

SONOMA COUNTY WASTE MANAGEMENT AGENCY

Regular Meeting
February 21, 2007
9:00 a.m.

City of Santa Rosa Utilities Department
Subregional Water Reclamation System Laguna Plant
4300 Llano Road, Santa Rosa, CA 95407
Estuary Meeting Room

*****UNANIMOUS VOTE ON ITEMS #5.3, #8.2*****

AGENDA

<u>ITEM</u>	<u>ACTION</u>
1. Call to Order/Introductions	
2. <u>Attachments/Correspondence:</u> Director's Agenda Notes	
3. <u>On file w/Clerk: for copy call 565-3579</u> Resolutions approved January 17, 2007 2007-01 Electing Chair, Vice Chair, a Chair Pro Tempore	
4. Public Comments	
<u>CONSENT CALENDAR</u>	Discussion/Action
5.1 Minutes of January 17, 2007	
5.2 FY 06-07 Mid-Year Financial Report	
5.3 Appropriation Transfers	UNANIMOUS VOTE
5.4 Green Purchasing Policy	
<u>REGULAR CALENDAR</u>	
<u>HOUSEHOLD HAZARDOUS WASTE</u>	
6.1 Extension of Clean Harbors HHW Contract [Port](Attachment)	Discussion/Action
6.2 Status of HHW Program Recommendations Implementation Plan [Port](Attachment)	Discussion/Action
6.3 EPR Implementation Plan [Wells/R3 Consulting](Attachment)	Discussion/Action

EDUCATION

- | | | |
|-----|---|-------------------|
| 7.1 | Earth Day/Goodwill Donation Event Model
[Chilcott](Attachment) | Discussion/Action |
|-----|---|-------------------|

ADMINISTRATION

- | | | |
|-----|---|-----------------------|
| 8.1 | Work Plan FY 07-08
[Wells](Attachment) | Discussion/Action |
| 8.2 | FY 07-08 Proposed Draft Budget
[Wells](Attachment) | UNANIMOUS VOTE |
| 8.3 | Review of MOU for Staff Services
[Wells](Attachment) | Discussion/Action |

COMPOSTING/WOOD WASTE

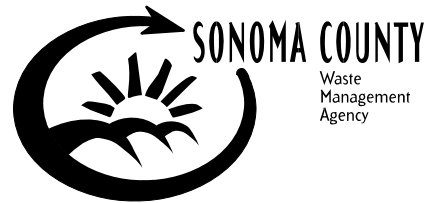
- | | | |
|-----|---|-------------------|
| 9.1 | New Compost Site Policy Direction
[Carter](Attachment) | Discussion/Action |
| 9.2 | Authorize RFP for New Compost Site/CEQA
[Carter](Attachment) | Discussion/Action |
| 9.3 | Compost Program Update
[Wells](Attachments) | Discussion/Action |
| 10. | Boardmember Comments | |
| 11. | Staff Comments | |
| 12. | Adjourn | |

CONSENT CALENDAR: These matters include routine financial and administrative actions and are usually approved by a single majority vote. Any Boardmember may remove an item from the consent calendar.

REGULAR CALENDAR: These items include significant and administrative actions of special interest and are classified by program area. The regular calendar also includes "Set Matters," which are noticed hearings, work sessions and public hearings.

PUBLIC COMMENTS: Pursuant to Rule 6, Rules of Governance of the Sonoma County Waste Management Agency, members of the public desiring to speak on items that are within the jurisdiction of the Agency shall have an opportunity at the beginning and during each regular meeting of the Agency. When recognized by the Chair, each person should give his/her name and address and limit comments to 3 minutes. Public comments will follow the staff report and subsequent Boardmember questions on that Agenda item, and before Boardmembers propose a motion to vote on any item.

DISABLED ACCOMMODATION: If you have a disability that requires the agenda materials to be in an alternative format or requires an interpreter or other person to assist you while attending this meeting, please contact Ken Wells at the Sonoma County Waste Management Agency Office at 2300 County Center Drive, Suite B100, Santa Rosa, (707) 565-3579, at least 72 hours prior to the meeting, to ensure arrangements for accommodation by the Agency.



MEMORANDUM

DATE: February 21, 2007
TO: SCWMA Board Members
FROM: Ken Wells, Director
SUBJECT: FEBRUARY 21, 2007 AGENDA NOTES

CONSENT CALENDAR

These items include routine financial and administrative items and **staff recommends that they be approved en masse by a single vote.** Any Board member may remove an item from the consent calendar for further discussion or a separate vote by bringing it to the attention of the Chair.

- 5.1) Approve Minutes of the January 17, 2007 SCWMA meeting.
- 5.2) FY 06-07 Mid-Year Financial Report In accordance with the JPA requirement that the Agency make quarterly financial reports of Agency operations, this report covers the Mid-Year Report for FY 2006-07. This Mid-Year Report uses information from the county accounting system (FAMIS) for expenses. Revenues include tipping fees through November 2006. The Mid-Year Report also contains the actual amounts spent or received to date, the projected revenues and expenses compared to the approved budget and the difference between the approved budget and the projections.
- 5.3) Appropriation Transfers. The Agency board approved the FY 2006-07 budget using an estimation of revenues and expenses. During the preparation of the Mid-Year Report, two cost centers (Wood Waste and Yard Debris) were identified as needing appropriation transfers for continued operations due to greater than anticipated quantity of organic material received for processing. **UNANIMOUS VOTE ITEM**
- 5.4) Green Purchasing Policy. The Agency is requested to renew its existing Green Purchasing Policy, which formalized the Agency's directive to purchase recycled content products. This is necessary to meet requirements for California Integrated Waste Management Board (CIWMB) grants, which amounted to \$470,000 for the Agency in FY 06-07. **Recommended Action: Staff recommends that the Board re-adopt the Green Purchasing Policy for the operation of the Agency and request each member jurisdiction adopt the policy or an equivalent, if not already adopted.**

REGULAR CALENDAR

HOUSEHOLD HAZARDOUS WASTE

- 6.1) Extension of Clean Harbors HHW Contract. As explained in the attached staff report, the current HHW program operations agreement with Clean Harbors expires January 6, 2008. Staff is seeking direction due to the need for adequate time in the event the Board decides to allow the Agreement to end and directs staff to conduct an RFP for a new HHW Service contractor. Adequate time will be needed to conduct the RFP, staff review, Board review and approval of a new contract, and implementation lead-time. **Recommended Action: Pursuant to Section 3.2 of the Agreement with Clean Harbors, direct staff to return with a two-year extension. Alternatively, direct staff to begin preparing an RFP for HHW collection and disposal services that would be effective January 2008, and include appropriate Board-selected recommendations from the HHW Program Evaluation.**

- 6.2) Status of HHW Program Recommendations Implementation Plan. To provide more detailed information about the recommendations, staff is getting input from Clean Harbors and meeting with local permitting agencies to determine the implications of the site operation changes. This information will assist staff in order to create a timeline as well as a priority list. The outcome of the research will be presented as a part of the implementation plan for the recommendations at the next scheduled Board meeting. **Recommended Action: No action is requested at this time.**
- 6.3) EPR Implementation Plan. As explained in the attached report, the Agency contracted with a consultant (R3 Consulting Group) to develop an implementation plan for a local take-back ordinance for household batteries and fluorescent lamps. The report provides a detailed overview of what is happening in the states and abroad with regard to Extended Producer Responsibility (EPR) and a proposed implementation plan. Heidi Sanborn, from R3 Consulting will present their findings. **Recommended Action: Direct staff to initiate the Implementation Plan developed by R3 Consulting Group.**

EDUCATION

- 7.1) Earth Day / Goodwill Donation Event Model. Conducting thrift store donation events provide an excellent opportunity for cities to increase awareness and participation in reuse. This model includes what was learned by conducting two recent events and makes recommendations for conducting future events. **No action requested.**

ADMINISTRATION

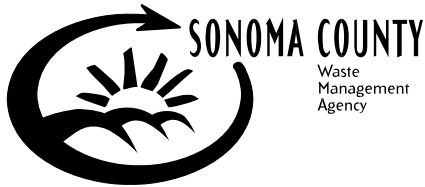
- 8.1) Work Plan FY 07-08. During the FY 06-07 budget process, the Board requested a project list in order to have a concise document containing a description of the Agency projects, contractor costs, staff costs, and percentage of operating budget. A Work Plan for FY 07-08 has been developed in a similar format to guide the FY 07-08 budget process. **Recommended Action: Adopt the FY 07-08 Work Plan for budget planning purposes.**
- 8.2) FY 07-08 Proposed Draft Budget. Preparation of the SCWMA's annual budget begins with direction and approval from the Board on a preliminary budget, establishing overall funding elements such as the tipping fee surcharge. This budget data is then included in the County's Transportation and Public Works Department budget. For Board Members' review and comment, the attached spreadsheets have two years of actual financial data (FY 04-05 and FY 05-06), the projections from the Mid-Year Financial Report for FY 06-07 (Agenda Item 5.2), and the proposed budget for FY 07-08. **Recommended Action: Approve the preliminary FY 07-08 budget with a UNANIMOUS VOTE.**
- 8.3) Review of MOU for Staff Services At the November 2006 Agency meeting a review of the MOU for Staffing Services was suggested. The Chair, Sue Kelly, noted that the review and any possible modification of the MOU is linked to the budget each fiscal year. **Recommended Action: Consider appointing an ad hoc MOU for Staffing Services review committee to consider changes to the MOU. If an ad hoc committee is appointed, direct it to review the MOU and return with any recommended changes for consideration by the Board.**

COMPOSTING/WOOD WASTE

- 9.1) New Compost Site Policy Direction. Staff is seeking Board direction with regard to the funding model it wishes to pursue in developing the new compost site. Such decisions must be made prior to authorizing a Request for Proposals for site selection, conceptual design and creation of CEQA documents. **Recommended Action: Direct staff to pursue a funding model that involves SCWMA purchase of the site and seeking a contract in which the contractor would develop the site and provide the necessary composting equipment.**
- 9.2) Authorize RFP for New Compost Site/CEQA. The SCWMA requires assistance from a qualified consultant to perform site selection, conceptual design, and creation of CEQA documents, including a project-level Environmental Impact Report. The Scope of

Services is attached for Board review and alteration, if necessary. **Recommended Action: Approve Scope of Services for the New Compost Site RFP and direct staff to issue a Request for Proposals for Compost Site Selection and CEQA Assistance.**

- 9.3) Compost Program Update Report. Staff will update Board members on the status of the composting program for yard debris and wood waste. Monthly reports for October, November and December are included in the February packet. **No action requested.**



Agenda Item #5.1

MINUTES OF JANUARY 17, 2007

The Sonoma County Waste Management Agency met on January 17, 2007, at the City of Santa Rosa Utilities Department's Subregional Water Reclamation System Laguna Plant, 4300 Llano Road, Santa Rosa, California.

PRESENT:

City of Sebastopol	Dave Brennan, Chair (2006)
City of Cotati	Terry Stubbings
City of Cloverdale	Gus Wolter
City of Healdsburg	Barbara Jason-White
City of Petaluma	Kevin Hornick
City of Rohnert Park	Linda Huntley
City of Sonoma	Mike Fuson
County of Sonoma	Dave Knight
Town of Windsor	Christa Johnson
City of Santa Rosa	Dell Tredinnick, Chair (2007)

STAFF PRESENT:

Director	Ken Wells
Counsel	Janet Coleson
Staff	Charlotte Fisher
	Patrick Carter
	Tammy Port
Recorder	Elizabeth Koetke

1. CALL TO ORDER

Chair, Dave Brennan, called the meeting to order at 9:05 a.m.

2. ATTACHMENTS/CORRESPONDENCE/CLERK

Dave Brennan, Chair, called attention to items on file with the clerk.

3. ON FILE WITH CLERK

- A. Resolution 2006-019 Recycling Guide
- B. Resolution 2006-020 Mini AT&T Yellow Pages
- C. Resolution 2006-021 Recycling Guide Tab
- D. Resolution 2006-022 California Product Stewardship Council (CPSC)

4. PUBLIC COMMENTS

There were no public comments.

5. ELECTION OF 2007 OFFICERS

Dave Brennan, representative from Sebastopol, acting as Chair, asked for nominations for the Chair for 2007. Gus Wolter (Cloverdale) nominated Dell Tredinnick (Santa Rosa). Terry Stubbings (Cotati) seconded. Motion carried.

Chair Dell Tredinnick asked for nominations for Vice Chair for 2007. Dave Knight (Sonoma County) nominated Tim Smith (Rohnert Park) for the position of Vice Chair. Gus Wolter seconded. Motion carried.

Gus Wolter nominated Vince Marengo (Petaluma) as Chair Pro Tempore, Dave Knight seconded. Motion carried. **The new officers for 2007 are; Dell Tredinnick of Santa Rosa, Chair; Tim Smith of Rohnert Park, Vice-Chair; and Vince Marengo of Petaluma, Chair Pro Tempore.**

CONSENT

6.1 Minutes of December 20, 2006.

6.2 Sonoma Compost 2007 Marketing Plan.

6.3 Eco-Desk Annual Report.

Mike Fuson, Sonoma, moved to approve the consent calendar. Barbara Jason-White, Healdsburg, seconded. Consent calendar approved.

PLANNING

7.1 APPROVAL FOR AGREEMENT FOR WASTE CHARACTERIZATION STUDY

Tammy Port reported that this agenda item requests approval of a Waste Characterization Study. In 1991 a waste generation study was performed to establish a base year for waste disposal and recycling rates in Sonoma County as required by AB 939.

In 1995/1996 a detailed waste characterization study was done to identify and target specific waste streams for diversion efforts. Another waste characterization study was included in the FY 06-07 Work Plan with funding in the FY 06-07 Budget to measure the impact of the implementation of single-stream recycling, progress of the household hazardous waste program, and help focus future efforts for diverting recyclables out of the waste stream. Staff was subsequently authorized to distribute a Request for Proposals (RFP) for a consultant to perform the study.

The RFP went out to 25 consulting firms that were believed capable of performing this type of work. Cascadia Consulting Group submitted the only proposal, with a final negotiated cost of \$100,000. Included in the staff report are details describing the Scope of Work and the cost of the various tasks. As this contract exceeds \$50,000, a unanimous vote is required. Alternatively, the waste characterization effort could be postponed to a future date.

Dave Brennan, Sebastopol, moved to approve the agreement for the Waste Characterization Study. Christa Johnson, Windsor, seconded. The motion was approved unanimously.

HOUSEHOLD HAZARDOUS WASTE

8.1 PRESENTATION OF FINAL REPORT ON EVALUATION OF HHW PROGRAM

Ken Wells explained that the Household Hazardous Waste (HHW) program is one of the Agency's most expensive programs. Based on its budget impact, staff was given direction last fiscal year to evaluate the program to see if there are any opportunities for cost efficiencies and to look for other funding sources. A copy of the Sonoma County Household Hazardous Waste Program Benchmarking and Program Evaluation was mailed to each Board member before this meeting. As there is a substantial amount of information and numerous recommendations, this review is likely to be continued into future meetings.

David Nightingale, a consultant from Special Waste Associates, gave a detailed PowerPoint presentation of the Evaluation that was prepared by Sweetser & Associates and Special Waste Associates. The presentation included a history of the Sonoma County HHW program, current SCWMA program components, a survey of 5 other California HHW programs; participation by community and program component in 2005, current infrastructure capacity, as well as potential infrastructure needs based on future

HHW participation projections. Recommendations covering better cost effectiveness, improving existing facility operations, and potential types of future collection facilities were described. Additionally, possible current facility expansion, other potential funding sources, and the need for product stewardship efforts were described.

Gus Wolter left the meeting at 10:25 a.m. (EK)

Barbara Jason-White, Healdsburg, said that she'd like to see the list of recommendations from the Evaluation dissected with a key points highlighted, along with estimated costs.

Dave Brennan, Sebastopol, said it made sense to deal with the deficiencies in the current program first, come back with specific recommendations and ask the Board to approve those recommendations.

Dave Brennan made a motion to for staff to come back with an implementation plan for the recommendations. Linda Huntley, Rohnert Park, seconded the motion. Motion passed.

Terry Stubbings left the meeting at 10:30 a.m. (EK)

Ernie Carpenter, Industrial Carting, said that they have a C&D facility and they are not factored into this. He has no criticism of the HHW program, they are not permitted for toxics, so Industrial Carting is not in competition, they do not want them but they get them. Raising costs would impact Industrial Carting. Industrial Carting uses Romic and Ashbury, which would not work for individuals but does work for their company. Agency prices are already higher than competitors.

COMPOSTING/WOOD WASTE

9.1 NEW COMPOST SITE STATUS REPORT

Patrick Carter gave a brief PowerPoint presentation on the process to date for siting a new compost facility. The siting criteria approved by the Board previously include transportation impacts, neighborhood impacts, environmental impacts, site costs, land use designation, visual impacts of site and multi-use potential.

A new site operational description is described in detail in the Sonoma Countywide Composting Feasibility Study Final Report dated September 2005, which now includes a Technical Memorandum, completed in January 2007, that provides additional cost estimates.

The process for obtaining and developing a new compost site is complex and time consuming and should be completed as soon as possible as the current compost services agreement ends in 2010.

There is no action requested on this item today, but staff will be seeking more direction next month from the Board in terms of the funding approach, and an RFP for consultant support for identifying and evaluating parcels and the CEQA process. Further down the road, acquiring a site and choosing an operator to run the program will be necessary.

Linda Huntley, Rohnert Park, expressed concern about the estimated cost of acreage in the report, which was \$10,000/acre.

Patrick Carter acknowledged that the land cost estimate appears low and said the actual costs likely would be higher.

Dell Tredinnick, Chair, asked if it would be possible for staff to present some possible sites at the next meeting.

Ken Wells said staff has the ability to come up with some potential sites, however we don't have the capability to prepare the CEQA document. Staff is recommending that we distribute an RFP for consultants and combine site selection and the CEQA documentation.

Dave Knight, County of Sonoma, asked what the cost of a consultant could be.

Ken Wells said for the proposed work, possibly in the \$200,000 to \$300,000 range.

Alan Siegle, Sonoma Compost said they would assist the Agency in any way that they can.

10. BOARD MEMBER COMMENTS

Janet Coleson, Agency Counsel, said at the last meeting she was asked a few questions, one was about sustainable funding, and the other was about Proposition 218. She distributed copies of memos addressing those questions.

Barbara Jason-White said there would be a new Board member from Healdsburg at the next meeting, Marjorie Pettus, Assistant City Manager. She asked that George Hicks be removed from the Agency list.

Dell Tredinnick, Chair, suggested getting a Certificate of Appreciation for Sue Kelly who served on the Board for so many years.

Ken Wells said if it suits the Board, he would make a presentation to Ms. Kelly at a future Sebastopol City Council Meeting.

11. STAFF COMMENTS

There were no staff comments.

Alan Siegle, Sonoma Compost, said he would like to thank Barbara Jason-White for all her years of service on the Board.

Barbara Jason-White, Healdsburg, thanked Alan and commented about how much she loves the SCWMA logo.

12. ADJOURN

Meeting adjourned at 11:15 a.m.

Distributed at meeting:

Memo from Agency Counsel Regarding Question on Sustainable Funding Discussion.

Memo from Agency Counsel on Proposition 218.

Handout on Sonoma County HHW Program Benchmarking and Program Evaluation from Sweetser and Associates and Special Waste Associates.

Respectfully submitted,
Elizabeth Koetke



Agenda Item #: 5.2
Cost Center: All
Staff Contact: Wells/Fisher
Meeting Date: 2/21/07

ITEM: FY 06-07 Mid-Year Financial Report

I. BACKGROUND

In accordance with the JPA requirement that the Agency make quarterly reports of Agency operations and of all receipts to and disbursements from the Agency, this staff report covers the Mid-Year Report for FY 06-07.

II. FUNDING IMPACT

This Mid-Year Report uses information from the county accounting system (FAMIS) for expenses. Revenues include tipping fees through November 2006. The Mid-Year Report also contains the actual amounts spent or received to date, the projected revenues and expenses, the approved budget and the difference between the approved budget and the projections.

Wood Waste Cost Center

Revenues are \$47,466 over budget due to Interest on Pooled Cash, \$8,328, being accrued on the undesignated funds that were not transferred to the Organics Reserve yet. Tipping Fee Revenue is over budget, \$16,464, due to increased tons of material being delivered to the composting site for processing. Sale of Material is over budget, \$18,674, for the same reason.

Donations/Reimbursements is over budget, \$4,000, due to revenues from FY 05-06 being deposited this fiscal year.

Expenses are \$13,071 over budget due to increased Contract Services, \$14,059, reflecting the increased tons of material to be processed by the contractor. Legal Services are expected to be under budget due to less than anticipated required legal advice.

Yard Debris

Revenues are \$255,293 over budget due to Interest on Pooled Cash, \$44,407, being accrued on the undesignated funds that were not transferred to the Organics Reserve yet. Tipping Fee Revenue is over budget, \$135,760, due to increased tons of material being delivered to the composting site for processing. Sale of Material is over budget, \$69,126, for the same reason.

Donations/Reimbursements is over budget, \$6,000, due to revenues from FY 05-06 Sale of Material being deposited this fiscal year.

Expenses are \$113,108 over budget due to increased Contract Services, \$111,540, reflecting the increased tons of material to be processed by the contractor. Legal Services are expected to be over budget due to more than anticipated required legal advice.

Household Hazardous Waste

Revenues are expected to be \$15,897 under budget due to less tonnage being disposed of at the county's facilities resulting in a reduced surcharge tipping fee, \$44,594. Interest on Pooled Cash is over budget, \$28,697, due to interest being accrued on undesignated funds that were not transferred to the HHW Operations Reserve.

Expenses (Service and Supplies) are \$143,631 under budget. Office Expense is \$9,447 under budget because there is less supplies needed for e-waste than was anticipated. Contract Services is \$115,000 under budget due to less expense associated with the e-waste program. The

reduction is the result of changed legislation and a new contract for disposal. Administration Costs are \$21,983 under budget due to a vacancy in the Integrated Waste Specialist position for three months at the beginning of the fiscal year. Legal Services is \$4,201 over budget due to a greater than anticipated need for legal advice resulting from the sale of the company contracted to operate the HHW facility and all the accompanying documentation.

Education

Revenues are expected to be \$3,994 over budget. Interest on Pooled Cash is over budget, \$13,082, due to interest being accrued on undesignated funds that were not transferred to the Contingency Reserve. The lower surcharge tipping fee, \$9,088 is due to less tonnage being disposed of at the county's facilities.

Expenses are projected to be \$2,857 under budget with Service and Supplies being \$2,857 under budget. Administration Costs are \$7,521 under budget due to a vacancy in the Integrated Waste Specialist position for three months at the beginning of the fiscal year. Legal Services is \$4,972 over budget due to personnel issues.

Diversion

Revenues are expected to be \$2,646 under budget due to less than anticipated Interest on Pooled Cash, which is interest calculated on the grant funds from the Beverage Container Recycling Grant from the Department of Conservation. The lower surcharge tipping fee, \$1,454 is due to less tonnage being disposed of at the county's facilities.

Expenses (Service and Supplies) are \$6,099 under budget primarily because Administration Costs are \$5,564 under budget due to a vacancy in the Integrated Waste Specialist position for three months at the beginning of the fiscal year.

Planning

Revenues are \$3,384 under budget. Interest on Pooled Cash is over budget, \$2,069, due to interest being accrued on undesignated funds that were not transferred to the Contingency Reserve. The lower surcharge tipping fee, \$5,453 is due to less tonnage being disposed of at the county's facilities.

Expenses are projected to be \$25,401 under budget with Administration Costs being \$25,862 less than anticipated as a result of Integrated Waste Specialist vacancy

Organics Reserve

At the Mid-Year, the Organics Reserve is projected to be \$15,279 under budget due to less than anticipated funds being contributed to the reserve from the Wood Waste and Yard Debris cost centers due to less interest being earned on pooled cash than was originally budgeted.

HHW Facility Closure Reserve

The reserve fund for the closure of the HHW facility is projected to be \$781 under budget due to less interest earned of the pooled cash than was budgeted. The long-term projection is that the appropriate amount of funds will be available when the time comes for the facility to be closed.

HHW Operations Reserve

The reserve contributions from prior year undesignated funds from the HHW cost center are \$385,766 less than budgeted. At the Mid-Year, the HHW cost center is projected to contribute \$81,293 to the reserve. This potentially could change by the third quarter and will be reflected in the Third Quarter Financial Report. The HHW Operations Reserve was created with the 2006 policy and has just begun collecting reserves; therefore the interest earned on the pooled cash is a part of the contribution.

Contingency

The anticipated expenses were a transfer of funds from the Contingency Reserve to the HHW cost center. At the mid-year, this transfer does not appear to be necessary resulting in the expenses being \$386,147 under budget.

The interest earned on the pooled cash is \$381 over budget.

III. RECOMMENDED ACTION / ALTERNATIVES TO RECOMMENDATION

Staff recommends approving the Mid-Year Financial Report on the Consent Calendar.

IV. ATTACHMENT

Mid-Year 06-07 Revenue and Expenditure Comparison Summary

**MID-YEAR 06-07 REVENUE AND EXPENDITURE SUMMARY AND PROJECTION
SONOMA COUNTY WASTE MANAGEMENT AGENCY**

INDE 799114, 799213, 799312, 799411,
799510, 799619, 799221, 799320, 799338

PREPARED BY: CHARLOTTE FISHER

DIRECTOR: _____
KEN WELLS

A. SUMMARY OF PROJECTIONS

	FY 06-07 Adopted Budget	Adjustment	FY 06-07 Adjusted Budget	FY 06-07 Projection	Over/(Under) Budget
TOTAL EXPENDITURES	8,540,232	0	8,540,232	8,102,657	(437,575)
TOTAL REVENUES	8,308,041	0	8,308,041	8,191,422	(116,619)
NET COST	232,191	0	232,191	(88,765)	(320,956)

B. SUMMARY OF EXPENDITURES

	Actual July 06-Dec 06	Expense Estimated Jan-Jun 07	Total Estimated FY 06-07	Adjusted Budget FY 06-07	Over/(Under) Budget
SERVICES & SUPPLIES	2,124,132	3,485,335	5,609,447	5,661,256	(51,809)
OTHER CHARGES	0	2,493,210	2,493,210	2,878,976	(385,766)
TOTAL EXPENDITURES	2,124,132	5,978,545	8,102,657	8,540,232	(437,575)

C. SUMMARY OF REVENUES

	Actual July 06-Dec 06	Revenue Estimated Jan-Jun 07	Total Estimated FY 06-07	Adjusted Budget FY 06-07	Over/(Under) Budget
INTEREST ON POOLED CASH	59,895	84,878	144,773	65,061	79,712
TIPPING FEE REVENUE	2,114,827	2,581,588	4,696,415	4,604,780	91,635
SALE OF MATERIAL	39,800	70,000	109,800	22,000	87,800
STATE-OTHER	119,478	495,522	615,000	615,000	0
OT-WITHIN ENTERPRISE	0	2,493,210	2,493,210	2,878,976	(385,766)
DONATIONS/REIMBURSEMENTS	10,000	122,224	132,224	122,224	10,000
TOTAL REVENUES	2,344,000	5,847,422	8,191,422	8,308,041	(116,619)

C. SUMMARY OF NET COSTS

	Actual July-Dec 06	Estimated Jan-Jun 07	Total Estimated FY 06-07	Adjusted Budget FY 06-07	Over/(Under) Budget
NET COST	(219,868)	131,123	(88,765)	232,191	(320,956)

**MID-YEAR 06-07 REVENUE AND EXPENDITURE SUMMARY AND PROJECTION
SONOMA COUNTY WASTE MANAGEMENT AGENCY**

INDE 799114 WOOD WASTE

PREPARED BY: CHARLOTTE FISHER

DIRECTOR: _____
KEN WELLS

A. SUMMARY OF PROJECTIONS

	FY 06-07 Adopted Budget	Adjustment	FY 06-07 Adjusted Budget	FY 06-07 Projection	Over/(Under) Budget
TOTAL EXPENDITURES	600,390	0	600,390	613,461	13,071
TOTAL REVENUES	307,840	0	307,840	355,306	47,466
NET COST	292,550	0	292,550	258,155	(34,395)

B. SUMMARY OF EXPENDITURES

	Actual July-Dec 06	Expenditure Estimated Jan-June 07	Total Estimated FY 06-07	Adjusted Budget FY 06-07	Over/(Under) Budget
SERVICES & SUPPLIES	140,663	173,469	314,132	301,061	13,071
OT WITHIN ENTERPRISE	0	299,329	299,329	299,329	0
TOTAL EXPENDITURES	140,663	180,248	320,911	600,390	13,071

Services and Supplies is projected to be \$13,071 over budget primarily as a result of:
Contract Services will be over budget due to increased tonnage of material being delivered to the composting site.
When the FY 06-07 budget was developed, it was estimated the tonnage would be 28 tons/day. The actual tonnages for the first half of FY 06-07 is 32 tons/day. This actual tonnage was used to estimate the cost for processing the additional material expected to be delivered to the composting site for the remainder of the fiscal year.

OT-WITHIN ENTERPRISE is estimated to be over budget \$46,294. This represents increased transfer of funds to the reserve account (Organics) due to increased material coming to the composting site.

C. SUMMARY OF REVENUES

	Actual July-Dec 06	Revenue Estimated Jan-June 07	Total Estimated FY 06-07	Adjusted Budget FY 06-07	Over/(Under) Budget
INTEREST ON POOLED CASH	3,470	4,858	8,328	0	8,328
TIPPING FEE REVENUE	145,445	172,859	318,304	301,840	16,464
SALE OF MATERIALS	9,674	15,000	24,674	6,000	18,674
DONATIONS/REIMBURSE	4,000	0	4,000	0	4,000
TOTAL REVENUES	162,589	192,717	355,306	307,840	47,466

Interest on Pooled Cash is anticipated to be \$8,328 over budget due to the delayed transfer of reserve funds to the Organics Reserve. These funds will be transferred at the end of FY 06-07 along with the increase that has been accrued during this fiscal year.
Tipping Fee Revenue will be \$16,464 over budget due to increased tonnage of material coming to the composting site for processing.
Sale of Materials is anticipated to be \$18,674 over budget due to increased sales of processed material.
Donations/Reimbursement is \$4,000 over budget due to shared revenue from FY 05-06 being deposited in FY 06-07

D. SUMMARY OF NET COST

Overall, the Wood Waste Cost Center net cost is anticipated to be \$11,899 over budget due to additional prior year funds transferred to the Organics Reserve and increased material being processed at the composting site with accompanying revenues, expenses and revenue sharing.

**MID-YEAR 06-07 REVENUE AND EXPENDITURE SUMMARY AND PROJECTION
SONOMA COUNTY WASTE MANAGEMENT AGENCY**

INDE 799213 YARD DEBRIS

PREPARED BY: CHARLOTTE FISHER

DIRECTOR: _____
KEN WELLS

A. SUMMARY OF PROJECTIONS

	FY 06-07 Adopted Budget	Adjustment	FY 06-07 Adjusted Budget	FY 06-07 Projection	Over/(Under) Budget
TOTAL EXPENDITURES	3,892,917	0	3,892,917	4,006,025	113,108
TOTAL REVENUES	2,595,440	0	2,595,440	2,850,733	255,293
NET COST	1,297,477	0	1,297,477	1,155,292	(142,185)

B. SUMMARY OF EXPENDITURES

	Actual July-Dec 06	Expenditure Estimated Jan-June 07	Total Estimated FY 06-07	Adjusted Budget FY 06-07	Over/(Under) Budget
SERVICES & SUPPLIES	1,066,990	1,351,227	2,418,217	2,305,089	113,108
OTHER CHARGES	0	1,587,828	1,587,828	1,587,828	0
TOTAL EXPENDITURES	1,066,990	2,939,055	4,006,045	3,892,917	113,108

Services and Supplies is projected to be \$113,108 over budget primarily as a result of:

Contract Services will be over budget due to increased tonnage of material being delivered to the composting site. When the FY 06-07 budget was developed, it was estimated the tonnage would be 211 tons/day. The actual tonnages for the first half of FY 06-07 is 222 tons/day. This actual tonnage was used to estimate the cost for processing the additional material expected to be delivered to the composting site for the remainder of the fiscal year.

Legal Services is anticipated to be \$1,897 over budget due to increased legal advice concerning sustainable funding OT-WITHIN ENTERPRISE is estimated to be over budget \$375,334. This represents increased transfer of funds to the reserve account (Organics) due to increased material coming to the composting site and additional prior year funds to be transferred.

C. SUMMARY OF REVENUES

	Actual Jul-Dec 06	Revenue Estimated Jan-Jun 07	Total Estimated FY 06-07	Adjusted Budget FY 06-07	Over/(Under) Budget
INTEREST ON POOLED CASH	18,503	25,904	44,407	0	44,407
TIPPING FEE REVENUE	1,276,503	1,438,697	2,715,200	2,579,440	135,760
SALE OF MATERIALS	30,126	55,000	85,126	16,000	69,126
DONATIONS/REIMBURSE	6,000	0	6,000	0	6,000
TOTAL REVENUES	1,331,132	1,519,601	2,850,733	2,595,440	255,293

Interest on Pooled Cash is anticipated to be \$44,407 over budget due to the delayed transfer of reserve funds to the Organics Reserve. These funds will be transferred at the end of FY 06-07 along with the interest that has been accrued during this fiscal year.

Tipping Fee Revenue will be \$135,760 over budget due to increased tonnage of material delivered for processing.

Sale of Materials is anticipated to be \$69,126 over budget due to increased sales of processed material.

Donations/Reimbursement is \$6,000 over budget due to shared revenue from FY 05-06 being deposited in FY 06-07

D. SUMMARY OF NET COST

Overall, the Yard Debris Cost Center net cost is anticipated to be \$233,149 over budget due to additional prior year funds transferred to the Organics Reserve and increased material being processed at the composting site with accompanying revenues, expenses and revenue sharing.

**MID-YEAR 06-07 REVENUE AND EXPENDITURE SUMMARY AND PROJECTION
SONOMA COUNTY WASTE MANAGEMENT AGENCY**

INDE 799312 HOUSEHOLD HAZARDOUS WASTE
799411 EDUCATION
799510 DIVERSION
799619 PLANNING

PREPARED BY: CHARLOTTE FISHER

DIRECTOR: _____
KEN WELLS

A. SUMMARY OF PROJECTIONS

	FY 06-07 Adopted Budget	Adjustment	FY 06-07 Adjusted Budget	FY 06-07 Projection	Over/(Under) Budget
TOTAL EXPENDITURES	3,661,159	0	3,661,159	3,483,171	(177,988)
TOTAL REVENUES	2,481,934	0	2,481,934	2,464,001	(17,933)
NET COST	1,179,225	0	1,179,225	1,019,170	(160,055)

B. SUMMARY OF EXPENDITURES

	Actual Jul-Dec 06	Expenditure Estimated Jan-June 07	Total Estimated FY 06-07	Adjusted Budget FY 06-07	Over/(Under) Budget
SERVICES & SUPPLIES	916,479	1,960,639	2,877,118	3,055,106	(177,988)
OTHER CHARGES	0	606,053	606,053	606,053	0
TOTAL EXPENDITURES	916,479	2,566,692	3,483,171	3,661,159	(177,988)

SERVICES AND SUPPLIES is projected to be \$177,988 under budget primarily as a result of the following

Household Hazardous Waste Cost Center

Office Expense is expected to be under budget by \$9,447 due to less than anticipated materials required for the e-waste program.

Administrative Costs is anticipated to be \$21,983 under budget due to personnel vacancies (Waste Specialist) for a portion of the fiscal year. The Agency became fully staffed in October 2006.

Contract Services will be \$115,000 under budget reflecting the savings from the new e-waste agreement.

Legal Services is anticipated to be \$4,201 over budget due to increased legal advice concerning the HHW operations contract and future funding options.

Education Cost Center

Administrative Costs is anticipated to be \$7,521 under budget due to personnel vacancies for a portion of the fiscal year.

Legal Services is anticipated to be \$4,972 over budget due to increase legal advice concerning personnel issues and future funding options and agenda review.

Diversion Cost Center

Administrative Costs is anticipated to be \$5,564 under budget due to personnel vacancies for a portion of the fiscal year.

The Agency became fully staffed in October 2006.

Planning Cost Center

Administrative Costs is anticipated to be \$25,862 under budget due to personnel vacancies for a portion of the fiscal year.

The Agency became fully staffed in October 2006.

OTHER CHARGES is projected to be \$1,552,659 over budget as a result of the following:

Household Hazardous Waste Cost Center

Prior Years' undesignated funds (\$1,532,072) from the HHW Cost Center were not included in the FY 06-07 budget when it was prepared.

The Reserve Policy, approved by the Board in 2006, directs that these funds less any current net cost, estimated at \$580,110, be transferred into the HHW Operations Reserve. This creates a net transfer to the HHW Operations Reserve of \$1,532,072 along with the budgeted transfer of \$6,667 to the HHW Closure Reserve.

Education Cost Center

Prior Years' undesignated funds from the Education Cost Center were \$119,855 greater than anticipated.

These funds are being transferred into the Contingency Reserve.

Diversion Cost Center

Prior Years' undesignated funds from the Diversion Cost Center were \$51,319 less than anticipated.

These funds are being transferred into the Contingency Reserve.

Planning Cost Center

Prior Years' undesignated funds from the Planning Cost Center were \$16,393 greater than anticipated plus \$16,951 unbudgeted current year OT-Within Enterprise. The total funds being transferred into the Contingency Reserve is \$33,344.

C. SUMMARY OF REVENUES

	Actual Jul-Dec 06	Revenue Estimated Jan-June 07	Total Estimated FY 06-07	Adjusted Budget FY 06-07	Over/(Under) Budget
INTEREST ON POOLED CASH	26,611	37,255	63,866	21,210	42,656
STATE - OTHER	119,478	495,522	615,000	615,000	0
TIPPING FEE REVENUE	692,879	970,032	1,662,911	1,723,500	(60,589)
DONATIONS/REIMBURSEMENTS	0	18,334	18,334	18,334	0
OT-WITHIN ENTERPRISE	0	0	0	0	0
TOTAL REVENUES	838,968	1,521,143	2,360,111	2,378,044	(17,933)

Interest on Pooled Cash is projected to be \$42,656 over budget due to a higher cash balance in HHW (grant funds), Education and Planning.

Tipping Fee Revenue is anticipated to be \$60,589 under budget due to less than anticipated tonnage of municipal solid waste being disposed of through the County system.

D. SUMMARY OF NET COST

The net costs for cost centers receiving revenue from the \$4.50/ton surcharge are anticipated to be over budget, except for Diversion, due to the transfer of undesignated reserve funds. The individual net costs are as follows:

		Budgeted	Estimated	Difference
Index 799312	Household Hazardous Waste	580,110	452,376	(127,734)
Index 799411	Education	403,873	397,022	(6,851)
Index 799510	Diversion	127,269	123,816	(3,453)
Index 799619	Planning	67,973	45,956	(22,017)
	Overall Net Cost	1,179,225	1,019,170	(160,055)

**MID-YEAR 06-07 REVENUE AND EXPENDITURE SUMMARY AND PROJECTION
SONOMA COUNTY WASTE MANAGEMENT AGENCY**

INDE 799221 ORGANICS RESERVE
799320 HHW FACILITY CLOSURE
799338 HHW OPERATIONS
799718 CONTINGENCY

PREPARED BY: CHARLOTTE FISHER

DIRECTOR: _____
KEN WELLS

A. SUMMARY OF PROJECTIONS

	FY 06-07 Adopted Budget	Adjustment	FY 06-07 Adjusted Budget	FY 06-07 Projection	Over/(Under) Budget
TOTAL EXPENDITURES	385,766	0	385,766	0	(385,766)
TOTAL REVENUES	<u>2,922,827</u>	0	<u>2,922,827</u>	<u>2,521,382</u>	<u>(401,445)</u>
NET COST	(2,537,061)	0	(2,537,061)	(2,521,382)	(787,211)

B. SUMMARY OF EXPENDITURES

	Actual July-Dec 06	Expenditure Estimated Jan-June 07	Total Estimated FY 06-07	Adjusted Budget FY 06-07	Over/(Under) Budget
SERVICES & SUPPLIES	0	0	0	0	0
OT-WITHIN ENTERPRISE	<u>0</u>	<u>0</u>	<u>0</u>	<u>385,766</u>	<u>(385,766)</u>
TOTAL EXPENDITURES	0	0	0	385,766	(385,766)

Services and Supplies are anticipated to be \$385,766 under budget because the HHW cost center was expected to need additional funding and it was going to be transferred from the Contingency reserve. At first quarter, it appears that the HHW cost center will not be needing the funding. The additional funding was for the disposal of e-waste and the Agency has executed a new e-waste agreement with reduced costs of disposal, which reduces contract services costs.

C. SUMMARY OF REVENUES

	Actual July-Dec 06	Revenue Estimated Jan-June 07	Total Estimated FY 06-07	Adjusted Budget FY 06-07	Over/(Under) Budget
INTEREST ON POOLED CASH	11,311	16,861	28,172	43,851	(15,679)
OT-WITHIN ENTERPRISE	<u>0</u>	<u>2,493,210</u>	<u>2,493,210</u>	<u>2,878,976</u>	<u>(385,766)</u>
TOTAL REVENUES	11,311	2,510,071	2,521,382	2,922,827	(401,445)

Interest on Pooled Cash is anticipated to be \$15,679 under budget.

OT-WITHIN ENTERPRISE is anticipated to be \$1,572,842 over budget due to the one-time transfers from the appropriate cost centers. The fund balances are the actual balances calculated at the end of FY 05-06. This one-time transfer is approved by Board with the 2006 reserve policy. The one-time transfers to the appropriate cost centers are as follows:

	FY 06-07 Actual Budgeted	FY 06-07 Projected Fund Balance	Difference
Organics	1,927,199	1,911,920	(15,279)
HHW Closure	8,504	7,723	(781)
HHW Operations	467,059	81,293	(385,766)
Contingency	<u>520,065</u>	<u>520,446</u>	<u>381</u>
	2,922,827	2,521,382	(401,445)

D. SUMMARY OF NET COST

The summary of net costs, which include the transfer of undesignated reserves, for the reserve centers are:

Organics	(1,911,920)
HHW Closure	(7,723)
HHW Operations	(81,293)
Contingency	<u>(520,446)</u>
	(2,521,382)



Agenda Item #: 5.3
Cost Center: WW/Yard
Staff Contact: Wells
Meeting Date: 2/21/07

ITEM: Appropriation Transfers

I. BACKGROUND

The Agency board approved the FY 2006-07 budget at the April 2006 regular meeting using an estimation of revenues and expenses. During the preparation of the FY 06-07 Mid-Year Report, two cost centers (Wood Waste and Yard Debris) were identified as needing appropriation transfers for continued operations.

II. FUNDING IMPACT

Wood Waste

During budget preparation, it was estimated that wood waste material would be delivered to the compost facility at the rate of 31 tons per day. After five months of operations this fiscal year, the actual amount being delivered to the facility is 32 tons per day, which projects to approximately 11,600 tons annually. An appropriation transfer is necessary to document the additional Tipping Fee Revenue, which would then be available for the accompanying Contract Services expense.

The FY 06-07 budgeted amounts for wood waste recycling are revenue, \$301,840, and expenses, \$257,570. The projected amounts are: revenue, \$318,304, and expenses, \$271,619. The differences to be used in the appropriation transfer are revenue, \$16,464, and expenses, \$14,049.

Yard Debris

During budget preparation, it was estimated that yard debris would be delivered to the compost facility at the rate of 211 tons per day. After five months of operations this fiscal year, the actual amount being delivered to the facility is 222 tons per day, which projects to approximately 85,000 tons annually. An appropriation transfer is necessary to acknowledge the additional Tipping Fee Revenue, which would then be available for the accompanying Contract Services expense.

The FY 06-07 budgeted amounts for yard debris composting are revenue, \$2,579,440, and expenses, \$2,126,000. The projected amounts are revenue, \$2,715,200, and expenses, \$2,237,540. The differences to be used in the appropriation transfer are revenue, \$135,760, and expenses, \$111,540.

III. RECOMMENDED ACTION / ALTERNATIVES TO RECOMMENDATION

Staff recommends approval of the appropriation transfers in the Wood Waste and Yard Debris cost centers using the unanticipated revenues to increase the Tipping Fee Revenue to offset the anticipated increase in Contract Services.

IV. ATTACHMENT

Resolution for Appropriation Transfers

SPECIAL DISTRICTS GOVERNED BY
LOCAL BOARDS - BUDGETARY REVISIONS

For Auditor's Use Only
DOCUMENT # _____

BATCH # _____

BATCH DATE _____

Resolution No. 2007-

District Name: Sonoma County Waste Management Agency (JPA)
Address: 2300 County Center Dr., Ste. 100B
Santa Rosa, CA 95403
Phone: 565-2413
FY: 2006-07

	TC	INDEX	SUB-OBJECT	SUB-OBJECT TITLE	AMOUNT
TO:	203	799114 799213	6540 6540	Contract Services Contract Services	\$14,049 \$111,540
FROM:	002	799114 799213	2901 2901	Tipping Fee Revenue Tipping Fee Revenue	\$16,464 \$135,760

WHEREAS, there is a shortfall in the estimated budget for Contract Services in the Wood Waste and Yard Debris cost centers due to more material coming to the composting facility for processing than was anticipated when the Board approved the budget for FY 2006-07; and

WHEREAS, it is necessary to appropriate the revenues from unanticipated revenues in the Wood Waste and Yard Debris cost centers in order to meet the anticipated expenses.

NOW, THEREFORE, BE IT RESOLVED, the County Auditor is hereby authorized and directed to make all necessary operating transfers and the above transfer within the authorized budget of the Sonoma County Waste Management Agency (JPA).

The foregoing resolution was introduced by:

_____, who moved its adoption, seconded by

_____, and adopted by the following vote:

Cloverdale _____
Cotati _____
Healdsburg _____
Rohnert Park _____
Petaluma

Santa Rosa _____
Sebastopol _____
Sonoma _____
Windsor _____
County

WHEREUPON, the Chairperson declared the foregoing resolution adopted, and SO ORDERED.

Date: _____

Signature: _____
Clerk of the Board

Signature: _____
Chairperson



Agenda Item #: 5.4
Cost Center: Education
Staff Contact: Carter
Meeting Date: 2/21/07

ITEM: Green Purchasing Policy

I. BACKGROUND

The Green Purchasing Policy was initiated by the California Integrated Waste Management Board's (CIWMB) requirement that grantees have adopted written recycled content policies and be able to demonstrate compliance with those policies. Since the Agency is a JPA, it is necessary that not only the Agency itself have a Green Purchasing Policy, but also each of its member jurisdictions. As Green Purchasing Policies are also supportive of the goals of the Agency and its programs, the Agency developed a comprehensive policy with the assistance of Susan Kinsella and Associates. The policy was adopted in June of 2001.

Previous Board Actions are: approved contract with Susan Kinsella & Associates to develop Green Purchasing Policy (9/20/00) and approved Resolution 2001-025 establishing the Agency's Green Purchasing Policy (6/20/01)

II. DISCUSSION

The Agency is requested to renew its commitment toward its existing Green Purchasing Policy, which formalized the Agency's directive to purchase recycled content products. The policy is intended to be comprehensive and countywide so that green purchasing becomes an automatic and documented activity throughout Sonoma County. This is necessary to continue competitiveness for CIWMB grants, which amounted to \$470,000 for the Agency in the 2006-2007 Fiscal Year.

The Agency has been the hub of this policy, providing member jurisdictions product information, a communication network, educational materials, tracking and evaluation of this policy.

The policy will address only products with post-consumer content, as only post-consumer content creates markets for city and county recycling programs. The policy encompasses most products that can contain recycled content as well as addressing remanufactured products (reuse). The list of standards by which the policies are implemented (minimum content standards) will continue to be monitored and adjusted by the Agency so that the standards are both consistent countywide and flexible to the marketplace. These standards are drawn primarily from US EPA standards. In order to minimize the impact on the member's purchasing staff, reporting will be as simple as possible while still meeting the reporting requirements for the CIWMB.

While there is no set deadline for the re-adoption of this policy, the lack of an updated policy impacts the competitiveness of the Agency's CIWMB grant applications.

II. FUNDING IMPACT

Since this is an existing policy with superficial changes from the original policy, there will not be an increased economic impact to the Agency as a result of this policy.

III. RECOMMENDED ACTION / ALTERNATIVES TO RECOMMENDATION

Staff recommends that the Board re-adopt the Green Purchasing Policy for the operation of the Agency and request each member jurisdiction adopt the policy if not already adopted.

IV. ATTACHMENTS

Resolution of the Sonoma County Waste Management Agency for Adopting a Green Purchasing Policy

Exhibit 1: Sonoma County Waste Management Agency Purchasing Policy: Recycled Products

RESOLUTION
OF THE SONOMA COUNTY WASTE MANAGEMENT AGENCY ("AGENCY")
ADOPTING A GREEN PURCHASING POLICY

WHEREAS, Agency supports the preservation of natural resources and reduction of energy use and pollution through development of markets for environmentally sustainable products; and

WHEREAS, Agency recognizes the need to strengthen markets for materials collected in Sonoma County's city and county recycling collection programs; and

WHEREAS, recycling minimizes discarded materials going to landfill; and

WHEREAS, a commitment to buy recycled products encourages economic development through attracting and retaining recycled product manufacturers and distributors; and

WHEREAS, government purchase of recycled products helps expand the market for such products and serves as a model for private purchase; and

WHEREAS, Agency desires to comply with California state law which requires local agencies to buy recycled products; and

WHEREAS, Agency supports developing a consistent and documentable county-wide record for purchasing recycled products; and

WHEREAS, vendors who take-back products at the end of their useful life for recycling or reconditioning minimize discarded materials sent to landfill.

NOW, THEREFORE, BE IT RESOLVED, that Agency adopts a green purchasing policy, (Exhibit A).

MEMBERS:

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

AYES -- NOES -- ABSENT -- ABSTAIN --

SO ORDERED.

The within instrument is a correct copy
of the original on file with this office.

ATTEST: DATE:

Elizabeth Koetke
Clerk of the Sonoma County Waste Management
Agency of the State of California in and for the County of Sonoma

SONOMA COUNTY WASTE MANAGEMENT AGENCY (“Agency”) PROCUREMENT POLICY: RECYCLED PRODUCTS

JUSTIFICATION

WHEREAS, Agency supports the preservation of natural resources and reduction of energy use and pollution through development of markets for environmentally sustainable products; and

WHEREAS, Agency recognizes the need to strengthen markets for materials collected in Sonoma County’s city and county recycling programs; and

WHEREAS, recycling minimizes discarded materials going to landfill; and

WHEREAS, a commitment to buy recycled products encourages development through attracting and retaining recycled product manufacturers and distributors; and

WHEREAS, government purchase of recycled products helps expand the market for such products and serves as a model for private purchasers; and

WHEREAS, Agency desires to comply with California state law which requires local agencies to buy recycled products; and

WHEREAS, Agency supports developing a consistent and documentable county-wide record for purchasing recycled products; and

WHEREAS, vendors who take-back products at the end of their useful life for recycling or reconditioning minimize discarded materials sent to landfill.

DEFINITIONS

“Buyer” means anyone authorized to specify or purchase products on behalf of Agency or its subdivisions, including contractors and individual staff,

“Contractor” means any person, group of persons, business, consultant, designing architect, association, partnership, corporation, supplier, vendor, printer, or other entity that has a contract with Agency or serves in a subcontracting capacity with an entity having a contract with Agency for the provision of good or services.

“Minimum Content Standards” means the list of standards maintained by the Sonoma County Waste Management Agency that specify the minimum level of postconsumer material necessary for designated products to qualify as recycled products.

“Postconsumer Material” means a finished material that has served its intended end use, having completed its life cycle as a consumer item, and has been discarded for disposal or recovery. It does not include manufacturing, converting, or printing scraps.

“Recycled Content” means the percentage of postconsumer material in a product.

“Recycled Paper” means paper manufactured using postconsumer material that meets or exceeds the minimum content standards.

“Recycled Product” means a product manufactured using postconsumer material that meets or exceeds the minimum content standards, or a remanufactured product.

“Remanufactured Product” means any product diverted from the supply of discarded materials by refurbishing and marketing said product without substantial change to its original form.

1.0 STATEMENT OF POLICY

- 1.1 It is the policy of Agency to purchase recycled products.
- 1.2 All Agency staff shall use, and require their contractors and consultants to use, products manufactured with the highest amount of postconsumer material practical, meeting or exceeding the minimum content standards. Such products must meet reasonable performance standards, be available at a reasonable price and be available within a reasonable amount of time.
- 1.3 All equipment bought, leased or rented shall be compatible with the use of recycled products.
- 1.4 All Agency staff shall ensure that they and their contractors use recycled paper in printed material, and that it identifies the recycled content of the paper.
- 1.5 Agency shall promote the use of recycled products to staff as well as to the public.
- 1.6 A remanufactured product shall be considered a recycled content product for the terms of this policy.
- 1.7 Agency purchasing agents shall give preference to vendors which take-back products at the end of their useful life for recycling or reconditioning.

2.0 IMPLEMENTATION

- 2.1 The Agency Director shall ensure that purchasing documents, specifications, and contracting procedures do not deter or inhibit the purchase of recycled products.
- 2.2 Vendors shall be required to specify the minimum or actual percentage of postconsumer material in their products.
- 2.3 The Agency Director shall inform all staff about these policy requirements and provide information to facilitate their evaluation and purchase of recycled products.
- 2.4 Recycled products covered under this policy include: paper (printing and copy), paper products, glass, oil, paint, solvents, tires, tire-derived products, compost and aggregate, such as those used in building construction, road construction, office products and fleet maintenance.

2.5 All Agency staff, contractors and grantees shall comply with this policy.

3.0 REPORTS

3.1 The Agency's Director shall report annually on the annual volume and dollar amount of recycled products purchased compared to the amount of non-recycled products purchased, within designated categories.

3.2 Office products vendors shall be required to report annual volume and dollar amount of recycled products purchased by Agency compared to the amount of non-recycled products purchased.

3.3 Reporting shall provide required data specifically included in 2.4, plus reports on any other recycled product categories available.

3.4 Reports shall include notation of any barriers encountered in procurement of recycled products.

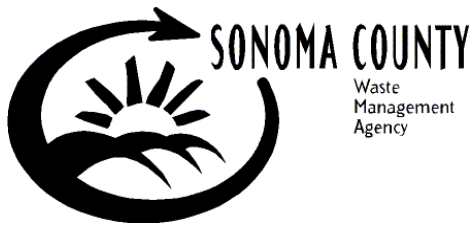
4.0 EXCEPTIONS TO POLICY

4.1 Exceptions to this policy may occur when:

- a. the cost exceeds 15% above the cost of a comparable non-recycled product,
- b. a recycled product option cannot be identified, after a due diligence search,
- c. critical performance criteria cannot be met by any recycled product,
- d. a recycled product is not available within a reasonable amount of time,
- e. other exceptions are granted at the consent of the Director.

5.0 RESPONSIBILITIES

5.1 The Agency Director shall work with all Agency staff to implement this policy.



Agenda Item #: 6.1
Cost Center: HHW
Staff Contact: Port
Meeting Date: 2/21/07

ITEM: Extension of Clean Harbors HHW Contract

I. BACKGROUND

On June 11, 2002, the Agency signed an agreement with MSE Environmental (MSE) to operate the Household Toxics Facility (HTF) and dispose of the collected wastes.

MSE was selected through a competitive RFP process and is responsible for the collection and disposal of hazardous waste from residents, and Conditionally Exempt Small Quantity Generators (CESQG) at the facility. MSE also conducts Community Toxics Collection (CTC) events, and the Toxic Rover, as well as collecting material from the Load Check programs at each of the County disposal facilities (funded separately by the County).

At the same time the agreement was signed, it was necessary to add the first of four subsequent amendments. This first amendment modified the contract to change the days of operations and staffing requirements, as the calculations for incoming material were updated and increased.

The second amendment, dated January 3, 2006, was approved and added by an emergency action of the Board of Supervisors to include an emergency clean up of hazardous material generated from the winter storm of 2005.

On August 15, 2006, there was a third amendment to the agreement to change the operation cost from \$327,350 to \$438,280 annually. The amendment included staffing requirements for the contractor to maintain minimum-staffing levels at all times when the facility is operational.

Additionally, this amendment started the recycled paint distribution program. This program provides free, recycled paint to anyone. Non-profits and local government graffiti programs use these materials frequently.

Finally, the Agency Board approved the fourth amendment on August 16, 2006. This amendment was a result of a corporate buy-out of MSE by Clean Harbors. This Amendment officially assigned the Agency's agreement from MSE to Clean Harbors.

II. DISCUSSION

The agreement with MSE (now Clean Harbors) is a three-year agreement that commenced with a Notice to Proceed (NTP) on January 6, 2005, with an option to extend the agreement for two years. Based on the date of the NTP, the initial agreement term will expire on January 6, 2008.

Even though the initial Agreement term does not end for another 11 months, if the Board were to decide to not extend the current agreement, it is necessary to initiate the process to solicit new operator proposals in the near future.

Additionally, the decision to either (1) extend the current agreement or (2) issue requests for proposals for operation of our program impacts the approach for implementing some of the recommendations in the HHW Program Evaluation (discussed in the following Agenda Item).

Staff has researched other California HHW programs to survey the market for HHW operators and has determined that there are apparently only two full service companies operating HHW programs in northern California. One of the more recent operator solicitations (2003) was in San Joaquin County, which selected MSE (now Clean Harbors) and has operating costs similar to ours. The San Joaquin program was one of the programs used for our HHW Program Benchmarking study. The other full service HHW company staff identified operating in California is PSC (Philip Services Corp.), with contracts in Santa Cruz, Inyo, Orange and San Mateo Counties.

A decision to not extend the current Clean Harbors agreement would likely delay implementation of some of the HHW program recommendations while the competitive proposal process is conducted. A decision to extend the current agreement for two years would enable more rapid consideration of changes to the program and would potentially require negotiating amendments to the current agreement to include HHW program recommendations.

Although there were challenges with the contractor providing adequate program back-up documentation initially, these issues have been resolved and the contractor's primary operational performance has been very good throughout the first two years of their contract.

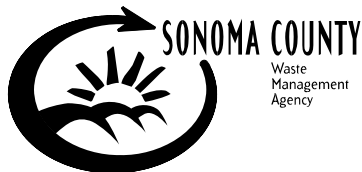
III. FUNDING IMPACT

If the Board directs staff to extend the agreement with Clean Harbors, program costs would continue at the current rates, with yet to be determined costs or savings for potential program changes. If the Board directs staff to issue an RFP, there could be an increase or a decrease in program costs to the Agency.

IV. RECOMMENDED ACTION / ALTERNATIVES TO RECOMMENDATION

Recommended Action: pursuant to Section 3.2 of the Agreement with Clean Harbors, direct staff to return with a two-year extension.

Alternatively, direct staff to begin preparing an RFP for HHW collection and disposal services that would be effective January 2008, and include appropriate Board-selected recommendations from the HHW Program Evaluation.



Agenda Item #: 6.2
Cost Center: HHW
Staff Contact: Port
Agenda Date: 2/21/07

ITEM: Status of HHW Program Recommendations Implementation Plan

I. BACKGROUND

During preparation of the budget for Fiscal Year 06-07, the Board expressed concerns regarding the HHW program, particularly the high participation (and corresponding expenses) at the HHW facility located at the Central Disposal Site. Even with an opening of the facility with minimal advertising, the participation level exceeded the projections. It was expected that the facility would receive about 12,000 residents at full operation; yet, over 16,000 households participated in 2005, the first year of operation.

The new HHW program includes the permanent facility with toxics drop-off services available at no cost to all county residents three days per week, a Community Toxics Collection event (limited to 80 participants) elsewhere in the County once per week, a residential pickup service (Toxic Rover) by appointment for a \$35 fee (limited service at no charge to the disabled and homebound) and a small quantity generator business program at the Central site with a fee for the actual cost of disposal.

On March 29, 2006, at the Agency Budget Workshop, the Board gave staff direction to study HHW programs and facilities similar to the Agency's. Staff created and released a request for proposals for a qualified consultant to conduct a benchmarking study of the Agency's HHW program. The purpose of this study would be to explore options for greater operational efficiencies, and ways to offset the expenditures of the program, such as charging customers for participation.

At the June 21, 2006 Agency Board meeting, staff was directed to enter into an agreement with Sweetser & Associates to conduct the Sonoma County HHW Benchmark Study and Program Evaluation.

On January 17, 2007 David Nightingale presented the HHW Benchmark Study to the Board. The Study and presentation gave much to consider, therefore, staff was directed to come back to the next meeting with an implementation plan for the recommendations to the Board.

II. DISCUSSION

Implementation decisions for the recommendations directly impact the decisions to be made concerning the HHW Contract if the term of the contract with Clean Harbors is to be extended. Examples of contract-affected recommendations would be ownership of equipment purchases, operations changes, etc.

If the decision is to not extend the term of the contract with Clean Harbors, then the recommendations would become a part of the Request for Proposal process. Attached is a summarized spreadsheet of the recommendations with denoted items that could be affected by the Board's direction on the extension of the HHW contract with Clean Harbors.

To provide more detailed information about the recommendations, staff is receiving input from Clean Harbors and meeting with CUPA to determine the implications of the site operation changes. Staff is investigating costs and evaluating the complexity of various recommendations in order to create a timeline, as well as a priority list. The outcome of the research will be presented as a part of the implementation plan for the recommendations at the next scheduled Board meeting.

III. FUNDING IMPACT

The funding impacts will be a part of the implementation plan to be presented at the March board meeting. Some of the recommendations may require the Agency to contract with a consultant for specialized services. Implementation of any recommendations will be submitted to the Board for approval, either as a part of the budget process or as individual items.

IV RECOMMENDED ACTION/ALTERNATIVES TO RECOMMENDATION

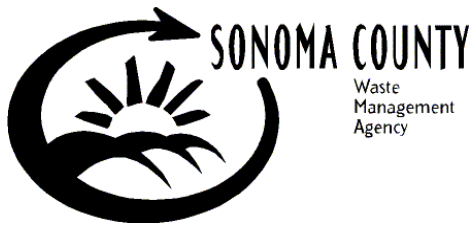
There is no recommended action at this time.

V. ATTACHMENTS

Summary of HHW Program Evaluation recommendations.

	Recommendation	Savings	Costs	Barriers	Comments
Existing Facility Structural Recommendations	Extend placement of the collected wastes into the area between the end of the wall separating the bays	Provides additional capacity without funding structural improvements	\$250-350 per pallet	*Verify with the fire department and permit requirements	*Pallet purchases
	Interior waste storage space can be reconfigured to increase waste storage capacity	Provides additional capacity without funding structural improvements	*Nominal cost for hood move, additional costs to relocate hood, and costs to relocate oil and antifreeze tanks	May require change to Permit-by Rule, and regulatory approval for exterior storage and relocation of hood.	
	Extend canopy to cover entire pad	Saves the interior storage space for the more volatile materials	\$15,000-20,000 per storage container, plus canopy extension costs	Requires regulatory agency approval of exterior storage	
	Chemically Resistant Containment Coating	Provides protection from spills, avoids trip hazard by including a non-skid additive and meets standard practices of HW facilities	\$20 per square foot / varies widely	Requires preparation of the floor	*Could be negotiated in contract
	Purchase and Install two flammable gas monitors and alarm system for the bulking room	N/A	\$2,000 - 5,000	Cost	
Operational Recommendations & Equipment Updates	Investigate additional drum storage options including converting the outside storage area to an enclosed building extension	Increases facility storage, uses outside area for wastes with lesser hazards and saves inside storage for higher hazardous wastes	\$15,000 - 20,000	Requires regulatory agency approval of exterior storage	
	Consider alternative disposal options for non-haz waste	Reduce costs by \$2-3000 per year by disposing of some non-hazards as solid waste	N/A	Ensure wastes are non hazardous and meet the criteria for solid waste disposal	
	Latex Paint Consolidation Processing	Extend Facility Capacity	Addition to the canopy, and other utility costs that would accompany it	Regulatory Agency Approval	
	Use 300 gallon tote for mixing paint rather than 55 gal drums	Significant staff time will be saved	2 totes can be purchased for under \$1,500	Need sufficient area to install	*Equipment purchase
	Use durable stacking boxes for paint cans awaiting processing	Storage area will hold more paint containers in the same floor area	Purchase of several storage boxes	Staff operations learning curve	*Equipment purchase
	Switch to an air driven paint mixer	Safer if used in area where flammable vapors are present, lighter weight, more ergonomically, and longer life expectancy	\$5,000	Requires Air Compressor	*Equipment purchase
	Redesign paint filtering apparatus or use commercial grade filter system.	Increases productivity and safety, and minimizes maintenance associated with filtering paint	Filtering system would need to be specified and priced	Need space for equipment to operate	*Equipment purchase
	Replace forklift with a stationary drum holder for dispensing paint. If the larger totes are installed, the forklift will not be necessary for bulking paint	\$2000-6500 per year	\$1,200 - 3,000	N/A	*Equipment purchase
	Improve working height for paint bucket filling and lid placement sealing by use of raised roller conveyor	Reduced ergonomic stress	\$1,000	Need space for equipment to operate	*Equipment purchase

CESQG	Evaluate current fee structure for the CESQG program	Provides more representative allocation of costs to small business users by reducing subsidy	TBD Depends on final billing service changes	Need to develop new fee schedule	*Changing fee structure
CTC	Reduce the CTC Events to only outlying rural areas	TBD	Should reduce cost however, cost savings may not appear until satellite facility has been built for storage	Additional collection sites would need to be funded and built	*Reducing CTCs would reduce mobilization costs
Rover	Evaluate the charges for this service for both households and businesses	None	Not significant because few businesses use this service, however,	Need to develop new fee schedule	*Changing fee structure
Universal Waste Handling	Continue using the HTF for disposal	N/A	N/A	N/A	
Load Checking	Submit PBR request, to be allowed to store materials for up to one year	TBD the would be cost for storage containment units	Reduces trips to remote sites and transportation costs	Submit revised PBR to CUPA	
	Investigate expanding the contract arrangement with Mendocino County for periodic collection from Sea Ranch to include packing and transport of load check waste from the Annapolis Transfer Station	Travel & Mobilization costs for the twice a year service will be saved	Contractual rates will need to be established	Legal Agreement will need to be revised and PBR will need to be filed with CUPA	*Reduces mobilization costs and weight
* Indicates items that could potentially be affected by the HHW Contract					



Agenda Item #: 6.3
Cost Center: HHW
Staff Contact: Wells
Meeting Date: 2/21/07

ITEM: EPR Implementation Plan

I. BACKGROUND

As discussed over the years, a long-term solution to HHW funding issues is to shift the recycling and disposal responsibility from local government to manufacturers, generally referred to as Extended Producer Responsibility or EPR. The Agency passed a resolution supporting EPR policies in 2001 and has worked towards these policies at the state and national level. There has been some success at the California state level with CRT's (TV's and computer monitors), rechargeable batteries and cell phones, and the level of discussion and effort to implement EPR policies around the nation is growing. Due to the increased number of products being banned from landfill and the significant cost of disposal, the Agency has been seeking ways to reduce this budget impact.

In April 2006, the Agency Board directed staff to develop and return with an implementation plan to institute a take-back program for household (non-rechargeable) batteries and mercury-containing lamps in Sonoma County. The Agency contracted with R3 Consulting Group, a firm also providing EPR support to the CIWMB, to assist the Agency with this EPR directive.

II. DISCUSSION

The Sonoma County Extended Producer Responsibility Implementation Plan (sent under separate cover) includes a comprehensive summary of international, state, and local EPR efforts.

The recommended Sonoma County Extended Producer Responsibility Implementation Plan is a two-phase approach that will be discussed further in the presentation by R3, but is structured as follows:

- Phase One - Encourage Manufacturer Responsibility – the Agency (and its members) will encourage and support EPR legislation at the national and state level, work with Agency members to include EPR language in procurement policies, and encourage local retailers, wholesalers and contractors to implement a local, voluntary take-back program for fluorescent lamps and household batteries
- Phase Two – Implement Local Mandatory Take-Back Ordinance - if in a reasonable time frame, (staff recommends by January 2008), there is not state action and/or the voluntary program does not work, direct staff to prepare a mandatory take-back ordinance to require extended producer responsibility for these products.

III. FUNDING IMPACT

Directing staff to pursue the recommended Implementation Plan will require staff time, estimated at about 20 hours per month, with a cost of about \$9,000 for the Phase 1 period. If the Plan is successful in shifting the cost of managing these items away from the Agency, it could reduce Agency costs for disposal of household batteries and fluorescent lamps by \$20,000 annually or more.

III. RECOMMENDED ACTION / ALTERNATIVES TO RECOMMENDATION

Recommended Action: Authorize staff to initiate the Sonoma County Extended Producer Responsibility Implementation Plan.

Alternative Action: Do not direct staff to implement the Sonoma County Extended Producer Responsibility Implementation Plan.

IV. ATTACHMENTS

The Sonoma County Extended Producer Responsibility Implementation Plan (sent under separate cover) will be presented by Heidi Sanborn of R3 Consulting Group.

Introduction

Extended Producer Responsibility (EPR) and Product Stewardship (PS) are terms used interchangeably to describe a long-term solution to manage waste products by shifting the responsibility for collection, transportation, and management for those products away from local governments to the manufacturers (Acronyms and Definitions in Attachment A). The Sonoma County Waste Management Agency (Agency) first documented its interest in supporting EPR policies when it passed Resolution No. 2001-021 (Attachment B) on June 20, 2001. The resolution states:

“The Agency hereby declares its support for Extended Producer Responsibility policies and supports governmental and non-governmental organizations in the effort to develop such policies.”

In keeping with this policy direction, the Agency staff presented a report on EPR dated April 16, 2006 to the Agency Board as a way to deal with the enactment of the State Universal Waste Rule which banned several materials, including household batteries and mercury containing lamps, from landfill disposal. Agency staff reported that batteries and mercury containing lamps were a good target for retail take-back policies. As a result, the Agency directed staff to develop an Implementation Plan to institute a retail take-back program for household batteries and mercury containing lamps in Sonoma County. R3 Consulting Group (R3) was contracted to develop the Implementation Plan and present it to the Agency Board.

Background

EPR as a policy approach refers to shifting responsibility away from general taxpayers to the manufacturers. There are many different levels of responsibility that manufacturers can assume for their products on the path to taking full responsibility for their products. Any movement on the path to manufacturers taking full responsibility is in keeping with EPR.

Since 1991, EPR policies have been broadly adopted in Europe and in other countries such as Japan, Australia, Taiwan, and Korea. Most recently EPR policies have been

R3

Sonoma County Extended Producer Responsibility Implementation Plan

R3

adopted in the United States, some voluntarily by the manufacturers, and some mandated at the state and local level. At the Federal level, there has only been consideration of development of new EPR policies but to date, there has been no change in regulations to support EPR.

The following sections examine the international, national, and local EPR programs that have been developed as background for Agency decision makers.

International EPR Policies

Germany is widely credited for developing the first EPR program in 1991 with its packaging ordinance known as Green Dot. The law required that producers and retailers take back the packaging associated with products to ensure that specified recycling rates, between 60-70 percent, were met for each material.

The paper titled, "Extended Producer Responsibility in Europe: A Producer Case Study," by Kieren Mayers of Sony Entertainment, EPR policies are most prevalent in Europe, where they have been implemented or are in the process of being implemented in 29 different countries following the introduction of several European Union Directives. In fact, according to Mayers, product manufacturers have established over 200 different Producer Responsibility Organizations to organize take-back programs for materials such as batteries, packaging, old vehicles, and Waste Electrical and Electronic Equipment (WEEE).

Canada has also been a leader in adopting EPR policies as is demonstrated by the proposed Manitoba HHW legislation, Nova Scotia policies for electronics and paint, Quebec policies on paint, pharmaceuticals, beverage containers and tires, and the British Columbia EPR policy covering the following materials: paint, solvents, pesticides, gasoline, pharmaceuticals, and lubricating oil and filters. Duncan Bury, the Head of Product Policy at Environment Canada's National Office of Pollution Prevention, has said, *"There is enough of a track record of these operating programs that there really isn't any question whether this is an appropriate kind of policy. We are now at the point of discussing how to make it more effective."*

In short, there is a 15 year trend of EPR policies being adopted by countries around the world to deal with a wide

variety of products, including batteries and mercury containing products. Some EPR policies also promote green design which leads to waste reduction and fewer toxic materials in the products sold to the public. The benefit to having individual countries and large trading groups like the European Union passing EPR policies is that they are large enough to significantly affect product design changes for companies that sell on the international market. It is much harder for state and local governments to organize and set policies that can affect production by companies that are international conglomerates. However, local governments do have a role to play in developing and implementing their own EPR policies, especially when state and federal governments do not take action.

National EPR Policies

There is no EPR mandated policy at the national level in the United States, however, there has been considerable discussion at the EPA about designing such policies for electronics and agricultural pesticide containers. Attachment D is the EPA's fact sheet on the development of the Pesticide Container Recycling Rule which is expected to be published in the Federal Register by late summer of 2007. This is a result of the agricultural pesticide producers voluntarily joining together in 1992 to start a Third Party Organization (TPO) called the **Ag Container Recycling Council (ACRC)** with the goal of collecting and recycling pesticide containers. The ACRC is now asking the EPA to adopt regulations and make participation mandatory for all producers of agricultural pesticides. ACRC was formed by 40 of 80 producers which resulted in half of the manufacturers paying to recycle the containers produced from all the manufacturers. This is called the "free-rider" problem and is a risk to all voluntary participation programs because of the inequity in having a few manufacturers pay to recycle all manufactures products. What makes the ACRC situation interesting is that it is the only instance we are aware of where the manufacturers of a product are requesting EPA to make their recycling program mandatory. In general, manufacturers favor national policies and not state-by-state regulatory approaches. In the summer of 2006 there was draft Federal legislative language circulating for mercury controls that contained a pre-emption for any state or local efforts to require product manufacturers to finance retail take-back and recycling

R3

Sonoma County Extended Producer Responsibility Implementation Plan

R3

programs. The language was dropped and HR 6261 was introduced in the fall of 2006, without the pre-emption. Nevertheless, the original pre-emption language came to the attention of elected officials of the **National Association of Counties Environment and Land Use Steering Committee** which passed two resolutions titled as follows:

- Paint Reuse and Recycling (Attachment E)
- Mercury Fluorescent Lamp Recycling (Attachment F)

The resolutions dated August 8, 2006 make policy statements supporting EPR solutions. The resolution on fluorescent lamps included a paragraph in opposition to any Congressional proposal to pre-empt states from developing their own financing mechanism for lamp recycling.

Another national voluntary EPR program was started by the battery manufacturers in 1996 and was titled the **Rechargeable Battery Recycling Corporation (RBRC)**. RBRC operates in the US and Canada and started collecting only rechargeable batteries and over time has expanded the program to also collect cell phones. Currently, RBRC has 90% of the manufacturers participating in both countries and have battery collection centers at 30,000 retailers and businesses. So far, RBRC seems to be maintaining manufacturer participation and has seen significant increases in the pounds of batteries collected, increasing from less than 1 million to 5.6 million pounds from 2005 to 2006. However, the actual effectiveness of the system is unknown since it is only measured by increases in pounds collected and is not adjusted for increases in sales. In addition, there are far fewer battery collection points than sale points for batteries, so convenience to the consumer is still questionable. For more details, see the RBRC Fact Sheet in Attachment G.

Another voluntary EPR program was announced in June of 2006 by **Dell Computer** that promotes a voluntary take-back and recycling program for all Dell branded products if the consumer purchases a replacement product. Approximately 55 million pounds of computer material has been collected in North and South America to date. This demonstrates a manufacturer taking direct and voluntary responsibility for its own products.

The most recent voluntary effort is the **National Vehicle Mercury Switch Recovery Program**, which became effective in August of 2006 and is promoted by EPA, to remove mercury-containing switches from scrap vehicles. The vehicle manufacturers are paying into a \$4 million dollar implementation fund that will encourage the return of the switches by vehicle dismantlers. This program is in its infancy so no conclusions can be drawn on its effectiveness.

Another voluntary national EPR organization is the **Thermostat Recycling Corporation (TRC)** which started in 1998 and actively promotes the collection and recycling of mercury thermostats from older Heating Ventilation and Air Conditioning (HVAC) systems. Collections occur at the HVAC wholesalers where HVAC contractors return them after replacing older units. For a one-time charge to the wholesalers of \$25 (was \$15 prior to January 1, 2007), the wholesalers receive a pre-paid shipping box to return the mercury thermostats collected from the contractors. When a box is returned to TRC, another one is automatically sent to the wholesaler. In addition, the TRC board recently voted to add HHW collection centers to its program in 2007.

Statewide EPR Policies

Several states have chosen to mandate EPR programs for various products:

- * CA Auto Lead-Acid Batteries Take-Back (1989)
- * CA Cell Phone Take-Back (2004)
- * CA Rechargeable Battery Take-Back (2005)
- * MD Computer Recycling Producer Take-Back (2005)
- * ME E-waste Recycling Act -Producer Pays (2005)
- * MA Mercury Containing Products - Producer Pays (2006)
- * ME Mercury Products Law – Producer Take-Back (2006)
- * WA E-waste Recycling Bill – Producer Take-Back (2006)

In addition, in the 2006/07 State of California Budget language addresses take-back programs with the following language:

“Manufacturer “Take-Back” Program.
The Board (meaning CIWMB), in conjunction with the Department of General Services, shall evaluate the feasibility of implementing a manufacturer responsibility

R3

Sonoma County Extended Producer Responsibility Implementation Plan

or take-back program for those goods purchased by California state government. This study should focus on those materials that are, or could be, most conducive to reuse or recycling by the manufacturer together with materials that make up a substantial portion of state government waste stream. Further, it should assess the effectiveness of current take-back provisions in state contracts.

This evaluation shall result in a report to the Legislature by January 1, 2008, and shall include an overview of similar activities that are occurring across the country or around the world that may serve as a model for California in the future.”

The State of California is considering how, through its own procurement, it can encourage take-back policies for companies that sell to the State government. This can also be done at the local government level.

In addition, at the CIWMB February 13, 2007 board meeting the CIWMB is considering EPR language as part of the Board’s “Strategic Directives”:

“In order to assure environmental sustainability, it is a core value of the CIWMB that producers assume the responsibility for the safe stewardship of their materials.

Specifically, the CIWMB will:

- *Assure appropriate legislation is introduced to foster “cradle-to-cradle” producer responsibility.*
- *Analyze the feasibility of various approaches to increasing producer responsibility and make recommendations to the CIWMB Board by December 2007.*
- *Build capacity and knowledge in CIWMB on EPR issues and solutions.*
- *Develop and maintain relationships with stakeholders that result in producer-financed and producer-managed systems for product discards.”*

R3

Local EPR Policies

Some local governments across California and in Wisconsin have already passed EPR policies relating to Universal Wastes, or more specifically, batteries and mercury containing lamps. Below is a listing of those policies (Attachments H through N) with a brief description:

- Dane County, Wisconsin: Ordinance passed in January 1990 prohibiting any retailer from selling tires, lead acid batteries, mercury thermostats or fluorescent lamps without also informing the public that they are banned from landfill disposal and offering to accept these products back for reuse and recycling.
- City of Madison, Wisconsin: Ordinance passed December 2003 requiring any retailer that sells fluorescent bulbs or other lamps containing mercury to notify the public that they cannot be disposed of in landfills and requiring retailers to offer to accept those items for a reasonable fee.
- Central Contra Costa County Solid Waste Authority: Resolution adopted in March 2002 urging the state to require e-waste take-back legislation that encourages green design.
- City of Morgan Hill, California: Resolution passed September 20, 2006 supporting statewide EPR policies and stating that if the state does not pass effective legislation within the next 18 months, or if the industry does not implement take-back, the City will consider requiring local retailers to take-back universal wastes.
- San Luis Obispo County, CA: Ordinance passed in May 2006 requiring local retailer take-back of batteries and fluorescent lamps. (The ordinance does not become effective until four other jurisdictions within the county adopt similar ordinances.)
- San Francisco, CA: Ordinance passed February 2006 urging statewide EPR legislation targeted at U-waste and other hazardous products and packaging and directing City staff to develop producer responsibility policies for City procurement.
- Suffolk County, NY: Resolution 1545 passed unanimously September 5, 2006 creating a purchasing policy that will require County agencies to seek out and do business only with vendors that take-back

R3

Sonoma County Extended Producer Responsibility Implementation Plan

used electronics and recycle them in an environmentally sound manner.

In addition to the ordinances and resolutions being adopted by local governments to encourage EPR, the University of Wisconsin received a \$30,000 grant from the Solid Waste Research Council in the fall of 2006 to conduct a social marketing study on how to increase collection rates of batteries and mercury lamps in Dane County, WI. Dane County has required retailers to offer low cost or free drop-off of batteries and mercury lamps for over 16 years yet the recycling rate is estimated to be in the low 20 percent of material generated. This is much lower than expected and supports the premise that providing a convenient method for the consumer to return materials is a critical component of a successful take-back program.

On February 8, 2006, the Department of Toxic Substances Control (DTSC) allowed the residential exemption to the disposal ban to expire for common household batteries, mercury containing lamps, other mercury containing devices, electronic products, and non-empty aerosol cans that contain hazardous products as outlined in Frequently Asked Questions document in Attachment C. By no longer allowing residents in California to dispose of these items, often called Universal Wastes, in the trash, they created an immediate need for local government to collect and manage these materials since AB 939 placed responsibility onto local government to manage its waste stream.

In addition, the CIWMB Strategic Plan states that:

*“Goal 1—Increase participation in resource conservation, integrated waste management, waste prevention, and **product stewardship to reduce waste and create a sustainable infrastructure.***

...through partnerships with businesses, associations, and State and Federal agencies, we will strengthen our commitment toward product stewardship. This principle ensures that all actors along the product chain share responsibility for life-cycle environmental impacts and the financial viability of the whole product system.”

In short, California Environmental Protection Agencies such as CIWMB can be encouraged to pursue the goals of existing strategic plans by developing EPR policies. To

R3

that end, DTSC and CIWMB are working together to start the “Take It Back Partnership (TIBP)”. TIBP is a voluntary approach to encourage manufacturers and retailers to take-back these products. To date it there has been significant effort made to get the large retailers to start collection of materials in-stores. One challenge with the TIBP is that even when corporate offices “sign-on” to the program, the individual stores may not participate, especially if they are a franchise chain store.

As a way to address the problem of toxic materials being illegally disposed of in the residential waste stream and to encourage manufacturers to redesign their products to be less toxic, some local governments are passing EPR policies. Local EPR policies often encourage the state and federal governments to address these issues because the manufacturers sell products in many jurisdictions, not just one city or one state. Also, as is exemplified with the Ag Container Recycling Program (ACRC), there is a risk in promoting voluntary programs because they may fail and leave local governments paying to recycle the products.

The ACRC example has demonstrated that a national voluntary program supported by local organizations can be problematic. A local example is the Napa County Ag Commissioner held a collection event in November of 2006 and collected 27,940 pounds of plastic from 95 different growers, pest control businesses, golf courses and government agencies. Because ACRC had no money left that late in the year to pay for recycling the containers, the Napa Valley Vintners Association and Napa County Farm Bureau agreed to split the cost of \$9,356 to recycle the containers.

Recommended EPR Policy Direction for Sonoma County

After reviewing and analyzing the trends of EPR policy, the effectiveness of various EPR programs and whether national, state, or local EPR policies are necessary or optimal, it was concluded there are several reasons that adopting an EPR policy approach makes sense at the local level:

1. California is increasing the number of products being banned from landfills without having an EPR system ready to support the ban. The latest is treated wood waste landfill ban which

R3

Sonoma County Extended Producer Responsibility Implementation Plan

became effective January 1, 2007. This is essentially an unfunded mandate on local government to manage these difficult materials;

2. High costs to collect and manage materials cannot be borne by local government alone;
3. EPR is necessary to meet the State goal of zero-waste; and
4. Creates a political ground-swell of support for EPR policies at the State and Federal level.

R3 Consulting Group and Agency staff has spent a significant amount of time discussing the possible options for encouraging EPR and is recommending a phased approach. Because there must be a fundamental shift in thinking by parties at every level in the chain of custody of these products, time must be provided to allow for change in thinking to occur in order to develop a collaborative solution.

Agency staff has indicated a preference to initially try to manage the wastes through a voluntary and collaborative approach instead of a mandatory policy. However, due to the significant volume, toxicity, and cost to collect and manage Universal Wastes, there is limited time for a voluntary solution to be developed that will prevent many of these materials from continuing to be landfilled, or the cost of collection for the Agency in becoming unsustainable. In 2005 the Agency and local businesses paid nearly \$20,000, and more than \$22,000 in 2006, just to manage household batteries and fluorescent lamps. The amount of material managed is a fraction of what is generated. According to a CIWMB report titled *Household Universal Waste Generation in California*, in 2000-01, 0.21% and 0.55% of fluorescent lamps and batteries respectively were collected as a percentage of sales. The cost to manage these materials is expected to increase significantly as more materials are collected.

After thorough consideration of the options by R3 Consulting Group and Agency staff, a two-phase Implementation Plan for EPR is recommended as follows:

R3

Phase 1 – Encourage Manufacturer Responsibility

Encourage EPR Policies at the Federal and State Level

Build on the existing Agency EPR Resolution by having local elected officials and organizations, such as California Association of Counties, League of California Cities, and Association of Bay Area Governments, communicate with State and Federal elected representatives referencing Resolution 2001-021 and encouraging them develop and implement statewide and/or national EPR solutions for all waste materials, not just batteries and mercury containing lamps.

Encourage EPR Policies at the Local Level

Build on the existing Agency EPR Resolution by working with the Agency and Agency member procurement staff to develop or add language to the existing Environmentally Preferable Purchasing policies that the Agency prefers vendors who take-back products at the end of their useful life for recycling. For example, it could become standard practice to ensure that all copiers and electronic equipment purchased by the Agency and its members have a preference for vendors with a take-back policy.

Encourage EPR Policies at Local Businesses

The Agency could encourage local planning departments to use the Conditional Use Permit to require any new retailer of batteries and/or mercury containing lamps to take-back those items from the public for free.

Participate in California Product Stewardship Council (CPSC)

Actively participate in the CPSC to develop coordinated efforts with other California local governments to promote EPR legislation for batteries and lamps and other wastes of concern.

R3

Sonoma County Extended Producer Responsibility Implementation Plan

Promote the Thermostat Recycling Corporation (TRC)

Work with local wholesalers and contractors to encourage their participation in the TRC program to collect mercury thermostats in conjunction with the support and guidance of the Thermostat Recycling Corporation. Also work with TRC to participate in the new program for thermostat collection and recycling at HHW facilities. (See Attachment O for an example of the contractor and wholesaler notification forms.)

Promote Rechargeable Battery Recycling Corporation (RBRC)

Continue to work with local retailers to encourage their participation in the RBRC program to collect rechargeable batteries and cell-phones in conjunction with the support and guidance of the Rechargeable Battery Recycling Corporation. Also work with RBRC to customize existing promotional and outreach materials for Sonoma County and utilize them in Agency outreach efforts. See Attachment P for an example of the RBRC advertising campaign.

Work with the California Take-It Back Partnership (TIBP)

Continue to attend meetings and participate in the TIBP encouraging those selling and promoting the sale of batteries, mercury lamps, and thermostats to help manage them at the end of life. PG&E recently has joined the TIBP effort and offered to work with the Agency to educate public about proper end-of-life management for fluorescent lamps in Sonoma County. Staff will continue with that effort.

Phase 2 – Implement Local Mandatory Take-Back Ordinance

If Phase 1 efforts do not result in significant improvements in household battery, mercury lamp, and mercury thermostat collection and management, funded by parties

R3

Sonoma County Extended Producer Responsibility Implementation Plan

other than the Agency by **January 1, 2008**, then the Agency should consider implementation of a mandatory take-back ordinance for local sellers of these products. The staff will make the presentation at the January 2008 Agency Board meeting summarizing the efforts made and any changes in the collection and management systems and will, if necessary, recommend adoption of a local ordinance to mandate that sellers of these products (of a certain quantity to be determined) be required to take them back from the public. If the lack of progress warrants, Agency staff will also present a model ordinance at the January 2008 board meeting for Board consideration.

The EPR Implementation Plan monitoring process should include reports at the September 2007 and January 2008 Agency Board meetings. Staff will report on the following items, at a minimum:

- a. Actions taken by manufacturers and retailers to increase collection and management of household batteries, mercury lamps, and mercury thermostats.
- b. Actions taken by manufacturers, retailers and others involved in the promotion of such products (like PG&E) to increase public education of proper end-of-life management of household batteries, mercury lamps, and mercury thermostats.
- c. Actions taken by the State of California and the Federal Government to encourage or require EPR for batteries, mercury lamps, and mercury thermostats.
- d. Change in volumes of household batteries, mercury lamps, and mercury thermostats collected by the Agency.
- e. Change in cost to collect and manage household batteries, mercury lamps, and mercury thermostats by the Agency.
- f. Any change in the number of collection points (convenience) for the consumers to return household batteries and mercury lamps to manufacturers and retailers.

If, at the first update in September 2007, staff believe that the first nine months were not successful in demonstrating improvements in collection and management of batteries, mercury lamps and mercury thermostats, staff will present their recommendations on whether or not to proceed in contacting local stakeholders to start discussions about local EPR efforts. The stakeholders to be contacted in regards to collection and management of the batteries,

R3

Sonoma County Extended Producer Responsibility Implementation Plan

mercury thermostats, and fluorescent lamps include the following:

- AB939 Local Task Force
- Local Retailers
- Local and State Government Representatives
- Recyclers
- Chamber of Commerce
- Economic Development Board

Outreach Plan for TRC and RBRC

Staff will identify existing recycling opportunities in Sonoma County for mercury thermostats including lists of participating retailers engaged in take-back. The first task in working to maximize the TRC program is to provide registration forms to every HVAC wholesaler in Sonoma County and get them signed-up to participate in the take-back program and then to do the same with the contractors. Staff will also work with the businesses to identify ways that the Agency can support them in the effort, including promotions and listing them in green business programs and the Recycling Guide and Agency's website (www.recyclenow.org).

Similar efforts will be made with RBRC to continue to identify existing sellers of batteries that participate in the RBRC program and support them while trying to interest additional retailers in collecting rechargeable batteries in their place of business.

Summary

The Sonoma County Waste Management Agency will move forward with promoting EPR through a two-phased approach:

1. Support existing EPR programs and encourage new EPR policies at all levels of government and business, and;
2. Develop a mandatory EPR ordinance if the Phase 1 efforts do not result in significant improvements in shifting responsibility to pay for and manage

R3

batteries, mercury lamps and thermostats to the manufacturers and others in the supply chain.

Through this two-phased approach, the Agency intends to provide consumers with increased opportunities to recycle these materials and remove the burden of payment from taxpayers.

Attachments

- A. Acronym Definitions
- B. SCWMA Resolution No. 2001-021 Supporting Extended Producer Responsibility
- C. DTSC Frequently Asked Questions on the Universal Waste Rule
- D. EPA Pesticide Container Recycling Rule (December 2006)
- E. NACo Resolution on Paint Reuse and Recycling
- F. NACo Resolution on Mercury Fluorescent Lamp Recycling
- G. RBRC Fact Sheet
- H. Dane County, Wisconsin, EPR Ordinance
- I. City of Madison, Wisconsin EPR Ordinance
- J. Central Contra Costa Waste Authority, CA EPR Resolution
- K. City of Morgan Hill, CA EPR Resolution
- L. San Luis Obispo County, CA EPR Ordinance
- M. San Francisco, CA EPR Ordinance
- N. Suffolk County, NY EPR Resolution
- O. Thermostat Recycling Corporation Contractor and Wholesaler Notification Forms
- P. RBRC Promotional Material

R3

Sonoma County Extended Producer Responsibility Implementation Plan

This page intentionally left blank.

R3

Attachment A – Acronym Definitions

- **ABAG – Association of Bay Area Governments.**
The official comprehensive planning agency for the San Francisco Bay region. ABAG's mission is to strengthen cooperation and coordination among local governments. In doing so, ABAG addresses social, environmental, and economic issues that transcend local borders.
- **ACRC – Ag Container Recycling Council.**
Voluntary third party organization of Agricultural Pesticide Producers to collect and recycle pesticide containers.
- **Agency – Sonoma County Waste Management Agency.**
A joint powers authority of the nine cities and the County of Sonoma. The specific focus of the Agency's efforts is the implementation of regional waste diversion programs as required by AB939 in the following categories: Wood Waste, Yard Debris, Household Hazardous Waste, Education and Planning.
- **CalEPA – California Environmental Protection Agency.**
Comprised of six Boards, Departments and Office to create a cabinet level voice for the protection of human health and the environment and to assure the coordinated deployment of State resources.
- **CIWMB – California Integrated Waste Management Board.**
The Board promotes a Zero Waste California in partnership with local government, industry, and the public. This means managing the estimated 88 million tons of waste generated each year by reducing waste whenever possible, promoting the management of all materials to their highest and best use, regulating the handling, processing and disposal of solid waste, and protecting public health and safety and the environment.
- **CPSC – California Product Stewardship Council.** Newly formed organization of California local governments which has a mission to shift California's product waste management system from one focused on government funded and ratepayer financed

R3

Sonoma County Extended Producer Responsibility Implementation Plan

R3

waste diversion to one that relies on producer responsibility to reduce public costs and drive improvements to product design.

- **DTSC – Department of Toxic Substances Control.**

California department that regulates materials designated as toxic including universal waste.

- **EPA – Environmental Protection Agency.**
The Federal Agency responsible to protect the environment through regulation.

- **EPR - Extended Producer Responsibility.**
Used interchangeably with Product Stewardship to describe a long-term solution to manage waste products by shifting responsibility for collection, transportation, and management for those products away from local governments to the manufacturers and others in the product supply chain.

- **E-waste – Electronic Waste.**
Unwanted electrical or electronic appliance.

- **HHW – Household Hazardous Waste.**
Flammable or combustible products like paint and solvents, reactive products such as pool chemicals, corrosive products like cleaners, toxic products like pesticides, products with heavy metals in them and pharmaceutical products.

- **HVAC – Heating, Ventilation and Air Conditioning.**

- **NACo – National Association of Counties.**
The only national organization that represents county governments in the United States. NACo advances issues with a unified voice before the federal government, improves the public's understanding of county government, assists counties in finding and sharing innovative solutions through education and research, and provides value-added services to save counties and taxpayers money.

- **PG&E – Pacific Gas and Electric Company.**
One of the largest combination natural gas and electric utilities in the United States.

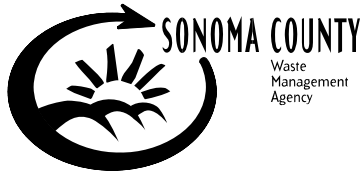
- **PS - Product Stewardship.**
Used interchangeably with Extended Producer Responsibility to describe a long-term solution to manage waste products by

Sonoma County Extended Producer Responsibility Implementation Plan

shifting responsibility for collection, transportation, and management for those products away from local governments to the manufacturers and others in the product supply chain.

- **R3 – R3 Consulting Group.**
Solid waste consulting firm contracted to develop the Implementation Plan.
- **RBRC – Rechargeable Battery Recycling Corporation.**
Voluntary third party organization of battery manufacturers to collect and recycle rechargeable batteries and cell phones.
- **SCWMA - Sonoma County Waste Management Agency.**
A joint powers authority of the nine cities and the County of Sonoma. The specific focus of the Agency's efforts is the implementation of regional waste diversion programs as required by AB939 in the following categories: Wood Waste, Yard Debris, Household Hazardous Waste, Education and Planning.
- **TIBP – Take It Back Partnership.**
Voluntary approach started by the CIWMB and DTSC to encourage manufacturers and retailers to take-back products.
- **TPO - Third Party Organization.**
Private, not for profit organization established to implement and administer programs to recover and manage particular used consumer products for reuse and recycling. A TPO may be formed voluntarily by interested parties or in response to legislation.
- **TRC – Thermostat Recycling Corporation.**
Voluntary third party organization established by Honeywell, General Electric and White Rodgers to promote collection and recycling of mercury thermostats from HVAC systems.
- **U-waste – Universal Waste.**
Hazardous materials that contain harmful chemicals. Materials include common batteries, fluorescent tubes and bulbs and other mercury containing lamps, electronic devices, mercury devices, and non-empty aerosol cans that contain hazardous materials.
- **WEEE – Waste Electrical and Electronic Equipment.**
Acronym for European EPR policy regarding electrical and electronic equipment.

R3



Agenda Item #: 7.1
Cost Center: Education
Staff Contact: Chilcott
Agenda Date: 2/21/07

ITEM: Earth Day / Goodwill Donation Event Model

I. BACKGROUND

Conducting thrift store donation events provide an excellent opportunity for cities to increase awareness and participation in reuse. Events that take place in the spring, such as around Earth Day April 22, should start being planned now. We hope that our experiences conducting similar events will help you streamline your planning. To date, three Goodwill donation events have been conducted; two by Agency staff and one by C2 Alternative Services Education Outreach.

Date	Who conducted the event	Event location	Target audience/theme	Thrift store partner	Costs (not including staff time)	# donation	Total tons collected
Thursday 4/20/06	Agency staff	County complex, Santa Rosa	County of Sonoma employees "Earth Day-- donate for a free lunch"	Goodwill	\$447.93 \$198.93 food for lunch \$ 22.74 biodegradable utensils \$ 145.63 BBQ rental \$ 26.94 misc. \$54.00 poster printing	212	9.3 tons 3,270 lbs. hardlines* 4,113 lbs. softlines** 11,250 lbs. electronics
Thursday 10/26/06	Agency staff	County complex, Santa Rosa	County of Sonoma employees "Donation event & Halloween Costume Exchange"	Goodwill	\$347.35 \$207.35 tent set-up \$ 50.00 poster printing \$ 90.00 paycheck flier printing	135	5.9 tons 950 lbs. hardlines* 1,177lbs. softlines** 9,850 lbs. electronics
Friday 11/3/06 Saturday 11/4/06	City of Rohnert Park under contract with C2 Alternative Services	Spreckels Performing Arts Center, Rohnert Park	Rohnert Park citizens and employees "Electronics recycling & drawing for performing arts tickets"	Goodwill	\$1000.00 \$900.00 Newspaper advertising (ad + flier + article) \$ 50.00 Spreckels performing arts tickets \$ 50.00 poster printing	247	6.18 tons 500 lbs. hardlines* 375 lbs. softlines** 11,500 electronics

* Hardlines refers to donations such as housewares, shoes, books, furniture, etc.

** Softlines refers to donations such as clothing and textiles.

Why the Agency conducted these events?

The Agency conducted these events as pilots, targeting outreach to the County of Sonoma's 6,000 employees.

Why Goodwill Industries and not other local thrift stores?

Goodwill Industries of the Redwood Empire was selected as a partner in these donation events as no other thrift stores locally engage in the collection and recycling of electronics. Computers are disassembled for recycling by Goodwill's clients, people with disabilities and other special needs. Usable electronics are sold in the Goodwill stores; unusable electronics are recycled. Goodwill is registered with the California Integrated Waste Management Board as a certified e-waste collector.

What Goodwill provides at these events?

1. 20' truck(s) (trucks are swapped throughout the day as they reach capacity)
2. Staff, and related equipment (pallets, pallet-trolley, etc.) to accept donations and log in e-waste donations.
3. A tent and education table related to Goodwill's services
4. Donations of refreshments (apple cider or Starbucks coffee, if desired)
5. Sandwich boards, "Goodwill Donation Today", at key intersections
6. Traffic cones may be provided upon request

Location recommendation:

1. **Use city/county-owned property.** As a result of insurance/liability issues it was not feasible to use private or city/county leased facilities to conduct these events.
2. **Highly visible centrally located with parking lots conducive to good traffic flow.** An area about 50'x50' is needed for the truck, tent and circulation.

Duration between events:

Annual events are recommended. The Agency conducted two events six months apart. Even with increased publicity for the second event, the donations decreased by 36%.

Two-day event recommendation:

Conducting a donation event on two consecutive days proves valuable as evidenced in double the number of attendees in the two-day Rohnert Park event versus the one-day Agency events.

Ranking (most to least effective) communication strategies:

Based on the publicity conducted, the following ranking was made:

1. **Separate flier in local newspaper**
2. **Emails notices**
3. **Article in local newspaper**
4. **Paycheck fliers**
5. **Web site postings**
6. **Posters**

PSAs and community calendar listings on local radio may also be effective. KRCB did a brief interview for the Rohnert Park event, which was mentioned by some attendees. For futures events, utility bill inserts are also recommended.

How to work with Goodwill and who to contact:

Goodwill Industries requests at least a month notice. The best day for your event is on a Thursday as all of Goodwill's donation truck drivers' work on that day. To schedule an event for your jurisdiction, contact Karen Dion at 523-0550x216 or email kdion@gire.org

Services offered by the Agency:

Artwork for posters/fliers/ads. Printing for posters (if needed) through Sonoma County Reprographics printing department.

II. FUNDING IMPACT

No funding impact.

III. RECOMMENDED ACTION/ALTERNATIVE TO RECOMMENDATION

No recommendation as this item is informational.

VI. ATTACHMENTS

No attachments.



Agenda Item #: 8.1
Cost Center: All
Staff Contact: Wells
Meeting Date: 2/21/07

ITEM: Work Plan FY 07-08

I. BACKGROUND

Beginning in FY 06-07, as a part of the budget process, a project list (Work Plan) is prepared for consideration and approval by the Board in order to have a detailed planning document containing a description of the Agency projects, contractor costs, staff costs, and impact on the operating budget.

The FY 07-08 Work Plan includes the Organics Program (Wood Waste and Yard Debris cost centers), the Surcharge cost centers (HHW, Education, Diversion and Planning), and a section on General Administration. The headings for the Work Plan include contractor cost, staff cost, the goal or justification for the program/project, and a schedule for the program or project, as well as the routine work that is done on a regular basis.

II. FUNDING IMPACT

There is no direct funding impact. The FY 07-08 Work Plan is informational and used for planning purposes and to complement the proposed FY 07-08 budget.

III. RECOMMENDED ACTION / ALTERNATIVES TO RECOMMENDATION

Staff recommends adoption of the FY 07-08 Work Plan as a guide for the FY 07-08 Budget.

IV. ATTACHMENTS

FY 07-08 Work Plan

Work Plan FY 07-08

		Program Description	Contractor Cost	Staff	Goal/Justification	Schedule
Organics (Yard Debris and Wood Waste)						
1.1	Composting Program	Manage contract for composting operation, reconcile and process monthly invoices for payment. Calculate revenue sharing and product allocations.	\$2,668,000	\$29,200	Major diversion program in ColWMP, contract adm.	Monthly
Program	New Compost Site	Conduct siting process for new compost site. During FY 07-08, complete site selection process and initiate CEQA review, potentially purchase site.	\$400,000 (est.)	\$35,600	In the ColWMP	Complete by 2009
1.3	Food Waste Composting Education	Continue outreach efforts to residents, special events, and businesses to include vegetative food waste to compost program, including mailers and ads in print media.	\$15,000 (est.)	\$15,300	In the ColWMP	Ongoing
	Total	Program changes for FY 2007-08 include outreach efforts for composting veggies.	\$3,083,000	\$80,100		
Household Hazardous Waste						
2.1	HHW Collection Program	Manage contract for collection of hazardous waste from residents and CESQG (businesses) at the Household Toxics Facility (HTF), Community Toxics Collections (CTC), and Toxics Rover.	\$1,300,000	\$34,000	Comply with regulations, in the ColWMP, contract adm.	Ongoing
2.2	HHW Program Changes	Implementation of recommendations in HHW Program Evaluation selected by the SCWMA Board to increase efficiency, reduce costs and improve convenience to County residents.	TBD	\$44,300	Greater diversion and reduction of costs	TBD
2.3	E-waste – CEW/UWED's (Partially funded by State)	Covered Electronic Wastes (CEW and UWED's) are accepted at all of the County disposal sites for recycling. This program accepts electronics that are defined as hazardous waste. This program is subsidized by the State through the Electronics Recycling Act of 2003. State subsidy is based on pounds received for recycling. The Agency funds the handling operations.	\$87,000	\$19,800	Required by regulation, contract adm.	Ongoing
2.4	Oil & Filter Recycling (Grant funded)	This program includes a wide variety of efforts from reporting and auditing to collection and education. Actual projects vary year to year depending on grant levels.	TBD	\$9,800	Required by regulation, contract adm.	Ongoing
	Spanish Eco-Desk	Telephone and email response to questions from the Hispanic public on used oil disposal and hazardous waste. Update resources annually. Research as needed.	Funded in FY 06-07 budget	\$2,000	In the ColWMP, contract adm.	Evaluate in spring '08

Work Plan FY 07-08

		Program Description	Contractor Cost	Staff	Goal/Justification	Schedule
Household Hazardous Waste (con't)						
2.6	303 Reporting	The State requires reporting and quantification of HHW collection efforts annually.	\$0	\$8,900	Required by regulation	November '07
Program		Program changes for FY 07-08 include development and implementation of any changes to the HHW program selected from the recommendations contained in the HHW Program Evaluation.	\$1,387,000	\$134,200		
Education						
3.1	Recycling Guide	Develop annual 28-page guide for recycling, reuse and hazardous waste disposal options in Sonoma County. Distribution of 350,900 in the AT&T phone book plus 20,000 additional copies.	\$77,000	\$30,340	Provide recycling information to all County residents and businesses/ in the CoIWMP	December 2007 to March 2008
Total						
3.2	Eco-Desk	Telephone and email response to questions from the public on recycling, disposal and hazardous waste. Update resources annually. Research as needed.	\$4,000	\$21,340	Provide recycling information by phone to all County residents and businesses/ in the CoIWMP	Daily
	Spanish Eco-Desk	Telephone and email response to questions from the Hispanic public on recycling, disposal and hazardous waste. Update resources annually. Research as needed.	Funded in FY 06-07 budget	\$3,000	Provide recycling information in Spanish/ in the CoIWMP contract adm.	Evaluate in spring '08
3.3	Grants	Grants are an excellent opportunity to expand the Agency's programs and to encourage local nonprofits to develop programs that meet the goals of the Agency.	\$0	\$10,340	Leverage limited Agency resources with grants and partnerships	As available

Work Plan FY 07-08

		Program Description	Contractor Cost	Staff	Goal/Justification	Schedule
Education (con't)						
3.4	Web site www.recycle now.org	Update the website and availability of the Recycling Guide with a new 86+ page web site based on CSS.	\$19,000	\$18,840	Communicate recycling information using the web/ in the ColWMP, contract adm.	Ongoing
	SonoMax	The SonoMax (Sonoma County Materials Exchange) advertises business discards. Resources are managed with the Eco-Desk Access database. In addition to the printed brochure, www.recyclenow.org/sonomax has been in operation since 1998.	Funded in FY 06-07 budget	\$11,340	Reduce business waste through reuse and recycling/ in the ColWMP, contract adm.	Ongoing
3.5	Green Building	Staff participates as needed on the Build It Green Public Agency Council and other similar efforts.	\$0	\$11,840	Reduce waste and increase recycled product purchasing/ in the ColWMP	Ongoing
3.6	Fairs	Fairs provide an excellent opportunity to inform the public on recycling and the proper disposal of hazardous waste. To support our programs, fair themes vary each year.	\$9,000	\$19,840	Communicate recycling information at public events/ in the ColWMP	Summer/Fall
	Fairs Hispanic outreach	Various Hispanic events. Organized by a contractor, Agency educational materials are loaned for these events.	\$2,000	\$2,840		Spring
3.7	Home composting education	In order to reduce organic waste going to landfill and reduce the Agency's compost program costs, the Agency has supported an educational program teaching home composting through the Master Gardeners with presence at events, classrooms and workshops.	\$16,660	\$3,740	Reduce organic waste being landfilled and compost program costs/ in the ColWMP, contract adm.	Ongoing
3.8	Green Purchasing	In order to be eligible for grant applications from the State of California, and to encourage "closing the loop" purchasing, the Agency has developed a recycled-content procurement policy. Staff assists the jurisdictions' purchasing departments in tracking and their recycled content purchases.	\$0	\$10,340	Implement and monitor green purchasing policies to assure eligibility for grant applications	Annual grant applications, ongoing implementation efforts

Work Plan FY 07-08

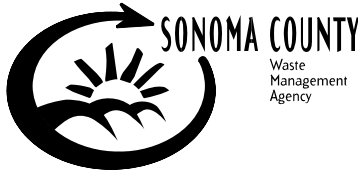
		Program Description	Contractor Cost	Staff	Goal/Justification	Schedule
Education (con't)						
Program 3.9	Green Business	This business recognition program encourages regulatory compliance and environmental stewardship by businesses. The SCWMA's role is to improve recycling efforts and reduce waste generation and help expand the program to more businesses.	\$0	\$10,340	Increase business recycling and waste reduction/ In the ColWMP	Ongoing
4.0	Outreach	The Agency provides funding and some staff support to two organizations: the Environmental Discovery Center (EDC) and the Business Environmental Alliance (BEA). This effort promotes recycling and waste diversion beyond the range of other Agency operations.	\$5,000 EDC \$5,000 BEA	\$8,740	Expand Agency outreach to children/students (EDC) and businesses (BEA)	Ongoing
		Program changes for FY 2007-08 include moving several projects that were in the Diversion Cost Center in the FY 06-07 Work Plan to the more appropriate Education Cost Center.	\$137,660	\$164,880		
Diversion						
Total 4.1	Beverage Container Recycling (Grant funded)	Grant money from the State Dept. of Conservation (to further the recycling of beverage containers), awarded to all member jurisdictions, is consolidated at the Agency, and spent regionally, including: <ul style="list-style-type: none"> • Placing and servicing recycling bins in city and County parks. • Providing bin design and signage for special events at the fairgrounds. • Providing bins for local schools. • Funding disposal expenses for the Roadside Community Cleanups. 	Department of Conservation grant funded	\$17,500	Make recycling bins convenient for public consuming containerized beverages at events and outdoors	Annual report and ongoing support
4.2	Large Venue and Event Recycling	Large venues/events serving 2,000+ paid attendees per day are required to have a recycling plan and provide recycling. The Agency is required to report on results. Tasks include: <ul style="list-style-type: none"> • Identify top 10% of large city events/venues. • Analyze waste/recycling amounts at venue/event. • Assist w/development of waste reduction plans. • Notify building/planning departments about requirement for adequate storage for collecting/loading recyclables. Provide education materials to distribute with permit applications. 	\$0	\$18,500	Reduce waste going into landfills from events/ State reporting requirements pertaining to large public gatherings	Annual report to CIWMB, ongoing efforts

Work Plan FY 07-08

		Program Description	Contractor Cost	Staff	Goal/Justification	Schedule
Diversion (con't)						
4.3	Sonoma/ Mendocino/ Lake Counties Recycling Market Development Zone (RMDZ)	Handle requests from the general public and business on the opportunities available. Submit annual reports to the Zone administrator. Coordinate the development and printing of educational materials for distribution to program participants and at economic development meetings. Provide funding support for Zone administrator.	\$0	\$5,560	RMDZ support for local economic development, create jobs	Ongoing
	Total	Program changes for FY 2007-08 include moving several projects that were in the Diversion Cost Center in the FY 06-07 Work Plan to the more appropriate Education Cost Center.	\$0	\$41,560		
Planning						
5.1	AB 939 Reporting Requirements	Annual Report writing consists of: <ul style="list-style-type: none"> Collect and enter data from: the haulers, transfer stations, Central Landfill, out-of-county landfills, biomass facilities, large venues/events (new), HHW program. Update text description of programs. Submit report to Calif. Waste Board (CIWMB). Prepare diversion report cards for each city. 	\$0	\$13,000	Compliance with State regulations	Monthly updates culminating in an annual report
5.2	Disposal Reporting System (DRS) Quarterly Reports	Prepare regional quarterly reports to the CIWMB that identify the amount of solid waste generated in the region, and where that solid waste is landfilled. Track quarterly reports from other landfills that dispose of solid waste generated in Sonoma County.	\$0	\$5,560		
5.3	Revise Countywide Integrated Waste Management Plan (CoIWMP)	SCWMA is responsible for the CoIWMP. Ongoing tasks: any additions or updates to the Non-Disposal Facility Element. The Plan is being revised to include these changes: <ul style="list-style-type: none"> update Goals, Objectives and Policies chapter, revisions to the Siting Element regarding out-of-County disposal sites. 	\$150,000 (est.)	\$24,600	Update CoIWMP and associated Program EIR to address solid waste system changes	Ongoing

Work Plan FY 07-08

		Program Description	Contractor Cost	Staff	Goal/Justification	Schedule
Planning (con't)						
Program	Total	Program changes for FY 2007-08 include a revision to the 2003 CoIWMP to reflect changes in the County's solid waste disposal system.	\$150,000 (est.)	\$43,160		
General Administration						
6.1	Agency Board	<ul style="list-style-type: none"> • Prepare agendas/packets • Attend meetings • Prepare and file minutes, resolutions, agreements 	\$0	\$35,000	Administration of Agency operations	Ongoing
6.2	SCWMA Financial Management	<ul style="list-style-type: none"> • Approve invoices/journal vouchers • Prepare financial statements to Board • Prepare budget and facilitate approvals • Respond to audits (internal and external) 	\$0	\$26,000	Administration of Agency operations	Ongoing
	Total		\$0	\$60,000		



Agenda Item # 8.2
Cost Center: All
Staff Contact: Wells/Fisher
Agenda Date: 2/21/07

ITEM: FY 07-08 Proposed Draft Budget

I. BACKGROUND

Preparation of the Agency's annual budget begins with direction and approval from the Board on a preliminary budget, based on an annual Work Plan, establishing key budget elements such as changes to the tipping fee surcharge. This budget data is then included in the County's Transportation and Public Works Department budget. Following Agency approval of the Proposed Draft Budget, staff prepares a detailed Final Budget for later approval.

For Board members' review and discussion, the attached spreadsheets have two years of actual financial data (FY 04-05 and FY 05-06), the projections from the Mid-Year Financial Report for FY 06-07 (Agenda Item 5.2), and the proposed budget for FY 07-08.

II. DISCUSSION

The proposed draft FY 07-08 budget includes the expenses for the projects and programs identified in the draft FY 07-08 Work Plan presented under the previous Agenda Item. Expenses for contracts and salaries have been increased using tonnage projections described below and using the same inflators used in the FY 06-07 Budget. Revenue collected from the tipping fee surcharge is proposed to stay at the \$4.50/ton rate with funds taken from the Contingency Reserves used to cover the lower revenue from the reduced disposed waste and surcharge cost center expense increases. As there are potentially significant costs associated with the HHW Program Evaluation recommendations that have yet to be identified, no expenses or revenues have been included for this effort. It is expected that costs associated with major HHW program changes will be included in the FY 08-09 budget and expenses for any minor program changes between now and FY 08-09 can be covered by using the existing HHW Operating Reserve Fund.

III. FUNDING IMPACTS

REVENUES

Organics: In order to keep revenues in balance with the increased expenses of the composting contract and for hauling and continue to set aside funds for the new compost site, the proposed rate used for calculation of revenue is an increase of \$1.00 per ton for both wood waste and yard debris (a 4% increase for wood waste and a 3% increase for yard debris). The proposed tipping fees would change as shown below:

	Current Rate at the Central Disposal Site	Proposed Rate at the Central Disposal Site (effect. July 2007)	Current Rate at the Transfer Stations	Proposed Rate at the Transfer Stations (effect. July 2007)
Yard Debris	\$33.10/ton	\$34.10/ton	\$35.20/ton	\$36.20/ton
Wood Waste	\$26.60/ton	\$27.60/ton	\$28.70/ton	\$29.70/ton

Revenues for the Wood Waste cost center are based on 11,600 tons per year or 32 tons per day. This is an estimate using FY 06-07 Mid-Year Financial Report actual tonnages to calculate an annual quantity.

Revenues for the Yard Debris cost center are based on 80,000 tons per year or 222 tons per day, including the processed yard debris going to the Laguna Treatment Plant as a bulking agent. This is an estimate using FY 06-07 Mid-Year Financial Report actual tonnages to calculate an annual quantity.

Surcharge Tipping Fee: Revenues from the tipping fee surcharge in the Surcharge Cost Centers (HHW, Education, Diversion and Planning) are calculated assuming a 4% reduction in the quantity of solid waste delivered to the County disposal system which is based on recent projections that reflect additional waste reduction efforts that lead to a decreasing amount of garbage to be landfilled. There is no proposed rate increase for the tipping fee surcharge for FY 07-08. Expenses in excess of the revenue from the tipping fee surcharge are proposed to be covered by drawing down the Contingency Reserve, which is projected to have funding at a level greater than the Contingency Reserve Policy, discussed later.

Petaluma Contribution: The annual cost of the City of Petaluma's service agreement for FY 07-08 is proposed to stay the same as FY 06-07, \$122,224, with their share of increased expenses also covered by the Contingency Reserve.

Interest on Pooled Cash: The revenues from Interest on Pooled Cash were calculated using an interest rate of 5%. This rate was provided by the County Auditor based on a recommendation from the County Treasurer. Interest was calculated on grant funds within the appropriate cost center and on the equity recorded in the Trial Balances from the end of last fiscal year (FY 05-06) for the reserve centers.

EXPENSES

For All Cost Centers:

The Agency required increased legal advice during FY 06-07. It is anticipated that this need will continue at a similar level during FY 07-08.

Wood Waste Cost Center: Adjusting for the contract specified inflator, the wood waste processing fees will be \$21.45/ton for wood waste used as fuel and \$23.26/ton for non-fuel wood waste. This is assuming the same CPI that was used in FY 06-07. Estimated tonnage is the same as used for the revenue projections.

Included in the Contract Services expense is the organics hauling charges from the transfer stations to the Central Composting Facility. The hauling expense includes a 9% increase, which is the County hauling contract-specified cost adjustment between 2006 and 2007, and is based on fuel costs.

Yard Debris Cost Center: The contract expenses for yard debris composting will be \$24/ton for preparing material for Laguna composting, and \$26.26/ton for composting services at the Central site (assuming 176 or more tons/day, which is the rate most frequently used). Estimated tonnage is the same as used for the revenue projections. As with wood waste, the yard debris is subject to the increased hauling charges. Costs associated with the new compost site will be expensed from the Organics Reserve Cost Center.

Household Hazardous Waste Cost Center: The cost of the Household Hazardous Waste program is forecast to remain approximately the same as in FY 06-07, recognizing the e-waste industry changes. Any costs for changes to the HHW program associated with the HHW Program Evaluation recommendations during FY 07-08 will be expensed from the HHW Operating Reserve Fund.

The new state laws (SB 20 and SB 50) regulating CRT's have created an industry that reimburses collectors for these items. The Agency achieved a significant cost savings in this cost center through a recently approved e-waste recycling contract.

Education: Activity in this cost center will remain the same as in previous years, except for the expenses already noted.

Diversion: Activity in this cost center will remain approximately the same as in previous years, except for the expenses already noted.

Planning: Activity in this cost center includes the revision to the 2003 ColWMP and associated CEQA documents to reflect out-hauling of solid waste, which is a change from the location of disposal described in the current ColWMP.

RESERVES

The Agency Reserves Policy, approved in 2006, directed that unspent funds collected in each of the individual cost centers since the inception of the Agency be transferred into defined reserve funds. The Wood Waste and Yard Debris undesignated funds go into the Organics Reserve (formerly the Site Purchase Reserve). The HHW Cost Center undesignated funds are transferred into the HHW Facility Closure and the HHW Operating Reserve. The Education, Diversion and Planning Cost Center undesignated funds go into the Contingency Reserve.

The 2006 reserve policy also established goals for each of the four reserve funds, with the exception being the Organics Reserve, which the Joint Powers Agreement directs that all funds generated within the Wood Waste and Yard Debris cost centers be used exclusively for the composting program and are expected to be used to establish a new compost site.

The Reserve Policy funding goals for the FY 07-08 Reserve Funds would be:

Organics	Unstated (JPA agreement)
HHW Closure	\$46,670 (to accumulate \$100,000 by FY 2016-17)
HHW Operating	\$873,813 (50% of FY 07-08 operating expenses)
Contingency	\$196,120 (25% of Ed., Div., Plan. FY 07-08 expenses)

Agency Reserves			
Cost Centers	05-06 Actual	06-07 Projected	07-08 Proposed
Wood Waste	\$ 304,450	\$ -	\$ -
Yard Debris	\$1,530,624	\$ -	\$ -
HHW	\$1,532,073	\$ -	\$ -
Education	\$ 493,830	\$ -	\$ -
Diversion	\$ 29,894	\$ -	\$ -
Planning	\$ 79,301	\$ -	\$ -
Reserves			
Organics	\$ 948,557	\$ 3,282,104	\$ 3,375,221
HHW Closure	\$ 40,411	\$ 48,134	\$ 54,802
HHW Operations	\$ -	\$ 1,160,990	\$ 1,219,040
Contingency	\$ 50,820	\$ 607,497	\$ 464,997
Total	\$5,009,960	\$ 5,098,725	\$ 5,114,060

In looking at the transition of the accumulated undesignated cost center funds to the reserve funds defined by policy, it is apparent that there are now reserves in excess of the goals. Because of the undesignated funds, which have been collecting since the formation of the Agency in 1992, there are excess funds in the HHW Operating Reserve and the Contingency Reserve. When the policy was adopted in 2006, it stated "When a reserve goal is reached for these funds, any additional revenues would be used to offset future program costs and avoid fee increases."

In the current budget planning process, there are two projects that are under consideration for future implementation that would require

use of the appropriate reserves, the new compost site and the HHW program recommendations. The FY 07-08 proposed draft budget does not propose any tipping fee surcharge increase, instead it is proposed that the expenses in excess of FY 07-08 tipping fee surcharge revenue would be covered by drawing down the Contingency Reserve.

Organics Program Reserve. These funds are designated by the Joint Powers Agreement to be used for composting efforts. The planned relocation of the composting site is underway. In the FY 07-08 budget, there are proposed expenses for consultant and legal services to cover work for the new site identification and environmental studies. The FY 06-07 contribution to the Organics Program Reserve is budgeted to be \$2,333,547 (which includes undesignated funds from prior years). The proposed contribution for FY 07-08 is \$379,012. The proposed FY 07-08 expenditures for new site development are \$400,000.

HHW Facility Closure Reserve. The budget includes funds required for the future closure of the Household Hazardous Waste facility. The proposed contribution to the HHW Facility Closure Reserve is \$6,667 with \$2,407 from interest on existing funds and \$4,260 contribution from the tipping fee surcharge. There are no anticipated expenditures.

HHW Operating Reserve. This reserve account is used to cover unanticipated and new HHW program costs. Contributions to both the HHW Facility Closure and Operating Reserve come from the HHW Cost Center. An evaluation of the HHW program was recently presented to the Board. Some recommendations from this study would require capital expenditures, which could be funded by this reserve fund pending Board approval. There are no identified expenditures at this time nor proposed additional

contributions to this Reserve Fund from the tipping fee surcharge. The HHW Operating Reserve will achieve some growth from interest on existing funds.

Contingency Reserve. The Education, Diversion and Planning cost centers contribute to or receive funds from this reserve. The proposed expense for FY 07-08 from the Contingency Reserve to cover increased expenses in the Education and Planning cost centers is \$172,875. The Diversion cost center has a balanced budget.

Beginning FY 07-08, any unused funds in the individual cost centers from the prior year (FY 06-07) will be transferred to the appropriate reserve center by using the technical adjustments, which are budgetary adjustments done immediately before the final County budget approval, scheduled for September 2007.

IV. RECOMMENDATION

Staff requests approval of the Proposed Draft Budget for FY 07-08 and direction to prepare a detailed budget for final approval at the April 2007 meeting. Without approval, the Agency will not meet the Transportation and Public Works budget deadline of March 15, 2007. This item requires a Unanimous Vote for approval.

V. ATTACHMENT

Proposed Draft Budget for FY 07-08



Agenda Item #: 8.3
Cost Center: Administration
Staff Contact: Wells
Meeting Date: 2/21/07

ITEM: Review of MOU for Staff Services

I. BACKGROUND

At the November 2006 Agency meeting a discussion about staffing for the Agency included a report from Janet Coleson, Agency Counsel, in which she explained that staffing for the Agency is provided by the County under a Memorandum of Understanding (MOU), most recently revised and approved in 2000, that states 'in accordance with section 4 of the JPA, the County shall provide the Agency with staff services as described in Exhibit A.', where Exhibit A is the annual budget.

Ms. Coleson explained that if the Agency no longer wants the staffing provided by the MOU with the County, the Agency would need to amend the Joint Powers Agreement. During that discussion Tim Smith, Rohnert Park, said he'd like to see an annual review of the MOU. The Chair, Sue Kelly, noted that the review and any possible modification of the MOU is linked to the budget each fiscal year.

II. DISCUSSION

As suggested during the discussion of the Agency's staffing services last November, this item offers the Board an opportunity to review and, potentially, revise the MOU for staff services.

III. FUNDING IMPACT

There is no funding impact from a review of the MOU, other than staff time necessary to support the effort. There could be future funding impacts, which would depend on any changes to the MOU.

IV. RECOMMENDED ACTION / ALTERNATIVES TO RECOMMENDATION

Consider appointing an ad hoc MOU for Staffing Services review committee to consider changes to the MOU. If an ad hoc committee is appointed, direct it to review the MOU and return with any recommended changes for consideration by the Board. Staff offers the suggestion that the composition of the ad hoc MOU review committee could consist of the Chair, the Vice-Chair, the County of Sonoma, with support from the Agency Director and Agency Counsel.

V. ATTACHMENTS

July 2000 MOU for Staff Services

ORIGINAL

*other orig
w/ BOS Section
Exhibits w/
agreements*

MEMORANDUM OF UNDERSTANDING
FOR STAFF SERVICES

This Memorandum of Understanding is made and entered into this 11th day of July 2000, by and between the County of Sonoma ("County") and the Joint Powers Agency To Deal With Waste Management Issues, hereinafter referred to as the Sonoma County Waste Management Agency ("Agency"). County and Agency are sometimes collectively referred to as the "parties" and singularly, a "party."

RECITALS

WHEREAS, pursuant to that certain Agreement between the Cities of Sonoma County and Sonoma County for a Joint Powers Agency To Deal With Waste Management Agency (hereinafter referred to as "JPA Agreement") Agency was created to deal with regional waste management issues such as wood waste, yard waste, household hazardous waste and public education; and

WHEREAS, Section 4 of the JPA Agreement requires Agency to contract with County for staff services; and

WHEREAS, the parties entered into a Memorandum of Understanding for Staff Services on June 23, 1992 ("Existing MOU"); and

WHEREAS, the parties desire to terminate the Existing MOU and enter into this memorandum of understanding (hereinafter referred to as the "Agreement") upon the terms and conditions set forth below.

NOW THEREFORE, in consideration for the promises, covenants and agreements of both parties as set forth below, the parties agree as follows:

AGREEMENT

1. Operations.

1.1 County to Provide Staff for Agency. In accordance with Section 4 of the JPA Agreement, County shall provide Agency with staff services as more particularly described in Exhibit A attached hereto.

1.2 Agency to Reimburse County. County shall submit monthly bills to Agency for services rendered pursuant to Section 1.1 above. Should any bills remain unpaid at the end of any fiscal year commencing with the 1999-2000 fiscal year, Agency shall pay a surcharge in the amount of seven percent (7%) of the outstanding amount then due. Such surcharge shall be due and payable within thirty (30) days of assessment.

2. Designation of County Auditor-Controller as Agency Auditor. Pursuant to Government Code Section 6505.5, the parties hereby appoint the County Auditor-Controller to be the depository and have custody of all the money of Agency, from whatever source. The auditor shall perform the following functions:

2.1 Receive All Money for Agency. Agency shall receive all money of Agency and place it in the County treasury with instructions to the Auditor to credit Agency for such sums.

2.2 Responsible for Safekeeping. Auditor shall be responsible upon its official bond for the safekeeping and disbursement of all Agency money so held by it.

2.3 Disbursements. Auditor shall pay all sums due from Agency from Agency money, or any portion thereof, only upon claims of the Agency's Executive Director or his or her designee.

2.4 Monthly Reports. Auditor shall distribute monthly reports in writing to Agency's Executive Director. Each monthly report shall include, without limitation, the following information: (i) the amount of money it holds for Agency; (ii) the amount of receipts since the last monthly report; and (iii) the amount paid out since the last monthly report.

3. Other Reimbursement Obligations. This Agreement in no way affects Agency's obligation to reimburse County for the advancement by County of costs (other than County labor), including, without limitation, costs incurred for permits obtained, for the benefit of Agency, from public agencies having jurisdiction over Agency's operations.

4. Insurance. During the term of this Agreement, Agency shall carry insurance in the amounts set forth in the attached Certificate of Insurance attached hereto as Exhibit B.

5. Indemnification. Agency shall defend, indemnify, and hold harmless County from and against all loss, damage or liability arising out of the claims of third persons for tortious acts or omissions of Agency, its agents and employees arising out of or in connection with the performance of Agency hereunder. Agency shall defend, indemnify and hold harmless County from and against all loss, damage or liability for the employees that occur during the course and scope of the acts or omissions of County employees' work for the Agency. Agency's obligation hereunder shall be limited to the extent such claims are covered by the insurance required pursuant to Section 4 above. County shall defend, indemnify, and hold harmless Agency from and against all loss, damage, or liability to the extent arising out of the claims of third persons for County's gross negligence or willful misconduct arising out of or in connection with this Agreement.

6. Review of Agreement. County and Agency shall review this Agreement annually for the purpose of modification or termination.

7. Miscellaneous Provisions.

7.1 No Continuing Waiver. The waiver by County of any breach of any of the provisions of this Agreement shall not constitute a continuing waiver of any subsequent breach of the same, or of any other provision of this Agreement.

7.2 Time of Essence. Time is and shall be of the essence of this Agreement and of each and every provision contained in this Agreement.

7.3 Incorporation of Prior Agreements: Amendments. This Agreement contains all the agreements of the parties with respect to any matter mentioned herein. No prior agreement or understanding pertaining to any such matter shall be effective. This Agreement may be modified in writing only, signed by the parties in interest at the time of the modification, and this sentence may not be modified or waived by any oral agreement.

7.4 Construction of Agreement. To the extent allowed by law, the provisions in this Agreement shall be construed and given effect in manner that avoids any violation of statute, regulation or law. County and Agency agree that in the event any provision in this Agreement is held to be invalid or void by any court of competent jurisdiction, the invalidity of any such provision shall in no way affect any other provision in this Agreement.


7.5 Captions. The captions in this Agreement are for convenience only and are not a part of this Agreement. The captions do not in any way limit or amplify the provisions hereof and shall have no effect upon the construction or interpretation of any party hereof.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the day and year first written above.


COUNTY: COUNTY OF SONOMA

By: 
Chairman, Board of Supervisors

ATTEST:


EEVE T. LEWIS, County Clerk
and ex-officio Clerk of the
Board of Supervisors

AGENCY: SONOMA COUNTY WASTE
MANAGEMENT AGENCY

By: 
Chair, Sonoma County
Waste Management Agency

APPROVED AS TO FORM:


County Counsel

COPY

RESOLUTION NO.: 2000-020

DATED: June 21, 2000

RESOLUTION OF THE SONOMA COUNTY WASTE MANAGEMENT AGENCY ("AGENCY")
APPROVING THE MEMORANDUM OF UNDERSTANDING FOR STAFF SERVICES, BY AND
BETWEEN THE COUNTY OF SONOMA AND THE AGENCY.

WHEREAS, pursuant to that certain Agreement between the Cities of Sonoma County and Sonoma
County for a Joint Powers Agency To Deal With Waste Management Agency (hereinafter referred to as
"JPA Agreement") Agency was created to deal with regional waste management issues such as wood waste,
yard waste, household hazardous waste and public education; and

WHEREAS, Section 4 of the JPA Agreement requires Agency to contract with County for staff
services; and

WHEREAS, the parties entered into a Memorandum of Understanding for Staff Services on June 23,
1992 ("Existing MOU"); and

WHEREAS, the parties desire to terminate the Existing MOU and enter into the memorandum of
understanding (hereinafter referred to as the "Agreement") upon the terms and conditions set forth in the
attached Exhibit A.

NOW THEREFORE, BE IT RESOLVED that Agency hereby authorizes the Agency Chair to sign
the attached Agreement with the County of Sonoma for staff services.

MEMBERS:

<u>AYE</u> Cloverdale	<u>AYE</u> Cotati	<u>AYE</u> County	<u>AYE</u> Healdsburg	<u>AYE</u> Petaluma
<u>AYE</u> Rohnert Park	<u>AYE</u> Santa Rosa	<u>AYE</u> Sebastopol	<u>AYE</u> Sonoma	<u>AYE</u> Windsor

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

The within instrument is a correct copy
of the original on file with this office.

ATTEST: _____ DATE: _____

Clerk of the Sonoma County Waste
Management Agency of the State of California,
in and for the County of Sonoma.

COPY

AGREEMENT
BETWEEN
THE CITIES OF SONOMA COUNTY
AND
SONOMA COUNTY
FOR A
JOINT POWERS AGENCY
TO DEAL WITH WASTE MANAGEMENT ISSUES
(Wood Waste, Yard Waste,
Household Hazardous Waste, and Public Education)

(Exhibits Attached)

REVISION DATE: 2-11-92

TABLE OF CONTENTS

Section 1.	Definitions
Section 2.	Purpose of Agreement
Section 3.	Covenant of Cooperation in Waste Program
Section 4.	Composition of Joint Powers Agency
Section 5.	County to Provide Sites at Central Landfill
Section 6.	County to Provide Site Improvements
Section 7.	Agency to Arrange for Operator and Equipment
Section 8.	Household Hazardous Waste Acceptance Area
Section 9.	Joint Powers Agency to Administer Treatment System and Household Hazardous Waste Storage and Disposal
Section 10.	Financing - Household Hazardous Waste Storage and Disposal
Section 11.	Role of Participants in Collection of Wood, and Yard Waste
Section 12.	Request for Proposals for Composting, Woodwaste, Tree Stumps and Yard Waste
Section 13.	Financing - Yard and Wood Waste
Section 14.	Joint Powers Agency Authority to Adopt Regulations
Section 15.	Commencement of Operation
Section 16.	Estimation and Payment of O&M Cost
Section 17.	Agency to Accept and Participants to Deliver Yard and Wood Waste
Section 18.	Public Education - Allocation of Costs
Section 19.	Reimbursement of County Costs for Information System and Regulatory Compliance Costs
Section 20.	Term of This Agreement
Section 21.	Records and Accounts
Section 22.	Liabilities and Limitations of Parties
Section 23.	Insurance
Section 24.	Severability
Section 25.	Non-Tipping Fee Funding Sources
Section 26.	Amendments to Agreement

AGREEMENT

This is an Agreement between the Cities of the County of Sonoma and Sonoma County to create a Joint Powers Agency (referred to as "Agency") consisting of the Cities and County of Sonoma to deal with waste management issues such as wood waste, yard waste, household hazardous waste, and public education.

This Agreement is made upon the date last signed below between the various cities of Sonoma County who are signators to this Agreement (referred to as "Cities") and Sonoma County (referred to as "County"), all of which are collectively referred to as "Participants."

RECITALS

This Agreement is predicated on the following facts:

A. Increases in the populations of Participants and changes in the requirements for waste treatment and disposal have created an urgent need for new and innovative approaches in the treatment and disposal of waste generated within the boundaries of Participants.

B. A mutually cooperative Joint Powers Agreement will protect the health and safety of the citizens, preserve and enhance their environment, and provide for recycling, diversion, and disposal of waste generated within Participants;

C. The California Integrated Waste Management Act of 1989 (AB939), among other things, requires Participants to divert recyclable and recoverable materials from the waste stream and to cooperate to achieve their diversion goals. Following this principle, it is the intent of Participants to cooperate with each other as reflected in this Agreement so as to carry out, in an efficient manner, these objectives.

D. Participants have agreed on a Joint Powers Agency to deal with wood, yard, and household hazardous waste issues and public education in the manner set forth in this Agreement. Participants will continue to discuss other waste management issues and endeavor to reach agreement on those issues after which this Agreement will be amended by mutual written consent.

E. At the present time, Sonoma County anticipates the adoption of an ordinance restricting or prohibiting the disposal of yard waste and wood waste at the Central Landfill Site due to the fact that alternative technologies are available other than disposal at the Central Landfill. In addition, pursuant to AB939, 25% of the waste stream must be diverted by 1995. This Joint Powers Agreement will assist in that effort.

JOINT POWERS AGREEMENT

NOW, THEREFORE, Participants agree as follows:

Section 1. Definitions

Agency. The Joint Powers Agency created by this Agreement consisting of Cities and County.

City. The various cities of Sonoma County whose signatures appear at the end of this Agreement.

County. Sonoma County.

Household Hazardous Waste. As defined by the California Integrated Waste Management Board.

Licensed Hauler. "Licensed Hauler" means any organization licensed to haul refuse by a Participant.

Participants. The Cities and County of Sonoma who are participating in this Agreement.

Products. Products mean the products including compost of the wood waste and yard waste Treatment System.

Treatment System. The system used to process yard and wood waste.

Wood Waste. "Wood waste" means solid waste consisting of wood pieces or particles which are generated from the manufacturing or production of wood products, harvesting, process or storage of raw wood materials, or construction and demolition activities.

Yard Waste. "Yard waste" means any wastes generated from the maintenance or alteration of public, commercial or residential landscapes including, but not limited to, yard clippings, leaves, tree trimmings, pruning, brush, and weeds.

Section 2. Purpose of Agreement

The purpose of this Agreement is to create Agency and to describe the terms and provisions by which Agency will deal with four (4) programs - namely, (1) household hazardous waste and (2) wood waste and (3) yard waste that otherwise would go to the Central Landfill. Agency shall also have a (4) public education function. Each Participant executing this Agreement may elect to participate in any or all of the Agency programs. From time to time, Participants may agree, in writing, to additional duties and responsibilities and programs beyond those set forth in this Agreement.

Section 3. Covenant of Cooperation in Waste Program

Participants do hereby covenant with each other to take all reasonable actions for orderly treatment of household hazardous, wood, and yard waste under the terms of this Agreement and to comply with all reasonable requirements of Federal and State Entities having jurisdiction over the

processing and treatment of household hazardous, wood, and yard waste. Participants also hereby covenant with each other to take all reasonable actions to avoid duplication or conflict of efforts in any waste program undertaken by the Agency.

Section 4. Composition of Joint Powers Agency

The Joint Powers Agency created by this Agreement shall have one member from Sonoma County and one member from each City that joins the Agency (each of whom shall be an elected Councilmember, County Supervisor or appointee). Any city may, at its option, elect to join the Agency and have one (1) vote. An appointee shall be an employee of the city or county making the appointment. Each member shall have one vote. A quorum shall consist of one-half or more of the members. The majority vote of a quorum is sufficient for action. Provided, however, a unanimous vote of the total membership (i.e., all members must approve) shall be required for action on (1) major program expansion(s) or (2) capital expenditures greater than \$50,000, or (3) adoption of annual budgets. A "major program expansion" means any program or plan for anything beyond yard and wood waste, household hazardous waste, and public education.

The members of the Agency shall hold their first meeting within forty-five (45) days after execution of the Joint Powers Agreement by all Participants at which time it shall, in compliance with the Brown Act, establish a regular meeting date and take such other action as it deems appropriate to organize itself for the orderly conduct of business. The JPA will contract with Sonoma County for staff services with the Recycling, Marketing, and Integrated Solid Waste Manager.

Section 5. County to Provide Sites at Central Landfill

Provided that all regulatory requirements of Federal and State agencies are first met, the County agrees to provide, free of charge as a subsidy, sites at its Central Landfill Site for the purpose of household hazardous waste collection and storage and for a wood and yard waste Treatment System. After first consulting with the Agency, the County shall provide such sites as County finds reasonably suited and located for the needs of the Agency. A map together with the conditions of use shall be drawn delineating the boundaries of the two sites; the boundaries may be amended by mutual agreement between the Agency and the County in order to meet future needs. Should operations cease on either or both of the existing sites, then Agency shall have no further right to use the existing site(s) where use has ceased. If Agency ceases to use either or both site(s), Agency, at its expense, will remove all wastes and Products so that the site(s) is returned to County in a completely clean condition. Agency, at its expense, shall perform such monitoring tests as County's Public Works Director requests to examine the conditions at the site(s) and the areas around the site(s).

Such tests may occur during the term of this Agreement or afterward.

Section 6. County to Provide Site Improvements

The County, using tipping fee revenue, will provide reasonable site improvements.

Section 7. Agency to Arrange for Operator and Equipment

Agency will arrange for an operator with the necessary equipment to process yard waste and wood waste delivered to the site. In addition, Agency will arrange for a hazardous household waste operator to perform a collection, recycling and disposal services for Participants electing to participate. Wood and yard waste will be accepted from all sources within Sonoma County; household hazardous waste will be accepted only from licensed haulers and other entities approved by Agency and from members of the public that are residents of a Participant of the Agency. Small quantity generator hazardous waste (as defined by California Legislation or by the Agency with the unanimous concurrence of each Participant) will be included but will be entirely financed by the business using the service. A special fee and method and hours of operation will be established by the Agency for this service.

Section 8. Household Hazardous Waste Acceptance Area

Household hazardous waste will be received from the residents of Participants in a receiving area at the facility. The public will be met by trained personnel who will inspect the delivered waste and determine whether they are acceptable household hazardous wastes. If unidentified (unlabeled) waste are found the delivery person will be requested to provide information to assist in determining the type of material. Times and dates for acceptance of household hazardous waste from Public will be determined by Agency.

The waste received will be sorted into materials that must be disposed of and those that can be reused. Those materials that must be disposed of will be prepared for transportation to disposal facilities. Those wastes received that can be reused will be inventoried for use, exchange, reuse or shipped to a recycling facility. Materials remaining in inventory for a period of time determined to be appropriate by Agency will be disposed of or handled as the Agency determines appropriate.

Section 9. Joint Powers Agency to Administer Treatment System and Household Hazardous Waste Storage and Disposal

The Agency shall administer and execute the Agreement and do all acts necessary for the exercise of said common power for that purpose.

The Agency shall administer, operate, manage, and control the Treatment System and the household (and any other) hazardous waste storage and disposal system in an efficient and economical manner and maintain and preserve them in good repair and working order, all in accordance with sound engineering practices. Agency shall treat and dispose of all wood and yard waste received and shall collect, recycle, store, and dispose all household (and any other) hazardous waste received under the terms of this Agreement in such manner as to comply with all applicable laws, rules and regulations.

Section 10. Financing - Household Hazardous Waste Storage and Disposal

The cost of startup, maintenance and operation may be paid by the tipping fee process with special cost center established for Household Hazardous Waste and hazardous small quantity generator business waste. County will provide financing to construct and operate the facility by collecting a tonnage tipping fee on all refuse entering the Landfill. The hazardous business waste program, if JPA establishes program, will set a fee schedule to cover all costs including capital startup, operating, maintenance, and disposal fees.

Section 11. Role of Participants in Collection of Wood, and Yard Waste

Each Participant shall cause wood waste and yard waste generated within its jurisdiction (that could not be diverted otherwise) to go to the Central Landfill to be delivered to the Treatment System and shall take such actions as are appropriate and necessary to accomplish that result. The Joint Powers Agency shall establish standards for the quality of yard and wood waste acceptable for delivery to the Treatment System and may also approve diversions of wood waste and yard waste to alternative treatment systems.

If and when wood and yard waste is treated in the Treatment System and results in useable products (hereinafter referred to as "Products"), then Agency shall have the right to dispose of the Products as it sees fit and in accordance with any contract(s) it may have with an Operator.

Agency shall separately account for all costs of handling and disposing yard waste and wood waste so that the costs of each are known.

Section 12. Request for Proposals for Composting, Wood Waste, Tree Stumps and Yard Waste

In the mutual interest of all Participants a Request for Proposals for Composting Wood Waste, Tree Stump and Yard Waste Program at the Central Landfill has been prepared for distribution to potential proposers. This RFP is in accordance

with the requirement that the Agency arrange for Operation and Equipment in Section 7. The proposals received will be reviewed by a committee of Participants for recommendation to the full Agency membership. The general wording of the RFP is included in Exhibit "B."

Section 13. Financing - Yard and Wood Waste

The cost of startup, maintenance and operation will be paid through the tipping fee process with a special cost center established for each. County agrees to assist JPA in developing a financing program to construct treatment system and provide startup cash and to install weighing devices for yard and wood waste at Central Landfill to determine the amount of each Participant's use of the Treatment System. The County agrees to collect a tonnage tipping fee on refuse entering landfill sufficient to pay for all capital improvements and other startup costs of the wood waste and yard waste program. The Agency shall receive all revenues accruing in connection with the Treatment System, and then use them to defray operation and maintenance (O&M) expense of the wood or yard waste Treatment System.

Section 14. Joint Powers Agency Authority to Adopt Regulations

Participants agree that the primary purpose of this Agreement are to create an Agency to treat wood waste and yard waste and to collect, store, and dispose of household hazardous waste and to educate the public regarding waste issues. The Joint Powers Agency may, from time to time, adopt uniform rules and regulations to carry out these purposes.

Section 15. Commencement of Operation

After execution of this Agreement by the Participants, they shall cooperate with each other so that Agency can swiftly begin to carry out its mission.

Section 16. Estimation and Payment of O&M Cost.

For each fiscal year the Agency shall prepare separate O&M budgets for (1) household hazardous waste collection, storage, and disposal countywide program and (2) the yard waste Treatment System and (3) wood waste Treatment System and (4) the education program. These budgets, and any other budgets Agency may prepare, shall require the unanimous approval of the total membership of Agency Agreement.

The Agency shall set fees for the services it provides to any non-Participant, other entity, or person participating in any Agency program.

Section 17. Agency to Accept and Participants to Deliver Yard and Wood Waste

Agency agrees that during the term of this Agreement it will receive wood and yard waste from each of the Participants. Participants agree that during the term of this Agreement each Participant will deliver the Exhibit A wood and yard waste tonnage as a minimum. The Exhibit A tonnage is 25% of the wood and yard waste from each participant as identified in the 1991 Waste Characterization Study. If a participant is unable to deliver the established minimum tonnage they may deliver whatever amount they so choose but they will not have a vote in the operation of that particular item (either yard waste or wood waste). The Participants will cooperate with each other to maximize use of the System and to promote its use. If Agency is unable to dispose of the Products of the System to third parties, each Participant agrees to pick up, transport, and take back the remaining Products in proportion to the amounts delivered to the System. For example, if Agency is able to dispose of one-half of the Products to third parties and one City delivers one-fifth of the total amount of the wood and yard waste to the Treatment System, then that City agrees to pick up, transport, and take back one-tenth of the total amount of the Products produced by the System.

Section 18. Public Education -- Allocation of Costs

Agency shall develop a public education program in consultation with the Participants. The public education program shall be designed to maximize the utilization of the yard and wood waste Treatment System and the household hazardous waste facility. In addition, the Agency may develop educational programs designed to divert the maximum amount of materials from disposal at the Central Landfill site. The County agrees to collect a tonnage tipping fee on refuse entering landfill sufficient to pay all capital improvement costs and all operating costs of the program.

Section 19. Reimbursement of County Costs for Information System and Regulatory Compliance Costs.

County agrees to provide an information system capable of tracking each load of yard and wood waste. Agency agrees the County will be reimbursed from the Cost Center established in the enterprise landfill tipping fee account for reasonable costs of maintaining that information system in the amount determined by the County's Public Works Director.

Agency agrees to reimburse County for County's costs, as determined by its Public Works Director, incurred to form the Agency. Once formed, Agency agrees to reimburse County for all new or additional costs incurred by County as a result of the

activities of the Agency. Such costs include, but are not limited to, the following: (1) the cost of obtaining required permits from regulatory agencies and the cost of complying with the requirements and conditions of those permits; (2) cost of operating a storm water treatment facility, if needed to prevent excess nitrogen from entering the water from the compost. (3) any cleanup costs (including monitoring costs) incurred as a result of Agency activities for as long as required.

Section 20. Term of This Agreement

The term of this Agreement shall be for twenty-five (25) years. This Agreement shall take effect and begin on the date the Agreement is executed by the last Participant to execute the Agreement. This Agreement may be extended from year to year thereafter by mutual agreement of the Participants.

Should any city desire to withdraw from the JPA a ninety (90) day notice shall be submitted in writing to the Agency. A penalty as set by the JPA and adjusted from time to time to reflect the impact on the JPA shall be paid by the City to the Agency for the withdrawal.

Section 21. Records and Accounts

Agency will keep proper books and records including, but not limited to, types and quantities of wastes received from each jurisdiction which, upon written request, shall be subject to inspection by any duly authorized representative of Participants. Agency will cause the books and records to be kept, and audit to be made, in accordance with the statutory requirements for Joint Powers Agencies. The Agency will make quarterly reports of System operations and of all receipts to and disbursements from the Agency. One copy of the report shall be given to each Participant. The expense of these audits and reports and all recordkeeping and accounting costs shall be an operation and maintenance cost of the Joint Powers Agency.

Section 22. Liabilities and Limitations of Parties

Agency agrees to maintain and operate the Treatment System in a competent and diligent manner to the end that requirements set by the California Integrated Waste Management Board and any other agency having jurisdiction thereof are met. In the event of litigation concerning alleged failure to meet performance requirements, Participants and Agency shall cooperate in the defense. Agency shall assume liability for cost of litigation, settlement of claim, and of any penalty unless it is determined by a court of law, arbitration, or other legal process, that the alleged failure was caused by the negligence, malfeasance, or other culpable act(s) of another. Liabilities of Participants, due to their own acts or negligence prior to creation of Agency, will not be assumed by the Agency.

Agency agrees to indemnify Participants against all liability arising out of Agency's negligence.

Section 23. Insurance

The Agency shall maintain liability insurance so long as this Agreement is in effect and for at least one (1) year thereafter, which insurance shall name each of the Participants as an additional insured for any liability arising out of Agency's activities. The expense of such insurance shall be a proper operation and maintenance charge. This insurance shall provide coverage to an initial policy limit of two million dollars and shall be adjusted up or down as requested by the County Risk Manager at least once each year prior to JPA budget preparation. Provided that all Participants unanimously concur, Agency may elect to establish a self-insurance program.

Section 24. Severability

If any section, subsection, sentence, clause, phrase or word of this Agreement, or the application thereof, to either party, or to any other person or circumstance is for any reason held invalid, it shall be deemed severable and the validity of the remainder of the Agreement or the application of such provision to the other party, or to any other persons or circumstances shall not be effected thereby. Each party hereby declares that it would have entered into this Agreement and each section, subsection, sentence, clause, phrase and word thereof irrespective of the fact that one or more section, subsection, sentence, clause, phrase or word, or the application thereof to either party or any other person or circumstances be held invalid.

Section 25. Non-Tipping Fee Funding Sources

The Agency may apply for and receive funds or property or equipment from non-tipping fee sources such as, but not limited to, advance disposal fees, federal or state grant or loan programs, private contributions, and the like. Such funds, property, or equipment shall be used for any program properly authorized by Agency.

Section 26. Amendments to Agreement

This Agreement may be amended by a written amending Agreement signed by all Participants.



Agenda Item #: 9.1
Cost Center: Yard/Wood
Staff Contact: Carter
Meeting Date: 2/21/07

ITEM: New Compost Site Policy Direction

I. BACKGROUND

The Sonoma County Waste Management Agency (SCWMA) was formed in 1992 in response to the California Integrated Waste Management Act of 1989 (AB 939). One of the primary responsibilities of the SCWMA was the development and implementation of a regional composting system for yard debris. In 1993 the composting program was initiated at a temporary site at the Central Disposal Site.

At the October 2003 SCWMA meeting, the 2003 Countywide Integrated Waste Management Plan was adopted and this updated plan included a goal to find and develop a new, permanent compost site in Sonoma County. The AB 939 Local Task Force (LTF) provided recommendations for the compost facility siting criteria, which were presented to the SCWMA at its February 2004 meeting. The siting criteria include transportation, environmental, neighborhood, site costs, existing land use, and visual impacts.

At the September 2004 SCWMA meeting, the siting criteria and a new site evaluation process were adopted. Also in September 2004, staff developed a Feasibility Study Scope of Work in response to a discussion between the SCWMA and the City of Santa Rosa (City) to partner in a composting feasibility study. The study focused on a potential joint regional composting effort for biosolids and yard debris. The City has an existing agreement with a consulting firm, Brown and Caldwell, to assist with their biosolids management master plan. The SCWMA approved an agreement with the City to hire Brown and Caldwell to conduct the Compost Facility Feasibility Study at the November 2004 meeting.

At the January 2007 SCWMA meeting, staff reviewed previous Board actions and presented the financial analysis from the Brown and Caldwell Technical Memorandum. At this meeting the Board members requested examining how land costs greater than the \$10,000 per acre used in the Technical Memorandum would impact the financial analysis. Land costs of \$50,000 and \$100,000/acre were suggested for use in the financial analysis. Attached are alternative scenarios using the land cost of \$10,000, \$50,000, and \$100,000/acre within the framework of the Brown and Caldwell financial analysis in the Technical Memorandum. The projected first year compost site operating cost per ton of material received range from \$33.31 to \$39.86. It should be stressed that all cost estimates assume that all SCWMA jurisdictions continue to contribute all yard and wood waste to the proposed facility; projected costs per ton would otherwise increase.

Additionally, at the January 2007 SCWMA meeting, the need to move the composting facility from its current location on the Central Disposal Site was discussed. It was explained that relocating the current composting operation is necessary in order to resolve issues regarding the landfill closure and capping, address concerns from the RWCQB, and allow potential divestiture of the property to a private entity wishing to operate without the encumbrance of the composting program.

Previous Board Actions are:

May 1993 –approved composting agreement with Sonoma Compost Company/Empire Waste Management for composting services at the Central Disposal Site.

October 2003 – adopted updated ColWMP, which included language for siting a new compost facility to a permanent location.

September 2004 – approved siting criteria and the evaluation process for the new compost site.

November 2004 – approved consulting agreement for Compost Facility Feasibility Study in partnership with the City of Santa Rosa.

October 2005 – received the Compost Facility Feasibility Study

January 2007 – received the Technical Memorandum to the Compost Facility Feasibility Study describing the land and funding requirements for a new compost site.

II. DISCUSSION

The existing composting facility at the Central Disposal Site has never been intended as the long-term solution for the regional composting program in Sonoma County. Though the County of Sonoma owns the current composting site, staff at the North Coast Regional Water Quality Control Board has expressed concerns about impacts to water quality at the site and has suggested that regulatory action may be taken if the facility is not moved to another location. Another consideration regarding the composting facility at the current site is the possibility of County divestiture of the Central Landfill. The composting site is currently located on interim cover in an area that has permitted landfill capacity, and the composting operation prevents access to that capacity, creating a barrier to potential divestiture of the property to a private entity wishing to operate the site.

When the County closes the landfill, the current composting operation will be in the way of the closure and capping activity. Additionally, should the County decide to temporarily relocate the composting operation off-site during this process with the intent to resume the operation upon completion, significant concerns remain regarding whether roads, compost, and traffic would compromise the integrity of the cap in the future.

With regard to the future composting activities by the Sonoma County Waste Management Agency, staff is seeking direction concerning the funding approach for a new composting site. Two funding scenarios identified by staff involve (1) the Agency purchasing and developing the site and acquiring the necessary equipment, or (2), the Agency could purchase the land on which the composting facility would be located and enter into a contract in which the contractor is required to develop the site and supply all of the equipment necessary to perform the composting activities.

The option of Agency owning and developing the site and purchasing equipment would require the Agency issuing revenue bonds as adequate funds in the new site reserve fund have not been accumulated. In this approach, although the initial capital cost to the Agency would be significant, an operations contractor could be hired with relatively short contract terms (2 - 5 years), providing the Agency greater control over the operation and long-term costs.

An alternative approach is for the Agency to select and acquire the land and hire a contractor to develop the site and provide operating equipment for material processing. In this scenario, in order to achieve the lowest per ton processing rates, a longer term operating contract would be established (10 – 20 years) in order to allow the contractor to amortize their initial site development costs. The advantage of this approach is the smaller initial Agency capital investment, although the longer-term agreement could be considered a disadvantage limiting the ability to change contractors. In this scenario it is assumed that the Agency would own all fixed site improvements at the conclusion of the term of the operating contract.

In both scenarios, the operating cost, on a per ton basis, is dependent on the commitment for delivery of organic material received from SCWMA jurisdictions. Commitment of all Agency members to deliver all their collected yard debris to the facility for the long term is essential for the cost effectiveness of the program.

While there is not a specific deadline for obtaining and developing a new compost site, the process is complex and will be time consuming and must be completed as soon as possible and before the current compost services agreement ends in November 2010. It is necessary to relocate the current composting operation in order to resolve issues regarding the landfill closure and capping, address concerns from the RWCQB, and allow potential divestiture of the property to a private entity wishing to operate without the encumbrance of the composting program.

III. FUNDING IMPACT

The SCWMA Board of Directors established a reserve fund for a new composting site in FY 01-02. For purposes of budget planning for the acquisition of a new compost site, at the end of FY 05-06 there was \$ 3,325,060 available.

IV. RECOMMENDED ACTION / ALTERNATIVES TO RECOMMENDATION

Staff recommends pursuing a funding model that involves Agency purchasing and owning the land on which the new composting facility would be operated and seeking a contract in which the contractor would develop the site and provide the necessary equipment for composting operations.

V. ATTACHMENT

Compost Cost Analysis

Alternative Land Cost Scenarios

Item	Land @ 10K/acre	Cost	Item	Land @ 50K/acre	Cost	Item	Land @ 100K/acre	Cost
Funding Model #1			Funding Model #2			Funding Model #3		
Structural/Architectural			Structural/Architectural			Structural/Architectural		
Foundation/Concrete			Foundation/Concrete			Foundation/Concrete		
Building			Building			Building		
Footings		\$ 1,244	Footings		\$ 1,244	Footings		\$ 1,244
Footing Walls		\$ 6,000	Footing Walls		\$ 6,000	Footing Walls		\$ 6,000
Slabs		\$ 48,148	Slabs		\$ 48,148	Slabs		\$ 48,148
Equipment Area			Equipment Area			Equipment Area		
Slabs		\$ 1,972,700	Slabs		\$ 1,972,700	Slabs		\$ 1,972,700
Support Walls		\$ 8,333	Support Walls		\$ 8,333	Support Walls		\$ 8,333
Push Walls		\$ 174,528	Push Walls		\$ 174,528	Push Walls		\$ 174,528
<i>Subtotal</i>		\$ 2,210,953	<i>Subtotal</i>		\$ 2,210,953	<i>Subtotal</i>		\$ 2,210,953
<i>Building</i>			<i>Building</i>			<i>Building</i>		
Office/Garage		\$ 260,000	Office/Garage		\$ 260,000	Office/Garage		\$ 260,000
Roll-up Doors		\$ 6,000	Roll-up Doors		\$ 6,000	Roll-up Doors		\$ 6,000
Sprinkler System		\$ 7,800	Sprinkler System		\$ 7,800	Sprinkler System		\$ 7,800
Misc. Building Systems		\$ 32,919	Misc. Building Systems		\$ 32,919	Misc. Building Systems		\$ 32,919
<i>Subtotal</i>		\$ 306,719	<i>Subtotal</i>		\$ 306,719	<i>Subtotal</i>		\$ 306,719
<i>Total Architectural/Structural</i>		\$ 2,517,672	<i>Total Architectural/Structural</i>		\$ 2,517,672	<i>Total Architectural/Structural</i>		\$ 2,517,672
Heating and Ventilation		\$ 36,200	Heating and Ventilation		\$ 36,200	Heating and Ventilation		\$ 36,200
Plumbing		\$ 18,100	Plumbing		\$ 18,100	Plumbing		\$ 18,100
Electrical, Instrumentation, and SCADA		\$ 90,500	Electrical, Instrumentation, and SCADA		\$ 90,500	Electrical, Instrumentation, and SCADA		\$ 90,500
<i>Process Equipment</i>			<i>Process Equipment</i>			<i>Process Equipment</i>		
Pre-Processing Equipment		\$ 1,959,436	Pre-Processing Equipment		\$ 1,959,436	Pre-Processing Equipment		\$ 1,959,436
Compost Screening		\$ 535,627	Compost Screening		\$ 535,627	Compost Screening		\$ 535,627
Grinding		\$ 675,000	Grinding		\$ 675,000	Grinding		\$ 675,000
Front End Loaders		\$ 929,364	Front End Loaders		\$ 929,364	Front End Loaders		\$ 929,364
Windrow Turner		\$ 302,671	Windrow Turner		\$ 302,671	Windrow Turner		\$ 302,671
Windrow Water Systems		\$ 606,000	Windrow Water Systems		\$ 606,000	Windrow Water Systems		\$ 606,000
Truck Scale		\$ 50,000	Truck Scale		\$ 50,000	Truck Scale		\$ 50,000
<i>Total Process</i>		\$ 5,058,098	<i>Total Process</i>		\$ 5,058,098	<i>Total Process</i>		\$ 5,058,098
<i>Sitework - 35 Acres</i>			<i>Sitework - 35 Acres</i>			<i>Sitework - 35 Acres</i>		
Erosion Control		\$ 45,000	Erosion Control		\$ 45,000	Erosion Control		\$ 45,000
Site Drainage		\$ 100,000	Site Drainage		\$ 100,000	Site Drainage		\$ 100,000
Gravel Subbase		\$ 2,739,100	Gravel Subbase		\$ 2,739,100	Gravel Subbase		\$ 2,739,100
Pavement		\$ 3,615,400	Pavement		\$ 3,615,400	Pavement		\$ 3,615,400
Surface Restoration, Loam, & Seed		\$ 5,000	Surface Restoration, Loam, & Seed		\$ 5,000	Surface Restoration, Loam, & Seed		\$ 5,000
<i>Total Sitework</i>		\$ 6,504,500	<i>Total Sitework</i>		\$ 6,504,500	<i>Total Sitework</i>		\$ 6,504,500
Bond & Mobilization		\$ 995,755	Bond & Mobilization		\$ 995,755	Bond & Mobilization		\$ 995,755
Base Construction Cost		\$ 15,220,825	Base Construction Cost		\$ 15,220,825	Base Construction Cost		\$ 15,220,825
Legal & Administrative		\$ 913,249	Legal & Administrative		\$ 913,249	Legal & Administrative		\$ 913,249
Engineering		\$ 3,044,165	Engineering		\$ 3,044,165	Engineering		\$ 3,044,165
Contingency		\$ 3,044,165	Contingency		\$ 3,044,165	Contingency		\$ 3,044,165
Land @ \$10,000/acre		\$ 845,000	Land @ \$50,000/acre		\$ 4,225,000	Land @ \$100,000/acre		\$ 8,450,000
Total Capital Costs		\$ 23,067,404	Total Capital Costs		\$ 26,447,404	Total Capital Costs		\$ 30,672,404
Annualized Capital Cost		\$ 1,983,145	Annualized Capital Cost		\$ 2,273,729	Annualized Capital Cost		\$ 2,636,960
Annual O & M Cost		\$ 1,349,500	Annual O & M Cost		\$ 1,349,500	Annual O & M Cost		\$ 1,349,500
Total Annual Cost		\$ 3,332,645	Total Annual Cost		\$ 3,623,229	Total Annual Cost		\$ 3,986,460
SCWMA Cost/Ton		\$ 33.33	SCWMA Cost/Ton		\$ 36.23	SCWMA Cost/Ton		\$ 39.86



Agenda Item #: 9.2
Cost Center: Yard/Wood
Staff Contact: Carter
Meeting Date: 2/21/07

ITEM: Authorize RFP for New Compost Site/CEQA

I. BACKGROUND

The Sonoma County Waste Management Agency (SCWMA) was formed in 1992 in response to the California Integrated Waste Management Act of 1989 (AB 939). One of the primary responsibilities of the SCWMA was the development and implementation of a regional composting system for yard debris. In 1993 the composting program was initiated at a temporary site at the Central Disposal Site.

At the October 2003 SCWMA meeting, the 2003 Countywide Integrated Waste Management Plan was adopted and this updated plan included a goal to find and develop a new, permanent compost site in Sonoma County. The AB 939 Local Task Force (LTF) provided recommendations for the compost facility siting criteria, which were presented to the SCWMA at its February 2004 meeting. The siting criteria include transportation, environmental, neighborhood, site costs, existing land use, and visual impacts.

At the September 2004 SCWMA meeting, the siting criteria and evaluation process was adopted. Also in September, staff developed a Feasibility Study Scope of Work in response to a discussion between the SCWMA and the City of Santa Rosa (City) to partner in a composting feasibility study. The study would focus on a potential joint regional composting effort for biosolids and yard debris. The City has an existing agreement with a consulting firm, Brown and Caldwell, to assist with their biosolids management master plan. The SCWMA approved an agreement with the City to hire Brown and Caldwell to conduct a Compost Facility Feasibility Study at the November 2004 meeting.

Staff has developed a draft Scope of Services (attached) for the Board to consider for inclusion in a Request for Proposals (RFP) for assistance with locating a site for the new compost facility and preparation of the CEQA documents necessary to develop the site for a composting operation.

Previous Board Actions are:

May 1993 –approved composting agreement with Sonoma Compost Company/Empire Waste Management for composting services at the Central Disposal Site.

October 2003 – adopted updated CoIWMP, which included language for siting a new compost facility.

September 2004 – approved siting criteria and the evaluation process.

November 2004 – approved consulting agreement for Compost Facility Feasibility Study in partnership with the City of Santa Rosa.

October 2005 – received Compost Facility Feasibility Study.

January 2007 – received the Technical Memorandum to the Compost Facility Feasibility Study describing the land and funding requirements for a new compost site.

II. DISCUSSION

While there is not a specific deadline for obtaining and developing a new compost site, the process is complex and will be time consuming and must be completed as soon as possible and before the current compost services agreement ends in November 2010. It is necessary to relocate the current composting operation in order to resolve issues regarding the landfill closure and capping, address concerns from the RWCQB, and allow potential divestiture of the property to a private entity wishing to operate without the encumbrance of the composting program.

Following the discussion of the Scope of Services by the Board, it is recommended that staff incorporate any Board changes into an RFP for distribution to qualified consultants.

III. FUNDING IMPACT

Directing staff to issue a Request for Proposals (RFP) for these services does not have an immediate cost. Based on Staff experience, the cost of these services is estimated to range from \$300,000 to \$400,000. The SCWMA Board of Directors established a reserve fund for a new composting site in FY 01-02. For purposes of budget planning for the acquisition of a new compost site, at the end of FY 05-06 there was \$3,325,060 available.

IV. RECOMMENDED ACTION / ALTERNATIVES TO RECOMMENDATION

Staff recommends Board review the proposed draft Scope of Services; give direction for any changes or additions, and direct staff to issue a Request for Proposals for Compost Site Selection and CEQA Assistance.

V. ATTACHMENT

Attachment A Scope of Services

Attachment A

Scope of Services

The contractor shall evaluate land within Sonoma County for a new compost facility, in accordance with the siting criteria established by the Sonoma County Waste Management Agency (SCWMA). Once the site has been selected, the contractor will perform all the necessary conceptual design and California Environmental Quality Act (CEQA) documents, including a full project-level Environmental Impact Report (EIR). The contractor shall develop additional information as needed to fully analyze the environmental impacts of the proposal and to develop appropriate mitigation measures.

Primary objectives of this study:

1. Evaluate parcels within Sonoma County for their potential to function as the main composting site in Sonoma County.
2. Create a detailed conceptual design of the new compost facility based upon the conditions of the selected site.
3. Prepare all of the necessary documents, including a project-level EIR, to assure CEQA compliance.

Task One: Submit a Work Plan

The contractor will submit a Work Plan that includes, at a minimum:

- Description of a study approach addressing the SCWMA established siting criteria.
- The process necessary for evaluation of sites, developing the conceptual design, and creating all the necessary CEQA documents.
- Timeline showing anticipated completion dates for major milestones, draft and final reports.

Task One Deliverables: Three hard copies (recycled-content paper) and one electronic copy of the draft work plan for SCWMA staff review. Incorporate SCWMA comments and submit one reproducible and one electronic copy of the final work plan

Task Two: Meetings

There are a number of meetings at which the contractor must attend and/or present materials.

These meetings include, but are not limited to:

- The contractor will attend a kick-off meeting at which SCWMA staff will present maps with the GIS filters and any other information pertinent to the project. (See Task Three)
- The SCWMA will hold a public meeting to present the recommended site(s). The contractor will make key staff available at this hearing to solicit comments on potential impacts to include in the Draft EIR.

- The SCWMA will hold a public hearing on the Draft EIR. The contractor will make key staff available at this hearing to present key parts of the environmental analysis and answer questions posed by the SCWMA. (See Task Seven)
- The SCWMA will hold a hearing on the Final EIR and on the project to certify the EIR and make a decision on the project. The contractor must provide key technical staff to attend the hearings and respond to questions posed by the SCWMA Board of Directors. (See Task Ten)
- The contractor shall identify in the proposal any additional meetings necessary to accomplish the objectives of this study.

Task Two Deliverables: Meeting minutes sent electronically to SCWMA staff, as well as the specific requirements described in each task.

Task Three: Site Evaluation

The SCWMA has developed GIS filters including wetlands, slopes between 0 and 12%, parcel size greater than 50 acres, structures or other development, California Tiger Salamander territory, public lands, Open Space lands, and incorporated lands. The SCWMA will provide maps with the listed filters to the contractor for use in parcel evaluation.

Using these maps and additional resources, the contractor shall:

- Evaluate land within Sonoma County using the SCWMA-established siting criteria.
- Identify any other issues essential to a site evaluation but not specified in this RFP.
- Consult with SCWMA staff as appropriate.

Staff from the Agency or its designee(s) may observe tasks performed under this contract by the contractor.

Task Three Deliverables: A document listing the twenty highest ranked sites, including address, maps, score and justification of score for each siting criterion, and any other pertinent information concerning the site, as determined by the contractor.

Task Four: Conceptual Design of Composting Facility

Using the parcel(s) agreed upon by the SCWMA and the contractor (up to three), the contractor shall incorporate the physical characteristics of the site (topography, geology, hydrology, proximity to existing roadways, proximity to residential buildings on adjacent properties, prevailing winds, etc.) into a detailed conceptual design of the proposed composting facility. This includes, but is not limited to, the windrow area, roads, the buffer zone around the facility, sales area for wood and compost, storage areas, and any other space needed for equipment.

Task Four Deliverables: Three hard copies (recycled-content paper) and one electronic copy of the conceptual design documents, including elevation plans, and written detail of the design.

Task Five: Prepare Administrative Draft EIR

The contractor shall prepare an Administrative Draft EIR (ADEIR) that complies with State CEQA Guidelines. The contractor must analyze the project objectively and address all significant environmental issues in the EIR. The EIR shall specifically address environmental concerns identified by Responsible and Trustee agencies, SCWMA, and the public.

- The contractor will prepare a notice of preparation of an environmental impact report and send this notice to the appropriate agencies, as determined by SCWMA staff and the contractor.
- Impacts and mitigation measures must be clearly identified. Any proposed mitigation measures shall be drafted in a form that can be inserted into the SCWMA's RFP for or the contract with the composting operator.
- A Mitigation Monitoring Program shall also be included. This will consist of a separate list of all proposed mitigation measures. Each measure shall have a brief discussion of the monitoring required, listing the parties responsible for implementation and the time at which the measure must be implemented.

Task Five Deliverables: Three hard copies (recycled-content paper) and one electronic copy of the Administrative Draft EIR and Mitigation Monitoring Plan. One copy shall be unbound and suitable for photocopying.

Text pages shall be a standard 8½" x 11" format. Figures may be 11" x 17", but 8½" x 11" format copies shall be provided. Appendices shall be individually paginated.

Task Six: Prepare Draft EIR

SCWMA staff will provide one set of comments on the ADEIR. The contractor shall revise the administrative draft as necessary and provide a copy for SCWMA staff to conduct a final administrative draft for review. Once the final review has been completed and comments provided to the contractor, one screen copy of the Draft EIR will be submitted for the SCWMA's review. Upon approval of the screen copy of the Draft EIR, the contractor shall print copies for distribution, as described below under Task Five Deliverables.

The SCWMA and/or the contractor (in conjunction with the SCWMA) will distribute the Draft EIR to the Clearinghouse, agencies, and interested public.

Task Six Deliverables: One screen copy of the Draft EIR. Sixty copies of the Draft EIR plus attachments; plus one unbound copy suitable for photocopying; and 30 CDs in Adobe Acrobat (.pdf) format containing the Draft EIR. Prior to preparing the CDs, the contractor will interface with SCWMA's staff to ensure that electronic information is consistent with SCWMA's format.

Task Seven: Attend Hearings on Draft EIR

The SCWMA will hold a public hearing on the Draft EIR. The contractor will make key staff available at this hearing to present key parts of the environmental analysis and answer questions posed by the SCWMA. The SCWMA will provide an audiotape of the hearing proceedings, but will not provide a written transcript. At the close of the public review period, the contractor will prepare a written summary of the relevant oral and written comments on the Draft EIR. SCWMA staff will receive all written comments and provide the contractor with a copy of each. Once SCWMA staff has received the contractor's summary of comments, a meeting will be held to discuss the incorporation of comments and responses into the Final EIR.

Task Seven Deliverables: One unbound draft summary of hearing comments on the Draft EIR. One unbound final summary of hearing comments.

Task Eight: Respond to Comments and Prepare Administrative Final EIR

The contractor shall prepare responses to all written comments on the Draft EIR and all verbal comments on the Draft EIR made at the public hearing. All comments received, either oral or written, must be responded to in the Final EIR. The contractor shall prepare an administrative draft of the Final EIR, which shall consist of the written corrections to the Draft EIR, a summary of verbal comments received at hearings on the Draft EIR, responses to all the comments as required by the State CEQA Guidelines, and any appropriate revisions to the text of the Draft EIR. All written comments shall be numbered and all changes to the text of the Draft EIR and/or the Mitigation Monitoring Plan shall be highlighted, and responses keyed to the appropriate comment numbers.

Task Eight Deliverables: Three hard copies (recycled-content paper) and one electronic copy of the Administrative Final EIR and Mitigation Monitoring Plan. One copy shall be unbound and suitable for photocopying.

Task Nine: Prepare Final EIR

The SCWMA shall provide one set of comments on the Administrative Final EIR. The contractor shall revise the administrative draft as necessary and prepare a Final EIR for distribution. The SCWMA will distribute the copies of the Final EIR.

Task Nine Deliverables: One screen copy of the Final EIR. Fifty copies of the Final EIR plus attachments, plus one unbound copy suitable for photocopying and 10 CDs in Adobe Acrobat (.pdf) format containing the Final EIR. Prior to preparing the CDs, the contractor will interface with SCWMA's staff to ensure compatibility with SCWMA's format.

Task Ten: Attend Hearings on the Final EIR

The SCWMA will hold a hearing on the Final EIR and on the project to certify the EIR and make a decision on the project. The contractor must provide key technical staff to attend the hearings and respond to questions posed by the SCWMA Board of Directors.

Task Ten Deliverables: Prepare a first draft, with SCWMA staff, of SCWMA Board of Directors Resolution Findings Exhibits A, B and D.

The selected contractor is expected to prepare the first draft of the following exhibits:

EXHIBIT “A” SIGNIFICANT IMPACTS THAT CAN BE MITIGATED TO A LESS-THAN-SIGNIFICANT LEVEL

EXHIBIT “B” SIGNIFICANT IMPACTS THAT CANNOT BE FULLY MITIGATED

EXHIBIT “D” ALTERNATIVES



**SONOMA COMPOST COMPANY
MONTHLY REPORT**

October-06

a) Tonnages of Each Material Delivered to Facility

total tons of yard debris:	6,262.78 tons
average tons per day of yard debris:	202.03 tons
total tons of wood debris:	939.53 tons
average tons per day of wood debris:	30.31 tons
total tons of yard debris to Laguna *	758.63 tons
Total tons of food discards **	0.16 tons

* This tonnage is not included in total tons of yard debris

** This tonnage is included in the total yard debris tonnage above

b) Deviations From Normal Operating Plans

Windrow Characteristics

	<u>width</u>	<u>height</u>	<u>length</u>
normal	18'	7'	700'

Moisture Addition/Application

at grinder:	Sprinklers
at compost site:	Drip

Moisture Content (%)

by feel:	lab results:
45-60%	N/A
(active compost)	(finished compost)

Additives

Food Discards, Grape Lees, Grape Pomace, Feathers

Temperature Measurements

(data on file at SCC office)

Has temperature of finished compost reached 131 degrees Fahrenheit for at least 15 days, during which time the material was turned 5 times? YES

Aeration (turning)

type: SCARAB	frequency: 5 times in 15 days or longer during pathogen reduction, plus additional turnings to enhance the composting process (weather permitting).
-----------------	---

c) Highlights and Anomalies of Program

Weather/Rainfall:	
total inches:	0.56
# of storm events	2
Operational Problems:	
None	

d) Lab tests

Monthly tests: Nutrient/Pathogen Reduction/Heavy Metals

analysis: NUTRIENT	
next date due:	Nov-06
date sample taken:	10/27/06
# of sub-samples:	12 and 12
location of samples:	7A,7B,8,12,14,15
18. 36 and East Stockpiles	

analysis: HEAVY METALS	
next date due:	Nov-06
date sample taken:	10/27/06
# of sub-samples	40
location of samples:	9,10,11,13,16,31,38.
19,23,28	

analysis: PATHOGEN REDUCTION	
next date due:	Nov-06
date sample taken:	10/27/06
# of sub samples:	40
locations of samples:	9,10,11,13,16,31,
38. 19,23,28	

Quarterly Test:

analysis: PESTICIDE RESIDUES	
next date due:	Nov-06
date sample taken:	10/27/06
# of sub-samples:	12 and 12
locations of samples:	7A,7B,8,12,14,15
18. 36 and East Stockpiles	

e) Sales and Distribution of Finished Product

Yard Debris Sold

monthly total, cubic yards of all yard debris products sold:	5,505.00 cubic yds.
total cubic yards of screened compost:	3,824.00 cubic yds.
total cubic yards of early mulch:	278.00 cubic yds.
total cubic yards of screened mulch:	1,403.00 cubic yds.
yard debris product allocations:	98.00 cubic yds.
yard debris product donations:	28.00 cubic yds.

Wood Debris Sold

monthly total, tons of wood debris products sold:	2,732.00 tons
total tons of wood to non-fuel markets:	198.00 tons
total tons of wood bio-fuel*:	2,534.00 tons
wood debris product allocations:	342.00 cubic yds.
wood debris product donations:	20.00 cubic yds.

* Bio-fuel tonnage includes overs from compost process

Shipment Log

A shipment log showing date, compost product description, volume and destination of each load leaving the facility is on file at the Sonoma Compost office and is available for review by the Agency for purposes of verifying compensation records or other auditing functions.

f) Complaints and Environmental Concerns

Area of Concern: PRC44014 (b) Ground wood waste stockpile exceeds size as permitted in RCSI.

Response: Sonoma Compost has contracted with additional haulers to ship ground wood chips to existing markets.

g) Contaminants Landfilled, Recovered or Recycled

	tons	overall %
disposed	146.2	1.84%
recycled		

h) Inventory of Tonnage, Volume and Composition of Finished Products

FINISHED MATERIALS	cubic yards
unscreened compost	4,000 cy
screened compost	1,900 cy
mulch	550 cy
"intermediates"	2,900 cy

INTERMEDIATELY COMPOSTED MATERIALS

aged over 2 weeks	28,000 cy
-------------------	-----------

FRESH MATERIAL

on-site under 2 weeks	7,860 cy
-----------------------	----------

EXPERIMENTAL MATERIAL

None		cy
------	--	----



**SONOMA COMPOST COMPANY
MONTHLY REPORT**

November-06

a) Tonnages of Each Material Delivered to Facility

total tons of yard debris:	7,062.63 tons
average tons per day of yard debris:	243.54 tons
total tons of wood debris:	873.31 tons
average tons per day of wood debris:	30.11 tons
total tons of yard debris to Laguna *	564.78 tons
Total tons of food discards **	0.16 tons

* This tonnage is not included in total tons of yard debris

** This tonnage is included in the total yard debris tonnage above

b) Deviations From Normal Operating Plans

Windrow Characteristics

	<u>width</u>	<u>height</u>	<u>length</u>
normal	18'	7'	700'

Moisture Addition/Application

at grinder:	None
at compost site:	None

Moisture Content (%)

by feel:	lab results:
45-60%	32.48%
(active compost)	(finished compost)

Additives

Food Discards, Grape Pomace, Feathers

Temperature Measurements

(data on file at SCC office)

Has temperature of finished compost reached 131 degrees Fahrenheit for at least 15 days, during which time the material was turned 5 times? YES

Aeration (turning)

type: SCARAB	frequency: 5 times in 15 days or longer during pathogen reduction, plus additional turnings to enhance the composting process (weather permitting).
-----------------	---

c) Highlights and Anomalies of Program

Weather/Rainfall:	
total inches:	4.56
# of storm events	4
Operational Problems:	
None	

d) Lab tests

Monthly tests: Nutrient/Pathogen Reduction/Heavy Metals

analysis: NUTRIENT	
next date due:	Dec-06
date sample taken:	11/30/06
# of sub-samples:	12
location of samples:	10,11,12,20,27

analysis: HEAVY METALS	
next date due:	Dec-06
date sample taken:	11/30/06
# of sub-samples:	54
location of samples:	14,17,25,43,46,47

analysis: PATHOGEN REDUCTION	
next date due:	Dec-06
date sample taken:	11/30/06
# of sub samples:	54
locations of samples:	14,17,25,43,46,47

Quarterly Test:

analysis: PESTICIDE RESIDUES	
next date due:	Dec-06
date sample taken:	11/30/06
# of sub-samples:	12
locations of samples:	10,11,12,20,27

e) Sales and Distribution of Finished Product

Yard Debris Sold

monthly total, cubic yards of all yard debris products sold:	7,090.00 cubic yds.
total cubic yards of screened compost:	5,513.00 cubic yds.
total cubic yards of early mulch:	141.00 cubic yds.
total cubic yards of screened mulch:	1,436.00 cubic yds.
yard debris product allocations:	0.00 cubic yds.
yard debris product donations:	1.50 cubic yds.

Wood Debris Sold

monthly total, tons of wood debris products sold:	3,731.00 tons
total tons of wood to non-fuel markets:	176.00 tons
total tons of wood bio-fuel*:	3,555.00 tons
wood debris product allocations:	84.00 cubic yds.
wood debris product donations:	0.00 cubic yds.

* Bio-fuel tonnage includes overs from compost process

Shipment Log

A shipment log showing date, compost product description, volume and destination of each load leaving the facility is on file at the Sonoma Compost office and is available for review by the Agency for purposes of verifying compensation records or other auditing functions.

f) Complaints and Environmental Concerns

Area of Concern- PRC44014(b) Ground woodwaste stockpile exceeds size as specified in RCSI
Response: Increased trucking is deminishing the size of the stockpile.

g) Contaminants Landfilled, Recovered or Recycled

	tons	overall %
disposed	119	1.40%
recycled		

h) Inventory of Tonnage, Volume and Composition of Finished Products

FINISHED MATERIALS	cubic yards
unscreened compost	8,500 cy
screened compost	3,750 cy
mulch	700 cy
"intermediates"	2,500 cy

INTERMEDIATELY COMPOSTED MATERIALS	
aged over 2 weeks	26,500 cy

FRESH MATERIAL	
on-site under 2 weeks	7,260 cy

EXPERIMENTAL MATERIAL	
None	0 cy



**SONOMA COMPOST COMPANY
MONTHLY REPORT**

December-06

a) Tonnages of Each Material Delivered to Facility

total tons of yard debris:	5,527.53 tons
average tons per day of yard debris:	184.25 tons
total tons of wood debris:	628.51 tons
average tons per day of wood debris:	20.95 tons
total tons of yard debris to Laguna *	724.67 tons
Total tons of food discards **	0.08 tons

* This tonnage is not included in total tons of yard debris

** This tonnage is included in the total yard debris tonnage above

b) Deviations From Normal Operating Plans

Windrow Characteristics

	<u>width</u>	<u>height</u>	<u>length</u>
normal	18'	7'	700'

Moisture Addition/Application

at grinder:	None
at compost site:	None

Moisture Content (%)

by feel:	lab results:
45-60%	43.30%
(active compost)	(finished compost)

Additives

Food Discards, Grape Pomace, Feathers

Temperature Measurements

(data on file at SCC office)

Has temperature of finished compost reached 131 degrees Fahrenheit for at least 15 days, during which time the material was turned 5 times? YES

Aeration (turning)

type: SCARAB	frequency: 5 times in 15 days or longer during pathogen reduction, plus additional turnings to enhance the composting process (weather permitting).
-----------------	---

c) Highlights and Anomalies of Program

Weather/Rainfall:	
total inches:	6.5
# of storm events	4
Operational Problems:	
None	

d) Lab tests

Monthly tests: Nutrient/Pathogen Reduction/Heavy Metals

analysis: NUTRIENT	
next date due:	Jan-07
date sample taken:	12/27/06
# of sub-samples:	12
location of samples:	22,28,34,40,41

analysis: HEAVY METALS	
next date due:	Jan-07
date sample taken:	12/27/06
# of sub-samples:	81
location of samples:	7B,7A,9,16,18,21,
	26,35,42

analysis: PATHOGEN REDUCTION	
next date due:	Jan-07
date sample taken:	12/27/06
# of sub samples:	81
locations of samples:	7B,7A,9,16,18,21,
	26,35,42

Quarterly Test:

analysis: PESTICIDE RESIDUES	
next date due:	Jan-07
date sample taken:	12/27/06
# of sub-samples:	12
locations of samples:	22,28,34,40,41

e) Sales and Distribution of Finished Product

Yard Debris Sold

monthly total, cubic yards of all yard debris products sold:	1,522.00 cubic yds.
total cubic yards of screened compost:	862.00 cubic yds.
total cubic yards of early mulch:	49.00 cubic yds.
total cubic yards of screened mulch:	611.00 cubic yds.
yard debris product allocations:	35.00 cubic yds.
yard debris product donations:	0.00 cubic yds.

Wood Debris Sold

monthly total, tons of wood debris products sold:	3,526.00 tons
total tons of wood to non-fuel markets:	98.00 tons
total tons of wood bio-fuel*:	3,428.00 tons
wood debris product allocations:	161.00 cubic yds.
wood debris product donations:	0.00 cubic yds.

* Bio-fuel tonnage includes overs from compost process

Shipment Log

A shipment log showing date, compost product description, volume and destination of each load leaving the facility is on file at the Sonoma Compost office and is available for review by the Agency for purposes of verifying compensation records or other auditing functions.

f) Complaints and Environmental Concerns

None

g) Contaminants Landfilled, Recovered or Recycled

	tons	overall %
disposed	102	1.48%
recycled		

h) Inventory of Tonnage, Volume and Composition of Finished Products

FINISHED MATERIALS	cubic yards
unscreened compost	9,500 cy
screened compost	6,500 cy
mulch	1,200 cy
"intermediates"	1,500 cy

INTERMEDIATELY COMPOSTED MATERIALS

aged over 2 weeks	28,000 cy
-------------------	-----------

FRESH MATERIAL

on-site under 2 weeks	3,510 cy
-----------------------	----------

EXPERIMENTAL MATERIAL

None	0 cy
------	------