



MINUTES OF MAY 20, 2009

The Sonoma County Waste Management Agency met on May 20, 2009, at the City of Santa Rosa Utilities Department's Subregional Water Reclamation System Laguna Plant, 4300 Llano Road, Santa Rosa, California.

PRESENT:

City of Petaluma	Vince Marengo, Chair
City of Cloverdale	Gus Wolter
City of Cotati	Marsha Sue Lustig
City of Healdsburg	Mike Kirn
City of Rohnert Park	Dan Schwarz
City of Santa Rosa	Dell Tredinnick
City of Sebastopol	Jack Griffin
City of Sonoma	Steve Barbose
Town of Windsor	Christa Johnson
County of Sonoma	Tom O'Kane, Jr.

STAFF PRESENT:

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

1. CALL TO ORDER SPECIAL MEETING

The special meeting was called to order at 8:35 a.m. by Chairman Marengo.

2. OPEN CLOSED SESSION

CONFERENCE WITH REAL PROPERTY NEGOTIATOR PURSUANT TO GOVERNMENT CODE SECTION 54956.8

Property: 500 Mecham Road, Petaluma, California

Agency Negotiator: Executive Director

Negotiating Party: County of Sonoma

Under Negotiation: PRICE _____

TERMS _____

BOTH _____X_____

3. ADJOURN CLOSED SESSION

No report.

4. CALL TO ORDER REGULAR MEETING/INTRODUCTIONS

The regular meeting was called to order at 9:47 a.m.

5. ATTACHMENTS/CORRESPONDENCE

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

6. ON FILE WITH CLERK

Chair Marengo noted the resolutions from the April 15, 2009 meeting on file with the clerk.

7. PUBLIC COMMENTS (items not on the agenda)

There were no public comments.

CONSENT

8.1 Minutes of April 15, 2009

8.2 Amended Minutes of March 18, 2009 (continued from April meeting)

8.3 Carryout Bag Update

8.4 FY 08-09 Third Quarter Financial Report

Item 8.1 pulled by Marsha Sue Lustig, Cotati.

Dan Schwarz, Rohnert Park, moved to approve consent items 8.2 through 8.4. Christa Johnson, Windsor, seconded.

8.1 Ms. Lustig requested that punctuation be added to page 14; line 4 of the May agenda packet in the minutes from April 15, 2009 a period was missed at the end of her comment.

Ms. Lustig moved to approve item 8.1 with the minutes amended. Gus Wolter, Cloverdale, seconded the motion. Motion carried.

REGULAR CALENDAR

ORGANICS

9.1 COMPOST RELOCATION UPDATE

Patrick Carter explained at the April 15, 2009 Agency meeting staff was given direction to return to the Board with two different scenarios to include Site 40 in the Compost Relocation Project EIR: the cost of including it as an alternative site but studied in lesser detail and the cost of replacing the 3rd ranked site in the current scheme which is Site 14, with site 40.

Staff discussed this with the consultant and three different scenarios were developed, (1) the cost of inclusion as an alternative site studied in lesser detail; (2) the cost of inclusion as the preferred site studied at an equal detail as 5A which is the preferred site; and (3) both of the other scenarios as replacing Site 14. Increased costs range from \$17,000 to \$72,000 depending on the scenario the board chooses. The alternative analysis would include basic site layout including aerated static pile and basic evaluations of biological, hydrological, cultural, and other related impacts with regard to that site. The preferred level of site analysis would include a much greater level of detail of traffic and transportation, land use, aesthetics, utilities and public services. That is the level of detail provided for the preferred site, Site 5a.

ESA believes the analysis including Site 40 could be done on time but thought if Site 40 was only studied at an alternate level of detail, and it is the environmentally superior alternative, staff would be required to come back to the board which would require additional time and money. ESA recommends studying Site 40 at the preferred level of analysis.

Staff recommends replacing Site 14 with Site 40 and doing the preferred level of analysis would be an increase of \$66,000.

Dell Tredinnick asked if Open Space who had been interested in Site 40 had done any studies that could be available to the Agency.

Patrick Carter said quite a few studies had been done and he would pursue accessing the ones that were available.

Ms. Lustig asked if there was a possibility that Open Space would be interested in partnering with the Agency.

Mr. Carter said it may be a possibility.

Steve Barbose, Sonoma, moved to approve the adoption of Option 4 to substitute Site 14 with Site 40, preferred level analysis per staff recommendation. Christa Johnson, Windsor, seconded. Item unanimously approved.

HOUSEHOLD HAZARDOUS WASTE

10.1 CLEAN HARBORS 7TH AMENDMENT REVISED

Lisa Steinman said the Agency has a contract with Clean Harbors Environmental Services to operate the HHW Facility and Mobile Collection Programs. The contract is a three-party Agreement between the Agency, County of Sonoma, and Clean Harbors Environmental Services. The parties entered into the Contract on June 11, 2002 and the current term extends until January 6, 2009. At the March 18, 2009 Agency meeting, the Board approved the 7th Amendment extending the Agreement an additional two years until January 6, 2012 with no changes to the current terms and conditions.

Currently, the County is in the middle of negotiations with a selected proposer to divest the Central Landfill and all County-owned Transfer Stations where HHW operations occur. Since the HHW Operations Contract is a three-party agreement, approval is required from the Sonoma County Board of Supervisors. After Agency staff submitted the required documents to County staff for approval by the Board of Supervisors, Agency staff was notified that there is an issue with the County's ability to terminate in the event the divestiture succeeds. The County does not want to execute an Agreement that potentially extends past the County's ownership of the site.

County Counsel and County staff recommend extending the Agreement for one-year, until January 6, 2011, and anticipate this amount of time would give the County and/or new owner time to get an Agreement in place before close of escrow.

As a result of the County recommending a one-year extension as opposed to the two-year extension approved by the Agency board, Agency staff recommends that the Agency board approve the Revised Seventh Amendment extending the Agreement for one-year.

Prior to January 6, 2011, the end of the proposed extension term, staff will come back to the Board with a recommendation in regards to a second year extension. Currently the Contractor is paid approximately \$438,000.00 dollars a year as an operating fee and disposal fees are currently about \$600,000.00 annually. As a result of extending the current Agreement with Clean Harbors Environmental Services for the next year, there will be no change to the current payment structure paid by the Agency.

Dell Tredinnick, Santa Rosa, moved to approve the Revised Seventh Amendment to the Agreement with Clean Harbors Environmental Services. Dan Schwarz, Rohnert Park, seconded. Motion approved unanimously.

Gus Wolter left the meeting at 10:15 a.m. (ek)

DIVERSION

11.1 LARGE VENUE AND C&D PLANNING POLICIES

Leslie Lukacs, SCS Engineers, described that they were hired to make an assessment and prepare a waste reduction ordinance for both construction and demolition (C&D) debris and venues and events. The number of construction and demolition permits are down this year from last year, as are permits for events.

SCS Engineers sent a survey to each jurisdiction; they also received input from local debris box and garbage haulers. One of the major goals of their project was to create a consistent set of policies countywide. Educating jurisdiction staff, builders, haulers, and event and venue staff about these policies will be a major component.

SCS Engineers has completed the work in the agreement for consulting services and has provided draft ordinances for reducing the waste associated with construction and demolition debris and large events and venues.

Ms. Johnson, Windsor, suggested that if the Agency decides to implement these ordinances, it should be included in the Agency's work plan so staff can go to each jurisdiction and help to implement them.

Public Comments

Tim Smith asked about the reporting requirements for school districts, SSU, SRJC or if they're exempt. He commented public holidays becoming public events, such as July 4th. He agreed with Windsor that Agency staff helping to implement the ordinances makes a lot of sense.

Leslie Lukacs said anyone pulling a permit to host a special event will be part of the ordinance.

Ken Wells asked about demolition projects where the majority of material is not recyclable, such as a painted wood building, would the permit holder give up their deposit as the cost of doing demolition?

Leslie Lukacs answered something like that could fall into the exemption category.

Pam Davis commented that the dirt and concrete are collected separately, they're not mixed in with the wood, metal or sheetrock. The Town of Windsor has something in place that's working pretty well.

Chairman Marengo directed staff to return to the Agency board with future next steps.

Dan Schwarz, Marsha Sue Lustig, left the meeting at 10:55 a.m. (ek)

PLANNING

12.1 SOLID WASTE REPORTING UPDATE

Patrick Carter explained that AB 939 was passed in 1989 by the legislature and signed by the Governor; it revised the solid waste reporting requirements to include an Annual Report to the CIWMB. The reporting process required the jurisdictions to review the elements of their Integrated Waste Management plan for relevance and give them an opportunity to revise it where needed. Jurisdiction disposal tonnages were compiled by the Waste Board from quarterly reports from the landfills and they were used to calculate generation, diversion and disposal. Base year generation studies were done to determine diversion and in subsequent years economic indicators. The way it was calculated was disposal plus diversion equals generation, then diversion is divided by generation to get the diversion rate. However the CIWMB is not doing reports on the diversion rate anymore.

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

In 2008, Governor Schwarzenegger signed SB 1016, which changed the diversion rate calculation to a 'per capita disposed rate' which looks at tonnage disposed in the County and population. The tons are divided by the number of days in the year and the number of people in the County and that numbers is multiplied by 2000 to get the number of pounds per person per day disposed. The last diversion rate officially calculated by the CIWMB for Sonoma County was 64% in 2006. The per capita disposal rate for Sonoma County in 2007 was 5.0 pounds per person per day (not 5.5 pounds per person per day that was cited in the staff report).

13. BOARDMEMBER COMMENTS

Mr. Barbose announced Sonoma Jazz Festival this coming weekend.

14. STAFF COMMENTS

No staff comments.

15. ADJOURNMENT

Meeting adjourned at 11:05 a.m.

Respectfully submitted,
Elizabeth Koetke