



MINUTES OF NOVEMBER 19, 2008

The Sonoma County Waste Management Agency met on November 19, 2008, at the City of Santa Rosa Utilities Department's Subregional Water Reclamation System Laguna Plant, 4300 Llano Road, Santa Rosa, California.

PRESENT:

City of Rohnert Park	Tim Smith, Chair
City of Cotati	Marsha Sue Lustig
City of Healdsburg	Mike Kirn
City of Petaluma	Vince Marengo
City of Santa Rosa	Greg Scoles
City of Sebastopol	Sue Kelly
Town of Windsor	Christa Johnson
County of Sonoma	Susan Klassen

STAFF PRESENT:

Executive Director	Mollie Mangerich
Counsel	Janet Coleson
Staff	Patrick Carter
	Karina Chilcott
	Charlotte Fisher
Recorder	Elizabeth Koetke

ABSENT

City of Cloverdale
City of Sonoma

- 1. CALL TO ORDER SPECIAL MEETING**
The special meeting was called to order at 8:35 a.m.
- 2. OPEN CLOSED SESSION**
PUBLIC EMPLOYEE PERFORMANCE EVALUATION TITLE: AGENCY COUNSEL
GOVERNMENT CODE SECTION 54957(b) (1) & (4)
- 3. ADJOURN CLOSED SESSION**
No report.
- 4. CALL TO ORDER REGULAR MEETING/INTRODUCTIONS**
The regular meeting was called to order at 9:17 a.m.
- 5. ATTACHMENTS/CORRESPONDENCE**
Chairman Smith, called attention to the Director's Agenda Notes and Letters of Support.
- 6. ON FILE WITH CLERK**
There were no resolutions from the October 15, 2008 meeting.
- 7. PUBLIC COMMENTS (items not on the agenda)**
There were no public comments.

CONSENT

- 8.1 Minutes of October 15, 2008
- 8.2 Compost Relocation Update
- 8.3 FY 08-09 First Quarter Financial Report
- 8.4 FY 06-07 SCWMA Audit

Susan Klassen, County of Sonoma, moved to approve the consent calendar. Marsha Sue Lustig, Cotati, seconded. Consent calendar approved. City of Cloverdale, City of Sonoma, absent.

REGULAR CALENDAR

DIVERSION

9.1 PLASTIC BAG UPDATE (CONTINUED FROM SEPTEMBER MEETING)

Patrick Carter gave an update on the City of Fairfax. The city had originally attempted to establish a mandatory ban on plastic bags, but changed the ordinance to a voluntary ban when confronted with a lawsuit from entities representing the plastic bag industry. A citizens group took up the cause and put it on the ballot for this past election on November 4th and the item passed overwhelmingly at around 78%. The implementation of the measure will cover all stores, shops, eating places, food vendors, and retail food vendors requiring them to provide only recyclable bags or reusable bags at the point of sale.

Mr. Carter said it was his understanding that if a referendum takes place due to a citizens group, it does not require that a CEQA be done.

Janet Coleson, Agency Counsel, concurred.

Mr. Carter continued with information about other cities. Oakland had a plastic bag ban that was challenged in court. The city lost the ruling and decided not to appeal the decision. Los Angeles City Council voted to ban plastic carry-out bags unless a \$0.25 or more fee was imposed by the state by July 1, 2010. The City of Seattle has approved legislation to enact a \$0.20 fee on all paper and plastic carry-out bags from convenience, drug and grocery stores. New York City is proposing a \$0.06 fee on plastic bags. Santa Clara County is examining some sort of fee structure that would put fees on paper and plastic bags and would be charged directly to the customers, rather than the stores. This policy would be allowable because of AB 2449, which preempted cities and counties from imposing fees on plastic bags directly to stores. This method would impose the fee directly on the customers, not the stores.

AB 2058, which would have imposed statewide fees on paper plastic bags failed passage through the California legislature.

Regarding funding impacts, if the Board is interested in looking at an EIR to study the banning of plastic bags, staff estimates it would cost approximately \$175,000. Other options include an effort to focus on education; \$3,000 has been budgeted in the FY 08-09 to support BayRoc media events. Staff can also continue to monitor the state legislature in the next session for new bills that are similar to AB 2058.

Staff recommends continuing education efforts with BayRoc and continuing monitoring the state legislature.

Sue Kelly, City of Sebastopol, asked if anyone else has done an EIR on plastic bags.

Ms. Coleson, Agency Counsel, said no.

Susan Klassen, County of Sonoma, asked if the City of Fairfax were assessing any fees for an EIR study and were they exploring any type of enforcement mechanism.

Mr. Carter said he didn't believe there were any fees associated with that, that it was strictly a ban on non-recyclable plastic bags.

Ms. Coleson, Agency Counsel, interjected that it's a citizen's initiative. Oftentimes citizens' initiatives have the idea, but don't know how to implement it or enforce it.

Ms. Klassen said she would be interested in tracking Fairfax to see what happens.

Chair Smith welcomed public comments.

Will Bakx, Sonoma Compost Company, said compostable plastic is a problem for their company. Well-intentioned consumers buy it thinking they are doing a good thing instead of buying plastic, but for their company it's a contaminant. He would like to work with Agency staff on educational effort to address this issue.

Vince Marengo, Petaluma, moved to approve the staff recommendation focusing on education, the promotion of reusable bags and the monitoring of state legislation for bills like AB 2058. Sue Kelly, Sebastopol, seconded. City of Cloverdale and City of Sonoma, absent.

PLANNING

10.1 CONSTRUCTION AND DEMOLITION WASTE AND LARGE EVENTS / VENUES POLICIES

Patrick Carter said staff is returning with a successful proposal for the Construction and Demolition Waste and Large Events / Venues policies RFP. In the preparation of this year's budget, staff identified C&D and Large Events as major issues to tackle. C & D was approximately 27% of Sonoma County's waste stream as identified in the Waste Characterization Study. Through the annual report process with the CIWMB, staff identified that Large Events and Venues are supposed to have recycling plans in place under AB 2176. Unfortunately staff has found that they are largely not in place.

Three proposals were received; the proposers include HDR, R3 Consulting Group, and SCS Engineers. Using the scoring criteria included in the RFP, staff evaluated each proposal and concluded that SCS Engineers' proposal most closely matched the intent of the RFP. While staff is confident all three proposers are sufficiently qualified and experienced to implement the project, staff concluded the proposal submitted by SCS Engineers demonstrated a higher level of understanding of the SCWMA's intent and a greater level of expertise with issues involving Large Events and Venues.

One change was made to the agreement after the agenda packet was distributed. The termination date was changed from March 1, 2009 to May 1, 2009.

Leslie Luckas, SCS Engineering, introduced herself to the Board, she is well-versed on this subject.

Vince Marengo, Petaluma, moved to approve the agreement with SCS Engineers for their services. Christa Johnson, Town of Windsor, seconded. City of Cloverdale and City of Sonoma, absent.

Chairman Smith addressed agenda item 12, prior to agenda item 11.

12. STAFF COMMENTS

Karina Chilcott reported that ASL Recycling held their first e-waste collection event at Friedman's Home Improvement Center in Santa Rosa on November 8th & 9th, the first

day of the event there were 167 cars and the second day there were 125 cars. The next event is going to be at the Friedman's Home Improvement Center in Sonoma on December 13th & 14th. A third event is scheduled for January 10th at the Whole Foods in Petaluma.

11. BOARDMEMBER COMMENTS

Chairman Smith asked staff if there would be a December meeting.

Mollie Mangerich, Executive Director said there is no business to bring forward to a December meeting. We can resume in January.

Sue Kelly, City of Sebastopol, thanked Chairman Smith for serving as chair for 2008 and for his years of service to the Agency.

Mollie Mangerich presented Tim Smith with a certificate of appreciation.

Chairman Smith said he had provided the article on 'Trash to Energy' that was distributed at the meeting.

Chairman Smith commented that the Agency has a wonderful vice-chair and chair pro-tempore, and should they be voted in as chair and vice-Chair of the Agency in 2009 he believes they will do a fine job. He also thanked the Board for the opportunity to serve on this Board.

13. ADJOURNMENT

Meeting adjourned at 9:48 a.m.

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

Home Compost Education and Pesticide Use Reduction Education Program Report 2007-08.

The Compost Club Newsletter

Newspaper Article 'Sacramento Trash-to-Energy Plan Raises Red Flags'

Sonoma Compost Company Monthly Reports for July and August 2008

E-Waste Driver Flyer

Respectfully submitted,
Elizabeth Koetke