



Minutes of November 18, 2015 Special Meeting

The Sonoma County Waste Management Agency met on November 18, 2015, at the City of Santa Rosa Council Chambers, 100 Santa Rosa Avenue, Santa Rosa, California.

Present:

City of Cloverdale	Bob Cox
City of Cotati	Susan Harvey
City of Healdsburg	Brent Salmi
City of Petaluma	Dan St. John
City of Rohnert Park	Don Schwartz
City of Santa Rosa	John Sawyer
City of Sebastopol	Henry Mikus
City of Sonoma	Madolyn Agrimonti
County of Sonoma	Susan Klassen
Town of Windsor	Deb Fudge

Staff Present:

Counsel	Ethan Walsh
Staff	Patrick Carter
	Karina Chilcott
	Lisa Steinman

1. Call to Order Special Meeting

The meeting was called to order at 9:05 a.m.

2. Closed Session

Ethan Walsh, Agency Counsel, reported the Board extended the appointment of Interim Executive Director Patrick Carter for an additional six months from December 9th and directed Chair St. John to work with the County on recruitment for a permanent Executive Director.

3. Adjourn Closed Session

4. Agenda Approval

Susan Harvey, City of Cotati, motioned to approve the agenda and Bob Cox, City of Cloverdale, seconded the motion.

Vote Count:

Cloverdale	Aye	Cotati	Aye
County	Aye	Healdsburg	Aye
Petaluma	Aye	Rohnert Park	Aye
Santa Rosa	Aye	Sebastopol	Aye
Sonoma	Aye	Windsor	Aye

AYES -10- NOES -0- ABSENT -0- ABSTAIN -0-

Motion passed unanimously.

5. Public Comments (items not on the agenda)

None.

6. Consent (w/attachments)

6.1 Minutes of October 21, 2015 Special Meeting

6.2 First Quarter Financial Report

6.3 Agreement for E-Waste Handling Services

Patrick Carter, Agency Interim Executive Director, noted the start date on the agreement for E-Waste Handling Services in Item 6.3 would be December 1st.

Public Comments

None.

Don Schwartz, City of Rohnert Park, abstained from Item 6.1 Minutes of October 21, 2015, as he was not present at the meeting.

Henry Mikus, City of Sebastopol, motioned to approve the consent agenda and Susan Harvey, City of Cotati, seconded the motion.

Vote Count, Item 6.1:

Cloverdale	Aye	Cotati	Aye
County	Aye	Healdsburg	Aye
Petaluma	Aye	Rohnert Park	Abstain
Santa Rosa	Aye	Sebastopol	Aye
Sonoma	Aye	Windsor	Aye

AYES -9- NOES -0- ABSENT -0- ABSTAIN -1-

Motion passed.

Vote Count, Items 6.2 and 6.3:

Cloverdale	Aye	Cotati	Aye
County	Aye	Healdsburg	Aye
Petaluma	Aye	Rohnert Park	Aye
Santa Rosa	Aye	Sebastopol	Aye
Sonoma	Aye	Windsor	Aye

AYES -10- NOES -0- ABSENT -0- ABSTAIN -0-

Motion passed unanimously.

Regular Calendar

7. **How-to-Compost Video Series**

Mr. Carter reported that after obtaining additional bids for the video production, the amount did not change significantly. Mr. Carter noted that while existing how to compost videos were not equivalent to what staff originally recommended, if a unanimous vote for the video project could not be reached, staff would alternatively recommend promoting the existing videos.

Board Discussion

Mr. Schwartz expressed his belief that the creation of new videos was unnecessary, and was frustrated with the unanimous voting process, but would go along with the rest of the Board if there was desire to create new videos.

Deb Fudge, Town of Windsor, expressed her support for the video project and thanked Mr. Schwartz for his comment about being willing to go with the Board's desire.

Brent Salmi, City of Healdsburg, stated he believed using the existing videos was a better option.

Chair Dan St. John, City of Petaluma, recommended using the existing videos and revisiting the item after three months.

Ms. Harvey stated she concurred with Chair St. John.

Public Comments

None.

Susan Klassen, County of Sonoma, motioned to approve option 2, using existing videos, and asked staff to track the data and report back to the Board within the first quarter of 2016. John Sawyer, City of Santa Rosa, seconded the motion.

Vote Count:

Cloverdale	Aye	Cotati	Aye
County	Aye	Healdsburg	Aye
Petaluma	Aye	Rohnert Park	Aye
Santa Rosa	Aye	Sebastopol	Aye
Sonoma	Aye	Windsor	Aye

AYES -10- NOES -0- ABSENT -0- ABSTAIN -0-

Motion passed unanimously.

8. **SCWMA Future Update**

Mr. Carter explained the SCWMA future options were narrowed down to three at the last SCWMA Board meeting; continuing the JPA as it was currently, as a JPA affiliated with the RCPA, or looking at the scenario of each city and the county on their own. Mr. Carter noted the stand alone option had been the least favored during October's SCWMA meeting discussion, as well as during matrix presentations to the Board and councils in the past. Mr. Carter explained the matrix now before November 18, 2015 – SCWMA Meeting Minutes

the Board had been updated with more detail and a summary of the responses to the matrix from the first round of presentations was included.

Mr. Carter discussed many pros and cons of the RCPA and SCWMA options, provided background on the RCPA, and discussed some of the challenges unique to the RCPA option.

Board Discussion

Mr. Schwartz stated his understanding was that if the RCPA model was pursued it would not require legislative changes, as there would be a new separate legal entity that would be a JPA affiliated with the RCPA and there would be no legal requirement stating it would have to use the RCPA Board. Mr. Schwartz recommended keeping the explanation simple.

Mr. Carter concurred with Mr. Schwartz and added that while that would be possible, it would defeat the purpose of consolidating boards, as there would be two boards giving the RCPA staff direction.

Ms. Harvey commented that while it would be a separate JPA, the Board responsibilities would be assigned to the RCPA and that separate JPA would assign composting and HHW elsewhere. Ms. Harvey inquired who would be assigning or contracting if the RCPA Board would not want anything to do with composting and HHW.

Mr. Walsh replied the JPA would have its own Board, but the board members would be the same as the RCPA and SCTA.

Mr. Schwartz recommended leaving the word “assigning” out of documents and using contracting and operating to avoid confusion.

Ms. Harvey noted the RCPA had made it clear they did not want to deal with compost or HHW and originally in the matrix someone had commented they wanted the County to take it back and the County had said they did not want to deal with it.

Mr. Carter replied he believed if the RCPA model was pursued, the SCWMA Board would agree on who would have the compost and HHW responsibilities prior to the creation of the new JPA. Mr. Carter noted the new JPA would only address the education, policy and planning.

Ms. Harvey inquired if compost and HHW would be taken care of in another JPA or contract if the RCPA model were chosen, and noted she believed the cities needed to know up front what it was they would be weighing in on.

Chair St. John replied compost and HHW would be contracted similar to the way garbage was currently contracted and explained it would be unlikely a merger would take place with unresolved issues. An extension was needed to negotiate if they wanted to pursue the merger, and continuing the JPA as the fall back if the merger did not work out.

Madolyn Agrimonti, City of Sonoma, noted she attended the RCPA meeting and her understanding was the RCPA Board was not ready to take a position yet.

Chair St. John stated he felt strongly SCWMA Board members needed to go to their councils and obtain direction if they would be willing to extend the Agency for a year, to allow time to sort things out. Chair St. John added that at the same time, they needed to discuss with their councils some of the RCPA staff's preferences and be able to sit with the RCPA to discuss conditions to determine if the RCPA model would work.

Mr. Carter recommended taking the decision of the RCPA to the members would be a good first step and then going back to talk about the viable option of the SCWMA JPA.

Ms. Fudge noted that while the Agency Board had discussed the RCPA option, the cities had not had an opportunity to talk about it as it was not on the previous matrix and now it could be discussed.

Ms. Klassen stated she wanted to clarify the County never said it was not willing to take on compost and HHW, they actually said they were willing to do that if that's what everyone wanted them to do, and they would manage it through their contract with Republic.

Ms. Harvey asked how it would work if the County were to run Compost and HHW.

Chair St. John replied this had been discussed and the MOA covered most of it but each city would need to enter into a contract with Republic to commit flow.

Ms. Klassen noted that if the County was to take compost and HHW on through the MOA contracting with Republic, Republic would likely want amendments to everyone's commitment agreements for HHW and green waste if a facility were built.

Mr. Sawyer stated the City of Santa Rosa would like to know exactly what the RCPA would be willing to do and how that process would be decided.

Chair St. John stated he believed the communication letter discussed could be done to outline the parameters of the discussion decisions at this point. Chair St. John noted it would ask if the jurisdictions wanted to talk about the merger or not move forward with the merger at all. Chair St. John noted the important action that needed to occur by February 2016 was the year extension of the Agency.

Mr. Schwartz stated he felt the governance issues were mixed in with the operational issues and recommended changes to the matrix regarding word choice, consistent messages between options, and added detail on operations.

Mr. Schwartz expressed his disappointment with the notion of doing an extension for a year and suggested that as much policy direction about the RCPA and SCWMA options as possible should be received during the outreach to individual councils.

Chair St. John stated he would be in favor of Mr. Schwartz recommendation and noted he could work with Agency staff and a member of the Board to help draft the message to get out to the councils and supervisors before February.

Chair St. John left at 10:03 a.m.

Ms. Harvey referenced the Staffing Section in the matrix and asked for clarification as to how the status quo was different than the RCPA.

Mr. Carter replied the County's perspective was that since the SCWMA Board wanted the Executive Director to report to the Board and was moving more independently, the County felt there should be independent staff as well. Mr. Carter noted there was still the possibility of having any member, including the County, provide the staffing services, it could be moved to an independent agency with its own staff similar to the RCPA or a private contracting service could provide staffing.

Mr. Schwartz recommended changing the section in the matrix to Authority and Responsibility for Other Services and then describing each independently if needed, particularly in the policy direction, flushing out the question regarding the authority to adopt ordinances countywide vs. jurisdiction's ability to act independently. Mr. Schwartz noted that would be a showstopper for the City of Rohnert Park, as they would not want to adopt something they would not have the final say on.

After discussion between Ms. Klassen, Mr. Schwartz, Mr. Mikus, Ms. Fudge, and Mr. Sawyer, Board members expressed support for including a request to the member jurisdictions for a one year extension that was contingent upon need.

Public Comments

Ernie Carpenter, Sonoma County Resident, commented that in an attempt to give the Board everything, staff gives the Board too much information. Mr. Carpenter recommended the Board ask staff to simplify the matrix and suggested that if the Agency board was going to ask for a year extension they should ask for two years, as it takes a long time to get things done in government.

Additional Board Discussion

Mr. Sawyer asked that ambiguity be eliminated and simplicity increased when possible in revising the matrix.

Mr. Carter explained his vision was to try to reduce the complexity by just presenting the RCPA model existing policy and membership issues before the councils and board and asking if that was acceptable to them. Mr. Carter noted it sounded like some board members were interested in presenting options such as one vs. three County members on the RCPA Board.

Mr. Sawyer noted Ms. Smith had said there were certain procedures in the RCPA Board they would not or could not change, and he was seeking clarity as to what the RCPA was willing or able to do to respond to the Agency's request.

Ms. Harvey noted she understood the intent to keep things simple but there were complexities, and in order to adequately evaluate the options, the distinctions would need to be known. Ms. Harvey stated that when looking at the options, they appear to be the same but they are not, and it was important the differences be understood.

Mr. Carter stated the complexity from his perspective was the RCPA and SCWMA could not look exactly the same, and noted if the Board wanted all Agency JPA options, they should maintain the Agency. Mr. Carter noted he understood the Board's direction and would carry that message.

Ms. Klassen noted what was really known at this time was the RCPA executive staff did not want to recommend the RCPA board change their structure, but she did not think the RCPA board had made an action stating they were unwilling to change their structure. Ms. Klassen stated the two questions that should be asked were if the Agency members were open to the RCPA as it currently worked, or if they would only be open to the RCPA model if they were able to discuss some changes to it. Ms. Klassen recommended not discussing what those changes would be now to keep things simple.

Mr. Schwartz stated the only difference between the RCPA and the Agency JPA from the governance perspective was board representation, vote requirements and possibly staffing.

Mr. Schwartz stated the revised matrix would likely be identical in every box except for staffing, board membership and voting requirements, and noted a supplemental page regarding the operational issues and how they may look differently could be included.

Mr. Schwartz motioned to have staff work with the Chair and Vice Chair to revise the matrix as a basis for conversation with the City Councils. The matrix revisions should include 1) distinguishing clearly between operational and policy issues, and, if necessary, include a separate attachment describing what the operational issues would look like 2) under Authority and Responsibility, and Policy Issues, the education, planning and reporting, in particular the policy services line, be broken down to more clearly distinguish policy decisions, 3) to have the meaning of assignment clarified or the term assignment be deleted, 4) to have the County weigh in on the policy issues they had not yet weighed on, 5) to have staff include a resolution of one year extension if needed to deal with lawsuits and implementation of any model, including managing contract transitions, 6) to have staff prepare a report that would be applicable for all cities they could readily amend, as well as a draft resolution and any attachments necessary, 7) to have staff distribute to the Board members for the city managers and mayors, as soon as they are ready for distribution, and 8) to have the Board work with staff to address the issues to make the matrix as simple and clear as possible regarding the option differences. Mr. Sawyer seconded the motion.

Vote Count:

Cloverdale	Aye	Cotati	Aye
County	Aye	Healdsburg	Aye
Petaluma	Absent	Rohnert Park	Aye
Santa Rosa	Aye	Sebastopol	Aye
Sonoma	Aye	Windsor	Aye

AYES -9- NOES -0- ABSENT -1- ABSTAIN -0-

Motion passed.

9. New Recycling Guidelines

Karina Chilcott, Agency staff, stated that at the October Board meeting Agency staff was directed to summarize the recent changes to the curbside single-stream recycling and composting programs. Ms. Chilcott reported Agency staff contacted various recycling stakeholders and noted there were two major changes to the materials collected in the blue single-stream recycling cart;

no plastic bags and no shredded paper. Ms. Chilcott added that during discussion with Sonoma Garbage and The Ratto Group, it was determined scrap metal had been added to single-stream.

Ms. Chilcott noted education emphasis should be placed on reducing contamination and encouraging people to remove their recyclables from plastic bags so the recyclables would be loose in the blue bins. Ms. Chilcott stated there were public drop-off opportunities for plastic bags, film plastics and shredded paper, and noted plastic bags were also accepted at grocery stores and at some private recycling centers.

Ms. Chilcott reported The Ratto Group companies now accepted all food waste in the yard debris cart, including meat and dairy. Ms. Chilcott noted the material was being processed at out of county compost facilities. Ms. Chilcott reported Sonoma Garbage Collector was still only collecting vegetative food waste, and had plans, pending regulatory approvals, to begin processing some of the yard debris in Sonoma and delivering the materials to Grab N' Grow for further processing into compost products.

Ms. Chilcott reported staff was in the process of updating all information for the Agency 2016 recycle guide.

Lisa Steinman, Agency staff, reported the metals and plastics recycled from electronic waste were losing value and staff expected lower payments and increased costs in future requests for proposals.

Mr. Sawyer recommended all the cities take a look at their contracts very carefully to make sure the suggested restrictions could be restricted in the contract, because the contract with the City of Santa Rosa did not eliminate plastic bags from recycling. Mr. Sawyer requested the recycling guide reflect that correctly for each city.

Mr. Cox inquired why there were no plastic bag drop-off locations in or near Cloverdale.

Ms. Chilcott replied staff would look into it and explained State law AB 2449 required supermarkets and entities who distributed single-use plastic bags set up a collection program for plastic bags, but since the county bag ordinance went into place, the supermarkets and entities were no longer subject to the AB 2449 state law, but there were some stores who voluntarily continued to provide the service.

Ms. Harvey asked how the information would get out to the consumers besides the page in Agency recycling guide.

Mr. Carter replied The Ratto Group had been making these changes and taking the lead on placing ads in the Press Democrat and mailing all their customers regarding the changes. Mr. Carter noted the Agency was trying to have a consistent message with them in the Agency resources.

Ms. Harvey expressed her concern that placing an ad in the Press Democrat would not reach a lot of people due to low subscription rates.

Ms. Klassen stated the staff report was very helpful and noted many callers were calling with questions regarding confusion as to what was recyclable and what was not, and the staff report clearly and concisely stated what the only changes were. Ms. Klassen stated plastic bags, film

plastic and shredded paper were probably not a huge amount of the county's waste stream in terms of weight, and she felt these changes in terms of the county's ability to comply and have a robust recycling rate would likely be fairly insignificant in changing the numbers in terms of the county's pounds per capita per day goals for diversion.

Mr. Carter replied staff did not believe there would be a significant change in diversion numbers and the county's ability to meet the targets through AB 939. Mr. Carter stated staff learned from The Ratto Group a lot of these materials, in particular shredded paper, went through the process and would fall through the screens and taken out through residual, ending up being land filled. Mr. Carter noted materials would now be going directly to landfill disposal instead of coming out after the sorting process as residual.

Ms. Fudge stated she believed The Ratto Group's current education effort, specially the newspapers and notices, seemed more reactionary to the problem and not as educational as what the Agency provided. Ms. Fudge noted there was a lot of confusion in the community, and she found the Agency's information very helpful, and added she had learned more from it than she had from watching all of The Ratto Group's education efforts. Ms. Fudge stated she was not aware all food waste could go in the green can, and it would not be known from The Ratto Group's educational pieces. Ms. Fudge noted she was told foil was not included on The Ratto Group's list as recyclable and there was confusion if that was in fact not allowed in the blue can anymore.

Ms. Fudge stated that if the Agency could not distribute the curbside recycling guide page to everyone, she would like The Ratto Group to look at putting something out similar and changing the format of how they had been sending educational information out. Ms. Fudge noted this would also help The Ratto Group not get stuff that was out of compliance. Ms. Fudge recommended the Agency include a link to the Agency's curbside recycling guide page on Facebook.

Ms. Harvey suggested having recycling information on stickers on the actual carts themselves to help get the message of what you can and can't do.

Mr. Sawyer inquired how propane tanks were handled.

Ms. Chilcott replied propane tanks were collected through the Household Toxics Facility and related programs.

Public Comments

Mr. Carpenter recommended taking the valve off empty propane tanks with a wrench and placing propane tanks in a metal recycling bin.

Jim Salyers, The Ratto Group, commented regarding the educational materials distributed by The Ratto Group, and noted they were in the process of putting together an oversize postcard that would have the information discussed, and it would go out to all their customers. Mr. Salyers stated they were also producing a sticker for commercial bins and intend to have the stickers on all cans. Mr. Salyers shared there was a media button on their website with a list of You Tube

style videos, including how to recycle pizza boxes and added they would be including a video on how to recycle mayonnaise and peanut butter jars.

10. Attachments/Correspondence:

- 10.1 Outreach Calendar November-December 2015
- 10.2 Sonoma West Times RRWA Article
- 10.3 Windsor Times RRWA Article

11. Boardmember Comments

Mr. Mikus inquired if there would be conversation regarding whether or not there would be a December board meeting.

Mr. Schwartz commended Mr. Carter for doing a very nice job during the three months he's been interim director doing double duty.

12. Staff Comments

Mr. Carter reported staff received the technical report from Tetra Tech regarding the permitting of the new compost site, and noted he had reviewed and provided feedback to Tetra Tech. Mr. Carter added he was waiting to receive a few other associated documents from them, and stated that after he receives and reviews the documents, he would be meeting with the County and the Water Board to talk about the documents and work collaboratively, to also include working with Republic and possibly The Ratto Group to obtain feedback.

Mr. Carter stated he would work with Chair St. John to determine if there would be a December meeting.

13. Next SCWMA meeting: January 20, 2016

14. Adjourn

The meeting was adjourned at 10:47 a.m.

Submitted by
Sally Evans