

Pomona Waste & Recycling Task Force

April 1, 2015, 5:00 PM-6:30 PM

Pomona City Hall, 2nd Floor Conference Room

Meeting Minutes

- The meeting was called to order at 5:09 PM.
- December 18 in January 7 meeting minutes were passed out and adopted. Outstanding minutes from various members have been solicited for review and adoption.
- Discussion concerning minutes and approval of same took place - consensus was that we should use minutes to formally memorialize the work of the Task Force.
- The timeline of the moratorium was discussed the feeling is that we will not finished in time for the June 16 Council meeting, but a draft should be ready for the Planning Commission, and informational meeting can then be held with the City Council. We need to inform the City Council by June 1 in order to present it to the Planning Commission by June 10. At that time, we will request a three-month extension to complete our draft ordinance recommendations.
- We discussed the efforts of the morning subcommittee to update the general membership. Topics included the inspection/enforcement process, the number of inspections per year based on the type of business.
- The deemed approval type of ordinance appears to be the recommendation.
- Current inspections are complaint driven. With the exception of Mission Recycling on 9th Street, that site receives inspections quarterly.
- Complaints are prioritized - most calls residential and not for recycling businesses.
- Further discussion regarding staff time for enforcement to do the inspections took place.
- A concern regarding the payment of the inspectors by the recycling businesses was discussed. There is a concern that the inspectors may show favoritism for fear of “biting the hand that feeds them”.
- Additional discussion regarding the deemed approval format ordinance - a fee-for-service as opposed to the prop in 218 tax burden. Even approval process is generally used for businesses serving alcohol, and rarely used for recycling businesses. It is felt that we can compare the concerns surrounding alcohol along with those safety concerns./Controls and their effects to public health to draft deemed approved model.
- Discussion was held on fee structure for the size/type of businesses, and “bad operators”. Ideas surrounding the tiered fee structure based on the size and type of materials and/or pollution levels were shared. Committee agrees that we need to decide on the frequency of inspections as well as a fee structure and outline it in the ordinance.
- Suggestion was put forth for incentives for good behavior, i.e., within a one year period. if the business has 4 successful quarterly inspections, they can skip one or more inspections during the next cycle. It was agreed that a minimum of a quarterly inspection schedule (subject to conditions) would be outlined in the ordinance.

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- It was noted that each violation requires follow-up inspection, with progressive enforcement fines up to and including a deduction from their state tax return to pay the fees.
- There are base annual fees, and then depending on the size, these fees can be scaled up accordingly.
- It was agreed that a minimum set of standards be established in the ordinance for all recycling businesses.
- Discussion continued regarding the severity of violations and incentives as well as fines and punishment levels that the City is able to perform.
- It was noted that violations trigger increased or follow-up inspections every time.
- The City pays approximately one quarter of \$1 million per year to clean up illegal dumping within the city limits.
- An inquiry was made to the possibility of having residence and/or task force members partake in a right along during inspections of recycling facilities. Mark said that he would check with the City Legal Counsel regarding the process and liability concerns and provide the answer to the committee at a later date.
- The method and process of inspections was discussed.
- Was agreed that we need to include a blanket statement in the ordinance stating that all CUP's must follow all city state and federal regulations and laws.
- The cities inspection process for storm water pollution prevention was discussed.
- The question was raised "can we require/request coordination with regulatory agencies when violations (especially severe ones) are observed during the inspections - with those trigger an automatic phone call, mail, or contact with regulatory agencies?" An example was given of an employee not wearing a hard hat when required. Discussion continued on process steps for triggering communication to outside agencies.
- The question was raised - - will the ordinance include a "pulling" of business addresses to determine if they have outstanding violations? - This could trigger assistance from or cooperation with outside regulatory agencies.
- The concern was also raised about the prior notice of inspections. It was noted that the standard prior notification period is 48 hours. It was agreed to leave the current 48 hour standard notice in the ordinance.
- Questions surrounding what happens during an inspection, and what documentation is required? does everyone know? Mark briefly explained the walk-through process and documentation including review of the standing CUP to verify compliance.
- Another question was asked: are the results of the inspections made public? The answer was yes, and the City can post them on the website. The City can also include the type of violations and fees charged in a database.

The next meeting will be April 15 at 5 PM. The next subcommittee meetings will be held at 8 AM on Wednesday, April 8 and April 15.

The meeting adjourned at 6:30 PM.

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