



## Meeting of the Board of Directors

September 21, 2016

Regular Meeting Begins at 8:30 a.m.

*City of Santa Rosa, Council Chambers  
100 Santa Rosa Avenue  
Santa Rosa, CA*

Meeting Agenda and Documents

**SONOMA COUNTY WASTE MANAGEMENT AGENCY**

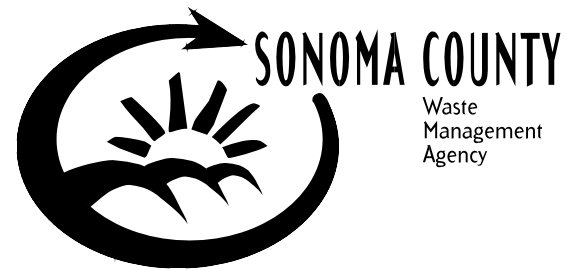
**Meeting of the Board of Directors**

September 21, 2016  
Regular Meeting at 8:30 a.m.

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*Note: This packet is 47 pages total*



## **SONOMA COUNTY WASTE MANAGEMENT AGENCY**

### **Meeting of the Board of Directors**

**September 21, 2016 at 8:30 a.m.**

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

City of Santa Rosa Council Chambers  
100 Santa Rosa Avenue  
Santa Rosa, CA

## **Agenda**

- | <u>Item</u>  | <u>Action</u>            |
|--|--------------------------|
| 1. Call to Order Regular Meeting   |                          |
| 2. Agenda Approval   |                          |
| 3. Public Comments (items not on the agenda)   |                          |
| <b><u>Consent</u></b>  | <b>Discussion/Action</b> |
| 4.1 Minutes of July 20, 2016 Special Meeting   |                          |
| 4.2 Bi-annual Review and Amendment to the SCWMA Conflict of Interest Code                                  |                          |
| 4.3 Reauthorization of Resolution for CalRecycle Grants  |                          |
| 4.4 Update on SCWMA Agreements   |                          |
| 4.5 Regional C&D Protocol Development RFP Results and Next Steps   |                          |
| <b><u>Regular Calendar</u></b>   |                          |
| 5. Discussion and Possible Action on Request for Information for Composting Capacity [Carter](Attachments) | Organics                 |
| 6. <u>Attachments/Correspondence:</u>  |                          |
| 6.1 Outreach Calendar September-October 2016   |                          |

7. Boardmember Comments
8. Staff Comments
9. Next SCWMA meeting: October 19, 2016
10. Adjourn

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

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

**Public Comments:** Pursuant to Rule 6, Rules of Governance of the Sonoma County Waste Management Agency, members of the public desiring to speak on items that are within the jurisdiction of the Agency shall have an opportunity at the beginning and during each regular meeting of the Agency. When recognized by the Chair, each person should give his/her name and address and limit comments to 3 minutes. Public comments will follow the staff report and subsequent Boardmember questions on that Agenda item and before Boardmembers propose a motion to vote on any item.

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

**Noticing:** This notice is posted 72 hours prior to the meeting at The Board of Supervisors, 575 Administration Drive, Santa Rosa, and at the meeting site the City of Santa Rosa Council Chambers, 100 Santa Rosa Avenue, Santa Rosa. It is also available on the internet at [www.recyclenow.org](http://www.recyclenow.org)



Date: July 20, 2016  
To: SCWMA Board Members  
From: Patrick Carter, SCWMA Executive Director

**Executive Summary Report for the SCWMA Board Meeting of July 20, 2016**

**Item 2, Closed Session:** Chair Schwartz reported that the Board took action to extend term of the agreement with Patrick Carter, SCWMA Executive Director, by one year and that he would work with SCWMA and County staff to execute the extension.

**Item 6, Consent Items:** Item 6.1 Minutes of the June 15, 2016 Regular Meeting was approved.

**Item 7, Facilitated Discussion and Possible Action on the SCWMA:** At the May 18, 2016 SCWMA meeting, the Board approved an agreement with R3 Consulting Group to update their 2014 analysis of the SCWMA; the resulting report was presented at this meeting. Concurrently, SCWMA Counsel prepared a memo to the Board which took into account the feedback received from SCWMA member agencies over the past year and outlined a potential agreement. Both items were discussed and staff was given the following direction: 1) accept the recommendations contained in the R3 report, 2) direct SCWMA Counsel to meet with and receive feedback from City Attorneys and County Counsel on the proposed agreement outline, with the changes of removing the fixed agreement term and including a review of the JPA agreement every ten years, 3) draft a JPA agreement consistent with SCWMA Counsel's outline and present the agreement at the October 19, 2016 SCWMA meeting (or sooner, if possible), and 4) inform City Managers, County Supervisors, and other interested parties of the R3 Report and SCWMA Counsel's outline of a potential JPA agreement.

**Item 8, Attachments/Correspondence:** The attachments/correspondence included the July-August 2016 Outreach Calendar.

**Staff Comments:** The August SCWMA meeting will be cancelled. The next meeting will be September 21, 2016.



**To:** Sonoma County Waste Management Agency Board Members

**From:** Patrick Carter, Executive Director

**Subject:** September 21, 2016 Board Meeting Agenda Notes

## Consent Calendar

These items include routine financial and administrative items and **staff recommends that they be approved en masse by a single vote.** Any Board member may remove an item from the consent calendar for further discussion or a separate vote by bringing it to the attention of the Chair.

- 4.1 **Minutes of the July 20, 2016 Special Meeting:** regular acceptance.
- 4.2 **Bi-annual Review and Amendment to the SCWMA Conflict of Interest Code:** The SCWMA's conflict of Interest code must be reviewed at least every two years. The review performed by SCWMA staff resulted in a recommended amendment which references the California Code of Regulations and updates the Executive Director's title. **Staff recommends approving the resolution amending the SCWMA Conflict of Interest Code and authorizing the Executive Director to sign the notice to the County Clerk of the SCWMA's amendment of Conflict of Interest Code.**
- 4.3 **Reauthorization of Resolution for CalRecycle Grants:** The existing resolution allowing the SCWMA to apply for CalRecycle grants expires November 16, 2016. The attached resolution would allow the SCWMA to continue applying for CalRecycle grants until September 21, 2021. **Agency staff recommends approving the Resolution Authorizing the Sonoma County Waste Management Agency to submit CalRecycle Grant Applications.**
- 4.4 **Update on SCWMA Agreements:** The Board had requested a status update of SCWMA agreements, when they would expire, and staff's recommendation for handling those agreements. **Staff recommends returning at the October 19, 2016 SCWMA meeting with items on the Consent Calendar to extend agreement terms of the agreements, as appropriate.**
- 4.5 **Regional C&D Protocol Development RFP Results and Next Steps:** The SCWMA is a participant in a regional effort to develop consistent protocols for certifying Construction and Demolition (C&D) facilities. The partnership issued an RFP for professional assistance developing and implementing the certification protocol, has evaluated the two proposals received, and recommends proceeding with the firm of Tseng and Associates. **Staff recommends the Board direct staff to return at the October 19, 2016 SCWMA meeting to execute an MOU with other participating agencies interested in developing regional C&D certification protocols and to delegate authority to the Executive Director to enter into an agreement with Tseng and Associates to perform the protocol development.**

## Regular Calendar

5. **Discussion and Possible Action on the Organic Waste Processing Request for Information:** In an effort to gather information necessary for the SCWMA and its members to determine the best solutions for processing organic wastes generated in Sonoma County, SCWMA staff released a

Request for Information (RFI) for Organic Waste Processing on September 9, 2016. Questions are due to SCWMA staff by September 30, and final responses are due November 14, 2016. Additionally, staff recommends addressing the potential loss of revenue which would be caused by SCWMA members redirecting green waste to facilities not participating in the County's waste system. **The purpose of this item is to provide information to the Board and the public on the RFI process, and allow the Board to provide direction to staff, if necessary.**

6. **Attachments/Correspondence:** The Outreach Events Calendar for September and October 2016 is included. No action is required on this item.



## Minutes of July 20, 2016 Special Meeting

The Sonoma County Waste Management Agency met on July 20, 2016, at the City of Santa Rosa Council Chambers, 100 Santa Rosa Avenue, Santa Rosa, California.

### Present:

City of Cloverdale	Bob Cox	City of Santa Rosa	John Sawyer
City of Cotati (via teleconference)	Susan Harvey	City of Sebastopol	Henry Mikus
City of Healdsburg	Brent Salmi	City of Sonoma	Madolyn Agrimonti
City of Petaluma	Dan St. John	County of Sonoma	Susan Klassen
City of Rohnert Park	Don Schwartz	Town of Windsor	Deb Fudge

### Staff Present:

Counsel	Ethan Walsh	Staff	Lisa Steinman
Executive Director	Patrick Carter		Felicia Smith
Agency Clerk	Bonnie Steele		

### 1. Call to Order Special Meeting

The special meeting was called to order in closed session at 8:00 a.m.

### 2. Closed Session

Chair Don Schwartz, City of Rohnert Park, announced that the Board approved a one year extension to the agreement with Patrick Carter for the Executive Director position.

### 3. Adjourn Closed Session

The regular meeting was called to order at 9:07 a.m.

### 4. Agenda Approval

The motion for agenda approval was made by Susan Klassen, County of Sonoma, and seconded by John Sawyer, City of Santa Rosa.

### Vote Count:

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

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

**Motion passed.**

### 5. Public Comments (items not on the agenda)

None



**6. Consent (w/attachments)**

**6.1 Minutes of June 15, 2016 Regular Meeting**

**The motion for consent calendar approval was made by Henry Mikus, City of Sebastopol, and seconded by Bob Cox, City of Cloverdale.**

**Vote Count:**

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

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

**Motion passed.**

**Regular Calendar**

**7. Facilitated Discussion and Possible Action on the SCWMA**

Patrick Carter, SCWMA Executive Director, introduced the discussion and the consultants from R3 Consulting Group, Richard Tagore-Erwin and Garth Schultz.

Mr. Tagore-Erwin discussed the changes from the previous analysis in 2014 done by R3, the most drastic change being the closure of the SCWMA's compost facility and resulting overhaul of organic materials.

Ethan Walsh, Agency Counsel, discussed a legal memo he produced in which he suggested that if members could agree on the SCWMA's areas of responsibility at a high level, the program level details could be worked out at a later time without impeding the efforts to figure out who would have the authority for the programs currently performed by the SCWMA. Mr. Walsh proposed meeting with City, Town, and County attorneys to discuss on the conceptual level, create a draft JPA agreement based on the attorney feedback, and present the draft to the Board at the October SCWMA meeting. On the subject of regional ordinances, Mr. Walsh recommended the model ordinance approach.

Mr. Carter's agreed that the model ordinance is it would be functionally equivalent to what we are currently doing today. It will offer the ability for individual cities or the County to opt out or enforce it themselves.

**Board Comments:**

Dan St. John, City of Petaluma, expressed his appreciation for the independent review, concern for changing important aspects of the JPA, concern for sovereignty issues, and optimism that the attorneys could come to agreement on the JPA. John Sawyer, City of Santa Rosa, and Deb Fudge, Town of Windsor, also spoke on the issue.

**Public Comments:**

Leslie Lukacs, Co-Chair of the Compost Coalition of Sonoma County, indicated that she spoke for the agricultural industry, which didn't feel it had a voice. Ms. Lukacs was in favor of keeping organics local and supported the Sonoma County Waste Management Agency control of those materials. Ms. Lukacs was concerned by the increase of greenhouse gas emissions, traffic, and road impacts from the overhaul of organics, the 30% increase cost for finished compost since Sonoma Compost's closure, and loose oversight of future compost sites that may not have the economies of scale.

Ken Wells encouraged the Board to omit the 25-year term in the future agreement.

Allan Tose, Teixeira Ranch, stated that he was working on their permit for approval for Site 40. Mr. Tose indicated that their consultant believes the cost of composting is going to go up across the board by 20% over the next five years due to both water and air pollution requirements to which all facilities will have to upgrade. Mr. Tose believed his facility will be consistent with the \$44/ton costs for other facilities.

Connie Cloak, C2 Alternative Services, stated that her company has contracted with the Agency for over 20 years. Ms. Cloak's indicated that her experience in other counties throughout the Bay Area was that their educational efforts were more effective when they can talk to citizens about what is happening countywide.

Liz Bortolotto, AB939 Local Task Force, expressed that creative solutions were being discussed. She believed the Agency has done a lot of good work and will continue to do so in the future.

### **Board Comments:**

Susan Harvey, City of Cotati, believes the SCWMA has come a long way and has pushed a lot of obstacles aside.

Susan Klassen, County of Sonoma, asked R3 about terms for other JPAs. Mr. Schultz replied that generally, these solid waste JPAs do not have expiration dates. Ms. Klassen suggested this could be discussed further by the City and County attorneys.

Mr. Walsh stated that he would discuss the term with the other attorneys. Mr. Walsh expressed that most of the JPAs he has worked with do not have a specific term but may have terms on which the member agencies can withdraw.

Chair Schwartz referenced the matrix in the packet and noted that there wasn't agreement on this subject.

Ms. Fudge stated the matrix was discussed when the SCWMA was in the middle of the compost litigation, and that things were running much smoother now. Ms. Fudge believed that the preferences may be different now.

Chair Schwartz suggested the JPA agreement draft omit the JPA termination date and include a 10-year check-in to ensure the programs were necessary and appropriate.

Mr. St. John suggested including language that if a SCWMA function went away, there would be a trigger for review as well.

Chair Schwartz expressed his believe that this was a terrific step forward and asked Mr. Walsh about timing.

Mr. Walsh answered that he would try to get this accomplished in two months, but he thought that getting all the attorneys schedules to align may be a challenge.

Chair Schwartz recommended proceeding with the staff recommendation with the amendment from Mr. Walsh to reflect term be omitted and requiring a check-in every 10 years.

**The motion was made by Chair Schwartz and seconded by Mr. Cox.**

**Vote Count:**

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

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

**Motion passed.**

Chair Schwartz requested that R3 continue the discussion related to the future of composting.

Mr. Tagore-Erwin discussed the existing composting situation and recommended a procurement process for future composting capacity. Mr. Tagore-Erwin suggested a Request For Information or statement of qualifications from interested parties.

Chair Schwartz asked about direct hauling to out-of-county compost facilities.

Mr. Tagore-Erwin stated that direct hauling may affect the collection system. If the hauler adds a new collection route because of the additional travel time to the facilities, a new route could cost an additional \$200,000 to the ratepayer.

Chair Schwartz asked if in-county organics disposal would always be cheaper than out-of-county and Mr. Tagore-Erwin said no.

Mr. St. John asked about the term needed for compost agreements. Mr. Tagore-Erwin answered that it would be a minimum of 10 years just to capitalize the facility costs and the land costs.

Mr. Mikus stated there is no guarantee that if we build anything in-county, there would be a single facility. He mentioned that there are several groups of seeking to increasing in-county compost capacity and not looking to create regional facilities.

**Public Comments:**

Ernie Carpenter asked the Board to consider how long use permits, environmental documents, and solid waste permits in their jurisdictions. Mr. Carpenter estimated it would take at least three years.

**Board Comments:**

Mr. St. John voiced support for three-to-five-year terms for short term organics capacity.

Mr. Carter stated that he had authority to negotiate short term contracts.

**8. Attachments/Correspondence:**

The Outreach Calendar for July-August 2016 was attached.

**9. Board Member Comments:**

None.

**10. Staff Comments:**

Mr. Carter stated that an August SCWMA Board Meeting was not necessary and recommended cancelling that meeting. The Board concurred.

Susan Harvey left at 10:30 a.m.

Chair Schwartz requested that staff report on all expiring contracts at the next Board meeting.

**11. Next SCWMA meeting:**

The next SCWMA meeting will be held on September 21, 2016.

**12. Adjournment:**

The meeting adjourned at 10:35 a.m.

Submitted by  
Bonnie Steele



Agenda Item #: **4.2**  
Cost Center: **All**  
Staff Contact: **Carter**  
Agenda Date: **9/21/2016**  
Approved by:

ITEM: **2016 Biennial Review and Amendment to the Conflict of Interest Code**

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

Staff recommends approving the resolution amending the SCWMA Conflict of Interest Code and authorizing the Executive Director to sign the notice to the County Clerk of the SCWMA's amendment of Conflict of Interest Code.

**II. BACKGROUND**

The Political Reform Act requires every local government agency review its conflict-of-interest code biennially. The Agency adopted a conflict-of-interest code June 17, 1992 with Resolution No. 92-007. The code has been reviewed every two years since that time. The last review was August 18, 2014.

**III. DISCUSSION**

Agency Counsel reviewed the Agency's Conflict of Interest code and recommended changes to specifically reference the California Code of Regulations related to conflict of interest. Those modifications have been incorporated into the attached SCWMA Conflict of Interest Code. There have been no changes to the number or type of positions and the designations have remained the same. No positions have been deleted, but the Director title was changed to Executive Director for clarity purposes.

The deadline for completing the biennial review and submitting it to the County Clerk is October 1, 2016.

**IV. FUNDING IMPACT**

There is no funding impact to the Agency as a result of this review or amendment to the Conflict of Interest Code.

**V. ATTACHMENTS**

Conflict of Interest Code  
2016 Local Agency Biennial Notice  
Resolution

**Conflict of Interest Code of the  
Sonoma County Waste Management Agency  
(Amended September \_\_\_\_, 2016)**

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"**

**DESIGNATED POSITIONS**  
**GOVERNED BY THE CONFLICT OF INTEREST CODE**

<b>Designated Positions</b>	<b>Disclosure Category</b>
Members (including alternates)	1, 2, 3
Executive Director	1, 2, 3
Agency Counsel	1, 2, 3
Consultant and New Positions <sup>1</sup>	

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<sup>1</sup> 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 Executive 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 Executive 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 September \_\_\_\_, 2016)**

**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.<sup>2</sup> “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 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 utilized 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.

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<sup>2</sup> 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)



COUNTY OF SONOMA  
BOARD OF SUPERVISORS

575 ADMINISTRATION DRIVE, RM. 100A  
SANTA ROSA, CALIFORNIA 95403

(707) 565-2241  
FAX (707) 565-3778



MEMBERS OF THE BOARD

EFREN CARRILLO  
CHAIR

SHIRLEE ZANE  
VICE CHAIR

SUSAN GORIN

DAVID RABBITT

JAMES GORE

DATE: June 28, 2016  
TO: Conflict of Interest Filing Officer  
FROM: Darin Bartow, Form 700 Filing Clerk  
SUBJECT: 2016 Biennial Notice – Conflict of Interest Code Update

The Political Reform Act requires every local government agency to review its conflict of interest code biennially. **No later than October 1, 2016** each agency must submit the enclosed biennial notice to the office of the County Board of Supervisors indicating whether or not an amendment is necessary. The notice should be mailed to:

County of Sonoma Board of Supervisors  
Attn: Darin Bartow  
575 Administration Drive, Room 100A  
Santa Rosa, CA 95403

If amendments to an agency's conflict of interest code are needed, the amended code should be approved by the agency's board of directors or commissioners prior to being forwarded to the Board of Supervisors for approval within **90 days of the biennial notice due date (December 30, 2016)**. The County Board of Supervisors is the code reviewing body for county agencies and other government agencies solely within the county. An agency's amended code is not effective until it has been approved by the Board of Supervisors. Once the amended code is approved the agency will receive notice of the effective date of approval.

To learn more, the Fair Political Practices Commission (FPPC) offers free trainings available online at [www.fppc.ca.gov](http://www.fppc.ca.gov). In addition, resources are available online on elements of a conflict of interest code. For questions, please contact the FPPC's advice line at (866) 275-3772.

Thank you,

A handwritten signature in blue ink that reads 'Darin Bartow'. The signature is stylized and written in a cursive-like font.

Darin A. Bartow

Enc:  
2016 Local Agency Biennial Notice  
Local Agency Biennial Notice Instructions

## 2016 Local Agency Biennial Notice

Name of Agency: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Contact Person: \_\_\_\_\_ Phone No. \_\_\_\_\_

Email: \_\_\_\_\_ Alternate Email: \_\_\_\_\_

**Accurate disclosure is essential to monitor whether officials have conflicts of interest and to help ensure public trust in government. The biennial review examines current programs to ensure that the agency's code includes disclosure by those agency officials who make or participate in making governmental decisions.**

This agency has reviewed its conflict of interest code and has determined that (*check one BOX*):

**An amendment is required. The following amendments are necessary:**

(*Check all that apply.*)

- Include new positions
- Revise disclosure categories
- Revise the titles of existing positions
- Delete titles of positions that have been abolished and/or positions that no longer make or participate in making governmental decisions
- Other (*describe*) \_\_\_\_\_

**The code is currently under review by the code reviewing body.**

**No amendment is required.** (If your code is over five years old, amendments may be necessary.)

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### Verification (to be completed if no amendment is required)

*This agency's code accurately designates all positions that make or participate in the making of governmental decisions. The disclosure assigned to those positions accurately requires that all investments, business positions, interests in real property, and sources of income that may foreseeably be affected materially by the decisions made by those holding designated positions are reported. The code includes all other provisions required by Government Code Section 87302.*

\_\_\_\_\_  
*Signature of Chief Executive Officer*

\_\_\_\_\_  
*Date*

All agencies must complete and return this notice regardless of how recently your code was approved or amended. Please return this notice no later than **October 3, 2016**, or by the date specified by your agency, if earlier, to:

(PLACE RETURN ADDRESS OF CODE REVIEWING BODY HERE)

**PLEASE DO NOT RETURN THIS FORM TO THE FPPC.**

## 2016 Conflict of Interest Code Biennial Notice Instructions for Local Agencies

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The Political Reform Act requires every local government agency to review its conflict of interest code biennially. A conflict of interest code tells public officials, governmental employees, and consultants what financial interests they must disclose on their Statement of Economic Interests (Form 700).

The City Council is the code reviewing body for city agencies. The County Board of Supervisors is the code reviewing body for county agencies and any other local government agency whose jurisdiction is determined to be solely within the county (e.g., school districts, including certain charter schools). The FPPC is the code reviewing body for any agency with jurisdiction in more than one county and will contact them.

**July 1, 2016:** The code reviewing body must notify agencies and special districts within its jurisdiction to review their conflict of interest codes.

**October 3, 2016:** The biennial notice must be filed with the agency's code reviewing body.

We prepared a 2016 Local Agency Biennial Notice form for local agencies to use. **The Local Agency Biennial Notice is not forwarded to the FPPC.**

If amendments to an agency's conflict of interest code are necessary, the amended code must be forwarded to the code reviewing body for approval within 90 days. An agency's amended code is not effective until it has been approved by the code reviewing body.

**If you answer yes, to any of the questions below, your agency's code probably needs to be amended.**

- Is the current code more than five years old?
- Have there been any substantial changes to the agency's organizational structure since the last code was approved?
- Have any positions been eliminated or re-named since the last code was approved?
- Have any new positions been added since the last code was approved?
- Have there been any substantial changes in duties or responsibilities for any positions since the last code was approved?

If you have any questions, or you are still not sure if you should amend your agency's conflict of interest code, please contact the FPPC.

### **Attend a Workshop or Webinar**

Schedules and information about seminars and webinars are available at [www.fppc.ca.gov](http://www.fppc.ca.gov).

Resolution No.: 2016-

Dated: September 21, 2016

RESOLUTION OF THE 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 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 September 21, 2016, 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: September 21, 2016

\_\_\_\_\_  
Patrick Carter,  
Acting Clerk of the Sonoma County Waste Management Agency  
Agency of the State of California in and for the  
County of Sonoma



Agenda Item #: **4.3**  
Cost Center: **All**  
Staff Contact: **Smith**  
Agenda Date: **9/21/2016**  
Approved by:

ITEM: **Reauthorization of Resolution for CalRecycle Grants**

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

Agency staff recommends approving the Resolution Authorizing the Sonoma County Waste Management Agency to submit CalRecycle Grant Applications.

**II. BACKGROUND**

The SCWMA applies for and is often successful in receiving grants to expand the services offered to Sonoma County's residents and businesses. The majority of these grant funds originate from the California Department of Resources Recycling and Recovery (CalRecycle). CalRecycle requires resolutions from their grantees which identify the grantee's authority to submit grant applications and enter into a grant agreement with CalRecycle for the purpose of the grant.

At the November 16, 2011 SCWMA meeting, the Board passed Resolution 2011-07 which authorized the Executive Director to submit grant application to and execute grant agreements with CalRecycle. That resolutions expires on November 16, 2016.

**III. DISCUSSION**

The attached resolution extends the authorization date five years from the current SCWMA meeting date, allowing for grant submissions until September 21, 2021. In the event the Agency were to close in this five year timeframe, the resolution would no longer be valid.

**IV. FUNDING IMPACT**

There is no funding impact adopting this resolution.

**V. ATTACHMENTS**

Resolution Authorizing the Sonoma County Waste Management Agency to submit CalRecycle Grant Applications

RESOLUTION AUTHORIZING THE SONOMA COUNTY WASTE MANAGEMENT AGENCY TO SUBMIT ALL CALIFORNIA DEPARTMENT OF RESOURCES RECYCLING AND RECOVERY (CALRECYCLE) GRANT APPLICATIONS

WHEREAS, Public Resources Code sections 40000 et seq. authorize the California Department of Resources Recycling and Recovery (CalRecycle) to administer various Grant Programs in furtherance of the State of California's (State) 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, in furtherance of this authority, CalRecycle is required to establish procedures governing the application, awarding, and management of the grants; and

WHEREAS, Grant Application procedures require an Applicant's governing body to authorize by resolution its approval for submittal of the Grant Application(s) identified below, and the designation by job title of the individual authorized to execute all Grant documents on behalf of **Sonoma County Waste Management Agency**; and

WHEREAS, if awarded, **Sonoma County Waste Management Agency** will enter into a Grant Agreement with CalRecycle for implementation of said Grant(s).

NOW, THEREFORE, BE IT RESOLVED that the **Executive Director** authorizes the submittal of application(s) to CalRecycle for all grants for which **Sonoma County Waste Management Agency** is eligible.

BE IT FURTHER RESOLVED that this authorization is effective for **September 21, 2016 through September 21, 2021**; time period not to exceed five (5) years;

BE IT FURTHER RESOLVED that the **Executive Director**, or his/her designee is hereby authorized and empowered to execute in the name of the **Sonoma County Waste Management Agency** all grant documents, including but not limited to, applications, agreements, amendments and requests for payment, necessary to secure grant funds and implement the approved grant project.

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:

\_\_\_\_\_  
Patrick Carter  
Acting Clerk of the Sonoma County Waste Management Agency of the State of California in and for the County of Sonoma



Agenda Item #: **4.4**  
Cost Center: **All**  
Staff Contact: **Carter**  
Agenda Date: **9/21/2016**  
Approved by

## **ITEM: Update on SCWMA Agreements**

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

Staff recommends returning at the October 19, 2016 SCWMA meeting with items on the Consent Calendar to extend agreement terms to of the agreements, as appropriate.

### **II. BACKGROUND**

The SCWMA's term originally was set to expire in February 2017. As of July 2016, all SCWMA members have taken action to extend the term of the SCWMA to February 11, 2018. SCWMA staff aligned the term of many of its agreements with the term of the SCWMA, and therefore many of the agreements are set to expire in February 2017.

### **III. DISCUSSION**

The table in the attachments briefly describes agreements which are set to expire in 2017, the purpose of those projects, and staff's recommendation for handling those agreements. The Board has previously given staff direction to re-bid programs at least every five years, barring special circumstances.

### **IV. FUNDING IMPACT**

Extending existing programs will not have significant financial impacts, as the SCWMA FY 2016-17 Budget was created to cover the entire fiscal year, in the event the SCWMA was extended beyond February 2017.

### **V. ATTACHMENTS**

Table of SCWMA Agreements



<b>Contractor</b>	<b>Description</b>	<b>Expiration Date</b>	<b>Recommendation</b>
C2 Alternatives	Spanish Language Outreach Services	February 1, 2017	Extend until June 30, 2017
C2 Alternatives	Used Oil Education	February 11, 2017	Extend until June 30, 2017
City of Petaluma	SCWMA Programs Services	June 30, 2019	No action needed
Clean Harbors Environmental Services	HHW Program Operations	February 11, 2017	Extend until February 11, 2018
Cold Creek Compost	Organics Disposal	February 1, 2017	Staff working to extend to 2/11/18
Conservation Corps North Bay	E-Waste Collection	February 11, 2017	Extend until February 11, 2018
County of Sonoma	License for HHW Facility	Term of JPA Agreement	No action needed at this point
Northern Recycling	Organics Disposal	February 1, 2017	Staff working to extend to 2/11/18
Recology Hay Road	Organics Disposal	February 1, 2017	Staff working to extend to 2/11/18
Redwood Landfill	Organics Disposal	February 1, 2018	No action needed
The Ratto Group	Organics Hauling	February 11, 2017	Extend until February 11, 2018
The Ratto Group	E-Waste Transport	February 11, 2017	Extend until February 11, 2018
University of California Cooperative Extension	Home Composting Education	December 31, 2016	Extend until June 30, 2017



Agenda Item #: **4.5**  
Cost Center: **All**  
Staff Contact: **Carter**  
Agenda Date: **9/21/2016**  
Approved by

## **ITEM: Regional C&D Protocol Development RFP Results and Next Steps**

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

Staff recommends the Board direct staff to return at the October 19, 2016 SCWMA meeting to execute an MOU with other participating agencies interested in developing regional C&D certification protocols and to delegate authority to the Executive Director to enter into an agreement with Tseng and Associates to perform the protocol development.

### **II. BACKGROUND**

The SCWMA periodically performs waste characterization studies to determine the composition of Sonoma County waste, evaluate existing programs, and develop future programs to reduce waste. Construction and demolition (C&D) wastes consistently make up a significant portion of landfilled wastes, and are largely recyclable. Aside from statewide requirements for diverting C&D wastes through the CalGreen building codes, there are no uniform C&D diversion programs in Sonoma County. SCWMA staff believes a prudent first step in reducing C&D waste would be to establish a consistent protocol for evaluating C&D diversion facilities. Staff has been working with other cities, counties, and JPAs in the Bay Area to develop such a protocol.

The SCWMA entered into an MOU with RecycleSmart (a Contra Costa County JPA), the City of San Jose, the City of Sunnyvale, and the County of Solano to develop and issue an RFP and evaluate the proposals received to develop the protocol. The RFP was issued on July 8, 2016.

### **III. DISCUSSION**

Two proposals were received by the regional partnership created by the MOU, one from Tseng and Associates and one from WasteTracking.com. The proposals took different approaches in seeking to address the partnership's regional protocol development goals. WasteTracking.com's proposal largely sought to use an existing web-based C&D facility tracking site to gather, analyze, and publish the information required for this protocol, included no upfront costs to the participants, and a monthly cost to facilities of \$199 per month. The proposal submitted by Tseng and Associates involved a more academic approach to developing a protocol, certifying facilities, and publishing the results, included upfront costs of up to \$10,000 per participant, and certification costs to facilities of \$1,750 - \$3,250 per certification<sup>1</sup>.

The evaluation group, comprised of representatives of all the participating agencies, determined the proposal by Tseng and Associates was responsive to the RFP and ranked higher than the WasteTracking.com proposal. The evaluation criteria included subject matter knowledge and

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<sup>1</sup> Certification would not necessarily be required on an annual basis, unless operations changed significantly

experience, cost, experience with C&D waste recovery, approach taken, and completeness and clarity of the proposal. Staff recommends the partnership enter into an agreement with Tseng and Associates to perform protocol development work.

Before the partnership can enter into an agreement with Tseng and Associates, the partnership must enter into a second MOU which will define responsibilities of each member, how costs are distributed, and how the group will manage the agreement with the selected contractor. Staff expects the MOU and agreement with Tseng and Associates to be ready for approval by the SCWMA Board of Directors at the October 19, 2016 meeting.

#### **IV. FUNDING IMPACT**

To date, there have been no costs to the SCWMA other than staff time. Based upon the proposal received by Tseng and Associates, staff believes the SCWMA's portion of the cost to develop a regional C&D certification protocol will not exceed \$10,000.

#### **V. ATTACHMENTS**

None



Agenda Item #: **5**  
Cost Center: **All**  
Staff Contact: **Carter**  
Agenda Date: **9/21/2016**  
Approved by

## **ITEM: Discussion and Possible Action on the Organic Waste Processing Request for Information**

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

The purpose of this item is to provide information to the Board and the public on the RFI process, and allow the Board to provide direction to staff, if necessary.

### **II. BACKGROUND**

A central program of the SCWMA is the management of organic waste generated within Sonoma County. For over two decades, the SCWMA managed this program through a composting facility at the Central Disposal Site. The operating capacity of that facility scaled back in 2014, and all operations ceased in October 2015. Currently all organics handled by the SCWMA are hauled outside of Sonoma County to four compost facilities in Mendocino, Marina, Napa, and Solano counties. Staff is in the process of ensuring organic material disposal capacity exists through the current expiration of the SCWMA, February 11, 2018.

The SCWMA was also involved in an effort to locate a new composting facility with sufficient current and future organic material capacity needs, selected a site, and certified an Environmental Impact Report (EIR). After reconsidering the projects merits, the EIR certification was rescinded on May 18, 2016.

### **III. DISCUSSION**

With the rescission of the new compost site EIR, SCWMA staff has been working on an alternative solution for organic waste processing. On September 9, 2016, staff released a Request for Information (RFI) for Organic Waste Processing with the intent of using the responses received as the first step in determining the best solution or solutions for dealing with organics generated in Sonoma County. The information provided may be used by SCWMA, City/Town, or County staff; the process is intended to provide flexibility in the event that some or all SCWMA members choose to handle their green waste individually or through arrangements other than the SCWMA. This approach allows a myriad of potential scenarios, including alternative technology types, locations, site capacities, organic material types accepted, and potential public/private partnerships. This is contrasted with the previous approach which envisioned one regional facility, contracted through the SCWMA for current and future green, wood, and food waste capacities.

Questions from potential participating firms are due on September 30, 2016 at 4 p.m., after which an addendum will likely be issued by SCWMA staff. Final responses to the RFI are due November 14, 2016 at 4 p.m. SCWMA staff expects to review the submissions from November 15, 2016 to

January 24, 2017.

A separate but related issue is that some SCWMA jurisdictions have been contacted by potential organics processors, requesting the jurisdictions commit flow to future facilities. As has been discussed by SCWMA staff previously, at this time green waste direct-hauled to alternative facilities has the benefit of reducing the cost to the SCWMA for dealing with green waste; the SCWMA is not in a put-or-pay situation. However, both the SCWMA and the County include per ton surcharges on green and wood waste of \$4.85 and \$8.19, respectively, and if a SCWMA member were to commit flow to an alternative facility that does not collect and remit those surcharges, the SCWMA and County would lose revenue. SCWMA staff believes the fairest way of handling the lost revenue situation would be to require that if a SCWMA member commits flow to an alternative facility, the SCWMA member, or its franchised hauler, should be responsible for compensating the SCWMA and County for the lost revenue. Another approach is to require organic processing facilities to collect these surcharges from their customers from Sonoma County and remit them to the SCWMA and County. A third option is for the SCWMA to increase its surcharge amount on all other members contributing garbage and green waste through the County's waste system to compensate for the lost revenue.

#### **IV. FUNDING IMPACT**

Staff has budgeted \$10,000 for professional assistance from R3 Consulting Group to develop the RFI for Organic Waste Processing. To date, R3 has billed the SCWMA \$9,212.50 for services provided.

#### **V. ATTACHMENTS**

Request for Information for Organic Waste Processing



# Request for Information

## Organic Waste Processing

**Issued:** September 9, 2016

**Submission Deadline:** November 14, 2016 by 4:00 p.m. (PST)

Patrick Carter  
Executive Director, Sonoma County Waste Management Agency  
2300 County Center Dr., B-100, Santa Rosa, CA 95403  
(707) 565-3579  
[Patrick.Carter@sonoma-county.org](mailto:Patrick.Carter@sonoma-county.org)

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## Section 1 Background

The Sonoma County Waste Management Agency (SCWMA) is a Joint Powers Authority formed in 1992 and comprised of ten Member Agencies including Cloverdale, Cotati, Healdsburg, Petaluma, Rohnert Park, Santa Rosa, Sebastopol, Sonoma, Windsor, and the County of Sonoma. SCWMA operates under a Joint Exercise of Powers Agreement that is currently set to expire in February 2018. SCWMA provides cost-effective outreach and education, planning and reporting, and household hazardous waste (HHW) disposal to Member Agencies with the ultimate goal of meeting and exceeding a minimum of 50 percent diversion as mandated by California State Law, AB 939.

SCWMA also provides for the transfer, transport, and processing of approximately 83,000 tons of curbside and self-hauled organic waste (yard/green waste and residential food waste) and 5,500 tons of wood waste collected annually by franchised solid waste haulers and self-hauled to County transfer stations, from which the waste is out-hauled to four out-of-County compost facilities under contract with SCWMA.<sup>1</sup> These contracts are anticipated to expire in February 2017, and may be extended for limited durations.

SCWMA is in the position of considering the short and long term organic waste processing needs of its Member Agencies, and is distributing this Request for Information (RFI) in order to better understand the availability and range of potential alternatives for providing organic waste processing services in the future. In particular, SCWMA is interested in organic waste processing options for yard/green waste (with comingled residential food waste), wood waste, commercial food waste,<sup>2</sup> biosolids and manure. Table 1 below details the amount of green and wood waste collected by franchised haulers, delivered to County transfer stations, and out-hauled to organic waste processing facilities from each Member Agency in 2015.

<b>Table 1: 2015 Green and Wood Waste Tonnages</b>		
<b>Member Agency</b>	<b>Tons of Green Waste (including comingled residential food waste)</b>	<b>Tons of Wood Waste</b>
Cloverdale	1,639	113
Cotati	1,397	111
Healdsburg	3,518	525
Petaluma (Self-haul only)	3,646	729
Rohnert Park	5,983	117
Santa Rosa	25,253	1,322
Sebastopol	2,228	211
Sonoma	7,124	963
Windsor	5,293	285
Unincorporated County of Sonoma	26,706	1,087

<sup>1</sup> Not including the City of Petaluma, whose franchised solid waste hauler direct-hauls organic waste to Redwood Landfill’s compost facility, totaling 10,331 tons in 2015. Table 1 only includes self-hauled material from Petaluma to Sonoma County facilities.

<sup>2</sup> Commercial food waste is currently handled by Republic Services through their Master Operating Agreement with the County of Sonoma. The SCWMA does not control the flow of this material, but Republic Services may consider the use of alternative facilities from the information provided in this RFI.



## Sonoma County Waste Management Agency | Organic Waste Processing RFI

<b>Total</b>	<b>82,790</b>	<b>5,467</b>
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Table 2 below details the amount of garbage collected by franchised haulers and delivered to the County Landfill from each Member Agency in 2015. The percentage of organic waste is estimated based on a waste composition study conducted in 2014, and used to calculate the estimated tons of organic waste remaining in the garbage stream.<sup>3</sup>

<b>Table 2: 2015 Garbage Tonnages and Estimated Uncaptured Material Remaining</b>					
<b>Member Agency</b>	<b>Tons of Garbage</b>	<b>Estimate of Uncaptured Material Remaining</b>			
		<b>Green/Yard Waste</b>	<b>Residential Food Waste</b>	<b>Commercial Food Waste</b>	<b>Other Organics (Textiles, Manure, Composite)</b>
Cloverdale	4,969	181	333	473	360
Cotati	5,054	184	338	481	366
Healdsburg	13,013	473	871	1,239	942
Petaluma	8,452	307	566	804	612
Rohnert Park	23,447	852	1,569	2,232	1,697
Santa Rosa	98,087	3,565	6,563	9,337	7,101
Sebastopol	9,111	331	610	867	660
Sonoma	15,895	578	1,064	1,513	1,151
Windsor	13,081	475	875	1,245	947
Unincorporated County of Sonoma	70,067	2,547	4,688	6,670	5,072
<b>Total</b>	<b>261,176</b>	<b>9,492</b>	<b>17,476</b>	<b>24,861</b>	<b>18,907</b>

There may be opportunities for respondents to this RFI (Respondents) to work in partnership with SCWMA member agencies and/or local waste water treatment plants in developing organic waste processing services. Respondents are encouraged to consider mutually beneficial partnerships with local agencies and waste water treatment plants and to explore potential synergies that could result in co-benefits related to proposed organic waste processing services (e.g. utilizing excess heat from waste water treatment plants, etc.).

## Section 2 Request for Information

SCWMA desires information regarding potential organic waste processing services that could be utilized by SCWMA now or in the immediate future. SCWMA is seeking the best organic waste processing services for the most competitive price. This RFI is intended to inform future planning toward that objective, and Respondents are highly encouraged to submit information to assist the SWCMA shape

<sup>3</sup> Organic material was 30.7% of the disposal waste stream in the SCWMA-commissioned 2014 Waste Characterization Study. Additional detail, including percentages of specific waste types, can be found at [http://www.recyclenow.org/pdf/sonoma\\_county\\_waste\\_characterization\\_study\\_2014.pdf](http://www.recyclenow.org/pdf/sonoma_county_waste_characterization_study_2014.pdf).

# Sonoma County Waste Management Agency | Organic Waste Processing RFI

the future of organic waste processing for its Member Agencies. Although no contracts or selections are anticipated to result from this RFI, Respondents will automatically be added to a list for future organic waste procurement processes, when they occur.

Information is requested for organic waste processing services meeting the following conditions:

- Delivered SCWMA organic waste must be processed and diverted at per ton dollar rates ranges, for a specific contract duration, and with minimum/maximum tonnage available capacity;
- Organic waste must be diverted in a manner that guarantees diversion credit under the requirements of AB 939 and AB 1594 – material must be processed for diversion from landfill disposal and is not to be used as Alternative Daily Cover (ADC) at a landfill;
- Access must be provided during reasonable times for the delivery of material from collection routes and/or transfer stations;
- The amount of material accepted for processing shall be reported monthly using certified scales located at the facility or elsewhere;
- Respondent shall be responsive to the needs of the SCWMA and Member Agencies; and
- Respondent shall maintain full compliance with local, state and federal regulations.

The responses provided in this RFI will help SCWMA staff and Member Agency participants determine the best course of action for securing long term organics capacity. Member Agencies will decide whether to continue handling organics collectively through the SCWMA, through sub-regional arrangements with haulers and organics processors, or individually through their franchised haulers, but in all cases, the information provided through these RFI responses will assist the decision-making process. SCWMA staff will analyze the responses received, present findings to the SCWMA Board, and may hold additional meetings with City, County, and consultant staff in an effort to develop solutions for long term organics processing capacity.

## Section 3 Schedule and Questions

All Respondents must carefully examine this RFI document. Any ambiguities or inconsistencies must be brought to the attention of the SCWMA in writing as soon as possible. Questions regarding this RFI are due by Friday, September 30, 2016 at 4:00 p.m. (PDT), to be submitted by email to Patrick Carter at **Patrick.Carter@sonoma-county.org**. The information provided during this RFI will help guide the discussion on the feasibility and form of future SCWMA organic material processing, potentially resulting in a future procurement process for organic waste processing services. SCWMA intends to review submissions within ten (10) weeks of the submission deadline. At SCWMA’s discretion, it may contact any or all Respondents to request additional information, ask questions, request facility tours, and conduct informational interviews. All qualified respondents will also automatically be added to a list for possible future organics waste procurement processes.

Table 3: Timeline	
Activity	Date
RFI Issued	September 9, 2016
Question Deadline	September 30, 2016 at 4:00 p.m. (PDT)
Submission Deadline	November 14, 2016 at 4:00 p.m. (PST)
SCWMA Review Period	November 15, 2016 to January 24, 2017

## Section 4 Submittal Guidelines

Responses must be delivered to the SCWMA representative, Patrick Carter, by email only at: **Patrick.Carter@sonoma-county.org**. The email shall have the subject, "Response to RFI for ORGANICS WASTE PROCESSING." All submitted attachments shall be clearly labeled with the Respondent's company name and a description of the document. Responses must be less than 15MB in size, in PDF, Word or Excel file formats. The Response, including the cover letter and required attachments, shall not exceed 25 pages on 8.5 x 11 inch, double-sided, 1.5 line-spacing, Arial (or similar) font, no smaller than size 11 point. Pages in excess of the page limitation will not be reviewed. Responses must include the following items:

1. **Transmittal Letter:** The transmittal letter on the Respondent's letterhead must accompany the Response. The letter must be signed by an officer or employee having the authority to bind the Respondent by signature and give an overview of the Respondent's general ability to perform the scope of work described in this RFI, as well as a general overview of the proposed project in 1,000 words or less.
2. **Experience and Qualifications (Form A):**
  - a. Respondent Information (Form A, Section 1);
  - b. Conflict of Interest Statement (Form A, Section 1);
  - c. Site Information (Form A, Section 2);
  - d. Operational Information (Form A, Section 3); and
  - e. Financial Qualifications (Form A, Section 4).
3. **Tonnage Information (Form B);**
4. **Cost Information (Form C);** and
5. **Supplemental Information:** Brief relevant attachments.

### Conflict of Interest

All Respondents must disclose, with their response, the name of any officer, director, agent, or any relative of an officer, director, or agent who is an employee, elected official or appointed official of the SCWMA. Furthermore, all Respondents must disclose, to the best of their knowledge, the name of any SCWMA employee, elected official or appointed official who has any direct or indirect financial interest in the Respondents' firm or any of its branches or subsidiaries. "Financial interest" shall have the same meaning as that term is defined in Government Code section 87103.

## Section 5 RFI Considerations

### SCWMA's Rights

In issuing this RFI, the SCWMA retains, but is not limited to, the following rights:

- Issuing addenda to the RFI, including extending or otherwise revising the timeline for submission;
- Withdrawing, reissuing, or modifying the RFI;

## Sonoma County Waste Management Agency | Organic Waste Processing RFI

- Requesting clarification and/or additional information from responding entities at any point in the review process; and
- Commencing discussions with other entities that do not submit a response.

SCWMA shall not be obligated to respond to any response submitted nor be bound in any manner by the submission of a response. The cost of investigating, preparing, and submitting a response to this RFI is the sole responsibility of the responding entity and shall not be chargeable in any manner to the SCWMA. The SCWMA will not reimburse any responding entity for any costs associated with the preparation, submission, or discussion of responses.

### Responses will Become Public Record

All correspondence with SCWMA including responses to this RFI will become the exclusive property of SCWMA and will be made available to the public after SCWMA staff has evaluated the proposals and presentation to the SCWMA Board of Directors has been agendaized. All documents that are sent to SCWMA in response to this RFI will be public records under the California Public Records Act (Cal. Government Code section 6250 et seq.) and subject to disclosure if requested by a member of the public. There are a very limited number of narrow exceptions to this disclosure requirement. Therefore, any response which contains language purporting to render all or significant portions of the response “Confidential”, “Trade Secret” or “Proprietary” and fails to provide the exemption information required as described below will automatically be considered a public record in its entirety and shall be disclosed to the requesting party without further consideration or notice. **Do not mark your entire response as “confidential”.**

If you believe that there are portion(s) of your response which are exempt from disclosure under the Public Records Act, you must mark it/them as such and state the specific provision in the Public Records Act which provides the exemption as well as the factual basis for claiming the exemption. For example, if you submit trade secret information, you must plainly mark the information as “Trade Secret” and refer to the appropriate section of the Public Records Act which provides the exemption as well as the factual basis for claiming the exemption. Although the California Public Records Act recognizes that certain confidential trade secret information may be protected from disclosure, SCWMA may not be in a position to establish that the information that a Respondent submits is a trade secret. If a request is made for information marked “Trade Secret” or “Proprietary”, SCWMA will provide Respondent(s) who submitted the information with reasonable notice to give Respondent(s) the opportunity to seek protection from disclosure by a court of competent jurisdiction. If the Respondent(s) choose not to seek such protection or are unsuccessful in doing so, SCWMA will provide the requested information in accordance with the California Public Records Act. As is set forth in this RFI, SCWMA will make reasonable efforts, but makes no representation that it will be able to maintain total confidentiality of Respondent’s financial information. A Respondent that submits financial information that it asks to have treated as confidential must submit a statement justifying the request, reference it in the response and label it as a separate attachment, clearly identifying it as confidential. At all times, SCWMA will comply with the provisions of the California Public Records Act. Additionally, information such as facility location, technology type, expected date of capacity availability, available capacity tonnage, and cost per ton range are material to SCWMA staff analysis, and therefore cannot be marked as confidential.

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**FORM A EXPERIENCE AND QUALIFICATIONS**

Respondents must submit the following form responses and attachments to support those responses. Please be as specific as possible.

**PART 1 RESPONDENT INFORMATION**

**1.1) Company name, type of company (corporation, partnership, joint venture, or other), and mailing address:**

**1.2) Principal contact person(s) and their information (title, email address, phone number, etc.):**

**1.3) Key staff and responsibilities of these staff:**

**1.4) Conflict of interest statement:**

## **Sonoma County Waste Management Agency | Organic Waste Processing RFI**

**1.5) Regulatory compliance background and qualifications, including number of areas of concern and notices of violation for facility operation over the past five years of operating history, cease and desist orders from any regulatory agency:**

**1.6) Reference relevant, equivalent projects currently in operation, current contracts, and other general qualifications:**

**PART 2      SITE INFORMATION**

2.1) Facility is:    Planned    Existing    Planned expansion to existing

2.2) Starting date of operation, if new facility:

2.3) Facility location:

2.4) Current and future ownership of facility:

2.5) Permitting Status (attach site, operating, environmental, and Local Enforcement Agency permits, if available). If not currently permitted, please indicate whether a facility using an equivalent technology has been permitted within the United States and California, please list what permits are necessary to operate this facility, and please list the expected date for receipt of all necessary permits:



**PART 3 OPERATIONAL INFORMATION**

**3.1) Detailed description of technology that will be utilized and/or processing operating plan, and business plan/model including flow necessary to operate:**

**3.2) Subcontractors/operators, if applicable:**

**PART 4 FINANCIAL QUALIFICATIONS**

**4.1) Statement of financial qualifications (access to capital, methods for financing, financial commitment by the SCWMA if requested, and/or other information as deemed relevant):**

**4.2) Description of taxes or fees that might be applicable to the receipt of SCWMA's material stream:**

**4.3) Material marketing plan for end products. Will compost material be made available to Member Agencies for no cost or at a reduced cost?**

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## FORM B TONNAGE INFORMATION

In the table below, please enter estimated minimum and maximum available material flow capacity and material flow requirement (daily and yearly).

Respondents are not required to accept all materials listed. Unless indicated otherwise, it will be assumed that these tonnages are additive (minimum daily availability of capacity for 10,000 tons of wood waste and 5,000 tons of food waste means that a total of 15,000 tons of capacity is available). If other types of materials will be accepted, fill in the last line of the table with the type of material and maximum and minimum material flow capacity.

Please note that 88,500 tons of organic waste from the SCWMA service area are currently being processed through contracts arranged by SCWMA.

<b>Table 4: Daily and Annual Tonnage Capacity and Contamination Thresholds</b>			
<b>Material Type</b>	<b>Material Flow Availability/Requirement (Tons)</b>		
	<b>Approximate Daily Flow Needed</b>	<b>Approximate Yearly Capacity Needed</b>	<b>Maximum Contamination Level Accepted</b>
Source-Separated Plant Materials (e.g. yard and green waste)			%
Source-Separated Food Waste			%
Source-Separated Wood Waste, Tree, Logs and Branches			%
Commingled Organic Waste (Plant Materials and Residential Food Waste)			%
Biosolids			%
Manure			%
Other _____			%

Enter additional notes below:

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## FORM C COST INFORMATION

In the table below, per ton rates for organic waste processing by type of organic waste material delivered to proposed facility(ies). If rates for longer-term commitments of organic waste delivery affect per ton rates offered, please indicate those in the columns provided and/or use the notes section to provide additional details.

The baseline costs of transport and disposal of green and wood wastes through the SCWMA are currently \$58/ton.

<b>Table 5: Cost Per Ton (Delivered)</b>			
<b>Material Type</b>	<b>Rates per Ton</b>		
<b>Term Length</b>	<b>5 Years</b>	<b>10 Years</b>	<b>Other Term (Please Define)</b>
Source-Separated Plant Materials (e.g. yard and green waste)	\$	\$	\$
Source-Separated Food Waste	\$	\$	\$
Source-Separated Wood Waste, Tree, Logs and Branches	\$	\$	\$
Commingled Organic Waste (Plant Materials and Food Waste)	\$	\$	\$
Biosolids	\$	\$	\$
Manure	\$	\$	\$
Other _____	\$	\$	\$

**Enter additional notes below:**

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ITEM: **Outreach Calendar Sept – Oct 2016**

**Sept 2016 Outreach Events**

Day	Time	Event
6	4 PM – 8 PM	Community Toxics Collection – Oakmont
7	3 PM – 4 PM	Recycling Education for Creek Cleanup Week – Laguna Santa Rosa
8	8 AM – 12 PM	DMV outreach-Petaluma
10	10 AM - 3 PM	22th Annual Cloverdale Car and Motorcycle Show -Cloverdale
9-11	9 AM – 5 PM	E-waste Collection Event – Sonoma Whole Foods
13	4 PM – 8 PM	Community Toxics Collection – Santa Rosa, NW
15	8 AM – 12 PM	DMV outreach-Santa Rosa
17	11 AM - 3 PM	Family Fun Day! – Santa Rosa
18	1 PM – 6 PM	Mexican Independence Day Celebration – Santa Rosa
18	2 PM – 7 PM	Mexican Independence Day Celebration – Sonoma
20	4 PM – 8 PM	Community Toxics Collection – Healdsburg
22	10 AM – 2 PM	Energy & Sustainability County Employee Fair – Santa Rosa
24-25	9 AM – 5 PM	E-waste Collection Event – Oakmont
24	10 AM – 2 PM	Smart Living Fair – Healdsburg
25	1 PM – 5 PM	Health and Wellness Fair – Rohnert Park
27	4 PM – 8 PM	Community Toxics Collection – Sonoma
28	1 PM – 2 PM	Recycling Education at Brookdale Sr Community- Sonoma
28	9 AM – 11 AM	Graton Labor Center - Graton
29	10 AM – 2 PM	County Fall Health Fair – Santa Rosa

**Oct 2016 Outreach Events**

Day	Time	Event
1	10 AM – 2 PM	Sonoma Valley Binational Health Week - Sonoma
2	1 PM – 5 PM	Binational Health Week Santa Rosa – Santa Rosa
2	1 PM – 4 PM	Dia de los Muertos Petaluma and Binational Health Week - Petaluma
4	4 PM – 8 PM	Community Toxics Collection – Cloverdale
6	4 PM – 7 PM	Petaluma Business Expo - Petaluma



9	2 PM – 6PM	Binational Health Week in Saint John Healdsburg - Healdsburg
11	4 PM – 8 PM	Community Toxics Collection – Larkfield
14-16	9 AM – 5 PM	E-waste Collection Event – Cotati
15	9 AM – 5 PM	E-waste Collection Event – Graton
20	12 PM – 1 PM	Recycling Education to Soroptomists Club – Santa Rosa
23	1 PM – 5 PM	Windsor Binational Health Week - Windsor