



Department of Public Works

Kim MacFarlane, P.E.
Director

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AMENDED AGENDA TUOLUMNE COUNTY BOARD OF SUPERVISORS Solid Waste Committee March 2, 2022 at 1:00 p.m.

This is a Virtual/Remote Meeting

ZOOM MEETING

Meeting ID: 833 9693 7127

Passcode: 687368

ADMINISTRATION

Assistant to the
Department Head
Emma Hawks
209.694.2718

AIRPORTS

Airports Manager
Benedict Stuth
209.533.5685

BUSINESS

Business Manager
Janelle Kostlivy
209.533.5972

ENGINEERING

Supervising Engineer
Blossom Scott-Heim, P.E.
209.533.5904

FLEET SERVICES

Fleet Services Manager
Mike Young
209.536.1622

GEOGRAPHIC INFORMATION SYSTEMS

GIS Coordinator
Madeline Amlin
209.533.6592

ROAD OPERATIONS

Road Superintendent
Mike Cognetti
209.533.5609

SOLID WASTE

Solid Waste Director
Jim McHargue, REHS
209.533.5588

SURVEYING

County Surveyor
Warren Smith, L.S.
209.533.5626

1. ASSEMBLY BILL 361

Consideration of Adopting Authorizing Resolution 2022-02 Making Findings in Support of Authorizing Remote Meetings Pursuant to AB361 (Modified Brown Act Procedures During a Declared Emergency).

2. INTRODUCTIONS

3. PUBLIC FORUM

The public may speak on any item not on the printed agenda. No action may be taken by the Committee. The amount of time allocated for the public forum is limited to 15 minutes.

4. COMMITTEE BUSINESS

A. Consideration of the Minutes of the meeting on January 12, 2022

5. ACTION ITEMS

- A. Consideration for referral to Board of Supervisors the draft ordinance as required by CalRecycle regulations for SB 1383 implementation
- B. Consideration and direction on filling at-large member of the general public to the Solid Waste Committee

6. COMMITTEE MEMBER REPORTS

7. NEXT MEETING:

April 13, 2022 1:00PM will be in-person only in the Board of Supervisors Chambers

8. ADJOURNMENT

The Board of Supervisors Solid Waste Committee serves as an advisory group to the Board of Supervisors by reviewing, commenting on and recommending new and/or modifications to existing policy related to the Solid Waste Collection, management and disposal systems within the County.

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Department of Public Works at (209) 533-5601. Notifications 48 hours prior to the meeting will enable the County to make reasonable arrangements to ensure accessibility to this meeting

Solid Waste Committee/Local Task Force

County of Tuolumne

**FINDINGS OF THE SOLID WASTE COMMITTEE/LOCAL TASK FORCE
AUTHORIZING REMOTE TELECONFERENCE MEETINGS
OF THE SOLID WASTE COMMITTEE/LOCAL TASK FORCE
FOR THE PERIOD MARCH 2, 2022-MARCH 31, 2022
PURSUANT TO THE RALPH M. BROWN ACT.**

WHEREAS, all meetings of SOLID WASTE COMMITTEE/LOCAL TASK FORCE and its legislative bodies are open and public, as required by the Ralph M. Brown Act (Cal. Gov. Code §§ 54950 – 54963), so that any member of the public may attend, participate, and view the legislative bodies conduct their business; and

WHEREAS, the Brown Act, Government Code section 54953(e), makes provisions for remote teleconferencing participation in meetings by members of a legislative body, without compliance with the requirements of Government Code section 54953(b)(3), subject to the existence of certain conditions and requirements; and

WHEREAS, a required condition of Government Code section 54953(e) is that a state of emergency is declared by the Governor pursuant to Government Code section 8625, proclaiming the existence of conditions of disaster or of extreme peril to the safety of persons and property within the state caused by conditions as described in Government Code section 8558(b); and

WHEREAS, a further required condition of Government Code section 54953(e) is that state or local officials have imposed or recommended measures to promote social distancing, or, the legislative body holds a meeting to determine or has determined by a majority vote that meeting in person would present imminent risks to the health and safety of attendees; and

WHEREAS, on March 4, 2020, Governor Newsom issued a Proclamation of a State of Emergency declaring a state of emergency exists in California due to the threat of COVID-19, pursuant to the California Emergency Services Act (Government Code section 8625); and,

1 **WHEREAS**, on June 11, 2021, Governor Newsom issued Executive Order N-07-21, which
2 formally rescinded the Stay-at-Home Order (Executive Order N-33-20), as well as the framework for a
3 gradual, risk-based reopening of the economy (Executive Order N-60-20, issued on May 4, 2020) but did
4 not rescind the proclaimed state of emergency; and,

5 **WHEREAS**, on June 11, 2021, Governor Newsom also issued Executive Order N-08-21, which set
6 expiration dates for certain paragraphs of the State of Emergency Proclamation dated March 4, 2020 and
7 other Executive Orders but did not rescind the proclaimed state of emergency; and,

8 **WHEREAS**, as of the date of this Findings, neither the Governor nor the state Legislature have
9 exercised their respective powers pursuant to Government Code section 8629 to lift the state of emergency
10 either by proclamation or by concurrent Findings the state Legislature; and,

11 **WHEREAS**, the California Department of Industrial Relations has issued regulations related to
12 COVID-19 Prevention for employees and places of employment. Title 8 of the California Code of
13 Regulations, Section 3205(5)(D) specifically recommends physical (social) distancing as one of the
14 measures to decrease the spread of COVID-19 based on the fact that particles containing the virus can travel
15 more than six feet, especially indoors; and,

16 **WHEREAS**, the SOLID WASTE COMMITTEE/LOCAL TASK FORCE finds that state or local
17 officials have imposed or recommended measures to promote social distancing, based on the California
18 Department of Industrial Relations' issuance of regulations related to COVID-19 Prevention through Title
19 8 of the California Code of Regulations, Section 3205(5)(D); and,

20 **WHEREAS**, as a consequence, the SOLID WASTE COMMITTEE/LOCAL TASK FORCE does
21 hereby find that it shall conduct its meetings by teleconferencing without compliance with Government
22 Code section 54953 (b)(3), pursuant to Section 54953(e), and that such legislative bodies shall comply with
23 the requirements to provide the public with access to the meetings as prescribed by Government Code
24 section 54953(e)(2).

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1 **NOW, THEREFORE, BE IT RESOLVED, FOUND AND ORDERED** by the SOLID WASTE
 2 COMMITTEE/LOCAL TASK FORCE, County of Tuolumne, State of California, in regular session
 3 assembled on March 2, 2022 does hereby resolve as follows:

4 Section 1. Recitals. All of the above recitals are true and correct and are incorporated into this
 5 Findings by this reference.

6 Section 2. State or Local Officials Have Imposed or Recommended Measures to Promote Social
 7 Distancing. SOLID WASTE COMMITTEE/LOCAL TASK FORCE hereby proclaims that state officials
 8 have imposed or recommended measures to promote social (physical) distancing based on the California
 9 Department of Industrial Relations' issuance of regulations related to COVID-19 Prevention through Title
 10 8 of the California Code of Regulations, Section 3205(5)(D).

11 Section 3. Remote Teleconference Meetings. The SOLID WASTE COMMITTEE/LOCAL
 12 TASK FORCE is hereby authorized and directed to take all actions necessary to carry out the intent and
 13 purpose of these Findings including, conducting open and public meetings in accordance with Government
 14 Code section 54953(e) and other applicable provisions of the Brown Act.

15 Section 4. Effective Date. These Findings shall take effect immediately upon its adoption and
 16 shall be effective until the earlier of (i) March 31, 2022, or (ii) such time the SOLID WASTE
 17 COMMITTEE/LOCAL TASK FORCE adopts a subsequent Findings in accordance with Government
 18 Code section 54953(e)(3) to extend the time during which its legislative bodies may continue to
 19 teleconference without compliance with Section 54953(b)(3).

20 ADOPTED this ____ day of _____, 2022 by SOLID WASTE COMMITTEE/LOCAL
 21 TASK FORCE, by the following vote:

22
 23 YES:

24 NO:

25 ABSENT:

26 ABSTAIN:



Department of Public Works

Kim MacFarlane, P.E.
Director

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MINUTES UNAPPROVED

Board of Supervisors Solid Waste Committee (BOSSWC) Wednesday, January 12, 2022 at 1:00p.m.

AIRPORTS

Airports Manager
Benedict Stuth
209.533.5685

BUSINESS

Senior Accountant
Janelle Kostlivy
209.533.5972

ENGINEERING

Supervising Engineer
Blossom Scott-Heim, P.E.
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Warren Smith, L.S.
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PRESENT: Chair Ryan Campbell; Supervisor Jaron Brandon, Alternate;
Jim Garaventa; Sonora City Council, Monique Holcomb;
At-Large Public Committee Member.

STAFF: Kim MacFarlane, Director of Public Works; Jim McHargue, Solid Waste
Director; Diane Green, Solid Waste Specialist; Amy Welch, Solid Waste
Technician; Monique Figueroa, Solid Waste Administrative Technician;
Emma Hawks, Administrative Assistant.

ABSENT: Vice-Chair David Goldemberg.

GUESTS: Mike Lagomarsino, City of Sonora Public Works; Vanessa Barberis, Waste
Management; Jim Garcia, Waste Management District Manager; Heather
Wilson, Moore Brothers Scavenger Company; Gisselle, Member of the
Public.

CALL TO ORDER

Chair Ryan Campbell called the meeting of January 12, 2022 to order at 1:06 p.m.

Chair Campbell suggested we first address Assembly Bill 361 Consideration of Adopting
Resolution 2021-01 Making Findings in Support of Allowing Remote Meetings Pursuant to
AB361 (Modified Brown Act Procedures During a Declared Emergency).

Jim McHargue, Solid Waste Director informed everyone that in response to AB361 we
would need to adopt this resolution today and every month after at the beginning of each
meeting.

Chair Campbell asked if there was any public comment. None noted.

It was moved by Supervisor Jaron Brandon and seconded by At-Large Public Committee
Member Monique Holcomb.

Chair Campbell called for the vote: Ayes 3; Noes 0; abstain 0

Motion carried 3 – 0 – 0

INTRODUCTIONS

Chair Campbell informed the committee of the recent passing of Ms. Alissa Hartwig who
was recently designated as one of the newest At-Large Public Members of the Solid
Waste Committee. He asked for a moment of silence in her honor. Supervisor Brandon

mentioned that he is in close contact with Alissa's family and that there will be a service in the spring. Supervisor Brandon indicated that anyone who would like more information on that service should reach out to him.

PUBLIC FORUM

Chair Campbell asked if anyone had any public comments.

Monique Holcomb inquired about illegal dumping investigation training and certification that was mentioned at the November meeting. Monique would like to know if the County would allow members of the public to take the course and become certified who would then volunteer their time to handle and process the evidence from those who are caught illegally dumping. Mr. McHargue stated that he would speak with Brian Bell and see if that was an option and get back to the committee with his response.

COMMITTEE BUSINESS

A. Consideration of the Minutes of the meeting of November 10, 2021.

It was moved by Supervisor Brandon and seconded by Committee Member Monique Holcomb to approve the Minutes of the November 10, 2021 meeting.

Chair Campbell called for a vote: Ayes 3; Noes 0; abstain 1

Motion carried 3 – 0 – 1

B. Staff Reports

Mr. McHargue reported that the county currently holds three solid waste collection / hauling franchise agreements with the following companies, Cal Sierra / Waste Management, Burns Refuse, and Moore Bros. Scavenging Co. Mr. McHargue informed the committee that currently there are two transfer station operation franchise agreements, one, with Cal Sierra / Waste Management for operations of the Sonora Transfer Station and one with Moore Bros. Scavenging Co. to operate the Big Oak Flat / Groveland Transfer Station. He also indicated that there is a disposal agreement with Merced County Regional Waste Management Authority, which will be extended. Lastly, the county's electronic waste recycler is up for renewal. County Counsel is currently reviewing the new contract, upon Counsel's approval the county will renew its contract with Onsite to provide electronic waste recycling at both transfer stations.

Mr. McHargue also reported that the Clean California Grant Program with Cal-Trans would be providing funding for outreach in which the County of Tuolumne has decided to host a mascot school competition for local school children to create a "Don't Trash Tuolumne" Mascot. This countywide program will be aimed to reduce illicit waste disposal and foster a collective sense of accountability for community members. Tuolumne County is happy to participate in this contest.

Solid Waste has been working with Cal-Trans on a "Free Dump Day" to be scheduled in April 2022 around Earth Day. Mr. McHargue stated he just received an email from Cal-Trans stating that they have planned their own "Free Dump Day" for Jan 29, 2022 at the Cal-Trans Sand yard on Hwy 108 at Soulsbyville. Solid Waste is happy to hear of this information and will be working on how best to get this information to the public so that

they can properly prepare.

ACTION ITEMS

- A. Consideration and direction on Cal Sierra/Waste Management extended service interruptions.

Vanessa Barberis, Waste Management wanted to give an update on service interruptions Waste Management had experienced due to the recent winter storms. During the first week of the storm Monday December 27, 2021 through Friday December 31, 2021 7,197 customers were serviced on time, 4,184 customers had their service carried over to the following week. The second week of the storm Monday January 3, 2022 through Friday January 7, 2022, 10,561 customers were serviced as scheduled and 820 customers had their service carried over. Waste Management collected an additional 30 tons of waste this week as well. Currently, very few customers remain impacted.

Ms. Barberis introduced Jim Garcia, Cal Sierra / Waste Management District Manager. Mr. Garcia informed everyone that in his new role he wanted to take extra steps to ensure there were minimal interruptions such as making sure the trucks were equipped with chains, picking up some of the debris with a pickup truck and to also circle back around later in the day to provide service. There were some obstacles such as the plowing of the roads not being wide enough for the trucks, Cal Sierra / Waste Management truck's getting stuck in the snow while trying to maneuver then causing traffic by blocking and sliding on the ice. These obstacles resulted in nine of their trucks having to be towed.

Ms. Barberis strongly recommends that Cal Sierra / Waste Management customers update their contact information with current emails and phone numbers so that they can receive communication regarding service interruptions via phone, email and / or text. Customers can also receive a voucher by email when their service has been impacted. Ms. Barberis states that additionally they plan to mail out postcards to customers requesting they provide their most recent contact information.

Going forward Cal Sierra / Waste Management plans to communicate more with residents, provide alternative disposal options such as collecting extra bags, providing customers with vouchers, or perhaps dropping off roll-off boxes in designated areas. In the future Cal Sierra / Waste Management will be looking into purchasing smaller trucks that would be able to maneuver on county roads more efficiently and discussing with the county a rate proposal to provide for smaller trucks.

- B. Consideration and direction on drafting a new ordinance as required by CalRecycle regulations for SB 1383 implementation.

Although Tuolumne County has been approved for a exemption regarding SB 1383, there are still aspects of the regulations that the County is responsible for implementing including: Requirements for Commercial Edible Food Generators, Food Recovery Organizations and Services, Compliance with CalGreen Recycling Requirements, Model Water Efficient Landscaping Ordinance Requirements, and Procurement Requirements for Jurisdictions. Mr. McHargue stated that the ordinance will be ready for viewing as of the next Solid Waste Committee meeting.

Mr. Garaventa asked if the City of Sonora was going to be responsible for developing their own ordinance for SB 1383 or if the City and the County would be able to combine one together. Mr. McHargue stated that the City of Sonora would be responsible for developing and passing their own ordinance and that he would email the sample ordinance over to the City.

- C. Consideration and direction on 5-year extension to the Big Oak Flat / Groveland Transfer Station operation agreement with Moore Bros. Scavenger Co.

Mr. McHargue informed the Solid Waste Committee that Moore Bros. Scavenger Co. had accepted the new five-year extension of their contract instead of the previous term of two years for operation of the Big Oak Flat Transfer Station. Moore Brothers had no additional comments to add and there were no questions. The Solid Waste Committee will refer this extension to the Board of Supervisors for final approval.

Chair Campbell asked if there was any public comment. None noted.

It was moved by Supervisor Brandon and seconded by Councilman Garaventa.

Chair Campbell called for a vote: Ayes 4; Noes 0; abstain 0

Motion carried 4 – 0 – 0

- D. Consideration and direction on increasing fines for illegal dumping in the Tuolumne Ordinance Code.

Mr. McHargue proposed increasing illegal dumping fines as follows; \$1000 for a first-time violation, \$2500 for a second time violation of the same provision, and \$5000 for each additional violation of the same provision.

Ms. Holcomb wanted to clarify if there were going to be more severe fines for the different type of materials that were being illegally dumped. Would someone who dumped an extra bag of garbage be fined the same as someone who dumped toxic waste into a body of water. After discussion it was determined that there are state laws in place for egregious violators. The County's illegal dumping fines would apply to anyone who is caught dumping illegally.

COMMITTEE MEMBER REPORTS

Chair Campbell asked if anyone had any reports. No one had anything to report at this time.

ADJOURNMENT

Chair Campbell asked if anyone had anything further comment.

Seeing none, Chair Campbell adjourned the meeting at 2:41 p.m.

Next meeting will be February 9, 2022