

SANTA BARBARA COUNTY BOARD AGENDA LETTER



Clerk of the Board of Supervisors
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Agenda Number:
Prepared on: 10/20/03
Department Name: Public Works
Department No.: 054
Agenda Date: 11/4/03
Placement: Administrative
Estimate Time:
Continued Item: NO
If Yes, date from:

TO: Board of Supervisors

FROM: Phillip M. Demery, Director
Public Works Department

STAFF Mark Schleich, Deputy Director, ext 3603
CONTACT: Leslie Wells, Program Manager, ext 3611

SUBJECT: Joint Exercise of Powers Agreement Between the City of Goleta and the County of Santa Barbara Establishing the Santa Barbara County Regional Integrated Waste Management Reporting Authority

Recommendation(s):

That the Board of Supervisors:

1) Approve the attached Joint Exercise of Powers Agreement Between the City of Goleta and the County of Santa Barbara Establishing the Santa Barbara County Regional Integrated Waste Management Reporting Authority.

Alignment with Board Strategic Plan:

The recommendation is primarily aligned with Goal No. 2: Reanalyze, Reform and Respond to the Changing Nature of County Resources and Responsibilities

Executive Summary and Discussion:

The California Integrated Waste Management Act of 1989 (commonly referred to as AB 939) mandates that cities and counties prepare and implement plans for the diversion of solid waste from disposal. The City of Goleta was incorporated in February 2002. Prior to February 2002, the boundaries of the City were included in the unincorporated area and all solid waste planning documents included this area of the County. The County and the City have two options available to them. The first is to rewrite the state planning documents for each respective jurisdiction and track tonnage and diversion information separately. The second option, in partial implementation of AB 939, the California Integrated Waste Management Board (CIWMB) has promulgated regulations allowing cities and counties to form regional agencies to implement Integrated Waste Management Plans. In an effort to conserve resources

and continue to implement programs on a regional level, staff from the City of Goleta and County of Santa Barbara is recommending the approval of establishing a Regional Integrated Waste Management Reporting Authority.

The activities of the Reporting Authority would be limited to maintaining the aggregated AB 939 integrated waste management Planning Elements and compiling disposal information from haulers and facility operators for compliance with CIWMB reporting requirements and preparing one consolidated Annual Report for the reporting of progress toward AB 939 objectives. The Authority is not responsible for any other function including the implementation of AB 939 programs and operation of facilities. The Authority will have no budget as the staff and funding of the planning and reporting efforts shall be provided by existing County resources.

The Board of Directors for the Authority will consist of two members of the County Board of Supervisors and one member of the Goleta City Council. If a penalty is assessed against the Authority by the CIWMB for non-compliance with AB 939, the CIWMB will allocate responsibility for the fine based on the portion of the fine attributable to the failure of a Member to comply with reporting and diversion requirements of AB 939. If the Members cannot agree on such allocation, the fine shall be proportionally allocated based on the population of the Members.

Currently, in the City of Goleta, solid waste materials are collected under the County's existing franchise agreements with the solid waste service providers. Materials collected are delivered to County facilities to be processed or disposed. In addition, the County provides all programs related to household hazardous waste collection, school and public education, school and commercial recycling, and the preparation of state-mandated planning documents. In return for these services, the County collects an 8% program fee from the franchisees that operate within the City.

The term of the Authority will be from the time it has been executed by the parties continuing on for that period of time that the County is providing refuse collection, recycling and disposal services to the City, as well as collecting the 8% program fee for community services. Members may withdraw from the Authority by serving notice on the other members and the withdrawal will be effective twelve months after serving the notice.

Mandates and Service Levels:

The California Integrated Waste Management Act of 1989 mandates that cities and counties prepare and implement plans for the diversion of solid waste from disposal. The Regulations promulgating the Act allow jurisdictions to comply with portions or all of the Act on a regional basis. By approving this Reporting Agreement, the County will avoid the extra resources necessary to rewrite all of the County's state planning documents required by the CIWMB as well as tracking tonnages collected and processed or disposed by jurisdiction. In addition, the Authority will exist only as long as the City of Goleta continues to participate regionally in the services that the County is currently providing to them including the collection, processing and disposal of waste as well as community programs.

Fiscal and Facilities Impacts:

The approval of this Agreement will not have any fiscal or facility impacts on the County. It will maintain the status quo.

Special Instructions:

Please provide copies of the Minute Order and approved Agreement to the Solid Waste & Utilities Division, attention Georgia Navarro and Leslie Wells.

Concurrence:

County Counsel
Auditor-Controller
Risk Management