



Minutes of May 15, 2013 Meeting

The Sonoma County Waste Management Agency met on May 15, 2013, at the City of Santa Rosa Council Chambers, 100 Santa Rosa Avenue, Santa Rosa, California

Present:

City of Cloverdale	Bob Cox
City of Cotati	Susan Harvey, Chair
City of Healdsburg	Mike Kirn
City of Petaluma	John Brown
City of Rohnert Park	John McArthur
City of Santa Rosa	Jennifer Phillips
City of Sebastopol	Sue Kelly
City of Sonoma	Steve Barbose
County of Sonoma	Susan Klassen
Town of Windsor	Debora Fudge

Staff Present:

Counsel	Janet Coleson
Staff	Patrick Carter
	Karina Chilcott
	Henry Mikus
	Lisa Steinman
Recorder	Charlotte Fisher

- 1. Call to Order**
The meeting was called to order 9:05 a.m.
- 2. Agenda Approval**
There were no changes to the agenda.
- 3. Public Comments (items not on the agenda)**
None.

Consent (w/attachments)

- 4.1 Minutes of April 17, 2013
- 4.2 FY 12-13 Third Quarter Financial Report

Debora Fudge, Town of Windsor, moved to approve the Consent Calendar. Mike Kirn, City of Healdsburg, seconded the motion. The motion passed with Mike Kirn, City of Healdsburg; John Brown, City of Petaluma; and Jennifer Phillips, City of Santa Rosa, abstaining.

Regular Calendar

4. Report on C&D Ordinance and Regional Programs

Henry Mikus, Executive Director, discussed the background of construction and demolition (C&D) debris policies and ordinances in Sonoma County. A Waste Characterization Study

arranged by the SCWMA in 2007 identified 27.4% of the waste stream as construction and demolition debris. Staff was directed to provide a report on efforts within the County for diverting more C&D.

In 2009, SCWMA engaged a consultant, Cascadia Inc., to prepare a draft C&D ordinance for use by member jurisdictions. However, the ordinance has not been adopted by any jurisdictions or the regional Agency.

All jurisdictions have a C&D diversion program method, but not all specify minimum diversion levels. All tie in to their franchise arrangements. Not all jurisdictions have a direct tie-in to the CALGreen Code. The resulting “patchwork quilt” framework makes it very difficult to implement a countywide C&D diversion ordinance.

The current climate is not conducive to implementing a general C&D ordinance. One countywide consideration would be whether SCWMA creates a C&D facility certification process, such as developing and using a C&D ticket for tracking and quantifying the appropriate materials.

Board Questions

Susan Klassen, County of Sonoma, asked if staff would be certifying processing facilities. Mr. Mikus responded Board direction would be needed before that would be considered.

Public Comment

Ernie Carpenter, resident, asked a requirement of 55% recycling be included in any use permits.

Ken Wells, AB 939 Local Task Force representative, championed having a minimum standard established, certification of C&D facilities, and then requiring the use of these facilities.

Stu Clark, DEI, supports the local certification process recommendation as long as it doesn't create a burden for participating contractors. He suggested using CALGreen as a simple model to alleviate the need for a C&D ordinance.

Board Discussion

None.

Susan Klassen, County of Sonoma, moved to accept staff recommendation of providing information to jurisdictions regarding changes to existing C&D programs and prepare a proposal for a certification of C&D processing facilities. Sue Kelly, City of Sebastopol, seconded the motion. The motion was approved with a unanimous vote.

5. Update on “Zero-Discharge” Project

Mr. Mikus initiated the discussion about Zero Discharge at the Central Compost Site. SCWMA contracted with SCS Engineers to prepare the required Zero-Discharge Plan, with recognition of the mandated May 15, 2013 due date. The plan examines several alternate means of achieving Zero-Discharge, of which four are considered potentially viable. The alternatives considered for water storage involved modifying the current compost facility ponds to increase their capacity, adding a pond on the compost site, adding a pond elsewhere on the Central site, and using tanks.

SCS considered trucking the leachate off-property to a treatment facility, or connecting to the County leachate pipe system to convey the water to treatment facility. After determining the use of tanks for storage, or trucking waste water for treatment, were not feasible, the alternatives evaluated were various combinations of ponds either connected to the leachate pipeline or as part of a treatment system.

Next steps would be to conduct the procurement process via a Request For Qualification (RFQ) for the further evaluation and design.

Public Comments

Roger Larsen, Happy Acres resident, stated there was an existing zero discharge plan and doing this instead of moving the composting operation off County property Site 40 was an unnecessary delay.

Martin Mileck, Cold Creek Compost, informed Boardmembers Sonoma County material has been coming to his facility for a long time. He understands that future State requirements will supersede any local requirements. He questioned whether the Laguna treatment plant will be able to handle the increased flow coming after heavy rain events.

Board Discussion

Ms. Klassen thanked Mr. Mikus for his efforts in developing a zero discharge plan in conjunction with the County. She is looking forward to getting the new facility in place.

Steve Barbose, City of Sonoma, inquired what options are available if the compost facility is moved and would any changes made to the existing facility be beneficial to Republic Services. Mr. Mikus replied that the Regional Water Quality Control Board is requiring the zero discharge now, which means they must be made to the existing facility and Republic Services will not benefit because the drainage direction is different.

Steve Barbose, City of Sonoma, moved to direct staff to begin the RFQ process upon notice that the NCRWQCB has approved the implementation plan. Jennifer Phillips, City of Santa Rosa, seconded the motion. The motion passed with a unanimous vote.

7. HHW Site License Agreement

Mr. Mikus initiated the discussion regarding the site license between the Agency and County for the Household Hazardous Waste Toxics Facility. There had been discussions with the County to split the current Three Party Agreement into a "Site License" between the Agency and the County for use of the property, and a separate contract between the Agency and Clean Harbors Environmental Services (CHES) for the HHW Toxics Facility operations. The HHW Site License, which is very similar in form and content with the Compost Site License approved at the February meeting, was presented to the Board for discussion and possible approval. There were a few recent changes made during negotiations, which were distributed to Boardmembers at the meeting.

Board Questions

Mr. Barbose asked if all of terms and conditions were acceptable to the County. Susan Klassen, County of Sonoma representative, replied in the affirmative.

Chair Susan Harvey thanked Mr. Mikus and Ms. Klassen for their efforts in bringing the negotiated license to the Board of consideration. She also asked if the utilities were budgeted

in the FY 13-14 Budget. Mr. Carter replied they were not budgeted and there could possibly be appropriation transfers brought to the Board if it should become necessary.

Public Comment

None.

Board Discussion

None.

Steve Barbose, City of Sonoma, moved to approve the HHW Site License as presented. Sue Kelly, City of Sebastopol, seconded the motion. The motion passed with a unanimous vote.

8. HHW Agreement Extension

Lisa Steinman, Agency staff, began the discussion on the agreement extension with Clean Harbors Environmental Services (CHES). Currently the Household Hazardous Waste (HHW) Contract is a three-party agreement between the County, SCWMA, and CHES. The plan is to have the current three-party agreement arrangement to two separate agreements (a license for use of the property between the County and the Agency, and an operating contract between the Agency and its Contractor).

The agreement presented for consideration makes the change from a three-party to a two – party agreement. The amendment also includes an extension to the term, hours of operation, and compensation for services, changes to make the agreement more efficient and economically sound by recognizing the impact of the proposed PaintCare program.

Board Questions

None.

Public Comment

Ken Wells, Guiding Sustainability, reminded the Board the PaintCare program is the result of the Extended Producer Responsibility (EPR) activities that the SCWMA has supported for many years.

Board Discussion

Debora Fudge, Town of Windsor, expressed her anticipation of a bidding process on this agreement in 2014.

John Brown, City of Petaluma, moved to adopt the Resolution to approve the Agreement between SCWMA and Clean Harbors Environmental Services Inc. and authorize the Chair to execute the Agreement on behalf of SCWMA. Steve Barbose, City of Sonoma, seconded the motion. The motion passed with a unanimous vote.

9. Upcoming Summer Meeting Date and Agendas

Mr. Mikus presented the future agenda options, constraints on the meeting space and historical summer break options for Board consideration.

Board Discussion

Jennifer Phillips, City of Santa Rosa, inquired if there will need to be a confirmation of all Councils to make changes.

John Brown, City of Petaluma, thanked Mr. Mikus for his efficiency in bringing this to the Board at this time. He stated the availability of Petaluma representatives in planning a summer schedule.

Ms. Klassen supported the staff recommendation of not scheduling a meeting in June and having July and August meetings.

Sue Kelly, City of Sebastopol, and Mike Kirn, City of Healdsburg, both supported the staff recommendation.

Mr. Mikus stated he had direction to forego the June meeting and schedule July and August meetings.

10. Change to Standard Meeting Date Request

Mr. Mikus opened the item regarding the Agency's regular meeting schedule. Shirlee Zane, County of Sonoma, has requested a meeting change due to a conflict in her schedule. A letter from Ms. Zane was distributed at each Boardmember's place. The availability of the Santa Rosa City Council chambers has been checked for the proposed change.

Board Discussion

Boardmembers expressed each of their individual consideration of the requested change of meeting calendar with relation to their other obligations.

Public Comment

Michelle Whitman, Third District Director, spoke on behalf of Supervisor Zane stating that Ms. Zane was the Sonoma County representative to the Bay Area Air Quality Management District (BAAQMD) Board of Directors. Ms. Zane feels that representation of the County of Sonoma is the most efficient method of having the voice of Sonoma County heard at the BAAQMD.

Dan Brown, City of Petaluma, moved to leave the SCWMA board meeting date as is. Mike Kirn, City of Healdsburg, seconded the motion. The motion carried with eight affirmative votes and two negative votes.

11. Attachments/Correspondence:

- 11.1 Director's Agenda Notes
- 11.2 Reports by Staff and Others:
 - 11.2.a May and June 2013 Outreach Events
 - 11.2.b Update on MCR-2 Project
 - 11.2.c Letters Regarding State Legislation
 - 11.2.d Cinco de May Outreach Event Report

Mr. Mikus called attention to the attachments highlighting the progress being made on the MCR -2 project thanking Judy Hoffman for her efforts. He also pointed out the Agency efforts in supporting and commenting on legislation as it pertains to the Agency mission.

12. On File w/Clerk
Resolutions approved in April 2013
2013-006 FY 2013/14 Final Budget

13. Boardmember Comments

Mr. Barbose gave what will be his final report on the activities of the Solid Waste Advisory Group (SWAG). Mr. Mikus reminded the Board that the SWAG recommendations for discussion are continuing to lead the Agency to goal development and policy issues.

Ms. Phillips called attention to the art work displayed in the Chambers. The paintings are a product of the Art Start program.

14. Staff Comments

Mr. Mikus informed the Board of issues associated with the compost operations. The Local Enforcement Agency (LEA) has issued violations for off-site odors.

CalRecycle would like to visit with individual jurisdictions for communication and updates. Staff would like to be included to answer questions on behalf of the regional agency efforts being done for the jurisdictions. Mr. Mikus would like to send letters to each of the City Managers.

Ms. Steinman reported she is applying for the oil payment program and will be sending letters to each of the jurisdictions for signatures.

Ms. Kelly requested staff send any communications to each Boardmember instead of the city offices.

15. Next SCWMA meeting: July 17, 2013

16. Adjourn

The meeting was adjourned at 10:20 a.m.

Submitted by
Charlotte Fisher