

**BYLAWS
ORANGE COUNTY WASTE MANAGEMENT COMMISSION**

ARTICLE I

Legal Authority

The Orange County Waste Management Advisory Commission (Commission) was formed by the Orange County Board of Supervisors (Board), by Resolution 82-1100 dated July 13, 1982. On May 19, 1987, by Ordinance 3632, the name of the Commission was changed to Orange County Waste Management Commission and the Bylaws were amended. On February 13, 1990, by Resolution 90-212, the Board approved the designation of the Commission as the Local Task Force pursuant to Public Resources Code Section 40950; and appointed the Commissioners as members of the Local Task Force. The Bylaws were amended by Resolution 90-1097 dated August 14, 1990, to include the duties of the Local Task Force. The Bylaws were amended again on April 21, 1998, by Resolution 98-12 to revise the composition of the Commission and the method of appointment.

ARTICLE II

Purpose

The purpose of the Commission is to advise the Board on matters relating to the municipal solid waste and hazardous waste management, operation and maintenance of the County's Landfills, and other facilities related to the County's solid waste disposal system. OC Waste & Recycling (OCWR) shall provide staffing for the Commission.

ARTICLE III

Duties

The Commission shall meet on a regular basis to discuss and make recommendations to the Board and OC Waste & Recycling regarding management of the County's solid waste disposal system. The duties of the Commission are further outlined as follows:

1. Provide financial review and recommendations regarding the County's solid waste management system, including periodic review of tonnage disposed, capital improvements, importation of out-of-County waste, budgets, cash flows and financial reports
2. Provide long-term landfill facility planning, including siting of future landfills, resource recovery facilities, and household hazardous waste management facilities; expansion of existing solid

waste facilities; and actions related to closure and post-closure monitoring and maintenance of the County's solid waste disposal facilities.

3. Provide policy oversight and periodic review of the Article 2, Division 3, Title 4 of the Codified Ordinances of the County of Orange Relating to Solid Waste Management including rules, regulations, standards, procedures and practices; and make recommendations to the Director, OC Waste & Recycling, as deemed necessary on matters pertaining to management of municipal solid waste and hazardous waste in Orange County.
4. Provide review and recommendations regarding the County's regional Household Hazardous Waste Collection Program.
5. Act as a forum for public input on issues related to the County's municipal solid waste management program.
6. Provide review and recommendations on other solid waste policy issues that may be referred to the Commission by the Board.

Acting as the Local Task Force, the Commission shall have the following additional duties:

1. Assist the County in coordinating the development of city source reduction and recycling elements, and prepare the countywide siting element of the Countywide Integrated Waste Management Plan.
2. Identify solid waste management issues of countywide or regional concern.
3. Determine the need for solid waste collection systems, processing facilities, and marketing strategies that can serve more than one local jurisdiction within the region.
4. Facilitate the development of multi-jurisdictional arrangements for the marketing of recyclable materials.
5. To the extent possible, facilitate resolution of conflicts and inconsistencies between or among city source reduction and recycling elements of the Countywide Integrated Waste Management Plan.
6. Develop goals, policies, and procedures which are consistent with guidelines and regulations adopted by the California Department of Resources Recycling and Recovery (CalRecycle), to guide the development of the sitting element of the Countywide Integrated Waste Management Plan.

ARTICLE IV

Membership

Section I—Representation on the Commission

The Commission shall be composed of eighteen members selected as follows:

- Ten Members: Two public members appointed by each Supervisor to a two-year term. Appointee must reside in Orange County, and may not be a representative of the waste industry.
- Five Members: Five city council members, one from a city located in each of the five Orange County Supervisorial Districts, appointed by the City Selection Committee for the County of Orange, California (the City Selection Committee) to a three-year term.
- One Member: The Chair of the City Selection Committee or any elected city official designee to a three-year term.
- One Member: A City Manager appointed by the City Selection Committee to a three-year term.
- One Member: The Director, OC Waste & Recycling, or his or her designee, shall be a non-voting member of the Commission.

Section II—Terms of Office

Members shall serve at the pleasure of their appointing authority. Terms of Mayors and City Council Members shall end concurrent with their elected city offices in the event that transpires prior to the end of their appointed terms.

Unless prohibited by law, all members shall continue to serve until a timely replacement can be made.

Section III—Voting Privileges

Except as otherwise provided, each voting member of the Commission shall be entitled to one vote on all issues presented at regular and special meetings at which the member is present.

Section IV—Committees of the Commission

The Commission may establish such ad hoc, standing, or technical advisory committees as needed to carry out the purpose of the Commission, and to provide input on solid waste management issues from various areas of expertise.

ARTICLE V Meetings

Section I—Time of Meetings

The Commission shall meet regularly, at least quarterly, at a time and place to be fixed by the Commission, and shall hold special meetings which, from time to time, shall be called by the Chair. Meetings shall be open to the public. Meetings shall be held in accordance with the Ralph M. Brown Act, Government Code Section 54950 et seq. (Brown Act).

Section II—Conduct of Meetings

- A. Nine Members constitute a quorum for the transaction of business at any meeting of the Commission. If fewer than nine members are present at a meeting, those members present may adjourn the meeting from time-to-time without further notice.
- B. The act of a majority of voting members present at a meeting of which a quorum is established shall be the act of the Commission.
- C. All meetings shall be conducted in accordance with the Brown Act and procedures adopted by the Commission.

Section III—Agendas (Per the Brown Act)

- A. Agendas for regular meetings shall be posted at least 72 hours prior to a meeting, in an area accessible to the public.
- B. Agenda item descriptions shall be sufficiently detailed so as to provide adequate public notice, but not to the extent of limiting Commission's options (examples: specific time frames and recommended actions).
- C. No discussion or action shall be taken on any item not appearing on the posted agenda.

- D. Notice of a closed session, and the legal reason justifying it, shall be published on the posted agenda in accordance with applicable law.

ARTICLE VI
Officers and Duties

Section I—Officers

The officers of the Commission shall be the Chair and Vice-Chair, to be elected annually at the last regular meeting of the calendar year.

Section II—Term of Office

The officers shall hold office for a period of one year, beginning at the first meeting of the year following the election of officers. No other officer shall succeed him-or-herself in office.

Section III—Duties

- A. The Chair shall preside at all meetings and is entitled to vote on all issues.
- B. The Vice-Chair shall preside in the absence of the Chair.
- C. In the event the Chair and Vice-Chair are both absent at a meeting for which a quorum is present; those members in attendance shall elect an ad hoc Chair for that meeting.
- D. The Chair may call special meetings of the Commission and may establish ad hoc committees as needed from time to time.

Section IV—Minutes and Maintenance of Records

The Clerk of the Commission shall be staffed by OC Waste & Recycling, and shall attend the meetings, keep minutes and be the custodian of the Commission records.

ARTICLE VII
Removal of Members

Voting Commission members shall serve at the pleasure of their appointing authorities and such authorities may remove their appointee at any time. Any vacant position shall be filled in the same manner as the original appointment.

Any member who fails to attend three consecutive regular meetings of the Waste Management Commission without previous notice or excuse shall automatically vacate his or her position.

ARTICLE VIII
Compensation

Each member of the Commission shall receive compensation as provided by Resolution of the Board of Supervisors for each Commission meeting attended not to exceed the number of meetings specified by such Resolution; provided, however, that the City Manager member, County employee members, or their designee shall not receive compensation.

ARTICLE IX
Amendments to the Bylaws

These Bylaws may be added to, amended, or repealed. Adoption of new or amended Bylaws, or repeal of Bylaws, shall be recommended to the Board of Supervisors by a majority vote of the members of the Commission at any regular or special meeting called for that purpose, at which a quorum is present. Written notice of such proposed amendments and nature thereof shall have been given to the membership of the Commission at least ten (10) days prior to the date of the meeting at which the amendment(s) is to be considered. All amendments to the Bylaws, after approval by the Commission, shall be effective only upon approval of the Board of Supervisors.