



## Agenda Item # 7.1

### Minutes of November 16, 2011

The Sonoma County Waste Management Agency (SCWMA) met on November 16, 2011, at the City of Santa Rosa Council Chambers, 100 Santa Rosa Avenue, Santa Rosa, California

#### **Present:**

City of Healdsburg	Mike Kirn, Chair
City of Cloverdale	Nina Regor
City of Cotati	Marsha Sue Lustig
City of Rohnert Park	Linda Babonis
City of Santa Rosa	Dell Tredinnick
City of Sebastopol	Jack Griffin
City of Sonoma	Steve Barbose
County of Sonoma	Susan Klassen
Town of Windsor	Matt Mullan

#### **Absent:**

City of Petaluma

#### **Staff Present:**

Counsel	Janet Coleson
Staff	Patrick Carter
	Karina Chilcott
	Charlotte Fisher
	Henry Mikus
	Lisa Steinman
Clerk	Debra Dowdell

#### **1. Call to Order/Introductions**

The meeting was called to order at 9:00 a.m.

#### **2. Agenda Approval**

**Matt Mullan, Town of Windsor, moved to approve the agenda. Nina Regor, City of Cloverdale, seconded. Petaluma was absent. Agenda approved.**

#### **3. Attachments/Correspondence**

Chair Kirn called attention to the Director's Agenda Notes, Reports by Staff and Others; November, December 2011, and January 2012 Outreach Events, and Future Barter Agreement with AT&T for Guide Printing in the Phone Book.

#### **4. On File with Clerk**

Chair Kirn noted resolution approved in October 2011 approving Appropriation Transfer for 7<sup>th</sup> Amendment to Environmental Science Associates Agreement.

#### **5. Public Comments (items not on the agenda)**

None.

### **Consent Calendar**(w/attachments)

- 6.1 Minutes of October 19, 2011
- 6.2 FY 11-12 First Quarter Financial Reports
- 6.3 Draft Policy for Non-profit Organization Financial Grants

**Marsha Sue Lustig, City of Cotati, moved to approve the consent calendar. Nina Regor, City of Cloverdale seconded. Petaluma was absent. Consent calendar approved.**

### **Regular Calendar**

#### **7. Sonoma County/City Solid Waste Advisory (SWAG)**

Steve Barbose, City of Sonoma, had nothing to report as next SWAG meeting isn't until tomorrow.

Nina Regor, City of Cloverdale asked if there would be a quorum at the meeting. Susan Klassen, County of Sonoma, replied there will be a quorum.

#### **8. Compost Operations Request For Qualification (RFQ) Draft Review**

Henry Mikus, Executive Director, presented the draft RFQ for review, discussion and approval.

#### **Public Comments**

Pam Davis, Sonoma Compost, requested some additions and changes to the RFQ. She provided a handout, which detailed the suggestions.

#### **Board Comments**

Matt Mullan, Town of Windsor, restated his suggestion of approaching those potential proposers with permitted sites or the ability to get a permit. He endorses breaking out products in the Waste Characterization Study in the RFQ so proposers have a better understanding of the types of organic material needing to be considered for processing.

Steve Barbose, City of Sonoma, wants to make sure all aspects are being contemplated in the process, such as a County owned site with a private operator. He supports Items #1 and #2 on Sonoma Compost's handout.

Nina Regor, City of Cloverdale, asked if the RFQ is structured for proprietary information to be obtained in the interview process. Janet Coleson, Agency Counsel, responded affirmatively.

Chair Kirn, noted that Article 5.1 of the RFQ does address some of Mr. Mullan's concerns.

Linda Babonis, City of Rohnert Park, is concerned the insurance limits are too low and should be increased.

Chair Kirn, received consensus of the Board to incorporate Items #1 and #2 of the Sonoma Compost handout to the RFQ and authorized the Executive Director to make the changes discussed and proceed with the RFQ process.

#### **9. Compost Relocation Update and Timeline**

Patrick Carter announced that the draft Environmental Impact Report (EIR) is near completion and the release is scheduled for early December. There will be two actions coming to the Board in order to certify the EIR; a public hearing on the draft EIR and a public hearing on the final EIR. The purchase of a site or entering into a lease agreement will require a unanimous vote but the certification of the final EIR will not.

**Board Discussion**

Marsha Sue Lustig, City of Cotati, commented that the timeline for developing the site seemed very optimistic.

Steve Barbose, City of Sonoma, pointed out that the timeline on the relocation underscores the importance of a decision being made on the future of the Agency and that the two items need to be on parallel tracks.

**Public Comment**

None.

**Board Comments**

None.

***Chair Kirn notified Boardmembers of a change in order of the Agenda; moving Item 12 up in hopes of later meeting a quorum for the unanimous votes needed on Items 10 and 11.***

**12. Carryout Bag Update**

Patrick Carter stated that the SCWMA has now made presentations to all districts. The City of Rohnert Park sent a memo requesting some items be addressed before they make a decision on the bag ban. SCWMA is working on a response letter for those questions and concerns.

**Board Discussion**

Matt Mullan, Town of Windsor, inquired about the concerns from Rohnert Park. Patrick Carter responded the ten items dealt with legal and process issues.

Steve Barbose, City of Sonoma, asked about the timeline for feedback. Henry Mikus, Executive Director, replied the earliest SCWMA would hear back would be January 2012.

Steve Barbose suggested the preparation of a model ordinance that could be used by those jurisdictions wanting to move forward on their own.

Marsha Sue Lustig, City of Cotati, commented the same process would still have to be followed for developing the model ordinance and she has concerns about each city having to come up with a model of its own.

Mr. Mikus said the next step is to have stakeholder meetings to develop the specifics of the ordinance.

Janet Coleson, Agency Counsel, advised the Board stakeholder meetings are essential for drafting the ordinance.

Susan Klassen, County of Sonoma, supports starting the outreach process to define the language the ordinance should contain.

Dell Tredinnick, City of Santa Rosa, feels this could be a good opportunity to start a voluntary plastic bag ban.

Matt Mullan, Town of Windsor, senses the voluntary bag ban approach will see resistance from large stores.

Janet Coleson, Agency Counsel, said grocers have made it known that they want to see uniform regulation across the county.

Jack Griffin, City of Sebastopol, expressed apprehension of cities moving forward on their own when there's still a chance that all jurisdictions can come to an agreement for the process.

### **Public Comment**

John Sawyer, City of Santa Rosa, believes the SCWMA should not let the City of Santa Rosa stand in the way of them moving forward in crafting basic parameters for a County wide ordinance.

*The representative from Sebastopol left the meeting at 9:47a.m.*

### **Board Comments**

Marsha Sue Lustig, City of Cotati, would like to see staff develop an outline of the stakeholder process and develop a list of options.

Matt Mullan, Town of Windsor, advocated moving forward with the ordinance and exploring other jurisdictions' processes.

Steve Barbose, City of Sonoma, suggested moving forward with the stakeholder process and presenting options for the ordinance, so the jurisdictions who want can move forward.

Nina Regor, City of Cloverdale, feels staff should come back with a list of options so the Board can give specific direction on the contents of the ordinance.

Linda Babonis, City of Rohnert Park, supports moving forward while giving additional information to Rohnert Park as requested

Chair Kirn said the SCWMA Work Plan and fiscal budget could be used to identify the parameters contained in a model ordinance.

***Chair Kirn noted Sebastopol's representative had left and Petaluma's representative was absent, therefore Items #10 and #11 would need to be continued to the next meeting due to lack of a unanimous vote.***

Susan Klassen, County of Sonoma, requested the Board be allowed to ask questions about the items even though there will be no vote. Chair Kirn opened Items #10 and #11 recognizing there would be no action.

## **10. Clean Harbors Contract Amendment**

Lisa Steinman, reported that the SCWMA and County of Sonoma have had an agreement with Clean Harbors Environmental Services (CHES) for operation of the household hazardous waste program since 2002. The agreement is due to expire January 6, 2013 with the option of a one year extension. CHES is requesting a CPI increase be used as an inflator on the monthly labor charges. SCWMA staff has been very satisfied with this vendor's service and recommends extending the agreement with the proposed increase. The other option is to begin a bidding process with a Request For Proposals.

### **Board Discussion**

Susan Klassen, County of Sonoma, requested more information concerning the inflator calculation based on the CPI. Ms. Steinman, replied the inflator in the agenda item was an example and, should the extension be approved, the calculation would be current with the extension.

Matt Mullan, Town of Windsor, commented on the length of the agreement and would like an evaluation of the process being used. He suggested a five year agreement instead of a one year agreement with four options to extend. Ms. Steinman replied there are a limited number of potential vendors due to the specialized industry, so the options are limited.

Susan Klassen, County of Sonoma, noted that the CPI is broken down by region and suggests that in the next amendment SCWMA specify which region is being used in the inflator calculation.

**Public Comment**

None.

**Board Comments**

Chair Kirn remarked that it really is a fundamental question versus a contract amendment.

Marsh Sue Lustig, City of Cotati, reminded the group the SCWMA has a responsibility to find any new vendors recently entering the industry.

Henry Mikus, Executive Director, acknowledged the reason staff recommended extending the contract is the potential cost increase with a new contract versus the minimal additional cost being proposed with the extension.

Steve Barbose, City of Sonoma, expressed favor of issuing a Request for Proposals.

Chair Kirn asked for a motion to continue the item to the next meeting.

**Steve Barbose, City of Sonoma moved to continue the Item #10 to the next meeting. Dell Tredinnick seconded. Petaluma and Sebastopol were absent. Motion passed.**

**11. Oil Payment Program (OPP) Grant Planned Expenditures**

Lisa Steinman reported the OPP grant will have a one-time surplus that must be spent by June 30, 2012, the end of the fiscal year, so she has compiled a list of suggested expenditures. Staff recommends a contract amendment with C<sup>2</sup> Alternative Services for additional education and outreach for used oil. It is also recommends using the additional funds for radio and advertising.

**Public Comment**

None.

**Board Comments**

None.

**Susan Klassen, County of Sonoma, moved to continue Item #11 to the next Board meeting. Linda Babonis, Rohnert Park, seconded. Petaluma and Sebastopol were absent. Motion passed.**

**13. Updated Resolution for CalRecycle Grants**

Patrick Carter requested the current resolution, which references the now non-existent California Integrated Waste Management Board, be updated to reflect the role of CalRecycle and extend the resolution term 5 years.

**Public Comment**

None.

**Board Comments**

None.

**Susan Klassen, County of Sonoma, moved to approve the revised Resolution. Marsha Sue Lustig, City of Cotati, seconded. Petaluma and Sebastopol were absent. Motion carried.**

**14. Boardmember Comments**

None.

**15. Staff Comments**

None.

**16. Next SCWMA Meeting – January 18, 2012**

**17. Adjournment**

Meeting adjourned at 10:23 a.m.

Respectfully submitted,  
Debra Dowdell

Distributed at meeting:  
Requested additions and changes to the Request for Qualification from Sonoma Compost Company