



BOARD OF DIRECTORS

Meredith Matthews, City of Arcata, **Chair**
Adelene Jones, City of Blue Lake, **Vice Chair**
Leslie Castellano, City of Eureka
Randy Cady, City of Ferndale
Michelle Bushnell, County of Humboldt
Frank Wilson, City of Rio Dell,

Special Meeting Agenda
Monday May 20, 2024 at 4:30 PM
Eureka City Council Chamber
502 K Street
Eureka, CA

THE HWMA BOARD OF DIRECTORS HAS RESUMED IN-PERSON MEETINGS AND ENCOURAGES THE PUBLIC TO ATTEND EITHER IN PERSON OR TELEPHONICALLY.

Effective March 9, 2023 the HWMA Board of Directors will resume their meetings from the Eureka City Council Chamber. Members of the public are invited and encouraged to participate through the following venues.

HOW TO PARTICIPATE

The public is invited to attend and participate in the HWMA Board of Directors meeting using any of the following methods.

1. IN-PERSON

The public can attend and provide in-person comments during the meeting on regular agenda items and during Oral/Written Comment. in-person hybrid meetings. HWMA asks that when attending meetings, persons socially distance as best they can and be courteous to those who choose to wear a mask.

2. REMOTE

As a courtesy, and technology permitting, members of the public may continue to observe and participate remotely through the Zoom platform. HWMA cannot guarantee that the public's access to teleconference technology will be uninterrupted, and technical difficulties may occur from time to time. In those instances, so long as there is a Board quorum and the public may still attend the meeting in person, the meeting will continue.

- a. Zoom <https://us06web.zoom.us/j/87272840425>
- b. Zoom Phone Numbers. +17207072699, Meeting ID: 87272840425

During the meeting, each period for public comment will be announced, and participants may use Zoom's "Raise Hand" feature to request to speak. If calling in via Zoom use *9 to raise and lower your hand. The meeting host will call on you, by name or last four digits of your phone number, and enable the microphone when it is your turn to speak. To ensure the orderly meeting conduct, providing your name is encouraged, but not required.

3. EMAIL

The public may submit public comment via email to board@hwma.net. Any comments received up until 3:00 pm of the meeting date will be:

- a. Distributed to Board members via email prior to the meeting,
- b. Referenced and attached to the meeting minutes.

Such email comments must identify the agenda item number in the subject line of the email. Comments received will be read into the record by staff, with a maximum allowance of three minutes (approximately 500 words) per individual comment, subject to the Chair's discretion. If a comment is received after the agenda item is heard, but before the close of the meeting, the comment will still be included as part of the written record of the meeting, but will not be read into the record during the meeting.

4. TO WATCH OR LISTEN ONLY

The public may view the meeting on one-way video feed on at Access Humboldt's YouTube Channel at www.youtube.com/c/accesshumboldt/live or

Copies Available: Copies of the agenda materials are available electronically at www.hwma.net, through individual HWMA member agencies or by calling HWMA at 707-268-8680. There may be a charge for copies.

Accessibility: Accommodations and access to HWMA meetings for people with special needs must be requested in advance of the meeting at 707 268-8680 or emailing board@hwma.net. The Eureka City Council Chamber room is ADA accessible. This agenda and other materials are available in alternative formats upon request.

1. Call to Order and Roll Call at 4:30 PM

2. Consent Calendar

All matters listed under the Consent Calendar are considered to be routine by the HWMA Board and will be enacted upon by one motion, unless a specific request for review is made by a Board Member or a member of the public. The Consent Calendar will not be read. There will be no separate discussion of these items unless pulled for discussion.

3. Oral and Written Communications

This time is provided for people to address the Board or to submit written communications concerning matters not on this agenda. Board Members may respond to statements, but any request that requires Board action will be referred to staff for review. Reasonable time limits may be imposed on both the total amount of time allocated for this item, and on the time permitted to each individual speaker. Such time allotment or portion thereof shall not be transferred to other speakers.

4. Adopt Resolution 2025-02 for the Collection of Integrated Waste Management Fees Table 9: Recyclable Materials Processing Fee

5. Adjourn.



STAFF REPORT

DATE: May 15, 2024

For Meeting of: May 20, 2024

FROM: Eric Keller-Heckman, Executive Director

SUBJECT: Item 4)
Approve Resolution 2025-02 for the Collection of Integrated Waste Management Fees Table 9: Recyclable Material Processing Fee

RECOMMENDED ACTION: Voice vote
1) Approve Resolution 2025-02

DISCUSSION:

Background:

As noted at the May 9th meeting, the proposed fees for fiscal year 2024-25 for Recyclable Material Processing was still under review. A special meeting was requested and set by the board to finalize these fees.

Recycling Processing Fee

Under the “Curbside Collected Recyclables’ Processing and Marketing” agreement, Recology may submit an annual rate adjustment application to HWMA for review and consideration by February 1st.

- The proposed rates are as follows:
 - FY 23/24 rate: \$110.97
 - FY24/25 proposed rate \$125.28
 - Change: \$14.31

The largest contributing factors to the increase in cost is a downtrend in material sold value, increased operating costs, and residual costs.

Staff’s Recommendation:

Staff recommends the board approve Resolution 2025-02 for the collection of Recycling Processing Fee

ALTERNATIVES:

- 1) Board Discretion

ATTACHMENTS:

- 1) Resolution 2025-02

DRAFT-RESOLUTION 2025-02

**A RESOLUTION OF THE
HUMBOLDT WASTE MANAGEMENT AUTHORITY
FOR THE AMENDMENT OF INTEGRATED WASTE MANAGEMENT FEES**

Section 1. PURPOSE AND INTENT.

The purpose of this Resolution is to establish and collect fees as authorized by state law including but not limited to Sections 41901 and 41902 of the Public Resources Code and the powers contained in the Humboldt Waste Management Authority Joint Powers Agreement in order to fund the reasonable and necessary costs incurred by the Humboldt Waste Management Authority in owning, operating, maintaining and conducting the Authority's solid waste management services, programs, facilities and enterprises.

It is the intent of this Resolution and of the Authority to achieve these purposes in the most cost-effective manner possible, while continuing to reduce the amount and toxicity of waste generated in the County to the greatest degree possible.

It is the further intent of the Authority that such fees recover the full and complete costs associated with providing and operating waste management facilities and programs, including any and all surcharges imposed by other governmental agencies on the receipt, handling, processing or disposal of refuse or other waste materials. Facility and program costs supporting the fees charged by this Resolution are identified in the Authority's annual budget.

Section 2. DEFINITIONS.

- a) Unless otherwise stated, the terms used in this Resolution shall have the same meaning as provided by the definitions set forth in Section 17225 of Title 14, California Code of Regulations and the appropriate subsections of Division 30, Part 1, Chapter 2, California Public Resources Code.
- b) "Authority" means the Humboldt Waste Management Authority.
- c) "Carpet" means a manufactured article that is used in commercial or residential buildings affixed or placed on the floor or building walking surface as a decorative or functional building interior feature and that is primarily constructed of a top visible surface of synthetic face fibers or yarns or tufts attached to a backing system derived from synthetic or natural materials. "Carpet" includes, but is not limited to, a commercial or a residential broadloom carpet or modular carpet tiles. "Carpet" does not include a rug, pad, cushion, or underlayment used in conjunction with, or separately from, a carpet.
- d) "Collector" means either a Franchise Collector or a Non-Franchise Collector.
- e) "Designated Divertible Materials" means source-separated materials which are discarded at the HWMA Hawthorne Street Transfer Station in a designated area (e.g., bunker or

container), and for which an appropriate reuse, recycling, composting, or other diversion outlet exists. The list of approved Designated Divertible Materials shall be based on market or outlet availability as determined by the Executive Director and shall be updated from time to time. Examples of "Designated Divertible Materials" may include clean drywall (gypsum board), non-hazardous ash, textiles, food waste, and dimensional lumber and wooden pallets.

- f) "Executive Director" means the Executive Director of the Humboldt Waste Management Authority or a designated representative thereof.
- g) "Franchise Collector" means a company that collects Solid Waste or Recyclable Materials under contract with a public agency.
- h) "Greenwaste" means any wastes generated from the maintenance or alteration of public, commercial or residential landscapes including, but not limited to, yard clippings, leaves, tree trimmings, prunings, brush, weeds, wood that is not treated with preservatives or painted and cardboard that is not otherwise recyclable."
- i) "Household Hazardous Waste" means all those wastes defined by Section 25218.1(e) of the Health and Safety Code and/or Cal. Admin. Code tit. 14, § 18720(27).
- j) "Jurisdictional Boundaries of the Authority" means the jurisdictional boundaries coinciding with those of the Authority's member agencies.
- k) "Operator" means a person or entity who accepts Waste Material generated within the Jurisdictional Boundaries of the Authority and to whom permission to operate a Transformation Facility or Transfer/Processing Station for Solid Waste, or a combination of Solid Waste and Hazardous Waste, is granted under Section 40000 et seq. of the Public Resources Code.
- l) "Non-Franchise Collector" means a person or entity that collects and/or transports Solid Waste generated within the Jurisdictional Boundaries of the Authority directly to an approved landfill facility for the purpose of disposal.
- m) "Recyclable Materials Processing" means those recyclable materials source source-separated by the generator for the purpose of recycling for beneficial reuse or marketing to third parties.
- n) "Recyclable Materials Processing" means the sorting, processing and marketing of Recyclable Materials.
- o) "Satellite Facility" means a Transfer/Processing Station that receives Waste Materials generated from within the Jurisdictional Boundaries of the Authority that is not owned or directly operated by the HWMA, and which is located within the County of Humboldt.

- p) "Self Haul Customers" means any person or entity that transports Solid Waste or Recyclable Materials directly to a Transfer/Processing Station and/or Transformation Facility.
- q) "Solid Waste" means all putrescible and nonputrescible solid, and semisolid wastes; including garbage, trash, refuse, paper, rubbish, ashes, industrial wastes, demolition and construction wastes, abandoned vehicles and parts thereof, discarded home and industrial appliances, dewatered, treated or chemically fixed sewage sludge which is not hazardous waste, manure, vegetable or animal solid and semisolid wastes, and other discarded solid and semisolid wastes. "Solid Waste" does not include hazardous, low-level radioactive or medical waste. "Solid Waste" as herein defined shall not include materials source-separated by the generator for the purpose of recycling, reuse, repair, or composting.
- r) "Transfer/Processing Station" means a facility utilized to receive Waste Material from Collectors and Self Haul Customers and to temporarily store, separate, transfer, convert, or otherwise process said materials and/or to transfer it directly from smaller to larger vehicles or railroad trains for transport.
- s) "Transformation Facility" means a facility whose principal function is to receive and manage Solid Waste through a non-landfill disposal process other than composting such as incineration, pyrolysis, distillation, gasification, or biological conversion.
- t) "Waste Material" means all materials including Solid Waste, Household Hazardous Waste, Greenwaste, and Recyclable Materials.

Section 3. COLLECTION OF FEE.

The applicable component(s) of the Waste Management Fee shall be collected from all Franchise and Non-Franchise Collectors, Self Haul Customers, Satellite Facilities and all Operators of Transformation Facilities and/or Transfer/Processing Stations located within the Jurisdictional Boundaries of the Authority. Such Fee shall be included in and considered to be part of the disposal rate charged by Operators, Satellite Facilities and Collectors for the provision of services.

Non-Franchise Collectors shall maintain at their respective offices or other place acceptable to the Authority, full and complete accounting books and records, and shall prepare and submit, without additional request and at no cost to the Authority, records documenting their respective proper performance under this Ordinance. The Authority may audit such books and records at the Authority's expense upon three (3) working days' notice.

Section 4. WASTE MANAGEMENT FEE.

The Authority Waste Management Fee rates specified in Schedule A shall take effect beginning on July 1, 2024 for the Fiscal Year 2024-2025.

- a) Table 9. Recyclables Materials Processing Fees shall be paid by Franchise Collectors and Self-Haul Customers dropping off Recyclable Materials at either the Samoa Resource Recovery Center or the Hawthorne Street Transfer Station.

Section 5. PAYMENT OF FEES.

- a) For cash transactions, payment shall be due upon delivery of the Waste Materials in accordance with Schedule A herein. Self-Haul Customers which pay with cash or cash equivalents – check, debit, or credit card – shall pay fees rounded to the nearest quarter dollar for materials disposed. For account customers, the fee shall be set based upon the volume or tonnage of Waste Material received during the preceding month according to Schedule A. Fees charged to accounts shall be paid to the Humboldt Waste Management Authority within thirty (30) days following the fee due date. The due date is the date of the monthly statement and shall become due and payable by each account customer on the date of the monthly statement.
- b) Fees that are not remitted to the Authority within thirty (30) days following the due date provided in this part for account customers and on the invoice for all other invoiced customers are delinquent. A late fee of one- and one-half percent (1.5 %) shall be assessed on delinquent accounts not paid by the end of the month. The minimum late fee is \$1.
- c) Documentation substantiating the tonnage upon which the Waste Management Fee is collected shall be maintained by an Operator, Franchise Collector, Non- Franchise Collector, or Self Haul Customer for a period of three years.

Upon three working days written notice, an Operator or Collector shall provide access to the Authority for the purpose of reviewing the accuracy of the submitted data.

In the event that the Authority, following such a review, determines that the accuracy of the submitted data cannot be verified, the Authority and the Operator or Collector shall mutually agree to an alternative procedure for determining or measuring the tonnage collected, or received at the Disposal Site, Transformation Facility and/or Transfer/Processing Station, in order to ensure the accuracy of such data.

Failure to implement or to adhere to a verifiable measuring procedure after a reasonable period of time shall result in the referral of the disputed collections for review to an independent auditor. Costs for such an audit shall be borne by the losing party.

Fees not paid by its due date shall be determined to be delinquent and shall be subject to late fee penalties.

- d) Customers who wish to keep a record of individual waste transactions should retain their weight ticket (invoice) from each transaction. The Authority also keeps a record of transactions. Customers may request copies of previous weight tickets and will be

charged 75 cents for each weight ticket that is copied, sent, or faxed. A request for a copy of any weight ticket that is over 180 days old will be billed at \$40 per hour for staff research time.

Section 6. FAILURE TO COMPLY.

The Authority may collect any unpaid fees and penalties by civil action, in which event the Authority shall have judgment for the cost of the suit and reasonable attorney's fees.

Remedies for the failure to comply with this Resolution are non-exclusive. The Authority reserves the right to take any, all or combination of administrative, civil and criminal actions to enforce the terms of this Resolution, separately or concurrently.

Section 7. REFUNDS.

In the event any fee has been overpaid or has been erroneously received by the Authority under this Resolution, it shall be refunded.

Section 8. EFFECTIVE DATE.

This Resolution shall take effect on July 1, 2024.

APPROVED: _____ Date: _____
Meredith Mathews, Chair

ATTEST: _____ Date: _____
Eric Keller-Heckman, Clerk of the Board

Humboldt Waste Management Authority Waste Management Fees for Fiscal Year 2024-2025

Table 9: Recyclable Materials Processing Fees	\$ per Ton
Direct Delivery to Samoa Processing Facility (Franchise Only)	\$125.28
Self-Haul and Commercial Rate	\$125.28
Minimum Fee, Self-Haul and Commercial Customers, up to 120 lbs	\$7.50