

**SONOMA COUNTY WASTE MANAGEMENT AGENCY**

May 20, 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, 10.1\*\***

**Estimated Ending Time 11:30 a.m.**

**AGENDA**

- | <u>ITEM</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<br>Property: 500 Mecham Road, Petaluma, California<br>Agency Negotiator: Executive Director<br>Negotiating Party: County of Sonoma<br>Under Negotiation: PRICE _____<br>TERMS _____<br>BOTH <u>  X  </u> |
|             | CONFERENCE WITH LEGAL COUNSEL – PURSUANT TO<br>Government Code Section 54956.9 (c) Initiation of Litigation;<br>one case   |
| 3.          | Adjourn Closed Session   |
| 4.          | Call to Order Regular Meeting/Introductions: 9:00 a.m. (or immediately following<br>Closed Session).   |

5. Attachments/Correspondence:  
 Director's Agenda Notes  
 Letter of Support for AB 68  
 Letter of Support for AB 87
6. On file w/Clerk: for copy call 565-3579  
 Resolutions approved in April 2009  
 2009-008 Resolution of the SCWMA Adopting an Annual Budget for Fiscal Year 2009-10  
 2009-009 Appropriation Transfer for Contract Services for Consultant to Develop a Model  
 2009-010 Resolution of the SCWMA Approving the Fourth Amendment with C<sup>2</sup> Alternative  
 Services to Audit Oil Recycling Centers and Coordinate Oil Recycling Publicity  
 and Programs
7. Public Comments (items not on the agenda)

CONSENT (w/attachments)

Discussion/Action

- 8.1 Minutes of April 15, 2009
- 8.2 Amended Minutes of March 18, 2009 (continued from April 15<sup>th</sup> meeting)
- 8.3 Carryout Bag Update
- 8.4 FY 08-09 Third Quarter Financial Report

REGULAR CALENDAR

ORGANICS

- 9.1) Compost Relocation Update  
 [Carter](Attachment)

UNANIMOUS VOTE

HOUSEHOLD HAZARDOUS WASTE

- 10.1) Clean Harbors 7<sup>th</sup> Amendment Revised  
 [Steinman](Attachment)

UNANIMOUS VOTE

DIVERSION

- 11.1) Waste Reduction Policies for Large Events and Venues  
 and Construction and Demolition Materials  
 [Carter](Attachment) (Presentation)

Discussion/Action

PLANNING

- 12.1) Solid Waste Reporting Update  
 [Carter]

Discussion/Action

13. Boardmember Comments
14. Staff Comments
15. Adjourn

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

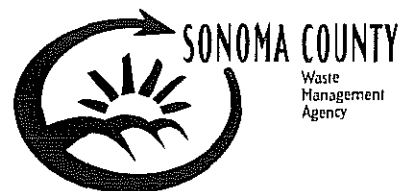
**REGULAR CALENDAR:** These items include significant and administrative actions of special interest and are classified by program area. The regular calendar also includes "Set Matters," which are noticed hearings, work sessions and public hearings.

**PUBLIC COMMENTS:** Pursuant to Rule 6, Rules of Governance of the Sonoma County Waste Management Agency, members of the public desiring to speak on items that are within the jurisdiction of the Agency shall have an opportunity at the beginning and during each regular meeting of the Agency. When recognized by the Chair, each person should give his/her name and address and limit comments to 3 minutes. Public comments will follow the

staff report and subsequent Boardmember questions on that Agenda item and before Boardmembers propose a motion to vote on any item.

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

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



TO: SCWMA Board Members

FROM: Mollie Mangerich, Executive Director

SUBJECT: MAY 20, 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 April 15, 2009
- 8.2) Amended Minutes of March 18, 2009
- 8.3) Carryout Bag Update Staff will update Board members on the status of carryout bag ordinances and related recycling and reduction efforts.
- 8.4) FY 08-09 Third Quarter Financial Report The attached Third Quarter Report is provided in accordance with the JPA requirement that the Agency prepare quarterly reports of Agency operations and of all receipts to and disbursements from the Agency.

#### **REGULAR CALENDAR**

##### **ORGANICS**

- 9.1) Compost Relocation Update Staff is presenting four options for inclusion of Site 40 into the Environmental Impact Report for a new composting site in Sonoma County. **Recommended Action: Approval of the Second Amendment of the Agreement with ESA for Consulting Services and authorization for the chair to sign an Appropriation Transfer from the Organics Reserve Cost Center in the amount of \$66,000. This action would change the project to substitute Site 40 in place of Site 14 in the Compost Relocation Project Environmental Impact Report at the preferred site level of detail (option 4). UNANIMOUS VOTE REQUIRED**

##### **HHW**

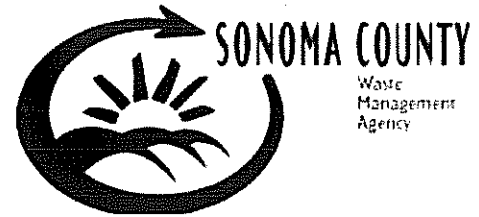
- 10.1) Clean Harbors 7<sup>th</sup> Amendment Revised The Agency has a Contract with Clean Harbors Environmental Services to operate the Household Hazardous Waste Facility (HHWF) and Mobile Collection Programs. The current contract term will end on January 6, 2010 and is a three-party Agreement between the Agency, County of Sonoma, and the Contractor. At the March 18, 2009 Agency Board Meeting, the Board approved the Seventh Amendment extending the Agreement an additional two years until January 6, 2012 with no changes to the current terms and conditions. County Counsel and County staff recommend extending the Agreement for one-year, until January 6, 2011, instead of the two year extension approved by the Agency Board. **Recommended Action: Adopt Resolution to approve the Revised Seventh Amendment to the Agreement with Clean Harbors Environmental Services, extending the term of the Agreement until January 6, 2011 without any changes to the current terms and conditions, and authorize the Chair to execute the Revised Seventh Amendment to the Agreement on behalf of the Agency. UNANIMOUS VOTE REQUIRED**

## **DIVERSION**

11.1) Large Venue and C&D Planning Policy Staff and SCS Engineers will discuss the results of the jurisdiction surveys and recommended waste reduction ordinances regarding large events and venues and construction and demolition debris. **Recommended Action: Staff recommends acceptance of the ordinances from SCS Engineers. Staff requests direction from the Board regarding further educational efforts for implementation of these ordinances.**

## **PLANNING**

12.1) Solid Waste Reporting Update Staff will provide an overview of previous solid waste reporting requirements as well as summarize recently implemented requirements. **No Action Required.**



April 30, 2009

Assembly Member Kevin DeLeon, Chair  
Assembly Appropriations Committee  
State Capitol  
Sacramento, CA 95814

Submitted via fax: 916- 319-2181

**RE: AB 68 (Brownley) Carryout Bag Litter – Support**

Dear Assembly Member DeLeon,

The Sonoma County Waste Management Agency supports AB 68, which will substantially reduce the environmental and economic burdens of single use shopping bags—85% of which are plastic. It has been demonstrated that by charging users the environmental cost of single use bags we can reduce waste, encourage reuse, and help offset the costs of bag litter and waste for the state and local governments.

Litter and waste is a serious and costly problem for communities and the environment. The vast majority of marine debris pollution comes from urban litter, and single use plastic bags are a major—and readily preventable—source. Plastic marine debris pollution has killed thousands of marine birds, sea turtles and other species and threatens California's multi-billion dollar ocean-based economy.

Plastic bags essentially never biodegrade, though they may slowly photo degrade, breaking into smaller pieces and attracting ambient toxins, potentially overwhelming the local plankton food chain. There is already 46 times more plastic than plankton by weight in the North Pacific Gyre.

AB 68 will significantly reduce distribution of single-use bags as consumers switch to reusable bags. A similar fee in Ireland resulted in a 90% reduction in plastic bags. And revenue generated from fees on the remaining single-use bags will offset the cleanup costs to local governments and the state.

Thank you for your support and commitment to this issue.

Sincerely,

[Redacted signature]

Mollie Mangerich  
Executive Director  
Sonoma County Waste Management Agency

cc: Board of Directors, Sonoma County Waste Management Agency



April 30, 2009

Assembly Member Kevin DeLeon, Chair  
Assembly Appropriations Committee  
State Capitol  
Sacramento, CA 95814

Submitted via fax: 916- 319-2181

**RE: AB 87 (Davis) Carryout Bag Litter – Support**

Dear Assembly Member DeLeon,

The Sonoma County Waste Management Agency supports AB 87, which will substantially reduce the environmental and economic burdens of single use shopping bags—85% of which are plastic. It has been demonstrated that by charging users the environmental cost of single use bags we can reduce waste, encourage reuse, and help offset the costs of bag litter and waste for the state and local governments.

Litter and waste is a serious and costly problem for communities and the environment. The vast majority of marine debris pollution comes from urban litter, and single use plastic bags are a major—and readily preventable—source. Plastic marine debris pollution has killed thousands of marine birds, sea turtles and other species and threatens California's multi-billion dollar ocean-based economy.

Plastic bags essentially never biodegrade, though they may slowly photo degrade, breaking into smaller pieces and attracting ambient toxins, potentially overwhelming the local plankton food chain. There is already 46 times more plastic than plankton by weight in the North Pacific Gyre.

AB 87 will significantly reduce distribution of single-use bags as consumers switch to reusable bags. A similar fee in Ireland resulted in a 90% reduction in plastic bags. And revenue generated from fees on the remaining single-use bags will offset the cleanup costs to local governments and the state.

Thank you for your support and commitment to this issue.

Sincerely,

[Redacted Signature]

Mollie Mangerich  
Executive Director  
Sonoma County Waste Management Agency

cc: Board of Directors, Sonoma County Waste Management Agency



Agenda Item #8.1

MINUTES OF APRIL 15, 2009

The Sonoma County Waste Management Agency met on April 15, 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	Jack Griffin
City of Sonoma	Milenka Bates
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 SPECIAL MEETING**

The special meeting was called to order at 8:30 a.m. by Vince Marengo.

**2. OPEN CLOSED SESSION**

CONFERENCE WITH REAL PROPERTY NEGOTIATOR PURSUANT TO GOVERNMENT CODE SECTION 54956.8

Property:	500 Mecham Road, Petaluma, California
Agency Negotiator:	Executive Director
Negotiating Party:	County of Sonoma
Under Negotiation:	PRICE _____
	TERMS _____
	BOTH <u>  X  </u>

**3. ADJOURN CLOSED SESSION**

No report.

**4. CALL TO ORDER REGULAR MEETING/INTRODUCTIONS**

The regular meeting was called to order at 9:10 a.m.

**5. ATTACHMENTS/CORRESPONDENCE**

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

**6. ON FILE WITH CLERK**

Chairman Marengo noted the resolutions from the March 18, 2009 meeting on file with the clerk.

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

There were no public comments.

**CONSENT**

- 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**

Item 8.1 pulled by Chairman Marengo and Dell Tredinnick, Santa Rosa.

Item 8.2 pulled by Marsha Sue Lustig, Cotati.

**Dell Tredinnick, Santa Rosa, moved to approve items 8.3 and 8.4. Dan Schwarz, Rohnert Park, seconded.**

**8.1 Chairman Marengo requested that comments made during the March 18, 2009 meeting, item 5.2 (Amendment to City of Petaluma Services Agreement) be clarified, clarification provided via email to Agency staff.**

Dell Tredinnick, Santa Rosa, reported that a member of the AB 939 Local Task Force (LTF) had emailed him and requested that a better description of the Zero Waste Subcommittee presentation be added to the minutes from March 18, 2009. An email was sent with no reply.

Janet Coleson, Agency Counsel, commented that the minutes from the Agency meetings are not meant to be verbatim minutes.

The matter was discussed and the Board concluded that the handouts provided by the Zero Waste Subcommittee would be included in the amended minutes from the March 18<sup>th</sup> meeting.

**Amended minutes from the March meeting will be included in the May 20<sup>th</sup> agenda packet and item 8.1 (minutes from March 18<sup>th</sup> meeting) will be continued to the May 20<sup>th</sup> meeting for approval.**

**8.2 Marsha Sue Lustig, Cotati, removed this item from the consent calendar to take the opportunity to compliment staff on this report.**

**Ms. Lustig, Cotati, moved to approve item 8.2, Gus Wolter, Cloverdale, seconded. Item 8.2 approved.**

**Chairman Marengo reported that the Executive Director meets with the Executive Committee monthly to discuss the agenda for the upcoming meeting.**

**Mr. Marengo invited any interested Board members to attend that meeting. After some discussion direction was given to staff to send the draft agenda out to the entire Board when it is sent to the Executive Committee.**

Chairman Marengo requested the Board's permission to change the order of the agenda moving the unanimous vote items to the beginning of the meeting. Changes are as follows:

**REGULAR CALENDAR**

## EDUCATION

### **12.1 AGREEMENT WITH GENACOM, INC. FOR MAINTENANCE OF SONOMAX WEBSITE**

Ms. Chilcott explained this item relates to the website hosting and maintenance of the Agency's materials exchange program the Sonomax.org by Genacom, Inc. There are two main components; \$6,650 for maintenance and support rendered during the negotiation period and an Agreement for future web site hosting, support, and on-going maintenance on a month-to-month basis.

**Jack Griffin, Sebastopol, moved to approve the Agreement. Marsha Sue Lustig, Cotati, seconded. Motion approved unanimously.**

## ADMINISTRATION

### **9.1 APPROVAL OF FINAL BUDGET FY 09-10**

Ms. Mangerich recounted that staff brought the FY 09-10 Work Plan to the Agency Board early in the year with a deficit budget. Staff was given direction to prioritize programs and balance the budget. Staff returned with a balanced draft budget in March 2009, which the Board approved. Following Agency process, the finalized version was presented to the Board for approval.

Phil Demery, Sonoma County, affirmed the need to restructure the JPA fee and have it become independent of the surcharge tip fee, which is dependent on the economy.

**Dell Tredinnick, Santa Rosa, moved to approve the final budget for FY 09-10. Christa Johnson, Town of Windsor, seconded. Motion approved unanimously.**

### **9.2 AGREEMENT FOR DEVELOPMENT OF PROGRAM AGENCY FEE**

Ms. Mangerich said at the beginning of the year the Board gave staff the authorization to develop a Request for Proposal (RFP) for the development of a Program Agency, an alternate method of funding the Agency without relying solely on the surcharge tip fee.

Dell Tredinnick, Santa Rosa, asked if the subject of illegal dumping was addressed in this RFP. Ms. Mangerich said it was not, but there is an aggressive litter abatement program funded by the California Integrated Waste Management Board (CIWMB). This program is a cooperative effort among several County departments and she is involved along with other County employees.

Mr. Tredinnick asked for a parallel effort to monitor roadside dumping for cause and effect of the Program Fee and have mitigation plan in case of greater roadside dumping.

Christa Johnson, Windsor, asserted her concerns about possible Proposition 218 implications, rate increases, legal costs, changing franchise Agreements and the administrative costs associated with development of the Program Fee. She expressed her view that implementing an Agency Fee should require a unanimous vote.

Phil Demery, Sonoma County, said increasing the JPA fee above \$5.40/ton would require a unanimous vote and the County wouldn't support it.

Ms. Coleson, Agency Counsel, explained the goal is to change the funding mechanism, not necessarily a rate change. There should be no impact on Windsor's franchise Agreement.

**Dan Schwarz, Rohnert Park, moved to approve the agreement for development of a Program Fee. Christa Johnson, Town of Windsor, seconded. Motion approved unanimously.**

## **10.2 C<sup>2</sup> ALTERNATIVE SERVICES CONTRACT EXTENSION FOR USED OIL RECYCLING PROGRAM**

Ms. Steinman reviewed the history the Agency has with C<sup>2</sup> Alternative Services auditing oil recycling centers and coordinating oil recycling publicity programs which is funded by the CIWMB under a Used Oil Block Grant.

The current agreement expires on June 30, 2009; the Amendment would extend the contract to June 30, 2010. Staff has been very satisfied with the quality of the Contractor's performance and recommended approval of the Fourth Amendment.

**Marsha Sue Lustig, Cotati, moved to approve the Fourth Amendment to the contract extension with C<sup>2</sup> Alternative Services for used oil recycling. Mike Kirn, Healdsburg, seconded. Motion unanimously approved.**

### ADMINISTRATION

#### **9.3 AB 479 SOLID WASTE DIVERSION REQUEST FOR AGENCY LETTER OF SUPPORT**

Ms. Mangerich commented that as Executive Director of the Agency she has been authorized by the Board to submit letters of support for legislation that mirrors that of the Agency. AB 479 is complex enough that full Board consideration is sought prior to a letter of support being sent. Ms. Mangerich presented pros and cons of the bill to the Board.

Christa Johnson, Windsor, was not in favor of the bill but was in favor of sending a letter of opposition about the bill.

Dan Schwarz, Rohnert Park, was not in favor of the bill or of sending a letter of opposition.

Chairman Marengo and Phil Demery, Sonoma County, concurred with Windsor and Rohnert Park.

#### **Public Comments on item 9.3**

Tim Smith suggested that rather than opposing the bill the Executive Director could contact Assemblyman Chesbro's office and speak with his technical advisor expressing the concerns the Agency has with the bill.

**Dell Tredinnick, Santa Rosa, requested staff provide a tutorial to the Board regarding how diversion rates are calculated and verified through the State.**

Phil Demery, Sonoma County, commented the Agency would need to know the ramifications of this bill and would need additional information before supporting it.

After much discussion about how the diversion rate is calculated and future changes the CIWMB will make to the calculation methods, it was decided that a letter of would not be sent at this time. Instead the Board directed the Executive Director to call and express concerns about the bill with the Technical Advisor in Assemblyman Chesbro's office. **Staff will return with an informational item about the calculation process of the diversion rate.**

*Dell Tredinnick left the meeting at 10:17 a.m. Elise Howard (alternate) assumed position for the City of Santa Rosa (e.k.).*

#### **9.4 AB 939 LOCAL TASK FORCE (LTF) COMMITTEE**

This item was placed on the agenda at the request of the Executive Committee following a discussion that occurred at the March 18, 2009 Agency meeting. Although some preliminary conversations have taken place between the Executive Director and County Counsel there is not enough information to

give the Board a report at this time. Ms. Mangerich offered to bring this item back to the May 20<sup>th</sup> meeting with a report. Ms. Coleson, Agency Counsel, concurred.

Christa Johnson, Windsor, said Windsor is supportive of the status quo commenting the Agency has enough to work on without taking on additional responsibilities. Ms. Johnson would like to rescind the direction to Agency staff to put time, effort, and resources into exploring options.

Phil Demery, Sonoma County, commented that he'd like to see the Agency finish researching in terms of the requirements. The Agency needs to look at the costs, benefits, impediments and disadvantages for the future.

Marsha Sue Lustig, Cotati, agreed it is a low priority and remarked if the County is interested in making a change, the County should do the research and supply the information.

Ms. Coleson, Agency Counsel, said the response coming back to the Board will be informational only. County Counsel has done some background review on statutes and regulations. A minimal amount of review would be required by Agency Counsel.

**Christa Johnson, Windsor, made a motion that staff not work on this project until the work on the composting facility, the landfill divestiture and the program fee work is complete. When those projects are completed this topic can be discussed further. Motion was seconded by Gus Wolter, Cloverdale.**

Dan Schwarz, Rohnert Park, said he was uncomfortable with the motion because it had such specific direction to staff. He recommended the motion be for the Executive Director to exercise her judgment as to available staff resources to deal with this subject understanding the policies and priorities of the Board.

#### **Public Comments on item 9.4**

Tim Smith commented the County is a member of the Board and also provides services for the Board. This is an opportunity to work together with the County and should be considered.

Ken Wells, Guiding Sustainability, said he didn't see it as a cost benefit issue but rather as a significant legal issue.

Dan Schwarz, Rohnert Park, said staff has a work plan and they understand the priorities.

**Marsha Sue Lustig, Cotati, stated the amended motion to be the three priorities (compost facility, landfill divestiture, program fee) were to be addressed by staff prior to tending to the issue of the LTF. When staff determines they have time to address this issue they will speak with County Counsel and develop a report for the Board on the function and legalities around LTF.**

**Ms. Johnson, Windsor and Mr. Wolter, Cloverdale accepted the amended motion. Amended motion approved.**

*Gus Wolter and Dan Schwarz left the meeting at 10:42 a.m. (e.k.).*

#### **HOUSEHOLD HAZARDOUS WASTE**

##### **10.1 PRESENTATION BY C<sup>2</sup> ALTERNATIVE SERVICES ON USED OIL**

Connie Cloak, C<sup>2</sup> Alternative Services, thanked the Board for renewing their contract. Their current focus is on targeting 'do-it-yourselfers' particularly those who are not disposing of motor oil properly. There programs created by legislation and funded by a tax assessed on all lubricating oil sold in the State of California.

Hugo Mata, C<sup>2</sup> Alternative Services, said as bilingual staff he had participated in local events such as Cesar Chavez Day and Cinco de Mayo. He has visited day labor locations to try to reach Spanish speaking do-it-yourselfers and also radio and television have been utilized

Christa Johnson, Windsor, asked if Walmart and Home Depot allow promotional materials to be displayed in their stores. She volunteered to be a liaison for C<sup>2</sup> Alternative Services with Home Depot and Walmart in Windsor.

## DIVERSION

### **11.1 BEVERAGE CONTAINER PROGRAM**

Mr. Carter said on March 30<sup>th</sup>, 2009 the Department of Conservation sent notices to each of the cities for funding requests for this next fiscal year's allotment of the City/County payment program. This money has been used in the past to fund the countywide collection and servicing of beverage containers in the parks, and can be used for purchases of additional new containers on a first-come first-serve basis. Staff requested that their role of grant administrator be reaffirmed and offered to complete the forms for each of the cities and submit them to the State.

**Marsha Sue Lustig, Cotati, moved to approve the process of pooling the funds and reaffirming Staff as the grant administrator. Jack Griffin, Sebastopol, seconded. Cloverdale and Rohnert Park, absent. Motion approved.**

## ORGANICS

### **13.1 COMPOST RELOCATION UPDATE**

Mr. Carter said the top-ranked site identified in the Siting Study (Site #40) had been taken out of consideration because of discussions with the So. Co. Agricultural Preserve and Open Space District. In March 2009, staff learned negotiations between Open Space and the property owners of Site 40 had failed. Staff believes there is merit in further consideration of the site as it was the top-ranked site in the siting study

Mike Kirn, Healdsburg, asked if including the site would impact the cost or the time line.

Mr. Carter said it would impact the cost, but the consultants believe they can finish the process within the time allotted assuming it starts before the end of May.

Christa Johnson, Windsor, asked if it would be worth deleting Site 14 and adding Site 40 as a new option.

Mr. Carter said there would be some cost savings. There are two options; Site 40 could be included as an alternative site or more environmental work would need to be done if Site 40 is proved to be a superior site. Originally, Site 40 was the number one ranked site; Site 14 ranked the lowest of the 3 sites.

Mike Kirn, Healdsburg, asked if staff could provide information about costs using two options: 1) Site 40 as a standalone and 2) assessing Site 40, deleting Site 14.

Mr. Carter said he would provide some of those costs and reminded everyone this item will eventually require a unanimous vote.

Christa Johnson, Windsor, said the Executive Director met with her and Town Manager Matt Mullan recently as they are not 100% comfortable with the fact the compost operation has to move off the current site. She requested that Agency staff meet with the NCRWQCB to obtain a better understanding of any composting permitting issues necessary to keep the composting facility at the Central landfill. If and when a new owner is identified she would like to inquire whether they can operate the composting facility. She questioned whether the composting operation should be an

Agency function. In summary, she supported adding Site 40.

Marsha Sue Lustig, Cotati, has supported and will continue to support the EIR because it's a path that needs to be explored for due diligence. The question the compost facility needing to leave the landfill is something the Board needs to know

Ms. Coleson, Agency Counsel, said a number of issues had been brought forth through the discussion. The only issue on the agenda is the compost relocation project and whether the Board wants staff to come back with Site 40 included in the EIR. Other relocation issues have been brought up and are not agendized. Staff could come back with information explaining why the compost facility can't be on the Central Landfill Site because of the issues with the NCRWQCB.

Chairman Marengo said the Board is entitled to understand about the basis of the ruling by the NCRWQCB.

**Jack Griffin, Sebastopol, made a motion to approve including Site 40 in the EIR. Christa Johnson, Town of Windsor, seconded. Cloverdale and Rohnert Park, absent.**

*Milenka Bates left the meeting at 11:23 a.m. (e.k.).*

Chairman Marengo recommended an ad hoc subcommittee consisting of two Board members and Agency Counsel to address this issue. Ms. Mangerich offered to contact the NCRWQCB to discuss the questions the Board has about the existing compost facility site and bring information back to the June 2009 Agency meeting.

*Phil Demery left the meeting at 11:30 a.m. (e.k.).*

#### **14. BOARDMEMBER COMMENTS**

Jack Griffin, Sebastopol, thanked staff for the promotional materials they designed and provided for the food waste composting pilot program.

Christa Johnson, Windsor, shared the Town is sponsoring their 2<sup>nd</sup> Annual Earth Day Celebration, Sunday April 17th from 10 a.m. to 2 p.m. on the Town Green. The event is sponsored by Windsor Refuse and Recycling. Agency staff will also provide a booth.

#### **15. STAFF COMMENTS**

Ms. Chilcott has boxes of the 2009 Recycling Guide available for distribution.

#### **16. ADJOURNMENT**

Meeting adjourned at 11:35 a.m.

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

2009 Recycling Guides

Respectfully submitted,  
Elizabeth Koetke



Agenda Item #8.2

**AMENDED 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 (hhw, 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.~~

Minutes amended as follows:

The staff report of January 21, 2009, had a couple of implicit assumptions that should be questioned. One is whether the JPA has a continued need for the same level of revenue. If the JPA as originally formed changed, or possibly changing the nature of the JPA's mission, then, a reduction in its mission ought to mean less need for revenue. If, indeed, the JPA's mission is reduced, then the method for fair allocation of the fee might change. That is, if the fee is going to set in proportion to the generation of solid waste, the JPA would have to establish that there is a correlation between solid waste and other programs. This is because the fee, as opposed to a tax, must actually approximate the cost of providing the service, and be imposed on those imposing the service burden on the agency.

**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.

\*\* Minutes amended with attachments provided by the AB 939 Local Task Force Zero Waste Subcommittee at the meeting.

## 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

## Zero Waste: The Organics Fraction

"Zero Waste is a goal that is both pragmatic and visionary, to guide people to emulate sustainable natural cycles, where all discarded materials are resources for others to use. Zero Waste means designing and managing products and processes to reduce the volume and toxicity of waste and materials, conserve and recover all resources, and not burn or bury them. Implementing Zero Waste will eliminate all discharges to land, water, or air that may be a threat to planetary, human, animal or plant health."

Zero Waste International Alliance

Sonoma County currently diverts about 90,000 tons of compostables and 10,000 tons of wood waste through the regional organics recycling facility. Over 95% of the compostables is yard trimmings and less than 5% vegetative food discards. The Sonoma County Waste Management Agency Waste Characterization Study (November, 2007) shows that 36.3% of the current waste stream is still organics, 32.1% divertible (Figures 3 and 4 from the study). An estimated 80,000 tons of food discards are still hauled to an out of county landfill.

Figure 3. Waste Characterization, County Overall

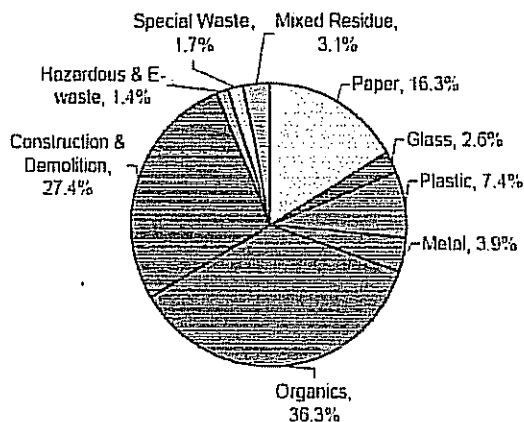
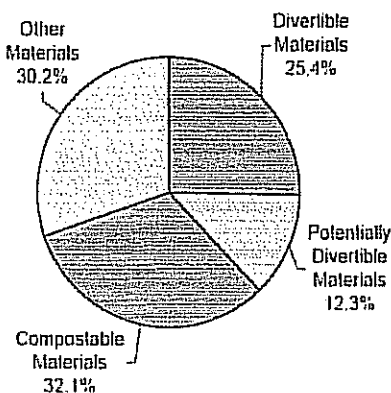


Figure 4. Divertibility Analysis, County Overall



What is the true volume wasted today?

- The data in the pies above are outdated in an unknown percentage. Several large commercial food waste producers have created markets for their discards. Much of the food waste is already diverted to animal feed.
- Vegetative food discards can now be added to the green can. This idea is still catching on

### Suggested Strategies

The strategy for zero waste regarding the organics stream has to be multi-pronged: Reduce, Reuse, Recycle

Reduce. We can focus on the reduction of organic waste production.

Landscapes can be designed to produce less organic matter. Reduce lawn area,

reduced fertilizer use, promote structural biomass planting. This will also use less water and fertilizers.

**Reuse.** This does not apply as much to the organics cycle. However, many good plants are pulled and discarded which could be replanted. Imagine a used plant exchange.

**Recycle.** The existing compost infrastructure in Sonoma County is successful, closes the recycling loop locally, diverts a large percentage to meet the AB 939 requirements and sustains the soils on which our beautiful county relies. A significant amount of organics, mainly food discards, is still being landfilled. Long-term planning needs to address this organics fraction on our road to zero waste.

**Zero waste goals for organics include:**

- *Promote Conservation Landscaping.*
- *Promote backyard composting* (Master Gardeners, SRJC, SCWMA, Compost Club, etc.).
- *Promote institutional composting* (SCWMA, SRJC, Compost Club, etc.).
- *Provide infrastructure for full organics composting* including meat and dairy. Although vegetal food scraps can be placed in the green can, many residents are unaware of this or have not incorporated the practice in their recycling habits. A pilot program has started in the City of Sebastopol to evaluate full food discard collection and composting at Sonoma Compost.
- *Monitor organics to energy technologies* (beware of incineration processes, new unproven technologies). Anaerobic digestion is widely used in Europe and has proven to be a sound technology. In the absence of oxygen methane is produced, the organic matter can be aerobically composted afterwards to produce a valuable soil amendment. Economically it has not proven to be viable yet in the US due to both low energy and landfilling costs. Pyrolysis is the production of methane and char through the decomposition of organic matter under high heat conditions. The char can be used as a soil amendment and locks carbon in the soil for about 1,000 years. It is seen as a valuable tool in carbon sequestration to reduce greenhouse gases. Both the energy balance and economic viability of this technology needs to be further studied before widespread applications will take place. Care must be taken, however, not to meet green energy goals at the cost of maintaining the health of our local soils.
- *Keep organics local.* Organics recycling can take place locally, creating local jobs, reduce hauling costs, minimize the carbon footprint and keeping the dollars spent local. On a statewide basis, so far, the organic recycling programs, in stark contrast to other recycling programs, have weathered the recession well. Diverse local markets have strengthened this industry.

## Zero Waste Initiative Chart

Beta Version 1 - 1/09 INCOMPLETE - NOT FOR DISTRIBUTION

BAY AREA Jurisdictions by		ZERO WASTE GOALS AND PLANS		Construction & Demolition	Green Building/Construction	Bay Friendly Landscaping	Compost Requirements	Demolition/Salvage/Reuse	FOOD SERVICE PACKAGING		Compostable/Recyclable/Reusable	EPS - Expanded Polystyrene	ORGANICS	Residential Food Waste	Commercial Food Waste	Organics Out Of Landfill	PURCHASING	Environmentally Preferable Purchasing	Product Stewardship	RECYCLING - Residential	Mandatory/Right To Recycle	RECYCLING - Commercial	Mandatory/Right To Recycle	REUSE AND REPAIR	Textile Collection	Directory or Resource Recovery Park	UNIVERSAL WASTE	Batteries	Electronics	Local Retail Takeback	TBD - Suggestions Welcome	Add Here
ALAMEDA COUNTY																																
	Berkeley	G/R	O	PR				P			O			PR	PR				d	PR		PR	PR			PR		PR	PR	PR		
	Emeryville	d	d	R	R/d	O	d			O	O			PR	TA			p		PR		PR								PR		
	Oakland	G/PL	O	O						O	O			PR	TA			p	R	PR		PR	PO					PR	PR			
CONTRA COSTA COUNTY																																
MARIN COUNTY																																
SAN FRANCISCO, CITY & COUNTY		G		O						O	B			PR	PR			O	R	PR	Od	PR	Od					PR	PR	PR		
SAN MATEO COUNTY																																
SANTA CLARA COUNTY																																
	Palo Alto	G/PL	O	O						Od	Bd				Od			PO	PO	PR	Od	PR	Od					PR	PR	Rd		
	San Jose	G/PL		PO	d		O/PR			P	d			PR	PR			PR/PO	G			PR	d	PL		PR	PR	*				
SANTA CRUZ COUNTY																																
	Santa Cruz																															
SOLANO COUNTY																																
SONOMA COUNTY			O/d				PR					PR					PO		PO		PO		PO									
(Excel version: To see/hide comments, select View/Comments on menu above.)																																
Codes	B	Ban							O	Ordinance							PR	Program						d	In development							
	G	Goal							PL	Plan							R	Resolution						p	In progress							
	M	Mandate							PO	Policy							TA	Technical Assistance						w	Peer review wanted							

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Disclaimer: This information is for general reference only and does not claim to represent the municipalities listed.

# ZERO WASTE - OR DARN CLOSE

Prepared by Portia Sinnott, MS+/LITE Initiatives, 2008

This document is designed to stimulate your interest and demonstrate the depth and breadth of current zero waste and waste related climate recovery efforts. Please be sure to visit some, if not all, of the web sites listed on the last page – they could save you a great deal of time, trouble and research.

## In Nature, Biodegradability Is The Norm And There Is No Waste.

Zero Waste, the application of this fact, ensures that products are made to be reused, repaired or recycled into the marketplace or nature. In other words if it can't be recycled – it shouldn't be made! Some people vehemently object to the term "zero waste" because reaching zero discards is impossible. We suggest they compare it to Zero Accidents or Zero Emissions – obviously programs well worth the effort.

**If it can't be recycled – It shouldn't be made!**

Zero Waste is a philosophy and a design principle for the 21st Century. It is not simply an end-of-the-pipe solution; it is a primary strategy to work upstream to eliminate waste, instead of managing it. In other words, Zero Waste is not simply about putting an end to landfilling and end-of-pipe solutions - it heralds a fundamental change.

It is a path or direction that can be used by communities, businesses, institutions, events and even households to guide our decisions and actions. In the US, the State of California is leading the way: "Now, with recycling and conservation programs in every city, we are able to embrace the zero waste concept as our guiding principal and goal for the future." [www.zerowaste.ca.gov](http://www.zerowaste.ca.gov). This challenge is also being collaboratively worked on all over the world by thousands of people and agencies. [www.grnn.org/zerowaste](http://www.grnn.org/zerowaste), [www.zwia.org/links.html](http://www.zwia.org/links.html).

## Additional Definitions

Aiming for zero waste means designing products and packaging with perpetual reuse and recycling in mind. It means ending subsidies for wasting. It means closing the gap between landfill prices and their true costs. It means making manufacturers take responsibility for the entire lifecycle of their products. Zero waste efforts, just like recycling efforts before, will change the face of industrial design and personal consumption in the future. Instead of managing wastes, we will manage resources and eliminate waste. — Institute for Local Self-Reliance, [www.ilsr.org](http://www.ilsr.org)

## Zero Waste Fundamentals

### Recycling Is Not Enough!

Recycling alone will not end our dependency on landfilling and incinerators, nor reverse the rapid depletion of our natural resources. As world population and consumption continue to rise, it is clear that our one-way system of extracting virgin resources to make products that will later be buried or burned or even recycled is not sustainable.

### All Organics Out of Landfill

In many municipalities organics are still a major component of the waste stream. The 2004 California Statewide Waste Characterization Study reported that Organics - yard waste, food and compostable paper, averaged 20% of what is still being landfilled. As these materials degrade they create methane, a green house gas at least 23 times more potent than carbon dioxide. Many of these emissions could be reduced or prevented by rigorous organics recycling programs: [www.cool2012.com](http://www.cool2012.com).

Zero Waste is a goal that is both pragmatic and visionary, to guide people to emulate sustainable natural cycles, where all discarded materials are resources for others to use. Zero Waste means designing and managing products and processes to reduce the volume and toxicity of waste and materials, conserve and recover all resources, and not burn or bury them.

Implementing Zero Waste will eliminate all discharges to land, water or air that may be a threat to planetary, human, animal or plant health. — Zero Waste International Alliance, [www.ziwa.org](http://www.ziwa.org)

## Repair and Reuse – The Unsung Heroes

The price of a product should reflect the full costs of the environmental degradation and public health impacts associated with the virgin resource extraction, processing, manufacture, transportation, and disposal of that product. When the market prices begin to include such costs, the more environmentally-friendly product will also be the less expensive. [www.epa.gov/oppt/library/pubs/archive/acct-archive/index.htm](http://www.epa.gov/oppt/library/pubs/archive/acct-archive/index.htm)

## **Zero Waste Also Advocates For:**

**Ending Tax Payer Subsidies For Wasteful And Polluting Industries**

**Redesigning Products And Packaging For Durability**

**Creating Jobs From Discards**

## **California ZW Resources**

California Integrated Waste Management Board Statewide Waste Characterization Study, 12/2004, <a href="http://www.ciwmb.ca.gov/Publications/LocalAsst/34004005.pdf">www.ciwmb.ca.gov/Publications/LocalAsst/34004005.pdf</a>	<a href="http://www.ciwmb.ca.gov">www.ciwmb.ca.gov</a> and <a href="http://www.zerowaste.ca.gov">www.zerowaste.ca.gov</a> "The Board promotes a Zero Waste California in partnership with local government, industry, and the public. This means ... reducing waste whenever possible, promoting the management of all materials to their highest and best use, regulating the handling, processing and disposal of solid waste, and protecting public health and safety and the environment."
Zero Waste San Diego	<a href="http://www.zerowastesandiego.org">www.zerowastesandiego.org</a>
San Francisco	<a href="http://www.sfenvironment.org/our_programs">www.sfenvironment.org/our_programs</a>
Oakland	<a href="http://www.zerowasteoakland.com">www.zerowasteoakland.com</a>
Palo Alto	<a href="http://www.cityofpaloalto.org/depts/pwd/recycle/zero_waste_program.asp">www.cityofpaloalto.org/depts/pwd/recycle/zero_waste_program.asp</a>
San Jose	<a href="http://www.sjrecycles.org/zerowaste.asp">www.sjrecycles.org/zerowaste.asp</a>
Plus Apple Valley, Berkeley, Culver City, El Cajon, Fairfax, Fresno, Novato, Ocean Beach, Rancho Cucamonga and the following counties: Del Norte, Marin, San Luis Obispo, Santa Cruz, Sonoma <u>Other USA:</u> Boulder County, CO; City of Boulder, CO; Central Vermont Waste Management District; Seattle, WA; Summit County, CO; Matanuska-Susitna Borough, AK; Logan County, OH <u>Elsewhere in the World:</u> Canada, Australia, New Zealand, United Kingdom, Europe, Africa and Asia: <a href="http://grn.org/zerowaste/zw_world.html">http://grn.org/zerowaste/zw_world.html</a> or <a href="http://www.zwia.org/links.html">www.zwia.org/links.html</a>	

## **Other Resources:**

Grassroots Recycling Network/GRRN	<a href="http://www.grn.org/zerowaste">www.grn.org/zerowaste</a>
The Story of Stuff	<a href="http://www.storyofstuff.com">www.storyofstuff.com</a> ( 20 minutes)
Eco-Cycle, Boulder Colorado	<a href="http://www.ecocycle.org/zerowastevideo">www.ecocycle.org/zerowastevideo</a> (3 minutes) and <a href="http://www.ecocycle.org/zerowaste/zwsystem">www.ecocycle.org/zerowaste/zwsystem</a>
Stop Trashing The Environment	<a href="http://www.stoptrashingtheclimate.org">www.stoptrashingtheclimate.org</a>
California Product Stewardship Council	<a href="http://www.caproductstewardship.org">www.caproductstewardship.org</a>
The Berkeley Ecology Center	<a href="http://www.ecologycenter.org/zerowaste">www.ecologycenter.org/zerowaste</a>
Product Policy Institute	<a href="http://www.productpolicy.org">www.productpolicy.org</a>
EPR Working Group	<a href="http://www.eprworkinggroup.org">www.eprworkinggroup.org</a>
Container Recycling Institute	<a href="http://container-recycling.org/zbcwaste">http://container-recycling.org/zbcwaste</a>
Getting To Zero Waste by Paul Palmer	<a href="http://gettingtozerowaste.com">http://gettingtozerowaste.com</a>
Zero Waste Alliance	<a href="http://www.zerowaste.org">www.zerowaste.org</a>
Zero Emissions Research & Initiatives (ZERI)	<a href="http://www.zeri.org">www.zeri.org</a>
Zero Waste International	<a href="http://www.zwia.org">www.zwia.org</a>
Compostable Organics Out of Landfills by 2012	<a href="http://www.cool2012.com">www.cool2012.com</a>
Computer TakeBack Campaign	<a href="http://www.computertakeback.com">www.computertakeback.com</a>



Agenda Item #: 8.3  
Cost Center: Diversion  
Staff Contact: Carter  
Agenda Date: 5/20/2009

**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 approved an action to perform a Master Environmental Assessment<sup>1</sup> studying the production of plastic and paper carryout bags at its April 23, 2009 meeting. This report will provide background to municipalities considering bans of plastic or paper carryout bags. The work is expected to take six to nine months to complete.

The two fee-based carryout bag bills (AB 68 and AB 87) in the Assembly were voted upon favorably in the Assembly Natural Resources Committee and have progressed to the Assembly Appropriations Committee. Both pieces of legislation would require consumers pay a \$0.25 fee on single-use bags distributed at large grocery stores, pharmacies and convenience stores. These measures would incentivize consumers towards re-usable bags, thus reducing the impact of single use bag litter in the environment while reducing the amount going into landfills. These bills were expected to be heard in the Assembly Appropriations Committee on May 6, 2009.

**III. FUNDING IMPACT**

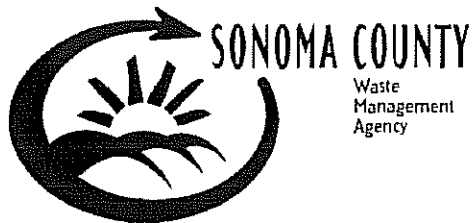
There are no funding impacts resulting from this transmittal.

**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.opc.ca.gov/webmaster/ftp/pdf/agenda\\_items/20090423/09\\_single\\_use\\_plastic\\_bag\\_MEA/0904COPC\\_09%20Single-use%20bag%20MEA.pdf](http://www.opc.ca.gov/webmaster/ftp/pdf/agenda_items/20090423/09_single_use_plastic_bag_MEA/0904COPC_09%20Single-use%20bag%20MEA.pdf), retrieved 4/27/2009.



Agenda Item #: 8.4  
Cost Center: All  
Staff Contact: Mangerich  
Meeting Date: 5/20/2009

## ITEM: FY 08-09 Third Quarter Financial Report

### I. BACKGROUND

In accordance with the JPA requirement that the Agency make quarterly reports of Agency operations and of all receipts to and disbursements from the Agency, this staff report covers the Third Quarter Report for FY 08-09.

### II. FUNDING IMPACT

This Third Quarter Report uses information from the county accounting system (FAMIS) for revenues and expenses. Revenues include tipping fees through February 2009. Interest on Pooled Cash was posted through December 2008. Administration Costs were posted through December. The Third Quarter Report also contains the actual amounts spent or received to date, the projected revenues and expenses, the approved budget and the difference between the approved budget and the projections.

In summary, the expenses for the entire Agency are expected to be \$405,390 under budget and the revenues are anticipated to be \$171,434 under budget. This results in a projected annual net cost reduction of \$233,956. Descriptions of fiscal impacts within the individual cost centers follow and more detailed information is contained in the attached report.

#### **ORGANICS COST CENTERS (Wood Waste and Yard Debris)**

The net cost for both of these cost centers is estimated to be over budget, mainly due to the funds from operations being transferred to the Organics Reserve as per Board policy.

##### Wood Waste

The greatest impact on the Wood Waste Cost Center is the reduction of material coming to the facility to be processed. This reduction affects both expenses (administration costs and contractor expense) and revenues.

##### Yard Debris

The most notable impact on the Yard Debris Cost Center is the increase of material coming to the facility for processing, resulting in increased contractor expense and revenue sharing. There is also an increase in office expense because the "veggie bin" project, which proved to be more successful than anticipated.

Both of the organics cost centers reflect an increase in revenue sharing, based on the sales of finished products, than originally budgeted. This increase is primarily due to deposits from the previous fiscal year, FY 07-08.

## **SURCHARGE COST CENTERS (Household Hazardous Waste, Education, Diversion and Planning)**

With solid waste tonnage entering the County system experiencing notable reductions, the surcharge tipping fee available to these cost centers is negatively impacted.

### **Household Hazardous Waste**

The two major impacts to the Household Hazardous Waste Cost Center is the expectation of receiving \$85,424 less revenue than expected because of the reduced surcharge available.

The other impact is an estimated reduction in Contract Services. During the budget process, the calculation for HHW facility operation's contract expense was an estimate. With more current information, the third quarter estimate indicates the expenses for this fiscal year will be approximately \$504,866 less than was budgeted.

The resulting net cost is \$430,236 less than budgeted.

### **Education**

The first of the two major impacts on the Education Cost Center is the reduction of \$100,314 in budgeted revenues as a result of the reduced surcharge fee on the tonnage of solid waste.

The second impact is an estimated increase of \$16,124 in Legal Services. During the budgeting process the expenditures that are considered ordinary for maintaining an organization are used to plan for the next fiscal year. The ordinary activities are: reviewing agenda packets, attending Board meetings, assessing contracts and grants on request, and answering Boardmembers' questions concerning their Agency involvement. Unanticipated costs that weren't included in the current budget were: assisting staff with the sustainable funding project and preparing for closed sessions. Additional research activities for Boardmembers' benefit are: the Brown Act, the "revolving door" law and AB 1234 (ethics training).

The resulting net cost is \$109,439 more than budgeted.

### **Diversion**

There are three impacts on the Diversion Cost Center. The first impact is the \$6,471 decrease in surcharge-based revenue resulting from the reduced tonnage entering the County system.

The second impact is a \$13,272 reduction in estimated Administration Costs, the result of greater efficiencies in administering the grants.

The third, and final, impact is the \$4,446 estimated increase in Legal Services, which is a result of the continued Board interest in plastic bags requiring research and legislative monitoring.

The resulting net cost is \$5,369 less than budgeted.

### **Planning**

The first of the two major impacts on the Planning Cost Center is a \$15,076 reduction in budgeted surcharge-based revenue due to reduced tonnage entering the County system.

The second impact includes a combination of expenses that results in \$3,260 reduction in expenses from the budgeted amount. While Administration Costs were over budget, Office Expense, Legal Expense and Travel were under budget.

The resulting net cost is \$6,316 over budget due to the reduction in revenues.

**Reserve Funds (Organics, HHW Closure, HHW Facility and Contingency)**

Reserve Funds revenue sources are any excess operational funds from the six operating cost centers. Any impacts on the operating cost centers have a direct impact on the amount of reserve transfers.

**Organics Reserve**

The transferred revenues are estimated to be \$261,807 over budget due to the increased yard debris being processed by Sonoma Compost Company.

**HHW Closure**

This reserve is anticipated to meet budget.

**HHW Facility**

The revenues are anticipated to be \$172,549 under budget and the expenses are projected to be 17,297 under budget due to the HHW facility expansion project being delayed. The project is to be completed at the beginning of the next fiscal year and is included in that budget.

**Contingency**

The revenues are projected to be \$13,528 under budget due to the reduced revenues in the contributing cost centers, Education, Diversion, and Planning. The expenses are expected to be \$1,292 over budget with a resulting \$14,820 increase in net cost.

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

Staff recommends approving the FY 08-09 Third Quarter Financial Report on the Consent Calendar.

**IV. ATTACHMENT**

FY 08-09 Third Quarter Revenue and Expenditure Comparison Summary

Approved by:   
Mollie Mangerich, Executive Director, SCWMA

### THIRD QUARTER 08-09 REVENUE AND EXPENDITURE SUMMARY AND PROJECTION

INDEX 799114, 799213, 799312, 799411, 799510  
799619, 799221, 799320, 799338, 799718

PREPARED BY: CHARLOTTE FISHER

EXECUTIVE DIRECTOR: \_\_\_\_\_  
MOLLIE MANGERICH

#### A. SUMMARY OF PROJECTIONS

	FY 08-09 Adopted Budget	Adjustment	FY 08-09 Adjusted Budget	FY 08-09 Projection	Over/(Under) Budget
TOTAL EXPENDITURES	10,184,848	0	10,184,848	9,779,458	(405,390)
TOTAL REVENUES	9,412,822	0	9,412,822	9,241,388	(171,434)
NET COST	772,026	0	772,026	538,070	(233,956)

#### B. SUMMARY OF EXPENDITURES

	Actual July 08-Mar 09	Expense Estimated Apr-June 09	Total Estimated FY 08-09	Adjusted Budget FY 08-09	Over/(Under) Budget
SERVICES & SUPPLIES	3,584,117	2,789,357	6,373,474	7,025,467	(651,993)
OTHER CHARGES	2,402,586	1,003,398	3,405,984	3,159,381	246,603
TOTAL EXPENDITURES	5,986,703	3,792,755	9,779,458	10,184,848	(405,390)

#### C. SUMMARY OF REVENUES

	Actual July 08-Mar 09	Revenue Estimated Apr- June 08	Total Estimated FY 08-09	Adjusted Budget FY 08-09	Over/(Under) Budget
INTEREST ON POOLED CASH	104,553	85,465	190,018	157,884	32,134
TIPPING FEE REVENUE	3,069,125	1,556,171	4,625,296	4,963,240	(337,944)
SALE OF MATERIAL	112,623	26,570	139,193	111,565	27,628
STATE-OTHER	17,850	386,696	404,546	561,742	(157,196)
DONATIONS/REIMBURSEMENTS	229,904	226,915	456,819	451,424	5,395
PRIOR YEAR - REVENUE	12,865	0	12,865	0	12,865
OT-WITHIN ENTERPRISE	2,402,586	1,010,065	3,412,651	3,166,967	245,684
TOTAL REVENUES	5,949,506	3,291,882	9,241,388	9,412,822	(171,434)

#### C. SUMMARY OF NET COSTS

	Actual July 08-Mar 09	Estimated Apr-Jun 08	Total Estimated FY 08-09	Adjusted Budget FY 08-09	Over/(Under) Budget
NET COST	37,197	500,873	538,070	772,026	(233,956)

**THIRD QUARTER 08-09 REVENUE AND EXPENDITURE SUMMARY AND PROJECTION  
SONOMA COUNTY WASTE MANAGEMENT AGENCY**

INDEX 799114 WOOD WASTE

PREPARED BY: CHARLOTTE FISHER

EXECUTIVE DIRECTOR:

MOLLIE MANGERICH

**A. SUMMARY OF PROJECTIONS**

	FY 08-09 Adopted Budget	Adjustment	FY 08-09 Adjusted Budget	FY 08-09 Projection	Over/(Under) Budget
TOTAL EXPENDITURES	513,105	0	513,105	416,198	(96,907)
TOTAL REVENUES	316,660	0	316,660	219,058	(97,602)
NET COST	196,445	0	196,445	197,140	695

**B. SUMMARY OF EXPENDITURES**

	Actual July 08-Mar 09	Expenditure Estimated Apr-June 09	Total Estimated FY 08-09	Adjusted Budget FY 08-09	Over/(Under) Budget
SERVICES & SUPPLIES	143,046	76,012	219,058	315,965	(96,907)
OT WITHIN ENTERPRISE	197,140	0	197,140	197,140	0
TOTAL EXPENDITURES	340,186	76,012	416,198	513,105	(96,907)

Services and Supplies is projected to be \$96,907 under budget primarily as a result of:

Contract Services is anticipated to be under budget by \$77,029. Tonnage of wood waste processed by this program has not met the budget estimate of 27 tons/day. For the period July 1, 2008 to February 29, 2009, wood waste processed averaged 23 tons/day. The non-fuel wood waste processing is billed at \$23.64 and the fuel wood waste is billed at \$21.79 due to the volume of wood waste that is currently being processed.

OT-Within Enterprise, which is the transfer of funds from operations to the Organics Reserve, is anticipated to meet budget.

**C. SUMMARY OF REVENUES**

	Actual July 08-Mar 09	Revenue Estimated Apr-June 09	Total Estimated FY 08-09	Adjusted Budget FY 08-09	Over/(Under) Budget
INTEREST ON POOLED CASH	3,481	870	4,351	695	3,656
TIPPING FEE REVENUE	122,390	49,376	171,766	284,400	(112,634)
SALE OF MATERIALS	29,941	8,000	37,941	26,565	11,376
DONATIONS/REIMBURSEMENT	0	5,000	5,000	5,000	0
TOTAL REVENUES	155,812	63,246	219,058	316,660	(97,602)

Interest on Pooled Cash is anticipated to be \$3,656 over budget. The interest is accrued on the remaining undesignated funds not transferred to the Organics Reserve.

Tipping Fee Revenue is under budget \$112,634 due to lower anticipated wood waste tonnage processed.

Sale of Materials is anticipated to be \$11,376 over budget due to revenue sharing from last year being deposited in this fiscal year. This sort of delay is common to this part of the composting program.

**D. SUMMARY OF NET COST**

Overall, the Wood Waste Cost Center is anticipated to meet budget.

**THIRD QUARTER 08-09 REVENUE AND EXPENDITURE SUMMARY AND PROJECTION  
SONOMA COUNTY WASTE MANAGEMENT AGENCY**

INDEX 799213 YARD DEBRIS

PREPARED BY: CHARLOTTE FISHER

EXECUTIVE DIRECTOR:

MOLLIE MANGERICH

**A. SUMMARY OF PROJECTIONS**

	FY 08-09 Adopted Budget	Adjustment	FY 08-09 Adjusted Budget	FY 08-09 Projection	Over/(Under) Budget
TOTAL EXPENDITURES	4,266,880	0	4,266,880	4,541,053	274,173
TOTAL REVENUES	3,100,928	0	3,100,928	3,155,146	54,218
NET COST	1,165,952	0	1,165,952	1,385,907	219,955

**B. SUMMARY OF EXPENDITURES**

	Actual July 08-Mar 09	Expenditure Estimated Apr-June 09	Total Estimated FY 08-09	Adjusted Budget FY 08-09	Over/(Under) Budget
SERVICES & SUPPLIES	1,773,277	989,599	2,762,876	2,767,163	(4,287)
OTHER CHARGES	778,177	1,000,000	1,778,177	1,499,717	278,460
TOTAL EXPENDITURES	2,551,454	1,989,599	4,541,053	4,266,880	274,173

Services and supplies is projected to be \$4,287 under budget due to:

Office Expense is estimated to be \$3,087 over budget due to completing the "veggie bin" project.

Contract Services are projected to be \$2,500 over budget due to more material coming to the facility for processing.

Administration Costs are anticipated to be \$1,694 over budget due to greater staff time requirements with more composting activity.

Engineering Services are anticipated to be \$5,000 under budget based on the actual expense for FY 07-08.

Legal Services are estimated to be \$1,743 under budget due to less than anticipated required legal assistance.

The legal assistance required for the new composting site are being expensed to the Organics Reserve.

Enforcement Agency Fee is projected to be \$2,879 under budget based on the actual expense for FY 07-08.

Travel Expense is anticipated to be \$1,000 under budget because there are no plans for travel this fiscal year.

OT-Within Enterprise is anticipated to be \$278,460 over budget because of the prior year funds being transferred this fiscal year, FY 08-09. A budget adjustment will be made.

**C. SUMMARY OF REVENUES**

	Actual July 08-Mar 09	Estimated Apr-June 09	Estimated FY 08-09	Budget FY 08-09	Over/(Under) Budget
INTEREST ON POOLED CASH	23,932	5,983	29,915	6,088	23,827
TIPPING FEE REVENUE	1,986,772	1,026,812	3,013,584	3,004,840	8,744
SALE OF MATERIALS	82,682	18,570	101,252	85,000	16,252
DONATIONS/REIMBURSEMENT	5,395	5,000	10,395	5,000	5,395
TOTAL REVENUES	2,098,781	1,056,365	3,155,146	3,100,928	54,218

Interest on Pooled Cash is anticipated to be \$23,827 over budget due to the undesignated funds being transferred at the end of the fiscal year.

Tipping Fee Revenue will exceed budget by \$8,744 based on increased tonnage projections.

Sale of Material is anticipated to exceed budget by \$16,252 due to greater sales of processed material and a deposit from the previous fiscal year.

Donations/Reimbursement is estimated to be \$5,395 over budget due to the sale of the sinkside composting bins.

**D. SUMMARY OF NET COST**

Overall, the Yard Debris Cost Center net cost is anticipated to be \$219,955 over budget due primarily to increased undesignated funds from prior years being transferred during the current fiscal year.

**THIRD QUARTER 08-09 REVENUE AND EXPENDITURE SUMMARY AND PROJECTION  
SONOMA COUNTY WASTE MANAGEMENT AGENCY**

INDICES 799312 HOUSEHOLD HAZARDOUS WASTE  
799411 EDUCATION  
799510 DIVERSION  
799619 PLANNING

PREPARED BY: CHARLOTTE FISHER

EXECUTIVE DIRECTOR: \_\_\_\_\_  
MOLLIE MANGERIC

**A. SUMMARY OF PROJECTIONS**

	FY 08-09 Adopted Budget	Adjustment	FY 08-09 Adjusted Budget	FY 08-09 Projection	Over/(Under) Budget
TOTAL EXPENDITURES	4,098,187	0	4,098,187	3,574,557	(523,630)
TOTAL REVENUES	2,541,633	0	2,541,633	2,337,853	(203,780)
NET COST	1,556,554	0	1,556,554	1,236,704	(319,850)

**B. SUMMARY OF EXPENDITURES**

	Actual July 08-Mar 09	Expenditure Estimated Apr-June 09	Total Estimated FY 08-09	Adjusted Budget FY 08-09	Over/(Under) Budget
SERVICES & SUPPLIES	1,024,498	1,119,392	2,143,890	2,635,663	(491,773)
OTHER CHARGES	1,427,269	3,398	1,430,667	1,462,524	(31,857)
TOTAL EXPENDITURES	2,451,767	1,122,790	3,574,557	4,098,187	(523,630)

SERVICES and SUPPLIES are projected to be \$491,773 under budget and OTHER CHARGES are projected to be \$31,857 under budget as a result of the following:

**Household Hazardous Waste Cost Center**

Office Expense is anticipated to be \$3,015 over budget due to extra printing and advertising associated with the e-waste program.

Contract Services is estimated to be under budget \$504,866 based on the actuals for operating the HHW facility, the e-waste program and the hauling expense for transporting e-waste from the transfer stations to Central.

Administration Costs are expected to be \$10,236 over budget due to more staff time required for the e-waste program.

Legal Services is anticipated to be \$5,557 over budget due to legal assistance required for the HHW lease, e-waste contracts, EPR and HHW facility extension.

Travel Expense is projected to be \$1,585 under budget due to less than anticipated travel to conferences.

Other Charges are anticipated to be \$27,669 under budget because of less than anticipated funds being available for transfer to the HHW Facility Reserve.

**Education Cost Center**

Administration Costs are projected to be \$5,481 under budget due to less than anticipated staff time required for educational programs. The "veggie bin" project staff time is expensed to the Yard Debris cost center.

Legal Services are anticipated to be \$16,124 over budget due to increase legal assistance dealing with issues coming before the Board such as plastic bag recycling, advice for the proposed program fee funding change, EPR and LTF.

Travel Expense is estimated to be \$1,347 under budget because there are no travel plans the rest of this fiscal year.

Other Charges are projected to be \$31,857 under budget due to less than anticipated contributions from HHW to the HHW Facility Reserve.

**Diversion**

Administration Costs are projected to be \$13,272 under budget due to RMDZ being switched to another department for coordination and a delay in the implementation in the large venue and C&D recycling project.

**B. SUMMARY OF EXPENDITURES (cont)****Planning**

Office Expense is anticipated to be \$2,000 under budget due to no demand for office supplies in this cost center.

Administration Costs is projected to be \$1,129 due to additional staff time required for the ColWMP.

Travel Expense is estimated to be \$1,500 under budget because there are no plans for travel the rest of the fiscal year.

OT-Within Enterprise is anticipated to be \$4,188 under budget due to less funds available for transfer to the Contingency Reserve.

**C. SUMMARY OF REVENUES**

	Actual July 08-Mar 09	Revenue Estimated Apr-June 09	Total Estimated FY 08-09	Adjusted Budget FY 08-09	Over/(Under) Budget
INTEREST ON POOLED CASH	32,983	6,089	39,072	14,467	24,605
STATE - OTHER	17,850	386,696	404,546	411,742	(7,196)
TIPPING FEE REVENUE	959,963	479,983	1,439,946	1,674,000	(234,054)
PRIOR YEAR REVENUE	12,865	0	12,865	0	12,865
DONATIONS/REIMBURSEMENTS	224,509	216,915	441,424	441,424	0
TOTAL REVENUES	1,248,170	1,089,683	2,337,853	2,541,633	(203,780)

Interest on Pooled Cash is projected to be \$24,605 over budget due to a higher cash balance in all of the surcharge cost centers, mainly from grant funds not yet expended and undesignated funds not transferred to the appropriate reserves.

State-Other is anticipated to be \$7,196 because the Used Oil Block grant will not be completely used this fiscal year.

The Used Oil Block grants are awarded for a three year cycle.

Tipping Fee revenues is projected to be \$234,054 under budget with decreased projections of surcharge tonnages.

Prior Year Revenue is revenue sharing from e-waste collected in FY 07-08 and was not budgeted.

Donations/Reimbursements are projected to meet budget.

**D. SUMMARY OF NET COST**

The net cost for cost centers receiving revenue from the \$5.40/ton surcharge is anticipated to be \$289,148 under budget as follows:

Index 799312	Household Hazardous Waste	(430,236)
Index 799411	Education	109,439
Index 799510	Diversion	(5,369)
Index 799619	Planning	6,316
		(319,850)

**THIRD QUARTER 08-09 REVENUE AND EXPENDITURE SUMMARY AND PROJECTION  
SONOMA COUNTY WASTE MANAGEMENT AGENCY**

INDICES 799221 ORGANICS RESERVE  
799320 HHW FACILITY CLOSURE  
799338 HHW FACILITY RESERVE  
799718 CONTINGENCY

PREPARED BY: CHARLOTTE FISHER

EXECUTIVE DIRECTOR: MOLLIE MANGERIC

**A. SUMMARY OF PROJECTIONS**

	FY 08-09 Adopted Budget	Adjustment	FY 08-09 Adjusted Budget	FY 08-09 Projection	Over/(Under) Budget
TOTAL EXPENDITURES	1,306,676	0	1,306,676	1,247,650	(59,026)
TOTAL REVENUES	3,453,601	0	3,453,601	3,529,331	75,730
NET COST	(2,146,925)	0	(2,146,925)	(2,281,681)	(134,756)

**B. SUMMARY OF EXPENDITURES**

	Actual July 08-Mar 09	Expenditure Estimated Apr-June 09	Total Estimated FY 08-09	Adjusted Budget FY 08-09	Over/(Under) Budget
SERVICES & SUPPLIES	643,296	604,354	1,247,650	1,306,676	(59,026)
OTHER CHARGES	0	0	0	0	0
TOTAL EXPENDITURES	643,296	604,354	1,247,650	1,306,676	(59,026)

**Organics Reserve**

Administration Services is estimated to be \$20,909 under budget because the compost site relocation project has experienced some delays and is anticipated to require less staff time for this fiscal year.

Legal Services is projected to be \$20,841 under budget due to the delays in the compost siting project.

Travel is anticipated to be \$1,500 under budget because there is no travel planned for this fiscal year.

**HHW Facility Reserve**

Administration Services is projected to be \$8,297 under budget because the extension to the HHW facility has been delayed and may not be completed this fiscal year. This delay results in less staff time being used.

Legal Services is estimated to be \$9,000 under budget due to the delays in the extension project.

**Contingency Fund**

Legal Services is estimated to be \$1,293 over budget due to increased legal fees associated with the process involved with developing a program fee funding source.

**C. SUMMARY OF REVENUES**

	Actual July 08-Mar 09	Revenue Estimated Apr-June 09	Total Estimated FY 08-09	Adjusted Budget FY 08-09	Over/(Under) Budget
INTEREST ON POOLED CASH	44,157	72,523	116,680	136,634	(19,954)
STATE-OTHER	0	0	0	150,000	(150,000)
OT-WITHIN ENTERPRISE	2,402,586	1,010,065	3,412,651	3,166,967	245,684
TOTAL REVENUES	2,446,743	1,082,588	3,529,331	3,453,601	75,730

Interest on Pooled Cash for all of the reserve cost centers is anticipated to be \$19,954 under budget because all of the undesignated funds in the contributing cost centers were not transferred until the middle of the fiscal year.

State-Other is projected to be \$150,000 under budget because the HHW expansion project has been delayed.

OT-Within Enterprise for all of the reserve funds is projected to be \$245,684 over budget because the contributing cost centers are projected to have additional funds to contribute after the close of the fiscal year.

**D. SUMMARY OF NET COST**

The net cost for cost centers receiving contributions from the appropriate cost centers is anticipated to be \$134,756 under budget as follows:

Index 799221	Organics Reserve	(304,828)
Index 799320	HHW Facility Closure	0
Index 799338	HHW Operating Reserve	155,252
Index 799718	Contingency Reserve	14,820
	Overall Net Cost	(134,756)

THIRD QUARTER 08-09 REVENUE AND EXPENDITURE SUMMARY AND PROJECTION  
SCWMA - WOOD WASTE  
DETAIL

799114

EXPENDITURES

SUB-OB NO.	DESCRIPTION	ACTUAL JULY08-MAR09	EXPENDITURE ESTIMATED APR-JUNE 09	TOTAL ESTIMATED FY 08-09	ADOPTED BUDGET FY 08-09	OVER/ (UNDER) BUDGET
6103	LIABILITY INSURANCE	889	0	889	1,000	(111)
6400	OFFICE EXPENSE	18	482	500	500	0
6521	COUNTY SERVICES	0	525	525	525	0
6540	CONTRACT SERVICES	119,034	59,517	178,551	255,580	(77,029)
6573	ADMINISTRATION COSTS	16,550	15,288	31,838	50,445	(18,607)
6610	LEGAL SERVICES	0	0	0	1,000	(1,000)
6629	FISCAL ACCOUNTING SERVICES	144	200	344	504	(160)
6630	AUDIT/ACCOUNTING SVCS	2,000	0	2,000	2,000	0
6880	SMALL TOOLS	4,411	0	4,411	4,411	0
7302	TRAVEL	0	0	0	0	0
	<b>TOTAL SERVICES &amp; SUPPL</b>	<b>143,046</b>	<b>76,012</b>	<b>219,058</b>	<b>315,965</b>	<b>(96,907)</b>
8624	OT-WITHIN ENTERPRISE	0	0	0	0	0
	OT-WITHIN ENTERPRISE(PY)	197,140	0	197,140	197,140	0
	<b>TOTAL OTHER CHARGES</b>	<b>197,140</b>	<b>0</b>	<b>197,140</b>	<b>197,140</b>	<b>0</b>
	<b>TOTAL EXPENDITURES</b>	<b>340,186</b>	<b>76,012</b>	<b>416,198</b>	<b>513,105</b>	<b>(96,907)</b>

THIRD QUARTER 08-09 REVENUE AND EXPENDITURE SUMMARY AND PROJECTION  
SCWMA - WOOD WASTE  
DETAIL

REVENUES

SUB-OB NO.	DESCRIPTION	ACTUAL JULY08-MAR09	REVENUE ESTIMATED APR-JUNE 09	TOTAL ESTIMATED FY 08-09	ADOPTED BUDGET FY 08-09	OVER/ (UNDER) BUDGET
1700	INTEREST ON POOLED CASH	3,481	870	4,351	695	3,656
2901	TIPPING FEE REVENUE	122,390	49,376	171,766	284,400	(112,634)
4020	SALE OF MATERIAL	29,941	8,000	37,941	26,565	11,376
4102	DONATIONS/REIMURSEMENTS	0	5,000	5,000	5,000	0
	<b>TOTAL REVENUES</b>	<b>155,812</b>	<b>63,246</b>	<b>219,058</b>	<b>316,660</b>	<b>(97,602)</b>
	<b>NET COST</b>	<b>184,374</b>	<b>12,766</b>	<b>197,140</b>	<b>196,445</b>	<b>695</b>

THIRD QUARTER 08-09 REVENUE AND EXPENDITURE SUMMARY AND PROJECTION  
SCWMA - YARD DEBRIS  
DETAIL

799213  
EXPENDITURES

SUB-OB NO.	DESCRIPTION	ACTUAL JULY08-MAR09	EXPENDITURE ESTIMATED APR-JUNE 09	TOTAL ESTIMATED FY 08-09	ADOPTED BUDGET FY 08-09	OVER/ (UNDER) BUDGET
6104	LIABILITY INSURANCE	1,741	0	1,741	2,000	(259)
6400	OFFICE EXPENSE	3,587	0	3,587	500	3,087
6500	PROFESSIONAL SERVICES	625	0	625	0	625
6521	COUNTY SERVICES	0	525	525	525	0
6540	CONTRACT SERVICES	1,688,644	928,624	2,617,268	2,614,768	2,500
6573	ADMINISTRATION COSTS	41,483	43,734	85,217	83,523	1,694
6590	ENGINEERING SERVICES	0	10,000	10,000	15,000	(5,000)
6610	LEGAL SERVICES	3,257	3,000	6,257	8,000	(1,743)
6629	FISCAL ACCOUNTING SERVICES	666	700	1,366	2,325	(959)
6630	AUDIT/ACCOUNTING SVCS	2,500	0	2,500	2,500	0
6820	RENTS/LEASES - EQUIPMENT	2,854	1,427	4,281	5,200	(919)
6880	SMALL TOOLS/INSTRUMENTS	8,821	0	8,821	8,822	(1)
7062	ENFORCEMENT AGENCY FEE	17,121	0	17,121	20,000	(2,879)
7301	COUNTY CAR	1,411	1,589	3,000	3,000	0
7302	TRAVEL EXPENSE	0	0	0	1,000	(1,000)
7309	UNCLAIMABLE COUNTY	567	0	567	0	567
<b>TOTAL SERVICES &amp; SUPPL</b>		<b>1,773,277</b>	<b>989,599</b>	<b>2,762,876</b>	<b>2,767,163</b>	<b>(4,287)</b>
8624	OT-WITHIN ENTERPRISE	778,177	1,000,000	1,778,177	1,499,717	278,460
	OT-WITHIN ENTERPRISE (PY)	0	0	0	0	0
<b>TOTAL OTHER CHARGES</b>		<b>778,177</b>	<b>1,000,000</b>	<b>1,778,177</b>	<b>1,499,717</b>	<b>278,460</b>
<b>TOTAL EXPENDITURES</b>		<b>2,551,454</b>	<b>1,989,599</b>	<b>4,541,053</b>	<b>4,266,880</b>	<b>274,173</b>

THIRD QUARTER 08-09 REVENUE AND EXPENDITURE SUMMARY AND PROJECTION  
SCWMA - YARD DEBRIS  
DETAIL

REVENUES

SUB-OB NO.	DESCRIPTION	ACTUAL JULY08-MAR09	EXPENDITURE ESTIMATED APR-JUNE 09	TOTAL ESTIMATED FY 08-09	ADOPTED BUDGET FY 08-09	OVER/ (UNDER) BUDGET
1700	INTEREST ON POOLED CASH	23,932	5,983	29,915	6,088	23,827
2901	TIPPING FEE REVENUE	1,986,772	1,026,812	3,013,584	3,004,840	8,744
4030	SALE OF MATERIAL	82,682	18,570	101,252	85,000	16,252
4102	DONATIONS/REIMBURSEMENT	5,395	5,000	10,395	5,000	5,395
<b>TOTAL REVENUES</b>		<b>2,098,781</b>	<b>1,056,365</b>	<b>3,155,146</b>	<b>3,100,928</b>	<b>54,218</b>
<b>NET COST</b>		<b>452,673</b>	<b>933,234</b>	<b>1,385,907</b>	<b>1,165,952</b>	<b>219,955</b>

THIRD QUARTER 08-09 REVENUE AND EXPENDITURE SUMMARY AND PROJECTION  
SCWMA - HOUSEHOLD HAZARDOUS WASTE  
DETAIL

799312  
EXPENDITURES

SUB-OB NO.	DESCRIPTION	ACTUAL JULY08-MAR09	EXPENDITURE ESTIMATED APR-JUNE 09	TOTAL ESTIMATED FY 08-09	ADOPTED BUDGET FY 08-09	OVER/ (UNDER) BUDGET
6104	LIABILITY INSURANCE	3,481	0	3,481	4,000	(519)
6400	OFFICE EXPENSE	9,015	0	9,015	6,000	3,015
6500	PROFESSIONAL SERVICES	54,462	201,548	256,010	256,010	0
6521	COUNTY SERVICES	0	1,575	1,575	1,575	0
6540	CONTRACT SERVICES	513,321	479,813	993,134	1,498,000	(504,866)
6573	ADMINISTRATION COSTS	61,564	88,466	150,030	139,794	10,236
6610	LEGAL SERVICES	14,557	0	14,557	9,000	5,557
6629	FISCAL ACCOUNTING SERVICES	290	720	1,010	1,010	0
6630	AUDIT/ACCOUNTING SVCS	8,000	0	8,000	8,000	0
6840	RENTS/LEASES-BLDGS/IMP	23,000	0	23,000	23,000	0
6880	SMALL TOOLS/INSTRUMENTS	4,411	0	4,411	4,411	0
7062	ENFORCEMENT AGENCY	221	0	221	0	221
7303	TRAVEL EXPENSE	115	300	415	2,000	(1,585)
7400	DATA PROCESSING	0	0	0	50	(50)
<b>TOTAL SERVICES &amp; SUPPL</b>		<b>692,437</b>	<b>772,422</b>	<b>1,464,859</b>	<b>1,952,850</b>	<b>(487,991)</b>
8624	OT-WITHIN ENTERPRISE	1,281,756	0	1,281,756	1,309,425	(27,669)
	OT-WITHIN ENTERPRISE (PY)	0	0	0	0	0
	HHW CLOSURE	0	0	0	0	0
<b>TOTAL OTHER CHARGES</b>		<b>1,281,756</b>	<b>0</b>	<b>1,281,756</b>	<b>1,309,425</b>	<b>(27,669)</b>
<b>TOTAL EXPENDITURES</b>		<b>1,974,193</b>	<b>772,422</b>	<b>2,746,615</b>	<b>3,262,275</b>	<b>(515,660)</b>

THIRD QUARTER 08-09 REVENUE AND EXPENDITURE SUMMARY AND PROJECTION  
SCWMA - HOUSEHOLD HAZARDOUS WASTE  
DETAIL

REVENUES

SUB-OB NO.	DESCRIPTION	ACTUAL JULY08-MAR09	EXPENDITURE ESTIMATED APR-JUNE 09	TOTAL ESTIMATED FY 08-09	ADOPTED BUDGET FY 08-09	OVER/ (UNDER) BUDGET
1700	INTEREST ON POOLED CASH	25,875	4,312	30,187	13,003	17,184
2500	STATE-OTHER	5,854	242,960	248,814	256,010	(7,196)
2901	TIPPING FEE REVENUE	742,495	371,248	1,113,743	1,222,020	(108,277)
3980	REVENUE-PRIOR YEAR	12,865	0	12,865	0	12,865
4102	DONATIONS/REIMBURSEMENT	193,252	200,734	393,986	393,986	0
<b>TOTAL REVENUES</b>		<b>980,341</b>	<b>819,254</b>	<b>1,799,595</b>	<b>1,885,019</b>	<b>(85,424)</b>
<b>NET COST</b>		<b>993,852</b>	<b>(46,832)</b>	<b>947,020</b>	<b>1,377,256</b>	<b>(430,236)</b>

THIRD QUARTER 08-09 REVENUE AND EXPENDITURE SUMMARY AND PROJECTION  
SCWMA - EDUCATION  
DETAIL

799411  
EXPENDITURES

SUB-OB NO.	DESCRIPTION	ACTUAL JULY08-MAR09	EXPENDITURE ESTIMATED APR-JUNE 09	TOTAL ESTIMATED FY 08-09	ADOPTED BUDGET FY 08-09	OVER/ (UNDER) BUDGET
6104	LIABILITY INSURANCE	1,283	0	1,283	1,500	(217)
6400	OFFICE EXPENSE	15,075	14,925	30,000	30,000	0
6500	PROFESSIONAL SERVICES	2,367	16,071	18,438	18,438	0
6521	COUNTY SERVICES	0	2,500	2,500	2,500	0
6540	CONTRACT SERVICES	98,329	57,059	155,388	155,388	0
6573	ADMINISTRATION COSTS	61,167	111,406	172,573	178,054	(5,481)
6610	LEGAL SERVICES	26,124	10,000	36,124	20,000	16,124
6630	FISCAL ACCOUNTING SERVICES	290	720	1,010	1,010	0
6642	AUDIT/ACCOUNTING SVCS	4,000	0	4,000	4,000	0
6840	RENTS/LEASES-BLDGS/IMP	541	2,459	3,000	3,000	0
6880	SMALL TOOLS/INSTRUMENTS	4,411	0	4,411	4,411	0
7301	COUNTY CAR	16	30	46	0	46
7303	TRAVEL EXPENSE	153	500	653	2,000	(1,347)
7400	DATA PROCESSING	0	30,000	30,000	30,000	0
TOTAL SERVICES & SUPPL		213,756	245,670	459,426	450,301	9,125
8624	OT-Within Enterprise	0	0	0	0	0
	OT-Within Enterprise (PY)	134,575	0	134,575	134,575	0
TOTAL OTHER CHARGES		134,575	0	134,575	134,575	0
TOTAL EXPENDITURES		348,331	245,670	594,001	584,876	9,125

THIRD QUARTER 08-09 REVENUE AND EXPENDITURE SUMMARY AND PROJECTION  
SCWMA - EDUCATION  
DETAIL

REVENUES

SUB-OB NO.	DESCRIPTION	ACTUAL JULY08-MAR09	EXPENDITURE ESTIMATED APR-JUNE 09	TOTAL ESTIMATED FY 08-09	ADOPTED BUDGET FY 08-09	OVER/ (UNDER) BUDGET
1700	INTEREST ON POOLED CASH	3,864	966	4,830	914	3,916
2500	STATE OTHER	6,996	16,604	23,600	23,600	0
2901	TIPPING FEE REVENUE	170,453	85,227	255,680	359,910	(104,230)
4103	DONATIONS/REIMBURSEMENTS	27,059	11,908	38,967	38,967	0
TOTAL REVENUES		208,372	114,705	323,077	423,391	(100,314)
NET COST		139,959	130,965	270,924	161,485	109,439

**THIRD QUARTER 08-09 REVENUE AND EXPENDITURE SUMMARY AND PROJECTION**  
**SCWMA - DIVERSION**  
**DETAIL**

**799510**  
**EXPENDITURES**

SUB-OB NO.	DESCRIPTION	ACTUAL JULY08-MAR09	EXPENDITURE ESTIMATED APR-JUNE 09	TOTAL ESTIMATED FY 08-09	ADOPTED BUDGET FY 08-09	OVER/ (UNDER) BUDGET
6104	LIABILITY INSURANCE	889	0	889	1,000	(111)
6400	OFFICE EXPENSE	3	500	503	1,000	(497)
6500	PROFESSIONAL SERVICES	69,654	62,478	132,132	132,132	0
6521	COUNTY SERVICES	0	600	600	600	0
6573	ADMINISTRATION COSTS	8,750	13,182	21,932	35,204	(13,272)
6610	LEGAL SERVICES	4,446	1,000	5,446	1,000	4,446
6629	ACCOUNTING SERVICES	287	500	787	1,000	(213)
6630	AUDIT SERVICES	1,000	0	1,000	1,000	0
6880	SMALL TOOLS	4,411	0	4,411	4,411	0
7302	TRAVEL EXPENSE	0	0	0	0	0
	<b>TOTAL SERVICES &amp; SUPPL</b>	<b>89,440</b>	<b>78,260</b>	<b>167,700</b>	<b>177,347</b>	<b>(9,647)</b>
8624	OT-Within Enterprise	0	3,398	3,398	3,398	0
	OT-Within Enterprise (PY)	0	0	0	0	0
	<b>TOTAL OTHER CHARGES</b>	<b>0</b>	<b>3,398</b>	<b>3,398</b>	<b>3,398</b>	<b>0</b>
	<b>TOTAL EXPENDITURES</b>	<b>89,440</b>	<b>81,658</b>	<b>171,098</b>	<b>180,745</b>	<b>(9,647)</b>

**THIRD QUARTER 08-09 REVENUE AND EXPENDITURE SUMMARY AND PROJECTION**  
**SCWMA - DIVERSION**  
**DETAIL**

**REVENUES**

SUB-OB NO.	DESCRIPTION	ACTUAL JULY08-MAR09	EXPENDITURE ESTIMATED APR-JUNE 09	TOTAL ESTIMATED FY 08-09	ADOPTED BUDGET FY 08-09	OVER/ (UNDER) BUDGET
1700	INTEREST ON POOLED CASH	2,098	524	2,622	429	2,193
2500	STATE-OTHER	5,000	127,132	132,132	132,132	0
2901	TIPPING FEE REVENUE	23,586	11,793	35,379	41,850	(6,471)
4102	DONATIONS/REIMBURSEMENT	1,679	1,709	3,388	3,388	0
	<b>TOTAL REVENUES</b>	<b>32,363</b>	<b>141,158</b>	<b>173,521</b>	<b>177,799</b>	<b>(4,278)</b>
	<b>NET COST</b>	<b>57,077</b>	<b>(59,500)</b>	<b>(2,423)</b>	<b>2,946</b>	<b>(5,369)</b>

THIRD QUARTER 08-09 REVENUE AND EXPENDITURE SUMMARY AND PROJECTION  
SCWMA - PLANNING  
DETAIL

799619  
EXPENDITURES

SUB-OB NO.	DESCRIPTION	ACTUAL JULY08-MAR09	EXPENDITURE ESTIMATED APR-JUNE 09	TOTAL ESTIMATED FY 08-09	ADOPTED BUDGET FY 08-09	OVER/ (UNDER) BUDGET
6103	LIABILITY INSURANCE	880	0	880	1,000	(120)
6400	OFFICE EXPENSE	0	0	0	2,000	(2,000)
6521	COUNTY SERVICES	0	750	750	750	0
6540	CONTRACT SERVICES	0	0	0	0	0
6573	ADMINISTRATION COSTS	20,843	21,290	42,133	41,004	1,129
6610	LEGAL SERVICES	731	500	1,231	2,000	(769)
6630	AUDIT SERVICES	2,000	0	2,000	2,000	0
6880	SMALL TOOLS	4,411	0	4,411	4,411	0
7302	TRAVEL	0	500	500	2,000	(1,500)
TOTAL SERVICES & SUPPL		28,865	23,040	51,905	55,165	(3,260)
8624	OT-Within Enterprise	0	0	0	0	0
	OT-Within Enterprise (PY)	10,938	0	10,938	15,126	(4,188)
TOTAL OTHER CHARGES		10,938	0	10,938	15,126	(4,188)
TOTAL EXPENDITURES		39,803	23,040	62,843	70,291	(7,448)

THIRD QUARTER 08-09 REVENUE AND EXPENDITURE SUMMARY AND PROJECTION  
SCWMA - PLANNING  
DETAIL

REVENUES

SUB-OB NO.	DESCRIPTION	ACTUAL JULY08-MAR09	EXPENDITURE ESTIMATED APR-JUNE 09	TOTAL ESTIMATED FY 08-09	ADOPTED BUDGET FY 08-09	OVER/ (UNDER) BUDGET
1700	INTEREST ON EARNED CASH	1,146	287	1,433	121	1,312
2901	TIPPING FEE REVENUE	23,429	11,715	35,144	50,220	(15,076)
4102	DONATIONS/REIMBURSEMENT	2,519	2,564	5,083	5,083	0
TOTAL REVENUES		27,094	14,566	41,660	55,424	(13,764)
NET COST		12,709	8,474	21,183	14,867	6,316

THIRD QUARTER 08-09 REVENUE AND EXPENDITURE SUMMARY AND PROJECTION  
SCWMA - ORGANICS RESERVE  
DETAIL

799221  
EXPENDITURES

SUB-OB NO.	DESCRIPTION	ACTUAL JULY08-MAR09	EXPENDITURE ESTIMATED APR-JUNE 09	TOTAL ESTIMATED FY 08-09	ADOPTED BUDGET FY 08-09	OVER/ (UNDER) BUDGET
6400	OFFICE EXPENSE	229	0	229	0	229
6540	CONTRACT SERVICES	418,656	200,000	618,656	618,656	0
6573	ADMINISTRATION SERVICES	5,563	8,528	14,091	35,000	(20,909)
6610	LEGAL SERVICES	3,159	6,000	9,159	30,000	(20,841)
7302	TRAVEL	0	1,000	1,000	2,500	(1,500)
TOTAL SERVICES & SUPPL		427,607	215,528	643,135	686,156	(43,021)

TOTAL EXPENDITURES		427,607	215,528	643,135	686,156	(43,021)
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THIRD QUARTER 08-09 REVENUE AND EXPENDITURE SUMMARY AND PROJECTION  
SCWMA - ORGANICS RESERVE  
DETAIL

REVENUES

SUB-OB NO.	DESCRIPTION	ACTUAL JULY08-MAR09	EXPENDITURE ESTIMATED APR-JUNE 09	TOTAL ESTIMATED FY 08-09	ADOPTED BUDGET FY 08-09	OVER/ (UNDER) BUDGET
1700	INTEREST/POOLED CASH	38,741	38,741	77,482	94,135	(16,653)
4624	OT-WITHIN ENTERPRISE	975,317	1,000,000	1,975,317	1,696,857	278,460
TOTAL REVENUES		1,014,058	1,038,741	2,052,799	1,790,992	261,807

NET COST		(586,451)	(823,213)	(1,409,664)	(1,104,836)	(304,828)
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THIRD QUARTER 08-09 REVENUE AND EXPENDITURE SUMMARY AND PROJECTION  
SCWMA - HHW FACILITY CLOSURE  
DETAIL

799320  
EXPENDITURES

SUB-OB NO.	DESCRIPTION	ACTUAL JULY08-MAR09	EXPENDITURE ESTIMATED APR-JUNE 09	TOTAL ESTIMATED FY 08-09	ADOPTED BUDGET FY 08-09	OVER/ (UNDER) BUDGET
8624	OT-WITHIN ENTERPRISE	0	0	0	0	0
	TOTAL SERVICES & SUPPL	0	0	0	0	0
	TOTAL EXPENDITURES	0	0	0	0	0

THIRD QUARTER 08-09 REVENUE AND EXPENDITURE SUMMARY AND PROJECTION  
SCWMA - HHW FACILITY CLOSURE  
DETAIL

REVENUES

SUB-OB NO.	DESCRIPTION	ACTUAL JULY08-MAR09	EXPENDITURE ESTIMATED APR-JUNE 09	TOTAL ESTIMATED FY 08-09	ADOPTED BUDGET FY 08-09	OVER/ (UNDER) BUDGET
1700	INTEREST/POOLED CASH	726	546	1,272	1,272	0
4624	OT-WITHIN ENTERPRISE	0	6,667	6,667	6,667	0
	TOTAL REVENUES	726	7,213	7,939	7,939	0
	NET COST	(726)	(7,213)	(7,939)	(7,939)	0

THIRD QUARTER 08-09 REVENUE AND EXPENDITURE SUMMARY AND PROJECTION  
SCWMA - HHW FACILITY RESERVE  
DETAIL

799338  
EXPENDITURES

SUB-OB NO.	DESCRIPTION	ACTUAL JULY08-MAR09	EXPENDITURE ESTIMATED APR-JUNE 09	TOTAL ESTIMATED FY 08-09	ADOPTED BUDGET FY 08-09	OVER/ (UNDER) BUDGET
6500	PROFESSIONAL SERVICES	0	150,000	150,000	150,000	0
6540	CONTRACT SERVICES	56,944	224,470	281,414	281,414	0
6573	ADMINISTRATION SERVICES	3,815	8,000	11,815	20,112	(8,297)
6610	LEGAL SERVICES	0	1,000	1,000	10,000	(9,000)
	<b>TOTAL SERVICES &amp; SUPPLY</b>	<b>60,759</b>	<b>383,470</b>	<b>444,229</b>	<b>461,526</b>	<b>(17,297)</b>

<b>TOTAL EXPENDITURES</b>	<b>60,759</b>	<b>383,470</b>	<b>444,229</b>	<b>461,526</b>	<b>(17,297)</b>
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THIRD QUARTER 08-09 REVENUE AND EXPENDITURE SUMMARY AND PROJECTION  
SCWMA - HHW FACILITY RESERVE  
DETAIL

REVENUES

SUB-OB NO.	DESCRIPTION	ACTUAL JULY08-MAR09	EXPENDITURE ESTIMATED APR-JUNE 09	TOTAL ESTIMATED FY 08-09	ADOPTED BUDGET FY 08-09	OVER/ (UNDER) BUDGET
1700	INTEREST/POOLED CASH	634	26,270	26,904	28,451	(1,547)
2500	STATE-OTHER	0	0	0	150,000	(150,000)
4624	OT-WITHIN ENTERPRISE	1,281,756	0	1,281,756	1,302,758	(21,002)
	<b>TOTAL REVENUES</b>	<b>1,282,390</b>	<b>26,270</b>	<b>1,308,660</b>	<b>1,481,209</b>	<b>(172,549)</b>

<b>NET COST</b>	<b>(1,221,631)</b>	<b>357,200</b>	<b>(864,431)</b>	<b>(1,019,683)</b>	<b>155,252</b>
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THIRD QUARTER 08-09 REVENUE AND EXPENDITURE SUMMARY AND PROJECTION  
SCWMA - CONTINGENCY FUND  
DETAIL

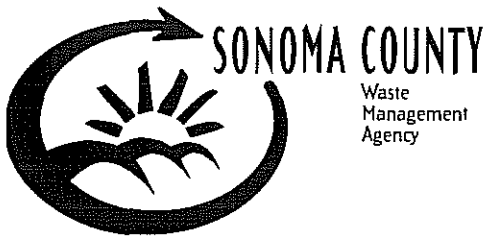
799718  
EXPENDITURES

SUB-OB NO.	DESCRIPTION	ACTUAL JULY08-MAR09	EXPENDITURE ESTIMATED APR-JUNE 09	TOTAL ESTIMATED FY 08-09	ADOPTED BUDGET FY 08-09	OVER/ (UNDER) BUDGET
6540	CONTRACT SERVICES	153,993	0	153,993	153,994	(1)
6573	ADMINISTRATION COSTS	644	4,356	5,000	5,000	0
6590	ENGINEERING SERVICES	0	0	0	0	0
6610	LEGAL SERVICES	293	1,000	1,293	0	1,293
	<b>TOTAL SERVICES &amp; SUPPLY</b>	<b>154,930</b>	<b>5,356</b>	<b>160,286</b>	<b>158,994</b>	<b>1,292</b>
8624	OT-WITHIN ENTERPRISE	0	0	0	0	0
	<b>TOTAL OTHER CHARGES</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
	<b>TOTAL EXPENDITURES</b>	<b>154,930</b>	<b>5,356</b>	<b>160,286</b>	<b>158,994</b>	<b>1,292</b>

THIRD QUARTER 08-09 REVENUE AND EXPENDITURE SUMMARY AND PROJECTION  
SCWMA - CONTINGENCY FUND  
DETAIL

REVENUES

SUB-OB NO.	DESCRIPTION	ACTUAL JULY08-MAR09	EXPENDITURE ESTIMATED APR-JUNE 09	TOTAL ESTIMATED FY 08-09	ADOPTED BUDGET FY 08-09	OVER/ (UNDER) BUDGET
1700	INTEREST/POOLED CASH	4,056	6,966	11,022	12,776	(1,754)
4624	OT-WITHIN ENTERPRISE	145,513	3,398	148,911	160,685	(11,774)
	<b>TOTAL REVENUES</b>	<b>149,569</b>	<b>10,364</b>	<b>159,933</b>	<b>173,461</b>	<b>(13,528)</b>
	<b>NET COST</b>	<b>5,361</b>	<b>(5,008)</b>	<b>353</b>	<b>(14,467)</b>	<b>14,820</b>



**Agenda Item #: 9.1**  
**Cost Center: Organics**  
**Staff Contact: Carter**  
**Agenda Date: 5/20/2009**

## **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 (EIR). At that time, Site 40 was ranked the highest although it was not recommended for further study as the Sonoma County Agricultural Preserve and Open Space District (Open Space District) had an offer in on the property. The offer has since been rescinded by Open Space District. The sites chosen for further study were Site 5a, Site 13, and Site 14. Staff has informed all property owners involved in the siting effort as to whether their property was selected for further study.

At the April 15, 2009 SCWMA Board meeting, staff described recent availability of the top ranked site in the siting study, Site 40, and requested direction from the Board as to whether the site should be considered in the project EIR.

### **II. DISCUSSION**

Staff was given direction to examine the costs associated with two scenarios of including Site 40 in the Compost Relocation Project EIR: 1) cost of inclusion as an alternative site and 2) cost of replacing the analysis of Site 14 with Site 40.

Upon presenting this request to the consultant, ESA, three scenarios were discussed: 1) cost of inclusion as an alternate site, 2) cost of inclusion as a preferred site, and 3) and 4) cost of both scenarios above subtracting out the cost of site 14. Associated costs are listed in the table below.

**Table 1**

<b>Scenario</b>	<b>Description</b>	<b>Cost</b>
Option 1	Add Site 40, alternate level analysis	\$ 23,000
Option 2	Add Site 40, preferred level analysis	\$ 72,000
Option 3	Substitute Site 14 with Site 40, alternate level analysis	\$ 17,000
Option 4	Substitute Site 14 with Site 40, preferred level analysis	\$ 66,000

An alternate level of analysis includes windrow and aerated static pile site layouts and a basic evaluation of biological, hydrological, cultural, and other related impacts to the site.

A preferred level of analysis includes analysis of windrow and Area Static Pile site layouts, land use, aesthetics, traffic and transportation, public services, utilities and service systems,

hydrology and water quality, air quality, noise, biological resources, cultural resources, and a health risk assessment. This is the level of detail provided for the preferred site, Site 5a.

ESA believes the project can be completed on time while including Site 40, but offered a further consideration. If Site 40 is included as an alternate (options 1 and 3) and found to be the environmentally superior site, the site would need to be studied further to obtain the necessary level of detail, requiring more time and money. Selecting option 2 or 4 would ensure Site 40 was examined at the same level as the existing preferred site (Site 5a), preventing delays and an additional agreement amendment in the future.

If the attached amendment is approved, Exhibit B1 (Budget task list detail) would be replaced with Exhibit B2 (attached). The only change from Exhibit B1 to Exhibit B2 is the additional row for Task 13 in the amount of \$66,000 near the bottom of the first sheet of Exhibit B2.

### III. FUNDING IMPACT

The additional cost with including Site 40 into the Compost Relocation Project Environmental Impact Report would range from \$17,000 to \$72,000 depending on the depth of study performed on the site. The funding impact of the recommended action (option 4) is \$66,000.

### IV. RECOMMENDED ACTION / ALTERNATIVES TO RECOMMENDATION

Staff recommends approval of the Second Amendment of the Agreement with ESA for Consulting Services and authorizing the Chair to sign an Appropriation Transfer from the Organics Reserve Cost Center in the amount of \$66,000. This action would change the project to substitute Site 40 in place of Site 14 in the Compost Relocation Project Environmental Impact Report at the preferred site level of detail (option 4).

Alternatively, the Board may authorize the Chair to sign an amendment to the Agreement with ESA for Consulting Services and an Appropriation Transfer from the Organics Reserve Cost Center with an associated cost as listed in Table 1 above (options 1-3).

Finally, the Board may choose not to approve an Amendment to the Agreement with ESA for Consulting Services. In this scenario, Site 5a would continue to be the preferred site and Sites 13 and 14 would remain alternate sites.

### V. ATTACHMENTS

Second Amendment to the Agreement with ESA  
Appropriation Transfer from the Organics Reserve Cost Center  
Exhibit B-2

Approved by:   
Mollie Mangerich, Executive Director, SCWMA

SECOND AMENDMENT TO  
AGREEMENT BETWEEN SONOMA COUNTY WASTE MANAGEMENT AGENCY  
AND ENVIRONMENTAL SCIENCE ASSOCIATES  
FOR CONSULTING SERVICES WITH REGARD TO THE COMPOST RELOCATION  
PROJECT

This Second Amendment ("Amendment") to the Agreement for Consulting Services ("Agreement"), dated as of May 20, 2009, is by and between the Sonoma County Waste Management Agency ("Agency"), a joint powers agency, and Environmental Science Associates, a California Corporation, ("Consultant"). All capitalized terms used herein shall, unless otherwise defined, have the meaning ascribed to those terms in the existing Agreement.

RECITALS

WHEREAS, Consultant represents to Agency that it is a duly qualified firm experienced in compost site selection, conceptual design, and preparation of California Environmental Quality Act (CEQA) documents and related services;

WHEREAS, in the judgment of the Agency Board of Directors, it is necessary and desirable to employ the services of Consultant to assist Agency staff in the new compost site selection, conceptual design, and preparation of all necessary CEQA documents for a new composting site and operation within Sonoma County;

WHEREAS, the parties desire to amend the Agreement contract dollar amount; and,

WHEREAS, the parties desire to amend Exhibit A – Scope of Services of this Agreement;

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

AGREEMENT

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

2.1 Consultant shall be paid Six Hundred Twenty Thousand One Hundred Eighty Six Dollars (\$620,186) for services rendered in accordance with tasks detailed in Section 1.1 above and in Exhibit B1, upon monthly submission of progress reports, verified claims and invoices, in the amount of ninety percent (90%) of the work billed and approved. Payments shall be made in the proportion of work completed

May 20, 2009

Second Amendment

based upon progress reports to total services to be performed. Payment for satisfactory performance includes, without limitation, salary, fringe benefits, overhead, sub-consultant costs, non-labor expenses, and profit.

2. Exhibit A – Scope of Service is hereby amended to include the following addition:

Task 13 – Addition of Site 40

1. Site 40, as identified in the Composting Facility Siting Study for Sonoma County, CA, prepared by HDR (June 16, 2008), shall be included in the Environmental Impact Report. The level of analysis for the examination of this site shall be equal to that of the preferred site (Site 5a). The following subtasks and analyses shall be included for Site 40:
  - Windrow and Aerated Static Pile Site Layouts
  - Develop Alternative Descriptions
  - Land Use
  - Aesthetics
  - Traffic and Transportation (including TI for Stage Gulch Road and Adobe Road)
  - Public Services, Utilities, and Service Systems
  - Hydrology and Water Quality
  - Air Quality
  - Noise
  - Biological Resources (no formal delineations)
  - Cultural Resources (no building elevations)
  - Project Management
  - Health Risk Assessment
3. Exhibit B1 is hereby deleted and replaced in its entirety with Exhibit B2.

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

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

AGENCY: SONOMA COUNTY WASTE MANAGEMENT  
AGENCY  
By:

\_\_\_\_\_  
Vincent Marengo, Chair

CONSULTANT: ENVIRONMENTAL SCIENCE ASSOCIATES  
By:

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

APPROVED AS TO FORM FOR AGENCY:

\_\_\_\_\_  
Janet Coleson, Agency Counsel

APPROVED AS TO SUBSTANCE FOR AGENCY:

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

May 20, 2009

Second Amendment

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	799221	6540	Compost Site Relocation	Contract Services	\$66,000
FROM:		799221	4624	Same as Above	Retained Earnings	\$66,000

WHEREAS, it has been identified that exploring more recent composting technologies could possibly impact the selection of a new site for compost relocation; and

WHEREAS, the additional scope of work and accompanying expense was not anticipated and, therefore, not budgeted in the Sonoma County Waste Management Agency budget for FY 08-09; and

WHEREAS, it is important to the selection process to be aware of potential composting processes that would expand strengthen the relocation process; and

WHEREAS, it is would create greater efficiencies, both in location and purchasing options, to direct the contractor to proceed with the exploration and appropriate the necessary funds from the Organics Reserve Fund to cover the unanticipated expenditures.

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:

\_\_\_\_\_  
Cloverdale Cotati Healdsburg Rohnert Park Petaluma

\_\_\_\_\_  
Santa Rosa Sebastopol Sonoma Windsor County

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

Date: \_\_\_\_\_

Attested: Elizabeth Koetke

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

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

Prepared: May XX, 2009

Exhibit B2  
ESA Labor Detail and Expense Summary  
Revised May 20, 2009

Task Number / Description																Administrative Staff Hours					Total Hours	Total Labor Price
	Siular PD	Miller PM	Shanman Tec Advisor	Mariorana Cultural	Grattidge Planning	Morales, M Noise/AQ	Hecock Land Use	Hudson Hydrology	Fain Alts./CEQA	Morales, E Alts./CEQA	Hutchison Traffic	Schnabel Traffic	Fischer Biological	Lee Biological	Subtotal	Wyatt Sr Adm/Grph	Allen Sr GIS	Patrus WP	Clerical	Subtotal		
Hourly Billing Rate	\$160	\$160	\$170	\$100	\$145	\$90	\$100	\$160	\$115	\$100	\$160	\$100	\$165	\$100		\$ 95	\$125	\$80	\$65			
Task 1 Submit a Work Plan (includes 1 meeting 5 key people (3 ESA))	12	40	12	-	-	-	-	-	-	-	-	-	-	-	\$ 10,360			2		\$ 160	66	\$ 10,520
Task 2 Meetings (Included in Task 1, 3, 7 and 10)				-		-	-		-	-		-	-	-	\$ -					\$ -	-	\$ -
Task 2.1 Monthly Phone Conferences (4 persons per call x 8 months (2 ESA))		8			8										\$ 2,440					\$ -	16	\$ 2,440
Task 2.2 Additional Meetings (3 additional meeting with Agency - 4 persons (2 ESA))		24			24										\$ 7,320					\$ -	48	\$ 7,320
Task 3 Site Evaluation (includes 1 meeting 5 key people (3 ESA) - and Summary Notes)	8	36	-	-	8	-	-	-	-	-	-	-	-	-	\$ 8,200		40			\$ 5,000	92	\$ 13,200
Task 4 Conceptual Design of Composting Facility	-	16	-	-	-	-	-	-	-	-	-	-	-	-	\$ 2,560					\$ -	16	\$ 2,560
Task 5 Prepare Administrative Draft EIR	-	-	-	-	-	-	-	-	-	-	-	-	-	-	\$ -					\$ -	-	\$ -
5.1 CEQA Start-Up	-	8	-	-	8	-					-	-	-	-	\$ 2,440					\$ -	16	\$ 2,440
5.2 Prepare Project Description	-	16	4	-	-	-	24	-				-	-	-	\$ 5,640					\$ -	44	\$ 5,640
5.3 Prepare Data Request for SCWMA	-	8	-	-	4	4	-	4	-	-	4	-	4	-	\$ 4,240					\$ -	28	\$ 4,240
5.4 Develop Project Alternatives	-	8	-	-	12	-	-	-		20	-	-	-	-	\$ 5,020	4	8			\$ 1,360	52	\$ 6,400
5.5 Confer with Involved Agencies	-	4	-	-	-	4	-	8	-	-	-	-	4	8	\$ 3,820					\$ -	28	\$ 3,820
5.6 Prepare and Submit Initial Study / NOP	8	16	-	4	16	-	-	8	-	-	4	-	4	-	\$ 9,220					\$ -	60	\$ 9,220
5.7 Complete Environmental Analyses	16	16	-	-	-	-	-	-	-	-	-	-	-	-	\$ 5,120	40	24	40	40	\$ 12,600	176	\$ 17,720
5.7.1 Land Use Planning and Agriculture	-	2	-	-	12	-	60	-	-	-	-	-	-	-	\$ 8,060		16			\$ 2,000	90	\$ 10,060
5.7.2 Aesthetics	-	8	-	-	16	-	-	-	-	-	-	-	-	-	\$ 3,600	4				\$ 380	28	\$ 3,980
5.7.3 Traffic and Transportation	-	2	-	-	-	-	-	-	-	-	52	88	-	-	\$ 17,440					\$ -	142	\$ 17,440
5.7.4 Public Services, Utilities and Service Systems	-	2	-	-	8	-	-	-		64	-	-	-	-	\$ 7,880					\$ -	74	\$ 7,880
5.7.5 Hydrology	-	-	-	-	-	-	-	20	70	-	-	-	-	-	\$ 11,250					\$ -	90	\$ 11,250
5.7.6 Air Quality	-	6	-	-	-	40	-	-	-	-	-	-	-	-	\$ 4,560					\$ -	46	\$ 4,560
5.7.7 Noise	-	6	-	-	-	40	-	-	-	-	-	-	-	-	\$ 4,560					\$ -	46	\$ 4,560
5.7.8 Biological Resources	-	-	-	-	-	-	-	-	-	-	-	-	20	75	\$ 11,200		8			\$ 1,000	103	\$ 12,200
5.7.9 Cultural Resources	-	-	-	30	-	-	-	-	-	-	-	-	-	-	\$ 3,000					\$ -	30	\$ 3,000
5.7.10 Alternatives	-	-	-	8	-	8	8	-	8	24	16	-	-	21	\$ 10,300	8	8			\$ 1,760	109	\$ 12,060
5.7.11 Other CEQA Sections	-	-	-	-	-	-	-	-	-	24	-	-	-	-	\$ 2,400					\$ -	24	\$ 2,400
Task 6 Prepare Draft EIR (ADEIR II, Screen Copy, 60 hardcopies, 30 CDs)	8	30	-	-	16	16	30	-	-	20	-	-	-	-	\$ 14,840	16	8	40	8	\$ 6,240	192	\$ 21,080
Task 7 Attend Hearing on Draft EIR (includes 1 meeting 5 key people - (4 ESA) & Summary Notes)	-	16	-	-	8	-	-	8	-	-	8	-	-	-	\$ 6,280					\$ -	40	\$ 6,280
Task 8 Respond to Comments and Prepare Admin. Final EIR (3 hardcopies + 1 electronic)	8	40	-	-	40	20	20	8	20	-	-	-	12	32	\$ 26,280	16		40		\$ 4,720	256	\$ 31,000
Task 9 Prepare Final EIR (One Screen Copy + 50 hardcopies + 10 CDs)	8	20	-	-	20	10	10	4	10	-	-	-	18	-	\$ 14,400	16		40		\$ 4,720	156	\$ 19,120
Task 10 Attend hearing for Final EIR (includes 1 meeting 5 key people (4 ESA) - & Summary Notes)	-	16	-	-	8	-	-	8	-	-	8	-	-	-	\$ 6,280					\$ -	40	\$ 6,280
Task 11 Other Necessary Tasks (Upon written authorization of Executive Director)															\$ -					\$ -	-	\$ 25,000
Project Management	16	76	4	-		-	-		-	-		-	-	-	\$ 15,400					\$ -	96	\$ 15,400
															\$ -					\$ -	-	\$ -
Total Hours	84	424	20	42	208	142	152	68	108	152	92	88	62	136		104	112	162	48		2,204	
Subtotals - Labor Hours	\$13,440	\$ 67,840	\$ 3,400	\$ 4,200	\$30,160	\$12,760	\$15,200	\$10,880	\$12,420	\$15,200	\$ 14,720	\$ 8,800	\$11,470	\$13,600	\$ 234,110	\$ 9,880	\$ 14,000	\$ 12,960	\$ 3,120	\$ 39,960		\$ 299,070
Percent of Effort - Labor Hours Only	3.8%	19.2%	0.9%	1.9%	9.4%	6.4%	6.9%	3.1%	4.9%	6.9%	4.2%	4.0%	2.8%	6.2%		4.7%	5.1%		2.2%		100.0%	
Percent of Effort - Total Project Cost	2.2%	10.9%	0.5%	0.7%	4.9%	2.1%	2.5%	1.8%	2.0%	2.5%	2.4%	1.4%	1.8%	2.2%		1.6%	2.3%		0.5%			48.2%

ESA Labor Costs

\$ 299,070

Communications Fee of 3% on ESA Labor Costs

\$ 8,972

ESA Non-Labor Expenses

Reimbursable Expenses

\$ 20,199

ESA Equipment usage

\$ 1,810

Subtotal ESA Non-Labor Expenses

\$ 22,009

Subconsultant Costs

\$ 190,876

Task 12 - Aerated Static Pile (First Amordment)

\$ 33,260

Task 13 - Site 40 Addition (Second Amordment)

\$ 66,000

TOTAL PROJECT PRICE

\$ 620,186

**Exhibit B2**  
**Pricing Proposal**  
**ESA Non-Labor Expenses**

<b>Reimbursable Costs</b>		
Project Supplies	\$	518
Printing/Reproduction	\$	9,200
Document and Map Reproductions	\$	288
Postage and Deliveries	\$	1,311
Mileage	\$	2,530
Vehicle Rental	\$	460
Lodging	\$	460
Airfare	\$	-
Other Travel Related	\$	1,408
Traffic Counts/ Travel/ Software	\$	4,025
0	\$	-
0	\$	-
Subtotal Reimbursable Costs	\$	20,199
15% Fee (Included as shown)	\$	-
<b>Total Reimbursable Costs</b>	<b>\$</b>	<b>20,199</b>

<b>ESA Equipment Usage</b>		
Company Vehicle Usage	\$	500
HP Plotter	\$	200
GIS Computer Time	\$	210
Trimble GeoXT GPS	\$	-
Laptop Computers	\$	-
LCD Projector	\$	-
Noise Meter	\$	500
Sample Pump	\$	-
Surveying Kit	\$	-
Field Traps	\$	-
Digital Planimeter	\$	-
Cameras/Video/Cell Phone	\$	200
Miscellaneous Small Equipment	\$	200
<b>Total Equipment Usage Costs</b>	<b>\$</b>	<b>1,810</b>

**Exhibit B2**  
**Pricing Proposal Template**  
**ESA Non-Labor Expenses by Task**

Reimbursable Costs	Total	15% Fee on Costs	Subtotal	Task Number													
				Task 1	Task 2	Task 3	Task 4	Task 5	Task 6	Task 7	Task 8	Task 9	Task 10				
Project Supplies	\$ 518	\$ 68	\$ 450					400			50						
Printing/Reproduction	\$ 9,200	\$ 1,200	\$ 8,000	20				500	5,000		500	2,500					
Document and Map Reproductions	\$ 288	\$ 38	\$ 250					200			50						
Postage and Deliveries	\$ 1,311	\$ 171	\$ 1,140	40				500	250		100	250					
Mileage	\$ 2,530	\$ 330	\$ 2,200	300	600	300		300		350			350				
Vehicle Rental	\$ 460	\$ 60	\$ 400					400									
Lodging	\$ 460	\$ 60	\$ 400					400									
Airfare	\$ -	\$ -	\$ -														
Other Travel Related	\$ 1,408	\$ 184	\$ 1,224		400			824									
Traffic Counts/ Travel/ Software	\$ 4,025	\$ 525	\$ 3,500					3,500									
	\$ -	\$ -	\$ -														
	\$ -	\$ -	\$ -														
	\$ -	\$ -	\$ -														
	\$ -	\$ -	\$ -														
	\$ -	\$ -	\$ -														
	\$ -	\$ -	\$ -														
<b>Total Reimbursable Costs</b>	<b>\$ 20,199</b>	<b>\$ 2,635</b>	<b>\$17,564</b>	<b>360</b>	<b>1,000</b>	<b>300</b>	<b>-</b>	<b>7,024</b>	<b>5,250</b>	<b>350</b>	<b>700</b>	<b>2,750</b>	<b>350</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>

[illegible]

## Exhibit B2

## Cost Proposal (Revised July 30, 2007)

## Subconsultant Detail

Task Number / Description	Subconsultant Costs						
	HDR/Brown, Vence & Associates, Inc.	Integrated Waste management Consulting, LLC (IWMC)			Subtotal Subconsultant Cost	Fee @ 10%	Total Subconsultant Project Cost
<b>Budget By Task</b>							
Task 1 Submit a Work Plan (TR and MC attend Kickoff)	\$ 6,734	\$ 2,000			\$ 8,734	\$ 873	\$ 9,607.84
Task 2 Meetings (Included in Task 1, 3, 7 and 10)					\$ -	\$ -	\$ -
Task 2.1 Monthly Phone Conferences (4 persons per call x 8 months [2 HDR / IWMC])	\$ 2,000	\$ 1,000			\$ 3,000	\$ 300	\$ 3,299.56
Task 2.2 Additional Meetings (3 additional meeting with Agency - 4 persons [2 HDR / IWMC])	\$ 5,999	\$ 3,000			\$ 8,999	\$ 900	\$ 9,898.68
Task 3 Site Evaluation (TR and MC also attend public meeting)	\$ 68,675	\$ 3,000			\$ 71,675	\$ 7,168	\$ 78,842.94
Task 4 Conceptual Design of Composting Facility	\$ 35,688	\$ 9,000			\$ 44,688	\$ 4,469	\$ 49,156.36
Task 5 Prepare Administrative Draft EIR	\$ 7,812	\$ 1,800			\$ 9,612	\$ 961	\$ 10,573.20
Task 6 Prepare Draft EIR	\$ 5,548				\$ 5,548	\$ 555	\$ 6,102.36
Task 7 Attend Hearing on Draft EIR (BB and MC attend)	\$ 2,923	\$ 1,000			\$ 3,923	\$ 392	\$ 4,315.52
Task 8 Respond to Comments and Prepare Administrative Final EIR	\$ 6,297	\$ 1,000			\$ 7,297	\$ 730	\$ 8,026.92
Task 9 Prepare Final EIR	\$ 5,548				\$ 5,548	\$ 555	\$ 6,102.36
Task 10 Attend hearing on the Final EIR (TR and MC attend)	\$ 3,499	\$ 1,000			\$ 4,499	\$ 450	\$ 4,949.12
					\$ -	\$ -	\$ -
					\$ -	\$ -	\$ -
					\$ -	\$ -	\$ -
<b>Subconsultant Total</b>	<b>\$ 150,723</b>	<b>\$ 22,800</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 173,523</b>	<b>\$ 17,352</b>	<b>\$ 190,875</b>



Agenda Item #: 10.1  
Cost Center: HHW  
Staff Contact: Steinman  
Agenda Date: 5/20/2009

## **ITEM: Clean Harbors Seventh Amendment *Revised***

### **I. BACKGROUND**

The Agency has a Contract with Clean Harbors Environmental Services to operate the Household Hazardous Waste Facility (HHWF) and Mobile Collection Programs. The Household Hazardous Waste (HHW) Operations Contract is a three-party Agreement between the Agency, County of Sonoma, and Clean Harbors Environmental Services. The parties entered into the HHW Operations Contract on June 11, 2002. At the September 17, 2008 Agency Board Meeting, the Board approved the Sixth Amendment to the HHW Operations Agreement with Clean Harbors Environmental Services. The Sixth Amendment extended the Agreement an additional year until January 6, 2010 with the same terms and conditions. At the March 18, 2009 Agency Board Meeting, the Board approved the Seventh Amendment extending the Agreement an additional two years until January 6, 2012 with no changes to the current terms and conditions.

### **II. DISCUSSION**

Currently, the County is in the middle of negotiations with a selected Proposer to divest the Central Landfill Site and all County owned Transfer Stations. HHW operations occur at the Household Toxics Facility located at the Central Landfill, with hours of operation for drop off and deployment of a Toxic Rover for collection events. The facility receives hazardous waste collected from each transfer station's load check program brought to the facility by the HHW Contractor. The HHW Operations Contract was extended in 2008 and in 2009 as opposed to being rebid; partly because of the continuity it could provide operations during a potential divestiture process.

Since the HHW Operations Contract is a three-party Agreement, approval is required from the County of Sonoma Board of Supervisors (BOS). Agency staff prepared a BOS Agenda Item Transmittal Report which was submitted with the Seventh Amendment to County staff and County Counsel for review. After submittal of the required documents for BOS approval, Agency staff was notified that there is an issue with the County's ability to terminate in the event the divestiture succeeds. The County does not want to execute an Agreement that potentially extends past the County's ownership of the site. County Counsel and County staff recommend extending the Agreement for one-year, until January 6, 2011, and anticipates this amount of time would give the County and/or new owner time to get an Agreement in place before close of escrow.

As a result of the County recommending a one-year extension as opposed to the two-year extension approved by the Agency Board, Agency staff recommends that the Agency Board approve the Revised Seventh Amendment extending the Agreement for one-year. Prior to January 6, 2011, the end of the proposed extension term, staff will come back to the Board with a recommendation in regards to a second year extension.

### **III. FUNDING IMPACT**

Currently the Contractor is paid approximately \$438,000 dollars a year as an operating fee and disposal fees are currently about \$600,000 annually.

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

## RECOMMENDED ACTION / ALTERNATIVES TO RECOMMENDATION


Adopt Resolution to approve the Revised Seventh Amendment to the Agreement with Clean Harbors Environmental Services, extending the term of the Agreement until January 6, 2011 without any changes to the current terms and conditions, and authorize the Chair to execute the Revised Seventh Amendment to the Agreement on behalf of the Agency.

As the value of the Contract extension exceeds \$50,000, a unanimous vote is required for approval.

## IV. ATTACHMENTS

Revised Seventh Amendment to HHW Operations Agreement with Clean Harbors Environmental Services

Resolution approving the Revised Seventh Amendment

Approved by:   
Mollie Mangerich, Executive Director, SCWMA

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

This Revised Seventh Amendment ("Amendment") to the Agreement for Operations of Household Hazardous Waste Programs ("Agreement"), dated as of \_\_\_\_\_, 2009, is by and between the Sonoma County Waste Management Agency ("Agency"), a joint powers authority, the County of Sonoma, a political subdivision of the State of California ("County"), and Clean Harbors Environmental Services, Inc. ("Contractor"). All capitalized terms used herein shall, unless otherwise defined, have the meaning ascribed to those terms in the existing Agreement.

RECITALS

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

WHEREAS, the parties desire to amend the Agreement to extend the term of the Agreement for an additional one (1) year, until January 6, 2011; and,

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

AGREEMENT

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

3.1 Term. The term of this Agreement shall commence on the Effective Date and terminate on January 6, 2011.

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

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

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

CONTRACTOR: CLEAN HARBORS  
ENVIRONMENTAL SERVICES, Inc.

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

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

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

APPROVED AS TO FORM FOR AGENCY:

By: \_\_\_\_\_  
Janet Coleson, Agency Counsel

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

By: \_\_\_\_\_  
Department Head

AGENCY: SONOMA COUNTY WASTE  
MANAGEMENT AGENCY

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

APPROVED AS TO SUBSTANCE FOR  
AGENCY:

By: \_\_\_\_\_  
Mollie Mangerich, Executive Director

COUNTY: COUNTY OF SONOMA

By: \_\_\_\_\_  
Board of Supervisors

ATTEST:

By: \_\_\_\_\_  
Clerk of the Board

APPROVED AS TO FORM FOR COUNTY:

By: \_\_\_\_\_  
County Counsel

Date: \_\_\_\_\_

RESOLUTION NO.: 2009 -

DATED: May 20, 2009

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

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

WHEREAS, the parties desire to amend the Agreement to extend the term of the Agreement for an additional one (1) year, until January 6, 2011 in order to accommodate for potential divestiture of the landfill by the County; and,

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

MEMBERS:

_____ Cloverdale	_____ Cotati	_____ County	_____ Healdsburg	_____ Petaluma
_____ Rohnert Park	_____ Santa Rosa	_____ Sebastopol	_____ Sonoma	_____ Windsor
AYES	NOES	ABSENT	ABSTAIN	

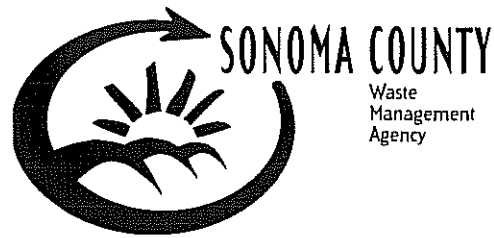
SO ORDERED.

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

ATTEST:

DATE:

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



Agenda Item #: 11.1  
Cost Center: Planning  
Staff Contact: Carter  
Agenda Date: 5/20/2009

**ITEM: Waste Reduction Policies for Large Events and Venues and Construction and Demolition Materials**

**I. BACKGROUND**

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

In an effort to increase diversion of these targeted materials generated from demolition/construction/remodel sites and at large venues and events, the SCWMA Board of Directors directed staff to issue an RFP and return with proposals from consultants experienced in ordinance creation and knowledgeable in the subject matter. SCS Engineers was selected by the SCWMA Board to perform this work at the November 19, 2008 SCWMA Meeting.

**II. DISCUSSION**

During the course of the project, SCS Engineers sent out a survey to each jurisdiction. The purpose of this survey was to determine whether venue/event and construction and demolition waste reduction policies were already in effect, and if not, develop an understanding of what types of measures would be feasible.

The survey indicated only one city had an ordinance specific to construction and demolition debris, though it should be noted a number of cities have green building ordinances which include some provisions for reducing waste of these materials.

The survey indicated that no jurisdiction had adopted formal waste reduction policies specific to large venues and events. Some jurisdictions provide educational materials to event planners if a permit is required, but the survey indicated that formal waste reduction plans are not required of event planners as a condition of permit approval.

SCS Engineers also received input from local debris box and garbage haulers regarding these policies. With stakeholder input in mind, SCS Engineers examined existing waste reduction policies in place throughout the state and created a new set of policies suitable for jurisdictions' voluntary adoption within Sonoma County.

One of the major goals of this project was to create a consistent set of policies countywide, so haulers that work countywide avoid confusion and maximize waste reduction.

It became clear to staff and SCS Engineers that a major education component will be necessary to educate jurisdiction staff, builders, haulers, and event and venue staff to the effects of these policies. The educational effort is beyond the current scope of SCS Engineer's agreement with

the SCWMA. If the SCWMA Board is interested in this additional effort, an amendment to the existing agreement, a new agreement, or direction to staff to perform the work in-house would be necessary.

### III. FUNDING IMPACT

Accepting the ordinances created by SCS Engineers has no financial impact on the SCWMA. The project was completed within the budget and on time.

### IV. RECOMMENDED ACTION / ALTERNATIVES TO RECOMMENDATION

SCS Engineers has completed the work as described in our agreement for consulting services. At this time staff is providing the SCWMA Board with draft ordinances for reducing the waste associated with construction and demolition debris and large events and venues for your review and consideration. Staff requests direction from the Board to provide these draft ordinances to their jurisdiction contacts for feedback. Staff recommends revisiting this item at a future SCWMA Board meeting to discuss the feedback and next steps.

### V. ATTACHMENTS

Construction and Demolition Waste Reduction ordinance  
Large Event and Venue Waste Reduction ordinance

Approved by: \_\_\_\_\_

Mollie Mangerich, Executive Director, SCWMA

D-R-A-F-T

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE OF THE (Jurisdiction of XXXX, CALIFORNIA, AMENDING THE  
(Jurisdiction MUNICIPAL CODE BY ADDING A NEW CHAPTER X, VENUES AND  
EVENTS WASTE REDUCTION TO ARTICLE X OF THE JURISDICTION  
MUNICIPAL CODE**

WHEREAS, the venues and events waste reduction law (Public Resources Code 42648) mandates that local jurisdictions report to the Integrated Waste Management Board on a certain percentage of the venues and events that operate within their jurisdictional boundaries.

WHEREAS, the law requires large venue and large event operators to meet with recyclers and solid waste handlers to select appropriate waste diversion programs.

WHEREAS, the law requires that upon request of a local agency, large venues and events must provide written documentation of the progress of the waste reduction, reuse, recycling, and diversion programs in their plan, or an explanation of their delay, as well as the type and weight of materials diverted and disposed.

WHEREAS, the waste generated at venues and events can contribute significantly to the total waste generated in a local jurisdiction. A report conducted in 2006 of 25 different venues and events in California indicated that on average 2.44 pounds of waste is generated per visitor, per day.

WHEREAS, the Jurisdiction has waste reduction goals and/or mandates that they must fulfill and maintain. Thus, waste reduction at venues and events will assist in meeting these goals and/or mandates.

**NOW, THEREFORE, THE COUNCIL/Board of Supervisors OF THE JURISDICTION OF XXX  
HEREBY ORDAINS THAT:**

**SECTION 1.** The City Council/Board of Supervisors hereby finds, determines and declares as follows:

Article X of the XX Code is amended by adding a new Chapter X "VENUES AND EVENTS WASTE REDUCTION," to read in its entirety as follows:

**CHAPTER X**

**VENUES AND EVENTS WASTE REDUCTION**

**PART 1**

**DEFINITIONS**

X00. DEFINITIONS For the purposes of this chapter the following words and phrases shall have the meanings respectively ascribed to them by this Chapter, unless clearly inapplicable. Words and phrases not ascribed a meaning by this Chapter shall have the meaning ascribed by Article X, Chapter X, Part X of this Code, if defined therein, and if not, by Public Resources Code Section 42648, et al and the regulations of the California Integrated

Waste Management Board, if defined therein, and if not, to the definitions found in the Resource Conservation and Recovery Act ("RCRA"), 42 U.S.C. §§ 6901, *et seq.* and the regulations implementing RCRA, as they may be amended from time to time.

**X01 ENVIRONMENTAL PREFERENCE** To revise product specifications, policies, and/or purchasing contract terms to request or give preference to products or services that minimize impacts on the environment throughout the processes of manufacture, distribution, use, reuse and recycling, and disposal. For example, purchasing materials containing recycled-content materials.

**X02 COMPOST** A soil amendment made from the controlled biological decomposition of plant and other selected organic materials. Compost is different than mulch, which is a shredded or chipped organic product placed on top of soil as a protective layer.

**X03 DISPOSAL** Any waste that is disposed at CIWMB-permitted nonhazardous landfills, most waste-to-energy conversion plants, or is exported from the state.

**X04 DIVERSION** For State measurement purposes, any combination of waste prevention, waste minimization, recycling, reuse, and composting activities that reduce waste disposal at CIWMB-permitted landfills and some waste-to-energy transformation facilities.

**X05 GENERATION** The total amount of waste produced by a facility, event, or jurisdiction generator. The basic formula is disposal plus diversion equals generation.

**X06 GREEN BUILDING** Designing for resource efficient use of materials in facility demolition, construction, and operations. For example, the U.S. Green Building Council issues voluntary industry standards known as the LEED Green Building Rating System™.

**X07 INDIVIDUAL** means a person who works at, or attends, a large venue or large event, or a customer who is seated or served at the large venue or large event.

**X08 LARGE EVENT** An event that charges an admission price, or is operated by a local agency, and serves an average of more than 2,000 individuals per day of operation of the event, including, but not limited to, a public, nonprofit, or privately owned park, parking lot, golf course, street system, or other open space when being used for an event, including, but not limited to, a sporting event, community events, or a flea market.

**X09 LARGE VENUE** A permanent venue facility that annually seats or serves an average of more than 2,000 individuals within the grounds of the facility per day of operation of the venue facility. For purposes of this chapter, a venue facility includes, but is not limited to, a public, nonprofit, or privately owned or operated stadium, amphitheater, arena, hall, amusement park, conference or civic center, zoo, aquarium, airport, racetrack, horse track, performing arts center, fairground, museum, theater, or other public attraction facility. For purposes of this chapter, a site under common ownership or control that includes more than one large venue that is contiguous with other large venues in the site, is a single large venue.

**X10 LOCAL AGENCY** A city or county.

**X11 WASTE AUDIT** An examination of an event's or facility's processes and products that generate solid waste to determine how they can be restructured to use less material, use materials with recycled content, reuse or recycle materials, and safely dispose of wastes that cannot be diverted.

X12 WASTE MINIMIZATION Refers to reducing or eliminating waste from the source.

X13 WASTE PREVENTION Actions taken before waste is generated to either reduce or completely prevent the generation of waste.

## PART 2

### REQUIREMENTS FOR SPECIAL EVENTS

#### Sections:

X15 WASTE REDUCTION AND RECYCLING STRATEGY

X16 SECURITY DEPOSIT

X17 FINAL REPORT

X18 NON-COMPLIANCE

X15 WASTE REDUCTION AND RECYCLING STRATEGY Any applicant seeking permission for the temporary or periodic use or occupancy of a public street, publicly owned site or facility, or public park within the Jurisdiction for a civic, commercial, recreational, sporting, or social event attended by more than 2,000 persons which generates solid waste such as, but not limited to, paper products, beverage containers, or organic materials shall develop a waste reduction and recycling strategy as part of the permit application. The waste reduction and recycling strategy shall include an estimate of the amount and types of waste anticipated from the event, proposed actions to reduce the amount of waste generation related to the event, and arrangements for separation, collection and diversion from landfills of reusable and recyclable materials.

**Comment [A1]:** This is the minimum threshold, a jurisdiction may choose a lower number.

As part of this requirement, the Applicant should also:

- Meet with their local waste hauler and recycled materials buyers;
- Develop a program implementation timeline;
- Identify waste prevention opportunities;
- Consult with local nonprofit organizations and Jurisdiction to develop a successful waste minimization, recycling, and reuse programs;
- Divert recyclables from the waste stream including, but not limited to, cardboard, paper, beverage containers, and other recyclable and compostable materials.
- Donate reusable items from the waste stream including, but not limited to, center pieces, plants, food (perishable and non-perishable), tableware, and construction and demolition materials.

X16 SECURITY DEPOSIT The applicant shall ensure the implementation of the waste reduction strategy by the deposit of [\$\$\$], which shall be refunded upon presentation within [##] days of the event of a weight or cubic yardage receipt for the recyclables from the receiving waste hauler, service charity, recycling center, or other such entity verifying that the materials will not be disposed in a landfill and a description of all other steps taken to reduce or prevent waste generated as a result of the event. Alternative documentation of diversion from the landfill may be acceptable if approved at the time of permit application.

X17 FINAL REPORT The final report shall be submitted within 30 days after the event and shall include the following:

- Name and location of event;
- Description of event;
- Description of types of waste generated;
- Types and amounts of waste disposed and diverted;
- Description of solid waste reduction, reuse, and recycling programs; and

- If no programs were implemented, a description of why no programs have been identified or implemented.

**X18 NON-COMPLIANCE** Event operators must formally review and update their waste management plan as necessary every two years. If the venue or event does not comply with the ordinance then the Jurisdiction may decline future event permits, charge a fee, or increase the deposit fee.

### PART 3

#### REQUIREMENTS FOR VENUE FACILITY OPERATIONS

##### Sections:

X19 WASTE RECYCLING AND WASTE PREVENTION STRATEGY PLAN

X20 REPORT

X21 WASTE AUDIT

X22 VENUE FACILITY DESIGN, CONSTRUCTION AND DEMOLITION

X23 NON-COMPLIANCE

X19 WASTE RECYCLING AND WASTE PREVENTION STRATEGY PLAN All venue facilities such as, but not limited to, stadiums, museums, concert halls, and parks and attractions located within the Jurisdiction with attendance of more than 2,000 persons per operating day or generating more than [###] tons of solid waste per year from all activities shall separate and arrange for recycling all materials on the Jurisdiction Director's list of commercial recyclables. In addition, the facility shall prepare and adopt a waste prevention strategy plan to reduce the amount of waste material generated by facility operations. Where a venue facility owner provides space for a tenant, event management subcontractor, or permitted use of the facility, that owner shall also be responsible for the recycling and waste prevention performance of the facility user. In fulfillment of this requirement, venue waste generators may utilize, but are not limited to, drop-off and buy-back centers, independent recyclers, nonprofit social and charitable service organizations, or the recycling services of a contracted collector.

**Comment [A2]:** This is the minimum threshold for number of persons, a jurisdiction can choose a lower number.

**Comment [A3]:** This tonnage should be determined by jurisdiction's per capita disposal rate and amount of disposal that would impact ability to meet AB 939 diversion rate.

As part of this requirement, the venue facility should also:

- Meet with their local waste hauler and recycled materials buyers;
- Develop a program implementation timeline;
- Identify waste prevention opportunities;
- Consult with local nonprofit organizations to develop a successful waste minimization, recycling, and reuse program;
- Divert recyclables from the waste stream including, but not limited to, cardboard, paper, beverage containers, and other recyclable and compostable materials.
- Donate reusable items from the waste stream including, but not limited to, center pieces, plants, food (perishable and non-perishable), tableware, and construction and demolition materials.

X20 REPORT An annual report shall be submitted to the Jurisdiction and shall include the following:

- Name and location of venue;
- Description of types of events;
- Description of types of waste generated;
- Types and amounts of waste disposed and diverted;
- Description of existing solid waste reduction, reuse, and recycling programs; and
- If no programs are in place, a description of why no programs have been identified or implemented.

**X21 WASTE AUDIT** Any venue facility not participating in the recycling services offered by contract collectors may be subject to periodic waste audits. In addition, at the request of the Jurisdiction's Director or other designated person, venue facilities not participating in the recycling services offered by contract collectors or found to not be implementing their waste reduction strategy shall submit to the Director, at their own expense, annual reports which provide information on, but are not limited to, the waste prevention policies being implemented, and the type, amount, and destination of all solid waste disposed and each recyclable material sold or donated. The Director may exempt certain venue facility generators from some of the requirements of this Section because they do not generate significant amounts of solid waste or recyclables at a particular event, or because of localized market conditions for a particular recyclable material.

**X22 VENUE FACILITY DESIGN, CONSTRUCTION AND DEMOLITION** All construction, demolition, and renovation (C&D) projects within the Jurisdiction at venue facilities such as stadiums, museums, concert halls, and parks and attractions shall comply with the Jurisdiction Construction and Demolition Materials Management Ordinance, number XXX.

**X23 NON-COMPLIANCE** Venue operators must formally review and update their waste management plan as necessary every two years. If the venue or event does not comply with the ordinance then the Jurisdiction may decline future event permits, charge a fee, or increase the deposit fee.

## PART 4

### AGENCY REQUIREMENTS

#### Sections:

X24 INFORMATION AND OUTREACH

X25 REPORTING REQUIREMENTS

X24 INFORMATION AND OUTREACH When issuing a permit to an operator of a large venue or large event, the Jurisdiction shall provide information to the operator on programs that can be implemented to reduce, reuse, and recycle solid waste materials generated at the venue or event, and provide contact information about where solid waste materials may be donated, recycled, or composted. This information may include, but is not limited to, providing information directing the operator of the large venue or large event to the board's Web site or any other appropriate Web site included by the local agency, direct mailings, brochures, or other relevant literature.

X25 REPORTING Annually, the Jurisdiction will provide the California Integrated Waste Management Board (Board) with an estimate and description of the top 10 percent of large venues and large events within its jurisdiction, based upon amount of solid waste generated, as submitted by operators of large venues and large events. To the extent that the information is readily available to the Jurisdiction, the information shall include the name, location, and a brief description of the venue or event, confirmation of a written solid waste management plan (or description of solid waste management plan), a brief description of the types of wastes generated, types, and estimated amount of materials disposed and diverted, by weight, and existing solid waste reduction, reuse, and recycling programs that the operator of the large venue or large event utilizes to reduce, reuse, and recycle the solid waste. This information will be reported to the Board as a part of the Jurisdiction's annual report submitted to the Board.

## **D-R-A-F-T**

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE OF THE (Jurisdiction of XXXX, CALIFORNIA,  
AMENDING THE (Jurisdiction MUNICIPAL CODE BY ADDING A  
NEW CHAPTER X, CONSTRUCTION AND DEMOLITION  
MATERIALS MANAGEMENT TO ARTICLE X OF THE  
JURISDICTION MUNICIPAL CODE**

WHEREAS, The California Integrated Waste Management Act of 1989, commonly referred to as Assembly Bill 939 (AB 939), requires each local jurisdiction in the state to meet a 50% diversion rate. To meet the 50 percent goal, jurisdictions must dispose of not more than their 50 percent per capita disposal target, which is the reported disposal divided by jurisdiction population;

WHEREAS, Each Jurisdiction in California could face fines up to \$10,000 a day for not meeting the above goal;

WHEREAS, In 2004, approximately 22% of the materials landfilled statewide was from Construction and Demolition (C&D) activities and these materials would have significant potential for waste reduction and recycling;

WHEREAS, The reduction, reuse and recycling of C&D Debris is essential to further the Jurisdiction's efforts to reduce waste and comply with AB 939 goals;

WHEREAS, reduction, reuse and recycling of C&D Debris reduces the amount of C&D Debris transported for disposal in landfills and transformation facilities, increases site and worker safety, and is cost effective;

WHEREAS, The Jurisdiction finds that, except in unusual circumstances, it is feasible to divert 100% of all Portland cement concrete and asphalt concrete and an average of at least fifty (50) percent of all remaining C&D debris from construction, demolition, and renovation projects.

WHEREAS, diverting C&D debris from landfilling can reduce greenhouse gas emissions and reduce energy consumption.

WHEREAS, To ensure compliance with this Chapter and to ensure that those contractors that comply with this Chapter are not placed at a competitive disadvantage, it is necessary to impose a Diversion Security Deposit requirement.

**NOW, THEREFORE, THE COUNCIL/Board of Supervisors OF THE  
JURISDICTION OF XXX HEREBY ORDAINS THAT:**

**SECTION 1.** The City Council/Board of Supervisors hereby finds, determines and declares as follows:

Article X of the XX Code is amended by adding a new Chapter X “CONSTRUCTION AND DEMOLITION MATERIALS MANAGEMENT,” to read in its entirety as follows:

**“CHAPTER X**

**CONSTRUCTION AND DEMOLITION MATERIALS MANAGEMENT**

**PART 1**

**DEFINITIONS**

**Sections:**

- X00 DEFINITIONS
- X01 APPLICANT
- X02 BUILDING DEPARTMENT
- X03 BUILDING OFFICIAL
- X04 CONSTRUCTION
- X05 CONSTRUCTION AND DEMOLITION Debris or C&D Debris
- X06 CONSTRUCTION AND DEMOLITION DIVERSION SECURITY DEPOSIT  
OR DIVERSION SECURITY DEPOSIT
- X07 CONSTRUCTION AND DEMOLITION MATERIALS MANAGEMENT PLAN
- X08 COVERED PROJECT
- X09 CONVERSION RATE
- X10 DECONSTRUCTION
- X11 DEMOLITION
- X12 DISPOSAL
- X13 DIVERT OR DIVERSION
- X14 DIVERSION REQUIREMENT
- X15 FEASIBLE
- X16 INERT DEBRIS
- X17 NON-COVERED PROJECT
- X18 PROJECT
- X19 PUBLIC WORKS DIRECTOR
- X20 RECYCLING
- X21 RENOVATION
- X22 REUSE
- X23 SALVAGE

**X00. DEFINITIONS** For the purposes of this chapter the following words and phrases shall have the meanings respectively ascribed to them by this Chapter, unless clearly inapplicable. Words and phrases not ascribed a meaning by this Chapter shall have the meaning ascribed by Article X, Chapter X, Part X of this Code, if defined therein, and if not,

by Division 30, Part 1, Chapter 2 of the Public Resources Code, §§ 40000, *et seq.*, and the regulations of the California Integrated Waste Management Board, if defined therein, and if not, to the definitions found in the Resource Conservation and Recovery Act ("RCRA"), 42 U.S.C. §§ 6901, *et seq.* and the regulations implementing RCRA, as they may be amended from time to time.

X01 APPLICANT means any person, firm, limited liability company, association, partnership, political subdivision, government agency, municipality, industry, public or private corporation, or any other entity whatsoever required to apply to the Building Department for an applicable permit to undertake any Construction, Demolition, Renovation Project within the Jurisdiction. An Applicant must comply with this Chapter.

X02 BUILDING DEPARTMENT shall have the meaning ascribed by § XX of this Code.

X03 BUILDING OFFICIAL shall have the meaning ascribed by § XXX of this Code.

X04 CONSTRUCTION means the building of any facility or structure or any portion thereof including any tenant improvements to a previously unoccupied existing facility or structure. "Construction" does not include a project limited to interior plumbing work, electrical work or mechanical work.

X05 CONSTRUCTION AND DEMOLITION MATERIALS include the waste building materials, packaging and rubble resulting from construction, remodeling, repair and demolition operations on pavements, houses, commercial buildings and other structures, as defined in Title 14, CFR, Chapter 3, Article 4, Section 17225.15. This term includes, but is not limited to, asphalt, concrete, Portland cement, concrete, brick, lumber, gypsum wallboard, cardboard, and other associated packaging, roofing material, ceramic tile, carpeting, plastic pipe, and steel.

X06 CONSTRUCTION AND DEMOLITION DIVERSION SECURITY DEPOSIT or DIVERSION SECURITY DEPOSIT means any performance bond, surety bond, money order, letter of credit, cash, certified check or certificate of deposit in a form acceptable to the Jurisdiction, submitted to the Jurisdiction pursuant to Part 4 of this Chapter.

X07 CONSTRUCTION AND DEMOLITION MATERIALS MANAGEMENT PLAN or C&DMMP, means a completed C&DMMP form, approved by the Jurisdiction for the purpose of compliance with this Chapter, submitted by the Applicant for any Covered Project.

X08 COVERED PROJECT means a project for which a building, demolition, parking area construction or other similar permit is required by this Code. See Part 2, below.

X09 CONVERSION RATE means the rate set forth in the standardized Conversion Rate Table approved by the Jurisdiction pursuant to this Chapter for use in estimating the volume or weight of materials identified in a Construction and Demolition Materials Management Plan.

X10 DECONSTRUCTION means the selective dismantling or removal of useable materials from structures, in a manner which maximizes the recovery of building

materials for reuse and recycling and minimizes the amount of waste transported for disposal in landfills and transformation facilities.

X11 DEMOLITION means the destruction, razing, ruining, tearing down or wrecking of any facility, structure, pavement or building, whether in whole or in part, whether interior or exterior.

X12 DISPOSAL means the final disposition of construction and demolition or inert material, to a Class III landfill.

X13 DIVERT or DIVERSION means activities that reduce or eliminate the amount of C&D Debris from disposal in a landfill or transformation facility. See Public Resources Code § 40124.

X14 DIVERSION REQUIREMENT means the following:

- a) a minimum of 75 % of the total inert debris generated from any new construction or demolition project, and;
- b) a minimum of at least fifty percent (50%) of the non-inert portion of the Construction and Demolition Debris generated by a Demolition or Renovation Project, diverted by activities including, in order of priority: deconstruction, salvage, reuse, recycling and other waste minimization techniques; and
- c) a minimum of 50% of the non-inert portion of the Construction and Demolition Debris generated by a New Construction Project, diverted by activities including, in order of priority, incorporation of green building design elements, environmentally preferable purchasing practices, on-site reuse and source separation, recycling, and other waste minimization measures.

**Comment [A1]:** These requirements may vary by jurisdiction, depending on local diversion, building, permitting, and other requirements.

All Covered projects must meet the diversion requirement unless the Applicant has been granted an exemption pursuant to Part 7 of this Chapter. If the Applicant has been granted an exemption, the Diversion Requirement shall be the maximum feasible diversion rate established by the Director for the Project.

X15 FEASIBLE shall have the meaning ascribed by Public Resources Code § 21061.1, as it, from time to time, may be amended.

X16 INERT DEBRIS shall have the meaning as defined in Title 14 of the California Code of Regulations (CCR) Chapter 9, Article 3, Section 18720: Inert solids or inert waste. "Inert solids" or "inert waste" means a non-liquid solid waste including, but not limited to, soil and concrete, that does not contain hazardous waste or soluble pollutants at concentrations in excess of water-quality objectives established by a regional water board pursuant to Division 7 (commencing with section 13000) of the California Water Code and does not contain significant quantities of decomposable solid waste.

X17 NON-COVERED PROJECT shall have the meaning set forth in Part 2 of this Chapter.

X18 PROJECT means any activity for which a permit for a building, demolition, construction or other permit is required. See also "Covered Project," above.

X19 PUBLIC WORKS DIRECTOR or Director means the staff person holding that title or otherwise authorized and responsible for implementing this Chapter.

X20 RECYCLING shall have the meaning ascribed by Public Resources Code § 40180, as it, from time to time, may be amended.

X21 RENOVATION means any change, addition, alteration, tenant improvement, or modification in an existing structure that requires a building permit or demolition permit but does not include a project limited to interior plumbing work, electrical work or mechanical work.

X22 REUSE means the use, in the same or similar form as it was produced, of a material which might otherwise be discarded or disposed.

X23 SALVAGE means the controlled removal of Construction or Demolition Materials from a permitted Construction, Renovation, or Demolition Project for the purpose of recycling, reuse, or storage for later recycling or reuse.

## PART 2

### COVERED PROJECTS

#### Sections:

- X23 COVERED PROJECTS
- X24 NON-COVERED PROJECTS
- X25 JURISDICTION-SPONSORED PROJECTS
- X26 COMPLIANCE AS A CONDITION OF APPROVAL

X23 COVERED PROJECTS. Each applicant for a Covered Project shall submit a Construction and Demolition Materials Management Plan ("C&DMMP") and meet the diversion requirements of this Section unless the Applicant is granted an exemption pursuant to this Chapter, in which case the diversion requirement shall be the maximum diversion rate Feasible as established in writing by the Director of Public Works in his or her sole discretion. A Covered Project shall mean any of the following projects:

1. All new residential construction projects of one unit or more;
2. All new non-residential development projects of at least one structure with a project area of 25,000 square feet or greater;
3. All renovation projects involving 5,000 square feet or greater of project area.
4. All demolition projects.

**Comment [A2]:** These requirements will vary, and depend on the types and sizes of projects in the individual jurisdictions. Factors to consider: annual number of projects, staff availability, local diversion goals and requirements.

X24 NON-COVERED PROJECTS. Applicants for non-covered projects are encouraged to divert construction and demolition debris to an extent and in a manner consistent with the diversion requirements of this Chapter. Non-Covered Projects are required to comply with Jurisdiction requirements as applicable, for the use of franchised, permitted or other contracted haulers.

X25 JURISDICTION-SPONSORED PROJECTS. All Jurisdiction-sponsored Construction, Demolition, and Renovation Projects, except as provided below, and regardless of cost or size, shall be considered "COVERED PROJECTS" for the purposes of this Chapter and shall be subject to all applicable provisions of this Chapter.

Prior to the start of any Jurisdiction-sponsored Construction or Demolition activities, the Public Works Director shall prepare a Construction and Demolition Materials Management Plan. The CDMMP will include, as Feasible, specifications for the deconstruction, salvage and reuse of Construction and Demolition Materials generated by Jurisdiction Covered Projects. As part of the CDMMP, the Jurisdiction may choose to make available potentially salvageable materials to interested parties.

The Jurisdiction is not required to submit a Diversion Security Deposit for Jurisdiction-sponsored Covered Projects. Jurisdiction-Sponsored Projects limited to interior plumbing work, electrical work or mechanical work are not Covered Projects. Jurisdiction-sponsored Demolition or Construction required to protect public health or safety in an

emergency, as defined in Public Resources Code § 21060.3, as it, from time to time, may be amended, is not a Covered Project.

X26 COMPLIANCE AS A CONDITION OF APPROVAL. Compliance with the provisions of this Chapter shall be a condition of approval on any building or demolition permit issued for a Covered Project.

### PART 3

#### CONSTRUCTION AND DEMOLITION MATERIALS MANAGEMENT PLAN

##### Sections:

- X30 CONTENT OF CONSTRUCTION AND DEMOLITION MATERIALS MANAGEMENT PLAN
- X31 DECONSTRUCTION AND SALVAGE
- X32 USE OF MIXED MATERIALS FACILITIES
- X33 CALCULATING TYPES AND QUANTITIES OF MATERIALS

X30 CONTENT OF CONSTRUCTION AND DEMOLITION MATERIALS MANAGEMENT PLAN. Each Applicant for a permit for any Covered Project shall complete and submit to the Building Official a Construction and Demolition Materials Management Plan ("C&DMMP"), on a C&DMMP form approved by the Jurisdiction for this purpose with any application for a building and/or demolition permit for a Covered Project. If a Covered Project involves separate Demolition and Construction phases, the C&DMMP for the Demolition phase must be submitted and approved by the Director prior to issuance of a building permit for the Construction phase of a Covered Project.

The completed C&DMMP shall indicate all of the following:

- a) project name, location, and applicant contact information
- b) proposed start date and duration of the project;
- c) description of the project;
- d) description of green building standards or other waste - minimization components incorporated into the project.
- e) the estimated total volume or weight of C&D materials to be generated, by material type and activity type (construction, deconstruction, renovation, demolition).
- f) the maximum volume or weight of inert C&D Materials that will be diverted, and the methods used to Divert each material type;
- g) the types and quantities (by volume, weight or other unit) of non-inert C&D Materials that will be diverted, and the methods used to Divert each material type;
- h) the vendor or facility that the Applicant proposes to use to collect and divert each material types,
- i) the estimated volume or weight of residual C&D Materials that would be transported for disposal in a landfill or transformation facility.

X31 DECONSTRUCTION AND SALVAGE. In preparing the C&DMMP, Applicants for construction and/or demolition permits involving the removal of all or part of an existing structure shall utilize Deconstruction, to the maximum extent Feasible, to meet the Diversion Requirements. Applicants for Covered Projects shall make Salvageable Materials from any Covered Project available for reuse prior to demolition. It shall be the responsibility of the owner, the general contractor and all subcontractors to notify deconstruction/salvage companies and to recover the maximum amount of salvageable designated recyclable and reusable materials prior to demolition. Recovered and salvaged designated recyclable and reusable materials from the deconstruction phase shall be counted in meeting the diversion requirements of this chapter. Recovered or salvaged materials may be given or sold on or from the premises at which they were recovered or salvaged, or may be removed to reuse warehouse facilities for storage or sale. Title to reusable or recyclable materials forwarded to the operator of a recycling facility, landfill, or other disposal facility will transfer to the service provider upon departure of the materials from the site.

X32. USE OF MIXED MATERIALS RECYLING FACILITY. The use of a mixed materials recycling facility to meet the Diversion Requirement is allowed, subject to the satisfactory approval by the Jurisdiction of the documentation and verification of the types and quantities of materials that the facility receives, processes, and transports for reuse and recycling.

X33 CALCULATING VOLUME AND WEIGHT OF C&D MATERIALS. In estimating the volume or weight of materials identified in the C&DMMP, the Applicant shall use the standardized Conversion Rates approved by the Jurisdiction for this purpose.

## PART 4

### CONSTRUCTION AND DEMOLITION MATERIALS MANAGEMENT PLAN DIVERSION SECURITY DEPOSITS

#### Sections:

#### X40 CONSTRUCTION AND DEMOLITION MATERIALS MANAGEMENT PLAN DIVERSION SECURITY DEPOSITS

X40 CONSTRUCTION AND DEMOLITION MATERIALS MANAGEMENT PLAN DIVERSION SECURITY DEPOSITS. Each Applicant for a permit for a Covered Project shall submit a Diversion Security Deposit with the Construction and Demolition Materials Management Plan. The amount of the Diversion Security Deposit shall be calculated based on the estimated amount of construction and demolition materials to be generated by the project multiplied by an amount equal to \$50 per ton. At no time will the diversion security deposit exceed \$25,000. The Public Works Director may waive the Diversion Security Deposit if the total security required pursuant to this Section would be \$500 or less.

#### Or alternate text

X40 CONSTRUCTION AND DEMOLITION MATERIALS MANAGEMENT PLAN DIVERSION SECURITY DEPOSITS. As a condition precedent to the issuance of any building or demolition permit or any similar permit for a Covered Project, the Applicant shall post a deposit (in the form of cash, letter of credit, or money order) with the jurisdiction type in the amount of \$1.00 per square foot of building area for each structure related to a Covered Project that will be constructed, demolished, or renovated. In no case shall the required deposit exceed \$50,000 for any single Covered Project. The Public Works Director may waive the Diversion Security Deposit if the total security required pursuant to this Section would be \$1,500 or less.

**Comment [A3]:** These amounts may change for each jurisdiction.

The City may at anytime, by formal resolution of the legislative body, modify the basis for calculation and amount of the required deposit.

## **PART 5**

### **CONSTRUCTION AND DEMOLITION MATERIALS MANAGEMENT PLAN REVIEW**

#### **Sections:**

X50 APPROVAL

X51 NONAPPROVAL

**5X50 APPROVAL.** Notwithstanding any other provision of this Code, no building or demolition permit shall be issued for any Covered Project unless the Public Works Director has approved the C&DMMP. The Public Works Director shall approve a C&DMMP only if the Director first determines that all of the following conditions have been met: (1) the C&DMMP provides all of the information set forth in Part 3 of this Chapter; (2) the C&DMMP indicates that at least seventy five percent (75%) of all inert C&D Materials and 50% of all non-inert C&D Materials generated by the Project will be diverted; and (3) the Applicant has submitted an appropriate Diversion Security Deposit in compliance with Part 4 of this Chapter.

If the Public Works Director determines that these three conditions have been met, the Director shall mark the C&DMMP "Approved", return a copy of the C&DMMP to the Applicant, and notify the Building Department and the Building Official that the C&DMMP has been approved.

Approval shall not be required if Construction or Demolition is required to protect public health or safety in an emergency, as defined in Public Resources Code § 21060.3.

**X51 NONAPPROVAL.** If the Public Works Director determines that the C&DMMP is incomplete or fails to indicate the diversion requirements for the Project will be met, the Director shall either: (1) Return the C&DMMP to the Applicant marked "Denied", including a statement of reasons, and so notify the Building Department, which shall then immediately stop processing the building or demolition permit application, or (2) Return the C&DMMP to the Applicant marked "Further Explanation Required," including a statement of reasons, and so notify the Building Department, which shall then immediately stop processing the building or demolition permit application. If, during the course of the Project, the Applicant determines that the estimated tonnage of C&D Material to be generated and or recovered from the Project is substantially different from the C&DMMP, the Applicant shall submit an addendum to the original C&DMMP.

## **PART 6**

### **REFUND AND RETURN OF DIVERSION SECURITY DEPOSITS**

#### **Sections:**

- X60 APPLICATION FOR REFUND
- X61 DOCUMENTATION OF CONSTRUCTION AND DEMOLITION DEBRIS DIVERSION
- X62 DETERMINATION OF COMPLIANCE AND RELEASE OF DIVERSION SECURITY DEPOSIT

X60 APPLICATION FOR REFUND. Within 30 days after the completion of any Covered Project, the Applicant shall submit to the Public Works Director documentation that the Applicant has met the Diversion Requirement for the Project and apply for a refund of the Diversion Security Deposit. The Diversion Requirement shall be that the Applicant has diverted at least fifty percent (75%) of the inert C&D Materials generated by the Project and 50% of the non-inert C&D materials, via Reuse, Salvage, or Recycling, unless the Applicant has been granted an exemption pursuant to Part 7 of this Chapter, in which case the Diversion Requirement shall be the maximum Feasible diversion rate established by the Public Works Director for the Project. This documentation shall consist of:

A. A completed compliance report and form showing actual waste tonnage data, supported by original or certified photocopies of receipts and weight tags or other records of measurement from recycling companies, deconstruction contractors, and/or landfill and disposal companies, and any other source identified in the approved C&DMMP. Receipts and weight tags will be used to verify whether waste generated from the Covered project has been or will be recycled, reused, salvaged or disposed. The Applicant shall make reasonable efforts to ensure that all designated recyclable and reuse waste salvaged or disposed are measured and recorded using the most accurate method of measurement available.

B. Any additional information the Applicant believes is relevant to determining its efforts to comply in good faith with this Chapter.

If a Covered Project involves both a demolition and a construction phase, the diversion documentation for the demolition phase must be submitted and approved by the Director prior to issuance of a building permit for the construction phase of a Covered Project.

Alternatively, the applicant may submit a letter stating that no non-hazardous solid waste or recyclable materials were generated from the Covered Project, in which case this statement shall be subject to verification by the Director of Public Works or designee. Any diversion security deposit posted pursuant to Section X40. of this Chapter shall be forfeited if the applicant does not meet the timely reporting and other requirements of this Chapter.

X61 DOCUMENTATION OF CONSTRUCTION AND DEMOLITION MATERIAL DIVERSION. Applicants shall make reasonable efforts to ensure that all C&D Materials diverted, or delivered to disposal facilities for disposal, are measured and recorded using the most accurate method of measurement reasonably available. To the extent practical, all C&D Materials shall be weighed on scales. Such scales shall be in compliance with all regulatory requirements for accuracy and maintenance. For C&D Materials for which weighing is not practical due to small size or other considerations, a volumetric measurement shall be used. For conversion of volumetric measurements to weight, the Applicant shall use the standardized Conversion Rates approved by the Jurisdiction for this purpose. Documentation of the foregoing shall consist of photocopies of receipts, weight tickets, gate tickets, and other records from recycling facilities, Deconstruction contractors, solid waste enterprises and disposal facilities.

X62 DETERMINATION OF COMPLIANCE AND RELEASE OF DIVERSION SECURITY DEPOSIT. The Public Works Director shall review the information submitted under § X60 and determine whether the Applicant has complied with the Construction and Demolition Materials Management Plan and Diversion Requirement, as follows:

A. Full Compliance. If the Director determines that the Applicant has fully complied with the Construction and Demolition Materials Management Plan and Diversion Requirement applicable to the Project, the Director shall cause the full Diversion Security Deposit to be released to the Applicant.

B. Good Faith Effort to Comply. If the Director determines that the Construction and Demolition Materials Management Plan has not been complied with, the Director shall determine whether the Applicant made a good faith effort to comply with this Chapter. In making this determination, the Director shall consider the availability of markets for the C&D Materials not diverted, the size of the Project, and the documented efforts of the Applicant to divert C&D Materials. If the Director determines that the Applicant has made a good faith effort to comply with this Chapter, the Director shall approve the release of the Diversion Security Deposit, or a portion thereof, to the Applicant.

C. Partial Refund. If the Director determines the applicant has not made a Good Faith Effort to comply with this Chapter, and the Diversion Requirements have not been met, the Director may authorize the refund of a portion of the Diversion Security Deposit equivalent to the extent to which the project has met the Diversion Requirement (e.g. if only half of the diversion requirement has been reached, only half of the diversion security deposit will be returned). The balance of the diversion security deposit will be forfeited.

D. Noncompliance. If the Director determines that the Applicant has not made a good faith effort to comply with this Chapter, or if the Applicant fails to submit the documentation required by § X20, above, within the required time period, then the Diversion Security Deposit shall be retained by the Jurisdiction.

E. The Director shall not authorize the refund of any diversion deposit, or any portion thereof, unless the original Applicant files a written request for refund no later than twelve (12) months after the building permit is no longer active for any reason (including because the project has been completed, the permit has been withdrawn, or the permit has been revoked), and the Applicant provides documentation satisfactory to the Director in support of the request.

F. Withdrawal of Building or Demolition Permit Application. The Director may authorize the refund of any Diversion Security Deposit if the building or demolition permit application is withdrawn or cancelled before any work has begun.

G. All Diversion Security Deposits retained by the Jurisdiction shall be used only for:

1. Payment of Diversion Security Deposit Refunds;
2. Costs of administration of the program established by this Chapter; and
3. Cost of programs to achieve diversion of Construction and Demolition Materials.

## **PART 7**

### **CONSTRUCTION AND DEMOLITION MATERIALS MANAGEMENT PLAN EXEMPTIONS**

#### **Sections:**

- X70 APPLICATION
- X71 MEETING WITH DIRECTOR
- X72 GRANTING OF EXEMPTION
- X73 DENIAL OF EXEMPTION

**X70 APPLICATION.** If an Applicant for a Covered Project experiences or anticipates unique circumstances that the Applicant believes make it not Feasible to comply with the Diversion Requirement, the Applicant may apply for an exemption at the time that the Applicant submits the C&DMMP required under Part 3 of this Chapter. The Applicant shall indicate on the C&DMMP the maximum rate of diversion the Applicant believes is Feasible for each material and the specific circumstances that the Applicant believes make it not Feasible to comply with the Diversion Requirement.

**X71 MEETING WITH DIRECTOR.** The Director shall review the information supplied by the Applicant and may meet with the Applicant to discuss possible ways of meeting the Diversion Requirement. Based on the information supplied by the Applicant, the Director shall determine whether it is possible for the Applicant to meet the Diversion Requirement.

**X72 GRANTING OF EXEMPTION.** If the Director determines that it is not Feasible for the Applicant to meet the Diversion Requirement, the Director shall determine the maximum Feasible diversion rate for each material and shall designate this rate on the C&DMMP submitted by the Applicant. The Director shall return a copy of the C&DMMP to the Applicant marked "Approved for Partial Exemption" and shall notify the Building Department that the C&DMMP has been approved.

**X73 DENIAL OF EXEMPTION.** If the Director determines that it is possible for the Applicant to meet the Diversion Requirement, the Director shall so inform and give reason(s) to the Applicant in writing. The Applicant shall have 30 days after receipt of such notification to resubmit a C&DMMP form in full compliance with this Chapter. If the Applicant fails to resubmit the C&DMMP, or if the resubmitted C&DMMP does not comply with this Chapter, the Director shall deny the C&DMMP, and the Building Official shall not issue a building or demolition permit for that Project.

## **PART 8**

### **APPEALS**

#### **Sections:**

#### **X80 APPEAL**

#### **X81 DECISION BY JURISDICTION MANAGING OFFICIAL**

**X80 APPEAL** Each Applicant shall have the right to appeal any decision made by the Director to the Jurisdiction Managing Official or the Jurisdiction Managing Official's designee. The Applicant must file a Notice of Appeal from the ruling of the Director with the Jurisdiction Clerk, with copy to the Director, within ten (10) calendar days of receipt of notice of the Director's decision. The Notice of appeal shall include all evidence and legal arguments that the Applicant wishes the Jurisdiction, and any reviewing court to consider.

**X81 DECISION BY JURISDICTION MANAGING OFFICIAL**. The decision made by the Jurisdiction Managing Official, or the Jurisdiction Managing Official's designee, shall be in writing, and stating the legal and factual bases for the decision. The decision shall be final and conclusive.

**PART 9**  
**ENFORCEMENT**

**Sections:**

X90 CIVIL ACTION  
X91 INFRACTION  
X92 ENFORCEMENT

**X90 CIVIL ACTION.** Violation of any provision of this Chapter may be enforced by any means available to the Jurisdiction, including, but not limited to, an action for injunctive relief. In any civil enforcement action, administrative or judicial, the Jurisdiction shall be entitled to recover its attorneys' fees and costs from a person who is determined by a court of competent jurisdiction to have violated this Chapter.

**X91 INFRACTION.** Violation of any provision of this Chapter shall constitute an infraction punishable by a fine not to exceed \$100 for the first violation, a fine not to exceed \$200 for the second violation within one year, and a fine not to exceed \$500 for each additional violation within one year. An Applicant shall be guilty of a separate offense for each day during any portion of which any violation of this Chapter is committed, continued, or permitted by the Applicant. Where the violation is the failure to achieve the Diversion Requirement applicable to the Project and the C & D Materials from the Project have already been transported for disposal in a landfill or transformation facility, the violation shall be deemed to have ceased after a period of ten days. The Jurisdiction shall recover costs and attorneys' fees incurred in connection with enforcement of this Chapter.

**Comment [A4]:** Fine amounts may vary by jurisdiction

**X92 ENFORCEMENT.** Enforcement may be undertaken by the Jurisdiction through its Director of Public Works and the Jurisdiction Attorney."

**SECTION 2. SEVERABILITY.** If any section, subsection, subdivision, sentence, clause, phrase, or portion of this Ordinance, is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The Jurisdiction Council hereby declares that it would have adopted this Ordinance, and each section, subsection, subdivision, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, sentences, clauses, phrases, or portions thereof be declared invalid or unconstitutional.

**SECTION 3.** The Jurisdiction Clerk shall certify to the adoption of this Ordinance and shall cause the same to be published as required by law.

PASSED AND APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2008.

\_\_\_\_\_  
\_\_\_\_\_

ATTEST:

\_\_\_\_\_  
JURISDICTION CLERK

I HEREBY CERTIFY that the above and foregoing Ordinance was duly passed and adopted by the Jurisdiction Governing Body at its regular meeting held on the \_\_\_\_\_ day of \_\_\_\_\_, 2003, by the following vote:

AYES:

NOES:

ABSENT:

\_\_\_\_\_  
\_\_\_\_\_, JURISDICTION CLERK



Agenda Item #: 12.1  
Cost Center: Planning  
Staff Contact: Carter  
Agenda Date: 5/20/2009

## ITEM: Solid Waste Reporting Update

### I. BACKGROUND

The Integrated Waste Management Act of 1989 (AB 939) revised solid waste reporting requirements to include the Annual Reporting process between the California Integrated Waste Management Board (CIWMB) and local jurisdictions. This reporting process required jurisdictions to review the elements of the jurisdiction's Integrated Waste Management Plan for relevance and presented an opportunity for revision. Jurisdiction disposal tonnages were compiled by the CIWMB from quarterly reports and economic factors were included to calculate waste generation, diversion, and disposal. Base year generation studies were initially performed to determine diversion and in subsequent years economic indicators were used to calculate diversion. The diversion rate was the main metric for program evaluation.

$\text{Disposal} + \text{Diversion} = \text{Generation}$

$\text{Diversion} / \text{Generation} = \text{Diversion Rate}$

AB 939 required jurisdictions achieve a 25% diversion rate by 1995 and 50% by 2000 or potentially incur administrative penalties of \$10,000/day for each day out of compliance. The CIWMB had the ability to waive the fee if the jurisdiction made a "good faith effort" to meet the diversion goals through implementing programs but were unable to meet the 50% threshold.

As mentioned above, the diversion rate is based upon indicators such as the Consumer Price Index, population statistics, and the Taxable Sales Deflator Index. These indicators often were calculated twelve to fourteen months after the end of the calendar year, which in turn delayed the annual reporting process. For example, the Sonoma County 2006 Annual Report was completed in March 2008.

In 2008, the California Legislature approved and Governor Schwarzenegger signed SB 1016, which switched the annual reporting process from a diversion rate based calculation to a per capita disposed based calculation to determine compliance and program effectiveness. One of the main underlying assertions of the switch from diversion rate to per capita disposal rate is the timely availability of disposal data from landfills to the CIWMB. The per capita rate disposal metric was applied to the 2007 Annual Report.

### II. DISCUSSION

The last diversion rate officially calculated by the CIWMB for Sonoma County was 64% in 2006. The per capita disposal rate for Sonoma County in 2007 was 5.5 pounds per person per day. In workshops and discussions between SCWMA and CIWMB staff, CIWMB staff repeatedly emphasized that they were no longer reporting or calculating diversion rates. The diversion rate statistic will no longer be available, which is unfortunate, as a number of jurisdictions use the diversion rate as a plan or program evaluation tool.

CIWMB staff has also informed SCWMA staff that jurisdiction per capita disposal rate will not be made available statewide. Jurisdictions have varying circumstances (large urban areas, industrial

areas with little population, etc.) which the CIWMB feels would create unfair comparisons. However, a comparison can be made between the Sonoma County disposal rate (5.5 lb/person/day) and the overall state diversion rate (5.8 lb/person/day) to see that Sonoma County is below the average statewide disposal rate.

Sonoma County Annual Reports from 2003 to 2007 are available for viewing at [www.recyclenow.org](http://www.recyclenow.org).

The 2008 Annual Report will be due to the CIWMB in August 2009, seven months earlier than would be required under the diversion rate calculation method.

### 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