

**SONOMA COUNTY WASTE MANAGEMENT AGENCY**

September 21, 2011

SPECIAL MEETING  
CLOSED SESSION PRIOR TO REGULAR MEETING 8:30 a.m.

Regular Meeting at 9:00 a.m. (or immediately following closed session)

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

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

**AGENDA**

**\*\*\* UNANIMOUS VOTE ON ITEM #9 \*\*\***

- | <u>Item</u> | <u>Action</u>  |
|-------------|--|
| 1.          | Call to Order Special Meeting  |
| 2.          | Open Closed Session  |
|             | CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION<br>Government Code section 54956.9(b)(1) and (b)(3)(A) one case |
| 3.          | Adjourn Closed Session & Introductions   |
| 4.          | Agenda Approval  |
| 5.          | <u>Attachments/Correspondence:</u>   |
| 5.1         | Director's Agenda Notes  |
| 5.2         | Reports by Staff and Others:   |
| 5.2.a       | September and October 2011 Outreach Events   |
| 5.2.b       | HHW Facility Inspection Update   |
| 5.2.c       | List of locations for fluorescent take-backs   |
| 6.          | <u>On file w/Clerk: for copy call 565-3579</u><br>No resolutions were approved in August 2011.                         |
| 7.          | Public Comments (items not on the agenda)  |

**Consent** (w/attachments)

Discussion/Action

8.1 Minutes of August 17, 2011

8.2 Financial contributions to non-profit groups

**Regular Calendar**

- |     |  |  |
|-----|--|--|
| 9.  | Budgetary Adjustments<br>[Mikus](Attachment)                             | <b>UNANIMOUS VOTE<br/>Administration</b>   |
| 10. | Sonoma Vermiculture  | Presentation                               |
| 11. | Sonoma County/City Solid Waste Advisory<br>[Barbose]                     | Discussion/Action<br><b>Planning</b>       |
| 12. | Mandatory Commercial Recycling Education Project<br>[Carter](Attachment) | Discussion/Action<br><b>Education</b>      |
| 13. | Civil Grand Jury Response<br>[Mikus] (Attachment)                        | Discussion/Action<br><b>Administration</b> |
| 14. | Boardmember Comments   |  |
| 15. | Staff Comments   |  |
| 16. | Next SCWMA Meeting<br>October 19, 2011                                   |  |
| 17. | Adjourn  |  |

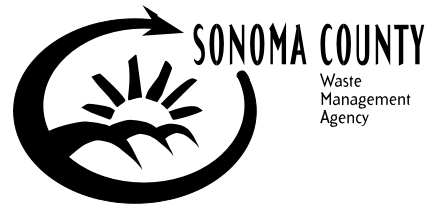
**Consent Calendar:** These matters include routine financial and administrative actions and are usually approved by a single majority vote. Any Boardmember may remove an item from the consent calendar.

**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)



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

**FROM:** Henry Mikus, Executive Director

**SUBJECT:** September 21, 2011 Agenda Notes

**Attachments/Correspondence**

- 5.2 There are three items this month presented under "Reports by Staff and Others"
- 5.2.a This is our regular, updated listing of the September and October 2011 Outreach Events
  - 5.2.b HHW Facility Inspection. Note the inspection was successful, with no violations reported.
  - 5.3.c Fluorescent take-back press release which includes a listing of participating locations.

**Consent Calendar**

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

- 8.1 Minutes of August 17, 2011
- 8.2 Financial Contributions to Non-profit Groups: At Board request, staff is presenting guidelines in draft form for the possible gifting of funds to local non-profit groups.

**Regular Calendar**

9. Budgetary Adjustments for FY 11-12 These adjustments are changes to the approved FY 11-12 Budget and, upon approval by a unanimous vote during the September board meeting, will become the revised approved FY 11-12 Budget. The total adjustment in expenditures is a \$919,090 increase and the total adjustment in revenues is a \$917,656 increase. Total net cost increase is \$1,434. These changes are all routine but necessary: recognition of actual grant amounts, line item transfers from an accounting change on computer replacements, reinstitution of staff development funds, and end-of-year reserve transfers. **Recommended Action: Approve budget adjustments with a unanimous vote and authorize the Executive Director to sign the eight Requests for Budget Adjustments.**
10. Sonoma Vermiculture Sonoma Vermiculture has been operating a test worm composting operation and is poised to expand its facility and capabilities. **Presentation only, no action required.**
11. Sonoma County/City Solid Waste Advisory Group (SWAG) Verbal report from Steve Barbose, City of Sonoma, serving as SCWMA liaison to this advisory group. **No action required.**

12. Mandatory Commercial Recycling Education Project This item was continued at the previous meeting in order to allow for development of additional information and to study a potential alternate plan for the project. In short, it has been determined that this project can be done utilizing temporary manpower for outreach and project specific personnel for database development with SCWMA staff oversight. This method will allow much more efficient use of available funds to significantly increase the amount of outreach visits (nearly double), and will provide for SCWMA ownership of the required commercial entity database. **Recommended Action: Approve implementation of the staff proposal to proceed with this project in-house via the utilization of temporary project specific personnel for a fixed time-period, with project oversight by SCWMA staff.**
13. Civil Grand Jury Response This item is brought back from last meeting to allow board members to give it consideration and obtain input. **Recommended Action: Approve the draft response letter and completed survey page.**

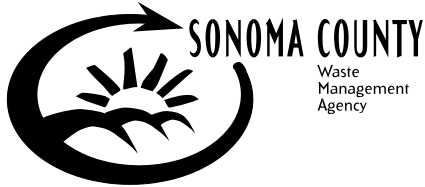
**September 2011 Outreach Events**

<b><u>Day</u></b>	<b><u>Time</u></b>	<b><u>Event</u></b>
6	4-8 PM	Community Toxics Collection, Santa Rosa, NW
6	6 PM	Russian River Rotary, Monte Rio, Sonoma Compost Presentation
13	4-8 PM	Community Toxics Collection, Sonoma
13-15	10 AM-10 PM	Heirloom Expo, Sonoma County Fairgrounds, Sonoma Compost Booth
17-18	8 AM-4 PM	E-Waste Recycling Event, Park and Ride, Cotati
18	2-8 PM	C2 Spanish outreach Mexican Independence Celebration, Sonoma Plaza, Sonoma
18	1-6 PM	C2 Spanish outreach Mexican Independence Celebration, Wells Fargo Center
20	8-10 AM	SRJC Shone Farm, Compost lecture to Intro to Sustainable Agriculture
20	4-8 PM	Community Toxics Collection, Santa Rosa, SE
24	2-4 PM	School Garden Network, Santa Rosa, Sonoma Compost presentation
25	10 AM-12PM	Redwood Empire Rose Society, Santa Rosa, Compost slide presentation
27	9:30 AM	Tour of Central Disposal Site, Credo High School
27	4-8 PM	Community Toxics Collection, Cloverdale
29	11 AM	Tour of Central Disposal Site, Mark West School

**October 2011 Outreach Events**

<b><u>Day</u></b>	<b><u>Time</u></b>	<b><u>Event</u></b>
4	4-8 PM	Community Toxics Collection, Oakmont
5	7-8:30 PM	Sebastopol Center of the Arts, Roots and Compost presentation
10	1 PM	Tour of Central Disposal Site, SRJC Environmental Studies class
11	4-8 PM	Community Toxics Collection, Petaluma
14	10:15-11:30 AM	Slow Money National Gathering, San Francisco. Building Soil presentation
15-16	8 AM-4 PM	E-Waste Recycling Event, WalMart, Windsor
18	4-8 PM	Community Toxics Collection, Glen Ellen

19	9:30-11 AM	Sonoma Compost Facility Tour, SRJC Soils class
20	3:30-5 PM	Sonoma Compost Facility Tour, SRJC Soils class
25	4-8 PM	Community Toxics Collection, Kenwood



**Agenda Item #: 5.2b**  
**Cost Center: HHW**  
**Staff Contact: Steinman**  
**Agenda Date: 9/21/2011**

**Item: HHW Facility Inspection Update**

**I. BACKGROUND**

In 2010 the Central Disposal Site Household Hazardous Waste Facility Expansion project was completed. This project created a separate building to provide additional storage and processing space for low toxicity wastes, such as universal wastes including latex paint.

The Sonoma County Permit and Resources Management Department (PRMD) conducted their final site inspection and signed off on the permit documents on December 16, 2010. The SCWMA's Household Hazardous Waste Contractor, Clean Harbors Environmental Services, began utilizing the new building after December 16, 2010.

**II. DISCUSSION**

On July 13, 2011, the Fire & Emergency Services Department conducted an inspection of the entire HHW Facility, including the new storage facility. The inspection turned up no violations.

Fire & Emergency Services is requiring some updates to the Hazardous Materials Business Plan, Emergency Response Plan, and Contingency Plan as a result of the inspection. Staff is currently working with the Fire & Emergency Services Department on those updates.

**III. FUNDING IMPACT**

There is no funding impact resulting from this transmittal.

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

This item is informational only.

**V. ATTACHMENTS**

There are no attachments.

Approved by: \_\_\_\_\_  
Henry J. Mikus, Executive Director, SCWMA



Karina Chilcott, Sonoma County Waste Management Agency  
(707) 565-3668  
Katie Romans, PG&E External Communications (415) 973-5930

## **Sonoma County Expands Residential Fluorescent Lamp Take-back Program with PG&E**

*Program Expands to Include 26 Convenient Drop-off Locations for Spent Fluorescent Lamps in Sonoma County*

**Sonoma County, Calif. (September 8, 2011)** – The Sonoma County Waste Management Agency announced today that new locations have been established for convenient drop-off of spent fluorescent lamps generated by residents through a program with Pacific Gas and Electric Company (PG&E). Augmenting existing sites, new locations include Cloverdale Ace Hardware, OSH (Santa Rosa and Petaluma locations), Garrett Hardware Healdsburg, Graton Labor Center, Healdsburg Labor Center, Occidental Hardware, Nuestra Voz of Sonoma, The Lamp and Shade Shop and Sea Ranch Supply. Through the program, Sonoma County residents can drop off spent Compact Fluorescent Lamps (CFLs) and four-foot fluorescent lamps.

“This project highlights what can be done when government works together with businesses,” said Karina Chilcott SCWMA Waste Management Specialist. “The support from PG&E and the participation of local businesses greatly enhances public convenience, helping to reduce the costs for our ratepayers.”

Fluorescent lamps are a cost-effective method to decrease energy use and associated greenhouse gas (GHG) emissions. However, disposal of fluorescent lamps at the end of their useful life presents a challenge as they contain small amounts of mercury vapor that should not be returned to landfill. Fluorescent lamps were banned from disposal in California landfills in 2006. Through proper disposal, 99.9% of spent fluorescent lamps can be reclaimed through recycling.

“PG&E is committed to energy efficiency programs that also support customers in their efforts to protect the environment,” said Lisa McNally, Senior Program Manager of Green Communities for PG&E. “Our ongoing collaboration with Sonoma County is an important element in our efforts to help communities save energy and protect the environment.”

Through its ratepayers, the Sonoma County Waste Management Agency currently spends about \$39,500 per year managing fluorescent lamps collected from local residents through the Household Toxics Facility and related programs. As part of the

### **Sonoma County drop-off locations**

Unless otherwise noted, the following locations accept spent CFLs and 4-foot lamps from residences only. No business waste accepted.

#### Agua Caliente

Nuestra Voz of Sonoma/ Our Voice of Sonoma

#### Boyes Hot Springs

Parsons Lumber & Hardware

#### Cloverdale

Cloverdale Ace Hardware

#### Cotati

Lowe's (CFLs only)

True Value Hardware Cotati

#### Geyserville

Bosworth and Son General Merchandise

#### Graton

Graton Day Labor Center

#### Guerneville

True Value Hardware Guerneville

#### Healdsburg

Garrett Hardware Healdsburg

Healdsburg Day Labor Center

Healdsburg Lumber Company

#### Occidental

Occidental Hardware (CFLs only)

#### Petaluma

OSH

#### Rohnert Park

Home Depot (CFLs only)

#### Santa Rosa

Bennett Valley Ace Hardware

Friedman's Home Improvement (CFLs only)

Home Depot (CFLs only)

Montecito True Value Hardware

OSH

The Lamp and Shade Shop (CFLs only)

True Value Hardware of Larkfield

#### Sebastopol

Sebastopol Hardware Center

#### Sonoma

Friedman's Home Improvement (CFLs only)

#### The Sea Ranch

Sea Ranch Supply

#### Windsor

Garrett Hardware

Home Depot (CFLs only)

For more information, visit

<http://recyclenow.org/toxics/fluorescent.asp>



program, PG&E will provide funding that will not only help expand convenient collection systems for spent residential CFLs at no cost to residents, it will also help increase public awareness about the need to properly recycle spent lamps.

“Our customers have asked us for years if we accept spent fluorescent lamps,” said Marwan Dada Montecito True Value Hardware Santa Rosa, who started taking back spent lamps in 2010. “We appreciate being able to meet the needs of our customers, while gaining visibility in the community and helping the environment.”

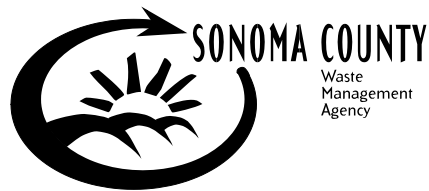
In tandem with Sonoma County’s expansion of convenient residential collection opportunities, Napa County and the City of Napa are operating a similar residential fluorescent lamp collection program.

**About the partnership with PG&E, Napa County and the Sonoma County Waste Management Agency:**

The Voluntary Fluorescent Lamp Take-Back Program is funded by California utility customers and administered by PG&E under the auspices of the California Public Utilities Commission. This program promotes the coordination & marketing collaboration between the [Sonoma County Waste Management Agency](#), Napa County, City of Napa, and other local governments and PG&E on publicity efforts. Funding from this program expires December 2012.

**About PG&E**

Pacific Gas and Electric Company, a subsidiary of PG&E Corporation (NYSE:PCG), is one of the largest combined natural gas and electric utilities in the United States. Based in San Francisco, with 20,000 employees, the company delivers some of the nation’s cleanest energy to 15 million people in Northern and Central California. For more information, visit <http://www.pge.com/about/newsroom/>.



Minutes of August 17, 2011

The Sonoma County Waste Management Agency (SCWMA) met on August 17, 2011, at the City of Santa Rosa Council Chambers, 100 Santa Rosa Avenue, Santa Rosa, California

**Present:**

City of Healdsburg	Mike Kirn, Chair
City of Cloverdale	Nina Regor
City of Cotati	Marsha Sue Lustig
City of Petaluma	John Brown
City of Rohnert Park	Linda Babonis
City of Santa Rosa	Dell Tredinnick
City of Sebastopol	Jack Griffin
City of Sonoma	Steve Barbose
County of Sonoma	Susan Klassen
Town of Windsor	Christa Johnson

**Staff Present:**

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

**1. Call to Order/Introductions**

The meeting was called to order at 9:02 a.m.

Debra Dowdell was introduced as our new "Agency Clerk".

Boardmember Christa Johnson, who is leaving the area for new employment, was recognized by Chair Kirn, on behalf of all boardmembers and staff, for her years of service to SCWMA. She was presented with a plaque as a "Thank You".

**2. Agenda Approval**

Henry Mikus, Executive Director, requested item 7 (Agreement for Mandatory Commercial Recycling Education) be continued to the 9/21/11 meeting in order to provide additional information.

**Susan Klassen, County of Sonoma, moved to approve the agenda with the exception of item 7. Marsha Sue Lustig, City of Cotati, seconded. Agenda was unanimously approved.**

**3. Attachments / Correspondence**

Chair Kirn called attention to the Director's Agenda Notes and Reports by Staff and Others; August/September 2011 Outreach Events, Mandatory Commercial Recycling Updates, Support letter for SB 568 (Lowenthal) – Polystyrene Food Containers and 4-H Letter of Appreciation.

## **Board Comments**

Christa Johnson, Town of Windsor, asked if the contribution to 4-H Chickenque event was an SCWMA grant and can other non-profits apply.

Charlotte Fisher informed the Board that it is not a grant. It is an item that is included in the budget each year to support the purchase of compostable tableware for the 4-H event. If other organizations would like to be considered, it would need to be a part of budget planning discussions.

Dell Tredinnick, City of Santa Rosa, agreed with Christa Johnson that this should be opened up to other organizations and added the 4-H Chickenque is an educational event and has shown leadership for years on how to source separate.

### **4. On File with Clerk**

Chair Kirn noted resolution approved in June 2011 recognizing Elizabeth Koetke for six years of service with SCWMA.

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

None.

## **Consent**

### **6.1 Minutes of June 15, 2011**

### **6.2 FY 10-11 Year End Financial Report**

Chair Kirn noted there was a minor correction to FY 10-11 Year End Financial Report and called attention the notice of misstatement emailed to Boardmembers.

**Nina Regor, City of Cloverdale, moved to approve the Consent Calendar. Dell Tredinnick, City of Santa Rosa, seconded. Consent Calendar was unanimously approved.**

## **Regular Calendar**

### **7. Agreement for Mandatory Commercial Recycling Education**

Item 7 continued to September 21, 2011 meeting.

### **8. Mercury Disposal Systems (MDS) Agreement for PG&E Grant**

Karina Chilcott summarized the goals of the Voluntary Fluorescent Lamp Take-Back Program with PG&E, which is to increase the residential drop-off for spent fluorescent lamps. The agreement with MDS for \$52,000 for collection and recycling of fluorescent lamps through a Fed-Ex mail back program is the largest budget item in this program.

### **Public Comment**

None.

**Christa Johnson, Town of Windsor, moved to approve the increase of drop-off sites for fluorescent lamps. Steve Barbose, City of Sonoma, seconded. Motion approved with a unanimous vote.**

### **9. Sonoma County/City Solid Waste Advisory (SWAG)**

Steve Barbose, City of Sonoma, serves as the SCWMA liaison to the SWAG. Mr. Barbose reported SWAG decided to move forward on the consultant's study of recommendations of the Research Committee at the August 15, 2011 SWAG meeting. There was unanimous support on recommendations 1, 2 and 3. The SWAG voted to use the existing Executive Committee as an oversight committee, which will meet with staff and consultants to provide input and participation from cities large and small. There will be periodic check-ins as the process moves forward. SCWMA gave a fabulous presentation, which described the many activities of

the SCWMA. Ruth Abby, HDR, Inc. gave a presentation on education outreach emphasizing the importance of going door to door instead of mailings or emails.

**Public Comment**

None.

**Board Comment**

Nina Regor, City of Cloverdale, gave her compliments to SCWMA staff on the great job they did on their presentation at the SWAG meeting.

**10. Carryout Bags Ordinance Direction**

Patrick Carter reported he is not in a position to report on the carry out bags ordinance direction. The City of Rohnert Park has requested a second meeting with their Solid Waste Committee and City of Santa Rosa has been unable to schedule a presentation until September. It is anticipated all jurisdictions will be able to give a "straw vote" at the October meeting.

**Board Discussion**

Marsha Sue Lustig, City of Cotati, asked about the status of the Marin County categorical exemption ban on plastic bags. Mr. Carter stated Marin used a categorical exemption with a ban placed on plastic bags and a five cent fee on paper bags. There is litigation in process and a hearing is set for September 13, 2011.

Steve Barbose, City of Sonoma, commented he is being asked about the lack of action on the part of SCWMA.

Janet Coleson, SCWMA Counsel, plans to have a discussion on this matter during the September meeting.

**Public Comment**

None.

**Board Comments**

The Board recommended bringing the item back for the October meeting.

**11. Revised Reserve Fund Policy**

Henry Mikus reported the Board requested a revised policy be established for overages. Currently, there are four reserve funds. The Organics Reserve restricts the funds accumulated to being used in conjunction with the organics program only. The Household Hazardous Waste (HHW) Closure Reserve and HHW Facility Reserve allow overages to be transferred to the Contingency Reserve. Approval of this policy would allow the Board to exercise more discretion regarding use of excess reserve funds, such as providing funding to special onetime projects or other unique needs.

**Board Comment**

Nina Regor, City of Cloverdale, asked for some clarification concerning the 5.2 million, which is restricted for Organics use only.

She also asked about the possibility of the HHW Facility Reserve containing grant funds. Tipping fee surcharges are the primary source of revenue for HHW. Any excess from operations is transferred to the HHW Reserve. There are no grant funds held in any reserve.

**Public Comment**

None.

**Linda Babonis, City of Rohnert Park, moved to approve the revised Reserve Fund Policy. Jack Griffin, City of Sebastopol, seconded the motion. Motion was unanimously approved.**

**12. Civil Grand Jury Survey Response**

Henry Mikus received an information packet from the Civil Grand Jury regarding the need for a "Whistleblower Program" in Sonoma County. A three page survey is part of the packet and per the instructions SCWMA is required to answer page 3 entitled "Special Whistleblower Additional Response". A draft response letter stating the SCWMA employees are covered by Sonoma County Human Resources (HR) Policy per the memorandum of understanding between SCWMA and the County is attached for Board review. Staff requests direction at the October meeting for a formal written response to be sent to the Civil Grand Jury.

**Board Discussion**

Nina Regor, City of Cloverdale, remarked the SCWMA response may be different and the Sonoma County HR policy should be reviewed for appropriate application. She suggested obtaining input from each jurisdiction because each one has to respond to this survey as well.

Christa Johnson, Town of Windsor, concurred with comments made by Nina Regor.

Jack Griffin, City of Sebastopol, agreed and reminded that any response from SCWMA should mirror the Sonoma County HR policy.

**Public Comment**

None.

**13. Boardmember Comments**

Christa Johnson, Town of Windsor, conveyed her pleasure working with everyone and announced Matt Mullan, Town Manager, will be the Interim Boardmember representing the Town of Windsor. Dave Kelley was introduced as the Interim Assistant Manager, Town of Windsor.

The Boardmembers expressed their appreciation for all the energy and effort given by Christa Johnson in her service to the SCWMA.

**14. Staff Comments**

The Executive Director thanked Christa for the short, but fruitful working relationship. He expressed appreciation of the comments from Steve Barbose about the Agency presentation given at the SWAG meeting. He has done similar presentations at other cities and extended invitations to any jurisdiction who would like to have one at their city.

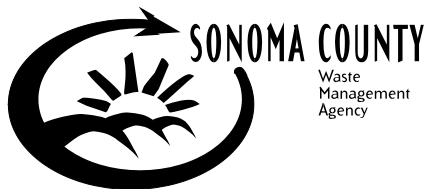
Karina Chilcott shared two items. Tomorrow, August 18<sup>th</sup>, CalRecycle will eliminate the CalMax Materials Exchange Program due to lack of interest. The SCWMA received notice the application for the US EPA Environmental Education Grant was unsuccessful.

**15. Next SCWMA Meeting – September 21, 2011**

**16. Adjournment**

Meeting adjourned at 9:45a.m.

Respectfully submitted,  
Debra Dowdell



**Agenda Item #: 8.2**  
**Cost Center: TBD**  
**Staff Contact: Mikus**  
**Agenda Date: 9/21/11**

## **ITEM: Financial Grants Available to Non-profit Organizations**

### **I. BACKGROUND**

At the request of the Sonoma County Waste Management Agency (SCWMA) Board of Directors, staff has prepared guidelines for making financial grants available to non-profit organizations.

### **II. DISCUSSION**

The SCWMA was formed in response to the California Integrated Waste Management Act of 1989 (AB 939). This act requires municipalities to divert recyclable and recoverable materials from the waste stream and to cooperate to achieve their diversion goals. In keeping with the requirements of the legislation, staff proposes a simple process for interested non-profits who wish to apply for a financial grant.

The Joint Powers Agreement defines four programs for the SCWMA to conduct with an ever increasing diversion goal in mind. The programs are (1) household hazardous waste, (2) wood waste, (3) yard waste that would otherwise go to the Central Disposal Site and (4) public education. Any request from a non-profit for grant funding must have a strong tie to one of the four programs already in place and must be able to quantify a measurable impact on the diversion efforts and therefore a beneficial public purpose, associated with the chosen program.

Only written applications on official letterhead will be considered. All applicants must be organizations with a 501 (c)(3) non-profit status and registered with the California Secretary of State. All applications must contain a budget that clearly states the use of the anticipated financial grant.

Applications will be considered only during the beginning of the SCWMA budget development process. This means that the applications must be received at the SCWMA office during the months of January and February. Any application received before the first day of January or after the last day of February will be returned to the applicant unopened and will not be considered.

There can be only one application submitted from each non-profit. No partnering of non-profits will be accepted.

Each application will be considered as a discreet and unique document. Staff reserves the right to either award the grant or refuse to award a grant. Lobbying staff for application consideration will not be allowed.

The range of awards will be between \$500 and \$2,000 with particular attention being paid to the cost effectiveness in keeping with the purpose of the SCWMA, the budget attached to the application, and the public benefit provided.

### III. FUNDING IMPACT

Impacts to the budget will be unknown until applications have been received, evaluated and awarded. An indirect budget impact would be associated staff time depending on the complexity of the applications.

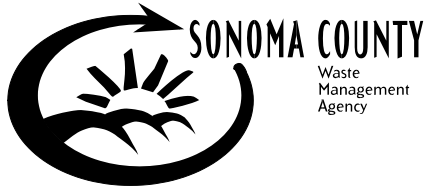
### IV. RECOMMENDED ACTION / ALTERNATIVES TO RECOMMENDATION

Staff seeks Board direction concerning awarding grants for beneficial public purposes in connection with the SCWMA's goals and objectives, as an additional part of the budget planning process.

### V. ATTACHMENTS

None

Approved by: \_\_\_\_\_  
Henry Mikus, Executive Director, SCWMA



**Agenda Item #: 9**  
**Cost Center: All**  
**Staff Contact: Mikus**  
**Agenda Date: 9/21/2011**

## **ITEM: Budget Adjustments for FY 11-12**

### **I. BACKGROUND**

At the April 2011 Board meeting, the budget for FY 11-12 was unanimously approved by the SCWMA Board. The budgeting process followed by the SCWMA includes an opportunity to make changes (Budget Adjustments) to the budget after the fiscal year-end to reflect information more current than was available at the time of budget approval in April.

There are twenty five proposed Budget Adjustments for the SCWMA's FY 11-12 Budget. While this seems like an extraordinary number, there are three categories that involve almost every cost center. A listing of the budget adjustments is attached as well as a FY 11-12 Budget Summary with the adjustments highlighted.

### **II. DISCUSSION**

The three categories of the majority of the budget adjustments are Information Systems Department (ISD), professional development/training for staff and OT-Within Enterprise adjustments.

#### Information Systems Department (ISD)

The subobjects involved are 4648 and 7425. When the Transportation and Public Works Department changed from in-house computer support to receiving support from ISD, the SCWMA was included in the change. Part of this arrangement with ISD is a three-year scheduled replacement of the desktop computers with funds set aside and held in ISD. FY 11-12 is the year of scheduled replacement of all six computers, identified by subobject 7425 Desktop Modernization, and funded with accumulated funds identified by subobject 4648 OT-From Replacement Fund. This results in a net cost of \$0.

#### Professional Development Administration and Textbook/Tuition Reimbursement

The professional development benefit program, offered as an employee benefit, was suspended until recently. The reimbursements are based on the employee's bargaining unit and job classification. The SCWMA employees are qualified for two types of reimbursements – Professional Development Administration (subobject 7110) and Textbook/Tuition (subobject 7130). Any funds left in an employee's account when the program was suspended were included when the program was restarted.

Previously, this benefit was available to staff as a part of the reimbursement to the County for staff services and staff was included in the training programs offered to all County employees. Due to budget cuts, the training program for County employees has been reduced to only a few trainings considered mandatory. This situation makes the reinstated reimbursement benefit more important to staff. By including this program in the budget, the availability and use of training funding can be easily tracked.

The funding for this reimbursement program will come from the fund balances in each individual cost center for FY 11-12. It is anticipated that, should the program continue, the funding will be included in budget planning as a use of the tipping fee revenues. The total net cost for the four cost centers involved is \$4,984.

#### OT-Within Enterprise – Organics Reserve Adjustments



The contribution to the Organics Reserve from the Wood Waste cost center is \$173,450. In the FY 10-11 Budget the contribution amount was \$52,450, but there were additional funds available. One notable reason for the additional funds being available is the revenue sharing from FY 09-10 being posted in FY 10-11. The calculation for the revenue sharing is based on the sale of finished product at the composting facility. This calculation is delayed in order to allow for complete sales records. Without a change to the composting agreement, this method of calculation for revenue sharing will remain in effect.

The contribution to the Organics Reserve from the Yard Debris cost center is \$467,000. In the FY 10-11 Budget the contribution amount was \$758,226, of which \$416,660 was prior year undesignated funds. However, there were not enough funds available to make the contribution as budgeted. Essentially, the amount of the transfer is the prior year funds plus revenue sharing.

The contributions to the Organics Reserve from the Wood Waste and Yard Debris cost centers total \$640,450. The reserves are to be used for the compost relocation project according to the Joint Powers Agreement. Work continues on the project and the balance in the reserve at the end of FY 10-11 is \$4,574,975 without the incoming contribution. With the contribution, the reserve funds available for the compost relocation project are \$5,406,277.

#### OT-Within Enterprise – Contingency Reserve Adjustments

During budget preparation, \$3,550 was projected to be the contribution from Education to the Contingency Reserve. As a result of budgetary constraints, there will be no contribution from the Education cost center to the reserve.

The contribution of \$47,710 from the Diversion Cost Center to the Contingency Reserve is the next step in the process of abandoning the cost center. This cost center is being abandoned due to lack of activity as well as lack of definition in the Joint Powers Agreement.

The Contingency Reserve is anticipated to have \$186,292 at the end of FY 11-12. The contribution from the Diversion Cost Center will be added to \$109,046, which is the balance at the end of FY 10-11.

In the Education cost center, there are two increases in both revenues and expenses in order to recognize grant awards received since the FY 11-12 Budget was approved. They are:

#### State – Other and Professional Services

The Department of Conservation awarded the grant of \$135,882 for beverage container recycling after the FY 11-12 Budget was approved. The grant payments are sent to the cities and the county and then they are forwarded on to the SCWMA for the chosen project, which this year is the mandatory commercial recycling project.

#### Miscellaneous Revenues and Miscellaneous Expenses

The SCWMA received a grant from Pacific Gas and Electric Company for \$80,000 in June 2011, instead of the \$40,000 included in the FY 11-12 Budget. This grant will be included in Miscellaneous Expenses since the funds are not from the State and should not be considered State-Other.

### III. FUNDING IMPACT

A Summary Budget, with Budget Adjustments highlighted is attached. There are increased expenditure adjustments of \$919,090 and increased revenue adjustments of \$917,565 for an increased net cost of \$1,434.

A Fund Balance Summary is included for informational use. The proposed Budget Adjustments have been included in the appropriate cost centers.

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

Staff recommends approving the Budget Adjustments to the FY 11-12 Budget with a unanimous vote, which is required by the Joint Powers Agreement, and authorizes the Executive Director to sign the eight individual Requests for Budget Adjustments as required by the Auditor-Controller's Office.

#### V. ATTACHMENTS

Budget Adjustments Summary  
Revised FY 11-12 Budget (with budget adjustments)  
Fund Balance Comparison( with adjustments)  
Resolution  
Requests for Budget Adjustments

Approved by: \_\_\_\_\_  
Henry Mikus, Executive Director, SCWMA

### Budget Adjustments Summary

Indices		799114	799213	799312	799411	799510	799619	799221	799718	
		Wood Waste	Yard Debris	HHW	Education	Diversion	Planning	Organics Reserve	Contingency Reserve	Total
<b>Sub-object Sub-Object Title</b>										
2500	State-Other				135,882					135,882
4040	Miscellaneous Revenue				80,000					80,000
4624	OT-Within Enterprise							640,450	47,710	688,160
4648	OT-From Replacement	2,269	4,538	2,269	2,269		2,269			13,614
<b>Total Revenues</b>		<b>2,269</b>	<b>4,538</b>	<b>2,269</b>	<b>218,151</b>	<b>0</b>	<b>2,269</b>	<b>640,450</b>	<b>47,710</b>	<b>917,656</b>
<b>Total Gross Expenditures</b>										
6300	Miscellaneous Expense				80,000					80,000
6500	Professional Services				135,882					135,882
7110	Professional Develop. Admin.		1,200	1,250						2,450
7130	Textbook/Tuition Reimburse.			750	1,034		750			2,534
7425	Desktop Modernization	2,269	4,538	2,269	2,269		2,269			13,614
8624	OT-Within Enterprise	173,450	467,000		(3,550)	47,710				684,610
<b>Total Reimbursements</b>		<b>175,719</b>	<b>472,738</b>	<b>4,269</b>	<b>215,635</b>	<b>47,710</b>	<b>3,019</b>	<b>0</b>	<b>0</b>	<b>919,090</b>
<b>Total Net Cost</b>		<b>173,450</b>	<b>468,200</b>	<b>2,000</b>	<b>(2,516)</b>	<b>47,710</b>	<b>750</b>	<b>(640,450)</b>	<b>(47,710)</b>	<b>1,434</b>

**SONOMA COUNTY WASTE MANAGEMENT AGENCY  
REVISED BUDGET FY 11-12 (with Budget Adjustments)**

	Wood Waste 799114	Yard Debris 799213	H H W 799312	Education 799411	Diversion 799510	Planning 799619	Organics Reserve 799221	Facility Closure 799320	Facility Reserve 799338	Contin. 799718	Total All Divisions	FY 11-12 Budget
<b>SERVICES AND SUPPLIES</b>												
6103 Liability Insurance	887	2,264	4,131	1,330	0	887	0	0	0	0	9,500	10,175
6280 Memberships	0	0	4,000	0	0	0	0	0	0	0	4,000	0
6300 Miscellaneous Expense	0	0	0	80,000	0	0	0	0	0	0	40,000	7,500
6400 Office Expense	0	2,000	4,719	11,000	0	0	0	0	0	2,000	19,719	15,000
6500 Professional Services	0	0	268,185	135,882	0	0	0	0	0	0	268,185	219,374
6521 County Services	525	1,000	2,300	2,300	0	800	0	0	0	0	6,925	6,925
6540 Contract Services	186,845	2,840,237	1,240,800	27,000	0	0	0	0	0	0	4,294,882	4,367,683
6573 Administration Costs	4,044	83,029	201,037	237,278	0	60,111	80,134	0	0	67,347	732,980	694,022
6590 Engineering Services	0	0	0	0	0	0	26,000	0	0	0	26,000	26,000
6610 Legal Services	0	2,000	8,000	25,000	0	4,000	24,000	0	0	9,000	72,000	72,000
6629 Accounting Services	844	4,056	1,944	1,607	0	337	0	0	0	0	8,788	10,243
6630 Audit Services	1,500	4,000	8,500	3,000	0	1,000	1,500	0	0	500	20,000	20,000
6785 Advertising	0	0	12,000	0	0	0	0	0	0	0	12,000	12,000
6820 Rents/Leases - Equip	0	2,500	0	0	0	0	0	0	0	0	2,500	5,500
6840 Rental Bldg/Improve	0	0	23,000	2,500	0	0	0	0	0	0	25,500	25,500
7062 Enforce Agency Fees	0	35,000	0	0	0	0	0	0	0	0	35,000	20,000
7110 Professional Development Admin.	0	1,200	1,250	0	0	0	0	0	0	0	2,450	
7130 Textbook/Tuition Reimbursement	0	0	750	1,034	0	750	0	0	0	0	2,534	
7301 County Car Expense	0	1,500	0	0	0	0	0	0	0	0	1,500	3,000
7302 Travel Expense	0	0	0	0	0	0	0	0	0	0	0	500
7400 Data Processing	1,686	3,372	1,686	1,686	0	1,686	0	0	0	0	10,116	36,335
7425 Desktop Modernization	2,269	4,538	2,269	2,269	0	2,269	0	0	0	0	13,614	0
<b>SUBTOTAL</b>	<b>198,600</b>	<b>2,986,695</b>	<b>1,784,571</b>	<b>531,886</b>	<b>0</b>	<b>71,840</b>	<b>131,634</b>	<b>0</b>	<b>0</b>	<b>78,847</b>	<b>5,608,192</b>	<b>5,551,757</b>
<b>OTHER CHARGES</b>												
8624 OT-Within Enterprise (Current)	35,540	262,071	0	0	61,336	1,576	0	0	0	0	360,523	880,401
OT-Within Enterprise (Budget Adj.)	173,450	467,000	0	0	47,710	0	0	0	0	0	688,160	0
8648 OT-Between Enterprise - ISD	454	908	454	454	0	454	0	0	0	0	2,724	
<b>SUBTOTAL</b>	<b>209,444</b>	<b>729,979</b>	<b>454</b>	<b>454</b>	<b>109,046</b>	<b>2,030</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>1,051,407</b>	<b>880,401</b>
<b>TOTAL EXPENDITURES</b>	<b>408,044</b>	<b>3,716,674</b>	<b>1,785,025</b>	<b>532,340</b>	<b>109,046</b>	<b>73,870</b>	<b>131,634</b>	<b>0</b>	<b>0</b>	<b>78,847</b>	<b>6,659,599</b>	<b>6,432,158</b>
<b>REVENUES</b>												
1700 Interest/Pooled Cash	576	4,336	732	63	0	23	24,875	333	8,085	976	39,999	51,902
2500 State-Other	0	0	268,185	135,882	0	0	0	0	0	0	404,067	313,250
2901 Tipping Fee Revenue	186,750	3,144,600	1,123,390	278,103	0	62,207	0	0	0	0	4,795,050	4,734,708
4020 Sale of Material	40,000	90,000	0	0	0	0	0	0	0	0	130,000	100,000
4040 Miscellaneous Revenue	0	0	0	80,000	0	0	0	0	0	0	80,000	7,500
4102 Donations/Reimburse	5,000	5,000	388,450	38,539	0	8,621	0	0	0	0	445,610	393,445
4624 OT-Within Enterprise	0	0	0	0	0	0	297,611	0	0	62,912	360,523	887,068
OT-Within Enterprise (Prior Year)	0	0	0	0	0	0	640,450	0	0	47,710	688,160	0
4648 OT-From Replacement(computers)	2,269	4,538	2,269	2,269	0	2,269	0	0	0	0	13,614	0
<b>TOTAL REVENUES</b>	<b>234,595</b>	<b>3,248,474</b>	<b>1,783,025</b>	<b>534,856</b>	<b>0</b>	<b>73,120</b>	<b>962,936</b>	<b>333</b>	<b>8,085</b>	<b>111,598</b>	<b>6,957,022</b>	<b>6,487,873</b>
<b>NET COST</b>	<b>173,450</b>	<b>468,200</b>	<b>2,000</b>	<b>(2,516)</b>	<b>109,046</b>	<b>750</b>	<b>(831,302)</b>	<b>(333)</b>	<b>(8,085)</b>	<b>(32,751)</b>	<b>(297,423)</b>	<b>(82,503)</b>

SCWMA Fund Balance Comparison  
FY 10-11 to Approved FY 11-12 Budget (with adjustments)

	Actual FY 09-10	Actual FY 10-11	Proposed FY 11-12
<b>Wood Waste</b>			
Beginning Fund Balance	86,168	85,243	203,241
Revenues	268,537	281,307	234,595
Expenditures	(269,462)	(163,309)	(408,044)
Ending Fund Balance	85,243	203,241	29,792
<b>Yard Debris</b>			
Beginning Fund Balance	1,551,621	506,884	914,892
Revenues	3,429,391	3,258,921	3,248,474
Expenditures	(4,474,128)	(2,850,913)	(3,716,675)
Ending Fund Balance	506,884	914,892	446,691
<b>Household Hazardous Waste</b>			
Beginning Fund Balance	674,781	22,176	12,891
Revenues	1,503,443	1,591,803	1,783,026
Expenditures	(2,156,048)	(1,601,088)	(1,785,025)
Ending Fund Balance	22,176	12,891	10,892
<b>Education</b>			
Beginning Fund Balance	78,777	50,924	14,906
Revenues	322,198	319,264	574,856
Expenditures	(350,051)	(355,282)	(572,340)
Ending Fund Balance	50,924	14,906	17,422
<b>Diversion</b>			
Beginning Fund Balance	49,598	56,624	109,046
Revenues	59,809	52,422	0
Expenditures	(52,783)	0	(109,046)
Ending Fund Balance	56,624	109,046	0
<b>Planning</b>			
Beginning Fund Balance	55,390	19,247	26,986
Revenues	37,010	64,662	73,120
Expenditures	(73,153)	(56,923)	(73,870)
Ending Fund Balance	19,247	26,986	26,236
<b>Organics Reserve</b>			
Beginning Fund Balance	3,577,714	4,769,927	4,574,975
Contributions	1,552,054	29,948	962,936
Uses	(359,841)	(224,900)	(131,634)
Ending Fund Balance	4,769,927	4,574,975	5,406,277
<b>HHW Closure Reserve</b>			
Beginning Fund Balance	52,316	59,451	59,831
Contributions	7,135	380	333
Uses	0	0	0
Ending Fund Balance	59,451	59,831	60,164
<b>HHW Facility Reserve</b>			
Beginning Fund Balance	1,292,000	1,634,785	1,607,768
Contributions	594,849	10,336	8,085
Uses	(252,064)	(37,353)	0
Ending Fund Balance	1,634,785	1,607,768	1,615,853
<b>Contingency Reserve</b>			
Beginning Fund Balance	344,221	181,429	149,991
Contributions	2,351	1,101	115,148
Uses	(165,143)	(32,539)	(78,847)
Ending Fund Balance	181,429	149,991	186,292

RESOLUTION NO.: 2011-

DATED: September 21, 2011

RESOLUTION OF THE SONOMA COUNTY WASTE MANAGEMENT AGENCY ("SCWMA")  
ADOPTING BUDGETARY ADJUSTMENTS TO THE ANNUAL BUDGET  
FOR FISCAL YEAR 2011-12.

WHEREAS, SCWMA Board of Directors gave direction to the SCWMA Executive Director to prepare and present an annual budget; and

WHEREAS, an annual budget has been prepared and presented to SCWMA Board of Directors and unanimously adopted by the SCWMA Boardmembers on April 20, 2011; and

WHEREAS, additional expenditures, in the amount of \$919,090 and additional revenues, in the amount of \$917,656 have been identified for Fiscal Year 2011-12 since the adoption of the annual budget.

NOW, THEREFORE, BE IT RESOLVED that the budgetary adjustments to SCWMA's Annual Budget for the period July 1, 2011 to June 30, 2012, attached hereto as Exhibit A is hereby adopted.

BE IT FURTHER RESOLVED that the SCWMA Clerk shall deliver a certified copy of this resolution and its supporting documentation to the Sonoma County Auditor-Controller for processing.

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:

\_\_\_\_\_  
Debra Dowdell  
Clerk of the Sonoma County Waste Management  
Agency of the State of California in and for the  
County of Sonoma

## REQUEST FOR BUDGET ADJUSTMENT TO 2011-12 BUDGET

Prepared By:	Charlotte Fisher	Division:	Integrated Waste
Fund Name:	Special District	Section:	Wood Waste
Fund Number:	85-500-110		
Phone:	565-2413	Index No.	799114

Executive Director Approval: \_\_\_\_\_

Index Expenditure Adjustment			
No. -	Sub-Object No.	Account Title/Explanation	Amount
	7425	<u>Desktop Modernization</u> Replacement of computer funded within the Wood Waste cost center	\$2,269
	8624	<u>OT-Within Enterprise</u> Contribution of undesignated funds to the Organics Reserve Fund per the Revised Reserve Policy	\$173,450

Index Revenue Adjustment			
No.	Sub-Object No.	Account Title/Explanation	Amount
	4648	<u>OT-From Replacement</u> Funds for a scheduled replacement of a SCWMA Computer budgeted in the Wood Waste cost center	\$2,269

NET COST	
Amount of Increase or (decrease)	<u>\$173,450</u>

**REQUEST FOR BUDGET ADJUSTMENT TO 2011-12  
BUDGET**

Prepared By:	<u>Charlotte Fisher</u>	Division:	<u>Integrated Waste</u>
Fund Name:	<u>Special District</u>	Section:	<u>Yard Debris</u>
Fund Number:	<u>85-500-210</u>		
Phone:	<u>565-2413</u>	Index No.	<u>799213</u>

Executive Director Approval: \_\_\_\_\_

Index Expenditure Adjustment			
No. -	Sub-Object No.	Account Title/Explanation	Amount
	7110	<u>Professional Development Administration</u> Annual reimbursement allowance to assist administration staff in professional and educational growth related to their jobs	\$1,200
	7425	<u>Desktop Modernization</u> Replacement of computer funded within the Yard Waste cost center	\$4,538
	8624	<u>OT-Within Enterprise</u> Contribution of undesignated funds to the Organics Reserve Fund per the Revised Reserve Policy	\$467,000
Index Revenue Adjustment			
No.	Sub-Object No.	Account Title/Explanation	Amount
	4648	<u>OT-From Replacement</u> Funds for a scheduled replacement of a SCWMA computer budgeted in the Yard Debris cost center	\$4,538
NET COST			
Amount of Increase or (decrease)			<u>\$468,200</u>



**REQUEST FOR BUDGET ADJUSTMENT TO 2011-12  
BUDGET**

Prepared By:	<u>Charlotte Fisher</u>	Division:	<u>Integrated Waste</u>
Fund Name:	<u>Special District</u>	Section:	<u>Household Hazardous Waste</u>
Fund Number:	<u>85-500-310</u>		
Phone:	<u>565-2413</u>	Index No.	<u>799312</u>

Executive Director Approval: \_\_\_\_\_

Index Expenditure Adjustment			
No. -	Sub-Object No.	Account Title/Explanation	Amount
	7110	<u>Professional Development Administration</u> Annual reimbursement allowance to assist administration staff in professional and educational growth related to their jobs	\$1,250
	7130	<u>Textbook/Tuition Reimbursement</u> Reimbursement covering work-related expenditures and promoting healthy lifestyles	\$750
	7425	<u>Desktop Modernization</u> Replacement of computer funded within the Household Hazardous Waste cost center	\$2,269

Index Revenue Adjustment			
No.	Sub-Object No.	Account Title/Explanation	Amount
	4648	<u>OT-From Replacement</u> Funds for a scheduled replacement of a SCWMA computer budgeted in the Household Hazardous Waste cost center	\$2,269

NET COST	
Amount of Increase or (decrease)	<u>\$2,000</u>

## REQUEST FOR BUDGET ADJUSTMENT TO 2011-12 BUDGET

Prepared By:	Charlotte Fisher	Division:	Integrated Waste
Fund Name:	Special District	Section:	Education
Fund Number:	85-500-410		
Phone:	565-2413	Index No.	799411

Executive Director Approval: \_\_\_\_\_

Index Expenditure Adjustment			
No. -	Sub-Object No.	Account Title/Explanation	Amount
	6300	<u>Miscellaneous Expense</u>	\$80,000
		Grant award from P.G.&E. for collection and disposal of fluorescent lights	
	6500	<u>Professional Services</u>	\$135,882
		Department of Conservation grant award for City/County use for mandatory commercial recycling	
	7130	<u>Textbook/Tuition Reimbursement</u>	\$1,034
		Reimbursement covering work-related expenditures and promoting healthy lifestyles	
	7425	<u>Desktop Modernization</u>	\$2,269
		Replacement of computer funded within the Education cost center	
	8624	<u>OT-Within Enterprise</u>	(\$3,550)
		Reduce contribution to the Contingency Reserve Fund in order to maintain better cash flow within the Education cost center	

Index Revenue Adjustment			
No.	Sub-Object No.	Account Title/Explanation	Amount
	2500	<u>State - Other</u>	\$135,882
		Expenditures for the mandatory commercial recycling education and evaluation	
	4040	<u>Miscellaneous Revenue</u>	\$80,000
		Expenditures for the fluorescent light collection, recycling and disposal	
	4648	<u>OT-From Replacement</u>	\$2,269
		Funds for a scheduled replacement of a SCWMA computer budgeted in the Education cost center	

NET COST

Amount of Increase or (decrease)	<u>(\$2,516)</u>
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## REQUEST FOR BUDGET ADJUSTMENT TO 2011-12 BUDGET

Prepared By: Charlotte Fisher Division: Integrated Waste  
Fund Name: Special District Section: Diversion  
Fund Number: 85-500-510  
Phone: 565-2413 Index No. 799510

Executive Director Approval: \_\_\_\_\_

Index Expenditure Adjustment			
No. -	Sub-Object No.	Account Title/Explanation	Amount
	8624	<u>OT-Within Enterprise</u> Make contribution to the Contingency Reserve Fund as part of a planned abandonment of the Diversion cost center	\$47,710

Index Revenue Adjustment			
No.	Sub-Object No.	Account Title/Explanation	Amount

NET COST  
Amount of Increase or (decrease) \$47,710

## REQUEST FOR BUDGET ADJUSTMENT TO 2011-12 BUDGET

Prepared By:	Charlotte Fisher	Division:	Integrated Waste
Fund Name:	Special District	Section:	Planning
Fund Number:	85-500-610		
Phone:	565-2413	Index No.	799619

Executive Director Approval: \_\_\_\_\_

Index Expenditure Adjustment			
No. -	Sub-Object No.	Account Title/Explanation	Amount
	7130	<u>Textbook/Tuition Reimbursement</u> Reimbursement covering work-related expenditures and promoting healthy lifestyles	\$750
	7425	<u>Desktop Modernization</u> Replacement of computer funded within the Planning cost center	\$2,269

Index Revenue Adjustment			
No.	Sub-Object No.	Account Title/Explanation	Amount
	4648	<u>OT-From Replacement</u> Funds for a scheduled replacement of a SCWMA Computer budgeted in the Planning cost center	\$2,269

NET COST	
Amount of Increase or (decrease)	<u>\$750</u>

## REQUEST FOR BUDGET ADJUSTMENTS TO 2010-11 BUDGET

Prepared By:	Charlotte Fisher	Division:	Integrated Waste
Fund Name:	Special District	Section:	Organics Reserve
Fund Number:	85-500-220		
Phone:	565-2413	Index No.	799221

Executive Director Approval: \_\_\_\_\_

Index	Expenditure Adjustment		
No. -	Sub-Object No.	Account Title/Explanation	Amount

Index	Revenue Adjustment		
No.	Sub-Object No.	Account Title/Explanation	Amount

4624		<u>OT-Within Enterprise</u>	\$640,450
		Contribution from Wood Waste and Yard Debris per	
		Revised Reserve Policy	

NET COST	
Amount of Increase or (decrease)	<u>\$640,450</u>

## REQUEST FOR BUDGET ADJUSTMENTS TO 2010-11 BUDGET

Prepared By:	Charlotte Fisher	Division:	Integrated Waste
Fund Name:	Special District	Section:	Contingency Reserve
Fund Number:	85-500-710		
Phone:	565-2413	Index No.	799718

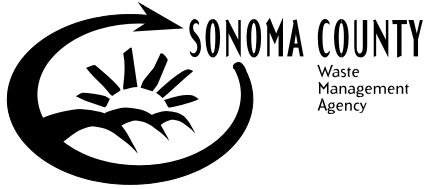
Executive Director Approval: \_\_\_\_\_

Index	Expenditure Adjustment		
No. -	Sub-Object No.	Account Title/Explanation	Amount

Index	Revenue Adjustment		
No.	Sub-Object No.	Account Title/Explanation	Amount

4624	<u>OT-Within Enterprise</u>	\$47,710
	Contribution from the Diversion Cost Center continuing the abandonment due to lack of use	

NET COST	
Amount of Increase or (decrease)	<u>\$47,710</u>



**Agenda Item #: 10**  
**Cost Center: Organics**  
**Staff Contact: Mikus, Carter**  
**Agenda Date: 9/21/2011**

**Item: Presentation by Sonoma Vermiculture**

**I. BACKGROUND**

Sonoma Vermiculture, located on the Carneros River Ranch at 3900 Sears Point Road in the southern end of Sonoma County, began activities using worms to compost food waste in January 2011. This initial effort has been a pilot project designed to test and refine their procedures, and set the stage for a larger facility. They currently operate several vermicompost beds in a refurbished barn structure that is processing approximately 35 tons of material per week. North Bay Corporation is supplying feed materials sourced from a variety of mainly commercial generators around the County. All finished material has been retained for use on-property in ranch operations. The venture has been successful thus far.

**II. DISCUSSION**

Sonoma Vermicompost is giving an informational presentation to our Board.

Staff visited their facility, and found their operation to be quite impressive.

As for their future, Sonoma Vermicompost has started the process of permitting and designing a larger facility slated to have a capacity of approximately 100 tons per day or 30,000 tons per year. They have contacted our Agency to do the requisite planning work to include their facility in the Non Disposal Facility Element (NDFE) of the County-wide Integrated Waste Management Plan (CIWMP) that the Agency administers for our region. It is anticipated Sonoma Vermicompost will be seeking formal Agency approval from our Board for inclusion into the NDFE within the next several months.

Their project has positive implications for our Organics Program beyond our Agency involvement in the permitting and NDFE process. Given our ongoing discussions on compost program expansion, particularly regarding increased processing of food waste, it is clearly possible vermicompost could have a significant role in how that future growth evolves.

One facet of interest is that because of an impending program to raise the elevation on their host ranch, Sonoma Vermicompost has the potential on-site need to supply soil amendment material for the next 20 to 30 years.

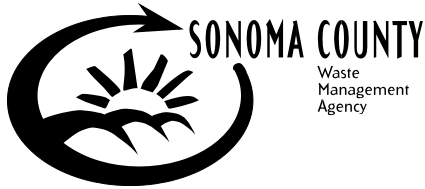
**III. FUNDING IMPACTS**

None at this time

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

None required, presentation is informational only.

Approved by: \_\_\_\_\_  
Henry J. Mikus, Executive Director, SCWMA



**Agenda Item #:** 12  
**Cost Center:** Education  
**Staff Contact:** Carter  
**Agenda Date:** 9/21/2011

## **Item: Mandatory Commercial Recycling Education Project (Continued)**

### **I. BACKGROUND**

This item was continued from the August 17, 2011 SCWMA meeting, at the request of staff in order to allow further study and development of a new alternate project plan.

At the May 18, 2011 meeting, the Board directed staff to develop a Request for Proposals for commercial and multifamily facility recycling educational services. The project would be funded through the City/County Payment Program.

### **II. DISCUSSION**

Under a new alternate plan, SCWMA staff would oversee the work of several individuals hired on a temporary basis. Additional staff can be hired on a project basis for a limited time period. One individual would be the project coordinator, and would develop the database, perform the initial mail/letter contact, organize and participate in the outreach visits to firms and multifamily housing developments, and prepare the project final report. This individual would work six to eight months and incur expense of approximately \$35,000. In addition, several individuals, drawn from the pool of people already being used for SCWMA outreach events, would work performing site visits and giving direct contact with participants. Across a span of 13 to 15 weeks it is anticipated approximately 1,000 visits could be accomplished with three-quarter of them initial contacts and one-quarter of the visits follow ups.

Staff has contacted the CalRecycle grant manager and confirmed this approach would be allowed.

The table below is reproduced from the August 17, 2011 staff report to allow comparison of numbers of visits and costs. The numbers for the new plan have been added for comparative purposes.

<b>Proposal</b>	<b>Site Visits Proposed</b>	<b>Cost Per Additional Site</b>
C2	300-391	\$100
CAFÉ	648	\$75
DEI	~400	\$90
SCWMA	1,000	\$40

SCWMA staff has identified a job classification that is suited toward project-specific, time limited work which equates to a fully burdened rate of approximately \$32/hr. Additional staff could be hired through a temporary agency at a rate of \$18/hr. These employees/temps would be performing the outreach (phone, in-person, and follow-up/evaluation). An advantage of utilizing these personnel would be their previous experience doing outreach for the SCWMA and their familiarity with the mission, staff, and materials.



Staff Title	Job Responsibilities	Time	Cost
Executive Director	Overall project/employee management	80 hours	\$8,080
Waste Management Specialist	Project management, research, training, quality control, evaluation	120 hours	\$8,640
Project Coordinator	Database creation and maintenance, data entry, outreach training, outreach implementation, evaluation, report writing	1,080 hours	\$34,560
Temps Labor (up to four)	Outreach (phone, in-person, follow-up/evaluation), data entry	2,000 hours	\$36,000
Materials, outreach mailings:			\$11,900
Total:			\$99,180

The in-house implementation of this project would involve creation of a database which belongs to the SCWMA, populated with all Sonoma County businesses, initial outreach to 750 businesses, follow-up visits to 250 of those businesses, evaluation for effectiveness, and reporting to the SCWMA upon project completion. Once the database is complete, additional businesses could be included in the outreach with additional grant funds at the discretion of the Board for approximately \$40 per visit.

While the SCWMA proposal would allow visitation of more sites and a lower cost for additional sites, there would be additional workload to SCWMA staff, and would require management of additional personnel on a temporary basis.

### III. FUNDING IMPACTS

The total grant funding amount available through the City/County Payment Program is \$135,882.

The highest ranked proposal, submitted by CAFE, includes a budget of \$100,000. Acceptance of this proposal would allow for \$36,702 to be expended through other grant-allowed activities, including expansion of this project.

The SCWMA estimation for in-house implementation of the project is \$99,180. Acceptance of this proposal would allow \$36,702 to be expended through other grant-allowed activities, including the expansion of this project.

### IV. RECOMMENDED ACTION / ALTERNATIVES TO RECOMMENDATION

Staff recommends proceeding with this project in-house via the utilization of temporary/extra hire personnel for a fixed time-period, with project oversight by SCWMA staff. This approach will provide the greatest amount of outreach opportunities coupled with the necessary ownership of the database of commercial entities crucial to possible future similar project activities.

### V. ATTACHMENTS

Outreach Project Budget

Approved by: \_\_\_\_\_  
Henry J. Mikus, Executive Director, SCWMA

**Sonoma County Waste Management Agency**  
**Mandatory Commercial Recycling**  
**Outreach Project Budget for FY 11-12**

**Unit costs:**

Position	Rate/hour
Executive Director	\$101
Program Manager	\$72
Extra Hire Coordinator	\$32
Manpower Outreach	\$18

**Labor:**

Description	Staff	Hours ea	Hours total	Rate/hour	Total
Executive Director	1	80	80	\$101	\$8,080
Program Manager	1	120	120	\$72	\$8,640
Project Coordinator	1	1,080	1,080	\$32	\$34,560
Temp Labor (Outreach)	4	500	2,000	\$18	\$36,000

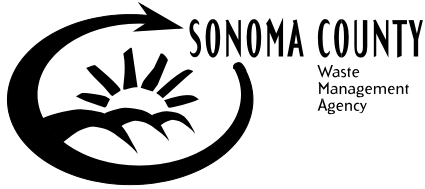
**Other costs:**

Task	Qty	Unit cost	Total
Mailing	20,000	\$0.34	\$6,800
Printing (tri-fold)	20,000	\$0.09	\$1,800
Auto Reimbursement	6,000	\$0.55	\$3,300

**Budget Summary:**

Item	Amount
Project Management	\$16,720
Outreach Labor	\$70,560
Mailing/Supplies/Auto	\$11,900

**Total:                               \$99,180**



**Agenda Item #: 13**  
**Cost Center: Administration**  
**Staff Contact: Mikus**  
**Agenda Date: 9/21/2011**

**Item: Civil Grand Jury Survey Response**

**I. BACKGROUND**

At the end of June SCWMA received an information packet from the Sonoma County Civil Grand Jury regarding the possible need for a "Whistleblower Program" in Sonoma County. The Civil Grand Jury has deliberated regarding this subject. The packet contains background information on "Whistleblower Programs" and offers some options for potential courses of action. The packet has been issued to all government jurisdictions in Sonoma County; while the main thrust is to the County government and the nine incorporated cities, other groups such as SCWMA were also included.

A three page survey is part of the packet and per the instructions SCWMA is requested to answer survey page 3 entitled "Special Whistleblower Additional Response".

This item was presented to the Board at the August 17, 2011 meeting. Staff was instructed to bring the item back to the Board at the September 21, 2011 meeting for action.

**II. DISCUSSION**

SCWMA contracts with County government for numerous services, including rental of office space and the utilization of the County system for Human Resources (HR). Thus we fall under County HR policies, and other such standards. Whatever "Whistleblower Programs" currently exist, or may be modified by the County as a result of the Grand Jury recommendations, would apply to SCWMA employees. There is no need for SCWMA to consider or adopt separate programs or policies related to the subject.

California and Federal law protect whistleblowers from retaliation. Further, California requires whistleblower information, including a phone number for prospective whistleblowers to call, to be posted and available to employees. We have verified that policy documentation regarding retaliation and the phone number are posted and available to employees as required. A copy of the posted material is included as an attachment.

A draft cover response letter and the survey form containing draft answers are attached for review.

**III. FUNDING IMPACTS**

None.

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

Instruct staff to submit the attached response letter and filled in form to the Civil Grand Jury

V. Attachments

Report, survey, and cover letter packet issued by the Sonoma County Civil Grand Jury regarding a "Whistleblower Program".

Draft Agency response to the survey, including a cover letter and filled-in form.

Copy of Whistleblower posted material

Approved by: \_\_\_\_\_  
Henry J. Mikus, Executive Director, SCWMA

## Response to Grand Jury Report Form

Report Title: \_\_\_\_\_

Report Date: \_\_\_\_\_

Response by: \_\_\_\_\_ Title: \_\_\_\_\_

### FINDINGS

- I (we) agree with the findings numbered: \_\_\_\_\_
- I (we) disagree wholly or partially with the findings numbered: \_\_\_\_\_  
(Attach a statement specifying any portions of the findings that are disputed; include an explanation of the reasons therefor.)

### RECOMMENDATIONS

- Recommendations numbered \_\_\_\_\_ have been implemented.  
(Attach a summary describing the implemented actions.)
- Recommendations numbered \_\_\_\_\_ have not yet been implemented, but will be implemented in the future.  
(Attach a timeframe for the implementation.)
- Recommendations numbered \_\_\_\_\_ require further analysis.  
(Attach an explanation and the scope and parameters of an analysis or study, and a timeframe for the matter to be prepared for discussion by the officer or director of the agency or department being investigated or reviewed, including the governing body of the public agency when applicable. This timeframe shall not exceed six months from the date of publication of the grand jury report.)
- Recommendations numbered \_\_\_\_\_ will not be implemented because they are not warranted or are not reasonable.  
(Attach an explanation.)

Date: \_\_\_\_\_ Signed: \_\_\_\_\_

Number of pages attached \_\_\_\_\_

Special Whistleblower Additional Response

1. Do you post copies of the state whistleblower statutes and hotline number in your employee break room? ☐ Yes ☐ No
2. How would an employee allegation of significant wrongdoing be directed within your organization?  
\_\_\_\_\_
3. How would a citizen allegation of significant wrongdoing be directed within your organization?  
\_\_\_\_\_
4. Do you believe that present laws and practices provide an adequate safeguard for your organization and for those individuals who may wish to report wrongdoing? If yes, please explain.  
☐ Yes ☐ No
5. Do you believe that a local twenty-four hour hot line, additional assurance of confidentiality and summary annual reports to the citizens would be of substantial value when managing increasingly scarce governmental resources? ☐ Yes ☐ No
6. Given time and adequate description of a proposed structure and process, would you consider formally adopting a resolution to participate in a countywide whistleblower program administered by either the Grand Jury or the County Auditor-Controller office? ☐ Yes ☐ No

7. Comments:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

By

For



## THE SONOMA COUNTY CIVIL GRAND JURY

P.O. Box 5109 · Santa Rosa · California · 95402 · (707) 565-6330  
[http://www.sonomasuperiorcourt.com/pages/gjury\\_info.php](http://www.sonomasuperiorcourt.com/pages/gjury_info.php)

June 24, 2011

JUN 27 '11 PM 1:41

SCWMA  
2300 County Center Drive B100  
Santa Rosa, CA 95403

Enclosed please find a copy of the above report by the Sonoma County Civil Grand Jury.

Note that Penal Code section 933.05(f) specifically prohibits any disclosure of the contents of this report by a public agency or its officers or governing body prior to its June 30, 2011 scheduled release to the public. You are herewith admonished not to disclose or discuss the contents of this report before that date.

The Grand Jury requests that you respond in writing to the Findings and Recommendations. You are requested to submit your responses to the Presiding Judge within the time frames identified in Penal Code 933, as follows:

Hard copy to: Gary Nadler, Presiding Judge  
Superior Court State of California  
County of Sonoma Hall of Justice  
600 Administrative Drive Santa Rosa, CA. 95403

Hard copy to: Foreperson  
Sonoma County Civil Grand Jury  
P.O. Box 5109  
Santa Rosa, CA 95402

Responses are public records. The clerk of the public agency affected must maintain a copy of your response. Should you have any questions, please contact me at 707 565-6330 or at the above address.

[REDACTED]

Chris Christensen, Foreperson  
2010-2011 Sonoma County Civil Grand Jury

**WHAT WE DON'T KNOW COULD HURT US**  
**The Need For A Whistleblower Program**  
**In Sonoma County**

**SUMMARY**

**Whistleblower Tip Nets IRS \$20 Million<sup>1</sup>**  
**Glaxco Smith Kline Pays \$750 Million<sup>2</sup>**  
**Tenet Healthcare Pays \$62,550,000<sup>3</sup>**  
**\$6.89 Billion Returned to the U.S. Treasury<sup>4</sup>**

It's no secret that waste, fraud and abuse exist, as evidenced in the recent news exposés listed above. All of the recovered money listed above was the result of whistleblowers coming forward to expose the waste, fraud or abuse in companies and/or government entities. A whistleblower is a person who exposes wrongdoing about an employer, business or government entity to the public, or to those in the organizations who are in a position of authority and who can affect change. "Whistleblowing" is an activity that requires the utmost confidentiality and trust. Absent the confidentiality and trust that the information will be well handled, whistleblowing will not occur and important information needed to effectively confront waste, fraud and abuse will not be available. In these cases, we can expect that what we don't know could hurt us as citizens and taxpayers.

Getting whistleblower information is also a matter of convenience and accuracy. That is, the ability to make a report at the right moment and having the ability to convey verbal or written information accurately and efficiently. The State of California offers a central whistleblower hotline, which requires public employers to publicize hotline contact information and also prohibits workplace retaliation. However, using the state system, the calling party is likely to be redirected to one or more local agencies where the complainants must repeatedly make their case and where confidentiality can be lost.

Many public entities in California have created their own whistleblower programs as a way to provide greater availability, responsiveness and anonymity for employees and citizens who make complaints within each county. We believe that the public entities in Sonoma County would be well served by implementing a single, central, local program.

This Grand Jury report is concerned with improving the mechanisms for receiving and dealing with complaints from employees or citizens about fraud, waste or abuse of authority against any regularly constituted district, council, board, commission or agency that provides services to the citizens of Sonoma County and is funded through locally collected fees, special assessments or taxes.

The Grand Jury recommends that all governmental units within Sonoma County cooperatively institute and publicize one inclusive whistleblower program that would provide an anonymous hotline, an annual reporting system and the assurance that consideration of the complaint will result from a single phone

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<sup>1</sup> [www.usatoday.com](http://www.usatoday.com) (04-08-11)

<sup>2</sup> [www.nytimes.com](http://www.nytimes.com) (10-26-10)

<sup>3</sup> [www.hirst-chanler.com/10.html](http://www.hirst-chanler.com/10.html)

<sup>4</sup> [www.phillipsandcohen.com](http://www.phillipsandcohen.com)



call. Absent such a program, there are many possibilities for either suppressing critical information and/or for career-altering retaliation against a whistleblower.

## **BACKGROUND**

California Government Code section 8547 et. seq. and Labor Code section 1102.5 establish whistleblower legislation that protects employees who complain against their employers. Section 8547 et. seq., known as the California Whistleblower Protection Act, provides that “state employees should be free to report waste, fraud, abuse of authority, violation of law, or threat to public health without fear of retribution.” Section 1102.5 provides that “no employer shall retaliate against an employee for disclosing information to a government or law enforcement agency, where the employee has reasonable cause to believe that the information discloses a violation of state or federal statute, or violation or noncompliance with a state or federal regulation.”

During its investigation, the Grand Jury called the state hotline number to determine how complaints are received and handled. Employees of organizations other than state agencies can phone in or email their complaint to the State Attorney General’s office, while complaints related to state agencies are directed to the State Auditor/Controller’s whistleblower hotline. In either case, the receiving office attempts to understand the nature of the complaint and then directs the individual to the appropriate agency at the state or local level. The complaining individual subsequently must contact another office to get the complaint heard. It is likely that this complicated process deters people with valid complaints from following through with contacting more than one agency. Also, individuals who have complaints about a county or city employee may view the state’s hotline as too far removed from the city or county, thereby decreasing the chances that their complaints will be acted upon. Therefore a single, countywide hotline would address this issue.

If one of several available commercial hotline services were used, accessibility would be extended to “24/7/365,” and information captured would be complete and accurate because the caller would speak with a trained person (not an answering machine). Multiple (40+) languages would be accommodated, anonymity would be assured and costs (est. less than \$15,000/yr<sup>5</sup>) would be far less than attempting to staff one or more similar functions locally.

## **INVESTIGATIVE APPROACH**

The Grand Jury gathered information on whistleblower legislation in the State of California. In addition, each of California’s 58 counties was contacted to determine its whistleblower approach. As detailed below, at least 11 counties have instituted their own whistleblower programs. Administrators and elected officials in Sonoma County were interviewed to gather historical perspectives and current thinking regarding a county-based whistleblower program. The Grand Jury researched available commercial ethics hotline companies and their case management programs.

## **DISCUSSION**

A locally administered, independent and confidential whistleblower program for all of Sonoma County would provide governmental employees, elected board members and citizens the assurance that

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<sup>5</sup> Based on a written quote from a national company.

allegations of fraud, waste or abuse of authority can be anonymously reported and resolved without the threat of retaliation. Two options were considered by the Grand Jury.

The first option is the County Auditor/Controller's office could administer a central whistleblower program and that any governmental units within Sonoma County could agree to participate/cooperate. The County Auditor/Controller's office currently has an employee complaint evaluation system through its "Inappropriate Actions Committee," which could be expanded into a full-fledged whistleblower program. The complexity would come in getting voluntary participation from other governmental units operating within county borders. There are numerous examples of similar programs at the county or even city level around the state, but these generally do not reach across governmental boundaries. A SINGLE, CENTRAL reporting location in Sonoma County would greatly enhance the assurance of impartiality, confidentiality and citizen accountability.

The second option is for Sonoma County's Civil Grand Jury to administer the whistleblower program. The Civil Grand Jury is citizen-based, judicially supervised and empowered with special access and confidentiality. Although these are powerful advantages, the Grand Jury also has significant limitations in terms of investigative resources and the required annual turnover of membership. Nevertheless, the Grand Jury, as the central collection point in a countywide whistleblower program, could provide an umbrella that comfortably covers all governmental units and offers a high level of confidentiality and trust for the employees and citizens. In addition, the Grand Jury could give assurance that complaints are not forgotten by using a summary in regular annual reports to the general public.

Regardless of the option chosen, legal guidance would be needed as to whether issues may have criminal content. Credible reports, or complaints, would be referred to appropriate levels of government, with the understanding that status reports would be required and that a central open file would be maintained, pending final resolution.

The role of the central administrator for a whistleblower program would be to provide an additional layer of security and confidentiality and to extend the program's reach to include any governmental unit within the county. The Grand Jury may be better suited for this role because it already has a mandate for governmental oversight, and it has established investigative powers, including the ability to use subpoena to gain access to officials and records.

Our investigation revealed that the following counties have instituted their own local whistleblower programs: Alameda, Los Angeles, Orange, Sacramento, San Bernardino, San Francisco, San Mateo, Santa Clara, Santa Cruz, Solano, and Stanislaus. A list of the websites for these programs is provided in Appendix 1.

The Grand Jury found that many of the counties had hotlines available 24 hours, 7 days a week. Others had lines available only during business hours. Variations were in the administration of the programs and whether or not they were inclusive on a regional basis. The Auditor-Controller's Internal Audit Division was a strong choice to investigate claims, as were the County Administrative Officer and County Counsel. Most California counties do not have whistleblower programs in place. Complaints are received by Human Resources and referred to the corresponding departments.

The number of complaints received by these local programs seemed to vary with population. One county had only 20 complaints in a year, while a large population county reported having 600+ pending complaints. If we assume that these numbers are typical, then a Sonoma County program might expect

to receive about 50+ complaints per year. All of the local programs included provisions for annual reports listing the number of complaints received, how many were investigated and the results of the investigations.

Although better than simply relying on the State Whistleblower Hotline, most of these programs target county employees and are limited to complaints about county government. As a result, citizens, municipalities, school districts and other special districts are still not well served. Therefore, we recommend that a Sonoma County Whistleblower program include all cities, districts and agencies operating within the county. A list of the Sonoma County cities, districts and agencies, not affiliated with county government, is provided in Appendix 2. There are 110!

At first, the mechanics and complexity of such a system appear overwhelming in terms of 24-hour access and the need for professional staff. However, our investigation has shown that these services are readily available by independent companies at a modest cost. These specialized companies provide a centralized service and have established track records with a variety of business and government clients. We believe that selecting one of these specialized service companies would enable an administrator to effectively implement the investigation, or referral, of all complaints and to track and report the results, using specialized software available through the company program.

## **FINDINGS**

- F1. Sonoma County offices follow state law by posting the State Attorney General's hotline number on employee bulletin boards.
- F2. Many of the larger counties and several cities in California have created their own whistleblower programs. Most are provided only for their own employees.
- F3. There is no central administrator in Sonoma County to report evidence of waste, fraud and abuse among the multitude of local governmental organizations and to ensure that a fair and confidential investigation takes place.
- F4. The cost to implement a whistleblower program applicable to all governmental units in Sonoma County would be modest and initially focused on publicizing contact information and educating employees and citizens about its availability.

## **RECOMMENDATIONS**

- R1. Every governmental unit: county, city, school board or special district should encourage employees and citizens alike to report suspected waste, fraud or abuse issues to a central county reporting location. This local whistleblower hotline should be administered by the Civil Grand Jury or the Auditor-Controller's office to provide anonymity and assurance that investigations will be thorough and impartial for any government entity in Sonoma County. Why would the Grand Jury want the County of Sonoma to provide this service and include cities and other government entities? We suggest this for the greater good of the citizens!
- R2. When a Sonoma County central whistleblower program and administrator is established, every governmental unit should provide clear, easily accessible information about the program and 24-hour hotline on their websites, in their employee training and as a notice on employee bulletin boards.

- R3. The county budget for 2011/2012 and forward, include the cost of a commercial whistleblower hotline service (est. less than \$15,000/ yr), either as part of the operating budget of the Civil Grand Jury or the office of the Auditor / Controller.
- R4. The designated office for Sonoma County should provide an annual report to the public on the whistleblower program including such information as the total number of whistleblower complaints received, the number of complaints that were formally investigated, and the dollar value (if applicable) that was recovered.

### **REQUIRED RESPONSES TO RECOMMENDATIONS AND THE QUESTIONS IN APPENDIX 3**

From the following County officials:

- Chief Administrative Officer
- Auditor/Controller

From the following governing bodies:

- Board of Supervisors
- City Councils as listed in Appendix 2

### **REQUESTED RESPONSES TO RECOMMENDATIONS IN APPENDIX 3**

From the following governing bodies:

School Districts Boards of Directors as listed on Appendix 2

Boards of Directors for special districts and agencies listed in Appendix 2

### **APPENDIX 1**

List of whistleblower websites for California counties:

- <http://sfcontroller.org/index.aspx?page=31>
- <http://www.ocgov.com/ocgov/Internal%20Audit/OC%20Fraud%20Hotline>
- <http://www.lacountyfraud.org/>
- <http://www.finance.saccounty.net/Auditor/AuditFraudHotline.asp>
- <http://www.sbcounty.gov/acr/hotline.htm>
- <http://www.co.sanmateo.ca.us/portal/site/controller/menuitem.1f860392596ef25b74452b31d17332a0/?vgnextoid=2b5a0f68ed180210VgnVCM1000001d37230aRCRD&vgnnextfmt=DivisionsLanding>
- <http://www.sccgov.org/portal/site/wp/>
- <http://www.co.santa-cruz.ca.us/whistleblower.htm>
- <http://www.co.solano.ca.us/depts/auditor/whistleblower/default.asp>

## APPENDIX 2

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

### Independent Special Districts

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Green Valley Cemetery	P.O. Box 678 Graton, CA 95444
Shiloh Cemetery	7130 Windsor Rd. Windsor, CA 95492
Bennett Valley Fire	6161 Bennett Valley Rd. Santa Rosa, CA 95404
Rancho Adobe Fire	11000 Main St. P.O. Box 1029 Penngrove, CA 94951
Forestville Fire	6554 Mirabel Rd. P.O. Box 427 Forestville, CA 95436
Glen Ellen Fire	13445 Arnold Dr. Glen Ellen, CA 95442
Graton Fire	P.O. Box A Graton, CA 95444
Russian River Fire	14100 Armstrong Woods Rd. P.O. Box 367 Guerneville, CA 95446
Kenwood Fire	P.O. Box 249 Kenwood, CA 95452
Monte Rio Fire	9870 Main St P.O. Box 279, Monte Rio, CA 95462
Rincon Valley Fire	P.O. Box 530/8200 Old Redwood Hwy. Windsor, CA 95492
Roseland Fire	830 Burbank Ave. Santa Rosa, CA 95407
Schell-Vista Fire	22950 Broadway, Sonoma CA 95476
Gold Ridge Fire	4500 Hessel Rd. Sebastopol, CA 95472
Valley of the Moon Fire	630 Second St. West, Sonoma CA 95476
Bodega Bay Fire	510 Highway 1, P.O. Box 6 Bodega Bay, CA 94923
Windsor Fire	8200 Old Redwood Hwy. P.O. Box 530 Windsor, CA 95492
Geyserville Fire	P.O. Box 217, 20975 Geyserville Ave., Geyserville, CA 95441
Timber Cove Fire	30800 Seaview Rd. Cazadero, CA 95421
Cloverdale Fire	451 S. Cloverdale Blvd, Cloverdale, CA 95425
Cloverdale Hospital	P.O. Box 434 Cloverdale, CA 95425
Marin/Sonoma Mosquito Abatement	595 Helman Ln. Cotati, CA 94931
Camp Meeker Rec & Park	5240 Bohemian Hwy. P.O. Box 461 Camp Meeker, CA 95419
Del Rio Woods Rec & Park	C/O Don King, 1521 Fountaingrove Pkwy Santa Rosa, CA 95403
Monte Rio Rec & Park	P.O. Box 877 Monte Rio CA 95462
Russian River Rec & Park	15010 Armstrong Woods Rd P.O. Box 195 Guerneville, CA 95446
Gold Ridge Soil Conservation	P.O. Box 1064 Occidental, CA 95465
Sotoyome Resource Conservation	P.O. Box 11526 (95406) 2150 West College Ave Santa Rosa, CA 95401
Southern So Co	1301 Redwood Way Ste #170 Petaluma, CA 94954
ResourceConservation	
Occidental Community Services	C/O 3799 Bohemian Hwy P.O. Box 244 Occidental, CA 95465
Cazadero Community Services	P.O. Box 508 Cazadero, CA 95421
Graton Community Services	250 Ross Lane Sebastopol, CA P.O. Box 534 Graton, CA 95444
RCPA	490 Mendocino Ave Ste 206 Santa Rosa, CA 95401
Forestville Water	6530 Mirabel Rd. P.O. Box 261 Forestville, CA 95436
Valley of the Moon Water	P.O. Box 280 El Verano, CA 95433
Sonoma Mountain Co Water	5438 Alta Monte Dr Santa Rosa, CA 95404

SMART  
 North Marin Water  
 Russian River Co Water  
 Sweetwater Springs Water  
 Timber Cove Water  
 Rains Creek Water  
 Windsor Water (Town of Windsor)  
 Bodega Bay Public Utilities  
 SCPSA  
 Palm Drive Health Care  
 Bay Area Air Quality  
 Sonoma Valley Health Care  
 Coast Life Ambulance  
 NCRA  
 LAFCO  
 REDCOM  
 North Bay Coop Library  
 Law Library  
 SCERA-Retirement  
 SCAVA Service Authority  
 So Co Open Space Authority  
 So Co Transportation Authority  
 SCWMA

750 Lindero St. Suite 200 San Rafael, CA 94901  
 999 Rush Creek Pl P.O. Box 146 Novato, CA 94948  
 P.O. Box 954 Forestville, CA 95436  
 17081 Hwy 116 Suite B P.O. Box 48 Guerneville, CA 95446  
 P.O. Box 118 Jenner, CA 95450  
 P.O. Box 730 Forestville, CA 95436  
 9291 Old Redwood Hwy Windsor, CA 95492  
 265 Doran Park Rd. P.O. Box 70 Bodega Bay, CA 94923  
 965 Sonoma Ave Santa Rosa, CA 95404  
 501 Petaluma Ave. Sebastopol, CA 95472  
 939 Ellis St. San Francisco, CA 94109  
 347 Andrieux St. P.O. Box 600 Sonoma CA 95476  
 P.O. Box 1056 38901 Ocean Dr. Gualala, CA 95445  
 419 Talmage Road Suite M Ukiah, CA 95482  
 575 Administration Dr. Rm 104A Santa Rosa, CA 95403  
 2796 Ventura Ave Santa Rosa, CA 95403  
 55 E. Street Santa Rosa, CA 95404  
 2604 Ventura Ave Santa Rosa, CA 95403  
 433 Aviation Blvd. Santa Rosa, CA 95403  
 2550 Ventura Ave Santa Rosa, CA 95403  
 747 Mendocino Ave Suite 100 Santa Rosa, CA 95401  
 490 Mendocino Ave Ste 206 Santa Rosa, CA 95401  
 2300 County Center Dr. B100 Santa Rosa, CA 95403

#### School Districts

Alexander Valley Union  
 Bellevue Union  
 Bennett Valley Union  
 Cinnabar  
 Cloverdale Unified  
 Cotati-Rohnert Park Unified  
 Dunham  
 Forestville Union  
 Fort Ross  
 Geyserville Unified  
 Gravenstein Union  
 Guerneville  
 Harmony Union  
 Healdsburg Unified  
 Horicon  
 Kashia  
 Kenwood  
 Liberty  
 Mark West Union  
 Monte Rio Union  
 Montgomery Elementary  
 Oak Grove Union  
 Old Adobe Union  
 Petaluma City Elementary  
 Petaluma Joint Union High  
 Piner-Olivet Union  
 Rincon Valley Union  
 Roseland  
 Santa Rosa City Elementary  
 Santa Rosa City High

8511 Highway 128, Healdsburg, CA 95448  
 3150 Education Drive, Santa Rosa, CA 95407  
 2250 Mesquite Drive, Santa Rosa, CA 95405  
 286 Skillman Lane, Petaluma, CA 94975-0399  
 97 School Street, Cloverdale, CA 95425  
 5860 Labath Avenue, Rohnert Park, CA 94928  
 4111 Roblar Road, Petaluma, CA 94952  
 6321 Highway 116, Forestville, CA 95436-9699  
 30600 Seaview Road, Cazadero, CA 95421  
 1300 Moody Lane, Geyserville, CA 95441  
 3840 Twig Avenue, Sebastopol, CA 95472-5750  
 14630 Armstrong Woods Rd, Guerneville, CA 95446  
 1935 Bohemian Highway, Occidental, CA 95465  
 1028 Prince Street, Healdsburg, CA 95448  
 35555 Annapolis Road, Annapolis, CA 95412-9713  
 Skaggs Springs Road, Stewarts Point, CA 95480  
 230 Randolph Avenue, Kenwood, CA 95452  
 170 Liberty School Road, Petaluma, CA 94952  
 305 Mark West Springs Rd, Santa Rosa, CA 95404-1101  
 20700 Foothill Drive, Monte Rio, CA 95462  
 18620 Fort Ross Road, Cazadero, CA 95421  
 5299 Hall Road, Santa Rosa, CA 95401  
 845 Crinella Drive, Petaluma, CA 94954  
 200 Douglas Street, Petaluma, CA 94952  
 200 Douglas Street, Petaluma, CA 94952  
 3450 Coffey Lane, Santa Rosa, CA 95403-1919  
 1000 Yulupa Avenue, Santa Rosa, CA 95405  
 1934 Biwana Drive, Santa Rosa, CA 95401  
 211 Ridgway Avenue, Santa Rosa, CA 95401  
 211 Ridgway Avenue, Santa Rosa, CA 95401

Sebastopol Union	7611 Huntley, Sebastopol, CA 95472
Sonoma Valley Unified	17850 Railroad Avenue, Sonoma, CA 95476
Twin Hills Union	700 Watertrough Road, Sebastopol, CA 95472
Two Rock Union	5001 Spring Hill Road, Petaluma, CA 94952
Waugh	1851 Hartman Lane, Petaluma, CA 94954
West Side Union	1201 Felta Road, Healdsburg, CA 95448
West Sonoma County High	462 Johnson Street, Sebastopol, CA 95472
Wilmar Union	3775 Bodega Avenue, Petaluma, CA 94952
Windsor Unified	9291 Old Redwood Hwy, Bldg 500, Windsor, CA 95492
Wright	4385 Price Avenue, Santa Rosa, CA 95407

### APPENDIX 3

#### Requested Whistleblower Response

1. Do you post copies of the state whistleblower statutes and hotline number in your employee breakroom? \_\_\_\_ Yes \_\_\_\_ No
2. How would an employee allegation of significant wrongdoing be directed within your organization?  
\_\_\_\_\_
3. How would a citizen allegation of significant wrongdoing be directed within your organization?  
\_\_\_\_\_
4. Do you believe that present laws and practices provide an adequate safeguard for your organization and for those individuals who may wish to report wrongdoing? If yes, please explain.  
\_\_\_\_ Yes \_\_\_\_ No
5. Do you believe that a local twenty-four hour hot line, additional assurance of confidentiality and summary annual reports to the citizens would be of substantial value when managing increasingly scarce governmental resources? \_\_\_\_ Yes \_\_\_\_ No
6. Given time and adequate description of a proposed structure and process, would you consider formally adopting a resolution to participate in a countywide whistleblower program administered by either the Grand Jury or the County Auditor-Controller office? \_\_\_\_ Yes \_\_\_\_ No
7. Comments:

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August 08, 2011

Gary Nadler, Presiding Judge  
Superior Court, State of California  
County of Sonoma Hall of Justice  
Santa Rosa, CA 95403

Subject: Response to "Whistleblower Program" Survey

Dear Sir:

We have received the packet from the Sonoma County Civil Grand Jury regarding "Whistleblower Programs" dated June 24, 2011, and offer this response to comply with the request to complete the packet's enclosed survey page 3 entitled "Special Whistleblower Additional Response".

The Sonoma County Waste Management Agency (SCWMA) is a California Integrated Waste Management Board (CIWMB)-approved Regional Agency comprised of all the jurisdictions in Sonoma County tasked with many of the responsibilities of AB 939 related to diversion of solid wastes. As such SCWMA, via agreement, receives certain services from the Sonoma County Government. These include rental of office space in a County building, plus utilization of the County Human Resource (HR) system, and their financial accounting service. Thus SCWMA adheres to policies and procedures of Sonoma County Government in matters related to employees and finances, including Whistleblowing, and has no need to implement a separate system on the subject.

The appropriate responses to the survey special sheet would be that the county program covers SCWMA on this subject.

Very truly yours,

Henry J. Mikus, SCWMA Executive Director

cc: Foreperson, Sonoma County Civil Grand Jury



## Special Whistleblower Additional Response

1. Do you post copies of the state whistleblower statutes and hotline number in your employee break room? X Yes      No HOWEVER THEY ARE IN THE MAIN LOBBY & RECEPTION AREA WHICH IS MORE CENTRAL & ACCESSIBLE TO EMPLOYEES.
2. How would an employee allegation of significant wrongdoing be directed within your organization?  
① TO THE EXECUTIVE DIRECTOR, ② TO THE GOVERNING BOARD
3. How would a citizen allegation of significant wrongdoing be directed within your organization?  
① TO THE EXECUTIVE DIRECTOR, ② TO THE GOVERNING BOARD
4. Do you believe that present laws and practices provide an adequate safeguard for your organization and for those individuals who may wish to report wrongdoing? If yes, please explain.  
X (Yes) SCWMA EMPLOYEES, VIA AGREEMENT, FALL UNDER SONOMA COUNTY GOVERNMENT POLICIES.
5. Do you believe that a local twenty-four hour hot line, additional assurance of confidentiality and summary annual reports to the citizens would be of substantial value when managing increasingly scarce governmental resources?      Yes X (No) THE STATE "HOT LINE" ALREADY EXISTS & IS FUNCTIONAL.
6. Given time and adequate description of a proposed structure and process, would you consider formally adopting a resolution to participate in a countywide whistleblower program administered by either the Grand Jury or the County Auditor-Controller office?      Yes      No X POSSIBLY

The Division of Labor Standards Enforcement believes that the sample posting below meets the requirements of Labor Code Section 1102.8(a). This document must be printed to 8.5 x 11 inch paper with margins no larger than one-half inch in order to conform to the statutory requirement that the lettering be larger than size 14 point type.

## **WHISTLEBLOWERS ARE PROTECTED**

It is the public policy of the State of California to encourage employees to notify an appropriate government or law enforcement agency when they have reason to believe their employer is violating a state or federal statute, or violating or not complying with a state or federal rule or regulation.

### **Who is protected?**

Pursuant to [California Labor Code Section 1102.5](#), employees are the protected class of individuals. "Employee" means any person employed by an employer, private or public, including, but not limited to, individuals employed by the state or any subdivision thereof, any county, city, city and county, including any charter city or county, and any school district, community college district, municipal or public corporation, political subdivision, or the University of California. [[California Labor Code Section 1106](#)]

### **What is a whistleblower?**

A "whistleblower" is an employee who discloses information to a government or law enforcement agency where the employee has reasonable cause to believe that the information discloses:

1. A violation of a state or federal statute,
2. A violation or noncompliance with a state or federal rule or regulation, or
3. With reference to employee safety or health, unsafe working conditions or work practices in the employee's employment or place of employment.

### **What protections are afforded to whistleblowers?**

1. An employer may not make, adopt, or enforce any rule, regulation, or policy preventing an employee from being a whistleblower.
2. An employer may not retaliate against an employee who is a whistleblower.
3. An employer may not retaliate against an employee for refusing to participate in an activity that would result in a violation of a state or federal statute, or a violation or noncompliance with a state or federal rule or regulation.
4. An employer may not retaliate against an employee for having exercised his or her rights as a whistleblower in any former employment.

Under [California Labor Code Section 98.6](#), if an employer retaliates against a whistleblower, the employer may be required to reinstate the employee's employment and work benefits, pay lost wages, and take other steps necessary to comply with the law.

### **How to report improper acts**

If you have information regarding possible violations of state or federal statutes, rules, or regulations, or violations of fiduciary responsibility by a corporation or limited liability company to its shareholders, investors, or employees, **call the California State Attorney General's Whistleblower Hotline at 1-800-952-5225**. The Attorney General will refer your call to the appropriate government authority for review and possible investigation.