



MINUTES OF OCTOBER 21, 2009

The Sonoma County Waste Management Agency met on October 21, 2009, at the City of Santa Rosa Utilities Department's Subregional Water Reclamation System Laguna Plant, 4300 Llano Road, Santa Rosa, California.

PRESENT:

City of Petaluma	Vince Marengo, Chair
City of Cloverdale	Nina Regor
City of Cotati	Marsha Sue Lustig
City of Healdsburg	Mike Kirn
City of Rohnert Park	Dan Schwarz
City of Santa Rosa	Dell Tredinnick
City of Sebastopol	Jack Griffin
City of Sonoma	Steve Barbose
Town of Windsor	Christa Johnson
County of Sonoma	Tom O'Kane

STAFF PRESENT:

Interim Executive Director	Susan Klassen
Counsel	Janet Coleson
Staff	Patrick Carter
	Karina Chilcott
	Charlotte Fisher
	Lisa Steinman
Recorder	Elizabeth Koetke

- 1. CALL TO ORDER SPECIAL MEETING**
The special meeting was called to order at 8:30 a.m. by Chairman Marengo.
- 2. OPEN CLOSED SESSION**
CONFERENCE WITH LEGAL COUNSEL PURSUANT TO
Government Code Section 54956.9(c) Initiation of litigation - one case.
- 3. ADJOURN CLOSED SESSION**
Closed session adjourned at 8:50 a.m. No report.
- 4. CALL TO ORDER REGULAR MEETING/INTRODUCTIONS**
The regular meeting was called to order at 9:00 a.m.
- 5. ATTACHMENTS/CORRESPONDENCE**
Chair Marengo, called attention to the Director's Agenda Notes, and correspondence regarding AB 1173 Compact Fluorescent Lamps, and SB 402.
- 6. ON FILE WITH CLERK**
Chairman Marengo noted the resolution approved in September on file with the clerk.

7. PUBLIC COMMENTS (items not on the agenda)

Tim Smith, former SCWMA Boardmember, distributed a New York Times article on recycling 'Nudging Recycling from Less Waste to None'.

Ken Wells, Guiding Sustainability, expressed disappointment in the Board for their lack of discussion on divestiture. Mr. Wells urged the Board to consult with Agency Counsel regarding a clause in the Purchase and Sale Agreement that includes a setting of the rates for the Agency which doesn't seem consistent with the JPA Agreement.

CONSENT

8.1 Minutes of September 16, 2009

Marsha Sue Lustig, Cotati, moved to approve the minutes. Dell Tredinnick, Santa Rosa, seconded. Consent calendar approved.

REGULAR CALENDAR

HOUSEHOLD HAZARDOUS WASTE

9.1 BID FOR HOUSEHOLD TOXICS FACILITY EXPANSION

The project being bid, involves extending the existing canopy to create a separate area that will provide additional storage and processing space for low toxicity wastes.

Staff is requesting Board approval of an extension of the VBN contract to provide VBN the time necessary to complete the remaining tasks.

Janet Coleson, Agency Counsel, recommended bringing the proposed bid to the Agency Board meeting on November 18, 2009, for the Board's award.

Chairman Marengo confirmed that the award of the construction contract for the HHW Building Enclosure Expansion Project Construction Contract would be brought back to the Board on November 18, 2009.

The second recommended action was moved by Steve Barbose, Sonoma, to approve adoption of the resolution to approve the Second Amendment to the Agreement with VBN Architects for Professional Services and authorize the Chair to execute the Amendment on behalf of the Agency. Tom O'Kane, County of Sonoma, seconded. Motion approved.

ADMINISTRATION

10.1 MOU FOR AGENCY STAFFING SERVICES (Continued from 9/16/ 2009 meeting)

Susan Klassen, Interim Executive Director, explained this item is in response to direction given to staff to conduct further research into the staffing model used by the Sonoma County Transportation Authority (SCTA). Additionally, direction was given to research the contractual arrangement that Board member Dan Schwarz from Rohnert Park had with Napa County LAFCO. And lastly, research the possibility that the SCWMA Executive Director (ED) could be converted to an "at will" contract position and explore what changes could be made to the existing MOU to provide greater input by Agency Board for selection and supervision of the ED.

Public Comment

Tim Smith, former SCWMA member, expressed a sense of urgency for the Executive Director recruitment.

Boardmember Discussion

Boardmembers discussed the importance of starting the recruitment, and modifying the MOU so that the Agency Board has more input and control in the hiring and firing of the ED. The ED would be a County employee who serves "at will" to the Agency Board.

Janet Coleson offered to draft a contract for the ED position, a County employee who serves "at will" to the Agency Board. Modification of the MOU would have to be approved by the County.

The decision was made to start the recruitment in November with the working title 'Recycling Manager/Executive Director stating the position is under review. Agency Counsel will draft an agreement between the Agency and the County of Sonoma for the ED.

Christa Johnson, Town of Windsor, moved to nominate a subcommittee consisting of Vince Marengo, Petaluma, Dan Schwarz, Rohnert Park, Nina Regor, Cloverdale, and Phil Demery, County of Sonoma, to review the position description. The recruitment should start after the subcommittee completes their review. Marsha Sue Lustig, Cotati, seconded. Motion approved.

Public Comment

Tim Smith, former SCWMA member, stated the recruitment should state the hiring of this position will be done by the County and the SCWMA.

Chairman Marengo called for a 10 minute break from 10:20 a.m. to 10:30 a.m.

ORGANICS

11.1 COMPOST RELOCATION UPDATE

Patrick Carter explained at the September 16, 2009 Agency meeting, the Board directed staff to return in September with additional information about efforts to relocate within the Central Disposal Site, at an adjoining site, and relocation off site. Additionally, there are two major issues with relocating the composting operations at Central with physical and regulatory constraints.

Staff has requested that ESA perform a fatal flaw analysis on an adjoining site, with an emphasis on biological resources.

Staff has received and reviewed the Administrative Draft Environmental Impact Report from ESA and expects ESA to publish a Notice of Availability of a Draft EIR this month. That report will be made available for viewing at the SCWMA office, local public libraries, and online at the Agency's website at www.recyclenow.org.

Public Comments

Will Bakx, Sonoma Compost Company, distributed a letter to the Agency Board. Mr. Bakx commented that the Regional Water Quality Control Board requirements would be the same on the 17 acre site as well as the Gray property. New technology would allow them to operate on 17 acres and they could expand on that site.

Tim Smith, former SCWMA Boardmember, commented that the measure of success in this process is not necessarily moving the program. During the EIR process to determine if moving the compost operation is feasible, the Gray property presented itself as a possibility. The likelihood of this item getting a unanimous vote is unlikely.

Alan Siegle, Sonoma Compost Company, explained that the Gray property and the 17 acre property are adjacent to each other and it's possible that ponds on the Gray property would alleviate the storm water runoff on the 17 acres.

Board member Comments

Jack Griffin, Sebastopol, questioned whether the 17 acre site would be available if Central doesn't reopen. Staff replied the County would decide on availability. While there has been no landfilling in the 17 acres, access could be problematic while the landfill is being capped.

Jack Griffin, reiterated that staff doesn't have a preference over any of the sites.

Ms. Johnson commented that Soiland has purchased Grab-n-Grow on Llano Road, and asked about the possibility of the Agency sending all or part of the green waste to that facility. Staff replied the facility is on a site that is less than 2 acres.

Ms. Klassen said staff could research that and bring it back to the Board.

Chairman Marengo said this item would be continued to the November 18, 2009 meeting.

11.2 COMPOST PERMITTING

The potential expiration of the Solid Waste Facility Permit related to composting at the Central Disposal Site was continued from the September meeting. The Board had requested additional information about the status of this permit and clarification of roles and responsibilities for the parties involved in the permit.

Patrick Carter reported costs associated with obtaining a permit to operate a compost facility at the Central Disposal Site are budgeted annually and the recommendation is to authorize the SCWMA Executive Director to renew Solid Waste Facility Permits at the Central Disposal Site as needed in the future.

Mr. Carter also spoke about the hauling arrangements for green waste. The Agency uses a County contract and the current agreement expires in 2010.

Chairman Marengo asked this item be agendized at a future meeting.

Jack Griffin, Sebastopol, made a motion to maintain the status quo and monitor any changes to the permit and if so, initiate a permit review. Dell Tredinnick, Santa Rosa, seconded. Motion approved.

Tom O'Kane left the meeting at 11:08 a.m.

DIVERSION

12. BOARDMEMBER COMMENTS

Dell Tredinnick requested a status update on the leachate pipeline.

Marsha Sue Lustig asked for a list of current Agency contracts at the Central Disposal Site and the consequences divestiture would have on those contracts.

Steve Barbose, Sonoma, expressed appreciation to the Board for the quality of the discussion for staffing services.

Jack Griffin, Sebastopol, said the Sebastopol City Council approved an MOU for a pilot commercial food recycling program.

13. STAFF COMMENTS

Susan Klassen inquired about a meeting in December.

Christa Johnson, Windsor, thought the Board should meet if there is business to attend to.

Dan Schwarz, Rohnert Park, suggested the item be agendized on the November agenda.

Susan Klassen asked the Board to consider action minutes since the meetings are recorded and the tapes are archived. After some discussion, the Board decided a short summary and the action would suffice.

Patrick Carter said Senate Bill 402, supported by the Board, was vetoed.

Lisa Steinman said Assembly Bill 1173, also supported by the Agency, was vetoed.

14. ADJOURNMENT

Meeting adjourned at 11:15 a.m.

Respectfully submitted,
Elizabeth Koetke

Copies of the following were distributed and/or submitted at this meeting:

- NY Times Article – Nudging Recycling from Less Waste to None
- Letter from Sonoma Compost Company to the Chair