



Meeting of the Board of Directors

October 21, 2020
REGULAR MEETING

Regular Session begins at 8:30 a.m.
Estimated Ending Time 11:30 a.m.

Virtual Meeting via Zoom

Call: 1-301-715-8592
Webinar ID: 920 8473 0831
Passcode: 385695

Web link:

<https://sonomacounty.zoom.us/j/92084730831?pwd=Vlg3UU9rK3p3Q1J4c09Ray80NnZPd09>

Meeting Agenda and Documents

ZERO WASTE SONOMA

Meeting of the Board of Directors

October 21, 2020

REGULAR MEETING

Regular Session begins at 8:30

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Note: This packet is 127 pages total



Zero Waste Sonoma

Meeting of the Board of Directors

**October 21, 2020
REGULAR MEETING**

Regular Session begins at 8:30 a.m.

In accordance with Executive Orders N-25-20 and N-29-20 the July 15, 2020 Board of Directors meeting will be held virtually.

MEMBERS OF THE PUBLIC MAY NOT ATTEND THIS MEETING IN PERSON

Virtual Meeting via Zoom

<https://sonomacounty.zoom.us/j/92084730831?pwd=Vlg3UU9rK3p3Q1J4c09Ray80NnZPd09>

Or Telephone: 1-301-715-8592
Webinar ID: 920 8473 0831
Passcode: 385695

PUBLIC COMMENT:

Public Comment may be submitted via recorded voice message or email.

Voice recorded public comment: To submit public comment via recorded message, please call 707-565-2722 by 5:00 pm Tuesday, October 20th. State your name and the item number(s) on which you wish to speak. The recordings will be limited to two minutes. These comments may be played or read at the appropriate time during the board meeting.

Email public comment: To submit an emailed public comment to the Board please email leslie.lukacs@sonoma-county.org and provide your name, the number(s) on which you wish to speak, and your comment. These comments will be emailed to all Board members and can be provided anytime leading up to and throughout the meeting.



Agenda

Item

1. Call to Order
2. Agenda Approval
3. Public Comments (items not on the agenda)
4. **Consent** (w/attachments)
 - 4.1 Minutes of the September 16, 2020 Regular Meeting
 - 4.2 August, September, October, and November 2020 Outreach Calendar
 - 4.3 Contingency Reserve Budget Adjustment
 - 4.4 ZWS FY 2018-19 Audit of Financial Statements
 - 4.5 Resolution to Authorize Application for CalRecycle Food Recovery Grant
 - 4.6 Adoption of Resolution 2020-09 Amending the Agency's Conflict of Interest Code

Regular Calendar

5. Waste Characterization Study RFP [Lukacs]
6. Countywide Integrated Waste Management Plan (CIWMP) [Pagal]
7. Boardmember Comments – NO ACTION
8. Executive Director Report – VERBAL REPORT
9. Staff Comments – NO ACTION
10. Next SCWMA meeting: November 18, 2020
11. 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 on the internet at www.zerowastesonoma.gov



To: Zero Waste Sonoma Board Members
From: Leslie Lukacs, Executive Director
Subject: October 21, 2020 Board Meeting Agenda Notes

Consent Calendar:

These items include routine financial, informational 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.

- 4.1 Minutes of the September 16, 2020 Meeting
- 4.2 September, October, and November 2020 Outreach Calendar
- 4.3 Contingency Reserve Budget Adjustment
- 4.4 ZWS FY 2018-19 Audit of Financial Statements
- 4.5 Resolution to Authorize Application for CalRecycle Food Recovery Grant
- 4.6 Adoption of Resolution 2020-09 Amending the Agency's Conflict of Interest Code

Regular Calendar

- 5 **Waste Characterization Study RFP:** Waste characterization studies are used to determine the composition of materials intended for landfill disposal. Rather than categorizing every single piece of garbage, waste characterization studies typically involve using statistical analysis and representative sampling to study a subset of waste and apply the findings to the overall garbage population. The primary objectives of this study are to:

1. Compare the Cascadia Consulting study in 2006/07 and SCS Engineers study completed in 2014 to allow the Agency to monitor and measure recycling, organics, and waste disposal trends.
2. Identify specific generators or, failing that, specific collection routes that are contributing substantial quantities of recyclable and organic materials to the waste stream.
3. Further define and measure household hazardous waste disposed into the County waste stream.
4. Identify SB 1383 targets including organics disposable compared to the 2014 study and edible food that could be potentially donatable.

Recommended Action: Staff recommends the Board direct staff to release the Request for Proposals for the Waste Characterization Study

- 6 **Countywide Integrated Waste Management Plan (CIWMP):** The CIWMP is the principal planning document for solid waste management in Sonoma County as required by the Integrated Waste Management Act of 1989 (also known as Assembly Bill (AB) 939). CalRecycle requires the CIWMP to be updated every five years. Staff worked with the LTF to update the necessary information. In the next update staff will include medium and long range goals for the Agency.

Recommended Action: Staff requests the board of directors to approve the fifth 5-year Update to the CIWMP to be submitted to CalRecycle by November 2020.



Minutes of the September 16, 2020 Meeting

Zero Waste Sonoma met on September 16, 2020, via Zoom to hold a virtual board meeting.

Board Members Present:

City of Cloverdale	Marta Cruz	City of Santa Rosa	John Sawyer
City of Cotati	Susan Harvey	City of Sebastopol	Henry Mikus
City of Healdsburg	Larry Zimmer	City of Sonoma	Madolyn Agrimonti
City of Petaluma	Patrick Carter	County of Sonoma	Susan Gorin
City of Rohnert Park	Pam Stafford	Town of Windsor	Bruce Okrepkie

Staff Present:

Executive Director: Leslie Lukacs

Counsel: Ethan Walsh

Staff: Xinci Tan, Karina Chilcott, Sloane Pagal, Thora Collard, Courtney Scott

Agency Clerk: Janel Perry

1. Call to Order Regular Meeting

Regular session was called to order at 8:30 a.m.

2. Agenda Approval

3. Public Comments (items not on the agenda)

None

4. Consent (w/attachments)

4.1 Minutes of the July 15, 2020 Regular Meeting

4.2 July, August, September, and October 2020 Outreach Calendar

4.3 Fiscal Year 2019/20 Year End Report [Collard]

4.4 Adoption of a Minimal Disposal Fee for Wood Waste and Yard Waste [Collard]

4.5 Letters of Support – SB212 Second Draft

Action Items:

- Investigate options to make sharps containers more convenient and available while taking into consideration social issues of certain populations going into police departments for drop off.

Public Comments:

None

Motion: For approval of all items on the consent calendar.

First: City of Petaluma – Patrick Carter

Second: City of Cotati– Susan Harvey

Vote Count:

City of Cloverdale	AYE	City of Santa Rosa	AYE
City of Cotati	AYE	City of Sebastopol	AYE
City of Healdsburg	AYE	City of Sonoma	AYE
City of Petaluma	AYE	County of Sonoma	ABSENT
City of Rohnert Park	AYE	Town of Windsor	AYE

AYES -9- NOES -0- ABSENT -1- ABSTAIN -0-

Motion passed.

Regular Calendar

5. Almar Parkway Property Consideration for HHW Facility [Scott]
Susan Gorin arrived at 8:46am.

Board Comments/Action Items:

- Investigate if there is value in the property's open space.
- Look into adding a loading dock or similar options.
- Analyze how to properly staff and operate both facilities at the same time.
- Ensure that community HHW events still occur in different cities.
- Determine what kind of wall is in the portable building.
- Consider creating space for a training area for the public.
- Develop a good estimate with all costs and nail down a good plan for how to pay for the property.
- Research how easily office building can be expanded-setback regulations and roofline concerns.
- Determine how this will effect ratepayers with increased fees.
- Confirm current HHW facility has indefinite term.
- Continue to think forward on other programs we can utilize the new space for.
- Ensure flood history is provided to board members in future reports.

Public Comments:

None

Motion: Executive Director to enter into negotiations for purchase of 1688 Almar Parkway Property.

First: City of Sonoma – Madolyn Agrimonti

Second: City of Rohnert Park – Pam Stafford

Vote Count:

City of Cloverdale	AYE	City of Santa Rosa	AYE
City of Cotati	AYE	City of Sebastopol	AYE
City of Healdsburg	AYE	City of Sonoma	AYE
City of Petaluma	AYE	County of Sonoma	AYE
City of Rohnert Park	AYE	Town of Windsor	AYE

AYES -10- NOES -0- ABSENT -0- ABSTAIN -0-

Motion passed.

Motion: Create an ad hoc committee consisting of Pam Stafford, Susan Harvey, Larry Zimmer and Patrick Carter.

First: County of Sonoma – Susan Gorin

Second: City of Santa Rosa – John Sawyer

Vote Count:

City of Cloverdale	AYE	City of Santa Rosa	AYE
City of Cotati	AYE	City of Sebastopol	AYE
City of Healdsburg	AYE	City of Sonoma	AYE
City of Petaluma	AYE	County of Sonoma	AYE
City of Rohnert Park	AYE	Town of Windsor	AYE

AYES -10- NOES -0- ABSENT -0- ABSTAIN -0-

Motion passed.

6. Consideration of an Agreement with Aptim Environmental & Infrastructure, LLC for a Feasibility Study of Property to Become a Household Hazardous Waste Facility [Scott]

Board Comments/Action Items:

None

Public Comments:

None

Motion: Enter into agreement with Aptim Environmental & Infrastructure, LLC for a Feasibility Study of Property to become a Household Hazardous Waste Facility.

First: County of Sonoma – Susan Gorin

Second: City of Santa Rosa–John Sawyer

Vote Count:

City of Cloverdale	AYE	City of Santa Rosa	AYE
City of Cotati	AYE	City of Sebastopol	AYE
City of Healdsburg	AYE	City of Sonoma	AYE
City of Petaluma	AYE	County of Sonoma	AYE
City of Rohnert Park	AYE	Town of Windsor	AYE

AYES -10- NOES -0- ABSENT -0- ABSTAIN -0-

Motion passed.

7. **Boardmember Comments** – NO ACTION
Comments were received by the board.

8. **Executive Director Report** – NO ACTION
Executive Director verbally gave report.

9. Staff Comments – NO ACTION
None

10. Next SCWMA meeting: October 21, 2020

11. Adjourn 10:05 am

Submitted by: Janel Perry

DRAFT



Agenda Item #: **4.2**
Agenda Date: **10/21/2020**

ITEM: August-September-October-November 2020 Outreach Calendar

Note: Events below shown in ~~strikethrough red~~ were cancelled due to the COVID-19 disaster. Note the addition of webinars and virtual presentations substituted for in-person outreach events.

AUGUST 2020 OUTREACH

Start date	End date (multiple day only)	Start time	End time	Event	Jurisdiction
8/1/20	8/1/20	8:00 AM	4:00 PM	Latino Service Providers Promotores verdes/green promotores cohort (General recycling and used Motor oil and filter recycling and HHW Collection)	Countywide
8/3/20	8/3/20	9:00 AM	10:00 AM	Nuestra Tierra Radio Program Used Motor oil and filter recycling and HHW Collection	Countywide
8/3/20	8/3/20	7:00 PM	8:00 AM	Rohnert Park Leadership group virtual meeting (General recycling and used Motor oil and filter recycling and HHW Collection)	Rohnert Park
8/4/20	8/4/20	4:00 PM	8:00 PM	Household Hazardous Waste Event (Sebastopol)	Sebastopol
8/5/20	8/5/20	10:00 AM	11:00 AM	Poder de Saber program (General recycling and used Motor oil and filter recycling and HHW Collection)	Countywide
8/5/20	8/5/20	5:00 PM	6:00 PM	Virtual meeting with Sonoma County Hispanic Chamber of Commerce (General recycling and used Motor oil and filter recycling and HHW Collection)	Countywide
8/7/20	8/7/20	11:00 AM	12:00 PM	What's Cooking Sonoma County Program (General recycling and used Motor oil and filter recycling and HHW Collection)	Countywide
8/10/20	8/10/20	9:00 AM	10:00 AM	Nuestra Tierra Radio Program Used Motor oil and filter recycling and HHW Collection	Countywide
8/11/20	8/11/20	4:00 PM	8:00 PM	Household Hazardous Waste Event (Windsor)	Windsor
8/14/20	8/15/20	4:00 PM	8:00 PM	HazMobile (Sea Ranch)	Unincorporated area

Start date	End date (multiple day only)	Start time	End time	Event	Jurisdiction
8/15/20	8/15/20	9:00 AM	5:00 PM	E-Waste Recycling Event (Oakmont)	Santa Rosa
8/15/20	8/15/20	9:00 AM	5:00 PM	Mattress Recycling Event (Oakmont)	Santa Rosa
8/16/20	8/16/20	9:00 AM	5:00 PM	E-Waste Recycling Event (Oakmont)	Santa Rosa
8/17/20	8/17/20	9:00 AM	10:00 AM	Nuestra Tierra Radio Program Used Motor oil and filter recycling and HHW Collection	Countywide
8/18/20	8/18/20	4:00 PM	8:00 PM	Household Hazardous Waste Event (Oakmont)	Santa Rosa
8/19/20	8/19/20	2:00 PM	4:00 PM	Virtual community meeting on Leadership on Climate Change.	Countywide
8/19/20	8/19/20	10:00 AM	11:00 AM	HHW collection and used motor oil and filter recycling during Poder de Saber	Countywide
8/20/20	8/20/20	9:30 AM	10:30 AM	Fulton Labor Center Presentation	COVID-19 CANCELLED
8/20/20	8/20/20	8:00 AM	9:30 AM	Healdsburg Labor Center Presentation	COVID-19 CANCELLED
8/21/20	8/21/20	2:00 PM	4:00 PM	Virtual meeting with promotores verdes from Latino Services Providers (General recycling and used Motor oil and filter recycling and HHW Collection)	Countywide
8/24/20	8/24/20	9:00 AM	10:00 AM	Nuestra Tierra Radio Program Used Motor oil and filter recycling and HHW Collection	Countywide
8/25/20	8/25/20	4:00 PM	8:00 PM	Household Hazardous Waste Event (Sonoma)	COVID-19 CANCELLED
8/28/20	8/28/20	11:00 AM	12:30 PM	The Story of Plastic Viewing and Panel Discussion	Countywide
8/31/20	8/31/20	9:00 AM	10:00 AM	Nuestra Tierra program, used motor oil, HHW, illegal dumping and general recycling.	Countywide

SEPTEMBER 2020 OUTREACH

Start date	End date (multiple day only)	Start time	End time	Event	Jurisdiction
9/1/20	9/1/20	4:00 PM	8:00 PM	Household Hazardous Waste Event (Petaluma)	Petaluma
9/8/20	9/8/20	4:00 PM	8:00 PM	Household Hazardous Waste Event (Santa Rosa W)	COVID-19 CANCELLED
9/11/20	9/13/20	9:00 AM	5:00 PM	E-Waste Recycling Event (Rohnert Park)	Rohnert Park
9/12/20	9/12/20	9:00 AM	5:00 PM	Mattress Recycling Event (Rohnert Park)	Rohnert Park

Start date	End date (multiple day only)	Start time	End time	Event	Jurisdiction
9/15/20	9/15/20	4:00 PM	8:00 PM	Household Hazardous Waste Event (Healdsburg)	Healdsburg
9/17/20	9/17/20	9:30 AM	10:30 AM	Healdsburg and Fulton Labor Centers Presentation (Planned virtual presentation on general recycling, used motor oil and filter recycling)	Healdsburg
9/22/20	9/22/20	4:00 PM	8:00 PM	Household Hazardous Waste Event (Kenwood)	Unincorporated area
9/22/20	9/22/20	8:00 AM	5:00 PM	North American Hazardous Material Management Association (NAHMMA) Solar Panel Session Moderator (Courtney Scott)	
9/28/20	9/28/20	3:00 PM	4:00 PM	Presentation Race to Zero Waste Webinar	Countywide
9/29/20	9/29/20	4:00 PM	8:00 PM	Household Hazardous Waste Event (Larkfield)	Unincorporated area
9/30/20	9/30/20	9:00 AM	12:00 PM	CalRecycle HHW Information Exchange COVID-19 Presentation (Courtney Scott)	Countywide

OCTOBER 2020 OUTREACH

Start date	End date (multiple day only)	Start time	End time	Event	Jurisdiction
10/2/20	10/4/20	9:00 AM	5:00 PM	E-Waste Recycling Event (Windsor)	Windsor
10/3/20	10/3/20	9:00 AM	5:00 PM	Mattress Recycling Event (Windsor)	Windsor
10/5/20	10/5/20	11:00 AM	11:30 AM	Presentation at Northern California Recycling Conference	Countywide
10/6/20	10/6/20	4:00 PM	8:00 PM	Household Hazardous Waste Event (Forestville)	Unincorporated area
10/6/20	10/6/20	4:00 PM	8:00 PM	Household Hazardous Waste Event (Cloverdale)	Cloverdale
10/9/20	10/11/20	9:00 AM	5:00 PM	E-Waste Recycling Event (Cloverdale)	Cloverdale
10/10/20	10/10/20	9:00 AM	5:00 PM	Mattress Recycling Event (Cloverdale)	Cloverdale
10/13/20	10/13/20	4:00 PM	8:00 PM	Household Hazardous Waste Event (Cloverdale)	Cloverdale
10/19/20	10/19/20	9:30 AM	10:00 AM	Nuestra Tierra Radio Program Illegal Dumping interview	Countywide
10/20/20	10/20/20	4:00 PM	8:00 PM	Household Hazardous Waste Event (Santa Rosa, E)	COVID-19 CANCELLED
10/27/20	10/27/20	4:00 PM	8:00 PM	Household Hazardous Waste Event (Cotati)	COVID-19 CANCELLED

NOVEMBER 2020 OUTREACH – Events below are tentatively scheduled

Start date	End date (multiple day only)	Start time	End time	Event	Jurisdiction
11/3/20	11/3/20	9:00 AM	5:00 PM	E-Waste Recycling Event (Sonoma)	COVID-19 CANCELLED
11/6/20	11/8/20	9:00 AM	5:00 PM	E-Waste Recycling Event (Santa Rosa)	COVID-19 CANCELLED
11/7/20	11/7/20	9:00 AM	5:00 PM	Mattress Recycling Event (Santa Rosa)	COVID-19 CANCELLED
11/10/20	11/10/20	4:00 PM	8:00 PM	Household Hazardous Waste Event (Oakmont)	Santa Rosa
11/17/20	11/17/20	4:00 PM	8:00 PM	Household Hazardous Waste Event (Guerneville)	Unincorporated area
11/20/20	11/21/20	9:00 AM	1:00 PM	HazMobile (Sea Ranch)	Unincorporated area
11/20/20	11/22/20	9:00 AM	5:00 PM	E-Waste Recycling Event (Sonoma)	Sonoma
11/21/20	11/21/20	9:00 AM	5:00 PM	Mattress Recycling Event (Sonoma)	Sonoma



Agenda Item #: **4.3**
Cost Center: **Contingency Reserve**
Staff Contact: **Collard**
Agenda Date: **10/21/20**
Approved By: **LL**

ITEM: Contingency Reserve Budget Adjustment

I. RECOMMENDED ACTION / ALTERNATIVES TO RECOMMENDATION

Staff recommends increasing the budgetary appropriations for contract services in the Contingency Reserve by an additional \$94, 751. With the selection of a potential property for an additional HHW facility, a feasibility study, \$69,751, will need to be performed. We will also be doing a financial assessment, \$25,000, on funding options and operating costs.

II. BACKGROUND

At the September 16, 2020 meeting, the board directed staff to enter into negotiations to purchase the property located at 1688 Almar Parkway in Santa Rosa. As part of the due diligence for this purchase a feasibility study will need to be performed, the Board approved the awarding of the contract to APTIM Environmental & Infrastructure, LLC. Staff will also need to do a financial assessment of funding options and estimates of increased operating costs for an additional facility.

III. DISCUSSION

Staff requests the board approve a budget adjustment to increase the appropriations for contract services to complete the feasibility study by APTIM Environmental & Infrastructure, LLC in the amount not to exceed \$69,751.

Staff will also need to perform a financial assessment of funding options, increased operating costs, and impact to the Agency's surcharge. Staff received proposals from HF&H and R3 Consulting Group, Inc.. After reviewing both proposals, staff selected R3 Consulting Group to perform this service. R3 has a long working relationship with Sonoma County and Zero Waste Sonoma and have a very experienced team to help us with the analysis. Staff recommends increasing appropriations in the amount not to exceed \$25,000 for this service.

IV. FUNDING IMPACT

Expenses not to exceed \$94,751 in Contingency funds.

V. ATTACHMENTS

Resolution

Dated: October 21, 2020

RESOLUTION OF ZERO WASTE SONOMA (ALSO KNOWN AS THE SONOMA COUNTY WASTE
MANAGEMENT AGENCY) ADOPTING ADJUSTMENTS TO THE FY 2020/21 ANNUAL CONTINGENCY
FUNDS BUDGET

WHEREAS, Zero Waste Sonoma approved the Fiscal Year 2020/21 Budget by unanimous vote on May 20, 2020; and

WHEREAS, staff recommends increasing the Fiscal Year 2020-21 Contingency Funds Budget for Contract Services in the amount of \$25,000 to cover the contract amount for the consulting firm R3 Consulting Group, Inc. for a financial assessment of the proposed HHW facility; and

WHEREAS, staff recommends increasing the Fiscal Year 2020-21 Contingency Funds Budget for Contract Services in the amount of \$69,751 to cover the contract amount for the consulting firm APTIM Environmental & Infrastructure, LL for the feasibility study for the proposed HHW facility; and

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of Zero Waste Sonoma does hereby approve the adjustment to the Fiscal Year 2020-21 Budget.

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: October 21, 2020

Clerk of Zero Waste Sonoma
Agency of the State of California in and for the
County of Sonoma



Agenda Item #: 4.4
Cost Center: All
Staff Contact: Collard
Agenda Date: 10/21/2020
Approved by: LL

ITEM: Zero Waste Sonoma FY 2018-19 Audit of Financial Statements

I. RECOMMENDED ACTION / ALTERNATIVES TO RECOMMENDATION

Staff recommends the Board accept the FY 2018-19 Financial Statements and Auditors' Report.

II. BACKGROUND

In accordance with the requirement contained in the Joint Powers Authority Agreement that Zero Waste Sonoma (also known as the Sonoma County Waste Management Agency) Board of Directors cause an independent audit to be in compliance with Government Code section 6505, Zero Waste Sonoma entered into an agreement with Maher Accountancy to audit the Agency's FY 2018-19 Financial Statements. Previously, the County of Sonoma's Auditor Controller Treasurer Tax Collector (ACTTC) department had performed those services for the SCWMA, but the past few years, the ACTTC had not been able to express an opinion on the financial statements due to "independence impairments" as the ACTTC department performed both accounting and auditing functions for the Zero Waste Sonoma.

III. DISCUSSION

Maher Accountancy expressed an opinion that the Zero Waste Sonoma's financial statements present fairly, in all material respects, the respective financial position of the Agency as of June 30, 2019, and the respective changes in financial position for the year that ended in accordance with accounting principles generally accepted in the United States of America. Audit consists of three parts: 1) the Independent Auditors' General Communication to Board, 2) Financial Statements and Auditors' Report Year Ended June 30, 2019, and 3) Zero Waste Sonoma Management Representation. The first two attachments are informational and describe the extent of the audit and the financial statements of the Zero Waste Sonoma.

IV. FUNDING IMPACT

The cost of the audit was \$17,500, which was the amount allocated in the budget for this purpose.

V. ATTACHMENTS

Independent Auditors' General Communication to Board
Financial Statements and Auditors' Report Year Ended June 30, 2019
Zero Waste Sonoma Management Representation



Independent Auditors' General Communication to Board

October 6, 2020

To the Board of Directors
Sonoma County Waste Management Agency

We have audited the financial statements of the Sonoma County Waste Management Agency for the year ended June 30, 2019, and have issued our report thereon dated October 6, 2020. Professional standards require that we provide you with the following information related to our audit.

Our Responsibility under U.S. Generally Accepted Auditing Standards

As stated in our engagement letter dated June 19, 2020, our responsibility, as described by professional standards, is to express opinions about whether the financial statements prepared by management with your oversight are fairly presented, in all material respects, in conformity with U.S. generally accepted accounting principles. Our audit of the financial statements does not relieve you or management of your responsibilities.

Significant Audit Findings

Qualitative Aspects of Accounting Practices

Management is responsible for the selection and use of appropriate accounting policies. The significant accounting policies used by Sonoma County Waste Management Agency are described in Note 1 to the financial statements. No new accounting policies were adopted and the application of existing policies was not changed during year. We noted no transactions entered into by the governmental unit during the year for which there is a lack of authoritative guidance or consensus. There are no significant transactions that have been recognized in the financial statements in a different period than when the transaction occurred.

Accounting estimates are an integral part of the financial statements prepared by management and are based on management's knowledge and experience about past and current events and assumptions about future events. Certain accounting estimates are particularly sensitive because of their significance to the financial statements and because of the possibility that future events affecting them may differ significantly from those expected. There are no significant estimates used in preparing the financial statements.

Difficulties Encountered in Performing the Audit

We encountered no significant difficulties in dealing with management in performing and completing our audit.

Corrected and Uncorrected Misstatements

Professional standards require us to accumulate all known and likely misstatements identified during the audit, other than those that are trivial, and communicate them to the appropriate level of management. The adjustments made as a result of the audit were primarily reclassifications required to present information recorded in an accounting system used primarily for budgetary analysis into a format of financial statements that complies with generally accepted accounting principles for governments. ..

Any other misstatements detected as a result of audit procedures and corrected by management were immaterial, either individually or in the aggregate, to the financial statements taken as a whole.

Disagreements with Management

For purposes of this letter, professional standards define a disagreement with management as a financial accounting, reporting, or auditing matter, whether or not resolved to our satisfaction, that could be significant to the financial statements or the auditor's report. We are pleased to report that no such disagreements arose during the course of our audit.

Management Representations

We have requested certain representations from management that are included in the management representation letter dated October 6, 2020.

Management Consultations with Other Independent Accountants

In some cases, management may decide to consult with other accountants about auditing and accounting matters, similar to obtaining a "second opinion" on certain situations. If a consultation involves application of an accounting principle to the governmental unit's financial statements or a determination of the type of auditor's opinion that may be expressed on those statements, our professional standards require the consulting accountant to check with us to determine that the consultant has all the relevant facts. To our knowledge, there were no such consultations with other accountants.

Other Audit Findings or Issues

We generally discuss a variety of matters, including the application of accounting principles and auditing standards, with management each year prior to retention as the governmental unit's auditors. However, these discussions occurred in the normal course of our professional relationship and our responses were not a condition to our retention.

This information is intended solely for the use of Board of Directors and management of Sonoma County Waste Management Agency and is not intended to be and should not be used by anyone other than these specified parties.

Very truly yours,

Maher Accountancy



**FINANCIAL STATEMENTS AND AUDITORS' REPORT
YEAR ENDED JUNE 30, 2019**

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INDEPENDENT AUDITORS' REPORT

To the Board of Directors
Sonoma County Waste Management Agency

We have audited the accompanying financial statements of Sonoma County Waste Management Agency (Agency) as of and for the year ended June 30, 2019, which collectively comprise the Agency's basic financial statements as listed in the table of contents.

Management's Responsibility for the Financial Statements

Management is responsible for the preparation and fair presentation of these financial statements in accordance with accounting principles generally accepted in the United States of America; this includes the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

Auditor's Responsibility

Our responsibility is to express opinions on these financial statements based on our audit. We conducted our audit in accordance with auditing standards generally accepted in the United States of America. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. Accordingly, we express no such opinion. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.

Opinion

In our opinion, the financial statements referred to above present fairly, in all material respects, the respective financial position of the Agency as of June 30, 2019, and the respective changes in financial position for the year then ended in accordance with accounting principles generally accepted in the United States of America.

Other Matters

Required Supplementary Information

Accounting principles generally accepted in the United States of America require that the management's discussion and analysis, as listed in the table of contents, be presented to supplement the basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board, who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. We have applied certain limited procedures to the required supplementary information in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

Maher Accountancy

October 6, 2020

SONOMA COUNTY WASTE MANAGEMENT AGENCY MANAGEMENT'S DISCUSSION AND ANALYSIS

The Management's Discussion and Analysis provides an overview of the Sonoma County Waste Management Agency (SCWMA) financial activities for the fiscal year ended June 30, 2019. Please read it along with SCWMA's financial statements, which begin on page 6.

FINANCIAL HIGHLIGHTS

The Agency's net position as of June 30, 2019 was \$8,131,452 an increase of \$317,349 over the prior year. Total revenues increased by \$932,974 and total operating expenses increased by \$806,476.

USING THIS ANNUAL REPORT

This annual report consists of financial statements for Sonoma County Waste Management Agency as a whole. The statement of net position and the statement of revenues, expenses and changes in net position provide information about the activities of the Agency as a whole and present a long-term view of its finances.

THE AGENCY AS A WHOLE

One important question asked about the Agency's finances is, "SCWMA better or worse off as a result of the year's activities?" The information in the basic financial statements helps answer this question. These statements include *all* assets and liabilities using the *accrual basis of accounting*, which is similar to the basis of accounting used by most private-sector companies.

The change in *net position* (the difference between total assets and total liabilities) over time is one indicator of whether SCWMA's financial health is improving or deteriorating. However, one must consider other nonfinancial factors in making an assessment of the Agency's health, such as changes in the economy and changes in its jurisdiction, etc.

**SONOMA COUNTY WASTE MANAGEMENT AGENCY
MANAGEMENT'S DISCUSSION AND ANALYSIS
(Continued)**

Changes in the Agency's assets and liabilities were as follows:

	<u>2019</u>	<u>2018</u>	<u>Increase (decrease)</u>
Current assets	\$ 9,653,351	\$ 8,875,518	\$ 777,833
Noncurrent assets	31,243	39,935	(8,692)
Total assets	<u>9,684,594</u>	<u>8,915,453</u>	<u>769,141</u>
Current liabilities	<u>1,553,142</u>	<u>1,101,350</u>	<u>451,792</u>
Net position:			
Investment in capital assets	31,243	39,935	(8,692)
Unrestricted	<u>8,100,209</u>	<u>7,774,168</u>	<u>326,041</u>
Total net position	<u><u>\$ 8,131,452</u></u>	<u><u>\$ 7,814,103</u></u>	<u><u>\$ 317,349</u></u>

The Agency experienced an increase in total assets as a result of normal operating activities and an increase in current liabilities due to delayed billings from a major vendor.

Changes in SCWMA's revenue, expenses and net position were as follows:

	<u>2019</u>	<u>2018</u>	<u>Increase (decrease)</u>
Revenues:			
Operating revenues			
Municipal waste management	\$ 8,123,564	\$ 7,377,070	\$ 746,494
Nonoperating revenues			
Investment income	<u>265,491</u>	<u>79,011</u>	<u>186,480</u>
Total revenues	<u>8,389,055</u>	<u>7,456,081</u>	<u>932,974</u>
Expenses:			
Operating expenses	<u>8,071,706</u>	<u>7,265,230</u>	<u>806,476</u>
Change in net position	<u><u>\$ 317,349</u></u>	<u><u>\$ 190,851</u></u>	<u><u>\$ 126,498</u></u>

Operating revenue increased as a result of growing waste tonnage during the year and a rate increase effective April 2019. Investment income increased as a result of rising cash balances and increased interest rates.

**SONOMA COUNTY WASTE MANAGEMENT AGENCY
MANAGEMENT'S DISCUSSION AND ANALYSIS
(Continued)**

CAPITAL ASSETS

During the fiscal year ended June 30, 2018, we purchased a vehicle at a cost of approximately \$43,000. There were no capital asset additions during fiscal year 2018-2019.

ECONOMIC OUTLOOK

- The Agency will continue to set aside reserve funds as part of its long-term financial planning.
- The Agency's revenue is expected to cover expenditures for all planned future projects.

REQUESTS FOR INFORMATION

This financial report is designed to provide our residents, taxpayers and creditors with a general overview of the Agency's finances and to demonstrate its accountability for the funds under its stewardship.

Please address any questions about this report or requests for additional financial information to Sonoma County Waste Management Agency, 2300 County Center Drive Ste. B-100, Santa Rosa, CA 95403.

Respectfully submitted,

Leslie Lukacs

Executive Director

**SONOMA COUNTY WASTE MANAGEMENT AGENCY
STATEMENT OF NET POSITION
AS OF JUNE 30, 2019**

ASSETS

Current assets:	
Cash and cash equivalents	\$ 8,300,904
Receivables:	
Tipping and administration fees receivable	1,302,741
Due from State of California	26,618
Other	13,807
Prepaid expenses	9,281
Total current assets	<u>9,653,351</u>
Noncurrent assets:	
Capital assets, net of accumulated depreciation	<u>31,243</u>
Total assets	<u><u>9,684,594</u></u>

LIABILITIES

Current liabilities:	
Accounts payable and accrued expenses	1,282,487
Due to the State of California	4,621
Advances from grantors	266,034
Total current liabilities	<u>1,553,142</u>

NET POSITION

Investment in capital assets	31,243
Unrestricted	<u>8,100,209</u>
Total net position	<u><u>\$ 8,131,452</u></u>

The accompanying notes are an integral part of this financial statement.

**SONOMA COUNTY WASTE MANAGEMENT AGENCY
STATEMENT OF REVENUES, EXPENSES
AND CHANGES IN NET POSITION
YEAR ENDED JUNE 30, 2019**

OPERATING REVENUES:

Tipping and administration fees	\$ 7,734,733
Grants from State of California	303,687
Miscellaneous fees and other revenue	<u>85,144</u>
Total operating revenues	8,123,564

OPERATING EXPENSES:

Adminstration	791,725
Program services and supplies	6,983,077
Other services and supplies	288,212
Depreciation	<u>8,692</u>
Total operating expenses	<u>8,071,706</u>
Operating income	<u>51,858</u>

NONOPERATING REVENUES:

Investment income	<u>265,491</u>
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CHANGE IN NET POSITION

	317,349
Net position at beginning of the year	<u>7,814,103</u>
Net position at end of the year	<u><u>\$ 8,131,452</u></u>

The accompanying notes are an integral part of this financial statement.

**SONOMA COUNTY WASTE MANAGEMENT AGENCY
STATEMENT OF CASH FLOWS
YEAR ENDED JUNE 30, 2019**

CASH FLOWS FROM OPERATING ACTIVITIES:

Tipping and administration fees	\$ 7,702,262
Grants from State of California	331,909
Miscellaneous fees and other revenue	85,649
Administration expenses	(790,265)
Program services and supplies	(6,553,869)
Other services and supplies	<u>(271,562)</u>
Net cash provided by operating activities	504,124

CASH FLOWS FROM INVESTING ACTIVITIES:

Investment income received	<u>265,491</u>
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Net increase in cash equivalents	769,615
Cash equivalents (Sonoma County pooled investment fund) at beginning of year	<u>7,531,289</u>
Cash equivalents (Sonoma County pooled investment fund) at end of year	<u><u>\$ 8,300,904</u></u>

**RECONCILIATION OF OPERATING INCOME TO
NET CASH PROVIDED BY OPERATING ACTIVITIES**

Operating income	\$ 51,858
Adjustments to reconcile operating income to net cash provided (used) by operating activities:	
Depreciation Expense	8,692
(Increase) decrease in receivables	(7,076)
(Increase) decrease in prepaid expenses	(1,142)
Increase (decrease) in accounts payable other liabilities	448,460
Increase (decrease) in advances from grantors	<u>3,332</u>
Net cash provided by operating activities	<u><u>\$ 504,124</u></u>

The accompanying notes are an integral part of this financial statement.

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SONOMA COUNTY WASTE MANAGEMENT AGENCY
NOTES TO THE FINANCIAL STATEMENTS
YEAR ENDED JUNE 30, 2019

1. REPORTING ENTITY

The Sonoma County Waste Management Agency (Agency) was formed in April 1992 to assist the cities and County with the implementation of programs necessary to satisfy the requirements of the Assembly Bill (AB) 939, the Integrated Waste Management Act of 1989. This Act requires that every jurisdiction in California plan for and implement programs that reduce the amount of waste disposed in landfills by 25% by the year 1995 and 50% by 2000. The Agency was granted a three-year extension to 2003 by the State. The State has determined that the Agency has met its 2003 goal. The Agency is continuing its efforts to reduce the amount of waste disposed in landfills, beyond the current 50% required by AB939. As of the date of this report, no new laws requiring waste reduction beyond 50% have been enacted. In 2006, the California Integrated Waste Management Board changed the calculation to pounds per person per day rate to determine compliance without changing the percentage reduction, with a rate goal of 7.1.

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

The Agency is governed by a ten member board of directors, with one member from nine Sonoma County cities and towns and one from the County. The Agency appoints an Executive Director who is employed through an at-will agreement with the County. Additional staffing is provided by the County through a contract with the Agency.

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

Since its creation in April of 1992, the Agency has added two new components to its scope of work: the Planning and Diversion Programs. Planning efforts currently include preparation of Annual Reports submitted to the California Integrated Waste Management Board and is funded through the disposal fee surcharge. The Diversion Program cost center was established to track expenditures that have direct measurable diversion. However, since 2010, all diversion activities are currently operating under the Education cost center.

**SONOMA COUNTY WASTE MANAGEMENT AGENCY
NOTES TO THE FINANCIAL STATEMENTS
YEAR ENDED JUNE 30, 2019**

1. REPORTING ENTITY (continued)

The County of Sonoma, through the Integrated Waste Management Division of the Department of Transportation and Public Works, tracks each load of yard and wood waste entering the county disposal system. A tonnage tipping fee is collected to pay for operating costs of the organic program. A surcharge on the solid waste tipping fee entering the county disposal system is used to fund the other programs, such as household hazardous waste, education, diversion and planning. The Agency reimburses the County for services provided by the County as outlined in a Memorandum of Understanding between the County and the Agency dated September 18, 2007. Staff services include Agency Director, professional staff, secretarial and as requested by the Agency, reasonable and necessary services from other County departments.

2. SUMMARY OF SIGNIFICANCE ACCOUNTING POLICIES

The Agency's financial statements are prepared in accordance with generally accepted accounting principles (GAAP). The Governmental Accounting Standards Board (GASB) is responsible for establishing GAAP for state and local governments through its pronouncements.

The Agency's operations are accounted for as a governmental enterprise fund and are reported using the economic resources measurement focus and the accrual basis of accounting – similar to business enterprises. Accordingly, revenues are recognized when they are earned, and expenses are recognized at the time liabilities are incurred. Enterprise fund type operating statements present increases (revenues) and decreases (expenses) in total net position. Reported net position is segregated into three categories – investment in capital assets, restricted, and unrestricted.

When both restricted and unrestricted resources are available for use, it is the Agency's policy to use restricted resources first, then unrestricted resources as they are needed.

INVESTMENT IN SONOMA COUNTY POOLED INVESTMENT FUND:

For purpose of the statement of cash flows, the Agency has defined cash equivalents to include investments within the Sonoma County Pooled Investment Fund that are not restricted as to use.

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

**SONOMA COUNTY WASTE MANAGEMENT AGENCY
NOTES TO THE FINANCIAL STATEMENTS
YEAR ENDED JUNE 30, 2019**

2. SUMMARY OF SIGNIFICANCE ACCOUNTING POLICIES (continued)

CAPITAL ASSETS AND DEPRECIATION

The Agency's policy is to capitalize furniture and equipment valued over \$500 that is expected to be in service for over one year. Depreciation is computed according to the straight-line method over estimated useful lives of five years

Net Position Components

Net position is presented in the following components:

- **Investment in capital assets** – This component of net position consists of capital assets, net of accumulated depreciation and reduced by outstanding borrowing that are attributable to the acquisition, construction, or improvement of those assets. The Agency did not have any outstanding borrowings as of June 30, 2019.
- **Restricted net position** (if any) - This component of net position consists of constraints placed on net asset use through external constraints imposed by creditors (such as through debt covenants), grantors, contributors, or laws or regulations of other governments or constraints imposed by law through constitutional provisions or enabling legislation.
- **Unrestricted net position** - This component of net position consists of net position that does not meet the definition of "investment in capital assets" or "restricted".

Operating and Non-Operating Revenue

Operating revenues include revenue from tipping fees and grants.

Interest income is considered "non-operating revenue".

Revenue recognition

The Agency's recognizes revenue on the accrual basis. Under this method, revenues are recorded when earned.

**SONOMA COUNTY WASTE MANAGEMENT AGENCY
NOTES TO THE FINANCIAL STATEMENTS
YEAR ENDED JUNE 30, 2019**

2. SUMMARY OF SIGNIFICANCE ACCOUNTING POLICIES (continued)

Operating and nonoperating Expenses

Operating expenses include the cost of program services and supplies, administrative expenses and depreciation on capital assets. Expenses not meeting this definition are reported as nonoperating expenses.

Use of Estimates

The preparation of financial statements in conformity with accounting principles generally accepted in the United States of America requires management to make estimates and assumptions that affect certain reported amounts and disclosures. Accordingly, actual results could differ from those estimates.

3. INVESTMENT IN SONOMA COUNTY POOLED INVESTMENT FUND

The Agency follows the County's practice of pooling cash and investments with the County Treasurer, except for a petty cash fund. Cash is pooled with the Sonoma County Treasurer, who acts as a disbursing agent for the Agency. Interest earned on investments pooled with the County is allocated quarterly to the appropriate fund based on its respective average daily balance for that quarter. The Investment Oversight Committee has regulatory oversight for all monies deposited into the Treasury Pool. The fair value of the Agency's investment in this pool is reported in the accompanying financial statements at amounts based upon the Agency's pro-rata share of the fair value provided by the Treasury Pool for the entire Treasury Pool portfolio (in relation to the amortized cost of that portfolio). The balance available for withdrawal is based on accounting records maintained by the Treasury Pool, which are recorded on an amortized cost basis.

The fair value of the Agency's cash investment with the Treasurer is \$64,332 more than the amortized cost of those investments. The amount invested in the Sonoma County Pooled Investment Fund at June 30, 2019, is as follows:

Amortized cost:	\$8,236,572
Fair value:	\$8,300,904

**SONOMA COUNTY WASTE MANAGEMENT AGENCY
NOTES TO THE FINANCIAL STATEMENTS
YEAR ENDED JUNE 30, 2019**

3. INVESTMENT IN SONOMA COUNTY POOLED INVESTMENT FUND (continued)

Investment Guidelines

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

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

Interest Rate Risk

Interest rate risk is the risk that changes in market interest rates will adversely affect the fair value of an investment. Generally, the longer the maturity of an investment, the greater the sensitivity of its fair value is to changes in market interest rates. As a means of limiting its exposure to fair value losses arising from rising interest rates, one of the ways that the Treasury

Pool manages its exposure to interest rate risk is by purchasing a combination of shorter term and longer term investments and by timing cash flows from maturities so that a portion of the portfolio is maturing or coming close to maturing evenly over time as necessary to provide the cash flow and liquidity needed for operations.

As of June 30, 2019, approximately 48 percent of the securities in the Treasury pool had maturities of one year or less. Of the remainder, only 1 percent had a maturity of more than five years.

Disclosures Relating to Credit Risk

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

**SONOMA COUNTY WASTE MANAGEMENT AGENCY
NOTES TO THE FINANCIAL STATEMENTS
YEAR ENDED JUNE 30, 2019**

3. INVESTMENT IN SONOMA COUNTY POOLED INVESTMENT FUND (continued)

Custodial Credit Risk

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

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

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

Concentration of Credit Risk

The investment policy of the County contains no limitations on the amount that can be invested in any one issuer beyond that stipulated by the California Government Code. For a listing of investments in any one issuer (other than U.S. Treasury securities, mutual funds, or external investment pools) that represent 5% or more of total County investments, refer to the 2018-2019 Sonoma County Comprehensive Annual Financial Report.

**SONOMA COUNTY WASTE MANAGEMENT AGENCY
NOTES TO THE FINANCIAL STATEMENTS
YEAR ENDED JUNE 30, 2019**

3. INVESTMENT IN SONOMA COUNTY POOLED INVESTMENT FUND (continued)

FAIR VALUE MEASUREMENT

GASB Statement No. 72, *Fair Value Measurement and Application*, sets forth the framework for measuring fair value. That framework provides a fair value hierarchy that prioritizes the inputs to valuation techniques used to measure fair value. Level 1 inputs are quoted prices in an active market for identical assets; Level 2 inputs are significant other observable inputs; and Level 3 inputs are significant unobservable inputs.

The Agency's only investment is in the Sonoma County Pooled Investment Fund and is not required to be categorized under the fair value hierarchy.

4. CAPITAL ASSETS

Capital assets activity for the year ended June 30, 2019, was as follow:

	Beginning Balance	Additions	Ending Balance
Cost of depreciable assets in service			
Automobile and trucks	\$ 43,459	\$ -	\$ 43,459
Total	<u>43,459</u>	<u>-</u>	<u>43,459</u>
Less: Accumulated depreciation	(3,524)	(8,692)	(12,216)
Equipment, net	<u>\$ 39,935</u>	<u>\$ (8,692)</u>	<u>\$ 31,243</u>

5. RISK MANAGEMENT

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

6. COMMITMENTS

The Agency is obligated under several service agreements that extend beyond the fiscal year ended June 30, 2019, many of which ensure pricing per ton transported or processed.

**SONOMA COUNTY WASTE MANAGEMENT AGENCY
NOTES TO THE FINANCIAL STATEMENTS
YEAR ENDED JUNE 30, 2019**

7. RELATED PARTY TRANSACTIONS

Agency staffing, occupancy and support services are provided by the County of Sonoma, an Agency member. During fiscal year ended June 30, 2019, expenses for these services totaled approximately \$844,000.

8. SUBSEQUENT EVENTS

In December 2019, a novel strain of coronavirus disease (“COVID-19”) was first reported in Wuhan, China. Less than four months later, on March 11, 2020, the World Health Organization declared COVID-19 a pandemic. The extent of COVID-19’s effect on the Agency’s operational and financial performance will depend on future developments, including the duration, spread, and intensity of the pandemic, all of which are uncertain and difficult to predict considering the rapidly evolving landscape. As a result, it is not currently possible to ascertain the overall impact of COVID-19 on the Agency’s activities or funding. However, if the pandemic continues to evolve into a severe worldwide health crisis, the disease could have a material adverse effect on the Agency’s activities, result of operations, financial condition, and cash flows.

**SONOMA COUNTY WASTE MANAGEMENT AGENCY
2300 County Center Drive, Suite B-100
SANTA ROSA, CA 95403**

June 19, 2020

Maher Accountancy
1101 Fifth Avenue, Suite 200
San Rafael, CA 94901

We are providing this letter in connection with your audit of the financial statements of Sonoma County Waste Management Agency as of June 30, 2018, and for the year then ended for the purpose of expressing an opinion as to whether the financial statements present fairly, in all material respects, the financial position of Sonoma County Waste Management Agency and the results of its operations in conformity with accounting principles generally accepted in the United States of America.


We confirm we are responsible for the fair presentation in the financial statements of financial position and results of operations in conformity with accounting principles generally accepted in the United States of America. We are also responsible for adopting sound accounting policies, establishing and maintaining internal control, and preventing and detecting fraud.

We confirm, to the best of our knowledge and belief, the following representations made to you during your audit.

1. The financial statements referred to above are fairly presented in conformity with generally accepted accounting principles and include all properly classified funds and account groups.
2. We have made available to you all:
 - a. Financial records and related data,
 - b. Minutes of all Board meetings of Sonoma County Waste Management Agency, or summaries of actions of recent meetings for which minutes have not yet been prepared.

3. We have no knowledge of any fraud or suspected fraud affecting the entity involving:
 - a. Management,
 - b. Employees who have significant roles in internal control, or
 - c. Others where fraud could have a material effect on the financial statements.
4. We have no knowledge of any allegations of fraud or suspected fraud affecting the entity received in communications from employees, former employees, analysts, regulators, or others.
5. We have no plans or intentions that may materially affect the carrying value or classification of assets, liabilities, or fund balances.
6. There have been no communications from regulatory agencies concerning noncompliance with, or deficiencies in, financial reporting practices.
7. Related party transactions have been properly recorded or disclosed in the financial statements.
8. There are no material transactions that have not been properly recorded in the accounting records underlying the financial statements.
9. We have identified all accounting estimates that could be material to the financial statements, including the key factors and significant assumptions underlying those estimates, and we believe the estimates are reasonable in the circumstances.
10. Required supplementary information (RSI) is measured and presented within prescribed guidelines.
12. There have been no:
 - a. Violations or possible violations of budget ordinances, or laws or regulations (including those pertaining to adopting and amending budgets) whose effects should be considered for disclosure in the financial statements or as a basis for recording a loss contingency,

- b. Other material liabilities or gain or loss contingencies that are required to be accrued or disclosed by Statement of Financial Accounting Standards No. 5, *Accounting for Contingencies*,
 - c. Reservations or designations of fund equity that were not properly authorized and approved.
13. We are not aware of any pending or threatened litigation, claims, or assessments or unasserted claims or assessments that are required to be accrued or disclosed in the financial statements in accordance with Statement of Financial Accounting Standards No. 5, and we have not consulted a lawyer concerning litigation, claims or assessments.
14. Sonoma County Waste Management Agency has satisfactory title to all owned assets, and there are no liens or encumbrances on such assets, nor has any asset been pledged.
15. We are responsible for Sonoma County Waste Management Agency's compliance with laws and regulations applicable to it; and, we have identified, and disclosed to you, all laws and regulations that have a direct and material effect on the determination of financial statement amounts. We have complied with all aspects of laws, regulations, and contractual agreements that would have a material effect on the financial statements in the event of noncompliance.
16. No events have occurred subsequent to the balance sheet date that would require additional adjustments to, or disclosure in, the financial statements.
17. There are no restrictions of the Agency's fund balance.
18. The Contract with the County of Sonoma for SCWMA staffing provides for the full cost of personnel and SCWMA full obligation, including post-retirement benefits, is satisfied by the monthly payments by SCWMA to the County. SCWMA has no future financial obligation to the County or others regarding staffing.
19. SCWMA has properly recorded revenue for fees related to SCWMA's agreement with the County of Sonoma and its contract with Republic Services.



Leslie Lukacs, Executive Director

6/19/2020

Date



Thora Collard, Administrative Manger

6/19/2020

Date



Agenda Item #: **4.5**
Cost Center: **Organics**
Staff Contact: **Tan**
Agenda Date: **10/21/2020**
Approved By: **LL**

ITEM: Resolution to Authorize Application for CalRecycle Food Recovery Grant

I. RECOMMENDED ACTION / ALTERNATIVES TO RECOMMENDATION

Staff recommends that the Board vote to approve the resolution.

II. BACKGROUND

Senate Bill 1383 Short-lived Climate Pollutants (SB 1383 SLCP) goes into effect on January 1, 2022. The regulations require a drastic reduction in landfill disposal of organic material as well as a 20% increase in the recovery of edible food. In order to meet the requirements, a significant amount of infrastructure must be built and the food recovery workforce must be increased.

Most, if not all, existing edible food recovery organizations in Sonoma County are non-profits with predominantly volunteer-based workforces. They charge minimally or not at all for their services to the community. Many of the volunteers who help inventory, pack, and deliver rescued food are older or retired individuals. Although there is a steady stream of food available for recovery, these organizations are at, or very close to, capacity. They have limited time, storage, transportation, and manpower, all of which restrict the amount of food they can distribute to hungry people before it is unsafe to consume and has to be discarded.

Unfortunately, with the pandemic and recent natural disasters, the amount of food wasted and the population who need food are both increasing. Meanwhile, the workforce is shrinking because many of the volunteers are also in the high-risk category for COVID. Funding is needed to alleviate some of the pressure on the food recovery sector.

III. DISCUSSION

CalRecycle will be releasing a new application for the Food Waste Prevention and Rescue Grant in the next few weeks. Awards are expected to be between \$150,000 and \$300,000. The grant term is two years, and it will provide short-term funding to bolster food recovery efforts in Sonoma County while jurisdictions look for more sustainable sources of funding to meet the requirements of SB 1383.

As a Joint Powers Authority, Zero Waste Sonoma is an eligible entity, but the Board must pass a resolution authorizing staff to apply for the grant. If successful, staff intend to partner with the Sonoma Food Runners and Conservation Corps North Bay (CCNB). The bulk of the money will go towards the purchase of two trucks, insulated food

carriers, and an educational campaign to encourage better food storage and address food wastage.

IV. FUNDING IMPACT

Grant funds are distributed through reimbursement. Awards will be between \$150,000 and \$300,000. Staff is still in the process of calculating estimated costs, but anticipates applying for \$200,000.

V. ATTACHMENTS

Resolution Authorizing a Submittal of an Application to CalRecycle's Food Waste Prevention and Rescue Grant

Dated: October 21, 2020

RESOLUTION AUTHORIZING SUBMITTAL OF AN APPLICATION TO CALRECYCLE'S FOOD WASTE
PREVENTION AND RESCUE GRANT

WHEREAS, Zero Waste Sonoma, also known as the Sonoma County Waste Management Agency (SCWMA), is a joint powers authority (JPA) with ten member agencies including the City of Cloverdale, City of Cotati, City of Healdsburg, City of Petaluma, City of Rohnert Park, City of Santa Rosa, City of Sebastopol, City of Sonoma, Town of Windsor, and County of Sonoma; and

WHEREAS, California Senate Bill 1383 Short-lived Climate Pollutants (SB 1383 SLCP) requires that no less than 20% of currently disposed edible food be recovered for human consumption by January 1, 2025, based on the 2014 baselines; and

WHEREAS, Public Resources Code sections 48000 et seq. authorize the Department of Resources Recycling and Recovery (CalRecycle) to administer various grant programs in furtherance of the State of California's efforts to reduce, recycle, and reuse solid waste generated in the state thereby preserving landfill capacity and protecting public health and safety and the environment; and

WHEREAS, CalRecycle's Food Waste Prevention and Rescue Grant Program allows a JPA to submit an application as an individual applicant; and

WHEREAS, CalRecycle grant application procedures require, among other things, a JPA's board of supervisors to declare by resolution certain authorizations related to the administration of CalRecycle grants;

NOW, THEREFORE, BE IT RESOLVED that the Zero Waste Sonoma Board of Directors authorizes Zero Waste Sonoma staff to submit an application for the Food Waste Prevention and Rescue Grant Program on behalf of itself as Lead Agency and the participating jurisdictions as shown by the documentation attached.

BE IT FURTHER RESOLVED that the **Executive Director** as the Board's designee, is hereby authorized and empowered to execute on behalf of Zero Waste Sonoma all grant-related documents including, but not limited to, applications, payment requests, agreements, and amendments necessary to secure grant funds and to implement the approved grant project; and

BE IT FURTHER RESOLVED that these authorizations are effective for five (5) years from the date of adoption of this resolution.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of Zero Waste Sonoma does hereby approve the submittal of an application for the CalRecycle Food Waste Prevention and Recovery Grant.

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: October 21, 2020

Clerk of Zero Waste Sonoma
Agency of the State of California in and for the
County of Sonoma

List of Participating Entities:

- Sonoma Food Runners
- Conservation Corps North Bay (CCNB)



Agenda Item #: 4.6
Cost Center: All
Staff Contact: Lukacs/Collard
Agenda Date: 10/21/2020
Approved By: LL

ITEM: Adoption of Resolution 2020-09 Amending the Agency's Conflict of Interest Code

I. RECOMMENDED ACTION / ALTERNATIVES TO RECOMMENDATION

Staff recommends that the Board of Directors adopt Resolution No. 2020-09 amending the Conflict of Interest Code of the Zero Waste Sonoma, also known as Sonoma County Waste Management Agency, (Agency).

II. BACKGROUND

The Political Reform Act (the "Act") requires all public agencies to adopt and maintain a Conflict of Interest Code ("Code") containing the rules for disclosure of personal assets and the prohibition from making or participating in making governmental decisions that may affect any personal assets. The Code must specifically designate all Agency positions that make or participate in the making of decisions and assign specific types of personal assets to be disclosed that may be affected by the exercise of powers and duties of that position.

The Act further requires that an agency regularly review and update its Code as necessary when directed by the code-reviewing body or when change is necessitated by changed circumstances (Government Code sections 87306 and 87306.5).

III. DISCUSSION

The Agency last amended its Code in 2016. In conducting its biennial review of the Code, the Agency has determined that the Code should be amended to designate new positions and make technical and clarifying changes. The Agency has a HHW Program Manager, Organics Program Manager, Outreach Program Manager, and Zero Waste Program Manager. Upon review of the Code and job descriptions, the Agency has determined that its Program Managers are involved in contracts and should be added to the Code. Each Program Manager has a civil service classification as a Waste Management Specialist I or a Waste Management Specialist II. The Agency also determined that its Administrative Manager should be added as a designated position, too. The Administrative Manager has a civil service classification as a Department Analyst. Attached is a redline version of the proposed amended Code showing the revisions made to the Code.

IV. FUNDING IMPACT

None.

V. ATTACHMENTS

Amended Conflict of Interest Code
Redlined version of the proposed amended Conflict of Interest Code
Notice of Intention to Amend Conflict of Interest Code
Resolution No. 2020-09

**Conflict of Interest Code of the
Sonoma County Waste Management Agency
(Amended October 21, 2020)**

The Political Reform Act (Gov. Code § 81000, et seq.) requires state and local government agencies to adopt and promulgate conflict of interest codes. The Fair Political Practices Commission has adopted a regulation (2 Cal. Code Regs. § 18730) that contains the terms of a standard conflict of interest code which can be incorporated by reference in an agency's code. After public notice and hearing, Section 18730 may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act. Therefore, the terms of 2 California Code of Regulations Section 18730, and any amendments to it duly adopted by the Fair Political Practices Commission, are hereby incorporated by reference. This incorporation page, Regulation 18730 and the attached Appendix designating positions and establishing disclosure categories, shall constitute the Conflict of Interest Code of the Sonoma County Waste Management Agency (the "Agency").

All Officials and Designated Positions required to submit a statement of economic interests shall file their statements with the Director, as the Agency's Filing Officer. The Agency's Filing Officer shall retain the originals of the statements of all Designated Positions and shall make all retained statements available for public inspection and reproduction during regular business hours. (Gov. Code § 81008.)

APPENDIX
Conflict of Interest Code of the
Sonoma County Waste Management Agency
(Amended September ____, 2016)

PART “A”

OFFICIALS WHO MANAGE PUBLIC INVESTMENTS

Officials who manage public investments, as defined by 2 Cal. Code of Regs. § 18700.3(b), are NOT subject to the Agency’s Code but must file disclosure statements under Government Code Section 87200 et seq. [Regs. § 18730(b)(3)]

It has been determined that the positions listed below are Officials who manage public investments¹. These positions are listed here for informational purposes only.

Investment Consultant

*** Currently, there are no positions that manage public investments.**

¹Individuals holding one of the above-listed positions may contact the Fair Political Practices Commission for assistance or written advice regarding their filing obligations if they believe that their position has been categorized incorrectly. The Fair Political Practices Commission makes the final determination whether a position is covered by § 87200.

APPENDIX
Conflict of Interest Code of the
Sonoma County Waste Management Agency
(Amended October 21, 2020)

PART “A”

DESIGNATED POSITIONS
GOVERNED BY THE CONFLICT OF INTEREST CODE

Designated Positions	Disclosure Category
Members of the Board of Directors (including alternates)	1, 2, 3
Executive Director	1, 2, 3
Agency Counsel	1, 2, 3
Program Managers (Waste Specialist I & II)	1, 2, 3
Administrative Manager (Department Analyst)	1
Consultant and New Positions ²	

² Individuals providing services as a Consultant defined in Regulation 18701, or in a new position created since this Code was last approved, that makes or participates in making decisions shall disclose pursuant to the broadest disclosure category in this Code subject to the following limitation:

The Director may determine that, due to the range of duties or contractual obligations, it is more appropriate to assign a limited disclosure requirement. A clear explanation of the duties and a statement of the extent of the disclosure requirements must be in a written document. (Gov. Code Sec. 82019; FPPC Regulations 18219 and 18734.) The Director's determination is a public record and shall be retained for public inspection in the same manner and location as this Conflict of Interest Code. (Gov. Code Sec. 81008.)

APPENDIX
Conflict of Interest Code of the
Sonoma County Waste Management Agency
(Amended October 21, 2020)

PART “B”

DISCLOSURE CATEGORIES

The Disclosure Categories listed below identify the types of economic interests that the Designated Position must disclose for each category to which he or she is assigned.³ “Investment” means financial interest in any business entity (including a consulting business or other independent contracting business) and are reportable if they are either located in, doing business in, planning to do business in, or have done business during the previous two years in the jurisdiction of the Agency.

1. All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, that provide services, products, supplies, materials, machinery, vehicles or equipment of the type purchased or leased by the Agency.
2. All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, which are subject to the regulatory authority of the Agency.
3. All interests in real property located within the jurisdiction of the Agency that is or may be used as a disposal site, transfer station or resource recovery facility in which the designated employee provides planning or technical assistance or has enforcement branch responsibility.

³ This Conflict of Interest Code does not require the reporting of gifts from outside the Agency’s jurisdiction if the source does not have some connection with or bearing upon the functions or duties of the position. (Reg. 18730.1)

**Conflict of Interest Code of the
Sonoma County Waste Management Agency
(Amended October 21, 2020)**

The Political Reform Act (Gov. Code § 81000, et seq.) requires state and local government agencies to adopt and promulgate conflict of interest codes. The Fair Political Practices Commission has adopted a regulation (2 Cal. Code Regs. § 18730) that contains the terms of a standard conflict of interest code which can be incorporated by reference in an agency's code. After public notice and hearing, Section 18730 may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act. Therefore, the terms of 2 California Code of Regulations Section 18730, and any amendments to it duly adopted by the Fair Political Practices Commission, are hereby incorporated by reference. This incorporation page, Regulation 18730 and the attached Appendix designating positions and establishing disclosure categories, shall constitute the Conflict of Interest Code of the Sonoma County Waste Management Agency (the "Agency").

All Officials and Designated Positions required to submit a statement of economic interests shall file their statements with the Director, as the Agency's Filing Officer. The Agency's Filing Officer shall retain the originals of the statements of all Designated Positions and shall make all retained statements available for public inspection and reproduction during regular business hours. (Gov. Code § 81008.)

APPENDIX
Conflict of Interest Code of the
Sonoma County Waste Management Agency
(Amended September ____, 2016)

PART “A”

OFFICIALS WHO MANAGE PUBLIC INVESTMENTS

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*** Currently, there are no positions that manage public investments.**

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APPENDIX
Conflict of Interest Code of the
Sonoma County Waste Management Agency
(Amended October 21, 2020)

PART “A”

DESIGNATED POSITIONS
GOVERNED BY THE CONFLICT OF INTEREST CODE

Designated Positions	Disclosure Category
Members of the Board of Directors (including alternates)	1, 2, 3
Executive Director	1, 2, 3
Agency Counsel	1, 2, 3
Program Managers (Waste Specialist I & II)	1, 2, 3
Administrative Manager (Department Analyst)	1
Consultant and New Positions ²	

² Individuals providing services as a Consultant defined in Regulation 18701, or in a new position created since this Code was last approved, that makes or participates in making decisions shall disclose pursuant to the broadest disclosure category in this Code subject to the following limitation:

The Director may determine that, due to the range of duties or contractual obligations, it is more appropriate to assign a limited disclosure requirement. A clear explanation of the duties and a statement of the extent of the disclosure requirements must be in a written document. (Gov. Code Sec. 82019; FPPC Regulations 18219 and 18734.) The Director's determination is a public record and shall be retained for public inspection in the same manner and location as this Conflict of Interest Code. (Gov. Code Sec. 81008.)

APPENDIX
Conflict of Interest Code of the
Sonoma County Waste Management Agency
(Amended October 21, 2020)

PART “B”

DISCLOSURE CATEGORIES

The Disclosure Categories listed below identify the types of economic interests that the Designated Position must disclose for each category to which he or she is assigned.³ “Investment” means financial interest in any business entity (including a consulting business or other independent contracting business) and are reportable if they are either located in, doing business in, planning to do business in, or have done business during the previous two years in the jurisdiction of the Agency.

1. All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, that provide services, products, supplies, materials, machinery, vehicles or equipment of the type purchased or leased by the Agency.
2. All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, which are subject to the regulatory authority of the Agency.
3. All interests in real property located within the jurisdiction of the Agency that is or may be used as a disposal site, transfer station or resource recovery facility in which the designated employee provides planning or technical assistance or has enforcement branch responsibility.

³ This Conflict of Interest Code does not require the reporting of gifts from outside the Agency’s jurisdiction if the source does not have some connection with or bearing upon the functions or duties of the position. (Reg. 18730.1)

**NOTICE OF INTENTION TO AMEND THE
CONFLICT OF INTEREST CODE OF ZERO WASTE SONOMA (ALSO KNOWN AS
THE SONOMA COUNTY WASTE MANAGEMENT AGENCY)**

NOTICE IS HEREBY GIVEN that the Board of Directors of Zero Waste Sonoma (the “Agency”) intends to amend the Agency’s Conflict of Interest Code (the “Code”) pursuant to Government Code sections 87306 and 87306.5.

The Code designates those employees, members, officers, and consultants who make or participate in the making of decisions and are subject to the disclosure requirements of the Agency’s Code. The Agency’s proposed amendment includes new positions that must be designated and makes technical and clarifying changes to the Code.

The proposed amended Code will be considered by the Board of Directors on October 21, 2020, at 8:30 a.m.

Virtual Meeting via Zoom

<https://sonomacounty.zoom.us/j/92084730831?pwd=Vlg3UU9rK3p3Q1J4c09Ray80NnZPd09>

Or Telephone: 1-301-715-8592

Webinar ID: 920 8473 0831

Passcode: 385695

The meeting will be conducted pursuant to the provisions of the Governor’s Executive Order N-29-20 dated March 17, 2020 and will be held electronically only. Any interested person may be present electronically and comment at the public meeting or may submit written comments concerning the proposed amendment.

Any comments or inquiries should be directed to the attention of Leslie Lukacs, Executive Director, Sonoma County Waste Management Agency; at (707) 565-2722 or leslie.lukacs@sonoma-county.org. Written comments must be submitted no later than October 20, 2020, at 5:00 p.m.

Copies of the proposed amended Code may be obtained from Thora Collard, Administrative Manager, Sonoma County Waste Management Agency, at thora.collard@sonoma-county.org or (707) 565-3788.

Dated: October 21, 2020

RESOLUTION OF ZERO WASTE SONOMA (ALSO KNOWN AS SONOMA COUNTY WASTE
MANAGEMENT AGENCY) AMENDING ITS CONFLICT OF INTEREST CODE
PURSUANT TO THE POLITICAL REFORM ACT OF 1974

WHEREAS, the State of California enacted the Political Reform Act of 1974, Government Code Section 81000 et seq. (the "Act"), which contains provisions relating to conflicts of interest which potentially affect all officers, employees and consultants of the Sonoma County Waste Management Agency (the "Agency") and requires all public agencies to adopt and promulgate a conflict of interest code; and

WHEREAS, the Board of Directors of the Agency adopted a Conflict of Interest Code (the "Code") in compliance with the Act; and

WHEREAS, changed circumstances within the Agency have made it advisable and necessary pursuant to Sections 87306 and 87307 of the Act to amend and update the Agency's Code; and

WHEREAS, notice of the time and place of a public meeting on, and of consideration by the Board of Directors of, the proposed amended Code was provided to each affected designated employee and publicly posted for review at the offices of the Agency; and

WHEREAS, a public meeting was held upon the proposed amended Code at a regular meeting of the Board of Directors on October 21, 2020, at which all present were given an opportunity to be heard on the proposed amended Code.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the Sonoma County Waste Management Agency does hereby adopt the proposed amended Conflict of Interest Code, a copy of which is attached hereto and shall be on file with the Clerk of the Agency, and available to the public for inspection and copying during regular business hours.

BE IT FURTHER RESOLVED that the amended Conflict of Interest Code shall be submitted to the Board of Supervisors of Sonoma County for approval and said Code shall become effective 30 days after the Board of Supervisors approves the proposed amended Conflict of Interest Code as submitted.

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: October 21, 2020

Clerk of Zero Waste Sonoma
Agency of the State of California in and for the
County of Sonoma



Agenda Item #: 5
Cost Center: Contingency Reserves
Staff Contact: Lukacs
Agenda Date: 10/21/2020
Approved By: LL

ITEM: Waste Characterization Study RFP

I. BACKGROUND

Waste characterization studies are used to determine the composition of materials intended for landfill disposal. Rather than categorizing every single piece of garbage, waste characterization studies typically involve using statistical analysis and representative sampling to study a subset of waste and apply the findings to the overall garbage population. Historically, local waste characterization studies have only included waste entering the County of Sonoma's waste system, not material that is self-hauled to other landfills, nor is it a study of litter than does not enter the County's system.

The SCWMA has performed waste characterization studies three times previously, in 1995/96, 2006/07, and 2014/15. The studies have included waste sorts performed over the course of a few weeks in the dry and wet seasons to take seasonal variability into account.

II. DISCUSSION

A waste characterization study was discussed in FY 20-21 Work Plan and approved in the final budget at the May 20, 2020 board meeting. The primary objectives of this study are to enable the Agency to:

1. Compare the Cascadia Consulting study in 2006/07 and SCS Engineers study completed in 2014 to allow the Agency to monitor and measure recycling, organics, and waste disposal trends.
2. Identify specific generators or, failing that, specific collection routes that are contributing substantial quantities of recyclable and organic materials to the waste stream.
3. Further define and measure household hazardous waste disposed into the County waste stream.
4. Identify SB 1383 targets including organics disposable compared to the 2014 study and edible food that could be potentially donatable.

The full scope of work for this waste characterization study is drafted within the RFP.

III. FUNDING IMPACT

\$150,000 has been budgeted for this project from the Contingency Reserve.

IV. RECOMMENDED ACTION / ALTERNATIVES TO RECOMMENDATION

Staff recommends the Board direct staff to release the Request for Proposals with the attached scope of work.

V. ATTACHMENTS

RFP Scope of Work



REQUEST FOR PROPOSALS

TO CONDUCT A WASTE CHARACTERIZATION STUDY FOR ZERO WASTE SONOMA

Proposals due 3:00 p.m. on December 4, 2020

Submit proposal to:

Sloane Pagal, Zero Waste Program Manager
Sonoma County Waste Management Agency
2300 County Center Drive, Suite B100
Santa Rosa, CA 95403

1. INTENT AND BACKGROUND

1.1 Definitions

This section contains definitions that are used throughout this RFP.

AGENCY: Zero Waste Sonoma (also known as Sonoma County Waste Management Agency), is a joint powers authority composed of the County of Sonoma and the nine incorporated jurisdictions within Sonoma County: Cloverdale, Cotati, Healdsburg, Petaluma, Rohnert Park, Santa Rosa, Sebastopol, Sonoma, and Windsor.

County: The County of Sonoma, a political subdivision of the State of California.

1.2 Overview of Requested Services

Zero Waste Sonoma (AGENCY) is seeking proposals for a Waste Characterization Study in Sonoma County.

In keeping with its desired goals and continued achievements, the AGENCY recognizes the need to continually examine data that may impact the mandates set forth by the State and monitor the progress of the Countywide Integrated Waste Management Plan (CoIWMP).

In 2006, the AGENCY hired Cascadia Consulting to complete a waste characterization study and in 2014, the AGENCY hired SCS Engineers to complete a waste characterization study. Since then, a number of factors may have changed the composition of the waste stream in Sonoma County.

The waste characterization study will identify the quantity and composition of waste disposed by sector and jurisdiction and identify opportunities to divert material from the landfill to achieve the AGENCY'S zero waste goals and meet new state requirements (e.g., AB 341, AB 1826, and SB 1383).

The primary objectives of this study are to enable the Authority to:

1. Compare the Cascadia Consulting study in 2006/07 and SCS Engineers study completed in 2014 to allow the Agency to monitor and measure recycling, organics, and waste disposal trends.
2. Identify specific generators or, failing that, specific collection routes that are contributing substantial quantities of recyclable and organic materials to the waste stream.
3. Further define and measure household hazardous waste disposed into the County waste stream.
4. Identify SB 1383 targets including organics disposable compared to the 2014 study and edible food that could be potentially donatable.

Exhibit A details the Scope of Services requested by the Agency for this RFP.

All data and information furnished by the AGENCY or referred to in this RFP are furnished for the PROPOSER's convenience. The AGENCY does not guarantee that such data and information are accurate and assumes no responsibility whatsoever as to their accuracy or interpretation. PROPOSERS shall satisfy themselves as to the accuracy or interpretation of all such information or data.

1.3 Existing Conditions

The County continues to own a system of five transfer stations throughout Sonoma County. The majority of the waste collected through the County system is disposed at the Central Landfill. All cities in Sonoma County utilize the County's transfer stations through their franchised waste haulers except the City of

Petaluma. Franchised waste from the City of Petaluma is hauled directly to the Redwood Landfill, between Petaluma and Novato. Non-franchise waste generated in Sonoma County may or may not enter the County's transfer stations; source information about that material is not readily available to AGENCY staff. In 2018, landfill materials generated in Sonoma County was approximately 360,200 tons although the average of the past 5 years is over 400,000 tons.

2. GENERAL INFORMATION

The general guidelines for preparing a response to this RFP are explained in this section.

2.1 Questions

All questions pertaining to this RFP must be directed to:

Sloane Pagal, Zero Waste Program
Sonoma County Waste Management Agency
2300 County Center Drive, Suite B100
Santa Rosa, CA 95403
fax: 707/565-3701 e-mail: sloane.pagal@sonoma-county.org

Questions must be submitted no later than 3:00 p.m. on **November 15, 2020**; no response will be made to questions submitted after this date. An addendum to this RFP will be prepared in response to any questions received. The PROPOSER is solely responsible for providing their email address by **November 15, 2020** to the contact above so that the addendum can be circulated as soon as available. The AGENCY cannot assure that every entity receiving a RFP will receive the addenda. All addenda shall become part of the Agreement documents, and all PROPOSERS are bound by such addenda, whether or not received by the PROPOSER.

2.2 AGENCY Contact for Information

All requests for additional information regarding this RFP should be directed to the AGENCY's Department Analyst, noted above. Do *not* directly contact other AGENCY staff or members of the Board of Directors. Individuals or organizations that do so may be disqualified from further consideration. AGENCY will recognize only those responses to inquiries issued in writing by AGENCY in Addendum form as binding modifications to this RFP.

2.3 Appeals Process

Should any PROPOSER dispute the AGENCY's determinations and findings during the RFP process, such PROPOSER shall give the AGENCY written notice of the matter in dispute within five (5) days of PROPOSER's first knowledge of the decision or determination. The PROPOSER shall thereafter, within ten (10) days of PROPOSER's first knowledge of the AGENCY decision or determination in dispute, provide AGENCY with a complete and comprehensive "Statement of Dispute" that discusses all the reasons why the PROPOSER disputes the AGENCY's determination or decision and submit all documentary evidence relied on by the PROPOSER. The Statement of Dispute must meet the following conditions and requirements:

- a. The Statement of Dispute must contain a complete statement of the factual and legal basis for the protest.
- b. The Statement of Dispute must specifically refer to the specific portions of the RFP, which form the basis for the protest, and all documentary evidence relied upon.
- c. The Statement of Dispute must include the name, address and telephone number of the person representing the protesting party.

- d. The party filing the Statement of Dispute must concurrently transmit a copy of the initial protest document and any attached documentation to all other parties with a direct financial interest, which may be adversely affected by the outcome of the protest. Such parties shall include all other PROPOSERS, who shall have seven (7) calendar days to respond to the Statement of Dispute.

The AGENCY will review the Statement of Dispute, and may, at its discretion, elect to hold an administrative hearing thereon, and may request PROPOSER to produce such further evidence as AGENCY deems material to a decision on the issue, after which time AGENCY will issue a determination which shall be final. The procedure and time limits set forth in this paragraph are mandatory and are the PROPOSER's sole and exclusive remedy in the event of protest and failure to comply with these procedures shall constitute a waiver of any right to further pursue the protest, including filing a Government Code Claim or legal proceedings. Failure to strictly follow this procedure shall waive any further rights to dispute the AGENCY's decisions and determinations made during the RFP process.

2.4 Confidentiality

AGENCY has made a determination in accordance with Section 6255 of the Government Code that all Proposals submitted in response to this RFP shall not be made public by AGENCY until the time AGENCY is considering award of a contract for the services. In the event a PROPOSER wishes to claim that portions of its proposal are exempt from disclosure under the Public Records Act, it is incumbent upon PROPOSER to clearly identify those portions with the word "confidential" printed on the lower right-hand corner of the page, along with a written justification as to why such information should be exempt from disclosure. PROPOSER may also request that such confidential documents be returned to PROPOSER upon completion of the RFP process, unless otherwise required by law. Blanket designations of "confidential" shall not be effective. AGENCY shall notify PROPOSER in the event that AGENCY receives any requests for disclosure under the Public Records Act for documents that have been marked confidential by PROPOSER. If the PROPOSER wishes to prevent the disclosure of such material, the PROPOSER shall bear the sole burden of seeking review in a court of competent jurisdiction. In addition, PROPOSER shall defend and indemnify AGENCY from any claims and/or litigation relating to a claim of confidentiality.

Proprietary or confidential data must be readily separable from the proposal in order to facilitate eventual public inspection of the non-confidential portion of the proposal. The cost of services shall not be designated as proprietary or confidential information.

3. INSTRUCTIONS TO PROPOSERS AND PROCEDURES FOR SUBMITTAL

3.1 Submittal Rules

Proposals must be presented in accordance with the information requested in Section 4, Proposal Requirements. Other relevant information that the PROPOSER feels is appropriate may be included. The following rules shall apply:

1. All proposals shall be submitted in writing and be in accordance with the requirements of this Request for Proposals. No facsimile, mailed or hand delivered proposals will be accepted.
2. The proposal shall be submitted to the AGENCY no later than **5:00 p.m. on December 4, 2020**. The e-mail subject line must clearly state "**Waste Characterization Study Proposal**" and the e-mail content must include the name and the address of the firm submitting the proposal. Proposals must be sent by email to the AGENCY contact found in Section 2.1 above.
3. Each proposal shall include all information required by this RFP and any subsequent addenda.
4. Proposals received after the required submittal date and time will be rejected. The AGENCY will not, in any manner, be liable or responsible for any late delivery of proposals.

Request For Proposals To Conduct a Waste Characterization Study for the Sonoma County Waste Management Agency

3.2 Evaluation Process

The AGENCY shall evaluate each proposal. All determinations with regard to the evaluation of proposals will be at the sole discretion of the AGENCY. Each proposal shall first be evaluated for completeness and for compliance with the requirements of this RFP. The AGENCY will then evaluate the benefit of the proposed services described in the proposal to the AGENCY, its member agencies and their citizens.

3.3 Rights of the AGENCY

PROPOSERS shall submit an appropriately signed Exhibit C – Proposal Authorization and Acknowledgement Form stating that the PROPOSER agrees with the rights of the Agency as described below. The AGENCY shall have the right to:

1. Award an agreement for services described in this RFP.
2. Reject all proposals and not award an agreement.
3. Reject any proposal.
4. Select a proposal other than the lowest cost/highest payment proposal.
5. If during the course of negotiations with a selected PROPOSER, the AGENCY determines in its sole discretion that an acceptable Agreement cannot be negotiated, the AGENCY reserves the right to suspend negotiations with that PROPOSER and begin negotiations with another PROPOSER. Also, the AGENCY reserves the right to undertake simultaneous negotiations of the final Agreement with more than one PROPOSER.
6. Waive defects and/or irregularities in any proposal.
7. Request from any PROPOSER at any time during the evaluation process, clarification of any information contained in the proposal.
8. Request "Best and Final" offers.
9. Conduct interview(s) with any PROPOSER(s).
10. Negotiate terms and conditions that are different from those described in this RFP and Agreement.
11. Contact references provided and seek information from any client with which the PROPOSER has done business.
12. Take other such action that best suits the needs of the AGENCY, its member agencies and/or their citizens.

PROPOSERS are notified that the costs of preparing and submitting proposals and the risks associated therewith shall be borne solely by the PROPOSER. No compensation will be provided to PROPOSERS for work performed or costs incurred during the preparation, submittal or evaluation of Proposals neither for the negotiation or execution and delivery of an Agreement awarded as a result of this RFP.

4. PROPOSAL REQUIREMENTS

A proposal shall be complete and concise and should be prepared in substantial conformance with the format and order described below to assist in the review process. *A Proposal that omits or inadequately addresses any of the topics below may be rejected.*

4.1 Letter of Submission

The proposal must contain a submission letter that contains the PROPOSER's unconditional acceptance of the performance obligations set forth in the RFP. An officer of the proposing entity authorized to bind the PROPOSER to the proposal terms must sign this letter.

The Letter of Submission shall also include a description of the ownership of the proposing company, including, but not limited to:

- Official name and address. Indicate the type of entity and list its officers (e.g. corporation, partnership, sole proprietorship). Indicate the date and place of incorporation or organization.
- If entity is a joint venture, submit a current copy of the joint venture agreement or contract.
- Federal Employer I.D. Number
- Complete name, mailing address, phone number, fax number and email address (if available) of the person to receive notices and who is authorized to make decisions or represent the company with respect to this RFP.

4.2 Complete the form "Implementation Plan and Budget"

(Exhibit B) This exhibit should instruct proposers as to the AGENCY's expectations for the project and how proposals will be evaluated. Please ensure it is complete.

4.3 Qualifications and experience of firm.

The proposal should include the PROPOSER's experience relevant to the requested services and qualifications and resumes of key personnel that will be assigned to the management of the Agreement.

PROPOSER should provide a minimum of two (2) California governmental clients that the AGENCY may contact to conduct a reference check regarding provision of the proposed service.

If the PROPOSER cannot provide all of the information requested under Section 4.1.c. above, then the PROPOSER must provide descriptions of similar work performed for other clients. In either case, the description shall list the:

- Dates and a description of the services that were provided;
- Names and responsibilities of the team members involved with the referenced work; and
- Name, address, and telephone number of a contact person of each client who would be most familiar with the services provided.

4.4 Subcontractors

Contractor shall provide a list of all subcontractors to be utilized for any of the proposed services, including company name, mailing address, phone number, e-mail address, website URL (if available), contact's name and phone number, and function of subcontractor.

4.5 Insurance

Request For Proposals To Conduct a Waste Characterization Study for the Sonoma County Waste Management Agency

The PROPOSER should demonstrate the ability to submit proof of the required insurance as set forth in the Agreement attached to this RFP as Exhibit C. Prior to award of the Agreement, the successful PROPOSER shall furnish the AGENCY with Certificates of Insurance clearly evidencing all required insurance and endorsements. The successful PROPOSER shall procure and maintain for the duration of the Agreement, insurance against claims for injuries to persons or damages to property which may arise from or in connection with the performance of the work hereunder by the successful PROPOSER, its agents, representatives, employees or subcontractors. If CONTRACTOR wishes to change specific insurance terms, these exceptions must be noted in Exhibit C.

4.6 Agreement for Consulting Services

The selected PROPOSER must execute and submit Exhibit C, acknowledging their willingness to sign the Agreement to Conduct a Waste Characterization Study attached hereto as Exhibit D to this RFP, unless modified pursuant to the procedures set forth herein. PROPOSER shall identify in its proposal any requested modifications to the Agreement.

5. SCHEDULE

<u>Date</u>	<u>Action</u>	<u>Responsible Party</u>
November 1, 2020	Distribution of RFP	AGENCY
November 15, 2020	Submit Addenda Distribution Information	PROPOSER
November 15, 2020	Submit Written Questions	PROPOSER
December 4, 2020	Proposals Due (3:00 p.m.)	PROPOSER
January 15, 2021	Award of Agreement (tentative)	AGENCY
October 1, 2021	Work completed	PROPOSER

6. ATTACHMENTS

Exhibit A:	Scope of Services
Exhibit B:	Questions Regarding Proposal
Exhibit C:	Proposal Authorization and Acknowledgement Form
Exhibit D:	Form of Agreement
Exhibit E:	2006/07 and 2014 Waste Characterization Studies

Exhibit A

Proposed Scope of Services

The contractor will sample representative portions of residential, commercial, and self-haul solid waste generated in Sonoma County, sort disposed waste by type, compile collected data, and report the results to the Agency.

Primary objectives of this study is to:

1. Compare the Cascadia Consulting study in 2006/07 and SCS Engineers study completed in 2014 to allow the Agency to monitor and measure recycling, organics, and waste disposal trends.
2. Identify specific generators or, failing that, specific collection routes that are contributing substantial quantities of recyclable and organic materials to the waste stream.
3. Further define and measure household hazardous waste disposed into the County waste stream.
4. Identify SB 1383 targets including organics disposable compared to the 2014 study and edible food that could be potentially donatable.

Task 1: Work Plan

The contractor will submit a Work Plan that includes, at a minimum:

- The process (including recommended sampling sites and number of loads at those sites) necessary to collect representative data to the degree of accuracy sufficient to be comparable with the 2006/07 Cascadia study, to the 2014 SCS study, and to satisfy the reporting requirements of the Agency.
- Copies of field forms to be used.
- Waste characterization protocol, including but not limited to: vehicle selection and sorting protocols, material type/subtype definitions, and protocols for lumping/splitting materials categories.
- Proposed two-season sampling schedule will include a “wet season sort” (performed in ~February/March 2021) “dry season sort” (performed in ~June/July 2021).
- Timeline showing anticipated completion dates for major milestones, draft and final reports.

Task 2: Conduct Sampling and Waste Sorts.

Sampling and waste sorting shall be performed by the contractor as shown on the approved schedule (see Task One).

Labor for the sorting will be provided by the contractor.

For each sample, collect the following information:

- Sector type (residential, commercial, mixed residential and commercial, and self-haul residential or self-haul commercial)
- Vehicle type (compactor, compacted debris box, loose debris box, passenger vehicle, and pick-up truck/van)
- Jurisdiction of origin
- Subtypes of commercial loads, by customer “class”: construction and demolition; wholesale/retail/warehouse; office, government, other business services; institution (education, health care); manufacturing; food and lodging; other commercial.
- Changes in subcategories, from those used in 2006/07 study:
- Organics: transfer Carpet and Carpet Padding from Organics section to Construction and Demolition
- Customer comments; and
- Other information as determined by the Agency.

Staff from the Agency or its designee(s) may observe tasks performed under this contract by the contractor.

The Agency will provide assistance to select vehicles for sampling in accordance with the protocol developed by the consultant (see Task One). The Agency will also provide waste tonnage data by vehicle type and sector.

Task 3: Compile Sampling Results

The contractor shall compile the sampling results using standard and commonly accepted statistical practices.

Task 4: Submit Draft and Final Reports

The contractor will submit to the Agency a Draft Report for review and comment. This report will contain the results of the sampling process in a format that is comparable to the 2006/07 and 2014 waste characterization study report. The methodology used to calculate waste composition must be shown. The data should be presented in sortable electronic and paper formats.

Minimum data to be presented includes:

- a. Number of samples analyzed by waste sector and overall.
- b. Quantity of material by type—state in both tons and percent of total—by waste sector and overall.
- c. Current waste composition as compared to findings in 2006/07 and 2014.
- d. Photo documentation and description of sampling process

Upon receiving comments from the Agency, the contractor shall prepare a Final Report and present it to the Agency.

Exhibit B: Questions Regarding Proposal

Please provide brief answers to the following questions:

Question 1 (30 points): Waste Characterization Study Approach

Please describe your recommended approach to properly and accurately characterize waste generated within Sonoma County. Please include a description of the waste sort process (e.g. sampling methodology, visual vs. physical inspections, etc.).

Question 2 (20 points): Experience with waste characterization study projects

Please describe previous projects performing waste characterization studies for cities, counties, or other local or state government jurisdictions.

If you do not have any experience with waste characterization projects, please provide descriptions of other relevant projects.

Question 3 (20 points): Assistance expected of Agency staff

Agency staff expects there to be data requests related to this project. Please list the data the Proposer will be requesting in order to adequately characterize disposed waste in Sonoma County.

Question 4 (30 points): Scope of work and budget

Please complete a sample scope of work and budget specific to this project which includes budget allocations and lists in detail the services proposed to be provided in connection with this project. Include staff time, materials, reporting, etc.

Question 5: Are there any exceptions or changes to the requested services or contract language

Does the Proposer have any exceptions or changes to the requested services or contract language? (An excessive number of requested changes to the contract language will be disfavored and may be a basis for non-awarding of the Agreement.)

Exhibit C

Proposal Authorization and Acknowledgement Form

NAME OF PROPOSER _____

ORGANIZATION _____

1. The undersigned is a Proposer under this RFP and possesses the legal authority to submit this Proposal.
2. The undersigned is authorized to conduct all negotiations for and legally bind the Proposer in all matters relating to this Proposal submittal.
3. The undersigned has reviewed, understands, is able to comply with and agrees to be bound by the conditions described in the Agreement for Professional Services (Exhibit C) and this RFP.
4. The undersigned certifies that this Proposal is irrevocable until _____, 2020 (minimum of 120 days from submittal).
5. The undersigned acknowledges that the Agency reserves the following rights and options related to proposals submitted in response to the RFP:
 - Award an agreement for services described in this RFP.
 - Reject all proposals and not award an agreement.
 - Reject any proposal.
 - If during the course of negotiations with a selected PROPOSER, the AGENCY determines in its sole discretion that an acceptable Agreement cannot be negotiated, the AGENCY reserves the right to suspend negotiations with that PROPOSER and begin negotiations with another PROPOSER. Also, the AGENCY reserves the right to undertake simultaneous negotiations of the final Agreement with more than one PROPOSER.
 - Waive defects and/or irregularities in any proposal.
 - Request from any PROPOSER at any time during the evaluation process, clarification of any information contained in the proposal.
 - Conduct interview(s) with any PROPOSER(s).
 - Negotiate terms and conditions that are different from those described in this RFP and Agreement.
 - Contact references provided and seek information from any client with which the PROPOSER has done business.
 - Take other such action that best suits the needs of the AGENCY and/or its citizens.

Form of Agreement

_____ The undersigned has carefully reviewed the forms of Agreement contained in the RFP and is prepared to agree to the terms and conditions stated therein.

_____ The undersigned has carefully reviewed the forms of Agreement contained in the RFP and is prepared to agree to the terms and conditions of the forms with the proposed modifications attached hereto. (Proposer must attach any proposed modifications to the forms of Agreement.)

Print Name: _____

Title: _____

Organization: _____

Telephone: _____

Facsimile: _____

E-Mail Address: _____

Signature: _____ Date: _____

Exhibit D

AGREEMENT FOR CONSULTING SERVICES TO CONDUCT A WASTE CHARACTERIZATION STUDY

This agreement ("Agreement"), dated as of _____, 2020 ("Effective Date") is by and between the Sonoma County Waste Management Agency, (hereinafter "Agency"), and _____, a **[include description of Contractor, e.g., "a California Corporation", etc., if appropriate]** (hereinafter "Contractor").

RECITALS

WHEREAS, Contractor represents that it is duly qualified and experienced in Consulting Services related to waste characterization studies; and

WHEREAS, in the judgment of the Board of Directors of Agency, it is necessary and desirable to employ the services of Contractor to perform necessary preparation and execution of a waste characterization study; and,

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

AGREEMENT

1. Scope of Services.

1.1 Contractor's Specified Services. This Agreement is entered into for the purpose performing consulting services related the preparation for and execution of a waste characterization study. Contractor shall perform services as defined in Exhibit A, Scope of Services.

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

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

1.4 Assigned Personnel.

a. Contractor shall assign only competent personnel to perform work hereunder. In the event that at any time Agency, in its sole discretion, desires the removal of any person or persons assigned by Contractor to perform work hereunder, Contractor shall remove such person or persons immediately upon receiving written notice from Agency.

b. Any and all persons identified in this Agreement or any exhibit hereto as the project manager, project team, or other professional performing work hereunder are deemed by Agency to be key personnel whose services are a material inducement to Agency to enter into this Agreement, and without whose services Agency would not have entered into this Agreement. Contractor shall not remove, replace, substitute, or otherwise change any key personnel without the prior written consent of Agency.

c. In the event that any of Contractor's personnel assigned to perform services under this Agreement become unavailable due to resignation, sickness or other factors outside of Contractor's control, Contractor shall be responsible for timely provision of adequately qualified replacements.

2. Payment.

2.1 Contractor shall be paid _____ for services rendered in accordance with tasks detailed in Section 1.1 above and in Exhibits A and B, upon monthly submission of progress reports, verified claims and invoices, in the amount of ninety percent (90%) of the work billed and approved. Payments shall be made in the proportion of work completed based upon progress reports to total services to be performed. Payment for satisfactory performance includes, without limitation, salary, fringe benefits, overhead, and profit.

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

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

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

3.1 The Agency Board of Directors authorizes the Executive Director the ability to extend the term of the agreement by up to six (6) months provided that the payment amount, as defined in Section 2, is unchanged.

4. Termination.

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

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

4.3 Delivery of Work Product and Final Payment Upon Termination.

In the event of termination, Contractor, within 14 days following the date of termination, shall deliver to Agency all materials and work product subject to Section 9.9 and shall submit to Agency payment up to the date of termination.

5. Indemnification. Contractor agrees to accept all responsibility for loss or damage to any person or entity, including but not limited to Agency, and to defend, indemnify, hold harmless, reimburse and release Agency, its officers, agents, and employees, from and against any and all actions, claims, damages, disabilities, liabilities and expense including, but not limited to, attorneys' fees and the cost of litigation incurred in the defense of claims as to which this indemnity applies or incurred in an action by Agency to enforce the indemnity provisions herein, whether arising from personal injury, property damage or economic loss of any type, that may be asserted by any person or entity arising out of or in connection with the

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performance of Contractor hereunder, but, to the extent required by law, excluding liability due to the sole negligence or willful misconduct of Agency. If there is a possible obligation to indemnify, Contractor's duty to defend with legal counsel acceptable to Agency, exists regardless of whether it is ultimately determined that there is not a duty to indemnify. This indemnification obligation is not limited in any way by any limitation on the amount or type of damages or compensation payable to or for Contractor or its agents.

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

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

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

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

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

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

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

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

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

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

Request For Proposals To Conduct a Waste Characterization Study for the Sonoma County Waste Management Agency

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

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

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

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

8. Extra or Changed Work. Extra or changed work or other changes to the Agreement may be authorized only by written amendment to this Agreement, signed by both parties. Minor changes which do not increase or decrease the amount paid under the Agreement, and which do not significantly change the scope of work or significantly lengthen time schedules may be executed by the Agency's Executive Director in a form approved by Agency Counsel. All other extra or changed work must be authorized in writing by the Agency Board of Directors.

9. Representations of Contractor.

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

9.1.1 Change in Information. Contractor shall notify Agency thirty (30) days prior to any change to the information provided pursuant to Section 10 of Exhibit A, Proposed Scope of Services, that is initiated by Contractor, or within seven (7) days of Contractor becoming aware of a change to the information provided pursuant to Section 10 of Exhibit A that was not initiated by Contractor.

9.2 Status of Contractor. The parties intend that Contractor, in performing the services specified herein, shall act as an independent contractor and shall control the work and the manner in which it is performed. Contractor is not to be considered an agent or employee of Agency and is not entitled to participate in any pension plan, worker's compensation plan, insurance, bonus, or similar benefits

Request For Proposals To Conduct a Waste Characterization Study for the Sonoma County Waste Management Agency

provided to Agency staff. In the event Agency exercises its right to terminate this Agreement pursuant to Article 4, above, Contractor expressly agrees that it shall have no recourse or right of appeal under rules, regulations, ordinances, or laws applicable to employees.

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

9.4 Records Maintenance. Contractor shall keep and maintain full and complete documentation and accounting records concerning all services performed that are compensable under this Agreement, as well as information provided pursuant to Section 10 of Exhibit A, Proposed Scope of Services, and shall make such documents and records available to Agency for inspection at any reasonable time. Contractor shall maintain such records for a period of four (4) years following completion of work hereunder.

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

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

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

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

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

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

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

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

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

Agency: Zero Waste Sonoma
Attention: Sloane Pagal
2300 County Center Drive, Suite B 100
Santa Rosa, CA 95403
Email: Sloane.pagal@sonoma-county.org
Phone: (707) 565-1730
FAX: (707) 565-3701

Contractor: Name
Attention:
Address:
Email:
Phone:
City, State Zip Fax:

When a notice, bill or payment is given by a generally recognized overnight courier service, the notice, bill or payment shall be deemed received on the next business day. When a copy of a notice, bill or payment is sent by facsimile, the notice bill or payment shall be deemed received upon transmission as long as (1) the original copy of the notice, bill or payment is promptly deposited in the U.S. mail, (2) the sender has a written confirmation of the facsimile transmission, and (3) the facsimile is transmitted before 5 p.m. (recipient's time). In all other instances, notices, bills and payments shall be effective upon receipt by the recipient. Changes may be made in the names and addresses of the person to whom notices are to be given by giving notice pursuant to this paragraph.

13. Miscellaneous Provisions.

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

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

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

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

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

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

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

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

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

AGENCY: SONOMA COUNTY WASTE MANAGEMENT AGENCY

By: _____
Chair

CONTRACTOR:

By: _____

Name: _____

Title: _____

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

By: _____
Executive Director, AGENCY

APPROVED AS TO FORM FOR AGENCY:

By: _____
Agency Counsel

Exhibit E

2006/07 & 2014 Waste Characterization Study

Please visit

https://zerowastesonoma.gov/uploads/reports/sonoma_county_waste_characterization_study_2007.pdf to download a copy of the 2006/07 Waste Characterization Study

https://zerowastesonoma.gov/uploads/reports/sonoma_county_waste_characterization_study_2014.pdf to download a copy of the 2014 Waste Characterization Study



Agenda Item #: 6
Staff Contact: Pagal
Agenda Date: 10/21/2020
Approved By: LL

ITEM: Countywide Integrated Waste Management Plan (CiIWMP)

I. BACKGROUND

The CiIWMP is the principal planning document for solid waste management in Sonoma County as required by the Integrated Waste Management Act of 1989 (also known as Assembly Bill 939). The Agency's first CiIWMP approval date was November 15, 1995. In 2003, agency staff, with assistance from the AB 939 Local Task Force (LTF) submitted a comprehensive integrated waste management plan including the Source Reduction and Recycling Element (SRRE), Household Hazardous Waste Element (HHWE), Siting Element (SE), and the Non-Disposal Facility Element (NDFE) to the California Integrated Waste Management Board (CIWMB).

In 2007, the "Goals, Objective, and Policies" section was revised to reflect new initiatives adopted by the Board. In 2010, the HHWE and SE documents were updated and submitted to CalRecycle to reflect changes to the Household Hazardous Waste program, and short-term and medium-term planning for the Central Disposal Site. In 2011 the NDFE plan was revised to provide updated information for all non-disposal facilities across Sonoma County. The 2015 update was submitted to CalRecycle with few changes.

II. DISCUSSION

One of the primary duties of the AB 939 LTF is to review and provide feedback on the Countywide Integrated Waste Management Plan. ZWS first brought the topic of the 2020 CiIWMP update to the AB 939 LTF at the February 13, 2020 meeting. At this meeting, it was determined that ZWS staff would provide the first draft of the CiIWMP ahead of the following meeting, which would reflect long-term planning goals identified through the anticipated strategic planning retreat for Board members and Agency staff.

ZWS staff presented the CiIWMP draft at the August 13th meeting then incorporated recommended modifications by the LTF at a special meeting on September 10th. LTF members suggested that ZWS staff consider long-term planning and technical studies to reflect scenarios for the development of a Zero Waste Plan. Staff planned to complete strategic planning session for future planning with the Board prior to completing the CiIWMP but this was postponed due to Covid. The Executive Director has been in communication with the strategic planning facilitator and the sessions will be rescheduled after January 1st, 2021.

To adhere to the planning and reporting requirements of CalRecycle and observe the limits of staff time it was decided that the current 5-year plan update would not undergo a significant overhaul, but reflect the appropriate agency changes. In tandem with the Electronic Annual Report (EAR), in which the Agency discloses whether any element of the original CiIWMP requires updating, staff is confident that the Waste Management Plan to be submitted will satisfy the requirements at this time. All comments received by LTF members were addressed and incorporated into the final draft (attached), which was approved by the LTF at the October 8th, 2020 regular meeting.

Future element updates to the ColWMP may include:

- Revision of the NDFE in relation to the Renewable Sonoma organics processing facility.
- Revision of the SE to reflect changes from NDFE, buildout of a new HHW facility, and post-landfill closure considerations required when a landfill reaches the threshold of 15-years of remaining space.

III. FUNDING IMPACT

There is no cost to submit the 2020 update to the ColWMP, however the strategic planning sessions, and possible consulting work for updated planning documents will require funding from the Contingency Fund.

IV. RECOMMENDED ACTION / ALTERNATIVES TO RECOMMENDATION

Staff requests the Board of Directors to approve the 2020 5-year Update to the ColWMP for submission to CalRecycle by November 2020. The board may also request modifications and approve the plan with these modifications, to be incorporated by ZWS staff prior to submission.

V. ATTACHMENTS

2020 ColWMP Final Draft including Attachments A & B

Five-Year CIWMP/RAIWMP Review Report Template

Public Resources Code (PRC) Sections 41770 and 41822, and Title 14, California Code of Regulations (CCR) Section 18788 require that each countywide or regional agency integrated waste management plan (CIWMP or RAIWMP), and the elements thereof, be reviewed, revised if necessary, and submitted to the Department of Resources Recycling and Recovery (CalRecycle) every five years. CalRecycle developed this Five-Year CIWMP/RAIWMP Review Report template to streamline the Five-Year CIWMP/RAIWMP review, reporting, and approval process.

A county or regional agency may use this template to document its compliance with these regulatory review and reporting requirements and as a tool in its review, including obtaining Local Task Force (LTF) comments on areas of the CIWMP or RAIWMP that need revision, if any. This template also can be finalized based on these comments and submitted to CalRecycle as the county or regional agency's Five-Year CIWMP or RAIWMP Review Report.

The [Five-Year CIWMP/RAIWMP Review Report Template Instructions](#) describe each section and provide general guidelines with respect to preparing the report. Completed and signed reports should be submitted to the CalRecycle's Local Assistance & Market Development (LAMD) Branch at the address below. Upon report receipt, LAMD staff may request clarification and/or additional information if the details provided in the report are not clear or are not complete. Within 90 days of receiving a *complete* Five-Year CIWMP/RAIWMP Review Report, LAMD staff will review the report and prepare their findings for CalRecycle consideration for approval.

If you have any questions about the Five-Year CIWMP/RAIWMP Review Report process or how to complete this template, please contact your LAMD representative at (916) 341-6199. Mail the completed and signed Five-Year CIWMP/RAIWMP Review Report to:

Dept. of Resources Recycling & Recovery
Local Assistance & Market Development, MS-9
P. O. Box 4025
Sacramento, CA 95812-4025

To edit & customize this template, the editing restrictions (filling in forms) must be disengaged. Select the Review tab, Protect Document, and then Restrict Formatting and Editing (uncheck editing restrictions). There is no password (options). Please contact your LAMD representative at (916) 341-6199 with related questions.

General Instructions: Please complete Sections 1 through 7, and all other applicable subsections. Double click on shaded text/areas () to select or add text.

SECTION 1.0 COUNTY OR REGIONAL AGENCY INFORMATION			
I certify that the information in this document is true and correct to the best of my knowledge, and that I am authorized to complete this report and request approval of the CIWMP or RAIWMP Five-Year Review Report on behalf of:			
County or Regional Agency Name Zero Waste Sonoma (ZWS)		County(s) [if a RAIWMP Review Report] Sonoma	
Authorized Signature		Title Executive Director	
Type/Print Name of Person Signing Leslie Lukacs		Date October 8, 2020	Phone (707) 326-4308
Person Completing This Form (please print or type) Sloane Pagal		Title Waste Specialist	Phone (707) 292-3707
Mailing Address 2300 County Center Dr. Ste. B-100	City Santa Rosa	State CA	Zip 95403
E-mail Address Sloane.Pagal@sonoma-county.org			

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SECTION 2.0 BACKGROUND

This is the regional agency's fifth Five-Year Review Report since the approval of the CIWMP.

The following changes have occurred since the approval of the regional agency's planning documents or the last Five-Year CIWMP Review Report (whichever is most recent):

- ☐ Diversion goal reduction
- ☐ New regional agency
- ☒ Changes to regional agency

- ☐ New city (name(s) _____)
- ☐ Other _____

Additional Information (optional)

Through a re-branding process in 2018, the Sonoma County Waste Management Agency (SCWMA) became Zero Waste Sonoma (ZWS) to better reflect the identity of the JPA and differentiate the agency from the County of Sonoma. The new name also captures the regional goal of achieving zero waste by 2030. This document will refer to ZWS by its new name, Zero Waste Sonoma or ZWS.

Since the closure of Sonoma Compost in the fall of 2015, organics have been out-hauled to compost facilities in Ukiah, Novato, and Richmond. In 2015, Petaluma became the first city to collect food waste for composting. The food waste collection program expanded to include all Sonoma County cities in 2016. Zero Waste Sonoma is in negotiations to develop a compost facility in Sonoma County with Renewable Sonoma. On March 1 2017, Zero Waste Sonoma amended and restated the Joint Exercise of Powers Agreement with the County of Sonoma, a political subdivision of the State of California, the City of Cotati, the City of Cloverdale, the City of Healdsburg, the City of Petaluma, the City of Rohnert Park, the City of Santa Rosa, the City of Sebastopol, the City of Sonoma, a California municipal corporation, and the Town of Windsor. The Agency has the authority to provide the following core programs to the Members: (1) Provide for the recycling and disposal of Household Hazardous Waste from the Members' jurisdictions (the "Household Hazardous Waste Program"); (2) provide services and programs to provide for or facilitate the diversion of organic material, including but not limited to Yard Waste and Wood Waste (the "Organic Materials Program"); (3) provide education regarding recycling, composting and other methods of waste diversion to Members and the public (the "Education Program"); and (4) conduct, prepare and submit all monitoring and reporting as a Regional Agency as required pursuant to the Integrated Waste Management Act (the "Reporting Program").

Per an agreement between the County of Sonoma and Republic Services, a Construction and Demolition (C&D) Recycling Facility opened in June 2017 to improve operations and increase the tonnage of C&D material diverted from the landfill. After Republic Services acquired a recycling site from Industrial Carting in Santa Rosa in mid-2018, C&D volume processed at the Central Landfill increased significantly with a steady stream of material transferred from that location.

In August 2018, the Zero Waste Sonoma board directed staff to explore feasibility of accepting compostable food service-ware in the new proposed organics processing facility. The Zero Waste Task Force recruited a diverse group of individuals within the industry, forming the Compostable Products Committee, and tasked them to investigate the issue. Over the course of a year, the Committee

developed three options for the board to choose from including: 1) unlined fiber products only; 2) all BPI-Certified food service ware in a single-stream process and; 3) all BPI-Certified food service ware in a dual-stream process. The Committee could not come to a consensus and therefore did not present a recommendation; they instead presented pros and cons for each option and left the decision up to the board. The findings of this committee are included as attachment A.

ZW Resolution: The AB 939 Local Task Force (LTF), a County-created advisory group to the Board of Supervisors and Zero Waste Sonoma, created a model Zero Waste resolution that it recommends ZWS and its member jurisdictions adopt to create a Zero Waste framework throughout Sonoma County. This resolution was reviewed and approved by the Zero Waste Sonoma Board of Directors at its September 19, 2018 meeting, and Board members then recommended all member jurisdictions adopt the resolution. To date, Cloverdale, Healdsburg, Windsor, Sebastopol, Cotati, and Petaluma have adopted the model Zero Waste Resolution.

Polystyrene Model Ordinance: ZWS Board directed ZWS staff to create a model polystyrene waste reduction ordinance which was adopted September 19, 2018 as polystyrene items are common forms of litter and more environmentally friendly alternatives are prevalent. ZWS staff researched the over 100 such ordinances in California, and drafted a model ordinance largely from ordinances adopted by the Counties of Santa Clara and Santa Cruz. The main elements of the proposed model ordinance include the following:

1. Prohibition of polystyrene foam food service ware distributed by food establishments and food providers
2. Prohibition of polystyrene foam products sold by retail vendors
3. Requirement for food establishments and food providers to provide single use straws and utensils upon request only
4. Voluntary “take-out” fees for disposable service ware and credits for reusable items
5. Contract and lease language for vendors and contractors doing business with the jurisdiction.

As of September 8, 2020, the Cities of Cloverdale, Sebastopol, and Healdsburg, as well as the Town of Windsor have adopted the Model Polystyrene and Disposable Food Service Ware Ordinance. Petaluma has adopted a portion of the ordinance restricting the use and distribution of polystyrene foam only. COVID-19 has delayed adoption in the remaining jurisdictions, and it is not known if or when all ten jurisdictions will adopt. ZWS anticipates delaying the enforcement date from January 1, 2021 to January 1, 2022.

Out of the LTF, a North Bay Zero Waste Task Force formed in 2018. This group, made up of Sonoma County residents, industry professionals, and advocates, meets monthly to discuss solid waste issues, policy, and the work of local groups including Zero Waste Sonoma. The group has been instrumental in conveying Zero Waste messages to different communities, encouraging adoption of zero waste policies, and building a network of knowledge and idea sharing for Sonoma County.

Zero Waste Sonoma has been active in aligning waste diversion programs with climate action initiatives. Staff have been active in both the County’s Climate Action Committee and the Carbon Sequestration Committee. In 2018, Zero Waste Sonoma used the Waste Reduction Model (WARM) to track and report GHG emissions reductions, energy savings, and economic impacts from waste management practices such as source reduction, recycling, and diversion. For 2018, Zero Waste

Sonoma reported a reduction in GHG emissions due to recycling and composting of 303,465.17 MT CO₂e. Without these practices, it is estimated that Sonoma County's waste emissions would have been over 500,000 MT CO₂e for 2018.

Zero Waste Sonoma signed an agreement with the Mattress Recycling Council to coordinate and schedule logistics for mattress collection events in conjunction with the Agency's e-waste collection events.

In partnership with the California Product Stewardship Council and County of Sonoma, six additional safe medicine drop off locations have been installed at pharmacies throughout Sonoma County in 2020.

SECTION 3.0 LOCAL TASK FORCE REVIEW

- a. In accordance with Title 14 CCR, Section 18788, the Local Task Force (LTF) reviewed each element and plan included in the CIWMP and finalized its comments
☒ at the 10/8/20 LTF meeting. ☐ electronically (fax, e-mail) ☐ other (Explain): _____
- Clarification between COIWMP and long-term planning documents
 - Bringing the document together to reflect all of the annual report changes and contradictory policies due to the old policies not being removed or updated
 - Discussion of the NDFE and Siting Element in anticipation of new organics processing facility current under negotiation between ZWS and Renewable Sonoma – to be updated as facilities are nearing completion
 - Work of the North Bay Zero Waste Task Force
 - Inclusion of Compostable Products and Permitting Subcommittees' research and findings
- b. The county received the written comments from the LTF on 8/18/2020 and 10/8/2020.
- c. A copy of the LTF comments
☒ is included above.
☐ was submitted to CalRecycle on _____.

SECTION 4.0 TITLE 14, CALIFORNIA CODE of REGULATIONS SECTION 18788 (3) (A) THROUGH (H)

The subsections below address not only the areas of change specified in the regulations, but also provide specific analyses regarding the continued adequacy of the planning documents in light of those changes, including a determination on any need for revision to one or more of the planning documents.

Section 4.1 Changes in Demographics in the County or Regional Agency

When preparing the CIWMP Review Report, the county or regional agency must address at least the changes in demographics.

The following resources are provided to facilitate this analysis:

1. Demographic data, including population, taxable sales, employment, and consumer price index by jurisdiction for years up to 2006, are available at:
<https://www2.calrecycle.ca.gov/LGCentral/DiversionProgram/AdjustmentFactors>. Data for years beyond 2006 can be found on the following websites:
 - Population: [Department of Finance](#) E-4 Historical Population Estimates for Cities, Counties, and the State
 - Taxable Sales: [Board of Equalization](#)
 - Employment: [Employment Development Department](#) Click on the link to Local Area Profile, select the county from the drop down menu, then click on the “View Local Are Profile” button.
 - Consumer Price Index: [Department of Industrial Relations](#)
2. The [Demographic Research Unit](#) of the California Department of Finance is designated as the single official source of demographic data for State planning and budgeting (e.g., find E-5 City/County Population and Housing Estimates under Reports and Research Papers and then Estimates).
3. The Department of Finance’s Demographic Research Unit also provides a list of [State Census Data Center Network Regional Offices](#).

Table 1: Demographics in Cities in Sonoma County

Jurisdiction	2015 Population	2020 Population	Percent Changed
Cloverdale	8,889	9,213	+3.5%
Cotati	7,367	7,533	+2.5%
Healdsburg	11,740	12,089	+2.9%
Petaluma	60,407	61,873	+2.4%
Rohnert Park	41,681	43,069	+3.2%
Santa Rosa	174,945	173,628	-0.8%
Sebastopol	7,610	7,745	+1.7%
Sonoma	10,929	11,050	+1.1%
County of Sonoma	500,640	492,980	-1.5%
Windsor	27,771	28,248	+1.7%

Source: CA Department of Finance

Table 2: Employment

Employment Factor	2015	2020	Percent Change
Employment	246,200	224,400	-8.9%
Labor Force	258,000	253,600	-1.7%

Source: CA Employment Development Department

Analysis

Upon review of demographic changes since 1990:

- ☒ The demographic changes since the development of the CIWMP do not warrant a revision to any of the countywide planning documents.

The population in Sonoma County in 2015 was 500,640 and decreased to 492,980 by 2020. These factors do not appear to have drastically changed the nature of waste generated.

- ☐ These demographic changes since the development of the CIWMP warrant a revision to one or more of the countywide planning documents. Specifically, _____. See Section 7 for the revision schedule(s).

Additional Analysis (optional)

The County has lost several thousand residents in the wake of the 2017 Tubbs and Nuns fires. Many were forced to relocate due to the high rent and rebuilding costs.

Section 4.2 Changes in Quantities of Waste within the County or Regional Agency; and Changes in Permitted Disposal Capacity and Waste Disposed in the County or Regional Agency

A number of tools to facilitate the analysis and review of such changes in the waste stream are available from the following CalRecycle sources:

1. Various statewide, regional, and local disposal reports are available at <http://www.calrecycle.ca.gov/LGCentral/Reports/DRS/Default.aspx>.

- a. CalRecycle's [Disposal Reporting System](#) tracks and reports the annual estimates of the disposal amounts for jurisdictions in California; additional California solid waste [statistics](#) are also available.
 - b. CalRecycle's Waste Flow by [Destination](#) or [Origin](#) reports include solid waste disposal, export, and alternative daily cover. They show how much waste was produced within the boundaries of an individual city, or within all jurisdictions comprising a county or regional agency. These data also cover what was disposed at a particular facility or at all facilities within a county or regional agency.
2. The [Waste Characterization Database](#) provides estimates of the types and amounts of materials in the waste streams of *individual California jurisdictions* in 1999. For background information and more recent statewide characterizations, please see <https://www2.calrecycle.ca.gov/WasteCharacterization/>
 3. CalRecycle's [Countywide, Regionwide, and Statewide Jurisdiction Diversion Progress Report](#) provides both summary and detailed information on compliance, diversion rates/50 percent equivalent per capita disposal target and rates, and waste diversion program implementation for all California jurisdictions. Diversion program implementation summaries are available at <https://www2.calrecycle.ca.gov/LGCentral/DiversionProgram>

Together, these reports help illustrate changes in the quantities of waste within the county or regional agency as well as in permitted disposal capacity. This information also summarizes each jurisdiction's progress in implementing the Source Reduction and Recycling Element (SRRE) and complying with the 50 percent diversion rate requirement (now calculated as the 50 percent equivalent per capita disposal target), see [Per Capita Disposal and Goal Measurement \(2007 and Later\)](#) for details

- ☒ The county or regional agency (if it includes the entire county) continues to have adequate disposal capacity (i.e., equal to or greater than 15 years).
- ☐ The county does not have 15 years remaining disposal capacity within its physical boundaries, but the Siting Element does provide a strategy¹ for obtaining 15 years remaining disposal capacity.

The disposal of waste in 2015 was 387,833.67 tons and in 2018, the disposal tonnage was 360,199.33 after fire debris was credited. Data for 2019 was not available at the time of writing.

The diversion of materials from the landfill in 2015 was 172,194.11 tons and was 143,790.29 in 2018, the most recent diversion number available.

In November 2019, Republic Services reported to ZWS that the Central Disposal Site (SWIS# 49-AA-0001) has an estimated 26 years of operational life remaining.

¹ Such a strategy includes a description of the diversion or export programs to be implemented to address the solid waste capacity needs. The description shall identify the existing solid waste disposal facilities, including those outside of the county or regional agency, which will be used to implement these programs. The description should address how the proposed programs shall provide the county or regional agency with sufficient disposal capacity to meet the required minimum of 15 years of combined permitted disposal capacity.

- ☐ The county does not have 15 years remaining disposal capacity and the Siting Element does not provide a strategy² for obtaining 15 years remaining disposal capacity. See Section 7 for the revision schedule(s).

Analysis

- ☒ These changes in quantities of waste and changes in permitted disposal capacity since the development of the CIWMP do not warrant a revision to any of the countywide planning documents.
- ☐ These changes in quantities of waste and changes in permitted disposal capacity since the development of the CIWMP warrant a revision to one or more of the planning documents. Specifically, _____. See Section 7 for the revision schedule(s).

Additional Analysis (optional)

Section 4.3 Changes in Funding Source for Administration of the Siting Element (SE) and Summary Plan (SP)

Since the approval of the CIWMP or the last Five-Year CIWMP Review Report (whichever is most recent), the county experienced the following significant changes in funding for the SE or SP:

■ _____

Analysis

- ☒ There have been no significant changes in funding for administration of the SE and SP or the changes that have occurred do not warrant a revision to any of the countywide planning documents. Specifically, _____.
- ☐ These changes in funding for the administration of the SE and SP warrant a revision to one or more of the countywide planning documents.

Additional Analysis (optional)

Zero Waste Sonoma receives a tipping fee surcharge on all refuse disposed in the County of Sonoma-owned transfer stations. Additionally, ZWS receives funding based on the amount of green waste and wood waste disposed of at the County of Sonoma-owned transfer stations. Due to the effects of COVID-19, it is estimated that Central landfill will receive less material, resulting in a reduction of ZWS budget beginning with FY 2020-2021 and continuing for an undetermined time thereafter. These changes are reflected in a modified 2020-2021 budget approved by the Board of Directors on May 20, 2020. See Section 7 for the revision schedule(s).

In 2017, Zero Waste Sonoma increased the surcharge for organics collection to cover the costs of SB 1383 implementation.

Section 4.4 Changes in Administrative Responsibilities

The county experienced significant changes in the following administrative responsibilities since the approval of the CIWMP or the last Five-Year CIWMP Review Report (whichever is most recent):

■ _____

Analysis

- ☒ There have been no significant changes in administrative responsibilities or the changes in administrative responsibilities do not warrant a revision to any of the planning documents.

Specifically, Zero Waste Sonoma continues to implement the Sonoma Countywide Integrated Waste Management Plan. In 2017, the Board of Directors approved renewal of ZWS's agreement for the agency to continue administering the CIWMP and assist member jurisdictions with solid waste legislation compliance.

With the passage of SB 1383, ZWS added an Organics Program Manager position to implement organics policy and education initiatives.

- ☐ These changes in administrative responsibilities warrant a revision to one or more of the planning documents. Specifically, _____. See Section 7 for the revision schedule(s).

Additional Analysis (optional)

In 2019, the Agency changed their name to Zero Waste Sonoma to better align with the mission of the Agency.

Section 4.5 Programs that Were Scheduled to Be Implemented, But Were Not

This section addresses programs that were scheduled to be implemented, but were not; why they were not implemented; the progress of programs that were implemented; a statement as to whether programs are meeting their goals; and if not, what contingency measures are being enacted to ensure compliance with Public Resources Code Section 41751.

1. Progress of Program Implementation

a. SRRE and Household Hazardous Waste Element (HHWE)

- ☒ All program implementation information has been updated in the CalRecycle Electronic Annual Report (EAR), including the reason for not implementing specific programs, if applicable.
- ☐ All program implementation information has not been updated in the EAR. Attachment lists the SRRE and/or HHWE programs selected for implementation, but which have not yet been implemented, including a statement as to why they were not implemented.

b. Nondisposal Facility Element (NDFE)

- ☒ There have been no changes in the use of nondisposal facilities (based on the current NDFEs and any amendments and/or updates).
- ☐ Attachment A lists changes in the use of nondisposal facilities (based on the current NDFEs).

c. Countywide Siting Element (SE)

- ☒ There have been no changes to the information provided in the current SE.
☐ Attachment B lists changes to the information provided in the current SE.

d. Summary Plan

- ☒ There have been no changes to the information provided in the current SP.
☐ Attachment C lists changes to the information provided in the current SP.

2. Statement regarding whether Programs are Meeting their Goals

- ☒ The programs are meeting their goals.
☐ The programs are not meeting their goals. The discussion that follows in the analysis section below addresses the contingency measures that are being enacted to ensure compliance with [PRC Section 41751](#) (i.e., specific steps are being taken by local agencies, acting independently and in concert with _____, to achieve the purposes of the California Integrated Waste Management Act of 1989) and whether the listed changes in program implementation necessitate a revision to one or more of the planning documents. _____

Analysis

- ☒ The aforementioned changes in program implementation do not warrant a revision to any of the planning documents. Specifically, _____.
☐ Changes in program implementation warrant a revision to one or more of the planning documents. Specifically, _____. See Section 7 for the revision schedule(s).

Additional Analysis (optional)

Section 4.6 Changes in Available Markets for Recyclable Materials

The county experienced changes in the following available markets for recyclable materials since the approval of the CIWMP or the last Five-Year CIWMP Review Report (whichever is most recent):

Analysis

- ☒ There are no significant changes in available markets for recycled materials to warrant a revision to any of the planning documents.
_____.
☐ Changes in available markets for recycled materials warrant a revision to one or more of the planning documents.

Specifically, the only recycled materials under Zero Waste Sonoma's control is the hauling of residential organic waste. In 2015, the regional compost facility, Sonoma Compost, where organic material was previously being delivered for processing, closed. Zero Waste Sonoma contracts the out-hauling of organic material to Cold Creek Compost in Ukiah and to Redwood Landfill's compost facility in Novato. ZWS is in negotiations for a service agreement with Renewable Sonoma to deliver organic materials to a permanent compost facility, which will be constructed in Santa Rosa.

ZWS is aware that issues beyond ZWS's control affect the delivery of other curbside-collected, single-stream recyclable materials to their end markets due to China's National Sword. The local waste

haulers have been managing these difficulties through stockpiling and delivering to alternative shipping destinations. At this time, the local waste haulers have found markets for all recyclable materials accepted in Sonoma County.

There has been a reduction in the collection of electronic waste and CRT since 2015.

In June 2015, there were 34 CRV redemption centers throughout Sonoma County and now there are only four remaining redemption centers. Zero Waste Sonoma submitted the CalRecycle Beverage Container Recycling grant application in August 2020 in hopes of adding 10 new redemption centers in Sonoma County. A decision is forthcoming.

Additional Analysis (optional)

Section 4.7 Changes in the Implementation Schedule

The following addresses changes to the county's implementation schedule that are not already addressed in Section 4.5:

Analysis

- ☒ There are no significant changes in the implementation schedule to warrant a revision to any of the planning documents. Specifically, _____.
- ☐ Changes in the implementation schedule warrant a revision to one or more of the planning documents. Specifically, _____.

Additional Analysis (optional)

Note: Consider for each jurisdiction within the county or regional agency the changes noted in Sections 4.1 through 4.7 and explain whether the changes necessitate revisions to any of the jurisdictions' planning documents.

SECTION 5.0 OTHER ISSUES OR SUPPLEMENTARY INFORMATION (optional)

The following addresses any other significant issues/changes in the county and whether these changes affect the adequacy of the CIWMP to the extent that a revision to one or more of the planning documents is needed:

Analysis

In November 2014, the AB 939 LTF recommended to the ZWS Board that a long-term planning process should be initiated for future operation of Sonoma County's solid waste management system beyond 2030. It was suggested at that time to consider adding a formal long-term planning program ahead of the 2015 CoIWMP update in order to do so; however, this was not fulfilled. Revisiting this topic in 2020, the LTF recommends and ZWS approves the development of this type of guiding document prior to the next 5-year update, which may take the form of a standalone long-range plan or Zero Waste Plan

independent of the ColWMP. Prior to the COVID-19 outbreak, ZWS staff were scheduled to participate in strategic planning sessions with board members to lay out these high-level plans and goals. ZWS staff agrees with the LTF in that a longer-term plan for managing Sonoma County's solid waste and adhering to state regulations in a sustainable manner is needed, and will reschedule these planning sessions when it is safe to do so, or alternately via a virtual meeting. Following these sessions, ZWS intends to use a consultant to help with the development of the guidance document to supplement future ColWMP updates and Electronic Annual Reports (EARs).

In August of 2018, the Sonoma County Local Task Force (LTF) on Integrated Waste Management took action to form an Ad Hoc subcommittee referred to as the LTF Permitting Issues Subcommittee. The purpose of the subcommittee was to identify barriers and impediments within the land use, regulatory, and other permitting processes that influence the timely and successful development of recycling, organics, and other solid waste processing and/or end market infrastructure. In addition to identification of issues, the subcommittee's work included the development of recommendations for potential action to reduce the identified barriers and impediments and encourage policy, public awareness and entitlement processes that facilitate the reasonable development of the critical diversion infrastructure that will be needed to support state and local recycling, diversion and zero waste goals and legislation. The findings of this subcommittee are included as attachment B.

SECTION 6.0 ANNUAL REPORT REVIEW

- ☒ The Annual Reports for each jurisdiction in the county have been reviewed, specifically those sections that address the adequacy of the CIWMP elements. No jurisdictions reported the need to revise one or more of these planning documents.
- ☐ The Annual Reports for each jurisdiction in the county have been reviewed, specifically those sections that address the adequacy of the CIWMP (or RAIWMP) elements. The following jurisdictions reported the need to revise one or more of these planning documents, as listed.

Analysis

The discussion below addresses the county's evaluation of the Annual Report data relating to planning document adequacy and includes determination regarding the need to revise one or more of the documents:

Zero Waste Sonoma files the Annual Report on behalf of all Sonoma County jurisdictions and the County of Sonoma.

SECTION 7.0 REVISION SCHEDULE (if required)

Attachment A begins on the following page.

Compostable Products Committee

Summary Report

September 2019

Purpose of the Compostable Products Committee

In August 2018, the Sonoma County Waste Management Agency (SCWMA) board requested an analysis into the feasibility of accepting compostable food serviceware in the new proposed compost facility as an alternative to single-use plastic products. In response, the Zero Waste Task Force created the Compostable Products Committee (CPC) and tasked them to investigate the issue. The CPC acknowledges that landfilling organic materials contributes to the problem of greenhouse gases generation. While this an important issue it is beyond the focus of this project.

Mission of the Compostable Products Committee

The mission of the CPC is to:

Recognize the challenges and benefits of including compostable food serviceware as part of the Sonoma County organics diversion program, and to identify potential options for effectively resolving those challenges that could allow compostable food serviceware to be a component of organics diversion programs.

To accomplish this, CPC members elected to educate themselves on the challenges and successes that:

- 1) composting facilities encounter when accepting diverse, single-use compostable products, and how facilities have overcome those challenges in order to accept those products;
- 2) product manufacturers face in getting compostable products accepted at commercial compost facilities, and the methods employed for creating a more collaborative approach to acceptance;
- 3) municipalities face when making decisions and managing organics collection programs for their residents, businesses and institutions, and what tools they've used to minimize contamination going to composting facilities.

The CPC analyzed these challenges and successes in order to determine solutions for the acceptance of compostable products as part of the Sonoma County organics diversion program, while minimizing contamination and maintaining the production of a high-quality compost product. Such solutions may include, but not be limited to, education, ordinances, mechanical/process adaptations of the composting process, and pilot projects/field testing of products.

Compostable Products Committee Composition

The CPC is comprised of individuals representing multiple sectors of the solid waste and recycling industry including compostable resin and product manufacturers, compostable product end-user, sustainability consultant, compost facility operator, compost industry associate, solid waste hauler, County staff member, community stakeholder, and zero-waste event consultant. The requirements of the Brown Act do not apply to the CPC as membership is voluntary and it is non-governmental in its composition and administration.

Compostable Products Committee Process

Since September 2018, the CPC has spoken with industry experts, reviewed white papers, and researched case studies. After many hours of discussion and collaboration, the CPC has produced three viable options. Each option presents a different solution either by including or excluding certain compostable products, while also exploring the impact and facility modifications that result.

Due to the complex nature of this topic, the CPC chose to submit these three options and their analyses without making formal recommendations:

- Unlined Fiber Products Only
- Single-stream Process; All BPI-certified Food Serviceware Accepted
- Dual-stream Process; All BPI-certified Food Serviceware Accepted

Glossary of Terms

Anaerobic digestion (AD): Natural process in which microorganisms break down organic materials in the absence of oxygen. The end products include digestate, water, and biogas. In this instance, “organic” means coming from or made of plants or animals. The initials “AD” may refer to the process of anaerobic digestion or the built system where anaerobic digestion takes place, also known as a digester.

Biodegradable Products Institute (BPI): A North American organization that certifies compostable products and packaging. The certification program ensures that products and packaging displaying the BPI logo have been independently tested and verified according to scientifically based standards. They promote best practices for the diversion and recovery of compostable materials through municipal and commercial composting.

California Department of Food and Agriculture (CDFA): State department responsible for protecting and promoting agriculture. They test and inspect fertilizing materials such as compost, and the products that pass are registered in the Organic Input Materials (OIM) program, effectively supporting the claim that the product can be used in organic crop and food production.

Clopyralid: (3,6-dichloro-2-pyridinecarboxylic acid) Selective herbicide used for control of broadleaf weeds, especially thistles and clovers. Clopyralid is known for its ability to persist in dead plants and compost. In a few highly publicized cases, it has been shown to accumulate phytotoxic levels in finished compost.

Compostable Food Serviceware: includes cold and hot cups, plates, bowls, utensils, clamshells, and bags made with paper, fibers, bamboo, other organic materials, or containing compostable plastics, such as PLA (defined below), instead of traditional petroleum-based plastic.

Covered Aerated Static Pile (CASP): Refers to any of a number of compost systems used to biodegrade organic material without physical manipulation during primary composting. Blended compostable material is usually placed on perforated piping, providing air circulation for controlled aeration, and is then covered with large tarpaulins or a biofilter.

Digestate: The solid material remaining after anaerobic digestion of a biodegradable feedstock. The other main products of anaerobic digestion are water and biogas.

Feedstock: A raw material to supply or fuel a machine or industrial process.

Food scraps: All excess food, including surplus, spoiled, or unsold food such as vegetables and culls (lower quality vegetables or trimmings such as onion peels or carrot tops), as well as plate scrapings. Food scraps are also commonly called food remnants, food residuals, or food waste.

Other Compostable Paper: Items that were soiled with food or water during use. This type includes paper towels, paper plates, waxed paper, tissues, waxed corrugated cardboard, fast food wrappers, waxed paper, and other papers (e.g., pizza boxes and pizza box inserts).

Overs: Overs are also called compost/mulch-overs. They are large, woody parts of the compost/mulch piles that have not completely broken down after a full composting cycle and will not pass through a screen. It is common practice to mix overs back into the active compost pile.

Pathogen Reduction: Pathogens are organisms that can cause disease within another host organism. Host organisms may be microbes, plants, wildlife, livestock, pets, or humans. High heat produced during the composting process is an effective means for reducing pathogen concentrations in a variety of organic materials, including manure, yard trimmings, and biosolids (sewage sludge).

Polylactic Acid (PLA): A bio-based plastic polymer commonly manufactured through the conversion of plant sugars into lactic acid. These plant sugars typically come from feedstocks such as corn, cassava, sugar cane and sugar beets. It is an alternative to petroleum-based plastics.

Yard debris: Compostable materials generated from the maintenance or alteration of public, commercial or residential landscapes including, but not limited to, yard clippings, leaves, tree trimmings, prunings, brush, and weeds.

Wood scraps: Debris consisting of wood pieces or particles which are generated from the manufacturing or production of wood products, harvesting, processing, or storage of raw wood materials, or construction and demolition activities. Wood scraps excludes chemically-treated wood.

Summary of Renewable Sonoma Proposal

Renewable Sonoma proposes to bring a state of the art composting facility to Sonoma County that will meet the regulatory requirements of CalRecycle, Water Board, Bay Area Air Quality Management District, etc. In keeping with the track record of its predecessor Sonoma Compost the facility will produce high quality, mature compost, and a variety of mulches that meet the needs of our community.

The project includes the development of a receiving building to accept curbside organics (yard debris and food scraps), commercial food scraps, self-haul yard debris, self-haul wood scraps, manures, food-soiled paper, fiber packaging material, and others to be agreed upon (including compostable plastics). All materials will have specific drop-off locations within the building so that they can be processed for the best and highest use. The receiving building will have a sort line for the curbside green cart material to separate non-organic recyclables and garbage from desired compostables.

Renewable Sonoma Composting Stream Options

As mentioned earlier the CPC examined three options:

- Unlined Fiber Products Only
- Single-stream Process; All BPI-certified Food Serviceware Accepted
- Dual-stream Process; All BPI-certified Food Serviceware Accepted

For all options please note that because products with fluorinated compounds (PFOS) will no longer be BPI-certified starting January 1, 2020, they will not be a concern by the time Sonoma County's new compost facility opens.

OPTION – UNLINED FIBER PRODUCTS ONLY

OVERVIEW

This option is “business as usual.” This option includes BPI-certified and non-BPI certified fiber products such as plates, bowls, clamshells, and bamboo flatware with no PLA or plastic coating. It prohibits BPI-certified compostable food serviceware containing compostable plastic. The resulting finished compost will be CDFA-listed, however, any compostable food serviceware used in the community will continue to be sent to landfill.

Accepted Materials	Prohibited Materials
<ul style="list-style-type: none">• Food scraps• Yard debris• Unlined paper products (e.g., paper towels, napkins, plates/bowls with no PLA or plastic coating)• BPI-certified fiber only products	<ul style="list-style-type: none">• All BPI-certified compostable food serviceware except unlined fiber products• Traditional petroleum-based plastics• Corrugated cardboard• Waxed cardboard/paper products• Glass, metal, and other recyclable materials that should go into the blue bin• Animal waste and other trash items that should go into the gray/black bin

PROS AND CONS

Pros	Cons
<ul style="list-style-type: none">• No need to change current education campaign or materials• No need to modify compost facility construction plans• The finished compost will be CDFA-listed, bringing in higher revenue than compost that is not CDFA-listed	<ul style="list-style-type: none">• All BPI-certified compostable food serviceware used in the community will continue to be landfilled• Any potential increase of landfill diversion as a result of using compostable food serviceware will be lost• Due to the limited availability of unlined fiber products, businesses have few sustainable purchasing options for food serviceware

FACILITY MODIFICATIONS

None.

COSTS

Please see the Annual Cost Breakdown and Summary at the end of the document.

ESTIMATED ADDITIONAL WASTE DIVERSION

It is estimated additional organic materials will be diverted from the landfill with this option but the tonnage is unknown. A waste characterization study would be required to determine the estimated tonnages.

POLICY AND EDUCATION

No changes.

OPTION – SINGLE-STREAM PROCESS; ALL BPI-CERTIFIED FOOD SERVICEWARE ACCEPTED

OVERVIEW

In addition to yard debris and food scraps, this option involves the collection and processing of all BPI-certified compostable food serveware. It has the potential to increase landfill diversion without increasing the cost of facility construction and operation. However, the inclusion of compostable plastics will prevent the finished compost from being CDFA-listed, resulting in a large loss of revenue.

Accepted Materials	Prohibited Materials
<ul style="list-style-type: none">• Food scraps• Yard debris• All BPI-certified compostable food service ware (e.g., coffee cups, plates, utensils, clamshells, and bags)	<ul style="list-style-type: none">• Traditional petroleum-based plastics• Corrugated cardboard• Waxed cardboard/paper products• Glass, metal, and other recyclable materials that should go into the blue bin• Animal waste and other trash items that should go into the gray/black bin

PROS AND CONS

Pros	Cons
<ul style="list-style-type: none">• Any BPI-certified compostable food serveware used in the community can be composted and not landfilled.• Accepting compostable food serveware may increase diversion of food scraps from the landfill.• The use of compostable food serveware may provide an alternative source of carbon during the composting process.• There will be minimal modification to the facility as proposed.• Compostable Food Serveware – both paper and plastic – provide alternatives to almost all conventional petroleum-based plastic food serveware.• Numerous composters and cities have found that non-compostable plastic products account for a majority of the contamination at composting operations and when replaced by equivalent compostable products contamination can be significantly reduced.	<ul style="list-style-type: none">• The finished compost will not be CDFA-listed, reducing its marketability and causing a large loss of revenue• A new education campaign must be launched to help consumers identify what is and isn't BPI-certified compostable food serveware• Accepting compostable food serveware may attract look-alike petroleum-based products• Most certified compostable products are not marine degradable. If improperly disposed or as litter, compostable plastics still contaminate waterways and land, and harm fish and wildlife.

FACILITY MODIFICATIONS

Pre/post screening equipment for removal of look-alike petroleum-based plastic.

COSTS

Please see the Annual Cost Breakdown and Summary at the end of the document.

ESTIMATED ADDITIONAL WASTE DIVERSION

It is estimated additional organic materials will be diverted from the landfill with this option, but the tonnage is unknown. A waste characterization study would be required to determine the estimated tonnages.

POLICY AND EDUCATION

A new countywide education campaign must be launched to help consumers identify what is and isn't BPI-certified compostable food serviceware. Since the Model Polystyrene Ordinance already includes language requiring that food providers replace any disposable food serviceware with recyclable or certified compostable alternatives, more outreach is needed to encourage jurisdictions to adopt it. Additionally, a plan for enforcement should be put in place.

OPTION – DUAL-STREAM PROCESS; ALL BPI-CERTIFIED FOOD SERVICEWARE ACCEPTED

OVERVIEW

This option involves building a dual-stream facility to process all BPI-certified compostable food serviceware (e.g., plates, cups, lids, straws, clamshells, and cutlery) in addition to yard debris and food scraps. It has the potential to increase landfill diversion, but it will also increase the cost of facility construction and operation. Because the inclusion of compostable plastics will prevent the finished compost from being CDFA-listed, material collected from commercial entities who choose to use compostable food serviceware will be processed separately. The portion of finished compost that is not CDFA-listed will be less marketable and result in an overall lower revenue.

Accepted Materials	Prohibited Materials
<p>Residential and General Commercial Stream:</p> <ul style="list-style-type: none">• Food scraps• Yard debris <p>Opted-in Commercial Stream:</p> <ul style="list-style-type: none">• All BPI-certified compostable food serviceware (e.g., coffee cups, plates, utensils, clamshells, and bags)• Food scraps• Yard debris	<ul style="list-style-type: none">• Traditional petroleum-based plastics• Corrugated cardboard• Waxed cardboard/paper products• Glass, metal, and other recyclable materials that should go into the blue bin• Animal waste and other trash items that should go into the gray/black bin

PROS AND CONS

Pros	Cons
<ul style="list-style-type: none">• A portion of the finished compost will still be CDFA-listed• Any BPI-certified compostable food serviceware used in the community can be composted and not landfilled• Accepting compostable food serviceware may increase diversion of food scraps from the landfill• The use of compostable food serviceware may provide an alternative source of carbon during the composting process.	<ul style="list-style-type: none">• The capital cost of construction and operating costs every year thereafter will be higher• A portion of the finished compost will not be CDFA-listed, which will decrease overall revenue• A new education campaign must be launched to help consumers identify what is and isn't BPI-certified compostable food serviceware• Accepting compostable food serviceware may attract look-alike petroleum-based products• Hauler collection routes must be reconfigured since material from opted-in commercial entities will have to be in separate trucks from the rest

FACILITY MODIFICATIONS

- Additional land to accommodate added equipment and space for processing;
- More equipment to process two different streams of material;
- Additional labor to sort material, operate equipment, and prevent cross contamination;
- Pre/post screening equipment for removal of an anticipated increase of look-alike petroleum-based plastics.

COSTS

Please see the Annual Cost Breakdown and Summary at the end of the document.

ESTIMATED ADDITIONAL WASTE DIVERSION

It is estimated additional organic materials will be diverted from the landfill with this option but the tonnage is unknown. A waste characterization study would be required to determine the estimated tonnages.

POLICY AND EDUCATION

Commercial entities must be required to opt-in and notify the hauler before placing any compostable food serviceware in their green container. For these opted-in commercial entities, staff or the hauler will need to provide education on what products are acceptable, namely how to identify and purchase BPI-certified products only. Since the Model Polystyrene Ordinance already includes language requiring that food providers replace any disposable food serviceware with recyclable or certified compostable alternatives, more outreach is needed to encourage jurisdictions to adopt it. Additionally, a plan for enforcement should be put in place.

ANNUAL COST BREAKDOWN

Please note that the symbol Δ means “a change in”. Numbers in red represent a cost or loss.

Option	Unlined Fiber Products Only (baseline)	Single-stream; All BPI-certified Products	Dual-stream; All BPI-certified Products
Δ Sorting Cost	\$0	\$0	\$94,852
Δ Disposal Cost	\$0	\$360,000	\$360,000
Δ Blending Cost	\$0	\$0	\$52,000
Δ Conveying Cost	\$0	\$0	\$25,000
Δ CASP Land Cost	\$0	\$0	\$64,325*
Δ Screening Cost	\$0	\$0	\$5,000
Δ Storage Cost	\$0	\$0	\$64,352*

* Land and storage costs are each \$625,000, amortized over 15 years.

ANNUAL COST SUMMARY

Capital expenses include CASP land and storage costs. All other costs listed in the Annual Cost Breakdown table are operating expenses.

Option	Unlined Fiber products only (baseline)	Single-stream; all BPI-certified products	Dual-stream; all BPI-certified products
Δ Capital expense	\$0	\$0	\$128,703*
Δ Operating Expense	\$0	\$360,000	\$536,853
Δ Revenue	\$0	\$1,975,000	\$400,000
Δ Annual Cost	\$0	\$2,335,000	\$1,065,557

* Total cost \$1,250,000 amortized over 15 years.

Attachment B begins on the following page.

Presentation to Zero Waste Sonoma

September 18th, 2019

LTF Permitting Issues Subcommittee

Findings & Recommendations

Sonoma County Local Task Force (LTF) on Integrated Waste Management

Acknowledgements:

Ken Wells – LTF Chair

Active members of the Subcommittee:

Greg Carr – LTF 1st District Representative

Kristyn Byrne – LTF 3rd District Representative

Stu Clark – Chair – LTF 4th District Representative

Trish Pienti – LTF Sonoma County Public Works

Glenn Morelli - LTF Sonoma County Public Works

Joey Hejnowicz – LTF Santa Rosa Representative

Mark Soiland – LTF Cotati Representative (Alt)

Dan Noble – Association of Compost Producers

Purpose & Goals

- o **Identify Barriers to Permitting**

- o Recycling & Diversion Facilities needed to meet Zero Waste Goals

- o **Recommend Action**

- o To Reduce or Eliminate Unnecessary Barriers to Permitting these Facilities

Project Approach

- Diverse group of committee members
- Research existing conditions – magnitude of need
- Case study interviews – “real world” perspective
- Candid discussions – consensus on findings

Project Relevance

Why is this important

- State & Local recycling goals will not be accomplished
- Without new/expanded diversion facilities:
 - Composting
 - Anaerobic digestion
 - Material recovery facilities (MRF's)
 - Food recovery infrastructure

Project Relevance

Why is this important

- Benefits to reducing/eliminating permitting barriers
 - Lower costs
 - Increased potential to reach zero waste goals
 - Lower GHG emissions by siting locally
 - Reduced dependence on landfilling

Project Relevance

Why is this important

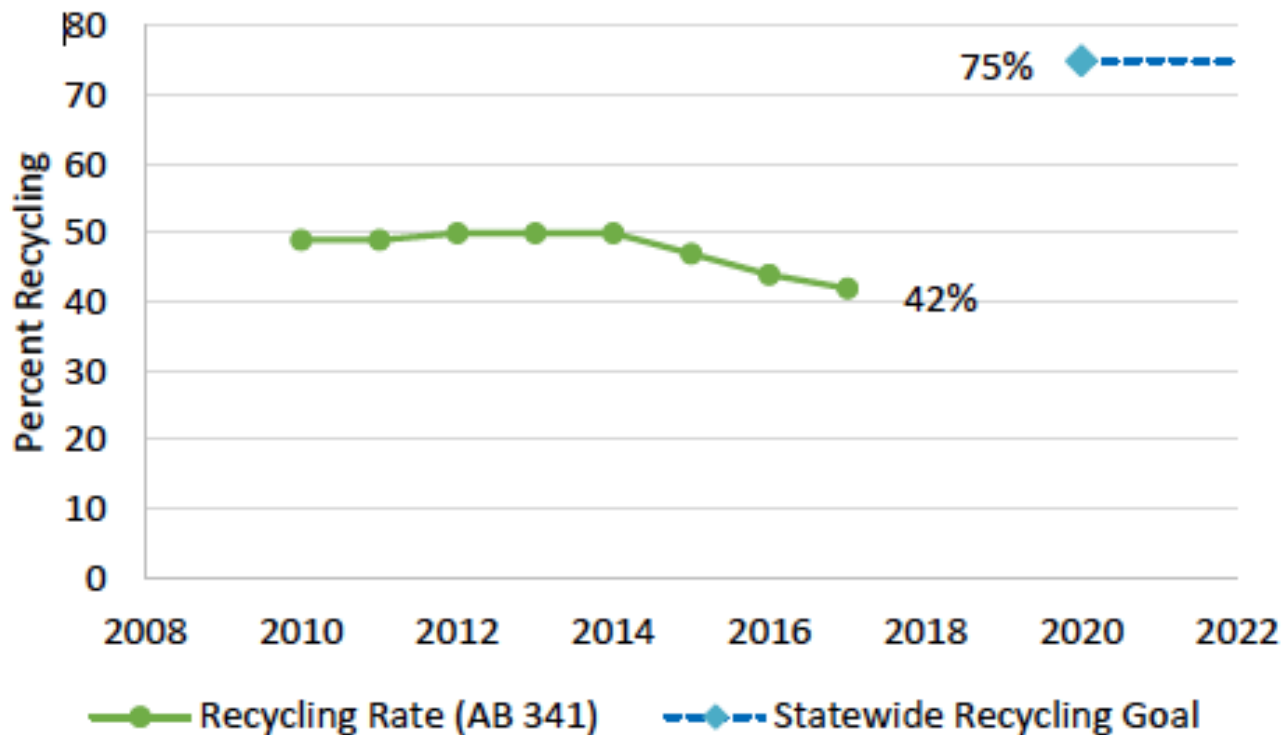
- Statewide Status¹
 - 2017 statewide “recycling rate” was 42% vs. 75% target for 2020
 - California needs 26 million tons of new diversion annually to meet the AB 341 overall recycling goal of 75% by 2020
 - 2017 statewide estimated diversion – 32.8 million tons
 - CalRecycle estimates the current organics recycling infrastructure needs to more than double to meet SB 1383 goals
 - Excess capacity of current organics recycling infrastructure – 4-6 million TPY²
 - SB 1383 Organics Reduction Targets – 10 million TPY by 2020 • 20 million by 2025

¹Source: *State of Recycling for Calendar Year 2017*, California Department of Resources Recycling and Recovery, February 2019

²Source: *SB 1383 Infrastructure and Market Analysis*, California Department of Resources Recycling and Recovery, April 2019 & *Composting in California, Addressing Air Quality Permitting and Regulatory Issues for Expanding Infrastructure*, CARB, CAPCOA, CalRecycle, August 2018

Statewide Status

Statewide Recycling Rate



Source: State of Recycling for Calendar Year 2017, California Department of Resources Recycling and Recovery, February 2019

Statewide Status

Historical and Projected Disposal

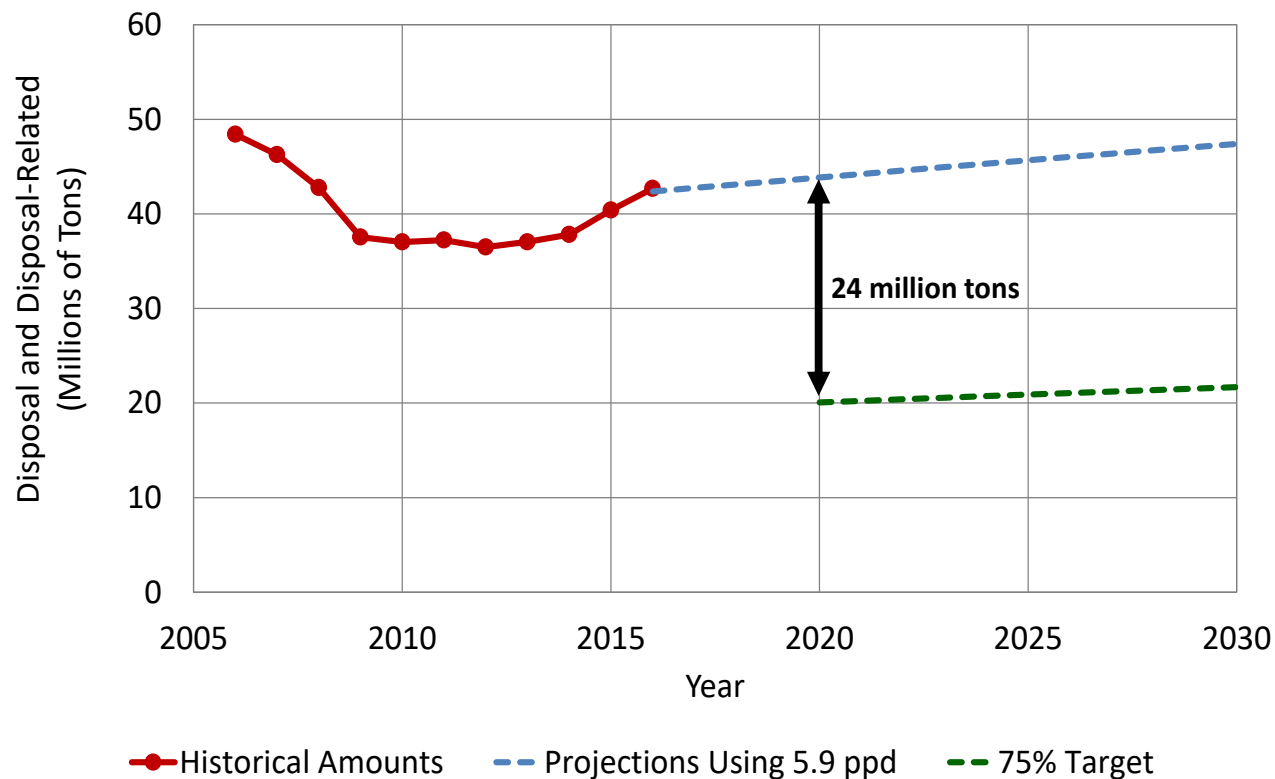
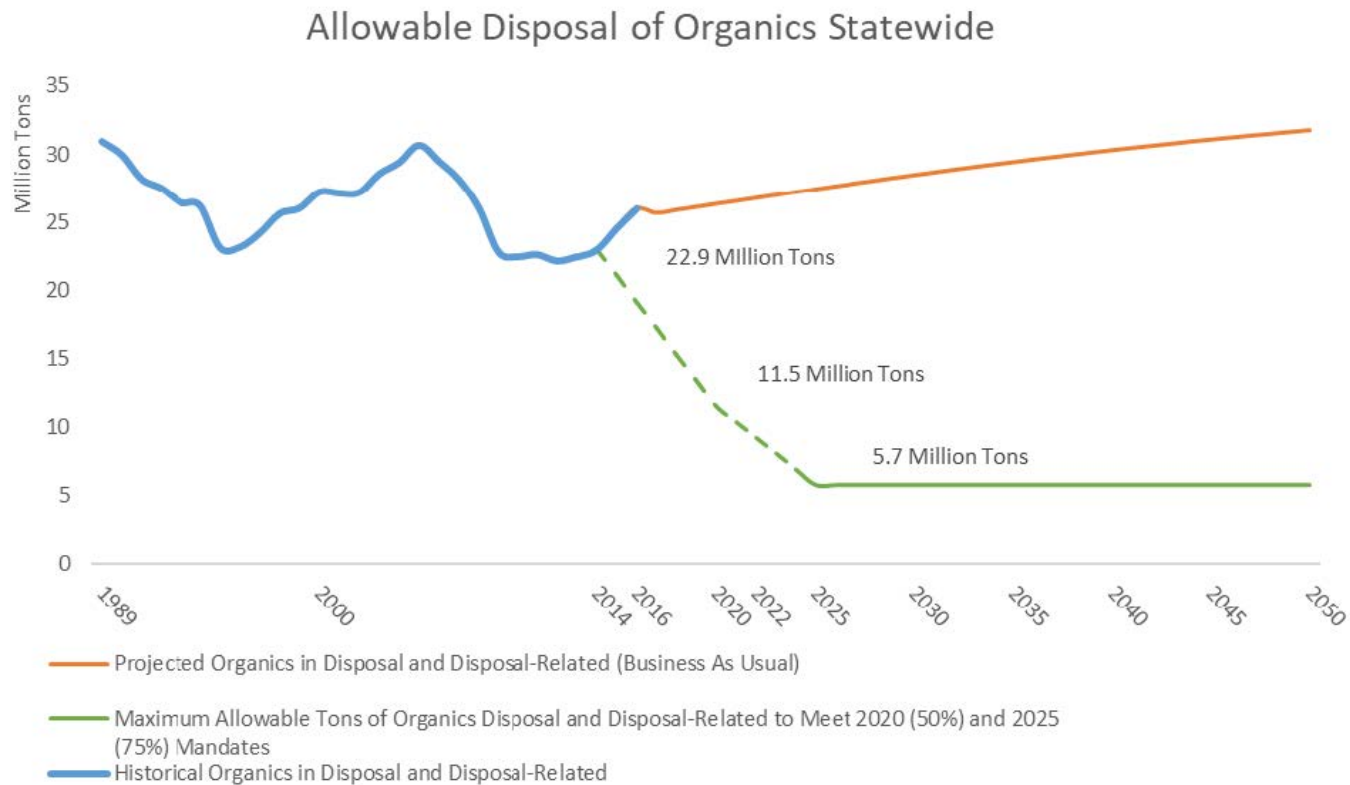


Chart shows 2016 CalRecycle data. 2017 data update shows gap to be 26 million tons

Statewide Status

SB 1383 Organic Waste Reduction Targets



Source: *State of Recycling for Calendar Year 2017*, California Department of Resources Recycling and Recovery, February 2019

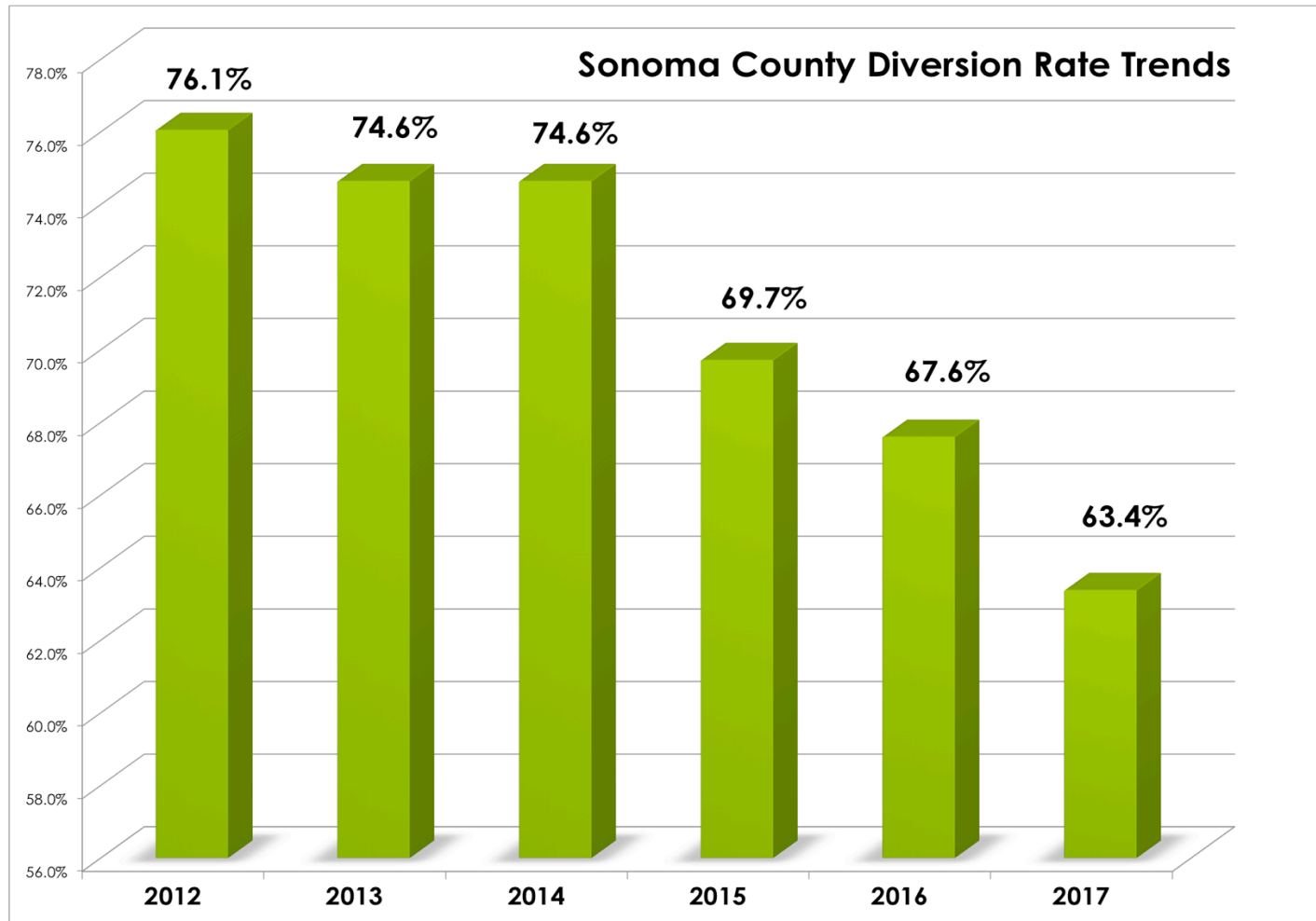
Project Relevance

Why is this important

- Sonoma County Status

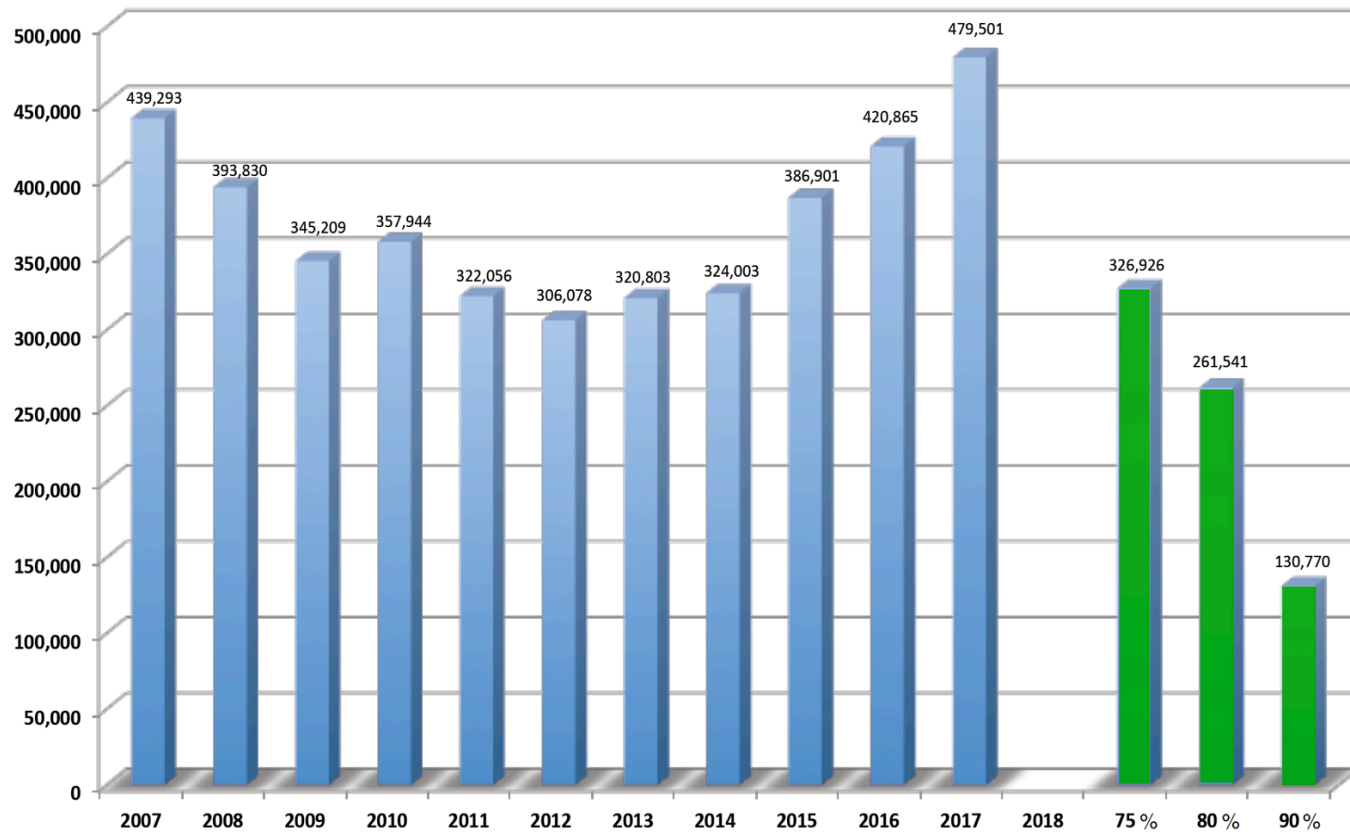
- County Diversion Rate fallen from 76.1% (2012) to 63.4% (2017)
- County Disposal Volume increasing since 2012
 - 2012 – 306,078
 - 2017 – 479,501
 - 57% Increase
- Additional 152,000 tons per year new diversion needed to get back to 75%
- Most diversion facilities in the county are at or near capacity
- Significant new/expanded facilities will be needed

Sonoma County Status



Sonoma County Status

Sonoma County Disposal Trends - Tons Per Year



Source Data from CalRecycle Jurisdiction Diversion/Disposal Rate Data. Chart & projected tonnage allowances prepared by Stu Clark

Tonnage Allowance to Meet Goals

Sonoma County Status

Sonoma County Capacity Gap Projection			
Target Diversion	Annual Disposal Tonnage Allowance	New Diversion Needed TPY	New Diversion Needed TPD
75%	326,926	152,575	489
80%	261,541	217,960	699
90%	130,770	348,730	1,118

Overview of Case Studies

- Soiland Company
- Republic Services
- Napa Material Diversion Facility
 - Public/private partnership

Project Findings

Permitting Barriers

1. Lack of public awareness regarding need for more facilities
2. Outdated zoning & general plan definitions/designations/policies for recycling facilities
3. Complexity of the permitting process & applicant awareness of the regulations and permitting path
4. Inconsistency between various permitting authorities, e.g. land use requirements different and sometimes contrary to solid waste, air, water permit requirements
5. Lack of comprehensive/integrated plan re: how to achieve zero waste in the county
6. CEQA – Agency and applicant permitting paralysis over fear of legal challenges
7. Public opposition regarding siting of facilities

Project Recommendations

Barrier

1. Lack of public awareness regarding the need for more recycling facilities

Recommended Actions:

Implement sustained public educational efforts regarding the need for many more recycling facilities using collaborative public/private partnerships via:

- Editorial board presentations
- Social media
- Workshops
- Zero Waste Sonoma newsletters
- Hauler newsletters
- Conferences
- School presentations
- Educational video
- Permit Advocacy



Action By: Policy Makers, Zero Waste Sonoma, Haulers, ZW Advocates, SCOE, City/County Staff

Project Recommendations

Barrier

2. Outdated zoning and general plan definitions/designations/policies for recycling facilities

Recommended Actions:

- All cities and the county consider updating their general plans and zoning codes to accommodate state solid waste language and zero waste policy.
- This can be accomplished either as part of the jurisdiction's next scheduled update or as a stand-alone update.
- Preferably this should occur in the near term.



Action By: **Cities & County**

Project Recommendations

Barrier

3. Complexity of the Land Use permitting process & applicant awareness of the regulations and permitting path

Recommended Actions:

- Promotion of existing or development and use of:
 - Comprehensive permit checklist for solid waste & recycling facilities
 - Ombudsman to aid in guiding an applicant through the permitting process
 - Pre-application meeting designed for solid waste & recycling facilities
- Promote a permitting system for solid waste & recycling facilities with a clear path that includes identified milestones and schedule for approval



Action By: City & County Planning Departments & Applicants

Project Recommendations

Barrier

4. Inconsistency between various permitting authorities, e.g. land use requirements different and sometimes contrary to solid waste, air, water permit requirements

Recommended Actions:

- Support streamlining the permitting process among multiple agencies involved in solid waste & recycling:
 - Land Use
 - Solid Waste
 - Water
 - Air
- Develop multi-agency tools:
 - Joint pre-application meeting
 - Multi-agency permit checklist
 - Multi-agency Ombudsman



Action By: City & County Planning Departments, LEA, Regional Water & Air Boards, Policy Makers

Project Recommendations

Barrier

5. Lack of comprehensive/integrated plan regarding how to achieve zero waste in the county

Recommended Actions:

- Update the CoIWMP



Action By: Zero Waste Sonoma & County

Project Recommendations

Barrier

6. CEQA – Agency and applicant permitting paralysis over fear of legal challenges

Recommended Actions:

- Consider developing a Program EIR for solid waste facilities, possibly in conjunction with the ColWMP
- Develop CEQA Exemptions for small facilities at a local level



Action By: Zero Waste Sonoma, County & Local Jurisdictions

Project Recommendations

Barrier

7. Public opposition regarding siting of facilities

Recommended Actions:

- Early outreach to impacted neighborhoods/communities
- Zero Waste advocacy and support
- Coordinated public outreach and education activities (see #1)



Action By: Project Developers, Lead Agencies & ZW Advocates

Project Conclusions

- **Significantly more Recycling Facilities needed**
 - To achieve Zero Waste Goals
- **Seven permitting barrier categories identified**
 - Many unwarranted impediments exist
- **Actionable solutions recommended**
 - To feasibly reduce or eliminate unnecessary barriers

◦ Next Steps

- Presentation offer to individual jurisdictions
- ZWS Consideration of applicable action items

◦ Questions/Comments

Presentation to Zero Waste Sonoma

September 18th, 2019

LTF Permitting Issues Subcommittee

Findings & Recommendations

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