

**SONOMA COUNTY WASTE MANAGEMENT AGENCY**

April 15, 2009

**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

**\*\*\*UNANIMOUS VOTE ITEMS #9.1, 9.2, 10.2\*\*\***

**Estimated Ending Time 12:00 p.m.**

- |    | <u>ITEM</u>   | <u>AGENDA</u>                         | <u>ACTION</u> |
|----|---|---------------------------------------|---------------|
| 1. | Call to Order Special Meeting   |                                       |               |
| 2. | Open Closed Session   |                                       |               |
|    | CONFERENCE WITH REAL PROPERTY NEGOTIATOR PURSUANT TO<br>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: 9:00 a.m.  |                                       |               |
| 5. | <u>Attachments/Correspondence:</u><br>Director's Agenda Notes   |                                       |               |
| 6. | <u>On file w/Clerk: for copy call 565-3579</u><br>Resolutions approved in March 2009<br>2009-05 Resolution Approving the 5 <sup>th</sup> Amendment to the Agreement for AB 939 and<br>HHW Facility Services, by and between the Agency and the City of Petaluma |                                       |               |

- 2009-06 Resolution Approving the 7<sup>th</sup> Amendment to the Agreement Between the SCWMA and Clean Harbors Environmental Services, Inc. for Operations of the HHW Programs
- 2009-07 Appropriation Transfer for Additional Scope of Work for Compost Site Relocation

7. Public Comments (items not on the agenda)

CONSENT (w/attachments)

Discussion/Action

- 8.1 Minutes of March 18, 2009
- 8.2 FY 07-08 Audit Report
- 8.3 E-waste Collection Update
- 8.4 Carryout Bag Update

REGULAR CALENDAR

ADMINISTRATION

- 9.1) Approval of Final Budget FY 09-10  
[Mangerich/Fisher](Attachment)
- 9.2) Agreement for Development of Program  
Agency Fee [Mangerich](Attachment)
- 9.3) AB 479 (Chesbro) – Solid Waste Diversion  
Request for Agency letter of support  
[Mangerich](Attachment)
- 9.4) AB 939 Local Task Force Committee  
[Marengo]

UNANIMOUS VOTE

UNANIMOUS VOTE

Discussion/Action

Discussion/Action

HOUSEHOLD HAZARDOUS WASTE

- 10.1) Presentation by C<sup>2</sup> Alternative Services on Used Oil  
[Steinman]
- 10.2) C<sup>2</sup> Alternative Services Contract Extension for Used  
Oil Recycling Program  
[Steinman](Attachment)

Discussion/Action

UNANIMOUS VOTE

DIVERSION

- 11.1) Beverage Container Program  
[Carter]

Discussion/Action

EDUCATION

- 12.1) Agreement with Genacom Inc. for Maintenance  
of Sonomax Website [Chilcott](Attachment)

Discussion/Action

ORGANICS

- 13.1) Compost Relocation Update  
[Carter]

Discussion/Action

- 14. Boardmember Comments
- 15. Staff Comments
- 16. Adjourn

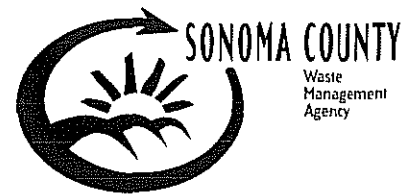
**CONSENT CALENDAR:** These matters include routine financial and administrative actions and are usually approved by a single majority vote. Any Boardmember may remove an item from the consent calendar.

**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](http://www.recyclenow.org)



TO: SCWMA Board Members

FROM: Mollie Mangerich, Executive Director

SUBJECT: APRIL 15, 2009 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 March 18, 2009

8.2) FY 07-08 Audit Report The FY 07-08 audit of SCWMA financial activities is attached for Board information.

8.3) E-waste Collection Update

This item updates Agency Boardmembers about the current contracts the Agency holds for Electronic Waste (E-waste) Collection. The Agency has a contract with ECS Refining to provide transportation and recycling of Electronic Waste from Sonoma County Transfer Stations until May 31, 2010. The Agency also has a two year contract with ASL Recycling to hold Agency-sponsored E-waste Collection Events until May 21, 2010. The 2009 Schedule of upcoming E-waste Collection Events is included as an attachment to this staff report.

8.4) Carryout Bag Update Staff will update Board members on the status of carryout bag ordinances and related recycling and reduction efforts.

### **REGULAR CALENDAR**

#### **ADMINISTRATION**

9.1) Approval of FY 09-10 Final Budget The FY 09-10 Final Budget does not have any additions or changes from the FY 09-10 Draft Budget presented to and approved by the Board of Directors at the Agency meeting in March. **Recommended Action: Approve FY 09-10 Budget. UNANIMOUS VOTE REQUIRED.**

9.2) Agreement for Development of Program Agency Fee In January 2009 in response to Board direction, staff wrote and issued a Request for Proposal (including a Scope of Work and a draft agreement) for Consulting Services for Development of an Agency Program Fee and companion financial model. The RFP was distributed January 23, 2009 and proposals were received on February 27, 2009. **Recommended Action: Approve the Agreement as Presented. UNANIMOUS VOTE IS REQUIRED.**

9.3) AB 479 (Chesbro) – Solid Waste Diversion Staff is seeking direction from the Board as to issuance of a letter of support for AB 479, a bill that seeks increasing jurisdictions diversion rate to 60% by 2015, mandating commercial recycling through local ordinances, increasing the fee imposed on landfill operators to provide funding to develop local programs. **Recommended Action: Direct staff to issue a qualified letter of support to AB 479 with the request that amendments be included addressing the concerns stated.**

9.4) AB 939 Local Task Force Committee Board discussion of AB 939 LTF.

#### **HHW**

10.1) Presentation by C<sup>2</sup> Alternative Services on Used Oil **Presentation – no action required.**

10.2) C<sup>2</sup> Alternative Services Contract Extension for Used Oil Recycling In May 2003, the Agency entered into an agreement with C<sup>2</sup> Alternative Services to audit oil recycling

centers and coordinate oil recycling publicity and programs. The initial term of this Agreement will end on June 30, 2009 with annual extensions upon mutual agreement. The Contractor has indicated their willingness to extend the term of the contract. Staff has been very satisfied with the quality of this Contractor's performance and is unaware of any consultants in the area performing this work. **Recommended action: Adopt Resolution to approve the Fourth Amendment to the Agreement with C<sup>2</sup> Alternative Services to Audit Oil Recycling Centers and Coordinate Oil Recycling Publicity and Programs and to authorize the Chair to execute the Fourth Amendment to the Agreement on behalf of the Agency. UNANIMOUS VOTE REQUIRED.**

#### **DIVERSION**

- 11.1) Beverage Container Program Staff seeks to confirm the Board's interest in pooling Department of Conservation City/County Payment Program (Beverage Container recycling) funds. **Recommended Action: Staff recommends continuing the process of pooling funds and reaffirming the SCWMA's role as grant administrator.**

#### **EDUCATION**

- 12.1) Agreement with Genacom Inc. for Maintenance of Sonomax Website Staff is requesting approval of an agreement, which was successfully negotiated in March 2009. This agreement with Genacom, Inc. includes web site hosting, support and on-going maintenance Agreement (on a month-to-month basis). In addition, the Agreement compensates Genacom, Inc. for good faith efforts for web site maintenance and support during the negotiation process. **Recommended Action: Staff recommends approving agreement and Purchase Order as presented.**

#### **ORGANICS**

- 13.1) Compost Relocation Update Staff has learned the top ranked site from the Compost Relocation Siting Study has become available and seeks Board direction in whether to include the site in the EIR. **Recommended Action: Staff requests direction from the Board regarding the inclusion of Site 40 in the Compost Site Relocation EIR.**



MINUTES OF MARCH 18, 2009

The Sonoma County Waste Management Agency met on March 18, 2009, at the City of Santa Rosa Utilities Department's Subregional Water Reclamation System Laguna Plant, 4300 Llano Road, Santa Rosa, California.

**PRESENT:**

City of Petaluma	Vince Marengo, Chair
City of Cloverdale	Gus Wolter
City of Cotati	Marsha Sue Lustig
City of Healdsburg	Mike Kirn
City of Rohnert Park	Dan Schwarz
City of Santa Rosa	Dell Tredinnick
City of Sebastopol	Sue Kelly
City of Sonoma	Steve Barbose
Town of Windsor	Christa Johnson
County of Sonoma	Phil Demery

**STAFF PRESENT:**

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

**1. CALL TO ORDER/INTRODUCTIONS**

The regular meeting was called to order at 9:00 a.m.

**2. ATTACHMENTS/CORRESPONDENCE**

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

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

There were no public comments.

**CONSENT**

- 4.1** Minutes of February 18, 2009
- 4.2** Environmental Purchasing Policies
- 4.3** Compost Your Veggies Final Report
- 4.4** Plastic Bag Update

**Dan Schwarz, City of Rohnert Park, abstained from item 4.1.**

**Phil Demery, County of Sonoma, moved to approve the consent calendar.**

**Dell Tredinnick, Santa Rosa, seconded. Consent calendar approved.**

*Christa Johnson, Town of Windsor arrived at the meeting at 9:05 a.m. (ek)*

*Sue Kelley, Sebastopol arrived at the meeting at 9:07 a.m. (ek)*

## REGULAR CALENDAR

### ADMINISTRATION

#### **5.1 DRAFT BUDGET FY 09-10**

Mollie Mangerich explained that staff was returning to the Board with a draft budget which was based on the FY 09-10 Work Plan, which was approved at the February meeting. When developing the Work Plan, the budget was deficit. The Board directed staff to prioritize programs and calculate the savings. In March, staff returned with prioritized elimination of programs with accompanying savings. These changes were approved by the Board. With those budget reductions in place, staff is submitting the draft budget for Board approval. The proposed FY 09-10 Draft Budget now has a surplus of approximately \$120,000.

A summary of significant elements of the FY 09-10 Budget were provided to the Board:

- A significant reduction in revenues – derived from surcharge fees placed on the solid waste tip fee - will again occur in FY 09-10 due to the reduction in tonnage of municipal solid waste that enters the County system. This decrease in revenue, will impact the programs funded by the surcharge; education, planning, diversion and household hazardous waste.

The Agency's other revenue stream is from the tipping fee placed on organics collected for processing and composting; as well as the shared revenue from sales of finished compost and mulch products.

- Administration Costs increased 24 % (\$139,570) primarily due to changes in the County's compensation and medical benefits package for active employees and retirees (current and future).
- Removal of the use of one Fleet vehicle from Agency staff. Van will be retained for education/outreach purposes.
- Legal expenses were increased to cover projected additional services for counsel necessary for development of the Agency Program Fee and the Compost Site Relocation Project.
- Accounting services incurred a mild increase. The Agency is adhering to GASB standards of providing required separation between auditing service provision and financial statement generation.
- Agency will cease insertion of the Recycle Guide into the AT&T Phone Book in FY 09-10. Historically, placing the Recycling Guide in the phone book has cost \$60,000. Staff plans to use \$30,000 of that amount to expand the web-based marketing and Spanish language translation services of our Recycling Guide and other public education materials. The resulting net savings is \$30,000.
- Contributions towards educational partnerships were removed from FY09-10 Budget for a savings \$21,000.

Christa Johnson, Town of Windsor, asked why the HHW Reserves were so high.

Ms. Fisher said this is the first year the prior year transfers have been made by year end. The goals, which were set in 2002 and amended in 2006, were stated to be a percentage of the operating costs for the facility.

Ms. Mangerich remarked that because of the possible divestiture of the landfill, the HHW facility expansion and the unknown matching requirements, it is prudent to keep the HHW Reserve fund at this level for the time being.

Ms. Johnson expressed support for staff training and asked if there was money in the budget for staff training.

Ms. Mangerich said the required training schedule is maintained, such as OSHA training. Professional development money is available to staff as County employees. Mr. Demery added that there is mandatory staff training that all County employees are required to take. Ms. Fisher commented that staff currently has access to additional money for professional training of their choosing as part of the employee benefit package.

Ms. Johnson said she thinks there should be a balance between required training and networking with professionals in similar positions and if the Executive Director would chose to allocate money for staff training she would be supportive of that.

Ms. Mangerich said staff will attend the upcoming Northern California Recycling Association conference. This is an example of professional development available to staff.

Dell Tredinnick, Santa Rosa, commented about the references in the HHW Closure Plan about demolishing rather than deconstruction, he asked that the language regarding that be changed to deconstruction. One of the programs of the Agency does is C & D waste and deconstruction is a better term.

Ms. Mangerich said staff intimates that, but doesn't state it as specifically as Mr. Tredinnick just did, but will use the term deconstruction, when appropriate in the future.

Chairman Marengo questioned the 24% increase in administrative costs and asked if that increase was Countywide.

Phil Demery, County of Sonoma, remarked that in May 2009 there will be a reduction in health insurance benefits to County employees, but in turn there will be a \$600 monthly cash payment for premiums to the employees as a departmental expense.

Chairman Marengo called for a motion to approve the FY 09-10 draft budget with the additional recommendation that Agency staff be cognizant of training opportunities for advancement and also being sensitive to the language regarding demolition and deconstruction.

**Christa Johnson, Town of Windsor moved to approve the draft budget. Steve Barbose, Sonoma, seconded. FY 09-10 draft budget approved unanimously.**

**Public Comment:** Tim Smith said he would be remiss if he didn't remark on the tip-fee death spiral. He commented that a change needs to happen sooner rather than later and he congratulated staff on achieving a balanced budget.

## **5.2 AMENDMENT TO CITY OF PETALUMA SERVICES AGREEMENT**

Janet Coleson, Agency Counsel clarified that this item will not be a unanimous vote item as the Agency is not expending the money but the recipient of the funds.

Ms. Fisher reported in 2004 the City of Petaluma entered into an agreement with the Agency to reimburse the Agency for the AB 939 services they receive. This Agreement

has been renewed every year. The basis of the payment is the \$5.40/ton surcharge on solid waste disposed from the City of Petaluma and per the agreement the tonnage from the prior year is used for the calculation. The disposed solid waste tonnage for 2008 was used for the FY 09-10 budget year. The total calculation on 29,208 tons, as reported by the City of Petaluma's hauling company, is \$157,723. These funds are proportionally distributed throughout the four surcharge fee-based cost centers (hwh, education, planning, diversion).

Gus Wolter, Cloverdale, asked what the surcharge fee was last year.

Mrs. Fisher said it was \$5.40/ton; it's been the same for the past 2 years.

Phil Demery, County of Sonoma, commented that some jurisdictions across the country are seeing a 30% reduction in waste and Sonoma County is projecting close to 15% reduction in waste disposed. Pursuant to the public comment made by Tim Smith, the Agency is going in the wrong direction. Next year it's possible that this charge could be quite a bit less, but the County will still have the hard costs, the fixed costs associated with operation of the facilities. The County is concerned about these costs.

Chairman Marengo comments if diversion is going up and, based on the economy, the municipal solid waste is going down there will be concern about continued payment if there is no need. This issue needs to be discussed more thoroughly.

**Dan Schwarz, Rohnert Park, moved to approve the motion. Dell Tredinnick, Santa Rosa, seconded. The Petaluma Services Agreement approved unanimously.**

#### HOUSEHOLD HAZARDOUS WASTE

##### **6.1 LETTER FROM CLEAN HARBORS PROPOSING CONTRACT EXTENSION**

Lisa Steinman explained that the Agency has a Contract with Clean Harbors Environmental Services to operate the HHW Facility and Mobile Collection Programs.

The Board approved the Sixth Amendment to the HHW Operations Agreement with Clean Harbors at the September 17, 2008 Agency meeting to extend the Agreement an additional year until January 6, 2010 with the same terms and conditions.

On February 27, 2009, a letter was received by Agency staff from Clean Harbors Environmental Services offering Sonoma County the opportunity to continue services with Clean Harbors for an additional 2 year period (to begin on January 6, 2010), with no changes to the current contract rates and terms. Clean Harbors has made this offer as a result of the unfavorable current economic conditions. Also offered were three additional one-year extension options. Their proposal requests that prior to consideration of the one year optional extension periods, Clean Harbors may ask for mutually agreed upon increases based on the Consumer Price Index, (assuming an index increase), as well as the ability to request fuel cost recovery if the national average cost of diesel rises above \$3.50 per gallon.

Staffs' recommendation is that the Board first adopt Resolution to Approve the Seventh Amendment to the Agreement with Clean Harbors Environmental Services, extending the term of the Agreement until January 6, 2012 without any changes to the current terms and conditions and then give approval for staff to evaluate conditions, costs and benefits of exercising an optional one-year extension prior to January 6, 2012.

Chairman Marengo asked for clarification on the fuel cost recovery. It would appear one recovery could be based on CPI and the other is an opportunity for appropriate compensation. He inquired whether staff considered the benefit for the item to be bid,

which would then establish the budget in terms of a ceiling. He also requested an estimation of fuel consumption between now and 2012 in terms of dollars.

Ms. Mangerich explained this type of analysis would be done coming into 2012. Staff has not asked Clean Harbors for a surcharge fee estimation for the current fuel consumption for the Toxic Rover. Maintaining the current terms and conditions of this contract will save the Agency money versus going out for an RFP. Staff has contact with other jurisdictions with large contracts for hazardous waste disposal and while disposal costs in this region are fairly comparable between programs, the Agency labor costs are lower in the current contract.

Phil Demery, County of Sonoma, clarified that the idea is to index labor on the CPI and index the fuel separately on a fuel index.

Ms. Mangerich said that has not been discussed with Clean Harbors. The Agency pays a flat fee for personnel costs and that doesn't change from year to year.

Sue Kelly, Sebastopol, asked if the disposal cost is based on tonnage disposed and is it decreasing.

Ms. Mangerich answered that disposal fees are based on type of waste disposed and that both amount of materials and participation are increasing at the HHW facility.

Chairman Marengo summarized the recommendation from staff was to move forward on extension of the Clean Harbors contract through January 6, 2012. County of Sonoma made comments relative to labor CPI's being different from supplies/materials, which staff recognizes. At the end of the two-year extension, the Board will have an opportunity to exercise the one year extension options.

**Sue Kelly, Sebastopol, moved to approve the contract extension. Marsha Sue Lustig, Cotati, seconded. Motion passed unanimously.**

## EDUCATION

### **7.1 2009 OUTREACH PLAN**

Karina Chilcott explained that a number of documents were created in order to support the Agency's 2009 outreach efforts for SonoMax.org and e-waste collection events. Fliers and inserts are primarily distributed through the City of Santa Rosa utility billings. The Building Materials Reuse Guide was distributed to every building department along with SonoMax.org postcards and are quite popular at events. There are magnets that mirror the artwork for the Recycling Guide cover and are distributed as kids' prizes.

Some of the upcoming events include: A business event at the Sonoma Valley Chamber of Commerce, and an Earth Day event in the Town of Windsor.

The lack of online advertising budgeted in the SonoMax.org Reuse Assistance Grant workplan is because the California Integrated Waste Management Board does not allow funds to be used for web-based advertising (like banner ads) or to create web sites.

Agency Board members may contact staff about any upcoming events or other promotional opportunities that staff can help support.

## DIVERSION

### **8.1 UPDATE FROM AB 939 LOCAL TASK FORCE ZERO WASTE SUBCOMMITTEE**

A brief presentation on zero waste was given by Linda Christopher. Will Bakx updated the group on current composting activities. Portia Sinnott requested the opportunity for greater LTF involvement with respect to Agency activities.

A question about Agency Board members attending AB 939 LTF meetings was raised. There is an item on every LTF meeting agenda regarding a quorum of the SCWMA Board members being present, which would automatically negate Agency business being discussed.

## ORGANICS

### **9.1 COMPOST RELOCATION UPDATE**

Mr. Carter said ESA is continuing work on the Draft Environmental Impact Report. The administrative draft for internal review is expected to be sent to Agency staff in April 2009. Due to delays in choosing the sites to be examined in the EIR and to provide the consultant sufficient time to complete the project, staff believes the agreement with ESA should be extended to December 31, 2009. The current agreement expires on June 1, 2009.

Additionally, in response to issues raised at the December 11, 2008 Scoping Meeting and public comments, staff asked ESA to estimate the cost of analyzing an alternative composting method in the EIR. Aerated Static Pile (ASP), which is a common processing alternative to open windrow composting, was identified.

Staff believes including an alternative composting method in addition to alternative sites will strengthen the EIR and reinforce the SCWMA's commitment to examine a wide variety of options in the decision of siting and designing a new compost facility.

Though a contingency task was created to fund unanticipated task such as this, the contingency (Task 11) has already been drawn down from \$25,750 to \$1,196. Task 11 was used to perform the additional work requested by the Board with regard to sea level change, and to include a Health Risk Assessment.

If the Board chooses to fund the study of alternative composting methods, an amendment to the agreement with ESA would be required, as there are insufficient funds in Task 11 to cover this additional cost.

ESA proposes a cost of \$33,260 to perform the additional work. Funding is available to transfer from the Organics Program Reserve cost center. The current fund balance in this cost center is \$3,191,438.

Staff recommends approval of the First Amendment of the Agreement with ESA for Consulting Services to incorporate examination of the aerated static pile composting method and extension of the term of the agreement to December 31, 2009.

Additional information became available after the agenda packet was sent out. The top ranked site from the siting study, which the Open Space district was interested in, may once again become available. Staff would like to bring that site before the Board for consideration in April, possibly in lieu of one of the other sites off Highway 37 because it provides a better geographical alternative than the other two sites that are being considered off Highway 37.

Chairman Marengo asked how that site ranked in the initial study.

Mr. Carter said it was the top-ranked site.

Dan Schwarz, Rohnert Park, asked if there is an estimate of the costs associated with the ASP, and what implications there will be if ASP is included as an alternative in the EIR.

Mr. Carter said there will be costs associated with it. The model that the Board agreed upon is the Agency would own the site, do the permitting and design of the site but the private contractor would be responsible for actual site improvement and building the structure in exchange for a longer term contract. It would be the contractors' responsibility for implementing the design of the site.

Mr. Schwarz expressed concern about reacting during an environmental review process when different interests request an alternative to the original design. It will ultimately result in a higher cost for someone.

Mr. Carter said alternatives were being analyzed and in the EIR process the environmentally preferable method could be the most expensive option, but the cost is something that can be taken into account when the Board approves a different project.

Janet Coleson, Agency Counsel, asserted that a different method of composting is being studied, but there are several other methods to be studied and originally this one was not going to be evaluated.

Mike Kirn, Healdsburg, questioned 2.1 Payment on the agreement where it talks about compensation. The agreement is silent on non-labor expenses and sub-consultants. He inquired if these expenses are included. It speaks to 'payment for satisfactory performance includes, without limitation, salary, fringe benefits, overhead, and profit'.

Mr. Carter said it includes the sub-consultants too; it's a not-to-exceed amount.

Mike Kirn requested language be added to the amendment to address this issue.

Ms. Johnson, Town of Windsor, reported there are concerns of the Town of Windsor that the Agency is getting pressured to leave the landfill and go forward with a property purchase. This has been expensive to date and continues to be expensive. Town officials are not convinced that buying land and going through this process is a good use of Agency funds. They're not convinced that the use of private companies for composting has been exhausted.

**Public Comment:**

Will Bakx, Sonoma Compost Company, said his understanding of the requested additional site is that wastewater from the Petaluma Treatment plant was supplied to that land which resulted in increased salinity of the soil. The soil is not compatible for grape growing which resulted in a land assessment price lower than the asking price.

Tim Smith, said the Town of Windsor's 'no' vote today doesn't matter as this is not a unanimous vote item, but moving forward it will be. He suggested that the Board gather as much information as they can so that when the time comes they will have a consensus. Another suggestion he made was to look into getting a lease extension. The current site under the terms of the contract unless it's extended cannot accept material past July 2010. The situation could result in green waste being hauled out of County where it may or may not be composted. The composting operation has been one of the successes of this Agency.

**Steve Barbose, Sonoma, made a motion to approve the first amendment to the**

agreement with ESA to incorporate examination of the aerated static pile composting method and extension of the term of the agreement to December 31, 2009 with the amendments suggested by Healdsburg to the language of the agreement. Sue Kelly, Sebastopol, seconded. Christa Johnson, Town of Windsor, voted nay.

**10. BOARDMEMBER COMMENTS**

Marsha Sue Lustig, Cotati, said it would be helpful for staff to contact Board members rather than other City employees about items that require a response such as green purchasing.

Sue Kelly, Sebastopol, requested more concise contact.

Phil Demery, County of Sonoma, said he's interested in the program fee and moving from a tip fee to a program fee which he believes is on a future agenda.

A second comment is that the LTF was established with AB 939 throughout the State of California and it was created by the Counties for purposes of regional recycling programs, which are important for reaching AB 939 goals. The County of Sonoma has relegated many of those responsibilities to the JPA and he questioned whether there might be interest from the Board in asking the Executive Director and Agency Counsel work with the County Counsel of Sonoma to change that relationship such that the reporting function of the LTF would be to the Agency rather than the County of Sonoma Board of Supervisors. It could make a lot more sense because of the fact that the Board of Supervisors doesn't have any involvement with these regional programs.

Ms. Kelly said there would need to be a resolution from the Sonoma County Board of Supervisors to reestablish and redefine the committee structure and appointments.

Ms. Coleson said they could meet with County Counsel to discuss it.

Ms. Kelly said there are some misconceptions about the structure of the committee and the reporting process.

Ms. Lustig said that Board is full of industry professionals.

*Gus Wolter left the meeting at 10:40 a.m. (ek)*

Ms. Johnson said she would prefer to have Agency staff do the work; she was not supportive of spending Agency money on legal services at this preliminary stage. She would like this item to come back as an informational item before legal costs are incurred.

Chairman Marengo said his understanding was that the direction was for staff to come back with an outline of what the process would entail, which would include any costs.

Dan Schwarz, Rohnert Park, suggested checking with the County to make sure they would be open to exploring other options.

Mr. Demery said this has been brought up from the County's perspective and he felt they were open to looking at other options. He said he thought that County Counsel and Agency Counsel could get together and identify an option package without Board commitment.

Ms. Johnson, Town of Windsor, said her preference is that Agency Counsel not be

involved in the preliminary stage so that legal costs will not be incurred. County Counsel can determine the process, then staff could take that information and bring it to the Board. If the Board wants to get involved, then Agency counsel could get involved.

Ms. Coleson said there have been some preliminary discussions about this and it's important to make sure that whatever direction comes back to the Board that she be able to see that and give agreement from a legal perspective. That's the minimum she would anticipate doing at this point.

Mike Kirn, asked about the landfill workshop on March 30, 2009.

Phil Demery said it is not a County sponsored event, but he was asked to attend and be a representative. It's open to the public.

Ms. Johnson commented that the Town of Windsor loves their wood chip allotment and would like more.

**11. STAFF COMMENTS**

Lisa Steinman gave an update about the used oil tank the Board had approved for Petaluma for the Corporation Yard. It's been installed and is ready for oil drop-off.

**12. ADJOURNMENT**

Meeting adjourned at 11:00 a.m.

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

Zero Waste: The Organics Fraction  
Zero Waste Initiative Chart  
Zero Waste – or Darn Close

Respectfully submitted,  
Elizabeth Koetke

**SONOMA COUNTY WASTE MANAGEMENT AGENCY**

**ANNUAL REPORT  
FOR THE FISCAL YEAR ENDED  
JUNE 30, 2008**



RODNEY A. DOLE  
SONOMA COUNTY  
AUDITOR-CONTROLLER  
TREASURER-TAX COLLECTOR

SONOMA COUNTY WASTE MANAGEMENT AGENCY

ANNUAL REPORT  
FOR THE FISCAL YEAR ENDED  
JUNE 30, 2008

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**RODNEY A. DOLE**  
AUDITOR-CONTROLLER  
TREASURER-TAX COLLECTOR



**DONNA M. DUNK**  
ASSISTANT  
AUDITOR-CONTROLLER

**ROBERT BOITANO**  
ASSISTANT  
TREASURER

**PAM JOHNSTON**  
ASSISTANT  
TAX COLLECTOR / AUDITOR

Members of the Board  
Sonoma County Waste Management Agency

### **AUDITOR-CONTROLLER'S REPORT**

We have audited the accompanying basic financial statements of the Sonoma County Waste Management Agency, (the Agency) as of and for the year ended June 30, 2008, as listed in the table of contents. These basic financial statements are the responsibility of the management of the Agency. Our responsibility is to express an opinion on these basic financial statements based on our audit.

We conducted our audit in accordance with auditing standards generally accepted in the United States of America. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the basic financial statements are free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the basic financial statements. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement presentation. We believe our audit provides a reasonable basis for our opinion.

As described in Note IV.B of the Notes to the Basic Financial Statements, the Auditor-Controller is mandated by various statutes within the California Government Code to perform certain accounting, auditing and financial reporting functions. These activities, in themselves, necessarily impair the auditor's independence. However, we believe adequate safeguards and divisions of responsibility exist.

In our opinion, except for the effects, if any, of the impairment to auditor independence, the basic financial statements referred to above present fairly, in all material respects, the financial position of the Agency as of June 30, 2008 and the respective changes in its financial position for the year then ended, in conformity with accounting principles generally accepted in the United States of America.

The Management's Discussion and Analysis (MD&A) on pages 1 through 4 is not a required part of the basic financial statements but is supplementary information required by the Government Accounting Standards Board. We have applied certain limited procedures, which consisted principally of inquiries of management regarding the methods of measurement and presentation of the MD&A. However, we did not audit the information and express no opinion on it.

*Sonoma County Auditor-Controller*

February 10, 2009

## **Management's Discussion and Analysis**

As management of the Sonoma County Waste Management Agency (the Agency) we offer readers of the Agency's financial statements this narrative overview and analysis of the financial activities of the Agency for the fiscal year ended June 30, 2008. We encourage readers to consider the information presented here in conjunction with the Agency's financial statements and the accompanying notes to the basic financial statements.

### **Financial Highlights**

- The assets of the Agency exceeded its liabilities at the close of the most recent fiscal year by \$7,137,169 (net assets). Of this amount, \$7,137,169 (unrestricted net assets) or 100% may be used to meet the agency's ongoing obligations to citizens and creditors.
- The Agency's total net assets increased by \$1,022,861 or 17 %. This increase is a result of revenues exceeding expenses in the agency activities.

### **Overview of the Basic Financial Statements**

This discussion and analysis is intended to serve as an introduction to the Agency's basic financial statements. The Agency's basic financial statements are comprised of two components: 1) proprietary fund financial statements and 2) notes to the financial statements.

**Proprietary Fund financial statements.** A fund is a grouping of related accounts that is used to maintain control over resources that have been segregated for specific activities or objectives. The Agency, like other state and local governments, uses fund accounting to ensure and demonstrate compliance with finance-related legal requirements. The Agency maintains one type of proprietary fund. The Agency uses enterprise funds to account for its agency activities, which include waste management.

**Notes to the financial statements.** The notes provide additional information that is essential to a full understanding of the fund financial statements.

## Financial Analysis

As noted earlier, net assets may serve over time as a useful indicator of financial position. In the case of the Agency, assets exceeded liabilities by \$7,137,169 at the close of the most recent fiscal year.

Net Assets			
	2008	2007	
Current and other assets \$	<u>7,732,676</u>	<u>\$ 6,631,707</u>	
Total assets	7,732,676	6,631,707	
Liabilities outstanding	<u>595,507</u>	<u>517,399</u>	
Total liabilities	595,507	517,399	
Net assets:			
Unrestricted	<u>7,137,169</u>	<u>6,114,308</u>	
Total net assets	<u>\$ 7,137,169</u>	<u>\$ 6,114,308</u>	

The Agency's unrestricted net assets (\$7,137,169) may be used to meet the Agency's ongoing obligations to citizens and vendors.

At the end of the current fiscal year, the Agency is able to report a positive balance in its net assets. The same held true for the prior fiscal year. The Agency's net assets increased by \$1,022,861 during the current fiscal year.

**Business-type activities.** Business-type activities increased the Agency's net assets by \$1,022,861. This increase is a result of revenues exceeding expenses in the business-type activities.

<b>Changes in Net Assets</b>		
	<u>2008</u>	<u>2007</u>
Revenues:		
Program Revenues:		
Municipal waste management	\$ 6,032,650	5,801,799
General Revenues:		
Investment income and other	279,471	265,328
Total revenues	<u>6,312,121</u>	<u>6,067,127</u>
Expenses:		
Program Expenses:		
Municipal waste management	5,289,260	4,960,398
Total expenses	<u>5,289,260</u>	<u>4,960,398</u>
Increase (decrease) in net assets	1,022,861	1,106,729
Net assets - beginning of the year, as restated	6,114,308	5,007,579
Net assets - end of the year	<u>\$ 7,137,169</u>	<u>6,114,308</u>

**Capital Assets.** The Agency has no investment in capital assets, as of June 30, 2008.

### **Economic Factors and Next Year's Budgets and Rates**

- The Agency has a goal to stabilize the surcharge tipping fees in the next four years in order to mitigate effects on each of the jurisdictions' individual budget plans.
- The Agency estimates an overall revenue decrease of 25% in the coming year. Assumptions used in budget planning are a 32% decrease in expenses, a 5% interest rate on funds held in reserve and a 4% decrease in projected tonnages of waste collected.
- The Agency will set aside reserve funds, when possible, as part of its long-term financial planning.

All of these factors were considered in preparing the Agency's budget for the fiscal year ending June 30, 2009.

### **Request for Information**

This financial report is designed to provide a general overview of the Agency's finances for all those with an interest in the agency's finances. Questions concerning any of the information provided in this report or requests for additional financial information should be addressed to the Sonoma County Waste Management Agency, 2300 County Center Drive Ste. B-100, Santa Rosa, CA 95403.

**Sonoma County Waste Management Agency**  
**Statement of Net Assets**  
**Enterprise Fund**  
**June 30, 2008**

**Assets**

Current assets:

Cash and investments	\$ 7,501,719
Accounts receivable	<u>230,957</u>
Total assets	<u>7,732,676</u>

**Liabilities**

Accounts payable	538,648
Deferred revenue	<u>56,859</u>
Total liabilities	<u>595,507</u>

**Net Assets**

Unrestricted	<u>7,137,169</u>
Total net assets	<u>\$ 7,137,169</u>

The notes to the basic financial statements are an integral part of this statement.

**Sonoma County Waste Management Agency**  
**Statement of Revenues, Expenses and Changes in Fund Net Assets**  
**Enterprise Fund**  
**For the Fiscal Year Ended June 30, 2008**

<b>Operating Revenues</b>	
Tipping fees and surcharges	\$ 5,113,384
Service agreements	639,461
Grants and other contributions	<u>279,805</u>
Total operating revenues	<u>6,032,650</u>
<b>Operating Expenses</b>	
Contract services	4,256,386
Professional services	294,760
Administration	523,299
Other services and supplies	<u>214,815</u>
Total operating expenses	<u>5,289,260</u>
Operating income (loss)	<u>743,390</u>
<b>Nonoperating Revenues (expenses)</b>	
Investment earnings	<u>279,471</u>
Change in net assets	1,022,861
Net assets, beginning of year	<u>6,114,308</u>
Net assets, end of year	\$ <u><u>7,137,169</u></u>

The notes to the basic financial statements are an integral part of this statement.

**Sonoma County Waste Management Agency  
Statement of Cash Flows  
Enterprise Fund  
For the fiscal year ended June 30, 2008**

<b>Cash flows from operating activities</b>		
Receipts from customers	\$	6,141,510
Payments to suppliers		<u>(5,211,152)</u>
Net cash provided (used) by operating activities		<u>930,358</u>
<b>Cash flows from investing activities</b>		
Interest received on investments		<u>279,471</u>
Net increase in cash and cash equivalents		1,209,829
Cash and cash equivalents, July 1		<u>6,291,890</u>
Cash and cash equivalents, June 30	\$	<u><u>7,501,719</u></u>
<b>Reconciliation of operating income (loss) to net cash provided (used) by operating activities:</b>		
Operating income (loss)	\$	743,390
Adjustments to reconcile operating income to net cash provided (used) by operating activities:		
Increase in accounts receivable		(36,844)
Decrease in due from other governments		145,704
Increase in accounts payable		102,636
Decrease in deferred revenue		<u>(24,528)</u>
Total adjustments		<u>186,968</u>
Net cash provided (used) by operating activities	\$	<u><u>930,358</u></u>

The notes to the basic financial statements are an integral part of this statement.

**SONOMA COUNTY WASTE MANAGEMENT AGENCY**  
**Notes to the Basic Financial Statements**  
**June 30, 2008**

**I. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES**

**A. Reporting Entity**

The Sonoma County Waste Management Agency (the Agency) was formed in April 1992 to assist the cities and County with the implementation of programs necessary to satisfy the requirements of AB939, the Integrated Waste Management Act of 1989. This Act requires that every jurisdiction in California plan for and implement programs that reduce the amount of waste disposed in landfills by 25% by 1995 and 50% by 2000. The Agency was granted a three-year extension to 2003 by the State. The State has determined that the Agency has met its 2003 goal. The Agency is continuing its efforts to reduce the amount of waste disposed in landfills, beyond the current 50% required by AB939. As of the date of this report, no new laws requiring waste reduction beyond 50% have been enacted.

The Agency's activities include a regional composting program, household hazardous waste collection, and countywide efforts towards waste reduction and recycling.

The Agency is governed by ten board members, with one member from each city (9), and one from the County. The Recycling Manager of the Transportation and Public Works Department serves as the Executive Director for the Agency. The staffing for the Agency is provided by the County through a contract with the Agency.

The Agency's programs are funded through garbage disposal fee surcharges, charges for services, and grants. Each program of the Agency is accounted for with a separate cost center. The composting program is entirely funded by charges for delivery of material to its program. The household hazardous waste, education and waste diversion efforts are funded through a surcharge on garbage brought to County disposal sites along with support from State Grants.

Since its creation in April of 1992, the Agency has added two new components to its scope of work: the Planning and Diversion Programs. Planning efforts currently include preparation of Annual Reports submitted to the California Integrated Waste Management Board. The Diversion Program is a cost center established to track the expenditures of those Agency programs that have direct measurable diversion. Both of these programs are funded through the disposal fee surcharge.

As discussed in Note I.A, the basic financial statements of the Agency are intended to present only the financial position and results of operations of only the Agency, which are held in trust by the Agency. They do not purport to, and do not, present fairly the financial position of the County of Sonoma as of June 30, 2008, and the

SONOMA COUNTY WASTE MANAGEMENT AGENCY  
Notes to the Basic Financial Statements  
June 30, 2008

respective changes in its financial position for the year then ended, in conformity with accounting principles generally accepted in the United States of America.

**B. Measurement Focus, Basis of Accounting, and Financial Statement Presentation**

The financial statements are reported using the economic resources measurement focus and the accrual basis of accounting. This means that all assets and all liabilities (whether current or noncurrent) associated with this activity are included on the statement of net assets. Basis of accounting refers to when revenues and expenditures or expenses are recognized in the accounts and reported in the financial statements, regardless of the measurement focus applied.

The Agency has elected under GASB Statement No. 20, *Accounting and Financial Reporting for Proprietary Funds and Other Governmental Entities That Use Proprietary Fund Accounting*, to apply all applicable GASB pronouncements as well as any applicable pronouncements of the Financial Accounting Standards Board or any Accounting Research Bulletins issued on or before November 20, 1989 unless those pronouncements conflict with or contradict GASB pronouncements. The GASB periodically updates its codification of the existing Governmental Accounting and Financial Reporting Standards which, along with subsequent GASB pronouncements (Statements and Interpretations), constitutes GAAP for governmental units.

The Agency's Enterprise Fund financial statements report business-type activities financed in whole or in part by fees charged to external parties for goods or services. Enterprise Funds account for operations that are financed and operated in a manner similar to private business enterprises -- where the intent of the governing body is that the costs (expenses, including depreciation) of providing goods or services to the general public on a continuing basis be financed or recovered primarily through user charges -- or where the governing body has decided that periodic determination of revenues earned, expenses incurred, and/or net income is appropriate for capital maintenance, public policy, management control, accountability, or other purposes.

The accrual basis of accounting is used by enterprise funds. Under this method, revenues are recorded when earned, and expenses are recorded when a liability is incurred, regardless of the timing of the related cash flows.

Operating revenues and expenses are distinguished from nonoperating items in the statement of revenues, expenses and changes in net assets. *Operating* revenues, such as tipping fees and sales of recycled products result from exchange transactions associated with the principal activity of the fund. Exchange transactions are those in which each party receives and gives up essentially equal values. *Nonoperating*

**SONOMA COUNTY WASTE MANAGEMENT AGENCY**  
**Notes to the Basic Financial Statements**  
**June 30, 2008**

revenues, such as grants and investment earnings, result from nonexchange transactions or ancillary activities. *Operating* expenses for enterprise funds include services and supplies, and depreciation on capital assets. All expenses not falling within these categories are reported as *nonoperating* expenses.

**C. Accounting System Maintained by Sonoma County Financial Accounting and Management Information System (FAMIS)**

The Agency uses the County's FAMIS and its budgetary recording and accounting control policies to account for all financial transactions affecting Agency funds. The County, through the Integrated Waste Management Division of the Department of Transportation and Public Works Department, tracks each load of yard and wood waste entering the county disposal system. A tonnage tipping fee is collected to pay for operating costs of the organics program. A surcharge on the solid waste tipping fee entering the county disposal system is used to fund the other programs, such as household hazardous waste, education, diversion, and planning.

**D. Staff Services Performed by County of Sonoma**

The Agency reimburses the County for services provided by the County as outlined in a Memorandum of Understanding between the County and the Agency dated September 18, 2007.

Staff services include Agency Director, professional staff, secretarial and as requested by the Agency, reasonable and necessary services from other County departments.

**E. Assets, Liabilities and Equity**

**1. Cash and Investments**

The Agency applies the provisions of GASB Statement No. 31, *Accounting and Financial Reporting for Certain Investments and External Investment Pools*, which require governmental entities, including governmental external investment pools, to report certain investments at fair value in the balance sheet and recognize the corresponding change in the fair value of investments in the year in which the change occurred. In accordance with GASB Statement No. 31, the Agency has stated certain investments at fair value.

**SONOMA COUNTY WASTE MANAGEMENT AGENCY**  
**Notes to the Basic Financial Statements**  
**June 30, 2008**

**2. Receivables and Payables**

Transactions representing accrual of revenues and expenses at year-end are referred to as either accounts receivable or accounts payable.

**3. Capital Assets**

Capital assets, which include land, buildings and improvements, and equipment, are reported in the statement of net assets. Capital assets are defined by the Agency as assets with an initial, individual cost of more than \$5,000. Such assets are recorded at historical cost if purchased or constructed. Donated capital assets are recorded at estimated fair market value at the date of donation.

The costs of normal maintenance and repairs that do not add to the value of the asset or materially extend assets lives are not capitalized.

The Agency's policy is to capitalize assets with acquisition costs of at least \$5,000. Depreciation is computed using the straight-line method over estimated useful lives of 5 years for equipment. The Agency does not own land, buildings or improvements.

**4. Deferred Revenue**

This represents advanced payments to the Agency for services it will perform in the future.

**5. Net assets**

Net assets are classified into three components - invested in capital asset (net of related debt), restricted and unrestricted. These classifications are defined as follows:

- Invested in capital assets, net of related debt (if any) - This component of net assets consists of capital assets, including restricted capital assets, net of accumulated depreciation and reduced by the outstanding balances of any bonds, mortgages, notes, or other borrowings that are attributable to the acquisition, construction, or improvement of those assets.
- Restricted net assets (if any) - This component of net assets consists of net assets with limits on their use that are imposed by outside parties.
- Unrestricted net assets - This component of net assets consists of net assets that are not restricted for any project or other purpose.

**SONOMA COUNTY WASTE MANAGEMENT AGENCY**  
**Notes to the Basic Financial Statements**  
**June 30, 2008**

**6. Use of Estimates**

The preparation of financial statements in conformity with accounting principles generally accepted in the United States of America requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities and disclosure of contingent assets and liabilities at the date of the financial statements and the reported amounts of revenues and expenditures during the reporting period. Actual results could differ from those estimates.

**II. STEWARDSHIP, COMPLIANCE, AND ACCOUNTABILITY**

**A. Budgetary Information**

Budgetary revenue estimates represent original estimates modified for any authorized adjustment which was contingent upon new or additional revenue sources. Budgetary expenditure amounts represent original appropriations adjusted by budget transfers and authorized appropriation adjustments made during the year. All budgets are adopted on a non-GAAP basis. Annual appropriations that have not been encumbered lapse at year-end.

Annual budgets are adopted on a basis which differs from generally accepted accounting principles (GAAP) in that encumbrances are treated as budgeted expenditures in the year of incurrence of the commitment to purchase for the purpose of a budgetary presentation. Actual GAAP expenditures have been adjusted to exclude current year encumbrances and to include expenditures against prior year encumbrances. This allows a comparison of a fiscal year's expenditures and commitments with related appropriations.

**B. Implementation of Governmental Accounting Standards Board Statements**

In fiscal year 2008, the Agency adopted two new statements of financial accounting standards issued by the GASB: Statement No. 45 – Accounting and Financial Reporting by Employers for Post-employment Benefits Other Than Pensions, and Statement No. 50 – Pension Disclosures – An Amendment of GASB Statements No. 25 and No. 27.

GASB Statement No. 45 – In addition to pensions, many state and local governmental employers provide other post-employment benefits (OPEB) as part of the total compensation offered to attract and retain the services of qualified

**SONOMA COUNTY WASTE MANAGEMENT AGENCY**  
**Notes to the Basic Financial Statements**  
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employees. OPEB includes post-employment health care, as well as other forms of post-employment benefits, such as life insurance, when provided separately from a pension plan. This statement establishes standards for the measurement, recognition, and display of OPEB expense/supplementary information (RSO) in the financial reports of state and local governmental employers.

GASB Statement No. 50 – This Statement more closely aligns the financial reporting requirements for pensions with those for other post-employment benefits and enhances information disclosed in notes to financial statements or presented as required supplementary information by pension plans and by employers that provide pension benefits.

The Agency's employees are employees of the County of Sonoma. The County's financial statements include the required information and disclosures relating to these statements. Please see the County of Sonoma annual comprehensive financial report for additional information.

### **III. DETAILED NOTES**

#### **A. Cash and Investments**

The Agency follows the County's practice of pooling cash and investments with the County Treasurer, except for a petty cash fund.

The amount of cash at June 30 is as follows:

Cash and investment in County Treasury	\$ <u>7,501,719</u>
--	---------------------

#### Investment in the Sonoma County Treasurer's Investment Pool

The Agency's cash is pooled with the Sonoma County Treasurer, who acts as a disbursing agent for the Agency. The fair value of the Agency's investment in this pool is reported in the accompanying financial statements at amounts based upon the Agency's pro-rata share of the fair value provided by the Treasury Pool for the entire Treasury Pool portfolio (in relation to the amortized cost of that portfolio). The balance available for withdrawal is based on accounting records maintained by the Treasury Pool, which are recorded on an amortized cost basis. Interest earned on investments pooled with the County is allocated quarterly to the appropriate fund

**SONOMA COUNTY WASTE MANAGEMENT AGENCY**  
**Notes to the Basic Financial Statements**  
**June 30, 2008**

based on its respective average daily balance for that quarter. The Treasury Oversight Committee has regulatory oversight for all monies deposited into the Treasury Pool.

As of June 30, 2008, the Agency's share of the decrease in fair value of investments was immaterial.

**Investment Guidelines**

The Agency's pooled cash and investments are invested pursuant to investment policy guidelines established by the County Treasurer and approved by the Board of Supervisors. The objectives of the policy are, in order of priority: safety of capital, liquidity and maximum rate of return. The policy addresses the soundness of financial institutions in which the County will deposit funds, types of investment instruments as permitted by the California Government Code 53601, and the percentage of the portfolio that may be invested in certain instruments with longer terms to maturity.

A copy of the Treasury Pool investment policy is available upon request from the Sonoma County Treasurer at 585 Fiscal Drive, Room 100-F, Santa Rosa, California, 95403-2871.

**Interest Rate Risk**

Interest rate risk is the risk that changes in market interest rates will adversely affect the fair value of an investment. Generally, the longer the maturity of an investment, the greater the sensitivity of its fair value is to changes in market interest rates. As a means of limiting its exposure to fair value losses arising from rising interest rates, one of the ways that the Treasury Pool manages its exposure to interest rate risk is by purchasing a combination of shorter term and longer term investments and by timing cash flows from maturities so that a portion of the portfolio is maturing or coming close to maturing evenly over time as necessary to provide the cash flow and liquidity needed for operations.

As of June 30, 2008, approximately 62 percent of the securities in the Treasury Pool had maturities of one year or less. Of the remainder, only 4 percent had a maturity of more than five years.

**Disclosures Relating to Credit Risk**

Generally, credit risk is the risk that an issuer of an investment will not fulfill its obligation to the holder of the investment. This is measured by the assignment of a rating by a nationally recognized statistical rating organization. The Treasury Pool

**SONOMA COUNTY WASTE MANAGEMENT AGENCY**  
**Notes to the Basic Financial Statements**  
**June 30, 2008**

does not have a rating provided by a nationally recognized statistical rating organization.

**Custodial Credit Risk**

Custodial credit risk for deposits is the risk that, in the event of the failure of a depository financial institution, a government will not be able to recover its deposits or will not be able to recover collateral securities that are in the possession of an outside party. The custodial credit risk for investments is the risk that, in the event of the failure of the counterparty to a transaction, a government will not be able to recover the value of its investment or collateral securities that are in the possession of another party. The California Government Code and the Treasury Pool's investment policy do not contain legal or policy requirements that would limit the exposure to custodial credit risk for deposits or investments, other than the following provision for deposits and securities lending transactions:

- The California Government Code requires that a financial institution secure deposits made by state or local governmental units by pledging securities in an undivided collateral pool held by depository regulated under stated law. The market value of the pledged securities in the collateral pool must equal at least 110% of the total amount deposited by the public agencies.
- The California Government Code limits the total of all securities lending transactions to 20% of the fair value of the investment portfolio.

With respect to investments, custodial credit risk generally applies only to direct investments in marketable securities. Custodial credit risk does not apply to a local government's indirect investment in securities through the use of mutual funds or government investment pools (such as the Treasury Pool).

**Concentration of Credit Risk**

The investment policy of the County contains no limitations on the amount that can be invested in any one issuer beyond that stipulated by the California Government Code. For a listing of investments in any one issuer (other than U.S. Treasury securities, mutual funds, or external investment pools) that represent 5% or more of total County investments, refer to the 2008 Sonoma County CAFR.

**SONOMA COUNTY WASTE MANAGEMENT AGENCY**  
**Notes to the Basic Financial Statements**  
**June 30, 2008**

**IV. OTHER INFORMATION**

**A. Risk Management**

The Sonoma County Waste Management Agency is exposed to various risks for which the Agency carries insurance with coverage for bodily injury, property damage, personal injury, auto liability, and errors and omissions. SCWMA is covered through Alliant Insurance Services, Inc for \$5,000,000 per occurrence.

**B. Auditor Independence**

As required by various statutes within the California Government Code, County Auditor-Controllers are mandated to perform certain accounting, auditing and financial reporting functions. These activities, in themselves, necessarily impair the auditor's independence. Specifically, "Auditors should not audit their own work or provide non-audit services in situations where the amounts or services involved are significant or material to the subject matter of the audit." Although the office of the Auditor-Controller is statutorily obligated to maintain accounts of departments, districts or funds that are contained within the County Treasury, we believe that adequate safeguards and divisions of responsibility exist. Therefore, we believe that subject to this qualification and disclosure, the reader can rely on the auditor's opinion contained in this report.

**SONOMA COUNTY WASTE MANAGEMENT AGENCY  
BOARD MEMBERS**

As of February 10, 2009, the Agency Board consisted of the following members:

GUS WOLTER	CITY OF CLOVERDALE
DAMIEN O'BID	CITY OF COTATI
MIKE KIRN	CITY OF HEALDSBURG
VINCE MARENGO (CHAIR)	CITY OF PETALUMA
DAN SCHWARZ	CITY OF ROHNERT PARK
DELL TREDINNICK	CITY OF SANTA ROSA
DAVE BRENNAN	CITY OF SEBASTOPOL
PHIL DEMERY	COUNTY OF SONOMA
STEPHEN BARBOSE	CITY OF SONOMA
CHRISTA JOHNSON	TOWN OF WINDSOR

Meetings are held at the City of Santa Rosa Utilities Department's Subregional Water Reclamation System Laguna Plant, 4300 Llano Road, Santa Rosa every third Wednesday of each month at 9:00 A.M.

RODNEY A. DOLE  
AUDITOR-CONTROLLER  
TREASURER-TAX COLLECTOR

Auditor-Controller  
Treasurer-Tax Collector  
**County of Sonoma**

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ROBERT BOITANO  
ASSISTANT  
TREASURER

PAM JOHNSTON  
ASSISTANT  
TAX COLLECTOR/AUDITOR

February 10, 2009

Board of Directors  
Sonoma County Waste Management Agency  
Santa Rosa, CA

Dear Board of Directors:

In planning and performing our audit of the financial statements of Sonoma County Waste Management Agency (the Agency) for the fiscal year ended June 30, 2008, in accordance with auditing standards generally accepted in the United States of America, we considered the Agency's internal controls over financial reporting (internal controls) as a basis for designing our auditing procedures for the purpose of expressing our opinion on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the Agency's internal controls. Accordingly, we do not express an opinion on the effectiveness of the Agency's internal controls.

Our consideration of internal controls was for the limited purpose described in the preceding paragraph and would not necessarily identify all deficiencies in internal controls that might be significant deficiencies or material weaknesses. However, as discussed below, we identified certain deficiencies in internal controls that we consider to be significant deficiencies and other deficiencies that we consider to be material weaknesses.

A control deficiency exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent or detect misstatements on a timely basis. A significant deficiency is a control deficiency, or combination of control deficiencies, that adversely affects the entity's ability to initiate, authorize, record, process, or report financial data reliably in accordance with generally accepted accounting principles such that there is more than a remote likelihood that a misstatement of the entity's financial statements that is more than inconsequential will not be prevented or detected by the entity's internal controls. We consider the following deficiency to be a significant deficiency in internal controls:

**Internal controls over financial transactions and period end reporting**

The Agency should have necessary resources to effectively apply generally accepted accounting principles (GAAP) to the recording of financial transactions and preparation of financial statements. According to SAS 112, the auditor should not be a part of the Agency's internal controls. The Agency's financial statements are prepared by their external auditors. The Agency does not have internal controls in place over the preparation of the financial statements. This condition is a result of the Agency having to work with very limited financial resources and not having a Director, consultant or other outside party that is knowledgeable in GAAP and financial statement preparation.

### **Recommendation**

As the auditor is prevented by auditing standards from being part of the Agency's internal controls, the Agency needs to engage the services of a consultant or other outside party to review the auditors work on the Agency's behalf for a nominal cost. The benefit would likely exceed the cost.

### **Audit Responses**

The Agency's management has decided to contract with the Auditor-Controller / Treasurer-Tax Collector's Fiscal Division to prepare the financial statements commencing fiscal year 2008-09.

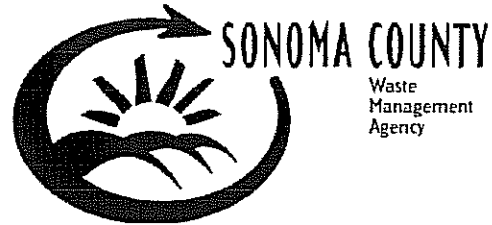
Since the Agency has taken action to comply with SAS 112, no written response is required.

In closing, we would like to thank Charlotte Fisher for her helpfulness and cooperation during the audit of the Sonoma County Waste Management Agency. If you have any questions about the audit or the above comment, please call Ann Hargreaves at (707) 565-8302.

Sincerely,

*Sonoma County Auditor-Controller*

Sonoma County Auditor-Controller



April 3, 2009

Rodney A. Dole  
Auditor-Controller  
Treasurer-Tax Collector  
County of Sonoma  
433 Aviation Blvd., Suite 120  
Santa Rosa, CA 95403-1069

Dear Mr. Dole:

This is in response to the letter to the Sonoma County Waste Management Agency (Agency) dated February 10, 2009. The letter was sent at the end of the FY 07-08 Audit performed by the Sonoma County Audit Division. One recommendation made was to engage the services of a consultant or other outside party to review the auditor's work in order to comply with SAS 112.

The Agency has contracted with the Fiscal Division of the Auditor-Controller/Treasurer-Tax Collector Department to prepare the Agency financial statements. This action satisfies the recommendation and no written response is required.

Sincerely,

A black rectangular redaction box covering the signature of Mollie Mangerich.

Mollie Mangerich, Executive Director  
Sonoma County Waste Management Agency

Cc: Agency Board of Directors  
Phil Demery, Transportation and Public Works Director  
Susan Klassen, Transportation and Public Works Deputy Director  
Mike Edwards, Fiscal Services  
Mildred Davis, Fiscal Services



Agenda Item #: 8.3  
Cost Center: HHW  
Staff Contact: Steinman  
Agenda Date: 4/15/2009

## ITEM: E-waste Collection Update

### I. BACKGROUND

The purpose of this staff report is to update the Agency Board about the current contracts the Agency holds for Electronic Waste (E-waste) Collection. Currently, the Agency holds two contracts. The Agency has been in the current contract with ECS Refining to provide transportation and recycling of Electronic Waste from Sonoma County Transfer Stations since December 1, 2006. On August 20, 2008, the Agency Board approved the First Amendment to the ECS Refining Agreement to extend the term until May 31, 2010. The Agency also has a two year contract with ASL Recycling to hold Agency-sponsored E-waste Collection Events for residents and businesses in Sonoma County. This agreement was approved by the Agency Board on May 21, 2008 with the agreement term ending on May 21, 2010.

California's Electronic Waste Recycling Act was passed in 2003 and requires that consumers pay an extra fee for certain types of electronics, and the collected revenue is then redistributed to recycling companies that are qualified to properly recycle these products. The Agency receives a payment per pound from each of the Contractors based on the agreed upon payment rates in each contract.

### II. DISCUSSION

E-waste generated from the Central Disposal Site, Sonoma Transfer Station, Healdsburg Transfer Station, Annapolis Transfer Station, and Guerneville Transfer Station continues to be collected for recycling by ECS refining. In 2008, 1,285,146 pounds of E-waste was collected from the aforementioned sites and recycled by ECS Refining.

The Agency and ASL Recycling began holding E-waste Collection Events in November 2008. The E-waste Collection Events provide a convenient way for residents and businesses to recycle E-waste. To date, 205,947 pounds of material have been collected at the events for recycling. The following events took place in 2008 and 2009:

#### *2008 Dates*

- Saturday November 8<sup>th</sup> & Sunday November 9<sup>th</sup>- Friedman's Home Improvement located in South Santa Rosa
- Saturday December 13<sup>th</sup> & Sunday December 14<sup>th</sup>- Friedman's Home Improvement located in Sonoma

#### *2009 Dates*

- Saturday January 10<sup>th</sup>- Whole Foods Market located in Petaluma
- Saturday February 28<sup>th</sup> & Sunday March 1<sup>st</sup>- Cloverdale Train Depot
- Saturday March 28<sup>th</sup> & Sunday March 29<sup>th</sup>- Wells Fargo Center for the Arts located in North Santa Rosa

The 2009 Schedule of upcoming E-waste Collection Events is included as an attachment to this staff report. This schedule will be included in the 2009 Sonoma County Recycling Guide and can currently be found on the Agency website [www.recyclenow.org](http://www.recyclenow.org).

During the Request for Proposals process for both E-waste contracts, ECS Refining and ASL Recycling were evaluated on how the E-waste is recycled and what the final destination is for the items collected. ECS Refining is a true cradle-to-cradle electronics recycler. No E-waste is shipped overseas or buried in a landfill. Instead, obsolete electronic equipment stays in Santa Clara at the ECS plant until it is processed back into the primary materials. Televisions, computer monitors and towers are manually dismantled for recycling.

ASL Recycling mechanically dismantles all the E-waste collected in preparation for recycling by down-stream vendors. ASL states that no product or residual material is shipped "in-tact" overseas for future dismantling.

Both ECS Refining and ASL Recycling have provided Agency staff with a comprehensive list of their respective down-stream vendors, identified by type of material processed. Notification of any change to the Down-Stream Vendor List is provided to the Agency staff. Agency staff continues to do the due diligence required in making sure both Contractors abide by their stated environmental practices by visiting the processing plants and verifying with the down-stream vendors that materials are being received.

### III. FUNDING IMPACT

This agenda item is informational only. There is no funding impact from this agenda item.

### IV. RECOMMENDED ACTION / ALTERNATIVES TO RECOMMENDATION

There is no recommended action for this agenda item.

### V. ATTACHMENTS

E-waste Collection Event Schedule

Approved by:



Mollie Mangerich, Executive Director  
Sonoma County Waste Management Agency

# free e-waste recycling events



To make it more convenient for residents and businesses to dispose of their waste properly, the Sonoma County Waste Management Agency is partnering with ASL Recycling to conduct free electronics collection events.

## 2009 e-waste schedule

**March 28-29, 2009** (Sat. & Sun.) • 8:30-4:30  
**Santa Rosa Wells Fargo Center for the Arts**  
(in the parking lot) 50 Mark West Springs Rd.

**April 18, 2009** (Sat. only.) • 10-4:30  
**Santa Rosa Community Market**  
(in the parking lot) 1899 Mendocino Ave.

**April 19, 2009** (Sun. only) • 11-4  
**Windsor Windsor Huerta Gym**  
(in the parking lot) 9291 Old Redwood Hwy.

**May 2 & 3, 2009** (Sat. & Sun.) • 8:30-4:30  
**Santa Rosa Finley Community Center Park**  
50 Stony Point Rd.

**June 13 & 14, 2009** (Sat. & Sun.) • 8:30-4:30  
**Cotati/Rohnert Park Cotati Park & Ride**  
(in the parking lot) Hwy. 116 at Redwood Dr.

**July 18 & 19, 2009** (Sat. & Sun.) • 8:30-4:30  
**Healdsburg Southern Healdsburg Park & Ride**  
Healdsburg Ave. at Grant Ave. (northeast of Hwy. 101)

**August 22, 2009** (Sat. only) • 8:30-4:30  
**Guerneville Park & Ride at River Road**  
16405 Highway 116

**September 12 & 13, 2009** (Sat. & Sun.) • 8:30-4:30  
**Sebastopol City Corporation Yard**  
714 Johnson St.

**October 10 & 11, 2009** (Sat. & Sun.) • 8:30-4:30  
**Petaluma Sonoma-Marin Fairgrounds**  
(in the parking lot) 175 Fairgrounds Dr.

**November 7 & 8, 2009** (Sat. & Sun.) • 8:30-4:30  
**Sonoma Friedman's Home Improvement**  
(in the parking lot) 1360 Broadway Ave.

### What we accept:

**Computer equipment** (computers & monitors, laptops, keyboards, printers, mice, hard drives, tape & zip drives etc.)

**Consumer electronics** (DVD players, VCRs, gaming devices, stereo components, radios, PDAs, cell phones, cables, etc.)

**Televisions** (CRTs/LCDs)

### Office equipment

(telephones, fax machines, copiers, etc.)

### Kitchen appliances

(blenders, toaster ovens, coffee makers, microwaves, etc.)

**Household appliances** (hair dryers, irons, curling irons, vacuum cleaners, etc.)

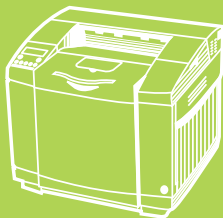


### We will not accept:

**Large appliances** (refrigerators, freezers, ovens, stoves, dishwashers, air conditioners, water heaters, etc.)

### What happens to the e-waste?

ASL Recycling mechanically dismantles devices into commodity streams (dark & light plastic, ferrous & non-ferrous metals, etc.). To learn more about ASL's recycling process, please visit [www.aslrecycling.com](http://www.aslrecycling.com)



## Business donations in large quantities welcome!

Questions **ASL Recycling 408.468.0230**



Sponsors:



A complete list of recycling options for electronic devices can be found in the Sonoma County Recycling Guide printed in the AT&T Yellow Pages phone book under Recycling or visit [www.recyclenow.org](http://www.recyclenow.org)



Agenda Item #: 8.4  
Cost Center: Diversion  
Staff Contact: Carter  
Agenda Date: 4/15/2009

**ITEM: Carryout Bag Update**

**I. BACKGROUND**

The SCWMA Board of Directors requested staff to provide updates at each SCWMA meeting subsequent to the March 2008 meeting. Staff researches new developments in California and out-of-state legislation regarding paper and plastic carryout bags.

**II. DISCUSSION**

The California Ocean Protection Council will consider performing a Master Environmental Assessment studying the production of plastic and paper carryout bags at its April 23, 2009 meeting. This report would provide background to municipalities considering bans of plastic or paper carryout bags.

AB 68 was amended in the California State Assembly and re-referred to the Committee on Natural Resources on March 31, 2009. Substantive changes include 1) the prohibition of single use carryout bags that do not meet the bags defined in the bill, specifically paper bags made from old growth timber and less than 40% post consumer recycled content, 2) clarifying the reason for not exempting compostable plastic bags from the fee, and 3) stating that funds collected must be used for tasks related to carryout bag pollution prevention and reduction. A hearing date was scheduled for April 13, 2009.

The City of Palo Alto approved a ban on plastic bags at large grocery stores<sup>1</sup> within city limits. The council will consider extending the ban to all retail stores and adding a fee to paper bags in September, 2009.

The Florida State Department of Environmental Protection has a website<sup>2</sup> that tracks existing and proposed legislation regarding carryout bags. The website tracks ordinances, policies, and fees worldwide.

**III. FUNDING IMPACT**

There are no funding impacts resulting from this transmittal.

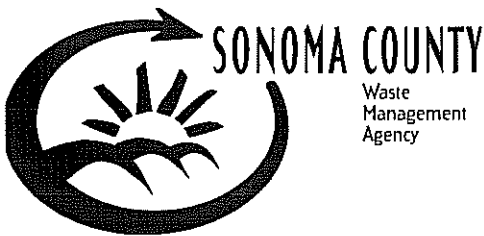
**IV. RECOMMENDED ACTION / ALTERNATIVES TO RECOMMENDATION**

This transmittal is for informational purposes only. There is no requested action.

Approved by:   
Mollie Mangerich, Executive Director, SCWMA

<sup>1</sup> <http://www.cityofpaloalto.org/civica/filebank/blobdload.asp?BlobID=13861>, retrieved 3/20/2009

<sup>2</sup> <http://www.dep.state.fl.us/waste/retailbags/pages/mapsandlists.htm>, retrieved 3/23/2009



Agenda Item #: 9.1  
Cost Center: All  
Staff Contact: Mangerich  
Agenda Date: 4/15/2009

**ITEM: Approval of the FY 09-10 Final Budget**

**I. BACKGROUND**

Historically, the preparation of the SCWMA's annual budget begins with direction and approval by the Board of a Work Plan, defining and prioritizing the programs or projects for the next fiscal year. The second step is the approval of the Draft Budget, establishing budget funding guidelines and other parameters necessary to integrate the SCWMA's annual budget with the County's budget process. The last step is the approval of the Final Budget.

The budget process began with the presentation for approval of the FY 09-10 Work Plan at the January 21, 2009 regular Board of Directors meeting. From that meeting, Board direction was to:

1. Bring back a balanced budget with focus on the core programs
2. Identify one-time expenses being funded by the reserves versus on-going expenses
3. Prioritize programs/projects in terms of potential reductions, eliminations or streamlining

The item was continued to the February 18, 2009 Board meeting.

The revised FY 09-10 Work Plan was presented for approval at the February 18, 2009 regular Board of Directors meeting. The revised Work Plan incorporated changes, such as:

1. Substituting the Recycling Guide in the AT&T phone book for more web-based marketing
2. Reduced community outreach contributions
3. Downsizing from two leased fleet vehicles to one vehicle for Agency staff use
4. Recalculating estimated contract costs by using actual expenditures from the previous twelve months
5. Reformatted the Work Plan to more clearly differentiate between the use of reserves, use of surcharge/grant revenues and reimbursements from the County for work done on its behalf

The FY 09-10 Draft Budget was presented for approval at the March 18, 2009 regular Board of Directors meeting. It was approved unanimously.

**II. DISCUSSION/FUNDING IMPACTS**

Since the approval of the FY 09-10 Draft Budget, there have been no changes to the budget request.

**III. RECOMMENDED ACTION / ALTERNATIVES TO RECOMMENDATION**

Staff recommends approving the FY 09-10 Final Budget as presented unanimously.

**IV. ATTACHMENTS**

FY 09-10 Summary Budget  
Resolution

Approved by:   
Mollie Mangerich, Executive Director, SCWMA

**SONOMA COUNTY WASTE MANAGEMENT AGENCY  
FY 09-10 BUDGET**

**BUDGET DIVISION SUMMARY**

**Program Description**

In 1992, the Sonoma County Waste Management Agency (Agency) was created under a Joint Powers Agreement (JPA) between the nine cities in the county and the County of Sonoma. The primary responsibility of the Agency is to reduce waste and conserve resources through diversion and education efforts and to properly manage household hazardous waste, wood waste, and yard debris generated in Sonoma County pursuant to the requirements of AB 939, the Integrated Waste Management Act of 1989.

The FY 09-10 Sonoma County Waste Management Agency (SCWMA) budget proposes the following:

- \* an overall revenue decrease from \$9,412,822 in FY 08-09 to \$8,084,622 in FY 2009-10 (\$1,328,200 or -14%); and
- \* an overall expenditure decrease from \$10,184,848 in FY 08-09 to \$7,962,896 in FY 09-10 (\$2,221,952 or -22%).

The Organics Reserve is funded by contributions from the Wood Waste and Yard Debris cost centers. The use planned for this reserve is for the development of a permanent site for composting to replace the current temporary Central Disposal Site location.

The HHW Facility Closure fund is funded within the Household Hazard Waste cost center and is used to collect reserves for a closure fund for the Household Toxics Facility as required by law.

The HHW Facility Reserve is funded by contributions from the HHW cost center. The funds in this reserve will be used for any implementation of the suggestions included in the benchmarking and feasibility study.

The Contingency Reserve is to be used for unforeseen operational needs and is funded with contributions from the Education, Diversion and Planning cost centers.

## Financial Summary

Cost Centers	Expenditures			Net Cost		
	FY 08-09 Adopted	FY 09-10 Requested	Percent Change	FY 08-09 Adopted	FY 09-10 Requested	Percent Change
Wood Waste	513,105	300,865	(41%)	196,445	57,550	(71%)
Yard Debris	4,266,880	4,175,859	(2%)	1,165,952	1,005,287	(14%)
HHW	3,262,275	2,190,745	(33%)	1,377,256	606,916	(56%)
Education	584,876	346,615	(41%)	161,485	(31,500)	(120%)
Diversion	180,745	187,506	4%	2,946	22,671	670%
Planning	70,291	109,147	55%	14,867	52,802	255%
Organics Reserve	686,156	291,846	(57%)	(1,104,836)	(1,231,600)	11%
HHW Closure Reserve	0	0	0%	(7,939)	(7,260)	(9%)
HHW Facility Reserve	461,526	293,434	(36%)	(1,019,683)	(582,317)	(43%)
Contingency Reserve	158,994	67,308	(58%)	(14,467)	(14,276)	(1%)
Total	\$10,184,848	\$7,962,895	(22%)	\$772,026	(\$121,727)	(116%)

## Staffing Summary

Section	FY 08-09 Requested	FY 09-10 Requested	Number Change	Percent Change
Perm Positions	5 FTE	5.5 FTE	.5	10%
Permanent Part-Time (50% FTE)	0 FTE	0 FTE	0	0%
Extra Help	0 FTE	0 FTE	0	0%
Total	5 FTE	5.5 FTE	.5	10%

The change in staff position is the modification in the Executive Director's job description. Formerly, the job description defined the position as a shared position between the Executive Director position (.5 FTE for Agency) and Integrated Waste Manager (.5 FTE for Refuse). The new job description is for the Executive Director position to be 100% for the Agency.

### Summary of Issues and Significant Changes/Objectives

Total requested revenue appropriation of \$8,084,622 is as follows:

	FY 08-09 Adopted	FY 09-10 Requested	Difference	Percent Change
Wood Waste Fees	284,400	227,520	(56,880)	(20%)
Yard Debris Fees	3,004,840	3,067,732	62,892	2%
Tipping Fee Surcharge	1,674,000	1,458,000	(216,000)	(13%)
Others*	720,873	580,750	(140,123)	(19%)
State Grant	561,742	506,760	(54,982)	(10%)
OT - Within Enterprise	3,166,967	2,243,860	(923,107)	(29%)
Total	\$9,412,822	\$8,084,622	(1,328,200)	(14%)
* Interest, Sale of Materials, Donations				

The difference in revenue from FY 08-09 to FY 09-10 amounts to an overall decrease of \$1,328,200 or (14%). This decrease is due to decreased projected tonnages to be used for calculation of the surcharge tipping fee. There is also a projected decrease in wood waste tonnages based on the actual tonnage of material delivered to the composting site in the past two years. There are no anticipated organics tipping fee increase and no anticipated increase for the surcharge tipping fee.

The reserve policy establishes goals and defines uses for the reserve funds. With a comprehensive cost center treatment of all expenses, revenues and reserves, the budget process allows for approval of transfer of funds if required and use of reserves if necessary. An exception is the use of Organic Reserves, which is restricted by the original Joint Powers Agreement.

**Wood Waste Cost Center**

(\$49,700)	Net decrease in Contract Services. The decrease is due to less material coming to the facility for processing.
(\$43,735)	Net decrease in Administration Costs due to less staff time required for the organics program compared to last fiscal year with the emphasis on diverting more vegetative material, also the invoice reconciliation is now fully electronic. The theme for FY 09-10 is E-waste and the administrative costs will be moved to Education.
(\$1,000)	Net decrease in Legal Services based on actual expenditures.
(\$2,003)	Net decrease in Small Tools based on the estimate provided by the computer service provider
(\$115,621)	Net decrease in OT- Within Enterprise due to less funds from operations available for transfer to Organics Reserve
(\$56,880)	Net decrease in Tipping Fee Revenue due to less than anticipated increase tonnage of material for processing. This is based on actual for the past two years.
(\$16,565)	Net decrease in Other Sales due to decreased product available for sale, particularly firewood and dimensional lumber.

**Yard Debris Cost Center**

\$20,020	Net increase in Contract Services due to increased material being delivered to the composting site for processing.
\$16,707	Net increase in Administration Costs due to more staff time required for the organics program per the approved Work Plan for FY 09-10.
(\$15,000)	Net decrease in Engineering Services based on actual expenditures.
\$2,472	Net increase in Audit Services based on an estimate provided by the Auditor-Controller Audit Division.
(\$4,006)	Net decrease in Small Tools based on an estimate provided by the computer service provider
(\$1,000)	Net decrease in Travel due to budget constraints.
(\$89,704)	Net decrease in OT – Within Enterprise due to decreased prior year funds being available for transfer.
(\$21,060)	Net decrease in Reimbursements. These are interdepartmental transfers in order to accurately transfer funding into the appropriate cost center.
\$6,752	Interest on Pooled Cash is based on actual interest accrued for FY 08-09.
\$62,892	Net increase in Tipping Fee Revenue due to increased tonnage of material being delivered to the composting site for processing.

**Household Hazardous Waste Cost Center**

(\$176,490)	Net decrease in Professional Services due to less carry-over from the previous fiscal year.
(\$276,865)	Net decrease in Contract Services due to the current agreement for the E-waste program, which has less recycling expense and less expense for the HHW facility due to economic downturn.
\$28,520	Net increase in Administration Costs due to more staff time required by the program as approved in the Work Plan for FY 09-10.

\$6,000	Net increase in Legal Services based on actual expense for FY 08-09 and the anticipated expense of bidding and executing a new operations contract in FY 09-10.
(\$2,003)	Net decrease in Small Tools based on the estimate received from the computer service provider.
(\$1,000)	Net decrease to Travel due to budget constraints.
(\$637,181)	Net decrease in OT – Within Enterprise. The one-time transfer of accumulated fund balances into the reserve was completed in FY 08-09.
(\$14,656)	Net decrease in Reimbursements. These are interdepartmental transfers in order to accurately transfer funding into the appropriate cost center.
(\$5,388)	Net decrease in Interest in Pooled Cash due to less grant funds carried over into FY 09-10 collecting interest.
(\$92,137)	Net decrease in State-Other due to not carrying funds from FY 08-09 into FY 09-10.
(\$164,970)	Net decrease in Tipping Fee Revenue is due to less municipal solid waste coming to the disposal sites resulting in less tipping fee surcharge.
(\$39,125)	Net decrease in Donations/Reimbursement. This decrease is due to less funds coming from E-waste collections and from the service agreement with the City of Petaluma, which is based on solid waste collected in that city.

#### **Education Cost Center**

(\$7,438)	Net decrease in Professional Services. A grant for SonoMax publicity was awarded and a portion spent in FY 08-09 and the rest will be spent in FY 09-10.
(\$57,288)	Net decrease in Contract Services due to the Recycling Guide becoming more web-based.
\$35,149	Net increase in Administration Costs due to more staff time being allocated to these programs as approved in the Work Plan for FY 09-10.
\$5,000	Net increase in Legal Services based on actual expenditures.
(\$2,000)	Net decrease in Audit Services as presented in an estimate provided by the Audit Division of the Auditor-Controller.
(\$2,003)	Net decrease in Small Tools based on the estimate from the computer service provider.
(\$2,000)	Net decrease in Travel Expense due to budget constraints.
(\$30,000)	Net decrease in Data Processing. This is a grant funded project developing the Agency website within the County information system has been completed.
(\$134,575)	Net decrease in OT – Within Enterprise due to prior year funds being transferred in FY 08-09. There is no anticipated contribution to the Contingency Reserve from the Education cost center in FY 09-10.
(\$43,295)	Net decrease in Reimbursements. These are intradepartmental transfers in order to accurately transfer funding into the appropriate cost center.
(\$12,600)	Net decrease in State-Other due to reduced grant funding being awarded.
(\$39,150)	Net decrease in Tipping Fee Revenue is due to less municipal solid waste coming to the disposal sites resulting in less tipping fee surcharge.
\$7,309	Net increase in Donations/Reimbursement. This increase is due to anticipated sale of ads in the tab for the Recycling Guide placed by the hauling companies and other contractors

**Diversion Cost Center**

(\$18,585)	Net decrease in Professional Services due to grant monies from the FY 08-09 not being carried over into FY 09-10.
\$2,028	Net increase in Administration Costs due to more staff time required by the programs as approved in the Work Plan for FY 09-10.
\$6,000	Net increase in Legal Services based on actual expenditures for FY 08-09.
(\$4,411)	Net decrease in Small Tools based on an estimate from the computer service provider.
\$22,800	Net increase in OT-Within Enterprise due to available funds to be transferred to the Contingency Reserve.
(\$12,690)	Net decrease in Tipping Fee Revenue due to less tonnage being brought to the disposal sites resulting in a reduced surcharge tipping fee.

**Planning Cost Center**

(\$2,000)	Net decrease in Office Expense based on actual expenses.
(\$1,127)	Net decrease in Administration Costs as described in the approved in the Work Plan for FY 08-09.
\$7,964	Net increase in Engineering Services expenses due to required work to be done on the Countywide Integrated Waste Management Plan.
(\$1,100)	Net decrease in Audit Services based on an estimate from the Audit Division of the Auditor-Controller.
(\$2,003)	Net decrease in Small Tools based on an estimate from the computer service provider.
(\$2,000)	Net decrease in Travel Expense due to budget constraints.
\$38,728	Net increase in OT – Within Enterprise due the one-time transfer of accumulated fund balances into the reserve was completed in FY 08-09.

**Organics Reserve Fund**

(\$418,656)	Net decrease in Contract Services due to the environmental work being done in FY 09-10.
\$17,156	Net increase in Administration Costs due to the new compost siting process project.
\$8,690	Net increase in Engineering Services based on an estimate provided by the Permit Resource and Management Department for Sonoma County.
\$1,000	Net increase in Audit Services based on an estimate from the Audit Division of the Auditor-Controller.
(\$2,500)	Net decrease in Travel Expense due to budget constraints.
(\$62,221)	Net decrease in Interest on Pooled Cash based on interest being accrued at 1% on the funds held for the Agency by the Auditor-Controller. FY 08-09 interest rate was 4%.
(\$205,325)	Net decrease in OT – Within Enterprise is due to less funds available for transfer, mainly from the Wood Waste cost center.

**HHW Closure Reserve Fund**

There are not significant increases or decreases for the HHW Facility Closure Reserve.

### **HHW Facility Reserve Fund**

(\$150,000)	Net decrease to Professional Services. There are no anticipated grant awards in FY 09-10.
(\$41,414)	Net decrease in Contract Services due to revised estimate of the HHW Facility Expansion Project.
\$27,563	Net increase in Administration Costs as described in the approved Work Plan for FY 09-10.
(\$5,000)	Net decrease in Legal Services due to less than anticipated legal assistance required with the HHW facility expansion.
(\$18,032)	Net decrease in Interest on Pooled Cash based on interest being accrued at 1% in FY 09-10 versus the 4% accrual in FY 08-09.
\$49,755	Net increase in State-Other due to a resubmittal to the CIWMB for grant funds to construct the HHW Facility Expansion. The Agency has received verbal approval.
(\$637,181)	Net decrease in OT-Within Enterprise due to fewer funds from operations being available for transfer.

### **Contingency Reserve Fund**

(\$153,994)	Net decrease in Contract Services due to completion of the sustainable funding contract being completed in FY 09-10.
\$52,308	Net increase in Administration Costs due to increased staff time as described in the approved FY 09-10 Work Plan.
\$10,000	Net increase in Legal Services due to anticipated expenditures associated with the development and implementation of the sustainable funding plan.
(\$11,276)	Net decrease in Interest on Pooled Cash due to the interest rate being 1% in FY 09-10 instead of the 4% used in FY 08-09.
(\$80,601)	Net decrease in OT – Within Enterprise due to fewer funds from the operations of the Diversion and Planning cost centers being available for transfer to the Contingency Reserve.

There are fewer funds available for transfer from the tipping fee surcharge cost centers because the amount of municipal solid waste being brought to the County system is decreasing, which reduces the amount of the surcharge tipping fee. Another consequence of reduced municipal solid waste in general is the reduction of the fee, which is based on the tons disposed within the city limits, paid by the City of Petaluma for its portion of Agency services.

### **Overall Objective**

The Agency will continue to manage household hazardous waste, yard debris and wood waste through established programs to divert materials from landfill disposal. In addition, the Agency will develop and distribute education and public information materials to local residents and businesses and support and implement diversion programs including the beverage container recycling program. The Agency will continue managing the E-waste recycling program. The Agency will also set aside reserve funds, when possible, as a part of its long-term financial planning.

### **Attachments**

1. Overall Budget Summary
2. Statements of Special Fund Activity
3. Summary of Tipping Fee Funded Programs
4. Budget Histories
5. Budget Section Summaries
6. Summaries of Revenues and Expenses
7. Sub-object Justifications

**Sonoma County Waste Management Agency  
Fund Balance Comparison Summary**

SUBJECT TITLE	Actual FY 06-07	Actual FY 07-08	Estimated FY 08-09	Requested FY 09-10
<b>Revenues</b>				
1700 Interest on Pooled Cash	265,328	279,472	184,268	66,727
2500 State - Other	500,967	279,805	463,442	506,760
2901 County	4,914,404	5,113,384	4,842,870	4,753,252
3700 Copy/Transcribe	0	0	0	0
3980 Revenues-Prior Year	0	(377)	12,865	0
4020 Sale of Materials	316,732	177,713	167,623	95,000
4102 Donations and Reimbursements	164,185	462,125	136,902	419,023
<b>SUBTOTAL</b>	<b>6,161,616</b>	<b>6,312,122</b>	<b>5,807,970</b>	<b>5,840,762</b>
 4624 OT-Within Enterprise	 2,077,667	 0	 2,409,253	 2,243,860
<b>SUBTOTAL</b>	<b>2,077,667</b>	<b>0</b>	<b>2,409,253</b>	<b>2,243,860</b>
 <b>TOTAL REVENUES</b>	 <b>8,239,283</b>	 <b>6,312,122</b>	 <b>8,217,223</b>	 <b>8,084,622</b>
<b>Expenditures</b>				
6103 Liability Insurance	9,143	9,843	9,163	10,175
6400 Office Expense	30,259	61,621	39,905	36,500
6500 Professional/Spec Svcs	274,811	294,759	557,205	204,067
6521 County Services	4,023	3,580	6,475	6,896
6540 Contract Services	4,196,514	4,256,385	4,274,877	4,599,903
6573 Administrative Costs	477,542	523,299	588,136	722,706
6590 Engineering Services	1,884	2,204	2,000	17,413
6610 Legal Expenses	40,619	47,293	78,842	102,000
6629 Accounting Services	5,882	5,457	5,190	10,389
6630 Audit Services	14,500	18,500	19,500	18,500
6820 Rents/Lease Equipment	1,876	4,680	5,200	5,500
6840 Rents/Leases-Bldgs/Impv	24,725	25,680	24,340	25,500
6880 Small Tools	3,546	11,407	30,877	14,448
7062 Enforcement Agency Fees	15,663	16,542	13,000	20,000
7301 County Car Expense	3,386	2,826	3,000	3,000
7302 Travel Expense	127	4,532	237	1,000
7309 Unclaimable County	397	641	364	0
7400 Data Processing	2	8	30,000	50
<b>SUBTOTAL</b>	<b>5,104,899</b>	<b>5,289,257</b>	<b>5,688,311</b>	<b>5,798,047</b>
 8624 OT - Within Enterprise	 2,077,667	 0	 2,430,255	 2,243,860
8700 Reimbursements	0	0	0	(79,011)
<b>SUBTOTAL</b>	<b>2,077,667</b>	<b>0</b>	<b>2,430,255</b>	<b>2,164,849</b>
 <b>TOTAL EXPENDITURES</b>	 <b>7,182,566</b>	 <b>5,289,257</b>	 <b>8,118,566</b>	 <b>7,962,896</b>
 <b>NET COST</b>	 <b>(1,056,717)</b>	 <b>(1,022,865)</b>	 <b>(98,657)</b>	 <b>(121,726)</b>
 Beginning Fund Balance	 5,009,961	 5,975,197	 6,553,140	 6,651,797
Less: Net Cost for Current Year	1,056,717	1,022,865	98,657	121,726
Audit/Encumbrance Adjustments	(91,481)	(444,922)	0	0
<b>Ending Fund Balance</b>	<b>5,975,197</b>	<b>6,553,140</b>	<b>6,651,797</b>	<b>6,773,523</b>

**Sonoma County Waste Management Agency  
Fund Balance Comparison Summary**

Wood Waste SUBJECT TITLE	Actual FY 06-07	Actual FY 07-08	Estimated FY 08-09	Requested FY 09-10
<b>Revenues</b>				
1700 Interest on Pooled Cash	16,250	7,187	3,809	795
2500 State - Other	0	0	0	0
2901 County	318,397	251,190	223,531	227,520
4020 Sale of Materials	110,585	70,858	44,941	10,000
4102 Donations and Reimbursements	9,000	5,000	5,000	5,000
<b>SUBTOTAL</b>	<b>454,232</b>	<b>334,235</b>	<b>277,281</b>	<b>243,315</b>
<b>4624 OT-Within Enterprise</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>SUBTOTAL</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>TOTAL REVENUES</b>	<b>454,232</b>	<b>334,235</b>	<b>277,281</b>	<b>243,315</b>
<b>Expenditures</b>				
6103 Liability Insurance	899	955	889	950
6400 Office Expense	110	27	100	0
6500 Professional/Spec Svcs	0	0	0	0
6521 County Services	153	176	525	500
6540 Contract Services	265,784	208,914	185,062	205,880
6573 Administrative Costs	35,814	38,566	50,445	6,710
6590 Engineering Services	0	0	0	0
6610 Legal Expenses	2,096	78	0	0
6629 Accounting Services	441	505	504	998
6630 Audit Services	1,450	2,000	2,000	1,900
6820 Rents/Lease Equipment	0	0	0	0
6840 Rents/Leases-Bldgs/Impv	0	0	0	0
6880 Small Tools	0	1,666	4,411	2,408
7062 Enforcement Agency Fees	0	0	0	0
7301 County Car Expense	0	0	0	0
7302 Travel Expense	0	0	0	0
7400 Data Processing	0	0	0	0
<b>SUBTOTAL</b>	<b>306,747</b>	<b>252,887</b>	<b>243,936</b>	<b>219,346</b>
<b>8624 OT - Within Enterprise</b>	<b>290,000</b>	<b>0</b>	<b>197,140</b>	<b>81,519</b>
<b>8700 Reimbursements</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>SUBTOTAL</b>	<b>290,000</b>	<b>0</b>	<b>197,140</b>	<b>81,519</b>
<b>TOTAL EXPENDITURES</b>	<b>596,747</b>	<b>252,887</b>	<b>441,076</b>	<b>300,865</b>
<b>NET COST</b>	<b>142,515</b>	<b>(81,348)</b>	<b>163,795</b>	<b>57,550</b>
<b>Beginning Fund Balance</b>	<b>304,448</b>	<b>161,933</b>	<b>243,281</b>	<b>79,486</b>
<b>Less: Net Cost for Current Year</b>	<b>(142,515)</b>	<b>81,348</b>	<b>(163,795)</b>	<b>(57,550)</b>
<b>Audit/Encumbrance Adjustments</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Ending Fund Balance</b>	<b>161,933</b>	<b>243,281</b>	<b>79,486</b>	<b>21,936</b>

**Sonoma County Waste Management Agency  
Fund Balance Comparison Summary**

Yard Debris		Actual	Actual	Estimated	Requested
	SUBJECT TITLE	FY 06-07	FY 07-08	FY 08-09	FY 09-10
<b>Revenues</b>					
1700	Interest on Pooled Cash	86,058	43,150	29,741	12,840
2500	State - Other	0	0	0	0
2901	County	3,041,175	3,225,879	3,119,129	3,067,732
3700	Copy/Transcribe Fee	0	0	0	0
4020	Sale of Materials	206,147	106,855	122,682	85,000
4102	Donations and Reimbursements	8,500	10,164	10,145	5,000
	<b>SUBTOTAL</b>	<b>3,341,880</b>	<b>3,386,048</b>	<b>3,281,697</b>	<b>3,170,572</b>
4624	OT-Within Enterprise	0	0	0	0
	<b>SUBTOTAL</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>TOTAL REVENUES</b>					
		<b>3,341,880</b>	<b>3,386,048</b>	<b>3,281,697</b>	<b>3,170,572</b>
<b>Expenditures</b>					
6103	Liability Insurance	3,679	1,870	1,741	1,900
6400	Office Expense	7,970	26,581	3,405	0
6500	Professional/Spec Svcs	0	1,900	625	0
6521	County Services	297	342	525	525
6540	Contract Services	2,417,189	2,579,179	2,626,152	2,634,788
6573	Administrative Costs	82,958	74,471	83,523	100,231
6590	Engineering Services	1,884	0	2,000	0
6610	Legal Expenses	5,080	3,030	5,282	8,000
6629	Accounting Services	2,251	2,528	1,666	4,797
6630	Audit Services	6,525	2,500	2,500	3,350
6820	Rents/Lease Equipment	1,876	4,680	5,200	5,500
6840	Rents/Leases-Bldgs/Impv	0	0	0	0
6880	Small Tools	2,000	1,666	8,822	4,816
7062	Enforcement Agency Fees	15,663	16,542	13,000	20,000
7301	County Car Expense	3,381	2,826	3,000	3,000
7302	Travel Expense	20	356	0	0
7400	Data Processing	0	0	0	0
7309	Unclaimable County	397	641	364	0
	<b>SUBTOTAL</b>	<b>2,551,170</b>	<b>2,719,112</b>	<b>2,757,805</b>	<b>2,786,907</b>
8624	OT - Within Enterprise	1,450,000	0	778,177	1,410,013
8700	Reimbursements	0	0	0	(21,060)
	<b>SUBTOTAL</b>	<b>1,450,000</b>	<b>0</b>	<b>778,177</b>	<b>1,388,953</b>
<b>TOTAL EXPENDITURES</b>					
		<b>4,001,170</b>	<b>2,719,112</b>	<b>3,535,982</b>	<b>4,175,860</b>
<b>NET COST</b>					
		<b>659,290</b>	<b>(666,936)</b>	<b>254,285</b>	<b>1,005,288</b>
<b>Beginning Fund Balance</b>					
		<b>1,530,627</b>	<b>871,337</b>	<b>1,538,273</b>	<b>1,283,988</b>
<b>Less: Net Cost for Current Year</b>					
		<b>(659,290)</b>	<b>666,936</b>	<b>(254,285)</b>	<b>(1,005,288)</b>
<b>Audit/Encumbrance Adjustments</b>					
		<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Ending Fund Balance</b>					
		<b>871,337</b>	<b>1,538,273</b>	<b>1,283,988</b>	<b>278,700</b>

**Sonoma County Waste Management Agency  
Fund Balance Comparison Summary**

HHW		Actual FY 06-07	Actual FY 07-08	Estimated FY 08-09	Requested FY 09-10
	SUBJECT TITLE				
<b>Revenues</b>					
1700	Interest on Pooled Cash	73,097	67,672	25,555	7,615
2500	State - Other	352,873	98,300	157,710	163,873
2901	County	1,144,356	1,277,144	1,159,579	1,057,050
3980	Revenue-Prior Year	0	(377)	12,865	0
4020	Sale of Materials	0	0	0	0
4102	Donations and Reimbursements	99,819	403,769	74,319	354,861
	<b>SUBTOTAL</b>	<b>1,670,145</b>	<b>1,846,508</b>	<b>1,430,028</b>	<b>1,583,399</b>
4624	OT-Within Enterprise	0	0	0	0
	<b>SUBTOTAL</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
	<b>TOTAL REVENUES</b>	<b>1,670,145</b>	<b>1,846,508</b>	<b>1,430,028</b>	<b>1,583,399</b>
<b>Expenditures</b>					
6103	Liability Insurance	1,851	3,740	3,481	4,000
6400	Office Expense	3,735	14,442	6,000	6,000
6500	Professional/Spec Svcs	140,277	114,089	256,010	79,520
6521	County Services	1,086	1,194	1,575	2,000
6540	Contract Services	1,335,221	1,143,757	737,229	1,221,135
6573	Administrative Costs	120,024	156,794	139,794	168,314
6590	Engineering Services	0	0	0	0
6610	Legal Expenses	12,236	8,158	19,440	15,000
6629	Accounting Services	1,407	1,012	1,010	1,900
6630	Audit Services	2,900	7,000	8,000	8,400
6820	Rents/Lease Equipment	0	0	0	0
6840	Rents/Leases-Bldgs/Impv	20,900	23,400	23,000	23,000
6880	Small Tools	1,160	1,666	4,411	2,408
7062	Enforcement Agency Fees	0	0	0	0
7301	County Car Expense	5	0	0	0
7302	Travel Expense	50	4,017	111	1,000
7400	Data Processing	2	8	0	50
	<b>SUBTOTAL</b>	<b>1,640,854</b>	<b>1,479,277</b>	<b>1,200,061</b>	<b>1,532,727</b>
8624	OT - Within Enterprise	87,667	0	1,309,425	672,244
8700	Reimbursements	0	0	0	(14,656)
	<b>SUBTOTAL</b>	<b>87,667</b>	<b>0</b>	<b>1,309,425</b>	<b>657,588</b>
	<b>TOTAL EXPENDITURES</b>	<b>1,728,521</b>	<b>1,479,277</b>	<b>2,509,486</b>	<b>2,190,315</b>
	<b>NET COST</b>	<b>58,376</b>	<b>(367,231)</b>	<b>1,079,458</b>	<b>606,916</b>
	<b>Beginning Fund Balance</b>	<b>1,532,073</b>	<b>1,473,697</b>	<b>1,840,928</b>	<b>761,470</b>
	<b>Less: Net Cost for Current Year</b>	<b>(58,376)</b>	<b>367,231</b>	<b>(1,079,458)</b>	<b>(606,916)</b>
	<b>Audit/Encumbrance Adjustments</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
	<b>Ending Fund Balance</b>	<b>1,473,697</b>	<b>1,840,928</b>	<b>761,470</b>	<b>154,554</b>

**Sonoma County Waste Management Agency  
Fund Balance Comparison Summary**

Education	Actual	Actual	Estimated	Requested
SUBJECT TITLE	FY 06-07	FY 07-08	FY 08-09	FY 09-10
<b>Revenues</b>				
1700 Interest on Pooled Cash	25,147	12,427	3,678	79
2500 State - Other	39,954	16,840	23,600	11,000
2901 County	233,225	280,628	272,323	320,760
4020 Sale of Materials	0	0	0	0
4102 Donations and Reimbursements	24,867	29,854	38,967	46,276
<b>SUBTOTAL</b>	<b>323,193</b>	<b>339,749</b>	<b>338,568</b>	<b>378,115</b>
4624 OT-Within Enterprise	0	0	0	0
<b>SUBTOTAL</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>TOTAL REVENUES</b>	<b>323,193</b>	<b>339,749</b>	<b>338,568</b>	<b>378,115</b>
<b>Expenditures</b>				
6103 Liability Insurance	1,392	1,378	1,283	1,425
6400 Office Expense	17,859	16,019	30,000	30,000
6500 Professional/Spec Svcs	36,285	9,850	18,438	11,000
6521 County Services	1,435	1,349	2,500	2,374
6540 Contract Services	132,420	108,988	155,388	98,100
6573 Administrative Costs	128,137	136,451	178,054	213,203
6590 Engineering Services	0	0	0	0
6610 Legal Expenses	13,173	19,227	33,219	25,000
6629 Accounting Services	1,407	1,012	1,010	1,900
6630 Audit Services	1,450	4,000	4,000	2,000
6820 Rents/Lease Equipment	0	0	0	0
6840 Rents/Leases-Bldgs/Impv	3,825	2,280	1,340	2,500
6880 Small Tools	386	3,077	4,411	2,408
7062 Enforcement Agency Fees	0	0	0	0
7301 County Car Expense	0	0	0	0
7302 Travel Expense	28	159	126	0
7400 Data Processing	0	0	30,000	0
<b>SUBTOTAL</b>	<b>337,797</b>	<b>303,790</b>	<b>459,769</b>	<b>389,910</b>
8624 OT - Within Enterprise	250,000	0	134,575	0
8700 Reimbursements	0	0	0	(43,295)
<b>SUBTOTAL</b>	<b>250,000</b>	<b>0</b>	<b>134,575</b>	<b>(43,295)</b>
<b>TOTAL EXPENDITURES</b>	<b>587,797</b>	<b>303,790</b>	<b>594,344</b>	<b>346,615</b>
<b>NET COST</b>	<b>264,604</b>	<b>(35,959)</b>	<b>255,776</b>	<b>(31,500)</b>
Beginning Fund Balance	493,829	191,944	263,685	7,909
Less: Net Cost for Current Year	(264,604)	35,959	(255,776)	31,500
Audit/Encumbrance Adjustments	(37,281)	35,782	0	0
Ending Fund Balance	191,944	263,685	7,909	39,409

**Sonoma County Waste Management Agency  
Fund Balance Comparison Summary**

Diversion		Actual FY 06-07	Actual FY 07-08	Estimated FY 08-09	Requested FY 09-10
SUBJECT TITLE					
<b>Revenues</b>					
1700	Interest on Pooled Cash	9,802	8,883	2,234	389
2500	State - Other	108,140	157,637	132,132	132,132
2901	County	37,316	40,090	37,068	29,160
4020	Sale of Materials	0	0	0	0
4102	Donations and Reimbursements	3,666	6,310	3,388	3,154
4624	OT-Within Enterprise	0	0	0	0
<b>SUBTOTAL</b>		<b>158,924</b>	<b>212,920</b>	<b>174,822</b>	<b>164,835</b>
4624	OT-Within Enterprise	0	0	0	0
<b>SUBTOTAL</b>		<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>TOTAL REVENUES</b>		<b>158,924</b>	<b>212,920</b>	<b>174,822</b>	<b>164,835</b>
<b>Expenditures</b>					
6103	Liability Insurance	661	955	889	950
6400	Office Expense	551	4,326	400	500
6500	Professional/Spec Svcs	98,249	168,920	132,132	113,547
6521	County Services	1,052	467	600	700
6540	Contract Services	0	0	0	0
6573	Administrative Costs	53,846	55,504	35,204	37,232
6590	Engineering Services	0	0	0	0
6610	Legal Expenses	5,353	7,469	5,608	7,000
6629	Accounting Services	188	200	1,000	397
6630	Audit Services	1,450	1,000	1,000	950
6820	Rents/Lease Equipment	0	0	0	0
6840	Rents/Leases-Bldgs/Impv	0	0	0	0
6880	Small Tools	0	1,666	4,411	0
7062	Enforcement Agency Fees	0	0	0	0
7301	County Car Expense	0	0	0	0
7302	Travel Expense	29	0	0	0
7400	Data Processing	0	0	0	0
<b>SUBTOTAL</b>		<b>161,379</b>	<b>240,507</b>	<b>181,244</b>	<b>161,276</b>
8624	OT - Within Enterprise	0	0	0	26,230
8700	Reimbursements	0	0	0	0
<b>SUBTOTAL</b>		<b>0</b>	<b>0</b>	<b>0</b>	<b>26,230</b>
<b>TOTAL EXPENDITURES</b>		<b>161,379</b>	<b>240,507</b>	<b>181,244</b>	<b>187,506</b>
<b>NET COST</b>		<b>2,455</b>	<b>27,587</b>	<b>6,422</b>	<b>22,671</b>
Beginning Fund Balance		29,895	27,340	45,353	38,931
Less: Net Cost for Current Year		(2,455)	(27,587)	(6,422)	(22,671)
Audit/Encumbrance Adjustments		(100)	45,600	0	0
Ending Fund Balance		27,340	45,353	38,931	16,260

**Sonoma County Waste Management Agency  
Fund Balance Comparison Summary**

Planning		Actual	Actual	Estimated	Requested
	SUBJECT TITLE	FY 06-07	FY 07-08	FY 08-09	FY 09-10
<b>Revenues</b>					
1700	Interest on Pooled Cash	5,724	4,447	952	583
2500	State - Other	0	7,028	0	0
2901	County	139,935	38,453	31,240	51,030
4020	Sale of Materials	0	0	0	0
4102	Donations and Reimbursements	18,333	7,028	5,083	4,732
<b>SUBTOTAL</b>		<b>163,992</b>	<b>56,956</b>	<b>37,275</b>	<b>56,345</b>
4624	OT-Within Enterprise	0	0	0	0
<b>SUBTOTAL</b>		<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>TOTAL REVENUES</b>		<b>163,992</b>	<b>56,956</b>	<b>37,275</b>	<b>56,345</b>
<b>Expenditures</b>					
6103	Liability Insurance	661	945	880	950
6400	Office Expense	34	226	0	0
6500	Professional/Spec Svcs	0	0	0	0
6521	County Services	0	52	750	797
6540	Contract Services	45,900	55,105	0	0
6573	Administrative Costs	56,763	51,222	41,004	39,877
6590	Engineering Services	0	0	0	7,964
6610	Legal Expenses	2,681	0	841	2,000
6629	Accounting Services	188	200	0	397
6630	Audit Services	725	2,000	2,000	900
6820	Rents/Lease Equipment	0	0	0	0
6840	Rents/Leases-Bldgs/Impv	0	0	0	0
6880	Small Tools	0	1,666	4,411	2,408
7062	Enforcement Agency Fees	0	0	0	0
7301	County Car Expense	0	0	0	0
7302	Travel Expense	0	0	0	0
7400	Data Processing	0	0	0	0
<b>SUBTOTAL</b>		<b>106,952</b>	<b>111,416</b>	<b>49,886</b>	<b>55,293</b>
8624	OT - Within Enterprise	0	0	10,938	53,854
8700	Reimbursements	0	0	0	0
<b>SUBTOTAL</b>		<b>0</b>	<b>0</b>	<b>10,938</b>	<b>53,854</b>
<b>TOTAL EXPENDITURES</b>		<b>106,952</b>	<b>111,416</b>	<b>60,824</b>	<b>109,147</b>
<b>NET COST</b>		<b>(57,040)</b>	<b>54,460</b>	<b>23,549</b>	<b>52,802</b>
<b>Beginning Fund Balance</b>		<b>79,301</b>	<b>82,241</b>	<b>81,881</b>	<b>58,332</b>
<b>Less: Net Cost for Current Year</b>		<b>57,040</b>	<b>(54,460)</b>	<b>(23,549)</b>	<b>(52,802)</b>
<b>Audit/Encumbrance Adjustments</b>		<b>(54,100)</b>	<b>54,100</b>	<b>0</b>	<b>0</b>
<b>Ending Fund Balance</b>		<b>82,241</b>	<b>81,881</b>	<b>58,332</b>	<b>5,530</b>

**Sonoma County Waste Management Agency  
Fund Balance Comparison Summary**

Organic Program Reserve (Site Purchase) SUBJECT TITLE	Actual FY 06-07	Actual FY 07-08	Estimated FY 08-09	Requested FY 09-10
<b>Revenues</b>				
1700 Interest on Pooled Cash	44,929	117,326	79,912	31,914
2500 State - Other	0	0	0	0
2901 County	0	0	0	0
4020 Sale of Materials	0	0	0	0
4102 Donations and Reimbursements	0	0	0	0
<b>SUBTOTAL</b>	<b>44,929</b>	<b>117,326</b>	<b>79,912</b>	<b>31,914</b>
4624 OT-Within Enterprise	1,740,000	0	975,317	1,491,532
<b>SUBTOTAL</b>	<b>1,740,000</b>	<b>0</b>	<b>975,317</b>	<b>1,491,532</b>
<b>TOTAL REVENUES</b>	<b>1,784,929</b>	<b>117,326</b>	<b>1,055,229</b>	<b>1,523,446</b>
<b>Expenditures</b>				
6103 Liability Insurance	0	0	0	0
6400 Office Expense	0	0	0	0
6500 Professional/Spec Svcs	0	0	0	0
6521 County Services	0	0	0	0
6540 Contract Services	0	102,290	135,638	200,000
6573 Administrative Costs	0	317	35,000	52,156
6590 Engineering Services	0	232	0	8,690
6610 Legal Expenses	0	9,311	13,159	30,000
6629 Accounting Services	0	0	0	0
6630 Audit Services	0	0	0	1,000
6820 Rents/Lease Equipment	0	0	0	0
6840 Rents/Leases-Bldgs/Impv	0	0	0	0
6880 Small Tools	0	0	0	0
7062 Enforcement Agency Fees	0	0	0	0
7301 County Car Expense	0	0	0	0
7302 Travel Expense	0	0	0	0
7400 Data Processing	0	0	0	0
<b>SUBTOTAL</b>	<b>0</b>	<b>112,150</b>	<b>183,797</b>	<b>291,846</b>
8624 OT - Within Enterprise	0	0	0	0
8700 Reimbursements	0	0	0	0
<b>SUBTOTAL</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>TOTAL EXPENDITURES</b>	<b>0</b>	<b>112,150</b>	<b>183,797</b>	<b>291,846</b>
<b>NET COST</b>	<b>(1,784,929)</b>	<b>(5,176)</b>	<b>(871,432)</b>	<b>(1,231,600)</b>
Beginning Fund Balance	948,557	2,733,486	2,320,006	3,191,438
Less: Net Cost for Current Year	1,784,929	5,176	871,432	1,231,600
Audit/Encumbrance Adjustments	0	(418,656)	0	0
Ending Fund Balance	2,733,486	2,320,006	3,191,438	4,423,038

**Sonoma County Waste Management Agency  
Fund Balance Comparison Summary**

HHW Facility Closure Fund SUBJECT TITLE	Actual FY 06-07	Actual FY 07-08	Estimated FY 08-09	Requested FY 09-10
<b>Revenues</b>				
1700 Interest on Pooled Cash	1,914	2,136	1,492	593
2500 State - Other	0	0	0	0
2901 County	0	0	0	0
4020 Sale of Materials	0	0	0	0
4102 Donations and Reimbursements	0	0	0	0
<b>SUBTOTAL</b>	<b>1,914</b>	<b>2,136</b>	<b>1,492</b>	<b>593</b>
<b>4624 OT-Within Enterprise</b>	<b>6,667</b>	<b>0</b>	<b>6,667</b>	<b>6,667</b>
<b>SUBTOTAL</b>	<b>6,667</b>	<b>0</b>	<b>6,667</b>	<b>6,667</b>
<b>TOTAL REVENUES</b>	<b>8,581</b>	<b>2,136</b>	<b>8,159</b>	<b>7,260</b>
<b>Expenditures</b>				
6103 Liability Insurance	0	0	0	0
6400 Office Expense	0	0	0	0
6500 Professional/Spec Svcs	0	0	0	0
6521 County Services	0	0	0	0
6540 Contract Services	0	0	0	0
6573 Administrative Costs	0	0	0	0
6590 Engineering Services	0	0	0	0
6610 Legal Expenses	0	0	0	0
6629 Accounting Services	0	0	0	0
6630 Audit Services	0	0	0	0
6820 Rents/Lease Equipment	0	0	0	0
6840 Rents/Leases-Bldgs/Impv	0	0	0	0
6880 Small Tools	0	0	0	0
7062 Enforcement Agency Fees	0	0	0	0
7301 County Car Expense	0	0	0	0
7302 Travel Expense	0	0	0	0
7400 Data Processing	0	0	0	0
<b>SUBTOTAL</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>8624 OT - Within Enterprise</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>8700 Reimbursements</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>SUBTOTAL</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>TOTAL EXPENDITURES</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>NET COST</b>	<b>(8,581)</b>	<b>(2,136)</b>	<b>(8,159)</b>	<b>(7,260)</b>
Beginning Fund Balance	40,411	48,992	51,128	59,287
Less: Net Cost for Current Year	8,581	2,136	8,159	7,260
Audit/Encumbrance Adjustments	0	0	0	0
Ending Fund Balance	48,992	51,128	59,287	66,547

**Sonoma County Waste Management Agency  
Fund Balance Comparison Summary**

HHW Facility Reserve SUBJECT TITLE	Actual FY 06-07	Actual FY 07-08	Estimated FY 08-09	Requested FY 09-10
<b>Revenues</b>				
1700 Interest on Pooled Cash	0	3,182	28,451	10,419
2500 State - Other	0	0	150,000	199,755
2901 County	0	0	0	0
4020 Sale of Materials	0	0	0	0
4102 Donations and Reimbursements	0	0	0	0
<b>SUBTOTAL</b>	<b>0</b>	<b>3,182</b>	<b>178,451</b>	<b>210,174</b>
<b>4624 OT-Within Enterprise</b>	<b>81,000</b>	<b>0</b>	<b>1,281,756</b>	<b>665,577</b>
<b>SUBTOTAL</b>	<b>81,000</b>	<b>0</b>	<b>1,281,756</b>	<b>665,577</b>
<b>TOTAL REVENUES</b>	<b>81,000</b>	<b>3,182</b>	<b>1,460,207</b>	<b>875,751</b>
<b>Expenditures</b>				
6103 Liability Insurance	0	0	0	0
6400 Office Expense	0	0	0	0
6500 Professional/Spec Svcs	0	0	150,000	0
6521 County Services	0	0	0	0
6540 Contract Services	0	33,218	281,414	240,000
6573 Administrative Costs	0	9,974	20,112	47,675
6590 Engineering Services	0	0	0	759
6610 Legal Expenses	0	0	1,000	5,000
6629 Accounting Services	0	0	0	0
6630 Audit Services	0	0	0	0
6820 Rents/Lease Equipment	0	0	0	0
6840 Rents/Leases-Bldgs/Impv	0	0	0	0
6880 Small Tools	0	0	0	0
7062 Enforcement Agency Fees	0	0	0	0
7301 County Car Expense	0	0	0	0
7302 Travel Expense	0	0	0	0
7400 Data Processing	0	0	0	0
<b>SUBTOTAL</b>	<b>0</b>	<b>43,192</b>	<b>452,526</b>	<b>293,434</b>
<b>8624 OT - Within Enterprise</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>8700 Reimbursements</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>SUBTOTAL</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>TOTAL EXPENDITURES</b>	<b>0</b>	<b>43,192</b>	<b>452,526</b>	<b>293,434</b>
<b>NET COST</b>	<b>(81,000)</b>	<b>40,010</b>	<b>(1,007,681)</b>	<b>(582,317)</b>
<b>Beginning Fund Balance</b>	<b>0</b>	<b>81,000</b>	<b>13,236</b>	<b>1,020,917</b>
<b>Less: Net Cost for Current Year</b>	<b>81,000</b>	<b>(40,010)</b>	<b>1,007,681</b>	<b>582,317</b>
<b>Audit/Encumbrance Adjustments</b>	<b>0</b>	<b>(27,754)</b>	<b>0</b>	<b>0</b>
<b>Ending Fund Balance</b>	<b>81,000</b>	<b>13,236</b>	<b>1,020,917</b>	<b>1,603,234</b>

**Sonoma County Waste Management Agency  
Fund Balance Comparison Summary**

Contingency Reserve SUBJECT TITLE	Actual FY 06-07	Actual FY 07-08	Estimated FY 08-09	Requested FY 09-10
<b>Revenues</b>				
1700 Interest on Pooled Cash	2,407	13,062	8,444	1,500
2500 State - Other	0	0	0	0
2901 County	0	0	0	0
4020 Sale of Materials	0	0	0	0
4102 Donations and Reimbursements	0	0	0	0
<b>SUBTOTAL</b>	<b>2,407</b>	<b>13,062</b>	<b>8,444</b>	<b>1,500</b>
<b>4624 OT-Within Enterprise</b>	<b>250,000</b>	<b>0</b>	<b>145,513</b>	<b>80,084</b>
<b>SUBTOTAL</b>	<b>250,000</b>	<b>0</b>	<b>145,513</b>	<b>80,084</b>
<b>TOTAL REVENUES</b>	<b>252,407</b>	<b>13,062</b>	<b>153,957</b>	<b>81,584</b>
<b>Expenditures</b>				
6103 Liability Insurance	0	0	0	0
6400 Office Expense	0	0	0	0
6500 Professional/Spec Svcs	0	0	0	0
6521 County Services	0	0	0	0
6540 Contract Services	0	24,934	153,994	0
6573 Administrative Costs	0	0	5,000	57,308
6590 Engineering Services	0	1,972	0	0
6610 Legal Expenses	0	20	293	10,000
6629 Accounting Services	0	0	0	0
6630 Audit Services	0	0	0	0
6820 Rents/Lease Equipment	0	0	0	0
6840 Rents/Leases-Bldgs/Impv	0	0	0	0
6880 Small Tools	0	0	0	0
7062 Enforcement Agency Fees	0	0	0	0
7301 County Car Expense	0	0	0	0
7302 Travel Expense	0	0	0	0
7400 Data Processing	0	0	0	0
<b>SUBTOTAL</b>	<b>0</b>	<b>26,926</b>	<b>159,287</b>	<b>67,308</b>
<b>8624 OT - Within Enterprise</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>8700 Reimbursements</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>SUBTOTAL</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>TOTAL EXPENDITURES</b>	<b>0</b>	<b>26,926</b>	<b>159,287</b>	<b>67,308</b>
<b>NET COST</b>	<b>(252,407)</b>	<b>13,864</b>	<b>5,330</b>	<b>(14,276)</b>
<b>Beginning Fund Balance</b>	<b>50,820</b>	<b>303,227</b>	<b>155,369</b>	<b>150,039</b>
<b>Less: Net Cost for Current Year</b>	<b>252,407</b>	<b>(13,864)</b>	<b>(5,330)</b>	<b>14,276</b>
<b>Audit/Encumbrance Adjustments</b>	<b>0</b>	<b>(133,994)</b>	<b>0</b>	<b>0</b>
<b>Ending Fund Balance</b>	<b>303,227</b>	<b>155,369</b>	<b>150,039</b>	<b>164,315</b>

**SONOMA COUNTY WASTE MANAGEMENT AGENCY  
2009-10 BUDGET HISTORY**

**TOTAL ALL DIVISIONS**

**EXPENDITURES**

	Actual FY 07-08	Adopted Budget FY 07-08	Estimated FY 08-09	Adopted Budget FY 08-09	Requested FY 09-10	Difference from prev. budget yr.	% Change
<b>SERVICES AND SUPPLIES</b>							
6103 Liability Insurance	9,843	10,500	9,163	10,500	10,175	(325)	-3%
6400 Office Expense	61,621	36,845	39,905	40,000	36,500	(3,500)	-9%
6500 Professional Services	294,759	670,280	557,205	556,580	204,067	(352,513)	-63%
6521 County Services	3,580	5,249	6,475	6,475	6,896	421	7%
6540 Contract Services	4,256,385	5,797,823	4,274,877	5,577,800	4,599,903	(977,897)	-18%
6573 Administration Costs	523,299	523,900	588,136	588,136	722,706	134,570	23%
6590 Engineering Services	2,204	140,000	2,000	15,000	17,413	2,413	16%
6610 Legal Services	47,293	59,000	78,842	81,000	102,000	21,000	26%
6629 Accounting Services	5,457	4,849	5,190	5,849	10,389	4,540	78%
6630 Audit Services	18,500	18,500	19,500	19,500	18,500	(1,000)	-5%
6820 Rents/Leases - Equip	4,680	5,200	5,200	5,200	5,500	300	6%
6840 Rental Bldg/Improv	25,680	26,400	24,340	26,000	25,500	(500)	-2%
6880 Small Tools	11,407	12,500	30,877	30,877	14,448	(16,429)	-53%
7062 Enforcement Agency Fees	16,542	23,000	13,000	20,000	20,000	0	0%
7301 County Car Expense	2,826	3,000	3,000	3,000	3,000	0	0%
7302 Travel Expense	4,532	3,424	237	9,500	1,000	(8,500)	-89%
7309 Unclaimable County	641	0	364	0	0	0	0%
7400 Data Processing	8	100	30,000	30,050	50	(30,000)	-100%
<b>SUBTOTAL</b>	<b>5,289,257</b>	<b>7,340,570</b>	<b>5,688,311</b>	<b>7,025,467</b>	<b>5,798,047</b>	<b>(1,227,420)</b>	<b>-17%</b>
<b>OTHER CHARGES</b>							
8624 OT-Within Enterprise	0	3,102,448	2,430,255	3,159,381	#REF!	#REF!	#REF!
8700 Reimbursements	0	0	0	0	(79,011)	(79,011)	100%
<b>SUBTOTAL</b>	<b>0</b>	<b>3,102,448</b>	<b>2,430,255</b>	<b>3,159,381</b>	<b>#REF!</b>	<b>#REF!</b>	<b>#REF!</b>
<b>TOTAL EXPENDITURES</b>	<b>5,289,257</b>	<b>10,443,018</b>	<b>8,118,566</b>	<b>10,184,848</b>	<b>#REF!</b>	<b>#REF!</b>	<b>#REF!</b>

**REVENUES**

<b>REVENUES</b>							
1700 Interest on Pooled Cash	279,472	283,187	184,268	157,884	66,727	(91,157)	-58%
2500 State Other	279,805	624,680	463,442	561,742	506,760	(54,982)	-10%
2901 Tipping Fee Revenue	5,113,384	5,084,904	4,842,870	4,963,240	4,753,252	(209,988)	-4%
3980 PY Revenues	(377)	0	12,865	0	0	0	0%
4020 Sale of Materials	177,713	103,600	167,623	111,565	95,000	(16,565)	-15%
4102 Donations/Reimburse	462,125	539,399	136,902	451,424	419,023	(32,401)	-7%
4624 OT-Within Enterprise	0	3,099,448	2,409,253	3,166,967	2,243,860	(923,107)	-29%
<b>TOTAL REVENUES</b>	<b>6,312,122</b>	<b>9,735,218</b>	<b>8,217,223</b>	<b>9,412,822</b>	<b>8,084,622</b>	<b>(1,328,200)</b>	<b>-14%</b>
<b>TOTAL NET COST</b>	<b>(1,022,865)</b>	<b>707,800</b>	<b>(98,657)</b>	<b>772,026</b>	<b>#REF!</b>	<b>#REF!</b>	<b>#REF!</b>

**SONOMA COUNTY WASTE MANAGEMENT AGENCY  
2008-09 BUDGET HISTORY**

**WOOD WASTE - 799114**

**EXPENDITURES**

	Actual FY 07-08	Adopted Budget FY 07-08	Estimated FY 08-09	Adopted Budget FY 08-09	Requested FY 09-10	Difference from prev. budget yr.	% Change
<b><u>SERVICES AND SUPPLIES</u></b>							
6103 Liability Insurance	955	1,000	889	1,000	950	(50)	-5%
6400 Office Expense	27	500	100	500	0	(500)	-100%
6521 County Services	176	525	525	525	500	(25)	-5%
6540 Contract Services	208,914	289,143	185,062	255,580	205,880	(49,700)	-19%
6573 Administration Costs	38,566	30,000	50,445	50,445	6,710	(43,735)	-87%
6610 Legal Services	78	2,000	0	1,000	0	(1,000)	-100%
6629 Accounting Services	505	504	504	504	998	494	98%
6630 Audit Services	2,000	2,000	2,000	2,000	1,900	(100)	-5%
6880 Small Tools	1,666	1,500	4,411	4,411	2,408	(2,003)	-45%
<b>SUBTOTAL</b>	<b>252,887</b>	<b>327,172</b>	<b>243,936</b>	<b>315,965</b>	<b>219,346</b>	<b>(96,619)</b>	<b>-31%</b>
8624 OT - Within Enterprise	0	188,266	197,140	197,140	23,969	(173,171)	-88%
OT - Within Enterprise (PY)	0	0	0	0	57,550	57,550	100%
8700 Reimbursements	0	0	0	0	0	0	0%
<b>SUBTOTAL</b>	<b>0</b>	<b>188,266</b>	<b>197,140</b>	<b>197,140</b>	<b>81,519</b>	<b>(115,621)</b>	<b>-59%</b>
<b>TOTAL EXPENDITURES</b>	<b>252,887</b>	<b>515,438</b>	<b>441,076</b>	<b>513,105</b>	<b>300,865</b>	<b>(212,240)</b>	<b>-41%</b>

**REVENUES**

1700 Interest in Pooled Cash	7,187	0	3,809	695	795	100	14%
2901 Tipping Fee Revenue	251,190	329,904	223,531	284,400	227,520	(56,880)	-20%
4020 Other Sales	70,858	18,600	44,941	26,565	10,000	(16,565)	-62%
4102 Donations/Reimburse	5,000	5,000	5,000	5,000	5,000	0	0%
<b>TOTAL REVENUES</b>	<b>334,235</b>	<b>353,504</b>	<b>277,281</b>	<b>316,660</b>	<b>243,315</b>	<b>(73,345)</b>	<b>-23%</b>
<b>NET COST</b>	<b>(81,348)</b>	<b>161,934</b>	<b>163,795</b>	<b>196,445</b>	<b>57,550</b>	<b>(138,895)</b>	<b>-71%</b>

**SONOMA COUNTY WASTE MANAGEMENT AGENCY  
2009-10 BUDGET HISTORY**

**YARD DEBRIS - 799213**

**EXPENDITURES**

	Actual FY 07-08	Adopted Budget FY 07-08	Estimated FY 08-09	Adopted Budget FY 08-09	Requested FY 09-10	Difference from prev. budget yr.	% Change
<b>SERVICES AND SUPPLIES</b>							
6103 Liability Insurance	1,870	2,000	1,741	2,000	1,900	(100)	-5%
6400 Office Expense	26,581	500	3,405	500	0	(500)	-100%
6500 Professional Services	1,900	0	625	0	0	0	0%
6521 County Services	342	525	525	525	525	0	0%
6540 Contract Services	2,579,179	2,461,510	2,626,152	2,614,768	2,634,788	20,020	1%
6573 Administration Costs	74,471	70,100	83,523	83,523	100,231	16,708	20%
6590 Engineering Services	0	20,000	2,000	15,000	0	(15,000)	-100%
6610 Legal Services	3,030	6,000	5,282	8,000	8,000	0	0%
6629 Accounting Services	2,528	2,325	1,666	2,325	4,797	2,472	106%
6630 Audit Services	2,500	2,500	2,500	2,500	3,350	850	34%
6820 Rents/Leases - Equip	4,680	5,200	5,200	5,200	5,500	300	6%
6880 Small Tools	1,666	3,000	8,822	8,822	4,816	(4,006)	-45%
7062 Enforcement Agency	16,542	23,000	13,000	20,000	20,000	0	0%
7301 County Car Expense	2,826	3,000	3,000	3,000	3,000	0	0%
7302 Travel	356	500	0	1,000	0	(1,000)	-100%
7309 Unclaimable County	641	0	364	0	0	0	0%
<b>SUBTOTAL</b>	<b>2,719,112</b>	<b>2,600,160</b>	<b>2,757,805</b>	<b>2,767,163</b>	<b>2,786,907</b>	<b>19,744</b>	<b>1%</b>
8624 OT - Within Enterprise	0	1,226,175	778,177	1,499,717	404,725	(1,094,992)	-73%
OT - Within Enterprise (PY)	0	0	0	0	1,005,288	1,005,288	100%
8700 Reimbursements	0	0	0	0	(21,060)	(21,060)	100%
<b>SUBTOTAL</b>	<b>0</b>	<b>1,226,175</b>	<b>778,177</b>	<b>1,499,717</b>	<b>1,388,953</b>	<b>(110,764)</b>	<b>-7%</b>
<b>TOTAL EXPENDITURES</b>	<b>2,719,112</b>	<b>3,826,335</b>	<b>3,535,982</b>	<b>4,266,880</b>	<b>4,175,860</b>	<b>(91,020)</b>	<b>-2%</b>

**REVENUES**

<b>REVENUES</b>							
1700 Interest On Pooled Cash	43,150	0	29,741	6,088	12,840	6,752	111%
2901 Tipping Fee Revenue	3,225,879	2,865,000	3,119,129	3,004,840	3,067,732	62,892	2%
4020 Sale of Materials	106,855	85,000	122,682	85,000	85,000	0	0%
4102 Donations/Reimbursement	10,164	5,000	10,145	5,000	5,000	0	0%
<b>TOTAL REVENUES</b>	<b>3,386,048</b>	<b>2,955,000</b>	<b>3,281,697</b>	<b>3,100,928</b>	<b>3,170,572</b>	<b>69,644</b>	<b>2%</b>
<b>NET COST</b>	<b>(666,936)</b>	<b>871,335</b>	<b>254,285</b>	<b>1,165,952</b>	<b>1,005,288</b>	<b>(160,664)</b>	<b>-14%</b>

**SONOMA COUNTY WASTE MANAGEMENT AGENCY  
2009-10 BUDGET HISTORY**

**HOUSEHOLD HAZARDOUS WASTE - 799312**

**EXPENDITURES**

	Actual FY 07-08	Adopted Budget FY 07-08	Estimated FY 08-09	Adopted Budget FY 08-09	Requested FY 09-10	Difference from prev. budget yr.	% Change
<b>SERVICES AND SUPPLIES</b>							
6103 Liability Insurance	3,740	4,000	3,481	4,000	4,000	0	0%
6400 Office Expense	14,442	7,180	6,000	6,000	6,000	0	0%
6500 Professional Services	114,089	230,825	256,010	256,010	79,520	(176,490)	-69%
6521 County Services	1,194	1,575	1,575	1,575	2,000	425	27%
6540 Contract Services	1,143,757	1,845,000	737,229	1,498,000	1,221,135	(276,865)	-18%
6573 Administration Costs	156,794	144,200	139,794	139,794	168,314	28,520	20%
6610 Legal Services	8,158	8,000	19,440	9,000	15,000	6,000	67%
6629 Accounting Services	1,012	1,010	1,010	1,010	1,900	890	88%
6630 Audit Services	7,000	7,000	8,000	8,000	8,400	400	5%
6840 Rental Bldg/Improvement	23,400	23,400	23,000	23,000	23,000	0	0%
6880 Small Tools	1,666	3,000	4,411	4,411	2,408	(2,003)	-45%
7302 Travel Expense	4,017	2,000	111	2,000	1,000	(1,000)	-50%
7400 Data Processing	8	100	0	50	50	0	0%
<b>SUBTOTAL</b>	<b>1,479,277</b>	<b>2,277,290</b>	<b>1,200,061</b>	<b>1,952,850</b>	<b>1,532,727</b>	<b>(420,123)</b>	<b>-22%</b>
<b>OTHER CHARGES</b>							
8624 OT - Within Enterprise	0	1,414,824	1,309,425	1,309,425	65,229	(1,244,196)	-95%
OT - Within Enterprise (PY)	0	0	0	0	607,015	607,015	100%
8700 Reimbursements	0	0	0	0	(14,656)	(14,656)	100%
<b>SUBTOTAL</b>	<b>0</b>	<b>1,414,824</b>	<b>1,309,425</b>	<b>1,309,425</b>	<b>657,588</b>	<b>(651,837)</b>	<b>(0)</b>
<b>TOTAL EXPENDITURES</b>	<b>1,479,277</b>	<b>3,692,114</b>	<b>2,509,486</b>	<b>3,262,275</b>	<b>2,190,315</b>	<b>(1,071,960)</b>	<b>-33%</b>

<b>REVENUES</b>							
1700 Interest on Pooled Cash	67,672	21,000	25,555	13,003	7,615	(5,388)	-41%
2500 St-Other	98,300	230,825	157,710	256,010	163,873	(92,137)	-36%
2901 Tipping Fee Revenue	1,277,144	1,475,145	1,159,579	1,222,020	1,057,050	(164,970)	-13%
3980 PY Revenue	(377)	0	12,865	0	0	0	0%
4102 Donations/Reimburse	403,769	491,450	74,319	393,986	354,861	(39,125)	-10%
<b>TOTAL REVENUES</b>	<b>1,846,508</b>	<b>2,218,420</b>	<b>1,430,028</b>	<b>1,885,019</b>	<b>1,583,399</b>	<b>(301,620)</b>	<b>-16%</b>
<b>NET COST</b>	<b>(367,231)</b>	<b>1,473,694</b>	<b>1,079,458</b>	<b>1,377,256</b>	<b>606,916</b>	<b>(770,340)</b>	<b>-56%</b>

**SONOMA COUNTY WASTE MANAGEMENT AGENCY  
2009-10 BUDGET HISTORY**

**EDUCATION - 799411**

**EXPENDITURES**

	Actual FY 07-08	Adopted Budget FY 07-08	Estimated FY 08-09	Adopted Budget FY 08-09	Requested FY 09-10	Difference from prev. budget yr.	% Change
<u><b>SERVICES AND SUPPLIES</b></u>							
6103 Liability Insurance	1,378	1,500	1,283	1,500	1,425	(75)	-5%
6400 Office Expense	16,019	26,227	30,000	30,000	30,000	0	0%
6500 Professional Services	9,850	24,960	18,438	18,438	11,000	(7,438)	-40%
6521 County Services	1,349	1,575	2,500	2,500	2,374	(126)	-5%
6540 Contract Services	108,988	177,070	155,388	155,388	98,100	(57,288)	-37%
6573 Administration Costs	136,451	174,880	178,054	178,054	213,203	35,149	20%
6610 Legal Services	19,227	10,000	33,219	20,000	25,000	5,000	25%
6629 Accounting Services	1,012	1,010	1,010	1,010	1,900	890	88%
6630 Audit Services	4,000	4,000	4,000	4,000	2,000	(2,000)	-50%
6840 Rental Bldg/Improvement	2,280	3,000	1,340	3,000	2,500	(500)	-17%
6880 Small Tools	3,077	2,000	4,411	4,411	2,408	(2,003)	-45%
7302 Travel Expense	159	500	126	2,000	0	(2,000)	-100%
7400 Data Processing	0	0	30,000	30,000	0	(30,000)	100%
<b>SUBTOTAL</b>	<b>303,790</b>	<b>426,722</b>	<b>459,769</b>	<b>450,301</b>	<b>389,910</b>	<b>(60,391)</b>	<b>-13%</b>
<u><b>OTHER CHARGES</b></u>							
8624 OT - Within Enterprise	0	172,681	134,575	134,575	0	(134,575)	-100%
OT - Within Enterprise (PY)	0	0	0	0	0	0	0%
8700 Reimbursements	0	0	0	0	(43,295)	(43,295)	100%
<b>SUBTOTAL</b>	<b>0</b>	<b>172,681</b>	<b>134,575</b>	<b>134,575</b>	<b>(43,295)</b>	<b>(177,870)</b>	<b>-132%</b>
<b>TOTAL EXPENDITURES</b>	<b>303,790</b>	<b>599,403</b>	<b>594,344</b>	<b>584,876</b>	<b>346,615</b>	<b>(238,261)</b>	<b>-41%</b>

**REVENUES**

<u><b>REVENUES</b></u>							
1700 Interest On Pooled Cash	12,427	0	3,678	914	79	(835)	-91%
2500 State Other	16,840	24,960	23,600	23,600	11,000	(12,600)	-53%
2901 Tipping Fee Revenue	280,628	324,135	272,323	359,910	320,760	(39,150)	-11%
4102 Donations/Reimburse.	29,854	21,084	38,967	38,967	46,276	7,309	19%
<b>SUBTOTAL</b>	<b>339,749</b>	<b>370,179</b>	<b>338,568</b>	<b>423,391</b>	<b>378,115</b>	<b>(45,276)</b>	<b>-11%</b>
<b>NET COST</b>	<b>(35,959)</b>	<b>229,224</b>	<b>255,776</b>	<b>161,485</b>	<b>(31,500)</b>	<b>(192,985)</b>	<b>-120%</b>

**SONOMA COUNTY WASTE MANAGEMENT AGENCY  
2009-10 BUDGET HISTORY**

**DIVERSION - 799510**

**EXPENDITURES**

	Actual FY 07-08	Adopted Budget FY 07-08	Estimated FY 08-09	Adopted Budget FY 08-09	Requested FY 09-10	Difference from prev. budget yr.	% Change
<b>SERVICES AND SUPPLIES</b>							
6103 Liability Insurance	955	1,000	889	1,000	950	(50)	-5%
6400 Office Expense	4,326	1,804	400	1,000	500	(500)	-50%
6500 Professional Services	168,920	214,495	132,132	132,132	113,547	(18,585)	-14%
6521 County Services	467	525	600	600	700	100	17%
6540 Contract Services	0	0	0	0	0	0	0%
6573 Administration Costs	55,504	51,560	35,204	35,204	37,232	2,028	6%
6610 Legal Services	7,469	1,000	5,608	1,000	7,000	6,000	600%
6629 Accounting Services	200	0	1,000	1,000	397	(603)	-60%
6630 Audit Services	1,000	1,000	1,000	1,000	950	(50)	-5%
6880 Small Tools	1,666	1,500	4,411	4,411	0	(4,411)	-100%
7302 Travel	0	424	0	0	0	0	0%
<b>SUBTOTAL</b>	<b>240,507</b>	<b>273,308</b>	<b>181,244</b>	<b>177,347</b>	<b>161,276</b>	<b>(16,071)</b>	<b>-9%</b>
<b>OTHER CHARGES</b>							
8624 OT- Within Enterprise	0	0	0	3,398	3,430	32	1%
OT- Within Enterprise(PY)	0	0	0	0	22,800	22,800	100%
8700 Reimbursements	0	0	0	0	0	0	0%
<b>SUBTOTAL</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>3,398</b>	<b>26,230</b>	<b>22,832</b>	<b>672%</b>
<b>TOTAL EXPENDITURES</b>	<b>240,507</b>	<b>273,308</b>	<b>181,244</b>	<b>180,745</b>	<b>187,506</b>	<b>6,761</b>	<b>4%</b>

**REVENUES**

<b>REVENUES</b>							
1700 Interest On Pooled Cash	8,883	7,250	2,234	429	389	(40)	-9%
2500 State Other	157,637	168,895	132,132	132,132	132,132	0	0%
2901 Tipping Fee Revenue	40,090	46,305	37,068	41,850	29,160	(12,690)	-30%
4102 Donations/Reimburse	6,310	2,810	3,388	3,388	3,154	(234)	-7%
4624 OT-Within Enterprise	0	20,609	0	0	0	0	0%
<b>TOTAL REVENUES</b>	<b>212,920</b>	<b>245,869</b>	<b>174,822</b>	<b>177,799</b>	<b>164,835</b>	<b>(12,964)</b>	<b>-7%</b>
<b>NET COST</b>	<b>27,587</b>	<b>27,439</b>	<b>6,422</b>	<b>2,946</b>	<b>22,671</b>	<b>19,725</b>	<b>670%</b>

**SONOMA COUNTY WASTE MANAGEMENT AGENCY  
2009-10 BUDGET HISTORY**

**PLANNING - 799619**

**EXPENDITURES**

	Actual FY 07-08	Adopted Budget FY 07-08	Estimated FY 08-09	Adopted Budget FY 08-09	Requested FY 09-10	Difference from prev. budget yr.	% Change
<b><u>SERVICES AND SUPPLIES</u></b>							
6103 Liability Insurance	945	1,000	880	1,000	950	(50)	-5%
6400 Office Expense	226	634	0	2,000	0	(2,000)	-100%
6521 County Services	52	524	750	750	797	47	6%
6540 Contract Services	55,105	54,100	0	0	0	0	0%
6573 Administration Costs	51,222	53,160	41,004	41,004	39,877	(1,127)	-3%
6590 Engineering Services	0	0	0	0	7,964	7,964	100%
6610 Legal Services	0	2,000	841	2,000	2,000	0	0%
6629 Accounting Services	200	0	0	0	397	397	0%
6630 Audit Services	2,000	2,000	2,000	2,000	900	(1,100)	-55%
6880 Small Tools	1,666	1,500	4,411	4,411	2,408	(2,003)	-45%
7302 Travel Expense	0	0	0	2,000	0	(2,000)	100%
<b>SUBTOTAL</b>	<b>111,416</b>	<b>114,918</b>	<b>49,886</b>	<b>55,165</b>	<b>55,293</b>	<b>128</b>	<b>0%</b>
8624 OT- Within Enterprise	0	79,893	10,938	15,126	1,052	(14,074)	-93%
OT- Within Enterprise(PY)	0	0	0	0	52,802	52,802	0%
8700 Reimbursements	0	0	0	0	0	0	0%
<b>SUBTOTAL</b>	<b>0</b>	<b>79,893</b>	<b>10,938</b>	<b>15,126</b>	<b>53,854</b>	<b>38,728</b>	<b>256%</b>
<b>TOTAL EXPENDITURES</b>	<b>111,416</b>	<b>194,811</b>	<b>60,824</b>	<b>70,291</b>	<b>109,147</b>	<b>38,856</b>	<b>55%</b>

**REVENUES**

1700 Interest on Pooled Cash	4,447	0	952	121	583	462	0%
2500 State-Other	7,028	0	0	0	0	0	0%
2901 Tipping Fee Revenue	38,453	44,415	31,240	50,220	51,030	810	2%
4102 Donations/Reimburse	7,028	14,055	5,083	5,083	4,732	(351)	-7%
<b>TOTAL REVENUES</b>	<b>56,956</b>	<b>58,470</b>	<b>37,275</b>	<b>55,424</b>	<b>56,345</b>	<b>921</b>	<b>2%</b>
<b>NET COST</b>	<b>54,460</b>	<b>136,341</b>	<b>23,549</b>	<b>14,867</b>	<b>52,802</b>	<b>37,935</b>	<b>255%</b>

SONOMA COUNTY WASTE MANAGEMENT AGENCY  
2009-10 BUDGET HISTORY

ORGANICS RESERVE - 799221

EXPENDITURES

	Actual FY 07-08	Adopted Budget FY 07-08	Estimated FY 08-09	Adopted Budget FY 08-09	Requested FY 09-10	Difference from prev. budget yr.	% Change
<u>SUPPLIES AND SERVICES</u>							
6540 Contract Services	102,290	521,000	135,638	618,656	200,000	(418,656)	-68%
6573 Administration Costs	317	0	35,000	35,000	52,156	17,156	49%
6590 Engineering Services	232	20,000	0	0	8,690	8,690	100%
6610 Legal Services	9,311	30,000	13,159	30,000	30,000	0	0%
6630 Audit Services	0	0	0	0	1,000	1,000	0%
7302 Travel Expense	0	0	0	2,500	0	(2,500)	-100%
<b>TOTAL EXPENDITURES</b>	<b>112,150</b>	<b>571,000</b>	<b>183,797</b>	<b>686,156</b>	<b>291,846</b>	<b>(392,810)</b>	<b>-57%</b>

REVENUES

1700 Interest on Pooled Cash	117,326	164,105	79,912	94,135	31,914	(62,221)	-66%
4624 OT - Within Enterprise	0	1,414,441	975,317	1,696,857	1,491,532	(205,325)	-12%
OT - Within Enterprise(PY)	0	0	0	0	0	0	0%
<b>TOTAL REVENUES</b>	<b>117,326</b>	<b>1,578,546</b>	<b>1,055,229</b>	<b>1,790,992</b>	<b>1,523,446</b>	<b>(267,546)</b>	<b>-15%</b>
<b>NET COST</b>	<b>(5,176)</b>	<b>(1,007,546)</b>	<b>(871,432)</b>	<b>(1,104,836)</b>	<b>(1,231,600)</b>	<b>(125,264)</b>	<b>11%</b>

SONOMA COUNTY WASTE MANAGEMENT AGENCY  
2009-10 BUDGET HISTORY

HHW CLOSURE RESERVE - 799320

EXPENDITURES

		Actual FY 07-08	Adopted Budget FY 07-08	Estimated FY 08-09	Adopted Budget FY 08-09	Requested FY 09-10	Difference from prev. budget yr.	% Change
8624	OT-Within Enterprise	0	0	0	0	#REF!	0	0%
TOTAL EXPENDITURES		0	0	0	0	0	0	0%

REVENUES

1700	Interest on Pooled Cash	2,136	2,407	1,492	1,272	593	(679)	-53%
4624	OT-Within Enterprise	0	4,260	6,667	6,667	6,667	0	0%
TOTAL REVENUES		2,136	6,667	8,159	7,939	7,260	(679)	-9%
NET COST		(2,136)	(6,667)	(8,159)	(7,939)	(7,260)	679	-9%

**SONOMA COUNTY WASTE MANAGEMENT AGENCY  
2009-10 BUDGET HISTORY**

<b>HHW FACILITY RESERVE - 799338</b>
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**EXPENDITURES**

	Actual FY 07-08	Adopted Budget FY 07-08	Estimated FY 08-09	Adopted Budget FY 08-09	Requested FY 09-10	Difference from prev. budget yr.	% Change
6500 Professional Services	0	200,000	150,000	150,000	0	(150,000)	-100%
6540 Contract Services	33,218	300,000	281,414	281,414	240,000	(41,414)	-15%
6573 Administration Costs	9,974	0	20,112	20,112	47,675	27,563	137%
6590 Engineering Services	0	50,000	0	0	759	759	100%
6610 Legal Services	0	0	1,000	10,000	5,000	(5,000)	-50%
<b>TOTAL EXPENDITURES</b>	<b>43,192</b>	<b>550,000</b>	<b>452,526</b>	<b>461,526</b>	<b>293,434</b>	<b>(168,092)</b>	<b>-36%</b>

**REVENUES**

1700 Interest on Pooled Cash	3,182	58,050	28,451	28,451	10,419	(18,032)	-63%
2500 State-Other	0	200,000	150,000	150,000	199,755	49,755	33%
4624 OT-Within Enterprise	0	1,410,564	1,281,756	1,302,758	665,577	(637,181)	-49%
OT-Within Enterprise(PY)	0	0	0	0	0	0	0%
<b>TOTAL REVENUES</b>	<b>3,182</b>	<b>1,668,614</b>	<b>1,460,207</b>	<b>1,481,209</b>	<b>875,751</b>	<b>(605,458)</b>	<b>-41%</b>
<b>NET COST</b>	<b>40,010</b>	<b>(1,118,614)</b>	<b>(1,007,681)</b>	<b>(1,019,683)</b>	<b>(582,317)</b>	<b>437,366</b>	<b>-43%</b>

**SONOMA COUNTY WASTE MANAGEMENT AGENCY  
2009-10 BUDGET HISTORY**

**CONTINGENCY - 799718**

**EXPENDITURES**

		Actual FY 07-08	Adopted Budget FY 07-08	Estimated FY 08-09	Adopted Budget FY 08-09	Requested FY 09-10	Difference from prev. budget yr.	% Change
<b>SERVICES AND SUPPLIES</b>								
6540	Contract Services	24,934	150,000	153,994	153,994	0	(153,994)	0%
6573	Administration Costs	0	0	5,000	5,000	57,308	52,308	1046%
6590	Engineering Services	1,972	50,000	0	0	0	0	0%
6610	Legal Services	20	0	293	0	10,000	10,000	100%
8624	OT-Within Enterprise	0	20,609	0	0	0	0	0%
<b>TOTAL EXPENDITURES</b>		<b>26,926</b>	<b>220,609</b>	<b>159,287</b>	<b>158,994</b>	<b>67,308</b>	<b>(91,686)</b>	<b>-58%</b>

**REVENUES**

<b>REVENUES</b>								
1700	Interest on Pooled Cash	13,062	30,375	8,444	12,776	1,500	(11,276)	-88%
4624	OT-Within Enterprise	0	249,574	145,513	160,685	80,084	(80,601)	-50%
	OT-Within Enterprise(PY)	0	0	0	0	0	0	0%
<b>TOTAL REVENUES</b>		<b>13,062</b>	<b>279,949</b>	<b>153,957</b>	<b>173,461</b>	<b>81,584</b>	<b>(91,877)</b>	<b>-53%</b>
<b>NET COST</b>		<b>13,864</b>	<b>(59,340)</b>	<b>5,330</b>	<b>(14,467)</b>	<b>(14,276)</b>	<b>191</b>	<b>-1%</b>

RESOLUTION NO. 2009-

DATED: April 15, 2009

RESOLUTION OF THE SONOMA COUNTY WASTE MANAGEMENT AGENCY  
("AGENCY") ADOPTING AN ANNUAL BUDGET FOR FISCAL YEAR 2009-10.

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;

NOW, THEREFORE, BE IT RESOLVED that the Agency's Annual Budget for the period July 1, 2009 to June 30, 2010, attached hereto as FY 2009-10 Summary Budget is hereby adopted.

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

MEMBERS:

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Cloverdale	Cotati	County	Healdsburg	Petaluma
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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



Agenda Item #: 9.2  
Cost Center: Contingency Reserve  
Staff Contact: Mangerich  
Meeting Date: 4/15/2009

## **ITEM: Agreement for Consulting Services for Development of Agency Program Fee**

### **I. BACKGROUND**

In August of 2006, the Local Task Force recommended the Agency develop an Agency administered direct funding mechanism, named Agency Program Fee (Fee), generating revenue equivalent to the current revenue generated by the surcharge on the tipping fee.

In October of 2006, the Board discussed the Agency's legal authority to adopt and implement a Fee. The Board expressed an interest in a fee based on the quantity of solid waste disposed that would be imposed on haulers via an Agency Ordinance. On November 14, 2006, staff held a meeting with all Sonoma County haulers, including the independent debris box business owners. The haulers' concerns were addressed and passed on to the Board, who decided to continue with the tipping fee surcharge for the FY 07-08 fiscal year.

In May and June of 2008 the Board revisited the issue of an alternative funding source, or Fee, for the Agency. The Board considered using population as a criterion for funding basis, but after discussion of Section 40191 of the Public Resources Code, which states the Fee must be based on the "types or amounts of solid waste", the item was continued.

With further exploration, the Board learned that it may include an automatic CPI increase or indexed adjustment to the Fee. The Agency's noticing procedure for the Program Fee ordinance would need to comply with the requirements of Prop. 218, but the cost of noticing can be recouped as a part of the Fee and the schedule may be adopted via resolution instead of being included in the ordinance.

In January 2009 in response to Board direction, staff returned with a Request for Proposal (including a Scope of Work and a draft agreement) for a financial consultant to develop a model of the cost formula that would be used to implement the Fee. The RFP was distributed January 23, 2009 and proposals were received on February 27, 2009.

### **II. DISCUSSION**

On January 26, 2009 staff released the RFP "Development of Program Fee and Companion Financial Model for the Sonoma County Waste Management Agency". Two proposers responded by the deadline of February 4, 2009 (HDR Engineering Inc., and R3 Consulting Group, Inc.). Proposals were evaluated by staff on March 17 and all evaluators ranked R3 Consulting Group, Inc. as the preferred proposer (see attached "PROPOSAL SCORING MATRIX") for criteria and averaged scores. Both respondents were highly qualified and project costs were competitive with only a \$40 difference between them. The Director personally contacted references cited by both proposers and discussed performance, type of work completed, satisfaction level and challenges incurred respectively.

While R3 Consulting Group, Inc. proposal costs were slightly higher (\$69,540), the raters cited their demonstration of good experience in all criteria areas, and additionally showed superior experience with several similar recent projects with similar goals. They also had very good knowledge of Sonoma County integrated waste management operations and issues. While raters unanimously scored R3 Consulting Group Inc., as the preferred consultant for this project, staff met with both R3

Principals on March 30, 2009 to further discuss their project approach and aspects of the project. Staff is confident in R3 Consulting Group's abilities and is bringing back the Agreement for Consulting Services (see attachment) to the Board for approval. The consultant is R3 Consulting Group, Inc. with the term being one year and the amount not to exceed \$70,000.

### III. FUNDING IMPACT

The amount of the agreement is \$69,540. An appropriation transfer has been prepared for approval with the Contingency Reserve as the funding source.

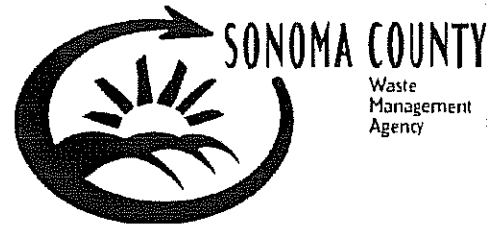
### IV. RECOMMENDED ACTION / ALTERNATIVES TO RECOMMENDATION

Staff recommends approval of the agreement with R3 Consulting Group, Inc. and authorizes the Chair to sign the agreement. As this item exceeds \$50,000 a unanimous vote is required.

### V. ATTACHMENTS

Award letter  
Proposal Scores  
Agreement for Professional Services  
Appropriations Transfer  
Resolution

Approved by:   
Mollie Mangerich, Executive Director, SCWMA



April 3, 2009

Richard Tagore-Erwin, Project Manager  
R3 Consulting Group  
4811 Chippendale Drive, Suite 708  
Sacramento, CA 95841

Dear Mr. Tagore-Erwin:

This letter serves as notification that the Agency will be considering the Agreement for Consulting Services for Development of Agency Program Fee. The negotiated agreement will be presented for approval to the Sonoma County Agency Board of Directors on April 15, 2009. If you wish to attend the meeting, please contact the Agency office so that details may be forwarded to you.

If you have any questions or comments, please feel free to contact the Agency office.

Sincerely,

A solid black rectangular box used to redact the signature of Mollie Mangerich.

Mollie Mangerich, Executive Director  
Sonoma County Waste Management Agency

## PROPOSAL SCORING MATRIX

"SCWMA Program Fee & Financial Model RFP"	Proposal		
Qualifications	Maximum Score	HDR	R3
		Averaged Scores among Raters	
Proposal Completeness and Detail	20	20	20
Qualifications/Experience: Developing financial analysis, financial model development within solid waste management field.	30	23.25	27.75
Project Approach and Schedule	20	18.25	17.5
Project Cost	20	17.5	16.5
Acceptance of Terms and Conditions	10	7	10
Totals	100	86	91.75

**Attachment A.**  
**AGREEMENT FOR CONSULTING SERVICES**

This agreement ("Agreement"), dated as of \_\_\_\_\_, 2009 ("Effective Date") is by and between the Sonoma County Waste Management Agency, (hereinafter "Agency"), and R<sup>3</sup> Consulting Group (hereinafter "Consultant").

**R E C I T A L S**

WHEREAS, Consultant represents that it is duly qualified and experienced as a financial consultant, with technical expertise in solid waste management systems, and development of financial and rate/fee models; and

WHEREAS, in the judgment of the Agency, it is necessary and desirable to employ the services of Consultant to assist in analysis, development and determination of Agency Program Fee for the Sonoma County Waste Management Agency.

NOW, THEREFORE, in consideration of the foregoing recitals and the mutual covenants contained herein, the parties hereto agree as follows:

**A G R E E M E N T**

**1. Scope of Services.**

1.1 Consultant's Specified Services. This Agreement is entered into for the purpose of "Development of Agency Program Fee and Companion Financial Model for the Sonoma County Waste Management Agency". Consultant shall perform services as defined in the RFP, Scope of Services

1.2 Cooperation with Agency. Consultant shall cooperate with Agency and Agency staff in the performance of all work hereunder.

1.3 Performance Standard. Consultant shall perform all work hereunder in a manner consistent with the level of competency and standard of care normally observed by a person practicing in Consultant's profession. If Agency determines that any of Consultant's work is not in accordance with such level of competency and standard of care, Agency, in its sole discretion, shall have the right to do any or all of the following: (a) require Consultant to meet with Agency to review the quality of the work and resolve matters of concern; (b) require Consultant to repeat the work at no additional charge until it is satisfactory; (c) terminate this Agreement pursuant to the provisions of Article 4; or (d) pursue any and all other remedies at law or in equity.

#### 1.4 Assigned Personnel.

- a. Consultant shall assign only competent personnel to perform work hereunder. In the event that at any time Agency, in its sole discretion, desires the removal of any person or persons assigned by Consultant to perform work hereunder, Consultant shall remove such person or persons immediately upon receiving written notice from Agency.
- b. Any and all persons identified in this Agreement or any exhibit hereto as the project manager, project team, or other professional performing work hereunder are deemed by Agency to be key personnel whose services are a material inducement to Agency to enter into this Agreement, and without whose services Agency would not have entered into this Agreement. Consultant shall not remove, replace, substitute, or otherwise change any key personnel without the prior written consent of Agency.
- c. In the event that any of Consultant's personnel assigned to perform services under this Agreement become unavailable due to resignation, sickness or other factors outside of Consultant's control, Consultant shall be responsible for timely provision of adequately qualified replacements.

#### 2. Payment.

2.1 Consultant shall be paid an amount not to exceed \$70,000 for services rendered in accordance with tasks detailed in Section 1.1 above, upon monthly submission of progress reports, verified claims and invoices, in triplicate. Initial payment shall be limited to ten percent (10%) of the work billed and approved. Payments shall be made in the proportion of work completed based upon progress reports to total services to be performed.

2.2 Monthly progress reports shall be submitted by Consultant and shall identify the basis for determination of the percentage of completion, the number of hours for the month, by job classification, spent on work completed, the percent of work completed during the month, and total percent of work completed.

2.3 Final payment of the ten percent (10%) retention corresponding to specific tasks may be paid at the discretion of Agency within thirty-five (35) days after completion of all work for that specific task, and submission of a verified claim and invoice, in triplicate.

3. Term of Agreement. The term of this Agreement shall be from April 15, 2009 to April 15, 2010, unless terminated earlier in accordance with the provisions of Article 4 below.

#### 4. Termination.

4.1 Termination Without Cause. Notwithstanding any other provision of this Agreement, at any time and without cause, Agency shall have the right, in its sole discretion, to terminate this Agreement by giving ten (10) days written notice to Consultant.

4.2 Termination for Cause. Notwithstanding any other provision of this Agreement, should Consultant fail to perform any of its obligations hereunder, within the time and in the manner herein provided, or otherwise violate any of the terms of this Agreement, Agency may immediately terminate this Agreement by giving Consultant written notice of such termination, stating the reason for termination.

4.3 Delivery of Work Product and Final Payment Upon Termination. In the event of termination, Consultant, within 14 days following the date of termination, shall deliver to Agency all materials and work product subject to Section 9.9 and shall submit to Agency an invoice showing the services performed, hours worked, and copies of receipts for reimbursable expenses up to the date of termination.

4.4 Payment Upon Termination. Upon termination of this Agreement by Agency, Consultant shall be entitled to receive as full payment for all services satisfactorily rendered and expenses incurred hereunder, an amount which bears the same ratio to the total payment specified in the Agreement as the services satisfactorily rendered hereunder by Consultant bear to the total services otherwise required to be performed for such total payment; provided, however, that if Agency terminates the Agreement for cause pursuant to Section 4.2, Agency shall deduct from such amount the amount of damage, if any, sustained by Agency by virtue of the breach of the Agreement by Consultant.

5. Indemnification. Consultant agrees to accept all responsibility for loss or damage to any person or entity, including but not limited to Agency, and to defend, indemnify, hold harmless, reimburse and release Agency, its officers, agents, and employees, from and against any and all actions, claims, damages, disabilities, liabilities and expense including, but not limited to, attorneys' fees and the cost of litigation incurred in the defense of claims as to which this indemnity applies or incurred in an action by Agency to enforce the indemnity provisions herein, whether arising from personal injury, property damage or economic loss of any type, that may be asserted by any person or entity arising out of or in connection with the performance of Consultant hereunder, but, to the extent required by law, excluding liability due to the sole negligence or willful misconduct of Agency. If there is a possible obligation to indemnify, Consultant's duty to defend with legal counsel acceptable to Agency, exists regardless of whether it is ultimately determined that there is not a duty to indemnify. This indemnification obligation is not limited in any way by any limitation on the amount or type of damages or compensation payable to or for Consultant or its agents.

6. Insurance. With respect to performance of work under this Agreement, Consultant shall maintain and shall require all of its subcontractors, consultants, and other agents to maintain, insurance as described below:

6.1 Workers' Compensation Insurance. Workers' compensation insurance with statutory limits as required by the Labor Code of the State of California. Said policy shall be endorsed with the following specific language:

This policy shall not be cancelled or materially changed without first giving thirty (30) days' prior written notice to the Agency.

6.2 General Liability Insurance. Commercial general liability insurance covering bodily injury and property damage using an occurrence policy form, in an amount no less than One Million Dollars (\$1,000,000.00) combined single limit for each occurrence. Said commercial general liability insurance policy shall either be endorsed with the following specific language or contain equivalent language in the policy:

- a. The Agency, its Board of Directors and staff, is named as additional insured for all liability arising out of the operations by or on behalf of the named insured in the performance of this Agreement.
- b. The inclusion of more than one insured shall not operate to impair the rights of one insured against another insured, and the coverage afforded shall apply as though separate policies had been issued to each insured, but the inclusion of more than one insured shall not operate to increase the limits of the company's liability.
- c. The insurance provided herein is primary coverage to the Agency with respect to any insurance or self-insurance programs maintained by the Agency.
- d. This policy shall not be cancelled or materially changed without first giving thirty (30) days prior written notice to the Agency.

6.3 Automobile Insurance. Automobile liability insurance covering bodily injury and property damage in an amount no less than One Million Dollars (\$1,000,000) combined single limit for each occurrence. Said insurance shall include coverage for owned, hired, and non-owned vehicles. Said policy shall be endorsed with the following language:

This policy shall not be cancelled or materially changed without first giving thirty (30) days prior written notice to the Agency.

6.4 Professional Liability Insurance. Professional liability insurance for all activities of Consultant arising out of or in connection with this Agreement in an amount no less than One Million Dollars (\$1,000,000) combined single limit for each occurrence. Said policy shall be endorsed with the following specific language:

This policy shall not be cancelled or materially changed without first giving thirty (30) days prior written notice to the Agency.

6.5 Documentation. The following documentation shall be submitted to the Agency:

- a. Properly executed Certificates of Insurance clearly evidencing all coverages, limits, and endorsements required above. Said Certificates shall be submitted prior to the execution of this Agreement. Consultant agrees to maintain current Certificates of Insurance evidencing the above-required coverages, limits, and endorsements on file with the Agency for the duration of this Agreement.
- b. Signed copies of the specified endorsements for each policy. Said endorsement copies shall be submitted within thirty (30) days of execution of this Agreement.
- c. Upon Agency's written request, certified copies of the insurance policies. Said policy copies shall be submitted within thirty (30) days of Agency's request.

6.6 Policy Obligations. Consultant's indemnity and other obligations shall not be limited by the foregoing insurance requirements.

6.7 Material Breach. If Consultant, for any reason, fails to maintain insurance coverage which is required pursuant to this Agreement, the same shall be deemed a material breach of this Agreement. Agency, in its sole option, may terminate this Agreement and obtain damages from Consultant resulting from said breach. Alternatively, Agency may purchase such required insurance coverage, and without further notice to Consultant, Agency may deduct from sums due to Consultant any premium costs advanced by Agency for such insurance. These remedies shall be in addition to any other remedies available to Agency.

7. Prosecution of Work. The execution of this Agreement shall constitute Consultant's authority to proceed immediately with the performance of this Agreement. Performance of the services hereunder shall be completed within the time required herein, provided, however, that if the performance is delayed by earthquake, flood, high water, or other Act of God or by strike, lockout, or similar labor disturbances, the time for Consultant's performance of this Agreement shall be extended by a number of days equal to the number of days Consultant has been delayed.

8. Extra or Changed Work. Extra or changed work or other changes to the Agreement may be authorized only by written amendment to this Agreement, signed by both parties. Minor changes which do not increase the amount paid under the Agreement, and which do not significantly change the scope of work or significantly lengthen time schedules may be executed by the Agency's Executive Director in a form approved by Agency Counsel. All other extra or changed work must be authorized in writing by the Agency Board of Directors. Failure of Consultant to secure such written authorization for extra or changed work shall constitute a waiver of any and all right to adjustment in the Agreement price or Agreement time due to such unauthorized work and thereafter Consultant shall be entitled to no compensation whatsoever for the performance of such work. Consultant further expressly waives any and all right or remedy by way of restitution and quantum meruit for any and all extra work performed without such express and prior written authorization of the Agency.

9. Representations of Consultant.

9.1 Standard of Care. Agency has relied upon the professional ability and training of Consultant as a material inducement to enter into this Agreement. Consultant hereby agrees that all its work will be performed and that its operations shall be conducted in accordance with generally accepted and applicable professional practices and standards as well as the requirements of applicable federal, state and local laws, it being understood that acceptance of Consultant's work by Agency shall not operate as a waiver or release.

9.2 Status of Consultant. The parties intend that Consultant, in performing the services specified herein, shall act as an independent contractor and shall control the work and the manner in which it is performed. Consultant is not to be considered an agent or employee of Agency and is not entitled to participate in any pension plan, worker's compensation plan, insurance, bonus, or similar benefits provided to Agency staff. In the event Agency exercises its right to terminate this Agreement pursuant to Article 4, above, Consultant expressly agrees that it shall have no recourse or right of appeal under rules, regulations, ordinances, or laws applicable to employees.

9.3 Taxes. Consultant agrees to file federal and state tax returns and pay all applicable taxes on amounts paid pursuant to this Agreement and shall be solely liable and responsible to pay such taxes and other obligations, including, but not limited to, state and federal income and FICA taxes. Consultant agrees to indemnify and hold Agency harmless from any liability which it may incur to the United States or to the State of California as a consequence of Consultant's failure to pay, when due, all such taxes and obligations. In case Agency is audited for compliance regarding any withholding or other applicable taxes. Consultant agrees to furnish Agency with proof of payment of taxes on these earnings.

9.4 Records Maintenance. Consultant shall keep and maintain full and complete documentation and accounting records concerning all services performed that are compensable under this Agreement and shall make such documents and records

available to Agency for inspection at any reasonable time. Consultant shall maintain such records for a period of four (4) years following completion of work hereunder.

9.5 Conflict of Interest. Consultant covenants that it presently has no interest and that it will not acquire any interest, direct or indirect, that represents a financial conflict of interest under state law or that would otherwise conflict in any manner or degree with the performance of its services hereunder. Consultant further covenants that in the performance of this Agreement no person having any such interests shall be employed by Consultant. In addition, if requested to do so by Agency, Consultant shall complete and file and shall require any other person doing work under Consultant and this Agreement to complete and file a "Statement of Economic Interest" with Agency disclosing Consultant's or such other person's financial interests.

9.6 Nondiscrimination. Consultant shall comply with all applicable federal, state, and local laws, rules, and regulations in regard to nondiscrimination in employment because of race, color, ancestry, national origin, religion, sex, marital status, age, medical condition, pregnancy, disability, sexual orientation or other prohibited basis. All nondiscrimination rules or regulations required by law to be included in this Agreement are incorporated herein by this reference.

9.7 AIDS Discrimination. Consultant agrees to comply with the provisions of Chapter 19, Article II, of the Sonoma County Code prohibiting discrimination in housing, employment, and services because of AIDS or HIV infection during the term of this Agreement and any extensions of the term.

9.8 Assignment Of Rights. Consultant assigns to Agency all rights throughout the world in perpetuity in the nature of copyright, trademark, patent, right to ideas, in and to all versions of the plans and specifications, if any, now or later prepared by Consultant in connection with this Agreement. Consultant agrees to take such actions as are necessary to protect the rights assigned to Agency in this Agreement, and to refrain from taking any action which would impair those rights. Consultant's responsibilities under this provision include, but are not limited to, placing proper notice of copyright on all versions of the plans and specifications as Agency may direct, and refraining from disclosing any versions of the plans and specifications to any third party without first obtaining written permission of Agency. Consultant shall not use or permit another to use the plans and specifications in connection with this or any other project without first obtaining written permission of Agency.

9.9 Ownership And Disclosure Of Work Product. All reports, original drawings, graphics, plans, studies, and other data or documents ("documents"), in whatever form or format, assembled or prepared by Consultant or Consultant's subcontractors, consultants, and other agents in connection with this Agreement shall be the property of Agency. Agency shall be entitled to immediate possession of such documents upon completion of the work pursuant to this Agreement. Upon expiration or termination of this Agreement, Consultant shall promptly deliver to Agency all such documents which have not already been provided to Agency in such form or format as

Agency deems appropriate. Such documents shall be and will remain the property of Agency without restriction or limitation. Consultant may retain copies of the above described documents but agrees not to disclose or discuss any information gathered, discovered, or generated in any way through this Agreement without the express written permission of Agency.

10. Demand for Assurance. Each party to this Agreement undertakes the obligation that the other's expectation of receiving due performance will not be impaired. When reasonable grounds for insecurity arise with respect to the performance of either party, the other may in writing demand adequate assurance of due performance and until such assurance is received may, if commercially reasonable, suspend any performance for which the agreed return has not been received. "Commercially reasonable" includes not only the conduct of a party with respect to performance under this Agreement, but also conduct with respect to other agreements with parties to this Agreement or others. After receipt of a justified demand, failure to provide within a reasonable time, but not exceeding thirty (30) days, such assurance of due performance as is adequate under the circumstances of the particular case is a repudiation of this Agreement. Acceptance of any improper delivery, service, or payment does not prejudice the aggrieved party's right to demand adequate assurance of future performance. Nothing in this Article 10 limits Agency's right to terminate this Agreement pursuant to Article 4.

11. Assignment and Delegation. Neither party hereto shall assign, delegate, sublet, or transfer any interest in or duty under this Agreement without the prior written consent of the other, and no such transfer shall be of any force or effect whatsoever unless and until the other party shall have so consented.

12. Method and Place of Giving Notice, Submitting Bills and Making Payments. All notices, bills, and payments shall be made in writing and shall be given by personal delivery or by U.S. Mail or courier service. Notices, bills, and payments shall be addressed as follows:

Agency: Sonoma County Waste Management Agency  
Attention: Mollie Mangerich  
2300 County Center Drive, Suite 100 B  
Santa Rosa, CA 95403  
Phone: (707) 565-3788  
FAX: (707) 565-3701

Consultant: R3 Consulting Group  
Attention: Richard Tagore -Erwin  
4811 Chippendale Dr, Suite 708 Phone: (916) 576-0306  
Sacramento, CA 95481 Fax: (916) 331-9600

When a notice, bill or payment is given by a generally recognized overnight courier service, the notice, bill or payment shall be deemed received on the next business day. When a copy of a notice, bill or payment is sent by facsimile, the notice bill or payment shall be deemed received upon transmission as long as (1) the original copy of the notice,

bill or payment is promptly deposited in the U.S. mail, (2) the sender has a written confirmation of the facsimile transmission, and (3) the facsimile is transmitted before 5 p.m. (recipient's time). In all other instances, notices, bills and payments shall be effective upon receipt by the recipient. Changes may be made in the names and addresses of the person to whom notices are to be given by giving notice pursuant to this paragraph.

### 13. Miscellaneous Provisions.

13.1 No Waiver of Breach. The waiver by Agency of any breach of any term or promise contained in this Agreement shall not be deemed to be a waiver of such term or provision or any subsequent breach of the same or any other term or promise contained in this Agreement.

13.2 Construction. To the fullest extent allowed by law, the provisions of this Agreement shall be construed and given effect in a manner that avoids any violation of statute, ordinance, regulation, or law. The parties covenant and agree that in the event that any provision of this Agreement is held by a court of competent jurisdiction to be invalid, void, or unenforceable, the remainder of the provisions hereof shall remain in full force and effect and shall in no way be affected, impaired, or invalidated thereby. Consultant and Agency acknowledge that they have each contributed to the making of this Agreement and that, in the event of a dispute over the interpretation of this Agreement, the language of the Agreement will not be construed against one party in favor of the other. Consultant and Agency acknowledge that they have each had an adequate opportunity to consult with counsel in the negotiation and preparation of this Agreement.

13.3 Consent. Wherever in this Agreement the consent or approval of one party is required to an act of the other party, such consent or approval shall not be unreasonably withheld or delayed.

13.4 No Third Party Beneficiaries. Nothing contained in this Agreement shall be construed to create and the parties do not intend to create any rights in third parties.

13.5 Applicable Law and Forum. This Agreement shall be construed and interpreted according to the substantive law of California, regardless of the law of conflicts to the contrary in any jurisdiction. Any action to enforce the terms of this Agreement or for the breach thereof shall be brought and tried in the forum nearest to the city of Santa Rosa, in the County of Sonoma.

13.6 Captions. The captions in this Agreement are solely for convenience of reference. They are not a part of this Agreement and shall have no effect on its construction or interpretation.

13.7 Merger. This writing is intended both as the final expression of the Agreement between the parties hereto with respect to the included terms and as a complete and exclusive statement of the terms of the Agreement, pursuant to Code of Civil Procedure Section 1856. No modification of this Agreement shall be effective unless and until such modification is evidenced by a writing signed by both parties.

13.8 Time of Essence. Time is and shall be of the essence of this Agreement and every provision hereof.

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

AGENCY: SONOMA COUNTY WASTE MANAGEMENT AGENCY

By: \_\_\_\_\_  
Vincent Marengo, Chair

CONTRACTOR:

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

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

By: \_\_\_\_\_  
Agency Executive Director

APPROVED AS TO FORM FOR AGENCY:

By: \_\_\_\_\_  
Agency Counsel

SPECIAL DISTRICTS GOVERNED BY  
LOCAL BOARDS - BUDGETARY REVISIONS

Resolution No. 2009-

District Name: Sonoma County Waste Management Agency (JPA)  
Address: 2300 County Center Dr., Rm. 100B  
Santa Rosa, CA 95403  
Phone: 565-2413  
FY: 2008-09

Auditor's Office Use Only

DOCUMENT #
BATCH #
BATCH DATE

	TC	INDEX	SUB-OBJECT	PROJECT	SUB-OBJECT TITLE	AMOUNT
TO:	203	799718	6540	Sustainable Funding Development	Contract Services	\$69,540
FROM:		799718	4624	Same as Above	Retained Earnings	\$69,540

WHEREAS, the Sonoma County Waste Management Agency receives funding from a tipping fee surcharge imposed on the tonnage of solid waste disposed through the County of Sonoma solid waste system; and

WHEREAS, it has been identified the tonnages of solid waste coming through the Sonoma County solid waste system for disposal has decreased consistently for the past five years; and

WHEREAS, the Sonoma County Waste Management Agency Board of Directors recognize this funding source is not sustainable and this issue needs to be addressed; and

WHEREAS, the Sonoma County Waste Management Agency Board of Directors directed staff to circulate a Request for Proposal, select a consultant, and negotiate an agreement to develop a model of the cost formula that would be used to implement the sustainable funding; and

WHEREAS, it would be beneficial to the Sonoma County Waste Management Agency to direct the consultant to proceed with the development of the model for sustainable funding and appropriate the necessary funds from the Contingency Reserve Fund to cover the expenditure.

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

The foregoing resolution was introduced by DIRECTOR ( x ) TRUSTEE ( )

, who moved its adoption, seconded by

, and adopted on roll call by the following vote:

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

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

Date:

Attested:

Signature: \_\_\_\_\_  
Secretary/Clerk of the Board

Signature: \_\_\_\_\_  
Chairperson

RESOLUTION NO.: 2009 -

DATED: April 15, 2009

WHEREAS, Consultant represents that it is duly qualified and experienced in conducting financial analysis, fee development, and financial model development with the solid waste management field; and

WHEREAS, in the judgment of the Agency, it is necessary and desirable to employ the services of Consultant to in order to develop a program fee and companion financial model for the Sonoma County Waste Management Agency.

NOW, THEREFORE, BE IT RESOLVED that the Agency authorizes the Agency Chairman to execute an agreement with R<sup>3</sup> Consulting Group, Inc. for consulting services to research, work with stakeholder groups, and develop a program fee and companion financial model for the Sonoma County Waste Management 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



Agenda Item #: 9.3  
Cost Center: N/A  
Staff Contact: Mollie Mangerich  
Meeting Date: 4/15/2009

## ITEM: AB 479 (Chesbro) – Solid Waste Diversion

### I. BACKGROUND

The California Integrated Waste Management Act of 1989 requires each city, county, and regional agency, if any, to develop an integrated waste management plan containing specified components necessary to divert 50% of all solid waste from landfill disposal or transformation by January 1, 2000, through source reduction, recycling, and composting activities.

The highlights of AB 479 are as follows (emphasis by staff):

60% Diversion (jurisdiction & state) by Jan. 2015 – 75% Diversion (state only) by Jan. 2020:

*"AB 479 would require a city or county to divert 60% of all solid waste through source reduction, recycling, and composting activities on and after January 1, 2015, thereby imposing a state-mandated local program by imposing new duties on local agencies regarding solid waste management".*

*Additionally, "On or before January 1, 2020, and annually thereafter, ensure that 75% of solid waste generated in the state is source reduced, recycled, and composted".*

#### Mandatory Commercial Recycling:

*AB 479 would "require the owner or operator of a business that contracts for solid waste services and generates more than 4 cubic yards of total solid waste and recyclable materials per week to arrange for recycling service.....The bill would require specified local agencies (county populations over 200,000), by January 1, 2011, to adopt commercial recycling ordinances that include certain minimum requirements and have "educational, implementation, and enforcement provisions".*

#### Impact on Franchise Agreements:

*"This section [SEC. 4.(2)(f)] does not modify or abrogate in any manner either of the following:*

- (1) A franchise granted or extended by a city, county, or other local government agency on or before January 1, 2010.*
- (2) A contract, license, or permit to collect solid waste previously granted or extended by a city, county, or other local government agency on or before January 1, 2010.*
- (3) The existing right of a business to sell or donate their recyclable materials".*

#### Funding

The (CA Integrated Waste Management Act of (1989) requires an operator of a solid waste disposal facility to pay a quarterly fee of up to \$1.40 per ton based on the amount of all solid waste disposed of at each disposal site and requires deposit of fees into the Integrated Waste Management Fund in the State Treasury.

AB 479 would, on and after January 1, 2010, increase the amount of the fee to the amount of \$3.90 per ton and would require \$2.50 of that fee after that date to be available for expenditure by the board, upon appropriation by the Legislature, for apportionment to jurisdictions, as specified.

*"Between January 1, 2010, and January 1, 2015, the fee revenue shall be apportioned on a per capita basis to jurisdictions for the expansion of source reduction, recycling, and composting programs, including residential recycling programs and commercial recycling programs, as well as the development of new and expanded recycling and composting infrastructure."*

*"On and after January 1, 2015, the fee revenues shall be apportioned on a per capita basis to jurisdictions that have achieved the diversion rate specified....For jurisdictions that have not reached the diversion rate required in paragraph (3) of subdivision (a) of Section 41780, the board shall expend the fee revenues to establish local programs to help the jurisdictions achieve the diversion rate required by paragraph (3) of subdivision (a) of Section 41780."*

#### Exemption from California Constitution Article XIII

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement. AB 497 would provide that no reimbursement is required because:

*"No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because a local agency or school district has the authority to levy service charges, fees, or assessments sufficient to pay for the program or level of service mandated by this act, within the meaning of Section 17556 of the Government Code".*

## II. DISCUSSION

The Agency Director has been authorized by the Board to write and submit letters of support that mirror the mission and goals of the Sonoma County Waste Management Agency. Upon conference with staff, the Director finds AB 479 a bill complex enough that full Board consideration is sought prior to recommending a letter of support be drafted by the Director.

#### AB 479 Pros

- set a statewide diversion goal of 75% and a local diversion mandate of 60%
- would require mandatory commercial recycling
- increase the landfill tip fee to help fund local recycling programs
- provides a shared state and local responsibility for meeting the new recycling rates.
- provides that the 60% recycling rate will be the responsibility of local governments and the remaining responsibility will rest with the State ensuring that California achieves a 75% recycling rate. (2006 estimated state diversion rate is 54%)
- targets the waste stream from commercial sources which is cited as approximately 64 % of the state's solid waste disposal, including commercial, industrial, construction, and demolition activities
- diverting more solid waste from disposal assists in conserving more scarce natural resources

#### AB 479 Cons

- almost triples the total quarterly fee (from \$1.40/ton to \$3.90/ton) that landfill operators must pay to the Integrated Waste Management Fund. Of this amount \$1.40 would continue to go to the CIWMB, while \$2.50 would be allocated to jurisdictions based on per capita basis.
- these fee increases will be passed onto commercial haulers, ratepayers and self-haulers to landfills and transfer stations
- in Sonoma County, as well as nationwide, landfill tonnages are significantly decreasing along with those revenues derived by disposal tip fees and other surcharges. Are proposed landfill fees increases timely for current economic conditions?
- proposed landfill fee increases may not be adequate to meet state's 75 % solid waste diversion by January 1, 2020
- the bill mandates local jurisdictions to implement ordinances requiring commercial recycling
- mandatory commercial recycling may be perceived as heavy-handed by business sector (development of minimum standards, enforcement issues, additional regulations, etc.)

- mandatory commercial recycling will necessitate additional staff/resources to provide businesses with information and technical assistance in recycling, reducing waste and saving money on waste disposal costs
- there is no stated provision protecting this funding source from being diverted to other state needs
- with the significant trend in reduced waste (tons) entering out landfills and taking with it a reduction of revenue, would the proposed fee increase be sufficient (without some form of indexing) to maintain future programs despite tonnages of waste continuing to decline?

### III. FUNDING IMPACT

Funding impacts are difficult to determine or project if AB 479 were to be passed and implemented. With significant reductions in waste entering disposal system, increasing costs for fixed costs relevant to operations of integrated waste management facilities and programs; and an uncertain economic climate – it is difficult to project if the additional resources proposed within AB 497 are adequate for the diversion increases within the timeframes provided.

### IV. RECOMMENDED ACTION / ALTERNATIVES TO RECOMMENDATION

If the goal is to increase diversion rates for both jurisdictions and the state, staff recommends it far more efficient and cost-effective to reach those goals through extended producer responsibility, and the Agency should provide continued support to Chesbro's AB 283 the California Product Stewardship Act.

That being said, staff recommends submitting a letter of qualified support to AB 479. The letter should acknowledge the value of increased diversion rates, leadership role of Sonoma County, and well-placed targeting of waste diversion in commercial and industrial sectors; however, the letter should state the Agency's a) hesitancy in mandating local ordinances, b) questioning the sustainability of proposed fees to support ongoing programs; and c) question the appropriateness of adding financial and regulatory burdens to ratepayers, local jurisdictions and the commercial sector in these difficult economic times.

### V. ATTACHMENTS

AB 479 Fact Sheet  
AB 479 Bill

Approved by:   
Mollie Mangerich, Executive Director, SCWMA

# **AB 479 (Chesbro)**

## **California's 75% Waste Recycling Standard**

### **SUMMARY**

AB 479 provides a new standard for recycling and waste reduction in California by moving the State from the current 50% recycling to 60% by the year 2015 and 75% by the year 2020.

AB 479 provides a shared state and local responsibility for meeting the new recycling rates. The bill provides that the 60% recycling rate will be the responsibility of local governments and the remaining responsibility will rest with the State ensure that California achieves a 75% recycling rate.

The bill requires commercial waste recycling and adds \$2.50 per ton to the fee on solid waste sent to the landfills. The new revenue will be provided to local governments to help meet the increased costs of the new waste reduction and recycling programs needed to meet the new 75% rate.

### **PROBLEM**

Despite the State's major advances in recycling and waste reduction, California still generates 93 million tons of waste each year.

### **BACKGROUND**

California is the national leader in diverting waste from landfills at 54 percent. Every year, we find higher and better uses for more than 50 million tons of waste.

AB 479 sets its sights on "the next 50 percent" as we move toward the goal of becoming a waste-free society.

Recycling is an integral component of California's efforts to unclog landfills, preserve natural resources, and protect the environment.

The recycling movement is a powerful fuel additive that helps propel California's economic engine. The recycling industry accounts for more than 85,000 jobs. It generates \$4 billion yearly in salaries and wages, and produces \$10 billion worth of goods and services annually.

Recycling saves natural resources ... it saves energy ... it reduces the amount of water and electricity needed in the manufacturing process.

By one estimate, the amount of energy saved last year alone across the U.S. from recycling beverage containers, newsprint and corrugated cardboard was equal to the annual electrical needs of nearly 18 million Americans.

Recycling also helps protect the atmosphere from the effects of climate change by helping to reduce the production of dangerous greenhouse gas emissions.

### **SUPPORT**

- Californians Against Waste

### **OPPOSITION**

- None on File.

### **CONTACT**

Bob Fredenburg  
Assembly Environmental Safety and Toxic  
Materials Committee  
(916) 319-3621

**ASSEMBLY BILL**

**No. 479**

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**Introduced by Assembly Member Chesbro**

February 24, 2009

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An act to amend Sections 41780 and 48000 of, and to add Sections 41780.01, 42649, and 48001.5 to, the Public Resources Code, relating to solid waste.

LEGISLATIVE COUNSEL'S DIGEST

AB 479, as introduced, Chesbro. Solid waste: diversion.

(1) The California Integrated Waste Management Act of 1989, which is administered by the California Integrated Waste Management Board, requires each city, county, and regional agency, if any, to develop a source reduction and recycling element of an integrated waste management plan containing specified components, including a source reduction component, a recycling component, and a composting component. With certain exceptions, the source reduction and recycling element of that plan is required to divert 50% of all solid waste from landfill disposal or transformation by January 1, 2000, through source reduction, recycling, and composting activities.

Existing law requires the board to review, at least once every 2 years, a jurisdiction's source reduction and recycling element and household hazardous waste element. The board is required to issue an order of compliance if the board finds that a jurisdiction has failed to implement its source reduction and recycling element or its household hazardous waste element, pursuant to a specified procedure. If, after issuing an order of compliance, the board finds the city, county, or regional agency has failed to make a good faith effort to implement those elements, the

board is authorized to impose administrative civil penalties upon the city, county, or regional agency.

This bill would require a city or county to divert 60% of all solid waste through source reduction, recycling, and composting activities on and after January 1, 2015, thereby imposing a state-mandated local program by imposing new duties on local agencies regarding solid waste management. The bill would also require the board to establish policies, programs, and incentives to ensure diversion of solid waste in accordance with a specified schedule.

(2) Existing law requires a local agency to impose certain requirements on an operator of a large venue or event to facilitate solid waste reduction, reuse, and recycling.

This bill would require the owner or operator of a business that contracts for solid waste services and generates more than 4 cubic yards of total solid waste and recyclable materials per week to arrange for recycling service, consistent with state and local laws and requirements, to the extent that these services are offered and reasonably available from a local service provider. The bill would require specified local agencies, by January 1, 2011, to adopt commercial recycling ordinances that include certain minimum requirements.

The bill would impose a state-mandated local program by imposing new duties upon local agencies with regard to the adoption of commercial recycling ordinances.

(3) The act requires an operator of a solid waste disposal facility to pay a quarterly fee of up to \$1.40 per ton based on the amount of all solid waste disposed of at each disposal site and requires the State Board of Equalization to collect the fees and deposit the fees in the Integrated Waste Management Account in the Integrated Waste Management Fund in the State Treasury. The act requires the board to use the moneys in the account, upon appropriation by the Legislature, for specified purposes.

This bill would, on and after January 1, 2010, establish the amount of the fee in an amount of \$3.90 per ton and would require \$2.50 of that fee after that date to be available for expenditure by the board, upon appropriation by the Legislature, for apportionment to jurisdictions, as specified.

(4) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: yes.

*The people of the State of California do enact as follows:*

1 SECTION 1. (a) The Legislature finds and declares both of  
2 the following:

3 (1) Since the enactment of the California Integrated Waste  
4 Management Act of 1989 (Division 30 (commencing with Section  
5 40000) of the Public Resources Code), local governments and  
6 private industries have worked jointly to create an extensive  
7 material collection and recycling infrastructure and have  
8 implemented effective programs to achieve a statewide diversion  
9 rate above 50 percent.

10 (2) Although the state now leads the nation in solid waste  
11 reduction and recycling, the state continues to dispose of more  
12 than 40 million tons of solid waste each year, which is more than  
13 the national average on a per capita basis. Additional efforts must  
14 be undertaken to divert more solid waste from disposal in order  
15 to conserve scarce natural resources.

16 (b) The Legislature further finds and declares all of the  
17 following:

18 (1) Approximately 64 percent of the state's solid waste disposal  
19 is from commercial sources, including commercial, industrial,  
20 construction, and demolition activities. In addition, 8 percent of  
21 the state's solid waste disposal is from multifamily residential  
22 housing that is often collected along with the commercial waste  
23 stream.

24 (2) The state's local governments have made significant progress  
25 in reducing the amount of solid waste disposal from single-family  
26 residential sources that make up 28 percent of the state's disposal,  
27 but have faced more challenges in reducing disposal from the  
28 commercial and multifamily sources.

29 (3) The disposal of commercial solid wastes harms natural  
30 resources, negatively impacts the state's environment, prevents  
31 materials from circulating in the state economy to produce jobs  
32 and new products, and contributes to global warming.

1 (4) The state has long been a national and international leader  
2 in environmental stewardship efforts and mandating the diversion  
3 of solid waste away from disposal. Bold environmental leadership  
4 and a new approach are needed to divert commercial solid waste  
5 away from disposal.

6 (5) By exercising a leadership role, the state will lead the  
7 business community toward a future in which the environment  
8 and the economy both grow stronger together by recycling  
9 materials, which creates new jobs, instead of burying resources,  
10 which exit the economy forever.

11 (6) By requiring commercial recycling, the state will help  
12 businesses reduce costly disposal fees and reclaim valuable  
13 resources.

14 (7) Solid waste diversion and disposal reduction requires the  
15 availability of adequate solid waste processing and composting  
16 capacity.

17 (8) The existing network of public and private solid waste  
18 processing and composting facilities provides a net environmental  
19 benefit to the communities served, and represents a valuable asset  
20 and resource of this state, one that must be sustained and expanded  
21 to provide the additional solid waste processing capacity that will  
22 be required to achieve the additional solid waste diversion  
23 mandates expressed in Section 41780 of the Public Resources  
24 Code as amended by this act.

25 (9) It is the intent of the Legislature to encourage the  
26 development of the additional solid waste processing and  
27 composting capacity that is needed to meet state objectives for  
28 decreasing solid waste disposal by identifying incentives for local  
29 governments to locate and approve new or expanded facilities that  
30 meet and exceed their capacity needs, and to recognize local  
31 agencies that make significant contributions to the state's overall  
32 solid waste reduction and recycling objectives through the siting  
33 of facilities for the processing and composting of materials diverted  
34 from the solid waste stream.

35 (10) The provisions in existing law that confer broad discretion  
36 on local agencies to determine aspects of solid waste handling that  
37 are of local concern have significantly contributed to the statewide  
38 diversion rate exceeding 50 percent, and further progress toward  
39 decreasing solid waste disposal requires that this essential element  
40 of local control be preserved.

(11) Accordingly, by setting in this act new statewide solid waste diversion requirements in Section 41780 of the Public Resources Code, new solid waste diversion targets in Section 41780.01 of the Public Resources Code, and new commercial waste recycling requirements in Section 42649 of the Public Resources Code, the Legislature does not intend to limit a right afforded to local governments pursuant to Section 40059 of the Public Resources Code, or to modify or abrogate in any manner the rights of a local government or solid waste enterprise with regard to a solid waste handling franchise or contract granted on or before January 1, 2010.

SEC. 2. Section 41780 of the Public Resources Code is amended to read:

41780. (a) ~~Each city or county~~ *jurisdiction's* source reduction and recycling element shall include an implementation schedule that shows both of the following:

(1) For the initial element, ~~the city or county~~ *jurisdiction* shall divert 25 percent of all solid waste ~~from landfill disposal or transformation~~ by January 1, 1995, through source reduction, recycling, and composting activities.

(2) Except as provided in Sections 41783, ~~and 41784, and 41785~~, for the first and each subsequent revision of the element, ~~the city or county~~ *jurisdiction* shall divert 50 percent of all solid waste on and after January 1, 2000, through source reduction, recycling, and composting activities.

(3) *Except as provided in Sections 41783 and 41784, for each subsequent revision of the element, the jurisdiction shall divert 60 percent of all solid waste on or after January 1, 2015, through source reduction, recycling, and composting activities.*

(b) ~~Nothing in this part prohibits a city or county. This part does not prohibit a jurisdiction~~ from implementing source reduction, recycling, and composting activities designed to exceed these requirements.

SEC. 3. Section 41780.01 is added to the Public Resources Code, to read:

41780.01. The board shall adopt policies, programs, and incentives to ensure that solid waste generated in this state is source reduced, recycled, or composted in accordance with the following schedule:

1 (a) On and before January 1, 2015, ensure that 60 percent of all  
2 solid waste generated is source reduced, recycled, or composted.

3 (b) On or before January 1, 2020, and annually thereafter, ensure  
4 that 75 percent of solid waste generated is source reduced, recycled,  
5 and composted.

6 SEC. 4. Section 42649 is added to the Public Resources Code,  
7 to read:

8 42649. (a) The owner or operator of a business that contracts  
9 for solid waste services and generates more than four cubic yards  
10 of total solid waste and recyclable materials that are not solid waste  
11 per week shall arrange for recycling services, consistent with state  
12 or local laws or requirements, including a local ordinance or  
13 agreement, applicable to the collection, handling, or recycling of  
14 solid waste, to the extent that these services are offered and  
15 reasonably available from a local service provider.

16 (b) On or before January 1, 2011, each city, county, solid waste  
17 authority, or other joint powers authority located within a county  
18 with a population of 200,000 or more shall adopt a commercial  
19 recycling ordinance that is consistent with this section.

20 (c) A commercial recycling ordinance adopted pursuant to this  
21 section shall include, at a minimum, both of the following:

22 (1) An enforceable requirement that a commercial waste  
23 generator take one of the following actions:

24 (A) Source separate specified recyclable materials from solid  
25 waste and subscribe to a basic level of recycling service that  
26 includes the collection of those recyclable materials or specific  
27 provisions for authorized self-hauling.

28 (B) Subscribe to an alternative type of recycling service, which  
29 may include mixed waste processing, that yields diversion results  
30 comparable to source separation.

31 (2) Educational, implementation, and enforcement provisions.

32 (d) For the purposes of this section, "business" means a  
33 commercial entity operated by a firm, partnership, proprietorship,  
34 joint stock company, corporation, or association that is organized  
35 as a for-profit or nonprofit entity.

36 (e) This section does not limit the authority of a local agency  
37 to adopt, implement, or enforce a local commercial recycling  
38 ordinance that is more stringent or comprehensive than the  
39 requirements of this section or limit the authority of a local agency

1 in a county with a population of less than 200,000 to require  
2 commercial recycling.

3 (f) This section does not modify or abrogate in any manner  
4 either of the following:

5 (1) A franchise granted or extended by a city, county, or other  
6 local government agency on or before January 1, 2010.

7 (2) A contract, license, or permit to collect solid waste  
8 previously granted or extended by a city, county, or other local  
9 government agency on or before January 1, 2010.

10 (3) The existing right of a business to sell or donate their  
11 recyclable materials.

12 (g) (1) When adopting an ordinance pursuant to this section, a  
13 local agency may consider the adequacy of areas for collecting  
14 and loading recyclable materials.

15 (2) Notwithstanding paragraph (1), a local agency shall not  
16 consider the adequacy of areas for collecting and loading recyclable  
17 materials for purposes of determining noncompliance with this  
18 section at a development project, as defined pursuant to Section  
19 42905, if the development project was approved by the local  
20 agency on or after September 1, 1994.

21 SEC. 5. Section 48000 of the Public Resources Code is  
22 amended to read:

23 48000. (a) ~~Each~~ *An* operator of a disposal facility shall pay a  
24 fee quarterly to the State Board of Equalization ~~which~~ *that* is based  
25 on the amount, by weight or volumetric equivalent, as determined  
26 by the board, of all solid waste disposed of at each disposal site.

27 ~~(b) The fee for solid waste disposed of shall be one dollar and~~  
28 ~~thirty-four cents (\$1.34) per ton. Commencing with the 1995-96~~  
29 ~~fiscal year, the amount of the fee shall be established by the board~~  
30 ~~at an amount that is sufficient to generate revenues equivalent to~~  
31 ~~the approved budget for that fiscal year, including a prudent~~  
32 ~~reserve, but shall not exceed one dollar and forty cents (\$1.40) per~~  
33 ~~ton.~~

34 ~~(c) The board shall notify the State Board of Equalization on~~  
35 ~~the first day of the period in which the rate shall take effect of any~~  
36 ~~rate change adopted pursuant to this section.~~

37 ~~(b)~~ *On and after January 1, 2010, the amount of the fee shall*  
38 *equal three dollars and ninety cents (\$3.90) per ton.*

39 ~~(d)~~

1 (c) The board and the State Board of Equalization shall ensure  
2 that all the fees for solid waste imposed pursuant to this section  
3 that are collected at a transfer station are paid to the State Board  
4 of Equalization in accordance with this article.

5 (d) *Notwithstanding Section 48001, on and after January 1,*  
6 *2010, an amount of two dollars and fifty cents (\$2.50) of the fee*  
7 *imposed for each ton of solid waste disposed of at each disposal*  
8 *site shall be available to the board for expenditure pursuant to*  
9 *Section 48001.5.*

10 SEC. 6. Section 48001.5 is added to the Public Resources Code,  
11 to read:

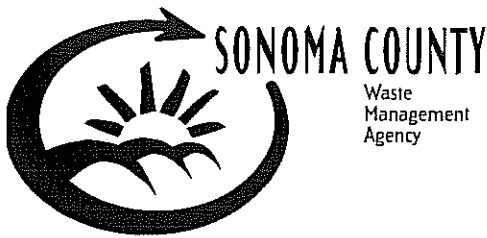
12 48001.5. The fee revenues collected by the State Board of  
13 Equalization pursuant to subdivision (e) of Section 48000 shall be  
14 available to the board, upon appropriation by the Legislature, for  
15 expenditure by the board according to the following:

16 (a) Between January 1, 2010, and January 1, 2015, the fee  
17 revenue shall be apportioned on a per capita basis to jurisdictions  
18 for the expansion of source reduction, recycling, and composting  
19 programs, including residential recycling programs and commercial  
20 recycling programs, as well as the development of new and  
21 expanded recycling and composting infrastructure.

22 (b) On and after January 1, 2015, the fee revenues shall be  
23 apportioned on a per capita basis to jurisdictions that have achieved  
24 the diversion rate specified in paragraph (3) of subdivision (a) of  
25 Section 41780 for use pursuant to subdivision (a) of this section.  
26 For jurisdictions that have not reach the diversion rate required in  
27 paragraph (3) of subdivision (a) of Section 41780, the board shall  
28 expend the fee revenues to establish local programs to help the  
29 jurisdictions achieve the diversion rate required by paragraph (3)  
30 of subdivision (a) of Section 41780.

31 SEC. 7. No reimbursement is required by this act pursuant to  
32 Section 6 of Article XIII B of the California Constitution because  
33 a local agency or school district has the authority to levy service  
34 charges, fees, or assessments sufficient to pay for the program or  
35 level of service mandated by this act, within the meaning of Section  
36 17556 of the Government Code.

O



Agenda Item #: 10.2  
Cost Center: HHW  
Staff Contact: Steinman  
Agenda Date: 4/15/2009

**ITEM: C<sup>2</sup> Alternative Services Contract Extension for Used Oil Recycling Program**

**I. BACKGROUND**

In May 2003, the Agency entered into an agreement with C<sup>2</sup> Alternative Services to Audit Oil Recycling Centers and Coordinate Oil Recycling Publicity and Programs. C<sup>2</sup> Alternative Services assists Agency staff to accomplish the goals of the Used Oil Recycling Program, which is funded under a Used Oil Block Grant from the California Integrated Waste Management Board (CIWMB). C<sup>2</sup> Alternative Services was contracted to do the following work:

- conduct CIWMB required site visits of oil recycling centers
- gather CIWMB required used oil collection data
- conduct public education campaigns as defined during the contract term
- maintain existing used oil recycling education programs (Eco-Desk voice mail boxes, 1-800-Cleanup, Recycling Guide)
- serve as liaison with oil recycling centers, e.g., trouble-shoot, assist with CIWMB paperwork, re-certify centers, keep centers stocked with signs and flyers, develop and distribute logos, etc.
- attend workshops and meetings upon request by Agency staff

This agreement term was for three years with optional annual extensions upon mutual agreement between Agency and Contractor.

- The First Amendment to the agreement was approved on May 17, 2006, extending the term to June 30, 2007.
- The Second Amendment was approved on May 16, 2007, extending the term until June 30, 2008 with an amended Scope of Work and Payment Terms Schedule. The Scope of Work (Exhibit A) was modified to include implementation of various additional tasks developed in earlier stages of the contract. The Payment Schedule (Exhibit B) was modified to update the billing rates for C<sup>2</sup> Alternative Services staff time from 2003 staff billing rates.
- The Third Amendment was approved on June 18, 2008, extending the term until June 30, 2009.

**II. DISCUSSION**

Staff has been very satisfied with the quality of this Contractor's performance and recommends continuing the relationship. Section 3 of the Agreement Term of Agreement, states "The initial term of this Agreement shall commence on July 1, 2003 and end on June 30, 2009 with annual extensions upon mutual agreement unless terminated earlier..." Staff recommends extending the Agreement with the Contractor until June 30, 2010 with all the same terms and conditions. The Contractor has indicated their willingness to extend the term of the contract by signing the attached Fourth Amendment to the Agreement.

### III. FUNDING IMPACT

The amended Agreement will continue to be funded with California Used Oil Block Grant funds. The budgeted amount for this extension is \$67,520 which is included in the FY 09-10 HHW Professional Services budget. Due to the efficient and thorough performance of the Contractor, there is minimal Agency staff time required for contract administration.

### IV. RECOMMENDED ACTION / ALTERNATIVES TO RECOMMENDATION


Adopt Resolution to approve the Fourth Amendment to the Agreement with C<sup>2</sup> Alternative Services to Audit Oil Recycling Centers and Coordinate Oil Recycling Publicity and Programs and to authorize the Chair to execute the Fourth Amendment to the Agreement on behalf of the Agency.

An alternative would be to issue an RFP for this work; however, staff is unaware of any consultants in the area performing this work. Use of Agency staff for this work is considered inefficient as staff is focused on existing work load and developing new programs requested by the Board. If the work is not performed, the Agency would not satisfy the requirements of the grant and would lose this funding source. As the contract value is greater than \$50,000, a unanimous vote is required for approval.

### V. ATTACHMENTS

Fourth Amendment to Agreement with C<sup>2</sup> Alternative Services to Audit Oil Recycling Centers and Coordinate Oil Recycling Publicity and Programs

Resolution for Fourth Amendment, C<sup>2</sup> Alternative Services

Approved by: 

Mollie Mangerich, Executive Director, SCWMA

FOURTH AMENDMENT TO AGREEMENT WITH C<sup>2</sup> ALTERNATIVE SERVICES  
TO AUDIT OIL RECYCLING CENTERS AND COORDINATE OIL RECYCLING  
PUBLICITY AND PROGRAMS

This Fourth Amendment ("Amendment"), dated as of \_\_\_\_\_, 2009, is by and between the Sonoma County Waste Management Agency ("Agency"), a joint powers agency and C<sup>2</sup> Alternative Services ("Contractor"). All capitalized terms used herein shall, unless otherwise defined, have the meaning ascribed to those terms in the existing agreement.

RECITALS

WHEREAS, Agency and Contractor entered into that certain Agreement to audit oil recycling centers and coordinate oil recycling publicity and programs dated as of May 21, 2003 ("Agreement"); and

WHEREAS, the Agreement allows for annual extensions upon mutual agreement; and

WHEREAS, on May 17, 2006, Agency and Contractor extended the Agreement to expire on June 30, 2007; and

WHEREAS, on May 16, 2007, Agency and Contractor extended the Agreement to expire on June 30, 2008; and

WHEREAS, on June 18, 2008, Agency and Contractor extended the Agreement to expire on June 30, 2009; and

WHEREAS, Agency needs auditing and publicity services during Fiscal Year 09-10; and

WHEREAS, Agency is satisfied with services provided by Contractor and would like to continue receiving said services from Contractor.

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

AGREEMENT

1. Section 3 of the Agreement is hereby deleted in its entirety and replaced with the following language:

"The initial term of this Agreement shall commence on July 1, 2003 and end on June 30, 2010, with annual extensions upon mutual agreement unless terminated earlier in accordance with the provisions of Article 9, below."

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 the day and year first above written.

"Agency": Sonoma County Waste Management Agency

By: \_\_\_\_\_  
Vincent Marengo, Chair

"Contractor": C<sup>2</sup> Alternative Services

By: \_\_\_\_\_  
Connie Cloak, Owner

APPROVED AS TO FORM FOR AGENCY:

\_\_\_\_\_  
Agency Counsel

APPROVED AS TO SUBSTANCE FOR AGENCY:

\_\_\_\_\_  
Mollie Mangerich, Executive Director

RESOLUTION NO.:

DATED: April, 15, 2009

RESOLUTION OF THE  
SONOMA COUNTY WASTE MANAGEMENT AGENCY ("AGENCY") APPROVING THE  
FOURTH AMENDMENT WITH C<sup>2</sup> ALTERNATIVE SERVICES ("CONTRACTOR") TO AUDIT  
OIL RECYCLING CENTERS AND COORDINATE OIL RECYCLING PUBLICITY AND  
PROGRAMS

WHEREAS, Agency and Contractor entered into that certain Agreement to audit oil recycling centers and coordinate oil recycling publicity and programs dated as of May 21, 2003 ("Agreement"); and

WHEREAS, the Agreement allows for annual extensions upon mutual agreement; and

WHEREAS, on May 17, 2006, Agency and Contractor extended the Agreement with a First Amendment to expire on June 30, 2007; and

WHEREAS, on May 16, 2007, Agency and Contractor extended the Agreement with a Second Amendment to expire on June 30, 2008; and

WHEREAS, on June 18, 2008, Agency and Contractor extended the Agreement with a Third Amendment to expire on June 30, 2009; and

WHEREAS, Agency needs auditing and publicity services during Fiscal Year 09-10; and

WHEREAS, Agency is satisfied with services provided by Contractor and would like to continue receiving said services from Contractor.

NOW, THEREFORE, BE IT RESOLVED that the Agency hereby approves the terms of the Fourth Amendment to the Agreement ("Agreement") extending the Agreement to June 30, 2010 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



Agenda Item #: 11.1  
Cost Center: Diversion  
Staff Contact: Carter  
Agenda Date: 4/15/2009

## ITEM: Beverage Container Program Funding

### I. BACKGROUND

In January 2000, the California Department of Conservation (DOC) appropriated \$10.5 million annually to be paid to cities and counties to support the recycling of cans and bottles. The SCWMA has administered this program for all Sonoma County jurisdictions since 2000, collecting the funds, creating agreements for beverage container collection service, and purchasing new collection containers and enclosures.

### II. DISCUSSION

Notices of fund availability and associated application web links were sent to all cities on March 30, 2009 by the California Department of Conservation (DOC). SCWMA staff received these notices, and is requesting direction from the Board regarding this year's program. If the Board chooses to pool the funding, as has been done in the past, approximately \$135,000 would be available for projects meeting the DOC's criteria.

A large portion of these funds have historically gone to fund countywide container collection and service in County and State parks within Sonoma County, with the understanding that citizens from all jurisdictions visit these parks, so the community effort is justified. Last grant cycle, the Sonoma County Probation Department provides the collection service for \$69,550. If the Board chooses to continue this process, staff will bring forward a separate agenda item at a future SCWMA meeting to address collection.

If the funds are pooled again this year, staff would appreciate the Board's assistance informing staff from their jurisdictions as to the availability of these funds. SCWMA staff can provide assistance brainstorming new projects or expanding existing projects. Funding is expected to become available for these projects in August 2009.

### III. FUNDING IMPACT

Continuing to pool funding would provide approximately \$135,000 in funding. These funds were included in the SCWMA FY 2009-10 Budget.

### IV. RECOMMENDED ACTION / ALTERNATIVES TO RECOMMENDATION

Staff recommends continuing the process of pooling funds and reaffirming the SCWMA's role as grant administrator.

Approved by:   
Mollie Mangerich, Executive Director, SCWMA



Agenda Item #: 12.1  
Cost Center: Education  
Staff Contact: Chilcott  
Agenda Date: 4/15/2009

**ITEM: SonoMax.org Web site Maintenance Agreement with Genacom, Inc.**

**I. BACKGROUND**

Based on the California Integrated Waste Management Board's (CIWMB) CalMax (California Materials Exchange Program) protocol, the Agency has operated SonoMax (Sonoma County Materials Exchange) program since 1995. Intended to target business waste, SonoMax is a classified-ad program where users can post available or wanted materials that might otherwise be landfilled. In response to new technology and staffing limitations, the way SonoMax operates has changed over the years:

**1995-2005**

SonoMax was operated through the Agency's Eco-Desk public recycling hotline. Available and wanted SonoMax ads were compiled quarterly into a printed newsletter and mailed. Listers were updated via fax/phone in preparation for new SonoMax mailings. In addition, Agency staff created a web site for the SonoMax program in 1998 at [www.recyclenow.org/sonomax](http://www.recyclenow.org/sonomax).

**2004**

In response to increased web site usage at the Agency's web site [www.recyclenow.org](http://www.recyclenow.org) and in order to reduce staff time required to maintain the SonoMax program, in October 2004 the Agency Boardmembers gave direction to staff to submit a CIWMB Reuse Assistance Grant application for the SonoMax.org web site development. Unfortunately, the project was not selected for funding.

**2006**

Funding for SonoMax to make the transition to an entirely web-based program was budgeted in the Agency's FY 2005-06 Education budget. At the June 2006 Board meeting, a not-to-exceed contract for \$17,125 was approved with Genacom, Inc. to develop the SonoMax.org online materials exchange program. Genacom, Inc., a Napa-based web site management company, was uniquely suited to accomplish this project because they had completed four similar materials exchange database web sites for other jurisdictions in California including Azusa On-line Exchange <http://aoe.azusalw.com/>, City of Santa Clarita Salvaged Waste and Arts Program <http://www.scvswap.com/>, City of Napa Materials Exchange [www.napamax.org](http://www.napamax.org) and Santa Cruz Materials Reuse Network [www.promaxreuse.org](http://www.promaxreuse.org). The Genacom, Inc. materials exchange model involved complicated programming based on active server pages with a front end (what the web site visitor actually sees) and a back end (where all system administration and reporting is accomplished).

For efficiency, the new SonoMax.org web site would be built upon existing programming. In addition, new programming would be added for user-friendly features including: a bi-weekly email list serve digest and a preview listings function. Staff intended to enter into a \$350/month maintenance and hosting agreement with Genacom, Inc. once the site was established and a maintenance agreement was signed.

**2007**

Anticipating completion of Genacom, Inc.'s new SonoMax.org web site, in March 2007 Agency Board members approved submittal of an application for a competitive CIWMB Reuse Assistance Grant to publicize [www.SonoMax.org](http://www.SonoMax.org). On Oct. 15, 2007 the Agency was awarded \$16,600 for a two-year SonoMax.org publicity project expiring November 30, 2009.

Genacom, Inc.'s first contract for web site development for \$17,125 was paid in full on July 25, 2007. After completion of the design of the web site, Genacom, Inc. began hosting and maintaining the web

site. Agency staff began negotiation with Genacom, Inc. for a maintenance agreement. These negotiations were not successful until March 2009. Throughout this time, Genacom, Inc. extended good faith effort in maintaining the site and provided web site support as requested.

## **2009**

Agency staff has prioritized publicizing SonoMax.org according to the work plan outlined in the CIWMB Reuse Assistance grant award.

Negotiations with Genacom, Inc. have been completed resulting in an agreement that is being presented to the Board for approval.

## **II. DISCUSSION**

The draft agreement for the Board's consideration is between the Agency and Genacom, Inc. and includes two main components:

1. Agency agrees to pay Genacom, Inc. \$6,650.00 for maintenance and support provided prior to the completed negotiations of this Agreement.
2. Agency agrees to pay Genacom, Inc. \$350/month for web site hosting, support and on-going maintenance on a month-to-month basis upon execution date of this Agreement.

## **III. FUNDING IMPACT**

Currently, Genacom, Inc. has maintained the web site for nineteen months for which results in compensation of \$6,650, which would be paid using Purchase Order #1611. The monthly maintenance fee of \$350 and the previous expenditure will be taken from the Education Cost Center. While this agreement was not budgeted in the FY 08-09 Budget, there is funding available due to program changes. The budget has \$10,000 budgeted for Extended Producer Responsibility projects, which have not developed as planned and a portion of these funds are available for the Genacom, Inc. maintenance and web site support agreement.

## **IV. RECOMMENDED ACTION / ALTERNATIVES TO RECOMMENDATION**

Agency staff recommends the Chair sign the attached Purchase Order with Genacom, Inc. for \$6,650 for services rendered during the negotiation period. In addition, staff recommends that the Chair sign the Agreement for future web site hosting, support and on-going maintenance on a month-to-month basis.

## **V. ATTACHMENTS**

Genacom Agreement.

Approved by:   
Mollie Mangerich, Executive Director, SCWMA

**AGREEMENT BETWEEN THE SONOMA COUNTY WASTE  
MANAGEMENT AGENCY AND GENACOM, INC. FOR WEB SITE SUPPORT AND  
MAINTENANCE  
FOR WWW.SONOMAX.ORG**

This agreement ("Agreement"), dated as of \_\_\_\_\_ 2009 ("Effective Date") is by and between the Sonoma County Waste Management Agency, a joint powers agency (hereinafter "Agency"), and Genacom, Inc., a web design, development and management company, (hereinafter "Contractor").

**R E C I T A L S**

WHEREAS, Agency operates an on-line business materials exchange program, SonoMax.org, to promote reuse of materials that might otherwise be landfilled; and

WHEREAS, Agency has previously completed a contract with Genacom, Inc. to design, maintain and host the Agency's materials exchange web site at [www.sonomax.org](http://www.sonomax.org); and

WHEREAS, Agency would like to enter into a new web site hosting, support and on-going maintenance Agreement (on a month-to-month basis) upon execution of Agreement with Genacom, Inc.; and

WHEREAS, Genacom, Inc. has been providing services to the Agency for more than a year without an approved maintenance contract, it is intended this Agreement shall fully compensate Genacom, Inc. for those services.

NOW, THEREFORE, in consideration of the foregoing recitals and the mutual covenants contained herein, the parties hereto agree as follows:

**A G R E E M E N T**

1. Contractor's Duties, Rights and Obligations.

- a) Contractor shall provide web site hosting and 2 hours per month of technical support and on-going maintenance not to exceed \$350/month. This includes tasks needed to maintain the uninterrupted use and function of the website, including troubleshooting errors and correcting program errors on the servers and web site with respect to content, databases, forms and reports.
- b) Contractor shall provide technical support to Agency staff as needed.
- c) Contractor shall respond to all emails within 2 business days from all Agency staff or the contract manager, with an estimated completion date of request, unless alternate arrangements are approved.

- d) Contractor shall complete all service requests from Agency staff or the contract manager within (14) business days. Contractor will determine the method, details, and means of performing the services and complete projects in a timely manner.
- e) Contractor agrees to provide 10 GB of server storage space. In order to determine increases in website business requirements that may incur additional costs, Contractor will perform a monthly review to assess the current site requirements including increases in site content, monthly bandwidth, required storage space, and other website management requirements.

If based on the monthly assessment, additional management is required due to increases in traffic, space, or content, Contractor will create a written justification to Agency staff, in advance, for approval of any increased costs for the management of this site.

- f) The Contractor shall submit invoices to the Agency contract manager on a monthly basis. Invoices will be sent by email in PDF format or by US Mail.

## 2. Agency's Duties, Rights and Obligations.

- a) Agency agrees to pay Genacom, Inc. \$6,650.00 for 57 hours of web site hosting, support and maintenance completed from September 2007 through March 2009. This represents full and complete payment for any and all services provided to Agency prior to April 1, 2009.
- b) Agency agrees to pay Genacom, Inc. \$350/month for web site hosting and 2 hours per month of support and on-going maintenance, as requested.
- c) Agency agrees to pay Contractor on a time and materials basis, for any additional work requested by Agency, provided the Contractor has provided a detailed estimate beforehand of the work to be performed and the Agency has approved the estimate.

## 3. Indemnification:

Contractor agrees to accept all responsibility for loss or damage to any person or entity, including but not limited to Agency, and to defend, indemnify, hold harmless, reimburse and release Agency, its officers, agents, and employees, from and against any and all actions, claims, damages, disabilities, liabilities and expense including, but not limited to, attorneys' fees and the cost of litigation incurred in the defense of claims as to which this indemnity applies or incurred in an action by Agency to enforce the indemnity provisions herein, whether arising from personal injury, or property damage, that may be asserted by any person or entity ~~arising out of or in connection with the performance of Contractor~~ hereunder, but, to the extent required by law, excluding liability due to the sole negligence or willful misconduct of Agency. If there is a possible obligation to indemnify, Contractor's duty to defend with legal counsel acceptable to Agency, exists regardless of whether it is ultimately determined that there is not a duty to indemnify. This indemnification obligation is not limited in any way by any limitation on the amount or type of damages or compensation payable to or for Contractor or its agents.

4. Termination:

Notwithstanding any other provision of this Agreement, at any time and without cause, Agency shall have the right, in its sole discretion, to terminate this Agreement by giving ten (10) days written notice to Contractor. Agency shall pay Contractor on a pro-rata basis for the number of days of services provided within the termination month.

5. Assignment and Delegation.

Neither party hereto shall assign, delegate, sublet, or transfer any interest in or duty under this Agreement without the prior written consent of the other, and no such transfer shall be of any force or effect whatsoever unless and until the other party shall have so consented.

6. Insurance:

With respect to performance of work under this Agreement, Contractor shall maintain and shall require all of its subcontractors, consultants, and other agents to maintain, insurance as described below:

6.1 Workers' Compensation Insurance. Workers' compensation insurance with statutory limits as required by the Labor Code of the State of California. Said policy shall be endorsed with the following specific language:

- a. This policy shall not be cancelled or materially changed without first giving thirty (30) days prior written notice to the Sonoma County Waste Management Agency.

6.2 General Liability Insurance. Commercial general liability insurance covering bodily injury and property damage using an occurrence policy form, in an amount no less than One Million Dollars (\$1,000,000.00) combined single limit for each occurrence. Said commercial general liability insurance policy shall either be endorsed with the following specific language or contain equivalent language in the policy:

- a. The Sonoma County Waste Management Agency, its officers and employees, is named as additional insured for all liability arising out of the operations by or on behalf of the named insured in the performance of this Agreement.
- b. The inclusion of more than one insured shall not operate to impair the rights of one insured against another insured, and the coverage afforded shall apply as though separate policies had been issued to each insured, but the inclusion of more than one insured shall not operate to increase the limits of the company's liability.

c. The insurance provided herein is primary coverage to the Sonoma County Waste Management Agency with respect to any insurance or self-insurance programs maintained by the Agency.

d. This policy shall not be cancelled or materially changed without first giving thirty (30) days prior written notice to the Sonoma County Waste Management Agency.

7. Agency Contact Information:

Agency: Sonoma County Waste Management Agency  
Attention: Mollie Mangerich, Executive Director  
2300 County Center Drive, Suite 100 B  
Santa Rosa, CA 95403  
Phone: (707) 565-3668  
FAX: (707) 565-3701

8. Contractor Contact Information:

Contractor: Genacom, Inc.  
Attention: David Northcutt  
1542 Silverado Trail  
Napa, Ca 94559  
Phone: (707) 226-7000

9. Applicable Law and Forum.

This Agreement shall be construed and interpreted according to California law and any action to enforce the terms of this Agreement or for the breach thereof shall be brought and tried in the County of Sonoma.

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

AGENCY: SONOMA COUNTY WASTE MANAGEMENT AGENCY

By: \_\_\_\_\_  
Vincent Marengo, Agency Chair

CONTRACTOR: GENACOM, INC.

By: \_\_\_\_\_

Name: David Northcutt

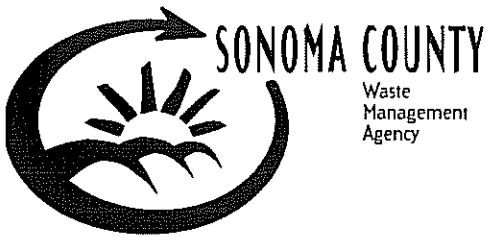
Title: \_\_\_\_\_

APPROVED AS TO SUBSTANCE BY:

By: \_\_\_\_\_  
Agency Executive Director

APPROVED AS TO FORM FOR AGENCY:

By: \_\_\_\_\_  
Agency Counsel



Agenda Item #: 13.1  
Cost Center: Organics  
Staff Contact: Carter  
Agenda Date: 4/15/2009

## 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

As reported at the March 18, 2009 SCWMA meeting, the top ranked site identified in the Compost Relocation Siting Study has become available. At the time the Board was considering selecting three sites for study in an EIR, the Sonoma County Agricultural Preserve and Open Space District (Open Space) was in negotiations with the owners of Site 40, and requested the SCWMA not include the site in the SCWMA EIR. The SCWMA Board chose not to include the site and selected sites 5a, 13, and 14 for further study. In March 2009, staff learned negotiations between Open Space and the property owners of Site 40 had failed.

Staff is requesting Board direction with regard to this site. As it was the top ranked site in the siting study, staff believes the site warrants further consideration.

### III. FUNDING IMPACT

There is no funding impact resulting from this transmittal.

### IV. RECOMMENDED ACTION / ALTERNATIVES TO RECOMMENDATION

Staff requests direction from the Board regarding the inclusion of Site 40 in the Compost Site Relocation EIR.

Approved by:   
Mollie Mangerich, Executive Director, SCWMA