

**SONOMA COUNTY WASTE MANAGEMENT AGENCY**

August 19, 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

**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 LEGAL COUNSEL PURSUANT TO<br>Government Code Section 54956.9(c) Initiation of litigation - one case.              |
| 3.          | Adjourn Closed Session                                                                                                            |
| 4.          | Call to Order Regular Meeting/Introductions: 9:00 a.m. (or immediately following Closed Session).                                 |
| 5.          | <u>Attachments/Correspondence:</u><br>Director's Agenda Notes                                                                     |
| 6.          | <u>On file w/Clerk: for copy call 565-3579</u><br>Resolutions approved in June 2009<br>There were no resolutions approved in June |
| 7.          | Public Comments (items not on the agenda)                                                                                         |

**CONSENT** (w/attachments)

**Discussion/Action**

- 8.1 Minutes of June 17, 2009
- 8.2 FY 08-09 Fourth Quarter Financial Report
- 8.3 Compost Relocation Update

## REGULAR CALENDAR

### ORGANICS

- 9.1) Presentation by the Compost Club [Chilcott] Discussion/Action

### DIVERSION

- 10.1) Beverage Container Grant Update [Carter](Attachment) Discussion/Action  
10.2) Carryout Bag Legislative Update [Carter] Discussion/Action

### HOUSEHOLD HAZARDOUS WASTE

- 11.1) MOU for Used Oil and Filter Collection for Petaluma and Windsor [Steinman](Attachment) Discussion/Action  
12. Boardmember Comments  
13. Staff Comments  
14. Adjourn

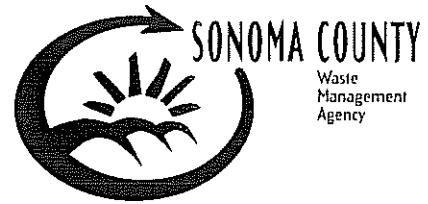
**CONSENT CALENDAR:** These matters include routine financial and administrative actions and are usually approved by a single majority vote. Any Boardmember may remove an item from the consent calendar.

**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:** AUGUST 19, 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 June 17, 2009
- 8.2) FY 08-09 Fourth Quarter Financial Report The JPA agreement requires a financial report be presented to the Board of Directors every quarter for review and approval.
- 8.3) Compost Relocation Update Staff will update Board members on the status of the compost relocation project.

### **REGULAR CALENDAR**

#### **ORGANICS**

- 9.1) Presentation by the Compost Club **Presentation, no action required.**

#### **DIVERSION**

10.1) Beverage Container Update Staff believes Department of Conservation grant funding for the beverage container recycling program will be reduced by 85%. Staff is seeking Board direction on programs funded by this grant. **Requested Action: Staff recommends 1) entering into an agreement with the Sonoma County Probation Department for a term not to exceed September 30, 2009 to service the recycling containers, 2) transferring responsibility of servicing these recycling containers over to the respective parks maintenance staff, and 3) using remaining and future funds only for the purchase of new recycling containers, not servicing of purchased containers.**

10.2) Carryout Bag Legislative Update State budget issues forced the California Ocean Protection Council to cancel their plans to perform a Master Environmental Assessment (MEA) on banning or imposing fees on disposable carryout bags. Green Cities California has entered into an agreement with the consultant identified by the Ocean Protection Council to perform the MEA. **Requested Action: Staff recommends continuing Carryout Bag updates to the Board, and monitoring development of a MEA by the organization, Green Cities California.**

#### **HHW**

11.1) MOU for Used Oil and Filter Collection for Petaluma and Town of Windsor The California Integrated Waste Management Board (CIWMB) issues annual block grants to help local governments establish or enhance permanent, sustainable used oil recycling programs. The Sonoma County Waste Management Agency (Agency) applies annually for the block grant and continues to be awarded the funding through this grant each year. Both the Town of Windsor and City of Petaluma maintain a used oil and oil filter collection center at their respective corporation yards. **Requested Action: Staff recommends Board approval of the MOU between the Agency and the Town of Windsor and the Agency and the City of Petaluma.**



Agenda Item #8.1

MINUTES OF JUNE 17, 2009

The Sonoma County Waste Management Agency met on June 17, 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 Healdsburg	Mike Kirn
City of Rohnert Park	Dan Schwarz
City of Santa Rosa	Elise Howard
City of Sebastopol	Jack Griffin
City of Sonoma	Steve Barbose
Town of Windsor	Robin Goble
County of Sonoma	Susan Klassen

**ABSENT:**

City of Cloverdale  
City of Cotati

**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. ON FILE WITH CLERK**

Chair Marengo noted the resolutions from the May 20, 2009 meeting on file with the clerk.

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

There were no public comments.

**CONSENT**

- 5.1 Minutes of May 20, 2009**
- 5.2 Carryout Bag Legislative Update**
- 5.3. Compost Relocation Update**
- 5.4 2<sup>nd</sup> Amendment to ESA Contract**

Dan Schwarz, Rohnert Park, moved to approve the consent items. Susan Klassen, County of Sonoma, seconded. City of Cloverdale, City of Cotati, and City of Sebastopol, absent.

*Jack Griffin, Sebastopol, arrived at the meeting at 9:04 a.m.*

## REGULAR CALENDAR

### PLANNING

#### **6.1 PUBLIC HEARING FOR RECEIVING COMMENTS ON THE 2009 COUNTYWIDE INTEGRATED WASTE MANAGEMENT PLAN DRAFT SUPPLEMENTAL PROGRAM ENVIRONMENTAL IMPACT REPORT**

##### **Open Public Hearing 9:05 a.m.**

Patrick Carter explained the process for public comments being accepted on the draft Supplemental Program Environmental Impact Report (SPEIR) during the public hearing part of the meeting and written comments being accepted until July 24<sup>th</sup>. All comments received during the comment period will be considered and addressed in the Final Supplemental Program Environmental Impact Report.

Matthew Fagundes, ESA, was introduced and gave a PowerPoint presentation outlining the approval process as well as giving an overview of the Draft SPEIR. A copy of the PowerPoint presentation was distributed at the meeting and is filed in the Minutes binder at the SCWMA office.

Chairman Marengo asked when the document would be certified.

Mr. Carter said they are aiming for September, 2009.

##### **Public Comments Accepted:**

**Comment 1:** Brant Arthur, Climate Protection Campaign, working with the Community Climate Action Plan. *"Since 2001 this agency has partnered with the campaign to protect the climate. This includes reading the green house gas emissions targets from all nine cities and the county that was set in 2005. This is a challenge that we absolutely must meet. Sonoma's Community Climate Action Plan developed with numerous partners outlined some of the important steps that we need to take with regards to solid waste. These include working towards the ideal of zero waste where nothing is landfilled and no fossil fuels are used to manage or transport waste. Supporting legislation; local, state and federal levels that extend producer responsibility for waste disposal. Banning plastic bags, which has been thoroughly discussed. Collecting and using landfill gas for energy production. In regards to the EIR, we intend to submit written detailed comments before the deadline next month. We already have a few questions about a few aspects of the draft report; could the draft EIR provide more detailed estimates of the green house gas emissions for the various project alternatives described in Section 10? They seem to be a little bit too general at this point. Shouldn't one of the alternatives listed in the draft be based on the best practices for solid waste climate protection found in the Community Climate Action Plan? We look forward to submitting our comments in July and following this topic closely in the crucial years ahead. Thank you."*

**Comment 2:** *"Ernie Carpenter, here today representing myself but I follow this issue on behalf of the owners of North Bay Corporation. I do not work for North Bay Corporation. I actually have a contract with the owners so I want to make sure we have the relationship established. My issue has to do with the current CoIWMP and this amendment in the existing CoIWMP it does*

*discuss having a multi-resource recovery facility at Central Landfill. I'm wondering what the relationship of this amendment is to that ability, and you will get written comments. Hopefully this does not eclipse the ability for the County, should it change directions to establish a MRF at the Central Landfill. If that would be the case, it's a serious omission. If you're still leaving that on the table, then I compliment you. Secondly to that issue, North Bay Corporation has proposed a MRF in the community. I'm sure you're all familiar with the term and I'm not sure how the relationship of that to the ColWMP or what the relationship of that proposal which is at the County now is in the draft EIR, so I'm hoping to have the question answered of whether or not this allows the private MRF or whether in fact there is some language in the Supplemental EIR that would preclude that, and I apologize for not having really done my research but I couldn't find it online and now I understand right where it is and will read that and comment on it but those two things to me are critical, to make sure we have the option of a MRF, as you know the political climate of the county has just changed for obvious reasons, if you read the paper today so there may be different things happening and I would not want you to go into this EIR without being able to have every option available and it should have been proposed as an option in the beginning in my opinion but it wasn't for reasons that you can all fill in the blanks and it wasn't so here we are today and I'm hoping the idea of having a MRF is still preserved in this Supplemental EIR."*

Chairman Marengo asked Mr. Carpenter for an explanation of the acronym MRF for people that may not know what it means.

Mr. Carpenter said MRF stands for 'a multi-resource recovery facility'.

Ken Wells interjected MRF stands for 'material recovery facility'.

**Comment 3:** *"Ken Wells, Guiding Sustainability, the comments today are based on a very brief review of the document and I'll submit written comments later. I wanted to echo Brant's comments about the quantification of the green house gas emissions of the project itself and of the different baselines as well as the alternatives. I understand Program EIR does not necessarily get into project level but you can certainly quantify the differences in those. That's the first thing that I noticed, I also wanted to add to the presentation about CEQA because this has a dual role. The SPEIR is not only the document that will confirm the impacts of the changes to the solid waste plan, but the County will depend upon that in the divestiture process, they have to have that plan modified., They have to have the ColWMP modified in order to divest itself., The current plan doesn't allow that. So just be aware this can be used for two purposes and the reason I say that is that when the Board of Supervisors goes to consider divestiture they'll need to be looking at this document to confirm which decisions they want to make and the disclosure of the various impacts and various alternatives that they have available to them in the divestiture process. This will be an important document for that process so be aware of that too as Board members, this is a first step in a very significant change in our solid waste system so the question is in terms of comments simply that we'd like to see quantification in some form or fashion so we can rank these various alternatives that are being looked at as well as the project itself and then be aware that we really want a great disclosure document so there are some very important questions coming up and it will be really important to make sure those are quantified."*

**Comment 4:** Tim Smith, citizen of Rohnert Park, said "My only point is I believe the conduct of reading speaker cards, which was requested, cannot be required. That's my only comment. I'm not submitting a speaker card because I'm only speaking about the process itself."

Janet Coleson, Agency Counsel, confirmed that speaker cards cannot be required they are just to aid and facilitate the collection of comments as assurance that all of the comments are incorporated into the final.

Public hearing closed at 9:30 a.m.

Steve Barbose, Sonoma, reiterated the need to fully evaluate and quantify the negative environmental impacts of the current system of hauling the county's solid waste out of county by whatever means that is, rail or truck it's a greenhouse gas emissions issue and it needs to be upfront and addressed when it comes to the Board Of Supervisors they need to be able to look at this and weigh their alternatives.

Mike Kirn, Healdsburg, asked if the SPEIR had been submitted to the California Integrated Waste Management Board (CIWMB).

Mr. Carter confirmed that it was submitted to the CIWMB.

Dan Schwarz, Rohnert Park, said after hearing two speakers speak about the relationship of this document to the divestiture process he would like staff to return and explain to the Agency Board any concerns they or the county may have to the relationship between this process and that process.

#### HOUSEHOLD HAZARDOUS WASTE

##### **7.1 HHW BUILDING ENCLOSURE EXPANSION PROJECT – BID REQUEST**

Lisa Steinman explained that at the June 20, 2007 Agency Board meeting, the Board executed an Agreement with VBN Architects for the HHW Building Enclosure Expansion Project. The project involves extending the existing canopy over the entire concrete area on the south end of the Central Disposal Site HHW Building and adding walls, creating a separate area that will provide additional storage and processing space for low toxicity wastes, such as latex paint.

The expansion project will increase the operational capacity of the existing facility and will create a secondary storage area for universal waste and latex paint that is not impinging into the hazardous waste operations area.

VBN is currently in the process of preparing construction documents suitable to obtain a building permit and for bidding, including plans and specifications. One of VBN's tasks is to assist the Agency in obtaining and reviewing construction bids after the Permit and Resource Management Department's (PRMD) initial review of the plans, a request was made to Agency staff to provide a new soils analysis report, since the existing report was too old. At the February 18, 2009 Agency Board meeting, the Board approved moving ahead with obtaining a new soils analysis report by accepting the quote submitted by the lowest bidder, Taber Consultants. Copies of the completed report have been submitted to VBN and PRMD. At this time, the PRMD is in the process of reviewing the final plans for the project.

In regards to funding the HHW Building Expansion Project, \$199,755 is available through the HD 16 F California Integrated Waste Management Board grant. This was awarded to the Agency in late 2007.

At the February 18, 2009 Agency Board meeting, the Board approved staff's recommendation to submit a new scope of work for the HD 16F grant so that grant funds could be used towards construction costs for the new HHW Building Expansion instead of using the grant money for siting and planning of additional HHW facilities. The change to the scope of work was approved on March 16, 2009 by the CIWMB Grant Manager.

All construction work for this project must be complete by March 31, 2010, when the final written report detailing the tasks performed under this grant is due to the CIWMB. Due to the short timeline, staff is requesting the Agency Board's approval to advertise and receive bids for the construction of the HHW Building Enclosure Expansion Project. The proposed building

expansion will be a pre-engineered structure designed by Garco Construction, Inc., the manufacturer of the original building, to match the existing building. Garco or any company using the Garco materials would be potential bidders.

It is estimated by the VBN Architects that the construction costs for the HHW Building Enclosure Expansion Project will be \$240,000-\$280,000. \$300,000 has been budgeted in the HHW Facility Reserve for this project for FY 09-10. \$199,755 is available through the HD 16 F grant to be applied towards construction costs.

**Dan Schwarz, Rohnert Park, moved to approve the advertising and receiving of bids for the construction of the HHW Building Enclosure Expansion Project and return to the Board with a selected contractor. Steve Barbose, Sonoma, seconded. Motion approved. Cloverdale and Cotati absent.**

**8. BOARDMEMBER COMMENTS**

There were no Boardmember comments.

**9. STAFF COMMENTS**

Mollie Mangerich questioned whether the July meeting was needed. After discussion the meeting was cancelled.

Susan Klassen, County of Sonoma, moved to cancel the July 15<sup>th</sup> meeting, Jack Griffin, Sebastopol, seconded. Cloverdale and Cotati absent. The next meeting will be August 19, 2009.

Ms. Mangerich mentioned Agency staff's participation at the Sonoma-Marin Fair with an E-waste booth at the end of June. And also that she had attended a North American Hazardous Materials Management Association conference in Seattle on Product Stewardship and Household Hazardous Waste management.

**10. ADJOURNMENT**

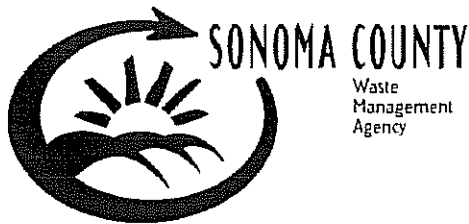
Meeting adjourned at 9:36 a.m.

Respectfully submitted,  
Elizabeth Koetke

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

PowerPoint handout





Agenda Item #: 8.2  
Cost Center: All  
Staff Contact: Mangerich  
Meeting Date: 8/19/2009

## ITEM: FY 08-09 Fourth 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 Fourth Quarter Report for FY 08-09.

### II. FUNDING IMPACT

This Fourth Quarter Report uses information from the county accounting system (FAMIS) for revenues and expenses. The Fourth Quarter Report contains the actual amounts spent or received to date, the approved budget and the difference between the approved budget and the actual revenues/expenditures.

In summary, the expenses for the entire Agency are expected to be \$2,295,766 under budget and the revenues are anticipated to be \$1,145,927 under budget. This results in a projected annual net cost reduction of \$1,149,839. 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)**

##### 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, \$19,539, and contractor expense, \$80,988) and revenues, \$63,079.

##### 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 due to the success of the "veggie bin" project, which proved to be more successful than anticipated. Because of the exceptional amount of material processed, there were not enough appropriations to pay the June invoice (\$207,653.93). This invoice has been paid with FY 09-10 appropriations, which will necessitate an appropriation transfer during FY 09-10.

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 due to deposits from the previous fiscal year, FY 07-08, as well as the increased sales of compost products.

#### **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

One of the two major impacts to the Household Hazardous Waste Cost Center is receiving \$119,943 less revenue than expected because of the reduced surcharge funding available.

The other impact is an estimated reduction in Contract Services. During the FY 08-09 budget process, the calculation for HHW facility operation's contract expense was an estimate. At the end of the fiscal year, the actual contract expense for the operation of the Household Hazardous Waste Facility was \$340,833 less than was budgeted.

The resulting net cost is \$211,110 in the HHW Cost Center.

#### Education

The first of the two major impacts on the Education Cost Center is the reduction of \$110,446 in revenues as a result of the reduced surcharge fee on the tonnage of solid waste.

The second impact is an increase of \$11,753 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, reviewing and providing input on contracts and grants on request, and answering Boardmembers' questions concerning their Agency involvement that may trigger conflict of interest laws.

Unanticipated costs that weren't included in the current budget were: assisting staff and providing legal counsel on the sustainable funding project and the research and writing necessary for preparation of closed sessions with the Board of Directors. Additional research activities for Boardmembers' benefit are: the Brown Act, the "revolving door" law and AB 1234 (ethics training).

The resulting net cost is \$91,792 more than budgeted.

#### Diversion

There are three impacts on the Diversion Cost Center. The first impact is the \$6,977 decrease in surcharge-based revenue resulting from the reduced tonnage entering the County system.

The second impact is a \$12,236 reduction in estimated Administration Costs, the result of delay in the implementation of C&D ordinance and greater efficiencies in administering the grants.

The third, and final, impact is the \$3,660 increase in Legal Services, which is a result of the continued Board interest in plastic bags bans and litigation requiring research and C&D ordinance development as well as legislative monitoring.

The resulting net cost is \$7,192 less than budgeted.

#### Planning

The first of the two major impacts on the Planning Cost Center is the reduction of \$15,965 in surcharge-based revenue due to reduced tonnage entering the County system.

Legal Costs were, \$10,500, over budget due to legal work necessary for the preparation of the Supplemental Program Environmental Impact Report as an amendment to the Sonoma Countywide Integrated Waste Management Plan (ColWMP). Administration Costs, Office Expense, and Travel were under budget.

The resulting net cost is \$11,623 over budget due to the reduction in revenues and increased legal fees.

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

Reserves revenue sources are derived by contributions from 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 \$721,540 under budget due to the decreased transfer made this fiscal year. A budgetary adjustment will be made at the beginning of FY 09-10.

There is no stated goal for Organics Reserve. Any funds transferred to the reserve from Wood Waste and Yard Debris will be used for the acquisition of a new composting site.

#### HHW Closure Reserve

The contribution, \$6,667, to the HHW Closure Reserve from the HHW cost center was not made during FY 08-09, but will be included in budgetary adjustments for FY 09-10.

The goal for the HHW Closure Reserve is to accumulate \$100,000 by FY 16-17. The reserve is anticipated to reach the goal in the correct timeline.

#### HHW Facility Reserve

The revenues are \$187,319 under budget (\$21,002, transferred contributions and \$150,000, unused grant funds and interest) and the expenses are \$393,792 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.

The goal for the HHW Facility Reserve is 50% of the annual HHW program operating budget. For FY 09-10 is goal will be \$766,364. The anticipated FY 09-10 reserve balance will be \$1,821,709. The additional reserve funds have been accumulated to buffer the possibility of needing to expand the facility beyond the current expansion in progress.

#### Contingency Reserve

The revenues are projected to be \$20,400 under budget (transferred contributions and interest) due to the reduced revenues in the contributing cost centers (Education, Diversion, and Planning). The expenses are expected to be \$67,494 under budget with a resulting \$47,094 in net cost.

The goal for the Contingency Reserve is 25% of the sum of the operating expenses of the Education, Diversion and Planning cost centers. For FY 09-10, the goal for the Contingency Reserve is \$151,620. The projected reserve balance is \$161,666.

### III. RECOMMENDED ACTION / ALTERNATIVES TO RECOMMENDATION

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

### IV. ATTACHMENT

FY 08-09 Fourth Quarter Revenue and Expenditure Comparison Summary

Approved by:   
Mollie Mangerich, Executive Director, SCWMA

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

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

**A. SUMMARY**

	<b>FY 08-09 Adopted Budget</b>	<b>FY 08-09 Actual</b>	<b>Over/(Under) Budget</b>
TOTAL EXPENDITURES	10,320,388	8,024,622	(2,295,766)
TOTAL REVENUES	9,412,822	8,266,895	(1,145,927)
NET COST	907,566	(242,275)	(1,149,839)

**B. SUMMARY OF EXPENDITURES**

	<b>Actual July 08-June 09</b>	<b>Budget FY 08-09</b>	<b>Over/(Under) Budget</b>
SERVICES & SUPPLIES	5,622,709	7,161,007	(1,538,298)
OTHER CHARGES	2,401,913	3,159,381	(757,468)
TOTAL EXPENDITURES	8,024,622	10,320,388	(2,295,766)

**C. SUMMARY OF REVENUES**

	<b>Actual July 08-June 09</b>	<b>Budget FY 08-09</b>	<b>Over/(Under) Budget</b>
INTEREST ON POOLED CASH	172,687	157,884	14,803
TIPPING FEE REVENUE	4,755,461	4,963,240	(207,779)
SALE OF MATERIAL	254,056	111,565	142,491
STATE-OTHER	228,511	561,742	(333,231)
REVENUE-PRIOR YEAR	12,865	0	12,865
DONATIONS/REIMBURSEMENTS	440,729	451,424	(10,695)
OT-WITHIN ENTERPRISE	2,402,586	3,166,967	(764,381)
TOTAL REVENUES	8,266,895	9,412,822	(1,145,927)

**C. SUMMARY OF NET COSTS**

	<b>Actual July 08-June 09</b>	<b>Budget FY 08-09</b>	<b>Over/(Under) Budget</b>
NET COST	(242,275)	907,566	(1,149,841)

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

INDEX 799114 WOOD WASTE

A. SUMMARY	FY 08-09 Adopted Budget	FY 08-09 Actual	Over/(Under) Budget
TOTAL EXPENDITURES	513,105	410,696	(102,409)
TOTAL REVENUES	316,660	253,581	(63,079)
NET COST	196,445	157,115	(39,330)

B. SUMMARY OF EXPENDITURES	Actual July 08-June 09	Budget FY 08-09	Over/(Under) Budget
SERVICES & SUPPLIES	213,556	315,965	(102,409)
OTHER CHARGES	197,140	197,140	0
TOTAL EXPENDITURES	410,696	513,105	(102,409)

SERVICES AND SUPPLIES and OTHER CHARGES is projected to be \$102,409 under budget primarily as a result of:

Contract Services is under budget by \$80,988. 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 June 30, 2009, wood waste processed averaged 17 tons/day. The non-fuel wood waste processing is billed at \$23.81 and the fuel wood waste is billed at \$22.06.

Administration Costs are under budget by \$19,539 because of the lack of staff time needed due to less wood waste activity at the composting facility.

Legal Services are \$1,000 under budget because there were no expenditures for this fiscal year.

Other Charges, which is the transfer of funds from operations to the Organics Reserve, met budget.

C. SUMMARY OF REVENUES	Actual July 08-June 09	Budget FY 08-09	Over/(Under) Budget
INTEREST ON POOLED CASH	4,080	695	3,385
TIPPING FEE REVENUE	177,713	284,400	(106,687)
SALE OF MATERIALS	66,788	26,565	40,223
DONATIONS/REIMBURSEMENT	5,000	5,000	0
TOTAL REVENUES	253,581	316,660	(63,079)

Interest on Pooled Cash is \$3,385 over budget. The interest is accrued on the remaining undesignated funds not transferred to the Organics Reserve. The transfer for this fiscal year was done at mid-year, therefore one half of the year's interest was recorded in the Wood Waste cost center.

Tipping Fee Revenue is under budget \$106,687 due to lower wood waste tonnage being processed.

Sale of Materials is \$40,223 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 net cost was \$39,330 less than was budgeted.

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

INDEX 799213 YARD DEBRIS

A. SUMMARY	FY 08-09 Adopted Budget	FY 08-09 Actual	Over/(Under) Budget
TOTAL EXPENDITURES	4,266,880	3,375,740	(891,140)
TOTAL REVENUES	3,100,928	3,389,090	288,162
NET COST	1,165,952	(13,350)	(1,179,302)

B. SUMMARY OF EXPENDITURES	Actual July 08-June 09	Budget FY 08-09	Over/(Under) Budget
SERVICES & SUPPLIES	2,597,563	2,767,163	(169,600)
OTHER CHARGES	778,177	1,499,717	(721,540)
TOTAL EXPENDITURES	3,375,740	4,266,880	(891,140)

SERVICES AND SUPPLIES and OTHER CHARGES is projected to be \$891,140 under budget due to:

Office Expense is \$4,530 over budget due to the unanticipated success of the sinkside vegetable recycling containers. Contract Services is under budget by \$162,072. Tonnage of yard debris processed by this program has exceeded the budget estimate of 239 tons/day. For the period July 1, 2008 to June 30, 2009, yard debris processed averaged 262 tons/day. Because of the exceptional amount of material processed, there were not enough appropriations to pay the June invoice (\$207,653.93). This invoice has been paid with FY 09-10 appropriations, which will necessitate an appropriation transfer during FY 09-10.

Administration Costs are \$5,215 over budget due to greater staff time requirements for increased contract support.

Engineering Services are \$7,579 under budget reflecting less involvement of TPW staff for such activities as: site maintenance, permit renewal or other operational requirements.

Legal Services are \$4,314 under budget due to less than anticipated required legal assistance.

Rents/Leases-Equipment is \$2,151 under budget due to less copier use. The Agency is increasingly using electronic information transfer for communication.

Enforcement Agency Fee is \$2,879 under budget due to less required activity of the Local Enforcement Agency.

Travel Expense is \$1,000 under budget due to cost savings measures.

Other Charges is \$721,540 under budget. A budget adjustment will be made FY 09-10 to bring the transfer of funds to the Organics Reserve in line.

C. SUMMARY OF REVENUES	Actual July 08-June 09	Budget FY 08-09	Over/(Under) Budget
INTEREST ON POOLED CASH	34,220	6,088	28,132
TIPPING FEE REVENUE	3,157,079	3,004,840	152,239
SALE OF MATERIALS	187,268	85,000	102,268
DONATIONS/REIMBURSEMENT	10,523	5,000	5,523
TOTAL REVENUES	3,389,090	3,100,928	288,162

Interest on Pooled Cash is \$28,132 over budget due to the undesignated funds being transferred at the middle of the fiscal year, therefore the interest earned remains in the cost center.

Tipping Fee Revenue exceeds \$152,239 based on increased tonnage of material delivered to the composting site.

Sale of Material is anticipated to exceed budget by \$102,268 due to greater sales of processed material and a deposit from the previous fiscal year.

Donations/Reimbursement is estimated to be \$5,523 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 \$1,179,302 under budget due primarily to undesignated funds from prior years being transferred during the current fiscal year and increased unanticipated revenues from increased composting production.

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

INDICES 799312 HOUSEHOLD HAZARDOUS WASTE  
799411 EDUCATION  
799510 DIVERSION  
799619 PLANNING

A. SUMMARY	FY 08-09 Adopted Budget	FY 08-09 Actual	Over/(Under) Budget
TOTAL EXPENDITURES	4,098,187	3,571,116	(527,071)
TOTAL REVENUES	2,541,633	2,129,449	(412,184)
NET COST	1,556,554	1,441,667	(114,887)

B. SUMMARY OF EXPENDITURES	Actual July 08-June 09	Budget FY 08-09	Over/(Under) Budget
SERVICES & SUPPLIES	2,144,520	2,635,663	(491,143)
OTHER CHARGES	1,426,596	1,462,524	(35,928)
TOTAL EXPENDITURES	3,571,116	4,098,187	(527,071)

SERVICES and SUPPLIES are \$491,143 under budget and OTHER CHARGES are \$35,928 under budget as a result of:

**Household Hazardous Waste Cost Center**

Office Expense is \$14,333 over budget due to double membership payments for CPSC and PSI (for 2009 and 2010) and advertising for the e-waste program.

Professional Services is \$166,402 under budget because all of the Used Oil Grant funds were not used this fiscal year.

These grants are three year grants and it is not necessary to spend all of the funds in one year.

Contract Services is under budget \$340,833 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 \$17,826 over budget due to more staff time required for the e-waste program.

Legal Services is \$6,941 over budget due to legal assistance required for the HHW lease, e-waste contracts, EPR and HHW facility extension.

Travel Expense is \$1,885 under budget due to less than anticipated travel to conferences.

Other Charges are \$28,342 under budget because undesignated funds were not transferred to the HHW Facility Reserve and the HHW Closure Reserve.

**Education Cost Center**

Office Expense is \$6,756 under budget because there was less demand for usual office service and supplies, for example: using email instead of regular mail service and using pdf format instead of printing through Reprographics. There are lower expenses for the fair display because it is largely recycled materials, which results in cost savings.

Professional Services are \$10,356 under budget because all of the SonoMax promotional grant funds were not spent this fiscal year. They will be carried over to FY 09-10.

Contract Services are \$23,873 over budget because of carryover funds that were encumbered. C2 has \$42,567 and UCCE has \$22,175 carried over into FY 09-10 for a total of \$64,742 encumbered.

Administration Costs are \$2,097 over budget due to more than anticipated staff time required for educational programs.

Legal Services are \$11,753 over budget due to increase legal assistance dealing with issues coming before the Board such as LTF, the proposed program fee funding change, divestiture agreements and more complicated agendas.

Rents/Building and Leases is \$2,459 under budget due to the rent on the storage unit not being paid in advance as has been previously done. There has been an ownership change at the storage facility.

Travel Expense is \$1,847 under budget because there are no travel plans the rest of this fiscal year.

Data Processing is \$30,000 under budget because the work on the website has been delayed and will be done in FY 09-10.

**Diversion**

Professional Services is \$2,516 over budget due to prior year expenses being paid in FY 08-09.

Administration Costs are \$12,236 under budget due to delay in the implementation in the large venue and C&D recycling project.

Legal Services is \$3,660 over budget because of legal assistance required for plastic bags and C&D ordinance development.

Other Charges are \$3,398 under budget because undesignated funds were not transferred to the Contingency Reserve.

## B. SUMMARY OF EXPENDITURES (con't)

### Planning

Office Expense is \$1,999 under budget due to no demand for office supplies in this cost center.

Administration Costs is \$5,887 under budget due to no requests for reviews from other agencies and less staff time required for production of the AB 939 Annual Report due to more electronic transfer of information.

Engineering Services is \$1,694 over budget. There were no expenses budgeted in this category. Services were required for the ColWMP update.

Legal Services are \$10,500 over budget due to a modification in the baseline for the ColWMP. The original baseline was the 2003 ColWMP and it was determined that the overhaul should be included as well for the development of the current ColWMP.

Travel Expense is estimated to be \$1,974 under budget because of less travel due to budget constraints.

Other Charges is \$4,188 under budget due to less funds available for transfer to the Contingency Reserve.

## C. SUMMARY OF REVENUES

	Actual July 08-June 09	Budget FY 08-09	Over/(Under) Budget
INTEREST ON POOLED CASH	42,196	14,467	27,729
STATE - OTHER	228,511	411,742	(183,231)
TIPPING FEE REVENUE	1,420,669	1,674,000	(253,331)
PRIOR YEAR REVENUE	12,865	0	12,865
DONATIONS/REIMBURSEMENTS	425,208	441,424	(16,216)
TOTAL REVENUES	2,129,449	2,541,633	(412,184)

Interest on Pooled Cash is \$27,729 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 \$183,231 under budget 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 \$253,331 under budget due to decreased surcharge tonnages.

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

Donations/Reimbursements are \$16,216 under budget as a result of HHW being \$26,026 under budget (less ewaste revenue sharing) and Education being \$9,776 over budet (greater participation in the Recycling Guide Tab by the haulers).

## D. SUMMARY OF NET COST

The net cost for cost centers receiving revenue from the \$5.40/ton surcharge is \$114,887 under budget as follows:

	Actual	Budget	Difference
Index 799312 - HHW	1,166,146	1,377,256	(211,110)
Index 799411 - Education	253,277	161,485	91,792
Index 799510 - Diversion	(4,246)	2,946	(7,192)
Index 799619 - Planning	26,490	14,867	11,623
Overall Net Cost	1,441,667	1,556,554	(114,887)



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

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

A. SUMMARY	FY 08-09 Adopted Budget	FY 08-09 Actual	Over/(Under) Budget
TOTAL EXPENDITURES	1,442,216	667,070	(775,146)
TOTAL REVENUES	3,453,601	2,494,777	(958,824)
NET COST	(2,011,385)	(1,827,707)	183,678

B. SUMMARY OF EXPENDITURES	Actual July 08-June 09	Budget FY 08-09	Over/(Under) Budget
SERVICES & SUPPLIES	667,070	1,442,216	(775,146)
OTHER CHARGES	0	0	0
TOTAL EXPENDITURES	667,070	1,442,216	(775,146)

**Organics Reserve**

Contract Services is \$266,000 under budget because hiring a consultant for site evaluations and the environmental study was delayed.

Administration Services is \$20,385 under budget because the compost site relocation project has experienced some delays and therefore requires less staff time for this fiscal year.

Legal Services is \$25,230 under budget due to the delays in the compost siting project.

Travel is \$2,500 under budget because of budget constraints.

**HHW Facility Reserve**

Professional Services is \$150,000 under budget because the grant funds available for the expansion of the facility were not used this fiscal year. The expansion is on track to be completed FY 09-10 and the grant funds will be used.

Contract Services is \$219,809 under budget due to the delay in construction of the facility expansion.

Administration Services is \$14,724 under budget because the extension to the HHW facility has been delayed, which results in less staff time being used.

Legal Services is \$9,259 under budget due to the delays in the facility expansion project.

**Contingency Reserve**

Contract Services is \$67,563 under budget. The Agency is exploring a different scheme for funding. The budget included hiring a financial consultant, which was not done until the third quarter of the fiscal year.

C. SUMMARY OF REVENUES	Actual July 08-June 09	Budget FY 08-09	Over/(Under) Budget
INTEREST ON POOLED CASH	92,191	136,634	(44,443)
STATE-OTHER	0	150,000	(150,000)
OT-WITHIN ENTERPRISE	2,402,586	3,166,967	(764,381)
TOTAL REVENUES	2,494,777	3,453,601	(958,824)

Interest on Pooled Cash for all of the reserve cost centers is \$44,443 under budget because all of the undesignated funds in the contributing cost centers were not transferred until midway through the fiscal year.

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

OT-Within Enterprise for all of the reserve funds is \$764,381 under budget because the contributing cost centers were unable to transfer funds due to decreasing revenues and increased expenses.

**D. SUMMARY OF NET COST**

The net cost for cost centers receiving contributions from the appropriate cost centers is anticipated to be \$183,678 over budget as follows:

	Actual	Budget	Difference
Index 799221 - Organics Reserve	(608,342)	(1,038,836)	430,494
Index 799320 - HHW Closure	(1,188)	(7,939)	6,751
Index 799338 - HHW Facility	(1,226,156)	(1,019,683)	(206,473)
Index 799718 - Contingency	7,979	55,073	(47,094)
Overall Net Cost	(1,827,707)	(2,011,385)	183,678

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

**799114  
EXPENDITURES**

<b>SUB-OB NO.</b>	<b>DESCRIPTION</b>	<b>ACTUAL July 08-June 09</b>	<b>ADOPTED BUDGET FY 08-09</b>	<b>OVER/ (UNDER) BUDGET</b>
6103	LIABILITY INSURANCE	889	1,000	(111)
6400	OFFICE EXPENSE	18	500	(482)
6521	COUNTY SERVICES	236	525	(289)
6540	CONTRACT SERVICES	174,592	255,580	(80,988)
6573	ADMINISTRATION COSTS	30,906	50,445	(19,539)
6610	LEGAL SERVICES	0	1,000	(1,000)
6629	FISCAL ACCOUNTING SERVICES	504	504	0
6630	AUDIT/ACCOUNTING SVCS	2,000	2,000	0
6880	SMALL TOOLS	4,411	4,411	0
7302	TRAVEL	0	0	0
<b>TOTAL SERVICES &amp; SUPPLIES</b>		<b>213,556</b>	<b>315,965</b>	<b>(102,409)</b>
8624	OT-WITHIN ENTERPRISE	0	0	0
	OT-WITHIN ENTERPRISE(PY)	197,140	197,140	0
<b>TOTAL OTHER CHARGES</b>		<b>197,140</b>	<b>197,140</b>	<b>0</b>
<b>TOTAL EXPENDITURES</b>		<b>410,696</b>	<b>513,105</b>	<b>(102,409)</b>

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

**REVENUES**

<b>SUB-OB NO.</b>	<b>DESCRIPTION</b>	<b>ACTUAL July 08-June 09</b>	<b>ADOPTED BUDGET FY 08-09</b>	<b>OVER/ (UNDER) BUDGET</b>
1700	INTEREST ON POOLED CASH	4,080	695	3,385
2901	TIPPING FEE REVENUE	177,713	284,400	(106,687)
4020	SALE OF MATERIAL	66,788	26,565	40,223
4102	DONATIONS/REIMURSEMENTS	5,000	5,000	0
<b>TOTAL REVENUES</b>		<b>253,581</b>	<b>316,660</b>	<b>(63,079)</b>
<b>NET COST</b>		<b>157,115</b>	<b>196,445</b>	<b>(39,330)</b>

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

**799213**  
**EXPENDITURES**

SUB-OB NO.	DESCRIPTION	ACTUAL June 08-July 09	ADOPTED BUDGET FY 08-09	OVER/ (UNDER) BUDGET
6104	LIABILITY INSURANCE	1,741	2,000	(259)
6400	OFFICE EXPENSE	5,030	500	4,530
6500	PROFESSIONAL SERVICES	625	0	625
6521	COUNTY SERVICES	490	525	(35)
6540	CONTRACT SERVICES	2,452,696	2,614,768	(162,072)
6573	ADMINISTRATION COSTS	88,738	83,523	5,215
6590	ENGINEERING SERVICES	7,421	15,000	(7,579)
6610	LEGAL SERVICES	3,686	8,000	(4,314)
6629	FISCAL ACCOUNTING SERVICES	2,325	2,325	0
6630	AUDIT/ACCOUNTING SVCS	3,000	2,500	500
6820	RENTS/LEASES - EQUIPMENT	3,049	5,200	(2,151)
6880	SMALL TOOLS/INSTRUMENTS	8,821	8,822	(1)
7062	ENFORCEMENT AGENCY FEE	17,121	20,000	(2,879)
7301	COUNTY CAR	2,005	3,000	(995)
7302	TRAVEL EXPENSE	0	1,000	(1,000)
7309	UNCLAIMABLE COUNTY	815	0	815
<b>TOTAL SERVICES &amp; SUPPLIES</b>		<b>2,597,563</b>	<b>2,767,163</b>	<b>(169,600)</b>
8624	OT-WITHIN ENTERPRISE	778,177	1,499,717	(721,540)
	OT-WITHIN ENTERPRISE (PY)	0	0	0
<b>TOTAL OTHER CHARGES</b>		<b>778,177</b>	<b>1,499,717</b>	<b>(721,540)</b>
<b>TOTAL EXPENDITURES</b>		<b>3,375,740</b>	<b>4,266,880</b>	<b>(891,140)</b>

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

**REVENUES**

SUB-OB NO.	DESCRIPTION	ACTUAL June 08-July 09	ADOPTED BUDGET FY 08-09	OVER/ (UNDER) BUDGET
1700	INTEREST ON POOLED CASH	34,220	6,088	28,132
2901	TIPPING FEE REVENUE	3,157,079	3,004,840	152,239
4030	SALE OF MATERIAL	187,268	85,000	102,268
4102	DONATIONS/REIMBURSEMENT	10,523	5,000	5,523
<b>TOTAL REVENUES</b>		<b>3,389,090</b>	<b>3,100,928</b>	<b>288,162</b>
<b>NET COST</b>		<b>(13,350)</b>	<b>1,165,952</b>	<b>(1,179,302)</b>

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

**799312  
EXPENDITURES**

<b>SUB-OB NO.</b>	<b>DESCRIPTION</b>	<b>ACTUAL July 08-June 09</b>	<b>ADOPTED BUDGET FY 08-09</b>	<b>OVER/ (UNDER) BUDGET</b>
6104	LIABILITY INSURANCE	3,481	4,000	(519)
6400	OFFICE EXPENSE	20,333	6,000	14,333
6500	PROFESSIONAL SERVICES	89,608	256,010	(166,402)
6521	COUNTY SERVICES	1,373	1,575	(202)
6540	CONTRACT SERVICES	1,157,167	1,498,000	(340,833)
6573	ADMINISTRATION COSTS	157,620	139,794	17,826
6610	LEGAL SERVICES	15,941	9,000	6,941
6629	FISCAL ACCOUNTING SERVICES	1,010	1,010	0
6630	AUDIT/ACCOUNTING SVCS	8,000	8,000	0
6840	RENTS/LEASES-BLDGS/IMP	23,000	23,000	0
6880	SMALL TOOLS/INSTRUMENTS	4,411	4,411	0
7062	ENFORCEMENT AGENCY	222	0	222
7303	TRAVEL EXPENSE	115	2,000	(1,885)
7400	DATA PROCESSING	0	50	(50)
<b>TOTAL SERVICES &amp; SUPPLIES</b>		<b>1,482,281</b>	<b>1,952,850</b>	<b>(470,569)</b>
8010	CONTRIB NON-CO GOV	(673)	0	(673)
8624	OT-WITHIN ENTERPRISE	1,281,756	1,309,425	(27,669)
	OT-WITHIN ENTERPRISE (PY)	0	0	0
	HHW CLOSURE	0	0	0
<b>TOTAL OTHER CHARGES</b>		<b>1,281,083</b>	<b>1,309,425</b>	<b>(28,342)</b>
<b>TOTAL EXPENDITURES</b>		<b>2,763,364</b>	<b>3,262,275</b>	<b>(498,911)</b>

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

**REVENUES**

<b>SUB-OB NO.</b>	<b>DESCRIPTION</b>	<b>ACTUAL July 08-June 09</b>	<b>ADOPTED BUDGET FY 08-09</b>	<b>OVER/ (UNDER) BUDGET</b>
1700	INTEREST ON POOLED CASH	31,920	13,003	18,917
2500	STATE-OTHER	82,396	256,010	(173,614)
2901	TIPPING FEE REVENUE	1,102,077	1,222,020	(119,943)
3980	REVENUE-PRIOR YEAR	12,865	0	12,865
4102	DONATIONS/REIMBURSEMENT	367,960	393,986	(26,026)
<b>TOTAL REVENUES</b>		<b>1,597,218</b>	<b>1,885,019</b>	<b>(287,801)</b>
<b>NET COST</b>		<b>1,166,146</b>	<b>1,377,256</b>	<b>(211,110)</b>

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

**799411**  
**EXPENDITURES**

SUB-OB NO.	DESCRIPTION	ACTUAL July 08-June 09	ADOPTED BUDGET FY 08-09	OVER/ (UNDER) BUDGET
6104	LIABILITY INSURANCE	1,283	1,500	(217)
6400	OFFICE EXPENSE	23,244	30,000	(6,756)
6500	PROFESSIONAL SERVICES	8,082	18,438	(10,356)
6521	COUNTY SERVICES	1,551	2,500	(949)
6540	CONTRACT SERVICES	179,261	155,388	23,873
6573	ADMINISTRATION COSTS	180,151	178,054	2,097
6610	LEGAL SERVICES	31,753	20,000	11,753
6630	FISCAL ACCOUNTING SERVICES	1,010	1,010	0
6642	AUDIT/ACCOUNTING SVCS	4,000	4,000	0
6840	RENTS/LEASES-BLDGS/IMP	541	3,000	(2,459)
6880	SMALL TOOLS/INSTRUMENTS	4,411	4,411	0
7301	COUNTY CAR	16	0	16
7303	TRAVEL EXPENSE	153	2,000	(1,847)
7400	DATA PROCESSING	0	30,000	(30,000)
<b>TOTAL SERVICES &amp; SUPPLIES</b>		<b>435,456</b>	<b>450,301</b>	<b>(14,845)</b>
8624	OT-Within Enterprise	0	0	0
	OT-Within Enterprise (PY)	134,575	134,575	0
<b>TOTAL OTHER CHARGES</b>		<b>134,575</b>	<b>134,575</b>	<b>0</b>
<b>TOTAL EXPENDITURES</b>		<b>570,031</b>	<b>584,876</b>	<b>(14,845)</b>

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

**REVENUES**

SUB-OB NO.	DESCRIPTION	ACTUAL July 08-June 09	ADOPTED BUDGET FY 08-09	OVER/ (UNDER) BUDGET
1700	INTEREST ON POOLED CASH	5,115	914	4,201
2500	STATE OTHER	13,432	23,600	(10,168)
2901	TIPPING FEE REVENUE	249,464	359,910	(110,446)
4103	DONATIONS/REIMBURSEMENTS	48,743	38,967	9,776
<b>TOTAL REVENUES</b>		<b>316,754</b>	<b>423,391</b>	<b>(106,637)</b>
<b>NET COST</b>		<b>253,277</b>	<b>161,485</b>	<b>91,792</b>

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

**799510  
EXPENDITURES**

<b>SUB-OB NO.</b>	<b>DESCRIPTION</b>	<b>ACTUAL July 08-June 09</b>	<b>ADOPTED BUDGET FY 08-09</b>	<b>OVER/ (UNDER) BUDGET</b>
6104	LIABILITY INSURANCE	889	1,000	(111)
6400	OFFICE EXPENSE	95	1,000	(905)
6500	PROFESSIONAL SERVICES	134,648	132,132	2,516
6521	COUNTY SERVICES	483	600	(117)
6573	ADMINISTRATION COSTS	22,968	35,204	(12,236)
6610	LEGAL SERVICES	4,660	1,000	3,660
6629	ACCOUNTING SERVICES	1,000	1,000	0
6630	AUDIT SERVICES	1,000	1,000	0
6880	SMALL TOOLS	4,411	4,411	0
7302	TRAVEL EXPENSE	0	0	0
<b>TOTAL SERVICES &amp; SUPPLIES</b>		<b>170,154</b>	<b>177,347</b>	<b>(7,193)</b>
8624	OT-Within Enterprise	0	3,398	(3,398)
	OT-Within Enterprise (PY)	0	0	0
<b>TOTAL OTHER CHARGES</b>		<b>0</b>	<b>3,398</b>	<b>(3,398)</b>
<b>TOTAL EXPENDITURES</b>		<b>170,154</b>	<b>180,745</b>	<b>(10,591)</b>

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

**REVENUES**

<b>SUB-OB NO.</b>	<b>DESCRIPTION</b>	<b>ACTUAL July 08-June 09</b>	<b>ADOPTED BUDGET FY 08-09</b>	<b>OVER/ (UNDER) BUDGET</b>
1700	INTEREST ON POOLED CASH	3,470	429	3,041
2500	STATE-OTHER	132,683	132,132	551
2901	TIPPING FEE REVENUE	34,873	41,850	(6,977)
4102	DONATIONS/REIMBURSEMENT	3,374	3,388	(14)
<b>TOTAL REVENUES</b>		<b>174,400</b>	<b>177,799</b>	<b>(3,399)</b>
<b>NET COST</b>		<b>(4,246)</b>	<b>2,946</b>	<b>(7,192)</b>

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

**799619  
EXPENDITURES**

<b>SUB-OB NO.</b>	<b>DESCRIPTION</b>	<b>ACTUAL July 08-June 09</b>	<b>ADOPTED BUDGET FY 08-09</b>	<b>OVER/ (UNDER) BUDGET</b>
6103	LIABILITY INSURANCE	880	1,000	(120)
6400	OFFICE EXPENSE	1	2,000	(1,999)
6521	COUNTY SERVICES	0	750	(750)
6540	CONTRACT SERVICES	0	0	0
6573	ADMINISTRATION COSTS	35,117	41,004	(5,887)
6590	ENGINEERING SERVICES	1,694	0	1,694
6610	LEGAL SERVICES	12,500	2,000	10,500
6630	AUDIT SERVICES	2,000	2,000	0
6880	SMALL TOOLS	4,411	4,411	0
7302	TRAVEL	26	2,000	(1,974)
<b>TOTAL SERVICES &amp; SUPPLIES</b>		<b>56,629</b>	<b>55,165</b>	<b>1,464</b>
8624	OT-Within Enterprise	0	0	0
	OT-Within Enterprise (PY)	10,938	15,126	(4,188)
<b>TOTAL OTHER CHARGES</b>		<b>10,938</b>	<b>15,126</b>	<b>(4,188)</b>
<b>TOTAL EXPENDITURES</b>		<b>67,567</b>	<b>70,291</b>	<b>(2,724)</b>

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

**REVENUES**

<b>SUB-OB NO.</b>	<b>DESCRIPTION</b>	<b>ACTUAL July 08-June 09</b>	<b>ADOPTED BUDGET FY 08-09</b>	<b>OVER/ (UNDER) BUDGET</b>
1700	INTEREST ON EARNED CASH	1,691	121	1,570
2901	TIPPING FEE REVENUE	34,255	50,220	(15,965)
4102	DONATIONS/REIMBURSEMENT	5,131	5,083	48
<b>TOTAL REVENUES</b>		<b>41,077</b>	<b>55,424</b>	<b>(14,347)</b>
<b>NET COST</b>		<b>26,490</b>	<b>14,867</b>	<b>11,623</b>

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

**799221  
EXPENDITURES**

SUB-OB NO.	DESCRIPTION	ACTUAL July 08-June 09	ADOPTED BUDGET FY 08-09	OVER/ (UNDER) BUDGET
6400	OFFICE EXPENSE	228	0	228
6540	CONTRACT SERVICES	418,656	684,656	(266,000)
6573	ADMINISTRATION SERVICES	14,615	35,000	(20,385)
6610	LEGAL SERVICES	4,797	30,000	(25,203)
7302	TRAVEL	0	2,500	(2,500)
<b>TOTAL SERVICES &amp; SUPPLIES</b>		<b>438,296</b>	<b>752,156</b>	<b>(313,860)</b>
8624	OT-WITHIN ENTERPRISE	0	0	0
<b>TOTAL OTHER CHARGES</b>		<b>0</b>	<b>0</b>	<b>0</b>
<b>TOTAL EXPENDITURES</b>		<b>438,296</b>	<b>752,156</b>	<b>(313,860)</b>

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

**REVENUES**

SUB-OB NO.	DESCRIPTION	ACTUAL July 08-June 09	ADOPTED BUDGET FY 08-09	OVER/ (UNDER) BUDGET
1700	INTEREST/POOLED CASH	71,321	94,135	(22,814)
4624	OT-WITHIN ENTERPRISE	975,317	1,696,857	(721,540)
<b>TOTAL REVENUES</b>		<b>1,046,638</b>	<b>1,790,992</b>	<b>(744,354)</b>
<b>NET COST</b>		<b>(608,342)</b>	<b>(1,038,836)</b>	<b>430,494</b>



**FOURTH QUARTER 08-09 REVENUE AND EXPENDITURE SUMMARY AND PROJECTION**  
**SCWMA - HHW CLOSURE RESERVE**  
**DETAIL**

**799320**  
**EXPENDITURES**

SUB-OB NO.	DESCRIPTION	ACTUAL July 08-June 09	ADOPTED BUDGET FY 08-09	OVER/ (UNDER) BUDGET
	<b>TOTAL SERVICES &amp; SUPPLIES</b>	0	0	0
8624	OT-WITHIN ENTERPRISE	0	0	0
	<b>TOTAL OTHER CHARGES</b>	0	0	0
	<b>TOTAL EXPENDITURES</b>	0	0	0

**FOURTH QUARTER 08-09 REVENUE AND EXPENDITURE SUMMARY AND PROJECTION**  
**SCWMA - HHW CLOSURE RESERVE**  
**DETAIL**

**REVENUES**

SUB-OB NO.	DESCRIPTION	ACTUAL July 08-June 09	ADOPTED BUDGET FY 08-09	OVER/ (UNDER) BUDGET
1700	INTEREST/POOLED CASH	1,188	1,272	(84)
4624	OT-WITHIN ENTERPRISE	0	6,667	(6,667)
	<b>TOTAL REVENUES</b>	1,188	7,939	(6,751)

<b>NET COST</b>	<b>(1,188)</b>	<b>(7,939)</b>	<b>6,751</b>
-----------------	----------------	----------------	--------------

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

**799338  
EXPENDITURES**

SUB-OB NO.	DESCRIPTION	ACTUAL July 08-June 09	ADOPTED BUDGET FY 08-09	OVER/ (UNDER) BUDGET
6500	PROFESSIONAL SERVICES	0	150,000	(150,000)
6540	CONTRACT SERVICES	61,605	281,414	(219,809)
6573	ADMINISTRATION SERVICES	5,388	20,112	(14,724)
6610	LEGAL SERVICES	741	10,000	(9,259)
<b>TOTAL SERVICES &amp; SUPPLIES</b>		<b>67,734</b>	<b>461,526</b>	<b>(393,792)</b>
8624	OT-WITHIN ENTERPRISE	0	0	0
<b>TOTAL OTHER CHARGES</b>		<b>0</b>	<b>0</b>	<b>0</b>
<b>TOTAL EXPENDITURES</b>		<b>67,734</b>	<b>461,526</b>	<b>(393,792)</b>

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

**REVENUES**

SUB-OB NO.	DESCRIPTION	ACTUAL July 08-June 09	ADOPTED BUDGET FY 08-09	OVER/ (UNDER) BUDGET
1700	INTEREST/POOLED CASH	12,134	28,451	(16,317)
2500	STATE-OTHER	0	150,000	(150,000)
4624	OT-WITHIN ENTERPRISE	1,281,756	1,302,758	(21,002)
<b>TOTAL REVENUES</b>		<b>1,293,890</b>	<b>1,481,209</b>	<b>(187,319)</b>

<b>NET COST</b>		<b>(1,226,156)</b>	<b>(1,019,683)</b>	<b>(206,473)</b>
-----------------	--	--------------------	--------------------	------------------

**FOURTH QUARTER 08-09 REVENUE AND EXPENDITURE SUMMARY AND PROJECTION**  
**SCWMA - CONTINGENCY RESERVE**  
**DETAIL**

**799718**  
**EXPENDITURES**

SUB-OB NO.	DESCRIPTION	ACTUAL July 08-June 09	ADOPTED BUDGET FY 08-09	OVER/ (UNDER) BUDGET
6540	CONTRACT SERVICES	155,971	223,534	(67,563)
6573	ADMINISTRATION COSTS	4,776	5,000	(224)
6590	ENGINEERING SERVICES	0	0	0
6610	LEGAL SERVICES	293	0	293
<b>TOTAL SERVICES &amp; SUPPLIES</b>		<b>161,040</b>	<b>228,534</b>	<b>(67,494)</b>
8624	OT-WITHIN ENTERPRISE	0	0	0
<b>TOTAL OTHER CHARGES</b>		<b>0</b>	<b>0</b>	<b>0</b>
<b>TOTAL EXPENDITURES</b>		<b>161,040</b>	<b>228,534</b>	<b>(67,494)</b>

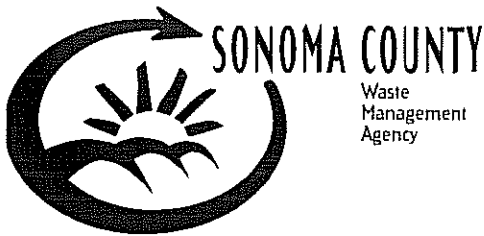
**FOURTH QUARTER 08-09 REVENUE AND EXPENDITURE SUMMARY AND PROJECTION**  
**SCWMA - CONTINGENCY RESERVE**  
**DETAIL**

**REVENUES**

SUB-OB NO.	DESCRIPTION	ACTUAL July 08-June 09	ADOPTED BUDGET FY 08-09	OVER/ (UNDER) BUDGET
1700	INTEREST/POOLED CASH	7,548	12,776	(5,228)
4624	OT-WITHIN ENTERPRISE	145,513	160,685	(15,172)
<b>TOTAL REVENUES</b>		<b>153,061</b>	<b>173,461</b>	<b>(20,400)</b>
<b>NET COST</b>		<b>7,979</b>	<b>55,073</b>	<b>(47,094)</b>

SCWMA Fund Balance Comparison of FY 08-09 at Year End to Approved FY 09-10 Budget

		Actual FY 07-08	Budgeted FY 08-09	Actual FY 08-09	Proposed FY 09-10
Wood Waste					
	Beginning Reserves	161,935	243,283	243,283	86,168
	Contributions	81,348	(196,445)	(157,115)	(57,550)
	Uses	0	0	0	0
	Ending Reserves	243,283	46,838	86,168	28,618
Yard Debris					
	Beginning Reserves	871,316	1,538,252	1,538,252	1,551,602
	Contributions	666,936	(1,165,952)	13,350	(1,005,288)
	Uses	0	0	0	0
	Ending Reserves	1,538,252	372,300	1,551,602	546,314
Household Hazardous Waste					
	Beginning Reserves	1,473,694	1,840,925	1,840,925	674,779
	Contributions	367,231	(1,377,256)	(1,166,146)	(606,916)
	Uses	0	0	0	0
	Ending Reserves	1,840,925	463,669	674,779	67,863
Education					
	Beginning Reserves	191,944	263,686	263,686	14,036
	Contributions	71,742	(161,485)	(253,277)	31,500
	Uses	0	0	3,627	0
	Ending Reserves	263,686	102,201	14,036	45,536
Diversion					
	Beginning Reserves	72,940	45,353	45,353	49,599
	Contributions	(27,587)	(2,946)	4,246	(22,671)
	Uses	0	0	0	0
	Ending Reserves	45,353	42,407	49,599	26,928
Planning					
	Beginning Reserves	82,241	81,881	81,881	55,391
	Contributions	(360)	(14,867)	(26,490)	(52,802)
	Uses	0	0	0	0
	Ending Reserves	81,881	67,014	55,391	2,589
Organics					
	Beginning Reserves	2,733,486	2,320,006	2,320,006	2,928,348
	Contributions	117,326	1,790,992	1,046,638	1,523,446
	Uses	(530,806)	(752,156)	(438,296)	(291,846)
	Ending Reserves	2,320,006	3,358,842	2,928,348	4,159,948
HHW Closure					
	Beginning Reserves	48,992	51,128	51,128	52,316
	Contributions	2,136	7,939	1,188	7,260
	Uses	0	0	0	0
	Ending Reserves	51,128	59,067	52,316	59,576
HHW Facility					
	Beginning Reserves	81,000	13,236	13,236	1,239,392
	Contributions	3,182	1,481,209	1,293,890	875,751
	Uses	(70,946)	(461,526)	(67,734)	(293,434)
	Ending Reserves	13,236	1,032,919	1,239,392	1,821,709
Contingency					
	Beginning Reserves	303,227	155,369	155,369	147,390
	Contributions	13,062	173,461	153,061	81,584
	Uses	(160,920)	(228,534)	(161,040)	(67,308)
	Ending Reserves	155,369	100,296	147,390	161,666



**Agenda Item #:** 8.3  
**Cost Center:** Organics  
**Staff Contact:** Carter/Mangerich  
**Agenda Date:** 8/19/2009

## **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. At the May 20, 2009 SCWMA meeting, Site 40 was added to the EIR in the place of Site 14. Site 40 is to be studied at an equal level to the preferred site, Site 5a.

### **II. DISCUSSION**

The consultant is in the process of studying all the selected sites. A Draft Environmental Impact Report is anticipated to be released to the public in September or October 2009.

Per request of Board member Christa Johnson, Town of Windsor, and agreement by the Board, agency staff have (1) investigated potential of siting the compost facility at Central Disposal Site, (2) visited nearby compost facility to assess their ability to accept Sonoma County's green waste and wood debris; (3) met with North Coast Regional Water Quality Control Board and (4) attended CIWMB Stakeholder Workshops on Alternative Daily Cover, Food Waste Composting, and Anaerobic Digestion.

Staff's findings to date are:

(1) Compost site remaining at Central Disposal Site

- The Agency's service contract with Sonoma Compost Company terms in August, 2010 (no more materials accepted) and November 2010 (vacation of site). The Agency is not able, within that timeframe, to move to another location until the EIR is completed and discussed by the Board; and all options of remaining at Central Disposal Site become evident once divestiture track is pursued, escrow and permitting successfully completed, or not.
- The current "footprint" location of the compost facility (~20 acres) is a temporary location regardless of who the owner of the landfill is, or may be in the future. Our current location sits atop buried garbage, and the NCRWQCB wants the compost facility off of buried garbage. Potential new owners may want to develop and permit current compost site first for disposal of MSW. If divestiture does not unfold, the County will begin post closure action on the landfill and the compost facility will have to relocate regardless (off site, or perhaps to another location "on site" at Central Disposal Site).

- Agency staff will negotiate with the County or the potential new owner (now identified as Republic Services) to temporarily extend our stay at our existing operational location in order we may continue the necessary required steps to relocate the operations (whether it be a new location at Central Disposal Site, or off Central Disposal site completely).

Due to the recent release of documents related to the County's divestiture of solid waste assets, staff can also provide the following excerpts related to the composting facility. Per the "Purchase and Sale Agreement, Volume I, Section 6.10 Compost Facility":

Purchaser acknowledges that (i) a compost operation, which is currently run by Sonoma Compost Company, exists, as of the Execution Date, at the Landfill (the "Compost Facility");

(ii) the County's responsibilities with respect to the Compost Facility are set forth in that certain Organic Material Processing, Composting and Marketing Services Agreement dated as of September 28, 1999, by and among the SCWMA, the County and Sonoma Compost Company (as amended, title "Compost Agreement"), and (iii) title Compost Agreement is an Assigned Contract. As of Closing, Purchaser shall assume and be responsible for the performance of the County's obligations under the Compost Agreement, including providing to Sonoma Compost Company ingress, egress and access to and from the Landfill and the right to use its existing site at the Landfill for the Compost Facility in accordance with and subject to the term and conditions of the Compost Agreement; provided, however, that if the Compost Facility has not relocated as of the expiration of the Compost Agreement, upon request of the SCWMA, Purchaser shall allow the Compost Facility to remain at the Landfill for an additional 12 months after the stated expiration of the Compost Agreement upon the same terms and conditions set forth in the Compost Agreement. Payment for the processing and handling of green waste and wood waste at the Compost Facility is addressed in the Agency Agreement. Nothing contained herein shall preclude Purchaser from pursuing and entering into an agreement with the SCWMA to provide some or all of the SCWMA's services related to the solid waste within the County of Sonoma, including providing compost operations and handling.

As well, within the "Purchase and Sale Agreement, Volume I, Section 8.13: Compost Facility" it continues:

Purchaser shall be satisfied in its sole discretion that adequate plans and arrangements have been made prior to Closing for relocation of the Compost Facility off of the Landfill.

- Staff met with TPW landfill engineers who provided tour of CDS and pointed out area of previous interest for relocation of compost facility in 2001, however, further pursuit was shelved at that time due to requirements imposed by the size and cost of the retention pond required by the NCRWQCB (e.g., 100% containment of runoff, 5-7 acre pond necessary to hold 2-3 million gallons of runoff). This area may be potentially viable option in the future depending on agreement with landfill owner, if the area footprint could be expanded to include adequate room for processing additional feedstocks, marketing of

materials, public access, wood processing, and adequate access and egress for necessary equipment, stormwater controls.

## (2) Tour of Redwood Landfill and Compost facility

Owned by Waste Management Inc., Redwood's current permit allows the landfill to continue to operate for approximately 15-20 years. They operate a small compost facility that is:

- Permitted to take up to only 170 tpd (61,000 tpy). Any expansion to that permitted threshold is hindered by their Air Quality Permit with their current open windrow processing technology. (NOTE: We compost approximately 90k tpy at our compost facility located at CDS.)
- They are currently piloting a full food waste collection from Marin County's curbside yard waste programs.
- No longer apply green waste as "Alternative Daily Cover" (ADC) ADC due to public outcry. They now use a mix of treated biosolids and wood chips as their ADC.
- They're composting on a small 7 acre pad.
- Currently unable to accept more yard debris from out of county due to restrictions on current space & permitting requirements.

## (3) Meeting with North Coast Regional Water Quality Control Board (NCRWQCB)

Agency staff met with the following: Catherine Kuhlman (Executive Officer); Bill Massey (Board member); David Leland (Water Resource Control Engineer); and Luis Rivera (Asst. Executive Officer) to discuss the Agency's efforts to relocate the existing compost facility. Board member Carol Dean was unable to make the meeting.

- Discussion included introductions, role and background of the new Agency Director with focus solely on Agency-related programs and budget.
- The NCRWQCB was encouraged to hear of the Agency's efforts to move the compost site off its current location which is on buried garbage.
- The NCRWQCB will not allow future composting facilities be located on buried garbage.
- The NCRWQCB prefers any relocated or new compost facility be "zero discharge" to stormwater. Staff discussed with them the methods by which this could be employed including change in processing technology, covered processing areas, berms, swales, and other best management practices.

In the near future agency staff will be: (1) meeting with representative of the Bay Area Regional Air Quality Management District to understand the air permitting requirements for a compost facility; and (2) attend a CIWMB/SWRCB Workshop on Regulation of Composting facilities where discussion will focus on the State Water Resources Control Board consideration of developing a statewide waiver (in lieu of current issued individual waste discharge requirements) with substantive conditions that would address water quality protection at composting facilities that currently exist or may be constructed. As well, now that Republic Services has been identified publicly as the proposer of interest, staff can move forward and begin communications with them.


### III. FUNDING IMPACT

There is no funding impact resulting from this transmittal.

### IV. RECOMMENDED ACTION / ALTERNATIVES TO RECOMMENDATION

This transmittal is informational only. No action is requested.

Approved by:

  
Mollie Mangerich, Executive Director, SCWMA





Agenda Item #: 10.1  
Cost Center: Diversion  
Staff Contact: Carter  
Agenda Date: 8/19/2009

## **ITEM: Beverage Container Grant Update**

### **I. BACKGROUND**

In January 2000, the California Department of Conservation (DOC) appropriated \$10.5 million annually to be paid to cities and counties to support the recycling of cans and bottles. These funds are available through unclaimed deposits from the beverage containers purchased in California (CRV containers).

In March 2000, the Agency agreed to accept responsibility for the management of this DOC grant money for all Sonoma County jurisdictions.

Each year, from 2000 to 2004, the Agency adopted resolutions to allow the Agency to submit the "funding request forms" for the cities and the unincorporated county, to the DOC, and to implement a regional beverage container recycling program for Sonoma County. In 2005, the DOC eliminated the option of submitting a regional program funding request form. Since 2005, Agency staff has prepared the individual funding request forms for each jurisdiction, and the DOC sent warrants directly to each city and the county. Subsequent SCWMA Board actions have reaffirmed support for the program and directed the jurisdictions to forward the DOC grant funds to the Agency.

The SCWMA's beverage container recycling program began by placing collection containers in Regional Parks in order to provide recycling services throughout the county. Recycling containers have since been placed in city parks and streets, as requested by Agency members. Since 2000, the SCWMA has contracted with the Sonoma County Probation Department to service many of these recycling containers.

Previous funding received by SCWMA from the DOC was \$134,027 for FY 2006/07 and \$133,108 for FY 2007/08. According to the latest information from the DOC, funding for FY 2009/10 is expected to be only \$19,758. This represents an 85 percent proportional reduction from the previous fiscal year funding level.

### **II. DISCUSSION**

The significant decrease in expected funding is attributed to an increase in recycling. The City/County Payment Program and other programs are funded by the DOC through unclaimed deposits (\$0.05 or \$0.10 per container, depending on container size and beverage type) on beverage containers. As more people and companies reclaim the deposit, the DOC has less ability to fund other programs. While the increase in recycling participation is a commendable achievement, the unexpected decrease in funding forces the Agency to reexamine programs which depend on this funding.

Historically, the majority of the DOC grant funds were used by the Sonoma County Probation Department to service the containers throughout the county. These agreements, approved by the SCWMA Board, typically were in excess of \$50,000 per year. As the expected grant revenues for FY 2009/10 is \$19,758, the Agency will be unable to enter into an agreement with the Probation Department for a full year.

Staff contacted maintenance divisions of the parks (state, regional, city) which receive services through this grant and informed them the service may be discontinued. While all wished for the service to continue, they all indicated the recycling containers could instead be serviced by their own staff. None of the contacts requested removal of the containers from their parks.

It is staffs understanding the materials will continue to be recycled by each respective park's maintenance crews. Therefore, staff recommends entering into an agreement with Sonoma County Probation for a term not to exceed September 30, 2009. This would allow a transitional period in which park maintenance staff could make preparations to service the containers and ensure the collected material is recycled.

### III. FUNDING IMPACT

Decreased revenues from the Department of Conservation's City/County Payment Program will result in decreased staff time available for this project as well as fewer projects funded through this grant unless Reserves are used to bridge the funding gap.

Approximately \$44,600 is available for encumbrance within the Diversion Cost Center at the beginning of FY 2009/10. An estimated \$19,758 is expected to be available after the DOC releases the funds to the cities and the County and the Agency invoices and pools these funds. This is assuming that all jurisdictions participate in the beverage container recycling program.

Fiscal impacts vary depending on the level of service chosen. An agreement with Probation for 38 collection days (up to September 30, 2009) would cost \$24,700, while an agreement for 140 collection days (up to June 30, 2010) would cost \$91,000 and require the use of funds from the Contingency Reserve.

### IV. RECOMMENDED ACTION / ALTERNATIVES TO RECOMMENDATION

Staff recommends the following: 1) entering into an agreement with the Sonoma County Probation Department for a term not to exceed September 30, 2009 to service the recycling containers, 2) transferring responsibility of servicing these recycling containers over to the respective parks maintenance staff, and 3) using remaining and future funds only for the purchase of new recycling containers, not servicing of purchased containers.

Alternatively, the Board may choose to supplement the collection program through the use of Reserves for FY 2009/10.

### V. ATTACHMENTS

Resolution

Approved by:   
Mollie Mangerich, Executive Director, SCWMA

RESOLUTION NO.: 2009-

DATED: August 19, 2009

RESOLUTION OF THE SONOMA COUNTY WASTE MANAGEMENT AGENCY AUTHORIZING AN  
AGREEMENT WITH THE SONOMA COUNTY PROBATION DEPARTMENT FOR BEVERAGE  
CONTAINER RECYCLING COLLECTION SERVICES.

WHEREAS, the California State beverage container recycling legislation was amended by Senate Bill 332 to increase the number and types of containers with California Redemption Value and appropriated funds for distribution to jurisdictions for the express purpose of increasing the diversion of California Redemption Value containers; and

WHEREAS, the Cities of Cloverdale, Cotati, Healdsburg, Petaluma, Rohnert Park, Santa Rosa, Sebastopol, and Sonoma, the Town of Windsor, and the County of Sonoma hereby authorize the California State Department of Conservation 2009/10 grant funds to be dispersed to the Sonoma County Waste Management Agency, once funds are received by their fiscal agents, for the purpose of continuing the implementation of the beverage container recycling program throughout the jurisdictions of Sonoma County; and

WHEREAS, the Sonoma County Probation Department has the capability of providing recycling collection service of the recycling containers placed in parks and other public locations; and

WHEREAS, diverting recyclables, including beverage containers, from the County disposal sites is one of the goals towards maintaining the California Integrated Waste Management Act of 1989 (AB 939) diversion requirement of 50 percent by 2000; and

WHEREAS, each of the jurisdictions in the county has a mutual goal of serving the residents of Sonoma County.

NOW THEREFORE, BE IT RESOLVED that the Sonoma County Waste Management Agency authorizes the Agency Executive Director to sign an Agreement with the Sonoma County Probation Department for an additional 38 crew days of collection services in the amount of \$24,700.

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 #: 10.2  
Cost Center: Diversion  
Staff Contact: Carter  
Agenda Date: 8/19/2009

## 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 City of Palo Alto settled a lawsuit from Save the Plastic Bag Coalition<sup>1</sup>. Under the terms of the settlement, the city will implement its ban of plastic bags in grocery stores, but will conduct an EIR on the subject before banning plastic bags in other retail establishments in the city.

Problems with the California State Budget resulted in the cancellation of the California Ocean Protection Council's plan to perform a Master Environmental Assessment (MEA) that would provide local governments a reference about the impacts of banning carryout plastic shopping bags or imposing a fee or surcharge on all disposable shopping bags. Local governments would have been able to use the results from the MEA in their own CEQA document should they consider taking individual actions regarding carryout shopping bags.

Green Cities California, a non-profit organization whose membership includes Berkeley, Los Angeles, Marin County, Pasadena, Sacramento, San Diego, San Francisco, San Jose, Santa Barbara, and Santa Monica, attempted to resume the project with the contractor selected by the Ocean Protection Council, ICF Jones & Stokes. Green Cities California sought contributions from California cities and counties to complete the project.

Sufficient funds were secured to start up the project, but Green Cities California Coordinator, Carol Misseldine, indicated additional funds for the project are still being sought to cover her time overseeing the project. Contributions are requested at any level, though the suggested contribution is \$2,500 to \$5,000. The expected completion date for the MEA is March 2010.

### III. FUNDING IMPACT

Funding impacts would vary depending on the action taken.

### IV. RECOMMENDED ACTION / ALTERNATIVES TO RECOMMENDATION

Staff recommends continuing Carryout Bag updates to the Board, and monitoring development of a MEA by the organization, Green Cities California. An alternative to staff's recommendation is for the Board to determine a financial contribution for the costs of project management by Carol Misseldine be made to Green Cities California.

Approved by:   
Mollie Mangerich, Executive Director, SCWMA

<sup>1</sup> [http://www.mercurynews.com/breakingnews/ci\\_12935148](http://www.mercurynews.com/breakingnews/ci_12935148), retrieved 7/30/2009.



Agenda Item #: 11.1  
Cost Center: HHW  
Staff Contact: Steinman  
Agenda Date: 8/19/2009

## **ITEM: MOU for Used Oil and Filter Collection for Windsor and Petaluma**

### **I. BACKGROUND**

The California Integrated Waste Management Board (CIWMB) administers a program to provide opportunities for the recycling of used oil. As part of this program, the Board issues annual block grants to help local governments establish or enhance permanent, sustainable used oil recycling programs. The Sonoma County Waste Management Agency (Agency) applies annually for the block grant and continues to be awarded the funding through this grant each year.

The members of the Agency Board have authorized the Agency, (in Resolution No. 2005-009), to submit applications and manage any Used Oil Block Grants, unless otherwise noted in a jurisdiction's authorization letter, through Fiscal Year 2010/2011.

Prior to 2005, the CIWMB required Memorandum of Understandings (MOUs) from the Joint Powers Agency's (JPA's) member jurisdictions in order to receive Used Oil Block Grant funds. Each member jurisdiction had MOUs in place with the Agency, with termination dates of June 30, 2005. Since this is no longer a CIWMB requirement, there are no current MOUs in place.

### **II. DISCUSSION**

Both the Town of Windsor and City of Petaluma maintain a used oil and oil filter collection center at their respective corporation yards. The tank contamination at the Petaluma Corporation Yard in 2008 reinforced the need to have MOUs in place for the Windsor and Petaluma sites.

The purpose of the MOUs is to set forth the terms and conditions of the use by Windsor and Petaluma of the above-stated grant funds for used oil and filter collection. The new MOUs shall commence on August 19, 2009 and shall terminate on February 11, 2017 (the expiration date of the SCWMA Joint Powers Agreement).

### **III. FUNDING IMPACT**

There will be no additional funding impact to the Agency resulting from the new MOUs. The Agency will continue to reimburse the Town of Windsor and City of Petaluma for collection costs for the used oil and used filters collected from the public at each site, to the extent of the available and eligible grant funds.

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

Staff recommends Board approval of the Memorandum of Understanding between the Agency and the Town of Windsor and the Agency and the City of Petaluma.

### **V. ATTACHMENTS**

Memorandum of Understanding between the Sonoma County Waste Management Agency and the Town of Windsor. Memorandum of Understanding between the Sonoma County Waste Management Agency and the City of Petaluma

Approved by:   
Mollie Mangerich, Executive Director, SCWMA

2300 County Center Drive, Suite 100 B, Santa Rosa, California 95403 Phone: 707.565.2231 Fax: 707.565.3701 [www.recyclenow.org](http://www.recyclenow.org)

MEMORANDUM OF UNDERSTANDING  
BETWEEN THE SONOMA COUNTY WASTE MANAGEMENT  
AGENCY AND THE CITY OF PETALUMA

This Memorandum of Understanding is made and entered into this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, by and between the Sonoma County Waste Management Agency ("Agency"), a joint powers agency and the City of Petaluma ("City"), a municipal corporation. Agency and City are sometimes collectively referred to as the "parties" and singularly, as "party".

R E C I T A L S

WHEREAS, Agency receives annual Used Oil Block Grant funds from the California Integrated Waste Management Board ("CIWMB"); and

WHEREAS, each grant has specific monies allocated to City by the CIWMB; and

WHEREAS, Agency is to submit applications and manage Used Oil Block Grants for implementation of a regional used oil collection program; and

WHEREAS, the Agency Board of Directors authorized the Agency in Resolution No. 2005-009 to submit applications and manage any Used Oil Block Grants, unless otherwise noted in a jurisdiction's authorization letter, through Fiscal Year 2010/2011; and

WHEREAS, City maintains a used oil and oil filter collection center at its corporation yard; and

WHEREAS, the parties desire to enter into this memorandum of understanding (hereinafter referred to as the "MOU") to set forth the terms and conditions of the use by City of the above-stated grant funds.

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

A G R E E M E N T

1. Purpose. City has rights, annually, to the portion of the Used Oil Block Grant that is designated by the CIWMB as City's allocation. In Resolution No. 2005-009 dated May 18, 2005, the Agency was authorized to submit applications and manage any Used Oil Block Grants, unless otherwise noted in a jurisdiction's authorization letter, through Fiscal Year 2010/2011. Resolution No. 2005-009 further authorizes and empowers the Agency Director, or his/her designee, to execute in the name of the Agency and on behalf of the jurisdictions which have provided authorization letters, all grant documents necessary to secure grant funds and implement the approved grant project(s). City must submit a letter to Agency staff annually by June 30 authorizing the Agency to submit to the CIWMB, on its behalf, a regional Used Oil Block Grant application for the next Fiscal Year.

City maintains a public used oil and filter collection center at its corporation yard located at 840 Hopper St. in Petaluma. The collection center consists of a used oil tank, used filter receptacle, and a cabinet with an emergency spill kit. The Agency will reimburse City for collection costs for the used oil and used filters collected from the public at the site, to the extent of the available and eligible grant funds.

The collection center equipment and supplies have been purchased by the Agency using the City's portion of the Used Oil Block Grant Funds. Used oil and filters are collected through Agreements between the City and the Contractors (as selected by City). The City is responsible for maintaining the collection site and making sure access is provided to the public Monday through Friday during the hours of 8:00 a.m. to 4:30 p.m. Arranging pick-ups of the used oil and filters is the responsibility of the City.

Any costs associated with the maintenance or replacement of equipment and supplies must be pre approved by the CIWMB Used Oil Grant Manager. All required signage will be provided by Agency staff, including stickers required to be affixed to all large pieces of equipment purchased with grant funds.

2. Payment Terms. City shall be reimbursed for allowable expenses as defined in the current CIWMB grant guidelines and terms and conditions and in accordance with Exhibit A attached hereto and incorporated herein by this reference.

3. Term of MOU. The term of this MOU shall commence on August 19, 2009 and shall terminate on February 11, 2017.

4. Indemnification. Agency shall indemnify, defend and hold harmless City, its officers, agents and employees from and against all loss, damage to property, damages for bodily and personal injury, including death, or liability arising out of the claims of Agency or Agency's contractors, subcontractors, officers, agents, or employees or third persons for tortious acts or omissions of Agency, its officers, agents and employees arising out of or in connection with the performance of Agency operations or services hereunder.

City shall indemnify, defend and hold harmless Agency, its officers, agents and employees from and against loss, damage to property, damages for bodily and personal injury, including death, or liability arising out of the claims of City, or City's contractors, subcontractors, officers, agents or employees or third persons for tortious acts or omissions of City, its officers agents and employees arising out of or in connection with the performance of City operations or services hereunder.

5. Compliance with Law. City hereby warrants to Agency that it shall comply with the requirements of applicable federal, state, and local laws, rules, and regulations in the performance of its duties hereunder. City further represents and warrants that it has read and is familiar with the terms and conditions of the Grant Agreement and shall comply with all requirements of the Grant Agreement and the CIWMB in administering the Grant Agreement.

6. Miscellaneous Provisions.

6.1 No Continuing Waiver. The waiver by either party of any breach of any of the provisions of this MOU shall not constitute a continuing waiver of any subsequent breach of the same, or of any other provision of this MOU.

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

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

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

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

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

AGENCY: SONOMA COUNTY WASTE  
MANAGEMENT AGENCY

By: \_\_\_\_\_  
Vincent Marengo, Chair  
Sonoma County Waste Management

Agency

CITY: CITY OF PETALUMA

By: \_\_\_\_\_  
City Manager



## EXHIBIT A

### PAYMENT TERMS

1. Payment requests must include copies of documents supporting the claimed expenses such as bids, receipts, canceled checks, or sole source justifications. Supporting documents must contain sufficient information to establish that purchases made or costs incurred are eligible for payment based on the current CIWMB grant guidelines and terms and conditions. At a minimum, the documentation should include the name, amount and date of purchase for the expense.
2. Payment requests are to be mailed to:  
  
Lisa Steinman  
Sonoma County Waste Management Agency  
2300 County Center Drive, Suite B 100  
Santa Rosa, CA 95403
3. Agency staff will review and approve all payment requests for completeness before including them in Agency's payment request to the CIWMB.
4. City hereby understands and acknowledges that the funds for this MOU are to come from the CIWMB pursuant to the current Grant Agreement. Accordingly, City hereby releases Agency from any claims for reimbursement that are not funded by CIWMB. Notwithstanding the foregoing, Agency promises to take all reasonable measures to secure reimbursement of all allowable funds from CIWMB. City will be reimbursed after Agency has received reimbursement from the CIWMB for the expenditure. In the event CIWMB fails to approve any expenditure, Agency shall not be liable to City for such unallowable expense.
5. City may submit payment requests at any time understanding that payments shall be processed and submitted biannually to CIWMB. City may claim any expenses covered by this MOU that are incurred starting July 1, 2009 and ending February 11, 2017. City must provide an estimate of expenditures to Agency annually by July 10 and an invoice by July 20 for all expenditures for the previous fiscal year.

MEMORANDUM OF UNDERSTANDING  
BETWEEN THE SONOMA COUNTY WASTE MANAGEMENT  
AGENCY AND THE TOWN OF WINDSOR

This Memorandum of Understanding is made and entered into this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, by and between the Sonoma County Waste Management Agency ("Agency"), a joint powers agency, and the Town of Windsor ("Town"), a municipal corporation. Agency and Town are sometimes collectively referred to as the "parties" and singularly, as a "party".

R E C I T A L S

WHEREAS, Agency receives annual Used Oil Block Grant funds from the California Integrated Waste Management Board ("CIWMB"); and

WHEREAS, each grant has specific monies allocated to Town by the CIWMB; and

WHEREAS, Agency is to submit applications and manage Used Oil Block Grants for implementation of a regional used oil collection program; and

WHEREAS, the Agency Board of Directors authorized the Agency in Resolution No. 2005-009 to submit applications and manage any Used Oil Block Grants, unless otherwise noted in a jurisdiction's authorization letter, through Fiscal Year 2010/2011; and

WHEREAS, Town maintains a used oil and oil filter collection center at its corporation yard; and

WHEREAS, the parties desire to enter into this memorandum of understanding (hereinafter referred to as the "MOU") to set forth the terms and conditions of the use by Town of the above-stated grant funds.

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

A G R E E M E N T

1. Purpose. Town has rights, annually, to the portion of the Used Oil Block Grant that is designated by the CIWMB as Town's allocation. In Resolution No. 2005-009 dated May 18, 2005, the Agency was authorized to submit applications and manage any Used Oil Block Grants, unless otherwise noted in a jurisdiction's authorization letter, through Fiscal Year 2010/2011. Resolution No. 2005-009 further authorizes and empowers the Agency Director, or his/her designee, to execute in the name of the Agency and on behalf of the jurisdictions which have provided authorization letters, all grant documents necessary to secure grant funds and implement the approved grant project(s). Town must submit a letter to Agency staff annually by June 30 authorizing the Agency to submit to the CIWMB, on its behalf, a regional Used Oil Block Grant application for the next Fiscal Year.

Town maintains a public used oil and filter collection center at its corporation yard located at 8400 Windsor Road in Windsor. The collection center consists of a used oil tank and a used filter receptacle. The Agency will reimburse Town for collection costs for the used oil and used filters collected from the public at the site, to the extent of the available and eligible grant funds.

The collection center equipment and supplies have been purchased by the Agency using the Town's portion of the Used Oil Block Grant Funds. Used oil and filters are collected through Agreements between the Town and the Contractors (as selected by Town). The Town is responsible for maintaining the collection site and making sure access is provided to the public twenty four (24) hours daily. Arranging pick-ups of the used oil and filters is the responsibility of the Town.

Any costs associated with the maintenance or replacement of equipment and supplies must be pre approved by the CIWMB Used Oil Grant Manager. All required signage will be provided by Agency staff, including stickers required to be affixed to all large pieces of equipment purchased with grant funds.

2. Payment Terms. Town shall be reimbursed for allowable expenses as defined in the current CIWMB grant guidelines and terms and conditions and in accordance with Exhibit A attached hereto and incorporated herein by this reference.

3. Term of MOU. The term of this MOU shall commence on August 19, 2009 and shall terminate on February 11, 2017

4. Indemnification. Agency shall indemnify, defend and hold harmless Town, its officers, agents and employees from and against all loss, damage to property, damages for bodily and personal injury, including death, or liability arising out of the claims of Agency or Agency's contractors, subcontractors, officers, agents, or employees or third persons for tortious acts or omissions of Agency, its officers, agents and employees arising out of or in connection with the performance of Agency operations or services hereunder.

Town shall indemnify, defend and hold harmless Agency, its officers, agents and employees from and against loss, damage to property, damages for bodily and personal injury, including death, or liability arising out of the claims of Town, or Town's contractors, subcontractors, officers, agents or employees or third persons for tortious acts or omissions of Town, its officers, agents and employees arising out of or in connection with the performance of Town operations or services hereunder.

5. Compliance with Law. Town hereby warrants to Agency that it shall comply with the requirements of applicable federal, state, and local laws, rules, and regulations in the performance of its duties hereunder. Town further represents and warrants that it has read and is familiar with the terms and conditions of the Grant Agreement and shall comply with all requirements of the Grant Agreement and the CIWMB in administering the Grant Agreement.

6. Miscellaneous Provisions.

6.1 No Continuing Waiver. The waiver by either party of any breach of any of the provisions of this MOU shall not constitute a continuing waiver of any subsequent breach of the same, or of any other provision of this MOU.

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

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

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

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

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

AGENCY: SONOMA COUNTY WASTE  
MANAGEMENT AGENCY

By: \_\_\_\_\_  
Vincent Marengo, Chair  
Sonoma County Waste Management

Agency

TOWN: TOWN OF WINDSOR

By: \_\_\_\_\_  
Town Manager

## EXHIBIT A

### PAYMENT TERMS

1. Payment requests must include copies of documents supporting the claimed expenses such as bids, receipts, canceled checks, or sole source justifications. Supporting documents must contain sufficient information to establish that purchases made or costs incurred are eligible for payment based on the CIWMB current grant guidelines and terms and conditions. At a minimum, the documentation should include the name, amount and date of purchase for the expense.
2. Payment requests are to be mailed to:  
  
Lisa Steinman  
Sonoma County Waste Management Agency  
2300 County Center Drive, Suite B 100  
Santa Rosa, CA 95403
3. Agency staff will review and approve all payment requests for completeness before including them in Agency's payment request to the CIWMB.
4. Town hereby understands and acknowledges that the funds for this MOU are to come from the CIWMB pursuant to the current Grant Agreement. Accordingly, Town hereby releases Agency from any claims for reimbursement that are not funded by CIWMB. Notwithstanding the foregoing, Agency promises to take all reasonable measures to secure reimbursement of all allowable funds from CIWMB. Town will be reimbursed after Agency has received reimbursement from the CIWMB for the expenditure. In the event CIWMB fails to approve any expenditure, Agency shall not be liable to Town for such unallowable expenses.
5. Town may submit payment requests at any time understanding that payments shall be processed and submitted biannually to CIWMB. Town may claim any expenses covered by this MOU that are incurred starting July 1, 2009 and ending February 11, 2017. Town must provide an estimate of expenditures to Agency annually by July 10 and an invoice by July 20 for all expenditures for the previous fiscal year.