

SONOMA COUNTY WASTE MANAGEMENT AGENCY

September 17, 2008

8:30 a.m.
Please note time change

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

Estimated Ending Time 11:30 a.m.

****UNANIMOUS VOTE ON ITEMS 9.1 & 10.1****

- | | <u>ITEM</u> | <u>AGENDA</u> | <u>ACTION</u> |
|----|---|---------------------------------------|---------------|
| 1. | Call to Order/Introductions | | |
| 2. | Open Closed Session | | |
| | CONFERENCE WITH REAL PROPERTY NEGOTIATOR PURSUANT TO GOVERNMENT CODE SECTION 54956.8 | | |
| | Property: | 500 Mecham Road, Petaluma, California | |
| | Agency Negotiator: | Executive Director | |
| | Negotiating Party: | County of Sonoma | |
| | Under Negotiation: | PRICE _____ | |
| | | TERMS _____ | |
| | | BOTH <u> X </u> | |
| 3. | Adjourn Closed Session | | |
| 4. | Call to Order Regular Meeting/Introductions | | |
| 5. | <u>Attachments/Correspondence:</u> | | |
| | Director's Agenda Notes | | |
| 6. | <u>On file w/Clerk: for copy call 565-3579</u> | | |
| | Resolutions approved in August 2008 | | |
| | 2008-025 Beverage Container Recycling Collection Services | | |
| | 2008-026 First Amendment with ECS Refining for E-Waste Transport and Recycling Services | | |

7. Public Comments (items not on the agenda)

CONSENT (w/attachments)

Discussion/Action

- 8.1 Minutes of August 20, 2008
- 8.2 Amendment to VBN Architects Contract
- 8.3 Compost Monthly Reports for April, May, June
- 8.4 Compost Relocation Update

REGULAR CALENDAR

ADMINISTRATION

- 9.1 FY 08-09 Technical Adjustments
[Mangerich/Fisher](Attachment)

UNANIMOUS VOTE

HOUSEHOLD HAZARDOUS WASTE

- 10.1 Clean Harbors Contract Extension
[Steinman](Attachment)
- 10.2 HHW Epoxy Coating Agreement
[Steinman](Attachment)

UNANIMOUS VOTE

Discussion/Action

DIVERSION

- 11.1 Plastic Bag Update
[Carter]

Discussion/Action

PLANNING

- 12.1 Large Venue and C&D Planning Policy RFP
[Carter](Attachment)

Discussion/Action

13. Boardmember Comments
14. Staff Comments
15. Adjourn

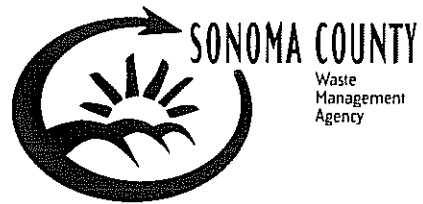
CONSENT CALENDAR: These matters include routine financial and administrative actions and are usually approved by a single majority vote. Any Boardmember may remove an item from the consent calendar.

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 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.

NOTICING: This notice is posted 72 hours prior to the meeting at The Board of Supervisors, 575 Administration Drive, Santa Rosa, and at the meeting site the City of Santa Rosa Utilities Department Subregional Water Reclamation System Laguna Plant, 4300 Llano Road, Santa Rosa. It is also available on the internet at www.recyclenow.org



TO: SCWMA Board Members

FROM: Mollie Mangerich, Executive Director

SUBJECT: SEPTEMBER 17, 2008 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.

8.1) Minutes of August 20, 2008

8.2) Amendment to VBN Architects Contract At the June 20, 2007 Agency Board meeting, the Board approved executing an Agreement with VBN Architects to prepare design plans for the HHW Building Enclosure Expansion Project. Staff was prepared to present a staff report to the Board in August requesting approval to advertise and receive bids for the construction of this project and return to the Board with a selected Contractor. Since a ground lease Agreement for the HHW Building was not in place at the time of the meeting, the Board postponed this item. A few of VBN's tasks are tied in with the bid process, therefore, it is staff's recommendation to extend the Agreement with VBN an additional year and set aside \$6,000 for contingencies and/or additional work. **Recommended action: Staff recommends that the Board Adopt the Resolution to approve the first Amendment to the Agreement with VBN Architects for Professional Services and authorize the Chair to execute the Amendment on behalf of the Agency.**

8.3) Compost Monthly Reports for April, May, June Sonoma Compost Company has provided the monthly reports for April, May and June, 2008. **No action.**

8.4) Compost Relocation Update Staff will make the monthly report on the status of the Compost Relocation project. **Recommended action: Staff recommends resuming the Environmental Impact Report process with the sites 5a, 13, and 14, with site 5a as the preferred site.**

REGULAR CALENDAR

ADMINISTRATION

9.1) FY 08-09 Technical Adjustments There are 26 proposed technical adjustments for the Agency's FY 08-09 Budget. The technical adjustments are listed, with descriptions, by cost center, except for changes that affect all the cost centers. A Budget Summary with the technical adjustments highlighted is included at the end of this report. **Recommended Action: UNANIMOUS VOTE. Staff recommends approving the Technical Adjustments to the FY 08-09 budget. The Joint Powers Agreement requires unanimous approval of the Technical Adjustments.**

HHW

10.1) Clean Harbors Contract Extension The SCWMA has a Contract with Clean Harbors Environmental Services to operate the Household Hazardous Waste Facility and Mobile Collection Programs. The term of this Agreement will end on January 6, 2009. At the August 20, 2008 Agency Board meeting, staff was given direction to distribute the HHW Operations Request for Proposals (RFP). As a result of the County of Sonoma's divestiture process, lack of a ground lease Agreement for the HHW Building, and expected cost increases for operation of the HHW Facility and programs, staff is recommending a four month extension to the current

Agreement. **Recommended action: Adopt Resolution to approve the Sixth Amendment to the Agreement with Clean Harbors Environmental Services and to authorize the Chair to execute the Sixth Amendment to the Agreement on behalf of the Agency. As the value of the Contract extension exceeds \$50,000, a unanimous vote is required for approval.**

UNANIMOUS VOTE.

10.2) HHW Epoxy Coating Agreement At the January 17, 2007 Agency Board meeting, the Sonoma County Household Hazardous Waste Program Benchmarking and Program Evaluation was accepted by the Agency Board. The evaluation included a list of suggestions for a number of operational and infrastructure improvements to the HHW building (Household Toxics Facility - HTF), including applying a chemically-resistant containment coating to the facility floor and containment sumps. Epoxy coating is the standard coating used for chemical resistance.

Recommended action: Authorize the bidding for the Epoxy Floor Coating for the HHW Building.

DIVERSION

11.1) Plastic Bag Update AB 2058 did not become law, so staff is presenting three options regarding plastic bags. These include a plastic bag ban, increased education and outreach about plastic bags, and continuing to monitor plastic bag legislation in the next legislative session. **Recommended action: Staff recommends increased educational outreach with regard to plastic bags through BayROC and in conjunction with existing staff outreach. Staff also recommends continuing to monitor and support bills similar to AB 2058 that are introduced in future legislative sessions.**

PLANNING

12.1) Large Venue and C&D Planning Policy RFP In an effort to improve C & D and Large Event/Venue waste reduction throughout Sonoma County, staff proposes hiring a consultant to research existing policies and recommend robust, uniform policies for each jurisdiction's consideration. **Recommended action: Staff recommends approval of the attached Scope of Work and requests direction to release the RFP to interested parties.**



Item #8.1

MINUTES OF AUGUST 20, 2008

The Sonoma County Waste Management Agency met on August 20, 2008, at the City of Santa Rosa Utilities Department's Subregional Water Reclamation System Laguna Plant, 4300 Llano Road, Santa Rosa, California.

PRESENT:

City of Rohnert Park	Tim Smith, Chair
City of Cotati	Damien O'Bid
City of Cloverdale	Gus Wolter
City of Healdsburg	Marjie Pettus
City of Petaluma	Vince Marengo
City of Santa Rosa	Dell Tredinnick
City of Sebastopol	Dave Brennan
City of Sonoma	Steve Barbose
Town of Windsor	Christa Johnson
County of Sonoma	Phil Demery

STAFF PRESENT:

Interim Executive Director	Susan Klassen
Executive Director	Mollie Mangerich
Counsel	Janet Coleson
Staff	Patrick Carter
	Charlotte Fisher
	Lisa Steinman

Recorder

Elizabeth Koetke

1 CALL TO ORDER SPECIAL MEETING

The special meeting was called to order at 8:30 a.m. by Chairman Tim Smith

2. OPEN CLOSED SESSION

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Potential initiation of litigation – one case Government Code Section 54956.9(C)

CONFERENCE WITH REAL PROPERTY NEGOTIATOR PURSUANT TO
GOVERNMENT CODE SECTION 54956.8

Property: 500 Mecham Road, Petaluma, California

Agency Negotiator: Executive Director

Negotiating Party: County of Sonoma

Under Negotiation: PRICE _____

TERMS _____

BOTH X

3. ADJOURN CLOSED SESSION

No report.

4. CALL TO ORDER REGULAR MEETING

The regular meeting was called to order at 10:10 a.m.

5. ATTACHMENTS/CORRESPONDENCE

Chairman Smith called attention to the Director's Agenda Notes

6. ON FILE WITH CLERK

Chair Smith, noted the resolutions from the June 18, 2008 meeting on file with the clerk, and the Operation of HHW Programs Agreement.

7. PUBLIC COMMENTS

There were no public comments.

CONSENT

8.1 Minutes of June 18, 2008

8.2 Amendment to ASL Agreement for Electronic Waste (e-waste) Collection Event Services

8.3 Fourth Quarter Financial Report

8.4 Used Oil Report for 2007

8.5 Plastic Bag Update

8.6 Biennial Review of Conflict of Interest Code

Vince Marengo, Petaluma, moved to approve the consent calendar. Dell Tredinnick, Santa Rosa, seconded. Consent calendar approved.

REGULAR CALENDAR

ADMINISTRATION

9.1 HHW LEASE AGREEMENT

Chairman Smith reported that this item was discussed during closed session, he asked Susan Klassen for an abbreviated report.

Susan Klassen said this item is a draft ground lease for the HHW facility which started as a result of the County's divestiture process. The draft lease with terms and conditions negotiated by the Ad Hoc Committee was brought to the Board for consideration during closed session. The Board gave direction to staff to continue negotiations with the County over this lease.

Chairman Smith said the concept of a lease is a good idea whether the divestiture occurs or not. The Agency and the County should work collectively.

The details of the directions given to the negotiators were not discussed in open session.

Chairman Smith welcomed public comments; there were none.

Chairman Smith said there would be no vote for this item based on the discussion that was held during closed session.

9.2 PROGRAM FEE AGREEMENT

Susan Klassen stated this item is the second agreement related to the divestiture. This draft agreement would provide for continued collection of Agency fees on yard and wood waste as well as self-haul and waste that comes into the County facilities, which are being considered for divestiture. This agreement was presented in draft form for consideration of the Board for their direction. It would only be consummated if the County has a divestiture of the landfill.

Direction was given to staff during the earlier closed session.

Chairman Smith asked for public comments, there were none.

Chairman Smith said staff has their direction and will issue a report on items 9.1 and 9.2 at the September meeting.

DIVERSION

10.1 AGREEMENT FOR BEVERAGE CONTAINER COLLECTION SERVICES

Patrick Carter explained that this agreement with the Sonoma County Probation Department provides 107 collection days of service to recycling containers in parks and ballparks throughout the County. At least one crew will be assigned to collection service, which includes collecting the beverage containers from all of the recycling bins in County parks and certain designated City parks. The crew is comprised of one staff member, at least two adult offenders, a vehicle, trailer, and all necessary tools and equipment. The cost has increased from \$600 per day to \$650 per day, for a total of \$69,550 for FY 2008/09. The Probation representative cited rising fuel costs as justification for the rate increase.

Chairman Smith called for a unanimous vote for this item which was accomplished.

COMPOSTING/WOOD WASTE

11.1 COMPOST RELOCATION UPDATE

Chairman Smith said this item was discussed during closed session and direction was given to staff.

Chairman Smith asked for public comments, there were none.

11.2 ORGANICS DIVERSION POLICY

Patrick Carter said this item is the result of correspondence received from the Cold Creek Compost Facility in May 2008, indicating their interest in entering into an agreement with the SCWMA in which the green waste materials from the Healdsburg Transfer Station would be routed to Cold Creek Compost Facility. Staff was given direction to report back as to whether there was a contractual ability to divert a portion of the yard debris and wood waste to a facility other than Sonoma Compost Company.

A second letter was received by Cold Creek Compost in July 2008, offering a reduced tip fee of \$26/ton. After consulting with Agency Counsel, who determined that such a diversion is permissible; staff endeavored to determine whether the tip fee proposed by Cold Creek Compost was economically advisable when compared to the contract with Sonoma Compost Company. Staff used \$26/ton to calculate the financial analysis and feasibility analysis.

Cold Creek Compost sent a third letter dated August 13th with an additional tip fee reduction that has not been analyzed because staff did not want the appearance of negotiating with the contractor without Board direction to do so.

Staff compared the County's agreement with West Sonoma County Disposal to determine what the additional hauling fee would be because of the mileage difference between hauling from Healdsburg to Central and Healdsburg to the Cold Creek Compost Facility. That fee was based on the distance between the two facilities. Staff broke down the costs from Healdsburg Transfer Station to Central to a per mile rate and then applied that to the additional miles up to the Cold Creek Compost Facility.

Based on the County's Source tonnage report roughly 18,000 tons of material was received at the Healdsburg Transfer Station in 2007.

Staff considered the feasibility and concluded that with the additional costs the Agency would incur taking material to the Cold Creek Compost Facility. It would cost the Agency \$135,000 additionally per year to divert the material to Cold Creek Compost. Also taken into account was the revenue sharing from the sale of the compost material by Sonoma Compost.

Christa Johnson, Town of Windsor, asked if the Agency had issued an RFP in past years for private companies such as this one instead of having it at the Central landfill.

Patrick Carter said he did not recall an RFP going out; the contract with Sonoma Compost has been in effect for a number of years.

Christa Johnson, Town of Windsor, said she would be interested in having further analysis of the \$16/ton offer.

Gus Wolter, Cloverdale, said the \$26/ton to \$16/ton was a big jump.

Martin Millick, Cold Creek Compost, said they wanted to offer a cost-effective program and in reviewing the numbers they can do it for \$16/ton.

Marjie Pettus, Healdsburg, said she would like the \$16/ton analyzed further but does not want to lose the monthly allocation the Cities get from Sonoma Compost Company.

Gus Wolter, Cloverdale, said he did not want to lose the allocation.

Christa Johnson, Town of Windsor, said in the past the Agency has used a competitive process and now are going through the long process of siting a new compost facility. She said she thinks it would be cheaper for a private operator to do this function than for the Agency to find a new site and build its own.

She said she doesn't want the town to lose their monthly allocation. She had a concern about the Agency responding to one company's request and said she would prefer that a competitive process be used.

Vince Marengo, Petaluma, said he concurred with Cloverdale and Windsor and he'd like to see more quantifiable analysis to the subject matter at hand.

Dell Tredinnick, Santa Rosa, said that Sonoma Compost Company has been a great partner and for the good of the Agency competition should be explored. As the divestiture process of the Central Landfill develops, there may be better analytical methods. He asked if the Agency should issue an RFP and do an analysis based on that, or do this piecemeal.

Phil Demery, County of Sonoma, said if the Agency is going to do an analysis, it should be made broader.

Damien O'Bid, Cotati, said he didn't think the Agency should do a piecemeal analysis.

Stephen Barbose, Sonoma, said he was bothered by the 20 miles distance per load, the green house gas implications and higher fuel costs. The \$16/ton number may not be a sustainable number, but he had no objection to staff analyzing the \$16/ton. He added that a compost site that would meet the Agency's needs would have to be centrally located.

Chairman Smith asked when the contract with Sonoma Compost Company expires. Patrick Carter responded 2010.

Chairman Smith said the only way to do this appropriately is with the RFP process. He said he's not interested in seeing what the \$16/ton numbers are; the Agency is not in a position to accept it. He said this is not the time for an RFP, but the time is very soon.

Chairman Smith's direction to staff was that if we're going to consider a bid from Cold Creek Compost it should be part of an RFP. This is not the time to ask staff to issue another RFP. When the RFP does go out, Cold Creek will be included in the recipient list.

HOUSEHOLD HAZARDOUS WASTE

12.1 FIRST AMENDMENT TO ECS CONTRACT

Lisa Steinman said at the November 2006 Agency meeting, the Board approved a two-year Agreement with ECS Refining to provide electronic waste transportation and recycling.

This agenda item seeks the Board's approval to extend the current agreement with ECS Refining until May 31, 2010. In a letter dated August 1, 2008, ECS indicated their willingness to extend the term of the contract with the same terms and conditions, which would extend the agreement until May 31, 2010 without any decrease in payment to the Agency. Staff is pleased with the Contractor and would like to retain their services. In May 2010, the CIWMB will review the Standard Statewide Recovery and Recycling Payment Rate again and establish new rates if necessary.

Staff's recommendation is to adopt the resolution to approve the First Amendment to the Agreement with ECS Refining, and to authorize the Chair to execute the First Amendment to the Agreement on behalf of the Agency.

Stephen Barbose, Sonoma, made a motion to approve the First Amendment to the ECS Contract. Dell Tredinnick, Santa Rosa, seconded. Motion approved.

Chairman Smith directed the Board to agenda item #12.3. Item 12.2 would be addressed afterwards.

12.3 HHW GRANT/FEASIBILITY STUDY

Patrick Carter explained this item regarding the HHW Grant and Feasibility Study is a result of the Sweetser Report in 2007. In November, 2007 the Agency entered into an agreement with RW Beck to study the feasibility, design, and permitting of additional HHW facilities. As a result of their final report, the Board gave staff direction to exhaust other possibilities such as looking at expanding the existing facility, or putting more effort into EPR before going forward into Phase 2 which would be the additional study behind getting more HHW facilities throughout the County.

The Board also gave staff direction to examine whether the current HD16 Grant, received from CIWMB to do this analysis, could be used for purposes other than expanding into new territories where there aren't currently HHW facilities. Recent discussions with the State have indicated that it might be possible to use those funds to expand the existing facility.

Clean Harbors examined the effect of increasing staffing levels to increase throughput on existing days, increase the number of collection days per week, and additional publicity of the CESQG program. Adding two staff members, one for waste receipt and one for processing, is estimated to increase staffing costs by approximately

\$100,000/year while increasing the amount of HHW received and processed from 50% to 100%.

The current agreement with Clean Harbors expires in January 2009. Given that short amount of time, it would be premature to ask the contractor to increase staff.

Regarding EPR, staff met with Heidi Sanborn, of the CPSC. Since the last Agency meeting another grant was released by CIWMB, the 17th Cycle grant. The 17th Cycle grant gives preferential points for any retailer take-backs or EPR efforts. The maximum funding for that grant is around \$250,000.

Staff recommends incorporating the expanded staffing levels into the new RFP (Item 12.4 of this agenda). Staff also recommends exploring any additional resources that would be required to expand the CESQG program.

Staff seeks direction from the Board as to whether the 17th Cycle grant application should be pursued or whether staff's efforts should go into supporting CPSC and their efforts towards legislation for paint and sharps.

Chairman Smith said the two are not mutually exclusive, the 17th Cycle grant can be applied for and CPSC can be supported. Chairman Smith said he spent the day in Sacramento meeting and speaking with public officials about EPR. Sonoma County is known for being a leader with Extended Producer Responsibility. Chairman Smith said the new Executive Director of the Agency may have some good ideas about EPR that are outside the box.

Dave Brennan, Sebastopol, moved to give direction to staff to pursue the recommendations that were made and to pursue 17th Cycle Grant opportunity. Tim Smith, Rohnert Park, seconded. Motion approved.

12.2 AUTHORIZE BIDDING FOR HHW ROOF EXTENSION AND AWARD AUTHORITY TO EXECUTIVE DIRECTOR

Susan Klassen said the scope of the project that's being designed is more than a canopy extension; it's actually an enclosed slab adjacent to the HTF. Given the issues that were discussed in closed session regarding ownership of the building and the lease, this item will be continued.

Damien O'Bid left the meeting at 11:05 a.m. (ek)

12.4 AUTHORIZE DISTRIBUTION OF HHW OPERATION REQUEST FOR PROPOSALS Lisa Steinman summarized her staff report.

All Proposals will be evaluated by the Executive Director of the Agency and Agency staff. Selection of a Contractor will be made in accordance with the evaluation criteria set forth in the RFP.

Staff recommends a three-year contract with the selected contractor with a possible two-year extension.

The proposer will be required to submit a proposal with four scopes of work:

Scope A includes the services outlined in the current HHW Agreement but will not include services relating to the Hazardous Waste Load Check Program.

Scope B includes only services related to the Load Check Program. In the current Agreement, any materials collected by the Hazardous Waste Load Check Program shall be handled by the Contractor at the HHW Facility, subject to exclusions set forth in section 2.2.2 of the Agreement. Currently, the Contractor receives Load Check Hazardous Waste from the following locations: Annapolis Transfer Station, Healdsburg Transfer Station, Guerneville Transfer Station, Sonoma Transfer Station, and the Central Disposal Site. As a result of the County of Sonoma's potential sale of the Landfill and County owned Transfer Stations, a separate Agreement for Load Check Hazardous Waste will be between the new owner and the Contractor. If the County does not divest the Landfill and Transfer Stations then the Load Check Agreement will be between the County and the Contractor.

Scope C includes services for additional staff in case the Agency decides to do one or more of the following: increases current staffing levels, increases the number of collection days per year requiring more staff, and adds additional HHW facilities or programs requiring additional staff.

Scope D includes services related to emergency response. Staff is requiring more comprehensive emergency response services from the contractor than what is in the current agreement.

Staff recommends that the Board authorize the distribution of the HHW Operation RFP and authorize staff to come back with a selected Proposer.

Chair Tim Smith, Rohnert Park, made a motion to distribute the HHW Operation RFP for a three-year contract with one two-year extension, and/or two one-year extensions with separate pricing. Dave Brennan, Sebastopol, seconded. Cotati, absent. Motion approved.

12.5 AUTHORIZE AWARD OF AGREEMENTS FOR PETALUMA USED OIL TANK CLEAN-UP AND REPLACEMENT

Lisa Steinman said The City of Petaluma has an oil drop-off site located at their Corporation Yard at 840 Hopper Street. The site was one of the earliest locations set up in Sonoma County through the Agency as an oil drop-off for those who change their own oil or do-it-yourselfers (DIYers). The Petaluma Corp Yard site has been operating as an oil collection drop off site for over ten years. The tank used for the oil collection was purchased at the time the site was started as a collection point. The Petaluma Corp Yard is getting roughly 2,500 gallons of oil dropped off a year and has had steady use since the start of this program. This site is an unattended collection site and is available to the public seven days a week. During business hours the site is monitored by the Petaluma Corp Yard staff. After work hours and on the weekends there is no attendant. There are regular DIYers who depend on the site for its convenience and especially since it's available outside of regular business hours.

The City of Petaluma has a contract with Evergreen Environmental to pick up the used oil from this site. The Agency reimburses the City of Petaluma on an annual basis for the Evergreen costs associated with this site. This cost is reimbursed back to the Agency through the State's Used Oil Block Grant Program.

In March 2008, the tank was contaminated with high levels of PCB's. Since the contaminated oil was already picked up by Evergreen and the Agency is ultimately responsible for the tank, the Agency paid Evergreen \$12,596.96 to dispose of the contaminated oil.

The existing contaminated tank was in need of replacement prior to the contamination. The Petaluma tank was close to the end of its useful life. In order to keep the oil drop-off site operational, the tank will need to be removed and replaced with a new tank.

Additionally, staff would like to provide the Petaluma Corp Yard with a receptacle for used oil filters. Currently, there is no adequate method for used filter collection. In the past, trash cans have been placed next to the oil collection tank but trash and other illegal materials ended up mixed in with the filters.

Connie Cloak, C² Alternative Services, said this issue of contamination comes up occasionally around the State. It's a risk with attended and unattended drop-off centers. **Phil Demery, County of Sonoma moved to approve the purchase orders for the clean-up and replacement of the Petaluma used oil tank and the purchase of a receptacle for used oil filters. Gus Wolter, Cloverdale, seconded. Cotati, absent. Motion approved.**

13. BOARDMEMBER COMMENTS

Dell Tredinnick, Santa Rosa, said the City of Santa Rosa has been working on bottles and "bring your own bag" and they've given every City employee a reusable bottle, reusable bag, recycle guide, a brochure "10 things you can do to help the environment" and a CFL bulb.

Chairman Smith said the Rohnert Park City Hall is having their grand opening on October 11th from 1 p.m. to 5 p.m., everyone is invited to attend.

14. STAFF COMMENTS

There were no staff comments.

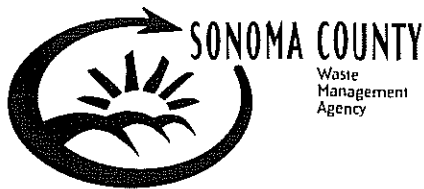
15. ADJOURNMENT

Meeting adjourned at 11:25 a.m.

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

Letter from Cold Creek Compost

Respectfully submitted,
Elizabeth Koetke



Agenda Item #: 8.2
Cost Center: HHW
Staff Contact: Steinman
Agenda Date: 9/17/2008

ITEM: Amendment to VBN Contract

I. BACKGROUND

At the June 20, 2007 Agency Board meeting, the Board approved executing an Agreement with VBN Architects to prepare design plans for the HHW Building Enclosure Expansion Project. VBN is required to complete six (6) tasks in regards to the Contract. The following tasks have been completed: site visit, review existing drawings, and working drawings. At the time this staff report was written, the Permits and Resource Management Department (PRMD) was reviewing the final plans for the project. Once the plans are approved by PRMD, VBN will complete the following last three tasks: permit, bid, and construction services. All tasks must be completed by December 31, 2008, when the Contract terminates.

The cost of the services provided in the Agreement with VBN Architects is \$11,100 with an additional \$2,900 available for contingencies and/or additional work. The \$14,000 funding for this Agreement has been coming from the HHW Operating Reserve Fund.

II. DISCUSSION

On August 20, 2008 staff was prepared to present a staff report to the Board requesting approval to advertise and receive bids for the construction of the HHW Building Enclosure Expansion Project and return to the Board with a selected Contractor. Since a ground lease agreement for the HHW Building site was not in place at the time of the meeting, this item was postponed. Due to the postponement of this item, staff is recommending that the Board approve amending the Agreement with VBN to extend the term an additional year, until December 31, 2009.

In addition, staff recommends an additional \$6,000 be set aside for future contingencies and/or additional work. The existing \$2,900 budgeted for contingencies and/or additional work has already been spent on unanticipated foundation design. Therefore, the additional \$6,000 will replenish the contingency and provide funding for any additional work.

III. FUNDING IMPACT

\$6000 will need to be budgeted from the HHW Operating Reserve Fund in case funds need to be paid for contingencies and/or additional work.

IV. RECOMMENDED ACTION / ALTERNATIVES TO RECOMMENDATION

Adopt the Resolution to approve the first Amendment to the Agreement with VBN Architects for Professional Services and authorize the Chair to execute the Amendment on behalf of the Agency.

V. ATTACHMENTS

First Amendment to VBN Architects Agreement
Resolution approving the First Amendment to the Agreement with VBN Architects

Approved by: 
Mollie Mangerich, Executive Director, SCWMA

FIRST AMENDMENT TO
AGREEMENT BETWEEN SONOMA COUNTY WASTE MANAGEMENT AGENCY
AND VBN ARCHITECTS
FOR PROFESSIONAL SERVICES

This First Amendment ("Amendment") to the Agreement for Professional Services ("Agreement"), dated as of _____, 2008, is by and between the Sonoma County Waste Management Agency ("Agency"), a joint powers agency and VBN Architects ("consultant"). All capitalized terms used herein shall, unless otherwise defined, have the meaning ascribed to those terms in the existing Agreement.

RECITALS

WHEREAS, Agency and Consultant entered into that certain Agreement for Professional Services dated as of June 20, 2007 ("Agreement"); and

WHEREAS, Consultant will prepare design plans for the HHW Building Enclosure Expansion; and,

WHEREAS, the parties desire to amend the Agreement to reflect the payment changes set forth in Section 2.1; and,

WHEREAS, the parties desire to amend the Agreement to reflect the payment changes set forth in Section 2.3a; and,

WHEREAS, the parties desire to amend the Agreement to extend the term of Agreement until December 31, 2009; and,

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties hereto agree as follows:

AGREEMENT

1. Section 2.1 is hereby deleted and replaced in its entirety to read as follows:

2.1 Notwithstanding anything stated to the contrary herein, for all the services described in Section 1.1(a) above, which are to be performed by CONSULTANT (including, without limitation, all tools, equipment, labor, supplies, supervision and materials), AGENCY agrees to pay, and CONSULTANT agrees to accept compensation for salary expenses in accordance with the letter proposal attached as Exhibit A attached hereto and incorporated herein, and for salary and non-salary expenses in accordance with Section 2.2, provided, however that the total sum of all such costs, salary and non-salary expenses, shall not exceed \$20,000. Billing rates for labor categories in Exhibit A cover all salary-related costs including, without limitation, salary, fringe benefits, overhead, and profit.

September 17, 2008

First Amendment

2. Section 2.3a is hereby deleted and replaced in its entirety to read as follows:

2.3a CONSULTANT shall be paid for additional work as described in Section 1.1(a), Task 7 above based on the rates defined in Exhibit A. Task 7 services may only be authorized in writing by the AGENCY's Executive Director. Total amount for Task 7 services shall not exceed \$8,900.

3. Section 3 Term of Agreement is hereby deleted and replaced in its entirety to read as follows:

3. Term of Agreement. The term of this Agreement shall commence in accordance with Section 7.1 below and CONSULTANT shall complete such work as follows:

Tasks 1- 5 shall be completed in accordance with attached Exhibit A.

Task 6 to be completed within construction period specified in the construction contract documents.

Task 7 to be completed by December 31, 2009.

4. Other than as stated above, the Agreement shall remain in full force and effect.

AGENCY AND CONTRACTOR HAVE CAREFULLY READ AND REVIEWED THIS AMENDMENT AND EACH TERM AND PROVISION CONTAINED HEREIN AND, BY EXECUTION OF THIS AMENDMENT, SHOW THEIR INFORMED AND VOLUNTARY CONSENT THERETO.

IN WITNESS WHEREOF, the parties hereto have executed this Amendment as of the Effective Date.

AGENCY: SONOMA COUNTY WASTE MANAGEMENT
AGENCY
By:

Tim Smith, Chair

CONSULTANT: VBN ARCHITECTS
By:

Title:

APPROVED AS TO FORM FOR AGENCY:

Janet Coleson, Agency Counsel

APPROVED AS TO SUBSTANCE FOR AGENCY:

Mollie Mangerich, Executive Director

RESOLUTION NO.: 2008-

DATED: September 17, 2008

RESOLUTION OF THE
SONOMA COUNTY WASTE MANAGEMENT AGENCY ("AGENCY") APPROVING THE FIRST
AMENDMENT WITH VBN ARCHITECTS ("CONTRACTOR") FOR PROFESSIONAL
SERVICES

WHEREAS, Agency and Consultant entered into that certain Agreement for Professional Services dated as of June 20, 2007 ("Agreement"); and

WHEREAS, Consultant will prepare design plans for the HHW Building Enclosure Expansion; and,

WHEREAS, the parties desire to amend the Agreement to reflect the payment changes set forth in Section 2.1; and,

WHEREAS, the parties desire to amend the Agreement to reflect the payment changes set forth in Section 2.3a; and,

WHEREAS, the parties desire to amend the Agreement to extend the term of Agreement until December 31, 2009; and,

NOW, THEREFORE, BE IT RESOLVED that the Agency hereby approves the terms of the First Amendment to the Agreement ("Agreement") and authorizes the Chairperson to execute the First Amendment on behalf of the Agency.

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 COMPOST COMPANY
MONTHLY REPORT**

April-08

a) Tonnages of Each Material Delivered to Facility

total tons of yard debris:	7,106.80 tons
average tons per day of yard debris:	236.89 tons
total tons of wood debris:	626.40 tons
average tons per day of wood debris:	20.88 tons
total tons of yard debris to Laguna *	690.34 tons
Total tons of food discards **	77.97 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:	Sprinkler
at compost site:	Drip

Moisture Content (%)

by feel:	lab results:
50-60%	48.80%
(active compost)	(finished compost)

Additives

Feathers, Vegetative Food Discards

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).
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c) Highlights and Anomalies of Program

Weather/Rainfall:	
total inches:	0.25
# of storm events:	1
Operational Problems:	
None	

d) Lab tests

Monthly tests: Nutrient/Pathogen Reduction/Heavy Metals

analysis: NUTRIENT	
next date due:	May-08
date sample taken:	4/30/08
# of sub-samples:	12
location of samples:	34,38,39

analysis: HEAVY METALS	
next date due:	May-08
date sample taken:	4/30/08
# of sub-samples:	63
location of samples:	7B,10,16,18,19,20,23

analysis: PATHOGEN REDUCTION	
next date due:	May-08
date sample taken:	4/28/08
# of sub samples:	63
locations of samples:	7B,10,16,18,19,20,23

Quarterly Test:

analysis: PESTICIDE RESIDUES	
next date due:	May-08
date sample taken:	4/30/08
# of sub-samples:	12
locations of samples:	Mallard Plus

e) Sales and Distribution of Finished Product

Yard Debris Sold

monthly total, cubic yards of all yard debris products sold:	6,826.00	cubic yds.
total cubic yards of screened compost:	4,889.00	cubic yds.
total cubic yards of early mulch:	35.00	cubic yds.
total cubic yards of screened mulch:	1,902.00	cubic yds.
yard debris product allocations:	225.00	cubic yds.
yard debris product donations:	22.00	cubic yds.

Wood Debris Sold

monthly total, tons of wood debris products sold:	1,933.00	tons
total tons of wood to non-fuel markets:	367.00	tons
total tons of wood bio-fuel*:	1,566.00	tons
wood debris product allocations:	187.00	cubic yds.
wood debris product donations:	8.00	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	105.4	1.24%
recycled		

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

FINISHED MATERIALS	cubic yards
unscreened compost	3,700 cy
screened compost	250 cy
mulch	300 cy
"intermediates"	600 cy

INTERMEDIATELY COMPOSTED MATERIALS

aged over 2 weeks	24,000 cy
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FRESH MATERIAL

on-site under 2 weeks	5,010 cy
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EXPERIMENTAL MATERIAL

None	0 cy
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**SONOMA COMPOST COMPANY
MONTHLY REPORT**

May-08

a) Tonnages of Each Material Delivered to Facility

total tons of yard debris:	7,267.32 tons
average tons per day of yard debris:	234.43 tons
total tons of wood debris:	755.25 tons
average tons per day of wood debris:	24.36 tons
total tons of yard debris to Laguna *	672.86 tons
Total tons of food discards **	79.4 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:	Sprinkler
at compost site:	Drip

Moisture Content (%)

by feel:	lab results:
45-60%	40.10%
(active compost)	(finished compost)

Additives

Feathers, Vegetative Food Discards

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).
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c) Highlights and Anomalies of Program

Weather/Rainfall:	
total inches:	0
# of storm events:	0
Operational Problems:	
None	

d) Lab tests

Monthly tests: Nutrient/Pathogen Reduction/Heavy Metals

analysis: NUTRIENT	
next date due:	Jun-08
date sample taken:	5/30/08
# of sub-samples:	12
location of samples:	25,31,34,48

analysis: HEAVY METALS	
next date due:	Jun-08
date sample taken:	5/30/08
# of sub-samples:	63
location of samples:	8,9,11,12,13,15,24
	36,40

analysis: PATHOGEN REDUCTION	
next date due:	Jun-08
date sample taken:	5/30/08
# of sub samples:	63
locations of samples:	8,9,11,12,13,15,24
	36,40

Quarterly Test:	
analysis: PESTICIDE RESIDUES	
next date due:	Jun-08
date sample taken:	5/30/08
# of sub-samples:	12
locations of samples:	Grape Pomace
	Compost

e) Sales and Distribution of Finished Product

Yard Debris Sold

monthly total, cubic yards of all yard debris products sold:	7,196.00	cubic yds.
total cubic yards of screened compost:	5,214.00	cubic yds.
total cubic yards of early mulch:	19.00	cubic yds.
total cubic yards of screened mulch:	1,963.00	cubic yds.
yard debris product allocations:	32.00	cubic yds.
yard debris product donations:	23.00	cubic yds.

Wood Debris Sold

monthly total, tons of wood debris products sold:	2,761.00	tons
total tons of wood to non-fuel markets:	304.00	tons
total tons of wood bio-fuel*:	2,457.00	tons
wood debris product allocations:	169.00	cubic yds.
wood debris product donations:	10.00	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 (17867): The green waste piles were very large and could be a potential fire hazard. Please keep the piles smaller and twenty feet apart.

Response: Piles were temporarily larger than usual due to a scheduled grinder maintenance.

g) Contaminants Landfilled, Recovered or Recycled

	tons	overall %
disposed	95.2	1.09%
recycled		

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

FINISHED MATERIALS	cubic yards
unscreened compost	2,000 cy
screened compost	100 cy
mulch	200 cy
"intermediates"	300 cy

INTERMEDIATELY COMPOSTED MATERIALS

aged over 2 weeks	22,500 cy
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FRESH MATERIAL

on-site under 2 weeks	4,620 cy
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EXPERIMENTAL MATERIAL

None	0 cy
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**SONOMA COMPOST COMPANY
MONTHLY REPORT**

June-08

a) Tonnages of Each Material Delivered to Facility

total tons of yard debris:	6,374.35 tons
average tons per day of yard debris:	212.48 tons
total tons of wood debris:	740.86 tons
average tons per day of wood debris:	24.69 tons
total tons of yard debris to Laguna *	830.52 tons
Total tons of food discards **	72.05 tons

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

** This tonnage is included in the total yard debris tonnage above 7,945.73

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:	Sprinkler
at compost site:	Drip

Moisture Content (%)

by feel:	lab results:
45-60%	43.00%
(active compost)	(finished compost)

Additives

Feathers, Vegetative Food Discards

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).
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c) Highlights and Anomalies of Program

Weather/Rainfall:	
total inches:	0
# of storm events:	0
Operational Problems:	
Clutch replacement caused the grinder to be down for five days	

d) Lab tests

Monthly tests: Nutrient/Pathogen Reduction/Heavy Metals

analysis: NUTRIENT	
next date due:	Jul-08
date sample taken:	6/20/08
# of sub-samples:	12
location of samples:	41,42,44,45,46

analysis: HEAVY METALS	
next date due:	Jul-08
date sample taken:	6/20/08
# of sub-samples:	63
location of samples:	13B,14,17,21,22, 37,38,39,40

analysis: PATHOGEN REDUCTION	
next date due:	Jul-08
date sample taken:	6/20/08
# of sub samples:	63
locations of samples:	13B,14,17,21,22, 37,38,39,40

Quarterly Test:	
analysis: PESTICIDE RESIDUES	
next date due:	Jul-08
date sample taken:	6/20/08
# of sub-samples:	12
locations of samples:	13B,14,17,21,22, 37,38,39,40

e) Sales and Distribution of Finished Product

Yard Debris Sold

monthly total, cubic yards of all yard debris products sold:	5,075.00	cubic yds.
total cubic yards of screened compost:	3,027.00	cubic yds.
total cubic yards of early mulch:	22.00	cubic yds.
total cubic yards of screened mulch:	2,026.00	cubic yds.
yard debris product allocations:	10.00	cubic yds.
yard debris product donations:	53.00	cubic yds.

Wood Debris Sold

monthly total, tons of wood debris products sold:	3,267.00	tons
total tons of wood to non-fuel markets:	396.00	tons
total tons of wood bio-fuel*:	2,871.00	tons
wood debris product allocations:	225.00	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 (17867): The green waste piles were too close together at the chipping machine.

Please keep the piles small and twenty feet apart.

Response: Clutch replacement resulted in larger than usual piles. Piles were in compliance by the time the inspection report was received.

g) Contaminants Landfilled, Recovered or Recycled

	tons	overall %
disposed	91.8	1.16%
recycled		

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

FINISHED MATERIALS	cubic yards
unscreened compost	1,500 cy
screened compost	500 cy
mulch	650 cy
"intermediates"	850 cy

INTERMEDIATELY COMPOSTED MATERIALS

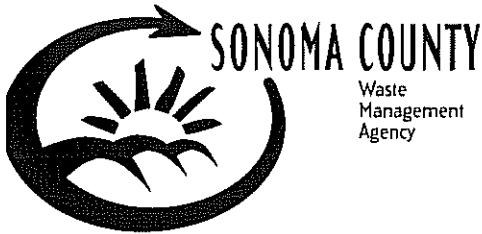
aged over 2 weeks	21,500 cy
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FRESH MATERIAL

on-site under 2 weeks	8,550 cy
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EXPERIMENTAL MATERIAL

None	0 cy
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Agenda Item #: 8.4
Cost Center: Organics
Staff Contact: Carter
Agenda Date: 9/17/2008

ITEM: Compost Relocation Project

I. BACKGROUND

At the August 15, 2007 SCWMA Board meeting, the Board entered into an agreement with a team of consultants led by Environmental Science Associates (ESA) to assist the SCWMA in the selection, conceptual design, and preparation of CEQA documents for a new compost site in Sonoma County. Staff and the contractor have provided project updates at each subsequent Board meeting.

At the June 18, 2008, the SCWMA Board selected one preferred site and two alternative sites to be studied further in an Environmental Impact Report. Staff has informed all property owners involved in the siting effort as to whether their property was selected for further study.

II. DISCUSSION

Staff mailed the owners of sites 41, 5a, and 13 a request to enter their properties to perform studies necessary for the Environmental Impact Report. The owner of site 41 refused to grant access to the property. Staff followed up with a second letter to the property owner requesting reconsideration. The owner did not grant access to site 41.

III. FUNDING IMPACT

There are no funding impacts resulting from this transmittal.

IV. RECOMMENDED ACTION / ALTERNATIVES TO RECOMMENDATION

Staff recommends resuming the Environmental Impact Report process with the sites 5a, 13, and 14, with site 5a as the preferred site.

Approved by: 
Mollie Mangerich, Executive Director, SCWMA



Agenda Item #: 9.1
Cost Center: All
Staff Contact: Mangerich/Fisher
Agenda Date: 9/17/2008

ITEM: Technical Adjustment for FY 08-09

I. BACKGROUND

At the March 2008 Board meeting, the budget for FY 08-09 was unanimously approved by the Agency Board. The budgeting process followed by the Agency includes an opportunity to make changes (Technical Adjustments) to the budget after the fiscal year-end to reflect information more current than was available at the time of budget approval in June.

There are 26 proposed technical adjustments for the Agency's FY 08-09 Budget. The technical adjustments are listed, with descriptions, by cost center, except for changes that affect all the cost centers. A Budget Summary with the technical adjustments highlighted is included at the end of this report.

II. DISCUSSION

All Organics and Surcharge Cost Centers

The reserve policy approved by the Board in FY 05-06 had any undesignated funds at year-end transferred to the appropriate reserve. All undesignated funds from Wood Waste and Yard Debris are transferred to the Organics Reserve. HHW's undesignated reserves are transferred into two reserves (\$6,667 to the Closure Reserve and the remainder to the Facility Reserve). The undesignated funds from the Education, Diversion and Planning cost centers are transferred into the Contingency Reserve. With all of the undesignated funds being transferred into the reserve centers, the Agency could potentially have a cash flow problem. Staff recommends leaving undesignated funds in the cost centers to guard against such a problem. The recommended amount would be 10% of the budgeted operating expenses.

Interest on Pooled Cash

The interest rate has been reduced per County forecast. The rate used in developing the FY 08-09 Budget was 4%. The most recent forecast of the interest rate for the next fiscal year, which was issued on July 15, 2008, is 2.2%.

The following table shows the amount of undesignated funds remaining in the cost centers and the interest that would be earned on that amount, which would also remain in the cost center.

Cost Center	10% Retained for Cash Flow	Interest @ 2.2%
Wood Waste	\$31,600	\$695
Yard Debris	\$276,720	\$6,088
HHW	\$184,100	\$4,050
Education	\$26,370	\$580
Diversion	\$19,520	\$429
Planning	\$5,520	\$121

Wood Waste

OT-Within Enterprise

The technical adjustment is \$197,140 in prior year funds' transferred to the Organics Reserve per the reserve policy adopted by the Board in FY 05-06, effective in FY 06-07.

Interest on Pooled Cash

The interest earned on the undesignated funds remaining in the cost center for cash flow consideration is projected to be \$695.

Yard Debris

OT-Within Enterprise

An additional \$778,177 from prior year funds' is transferred to the Organics Reserve per the reserve policy adopted by the Board in FY 05-06, effective in FY 06-07.

Interest on Pooled Cash

The interest earned on the undesignated funds remaining in the cost center for cash flow consideration is projected to be \$6,088.

Household Hazardous Waste

Expenditures

The technical adjustment to Professional Services is an additional \$111,010. The amount of the Used Oil Block Grant – Cycle 14 will be decreased by \$7,597, from \$145,000 to \$137,403. The unused funds from Cycle 13 in the amount of \$118,607 will be rebudgeted for FY 08-09.

Rental Bldg/Improve includes an increase of \$1,000 to cover the increase to the proposed HHW lease.

OT-Within Enterprise is increased \$1,281,756. These funds are prior year funds to be transferred to the HHW Facility Reserve.

Revenues

Interest on Pooled Cash is increased \$4,050 to reflect the interest earned on the undesignated funds remaining in the cost center for cash flow.

There is an increase of \$111,020 in State-Other Revenue is the net of the decrease in the HD14 award and the carry-over of grant funds.

There is a reduction in the Tipping Fee Revenue. Since the development of the FY 08-09 Budget, the County has revised their estimates of anticipated tonnage coming to the disposal facilities from 335,000 to 310,000 tons per year. This results in a reduction of \$135,000 for the tipping fee surcharge funded cost centers. The reduction absorbed by HHW is \$98,550.

Education

Expenditures

Professional Services is increased \$1,838 to recognize the rebudget of HD 16C Sharps Coordination grant funds not expended in FY 07-08.

OT-Within Enterprise is increased \$134,575. These funds are prior year funds to be transferred to the Contingency Reserve.

Revenues

Interest on Pooled Cash is increased \$580 to reflect the interest earned on the undesignated funds remaining in the cost center for cash flow.

There is a matching increase of \$7,000 in State-Other Revenue to reflect the rebudget of grant funds. This rebudget does not match the expense because \$5,162 was spent during FY 07-08 and the reimbursement request has not been recognized.

There is a reduction in the Tipping Fee Revenue. Since the development of the FY 08-09 Budget, the County has revised their estimates of anticipated tonnage coming to the disposal facilities from 335,000 to 310,000 tons per year. This results in a reduction of \$135,000 for the tipping fee surcharge funded cost centers. The Education portion of this reduction is \$29,025.

Diversion

Expenditures

Professional Services is decreased \$17,868 to recognize the grant award from the Beverage Container Grant, sponsored by the Department of Conservation.

Revenues

Interest on Pooled Cash is increased \$429 to reflect the interest earned on the undesignated funds remaining in the cost center for cash flow.

There is a decrease of \$17,868 in State-Other Revenue to match the decreased expense for the Beverage Container Grant program.

There is a reduction in the Tipping Fee Revenue. Since the development of the FY 08-09 Budget, the County has revised their estimates of anticipated tonnage coming to the disposal facilities from 335,000 to 310,000 tons per year. This results in a reduction of \$135,000 for the tipping fee surcharge funded cost centers. The Diversion Cost Center portion of this reduction is \$3,375.

Planning

Expenditures

OT-Within Enterprise is increased \$10,938. These funds are prior year funds to be transferred to the Contingency Reserve.

Revenues

Interest on Pooled Cash is increased \$121 to reflect the interest earned on the undesignated funds remaining in the cost center for cash flow.

There is a reduction in the Tipping Fee Revenue. Since the development of the FY 08-09 Budget, the County has revised their estimates of anticipated tonnage coming to the disposal facilities from 335,000 to 310,000 tons per year. This results in a reduction of \$135,000 for the tipping fee surcharge funded cost centers. The Planning portion of this reduction is \$4,050.

Organics Program Reserve

The first technical adjustment to the Organics Program Reserve is a decrease of \$55,506 in Interest on Pooled Cash. The County has projected a reduction in the interest rate from 4% to 2.2% for FY 08-09.

The second technical adjustment is the increase in OT-Within Enterprise of \$975,317. These funds are the prior year undesignated funds transferred from Wood Waste and Yard Debris cost centers into this reserve.

HHW Closure Reserve

The only technical adjustment to the HHW Closure Reserve is a decrease of \$954 in Interest on Pooled Cash. The County has projected a reduction in the interest rate from 4% to 2.2% for FY 08-09.

HHW Facility Reserve

The first technical adjustment is the rebudget of \$253,660 for the HHW facility roof extension. This project was not completed in FY 07-08.

The second technical adjustment to the HHW Facility Reserve is a decrease of \$19,534 in Interest on Pooled Cash. The County has projected a reduction in the interest rate from 4% to 2.2% for FY 08-09.

The third technical adjustment is the increase in OT-Within Enterprise of \$1,281,756. These funds are the prior year undesignated funds transferred from the HHW cost center into this reserve.

Contingency Reserve

The first technical adjustment to the HHW Facility Reserve is a decrease of \$7,112 in Interest on Pooled Cash. The County has projected a reduction in the interest rate from 4% to 2.2% for FY 08-09.

The second technical adjustment is the increase in OT-Within Enterprise of \$153,099. These funds are the prior year undesignated funds transferred from the Education and Planning cost centers into this reserve.

III. FUNDING IMPACT

Summary Budget, with Technical Adjustments (highlighted) included, is attached. Upon approval, this would be the FY 07-08 Budget.

IV. RECOMMENDED ACTION / ALTERNATIVES TO RECOMMENDATION


Staff recommends approving the Technical Adjustments to the FY 08-09 budget. The Joint Powers Agreement requires unanimous approval of the Technical Adjustments.

V. ATTACHMENTS

Resolution

Summary Budget with Technical Adjustments

Requests for Technical Changes to 2008-09 Proposed Budget

Approved by: 
Mollie Mangerich, Executive Director, SCWMA

RESOLUTION NO.: 2008-

DATED: October 15, 2008

RESOLUTION OF THE SONOMA COUNTY WASTE MANAGEMENT AGENCY ("AGENCY")
ADOPTING TECHNICAL ADJUSTMENTS TO THE ANNUAL BUDGET
FOR FISCAL YEAR 2008-09.

WHEREAS, this Agency gave direction to Agency's Executive Director to prepare and present an annual budget; and

WHEREAS, an annual budget has been prepared and presented to this Agency and unanimously adopted by this Agency on March 19, 2008; and

WHEREAS, additional expenditures, in the amount of \$2,752,226 and additional revenues, in the amount of \$2,304,171 have been identified for Fiscal Year 2008-09 since the adoption of the annual budget.

NOW, THEREFORE, BE IT RESOLVED that the technical adjustments to the Agency's Annual Budget for the period July 1, 2008 to June 30, 2009, attached hereto as Exhibit A is hereby adopted.

BE IT FURTHER RESOLVED that the Agency Clerk shall deliver a certified copy of this resolution and its supporting documentation to the Sonoma County Auditor-Controller.

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

**FY 08-09 BUDGET
SONOMA COUNTY WASTE MANAGEMENT AGENCY
SUMMARY WITH TECHNICAL ADJUSTMENTS**

A. EXPENDITURES:

SUBJECT TITLE	Wood Waste 799114	Yard Debris 799213	H H W 799312	Education 799411	Diversion 799510	Planning 799619	Organics Program Reserve 799221	HHW Facility Closure 799320	HHW Facility Reserve 799338	Contin. 799718	Total All Divisions
SERVICES AND SUPPLIES											
6103 Liability Insurance	1,000	2,000	4,000	1,500	1,000	1,000	0	0	0	0	10,500
6400 Office Expense	500	500	6,000	30,000	1,000	2,000	0	0	0	0	40,000
6500 Professional Services	0	0	256,010	18,438	132,132	0	0	0	150,000	0	556,580
6521 County Services	525	525	1,575	2,500	600	750	0	0	0	0	6,475
6540 Contract Services	255,580	2,614,768	1,498,000	151,761	0	0	200,000	0	253,660	20,000	4,993,769
6573 Administration Costs	50,445	83,523	139,794	178,054	35,204	41,004	35,000	0	20,112	5,000	588,136
6590 Engineering Services	0	15,000	0	0	0	0	0	0	0	0	15,000
6610 Legal Services	1,000	8,000	9,000	20,000	1,000	2,000	30,000	0	10,000	0	81,000
6629 Accounting Services	504	2,325	1,010	1,010	1,000	0	0	0	0	0	5,849
6630 Audit Services	2,000	2,500	8,000	4,000	1,000	2,000	0	0	0	0	19,500
6820 Rents/Leases - Equip	0	5,200	0	0	0	0	0	0	0	0	5,200
6840 Rental Bldg/Improve	0	0	23,000	3,000	0	0	0	0	0	0	26,000
6880 Small Tools	4,411	8,822	4,411	4,411	4,411	4,411	0	0	0	0	30,877
7062 Enforce Agency Fees	0	20,000	0	0	0	0	0	0	0	0	20,000
7301 County Car Expense	0	3,000	0	0	0	0	0	0	0	0	3,000
7302 Travel Expense	0	1,000	2,000	2,000	0	2,000	2,500	0	0	0	9,500
7400 Data Processing	0	0	50	30,000	0	0	0	0	0	0	30,050
SUBTOTAL	315,965	2,767,163	1,952,850	446,674	177,347	55,165	267,500	0	433,772	25,000	6,441,436
OTHER CHARGES											
8624 OT-Within Enterprise	0	327,677	21,002	0	3,398	4,188	0	0	0	0	356,265
OT-Within Enterprise (PY)	197,140	1,172,040	1,281,756	134,575	0	10,938	0	0	0	0	2,796,449
HHW Closure	0	0	6,667	0	0	0	0	0	0	0	6,667
SUBTOTAL	197,140	1,499,717	1,309,425	134,575	3,398	15,126	0	0	0	0	3,159,381
TOTAL EXPENDITURES	513,105	4,266,880	3,262,275	581,249	180,745	70,291	267,500	0	433,772	25,000	9,600,817

B. REVENUES:

REVENUES											
1700 Interest/Pooled Cash	695	6,088	13,003	914	429	121	94,135	1,272	28,451	12,776	157,884
2500 State-Other	0	0	256,010	23,600	132,132	0	0	0	150,000	0	561,742
2901 Tipping Fee Revenue	284,400	3,004,840	1,222,020	359,910	41,850	50,220	0	0	0	0	4,963,240
4020 Sale of Material	26,565	85,000	0	0	0	0	0	0	0	0	111,565
4102 Donations/Reimburse	5,000	5,000	393,986	38,967	3,388	5,083	0	0	0	0	451,424
4624 OT-Within Enterprise	0	0	0	0	0	0	1,696,857	6,667	1,302,758	153,099	3,159,381
TOTAL REVENUES	316,660	3,100,928	1,885,019	423,391	177,799	55,424	1,790,992	7,939	1,481,209	165,875	9,405,236
NET COST	196,445	1,165,952	1,377,256	157,858	2,946	14,867	(1,523,492)	(7,939)	(1,047,437)	(140,875)	195,581
Projected Year-End FY 08-09 Fund Balances											
	31,600	276,740	184,100	26,370	19,520	5,520	3,954,335	59,067	1,293,902	460,081	6,311,235

REQUEST FOR TECHNICAL CHANGE TO 2008-09 PROPOSED BUDGET

Prepared By: Charlotte Fisher Division: Integrated Waste
 Fund Name: Special District Section: Wood Waste
 Fund Number: 85-500-110
 Phone: 565-2413 Index No. 799114
 Department Head Approval: _____

Index Expenditure Adjustment

No. -	Sub-Object No.	Account Title/Explanation	Amount
	8624	<u>OT-Within Enterprise</u> Prior year funds to be transfer to the Organics Reserve per the reserve policy adopted by the Agency Board in FY 05-06, effective in FY 06-07.	\$197,140

Index Revenue Adjustment

No.	Sub-Object No.	Account Title/Explanation	Amount
	1700	<u>Interest on Pooled Cash</u> Interest being accrued on undesignated funds remaining in the cost center for cash flow	\$695

NET COST

Amount of Increase or (decrease) \$196,445

REQUEST FOR TECHNICAL CHANGE TO 2008-09 PROPOSED BUDGET

Prepared By: Charlotte Fisher Division: Integrated Waste
Fund Name: Special District Section: Yard Debris
Fund Number: 85-500-210
Phone: 565-2413 Index No. 799213
Department Head Approval: _____

Index Expenditure Adjustment			
No. -	Sub-Object No.	Account Title/Explanation	Amount
	8624	<u>OT-Within Enterprise</u> Prior year funds to be transfer to the Organics Reserve per the reserve policy adopted by the Agency Board in FY 05-06, effective in FY 06-07.	\$778,177

Index Revenue Adjustment			
No.	Sub-Object No.	Account Title/Explanation	Amount
	1700	<u>Interest on Pooled Cash</u> Interest being accrued on undesignated funds remaining in the cost center for cash flow	\$6,088

NET COST
Amount of Increase or (decrease) (\$772,089)

REQUEST FOR TECHNICAL CHANGE TO 2008-09 PROPOSED BUDGET

Prepared By: Charlotte Fisher Division: Integrated Waste
Fund Name: Special District Section: Household Hazardous Waste
Fund Number: 85-500-310
Phone: 565-2413 Index No. 799312
Department Head Approval: _____

Index Expenditure Adjustment

No. -	Sub-Object No.	Account Title/Explanation	Amount
	6500	<u>Professional Services</u>	
		Increase recognizing the difference in Used Oil Block Grant 12 and 13 from the budgeted amount	\$111,010
	6840	<u>Rental Building/Improvements</u>	
		Increase for proposed HHW lease for building for staff to attend hazardous waste conference	\$1,000
	8624	<u>OT-Within Enterprise</u>	\$1,281,756
		Prior year funds to be transfer to the HHW Op. Reserve per the reserve policy adopted by the Agency Board in FY 05-06, effective in FY 06-07.	

Index Revenue Adjustment

No.	Sub-Object No.	Account Title/Explanation	Amount
	1700	<u>Interest on Pooled Cash</u>	\$4,050
		Interest being accrued on undesignated funds remaining in the cost center for cash flow	
	2500	<u>State - Other</u>	\$111,010
		Increase recognizing the difference in Used Oil Block Grant 13 and 14 from the budgeted amount	
	2901	<u>Tipping Fee Revenue</u>	(\$98,550)
		Decrease due to County revising the estimate of tonnage coming to the disposal site from 335,000 to 310,000	

NET COST

Amount of Increase or (decrease) \$1,377,256

REQUEST FOR TECHNICAL CHANGE TO 2008-09 PROPOSED BUDGET

Prepared By: Charlotte Fisher Division: Integrated Waste
Fund Name: Special District Section: Education
Fund Number: 85-500-410
Phone: 565-2413 Index No. 799411
Department Head Approval: _____

Index	Expenditure Adjustment		
No. -	Sub-Object No.	Account Title/Explanation	Amount
	6500	<u>Professional Services</u> Carryover funds from the HD 16C Sharps Coordination Grant	\$1,838
	8624	<u>OT-Within Enterprise</u> Prior year funds to be transfer to Contingency Reserve per the reserve policy adopted by the Agency Board in FY 05-06, effective in FY 06-07.	\$134,575

Index	Revenue Adjustment		
No.	Sub-Object No.	Account Title/Explanation	Amount
	1700	<u>Interest on Pooled Cash</u> Interest being accrued on undesignated funds remaining in the cost center for cash flow	\$580
	2500	<u>State - Other</u> Carryover funds from the HD 16C Sharps Coordination Grant	\$7,000
	2901	<u>Tipping Fee Revenue</u> Decrease due to County revising the estimate of tonnage coming to the disposal site from 335,000 to 310,000	(\$29,025)

NET COST
Amount of Increase or (decrease) \$157,858

REQUEST FOR TECHNICAL CHANGE TO 2008-09 PROPOSED BUDGET

Prepared By: Charlotte Fisher Division: Integrated Waste
Fund Name: Special District Section: Diversion
Fund Number: 85-500-510
Phone: 565-2413 Index No. 799510
Department Head Approval: _____

Index Expenditure Adjustment

No. -	Sub-Object No.	Account Title/Explanation	Amount
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		<u>Professional Services</u>	
6500		Reduction in grant award from Department of Conservation (Beverage Container Grant)	(\$17,868)

Index Revenue Adjustment

No.	Sub-Object No.	Account Title/Explanation	Amount
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1700		<u>Interest on Pooled Cash</u>	\$429
		Interest being accrued on undesignated funds remaining in the cost center for cash flow	
2500		<u>State - Other</u>	(\$17,868)
		Reduction in grant award from Department of Conservation (Beverage Container Grant)	
2901		<u>Tipping Fee Revenue</u>	(\$3,375)
		Decrease due to County revising the estimate of tonnage coming to the disposal site from 335,000 to 310,000	

NET COST

Amount of Increase or (decrease)	(\$2,946)
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REQUEST FOR TECHNICAL CHANGE TO 2008-09 PROPOSED BUDGET

Prepared By: Charlotte Fisher Division: Integrated Waste
Fund Name: Special District Section: Planning
Fund Number: 85-500-610
Phone: 565-2413 Index No. 799619
Department Head Approval: _____

Index Expenditure Adjustment

No. -	Sub-Object No.	Account Title/Explanation	Amount
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8624		<u>OT-Within Enterprise</u> Prior year funds to be transfer to Contingency Reserve per the reserve policy adopted by the Agency Board in FY 05-06, effective in FY 06-07.	\$10,938
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Index Revenue Adjustment

No.	Sub-Object No.	Account Title/Explanation	Amount
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1700		<u>Interest on Pooled Cash</u> Interest being accrued on undesignated funds remaining in the cost center for cash flow	\$121
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2901		<u>Tipping Fee Revenue</u> Decrease due to County revising the estimate of tonnage coming to the disposal site from 335,000 to 310,000	(\$4,050)
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NET COST

Amount of Increase or (decrease)	<u>(\$14,867)</u>
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REQUEST FOR TECHNICAL CHANGE TO 2008-09 PROPOSED BUDGET

Prepared By: Charlotte Fisher Division: Integrated Waste
 Fund Name: Special District Section: Organics Reserve
 Fund Number: 85-500-220
 Phone: 565-2413 Index No. 799221
 Department Head Approval: _____

Index Expenditure Adjustment

No. -	Sub-Object No.	Account Title/Explanation	Amount
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Index Revenue Adjustment

No.	Sub-Object No.	Account Title/Explanation	Amount
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		<u>Interest on Pooled Cash</u>	
1700		Reduced interest based on County projections from 4% to 2.2%	(\$55,506)
4624		<u>OT –Within Enterprise</u>	\$975,317
		Transfer of prior year funds from the Wood Waste And Yard Debris cost centers	

NET COST

Amount of Increase or (decrease)	<u>\$919,811</u>
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REQUEST FOR TECHNICAL CHANGE TO 2008-09 PROPOSED BUDGET

Prepared By: Charlotte Fisher Division: Integrated Waste
 Fund Name: Special District Section: HHW Closure Reserve
 Fund Number: 85-500-320
 Phone: 565-2413 Index No. 799320
 Department Head Approval: _____

Index Expenditure Adjustment

No. -	Sub-Object No.	Account Title/Explanation	Amount
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Index Revenue Adjustment

No.	Sub-Object No.	Account Title/Explanation	Amount
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		<u>Interest on Pooled Cash</u>	
1700		Reduced interest based on County projections from 4% to 2.2%	(\$954)

NET COST

Amount of Increase or (decrease) (\$954)

REQUEST FOR TECHNICAL CHANGE TO 2008-09 PROPOSED BUDGET

Prepared By: Charlotte Fisher Division: Integrated Waste
 Fund Name: Special District Section: HHW Facility Reserve
 Fund Number: 85-500-330
 Phone: 565-2413 Index No. 799338
 Department Head Approval: _____

Index	Expenditure Adjustment		
No. -	Sub-Object No.	Account Title/Explanation	Amount

6450		<u>Contract Services</u>	\$253,660
		Rebudget for the planned roof extension to the HHW facility	

Index	Revenue Adjustment		
No.	Sub-Object No.	Account Title/Explanation	Amount

1700		<u>Interest on Pooled Cash</u>	
		Reduced interest based on County projections from 4% to 2.2%	(\$19,534)

4624		<u>OT –Within Enterprise</u>	\$1,281,756
		Transfer of prior year funds from the HHW cost center	

NET COST			
Amount of Increase or (decrease)			<u>(\$962,222)</u>

REQUEST FOR TECHNICAL CHANGE TO 2008-09 PROPOSED BUDGET

Prepared By: Charlotte Fisher Division: Integrated Waste
 Fund Name: Special District Section: Contingency
 Fund Number: 85-500-710
 Phone: 565-2413 Index No. 799718
 Department Head Approval: _____

Index Expenditure Adjustment			
No. -	Sub-Object No.	Account Title/Explanation	Amount

Index Revenue Adjustment			
No.	Sub-Object No.	Account Title/Explanation	Amount

		<u>Interest on Pooled Cash</u>	
1700		Reduced interest based on County projections from 4% to 2.2%	(\$7,112)
4624		<u>OT –Within Enterprise</u>	\$153,099
		Transfer of prior year funds from the Education and Planning cost centers	

NET COST
 Amount of Increase or (decrease) \$145,987



Agenda Item #: 10.1
Cost Center: HHW
Staff Contact: Steinman
Agenda Date: 9/17/2008

ITEM: Clean Harbors Contract Extension

I. BACKGROUND

The Agency has a Contract with Clean Harbors Environmental Services to operate the Household Hazardous Waste Facility and Mobile Collection Programs. The term of this Agreement will end on January 6, 2009. At the August 20, 2008 Agency Board meeting, staff was given direction to distribute the HHW Operations Request for Proposals (RFP).

II. DISCUSSION

The HHW Operations Contract is a three-party Agreement between the Agency, County of Sonoma, and Clean Harbors Environmental Services. Last year the County of Sonoma began looking into divesting the County's Petaluma Landfill Site and Sonoma County Transfer Stations. Currently, the County is in the middle of the RFP process to solicit Proposals from parties interested in purchasing these sites. A potential divestiture would affect HHW Operations since the Household Toxics Facility is located at the Petaluma site and hazardous waste is collected from each transfer station's load check program and brought to the facility by the HHW Contractor.

The current Contract has one scope of work that encompasses all the HHW programs including: facility, mobile programs, and load check program. Staff explained to the Board in August that an additional scope of work would need to be included in the future Contract for operation of the load check program should the divestiture go through. This would then be a separate Agreement between the new owner and the Contractor.

Concurrent to the divestiture process underway, the County and the Agency are negotiating a ground lease Agreement for the HHW building. At this point it is still unclear as to who owns the HHW building. With the absence of a ground lease Agreement and the uncertainty of whether the divestiture will go through, the RFP process has become negatively impacted. Ideally it would be advantageous for the RFP to be distributed after the ground lease Agreement is in place and there is more information available concerning the divestiture.

In a letter dated September 5, 2008, Clean Harbors expressed their willingness to extend the current Agreement an additional four (4) months, until May 6, 2009, without any changes to the terms and conditions of the Agreement. The Fifth Amendment (currently in place) approved by the Agency Board on August 21, 2007 states the following:

Section 3 Term of Agreement is hereby amended to read as follows:

3.1 Term. The term of this Agreement shall commence on the Effective Date and terminate on January 6, 2009.

3.2 Option to Extend the Term. Agency and Contractor, upon mutual written agreement, shall have the option to extend the term of this Agreement for an additional one (1) year until January 6, 2010 on all the same terms including compensation.

It is expected that the Agency will see increased costs with a new Contract based on staff's analysis of current pricing received by other jurisdictions for similar HHW Operations. The following activities will be affected by a potential divestiture and may also increase costs to the Agency:

TRASH. Trash generated by HHW activities at the facility is taken by Clean Harbors on a daily basis to the tipping floor. There is no contract in place for this activity and no fees are paid for this service. An estimated 1.25 tons of garbage is generated per week by operations at the HHW facility. The future Agreement will require the Contractor to assume responsibility for this cost. With the current cost of \$92.80 per ton for refuse disposal at Central, approximately \$116.00 per week could be passed on to the Agency through the Contractor for garbage disposal.

LATEX PAINT. Currently, as a result of the HHW paint bulking process, an estimated 20,000 to 30,000 pounds of metal paint cans are picked up from the facility for recycling by West Coast Metals per month. The County has a Contract with West Coast Metals but there is no Contract between the Agency and West Coast Metals for this service. In the event of a divestiture, the HHW Operations Contractor would need to be responsible for the disposal of the metal paint cans. Therefore, the Contractor will be responsible for the proper disposal of the metal paint cans in the new Agreement.

UTILITIES. The draft ground lease Agreement requires the Agency to pay \$150/month or \$1,800/year for electricity and water provided to the HHW Facility. Utilities are not included in the current HHW Operations Contract. Staff will include this cost in the new Agreement and expects that the extra utility costs will add to the increased costs in future Proposals.

As a result of the divestiture process, lack of a ground lease Agreement for the HHW Building, and expected cost increases for operation of the HHW Facility and programs, staff is recommending a four month extension to the current Agreement.

III. FUNDING IMPACT

Currently the Contractor is paid approximately \$438,000 dollars a year as an operating fee and disposal fees are currently about \$600,000 annually. Staff anticipates that the costs to the Agency from future Proposals will be increased over what is currently paid by the Agency for HHW Services.

As a result of extending the current Agreement with Clean Harbors Environmental Services, there will be no change to the current payment structure paid by the Agency.

IV. RECOMMENDED ACTION / ALTERNATIVES TO RECOMMENDATION

Adopt Resolution to approve the Sixth Amendment to the Agreement with Clean Harbors Environmental Services and to authorize the Chair to execute the Sixth Amendment to the Agreement on behalf of the Agency. As the value of the Contract extension exceeds \$50,000, a unanimous vote is required for approval.

V. ATTACHMENTS

Sixth Amendment to HHW Operations Agreement with Clean Harbors Environmental Services
Resolution approving the Fifth Amendment
Letter from Clean Harbors Environmental Services

Approved by: 
Mollie Mangerich, Executive Director, SCWMA

SIXTH AMENDMENT TO
AGREEMENT BETWEEN SONOMA COUNTY WASTE MANAGEMENT AGENCY,
COUNTY OF SONOMA, AND CLEAN HARBORS ENVIRONMENTAL SERVICES, INC.
FOR OPERATIONS OF HOUSEHOLD HAZARDOUS WASTE PROGRAMS

This Sixth Amendment ("Amendment") to the Agreement for Operations of Household Hazardous Waste Programs ("Agreement"), dated as of _____, 2008, is by and between the Sonoma County Waste Management Agency ("Agency"), a joint powers agency, the County of Sonoma, a political subdivision of the State of California ("County"), and Clean Harbors Environmental Services, Inc. ("Contractor"). All capitalized terms used herein shall, unless otherwise defined, have the meaning ascribed to those terms in the existing Agreement.

RECITALS

WHEREAS, the parties entered into that certain Agreement for operation of household hazardous waste programs dated as of June 11, 2002 (hereinafter referred to as the "Agreement"), in order to provide for the safe and lawful management of household hazardous wastes; and,

WHEREAS, the parties desire to amend the Agreement to extend the term of the Agreement for an additional four (4) months, until May 6, 2009; and,

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties hereto agree as follows:

AGREEMENT

1. Section 3 Term of Agreement is hereby amended to read as follows:

3.1 Term. The term of this Agreement shall commence on the Effective Date and terminate on May 6, 2009.

3.2 Option to Extend the Term. Agency and Contractor, upon mutual written agreement, shall have the option to extend the term of this Agreement for an additional eight (8) months until January 6, 2010 on all the same terms including compensation.

2. Other than as stated above, the Agreement shall remain in full force and effect.

AGENCY AND CONTRACTOR HAVE CAREFULLY READ AND REVIEWED THIS AMENDMENT AND EACH TERM AND PROVISION CONTAINED HEREIN AND, BY EXECUTION OF THIS AMENDMENT, SHOW THEIR INFORMED AND VOLUNTARY CONSENT THERETO.

IN WITNESS WHEREOF, the parties hereto have executed this Amendment as of the Effective Date.

CONTRACTOR: CLEAN HARBORS
ENVIRONMENTAL SERVICES, Inc.

By: _____

Name: _____

Title: _____

APPROVED AS TO FORM FOR AGENCY:

By: _____
Janet Coleson, Agency Counsel

CERTIFICATES OF INSURANCE ON FILE
WITH AND APPROVED AS TO SUBSTANCE
FOR COUNTY:

By: _____
Department Head

AGENCY: SONOMA COUNTY WASTE
MANAGEMENT AGENCY

By: _____
Tim Smith, Agency Chair

APPROVED AS TO SUBSTANCE FOR
AGENCY:

By: _____
Mollie Mangerich, Executive Director

COUNTY: COUNTY OF SONOMA

By: _____
Board of Supervisors

ATTEST:

By: _____
Clerk of the Board

APPROVED AS TO FORM FOR COUNTY:

By: _____
County Counsel

Date: _____

RESOLUTION NO.: 2008-

DATED: September 17, 2008

RESOLUTION OF THE SONOMA COUNTY WASTE MANAGEMENT AGENCY
APPROVING THE SIXTH AMENDMENT TO THE AGREEMENT BETWEEN
SONOMA COUNTY WASTE MANAGEMENT AGENCY,
COUNTY OF SONOMA AND CLEAN HARBORS ENVIRONMENTAL SERVICES, INC.
FOR OPERATIONS OF HOUSEHOLD HAZARDOUS WASTE PROGRAMS

WHEREAS, the parties entered into that certain Agreement for operation of household hazardous waste programs dated as of June 11, 2002 (hereinafter referred to as the "Agreement"), in order to provide for the safe and lawful management of household hazardous wastes; and,

WHEREAS, the parties desire to amend the Agreement to extend the initial term of the Agreement for an additional four (4) months, until May 6, 2009; and,

NOW, THEREFORE, BE IT RESOLVED that the Agency hereby approves the terms of the Fifth Amendment to the Agreement between the Agency and Clean Harbors Environmental Services, Inc. and authorizes the Chairperson to execute the Agreement on behalf of the Agency.

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



Clean Harbors Environmental Services, Inc.
1030 Commercial Street
Suite 107
San Jose, CA 95070
408.451.5000
www.cleanharbors.com

Date: September 5, 2008

To: Lisa Steinman

RE: Contract Extension

Ms. Steinman:

Clean Harbors Environmental Services (CHES) would like the opportunity to extend the contract and continue providing the Agency with our services per your e-mail request dated August 28, 2008. CHES is willing to extend the contract for four months under the current contract's terms and conditions.

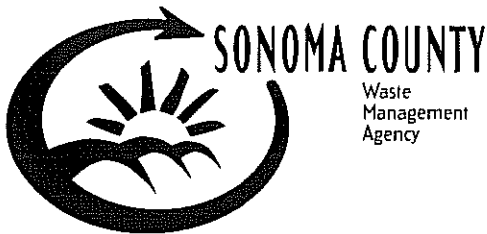
Thank you for allowing Clean Harbors the opportunity to provide this proposal to you. If you have any questions please contact Curt Lock at 408-592-2585 or lock.curt@cleanharbors.com.

Sincerely,

A black rectangular box redacting the signature of Amit Nagpal.

Amit Nagpal,
Vice President of Sales Western Region

"People and Technology Creating a Better Environment"



Agenda Item #: 10.2
Cost Center: HHW
Staff Contact: Steinman
Agenda Date: 9/17/2008

ITEM: HTF Epoxy Floor Coating

I. BACKGROUND

At the January 17, 2007 Agency Board meeting, the Sonoma County Household Hazardous Waste Program Benchmarking and Program Evaluation was accepted by the Agency Board. The evaluation included a list of suggestions for a number of operational and infrastructure improvements to the HHW building (Household Toxics Facility - HTF), including applying a chemically-resistant containment coating to the facility floor and containment sumps.

The current operation relies heavily on the use of tarps and plastic sheeting taped to the floor for spill containment. This method of spill containment is used because the original construction did not include a chemically resistant coating over the concrete containment structure. The current method is cumbersome, creates tripping hazards, and does not meet the intent of containment for chemical spills.

II. DISCUSSION

Discussions have taken place between Clean Harbors and Agency staff concerning the importance of applying an epoxy coating, the standard coating used for chemical resistance. A letter was submitted by Clean Harbors requesting that the floors, sumps and receiving area for the County's Household Toxic Facility be epoxy coated.

There are some less expensive options available such as having the concrete floors polished. However, staff believes the epoxy coating is the best option for preventing future contamination.

The proposed work will be scheduled to be completed during the two week closure of the Household Toxic Facility between December 21, 2008 and January 5, 2009.

III. FUNDING IMPACT

There will be a cost to the Agency for the work performed. As requested by the Agency Counsel, all quotes will include prevailing wage pricing. Staff estimates that the job will cost \$25,000 to \$35,000. \$35,000 is available in the HHW Operating Reserve Fund for this project.

IV. RECOMMENDED ACTION / ALTERNATIVES TO RECOMMENDATION

Authorize the bidding for the Epoxy Floor Coating for the HHW Building.

V. ATTACHMENTS

Letter of Requested Services from Clean Harbors

Approved by: 
Mollie Mangerich, Executive Director, SCWMA



Clean Harbors Environmental Services, Inc.
500 Mecham Rd.
Building 5
Petaluma, Ca. 94952
707.795.2070

www.cleanharbors.com


Lisa Steinman
Environmental Specialist
Sonoma County Waste Management Agency
2030 County Center Drive
Santa Rosa, Ca. 94954

Per your request, I am formally requesting that the floors, sumps and receiving area for the County's Household Toxic facility located at 500 Mecham Road in Petaluma be epoxy coated. The request is justified for the following reasons:

- The facility was originally designed with a liner under the facility acting as a vapor barrier for the application of a protective epoxy coating to the floors and sumps.
- The site Operations Plan as written in 4.4 "Engineered Controls", states that the requested area is to be covered with a chemically resistant coating.
- The current truck lining used on site acts only as first line of defense against chemical spill and does not guarantee that the exposed floor will not be contaminated.
- The sumps as currently configured will most certainly be contaminated through absorption without a protective coating.
- The current flooring risks accelerated degradation from chemicals and environmental elements without the protective coating

Please feel free to contact me if you have any questions regarding this request.

Sincerely



John Sorensen
Apollo Program Manager
Clean Harbors Environmental



Agenda Item #: 11.1
Cost Center: Diversion
Staff Contact: Carter
Agenda Date: 9/17/2008

ITEM: Plastic Bag Update

I. BACKGROUND

At the November 2007 SCWMA Agency meeting, the Board members requested that staff prepare a report about the plastic bag At-Store Recycling Program (AB 2449). In response the Board's request, the issue was discussed at the January 2008 SCWMA Board meeting.

At the March 2008 SCWMA meeting, staff presented a detailed summary of public agency and private organization actions taken to reduce single use plastic grocery bags. Staff was directed by the Board to present an update about new developments regarding plastic bags at each subsequent SCWMA meeting.

II. DISCUSSION

Under Board direction, SCWMA staff has been tracking the progress of AB 2058 (carryout bag fee) in the California Legislature. The bill was placed in suspense in the California Senate Appropriations Committee and its supporters were unable to move the bill to the Senate Floor for a hearing and vote. The language from a separate bill, AB 2769, had been removed and replaced with the language from AB 2058, but this bill stalled on the Senate Floor, and did not receive a vote. The legislative session has concluded, so these bills will not become law this session.

Staff believes a major obstacle to these bills' passage was the California Budget stalemate, and the Governor's vow to veto all bills until a budget was passed. However, interest groups representing the plastic industry opposition to the bill and associated campaign, as well as perception of a tax increase in difficult economic times likely contributed to the bill's defeat.

With regard to plastic bag recycling, North Bay Corporation reported to SCWMA staff that they have seen an increase in the quantity of "bags-in-a-bag" collected through the single stream recycling, though the amount of individual bags and other film plastic is also increasing. According to North Bay, there is no domestic market for individual bags collected through the single stream system, and as North Bay bales all of the film plastic together, all of this material is exported.

Given the lack of progress on a statewide basis, staff is presenting three options to the Board and requesting direction. These options include banning plastic bags in Sonoma County, focusing on education and promotion of reusable bags, and continuing to monitor the next session of the California Legislature for bills similar to AB 2058/2769 to support.

If a plastic bag ban were to be considered by the SCWMA, staff suggests comprehensive Environmental Impact Report be done. The city of Oakland relied upon categorical exemptions from CEQA, and was sued by an interest group representing the plastic industry. The city of Manhattan Beach was recently sued over the CEQA document (Negative Declaration) used as justification to enact a plastic bag ban. While the court ruled against the city of Oakland in that case, it is unclear what verdict will be achieved in the Manhattan Beach case. Given the past and pending litigation elsewhere, staff believes a full Environmental Impact Report would be required to reduce the risk of legal action.

An alternative to an outright ban would be the promotion of reusable bags. The SCWMA has budgeted \$3,000 to the Bay Area Recycling Outreach Coalition (BayROC) to promote regional recycling issues. BayROC is planning a "Bring Your Own Bag" campaign in 2009 that the SCWMA could participate in as well. Additionally, the SCWMA previously purchased over 2,000 reusable bags to be distributed at events to discourage single use bags, and these bags could be used in conjunction with increased outreach.

Irrespective of the previous two options, the Board could direct staff to continue monitoring bills in the next legislative session. If a similar bill to AB 2058 is introduced, the Executive Director has authority to write letters supporting such a bill, and would include a copy of the letter in the subsequent packet's Attachments and Correspondence section.

III. FUNDING IMPACT

Funding impacts depend on the action taken. Staff estimates the cost to study the effects of a plastic bag ban in an Environmental Impact Report to be \$175,000. \$3,000 has already been budgeted in FY 08-09 to support BayROC media events. Continuing to monitor progress in the California 2009-2010 Legislative Session will require minimal staff time.

IV. RECOMMENDED ACTION / ALTERNATIVES TO RECOMMENDATION

Staff recommends increased educational outreach with regard to plastic bags through BayROC and in conjunction with existing staff outreach. Staff also recommends continuing to monitor and support bills similar to AB 2058 that are introduced in future legislative sessions.

Alternatively, staff could prepare an RFP to study the impacts of a plastic bag ban and return to the Board at a later SCWMA meeting with a scope of work.

Approved by: 
Mollie Mangerich, Executive Director, SCWMA



Agenda Item #: 12.1
Cost Center: Planning
Staff Contact: Carter
Agenda Date: 9/17/2008

ITEM: Large Venue and C&D Planning Policy RFP

I. BACKGROUND

In the preparation of the FY 2008-09 Budget, SCWMA staff identified and included a project to develop and implement large venue, large event, and construction and demolition policies throughout Sonoma County. SCWMA staff has limited resources, so the decision was made and funds were budgeted to hire a consultant to research where these policies already exist and develop new and consistent policies that could be adopted and implemented by all SCWMA member jurisdictions.

Construction and demolition debris was identified as the second largest category of waste generated in Sonoma County at approximately 27% (102,554 tons)¹. Infrastructure exists to recycle much of these materials, so staff was directed to implement programs to reduce C&D waste.

AB 2176 (Montanez, 2004) requires all events and venues with an average of at least 2,000 people in daily attendance to create a recycling plan, set diversion goals, and track progress. SCWMA reports this progress in the Annual Reports to the California Integrated Waste Management Board. Through these reports, SCWMA staff has concluded that most large events and venues do not have a formal recycling plan.

II. DISCUSSION

As construction, demolition, and large events require some form of use permit, staff created a Scope of Work that focuses the consultant's task toward working with the permitting staff of each jurisdiction to document relevant existing policies and develop new policies that are clear, robust, and palatable to the jurisdictions. Having a uniform set of policies regarding these issues will make contractor, vendor, and coordinator education and outreach more effective than policies that vary from jurisdiction to jurisdiction.

III. FUNDING IMPACT

The FY 2008-09 SCWMA Budget encumbered \$20,000 for this project. Staff expects competitive bids to be near this amount.

IV. RECOMMENDED ACTION / ALTERNATIVES TO RECOMMENDATION

Staff recommends approval of the attached Scope of Work and requests direction to release the RFP to interested parties.

V. ATTACHMENTS

Scope of Work

Approved by: 
Mollie Mangerich, Executive Director, SCWMA

¹ Sonoma County Waste Management Agency Waste Characterization Study, November 2007.
2300 County Center Drive, Suite 100 B, Santa Rosa, California 95403 Phone: 707.565.2231 Fax: 707.565.3701 www.recyclenow.org

Exhibit A

Scope of Services

The consultant shall evaluate and suggest improvements to Construction and Demolition (C&D) and large event/venue policies in Sonoma County. The consultant shall survey the AGENCY member jurisdictions for existing policies regarding C&D and large event/venue, examine current best practices for diversion, and create a model policy which all AGENCY jurisdictions may adopt.

AGENCY staff will evaluate the proposals based on the following scoring criteria. Each proposal will be scored with a maximum score of 100 points. Proposals must score at least 75 points to be considered for the contract.

- Proposal Completeness and Detail (30)
- Qualifications/Experience Developing Policy (20)
- Qualifications/Experience with C&D and Large Event/Venue Subject Matter (20)
- Project Cost (20)
- Acceptance of Terms and Conditions (10)

Primary objectives of this study:

1. Evaluate existing C&D policies for AGENCY member jurisdictions
2. Evaluate existing large event and venue waste reduction policies for AGENCY member jurisdictions
3. Develop a model C&D policy consisting of best management practices that can be adopted uniformly throughout Sonoma County
4. Develop a model large event and venue waste reduction policy consisting of best management practices that can be adopted uniformly throughout Sonoma County

Task One: Meetings

The consultant shall attend and coordinate with AGENCY on the following meetings:

- Kick-off meeting, at which program roles, goals, and related details are discussed.
- Consultant shall prepare and deliver a presentation to the AGENCY at a regularly scheduled AGENCY meeting at the project culmination. The presentation shall detail the recommended model policy and rationale.
- The consultant shall identify in the proposal any additional meetings necessary to accomplish the objectives of this study.

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

Task Two: Submit a Work Plan

The consultant shall submit a Work Plan that includes, at a minimum:

- The process for surveying AGENCY jurisdictions.
- The process required for the development of model policies.
- Timeline showing anticipated completion dates for major milestones and deliverables.

Task Two Deliverables: Electronic submittal of the Work Plan for AGENCY staff review.

Task Three: Survey Current Policies

The consultant shall work with AGENCY jurisdiction staff to determine which AGENCY jurisdictions have existing C&D and large event/venue policies. Consultant shall determine potential barriers to new policy implementation.

Task Three Deliverables: Electronic submittal of a memo detailing existing C&D and large event/venue policies for each AGENCY jurisdiction and a summary of barriers to policy implementation by AGENCY jurisdiction.

Task Four: Develop Model Policies

The consultant shall develop a policy regarding the recycling and proper disposal of C&D and large event/venue materials. This policy shall:

- Incorporate best management practices
- Incorporate feedback from AGENCY jurisdictions and be readily adoptable by each jurisdiction with minimal content alteration

Task Four Deliverables: Two paper copies of the model C&D and large event/venue policy (on minimum 30% post consumer recycled content paper) and an electronic copy in a format directed by AGENCY staff.