

EL DORADO COUNTY SOLID WASTE ADVISORY COMMITTEE (EDSWAC) COMMITTEE BY-LAWS

I. REGULATORY PRECEDENT

The El Dorado County Waste Management Task Force was established in 1992 pursuant to the requirements specified in Assembly Bill (AB) 939, The California Integrated Waste Management Act. The Waste Management Task Force name was changed to the El Dorado County Solid Waste Advisory Committee (EDSWAC) in 2006.

II. GOALS & OBJECTIVES

The El Dorado County Solid Waste Advisory Commjttee was established in accordance with Public Resource Code section 40950 and 14 California Code of Regulations 18760 et seq. by Resolution Number 267-92 of the Board of Supervisors of El Dorado County on September 15, 1992. Specific goals and objectives of the EDSWAC are delineated in the Resolution as follows:

1. Develop goals, policies and procedures which guide the development, revising and updating of the County's Source Reduction and Recycling Elements, Household Hazardous Waste Elements, Siting Element, and Integrated Waste Management Plan; and Non-Disposal Facility Element (NDFE).
2. Provide review and comment on the scope of work and schedule of city or county proposals and contracts affecting county-wide waste management;
3. Determine the need for solid and hazardous waste systems, facilities, programs and marketing strategies emphasizing regional participation as appropriate;
4. Facilitate the development of multi-jurisdictional arrangements for marketing of materials;
5. Provide review and comment on the establishment of new or expanded solid and hazardous waste management facilities within the County;
6. Assist responsible agencies in developing and reviewing solid and hazardous waste management planning documents;
7. Assist in facilitating resolution of conflicts and inconsistencies in plans and programs;
8. On or before the third anniversary of Board approval, review and submit comments on the adequacy of the Countywide Integrated Waste Management Plan (CIWMP) to meet the goals of AB 939; (To meet the goals of AB 939, every 5 years the CIWMP must be reviewed and adequacy comments subrnitted to CIWMB; Public Resource Code section 40950 calls for the convening of a task force at least every 5 years starting in the year 2000.)
9. Provide technical guidance and information; and

10. Monitor and evaluate the planning and effectiveness of specific programs implemented to meet the defined solid and hazardous waste management objectives.

III. **MEMBERSHIP**

The EDSWAC shall consist of no less than eleven (11) members. Specifically: .

1. A maximum of two (2) members representing the Waste Services Companies operating under a franchise within El Dorado County;
2. One (1) member representative from each of the following jurisdictions:
 - Cameron Park Community Services District (CPCSD);
 - City of Placerville;
 - City of South Lake Tahoe; and
 - El Dorado Hills Community Services District (EDHCSD).
{Each City Council and CSD Board will select a member.}
3. The remaining five (5) public appointments will come from the El Dorado County Board of Supervisors.

IV. **APPOINTMENTS**

- A. All EDSWAC members shall be appointed by and serve at the pleasure of the County Board of Supervisors with the approval of their City Councils, CSD Boards, and/or affiliated Company Management (as may be applicable).
- B. In the event of an appointment vacancy, the EDSWAC Chair shall notify the Environmental Management Department (EMD) Director in writing and request the appointment of a replacement member.
- C. The EMD Director (or designee) shall notify the appropriate appointing body as soon as possible after a vacancy, requesting a new appointment as soon as possible.

V. **TERMS OF OFFICE**

- A. All EDSWAC appointments shall be for a five (5) year term.
- B. The offices of Chair and Vice Chair shall be for a one (1) year term. The election of the Chair and Vice Chair shall be held at the EDSWAC meeting held during the first quarter of each year. Election of the Chair and Vice Chair shall be by simple majority vote.

VI. **ALTERNATE MEMBERS**

- A. Appointed members representing the Waste Disposal Franchises and the four designated jurisdictions may each assign an alternate representative to attend EDSWAC Meetings in the event that the appointed member is unable to attend the meeting.

VII. MEMBER RESPONSIBILITIES

- A. The responsibilities of the EDSWAC Chair include, but are not limited to, the following:
- Implement the EDSWAC By-Laws as defined herein;
 - ~~Approve the scheduled EDSWAC Meeting Agenda prior to posting it for the general public;~~
 - Chair the EDSWAC Meetings;
 - ~~Approve EDSWAC Meeting Minutes prior to distribution and/or archiving;~~
 - Represent EDSWAC by signature authority for all official correspondence as related to EDSWAC business; and
 - Represent EDSWAC at BOS meetings and public hearings.
- B. The EDSWAC Vice Chair shall execute the responsibilities of the EDSWAC Chair at such times when the EDSWAC Chair is absent.
- C. The responsibilities of the EDSWAC Members include, but may not be limited to, attending regularly scheduled meetings, participating in those meetings, and participating in subcommittee activities that may be needed to achieve EDSWAC goals and objectives as established by BOS Resolution Number 267-92 dated September 15, 1992.
- D. EDSWAC Members shall exclude themselves from voting or unduly influencing decisions that would potentially result in financial gain to themselves or their representative affiliation, and shall openly acknowledge such potential conflicts.
- E. The EMD Director shall assign a staff member as a representative (EMD Representative) to assist the EDSWAC with administrative, technical and logistic support needed for the conduct of EDSWAC business.
- F. The responsibilities of the EMD Representative include, but may not be limited to, the following:
- Assisting the EDSWAC Chairperson with the development of the Meeting Agenda for scheduled EDSWAC Meetings;
 - Ensuring that the Agenda for EDSWAC Meetings is clearly posted at the designated public location(s) and on the EMD website as soon as practical, but in no instances later than 72 hours prior to a scheduled meeting. Providing the meeting room for EDSWAC Meetings, along with the basic resources necessary to accommodate the participants and conduct the Meeting;

- Providing the technical and human resources necessary to prepare the meeting minutes associated with the EDSWAC Meeting;
- Participating in scheduled EDSWAC Meetings;
- Participating in EDSWAC subcommittee meetings as may be requested;
- Distributing the Meeting Minutes to the EDSWAC Members within 30 days of the EDSWAC Meeting;
- Posting the Approved Meeting Minutes on Legistar ~~the El Dorado County Environmental Management website~~ no later than one week following approval of the Meeting Minutes as signed by the EDSWAC Chair;
- Assure Legistar ~~the EDSWAC web link~~ is maintained by assigned EMO staff.

VIII. EDSWAC PUBLIC MEETINGS

- A. EDSWAC Public Meetings are held on the second Monday of every other month starting in January. The EMO representative will provide the schedule for EDSWAC Meetings for the coming year at the November meeting.
- B. EDSWAC Public Meetings are normally held at County approved location ~~the EMD office in Placerville~~. The location shall be included in the regular posting of meetings.
- C. A Meeting Agenda for an EDSWAC Meeting shall be posted on Legistar ~~the EMO website~~ and at the designated public location(s) as soon as practical prior to the Public Meeting date, but in no instance later than 72 hours prior to the Public Meeting. The Meeting Agenda shall be posted by the EMO Representative. ~~The Meeting Agenda is posted in Board of Supervisors' Building A, across the hall from Human Resources.~~ The meeting agenda shall state the date, time and location of the Public Meeting. The agenda shall also set forth a brief general description of each item of business to be transacted or discussed, including any items to be discussed in closed session. Per County Council, this is not legally necessary, but the language mirrors the Brown Act requirements for the agenda.
- D. A simple majority of the Committee is necessary for a quorum to be present and for the Committee to take action. All issues shall be resolved and business acted upon by a simple majority vote of the Members present, only when a quorum is present.
- E. The EMO Representative shall ensure that EMD staff resources are available to compile the Meeting Minutes.
- F. The EMD Representative shall prepare the DRAFT Meeting Minutes and distribute the minutes to the EDSWAC Members no later than 30 days following the Public Meeting.
- G. The EMD Representative shall ensure the Approved Meeting Minutes are posted on Legistar ~~the El Dorado County Environmental Management website~~ no later than one week following approval of the Meeting Minutes ~~as signed by the EDSWAC Chairperson~~.

IX. ABSENCES

- A. Members who will be absent from an upcoming Meeting shall notify the EDSWAC Chair and the EMD Representative of their planned absence at least 3 business days prior to the EDSWAC Meeting so that a determination can be made as to a quorum being present at the Meeting. The EDSWAC Chair may elect to cancel an EDSWAC Meeting if it appears that a quorum will not be attending the scheduled Meeting.
- B. The appointment of any Member who fails to attend three or more consecutive EDSWAC Meetings without the approval of the majority of the members of the committee shall automatically become vacant. At the EDSWAC meeting following the third consecutive absence of an EDSWAC member, the Chair will call for a vote of the committee to determine if any of the absences are excusable. If the member is determined by the vote of the committee to have three unexcused absences, that member shall be informed by the Chair that he/she is no longer a member of the committee, and the EMO Director (or designee) shall notify the appointing jurisdiction and call for the appointment of a new member as soon as possible. The affected member may be at the meeting to make his/her case to the committee to excuse the absences.
- C. A vacancy shall be filled by the appropriate appointing jurisdiction as soon as possible after a membership seat has been vacated.

SECTION X — BROWN ACT COMPLIANCE

A. Applicability & Supremacy

The El Dorado County Solid Waste Advisory Committee (EDSWAC) is a legislative body subject to the Ralph M. Brown Act (Gov. Code §§ 54950–54963). In the event of any conflict between these bylaws and the Brown Act, the Brown Act controls.

B. Automatic Conformance to Amendments

EDSWAC shall comply with all current and future provisions of the Brown Act, including successor statutes and lawful guidance. References in these bylaws to specific Brown Act sections shall be construed to include any amended or renumbered successor provisions without further bylaw amendment.

C. Implementation Standards

The EMD Representative shall maintain practices consistent with current law, including: agenda posting and web accessibility (Gov. Code § 54954.2); teleconferencing and remote participation (Gov. Code § 54953, including emergency teleconferencing and member remote attendance, as amended); and public access to late-distributed writings (Gov. Code § 54957.5).



X. APPROVALS

Dickson Schwarzbach

EDSWAC Chair

oJii m rt
Signature

tf/WjD'l
Date

Gerri Silva

EMD Director

7 ? ILU ?
Signature

? 1?,,,ioo°j
Date

Ron Briggs

Board of Supervisor, Chairman

Signature

Date