



MINUTES OF DECEMBER 2, 2009

The Sonoma County Waste Management Agency met on December 2, 2009, for a Special Meeting at the Board of Supervisors Chambers, 575 Administration Drive, Room 100A, Santa Rosa, California 95403.

**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	Phil Demery

**STAFF PRESENT:**

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

**1. CALL TO ORDER SPECIAL MEETING/INTRODUCTIONS**

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

**2. ATTACHMENTS/CORRESPONDENCE**

Chair Marengo, called attention to the Director's Agenda Notes

**3. ON FILE WITH CLERK**

Chairman Marengo noted the resolution approved in October 2009, on file with the clerk.

**4. PUBLIC COMMENTS (items not on the agenda)**

Ken Wells, Guiding Sustainability, reported that the California Product Stewardship Council (CPSC) was awarded a grant through Del Norte and the California Integrated Waste Management Board (CIWMB) to provide education about Extended Producer Responsibility (EPR). The funding is available to provide support to local governments in terms of adopting policies as well as support for resolutions. Ken Wells offered to assist any cities interested in adopting a policy. The contract is a 2 year contract and the SCWMA was the first regional agency in California to adopt EPR and helped to create the CPSC. The cities of Petaluma and Rohnert Park have adopted EPR resolutions.

CONSENT

**5.1 Minutes of October 21, 2009**

**5.2 3<sup>rd</sup> Amendment to the Agreement with ESA for Consulting Services for Compost Relocation Project**

**5.3 Home Composting Annual Report**

- 5.4 Carryout Bag Update
- 5.5 First Quarter Financial Report
- 5.6 Emergency Response Agreement for HHW
- 5.7 Sonoma Compost Monthly Reports
- 5.8 EPR Update

Christa Johnson, Windsor, asked that items 5.3 and 5.6 be pulled from the consent calendar.

Marsha Sue Lustig, Cotati, moved to approve items 5.1, 5.2, 5.4, 5.5, 5.7 & 5.8. Dell Tredinnick, Santa Rosa, seconded. Motion passed.

#### 5.3 Home Composting Annual Report

Ms. Johnson noted that Windsor's Farmers Markets had been excluded from the list of events attended by the Master Gardner's. Windsor schools had not been included either, she would like to see them both included as presentation sites in the future.

Ms. Lustig added that the elementary school in Cotati had not been visited, and she encouraged the Master Gardner's to make contact with Thomas Page School.

Christa Johnson, Windsor, moved to approve this item, Marsha Sue Lustig, Cotati, seconded. Item 5.3 approved.

#### 5.6 Emergency Response Agreement for HHW

After much discussion, the Boardmembers agreed to continue this item to the January 20, 2010 meeting.

### REGULAR CALENDAR

#### HOUSEHOLD HAZARDOUS WASTE

##### **6.1 CONTRACT AWARD FOR HOUSEHOLD HAZARDOUS WASTE FACILITY EXPANSION**

Chairman Marengo explained that this item had been discussed at two previous board meetings, and asked the Boardmembers if they had any additional questions or comments on this item before the vote.

Dell Tredinnick, Santa Rosa, moved to approve the award of a construction contract for the Central Disposal Site Household Hazardous Waste Facility Expansion (Project No. 6180) to Page Construction Company in the amount not to exceed \$191,142 and to authorize the Chair to execute the construction contract with Page Construction Company. Christa Johnson, Windsor, seconded. Motion approved unanimously.

##### **6.2 MOU FOR SPUD POINT MARINA DOCKSIDE PUMP**

Ms. Steinman presented the staff report and recommended approval of the Memorandum of Understanding, which would require the Agency to pay \$8,181.59 to Sonoma County Regional Parks Department for a dock-side pump out machine. The CIWMB will then reimburse the Agency from the 14<sup>th</sup> Cycle Used Oil Block Grant. This is a onetime expense and there shall be no additional costs to the Agency from approving this MOU.

Chairman Marengo directed staff to follow-up on questions raised by the City of Santa Rosa regarding whether there a charge for boat owners to use the pumps there a permanent solution? Who owns the pump after a permanent solution is found?

Ms. Steinman explained that there currently isn't a permanent solution. The pump will be the property of the Regional Parks Department not the Agency. Ms. Steinman offered to check with the CIWMB Grant manager to find out if there is a time limit the pump would need to be at the site since it would be paid for by grant funds.

**Steve Barbose, Sonoma, moved to approve the MOU between the Sonoma County Waste Management Agency and the County of Sonoma. Dell Tredinnick, Santa Rosa, seconded. Motion approved.**

## ORGANICS

### **7.1 SONOMA COMPOST COMPANY Seventh AMENDMENT**

Susan Klassen, Executive Director, explained this item has two parts; there's a commitment to reimburse the Contractor as per the existing Agreement and a response to a request for extension of the Agreement by the Contractor.

The Contractor and the Bay Area Air Quality Management District have been working to get the 1,000 horsepower engine on the grinder into compliance of new air district requirements. The Contractor has explored options and determined the most cost effective option is to install a new engine on the existing grinder. The total cost of installation of a new engine, grinder rental, permits and taxes is \$184,799, under the terms of the existing Agreement if an event like this occurs, the Contractor is obligated to pick up the first \$100,000 of such an expense and the Agency is obligated to pick up the rest.

Part two of this item involves extending the current Agreement past November 2010, to November 2011.

Alan Siegle, Sonoma Compost Company, said the request for extension makes sense until a new composting site is up and operational.

### **Public Comment**

Tim Smith, Lanahan & Reilly, on behalf of Sonoma Compost Company, said the primary issue is that as of July 2010, no more green waste can be accepted at Sonoma Compost Company unless the Agreement is extended.

Robert Hillman, described a process that takes all biomass, green waste included, and converts it to fuel. He expressed a desire to work with the other compost companies to divide feedstock.

### **Boardmember Comments**

**After much discussion by the Boardmembers, Steve Barbose made a motion to approve the appropriation transfer to reimburse the contractor per Section 4.2.2 in the existing Agreement. Dan Schwarz, Rohnert Park, seconded. The reimbursement to Sonoma Compost Company was approved unanimously.**

**With so much uncertainty around the compost site, staff was given direction to return to the January meeting with a discussion of an appropriate length of extension and if it should be tied to the opening of new facility. The extension of the Agreement was continued to the January 20, 2010 meeting.**

**Specific direction to staff was to strike all language regarding amortization when it comes back to the January meeting.**

**Dan Schwarz, Rohnert Park, suggested inviting the Contractor to speak at the January meeting and comment about the challenges of doing business with the uncertainty of the current situation. He requested a list of bullets enumerating what information is needed to move**

forward and a recommendation from the ED and her staff as to the length of an extension and why.

Mike Kirn, Healdsburg, expressed discomfort with the Section 16.1 of the Amendment “Normal Expiration effective 7/15/2011 County shall stop accepting wood and yard debris” he felt it was too broad and too all empowering to the County, and that it puts a big burden on the Agency and the Cities to find a home for that material. He inquired if there was ever a response to the Agency’s letter to Chairman Kelley?

Chairman Marengo asked staff to attach prior Agreements to the January 20, 2010 staff report.

*Chairman Marengo called for a break at 11:00 a.m.  
Meeting reconvened at 11:08 a.m.*

## **7.2 COMPOST RELOCATION UPDATE**

Mr. Carter explained that Environmental Science Associates was hired in August 2007 to assist the Agency with the selection, conceptual design and preparation of CEQA documents for a new compost site in Sonoma County. Updates on this project have been presented at subsequent meetings.

The Agency was made aware of a property adjacent to the existing compost facility, the Gray property. ESA visited that property in October to conduct a fatal flaw analysis. Potential actions include looking at different uses for the Gray property, adding the Gray property to the existing EIR at an additional cost, or using additional land at the Central Disposal site (approx 17 acres west of the current compost site) and constructing a detention pond on the Gray property to ensure zero discharge.

It would cost between \$50,000.00 to \$60,000.00 to include the analysis in the existing EIR.

Chairman Marengo was expressed interest in completing an EIR on the Gray property.

Jack Griffin, Sebastopol, suggested obtaining a grading analysis.

Paul Miller, ESA, said he spoke with HDR about a range of estimates and was told \$250,000.00 for the cut amounts would be a good estimate.

*Dan Schwarz returned to the meeting at 11:33 a.m.*

### **Public Comment**

Tim Smith, former SCWMA member, said the Board and staff should be congratulated for their hard work on this project. He felt it was unlikely that a new site would get a unanimous vote from the Agency Board, and if there was an opportunity to stay at the current site or expand the existing site, he hoped the Board would approve the funds to do that.

Margaret Coleberg, resident of Stage Gulch Road, presented a list of objections to placing a compost site at site #40 signed by six nearby residents.

**Direction was given to staff to return to the January meeting with a synopsis of the DEIR, look at the Gray property and the Central Disposal Site further and also bring the amendment to the ESA Agreement.**

## **7.3 GREEN HAULING AGREEMENT**

Susan Klassen said the current operation with transport of green waste and wood waste from the transfer stations to the compost facility is paid for by the Agency under the auspice of an existing agreement the County has for outhaul. Since divestiture is not going forward, all of the County

outhead Agreements will expire in August 2010. The Board of Supervisors gave direction to DTPW to do an RFP for transport and outhead of green waste. The County has offered to allow the Agency to be a part of the RFP for the transportation agreement. In the RFP, the County would set the rate for organics hauling from all of the transfer stations to the composting facility. The proposed rate would be based on FY 08-09 actual expenditures and tonnages. The set rate would also include an adjustment similar to the current formula, which is a computation involving a fuel cost adjustment and a CPI calculation. The Agency and County will need to enter into an agreement defining the process for reimbursement from the Agency to the County for the organics hauling. The County expects the operations and transportation agreement to become effective September 2010.

*Dell Tredinnick left the meeting at 12:03 p.m.*

**Dan Schwarz, Rohnert Park, moved staff's recommendation to join in with the County in the RFP process. Staff will return to the Board with a draft reimbursement Agreement between the County and the Agency. Jack Griffin, Sebastopol, seconded. Santa Rosa absent.**

## PLANNING

### **9.1 PUBLIC HEARING FOR CERTIFICATION OF FINAL SPEIR FOR COIWMP REVISION**

**This item was continued to the 1/20/2010 meeting.**

*Steve Barbose left the meeting at 12:21 p.m.*

### **9.2 EXTENSION OF ENVIRONMENTAL CONTRACT WITH ESA**

Mr. Carter explained the current project with ESA was expected to be completed by December 2, 2009, but any delays would require ESA to continue the project beyond December 31, 2009, and would require an extension of the current Agreement.

This Third Amendment would extend the termination date to June 30, 2010 to allow for project completion.

**Marsha Sue Lustig, Cotati, moved to approve the extension of the environmental contract with ESA. Dan Schwarz, Rohnert Park, seconded. Santa Rosa and Sonoma absent.**

*The Chair called a short recess at 12:25 p.m.*

*Marsha Sue Lustig left the meeting at 12:25 p.m.*

*Meeting reconvened at 12:35 p.m.*

## ADMINISTRATION

### **8.1 STAFFING SERVICES UPDATE (Continued from 10/21/2009 meeting)**

Direction was given to the staffing subcommittee to meet prior to the January meeting and work on a redlined draft agreement as well as a redlined draft of the position description and bring both of those documents to the January Agency meeting.

**This item was continued to the 1/20/2010 meeting.**

### **Public Comment**

Tim Smith, former SCWMA Boardmember, said one goal for the new Executive Director is to insure there is an Agency after 2017.

Ken Wells, Guiding Sustainability, commented that the South Napa/Vallejo Solid Waste Authority is currently recruiting for an Executive Director, the Agency may want to piggy back on their effort.

## **10. BOARDMEMBER COMMENTS**

Vince Marengo, summarized that items 5.6, 7.1, 7.2 (Part 2, extension of Agreement), 8.1 and 9.1 would be continued to the January 20, 2010 meeting.

Dan Schwarz, Rohnert Park, said he is challenged by what's required of the Agency. He requested that staff create a report to become a living document defining the Agency's mandates and activities the Agency Board decided it should do that is not mandated.

Chairman Marengo said there's a December 4, 2009 meeting 'Bay Area Hazardous Waste Management Facility Allocation Committee', some elected officials will attend and he would like to hear from staff a small synopsis of how that turns out.

Also, the CIWMB Climate Action Network, announced the release of a sample mandatory commercial recycling ordinance. Executive Director, Susan Klassen said that Yvonne Hunter, who helped develop that ordinance, spoke at a recent event she attended, she suggested inviting Yvonne to speak at an upcoming Agency meeting.

Dan Schwarz commented that he enjoyed meeting in the Board chambers and would entertain a discussion to move the meeting to the Board chambers or a similar meeting room.

Phil Demery announced that at the December 8<sup>th</sup>, 2009, Board of Supervisors meeting there will be a board action related to not just short term interim operations, but also a decision making model that engages City Councils, the Board and the public in defining long-term solid waste management strategies. An invitation letter was sent to City Managers, Mayors, and City Councils.

#### **11. STAFF COMMENTS**

Susan Klassen, reminded everyone of the annual shutdown of HHW Facility for maintenance from December 21<sup>st</sup> to January 6<sup>th</sup>.

#### **12. ADJOURNMENT**

Meeting adjourned at 1:05 p.m.

Respectfully submitted,  
Elizabeth Koetke

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

- Technical Memo Re: Composting Facility Site Evaluation – Gray property Fatal Flaw Analysis
- Letter from public concerning potential compost site #40
- Notice re: HHW Facility Closure 12/21/09 to 1/6/2010