertising Oil Grant - 12/13	0.00	988.83	3,500.00	2,511.17	28.25%
422-421-20240-061	Advertising Oil Grant 13/14	0.00	0.00	3,500.00	3,500.00	0.00%
422-421-20240-067	Advertising- DOC Grant 12/13	0.00	1,722.77	2,600.00	877.23	66.26%
422-421-20240-068	Advertising - DOC 13/14	0.00	1,140.00	2,600.00	1,460.00	43.85%
422-421-20285-060	Spec Dept Exp-Oil Grant - 12/13	0.00	2,000.00	6,500.00	4,500.00	30.77%
422-421-20285-061	Special Dept Exp-Oil Grant 13/14	0.00	0.00	6,500.00	6,500.00	0.00%
422-421-20285-067	Spec Dept Exp-DOC Grant 12/13	0.00	320.00	6,000.00	5,680.00	5.33%
422-421-20285-068	Spec Dept Exp - DOC 13/14	0.00	0.00	6,000.00	6,000.00	0.00%
422-421-20290-060	Travel-Oil Grant - 12/13	0.00	539.90	1,000.00	460.10	53.99%
422-421-20290-061	Travel - Oil Grant 13/14	0.00	0.00	1,000.00	1,000.00	0.00%
422-421-20290-067	Travel DOC Grant 12/13	(415.00)	0.00	2,000.00	2,000.00	0.00%
422-421-20290-068	Travel - DOC 13/14	0.00	0.00	2,000.00	2,000.00	0.00%
Total Services and Supplies		160,623.70	1,128,568.89	2,194,046.00	1,065,477.11	51.44%
422-421-30490	Depreciation Expense	0.00	0.00	97,975.00	97,975.00	0.00%
Total Other Charges		0.00	0.00	97,975.00	97,975.00	0.00%
Total Fixed Assets		0.00	0.00	0.00	0.00	0.00%
422-421-70800	ARC Payment OPEB	0.00	0.00	11,125.00	11,125.00	0.00%
422-421-81000	Contingency	0.00	0.00	5,000.00	5,000.00	0.00%
422-421-70530-025	Interfund-Repayment to County	46,964.69	202,983.27	203,000.00	16.73	99.99%
422-421-70530-199	Interfund-Cost Plan	4,303.00	34,426.00	51,644.00	17,218.00	66.66%
422-421-70910-123	Op Trans Out Bad Check Fee	25.00	125.00	0.00	(125.00)	0.00%
Total Intrafund Transfers		51,292.69	237,534.27	270,769.00	33,234.73	87.73%
Total Expenses		243,960.35	1,679,771.35	3,036,919.00	1,357,147.65	55.31%
Revenues Over (Under) Expenditures		(45,399.92)	79,835.52	0.00	79,835.52	0.00%

**DNSWMA
GRAND TOTALS
MARCH 2014**

	Amount to 422-421 91003 66.53%	Amount to 422-421 91004 33.47%	TOTAL AMOUNT
DNCTS Cash Total	29,681.53	14,932.22	44,613.75
DNCTS Charge Total	99,484.46	50,048.77	149,533.23
DNCTS Credit/Debit	11,967.34	6,020.55	17,987.89
DNCTS Totals	141,133.33	71,001.54	212,134.87
Klamath Cash Total		3,623.13	3,623.13
Klamath Charge Total		394.43	394.43
Klamath Totals		4,017.56	4,017.56
Gasquet Cash Total		1,048.04	1,048.04
Gasquet Charge Total		115.88	115.88
Gasquet Totals		1,163.92	1,163.92
Adjustments			
GRAND TOTALS	141,133.33	76,183.02	217,316.35

3.4

**MONTHLY SPLIT SHEET
DNSWMA TRANSFER STATION
MONTH: MARCH 2014**

Date	Cash	Checks	Cash/Check Total	Visa	Master	Discover	Credit Card Total	Charges	Grand Total	66.53% 91003	33.47% 91004	20286	Total
1	\$ 2,669.32	\$ 890.41	\$ 3,559.73				\$ -	\$ 129.22	\$ 3,688.95	\$ 2,368.29	\$ 1,191.44	\$ 7.91	\$ 3,567.64
2	\$ 1,308.57	\$ 504.25	\$ 1,812.82				\$ -	\$ 94.11	\$ 1,906.93	\$ 1,206.07	\$ 606.75	(\$ 7.02)	\$ 1,805.80
3	\$ 944.59	\$ 88.46	\$ 1,033.05				\$ -	\$ 8,361.97	\$ 9,395.02	\$ 687.29	\$ 345.76	(\$ 25.28)	\$ 1,007.77
4	\$ 1,533.97	\$ 219.11	\$ 1,753.08	\$ 682.48	\$ 23.86		\$ 706.34	\$ 7,972.79	\$ 10,432.21	\$ 1,166.32	\$ 586.76	\$ 0.02	\$ 1,753.10
5	\$ 670.47	\$ 116.60	\$ 787.07	\$ 409.86	\$ 37.92		\$ 447.78	\$ 4,896.73	\$ 6,131.58	\$ 523.64	\$ 263.43	\$ 0.65	\$ 787.72
6	\$ 736.81	\$ 230.35	\$ 967.16	\$ 384.04	\$ 7.00		\$ 391.04	\$ 5,993.72	\$ 7,351.92	\$ 643.45	\$ 323.71	(\$ 1.01)	\$ 966.15
7	\$ 1,341.89	\$ 195.60	\$ 1,537.49	\$ 492.51	\$ 18.26		\$ 510.77	\$ 7,009.08	\$ 9,057.34	\$ 1,022.89	\$ 514.60	(\$ 5.00)	\$ 1,532.49
8	\$ 1,535.50	\$ 325.70	\$ 1,861.20	\$ 799.97	\$ 26.68		\$ 826.65	\$ 1,223.73	\$ 3,911.58	\$ 1,238.26	\$ 622.94	(\$ 0.01)	\$ 1,861.19
9	\$ 648.68	\$ 314.61	\$ 963.29	\$ 587.54			\$ 587.54	\$ 54.78	\$ 1,605.61	\$ 640.88	\$ 322.41	(\$ 0.01)	\$ 963.28
10	\$ 1,310.38	\$ 214.85	\$ 1,525.23	\$ 331.41	\$ 102.53		\$ 433.94	\$ 8,333.12	\$ 10,292.29	\$ 1,014.74	\$ 510.49	\$ 1.36	\$ 1,526.59
11	\$ 937.08	\$ 177.67	\$ 1,114.75	\$ 676.21	\$ 84.47		\$ 760.68	\$ 7,097.34	\$ 8,972.77	\$ 741.64	\$ 373.11	(\$ 0.01)	\$ 1,114.74
12	\$ 1,245.50	\$ 128.76	\$ 1,374.26	\$ 492.86	\$ 70.11		\$ 562.97	\$ 6,131.74	\$ 8,068.97	\$ 914.30	\$ 459.96	(\$ 9.98)	\$ 1,364.28
13	\$ 1,419.41	\$ 268.03	\$ 1,687.44	\$ 448.98	\$ 30.48		\$ 479.46	\$ 5,793.62	\$ 7,960.52	\$ 1,122.65	\$ 564.79	(\$ 0.02)	\$ 1,687.42
14	\$ 1,475.96	\$ 486.62	\$ 1,962.58	\$ 865.61			\$ 865.61	\$ 8,088.77	\$ 10,916.96	\$ 1,305.70	\$ 656.88	(\$ 0.63)	\$ 1,961.95
15	\$ 1,427.97	\$ 406.73	\$ 1,834.70	\$ 1,043.71	\$ 146.90		\$ 1,190.61	\$ 396.92	\$ 3,422.23	\$ 1,220.63	\$ 614.07	(\$ 1.02)	\$ 1,833.68
16	\$ 997.56	\$ 169.77	\$ 1,167.33	\$ 1,202.88	\$ 23.88		\$ 1,226.76	\$ 367.17	\$ 2,761.26	\$ 776.62	\$ 390.71	(\$ 1.73)	\$ 1,165.60
17	\$ 1,090.84	\$ 138.23	\$ 1,229.07	\$ 428.95	\$ 44.95		\$ 473.90	\$ 10,173.77	\$ 11,876.74	\$ 817.70	\$ 411.37	\$ 0.24	\$ 1,229.31
18	\$ 982.59	\$ 198.35	\$ 1,180.94	\$ 464.03	\$ 33.72		\$ 497.75	\$ 9,621.79	\$ 11,300.48	\$ 785.68	\$ 395.26		\$ 1,180.94
19	\$ 1,202.39	\$ 267.54	\$ 1,469.93	\$ 635.92	\$ 30.80		\$ 666.72	\$ 5,126.73	\$ 7,263.38	\$ 977.94	\$ 491.99	(\$ 0.26)	\$ 1,469.67
20	\$ 1,217.56	\$ 586.09	\$ 1,803.65	\$ 488.32	\$ 22.37		\$ 510.69	\$ 7,309.08	\$ 9,623.42	\$ 1,199.97	\$ 603.68	(\$ 0.09)	\$ 1,803.56
21	\$ 939.86	\$ 448.42	\$ 1,388.28	\$ 642.47	\$ 69.22		\$ 711.69	\$ 6,010.91	\$ 8,110.88	\$ 923.62	\$ 464.66	\$ 1.00	\$ 1,389.28
22	\$ 1,462.60	\$ 336.65	\$ 1,799.25	\$ 886.82	\$ 75.70		\$ 962.52	\$ 910.33	\$ 3,672.10	\$ 1,197.04	\$ 602.21	\$ 2.01	\$ 1,801.26
23	\$ 2,230.41	\$ 308.42	\$ 2,538.83	\$ 1,175.80	\$ 12.64		\$ 1,188.44	\$ 290.90	\$ 4,018.17	\$ 1,689.08	\$ 849.75	\$ 0.16	\$ 2,538.99
24	\$ 1,769.17	\$ 362.62	\$ 2,131.79	\$ 534.61	\$ 80.04	\$ 34.78	\$ 649.43	\$ 9,317.71	\$ 12,098.93	\$ 1,418.28	\$ 713.51	(\$ 7.56)	\$ 2,124.23
25	\$ 698.27	\$ 219.46	\$ 917.73	\$ 450.44	\$ 76.54		\$ 526.98	\$ 5,664.17	\$ 7,108.88	\$ 610.57	\$ 307.16	\$ 0.01	\$ 917.74
26	\$ 424.73	\$ 185.38	\$ 610.11	\$ 14.00	\$ 337.10		\$ 351.10	\$ 4,259.38	\$ 5,220.59	\$ 405.91	\$ 204.20		\$ 610.11
27	\$ 656.46	\$ 30.06	\$ 686.52	\$ 464.42	\$ 22.47		\$ 486.89	\$ 3,555.94	\$ 4,729.35	\$ 456.74	\$ 229.78	\$ 0.40	\$ 686.92
28	\$ 470.06	\$ 68.82	\$ 538.88	\$ 188.11			\$ 188.11	\$ 6,058.89	\$ 6,785.88	\$ 358.52	\$ 180.36	\$ 1.10	\$ 539.98
29	\$ 1,318.58	\$ 132.02	\$ 1,450.60	\$ 497.66	\$ 44.88		\$ 542.54	\$ 120.80	\$ 2,113.94	\$ 965.08	\$ 485.52	(\$ 1.00)	\$ 1,449.60
30	\$ 979.42	\$ 56.19	\$ 1,035.61	\$ 1,000.51	\$ 78.32		\$ 1,078.83	\$ 216.29	\$ 2,330.73	\$ 688.99	\$ 346.62		\$ 1,035.61
31	\$ 818.32	\$ 73.06	\$ 891.38	\$ 149.51	\$ 12.64		\$ 162.15	\$ 8,951.73	\$ 10,005.26	\$ 593.04	\$ 298.34		\$ 891.38
TOTALS	\$ 36,464.92	\$ 8,148.83	\$ 44,613.75	\$ 16,439.63	\$ 1,513.48	\$ 34.78	\$ 17,987.89	\$ 149,533.23	\$ 212,134.87	\$ 29,681.53	\$ 14,932.22	\$ (45.77)	\$ 44,567.98

Del Norte Solid Waste Management Authority
A/R Aging Summary
 As of March 31, 2014

	Current	1 - 30	31 - 60	61 - 90	> 90	TOTAL
Abandoned Vehicle Abatement	0.00	573.25	0.00	0.00	0.00	573.25
Affordable Home & Rental Rep.	14.19	0.00	0.00	0.00	0.00	14.19
Aladdin Realty	18.26	23.22	0.00	0.00	0.00	41.48
Albers Seafood	0.00	144.66	0.00	0.00	0.00	144.66
Alexandre EcoDairy Farms	202.26	0.00	0.00	0.00	0.00	202.26
All About Town Home Repair	323.30	0.00	0.00	0.00	0.00	323.30
Babich Construction	76.17	0.00	0.00	0.00	0.00	76.17
Bad Checks/Co Collector	0.00	0.00	0.00	0.00	43.78	43.78
Bart Kast Builders	61.80	0.00	0.00	0.00	0.00	61.80
Bommelyn / Hartley Construction	0.00	0.00	0.00	0.00	66.02	66.02
Bommelyn Construction	0.00	7.02	101.88	0.00	251.42	360.32
Borges Dairy	283.73	0.00	0.00	0.00	0.00	283.73
Brown, Hector	591.28	0.00	0.00	0.00	0.00	591.28
C.A.R.R.E. / Full - Spectrum	110.95	0.00	0.00	0.00	0.00	110.95
Cal-Fire	0.00	0.00	0.00	0.00	-16.54	-16.54
Cal-Ore LIFE FLIGHT	0.00	0.00	0.00	0.00	-33.71	-33.71
Cal-Trans	13.26	73.48	0.00	0.00	0.00	86.74
California Auto Image	110.96	0.00	0.00	0.00	0.00	110.96
California Dept. Parks & Rec.	874.99	0.00	0.00	0.00	0.00	874.99
CASH	0.00	0.00	0.00	0.00	41.41	41.41
Castle Rock Countertop's	42.14	0.00	0.00	0.00	0.00	42.14
Certified Construction	0.00	0.00	0.00	0.00	6.90	6.90
Certified Plumbing Co.	19.66	-6.90	0.00	0.00	0.00	12.76
Cetnar Construction Inc.	29.50	12.30	0.00	0.00	0.00	41.80
Charter Communication	29.50	0.00	0.00	0.00	0.00	29.50
City of Crescent City.	335.96	0.00	0.00	0.00	100.34	436.30
Coke Associates	0.00	84.28	0.00	0.00	0.00	84.28
College of the Redwoods	25.29	0.00	0.00	0.00	0.00	25.29
Combined Maintance Services	149.07	0.00	0.00	0.00	0.00	149.07
Corner Stone Assembly of God	56.18	23.67	0.00	0.00	0.00	79.85
Cory, Charles	0.00	0.00	0.00	0.00	576.49	576.49
Crescent Ace Hardware.	214.90	0.00	0.00	0.00	0.00	214.90
Crescent City KOA	153.44	0.00	0.00	0.00	0.00	153.44
Crescent City Nursing & Rehab	0.00	30.69	0.00	0.00	0.00	30.69
Crescent City, Harbor	56.18	0.00	0.00	0.00	0.01	56.19
Crescent Fire Protection Dist.	23.88	40.73	0.00	0.00	18.78	83.39
DEBIT	0.00	0.00	0.00	0.00	190.46	190.46
Del Norte Health Care District	75.00	0.00	0.00	0.00	0.00	75.00
Del Norte Office Supply.	5.19	0.00	0.00	0.00	0.00	5.19
Del Norte Realty	23.88	364.61	0.00	0.00	0.00	388.49
Del Norte Roofing	91.30	904.58	0.00	0.00	0.00	995.88
Del Norte Storage	0.00	33.71	0.00	0.00	0.00	33.71
Direct TV	0.00	0.00	0.00	0.00	27.98	27.98
DN Fire Safe Council	0.00	0.00	0.00	0.00	37.30	37.30
DN Unified School District	831.47	0.01	0.00	0.00	0.00	831.48
DNC Public Nuisance Abatement	0.00	0.00	0.00	0.00	-141.86	-141.86
Dutra Materials	0.00	0.00	0.00	0.00	9.67	9.67
Elk Valley Casino	1.65	0.00	0.00	0.00	0.00	1.65
Elk Valley Rancheria	13.25	0.00	0.00	0.00	0.00	13.25
Elk Valley Storage	0.00	28.10	0.00	0.00	0.00	28.10
Ellers Fort Dick Market	327.27	258.44	0.00	0.00	0.00	585.71
Fashion Blacksmith	42.96	0.00	0.00	0.00	0.00	42.96
Frank's Refrigeration	82.54	0.00	0.00	0.00	0.00	82.54
FRANKLIN	7.02	0.00	0.00	0.00	0.00	7.02
Franklin's Plumbing	0.00	0.00	0.00	0.00	45.59	45.59
G. H. Outreach	316.50	0.00	0.00	0.00	0.00	316.50
Gasquet Mobile Home Park	115.88	0.00	0.00	0.00	0.00	115.88
Golden State Construction	369.38	0.00	0.00	0.00	0.00	369.38
GR Construction	62.76	0.00	0.00	0.00	0.00	62.76
Green Scapes	0.00	84.64	0.00	0.00	236.25	320.89
Griffin's Furniture Outlet	0.00	124.23	0.00	0.00	0.00	124.23
Hambro/Waste Solutions Group	12.59	0.00	0.00	0.00	313.60	326.19
Hank's Hauling	96.36	0.00	0.00	0.00	0.00	96.36
HASP / Jordan Recovery Centers	228.77	0.00	0.00	0.00	0.00	228.77
Hemmingsen Contracting Company	0.00	5,014.17	0.00	0.00	0.00	5,014.17
Hintz Construction	0.00	0.00	0.00	0.00	127.60	127.60

Del Norte Solid Waste Management Authority
A/R Aging Summary
As of March 31, 2014

	Current	1 - 30	31 - 60	61 - 90	> 90	TOTAL
Humane Society Of Del Norte	0.00	0.00	0.00	0.00	0.00	0.00
Humboldt Moving & Storage	165.74	0.00	0.00	0.00	0.00	165.74
Jacob R. Crager	877.87	0.00	0.00	0.00	0.00	877.87
Klamath Transfer Station	0.00	0.00	0.00	0.00	60.47	60.47
Larson Services	50.55	49.16	0.00	0.00	0.00	99.71
Lehman Property Management	0.00	0.00	0.00	0.00	1,885.22	1,885.22
Lesina Trucking	9.83	0.00	0.00	0.00	0.00	9.83
Lighthouse Community Church	0.00	18.26	28.09	0.00	35.55	81.90
Lighthouse Repertory Theatre	0.00	0.00	-3.78	0.00	0.00	-3.78
LNL Design and Construction	16.86	0.00	0.00	0.00	0.00	16.86
Loren Stonebrink's Const.	84.28	0.00	0.00	0.00	0.00	84.28
Malloroy Construction	0.00	0.79	0.00	0.00	0.00	0.79
Mark Wooding Construction	0.00	0.00	0.00	0.00	-120.00	-120.00
Mastaloudis Homes Inc.	22.66	0.00	0.00	0.00	0.00	22.66
Ming Tree Real Estate	0.00	0.00	0.00	0.00	-16.10	-16.10
Moen Investments	361.44	0.00	0.00	0.00	0.00	361.44
Mountain Power Tree Co.	232.82	158.48	0.00	0.00	0.00	391.30
Mow Blow and Go	7.87	0.00	0.00	0.00	0.00	7.87
Murray Construction	85.68	0.00	0.00	0.00	0.00	85.68
Newey, Harold L.	94.93	0.00	0.00	0.00	0.00	94.93
Niehoff Construction	0.00	457.90	0.00	0.00	0.00	457.90
Norbury Construction	0.00	0.00	0.00	0.00	116.70	116.70
North Coast Properties	53.37	0.00	0.00	0.00	0.00	53.37
North Woods Realty	11.24	37.47	0.00	0.00	0.00	48.71
Northridge Electric	116.37	0.00	0.00	0.00	0.00	116.37
Pacific Coast Realty & Prop.	7.02	0.00	0.00	0.00	0.00	7.02
Pacific Northwest Physical Therapy	22.45	28.09	0.00	0.00	0.00	50.54
Pappas Dry Wall	578.65	0.00	0.00	0.00	0.00	578.65
Parkway Feed	164.34	0.00	0.00	0.00	0.00	164.34
Pebble Beach Apartments	109.90	0.00	0.00	0.00	0.00	109.90
Pelican Bay Evangelical Free Church	349.74	0.00	0.00	0.00	0.00	349.74
Pelican Bay Roofing Co.	446.56	0.00	0.00	0.00	0.00	446.56
Plunkett's Family Painting	12.64	0.00	0.00	0.00	0.00	12.64
Ray's Mobile Home Service	52.26	0.00	0.00	0.00	0.00	52.26
Recology Del Norte (Franchise)	98,150.75	0.00	0.01	0.00	0.00	98,150.76
Recology Del Norte (Prison)	10,851.94	0.00	0.00	0.00	0.00	10,851.94
Red Sky Roofing	5,121.18	2,668.84	0.00	0.00	0.00	7,790.02
Redwood Community Action Agency	60.35	37.90	38.02	0.00	0.00	136.27
Redwood Cove Community Center	0.00	7.00	0.00	0.00	0.00	7.00
Redwood National Park	532.30	747.45	186.85	0.00	10,377.99	11,844.59
Reservation Ranch	927.04	1,700.75	0.00	0.00	0.00	2,627.79
Richard Brown Construction	25.28	0.00	0.00	0.00	0.00	25.28
Richterich & Jones Const	268.28	37.93	0.00	0.00	0.00	306.21
Rick Parker Construction	125.01	0.00	0.00	0.00	0.00	125.01
Ritchie Homes	945.89	0.00	0.00	0.00	0.00	945.89
Ron's Hauling	57.59	0.00	0.00	0.00	-4.99	52.60
Roy Rook Construction	471.94	0.00	0.00	0.00	0.00	471.94
Ruiz Construction	66.01	0.00	0.00	0.00	0.00	66.01
Rumiano Cheese Company	63.21	0.00	0.00	0.00	0.00	63.21
Schnacker's General Hauling	7.00	15.45	0.00	0.00	0.00	22.45
Seabreeze Apartments	0.00	0.00	0.00	0.00	-29.01	-29.01
Seawood Village	6,215.45	0.00	0.00	0.00	0.00	6,215.45
Shangri-la Trailer Court	18.15	0.00	0.00	0.00	0.00	18.15
Smith River Equipment	14.05	0.00	0.00	0.00	0.00	14.05
Smith River Rancheria	432.61	20.90	0.00	0.00	0.00	453.51
Sprint Courier Service	130.63	0.00	0.00	0.00	0.00	130.63
Spruce Haven Mobile Home Park	0.00	69.30	0.00	0.00	0.00	69.30
Steel	23.88	0.00	0.00	0.00	0.00	23.88
Stephen F White Gen.Cont. Inc.	146.77	0.00	0.00	0.00	0.00	146.77
Stone Roofing	2,157.47	0.00	0.00	0.00	0.00	2,157.47
Stremberg Realty	38.27	0.00	0.00	0.00	0.00	38.27
SURF	6.61	8.26	0.00	0.00	0.00	14.87
SWEEP ALOT	0.00	0.00	0.00	0.00	0.00	0.00
Tab & Associates	529.42	0.00	0.00	0.00	0.00	529.42
Thermo Fluids, Inc. / Outbound OIL	0.00	0.00	0.00	0.00	-55.80	-55.80
Thomas Gavin Construction	0.00	9.83	0.00	0.00	0.00	9.83

11:53 AM

04/04/14

Del Norte Solid Waste Management Authority
A/R Aging Summary
 As of March 31, 2014

	<u>Current</u>	<u>1 - 30</u>	<u>31 - 60</u>	<u>61 - 90</u>	<u>> 90</u>	<u>TOTAL</u>
Tim Haban Construction	116.57	0.00	0.00	0.00	0.00	116.57
U.S. Forest Service-Gasquet CA	0.00	0.00	0.00	0.00	1,120.96	1,120.96
V Primo Construction	434.03	0.00	0.00	0.00	0.00	434.03
Van Arsdale Construction	1,438.31	0.00	0.00	0.00	0.00	1,438.31
Van Nocker's Cleaning	11.24	0.00	0.00	0.00	0.00	11.24
VISA	0.00	0.00	0.00	0.00	19.26	19.26
White Cap Coastal	1,966.10	0.00	0.00	0.00	0.00	1,966.10
Winn's Maintance Service	0.00	0.00	0.00	0.00	-25.00	-25.00
Your Creation	0.00	0.00	0.00	0.00	1,092.66	1,092.66
Yurok Indian Housing Authority	777.30	0.00	0.00	0.00	47.26	824.56
Yurok Tribe	1,783.24	0.00	0.00	0.00	0.00	1,783.24
TOTAL	<u>144,369.56</u>	<u>13,892.65</u>	<u>351.07</u>	<u>0.00</u>	<u>16,406.66</u>	<u>175,019.94</u>

DNSWMA

KLAMATH TRANSFER STATION - CHARGES

MARCH 2014

			Amount to	
			422-421	TOTAL
DATE	CHARGE ACCOUNT	Receipt #	91004	AMOUNT
March 5, 2014	Newey, Harold	474191	57.94	57.94
March 12, 2014	Newey, Harold	474192	36.99	36.99
March 19, 2014	Yurok Tribe EDC	474193	150.00	150.00
March 19, 2014	Yurok Tribe EDC	474194	45.00	45.00
March 19, 2014	Yurok Tribe IHA	474195	104.50	104.50
				0.00
				0.00
				0.00
				0.00
				0.00
				0.00
				0.00
TOTAL			\$394.43	\$394.43

DNSWMA

GASQUET TRANSFER STATION - CASH

MARCH 2014

Date	Amount to 422-421- 91004	TOTAL CASH AMOUNT
March 1, 2014	278.58	278.58
March 8, 2014	116.20	116.20
March 15, 2014	238.23	238.23
March 22, 2014	246.14	246.14
March 29, 2014	168.89	168.89
		0.00
		0.00
		0.00
		0.00
		0.00
		0.00
TOTALS	1,048.04	1,048.04

**DAILY TICKET REPORT
 DNSWMA TRANSFER STATION
 MONTH: March 2014**

	BEGIN	END	VOIDED TICKETS	TICKET COUNT
Date				
1	747873	748066	7	187
2	748067	748163		97
3	748164	748246	3	80
4	748247	748414	1	167
5	748415	748528		114
6	748529	748642	1	113
7	748643	748804	1	161
8	748805	748992	1	187
9	748993	749067		75
10	749068	749207		140
11	749208	749369		162
12	749370	749532		163
13	749533	749696	1	163
14	749697	749867		171
15	749868	750082	1	214
16	750083	750256	1	173
17	750257	750412		156
18	750413	750573	2	159
19	750574	750720		147
20	750721	750896		176
21	750897	751052		156
22	751053	751242	1	189
23	751243	751442	3	197
24	751443	751660	1	217
25	751661	751767		107
26	751768	751825		58
27	751826	751908	2	81
28	751909	751985		77
29	751986	752130		145
30	752131	752258		128
31	752259	752359		101
TOTAL			26	4461

AUTHORITY REVENUE REPORT March 2013

Source	2012/2013		2013/2014	
	Actual	Annual	Budget/Month	Budget/Year
Authority				
Service Fees	\$ 954,943.22		\$ 80,818.75	\$ 969,825.00
		Comparison	Actual/Month	Over Budget
		FYE13 & FYE14		
	Actual/Month			
	July	\$ 87,408.81	\$ 93,409.33	\$ 12,590.58
	August	\$ 92,633.00	\$ 91,982.30	\$ 11,163.55
	September	\$ 92,928.94	\$ 81,572.16	\$ 753.41
	October	\$ 82,747.57	\$ 90,070.63	\$ 9,251.88
	November	\$ 70,958.14	\$ 73,073.25	\$ (7,745.50)
	December	\$ 69,914.88	\$ 68,239.89	\$ (12,578.86)
	January	\$ 76,314.02	\$ 73,574.88	\$ (7,243.87)
	February	\$ 67,164.38	\$ 69,527.00	\$ (11,291.75)
	March	\$ 75,367.06	\$ 76,183.02	\$ (4,635.73)
	April	\$ 79,472.08		\$ -
	May	\$ 80,976.27		\$ -
	June	\$ 79,058.07		\$ -
	Total	\$ 954,943.22	\$ 717,632.46	\$ (9,736.29)

3.5

AUTHORITY REVENUE REPORT March 2013

Source 2012/2013 2013/14

Franchise Fee Actual Annual Budget/Month Budget/Year

\$ 20,382.83 \$ 244,594.00

	Actual/Year		Comparison FYE13 & FYE14		Actual/Month		Over/Under Budget	
	Actual	Budget	Actual	Budget	Actual	Budget	Actual	Budget
July	\$ 19,055.00	\$ 909.00	\$ 19,055.00	\$ 909.00	\$ 19,964.00	\$ (418.83)	\$ 19,964.00	\$ (418.83)
August	\$ 20,358.00	\$ (456.00)	\$ 20,358.00	\$ (456.00)	\$ 19,902.00	\$ (480.83)	\$ 19,902.00	\$ (480.83)
September	\$ 21,214.00	\$ (343.00)	\$ 21,214.00	\$ (343.00)	\$ 20,871.00	\$ 488.17	\$ 20,871.00	\$ 488.17
October	\$ 20,565.00	\$ (27.00)	\$ 20,565.00	\$ (27.00)	\$ 20,538.00	\$ 155.17	\$ 20,538.00	\$ 155.17
November	\$ 19,983.00	\$ 120.00	\$ 19,983.00	\$ 120.00	\$ 20,103.00	\$ (279.83)	\$ 20,103.00	\$ (279.83)
December	\$ 19,893.00	\$ 560.00	\$ 19,893.00	\$ 560.00	\$ 20,453.00	\$ 70.17	\$ 20,453.00	\$ 70.17
January	\$ 19,165.00	\$ 1,255.00	\$ 19,165.00	\$ 1,255.00	\$ 20,420.00	\$ 37.17	\$ 20,420.00	\$ 37.17
February	\$ 20,911.00	\$ (889.00)	\$ 20,911.00	\$ (889.00)	\$ 20,022.00	\$ (360.83)	\$ 20,022.00	\$ (360.83)
March	\$ 20,547.00	\$ (1,044.00)	\$ 20,547.00	\$ (1,044.00)	\$ 19,503.00	\$ (879.83)	\$ 19,503.00	\$ (879.83)
April	\$ 19,601.00	\$ -	\$ 19,601.00	\$ -		\$ -		\$ -
May	\$ 19,683.00	\$ -	\$ 19,683.00	\$ -		\$ -		\$ -
June	\$ 19,964.00	\$ -	\$ 19,964.00	\$ -		\$ -		\$ -
Total	\$ 240,939.00	\$ 85.00	\$ 240,939.00	\$ 85.00	\$ 181,776.00	\$ (1,669.50)	\$ 181,776.00	\$ (1,669.50)



Del Norte Solid Waste Management Authority

1700 State Street, Crescent City, CA 95531
Phone (707) 465-1100 Fax (707) 465-1300

Staff Report

Date: 04 April 2014
To: Commissioners of the Del Norte Solid Waste Management Authority
From: Tedd Ward, M.S. - Acting Director / Program Manager
File Number: 0600901 - Financial Assurances, Landfill Closure
Attachment: Letter to CalRecycle re. Reduction of Multiplier
Subject: Reduction in the Post-Closure Maintenance Financial Assurance Multiplier for the Crescent City Landfill

Summary / Recommendation: No action required. The Board has standing direction that Authority staff annually request that CalRecycle review and approve a reduced multiplier for the approved annual postclosure maintenance cost estimate. If the Board takes no action, staff will submit the attached letter to CalRecycle.

Background: The Crescent City Landfill as a public facility is administered by the Del Norte Solid Waste Management Authority, though the property is owned by the County of Del Norte. The facility was closed to the public in March 2005, and phased closure construction was completed in February 2006. Under Federal law, both the Authority and the County are required to demonstrate and assure that finances are available and reserved for the projected post-closure maintenance expenses for at least the duration of a 30-year post-closure maintenance period, which will last until February 2036.

Identifying sources of money to meet these post-closure financial assurance requirements or adopting appropriate Pledge of Revenue resolutions is one of the many requirements associated with managing the closed landfill throughout the 30-year post-closure maintenance period. The Crescent City Landfill Closure Plan describes how the Authority and the County intended to meet the post-closure financial assurance requirement using a 'Pledge of Revenue' from the receipts collected at the Del Norte County Transfer Station. The Authority's Pledge of Revenue meets the

13 January 2012 1 Printed on >30% post-consumer recycled paper
I:\Tedd\LANDFILL\Post-Closure\Financial Assurances_Cost Est_Pledge Rev\1404 Reduce Multiplier
staff report.wpd

4.1

requirements of Title 27 of the California Code of Regulations, Division 2, Subdiv. 1, Ch. 6, Subchapter 3, Article 2, section 22245, and has been approved by the California Department of Resources Recycling and Recovery (CalRecycle).

As part of their annual audit of the Authority's accounts, Smith and Newell requests an assessment of the liability associated with maintenance and monitoring responsibilities for the Crescent City Landfill.

In May 2011, the Authority Board directed staff to prepare an application to CalRecycle seeking approval for the reduction of the multiplier used to assess the liability for post-closure maintenance and monitoring of the Crescent City Landfill, and staff have submitted such a letter annually since that time.

Analysis: In September 2012, CalRecycle approved reducing this multiplier from 30 to 25. On 23 May 2013, the Authority received a letter from CalRecycle approving of a reduction from 25 to 24 for the year 2013. This letter also stated that the Authority must annually request approval from CalRecycle for subsequent reductions.

While this is not a reduced cash expense, it does improve the Authority's financial standing. Furthermore, Smith and Newell were very interested in understanding how the Authority obtained this approval, as they were not aware of any of their other local government clients who had received such approval.

Alternatives: The Board could decline to direct staff to apply for additional reductions in this multiplier.

Fiscal Impact: What difference does this make? Without this approval, the Authority's projected postclosure liability is calculated to be \$2,733,162 as of June 2014. With the approval of the reduced multiplier, the Authority's projected postclosure liability is calculated to be \$2,277,802 - a reduction of \$455,560.



Del Norte Solid Waste Management Authority

1700 State Street, Crescent City, CA 95531
Phone (707) 465-1100 Fax (707) 465-1300

10 April 2014

Ms. Susan Markie, Chief
Permitting and Assistance Branch
Waste Permitting, Compliance and Mitigation Division
California Department of Resources Recycling and Recovery (CalRecycle)
1001 I Street
PO Box 4025
Sacramento, CA 95812-4025

SUBJECT: Request for Reduction in Post-Closure Financial Assurance Multiplier for
the Crescent City Landfill

Dear Ms. Byrne:

The Del Norte Solid Waste Management Authority (Authority), a rural regional joint powers authority comprised of the City of Crescent City and the County of Del Norte, hereby request a reduction in the multiplier used to assess the financial liability associated with the Crescent City Landfill. Final closure construction of this facility was completed on 01 February 2006. Authority staff, partner agencies and contractors have maintained this landfill and monitored surface, storm, and ground water quality since closure was completed.

The Authority has adopted Resolution 2008-04, a Pledge of Revenue Agreement Establishing Financial Assurance for Postclosure Maintenance of the Crescent City Landfill. Our Pledge of Revenue Agreement is being updated to address potential corrective action costs as required under section 22101 of Title 27 of the California Code of Regulations. After approval by the Del Norte County Board of Supervisors and the City Council for the City of Crescent City, the Authority Board will be poised to adopt this revised Pledge of Revenue as well as a new Resolution implementing this Pledge.

As you are aware, each year the Authority must estimate the amount of the post-closure liability by multiplying the engineer's estimate of the annual post-closure maintenance expenses times thirty (30). This significant liability is recognized each

year within the Authority's financial audit, and is not reduced by annual maintenance or monitoring expenses, though projections of these expenses were the basis for the engineer's estimate.

As of February 2014, eight years will have elapsed since the post-closure maintenance period began. In May 2013, CalRecycle approved the reduction of the postclosure maintenance multiplier from 30 to 25 in September 2012 and from 25 to 24, effective February 2013. The Authority hereby requests that CalRecycle officially reduce the Del Norte Solid Waste Management Authority's multiplier for calculating the post-closure liability for the Crescent City Landfill by seven years to be twenty-three (23), effective February 2014.

If you have questions or need further information, please contact me. Thank you in advance for your consideration of this request.

Sincerely,

Tedd Ward, M.S.
Acting Director / Program Manager
Del Norte Solid Waste Management Authority

cc: Ms. JoAnne Byrne, Financial Assurance Unit, CalRecycle
Ms. Diana Post, Permits and Assistance North Unit, CalRecycle
Ms. Gina Morrison, North Coast Regional Water Quality Control Board
Mr. Jim Barnts, Del Norte County Engineer
Mr. Clinton Schaad, Auditor/Controller, County of Del Norte
Ms. Heidi Kunstal, Del Norte County Community Development Department

CHANGE ORDER 1

CONTRACT: WORK AGREEMENT dated June 13, 2013

CONTRACTOR: Busch Geotechnical Consultants
AGENCY: DEL NORTE SOLID WASTE MANAGEMENT AUTHORITY
SUBJECT: Extra Work Associated with Borehole / Well Installation Monitoring and Advice and Review regarding Preliminary Report regarding these Investigation Wells for the Regional Water Quality Control Board

NATURE OF CHANGES: This Change Order addresses (1) the extra site visit caused by the inability of the drill rig to access the site on the first attempt; (2) the additional communication/administration time necessary due to scheduling difficulties between DNSWMA and the drillers, and (3) lab tests (sieving for grain-size analysis) on selected samples, statistics (data and graphs) and a short report to explain the site geology, stratigraphy, and implications of the information. Administrative charges rose because of delays in the work schedule, and because of the additional work itself.

This Change Order also expands the scope of services to include review of data and documents related to the two new Investigation Wells and other well and water quality monitoring data from the Crescent City Landfill, and advice to the Authority regarding the potential costs and benefits of drilling additional wells at the landfill to augment this investigation. This scope of work also includes review and comment on up to three reports or correspondences related to these investigation wells (not more than 30 pages total text), drafted by Authority and/or County staff. Finally, the additional budget includes up to 16 hours for on-site observations and production of one additional borehole / well installation report, should such be required.

Contract Time: The contract time is extended through 31 December 2014.

Contract Price: This Change Order makes the following changes to the Contract Price. Adds \$8,500, which includes a discount of the Principal's time of \$984.00. The total contract amount of \$12,100 will not be exceeded without prior written authorization from the Authority.

This Change Order is hereby approved:

DATE: _____

Del Norte Solid Waste Management Authority:

Busch Geotechnical:

BY: _____

Roger Gitlin, Chair

R. E. Busch, Jr.

ATTEST:

BY: _____

Bob Busch, Principal

Mary Wilson, Secretary

ATTEST:

Approved as to form:

Marilyn C. Busch

Executive Administrator

BY: _____

Martha D. Rice, General Counsel

4.2



EDMUND G. BROWN JR.
GOVERNOR



MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

State Water Resources Control Board

March 28, 2014

Del Norte Solid Waste Management Authority
1700 State St
Crescent City, CA 95531

RE: PAST DUE ANNUAL PERMIT FEES, WDID # 1A77002ODN

One or more invoices for permit fees for your facility are past due. Failure to pay the required permit fee is a violation of Water Code Section 13261. If payment for all past due invoices is not received by April 25, 2014, your invoices will be referred to a private collection agency for collection.

If you have any questions or would like copies of the past due invoices, please send an email to Fee_Branch@waterboards.ca.gov or contact the Fee Branch at (916) 341-5247.

Sincerely,

Fee Branch
Division of Administrative Services
State Water Resources Control Board
916-341-5247
Fee_Branch@waterboards.ca.gov

FELICIA MARCUS, CHAIR | THOMAS HOWARD, EXECUTIVE DIRECTOR

1001 I Street, Sacramento, CA 95814 | Mailing Address: P.O. Box 100, Sacramento, Ca 95812-0100 | www.waterboards.ca.gov



DEMAND FOR PAYMENT

Annual Permit Fees Required by Sections 13260 & 13269 of the California Water Code

Date: 12/11/2013
Facility ID: 1A77002ODN
Facility Name: DEL NORTE CNTY, CRESCENT CITY
OLD MILL

Fiscal Year: 2013/14
Invoice Number: WD-0086531
Billing Period: 07/01/13 - 06/30/14
Invoice Date: 10/30/2013
Amount Past Due: \$ 64,817.00
Region: 1
Index Number: 194214

Do not pay. Do
not write a claim.

For details please refer to the original invoice

STATEMENT OF ANNUAL WASTE DISCHARGE FEES

On the above delinquent invoice. Our accounting office records indicate that failure to pay the required fee is considered a misdemeanor under California law. Failure to pay the required fee may result in a civil liability assessment of up to \$1000 per day for each day that the fees go unpaid, revocation of your discharge permit, or referral to a collection agency. Please return payment in the attached envelope along with the bottom portion of the invoice. Payment must be received no later than 30 days from the date of this notice.

Please note that a transfer of ownership or relocation of a facility requires a new Waste Discharge Permit. If you are no longer discharging, please submit a letter to the Regional Water Quality Board requesting termination of your permit.

If you have any questions about this invoice, please call your
Regional Water Quality Control Board at 707-576-2656.

For payment status of your invoice, please go to the "Stormwater and Wastewater Permit Fee Information" link at
<http://water101.waterboards.ca.gov/dwqdas/feeunit/search/DischargerInvoiceInfo.asp>

Retain this portion for your records



Please detach and return this portion with your payment

Region: 1

Fiscal Year: 2013/14

Invoice Number: WD-0086531

Index Number: 194214

(Please print the above number on check or money order)

RM #: 139190

SWRCB
PO BOX 1888
SACRAMENTO, CA 95812-1888

DEL NORTE SOLID WASTE MANAGEMEN
KEVIN HENDRICK
1700 STATE STREET
CRESCENT CITY, CA 95531

Amount Due: \$ 64,817.00
Billing Period: 07/01/13 - 06/30/14
Invoice Date: 10/30/2013
Facility ID: 1A77002ODN
Facility Name: DEL NORTE CNTY, CRESCENT CITY
OLD MILL
CRESCENT CITY, CA 95531



PAY YOUR INVOICE ONLINE!

You can now pay your invoice online by electronic fund transfer (EFT).
Go to the Fee Branch homepage for more information:
<http://www.waterboards.ca.gov/resources/fees/>

For questions about this invoice, contact the appropriate
Regional Water Quality Control Board below:

Region	Phone Number
1	(707) 576-2656
2	(510) 622-2317
3	(805) 542-4769
4	(213) 620-2424
5F	(559) 445-5464
5R	(530) 224-4859
5S	(916) 464-4732
6A	(530) 542-6278
6B	(760) 241-7306
7	(760) 776-8941
8	(951) 782-4902
9	(619) 521-3919



Del Norte Solid Waste Management Authority

1700 State Street, Crescent City, CA 95531
Phone (707) 465-1100 Fax (707) 465-1300

Staff Report

Date: 04 April 2014
To: Commissioners of the Del Norte Solid Waste Management Authority
From: Tedd Ward, M.S. - Acting Director / Program Manager *Tedd*
Subject: Nominees for 2013 Green Ribbon Awards

Summary/Recommendations:

That the Board review and amend, edit, or approve the list of Nominees, and direct staff to prepare Green Ribbon Awards for each Nominee and invite appropriate representative to the Youth and Family Fair to receive their awards at the Del Norte County Fairgrounds on Saturday, April 26th from 11 to 2 PM. Staff also recommends that the Chair or some other Commissioner present the awards at this event, or that the Acting Director be designated to do so. The list of nominees that follows is intended as a draft and all suggestions by Commissioners would be welcome.

Background:

The Authority has presented Green Ribbon awards to individuals, businesses, and organizations who have made extraordinary efforts to reduce waste and promote resource conservation in Del Norte County for many years. The last time these were issued was in 2011. The Green Ribbon awards are the only environmental recognition awards issued by any local government agency in the County. Staff encourages each Commissioner to suggest additional nominees for Green Ribbon awards in recognition of the many efforts by members of our community to expand and promote waste prevention, reuse, recycling, composting and blight abatement.

Staff did not have time to update this report since the last Authority meeting.

Staff Suggestions:

The following table indicates the reasons for recommending each recipient.

Category	Suggestions	Reason
Outstanding Reuse & Repair Service	Del Norte Child Care Council	For continuing their Toy Lending Library giving new life to toys while reducing waste and helping families in need.

5.1

Category	Suggestions	Reason
Outstanding Community Cleanup Effort:	Take A Bite Out of Blight Program Our Daily Bread Ministries WalMart	For substantial cleanup efforts to reduce blight in several Del Norte County locations in 2013.
Most Organics Donated in 2013	Hambro / WSG Wes White Joel Wallen	For the donation and delivery of over 750 cubic cubic yards of 'dirty fines' and other organic materials for use in erosion and drainage control at the Crescent City Landfill, valued at \$17,410.
Outstanding Education Service or Program	Del Norte County School District Debra Kravitz	For outstanding efforts to dramatically expand reuse, recycling, and composting throughout the district, resulting in an annual savings of \$_____.
Most Tons Recycled in 2013	Julindra Recycling Jordan Kekry	For continuing to be the only Buy-Back center in Del Norte County for beverage containers, for processing all materials collected in the curbside recycling program and all of the community drop-off recycling sites.
Outstanding Product TakeBack	Crescent Ace Hardware	For recycling nearly ___ pounds of household batteries in 2013, more than any other retail take back location in Del Norte County.
Outstanding Producer Responsibility Program	Hambro / WSG PaintCare	For establishing a recovery program for all architectural coatings available every day the Transfer Station is open.
Outstanding Business Effort to Improve the Environment	Organic Essence	For continuing their creative and innovative efforts to use compostable, degradable and environmentally safe packaging for their organic cosmetic products, which are sold and marketed internationally.



Del Norte Solid Waste Management Authority

1700 State Street, Crescent City, CA 95531
Phone (707) 465-1100 Fax (707) 465-1300

Staff Report

Date: 04 April 2014
To: Commissioners of the Del Norte Solid Waste Management Authority
Cc: Clinton Schaad, Del Norte County Auditor
Norm Newell, Smith & Newell Accountants
From: Tedd Ward, M.S. – Acting Director / Program Manager *Tedd*
Del Norte Solid Waste Management Authority
File Numbers: 022102 – Authority Budget
012101 – Authority Audit
040501 – Authority Deposits
Attachments: 'Del Norte Solid Waste Management Authority Internal Fiscal Controls'
Topic: Fiscal Controls

Summary / Recommendation: This report summarizes fiscal controls Authority staff have developed and followed in the past few months. The Board may suggest additional controls to improve the fiscal management of the Del Norte Solid Waste Management Authority. Staff will circulate this report for additional comments and possible suggestions from the Del Norte County Auditor and the external auditing firm of Smith & Newell.

Background: Authority Treasurer Richard Taylor agreed to oversee fiscal administration of the Del Norte Solid Waste Management Authority on 26 July 2013 in coordination with the Acting Director.

The primary purposes for this public discussion of these fiscal controls are:

- to provide public reassurance that the Authority has already put procedures in place to accurately and reliably account for the revenues at facilities administered by the Del Norte Solid Waste Management Authority,
- to document for the Board, the Treasurer/Controller, County Auditor, the general public and external auditing firm (Smith & Newell) existing and

- proposed fiscal controls
- to clarify those fiscal controls that are to be implemented and monitored by Authority staff, the current Acting Director and any successors.

This report summarizes the fiscal controls already in place at the Authority, new fiscal control policies implemented since July 2013 such as the process for writing off 'bad debts' as adopted by the Board in September 2013, and parallel accrual and cash accounting procedures to be implemented in coming months.

Analysis: As part of the Authority's continuing efforts to improve our fiscal management and reporting, staff is presenting a summary of the fiscal controls in place and being implemented as summarized on the attached table. Staff will share copies of this table for review and comment from the Authority's Treasurer / Controller, the Del Norte County Auditor, the Del Norte County Treasurer, and the Authority's external auditor, Smith & Newell. After receiving comments and any suggestions for additional controls, staff will present a final version of this summary of fiscal controls to the Board at a future Authority meeting.

Several new fiscal controls have been introduced since July 2013, and these warrant some additional explanation. The Authority policy adopted in September 2013 for writing off 'bad debt' owed to the Authority added the following regular fiscal controls:

- Regular review of checks with insufficient funds daily
- Conferring with Collections regarding referrals monthly
- Annually preparing a list of 'bad checks' and 'bad debts' that are over three years old, less than \$50, or debts owed to the Authority for which additional partial or final collection is unlikely
- Conferring with the DNC Auditor regarding 'bad debts' to be written off annually, with the attached report prepared for review and/or approval by the Authority Board

The Authority is also currently transitioning to a parallel accrual and cash accounting system. The Authority Treasurer / Controller and Acting Director believe that regular fiscal management of this agency is best done using an accrual system of accounting, in which all revenues and debts accrue on the day these occur. For example under accrual accounting, revenues from commercial charge accounts are counted on the day of each charge rather than the date the account balance is paid. Del Norte County's accounting system is done on a modified cash basis, with the three months following the end of each fiscal year accruing all outstanding debts and payments for balancing out each fiscal year after this information is compiled and analyzed.

Authority staff are implementing this accrual accounting system using Scale Management System, QuickBooks, and Excel software. Implementing this new system is a multi-phase process, including entering all outstanding checks (including those with insufficient funds) into QuickBooks. Staff intends that after entering in this historical

data and clarifying with the Del Norte County Auditor which 'bad debts' on the Authority's accounts, we will be able to reconcile the Authority's accounts with the Del Norte County Auditor's records.

Finally, this list of Fiscal Controls also includes two surprise cash counts to be conducted each year by the Authority Treasurer and possibly the Del Norte County Auditor to confirm that the amount in the Authority's safes match accounting documents.

The Authority Board should recognize that the Authority oversees not only the funds received and processed for services associated with the transfer stations, but also has fiscal oversight responsibilities for its contractors. Considering the total amount paid for solid waste and recycling services in Del Norte County, in FY 12/13, Recology Del Norte received 60% of all revenues (\$4,155,957), Hambro WSG received 26% of all revenues (\$1,769,095) and the Authority received and processed 14% of all revenues (\$954,939). The fiscal controls the Authority has over the Recology Del Norte, Hambro WSG, and other contractors are also included in the Authority's fiscal oversight responsibilities, though they have not been described in detail in this report.

Alternatives: The Board may suggest additional fiscal controls, or identify one or more controls on this list that perhaps may be omitted.

Del Norte Solid Waste Management Authority Internal Fiscal Controls

not including fiscal controls relating to Authority contractor's Indicates a fiscal control introduced since July 2013

When	REVIEWER	DOER	
Small Volume Transfer Stations: Klamath & Gasquet			
Daily	Account Clerk	Site Attendant	Numbered cash receipts - Any missing numbers?
Daily	Account Clerk	Site Attendant	Receipt tape should match deposit
Del Norte County Transfer Station			
Daily	Account Clerk	Site Attendant	Balance Daily Receipts, Charge Accts, Checks, Credit & Debit
Daily	Account Clerk	Site Attendant	Track tickets, comments, weights, voids, etc.
Daily	Director / Treasurer	Admin Asst.	* Check deposits entered into QuickBooks & Excel
Daily	Admin Asst.	Account Clerk	Trace deposit for a specific date to Reconciliation for that date
Daily	Admin Asst.	Account Clerk	Examine any adjustments or corrections
Daily	Admin. Assist /		
Daily	Director	Account Clerk	Check to see deposits are made in a timely manner
Income			
Monthly	DNSWMA	Director	Compare deposits to budgeted income, prior month, and prior year
Monthly	Treas / Controller	Admin Asst.	* Review checks with insufficient funds, following 'bad check' policy
Monthly	DNSWMA	Director	Earned Revenue comparisons prepared for DNSWMA Board review
Monthly	DNSWMA	Admin Asst.	Monthly cash report prepared for DNSWMA Board review
Monthly	Director	Admin Asst.	Mail Statements in timely manner (in first week of the month)
Monthly	Director	Admin Asst.	Check for any large or dated outstanding balances
Monthly	DNC Treasurer	Admin Asst.	* Confer with Collections regarding existing and new referrals
Monthly	DNC Treasurer	Admin Asst.	Check on redemption and documentation of bad checks.
Monthly	Director	Admin Asst.	Update list of customers 'not allowed to use checks'
Expenses			
Monthly	DNSWMA	Admin Asst.	Claims signed by Director & Treasurer for DNSWMA Board review
Monthly	DNSWMA	Admin Asst.	Monthly charge report prepared for DNSWMA Board review
Monthly	DNSWMA	DNC Auditor	Monthly Treasurer / Controller Report from County Auditor
Monthly	DNC Auditor	DNSWMA	Claims >\$5,000 require Board approval
Budget Management			
Monthly	DNSWMA	Admin. Assist. / Director	Compare claims to budget, PO or Contract to cover claims
Monthly	DNSWMA	Director	Project anticipated expenses
Monthly	DNSWMA	Director	Prepare budget transfers as needed
Monthly	Director / Treasurer	Admin Asst.	* Implement full parallel accrual and cash accounting (in process)
Cards			
Quarterly	Director	ESP Inc. / Accelerated Payments	Quarterly Scan for 'PCI compliance'
Safe			
Biennial	DNC Auditor	Treasurer	* Surprise cash count w/ Treasurer & County Auditor
Audit			
Annual	DNSWMA / DNC Auditor / DNC Treas.	Admin Asst. / Treas. / Dir.	* Confer on bad checks and debts to be 'written off'
Annual	Director / Treasurer	Admin Asst.	Prepare documents related to income & expenses
Annual	Director	Program Manager	Prepare documents related to landfill liabilities
Annual	Director	Admin Asst.	Prepare documents related to depreciation
Annual	Director	Treasurer	Prepare documents related to OPEB requirements
Annual	Director	Treasurer	Preparing California Annual Compensation report.
Annual	Director	ESP Inc. / Accelerated Payments	Questionnaire and scan for PCI Compliance
Annual	DNSWMA / Director	External Auditor	Complete External Audit



Del Norte Solid Waste Management Authority

1700 State Street, Crescent City, CA 95531
Phone (707) 465-1100 Fax (707) 465-1300

Staff Report

Date: 02 April 2014
To: Commissioners of the Del Norte Solid Waste Management Authority
From: Tedd Ward, M.S. – Acting Director / Program Manager
Del Norte Solid Waste Management Authority
File Number: 012104 – Authority Commissioners and Officers
Topic: Process for Appointing Public Member

Summary / Recommendation: That the Board direct staff to publish public notices in the Del Norte Triplicate that the Authority will be accepting applications for appointment as the Public Member to the Del Norte Solid Waste Management Authority, and that applications will be due no later than 5 PM on April 30th, 2014, and that the Board will consider such applications at the May 14th Authority meeting.

Background: The Authority Board is comprised of five members: two county Supervisors appointed annually by the Chair of the Board of Supervisors, two City Councilpersons appointed annually by the Mayor of Crescent City, and a public member appointed by the other four.

Commissioner Mary Wilson was appointed on April 23, 2013, selected from a pool of seven applicants. Commissioner Wilson asked staff a few weeks ago what was the term of this appointment, and this item is presented to the Board in part to address Commissioner Wilson's question.

Analysis: Though neither the revised Joint Powers Agreement nor the Authority By-laws clearly state the term of service for the public Commissioner, all other Authority Commissioners serve for a one year period (though they may be re-appointed by the next Mayor or Chair of the Board of Supervisors). The most recent public Commissioner prior to Commissioner Wilson was Sarah Sampels, who served from January 2011 through November 2011, prior to 'super Board' comprised of the entire City Council and the entire Board of Supervisors, which adopted the First Amended Joint Powers Agreement (JPA). Therefore, under the JPA, adopted By-laws, and course of prior actions, the appointed public Commissioner could also be expected to

have a one year term.

- Alternatives:**
1. The Board could further direct staff to consider changes to the By-laws at a subsequent Authority meeting to more clearly specify the term of the Public Commissioner.
 2. The Board could change the submittal date for applicants or otherwise provide additional direction to staff as to how to advertise this process.
 3. The Board could re-appoint public Commissioner Wilson if she would accept such appointment. Staff recommends that if the Board takes this action that the Board also clarify at what frequency and during which month staff are to bring the public Commissioner appointment as an agenda item for Board consideration.



Del Norte Solid Waste Management Authority

1700 State Street, Crescent City, CA 95531
Phone (707) 465-1100 Fax (707) 465-1300

Staff Report

Date: 04 April 2014
To: Commissioners of the Del Norte Solid Waste Management Authority
From: Tedd Ward, M.S. – Acting Director / Program Manager *Tedd*
Del Norte Solid Waste Management Authority
File Number: 231501 – Authority Work Plans
Attachment: 1. Purposes from the First Amended Joint Powers Agreement creating the Authority
2. Authority Work Plan for FY 13/14

Topic: Strategic Planning

Recommendation: That the Board provides additional direction to staff regarding what additional information the Board would like to consider before initiating such a planning process, addressing the following issues:

1. Is the Board directing staff to begin developing a process to develop short-medium-and long-term goals beyond those described in the attached Purposes and annually-reviewed Work Plan?
2. Should staff present a more comprehensive set of alternative means to develop short- medium- and long-term goals?
3. Should staff consider procuring and hiring consultants in such a process, or would the Board prefer to consider other potentially less costly options?
4. Would the Board prefer that the results of such a planning process be binding or advisory on subsequent Authority Boards?

Background: At the special Authority meeting of April 1st, considering the 'Draft Report Assessment of the Del Norte Solid Waste Management Authority' by R3, Chair Gitlin asked that this item be placed on the next Authority agenda for discussion and possible action.

Staff had relatively little time to prepare this report in light of other pending responsibilities.

Analysis: What is a Strategic Plan?

Strategic planning is an organization's process to define its strategy or direction

establish answers to the questions:

What does the organization do?

For whom does it do those activities? and

How does it excel in those activities?

What are the key components of a Strategic Plan?

Generally, a strategic plan will usually include:

- A Vision Statement describing what the organization aspires to be
- A Mission Statement defining the fundamental purpose(s) of the organization, describing why it exists and what it does to achieve its vision.
- A Summary of Values shared among the stakeholders of the organization
- A Strategy, describing the activities, courses of action, and allocation of resources to carry out the mission within the context of values.

How would a Strategic Plan be different than the Purposes and Work Plan?

The six Purposes described within the revised Joint Powers Authority are attached, as well as the most recently adopted Work Plan. As one can see, these documents provide answers to the first two questions to be addressed within a Strategic Plan, but does not really address the question of "How does the Authority excel in meeting its obligations and activities?" Also, neither of these documents addresses Vision, Mission, or Values.

Alternatives: A Strategic Planning process is one among several potential planning processes that could result in short, medium and long-term goals. Staff could present and analyze other potential approaches at future Authority meetings if provided further direction from the Board.

Fiscal Impact: The cost of such a planning process - in addition to the investment of time from Commissioners, City or County representatives, staff and public participants - will depend on the extent to which consultants are used as facilitators or producers of a Strategic Plan, as well as associated expenses for legal counsel, recording secretary, and the engagement of other contracted professionals such as the Treasurer / Controller.

Related Issues: A central issue to analysis of the first suggestion is how the Authority Board might review and adopt medium and long-range plans or objectives when each of the Authority Commissioners is appointed annually. Though the Authority could pay for a consultant to assist with the development of a 5 or 10 year strategic plan, the following year a new Authority Board of Commissioners could abandon that plan and adopt a completely new plan the following year. For this reason, the first amended Joint Powers Agreement adopted in 2012 clearly describes the Authority's Purposes for existence, and the associated Work Plan is reviewed annually by the Board of Commissioners as it is renewed.

The following is an excerpt from the 'First Amended Joint Powers Agreement between the City of Crescent City and the County of Del Norte creating the Del Norte Solid Waste Management Authority' as adopted in 2012:

Purpose:

The purpose of this Agreement is for the:

- A) Planning, siting, permitting, developing, constructing, maintaining, managing and providing gate attendants for public disposal sites, transfer stations, and/or sanitary landfills, and planning for and securing the services of necessary non-disposal processing facilities or other options related to recovering discarded resources and processing those materials to increase their value;
- B) Preparing, implementing, and providing related monitoring, reporting, updates and revisions for programs of a Regional Agency Integrated Waste Management Plan as required under the California Integrated Waste Management Act of 1989 as amended (California Public Resources Code commencing with section 40050), including programs related to used motor oil, oil filters, and household hazardous wastes and other materials and products banned from mixed waste disposal;
- C) Defining and monitoring the service standards for collections of discards in the incorporated and unincorporated area of County and the ability to grant franchises for waste hauling and/or collection and processing of mixed recyclable materials, in its discretion;
- D) Exercising all setting and controls on maximum rates to be charged to the public for discard collections services, and solid waste and recycling services in Del Norte County, and other appropriate powers reasonably necessary to carry out the purpose of this Agreement, including securing disposal capacity for Del Norte County residents, agencies, and businesses as required under Public Resources Code sections 41701 and 41703;
- E) Developing, adopting, and implementing Ordinances and programs to control and prosecute illegal dumping and blight in Del Norte County associated with solid waste accumulation and storage; and
- F) Post-closure maintenance, monitoring, reporting and remediation related to the Crescent City Landfill as required by relevant Orders from the Regional Water Quality Control Board, North Coast Region, the California Department of Resources Recycling and Recovery (CalRecycle) the North Coast Air Quality Management District.



Del Norte Solid Waste Management Authority

1700 State Street, Crescent City, CA 95531
Phone (707) 465-1100 Fax (707) 465-1300

Del Norte Solid Waste Management Authority Work Priorities Fiscal Year 2013 – 2014

Legend for symbols used:

- ☞ = Activity to be completed during FY 2013-2014
- ★ = Activity mandated by State or Federal Law, regulation or Authority-adopted plan or contract
- ☆ = Ongoing activity
- △ = Draft submitted, awaiting agency response
- ✓ = Activity completed for FY 2013-2014
- ☞ = Activity set to be completed during FY 2014-2015
- ? = Lower priority activity; addressed as time and capacity allows
- ⊗ = Activity deferred for FY 2013-14
- ☹ = Activity deferred until new Director is hired
- 💰 = Fiscal responsibility under guidance of Authority Treasurer

This Work Priorities list is a living document. Items may be added as needed due to further direction from the Authority Board, new legislation, regulation or agency action.

Last Updated: ***Mid-year Review and Update for January 2014***

Mandated or Obligatory Ongoing or Future Activities:

1. Del Norte County Transfer Station (TS) Facilities and Operations

- ☞ ★ ☆ Gather, compile, analyze, and report storm water runoff samples as required under the Industrial Stormwater Permit. After two to three years of sample history, consult with RWQCB staff regarding possibly reducing monitoring requirements. (Ongoing)
- ☞ ★ ☆ Implement free TakeBack program for architectural coatings at the Del Norte County Transfer Station in coordination with PaintCare, Hambro/WSG and Clean Harbors. (January 13, 2014)
- ☞ ★ ☆ Revise the Transfer and Processing Report as necessary for new recovery activities

and/or management of materials banned from disposal or requiring special handling, including architectural coatings. (Ongoing)

- ☞☆☆ Procure and manage Household Hazardous Waste (HHW) Collection Event contractor and use Permanent Household Hazardous Waste (HHW) Facility at the Transfer Station for annual HHW Collection Event on 21 September 2013, as well as daily recycling of oil, filters, antifreeze, latex paint, televisions and computer monitors, and fluorescent tubes. (Ongoing)
- ☞☆☆ Prepare and submit hazardous waste business plan to the County. (Annual)
- ☞☆☆ Coordinate with the County Department of weights and measures to calibrate and certify the accuracy of the scales used at the Del Norte County Transfer Station. Repair scales as necessary. (Annual)
- ☞☆☆ Prepare and submit the PCI compliance report to assure that measures are in place to protect customer credit and debit card information. (Annual)
- ? ⊗ Submit application, fees, print forms and conduct training necessary to provide public scale services at the Del Norte County Transfer Station. (Pending, deferred at present)

2. Crescent City Landfill Post-Closure Maintenance

- ☆☆ Continue working with County staff to monitor gas wells, groundwater wells, surface water sampling points and stormwater sampling points. Authority staff will continue to compile, summarize and analyze data as well as prepare and submit reports to the North Coast Regional Water Quality Control Board as required under Order 97-90 and the Industrial Storm Water permit. (Ongoing through 2035)
- ☆☆ Continue landfill monitoring and maintenance. This includes semi-annual removal of deep-rooting plants and mowing of surface drainage structures. Over the post-closure maintenance period activities will also likely include repair to slopes and drainage structures as well as grading to reduce ponding. (Ongoing through 2035)
- ☞△☆☆ Prepare and submit solid waste facility permit renewal applications every five years or as activities at the landfill change. (Submitted in 2013; ongoing through 2035)
- ✓ △☆☆ Prepare and submit landfill gas heat capacity report and other documentation required by the North Coast Air Quality Management District (NCAQMD). The NCAQMD may impose additional requirements based on this report. (Submitted in 2013; ongoing through 2035)

- ✓ ☑ ☆ Apply for reduction in the post-closure multiplier and prepare and submit annual estimate of the post-closure financial liability associated with the Crescent City Landfill to CalRecycle (Annual; ongoing through 2035)
- ☑ ☑ ☑ Conduct and report on constituent of concern monitoring of landfill groundwater every five years. (Submitted in 2009; ongoing through 2035)
- ☑ ☑ Conduct and submit aerial survey of the landfill every five years to document any differential settlement. (Submitted in 2011; ongoing through 2035)

3. Collections Franchise and Collections System Management

- ☑ ☆ Staff, maintain and improve disposal and recycling facilities and services at the Klamath and Gasquet container sites (Ongoing).
- ☑ ☆ Manage current Franchise Collections contract to ensure compliance with contract provisions and Service Standards. (Ongoing)
- ☑ ☆ Continue to promote workplace recyclables collections, the California Commercial Recycling Mandate (AB341) with Recology Del Norte, recycling coordinators, the recyclables collection contractor (currently GH Outreach) and processors like Julindra Recycling. (Ongoing)
- ☑ ☆ Coordinate collection events for Christmas trees, yard debris, household hazardous wastes and other items or materials as opportunities arise (Ongoing)

4. Reuse, Recycling, and Composting

- ☑ ☆ Continue, as a rural regional agency, planning, monitoring and reporting programs, activities, and progress on per capita and per employee waste reduction targets under California Integrated Waste Management Act of 1989, as amended, and as administered by the California Department of Resources, Recovery and Recycling (CalRecycle), including compliance with the California's Mandatory Commercial Recycling Law (AB341). (Ongoing)
- ☑ ☆ Continue to promote and to make more convenient beverage container recycling using grant funds from the State agency responsible for beverage container recycling. (Annual and ongoing)
- ☑ ☆ Continue to coordinate, enhance, and promote recycling of used oil, oil filters and

antifreeze using grants from the State agency responsible for oil recycling. (Annual and ongoing)

- ☞ ⚙️ ☆ Establish and report on product stewardship programs for carpeting, paints and architectural coatings. (Ongoing)

5. Education and Public Outreach

- ☞ ⚙️ ☆ Prepare outreach materials to promote program activities, events and service including print ads, radio ads, posters, public service announcements, posters, handouts and flyers as well as collections billing inserts changes. (Ongoing)
- ☞ ⚙️ ☆ Prepare and disseminate information promoting the new TakeBack program for paints and architectural coatings at the Del Norte County Transfer Station (2013 and ongoing thereafter).
- ☆ Coordinate and support beach, river and neighborhood cleanup activities. (Ongoing)
- ✓ ⚙️ ☆ Promote waste prevention, reuse, composting and recycling through Fairs around Earth Day and the Del Norte County Fair. (Annual)
- ? ☆ Work cooperatively with the Humboldt Waste Management Authority for regional promotion of waste prevention, reuse, repair, composting and recycling. (Ongoing)
- ? ☆ Provide timely analysis and/or recommendations for Board actions or letters regarding legislation and/or regulations which pertain to Authority activities or programs. (Ongoing)
- ⚙️ ☆ Provide support to the Del Norte Solid Waste Task Force to promote waste reduction, reuse, composting, recycling and related activities. (Monthly)
- ? ⚙️ ☆ Continue to provide regular public Composting workshops as well as other presentations as requested. (Ongoing)
- ⚙️ ☆ Continue to revise and update written materials as well as developing new materials promoting waste reduction, reuse, repair, composting, hazard reduction, and proper disposal. (Ongoing)
- ⚙️ ☆ Update website as needed and upload meeting agenda and minutes. (Ongoing)

6. Budgets, Funding and Fiscal Oversight

- 🌐★🗑️ Developing annual budgets, tracking expenditures and revenues accordingly. (Annual and ongoing)
- 🌐★🗑️ Preparing and submitting necessary reports related to post-employment retirement benefits funding. (Annual)
- 🌐★🗑️ Work with contractor to complete the annual agency audit report and respond according to recommendations and Board direction. (Annual)
- ★ Solicit, negotiate and administer Authority contracts as necessary. (Ongoing)
- 🛡️★ Apply for and administer additional grants to support local and/or regional programs as opportunities arise. (Ongoing)
- ★ Develop partnerships with Del Norte County and Crescent City departments to efficiently deliver services. (Ongoing)

7. Personnel and Staffing

- 🗑️🛡️★ Adhere to policies described in a Memorandum of Understanding with the Del Norte Solid Waste Management Authority Employees Association and update as needed. (Ongoing)
- 🗑️🛡️ Complete negotiations with Mid-management employees for a Memorandum of Understanding with the Del Norte Solid Waste Management Authority Employees Association and update as needed. (2013)
- 🌐★ Hire and train site attendants and relief workers for the Del Norte County Transfer Station, as well as the Gasquet and Klamath container sites. (Ongoing)
- 🌐★ Training staff through workshops, in-service training, monthly safety meetings, educational and/or on-line courses and conferences. (Ongoing)

8. Recovery Infrastructure and Recycling Market Development

- 🛡️🌐★ Continue to participate in the North Coast Recycling Market Development Zone program to promote recycling market development technical assistance services and

financing opportunities. (Ongoing)

- ♻️ ☆ Through the North Coast Cooperative for Recycling Infrastructure Development (Coop), support expansion of reuse, recycling, and compost processors and manufacturers in Del Norte and Humboldt counties to bolster regional markets for recovered materials. (Ongoing)
- ♻️ ☆ Use the Coop as a forum for reducing overall program costs by sharing resources and personnel, or storing and consolidating recovered materials at public facilities as opportunities arise. (Ongoing)

8. Other Responsibilities and Activities

- ♻️ ☆ Provide collection and consolidation services as needed for public home-generated sharps drop-off points. (Ongoing)
- ♻️ ☆ Preparing, publishing and distributing agendas (under Chair's direction) and staff reports for monthly Authority meetings. (Monthly)
- ? ☆ Responding to public, government agency and tribal agency requests for information and reports. (Ongoing)
- ☆ Recording and responding to complaints regarding facility operations, collections services and/or illegal dumping. (Ongoing)
- ☆ Obtain and maintain equipment, supplies and software for monitoring, reporting, servicing, outreach and collection event activities. (Ongoing)
- ? ☆ Providing professional assessment and analysis of how other jurisdictions have addressed the issues and concerns identified by the Authority Board, including obtaining model requests for proposals, agreements and/or ordinances. (As needed)

Priority Discretionary Activities for 2013-2014:

1. Del Norte County Transfer Station (TS) Facilities and Operations

- ? ☆ Work with Hambro/WSG to develop additional resource recovery options that can be integrated into TS operations at a cost which is less than disposal. (Ongoing)

- ? ☆ Work with Hambro/WSG and Recology Del Norte to assess and evaluate potential impacts associated with changes in Franchise solid waste, recyclables, and yard debris collection services on transfer station operations and revenues. (Ongoing)

2. Collections Franchise and Collections System Management

- ? ☆ Evaluate possible modifications to the Collections Franchise and/or appropriate ordinances to complement the services at the Del Norte County Transfer Station and to expand, provide incentives and document recovery. (Ongoing)
- ☞ ? ☆ Analyze, enhance, expand, develop and support one or more facilities capable of processing locally-generated organic materials for compost or energy production, in Del Norte or one of our adjacent counties. (Ongoing)

3. Crescent City Landfill Post-Closure Maintenance

- ☞ ☆ Install, document and collect water samples from two new wells to be installed at the landfill to possibly demonstrate groundwater flow directions are such that water quality impacts associated with the landfill are unlikely to pose a threat to adjacent residential properties. This could justify a reduction in the Threat/Complexity rating for this facility and reduce the annual permit fee for the Waste Discharge Requirements issued by the North Coast Regional Water Quality Control Board (RWQCB). (2013-2014)
- ☆ Work with RWQCB in the development and revision of Waste Discharge Requirements and Monitoring and Reporting Program to analyze water historical quality monitoring information with the intent of reducing the expense of water quality monitoring during the post-closure maintenance period, which extends until February 2036 (2014 or 2015?).
- ? ☆ Monitor development of laws and regulations pertaining to control of greenhouse and other landfill gas emissions. Research possible actions and funding sources as necessary and appropriate. (Ongoing)
- ☞ ☆ Procure landfill insurance. (2014)

4. Education and Public Outreach

- ☆ ? Work with the California Product Stewardship Council (CPSC) to promote and establish

Extended Producer Responsibility and Take Back programs. (Ongoing)

- ☞☆? Advocate for legislative and regulatory initiatives extending producer responsibilities for end of life product management to reduce Authority costs for managing discards - especially hazardous materials, products or materials banned from disposal, as well as products or materials requiring special handling including sharps, fluorescent tubes and household batteries. (Ongoing)
- ☆? Continue outreach and public-private partnerships in support of Extended Producer Responsibility. (Ongoing)

5. Legislation, Ordinances, Plans and Enforcement

- ☞☆☆? Administer Code Enforcement activities through a Code Enforcement Officer and Authority-related hearings through a Hearing Officer until such time as these functions are incorporated into relevant City and County Ordinances. (Ongoing)
- ☞☆☆? Work with County and City Building and Planning Departments to establish forms and processes for Materials Management Plans to be incorporated as appropriate for construction and demolition permits in Del Norte County. (Ongoing)
- ☆? Review, consider and provide appropriate Authority-directed advocacy regarding bills being considered by the California Legislature (Ongoing)
- ✓ ☆ Under the Electronic Annual Report submitted annually to the California Department of Resources Recycling and Recovery (CalRecycle) incorporate Authority policies supporting producer and consumer financed product stewardship Take Back programs as described in Authority Resolution 2007-06. (2013).
- ☆? Prepare local ordinances, resolutions and agreements. Modify adopted plans as necessary to enact product stewardship and extended producer responsibility programs in Del Norte County for products which have been banned from mixed waste disposal by State agencies, including household hazardous wastes and universal wastes such as batteries, sharps, mercury devices, fluorescent tubes, and electronics. (Ongoing)

BLACK & RICE LLP

Robert N. Black, Partner
rblack@attyblack.com

Attorneys at Law
The McNulty House
710 H Street

Martha D. Rice, Partner
mrice@attyblack.com

Autumn E. Luna, Associate
aluna@attyblack.com

Crescent City, CA 95531

Andre L. Carpenter, Office Mgr
acarpenter@attyblack.com

MEMORANDUM

TO: DNSWMA BOARD OF COMMISSIONERS
CC: TEDD WARD, ACTING DIRECTOR
FR: MARTHA D. RICE, LEGAL COUNSEL
DT: MARCH 14, 2013
RE: **AB 341: Mandatory Commercial Recycling Program**

A. BACKGROUND

Assembly Bill 341 became California law July 1, 2012. AB 341 is based on the premise that the commercial sector generates more than three-fourths of California's solid waste. In an effort to meet the State's 2020 solid waste diversion goal of 75 percent, this law was passed with the intent to specifically increase the diversion rate of commercial solid waste through state-mandated local programs.

B. MANDATORY REQUIREMENTS

- 1. Businesses.** Any business generating more than 4 cubic yards of solid waste per week and all multi-family housing with five or more units must arrange for a basic level of recycling service. (Pub. Res. Code § 42649.2). This can be either by way of self-haul or subscription with a collection company.
- 2. Local Governments.** Local governments (cities and counties) are required to implement a commercial solid waste recycling program. (Pub. Res. Code § 42649.3). Permissible program components are: (1) adoption of a mandatory commercial recycling policy or ordinance, (2) require a mandatory commercial solid waste recycling program through a franchise contract or agreement, or (3) require all solid waste go through either a source separate or mixed processing system that diverts material. Local ordinances are not required but are a permissible part of a local program. In addition, each local program is required to provide for education, outreach to, and monitoring of, businesses.

7.4

C. NONCOMPLIANCE

A review of each local government's mandatory commercial recycling program will occur as part of that agency's AB 939 review, which is conducted every 2 to 4 years, or if CalRecycle receives a report that an agency has not implemented, or is not making a good faith effort to implement, a local mandatory commercial recycling program. (Pub. Res. Code §§ 42649.3(g),(h), 41825). If, after review, the agency is found to have not made a good faith effort to implement a local program, CalRecycle can place the agency on a compliance order and if it fails to adequately meet the conditions of the compliance order, then CalRecycle could consider a penalty hearing. CalRecycle will begin reviewing mandatory commercial recycling programs in August of this year as part of each agency's AB 939 review.

D. DNSWMA'S ROLE

The First Amended Joint Powers Agreement between the City of Crescent City and the County of Del Norte provides that the Authority is responsible for preparing, implementing, and providing related monitoring, reporting, and updates and revisions for programs required under the California Integrated Waste Management Act. The implementation of AB 341 – mandatory commercial recycling – falls under this category. Therefore, it is properly DNSWMA's role to implement such a program. Although a local ordinance is *not required*, it could be a useful aspect of a local program.

Ordinance No. 2014-02

**AN ORDINANCE OF THE BOARD OF COMMISSIONERS OF THE
DEL NORTE SOLID WASTE MANAGEMENT AUTHORITY
REGARDING FLOW CONTROL AND FRANCHISES**

WHEREAS, the Del Norte Solid Waste Management Authority is a Joint Powers Authority of the City of Crescent City and the County of Del Norte formed in part to become the single local government agency responsible to comply with the requirements of the California Integrated Waste Management Act of 1989 and to manage the disposition of solid waste and other discards;

WHEREAS, it is necessary that the Authority direct the flow of necessary quantities of materials to appropriate facilities receiving and processing solid waste, recyclable commodities, and recoverable organic materials to assure the economic viability of such facilities and to collect revenues for other necessary aspects and programs of the integrated waste management system in Del Norte County;

WHEREAS, the United States Supreme Court has affirmed the right of local government agencies to adopt an integrate system approach with integrated system fees to create enhanced incentives for recycling and proper disposal of other wastes and to require that all waste be deposited at government owned facilities; AND

WHEREAS, both the City Council of the City of Crescent City and the Board of Supervisors of the County of Del Norte must review and approve this Ordinance as required by the First Amended Joint Powers Agreement.

NOW, THEREFORE, the Board of Commissioners of the Del Norte Solid Waste Management Authority, County of Del Norte, State of California, does hereby ordain as follows:

SECTION 1. RECITALS. The Recitals set forth above are true and correct and incorporated into this Ordinance.

SECTION 2. DEFINITIONS. The following definitions apply to this Ordinance:

- a. Authority** means the Del Norte Solid Waste Management Authority.
- b. Collector** means any business that disposes of solid waste, recyclables or organics as a necessary and incidental part of their business service.

- c. **Facility** means a location or site designed and appropriately permitted to receive solid waste for disposal, recyclables for marketing, or organics for processing.
- d. **Franchisee** means the person or business that has been granted a franchise for collection services by the Authority.
- e. **Hazardous Waste** means (1) all substances defined as hazardous waste, acutely hazardous waste, or extremely hazardous waste by California Health and Safety Code Sections 25110.02, 25114 and 25117, as amended, or in the Federal Resource and Recovery Act, 42 USC Section 6901 et seq., as amended; (2) all wastes that may present a threat of disease or infection to humans or animals; and (3) radioactive wastes.
- f. **Organics** means organic matter capable of being composted, including yard debris grass clippings, leaves, and food scraps.
- g. **Recyclables** means discarded materials separated for recovery such as glass, plastics, metals, and cardboard.
- h. **Solid Waste** means all nonhazardous solid and semisolid wastes that have been separated in preparation for disposal, including, but not limited to, garbage, trash, refuse, paper, rubbish, ashes, industrial wastes, construction and demolition wastes, abandoned vehicles and nonhazardous parts thereof, discarded home and industrial appliances.

(additional relevant definitions from DNSWMA Ord 2008-01:

- 2.01 **Collection or Collection Services** means using a vehicle for the hauling of Discards from one or more Premises and their transportation and delivery to an appropriately permitted facility to receive such Discards.
- 2.02 **Discards** means materials or products which are stored as no longer usable to the Generator but which are separated in preparation for Collection, as reusable products or components, as recyclable commodities, as Food Scraps, as organic materials, as Hazardous Waste, or as Solid Waste.
- 2.03 **Disposal** means the consolidation, transport, and disposition of Waste at an authorized Disposal Site.
- 2.04 **Disposal Site** means the authorized facility or facilities designated by the Authority for the transfer and ultimate Disposal of certain Waste by landfilling or other approved and regulated method(s).

- 2.05 Dwelling** means a space, structure or portion of a structure intended for use as a single residential unit, such as a house, apartment, condominium unit, hotel room, campground space, or mobile home park space.
- 2.06 Exclusive Franchise** means a privilege which is granted by the Authority to a specific corporation, business, or non-profit organization to provide specified Exclusive Collection Services for Discards within the Franchise Area and non-exclusive services to other areas.
- 2.07 Household Hazardous Waste** means Hazardous Waste and Universal Waste generated at a residence and includes, but is not limited to, automotive fluids, paints, varnishes, solvents, pesticides, fertilizers and batteries.
- 2.08 Multi-Family Dwelling Units (MFUs)** means all Dwelling units and complexes that have five (5) or more dwelling units located on a single parcel of land or administered as a single enterprise. Multi-family Dwelling Units include all apartment complexes, mobile home parks, multi-storied residential units, senior housing/care facilities, and condominium complexes not served by Residential curbside Discard Collection Services and programs.
- 2.09 Non-Residential** means any Premises with permits, structures or land improvements for commercial, industrial, governmental, or institutional activities or uses, and which does not include Dwellings.
- 2.10 Residential** means of, or relating to, a structure consisting of 1, 2, 3, or 4 dwelling units located on a single parcel of land or managed as a single Residential complex and/or commercial enterprise.
- 2.11 Universal Waste** means a hazardous waste identified as a listed universal waste and is exempt from hazardous waste management requirements and, therefore, are not fully regulated as hazardous waste, including but not limited to, fluorescent lights, dry cell batteries, products containing cathode ray tubes, consumer electronic devices, devices containing liquid mercury, and aerosol cans. (See CCR Title 22, section 66261.9)
- 2.12 Waste** means Discards which have been separated and stored in preparation for Disposal.)

SECTION 3. FLOW CONTROL: MANDATORY DISPOSITION OF SOLID WASTE, RECYCLABLES AND ORGANICS.

- a. **Solid Waste.** All Solid Waste collected in Del Norte County by a Franchisee or Collector must be delivered to the Facility designated by the Authority.
- b. **Recyclables.** All Recyclables collected in Del Norte County by a Franchisee or Collector must be delivered to the Facility designated by the Authority.
- c. **Organics.** All Organics collected in Del Norte County by a Franchisee or Collector must be delivered to the Facility designated by the Authority.
- d. **Government Agencies.** The following Persons shall be authorized to organize, direct or sponsor the Collection, Removal or transportation of Non-Residential Solid Waste within the County without a Franchise:
 - (a) The United States, the State of California, a special district or other local public agency, or any employee or member of the Armed Forces thereof, when collecting or transporting Discards generated on Premises administered by that agency or produced by the operation of the public agency under a system of Solid Waste Collection and transportation operated and maintained by the public agency, and
 - (b) Municipal Corporations and other governmental agencies when using their own agency vehicles to collect, transport or dispose of Discards, generated by that agency, within the County.
 - (c) Though such government agencies may collect and transport Discards from their agency's facilities and operations, such agencies shall direct all materials and products so collected to facilities within the County as designated by the Authority for processing, recovering, or disposing of the Discards.

SECTION 4. FRANCHISE REQUIRED FOR COLLECTIONS. Collecting or transporting Solid Waste, Recyclables, or Organics in Del Norte County for a fee by anyone other than a Franchisee is prohibited, except under the following circumstances:

- a. The Recyclables or Organics are generated at a commercial or government facility and are being collected for reuse or recycling at an appropriately permitted facility; or
- b. Hazardous Waste being collected by an appropriately permitted and licensed Hazardous Waste hauler to be delivered to a facility appropriately permitted to treat, dispose, or otherwise legally manage the Hazardous Waste.

- c. A Collector is transporting or disposing of Solid Waste or Recyclables as an incidental service to the primary service provided by the Collector.

SECTION 5. PROHIBITED ACTIVITIES

5.01 Collection and Transportation. Collecting or transporting Discards for a fee by anyone other than the Franchised Collector is prohibited, except under the following circumstances:

- (a) The Discards collected are generated at a commercial or government facility as Recoverable Materials and are being collected for reuse or recycling at an appropriately permitted facility; or
- (b) The Discards being collected are Hazardous Wastes being collected by an appropriately permitted and licensed Hazardous Waste hauler to be delivered to a facility appropriately permitted to treat, dispose of or otherwise legally manage such Hazardous Wastes.

5.02 Prohibited Materials. No Person shall place the following materials in a Discards container: untreated human biosolids, liquids, Hazardous Waste or Household Hazardous Waste, Universal Wastes, electronic wastes, batteries of any kind, needles or Sharps, untreated medical or infectious wastes, or any product or material that has been banned from Disposal as municipal solid waste by any division of the California Environmental Protection Agency, including the Department of Toxic Substances Control and the California Department of Resources Recycling and Recovery (CalRecycle). Notwithstanding the foregoing, materials collected under the terms of the Franchise or through an Authority sponsored event may be transported and/or placed for Collection in the appropriate container(s) provided or as described in public information approved and/or distributed by the Authority.

SECTION 6. EXCLUSIVITY OF FRANCHISE. The following services are exclusive franchise services:

- a. All containerized Solid Waste collection;
- b. All containerized mixed Recyclables collection wherein three (3) or more Recyclables are placed into a single container for collection; and
- c. All containerized Organics collection.

6.01 Exclusivity of Franchise. Except as otherwise specifically provided in this Ordinance, no Person shall collect Solid Waste or Residential Recyclables within the County of Del Norte without having first been awarded a Solid Waste or Recyclables Franchise and entering into a Franchise agreement with the Board. Such Franchise shall be in addition to any business license or permit

otherwise required by the City of Crescent City or the County of Del Norte. The Franchisee shall comply with all of the requirements of this Ordinance. No permit issued by any other governmental agency authorizing Collection of Solid Waste or Residential Recyclables shall be valid in the County, unless the permit holder has entered into a Franchise Collection agreement with the Authority.

6.02 Franchise Award. In the sole discretion of the Board, Solid Waste and Recyclables Franchises may be awarded on an exclusive basis, with or without competitive proposals or bidding, and may relate to any class or type of Solid Waste and Recyclables within all or part of the County.

6.03 Franchise Collection Rates. The Board may, by resolution or an approved Franchise agreement, establish or place a limit on the rates, fees and charges (collectively, "rates") Collectors may charge to Responsible Parties for the Collection of Solid Waste and Recyclables. No Collector shall charge any rate which is greater than the maximum established or permitted by the Board.

6.04 Franchise Fees. Each Collector awarded a Franchise shall pay a yearly fee in an amount to be determined by resolution of the Board or as stated in the Franchise agreement.

6.05 Resolution of Conflicts. In the event of any conflict between the provisions of a Franchise agreement which is authorized and approved by the Board and the provisions of this Ordinance, the provisions of the Franchise agreement shall control.

6.06 Transfer of Franchise. A Franchise issued under this Ordinance shall not be transferred, sold, assigned, relinquished, or delegated to another Person without the approval of the Board. This restriction includes the transfer of ownership of the Franchisee or the conveyance of the Franchisee's stock to a new controlling interest.

6.07 Extension of Franchise. The Board and Franchisee may mutually agree to extend the Franchise term on such terms and rates as the parties may agree. Nothing contained in this provision or in this article shall obligate the Board to extend the term of any Franchise.

6.08 Use of Containers. No Person(s) other than the Tenants whose Responsible Party has contracted or arranged for service with a Collector, or a Person with the Responsible Party's consent, shall deposit any materials whatsoever into any Discard container on such Premises.

6.09 Ownership of Recyclable Materials. Recyclable Materials lawfully deposited in or near bins or containers for the Collection of Recyclables shall become the property of the Collector upon deposit in any such container.

6.10 Tenant Exemption. Nothing in this section shall prevent any Tenant from collecting, transporting, and recycling or disposing of Discards generated by that tenant's household.

SECTION 7. SEVERABILITY. If any section, subsection, subdivision, sentence, clause, phrase or portion of this Ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision will not affect the validity of the remaining portions of this Ordinance. The Authority hereby declares that it would have adopted this Ordinance, and each section, subsection, subdivision, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, sentences, clauses, phrases, or portions thereof, are declared invalid or unconstitutional.

SECTION 8. PUBLICATION. The Director of the Authority shall cause this Ordinance, or a summary thereof, along with the names of the commissioners voting for and against said ordinance, to be published once within fifteen (15) days after its passage in a newspaper of general circulation in the County of Del Norte in accordance with Govt. Code Section 36933.

SECTION 9. EFFECTIVE DATE. This Ordinance will become effective thirty (30) days after its final adoption.

INTRODUCED at the regular meeting of the Board of Commissioners of the Del Norte Solid Waste Management Authority on _____, 2014 on a motion by commissioner _____ and seconded by commissioner _____.

APPROVED by the Board of Supervisors for the County of Del Norte on the ___ day of _____, 2014 by the following polled vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

ATTEST:

David Finigan, Chair

Antoinette Self, Clerk of the Board

APPROVED by the City Council for the City of Crescent City on the ____ day of _____, 2014 by the following polled vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

ATTEST:

Rick Holley, Mayor

Robin Patch, City Clerk

PASSED, APPROVED AND ADOPTED at the regular meeting of the Board of Commissioners of the Del Norte Solid Waste Management Authority on the ____ day of _____, 2014 by the following polled vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

ATTEST:

Roger Gitlin, Chair

Mary Wilson, Clerk of the Board

APPROVED AS TO FORM:

Martha D. Rice, Legal Counsel

Ordinance No. 2014-02

**AN ORDINANCE OF THE BOARD OF COMMISSIONERS OF THE
DEL NORTE SOLID WASTE MANAGEMENT AUTHORITY
REGARDING FLOW CONTROL AND FRANCHISES**

WHEREAS, the Del Norte Solid Waste Management Authority is a Joint Powers Authority of the City of Crescent City and the County of Del Norte formed in part to become the single local government agency responsible to comply with the requirements of the California Integrated Waste Management Act of 1989 and to manage the disposition of solid waste and other discards;

WHEREAS, it is necessary that the Authority direct the flow of necessary quantities of materials to appropriate facilities receiving and processing solid waste, recyclable commodities, and recoverable organic materials to assure the economic viability of such facilities and to collect revenues for other necessary aspects and programs of the integrated waste management system in Del Norte County;

WHEREAS, the United States Supreme Court has affirmed the right of local government agencies to adopt an integrate system approach with integrated system fees to create enhanced incentives for recycling and proper disposal of other wastes and to require that all waste be deposited at government owned facilities; AND

WHEREAS, both the City Council of the City of Crescent City and the Board of Supervisors of the County of Del Norte must review and approve this Ordinance as required by the First Amended Joint Powers Agreement.

NOW, THEREFORE, the Board of Commissioners of the Del Norte Solid Waste Management Authority, County of Del Norte, State of California, does hereby ordain as follows:

SECTION 1. RECITALS. The Recitals set forth above are true and correct and incorporated into this Ordinance.

SECTION 2. DEFINITIONS. The following definitions apply to this Ordinance:

- a. Authority** means the Del Norte Solid Waste Management Authority.
- b. Collector** means any business that disposes of solid waste, recyclables or organics as a necessary and incidental part of their business service.

- c. **Facility** means a location or site designed and appropriately permitted to receive solid waste for disposal, recyclables for marketing, or organics for processing.
- d. **Franchisee** means the person or business that has been granted a franchise for collection services by the Authority.
- e. **Hazardous Waste** means (1) all substances defined as hazardous waste, acutely hazardous waste, or extremely hazardous waste by California Health and Safety Code Sections 25110.02, 25114 and 25117, as amended, or in the Federal Resource and Recovery Act, 42 USC Section 6901 et seq., as amended; (2) all wastes that may present a threat of disease or infection to humans or animals; and (3) radioactive wastes.
- f. **Organics** means organic matter capable of being composted, including yard debris grass clippings, leaves, and food scraps.
- g. **Recyclables** means discarded materials separated for recovery such as glass, plastics, metals, and cardboard.
- h. **Solid Waste** means all nonhazardous solid and semisolid wastes that have been separated in preparation for disposal, including, but not limited to, garbage, trash, refuse, paper, rubbish, ashes, industrial wastes, construction and demolition wastes, abandoned vehicles and nonhazardous parts thereof, discarded home and industrial appliances.

(additional relevant definitions from DNSWMA Ord 2008-01:

2.01 Collection or Collection Services means using a vehicle for the hauling of Discards from one or more Premises and their transportation and delivery to an appropriately permitted facility to receive such Discards.

2.02 Discards means materials or products which are stored as no longer usable to the Generator but which are separated in preparation for Collection, as reusable products or components, as recyclable commodities, as Food Scraps, as organic materials, as Hazardous Waste, or as Solid Waste.

2.03 Disposal means the consolidation, transport, and disposition of Waste at an authorized Disposal Site.

2.04 Disposal Site means the authorized facility or facilities designated by the Authority for the transfer and ultimate Disposal of certain Waste by landfilling or other approved and regulated method(s).

Formatted: Font: Bold

Formatted: Indent: Left: 0.5"

Formatted: Bullets and Numbering

Formatted: Bullets and Numbering

Formatted: Indent: Left: 0.5"

Formatted: Bullets and Numbering

Formatted: Bullets and Numbering

2.05 Dwelling means a space, structure or portion of a structure intended for use as a single residential unit, such as a house, apartment, condominium unit, hotel room, campground space, or mobile home park space. Formatted: Bullets and Numbering

2.06 Exclusive Franchise means a privilege which is granted by the Authority to a specific corporation, business, or non-profit organization to provide specified Exclusive Collection Services for Discards within the Franchise Area and non-exclusive services to other areas. Formatted: Bullets and Numbering

2.07 Household Hazardous Waste means Hazardous Waste and Universal Waste generated at a residence and includes, but is not limited to, automotive fluids, paints, varnishes, solvents, pesticides, fertilizers and batteries. Formatted: Bullets and Numbering

2.08 Multi-Family Dwelling Units (MFUs) means all Dwelling units and complexes that have five (5) or more dwelling units located on a single parcel of land or administered as a single enterprise. Multi-family Dwelling Units include all apartment complexes, mobile home parks, multi-storied residential units, senior housing/care facilities, and condominium complexes not served by Residential curbside Discard Collection Services and programs. Formatted: Bullets and Numbering

2.09 Non-Residential means any Premises with permits, structures or land improvements for commercial, industrial, governmental, or institutional activities or uses, and which does not include Dwellings. Formatted: Bullets and Numbering

Formatted: Indent: Left: 0.5"

2.10 Residential means of, or relating to, a structure consisting of 1, 2, 3, or 4 dwelling units located on a single parcel of land or managed as a single Residential complex and/or commercial enterprise. Formatted: Bullets and Numbering

Formatted: Font: Bold

2.11 Universal Waste means a hazardous waste identified as a listed universal waste and is exempt from hazardous waste management requirements and, therefore, are not fully regulated as hazardous waste, including but not limited to, fluorescent lights, dry cell batteries, products containing cathode ray tubes, consumer electronic devices, devices containing liquid mercury, and aerosol cans. (See CCR Title 22, section 66261.9) Formatted: Bullets and Numbering

Formatted: Font: Bold

Formatted: Indent: Left: 0.5"

2.12 Waste means Discards which have been separated and stored in preparation for Disposal.) Formatted: Bullets and Numbering

Formatted: Indent: Left: 0.5"

SECTION 3. FLOW CONTROL: MANDATORY DISPOSITION OF SOLID WASTE, RECYCLABLES AND ORGANICS.

- a. **Solid Waste.** All Solid Waste collected in Del Norte County by a Franchisee or Collector must be delivered to the Facility designated by the Authority.
- b. **Recyclables.** All Recyclables collected in Del Norte County by a Franchisee or Collector must be delivered to the Facility designated by the Authority.
- c. **Organics.** All Organics collected in Del Norte County by a Franchisee or Collector must be delivered to the Facility designated by the Authority.

Formatted: Indent: Left: 0.5"

d. **Government Agencies.** The following Persons shall be authorized to organize, direct or sponsor the Collection, Removal or transportation of Non-Residential Solid Waste within the County without a Franchise:

Formatted: Indent: Left: 0.25"

- (a) The United States, the State of California, a special district or other local public agency, or any employee or member of the Armed Forces thereof, when collecting or transporting Discards generated on Premises administered by that agency or produced by the operation of the public agency under a system of Solid Waste Collection and transportation operated and maintained by the public agency, and
- (b) Municipal Corporations and other governmental agencies when using their own agency vehicles to collect, transport or dispose of Discards, generated by that agency, within the County.
- (c) Though such government agencies may collect and transport Discards from their agency's facilities and operations, such agencies shall direct all materials and products so collected to facilities within the County as designated by the Authority for processing, recovering, or disposing of the Discards.

Formatted: Bullets and Numbering

Formatted: Indent: Left: 0.5"

SECTION 4. FRANCHISE REQUIRED FOR COLLECTIONS. Collecting or transporting Solid Waste, Recyclables, or Organics in Del Norte County for a fee by anyone other than a Franchisee is prohibited, except under the following circumstances:

- a. The Recyclables or Organics are generated at a commercial or government facility and are being collected for reuse or recycling at an appropriately permitted facility; or
- b. Hazardous Waste being collected by an appropriately permitted and licensed Hazardous Waste hauler to be delivered to a facility appropriately permitted to treat, dispose, or otherwise legally manage the Hazardous Waste.

- c. A Collector is transporting or disposing of Solid Waste or Recyclables as an incidental service to the primary service provided by the Collector.

Formatted: Indent: Left: 0.5"

SECTION 5. PROHIBITED ACTIVITIES

5.01 Collection and Transportation. Collecting or transporting Discards for a fee by anyone other than the Franchised Collector is prohibited, except under the following circumstances:

- (a) The Discards collected are generated at a commercial or government facility as Recoverable Materials and are being collected for reuse or recycling at an appropriately permitted facility; or
- (b) The Discards being collected are Hazardous Wastes being collected by an appropriately permitted and licensed Hazardous Waste hauler to be delivered to a facility appropriately permitted to treat, dispose of or otherwise legally manage such Hazardous Wastes.

Formatted: Bullets and Numbering

Formatted: Indent: Left: 0.75"

5.02 Prohibited Materials. No Person shall place the following materials in a Discards container: untreated human biosolids, liquids, Hazardous Waste or Household Hazardous Waste, Universal Wastes, electronic wastes, batteries of any kind, needles or Sharps, untreated medical or infectious wastes, or any product or material that has been banned from Disposal as municipal solid waste by any division of the California Environmental Protection Agency, including the Department of Toxic Substances Control and the California Department of Resources Recycling and Recovery (CalRecycle). Notwithstanding the foregoing, materials collected under the terms of the Franchise or through an Authority sponsored event may be transported and/or placed for Collection in the appropriate container(s) provided or as described in public information approved and/or distributed by the Authority.

Formatted: Indent: Left: 0"

SECTION 6. EXCLUSIVITY OF FRANCHISE. The following services are exclusive franchise services:

Deleted: 5

- a. All containerized Solid Waste collection;
- b. All containerized mixed Recyclables collection wherein three (3) or more Recyclables are placed into a single container for collection; and
- c. All containerized Organics collection.

6.01 Exclusivity of Franchise. Except as otherwise specifically provided in this Ordinance, no Person shall collect Solid Waste or Residential Recyclables within the County of Del Norte without having first been awarded a Solid Waste or Recyclables Franchise and entering into a Franchise agreement with the Board. Such Franchise shall be in addition to any business license or permit otherwise required by the City of Crescent City or the County of Del Norte. The Franchisee shall comply with all of the requirements of this Ordinance. No permit issued by any other governmental agency

Formatted: Indent: Left: 0.5"

authorizing Collection of Solid Waste or Residential Recyclables shall be valid in the County, unless the permit holder has entered into a Franchise Collection agreement with the Authority.

6.02 Franchise Award. In the sole discretion of the Board, Solid Waste and Recyclables Franchises may be awarded on an exclusive basis, with or without competitive proposals or bidding, and may relate to any class or type of Solid Waste and Recyclables within all or part of the County.

Formatted: Indent: Left: 0.5"

6.03 Franchise Collection Rates. The Board may, by resolution or an approved Franchise agreement, establish or place a limit on the rates, fees and charges (collectively, "rates") Collectors may charge to Responsible Parties for the Collection of Solid Waste and Recyclables. No Collector shall charge any rate which is greater than the maximum established or permitted by the Board.

Formatted: Indent: Left: 0.5"

6.04 Franchise Fees. Each Collector awarded a Franchise shall pay a yearly fee in an amount to be determined by resolution of the Board or as stated in the Franchise agreement.

Formatted: Indent: Left: 0.5"

6.05 Resolution of Conflicts. In the event of any conflict between the provisions of a Franchise agreement which is authorized and approved by the Board and the provisions of this Ordinance, the provisions of the Franchise agreement shall control.

Formatted: Indent: Left: 0.5"

6.06 Transfer of Franchise. A Franchise issued under this Ordinance shall not be transferred, sold, assigned, relinquished, or delegated to another Person without the approval of the Board. This restriction includes the transfer of ownership of the Franchisee or the conveyance of the Franchisee's stock to a new controlling interest.

Formatted: Indent: Left: 0.5"

6.07 Extension of Franchise. The Board and Franchisee may mutually agree to extend the Franchise term on such terms and rates as the parties may agree. Nothing contained in this provision or in this article shall obligate the Board to extend the term of any Franchise.

Formatted: Indent: Left: 0.5"

6.08 Use of Containers. No Person(s) other than the Tenants whose Responsible Party has contracted or arranged for service with a Collector, or a Person with the Responsible Party's consent, shall deposit any materials whatsoever into any Discard container on such Premises.

Formatted: Indent: Left: 0.5"

6.09 Ownership of Recyclable Materials. Recyclable Materials lawfully deposited in or near bins or containers for the Collection of Recyclables shall become the property of the Collector upon deposit in any such container.

6.10 Tenant Exemption. Nothing in this section shall prevent any Tenant from collecting, transporting, and recycling or disposing of Discards generated by that tenant's household.

Formatted: Indent: Left: 0.5"

SECTION 7, SEVERABILITY. If any section, subsection, subdivision, sentence, clause, phrase or portion of this Ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision will not affect the validity of the remaining portions of this Ordinance. The Authority hereby declares that it would have adopted this Ordinance, and each section, subsection, subdivision, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, sentences, clauses, phrases, or portions thereof, are declared invalid or unconstitutional.

Deleted: 6

SECTION 8, PUBLICATION. The Director of the Authority shall cause this Ordinance, or a summary thereof, along with the names of the commissioners voting for and against said ordinance, to be published once within fifteen (15) days after its passage in a newspaper of general circulation in the County of Del Norte in accordance with Govt. Code Section 36933.

Deleted: 7

Deleted: Clerk of the Board

SECTION 9, EFFECTIVE DATE. This Ordinance will become effective thirty (30) days after its final adoption.

Deleted: 8

INTRODUCED at the regular meeting of the Board of Commissioners of the Del Norte Solid Waste Management Authority on _____, 2014 on a motion by commissioner _____ and seconded by commissioner _____.

APPROVED by the Board of Supervisors for the County of Del Norte on the ___ day of _____, 2014 by the following polled vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

ATTEST:

David Finigan, Chair

Antoinette Self, Clerk of the Board

APPROVED by the City Council for the City of Crescent City on the ___ day of _____, 2014 by the following polled vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

ATTEST:

Rick Holley, Mayor

Robin Patch, City Clerk

PASSED, APPROVED AND ADOPTED at the regular meeting of the Board of Commissioners of the Del Norte Solid Waste Management Authority on the ___ day of _____, 2014 by the following polled vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

ATTEST:

Roger Gitlin, Chair

Rick Holley, Clerk of the Board

APPROVED AS TO FORM:

Martha D. Rice, Legal Counsel

Tedd Ward

From: Ron Gastineau [rgastineau@cc.crescentcity.org]
Sent: Friday, April 04, 2014 11:06 AM
To: Tedd Ward
Subject: Re: Comments on R3 Draft

Hey Tedd,

Here are my few comments about the R3 Assessment Report for the DNSWMA:

First, minor corrections I saw:

Page 15, bottom paragraph, 9 lines up, third word should be "if."

Page 19, top paragraph, 7 lines down, second word from right should be "vulnerable."

There's probably more, but those two stood out.

Organizational Structure:

My opinion is that all JPAs are unique in that every community that they serve is unique, so the current structure of DNSWMA really can't be compared to other JPAs in either staffing or services provided. The staffing of DNSWMA might be perfect for what we have here in Del Norte County and for what services are provided.

That's the rub... Is the current structure of the DNSWMA what is NEEDED in Del Norte County. Business owners, who were burdened with higher costs to support county wide recycling efforts, don't think so. It would appear that private citizens think what we have now is just fine. So, it comes down to a community wide discussion of what DNSWMA should be doing - bare bones waste collection or leading the State in recycling efforts?

In the coming months, it looks like these discussions will be held and with input from the citizens and business owners of Del Norte County, the future structure of DNSWMA will be determined, hopefully with a fair and balanced rate structure for both while keeping essential State and Federally mandated waste-stream reduction programs running efficiently and effectively.

Staffing:

My opinion is that the DNSWMA needs a strong director that can make decisions about the staffing requirements he/she needs to fulfill the purpose and goals set forth by the people and Board of Commissioners on what DNSWMA's role is in Del Norte County.

The director needs to produce a five-year strategic plan that gives a road map of where DNSWMA will be going to in the future. It will be reviewable on a yearly basis with help from the ever-changing Board of Commissioners, but be followed to ensure continuity in fulfilling the purpose of DNSWMA's mission in serving Del Norte County.

If, for instance, newly mandated waste-stream programs come down from the State or Federal Government, the director should be able to assess workloads of staff and re-assign or hire personnel as needed as long as it is fiscally sound and budgeted. This authority should also extend to any additional special programs concerning recycling or waste stream reduction that can be budgeted for through grants or reserve funds and doesn't add costs on to the users without the approval of the Board of Commissioners.

The director should be able to run the DNSWMA the way he/she wishes as long it supports the purpose of the DNSWMA, follows the Strategic Plan and is fiscally responsible. The Board of Commissioners needs to continue in it's advisory role and take input from the public so that it may suggest policy changes to be carried out by the director.

On Page 18 - "Workload Shifting"

There were a few instances throughout the report about trying to save costs to DNSWMA by shifting jobs handled by them to other entities such as the County, City, Recology or Hambro. Any responsibilities taken up by other entities to do what DNSWMA is doing now will add expenses to those entities in either labor or materials, which have to be passed on to someone, usually the consumer in the case of the private companies or a reduction in services in the case of the County or City as they transfer funds to cover these new costs.

Not only do you have to look at comparisons to see if even shifting the jobs to other entities would have cost savings, you have to ask those entities if they even want to take on these other tasks? Or do they even have the personnel with the expertise to complete these tasks? With the people in place now at the DNSWMA, it's my opinion that the JPA was created to help keep costs down and do these jobs efficiently and effectively, so

why try to change it now.

In summary, the role and purpose of the DNSWMA need to be redefined through public meetings to see what the community as a whole wants it to be; There needs to be a strong director who handles the day to day operations of the DNSWMA and is responsible for overseeing the budget process, setting long-term goals, determining staffing levels and working with partner agencies to keep costs down for all consumers; And, the JPA was set up to take on all the responsibilities and tasks of closing the landfill, monitoring it through it's lifetime and managing the waste-stream requirements of Del Norte County, so we should let it do it's job of performing these essential tasks to the best of its abilities.

Ron Gastineau, Council Member
City of Crescent City, California
Sent from my City Council iPad

> On Apr 2, 2014, at 3:07 PM, "Tedd Ward" <tedd@recycledelnorte.ca.gov> wrote:

>
> Dear Commissioners:

>
> At yesterday's meeting, the Board set a deadline of April
> 9th for additional comments from Commissioners regarding the R3 Draft report.
> If you could submit such comments in a reply e-mail to me by Friday
> (April
> 4) at noon, I will make sure those comments are printed and distributed with
> the agenda for the 09 April Authority meeting. If you bring written
> comments with you to the April 9th meeting that were not included in
> the published agenda, please bring 8 additional copies of those
> comments in case other Commissioners would like to review or discuss
> such comments before submitting them to R3.

>
>
> Thanks,

>
> Tedd Ward, M.S.

> Acting Director / Program Manager

> Del Norte Solid Waste Management Authority

> 465-1100

> <winmail.dat>

Tedd Ward

From: Wochnick, Michael@CalRecycle [Michael.Wochnick@CalRecycle.ca.gov]
Sent: Thursday, April 03, 2014 8:18 AM
To: tedd@recycledelnorte.ca.gov
Cc: Otsubo, David@CalRecycle; Poroli, Beatrice@CalRecycle; Davies, Jr., Frank@CalRecycle
Subject: RE: Questions regarding Administration of the Crescent City Landfill

Here are our best responses. See below.

Michael Wochnick, P.E.
CalRecycle
Closure and Technical Support
916-341-6289
916-319-7334 (fax)

From: Poroli, Beatrice@CalRecycle
Sent: Wednesday, March 05, 2014 10:31 AM
To: Davies, Jr., Frank@CalRecycle
Cc: Wochnick, Michael@CalRecycle; Otsubo, David@CalRecycle
Subject: FW: Questions regarding Administration of the Crescent City Landfill
Importance: High

I am forwarding this email to you since it pertains to a closed landfill under a closure permit.

From: Tedd Ward [mailto:tedd@recycledelnorte.ca.gov]
Sent: Friday, February 28, 2014 1:35 PM
To: Poroli, Beatrice@CalRecycle; Byrne, JoAnne@CalRecycle; 'Morrison, Gina@Waterboards'; 'Houawa Moua'
Cc: 'Heidi Kunstal'; Yekta, Gino@CalRecycle
Subject: Questions regarding Administration of the Crescent City Landfill
Importance: High

Greetings Beatrice, JoAnne, Houawa & Gina:

The Del Norte Solid Waste Management Authority has hired R3 Consulting Group to provide an Assessment of this agency.

The draft report from R3 can be viewed here:
<http://www.recycledelnorte.ca.gov/wp/wp-content/uploads/2013/12/Del-Norte-County-Draft-Report-021914.pdf>

Among their recommendations on page 16 (page 20 of the pdf) are that all management, maintenance, monitoring and reporting responsibilities currently administered by the Del Norte Solid Waste Management Authority related to the Crescent City Landfill revert to Del Norte County.

Could you please provide answers to the following questions so the Authority Board is aware of the associated potential impacts of pursuing such a course of action?:

1. What actions would the Authority need to take to document shifting all responsibility for permits, maintenance, monitoring and reporting to Del Norte County?

At a minimum the operator would have to follow the requirements contained in 27 CCR 21200 and 21630.

2. Would such action require any revisions to the PostClosure Maintenance Plan or other permits related to the Crescent City Landfill?

Yes, the SWFP would need to be revised to reflect the new owner/operator. The PCM Plan would not need to

be revised if the operator indicates they will comply (i.e., adopt by reference) pursuant to the requirements of 27 CCR 21200. However, the new operator could revise the PCM Plan if they so choose. Any proposed changes would be subject to regulatory agency approval.

3. What actions would the LEA need to take to process and document such changes in responsibility?

The LEA would have to modify the permit to reflect the new owner/operator per 27 CCR 21670.

4. Would such action also require changes to the Pledge of Revenue Agreement, as this facility is administered by the Del Norte Solid Waste Management Authority?

Yes, see previous response from FA Unit.

5. Would such changes to permits and associated documents need to be completed before Del Norte County took full responsibility for the landfill, or could the paperwork follow the action?

Yes, see previous response from FA Unit.

6. If Del Norte County became both owner of the landfill property and completely responsible for monitoring and maintenance of this facility, if there was any violation in future, would not Del Norte County be completely responsible for addressing such violations and any associated fines?

Yes, under the Public Resources Code only the current owner/operator can be subject to enforcement by the LEA and/or CalRecycle. However, the RWQCB can enforce against past owners/operators.

7. Could such action impact the Authority's current appeal of Threat / Complexity rating and the associated Waste Discharge Requirement fee, and if so, how?

Yes, but this would be determined by the RWQCB since it is their authority and jurisdiction. CalRecycle and the LEA have no authority in this matter.

8. Do you have any other comments relevant to the Options presented in this report?

No.

Thanks for your time and consideration. I would be happy to provide any additional background information you might require.

Our agenda publication deadline for the next Authority meeting is March 6 at noon. If you have answers or comments to the above questions and do not have time for a written response, please call me before that time.

Thanks again,

Tedd Ward, M.S.
Acting Director / Program Manager
Del Norte Solid Waste Management Authority
707-465-1100

Bill Lonsdale
135 Maple Tree Lane
Crescent City, CA 95531
707-465-5964

RE-SUBMITTED
AT 01 APRIL
PUBLIC HEARING

09 March 2014

SUBJECT: Observations and Comments On Draft R3 Assessment

Chair and Members of the Board
Del Norte Solid Waste Management Authority
1700 State Street
Crescent City, CA 95531

Dear Chairman Gitlin and Members of the Board,

This is to provide comments and suggestions regarding the Draft R3 Report, *Assessment of the Del Norte Solid Waste Management Authority*, to be considered at your Board's 12 March Meeting. Specific comments are presented in the order of item appearance in the Draft.

General Observations.

1. This Draft Report appears to be more comprehensive and objective than many of those concerned about the future of the Authority may have expected.
 - It seems to strike a balance between the desire of some Board members for dissolution and/or role reduction and citizen concerns about continuity of ability to respond to regulatory and policy development challenges.
 - It addressed all of the questions posed to R3 in the assessment RFP, although, as indicated in Specific Comments below, some responses may require additional explanation or detail.
 - It is intellectually honest in conceding that our JPA is somewhat unique in its spread of functions and responsibilities, when compared to other "similar" jurisdictions.
 - It properly points out that:
 - Some of the perceived problems with the current JPA are the responsibility of past Authority Boards -- for not providing sufficient measurable goals and objectives for the Authority Staff to meet,
 - Staff reduction and/or reassignment of Staff out of the Public Employee status is as much a policy decision [*i.e.*, what to do about union positions, pay, and benefits] for the Board as it might be a demonstrable cost-saving measure,
 - Authority Staff reductions and transfer of functions to Contractors or City/County Staff might or might not result in cost savings up to \$100,000 per year, and
 - Selection of the best option for restructuring the retained JPA "depends on the ultimate goals of the Authority (e.g., keeping public employees versus contracting functions and jobs to the private sector)."

ENTD APR 01 2014

2. The Draft Report's emphasis on setting measurable goals and objectives, then relating policy decisions to those metrics, suggests to me that the goal-setting should precede any wholesale restructuring of the existing Authority. To do otherwise might result in continuing misalignment of Authority functions and staffing.

Specific Comments.

For ease of reference, the specific comments below are presented in the order of item appearance in the Draft, not necessarily in order of importance.

Pages 5-6, Note, Recommendation puts past concerns into perspective. The call for an annual business planning process places the Board in a strong position to be part of the solution in the future.

Page 7, Answer, 2nd Para., Recognition that the current scope and breadth of the Authority is unique among rural counties places evaluation of future staffing and allocation of responsibilities in a more balanced perspective. It includes the notion that the Board's development of future goals and objectives must address how and whether to continue the non-traditional responsibilities which the Authority now has.

Page 8, JPA Group Descriptions, It is clear from the descriptions and discussion that measuring the workload of Authority Staff against a other JPAs in a single Group would be inappropriate. This suggests that future staffing decisions should be made against the actual requirements and responsibilities of the retained Authority, rather than against a "typical" JPA in one of the Groups.

Pages 8-9, Discussion of Del Norte JPA comparison, The Draft Report did not provide detailed discussion of the Humboldt County JPA for comparison, even though it points out that the "ownership" aspects of our Authority are "most consistent with the Humboldt Waste Management Authority,...." The Board might benefit from inclusion and expanded discussion of the similarities and staffing requirements.

Page 9, Organization Staffing Discussion, Although elsewhere in the Draft Report, R3 analysts point to the uniqueness of our JPA's responsibilities, this section provides an adverse staffing comparison based on population, rather than responsibilities. Recommend that the Board's assessment of our JPA's staffing be based on actual requirements and Board-established goals/objectives, rather than simple population comparisons.

Pages 10-11, Organization Question b, Answer and Analysis, It is gratifying to see that R3 found the Authority to be "the most effective and efficient entity for managing solid waste in Del Norte County...." At the same time, the R3 Draft Report called for adjustments to staffing levels. This is fair, but attention should be paid to R3's accompanying call for Board establishment of future, measurable goals and objectives [against which staffing levels should be adjusted].

Page 11, Option #1, More explanation of scale house staff assumption of clerical support should be included in the R3 Report, focusing on: (a) exactly what clerical support should be assumed, (b) what IT system enhancement might be required to link that support to the Authority system, (c) circumstances under which it would be appropriate for non-Authority scale house staff to be involved in the administration of the Authority.

Page 11, Option #2, Recommendation that the Executive Director position be a contract employee needs additional explanation, to include: (a) relationship to Authority staff who are public sector employees, (b) examination of whether a contractor would be more or less under Board control than a public employee, and (c) what the cost saving might be.

Page 12, Option #3, Additional discussion is needed in the R3 Report, to include an assessment of the economic benefit that might result. Here we have an implication of such benefit, but not an examination. Beyond that, the Board will be faced with a sensitive policy decision regarding the status of public sector employees now in those positions.

Pages 12-13, Organization Question c, Answer and Analysis, Here, the Draft Report confirms that restructuring of the Authority -- even with the recommended Authority Staff reductions -- would not result in a net saving to ratepayers -- due primarily to the recognition that someone, somewhere, has to do the work now required of the Authority Staff. This recognition has been a long time coming, possibly due to the contentious nature of past Board deliberations on the subject. If R3 is correct, then past assertions that proposed changes to -- or elimination of -- the Authority could produce ratepayer savings of "... \$20 per month..." are inaccurate.

Page 13, Organization Question d, Answer and Analysis, Discussion of options to replace a dissolved JPA is quite straightforward, and concludes that "...the structure for managing City and County obligations is more effectively achieved ... by maintaining the Authority and effectively restructuring it."

Page 14, Organization Question f, Answer and Analysis, The Draft Report suggests that, if the Authority were to be run in a manner similar to other Del Norte JPAs (i.e., small admin staff with work performed by contractors), the use of contractors might prove less cost effective than having work done by public employees. In my view, there needs to be an assessment of whether the staffing and expertise would exist at the City or County level to meet all of the regulatory and technical requirements.

Page 14, Organization Question g, Answer and Analysis, The Draft Report concedes that a small-staff, contractor-based JPA option would have less direct control than the current JPA. Beyond that, R3 concludes that we should "... not expect that such a configuration would result in a significantly lower cost to the ratepayers."

Pages 16-17, Staffing Question c, Answer and Analysis, More detailed presentation is needed of data used to reach the conclusion of Authority overstaffing. Currently we have only Authority input and a short narrative R3 conclusion. Suggest an additional Appendix to lay out R3's assessment of the workload data. Additionally, more detail is needed on (a) how the County would perform the landfill-related functions, (b) if the County is able/willing, and (c) what that would cost. Finally, the suggestion that Hambro and Recology would perform stormwater monitoring and public education/outreach functions "... more effectively ..." needs explanation and additional contract cost estimation.

Pages 18-19, Operations Question b, Answer and Analysis, What is the correct answer? Authority Staff asserts a current inability to manage franchises effectively, while R3 suggests that such management is not necessary because everything is running smoothly. This area needs more detailed attention in the final report.

While the Draft Report suggests that there is more that Hambro and Recology can do to take over responsibility and workload from the Authority Staff, there is no specific information provided. It appears to me that the two franchisees have put forward a notion to expand their contracts. That's fine, but the Board should have some proposals in writing, along with cost estimates, before it commits to staff reductions based on a non-specific expectation that the franchisees will perform those staff functions.

Page 20, Director Position Question a, Answer, The Draft Report recommends that the combined Executive Director/Program Manager position be "... specifically focused on the short-, medium-, and long-range goals and objectives for the Authority." That begs the question of who will manage the day-to-day operations and responsibilities of the Authority?

Before committing to the combination of the two senior management positions, the Board should know exactly how these day-to-day functions are to be carried out. We've had several months of fairly detailed reports from the Acting Executive Director about what has been falling through the cracks while he has been saddled with both sets of responsibility. It does not appear to me that he has been "crying wolf." The R3 Draft Report seems to ignore the recent record.

The Board will be forced to decide which of the lapsed functions can be dropped, or how they might be filled by other means. Likely that will be part of the "goals and objectives" process recommended by R3.

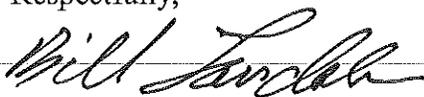
Page 21, Director Position Question c, Answer, A salary range of \$70,000 - \$80,000 is recommended, depending on qualifications. What is not clear is whether that would apply to either a public sector or contract employee, or whether it would include benefits or expense accounts of any kind. While the marketplace will determine whether a contractor or new public employee with appropriate experience and expertise would be willing to take on the dual responsibilities envisioned at that salary, a more detailed explanation of how R3 analysts reached the proposed figure is needed. Recommend that the final report include an addendum that lays out R3's methodology.

Page 21, JPA Alternatives Question b, Answer, The Draft Report notes that, in the event of JPA dissolution, "...the City and County would be individually responsible for all mandated functions and would individually be responsible for assuring the mandated functions were effectively accomplished." Given that, it is difficult to see how any cost savings would result, since sufficient and qualified staff at City and County levels would be needed to meet those mandates.

Pages 21-22, JPA Alternatives Question c, Answer, With respect to policy development, regulatory compliance and reporting, rate setting, and enforcement, R3 concludes that the City and County would have separate responsibilities in these areas. Given the inevitable duplication of effort that would result, it is difficult to see that an savings at all would result for ratepayers from JPA dissolution.

3. Overall, I found the Draft Report to be fairly thorough and objective. These comments are respectfully submitted for your Board's consideration, as a means of making a good decision support documents even better.

Respectfully,



April 1, 2014
Public Hearing
Del Norte Solid Waste Authority
RE: March 21, 2014 R3 Draft Report

I have gone over and over the March 21st R3 Draft Report and was delighted to find one clear recommendation: the JPA should be kept intact because it is the most effective and efficient entity for managing solid waste in Del Norte County. Unfortunately, that is the only clear recommendation. Everything else needs further analysis, studies, goal setting, or is a shot in the dark. An example can be found in the Executive Summary: "There is potential to restructure how the Authority functions for more efficient and cost effective use of staff and other resources." Perhaps they mean that some duties could be more cost-effectively performed by Recology, Hambro, or county and city staff. It isn't made clear and no cost analysis is included – that's a shot in the dark!

The question everyone wanted answered is, "What are appropriate management and administrative staffing levels for the authority" but according to the consultants, it was not specifically asked in the RFP and thus it "cannot be definitively answered at this point." Ask any of the many members of the public who have been faithfully attending meetings and they will give you an immediate answer. The appropriate management and administrative staffing levels for the Authority are, at a minimum: a Director, a Program Manager, an Administrative Assistant, an Account Clerk and the always essential gate staff. Notice I said at a minimum, because this is the number of staff it took to build the status quo. The consultants claim the status quo could be maintained by half the full time staff – that's two- if the Authority sets "modest" short, medium, and long term goals instead of supporting a high level of waste management related activities requiring at least four full time employees. They want us to give up excellence for mediocrity.

It is misleading to suggest that the Authority can pick and choose what it "wants" to do for the next 5 to 10 years. There are "must do" programs in the pipeline after the passage of AB 341 which set a statewide 75% recycling goal by the year 2020. Local stakeholders, like the Authority, are expected to institute programs such as mandatory commercial recycling, Extended Producer Responsibility (EPR) to name just a few. The Authority currently participates in the EPR program with carpet and paint recycling but the mandatory commercial recycling program is dormant. It consists of a two-page document adopted on July 24, 2012, by the Authority board.

Implementing new programs that reduce waste by source-reduction, recycling, and composting, is where public monies should be spent; instead the Authority has spent public monies on pages and pages of dead-end suggestions, assertions without facts, and no useful solutions.

Elizabeth Henry

ENTD APR 01 2014

To R3 Consulting and the Del Norte Solid Waste Authority and Board of Commissioners

I commend R3 consulting group on a much improved draft report on the Del Norte Solid Waste Authority (Authority) over the preliminary report released in February. The conclusions are reasonable and supported, and remaining needs and options are laid out clearly. Prominent in the report is the lack of evidence for cost saving to be had by 'outsourcing' some jobs they perform. Every staff reduction option provided either compromise the Authority's ability to perform existing jobs, are illegal, or both. (ref. April 1 Triplicate).

The Authority is recommended to instate medium and long range goals so that appropriate staffing levels can be maintained to meet those goals, yet the Authority board is ill informed to establish goals, and the board composition changes often, so there is no assurance of maintaining realistic goals.

I suggest that rather than a timetable of goals, what is needed is a Management Plan which contains a general Mission Statement. An important element of such a plan is to be adaptive so that the Authority can respond to new regulatory requirements and incorporate innovative ideas. Some text of the Plan can be derived from the job descriptions and activities of the director and manager/analyst, contained as an appendices to the draft report.

I served on the DNSW task force for 2 years in the early 1990's, when the tasks at hand were closing the landfill and siting a transfer station. Since then we have seen nothing but continuing improvement in compliance with regulations, service to customers, and responsible waste management. The Authority is a public agency service to the community, and we as a community would do best by getting the director position back and get out of the way so that they can do their job. I can find nothing in the R3 draft report that points to a better option.



Craig S Strong. 1 April 2014
Del Norte resident 1992 - present

March 12, 2014

Statement to the DNSWMA

Elizabeth Henry

I have read the R3 Draft Report and was pleased that the first paragraph of the Executive Summary agreed with a majority of the public that the Del Norte Solid Waste Management Authority is the most effective and efficient entity for managing solid waste in Del Norte County.

The Draft Report should have ended there. Instead, it recommends changes without presenting backup facts, figures or adequate analysis. The first recommendation is to reduce staffing levels without any evaluation of actual staffing needs. Quoting from Page 11 of the Draft Report, the rationale for decreasing staff is simply "...the current staffing levels of the Authority are much more consistent with the staffing levels in JPAs serving much larger population bases". The Humboldt Waste Management Authority is mentioned as an example of being most similar, yet it has 38 employees! There is no similarity there!

A truer statement would be that the Authority's similarity to larger population JPAs is due to the number of functions it carries out. The Draft Report recommends cutting back Authority functions and staff to some undefined standard referred to on Page 11 as: "bringing them more in line with that required to effectively administer the responsibilities of the Authority." There is no explanation of what "bringing them more in line" means. Is it suggesting that arbitrarily reducing Authority functions and staffing to the size and functions of other small counties JPAs is a reasonable plan? It doesn't make sense!

What does make sense and but missing from the Draft Report is a "As is" option. Positive statements about the Authority, scattered throughout the Draft Report, support that. Instead, the Authority is presented as an entity which has achieved its original purpose and needs to be restructured.

A large amount of money and staff time has been wasted over the years on this issue, a well-functioning agency has been crippled, an excellent Executive Director has been fired, and the remaining employees have suffered undue stress. We now have in front of us a 23 page Draft Report and a 6 page job description, a total of 29 pages, the rest being copies of others work. The Authority is paying over \$1,000 per page for a very flawed and incomplete document. I suggest the Board of Commissioners end this farce today, negotiate with R3 for some amount of refund and return to their appropriate role as advocates for responsible solid waste disposal and recycling in Del Norte County.

Ralph Johansen
Attorney at Law (inactive)
130 Lakeside Loop
Crescent City, CA 95531
707-465-3570
March 12, 2014

Del Norte County Solid Waste Authority Board
Attn: Roger Gitlin, Chair
1700 State Street
Crescent City, CA 95531

Re: R3 Draft Report 'Assessment of the Del Norte Solid Waste Management Authority'

I have read the R3 Draft Report, including the Executive Summary, answers to the questions posed by the Board and accompanying documents, as well as the responses from Acting Director Tedd Ward, Treasurer's Report by CPA Richard Taylor and the Memorandum from Board Legal Counsel Martha Rice.

R3 states in their Approach and Methodology section (p. 4 of 3/12 Agenda) that they have received from the Authority a list of work priorities for the current fiscal year and a listing of Executive Director and Program Manager activities. They state that they have interviewed a number of people who have had, one can reasonably assume, the most significant experiences with the Authority in their operations over the years. These include, in addition to Board members, all Authority FTE personnel, Hambro's and Recology's management, the County administrative officer, Crescent City manager, County environmental health specialist, Waste Management Specialists at CalRecycle, and the North Coast Regional Water Control engineer (p. 4).

On the basis of these interviews and observations, together with historical and operational data provided by the Authority, R3 concludes that:

- the Authority has done a good job in complying with all regulatory requirements (p. 1);
- "there seems to be a general consensus that the Authority has effectively achieved its original purpose (p. 3);
- the Authority drafted "the first of its kind Zero Waste Management Plan in the country" (same page);

- the former executive director Kevin Hendrick had been awarded the California Product Stewardship Council's "EPR (Extended Producer Responsibility) Super Hero Award" for "the most outstanding contributions of any individual to the EPR movement" (same page);

In the Questions and Answers section R3 states that

- "...the Authority is the most effective and efficient entity for managing solid waste in Del Norte County provided that..." (p. 10) and here R3 adds provisos, such as reducing staff by more than half, which are not supported by any projected cost savings, or any other discernible rationale (see Richard Taylor's Report (pp. 49-52) containing questions regarding:

R3's suggestion to "...combine the 2.5 full time equivalent administrative staff positions into a single new Management Analyst position staffed with a person with administrative, financial and accounting skills."

- Authority staff has appropriate experience and expertise to effectively handle the required solid waste management functions (p. 15);
- "regulatory requirements are being met in a timely and comprehensive manner" (p. 17);
- even though "management of the Authority's contracts was the duty of the Executive Director", a position which "has been vacant"... "with that said, R3's review did not identify any regulatory issues or major concerns or complaints regarding the level of service or performance regarding Hambro or Recology" (p. 18).

What for some unclear reason is not specifically mentioned in the Report is the very evident satisfaction of ratepayers: 30 of 33 of those who responded to requests for comments to R3 at the January 22, 2014 meeting all stated that they supported the level of service, staffing functions and rate structure as they are, urging that this protracted matter be quickly laid to rest without any change.

In addition, R3 states that they have observed management and staff performance, transfer facility and scale house operations and otherwise toured the facilities. This, plus the interviews referred to and data furnished with respect to operations is the sum total of what they describe as their "Approach and Methodology" (pp. 4 and 5): This is plainly an ineffective explanation of how this study needed to be structured in

order to answer the questions posed. Interviews, tours and operational and comparative data not responsively quantified cannot standing alone answer the Board's questions. Although they qualify the description of their Approach and Methodology by adding that their review and analysis included, but "was not limited to these approaches and methods", again, nothing in the answers to the Board's questions provides these essential supporting quantitative data. An adequate methodology would evaluate quantified data in reaching conclusions and recommendations on questions posed. How else can the Board place reliance on R3's analysis of staff functions, staff changes and restructuring recommended or presented as an option, without a detailed accounting of anticipated cost benefits and savings?

For example, R3 states (p. 10) that "there were concerns expressed about...whether staff resources have been effectively focused and organized to minimize costs and increase revenues". R3's study provides no facts or figures that address these issues.

They do not even describe how they choose, evaluate and weigh the data that they have collected, and how that relates to the subject of inquiry. Inasmuch as all of that elaboration of methodology is missing, most especially the failure to consider cost/benefit analysis, this accounts in large part for the shallow and inadequate nature of R3's analysis.

As for recommended restructuring, in the section where JPAs are compared and contrasted, R3 characterizes the Authority as "relatively unique" - and as they acknowledge, (p. 9) that is true in terms of staffing as well. The Authority Staff Report responds: "Therefore, we were surprised that R3 based their main argument for the elimination of Authority staff positions on comparison with other agencies which, to our knowledge, seem to have very different responsibilities", citing Sonoma as an example, "which does not own or operate any facilities or collect any receipts--yet currently Sonoma appears to employ two Program Managers as well as a Director, Analyst and Clerk. This is like comparing apples to oranges. R3 also notes that the Authority is most like Humboldt Waste Management Authority (HWMA) but provides no facts about that agency. Staff can provide some comparisons but only as an example of the type of specifics that would be needed." (p. 47; see further comments there)

In summary, their attempt to justify restructuring based on comparative analysis fails as well.

If the Authority was looking for a basis for action in line with their stated purpose, to save money in the operation of the Authority, this Report as it stands fails completely

Regarding elimination of JPA, R3 acknowledges that those interviewed indicated "little interest in eliminating the JPA" (p. 10) and they "could find no cost benefits in doing so". (p. 22)

In addition, Staff Report responds: "The Draft Report repeatedly fails to acknowledge or address information that was included in the background documents distributed with the Request for Proposals for this project..." (p. 46 of agenda)

Regarding staff morale the Staff Report states (p. 47): "Despite R3's acknowledgment that staff has the expertise and experience to perform all their functions and they are meeting requirements, this Draft R3 Report presents options that essentially threaten the jobs of every single Authority employee. As a result, this report has had a severely adverse impact on staff morale. Staff would appreciate any reassurance the Board would care to provide regarding their acknowledgment of the successful efforts of current staff to keep this agency functioning through this extended period of uncertainty and transition."

A visit to the transfer station readily discloses that employees of the Authority work diligently to perform duties related to waste disposal that most of us would not want to do. Staff members who spoke at the meeting on January 22 were virtually in tears due to stress and uncertainty caused by this prolonged threat to staff's employment security, as Board members will recall. Tasks entailed in this essential function of local government can instead be rewarding if supported positively by the community, particularly when supplemented by resourceful staff efforts towards conservation through innovative recycling.

Not only staff but the ratepayers as well will be badly served by any deterioration in staff performance that ensues, in the atmosphere of anxiety and frustration caused by dragging this inquiry out any further. The job of Board member is for a limited time. Threats to staff's career prospects are lifelong and devastating. Surely, this Board would not want to be remembered by Del Norte citizens as having been responsible

for the disruption, dismantling and unwarranted deterioration of what R3 acknowledges is a well-functioning Authority, perhaps the most smoothly functioning of our local government agencies.

I looked into the website of Santa Clarita Valley Waste Management, in what was until recently Chair Gitlin's home area. I found that the local ordinance "requires each occupied residence to maintain weekly trash and recycling services". By comparison, last Friday, our waste collection day, I drove down Vipond for a third of a mile leading to our home on Lakeside Loop. I looked up and down Vipond and my street as well as adjacent China Creek Court. I found that at most one-fourth of the residences there had curbside service, which I now understand has to do with the proximity of the well-run transfer station in a rural area, but which puts added cost on the rate payers opting for curbside pickup service. Imagine my surprise when I looked at the rate structures and services offered and found that, despite Santa Clarita's obvious advantages in economies of scale their rate structure for curbside pickup was only slightly lower and roughly comparable to ours, while offering services that were almost identical. That served to reinforce my conviction that we have an effective service here and a rate structure that is as good as it can be in a rural area. And that is certainly in no small part due to the quality of Authority staffing and oversight. I would hope that on reflection Mr. Gitlin and other Board members would agree.

With respect to proposed privatization of functions, I call the Board's attention to Legal Counsel Martha Rice's comments in her Memorandum (pp. 53-55 of the agenda) on R3's Option #3 recommendation to contract out the scale house staffing to the private sector. She cites the provisions of the recent opinion in *Costa Mesa City Employees Association vs. City of Costa Mesa*, involving the city's decision to privatize "a vast array of city services." The Court, in issuing a preliminary injunction on the premise that complainant might prevail at hearing, cited Gov. Code secs. 53060 and 37103 limiting a city's right to contract with private entities for non-special services (209 Cal. App. 4th at 315-316). These sections, virtually identical, provide in part that "any public or municipal corporation or district may contract with and employ any persons for the furnishing...special services or advice in financial, economic, accounting, engineering, legal or administrative matters..." including the right to contract out payroll services. While this matter will not be heard on its merits until 2015, Ms Rice comments that the decision "has set the stage for a victory by the

employees, which will severely restrict the ability of cities (and DNSWMA) to contract out basic services". (If I recall correctly, this decision has already been communicated to the Board of Supervisors by Martha Rice's partner Robert Black.)

It might be instructive for Board members to read the legislative history of these code sections, to learn why the legislature enacted these code sections restricting privatization of public services.

Martha Rice also calls attention to an IRS provision that in general states that a public facility financed by tax-exempt public bonds (the case here) cannot turn a profit for a private entity (as apparently is proposed).

As to cash controls, an accrual and cash accounting system is being installed which is designed to address issues there.

With the abundance of information in this Report which concludes that the system is working well, and the lack of supporting data for R3's recommendations for changes in staff and structuring, it is time for this body to let this issue wither and die and move on to constructive matters.

Respectfully submitted,

Ralph Johansen

A handwritten signature in black ink, appearing to read 'Ralph Johansen', with a long horizontal stroke extending to the right.



Del Norte Solid Waste Management Authority

1700 State Street, Crescent City, CA 95531
Phone (707) 465-1100 Fax (707) 465-1300

Staff Report

Date: 04 April 2014
To: Commissioners of the Del Norte Solid Waste Management Authority
From: Tedd Ward, M.S. – Acting Director / Program Manager *Tedd*
File Number: 022102 – Authority Budget
Topic: Review of Budget Status for Fiscal Year 13/14 and Process for Preparing the Authority Budget for FY 14/15

Recommendation: Information only; no action required.

Background: In order to provide context for preparing a draft budget for Fiscal Year 2013/2014, staff will review the status of the current year budget at this Board meeting, including a substantial budget transfer to cover increased expenses for professional services, legal counsel and the services of the Authority Treasurer/ Controller. As you know the budget for the Del Norte Solid Waste Management Authority is approved ahead of and separately from the County budget. The Authority budget is approved before June 30, whereas the final County budget is usually not approved until September or October.

Prior to final adoption of the Authority in June, the proposed budget will be presented to the Crescent City Council and the Del Norte County Board of Supervisors for comment. Any written comments approved by the City or the County will be brought to the Authority Board for consideration before adopting the final budget.

Analysis: The proposed budget for Fiscal Year 2014/2015 will be presented at the Authority meeting on May 14 and follow up with a presentation to the City Council on May 19th and the Board of Supervisors on May 20th. Any approved written comments provided by the City or County will be brought back to the Authority Board for consideration prior to adopting the final budget at the June 11th Authority Board meeting.

13 January 2012
I:\Tedd\DNSWMA\Budgets\140409 FY14_15 Budget Process.doc

1 Printed on >30% post-consumer recycled paper

7.7

Due to the increased frequency of Authority meetings and efforts associated with review and comment on the Draft Assessment report and other urgent items of Authority business, staff has had relatively little time available to prepare a draft budget prior to this meeting. This staff report therefore is intended to give an overview of the assumptions and projections to be used in the preparation of the Authority budget for Fiscal Year 2014/2015.

To allow time for appropriate analysis and planning for next year's budget, staff strongly recommends that the intensity of meetings and planning efforts which have been associated with the Assessment report be reduced or deferred until after the Board has adopted a final budget for fiscal year 2014/2015.

Projected Expenses

The budget will be drafted using projections from the County Auditor's office for the annual cost of Salaries and Benefits (based on the current staffing chart), Depreciation and the "Interfund Cost Plan", which is the charge for our share of County services. While staff are well aware that the Authority may change the staffing chart during this coming fiscal year, a 'status quo' approach to staffing costs places funds in the budget to be used either for staff or may be transferred for increased expenses for legal counsel treasurer/ controller, and professional service expenses in lieu of staff.

As part of this budgeting process, I have compared the adopted and revised budget for each budget line for the past three fiscal years to identify spending trends and budget accordingly. Most operating expenses for next year will remain much the same as this year.

Significant budget changes are associated with landfill obligations. These include more intensive sampling and analysis of groundwater for 'constituents of concern' at the Crescent City Landfill. The Authority is obliged to conduct this more intensive sampling every five years. Staff is currently working with the technicians at North Coast Laboratories to reduce potential duplication of constituents the Authority is already required to monitor and to develop cost estimates for these additional analyses. Furthermore, the Authority's budget includes potential full payment of the Waste Discharge Requirement fee, in case the Authority's current appeal is denied or additional professional service expenses are required next fiscal year to further this appeal.

Revenue Projections

The two main sources of revenue for Authority operations are the Franchise Fees

(90153) and Authority Service Fees (91004), about 1/3 of the transfer station tipping fees.

Proposed Franchise Fees are based on projected revenue this year. Staff will calculate Franchise Fees using the 10 month actual and projected 12 months then multiply this amount by the Recology CPI adjustment, once the March Consumer Price Index is available..

Proposed Authority Service Fees will also be based on projected revenue this year. We will calculate Authority Service Fees using the 10 month actual and projected 12 months then multiply this amount by the Transfer Station Fee CPI adjustment after the March Consumer Price Index is released.

The largest revenue line is TS Gate Fees (91003), about 2/3 of the transfer station tipping fees. This is the main source of revenue to pay Hambro/WSG. We intend to budget the amount to pay Hambro/WSG from the Transfer Station Operations line (20239), paid from line (91003). Approximately \$40,000 of this amount will be paid from Authority Service Fees (91004), which are collected at the Gasquet and Klamath Transfer Stations.

The draft budget to be presented to the Board will also address anticipated changes to CalRecycle's beverage container block grant programs.

Senate Bill 1014

Safe and Convenient Medication Disposal

Senator Hannah-Beth Jackson

Bill Summary

In an effort to manage the clear societal and environmental impacts of unused medications, SB 1014 would require producers of pharmaceuticals, as defined, to create, finance and manage a collection system for California consumers to safely and conveniently take-back unwanted pharmaceuticals - a system structured after an existing program in Canada which the industry has efficiently operated for 15 years.

Background

In response to the growing problems of prescription drug abuse, accidental poisonings, and the detection of pharmaceutical products in California waters, local governments throughout the state have struggled to establish safe and convenient medication take-back programs. The public demand and need for such programs has been tremendous - even limited programs have collected hundreds of pounds of drugs. Law enforcement, federal agencies, public health and environmental professionals agree that take-back programs are the safest way to dispose of unused medicines.

Establishing these disposal programs on a city by city (or county) basis is haphazard, inefficient and expensive for local ratepayers. It also means that not all consumers have access to take-back locations, perpetuating a lack of harmonized messaging to the public about safe drug disposal.

To address these issues, Alameda County was the first jurisdiction in the country to pass an ordinance requiring drug manufacturers to develop, implement, and finance a convenient drug take-back program for residents. Despite operating similar programs in Canada and other countries, three pharmaceutical associations responded by suing Alameda County. The County prevailed at the trial court level and the case is now being considered by the Ninth Circuit Court of Appeals. King County Washington adopted a similar ordinance in July 2013 and was then sued by the same associations.

The Problem(s)

The simple truth is that drugs – both prescription and over the counter – present significant problems at the end of their useful life. Consumers do indeed have leftover drugs in their homes which tend to be stockpiled, flushed, or thrown in the garbage. Unfortunately, the lack of an end-of-life management plan results in significant problems for California:

Prescription Drug Abuse – Prescription drug abuse has skyrocketed in recent years,¹ as have hospitalizations and deaths from overdoses.² In fact, opioid pain relievers were involved in more drug poisoning deaths than other drugs, including heroin and cocaine³. One of the four top recommendations of the National Strategy on Preventing Prescription Drug Abuse is to have a safe and convenient method of disposal for prescription drugs, over the counter drugs, and veterinary medicines that we have in our homes. The lack of take-back locations forces consumers to choose less than desirable options according to the EPA's letter dated 9/26/2012⁴, including home storage, flushing medications down the toilet or throwing them in the garbage.

Environmental Impacts – Pharmaceutical products enter our waters by excretion, consumer disposal of unused medications down the toilet or drain, or wastewater siphoned from landfills and discharged into the environment. Numerous studies in California have found detectible levels of pharmaceuticals, including

¹ California State Task Force on Prescription Drug Misuse. (2009, March 30). Summary Report and Recommendations on Prescription Drugs: Misuse, Abuse and Dependency. Retrieved from State of California Alcohol and Drug Programs: www.adp.ca.gov/director/pdf/Prescription_Drug_Task_Force.pdf

² O'Callaghan, T. (2010, April 6). More people hospitalized for prescription drug overdose. Retrieved from Time: <http://healthland.time.com/2010/04/06/more-people-hospitalized-for-prescription-drug-overdose/#ixzz2fkIm3CMT>

³ Centers for Disease Control and Prevention Fact Sheet on Drug Poisoning Deaths: http://www.cdc.gov/nchs/data/factsheets/factsheet_drug_poisoning.htm

⁴ EPA Letter dated 9/26/2012 outlining disposal options and best practices: <http://www.epa.gov/osw/hazard/generation/pharmaceuticals/pharms-take-back-disposal.pdf>

synthetic birth control, antibiotics, mood stabilizers, and analgesics in San Francisco Bay, as well as both surface and groundwater drinking water sources.⁵ The environmental impacts on aquatic species are very real even at trace levels, including reproductive failure, behavioral changes that impair their ability to survive, and bioaccumulation and interference with the food chain.⁶ While the potential impacts on humans exposed through drinking water or by eating contaminated fish are not well studied, scientists are concerned with unknowns such as low dose exposures over long periods of time, effects on vulnerable populations such as infants, and cumulative impacts of drug mixtures. Since wastewater treatment cannot remove these chemicals completely and is cost prohibitive, stopping their entry into our water at the source is one important step in protecting our precious water resources.

Cost to Local Governments – For too long, municipal governments have cobbled together local collection options that fail to meet public demand for safe take-back, draw resources from other vital government functions, create a patchwork of regulations, and fail to realize the efficiency that would come from a statewide program. Some counties don't offer drug take-back sites because they lack the budget - and even those that do have programs are limited. Alameda County, for example, has 28 drop-off locations, but estimates it needs at least 60 locations to meet public demand.

Solution

SB 1014 springboards off of the good work already being done by pharmaceutical companies in Canada and Europe. It is a business-friendly approach that allows manufacturers to design the program in whatever way is most cost effective, with minimal oversight from state regulators. The success of this stewardship model is evidenced by public surveys in Canada demonstrating the strong public awareness and participation in the program⁷, the volumes of collected medications, and the fact that 95% of the pharmacies voluntarily host collection bins.

This bill would require pharmaceutical manufacturers to submit a stewardship plan to CalRecycle for approval on how they will design and operate the take-back program to meet the standards in the legislation. Manufacturers would then implement the program and report to CalRecycle annually on progress. The stewardship plan would be updated every three years.

Co-Sponsors

Alameda County
City and County of San Francisco
California Alliance of Retired Americans (CARA)
California Product Stewardship Council (CPSC)
Clean Water Action (CWA)

Contacts

Linda Barr, Office of Senator Hannah-Beth Jackson 916-651-4019 linda.barr@sen.ca.gov	Jason Schmelzer Shaw/Yoder/Antwih, Inc. 916-446-4656 Jason@shawyoderantwih.com	Nicole Wordelman Platinum Advisors 916-718-8886 naw@platinumadvisors.com
--	--	---

⁵ Kolpin, Dana et al. (2002) Pharmaceuticals, hormones and other organic wastewater contaminants in U.S. Streams, 99-2000: A National Reconnaissance, *Environmental Science and Technology*, v. 36:1202-1211. Donn, Je, Martha Mendoza, Justin Pritchard, AP Investigation: Pharmaceuticals Found in Drinking Water, http://hosted.ap.org/specials/interactives/pharmawater_site/day1_04.html. Fram, Miranda S. and Kenneth Belitz (2011) Occurrence and concentrations of pharmaceutical compounds in groundwater used for public drinking-water supply in California, *Science of the Total Environment*, v. 409: 3409-3417. Guo, Y. Carrie et al. (2010) Source, Fate, and Transport of Endocrine Disruptors, Pharmaceuticals, and Personal Care Products in Drinking Water Sources in California, The National Water Research Institute. Harrold, K.H. et al. (2009). Pharmaceutical Concentrations in Wastewater Treatment Plant Influent and Effluent and Surface Waters of Lower South San Francisco Bay. SFEI Contribution 549, San Francisco Estuary Institute, Oakland, CA.

⁶ Barber, Larry B. et al. (2011) Effects of biologically-active chemical mixtures on fish in a wastewater-impacted urban stream, *Science of the Total Environment*, v. 409: 4720-4728. Brodin T. (2013), Dilute concentrations of a psychiatric drug alter behavior of fish from natural populations, *Science*, v. 339: 814-15.

⁷ British Columbia med program public survey results from 2010:
<http://www.healthsteward.ca/sites/default/files/PCPSA%202010%20Annual%20Report.pdf>

AMENDED IN SENATE APRIL 1, 2014

SENATE BILL

No. 1014

Introduced by Senator Jackson
(Principal coauthor: Senator Leno)
(Coauthors: Senators Evans, Hancock, Liu, and Pavley)
(Coauthors: Assembly Members Ammiano and Williams)

February 13, 2014

An act to add Section 4068.1 to the Business and Professions Code, to amend Section 117700 of, and to add Section 117670.1 to, the Health and Safety Code, and to add Article 3.4 (commencing with Section 47120) to Chapter 1 of Part 7 of Division 30 of the Public Resources Code, relating to pharmaceutical waste.

LEGISLATIVE COUNSEL'S DIGEST

SB 1014, as amended, Jackson. Pharmaceutical waste: ~~home-generated.~~ *home generated.*

(1) The Department of Resources Recycling and Recovery was required, pursuant to provisions repealed on January 1, 2013, to develop, in consultation with appropriate state, local, and federal agencies, model programs for the collection and proper disposal of drug waste.

This bill would enact the Home-Generated Pharmaceutical Waste Collection Disposal Act and would define terms for purposes of the act. The bill would require a producer of covered pharmaceuticals to submit to the Department of Resources Recycling and Recovery, by July 1, 2015, except as specified, a product stewardship plan and would authorize one or more producers to submit a plan or designate a stewardship organization to act as an agent on behalf of the producers to submit a plan. The bill would require the stewardship plan to contain specified elements with regard to the collection and disposal of

home-generated pharmaceutical waste, including provisions for the payment of all administrative and operational fees associated with the product stewardship program.

The bill would specify procedures for the approval of the plan by the department and would require a producer, group of producers, or stewardship organization operating a stewardship program to take specified actions with regard to the disposal of home-generated pharmaceutical waste and promoting product stewardship programs to consumers, pharmacists, retailers of covered pharmaceuticals, and health care practitioners.

The bill would require a producer, group of producers, or stewardship organization operating a product stewardship program to prepare and submit to the department an annual written report describing the program's activities during the previous calendar year by July 1, 2016, or at a later date as approved by the department, and on or before July 1 annually thereafter.

The bill would authorize the department to adopt regulations to implement the act and would require the department to adopt regulations to provide for the appropriate management of consolidated home-generated pharmaceutical waste, to establish a schedule of fees to be charged to cover the department's costs of administering and enforcing the act, and to adopt a schedule setting the amounts of administrative civil penalties that the department would be authorized to impose. The bill would require a producer, group of producers, or a stewardship organization submitting a plan to the department to pay the fees set by the department and would require the department to deposit the fees into the Home-Generated Pharmaceutical Waste Program Account, which the bill would create in the Integrated Waste Management Fund. The department would be authorized to expend the fees, upon appropriation by the Legislature, to administer and enforce the act.

The bill would authorize the department to issue an administrative order to, or impose a civil penalty upon, a producer who is in violation of the act or a regulation adopted pursuant to the act. The bill would require the department to deposit the penalties into the Home-Generated Pharmaceutical Waste Penalty Account, which the bill would create in the Integrated Waste Management Fund, and would authorize the department to expend the moneys in that account, upon appropriation by the Legislature, to enforce the act.

(2) The Medical Waste Management Act, administered by the State Department of Public Health, regulates the management and handling of medical waste, including pharmaceutical waste, as defined. Existing law defines the term medical waste and excludes certain types of waste from that definition.

This bill would define the term “home-generated pharmaceutical waste” for purposes of that act. The bill would exclude, from the definition of medical waste, home-generated pharmaceutical waste that is handled by a collection and disposal program operating in accordance with the act specified above. This exclusion would not become operative until the Secretary of State posts a notice regarding the effective date of the regulations that the department is required to adopt pursuant to that act.

(3) The Pharmacy Law provides for the licensure and regulation of pharmacists and pharmacy establishments by the California State Board of Pharmacy, and makes a knowing violation of that law a misdemeanor.

The bill would also authorize a pharmacy to accept the return of home-generated pharmaceutical waste from a consumer, consistent with specified federal laws. Because a knowing violation of this provision would be a crime, the bill would impose a state-mandated local program.

(4) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 4068.1 is added to the Business and
- 2 Professions Code, to read:
- 3 4068.1. A pharmacy may accept the return of home-generated
- 4 pharmaceutical waste, as defined in Section 117670.1 of the Health
- 5 and Safety Code, from a consumer, consistent with the Federal
- 6 Food, Drug, and Cosmetic Act (21 U.S.C. Sec. 301 et seq.) and
- 7 the *federal* Controlled Substances Act (21 U.S.C. Sec. 801 et seq.).
- 8 SEC. 2. Section 117670.1 is added to the Health and Safety
- 9 Code, to read:

1 117670.1. "Home-generated pharmaceutical waste" means a
2 prescription or over-the-counter human or veterinary
3 home-generated pharmaceutical, including, but not limited to, a
4 drug, as defined in Section 109925 or in Section 321(g)(1) of Title
5 21 of the United States Code, that is a waste, as defined in Section
6 25124, derived from a household, including, but not limited to, a
7 multifamily residence or household.

8 SEC. 3. Section 117700 of the Health and Safety Code is
9 amended to read:

10 117700. Medical waste does not include any of the following:

11 (a) Waste generated in food processing or biotechnology that
12 does not contain an infectious agent as defined in Section 117675.

13 (b) Waste generated in biotechnology that does not contain
14 human blood or blood products or animal blood or blood products
15 suspected of being contaminated with infectious agents known to
16 be communicable to humans.

17 (c) Urine, feces, saliva, sputum, nasal secretions, sweat, tears,
18 or vomitus, unless it contains fluid blood, as provided in
19 subdivision (d) of Section 117635.

20 (d) Waste which is not biohazardous, such as paper towels,
21 paper products, articles containing nonfluid blood, and other
22 medical solid waste products commonly found in the facilities of
23 medical waste generators.

24 (e) Hazardous waste, radioactive waste, or household waste,
25 including, but not limited to, home-generated sharps waste, as
26 defined in Section 117671.

27 (f) Waste generated from normal and legal veterinarian,
28 agricultural, and animal livestock management practices on a farm
29 or ranch.

30 (g) (1) Home-generated pharmaceutical waste, including, but
31 not limited to, consolidated home-generated pharmaceutical waste,
32 that is handled by a collection and disposal program operating in
33 accordance with Article 3.4 (commencing with Section 47120) of
34 Chapter 1 of Part 7 of Division 30 of the Public Resources Code.

35 (2) The Department of Resources Recycling and Recovery shall
36 notify the Secretary of State of the effective date of the regulations
37 adopted pursuant to subdivision (b) of Section 47129 of the Public
38 Resources Code. The Secretary of State shall post this notification
39 on its Internet Web site within 15 days after receiving that notice.

1 (3) Paragraph (1) shall not become operative until the Secretary
2 of State posts the notice described in paragraph (2) on its Internet
3 Web site.

4 SEC. 4. Article 3.4 (commencing with Section 47120) is added
5 to Chapter 1 of Part 7 of Division 30 of the Public Resources Code,
6 to read:

7

8 Article 3.4. Home-Generated Pharmaceutical Waste Collection
9 and Disposal

10

11 47120. The Legislature hereby finds and declares all of the
12 following:

13 (a) Prescription and nonprescription drugs successfully allow
14 us to live longer, healthier, and more productive lives.

15 (b) The public, particularly children and the elderly, are at
16 significant and unnecessary risk of poisoning due to improper or
17 careless disposal of drugs and the illegal resale of drugs.

18 (c) Our source water for drinking water is being contaminated
19 by unwanted, leftover, or expired drugs passing through our
20 wastewater and treatment centers.

21 (d) There is no mandatory statewide drug stewardship program
22 for unwanted drugs in California.

23 (e) It is the intent of the Legislature that all members of the
24 supply chain work together to implement an effective program to
25 maximize the collection and disposal of unused drugs in California.

26 47121. This article shall be known, and may be cited, as the
27 "Home-Generated Pharmaceutical Waste Collection and Disposal
28 Act."

29 47122. For the purposes of this article, the following terms
30 have the following meanings:

31 (a) "Consumer" means an individual purchaser or owner of a
32 covered pharmaceutical. "Consumer" does not include a business,
33 corporation, limited partnership, or an entity involved in a
34 wholesale transaction between a distributor and retailer.

35 (b) "Controlled substance" means a substance listed in Chapter
36 42 (commencing with Section 11053) of Division 10 of the Health
37 and Safety Code, or in Section 812 of Title 21 of the United States
38 Code or subject to Section 813 of Title 21 of the United States
39 Code.

- 1 (c) “Cosmetic” means anything defined as a cosmetic in Section
2 109900 of the Health and Safety Code.
- 3 (d) (1) “Covered pharmaceutical” means a prescription drug
4 or an over-the-counter human or veterinary drug.
- 5 (2) “Covered pharmaceutical” does not include any of the
6 following:
- 7 (A) A drug that is regulated pursuant to either of the following:
- 8 (i) The federal Resource Conservation and Recovery Act of
9 1976, as amended (42 U.S.C. Sec. 6901 et seq.).
- 10 (ii) The Radiation Control Law (Chapter 8 (commencing with
11 Section 114960) of Part 9) of Division 104 of the Health and Safety
12 Code.
- 13 (B) A vitamin or supplement.
- 14 (C) ~~A~~ An herbal-based remedy or a homeopathic drug, product,
15 or remedy.
- 16 (D) Cosmetics, soap, with or without germicidal agents, laundry
17 detergent, bleach, household cleaning products, shampoos,
18 sunscreens, toothpaste, lip balm, antiperspirants, or other personal
19 care products that are regulated cosmetics under the Federal Food,
20 Drug, and Cosmetic Act (21 U.S.C. Sec. 301 et seq.).
- 21 (E) A drug for which a producer provides a take-back program
22 as part of a federal Food and Drug Administration managed risk
23 evaluation and mitigation strategy (21 U.S.C. Sec. 355-1).
- 24 (F) A drug that is a biological product, as defined in subsection
25 (h) of Section 600.3 of Title 21 of the Code of Federal Regulations,
26 as it read on January 1, 2015, if the producer provides a take-back
27 program.
- 28 (G) A pet pesticide product contained in a pet collar, powder,
29 shampoo, topical application, or other delivery system.
- 30 (e) “Drug” means anything defined as a drug in Section 109925
31 of the Health and Safety Code or in Section 321 (g)(1) of Title 21
32 of the United States Code.
- 33 (f) “Home-generated pharmaceutical waste” means a covered
34 pharmaceutical that is a waste, as defined in Section 25124 of the
35 Health and Safety Code, derived from a household, including, but
36 not limited to, a multifamily residence or household.
- 37 (g) “Mail-back program” means a system whereby a generator
38 of home-generated pharmaceutical waste may obtain a prepaid
39 and preaddressed mailing envelope in which to place

1 home-generated pharmaceutical waste for shipment to an entity
2 that will dispose of it safely and legally.

3 (h) “Over-the-counter drug” means a drug that may be lawfully
4 sold without a prescription.

5 (i) “Pharmaceutical wholesaler” means a person that sells or
6 distributes covered pharmaceuticals for resale to an entity other
7 than a consumer.

8 (j) “Plan” or “product stewardship plan” means a product
9 stewardship plan to implement a program to collect and dispose
10 of home-generated pharmaceutical waste.

11 (k) “Prescription drug” means a drug required by federal or state
12 law to be dispensed lawfully only on prescription.

13 (l) (1) “Producer” shall be determined with regard to a covered
14 pharmaceutical that is sold, offered for sale, or distributed in the
15 state as meaning one of the following:

16 (A) The person that manufactures a covered pharmaceutical
17 and that sells, offers for sale, or distributes that covered
18 pharmaceutical in the state under that person’s own name or brand.

19 (B) If there is no person who meets the condition specified in
20 subparagraph (A), the producer of the covered pharmaceutical is
21 the owner or licensee of a trademark or brand under which the
22 covered pharmaceutical is sold or distributed in California, whether
23 or not the trademark is registered.

24 (C) If there is no person who meets the conditions specified in
25 subparagraph (A) or (B), the producer of that covered
26 pharmaceutical is the person who brings the pharmaceutical into
27 the state for sale or distribution.

28 (2) “Producer” does not include either of the following:

29 (A) A retailer that puts its store label on a covered
30 pharmaceutical.

31 (B) A pharmacist who dispenses prescription drugs to, or
32 compounds a prescribed individual drug product for, a consumer.

33 (m) “Product stewardship program” or “program” means a
34 program financed and operated by one or more producers to collect,
35 transport, and dispose of home-generated pharmaceutical waste.

36 (n) “Stewardship organization” means an organization
37 designated by a group of producers to act as an agent on behalf of
38 each producer to operate a product stewardship program.

39 47124. (a) On or before July 1, 2015, or on a later date that
40 may be specified by the department, a producer shall submit to the

1 department a product stewardship plan that complies with the
2 requirements of subdivision (b). One or more producers may submit
3 a plan or designate a stewardship organization to act as an agent
4 on behalf of the producers to submit a plan. A producer that
5 designates a stewardship organization shall enter into an agreement
6 with that stewardship organization to operate, on the producer's
7 behalf, a product stewardship program and the stewardship
8 organization shall submit a plan pursuant to this section on or
9 before July 1, 2015, or on a later date that may be specified by the
10 department.

11 (b) A product stewardship plan shall contain all of the following
12 elements:

13 (1) A certification that the product stewardship program will
14 accept all home-generated pharmaceutical waste that results from
15 a covered pharmaceutical sold by the producer, or by the producers
16 that enter into agreement with the stewardship organization, from
17 all households, including multifamily households, unless excused
18 from this requirement by the department as part of the approval
19 of the plan.

20 (2) Contact information for the producer submitting the plan or
21 for each of the producers participating in the product stewardship
22 program submitting the plan.

23 (3) A description of the methods by which home-generated
24 pharmaceutical waste will be collected and an explanation of how
25 the collection system will conveniently and adequately serve the
26 residents of the state.

27 (4) A description of how the product stewardship plan will
28 provide collection services for home-generated pharmaceutical
29 waste in all areas of that state that are convenient to the public and
30 adequate to meet the needs of the population in the area being
31 served.

32 (5) The location of each collection site and locations where
33 envelopes for a mail-back program are available, if applicable.

34 (6) A list containing the name, location, permit status, and record
35 of any penalties, violations, or regulatory orders received in the
36 previous five years by each person that will be involved in
37 transporting home-generated pharmaceutical waste and each
38 medical waste disposal facility proposed to participate in the
39 product stewardship program.

1 (7) A description of how the home-generated pharmaceutical
2 waste will be safely and securely tracked and handled from
3 collection through final disposal and the policies and procedures
4 to be followed to ensure security.

5 (8) A description of how the public education and outreach
6 activities required by subdivision (c) of Section 47126 will be
7 implemented and how the effectiveness of those activities will be
8 evaluated.

9 (9) A description of how the scope and extent of the product
10 stewardship program are reasonably related to the amount of
11 covered pharmaceuticals that are sold in the state by the producer
12 or group of producers.

13 (10) A starting date when the collection of home-generated
14 pharmaceutical waste will begin.

15 (11) A description of how support will be provided to any law
16 enforcement agencies within the state that have, or later agree to
17 have, a collection program for controlled substances, including all
18 of the following:

19 (A) The provision of a collection kiosk with appropriate
20 accessories and signage.

21 (B) An ability to accept controlled substances and other
22 home-generated covered pharmaceutical waste.

23 (C) Technical support, including an appropriate person to
24 provide onsite assistance with the sorting and separation of
25 controlled substances at no cost to a participating law enforcement
26 agency.

27 (12) A description of how collection sites for home-generated
28 pharmaceutical waste may be placed at appropriate retail stores in
29 the state, including a description of the involvement of the retail
30 stores.

31 (13) If more than one producer will be involved in a proposed
32 product stewardship program, the product stewardship plan for
33 that program shall include a fair and reasonable manner for
34 allocating the costs of the program among the participants in that
35 program, so that the portion of costs paid by each producer is
36 reasonably related to the amount of covered pharmaceutical sold
37 by the producer in the state.

38 (14) (A) Provisions for the payment of all administrative and
39 operational fees associated with the product stewardship program,
40 including the cost of collecting, transporting, and disposing of

1 home-generated pharmaceutical waste and the recycling or
2 disposal, or both, of packaging collected with the home-generated
3 pharmaceutical waste.

4 (B) The plan shall not allow a person or producer to charge a
5 specific point-of-sale fee to consumers to recoup the costs of their
6 product stewardship program, or charge a specific
7 point-of-collection fee at the time the home-generated
8 pharmaceutical waste is collected or delivered for disposal.

9 47125. (a) A producer, group of producers, or stewardship
10 organization shall not collect home-generated pharmaceutical
11 waste until it has received written approval of its product
12 stewardship plan from the department.

13 (b) Within 180 days after receipt and review of a product
14 stewardship plan, the department shall conduct a noticed public
15 hearing and determine whether the plan complies with the
16 requirements of this article and any regulations adopted pursuant
17 to this article. As part of its approval, the department may set
18 reasonable performance goals for the program proposed to be
19 implemented by the plan.

20 (c) The department shall notify the applicant in writing of the
21 approval of the plan.

22 (d) If the department rejects a plan, it shall notify the applicant
23 in writing of its reasons for rejecting the plan. The department may
24 reject a plan without conducting a public hearing, other than the
25 hearing required by subdivision (b).

26 (e) An applicant whose plan has been rejected by the department
27 shall submit a revised plan to the department within 60 days after
28 receiving notice of the rejection. The department may require the
29 submission of a further revised plan or may develop, approve, and
30 impose its own product stewardship plan or an approved plan
31 submitted by other producers pursuant to this article. The
32 department shall present the imposed plan at a public hearing. The
33 department is not required, and nothing in this article shall be
34 interpreted as requiring the department, to create or impose a
35 product stewardship plan.

36 (f) If the department rejects a revised product stewardship plan
37 or any other subsequently revised plan, a producer that is subject
38 to the plan shall be considered to be out of compliance with this
39 article and subject to the enforcement provisions contained in this
40 article. If the department imposes its own plan, the producer shall

1 not be considered out of compliance with this article if the producer
2 complies with that plan.

3 (g) At least every three years, a producer, group of producers,
4 or stewardship organization operating a product stewardship
5 program shall update the product stewardship plan and submit the
6 updated plan to the department for review and approval.

7 (h) Any proposed changes to a product stewardship plan shall
8 be submitted in writing to the department and approved by the
9 department in writing prior to implementation of any change.

10 (i) On and after July 1, 2015, a producer who commences to
11 sell a covered pharmaceutical in the state shall submit a product
12 stewardship plan to the department or provide evidence of having
13 joined an existing approved product stewardship program no later
14 than 180 days after the date the producer commences to sell that
15 covered pharmaceutical, following the producer's initial sale of
16 the offer for sale of a covered pharmaceutical.

17 47126. A producer, group of producers, or stewardship
18 organization operating a stewardship program shall comply with
19 all local, state, and federal laws and regulations applicable to its
20 operations, including laws and regulations governing the disposal
21 of medical waste and controlled substances, and shall additionally
22 take all of the following actions when operating the program:

23 (a) (1) Dispose of all home-generated pharmaceutical waste,
24 in accordance with paragraph (1) of subdivision (a) of Section
25 118215 of the Health and Safety Code.

26 (2) A producer or stewardship organization operating a
27 stewardship program may petition the department for approval to
28 use a final disposal technology, if lawful, that provides superior
29 environmental and human health protection than provided by
30 current medical waste disposal technology for covered
31 pharmaceuticals, if and when the technology is proven and
32 available. The department may approve that technology, if it
33 provides equivalent protection in each, and superior protection in
34 one or more, of the following areas:

35 (A) Monitoring of any emissions or waste.

36 (B) Worker health and safety.

37 (C) Air, water, or land emissions contributing to persistent,
38 bioaccumulative, or toxic pollution.

39 (D) Overall impact on the environment and human health.

- 1 (b) Encourage the separation of home-generated pharmaceutical
2 waste from its original containers, when appropriate, prior to
3 collection or disposal.
- 4 (c) Promote the product stewardship program to consumers,
5 pharmacists, retailers of covered pharmaceuticals, and health care
6 practitioners as to the proper and safe method to dispose of
7 home-generated pharmaceutical waste, in accordance with the
8 following:
- 9 (1) Develop and update as necessary, educational and other
10 outreach materials aimed at retailers of covered pharmaceuticals.
11 These materials may include, but are not limited to, one or more
12 of the following:
- 13 (A) Signage that is prominently displayed and easily visible to
14 the consumer.
- 15 (B) Written materials and templates of materials for reproduction
16 by retailers to be provided to the consumer at the time of purchase
17 or delivery, or both.
- 18 (C) Advertising or other promotional materials related to the
19 product stewardship program.
- 20 (2) Prepare education and outreach materials that publicize the
21 location and operation of collection locations in the state and
22 disseminate the materials to health care facilities, pharmacies, and
23 other interested parties.
- 24 (3) Establish an Internet Web site publicizing collection
25 locations and program operations and a toll-free telephone number
26 that residential generators can call to find nearby collection
27 locations and understand how the program works.
- 28 47127. On or before July 1, 2016, or at a later date as approved
29 in writing by the department, and on or before July 1 annually
30 thereafter, a producer, group of producers, or stewardship
31 organization operating a product stewardship program shall prepare
32 and submit to the department an annual written report describing
33 the program's activities during the previous calendar year. The
34 report shall include all of the following information:
- 35 (a) A list of producers participating in the product stewardship
36 program.
- 37 (b) The amount, by weight, of home-generated pharmaceutical
38 waste collected at each drop-off site and in the entire state and, if
39 applicable, the total amount by weight collected by a mail-back
40 program.

1 (c) A description of the collection system, including the location
2 of each collection site and if applicable, locations where envelopes
3 for a mail-back program are provided.

4 (d) The name and location of disposal facilities at which
5 home-generated pharmaceutical waste were disposed of and the
6 weight of home-generated pharmaceutical waste collected from
7 residential generators disposed of at each facility.

8 (e) Whether policies and procedures for collecting, transporting,
9 and disposing of home-generated pharmaceutical waste, as
10 established in the plan, were followed during the previous calendar
11 year and a description of any noncompliance.

12 (f) Whether any safety or security problems occurred during
13 collection, transportation, or disposal of home-generated
14 pharmaceutical waste during the previous calendar year and, if so,
15 what changes have been or will be made to policies, procedures,
16 or tracking mechanisms to alleviate the problem and to improve
17 safety and security.

18 (g) A description of public education and outreach activities
19 implemented during the reporting period, including the
20 methodology used to evaluate the outreach and program activities.

21 (h) How the product stewardship program complied with all
22 other elements in the product stewardship plan approved by the
23 department, including its degree of success in meeting any
24 performance goals set by the department as part of the approval
25 of the plan.

26 (i) Any other information that the department may reasonably
27 require.

28 47128. The department shall provide on its Internet Web site
29 a list of all producers participating in product stewardship programs
30 approved by the department and a list of all producers the
31 department has identified as noncompliant with this article or the
32 regulations adopted pursuant to this article.

33 47129. (a) The department may adopt regulations to implement
34 this article.

35 (b) The department shall adopt regulations to do all of the
36 following:

37 (1) Provide for the appropriate management of consolidated
38 home-generated pharmaceutical waste to ensure public and
39 environmental safety, including, but not limited to, handling,
40 storage, containment, tracking, transportation, and disposal.

1 (2) Establish a schedule of fees to be charged to the producers
2 to cover the department's costs of administering and enforcing
3 this article. In setting the fee schedule, the department shall only
4 recover its actual costs of administration and enforcement under
5 this article and shall not charge any amounts under this article in
6 excess of its actual administrative and enforcement costs.

7 (3) Adopt a schedule setting the amounts of administrative civil
8 penalties that the department may impose pursuant to Section
9 47130, based on the nature, extent, and severity of the violation
10 and any other relevant factors.

11 (c) A producer, group of producers, or a stewardship
12 organization submitting a plan to the department shall pay the fees
13 set by the department pursuant to subdivision (b).

14 (d) The department shall deposit all fees collected pursuant to
15 this section into the Home-Generated Pharmaceutical Waste
16 Program Account, which is hereby created in the Integrated Waste
17 Management Fund. Upon appropriation by the Legislature, moneys
18 deposited into the account may be expended by the department to
19 administer and enforce this article.

20 47130. (a) The department may issue an administrative order
21 to, or impose an administrative civil penalty upon, a producer who
22 is in violation of this article or a regulation adopted pursuant to
23 this article, to require compliance with this article or the regulation.

24 (b) The department shall deposit all penalties collected pursuant
25 to this article into the Home-Generated Pharmaceutical Waste
26 Penalty Account, which is hereby created in the Integrated Waste
27 Management Fund. Upon appropriation by the Legislature, moneys
28 deposited into the account may be expended by the department to
29 enforce this article.

30 47134. This article does not require a retailer to host a
31 collection site and nothing in this article shall be interpreted as
32 requiring this participation.

33 47135. A producer or stewardship organization that creates
34 and operates a plan that is approved by the department is not in
35 violation of the Cartwright Act (Chapter 2 (commencing with
36 Section 16700) of Part 2 of Division 7 of the Business and
37 Professions Code), the Unfair Practices Act (Chapter 4
38 (commencing with Section 17000) of Part 2 of Division 7 of the
39 Business and Professions Code), or the Unfair Competition Law
40 (Chapter 5 (commencing with Section 17200) of Part 2 of Division

1 7 of the Business and Professions Code), with regard to actions
2 that are taken in accordance with the plan or this article.

3 SEC. 5. No reimbursement is required by this act pursuant to
4 Section 6 of Article XIII B of the California Constitution because
5 the only costs that may be incurred by a local agency or school
6 district will be incurred because this act creates a new crime or
7 infraction, eliminates a crime or infraction, or changes the penalty
8 for a crime or infraction, within the meaning of Section 17556 of
9 the Government Code, or changes the definition of a crime within
10 the meaning of Section 6 of Article XIII B of the California
11 Constitution.

O

[Date]

Senator Hannah-Beth Jackson
State Capitol, Room 5080
Sacramento, CA 95814
Sent by Fax: (916)-651-4919

SUBJECT: SENATE BILL 1014 (JACKSON) – SAFE MEDICATION MANAGEMENT - **SUPPORT**

Dear Senator Jackson:

[Your name or organization] strongly supports Senate Bill (SB) 1014 (Jackson), which asks producers of pharmaceuticals, as defined, to create, finance and manage a collection system for California consumers to safely and conveniently dispose of expired and unwanted pharmaceuticals—a system structured after the existing program in Canada which the industry has efficiently operated for 15 years.

[Tell your organization’s story about how it has been impacted by this problem – e.g., amount of pharma waste you’ve collected; annual labor, other costs to collect and dispose.]

The Problem:

Prescription drug abuse has skyrocketed in recent years,¹ as have hospitalizations for drug overdoses.² One of the four top recommendations of the National Strategy on Preventing Prescription Drug Abuse is to have a safe and convenient method of disposal for prescription, over the counter drugs and vet medicines we have in our homes. In addition, the lack of safe and convenient disposal options ensures that consumers choose less than desirable options including home storage, flushing medications down the toilet or throwing them in the garbage.

For too long, municipal governments have cobbled together local collection options that fail to meet public demand for safe disposal, draw resources from other vital government functions, creates a patchwork of regulations and fails to realize the efficiency that would come from a statewide program.

The Solution:

SB 1014 springboards off of the good work already being done by pharmaceutical companies in Canada and Europe. SB 1014 is a free-market approach that allows manufacturers to design the program in whatever way is most cost effective – with minimal oversight from state regulators. We know that this program will work because of the public surveys in Canada demonstrating the public awareness and use of the program, the volumes collected and the fact that 96% of the pharmacies host collection bins.

SB 1014 is the right solution to this pressing problem because it creates a privately managed and financed system to allow consumers to properly and conveniently dispose of their unwanted pharmaceuticals.

For these reasons, the [your organization] supports SB 1014. If you have any questions about our position, please contact [name, title], at [phone/email].

Sincerely,

cc: Senator Kevin de Leon, fax: (916) 651-4922
Senator Ted W. Lieu, fax (916) 266-9343
Business and Professions Committee Consultant Sarah Mason fax (916) 266-9343

[Your Assemblymember & State Senator]

¹ California State Task Force on Prescription Drug Misuse. (2009, March 30). Summary Report and Recommendations on Prescription Drugs: Misuse, Abuse and Dependency. Retrieved from State of California Alcohol and Drug Programs: www.adp.ca.gov/director/pdf/Prescription_Drug_Task_Force.pdf

² O’Callaghan, T. (2010, April 6). More people hospitalized for prescription drug overdose. Retrieved from Time: <http://healthland.time.com/2010/04/06/more-people-hospitalized-for-prescription-drug-overdose/#ixzz2fkIm3CMT>