



Minutes of February 19, 2014 Meeting

The Sonoma County Waste Management Agency met on February 19, 2014, 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	Jim Wood
City of Petaluma	Dan St. John
City of Rohnert Park	John McArthur
City of Santa Rosa	Jennifer Phillips
City of Sebastopol	Sue Kelly
City of Sonoma	Steve Barbose
County of Sonoma	Susan Klassen
Town of Windsor	Debora Fudge

Staff Present:

Counsel	Janet Coleson
Staff	Henry Mikus
	Patrick Carter
	Karina Chilcott
	Lisa Steinmann
Clerk	Rebecca Lankford

1. Call to Order

The meeting was called to order at 9:03 a.m.

2. Agenda Approval

Henry Mikus, Agency Executive Director, suggested moving Agenda Items 9 and 10 ahead of Items 6, 7, 8 and 5.

Jim Wood, Chair from City of Healdsburg, inquired if any board members were opposed to the suggested changes. With no opposition Mr. Wood confirmed the suggested changes to the regular calendar.

3. Public Comments (items not on the agenda)

Ann Hancock, representing the No Name Garbage Group (N.N.G.G), reported on a meeting of the group on February 6, 2014. Ms. Hancock stated the group discussed how they could support the Agency in taking action. The N.N.G.G believes that the Agency is a viable and valuable organization and wants the expiration date looked at immediately. While the N.N.G.G believes the expiration date is the most important issue to be addressed they would also like to see the Agency's unanimous vote requirements reconsidered.

Deb Fudge, Town of Windsor, arrived at 9:08am

Jens Kullberg, owner and operator of Stage Gulch Vineyards, stated he does not believe Site 40 should be selected as the new compost site. Mr. Kullberg believes that the increased fuel costs, increased labor costs, increase in road damage, greenhouse gas emissions, and, taking productive farmland out of production should be adequate reasons to not select the site. Mr. Kullberg noted that compost facilities pose many issues to vineyards such as airborne diseases, dust, insects, odor and particulate that may produce off flavored grapes which wineries are not accepting of. Mr. Kullberg indicated as a farmer the compost facility would devalue his grapes and put him out of business.

Roger Larsen, Happy Acres, presented a video to Board Members of a recent rain event and runoff at the Central Landfill Site. Mr. Larsen noted a large volume of water runoff that he believes is not compliant with the Site's zero-discharge requirement. Mr. Larsen described the pond runoff as black and odorous.

4. Consent (w/attachments)

- 4.1 Minutes of January 15, 2014
- 4.2 Recycle Guide Printing
- 4.3 2nd Quarter Financial Report
- 4.4 HHW Contract Draft RFP
- 4.5 Storm Drain Label Purchase
- 4.6 City/County Payment Program Authorization

Susan Harvey, City of Cotati, abstained from the vote of Item 4.1 the Minutes of January 15, 2014 due to her absence.

Dan St. John, City of Petaluma, moved to approve the Consent Calendar. Steve Barbose, City of Sonoma, seconded the motion. The motion passed, with the noted abstentions.

4.1 Vote Count:

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

4.2-4.6 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 -8- NOES -0- ABSENT -1- ABSTAIN -1-

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

Regular Calendar

5. FY 14-15 Draft Work Plan

Patrick Carter, Agency staff, presented the Fiscal Year 2014-2015 Draft Work Plan, noting it provides an insight into the programs Agency staff are looking at and planning for the upcoming fiscal year. Mr. Carter informed Board Members that staff would be looking for feedback regarding the programs and projects included in the plan. Mr. Carter highlighted several items included in the Work Plan. New and on-going projects forecasted for Organic Reserves include compost site relocation and the acquisition of a General Industrial Storm Water Permit. Agency renewal and the Waster Characterization Study are projects which have been accounted for under Contingency Reserve. Mr. Carter noted that the on-going expense of the Household Hazardous

Waste Facility is the largest planned expenditure for HHW, however, he noted funds and staff time have been allocated for a possible Extended Producer Responsibility Grant CalRecycle may offer. Mr. Carter also reported that consideration is being given to filling the vacant Waste Management Specialist position with an increased focus on education. The implementation of a program certifying C&D facilities has also been included in the FY14-15 Work Plan. Mr. Carter noted that the general administrative tasks as well tasks billed directly to the County of Sonoma remain relatively unchanged from the FY13-14 budget.

Board Questions

Mr. St. John asked what is being done or planned for the selection of a new compost site.

Mr. Mikus responded that he intends to have a draft RFP for engineering services prepared for Board approval by the April 2014 meeting; noting that the funding would come from the Organics Reserve as presented in 2.1 of the FY14-15 Work Plan.

Ms. Harvey stated that working on the Agency renewal is a top priority. She expressed concern over hiring a new staff member given the uncertainty of the Agency and asked if thought had been given to filling the position via a contractor until the future of the Agency is resolved.

Mr. Mikus acknowledged Ms. Harvey's concern. He explained that when the Waste Management Specialist position was left vacant two years ago its primary focus was on the compost program, which at the time was facing uncertainty. Mr. Mikus stated that a vacancy that was planned to last less than a year has now exceeded two years and has become a hardship on Agency Staff.

Ms. Fudge agreed with Ms. Harvey noting the Agency renewal should be a top priority,

Public Comments

Ernie Carpenter expressed his desire to ensure the Waste Characterization Study focuses on all waste, including that which goes out of the County and C&D.

Ken Wells strongly encouraged the Board to support the C&D Certification Program noting that it would provide consistency throughout the County and ensure the processing facilities are accurately reporting debris amounts. Mr. Wells also suggested the Agency engage the Local Task Force (LTF) for assistance with establishing the program.

Board Discussion

Sue Kelly, City of Sebastopol, asked for clarification regarding the storm water permit issues.

Mr. Mikus replied that the County of Sonoma currently holds a General Industrial Discharge Permit which covers the entire Central Landfill Site, however, it has been indicated tenants at the Site may become responsible for obtaining their own permits; this would include the Compost Facility and the HHW Facility.

Steve Barbose, City of Sonoma, asked Agency Staff to address the points raised by Mr. Carpenter regarding the Waste Characterization Study.

Mr. Carter explained that there is self-haul debris and debris from C&D processing facilities being taken out of the county system, which neither the County or the Agency receive funds for. Mr. Carter reported that in 2012 the County generated approximately 300,000 tons of garbage; about

240,000 tons were part of the county system, about 30,000 tons was generated in Petaluma and sent directly to the Redwood Landfill and the remaining 30,000 tons of material was taken to other landfills. Mr. Carter believes that at the direction of the Board, Agency staff could work with neighboring agencies to determine the source of the 30,000 tons taken out of the County.

Mr. St. John inquired about the required reporting the Agency completes on behalf of the cities, specifically regarding the diversion of C&D debris.

Mr. Carter indicated the Annual Report the Agency submits to CalRecycle focuses on the amount of material generated, what type of waste was generated and what diversion programs are in place in the jurisdiction; where the waste goes is not a focus of the report. Mr. Carter noted that there is information available to determine what material is going where and who is taking it there, but, at this time, how that information would be used has not been determined. Agency Staff would need direction from the Board regarding what to do with the information once it is obtained.

Mr. St. John clarified that CalRecycle does not require the Agency to address the flow of C&D debris in terms of reporting.

Mr. Carter responded affirmatively.

Mr. Mikus stated that there are a lot of materials that are not required to be reported.

Mr. St. John noted that the tonnage of biosolids shadows 30,000 tons per year yet it is not being counted.

Mr. Wood Reopened Public Comment

Jennifer Phillips, City of Santa Rosa, arrived at 9:30am.

Nea Bradford reported on her attendance at the Integrated Waste Management Meeting in Cotati on January 22, 2014. She believed the main point the neighbors of the Central Landfill Site wish to stress is that they do not want their neighborhood to become the slum of Sonoma County noting that they already have a landfill and recycling facility and should not have to have a compost facility as well.

Mr. Barbose, moved to approve the FY 14-15 Draft Work Plan. Ms. Harvey seconded the motion. The motion passed unanimously.

Vote:

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-
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6. Evaluation of Delivery Options of Agency Services

Mr. Mikus reported that at the December Strategic Planning Session Agency Staff received direction from the Board to acquire the services of a consultant to evaluate the Agency’s function and delivery options of the Agency’s current functions including those that are legally required,

those that may have a negative impact if ceased and those which are necessary for health and safety. Mr. Mikus stated the Agency received four responses to the Request for Proposals which had been issues; these were from: HDR, SCS Engineers, R3 Consulting and D. Edwards, Inc. Based on the firms' responses to the RFP and references Agency Staff recommends the Board authorize entering into an agreement with R3 Consulting for evaluation services.

Board Questions

None

Public Comments

Ken Wells, speaking as the Sierra Club's representative to the LTF, stated that the LTF believes the renewal of the JPA is of the highest importance and is willing to offer its services to the Agency as needed.

Board Discussion

Ms. Fudge noted that the Town of Windsor has contracted the services of R3 Consulting and was pleased with their methodical, unbiased work.

Mr. St. John also noted his satisfaction with R3 Consulting as the City of Petaluma has contracted their services as well.

Mr. Mikus stated that R3 Consulting has experience with multiple Agency jurisdictions in various capacities. Included in the proposal received from R3 Consulting they offered to engage members regarding their jurisdiction's ability to take on Agency provided tasks.

Ms. Harvey moved to approve the authorization of the Agency to enter into an agreement with R3 Consulting. Bob Cox, City of Cloverdale seconded the motion. The motion passed unanimously.

Vote:

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-
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7. Administrative Penalties Ordinance Second Reading

Mr. Carter reported this was the Second Reading of the Administrative Penalties Ordinance, which if passed, would allow the Agency the ability to enforce any ordinance it may enact. Mr. Carter reported that at the January 15, 2014 Board Meeting the ordinance was introduced and the reading was waived with a unanimous vote for approval. Mr. Carter reiterated this would be the second reading and formal adoption of the Administrative Penalties Ordinance.

Mr. Carter indicated Agency Staff recommends the Board vote to waive a full reading and adopt, by title only, AN ORDINANCE OF THE SONOMA COUNTY WASTE MANAGEMENT AGENCY RELATING TO ADMINISTRATIVE PENALTIES.

Board Questions

None

Public Comments

None

Board Discussion

Susan Klassen, County of Sonoma, moved to waive the full reading and adopt by Title only the Ordinance of the Sonoma County Waste Management Agency Relating to Administrative Penalties. Ms. Harvey seconded the motion. The motion passed unanimously.

Vote:

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-
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8. Carryout Bags Draft Outreach Program

Karina Chilcott, Agency Staff, provided a report highlighting the Agency’s plans for conducting necessary retailer and public outreach for successful implementation of the Agency’s proposed Carryout Bag Ordinance. Ms. Chilcott indicated Agency Staff recommends the Board direct staff to proceed with public and retailer education outreach.

Board Questions

None

Public Comments

None

Board Discussion

Based on a voice vote conducted by Mr. Wood, Agency Staff received direction to proceed with the necessary outreach.

9. Reusable Bags Project Purchase

Ms. Chilcott reported that at the January 16, 2013 SCWMA Board meeting, reusable bag public education activities took place in 2013 regardless of whether a carryout bag ordinance would be adopted by the Agency. At that time the Board approved the purchase of 8,000 polypropylene bags for \$12,340; Board member comments indicated that should it become necessary to reorder bags there would be a preference for a local or USA-made bag. Ms. Chilcott noted that after extensive research she found 14 reusable bag manufacturers in the United States with the bags costing on average triple that of their China-made counterparts.

Ms. Chilcott noted that the only local quote received for the proposed nylon bag design was from Bijan’s Protective Equipment (BPE) locating in Santa Rosa, CA. BPE has proposed to use nylon fabrics located in the United States. Their cost for 20,000 bags would be approximately \$59,000. The lowest big received for a similar nylon bag came from Simply + Green Solutions, Inc. which has offices in Alhambra, CA and manufacturing plants in China. Simply + Green Solutions, Inc. quoted

the cost of 20,000 bags between approximately \$30,000 and \$35,000.

Ms. Chilcott presented quotes she received from manufactures for Woven Polypropylene bags, noting all manufacturing of these bags take place in China.

Ms. Chilcott presented the Board with five scenarios for the purchase of the bags; she asked the Board for direction in the selection bags for purchasing, giving consideration to: location of manufacturing and material.

Board Questions

Mr. Mikus clarified that the funds for this purchase had originally been allocated for the for the Carryout Bag Ordinance EIR, however, the report came in significantly under what had been budget so the remaining funds were set aside for the purchase of reusable bags.

Mr. St. John asked if it was the intention of the Agency to give the bags away; suggesting a nominal fee as those receiving the bag may then place a higher value on it.

Mr. Mikus responded that one concern many jurisdictions expressed was the accessibility of reusable bags to members of the population who could not afford them; noting that Agency staff have partnered with human services to distribute bags to clients.

Mr. St. John indicated that he is not suggesting not giving them to people with a need but reiterated his concern that when products are given away typically little value is placed on them.

Mr. Carter explained that the Agency has historically used different “buy-in” tools ranging from suggested donations to signing a pledge sheet.

Public Comments

June Michaels expressed her excitement over a local manufacturer being able to produce reusable carryout bags. Ms. Michaels noted Bijian is a well-established company that contract primarily with the military to make padding and other equipment. Ms. Michaels believes that the company’s prices, turnaround time and ability to store and deliver product as needed make them a superior option.

Board Discussion

Ms. Fudge noted that the need for two types of bags exists, as people will likely not want to take their polypropylene bag into a department store or other similar retail establishment. Ms. Fudge also indicated she would like to see labeling on the nylon bag encouraging people to take it when shopping for things other than groceries.

Ms. Harvey also expressed her support of providing two different types of bags, noting that people will not want to put clothing in the same bag they put their groceries in. Additionally Ms. Harvey expressed her appreciation for Agency staff finding a local manufacturer.

Ms. Klassen expressed her support of providing two different types of bags as well. Ms. Klassen inquired if it would be possible with the nylon bag to include an attached pocket to stuff the bag itself into.

Ms. Chilcott replied that it is a concept she could explore if it were the desire of the Board.

Mr. St. John inquired if the purchase of the bags required a formal competitive bid.

Ms. Coleson noted that proposals were obtained by Agency staff in a manner compliant with the rules for the Agency.

Mr. Wood noted that the products are not all comparable, some are distinctly different.

Mr. Cox recommended Agency staff reach out to the Sonoma County Tourism Board to partner with them on the purchase of the nylon bag.

Mr. St. John asked why staff had not present a scenario where half the purchase was China made nylon bags and the other half was China made polypropylene.

Ms. Chilcott noted it was merely an oversight; she had created scenarios which she believed would best meet the Board's previously expressed preferences.

Mr. St. John stated that he had never seen a situation where the cost of a locally manufactured commodity opposed to an imported one has been so substantial. Mr. St. John noted his support of the overall goal but that he could not support the significant price difference.

Mr. Mikus stated when Agency staff proposed the initial reusable bag purchase there were interest from the Board in finding a local or domestic manufacturer for any subsequent purchases. Mr. Mikus noted that while the Bijian nylon bags are more expensive than the China-made nylon bags they are significantly more economical than other types of domestically made reusable bags. Mr. Mikus indicated at this time the Board is being asked to make a policy decision, to buy locally and more expensive or foreign and less expensive.

Ms. Fudge addressed Mr. St. John asking that if it be the general will of the Board to opt for a local manufacturer that he consider voting affirmatively to allow staff to proceed.

Mr. Wood clarified that currently the consensus of the Board is to proceed with the purchase of both the polypropylene bags and the nylon bags. He inquired if the vote could be split into two votes, one for each type of bag.

Mr. Barbose motioned to approve the purchase of 10,000 locally made nylon bags and 10,000 China-made polypropylene bags. Ms. Harvey seconded the motion.

Mr. St. John offered an amendment to the motion to change the quantity of bags purchased to 5,000 locally made nylon bags and 15,000 China-made bags instead of 10,000 locally made nylon bags/10,000 China-made recycled Woven Polypropylene bags.

Mr. Barbose asked for staff input regarding the need for the nylon bag, noting that many people already have bags for grocery shopping.

Ms. Chilcott responded that purchasing 10,000 of each type of bag would work best for outreach plans, also reiterating that bag preferences vary from person to person.

Ms. Coleson inquired if the amendment to the motion was accepted.

Mr. Barbose rejected the amendment to the motion.

Ms. Coleson recommended as the amendment to the motion was rejected that the Board vote on the motion and second currently presented.

Vote:

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

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

The motion carried with nine aye votes and one nay vote.

10. Carryout Bag Ordinance Second Reading

Mr. Carter indicated that the ordinance being presented to the Board is identical to the one approved unanimously at the January 15, 2014 Board Meeting except that the Carryout Bag Ordinance would become Ordinance 2014-02 instead of Ordinance 2014-01. Mr. Carter indicated that Agency Staff recommends the Board vote to waive full reading and adopt by Title only AN ORDINANCE OF THE BOARD OF DIRECTORS OF THE SONOMA COUNTY WASTE MANAGEMENT AGENCY ESTABLISHING A WASTE REDUCTION PROGRAM FOR CARRYOUT BAGS. As this would be considered a major program expansion, per the JPA agreement, approval of this ordinance requires a unanimous vote.

Board Questions

None

Public Comments

None

Board Discussion

Ms. Harvey motioned to waive full reading and adopt by Title only AN ORDINANCE OF THE BOARD OF DIRECTORS OF THE SONOMA COUNTY WASTE MANAGEMENT AGENCY ESTABLISHING A WASTE REDUCTION PROGRAM FOR CARRYOUT BAGS, establishing Ordinance 2014-02. Mr. Cox seconded. The motion passed unanimously.

Vote:

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-

11. Attachments/Correspondence:

11.1 Reports by Staff and Others:

11. 1. a February, March, and April 2014 Outreach Events

12. Board member Comments

Ms. Fudge thanked Agency Staff for preparing and issuing the RFP for the HHW contract. Ms. Fudge also expressed her pleasure with the new agenda form, noting it was easier to read.

Ms. Phillips announced that at the February 25, 2014 Santa Rosa City Council Meeting the Council would be considering an item which would replace her position on the SCWMA Board with a Council Member while making her the Alternate.

Ms. Harvey acknowledged the time and effort Agency Staff have dedicated to the Carryout Bag Ordinance.

13. Staff Comments

Mr. Mikus noted that changed format of the Agenda and asked Board Members to provide any feedback to him at their convenience.

Mr. Mikus also indicated that he would be discussing the Strategic Planning Session process with the Executive Committee and formulating a plan to bring to the Board.

Lisa Steinman, Agency Staff, announced three new PaintCare sites: Peterson Paints and Sherwin Williams both located in Petaluma, as well as Garrett Ace Hardware in Windsor.

14. Next SCWMA meeting: March 19, 2014

15. Adjourn

The meeting was adjourned at 11:10 A.M.

Submitted by
Rebecca Lankford