

April 24, 2012

Water & Sanitation Department
R. REDDY PAKALA
Director

Integrated Waste Management Division
Bruce Belluschi
Manager

Board of Supervisors
County of Ventura
800 South Victoria Avenue
Ventura, California 93009

Subject: Second Public Hearing for an Ordinance of the Ventura County Board of Supervisors Amending Division 4, Chapter 7, Article 3 to the Ventura County Ordinance Code Pertaining to Solid Waste Collection and Disposal, Waste Reduction and Waste Diversion Programs for Unincorporated Areas; All Supervisorial Districts.

Recommendations:

On April 17, 2012:

1. Introduce, and read in title only, the attached Ordinance amending Division 4, Chapter 7, Article 3 to the Ventura County Ordinance Code pertaining to solid waste collection and disposal, waste reduction and waste diversion programs for unincorporated areas; waive further reading and continue final adoption of Ordinance until April 24, 2012.
2. Hear and consider all testimony on the proposed Ordinance.
3. Find the proposed Ordinance to be categorically exempt from the California Environmental Quality Act pursuant to Title 14, California Code of Regulations, Section 15308.

On April 24, 2012:

1. Adopt the attached Ordinance to become effective July 1, 2012.

Fiscal Impact:

The fiscal impact is to the extent of staff time involved at no additional cost to the current budget.

Discussion:

Assembly Bill 939 (AB 939, 1990), also known as the California Integrated Waste Management Act, requires all jurisdictions to maintain at least a 50% solid waste diversion rate, for which the state's measurement changed to a per capita method in 2007, or risk potential fines or penalties. In response to this state law, Ventura County Ordinance Code Division 4, Chapter 7, Article 3, was adopted by your Board to address issues of solid waste collection and disposal, waste reduction, and waste diversion programs for the unincorporated areas of Ventura County; the policies and programs enacted by this ordinance code are administered by the Integrated Waste Management Division (IWMD) within the Public Work Agency's Water and Sanitation Department.

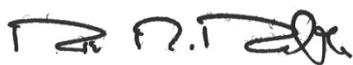
State legislators continue to require more efforts by jurisdictions to divert municipal solid waste from local landfills to increase statewide diversion rates. The most recent example of such legislation, and the basis of this subject Board item, is Assembly Bill 341 (AB 341), signed by Governor Brown in October 2011, requiring every state jurisdiction to ensure recycling efforts by all non-residential properties and commercial buildings meeting or exceeding minimum disposal thresholds, as well as all multi-family dwellings of five (5) units or more, by July 1, 2012.

The proposed amended Ordinance adds AB 341's commercial recycling element to the County's existing solid waste diversion requirements, requires additional reporting by the County's franchised solid waste collection service companies and includes exemptions by which certain targeted entities may be excluded from the commercial recycling element of this new law.

No significant adverse fiscal impact to the County is anticipated from the proposed Ordinance or to entities toward which this new Ordinance is directed because of prior outreach efforts from IWMD staff, complementary program roll-out efforts from the County's franchised solid waste collection companies and the potential for businesses to reduce monthly trash bills through increased recycling services. Further, no significant impact to the County's franchised commercial solid waste collectors is foreseen, or was stated by the collectors during recent meetings with County staff, from the proposed Ordinance. Finally, all public notices have been, and will be, published as required by statute.

This item has been reviewed by the County Executive Office, County Counsel, and the Auditor-Controller's Office.

If you have any questions regarding this item, please contact Bruce Belluschi, IWMD Manager, at (805) 658-4311.



R.R. PAKALA
Director, Water and Sanitation Department

Exhibit 1 - Existing Ordinance Code (strike-out version)
Exhibit 2 - Amended Ordinance Code (clean copy)