



Department of Public Works

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MINUTES

APPROVED

Board of Supervisors Solid Waste Committee (BOSSWC) Wednesday, July 13, 2022 at 1:00p.m.

PRESENT: Supervisor Ryan Campbell; Supervisor David Goldemberg; Monique Holcomb;
At-Large Public Committee Member.

STAFF: Kim MacFarlane, Director of Public Works; Jim McHargue, Solid Waste Director;
Cody Nesper; County Counsel; Diane Green, Solid Waste Specialist; Monique Figueroa,
Solid Waste Administrative Technician.

GUESTS: Vanessa Barberis, Waste Management; Brad Cea, Area Sales Director Waste
Management; Jim Garcia, District Manager Waste Management; Member of the Public.

CALL TO ORDER

Supervisor Ryan Campbell called the meeting of July 13, 2022 to order at 1:05 p.m.
Supervisor Campbell suggested we introduce ourselves first then address Assembly Bill 361
Consideration of Adopting Resolution 2022-03 Making Findings in Support of Allowing
Remote Meetings Pursuant to AB361 (modified Brown Act Procedures During a Declared
Emergency).

Jim McHargue, Solid Waste Director clarified that last month we did an re-authorizing
resolution however this month since it has been over 30 days we will have to do an
authorizing resolution.

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

It was moved by Supervisor Goldemberg and seconded by Public Committee Member
Monique Holcomb.

Supervisor Campbell Called for the vote: Ayes; 3 Noes; 0; Abstain 0.

Motion Carried 3 – 0 - 0

PUBLIC FORUM

Supervisor Campbell asked if anyone had any public comments at this time.

A member of the public commented that they appreciate Jim Garcia, District Manager Waste

Management coming to today's meeting since she had never met him before. She also stated that at this time she is still seeing little to no recycling being done in Tuolumne County. The member of the public also inquired about how to dispose of animal feces. Lastly, she wanted to mention that stores are still charging 10 cents for plastic bags that she is not able to recycle.

Mr. McHargue asked the member of the public if she was referring to dog and cat feces.

The member of the public stated all animal feces including cows and horses.

Mr. McHargue states he doesn't anticipate people putting too much manure from cows and horses in the landfill but explains that at this time there is some question as to how compostable cat and dog feces really are and also how well they mix with other materials. Regarding plastic bags the newer thicker ones are to be taken back to the stores since they are required to take them back. When it comes to the thinner bags, they tend to cause damage to the equipment when being sorted.

The Member of the public stated she was told the opposite that it is the thicker bags causing the damage.

Mr. McHargue suggested they get together to do some research and discuss further.

Supervisor Campbell asked if anyone had any further public comment. None noted.

COMMITTEE BUSINESS

A. Consideration of the Minutes of the meeting on June 8, 2022

Supervisor Campbell asked if anyone had any questions from committee members. He then asked for public comment. None Noted.

It was moved by Supervisor Goldemberg and seconded by Public Committee Member Holcomb to approve the Minutes of the July 13, 2022 meeting.

Supervisor Campbell called for a vote: Ayes 3; Noes 0; Abstain 0.

Motion carried 3 – 0 – 0

B. Updates/ Reports

• Treated Wood Waste

Mr. McHargue stated that in the last meeting Public Committee Member John LaTorre mentioned his experience with Cal Sierra/Waste Management as a contractor disposing of treated wood waste. From calling in to Cal Sierra/Waste Management to bringing his material down to the transfer station. There seemed to be some issues that Cal Sierra/Waste Management needed to look at regarding their process so if we could hear from them today on how they handle processing treated wood waste.

Vanessa Barberis, Waste Management informed everyone that the processing and handling of this type of material is mandated by the State of California. What it comes down to is that treated wood waste is considered a toxic material and must be stored and transferred separately from any other material. Mr. LaTorre mentioned that he called first to get information about how to dispose of this material, Vanessa indicated they are working with our local staff to make sure everyone is on the same page with up to date information and to limit any confusion.

Mr. Garcia mentioned that the process for accepting treated wood waste is the way it is because there's record keeping involved. Cal Sierra/Waste Management's transfer station is responsible for keeping track of who brings treated wood waste and how much. One thing to clarify that was in Mr. LaTorre's notes from last month was that when you have treated wood waste and other debris it would be easier if they were brought on separate loads but it is not a requirement.

Supervisor Goldemberg asked if the record keeping was a requirement of the State of California.

Mr. Garcia confirmed that it is.

Supervisor Goldemberg asked Mr. McHargue if we could investigate to possibly avoid having to do in the future.

Mr. McHargue explained that after January 1, 2021 the only way to dispose of treated wood waste was to take it to a landfill located in Kern County. Since then the state has come out with a variance process that allows Cal Sierra/Waste Management to collect, store, and haul for a surcharge. There is question as to why residents are now being charged when there was no charge prior to January 1, 2021.

Ms. Barberis stated that prior to 2021 the Cal Sierra/Waste Management transfer station was not separating the material before hauling. Once the variance was issued and we were able to start hauling again we were then informed to store, and transfer treated wood waste separately.

Mr. Garcia mentioned that it is his understanding that because treated wood is considered a hazardous material, it is required to be stored and transported separate from other materials and must be recorded as to who is bringing it in.

Mr. McHargue states the requirements now are the same as previously, so whether or not Cal Sierra/Waste Management was handling the treated wood waste correctly, the main concern would be the surcharge or special fee that is now being charged. A surcharge or special fees require approval from the Board of Supervisors.

Ms. Barberis replied that at the time Cal Sierra/Waste Management received the approval to start accepting treated wood waste they were not aware of special fees requiring an approval from the Board of Supervisors. Going forward, Cal Sierra/Waste Management will be asking for this special fee to be approved.

Supervisor Goldemberg brought to everyone's attention that Melissa Eads, City of Sonora has joined our meeting and wanted to clarify if she was acting as a Council Member for the

City of Sonora until the position is filled.

Ms. Eads stated certainly she could represent the City of Sonora if need be and apologized for any inconvenience due to her late attendance.

Supervisor Goldemberg stated he had one final question regarding the treated wood waste. He wanted to know, now that Cal/Sierra Waste Management is aware of needing an approval from the Board of Supervisors for a special fee, would residents still have to pay this fee?

Ms. Barberis stated that Cal Sierra/Waste Management would like to continue to charge a special fee until they could take this to the board for approval.

Mr. McHargue states he has some thoughts and ideas regarding the transfer station agreement so for now, let's let the issue be and we will revisit after discussing.

ACTION ITEMS

- **Presentation by Cal Sierra/Waste Management on the Water, Sewer and Trash rate adjustment index.**

Mr. McHargue apologized for the previous index he brought to the committee, he stated it gave a less than correct picture of the two indexes. Today we want to bring to the committee exactly what the Water, Sewer, and Trash (WST) index would look like.

Ms. Barberis reminded the committee that Cal Sierra/Waste Management would like to propose a specific WST Index vs an All Urban Consumer Index. In comparison over the past six years the All Urban Index has much steeper and sporadic increases where the WST Index is much more stable. Ms. Barberis went on to state that The All Urban Index reflects the change in price for goods and services such as food, housing, apparel, transportation, medical, recreation, and other goods and services. The WST Index reflects the waste industry, such as fuel equipment, and raw materials.

Mr. McHargue thanked Ms. Barberis for her presentation. Her information was a better representation than what we had seen last month. A five-year span also showed that in 2017 the WST Index was lower than the All Urban Index.

Supervisor Goldemberg stated he is in favor of the WST Index because it is more stable.

Mr. McHargue asked Ms. Barberis if she was able to share any information on Cal Sierra/Waste Management Corporate wide's history using a specific WST Index as opposed to the standard Consumer Price Index (CPI).

Brad Cea, Area Sales Director Waste Management stated that if we did a 12 month average what you would see is that the All Urban Index tends to trend higher because you are seeing more months of inflation, rather than looking at one month in time vs one month in time. This 1-month view is limited, however since this is how we look at it regarding our contract we would continue to see it this way. To answer Mr. McHargue's question, majority of the history has been CPI All Urban. Depending in which part of the county you are located in. Keep in mind the CPI All Urban San Francisco, Oakland, and Hayward you're probably

using some of the highest cost of markets for goods and services. Switching to a WST Index would normalize the numbers a bit more. The Producer Price Index (PPI) is another type of index that Cal Sierra/Waste Management uses, it mirrors a CPI where it looks at a basket of goods and trends it over a period. The best thing to do is look at the average spread over a 12-month period. There is less volatility in the change year over year with a WST Index vs an All Urban Index. 2020 was impacted by COVID-19 so you will see a lower CPI Index but with inflation you will start to see the CPI trend up at a faster rate.

Ms. Holcomb wanted to know how many counties in California are using a CPI vs a specific WST Index.

Ms. Barberis is unable to answer that at this time due to many of Cal Sierra/Waste Management contracts currently being negotiated.

Ms. Holcomb expressed concern that there is a push from Cal Sierra/Waste Management to approve a new index when Tuolumne County does not have organics waste included in their current contract.

Mr. McHargue mentioned that in the proposed agreement there is verbiage stating that we will be discussing organics waste. We currently exempt from organics waste disposal and it looks like we will be receiving another 5-year extension. We do not want to include something at a cost that is not absolutely required.

Supervisor Campbell asked if there was any comment. None noted

It was mentioned that the City of Sonoma is currently on the WST Index. This was recently negotiated in the end of 2020.

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

Cody Nesper, County Council asked for explanation regarding why we are looking at a month over month from June vs the 12-month average. The current draft agreement states a 12-mth annual average of monthly CPI between April and March.

Ms. Barberis states we are looking at a 12-month average base from June of one year to June of the following year. It is the average of the two.

Cal Sierra/Waste Management will provide the county with a rolling 12-month average.

It was determined that a vote is not needed on this matter at this time.

- Consideration of the Cal Sierra/Waste Management Inc. franchise collection agreement and the amendment for a 10-year term extension.

Mr. McHargue stated we are looking for action on this item. We will be going to the Board of Supervisor's for approval on August 16, 2022. We are going to look further into this index issue and if anything changes, we will be highlighting that for the board.

Supervisor Campbell asked Cal Sierra/WM if they have anything to add.

Mr. Cea wanted to thank Mr. McHargue and Mr. Nesper for their time and patience with negotiating this new contract. The level of professional and good nature in the negotiations was appreciated.

Supervisor Campbell asked if the committee had any questions. None noted.
Any public comments.

A member of the public expressed her dislike for Cal Sierra/Waste Management.

Supervisor Goldemberg mentioned his concern for the rate adjustment index not yet being resolved and if we should go to the Board of Supervisor's at this time. Mr. McHargue stated that the information and the basis for the change of CPI has been presented. However more clarification is needed regarding the CPI. Whether or not it's calculated on a month over month average vs a 12-month average it remains a CPI, a specific water, sewer, and trash CPI. Supervisor Campbell states he is comfortable moving on with this agreement.

It was moved by Supervisor Goldemberg and seconded by Supervisor Campbell to consider the Cal Sierra/Waste management Inc. franchise collection agreement and the amendment for 10-year term extension.

Supervisor Campbell called for a vote: Ayes 3; Noes 0; Abstain 0.

Motion carried 3 – 0 – 0

COMMITTEE MEMBER REPORTS

No reports.

NEXT MEETING

Next meeting is scheduled for August 10, 2022 at 1:00 pm.

ADJOURNMENT

Supervisor Campbell asked if anyone had anything further to comment.

Seeing none, Supervisor Campbell adjourned the meeting at 2:27 p.m.