

SONOMA COUNTY WASTE MANAGEMENT AGENCY

November 16, 2011
9:00 a.m.

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

Estimated Ending Time 11:30 a.m.

AGENDA

<u>Item</u>	<u>Action</u>
1. Call to Order Regular Meeting	
2. Agenda Approval	
3. <u>Attachments/Correspondence:</u>	
3.1 Director's Agenda Notes	
3.2 Reports by Staff and Others:	
3.2.a November, December 2011, and January 2012 Outreach Events	
3.2.b Future Barter Agreement with AT&T for Guide Printing in the Phone Book	
4. <u>On file w/Clerk: for copy call 565-3579</u> Resolutions approved in October 2011 2011-006 Appropriation Transfer for 7 th Amendment to Environmental Science Associates Agreement	
5. Public Comments (items not on the agenda)	
<u>Consent</u> (w/attachments)	Discussion/Action
6.1 Minutes of October 19, 2011	
6.2 FY 11-12 First Quarter Financial Report	
6.3 Draft Policy for Non-profit Organization Financial Grants	
<u>Regular Calendar</u>	
7. Sonoma County/City Solid Waste Advisory (SWAG) [Barbose]	Discussion/Action Planning
8. Compost Operations RFQ Draft Review [Mikus, Carter]	Discussion/Action Organics

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|-----|---|---------------------------------------|
| 9. | Compost Relocation Update and Timeline
[Carter] | Discussion/Action
Organics |
| 10. | Clean Harbors Contract Amendment
[Steinman] | UNANIMOUS VOTE
HHW |
| 11. | Oil Grant Planned Expenditures
[Steinman] | UNANIMOUS VOTE
HHW |
| 12. | Carryout Bag Update
[Carter] | Discussion/Action
Planning |
| 13. | Updated Resolution for CalRecycle Grants
[Carter] | Discussion/Action
Education |
| 14. | Boardmember Comments | |
| 15. | Staff Comments | |
| 16. | Next SCWMA Meeting: Cancel December, next meeting would be January 18, 2012 | |
| 17. | Adjourn | |

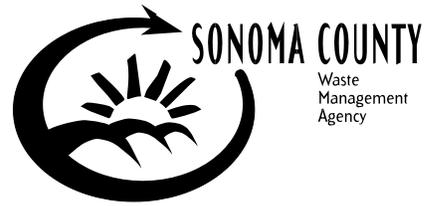
Consent Calendar: These matters include routine financial and administrative actions and are usually approved by a single majority vote. Any Boardmember may remove an item from the consent calendar.

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



TO: Sonoma County Waste Management Agency Board Members
FROM: Henry Mikus, Executive Director
SUBJECT: November 16, 2011 Agenda Notes

Attachments/Correspondence

- 3.2 There are two items this month presented under “Reports by Staff and Others”
- 3.2.a This is our regular, updated listing of Outreach Events. Normally two months are listed; however, because of the chance the December Board meeting will not occur, this report contains event information for three months: November and December 2011, plus January 2012.
 - 3.2.b Recycle Guide in Phone Book: We get occasional comments that publishing the abbreviated version of “The Guide” in the yellow pages is inappropriate, ineffective, or unwarranted. Our response has been to examine this program and make that value decision every year. This time, Karina is writing a brief report summarizing our most recent discussion, and conclusion that doing the phone book version of “The Guide” is still a valid endeavor. It is being presented as an informational item only.

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.

- 6.1 Minutes of September 21, 2011
- 6.2 First Quarter FY 12 Financial Report: Charlotte is doing the first quarter financial as a consent item. With it being just the initial quarter of the fiscal year, there is not much to report. However, waste tonnage for the county, which affects our revenue from the tip-fee surcharge, is a bit lower than expected. This report would be a “consent” item.
- 6.3 SCWMA grant policy: the provisions for a policy governing financial grants given to non-profit organizations as discussed by the Board over the last two meetings have been organized into a formal policy, per the Board’s request.

Regular Calendar

- 7. Sonoma County/City Solid Waste Advisory Group report, a standard monthly item presented by the Board member that has a position on SWAG, Steve Barbose. **No action required.**
- 8. Compost Operations Draft RFQ: the Board has asked that a “Request for Qualifications” (RFQ) be prepared for their review and input to look at available options prior to any decision on whether or not to exercise the available option to extend the Sonoma Compost Company contract for another year. The draft RFQ is presented for the Board to examine.

Recommended Action: Approve the RFQ for issuance, with any changes as directed.

9. Compost Relocation Update and Timeline: With the compost facility EIR draft due for release, staff has prepared this discussion and time line for the project as an informational item for the Board's review. **No action required.**
10. Clean Harbors Contract Amendment. The contract for HHW services with Clean Harbors expires January 2013, but has provision for three optional one-year extensions by mutual agreement. Staff will recommend exercising the first one-year option. Negotiations with Clean Harbors have resulted in a proposal where cost change will be limited to 1 ½ % of the typical annual contract amount. The cost together with this addition is well within the budgeted amount for this year, and would be similar for the upcoming year. Rebidding this contract would require a very complex RFP and involve a lengthy vetting process to ensure any prospective contractor is clearly capable of managing the dangerous materials involved. We want to reach a decision on an extension early enough so ample time remains to do the job properly if the Board's choice is to enter the bid process.
Recommended Action: Approve with a unanimous vote.
11. Oil Grant Planned Expenditures: The Used Oil Payment Program (OPP) grants will have a one-time "windfall" surplus that must be spent by the end of FY 12; this amount is significant, at \$166 K. Lisa, together with substantial input from the rest of us, has compiled a list of appropriate ways to spend this money. Much of the suggested expenditures are estimated only, and we have nearly three-quarters of a fiscal year remaining. Staff proposes a combination of a contract amendment with C2 (our current contractor for oil outreach) plus several other projects to utilize this money.
Recommended Action: Approve with a unanimous vote.
12. Carry-out bag update: This will be a verbal status report. We visited the Santa Rosa Council for a work study session November 1. They are agreeable to our engaging in further efforts to develop a regional single-use bag ordinance. However, the City of Santa Rosa Council still is undecided whether this should be an Agency ordinance or a model ordinance; they would like to make this decision after our stakeholder outreach efforts have brought a more concise focus to what provisions the ordinance might contain. We just received a letter, with questions, from the City Manager of Rohnert Park; a response is being prepared. It is unlikely at this point that we will get a definitive decision regarding this project from Rohnert Park prior to the New Year. **No action required.**
13. Updated Resolution for CalRecycle Grants: The current Resolution, which references the old, now non-existent California Integrated Waste Management Board, has been updated to reflect the role of CalRecycle and to extend the Resolution term to 5 years.
16. Next SCWMA meeting: Staff and the Executive Committee have worked to include as many items as practical in October and November, and have checked the proposed January agenda, so as to free up the December meeting. Our recommendation is to cancel the Board's December meeting, thus making January 18, 2012 the next meeting.

November 2011 Outreach Events

<u>Day</u>	<u>Time</u>	<u>Event</u>
1	4:00-8:00pm	Community Toxics Collection, Windsor
3	9:30-11:30am	Tour of Central Disposal Site, Salmon Creek School
3	1:00-3:00pm	Tour of Central Disposal Site, Santa Rosa Junior College Environmental Studies Course
3	2:00-3:15pm	Sonoma Compost Discussion: Compost & Mulch: Sustainable Soil management and IPM, Veteran's Hall, Petaluma
8	4:00-8:00pm	Community Toxics Collection, Southeast Santa Rosa
12-13	8 AM-4 PM	E-Waste Recycling Event, Goodwill Retail Store, Petaluma
15	4:00-8:00pm	Community Toxics Collection, Forestville
29	4:00-8:00pm	Community Toxics Collection, Northwest Santa Rosa

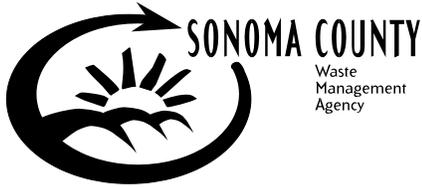
December 2011 Outreach Events

<u>Day</u>	<u>Time</u>	<u>Event</u>
6	4:00-8:00pm	Community Toxics Collection, Northeast Santa Rosa
13	4:00-8:00pm	Community Toxics Collection, Sebastopol
19	5pm-7pm	Las Posadas event by Radio Lazer and local business (site will be announced in December)
20	5pm-7pm	Las Posadas event by Radio Lazer and local business (site will be announced in December)
20	5pm-7pm	Las Posadas event by Radio Lazer and local business (site will be announced in December)
21	5pm-7pm	Las Posadas event by Radio Lazer and local business (site will be announced in December)

January 2012 Outreach Events

<u>Day</u>	<u>Time</u>	<u>Event</u>
3	4:00-8:00pm	Community Toxics Collection, Cotati
6	5am-7pm	Dia de Reyes Celebration (Santa Rosa, Roseland Elementary School)
10	4:00-8:00pm	Community Toxics Collection, Oakmont
14	8 AM-4 PM	E-Waste Recycling Event, Santa Rosa, Wells Fargo Center parking lot
17	4:00-8:00pm	Community Toxics Collection, Petaluma

24	4:00-8:00pm	Community Toxics Collection, Santa Rosa SE
28	8 AM-4 PM	E-Waste Recycling Event, Oakmont, Central Facility parking lot
31	4:00-8:00pm	Community Toxics Collection, Healdsburg



Agenda Item #: 3.2.b
Cost Center: Education
Staff Contact: Chilcott
Agenda Date: 11/16/2011

ITEM: Future barter agreement with AT&T for Guide printing in the phone book

I. BACKGROUND

SCWMA has historically utilized inclusion of an abbreviated version of the *Recycling Guide* in the AT&T *Yellow Pages* as a method of outreaching to the largest audience possible in a cost-effective manner. In response to some recent questions regarding continuation of this outreach method, SCWMA staff has prepared a report that examines the use of the Guide in the AT&T *Yellow Pages*

The Guide, first produced in 1993, is an essential component of the Sonoma County Waste Management Agency's (SCWMA) educational outreach program. The *Sonoma County Recycling Guide* supports the objectives in the *Countywide Integrated Waste Management Plan*, Education and Public Information Component, and is specifically named as a program in section 4.7.2.1

Updated annually, the full *Recycling Guide* is a comprehensive 32-page reference document that summarizes not only the SCWMA's waste diversion programs, but all the reuse, recycling and disposal opportunities in Sonoma County. The Guide also provides the resource materials for the Eco-Desk 565-3375 telephone hotline and the SCWMA's web site www.recyclenow.org. The goal of the project is to present information about recycling to the general public at a time and place where it will be most convenient and to reach a large audience in a cost-effective manner. Historically, staff has experimented with different distribution methods. From 1993-94, the Guide was distributed in the Press Democrat. From 1995-2001, the Guide was distributed via bulk USPS mail.

- **2002:** The Guide was distributed as a companion to the Pacific Bell phone book. At the time Pacific Bell was the only company distributing phone books in Sonoma County.
- **2003-2009:** The 28-page, and in 2009 the 32-page Guide, were printed bound into the SBC/AT&T phone book.
- **February 18, 2009 Board meeting:** The Board directed SCWMA staff because of budget constraints to discontinue contracting with AT&T for printing the Recycling Guide in the phone book following the production of the 2009 Sonoma directory. A no-cost barter agreement letter was drafted by AT&T for adding 4 extra pages to the Guide (for a total of 32-pages) and allowed for printing the 32-pages in the mini phone book.
- **2010:** A no-cost barter agreement letter was drafted by AT&T for printing an amended 12-pages Guide bound into the 2010 AT&T phone book. Also, in 2010 the SCWMA's newly revised website was launched featuring an on-line page turning Guide was added to the SCWMA's web at http://recyclenow.org/recycling/recycling_guide.asp
- **2011:** A low-cost barter agreement letter was drafted by AT&T for printing an amended 12-pages Guide bound into the 2011 AT&T phone book. In addition to the English version, a Spanish on-line page turning Guide was added to the SCWMA's web at http://recyclenow.org/recycling/recycling_guide_es.asp

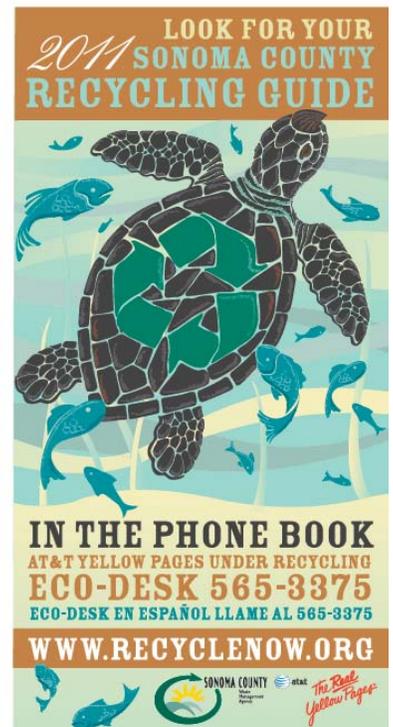


Figure 1: Guide ad in support of the Agency's barter agreement in North Bay Corporation customer newsletters 2011

Pacific Bell/SBC/AT&T Guide costs over time and product descriptions:

- **Big book:** Regular AT&T phone book.
- **Tab:** In order to make the Guide easier to locate within the AT&T Yellow Pages phone book, the SCWMA coordinated purchase of a die-cut tab. The county’s private waste management companies, namely GreenWaste Recovery, Industrial Carting, North Bay Corporation, Waste Management, Sonoma Garbage Collectors and Sonoma Compost Company funded the majority of the expense.
- **Mini book:** In 2006, AT&T introduced a miniature version of the Business Yellow Pages.
- **Barter agreement:** In 2010, AT&T began offering barter agreements whereby the SCWMA includes the AT&T logo in an agreed upon number of printed pieces, namely regularly scheduled e-waste utility bill inserts and garbage company newsletters. North Bay Corporation has been extremely supportive in placing Recycling Guide ads in their quarterly customer newsletters in order to fulfill barter agreement obligations. Barter agreements are negotiated annually with no guarantee from year-to-year.

Year	Type of product	Number distributed by Pacific Bell/SBC/AT&T	Cost to SCWMA (contract with Pacific Bell/SBC/AT&T only) <i>Note 1</i>	Cost per piece
2003	<ul style="list-style-type: none"> • 28-pages in big book • Tab 	348,350	\$37,000	\$.11
2004	<ul style="list-style-type: none"> • 28-pages in big book • Tab 	349,100	\$48,200	\$.14
2005	<ul style="list-style-type: none"> • 28-pages in big book • Tab 	350,900	\$48,200	\$.14
2006	<ul style="list-style-type: none"> • 28-pages in big book • Tab 	341,500	\$44,700	\$.13
2007	<ul style="list-style-type: none"> • 28-pages in big book • Tab • 28-page in mini book 	517,000	\$50,770	\$.10
2008	<ul style="list-style-type: none"> • 28-pages in big book • Tab • 28-page in mini book 	497,500	\$47,000	\$.09
2009	<ul style="list-style-type: none"> • 28-pages in big book • Tab • 32-page in mini book + 4 extra pages in the big book via barter agreement 	575,900	\$43,004	\$.07
2010	<ul style="list-style-type: none"> • 12-pages in big book via barter agreement 	525,300	\$0	\$.0
2011	<ul style="list-style-type: none"> • 12-pages in big book via barter agreement 	484,500	\$2,961	\$.006
Note 1: No staff time included. Includes consideration of grant funded pages and garbage company contributions for the tab.				

II. DISCUSSION

Entering into a barter agreement with AT&T to print an amended version of the Guide bound into the phone book is at the discretion of the phone book company. From 2009 to 2011, SCWMA staff worked with long-established AT&T contacts to negotiate terms of barter agreements. In preparation for the 2012 phone book directory, this negotiation would take place again. However, even if the SCWMA is invited to print the Guide in the 2012 AT&T Yellow Pages phone book for a cost that is within the authority of the Executive Director, SCWMA staff realizes that the Board may have

misgivings. See summary below of statements in-support and against the concept of the Guide in the AT&T phone book.

In-support of barter agreement printing of the 12-page Guide in the AT&T phone book	Against barter agreement printing of the 12-page Guide in the AT&T phone book
<ul style="list-style-type: none"> • Nine years of printing the Guide in the AT&T Yellow Pages phone book provides public consistency in finding Eco-Desk, curbside, disposal site, drop-off recycling, used motor oil recycling and website information. • Not all residents are connected to or familiar with using the internet in order to access the on-line version of the Guide. • Some residents prefer print to electronic media to obtain information. • Multiple methods of distributing the same information has the opportunity to reach more people because the information is presented in a way that is convenient for them--Guide viewed through on-line page turning, Guide viewed via .pdf, Guide viewed through print, Guide information through the Eco-Desk, via email response and through website navigation. • Eco-Desk callers often comment that they "Looked at the Guide in the phone book and couldn't find what they were looking for." • The barter agreements provide low-cost advertising leveraging SCWMA resources. In 2011, the price was about 6-tenths of a cent per copy. • Printing and distribution the stand-alone Guides is limited. In 2011, only 20,000 English Guides and 15,000 Spanish Guides were printed. Distribution in the phone book greatly enhances the impact of the SCWMA's education topics. 	<ul style="list-style-type: none"> • Phone book advertising uses paper and the SCWMA's focus is on waste reduction. • Public perceptions regarding the dislike of phone books and the wastefulness of unsolicited multiple phone book deliveries. • Change in the way people research information from print to online. • Meeting the terms of the AT&T barter agreement relies upon North Bay Corporation's advertising on the SCWMA's behalf. Continued support is at North Bay's discretion.

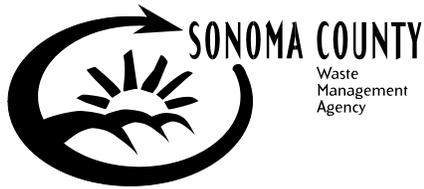
III. FUNDING IMPACTS

Based on prior barter agreements, funds are available within the amount budgeted in the Education Contract Services 799411-6450 for FY 11-12.

IV. RECOMMENDED ACTION / ALTERNATIVES TO RECOMMENDATION

This transmittal is for informational purposes only. Staff believes use of the AT&T Yellow Pages to distribute additional copies of the *Recycling Guide* is a very cost effective and useful method of achieving SCWMA education and outreach goals.

Approved by: _____
Henry J. Mikus, Executive Director



Minutes of October 19, 2011

The Sonoma County Waste Management Agency (SCWMA) met on October 19, 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 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	Matt Mullan

Absent:

City of Petaluma

Staff Present:

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

- 1. Call to Order Special Meeting**
The meeting was called to order at 9:02 a.m.
- 2. Agenda Approval**
Chair Kirn moved to approve the agenda as is, if there were no objections.
Hearing no objections, agenda was approved.
- 3. Attachments/Correspondence**
Chair Kirn called attention to the Director's Agenda Notes and Reports by Staff and Others; October and November 2011 Outreach Events, EPR Update and List of Current Agency Contractual Agreements.
- 4. On File with Clerk**
Chair Kirn noted resolution approved in September 2011 Adopting Budgetary Adjustments to the Annual Budget for Fiscal Year 2011-12.
- 5. Public Comments (items not on the agenda)**
None.

Consent (w/attachments)

6.1 Minutes of September 21, 2011

Marsha Sue Lustig, Cotati, moved to approve. Susan Klassen, County of Sonoma, seconded. Motion carried. Town of Windsor abstained. Petaluma absent.

Regular Calendar

7. Sonoma County/City Solid Waste Advisory Group

Steve Barbose, City of Sonoma, reported there were no updates since there has not been a meeting since the last report. The next SWAG meeting will be held in November.

8. Carryout Bag Update

Henry Mikus and Patrick Carter met with the Rohnert Park Waste and Recycling Subcommittee on September 30, 2011. This was a requested second presentation and addressed some of their concerns. SCWMA Boardmember from Rohnert Park, Linda Babonis will be asked by her Council to write a letter outlining the Council's questions, which will be answered as soon as the letter is received at the SCWMA office.

Discussion with Santa Rosa City Council is scheduled for November 1, 2011.

SCWMA is waiting for final resolution from those two cities.

Janet Coleson, Agency Counsel, stated the complaint filed against the County of Los Angeles alleges the plastic bag ban is a violation of Proposition 26, imposing fees. The ordinance being included in the carryout bag discussion by SCWMA does not include specific money collection directions, therefore will not be in violation of Proposition 26.

Board Discussion

To address a question about the response level from the jurisdictions, Henry Mikus, Executive Director, replied that eight of the ten cities seem to be in favor of an ordinance.

Susan Klassen, County of Sonoma, asked if SCWMA would be in a situation similar to Los Angeles if a portion of fees on paper bags were used to enforce the ordinance. Agency Counsel replied the complaint filed in Los Angeles and the ordinance being proposed by the SCWMA is different and unrelated.

Nina Regor, City of Cloverdale, inquired about external deadlines facing SCWMA and the status of a draft ordinance. Agency Counsel replied there is not a draft ordinance at this time and there are no deadlines associated with this proposed ban.

Public Comment

None.

Board Comment

None.

9. 7th Amendment to Agreement with ESA for Compost Relocation

Patrick Carter presented a an appropriation transfer of \$45,000 from the Organics Reserve to fund the Seventh Amendment to the Agreement with Environmental Science Associates for Compost Relocation (Amendment). The Amendment includes a term extension as well as the funding increase due to the complexity of the compost site relocation project. At SCWMA direction, the consultant has performed beyond the current scope of the agreement. Staff recommends approval of the Amendment to the agreement.

Board Discussion

Nina Regor, City of Cloverdale, asked if the agreement contained a "not to exceed" clause and if staff preapproved the \$45,000 being requested. Mr. Carter acknowledged there was a "not

to exceed” clause and staff was aware there would be additional costs incurred with the requested changes.

Matt Mullan, Town of Windsor, asked if the additional money was for work included in the scope of work and if the requested extension would finish the project. Mr. Carter affirmed the money was for work out of scope and the intent was to bring the project to completion.

Nina Regor, City of Cloverdale, mentioned the many changes to the environment since the Environmental Impact Report (EIR) began and was concerned the completed document would be acceptable. Mr. Carter replied that the EIR would be a viable document.

Additionally, Nina Regor questioned the shelf life of the final approved EIR document. Agency Counsel cited there is no set shelf life. Similar documents have been used years after the fact as long as there are no drastic changes.

Public Comment

None.

Linda Babonis, City of Rohnert Park, moved to approve. Steve Barbose, City of Sonoma, seconded. Motion carried. Petaluma absent. Chair Kirn noted due to dollar amount a unanimous vote was not required.

10. Compost Agreement Discussion

In response to Board direction, Henry Mikus, Executive Director, is returning to request Board direction concerning the current Sonoma Compost contract. The discussion will consider making a decision on whether to renew the contract or to initiate the Request for Proposal (RFP) process. Time is of great concern on this issue.

Mr. Carter noted time is limited at the existing site which makes it challenging for an RFP to go forth. The existing agreement with Sonoma Compost does have the option to extend.

Board Discussion

Jack Griffith, City of Sebastopol, recommends proceeding with an RFP, assess the proposals presented and move to the extension of the contract with Sonoma Compost if the proposals submitted are unacceptable.

Linda Babonis, City of Rohnert Park, questioned the timeline as it relates to extending the life of the landfill. Mr. Mikus summarized the compost space will be needed in approximately thirty months for extension of the landfill and a completed compost facility will take about two and a half years.

Susan Klassen, County of Sonoma, revealed a plan was submitted to the North Coast Regional Water Quality Control Board that should extend the life of the landfill in the east canyon and avoiding impinging on the current compost site

Matt Mullan, Town of Windsor, believes this should go out for competitive process to determine available options.

Public Comment

Brant Arthur, Climate Protection Campaign, restated policy goals outlined by the SWAG include composting; increase diversion by increasing composting.

Ernie Carpenter urged SCWMA extend the current contract until a new site is found. He also stated the life of the SCWMA should be of utmost importance.

Pam Davis, Sonoma Compost, would like to see the process being defined by SWAG be given an opportunity to play out before making any changes to the status quo.

Board Comment

Jack Griffin, City of Sebastopol, suggested that the SCWMA go forward with a RFP or Request For Qualifications (RFQ) to ascertain the possibilities of continued composting operations.

Linda Babonis, City of Rohnert Park, agreed either a RFP or RFQ would provide information for decision-making.

Nina Regor, City of Cloverdale, thinks an RFQ would be preferable to an RFP because it is more informal.

Marsha Sue Lustig, City of Cotati, stated the RFQ process had been done before and it was hugely unsuccessful.

Matt Mullan, Town of Windsor, supports an RFQ process with potential contractors being asked if they have a permitted site available for use.

Steve Barbose, City of Sonoma, also supports an RFQ.

Susan Klassen, County of Sonoma, supports an RFQ as an opportunity to get information to use for a future RFP.

Dell Tredinnick, City of Santa Rosa, is in favor of an RFQ, which should contain all the known constraints and parameters as a fair way to discover potential contractors.

Linda Babonis, City of Rohnert Park, thinks an RFQ will encourage innovation and job growth.

Chair Kirn, cited it's the consensus of the Board to do an RFQ. He stated the importance of Sonoma County providing as much detailed information as possible on the anticipated life of the facility at Central. He also recognizes, although there is a local preference, it is necessary to cast a big net because if the SCWMA "sunsets" in 2017. Should that happen each jurisdiction will be faced with processing their individual green waste independently.

Board Direction: Present a Draft RFQ in November for Board review.

11. Financial Grants Available to Non-profit Organizations

Henry Mikus, Executive Director, submitted a revised outline for Financial Grants Available to Non-profit Organizations.

Board Discussion

Nina Regor, City of Cloverdale, inquired about Proposition 26 ramifications. Counsel replied there were none associated with the award of non-profit grants.

Public Comment

None.

Board Comment

Susan Klassen, County of Sonoma, thought the process would benefit from some notification on SCWMA's website. She requested the document be formalized into an official policy.

Chair Kirn asked that each Boardmember be provided a copy of the notification so they can post it on their individual websites and concurred that the document needs to be approached in a more formalized policy to give it credibility.

Dell Tredinnick, City of Santa Rosa, concurred. He added that past SCWMA grants have been valid and this policy development in no way impinges on the former recipients.

12. Agency Office Space Relocation

Henry Mikus, Executive Director, was made aware that efforts were underway to consolidate offices and that SCWMA office space would likely be affected. Currently there is a plan underway to swap the Clerk/Recorder/Assessors offices with TPW and SCWMA. Unfortunately, the plan requires the SCWMA staff move twice. Staff requests Board support to back just one move. This would entail fewer disruptions and less money.

Board Discussion

Jack Griffin, City of Sebastopol, questioned if adjacency to TPW was a necessity. Henry Mikus, Executive Director, replied it is a convenience not a necessity.

Steve Barbose, City of Sonoma, asked if there was an advantage to being housed with TPW. Henry Mikus, Executive Director, doesn't believe it is an advantage.

Susan Klassen, County of Sonoma, feels that since SCWMA is under TPW they should continue to be housed together. She asserted the move plan is just in its preliminary stages and will most likely not even happen, and any discussion at this point was premature.

Matt Mullan, Town of Windsor, recommends SCWMA work with County staff to maintain status quo with TPW and SCWMA under one roof.

Dell Tredinnick, City of Santa Rosa, is uncertain that this is a Board matter.

Nina Regor, City of Cloverdale, felt it was appropriate to bring this issue forward to keep the Board informed, but doesn't want to weigh in on the location of the move.

Henry Mikus, Executive Director, brought this item to the Board because during his last talk with the Architect's Office he was told a decision was going to be made within 30 – 60 days and SCWMA would be moving within 30 days of that decision.

Public Comment

None.

Board Comment

Chair Kirn, said he felt the potential relocation should be shared with the Board after Henry Mikus had mentioned the relocation possibility to the Executive Committee. He felt one relocation would be best option for Agency staff.

13. AB 939 Local task Force: Mandatory Commercial Recycling (MCR) Draft Ordinance

Ken Wells, Guiding Sustainability, gave an update on a draft MCR Ordinance that a sub-committee working with the AB 939 Local Task Force (LTF) has been developing for the past year.

Board Discussion

Susan Klassen, County of Sonoma, asked if AB 341 had a deadline. Ken Wells responded the deadline is July 1, 2012. She then requested Janet Coleson, Agency Counsel, look into AB 341 and determine the parameters of the deadline.

Steve Barbose, City of Sonoma, wanted clarification as to whether adopting the MCR ordinance would be at the regional level or individual city level. Ken Wells replied that it could go either way. The LTF supports the regional approach, which would be the most efficient.

Dell Tredinnick, City of Santa Rosa, questioned if any comparability research had been done with other municipalities with respect of enforcement. Ken Wells reported LTF had researched the MCR Ordinance in Sacramento and the enforcement is handled by Sacramento's Code Enforcement Department.

Jack Griffin, City of Sebastopol, asked if AB 341 comes with funding. Ken Wells disclosed there is an option to charge commercial customers for that service.

Public Comment

None.

Board Comment

Chair Kirn, requested that Agency Counsel give an overview of AB 341 at a later date.

Nina Regor, City of Cloverdale, asked that Agency Counsel also explain how AB 32 might interact with AB 341 and whether there might be conflicts.

Susan Klassen, County of Sonoma, thanked the LTF and its subcommittee for all their hard work.

14. Boardmember Comments

None.

15. Staff Comments

Henry Mikus, Executive Director, gave an update on the status of hiring temporary employees for outreach efforts planned for the Mandatory Commercial Recycling project. CalRecycle has announced a competitive grant opportunity that listed Multi-family Recycling as an acceptable use of grant funding. SCWMA submitted a concept and, if deemed appropriate, the SCWMA will be invited to submit a formal application.

Chair Kirn asked if there were any pressing items that might require a December Board meeting. Henry Mikus, Executive Director, reported he has been including as many items as possible per Board instruction in order to free up the December agenda.

Susan Klassen, County of Sonoma stated she's in favor of a December meeting if it is important for moving forward on the Composting EIR.

16. Next SCWMA Meeting – November 16, 2011

17. Adjournment

Meeting adjourned at 11:34a.m.

Respectfully submitted,

Debra Dowdell, Agency Clerk



Agenda Item #: 6.2
Cost Center: All
Staff Contact: Mikus/Fisher

Meeting Date: Nov. 16, 2011

Item: FY 11-12 First Quarter Financial Report

I. Background

In accordance with the requirement in the joint powers agreement the Sonoma County Waste Management Agency (SCWMA) staff make quarterly reports to the Board of Directors of agency operations and of all receipts to and disbursements from the SCWMA, this report covers the First Quarter of FY 11-12 (July, August, and September, 2011).

II. Discussion

The First Quarter Financial Report uses information from the county accounting system, Financial Account and Management Information System (FAMIS), for expenses and revenues. The FY 11-12 First Quarter Financial Report contains the actual amounts spent or received to date at the end of the quarter, the projected revenues and expenses, the approved budget and the difference between the approved budget and the projections. With limited information (the first quarter of the fiscal year), this financial report is narrow in scope. For example, Tipping Fee Revenue only included one month's payment.

The budgetary adjustments approved by the Board of Directors at the September meeting were not loaded into the system by the end of the first quarter of the fiscal year. The adjustments do appear as estimated expenditures or revenues, but do not appear as "Approved Budget" numbers. It is anticipated that the budgetary adjustments will be entered into the County's FAMIS system by the end of October and will be available for the FY 11-12 Second Quarter Financial Report.

There are some conditions that are common to a number of the cost centers. One is the Tipping Fee Revenue. For the organics cost centers, it is anticipated that there will be additional revenues for both the Wood Waste and Yard Debris based on the actual tonnage of material coming to the facility for processing. There will be accompanying expenses associated with processing, but those will be more than offset by the additional revenues.

Tipping Fee Revenues in the surcharge cost centers are projected to be under budget. With very limited information, only one month, it would appear that the amount of solid waste being landfilled will not meet the estimates used to develop the FY 11-12 budget. Potentially there could be a need for use of retained earnings or reserve funds in order to complete the fiscal year. Retained earnings are the funds held in each cost center for cash flow needs. Reserve funds are held in the reserve cost centers. Should it become necessary to use either of these funds, an appropriation transfer would be presented to the Board for approval.

For the Education cost center, grant awards, \$40,000 and \$135,882, are budgetary adjustments made after notice of the actual awards were received. The PG&E. grant was increased from \$40,000 to \$80,000, which allows an additional \$40,000 in the Miscellaneous Revenue and Expense subobjects. Miscellaneous was used instead of State-Other in order to differentiate between the two different sources of funding. The Department of Conservation funds for beverage container recycling totals \$135,882 this fiscal year and will be used primarily for the multi-family/commercial recycling efforts. There will still be some funding available to the jurisdictions for containers upon request. These grant funds are entered into the State-Other and Professional Services subobjects.

Professional Development, \$2,450, and Textbook/Tuition, \$2,534, are two employee benefits that have resumed after a two year suspension for County budget consideration. These increased expenditures are not reimbursable and therefore will need to be absorbed into the SCWMA budget.

Replacement of SCWMA employee computers is a scheduled three year replacement, which will be going to a four year schedule. Funds for replacement are collected under the OT-Between Enterprise subobject. The year the scheduled replacement is actually done the funding is entered in OT-From Replacement as a revenue and in Desktop Modernization as an expense. Since this is a replacement year, OT-Between Enterprise, which are the funds being collected for replacement, are not necessary. Notification of the scheduled replacements was received after the FY 11-12 Budget was adopted, therefore all of the necessary entries were presented to the Board as budgetary adjustments.

Any additional details or comments are to be found on the detail page for a particular cost center.

III. Recommended / Alternatives to Recommendation

Staff recommends approving the FY 11-12 First Quarter Financial Report on the Consent Calendar.

IV. Attachment

First Quarter Financial Report 11-12 Revenue and Expenditure Comparison Summary.

Approved by: _____
Henry Mikus, Executive Director

**First Quarter 11-12 Revenue and Expenditure Summary and Projection
Sonoma County Waste Management Agency**

Indices

799114, 799213, 799312, 799411, 799510
799619, 799221, 799320, 799338, 799718

Prepared by: Charlotte Fisher

E. D.: _____
Henry Mikus, Executive Director

A. Summary of Projections

	FY 11-12 Adopted Budget	Adjustment	FY 11-12 Adjusted Budget	FY 11-12 Projection	Over/(Under) Budget
Total Expenditures	5,956,392	0	5,956,392	6,627,208	671,316
Total Revenues	6,082,917	0	6,082,917	6,690,630	607,713
Net Cost	(126,525)	0	(126,525)	(63,422)	63,103

B. Summary of Expenditures

	Actual July-Sept 11	Expense Estimated Oct 11-June 12	Total Estimated FY 11-12	Adjusted Budget FY 11-12	Over/(Under) Budget
Liability Insurance	0	9,500	9,500	9,500	0
Memberships	1,000	3,000	4,000	4,000	0
Miscellaneous Expenses	14,895	65,105	80,000	40,000	40,000
Office Expense	(1,384)	21,103	19,719	19,719	0
Professional Services	21,041	383,026	404,067	268,185	135,882
County Services	0	6,925	6,925	6,925	0
Contract Services	499,898	3,896,799	4,396,697	4,294,882	101,815
Administration Costs	156,936	576,044	732,980	732,980	0
Engineering Services	0	26,000	26,000	26,000	0
Legal Services	25,428	46,572	72,000	72,000	0
Accounting Services	0	8,788	8,788	8,788	0
Audit Services	0	19,500	19,500	19,500	0
Advertising	8,841	3,159	12,000	12,000	0
Equipment Rental	578	1,922	2,500	2,500	0
Rents/Leases	0	25,500	25,500	25,500	0
Enforcement Agency	2,496	23,250	25,746	35,000	(9,254)
Professional Development	0	2,450	2,450	0	2,450
Textbook/Tuition	0	2,534	2,534	0	2,534
County Car Expense	0	1,500	1,500	1,500	0
Travel Expense	0	0	0	0	0
Data Processing	1,686	8,430	10,116	10,116	0

B. Summary of Expenditures (con't)

	Actual July-Sept 11	Expense Estimated Oct 11-June 12	Total Estimated FY 11-12	Adjusted Budget FY 11-12	Over/(Under) Budget
Desktop Modernization	0	13,614	13,614	0	13,614
Total Supplies and Services	731,415	5,144,721	5,876,136	5,589,095	287,041
OT-Within Enterprise	0	751,072	751,072	364,573	386,999
OT-Between Enterprise (ISD)	0	0	0	2,724	(2,724)
Total Other Charges	0	751,072	751,072	367,297	384,275
Total Expenditures	731,415	5,895,793	6,627,208	5,956,392	671,316

C. Summary of Revenues

	Actual July-Sept 11	Revenue Estimated Oct 11-June 12	Total Estimated FY 11-12	Adjusted Budget FY 11-12	Over/(Under) Budget
Interest on Pooled Cash	0	39,999	39,999	39,999	0
State-Other	0	404,067	404,067	268,185	135,882
Tipping Fee Revenue	409,302	4,416,966	4,826,268	4,795,050	31,218
Sale of Material	0	130,000	130,000	130,000	0
Miscellaneous Revenue	0	80,000	80,000	40,000	40,000
Donations/Reimbursements	19,972	425,638	445,610	445,610	0
OT-Within Enterprise	0	751,072	751,072	364,073	386,999
OT-From Replacement	0	13,614	13,614	0	13,614
Total Revenues	429,274	6,261,356	6,690,630	6,082,917	607,713

C. Summary of Net Costs

	Actual July-Sept 11	Estimated Oct 11-June 12	Total Estimated FY 11-12	Adjusted Budget FY 11-12	Over/(Under) Budget
Net Cost	302,141	(365,563)	(63,422)	(126,525)	63,103

Sonoma County Waste Management Agency
FY 11-12 First Quarter Revenue and Expenditure Summary and Projection
Wood Waste Detail

799114

Expenditures

Sub-object	Description	Actual Jul-Sept 11	Expenditure Estimated Oct 11-June 12	Total Estimated FY 11-12	Adopted Budget FY 11-12	Over/ (Under) Budget
6103	Liability Insurance	0	887	887	887	0
6400	Office Expense	0	0	0	0	0
6521	County Services	0	525	525	525	0
6540	Contract Services	33,774	183,594	217,368	186,845	30,523
6573	Administration Costs	1,111	2,933	4,044	4,044	0
6629	Accounting Services	0	844	844	844	0
6630	Audit Services	0	1,500	1,500	1,500	0
7400	Data Processing	281	1,405	1,686	1,686	0
7425	Desktop Moderization	0	2,269	2,269	0	2,269
Total Services and Supplies		35,166	193,957	229,123	196,331	32,792
8624	OT-Within Enterprise	0	137,909	137,909	0	137,909
	OT-Within Enterprise (budget)	0	35,540	35,540	35,540	0
8648	OT-Between Enterprise (ISD)	0	0	0	454	(454)
Total Other Charges		0	173,449	173,449	35,994	137,455
Total Expenditures		35,166	367,406	402,572	232,325	170,247

Revenues

Sub-object	Description	Actual Jul-Sept 11	Revenue Estimated Oct 11-June 12	Total Estimated FY 11-12	Adopted Budget FY 11-12	Over/ (Under) Budget
1700	Interest on Pooled Cash	0	576	576	576	0
2901	Tipping Fee Revenue	20,440	197,310	217,750	186,750	31,000
4020	Other Sales	0	40,000	40,000	40,000	0
4102	Donations/reimbursements	0	5,000	5,000	5,000	0
4648	OT-From Replacement	0	2,269	2,269	0	2,269
Total Revenues		20,440	245,155	265,595	232,326	33,269

Net Cost	14,726	122,251	136,977	(1)	136,978
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Expenditures

Contract Services includes two invoices to Sonoma Compost Company, \$15,894 and \$14,926, and one, \$2,954, for hauling organics from the transfer stations to the composting operation at Central. If organic material continues at this level, Contract Services will be over budget approximately 16%.

Revenues

Tipping Fee is estimated to be 16% over budget, the same percentage as Contract Services, assuming the same level of material coming to the composting facility.

Overview

The amount of wood waste material available for processing is very dependent on the private sector markets. Should the level of material coming to the composting facility in the first quarter of FY 11-12 continue, there would be more funds available for transfer to the Organics Reserve. No transfers will be made until after the end of the fiscal year.

At this time, all other items are expected to meet budget.

Sonoma County Waste Management Agency
FY 11-12 First Quarter Revenue and Expenditure Summary and Projection
Yard Waste Detail

799213

Expenditures		Actual	Expenditure	Total	Adopted	Over/
Sub-object	Description	Jul-Sept 11	Estimated Oct 11-June 12	Estimated FY 11-12	Budget FY 11-12	(Under) Budget
6104	Liability Insurance	0	2,264	2,264	2,264	0
6400	Office Expense	93	1,907	2,000	2,000	0
6521	County Services	0	1,000	1,000	1,000	0
6540	Contract Services	447,832	2,418,366	2,866,198	2,840,237	25,961
6573	Administration Costs	24,034	58,995	83,029	83,029	0
6610	Legal Services	78	1,922	2,000	2,000	0
6629	Accounting Services	0	4,056	4,056	4,056	0
6630	Audit Services	0	4,000	4,000	4,000	0
6820	Rents/Leases - Equipment	578	1,922	2,500	2,500	0
7062	Enforcement Agency Fee	2,496	23,250	25,746	35,000	(9,254)
7110	Professional Development	0	1,200	1,200	0	1,200
7301	County Car	0	1,500	1,500	1,500	0
7302	Travel Expense	0	0	0	0	0
7400	Data Processing	562	2,810	3,372	3,372	0
7425	Desktop Modernization	0	4,538	4,538	0	4,538
Total Services and Supplies		475,673	2,527,730	3,003,403	2,980,958	22,445
8624	OT-Within Enterprise	0	204,930	204,930	0	204,930
	OT-Within Enterprise (budget)	0	262,071	262,071	262,071	0
8648	OT-Between Enterprise (ISD)	0	0	0	908	(908)
Total Other Charges		0	467,001	467,001	262,979	204,022
Total Expenditures		475,673	2,994,731	3,470,404	3,243,937	226,467

Revenues		Actual	Revenue	Total	Adopted	Over/
Sub-object	Description	Jul-Sept 11	Estimated Oct 11-June 12	Estimated FY 11-12	Budget FY 11-12	(Under) Budget
1700	Interest on Pooled Cash	0	4,336	4,336	4,336	0
2901	Tipping Fee Revenue	270,406	2,905,640	3,176,046	3,144,600	31,446
4020	Other Sales	0	90,000	90,000	90,000	0
4102	Donations/Reimbursement	0	5,000	5,000	5,000	0
4648	OT-From Replacement	0	4,538	4,538	0	4,538
Total Revenues		270,406	3,009,514	3,279,920	3,243,936	35,984
Net Cost		205,267	(14,783)	190,484	1	190,483

Expenditures

Contract Services includes two invoices to Sonoma Compost Company, \$206,928 and \$211,040, and one, \$29,864, for hauling organics from the transfer stations to the composting operation at Central. If organic material continues at this level, Contract Services will be over budget approximately 1%.

Enforcement Agency Fee is projected to be \$9,254 under budget. Work is nearly complete for the permit 5-Year Review, but the LEA has informed staff that a Permit Revision will likely be required as well. Based on prior revisions, it is anticipated that the fees will still be under what was budgeted.

Revenues

Tipping Fee Revenue is estimated to be 1% over budget in keeping with the increased amount of yard waste material coming to the composting facility.

Overview

Should the tonnages of yard waste coming to the composting facility in the first quarter of FY 11-12 continue, there would be more funds available for transfer to the Organics Reserve. No transfers will be made until after the end of the fiscal year.

At this time, all other items are expected to meet budget.

Sonoma County Waste Management Agency
FY 11-12 First Quarter Revenue and Expenditure Summary and Projection
Household Hazardous Waste Detail

799312

Sub-object	Expenditures Description	Actual	Expenditure	Total	Adopted	Over/
		Jul-Sept 11	Estimated Oct 11-June 12	Estimated FY 11-12	Budget FY 11-12	(Under) Budget
6104	Liability Insurance	0	4,132	4,132	4,132	0
6280	Memberships	1,000	3,000	4,000	4,000	0
6400	Office Expense	(2,763)	7,482	4,719	4,719	0
6500	Professional Services	21,041	247,144	268,185	268,185	0
6521	County Services	0	2,300	2,300	2,300	0
6540	Contract Services	14,866	1,225,934	1,240,800	1,240,800	0
6573	Administration Costs	47,360	153,677	201,037	201,037	0
6610	Legal Services	176	7,824	8,000	8,000	0
6629	Accounting Services	0	1,944	1,944	1,944	0
6630	Audit Services	0	8,500	8,500	8,500	0
6785	Advertising	8,841	3,159	12,000	12,000	0
6840	Rents/Leases - Buildings	0	23,000	23,000	23,000	0
7110	Professional Development	0	1,250	1,250	0	1,250
7130	Textbook/Tuition Reimburse	0	750	750	0	750
7303	Travel Expense	0	0	0	0	0
7400	Data Processing	281	1,405	1,686	1,686	0
7425	Desktop Modernization	0	2,269	2,269	0	2,269
Total Services and Supplies		90,802	1,693,770	1,784,572	1,780,303	4,269
8624	OT-Within Enterprise	0	0	0	0	0
	OT-Within Enterprise (budget)	0	0	0	0	0
	HHW Closure	0	0	0	0	0
8648	OT-Between Enterprise (ISD)	0	0	0	454	(454)
Total Other Charges		0	0	0	454	(454)
Total Expenditures		90,802	1,693,770	1,784,572	1,780,757	3,815
Sub-object	Revenues Description	Actual	Revenue	Total	Adopted	Over/
		Jul-Sept 11	Estimated Oct 11-June 12	Estimated FY 10-11	Budget FY 10-11	(Under) Budget
1700	Interest on Pooled Cash	0	732	732	732	0
2500	State-Other	0	268,185	268,185	268,185	0
2901	Tipping Fee Revenue	90,915	1,011,065	1,101,980	1,123,390	(21,410)
4102	Donations/Reimbursement	16,541	371,909	388,450	388,450	0
4648	OT-From Replacement	0	2,269	2,269	0	2,269
Total Revenues		107,456	1,654,160	1,761,616	1,780,757	(19,141)
Net Cost		(16,654)	39,610	22,956	0	22,956

Expenditures

Expenditures are expected to meet budget except for Professional Development and Textbook/Tuition, which are employee benefits that have been resumed in FY 11-12 and will be funded from retained earnings.

Revenues

Tipping Fee Revenue is estimated to be \$21,410 under budget based on only one month's actual amount.

Overview

With a projected decreased tipping fee, it might become necessary to use retained earnings held within the cost center to meet the financial obligations for the household toxics facility. At the end of FY 10-11, fund balance within the HHW cost center was \$12,890. Should the estimated net cost continue to be at the amount presented, additional funds will need to be transferred from the HHW Facility Reserve. These projections were made with very limited information and there will be a clearer financial picture when the mid-year report is prepared and presented.

Sonoma County Waste Management Agency
FY 11-12 First Quarter Revenue and Expenditure Summary and Projection
Education Detail

799411

Expenditures

Sub-object	Description	Actual Jul-Sept 11	Expenditure Estimated Oct 11-June 12	Total Estimated FY 11-12	Adopted Budget FY 11-12	Over/ (Under) Budget
6103	Liability Insurance	0	1,330	1,330	1,330	0
6300	Miscellaneous Expense	14,895	65,105	80,000	40,000	40,000
6400	Office Expense	1,286	9,714	11,000	11,000	0
6500	Professional Services	0	135,882	135,882	0	135,882
6521	County Services	0	2,300	2,300	2,300	0
6540	Contract Services	3,095	23,905	27,000	27,000	0
6573	Administration Costs	49,858	187,420	237,278	237,278	0
6610	Legal Services	4,667	20,333	25,000	25,000	0
6629	Accounting Services	0	1,607	1,607	1,607	0
6630	Audit Services	0	3,000	3,000	3,000	0
6820	Rents/Leases - Buildings	0	0	0	0	0
6840	Rents/Leases - Buildings/Improve	0	2,500	2,500	2,500	0
7130	Textbook/Tuition Reimbursement	0	1,034	1,034	0	1,034
7302	Travel Expense	0	0	0	0	0
7400	Data Processing	281	1,405	1,686	1,686	0
7425	Desktop Modernization	0	2,269	2,269	0	2,269
Total Services and Supplies		74,082	457,804	531,886	352,701	179,185
8624	OT-Within Enterprise	0	0	0	0	0
	OT-Within Enterprise (budget)	0	0	0	3,550	(3,550)
8648	OT-Between Enterprise (ISD)	0	0	0	454	(454)
Total Other Charges		0	0	0	4,004	(4,004)
Total Expenditures		74,082	457,804	531,886	356,705	175,181

Revenues						
Sub-object	Description	Actual Jul-Sept 11	Revenue Estimated Oct 11-June 12	Total Estimated FY 11-12	Adopted Budget FY 11-12	Over/ (Under) Budget
1700	Interest on Pooled Cash	0	63	63	63	0
2500	State-Other	0	135,882	135,882	0	135,882
2901	Tipping Fee Revenue	22,507	247,577	270,084	278,103	(8,019)
4040	Miscellaneous Revenue	0	80,000	80,000	40,000	40,000
4103	Donations/Reimbursement	2,804	35,735	38,539	38,539	0
4648	OT-From Replacement	0	2,269	2,269	0	2,269
Total Revenues		25,311	501,526	526,837	356,705	170,132
Net Cost		48,771	(43,722)	5,049	0	5,049

Expenditures

Expenditures are anticipated to meet budget once the budgetary adjustments approved at the September meeting are loaded into the system.

Revenues

Tipping Fee Revenue is estimated to be \$8,019 under budget based on only one month's actual amount.

Overview

With a projected decreased tipping fee, it might become necessary to use retained earnings held within the cost center to meet the financial obligations for educational efforts on behalf of the agency. At the end of FY 10-11, the fund balance within the Education cost center was \$14,906, which should cover the net cost at this point in time.

These projections were made with very limited information and there will be a clearer financial picture when the mid-year report is prepared and presented.

Sonoma County Waste Management Agency
FY 11-12 First Quarter Revenue and Expenditure Summary and Projection
Diversion Detail

799510

Expenditures

Sub-object	Description	Actual Jul-Sept 11	Expenditure Estimated Oct 11-June 12	Total Estimated FY 11-12	Adopted Budget FY 11-12	Over/ (Under) Budget
6104	Liability Insurance	0	0	0	0	0
6400	Office Expense	0	0	0	0	0
6500	Professional Services	0	0	0	0	0
6521	County Services	0	0	0	0	0
6573	Administration Costs	0	0	0	0	0
6610	Legal Services	0	0	0	0	0
6629	Accounting Services	0	0	0	0	0
6630	Audit Services	0	0	0	0	0
7302	Travel Expense	0	0	0	0	0
7400	Data Processing	0	0	0	0	0
Total Services and Supplies		0	0	0	0	0
8624	OT-Within Enterprise	0	47,710	47,710	0	47,710
	OT-Within Enterprise (budget)	0	61,336	61,336	61,336	0
Total Other Charges		0	109,046	109,046	61,336	47,710
Total Expenditures		0	109,046	109,046	61,336	47,710

Revenues

Sub-object	Description	Actual Jul-Sept 11	Revenue Estimated Oct 11-June 12	Total Estimated FY 11-12	Adopted Budget FY 11-12	Over/ (Under) Budget
1700	Interest on Pooled Cash	0	0	0	0	0
2500	State-Other	0	0	0	0	0
2901	Tipping Fee Revenue	0	0	0	0	0
4102	Donations/Reimbursement	0	0	0	0	0
Total Revenues		0	0	0	0	0
Net Cost		0	109,046	109,046	61,336	47,710

Overview

The only financial activity anticipated for this cost center in FY 11-12 is the transfer of the remaining funds into the Contingency Reserve. This cost center is being abandoned due to lack of activity and the lack of mention in the original joint powers agreement.

Sonoma County Waste Management Agency
FY 11-12 First Quarter Revenue and Expenditure Summary and Projection
Planning Detail

799619

Expenditures

Sub-object	Description	Actual Jul-Sept 11	Expenditure Estimated Oct 11-June 12	Total Estimated FY 11-12	Adopted Budget FY 11-12	Over/ (Under) Budget
6103	Liability Insurance	0	887	887	887	0
6400	Office Expense	0	0	0	0	0
6521	County Services	0	800	800	800	0
6540	Contract Services	0	0	0	0	0
6573	Administration Costs	18,808	41,303	60,111	60,111	0
6590	Engineering Services	0	0	0	0	0
6610	Legal Services	0	4,000	4,000	4,000	0
6629	Accounting Services	0	337	337	337	0
6630	Audit Services	0	1,000	1,000	1,000	0
7130	Textbook/Tuition	0	750	750	0	750
7302	Travel Expense	0	0	0	0	0
7400	Data Processing	281	1,405	1,686	1,686	0
7425	Desktop Modernization	0	2,269	2,269	0	2,269
Total Services and Supplies		19,089	52,751	71,840	68,821	3,019
8624	OT-Within Enterprise	0	0	0	0	0
	OT-Within Enterprise (budget)	0	1,576	1,576	1,576	0
8648	OT-Between Enterprise (ISD)	0	0	0	454	(454)
Total Other Charges		0	1,576	1,576	2,030	(454)
Total Expenditures		19,089	54,327	73,416	70,851	2,565

Revenues						
Sub-object	Description	Actual Jul-Sept 11	Revenue Estimated Oct 11-June 12	Total Estimated FY 11-12	Adopted Budget FY 11-12	Over/ (Under) Budget
1700	Interest on Pooled Cash	0	23	23	23	0
2901	Tipping Fee Revenue	5,034	55,374	60,408	62,207	(1,799)
4102	Donations/Reimbursement	627	7,994	8,621	8,621	0
4648	OT-From Replacement	0	2,269	2,269	0	2,269
Total Revenues		5,661	65,660	71,321	70,851	470
Net Cost		13,428	(11,333)	2,095	0	2,095

Expenditures

Expenditures, excluding the ones already discussed, are expected to meet budget.

Revenues

Tipping Fee Revenue is estimated to be \$8,019 under budget based on only one month's actual amount.

Overview

With a projected decreased tipping fee, it might become necessary to use retained earnings held within the cost center to meet the planning and reporting obligations for SCWMA.

At the end of FY 10-11, the fund balance within the Planning cost center was \$26,986, which will cover the net cost at this point in time.

These projections were made with very limited information and there will be a clearer financial picture when the mid-year report is prepared and presented.

Sonoma County Waste Management Agency
FY 11-12 First Quarter Revenue and Expenditure Summary and Projection
Organics Reserve Detail

799221

Expenditures

Sub-object	Description	Actual Jul-Sept 11	Expenditure Estimated Oct 11-June 12	Total Estimated FY 11-12	Adopted Budget FY 11-12	Over/ (Under) Budget
6540	Contract Services	331	45,000	45,331	0	45,331
6573	Administration Costs	9,005	71,129	80,134	80,134	0
6590	Engineering Services	0	26,000	26,000	26,000	0
6610	Legal Services	16,568	7,432	24,000	24,000	0
6630	Audit Services	0	1,500	1,500	1,500	0
7302	Travel Expense	0	0	0	0	0
Total Services and Supplies		25,904	151,061	176,965	131,634	45,331
Total Expenditures		25,904	151,061	176,965	131,634	45,331

Revenues

Sub-object	Description	Actual Jul-Sept 11	Revenue Estimated Oct 11-June 12	Total Estimated FY 11-12	Adopted Budget FY 11-12	Over/ (Under) Budget
1700	Interest on Pooled Cash	0	24,875	24,875	24,875	0
4624	OT-Within Enterprise	0	342,839	342,839	0	342,839
	OT-Within Enterprise (budget)	0	297,611	297,611	297,611	0
Total Revenues		0	665,325	665,325	322,486	342,839
Net Cost		25,904	(514,264)	(488,360)	(190,852)	(297,508)

Expenditures

Contract Services is projected to be \$45,331 over budget. This includes the extension to the ESA agreement approved at the September Board of Directors' meeting.

Revenues

The additional operating transfer funds are the result of the projections of increased operational activity of the organics program.

Overview

These reserve funds are restricted for use only for the organics program per the joint powers agreement.

Sonoma County Waste Management Agency
FY 11-12 First Quarter Revenue and Expenditure Summary and Projection
HHW Closure Detail

799320

Expenditures

Sub-object	Description	Actual Jul-Sept 11	Expenditure Estimated Oct 11-June 12	Total Estimated FY 11-12	Adopted Budget FY 11-12	Over/ (Under) Budget
8624	OT-Within Enterprise	0	0	0	0	0
TOTAL SERVICES & SUPPL		0	0	0	0	0
TOTAL EXPENDITURES		0	0	0	0	0

Revenues

Sub-object	Description	Actual Jul-Sept 11	Revenue Estimated Oct 11-June 12	Total Estimated FY 11-12	Adopted Budget FY 11-12	Over/ (Under) Budget
1700	Interest on Pooled Cash	0	333	333	333	0
4624	OT-Within Enterprise	0	0	0	0	0
TOTAL REVENUES		0	333	333	333	0
NET COST		0	(333)	(333)	(333)	0

Overview

This reserve was formed by Board of Directors' resolution and the goal was increased 46,000 after the FY 11-12 Budget was prepared. This increase has not been dealt with yet and will need to be a part of any future budget planning.

Sonoma County Waste Management Agency
FY 11-12 First Quarter Revenue and Expenditure Summary and Projection
HHW Facility Reserve Detail

799718

Expenditures

Sub-object	Description	Actual Jul-Sept 11	Expenditure Estimated Oct 11-June 12	Total Estimated FY 11-12	Adopted Budget FY 11-12	Over/ (Under) Budget
6540	Contract Services	0	0	0	0	0
6573	Administration Costs	0	0	0	0	0
6590	Engineering Services	0	0	0	0	0
6610	Legal Services	0	0	0	0	0
Total Services and Supplies		0	0	0	0	0
Total Expenditures		0	0	0	0	0

Revenues

Sub-object	Description	Actual Jul-Sept 11	Revenue Estimated Oct 11-June 12	Total Estimated FY 11-12	Adopted Budget FY 11-12	Over/ (Under) Budget
1700	Interest on Pooled Cash	0	8,085	8,085	8,085	0
2500	State-Other	0	0	0	0	0
4624	OT-Within Enterprise	0	0	0	0	0
Total Revenues		0	8,085	8,085	8,085	0
Net Cost		0	(8,085)	(8,085)	(8,085)	0

Overview

The reserve goal for this fund was modified at the June 2011 Board meeting to be held at \$600,000 or 33% of the budgeted annual HHW program operational expenses, whichever is greater. At the end of FY 10-11, there was \$1,607,767 being held in reserve.

Sonoma County Waste Management Agency
FY 11-12 First Quarter Revenue and Expenditure Summary and Projection
Contingency Reserve Detail

799718

Expenditures

Sub-object	Description	Actual Jul-Sept 11	Expenditure Estimated Oct 11-June 12	Total Estimated FY 11-12	Adopted Budget FY 11-12	Over/ (Under) Budget
6400	Office Expense	0	2,000	2,000	2,000	0
6573	Administration Costs	6,760	60,587	67,347	67,347	0
6610	Legal Services	3,939	5,061	9,000	9,000	0
6630	Audit Services	0	0	0	0	0
Total Services and Supplies		10,699	67,648	78,347	78,347	0
8624	OT-Within Enterprise	0	0	0	0	0
	OT-Within Enterprise (PY)	0	0	0	500	(500)
Total Other Charges		0	0	0	500	(500)
Total Expenditures		10,699	67,648	78,347	78,847	(500)

Revenues

Sub-object	Description	Actual Jul-Sept 11	Revenue Estimated Oct 11-June 12	Total Estimated FY 11-12	Adopted Budget FY 11-12	Over/ (Under) Budget
1700	Interest on Pooled Cash	0	976	976	976	0
4624	OT-Within Enterprise	0	110,622	110,622	66,462	44,160
Total Revenues		0	111,598	111,598	67,438	44,160

Net Cost		10,699	(43,950)	(33,251)	11,409	(44,660)
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Expenditures

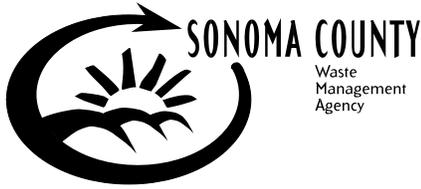
At this time, expenditures are expected to meet budget.

Revenues

OT-Within Enterprise is projected to be \$44,160 over budget as a result of an approved budgetary adjustment, which was an increase in the transfer coming from the Diversion cost center.

Overview

The Contingency Reserve is used to fund Board initiated and approved projects, such as the reduction in the of single use plastic bags.



Agenda Item #: 6.3
Cost Center: TBD
Staff Contact: Mikus
Agenda Date: 11/16/11

ITEM: Draft Policy for Non-profit Organization Financial Grants

I. BACKGROUND

At the request of the Sonoma County Waste Management Agency (SCWMA) Board of Directors, staff has prepared a draft policy for awarding financial grants to non-profit organizations.

The draft policy is a result of prior board meeting discussion concerning the desire of Board members in supporting community environmental efforts with some funding. It was decided that the most effective and efficient method would be to establish a grant process for local non-profits. Local is defined as the official office of the non-profit being in Sonoma County.

II. DISCUSSION

With input from Board members, the draft policy has been developed and is being presented for Board approval. It is anticipated that the first applications will be considered in the FY 12-13 budget process. If there are successful applicants, the first grant awards would be included in the budget approval process and would be available to the grantees on July 1, 2012.

III. FUNDING IMPACT

Impacts to the budget will be unknown until applications have been received, evaluated and awarded. There is a proposed annual aggregate limit of \$5,000 per fiscal year.

IV. RECOMMENDED ACTION / ALTERNATIVES TO RECOMMENDATION

Staff recommends approving the Draft Policy for Non-profit Financial Grants on the Consent Calendar.

V. ATTACHMENTS

Draft Policy for Non-profit Organization Financial Grants

Approved by: _____
Henry Mikus, Executive Director, SCWMA

SONOMA COUNTY WASTE MANAGEMENT AGENCY: NON-PROFIT ORGANIZATIONS FINANCIAL GRANTS POLICY

I. Purpose

To establish the criteria and approval authority for interested non-profits who wish to apply for and receive a financial grant to further the SCWMA's AB 939 defined efforts, as well as to enhance the non-profit's environmental efforts.

II. Policy

The Joint Powers Agreement, developed in response to the AB 939 legislation, 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. These grant awards are to be considered reimbursement awards.

A. Availability of Grant Awards

The range of awards will be between \$500 and \$2,000 per fiscal year 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.

B. Grant Funding

It is anticipated that not more than a total of \$5,000 in funds designated for grant awards will be available within any given fiscal year. Grants approved during the budget process will be available for disbursement at the start of the fiscal year, July 1.

C. Application Criteria

1. Form of Application

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 and how that use relates directly to one of the four program areas listed in the preceding paragraph.

The application must include a description of the project that will be funded by the grant funds. Also a list of potential participants needs to be included along with a short description of their responsibilities related to the project.

2. Application Submission Schedule

Applications will be considered only as part of the annual SCWMA budget development process. Applications for an upcoming fiscal year will be accepted until the end of February preceding the start of any fiscal year in the SCWMA office. Typically the work on the budget process for the upcoming fiscal year (which starts in July) is concentrated in March.

Any application received after the last day of February will be returned to the applicant unopened and will not be considered. No applications will be considered outside of the normal budget process.

3. Quantity of Applications

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

4. Notification of Application Opportunity

SCWMA staff will put notification of the grant application opportunity complete with all necessary information on the SCWMA website in November preceding the January and February application period. Board members are encouraged to communicate the grant application opportunity within their individual jurisdictions.

5. Treatment of Submitted Applications

Each application will be considered as a discreet and unique document. The SCWMA Board reserves the right to either award the grant or refuse to award a grant. SCWMA will perform initial evaluation of applications received for a given fiscal year, and present their recommendations to the Board for approval. If enough grant applications are received so that the total amount of funds requested exceeds the \$5,000 yearly limit as outlined below, staff will develop a prioritized list of superior applicants where the total monies requested fall within the \$5,000 maximum annual limit.

Lobbying staff or board members for application consideration will not be allowed and would be cause for disqualification

D. Grant Requirements

1. Grant Agreement

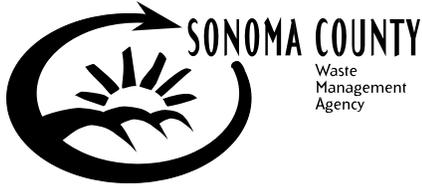
Successful grant applicants will be required to execute a formal agreement concerning their grant award, use of grant funds, timeline and submission of a final report. A signature from an official of the non-profit will be needed on the agreement.

2. Grant Audits

Grant recipients could be subject to audits by SCWMA or their designate. Grant recipients will be required to submit a final report detailing their use of grant funds, which will include receipts, reports, and similar documentation to attest to the proper use of the money. Failure to provide this report, or failure of an audit, will result in removal of the organization from future consideration in the grant program, and will require the full grant monies to be returned to SCWMA, as well as reimbursement of any expenses SCWMA staff might incur in the dealing with the failed grant.

3. Finalizing Grants

Successful grantees will be required to submit a final report of all activities funded by the grant. There is to be documentation to substantiate the report.



Agenda Item #: 8
Cost Center: Wood/Yard
Staff Contact: Mikus/Carter
Agenda Date: 11/16/2011

ITEM: Draft Compost Operations Request for Qualifications

I. BACKGROUND

Joint Powers Agency Agreement

One of the Sonoma County Waste Management Agency (SCWMA)'s primary responsibilities is to ensure the proper treatment of wood and yard wastes in Sonoma County. The Joint Powers Agreement contains a number of provisions regarding the SCWMA's role in dealing with wood and yard wastes including the following:

"Section 11. Role of Participants in Collection of Wood, and Yard Waste
Each Participant shall cause wood waste and yard waste generated within its jurisdiction (that could not be diverted otherwise) to go to the Central Landfill to be delivered to the Treatment System and shall take such actions as are appropriate and necessary to accomplish that result. The Joint Powers Agency shall establish standards for the quality of yard and wood waste acceptable for delivery to the Treatment System and may also approve diversions of wood waste and yard waste to alternative treatment systems."

Three Party Agreement for Composting Services

An Agreement between the County of Sonoma (County), the SCWMA, and the Sonoma Compost Company (Contractor) for Organic Material Processing, Composting and Marketing Services (Agreement) was entered into on September 28, 1999. This Agreement fulfills part of the SCWMA's obligation to provide a regional composting program to convert yard debris and wood waste into organic marketable products at the composting facility currently located at the Central Disposal Site. Amendments to this Agreement have been approved as follows:

- July 11, 2000 – the First Amendment (A) modified a new work surface, included a termination provision and updated Exhibit B (List of Operating Equipment).
- February 20, 2002 – the First Amendment (B) identified new finished products ("Specialty Products") and set revenue allocation or sharing methods for these products.
- March 17, 2004 – the Second Amendment approved an increase to the payment for wood waste processing, from \$12 per ton of material delivered to the compost facility to \$20 per ton for fuel products and \$22 per ton for non-fuel wood chip products.
- April 21, 2004 – the Third Amendment allowed for an expansion and/or relocation of the composting processing site, extended the term of the agreement to November 15, 2010, and created a new yard debris product designed for use by the City of Santa Rosa's Laguna Composting Facility.
- June 16, 2004 – the Fourth Amendment added new language to the Agreement regarding prevailing wages.
- July 12, 2005 – the Fifth Amendment added new definitions in order to add a Construction and Demolition Program ("C&D") and establish partial reimbursement to the SCWMA for transportation costs associated with hauling green waste from the transfer stations to the Central Disposal Site.
- April 22, 2008 – the Sixth Amendment amended the definition of "Prepared Yard Debris" to a product that would be agreeable to City of Santa Rosa for use as a bulking agent in their biosolids composting program, changed the amount of process material delivered per week from 350 tons to 400 tons, and amended the compensation to Contractor for the prepared yard debris to include an inflation computation and a trigger for rate change like the other products produced by Contractor.

- January 20, 2010 – the Seventh Amendment extended the termination date of the agreement to November 15, 2011, with acceptance of material ending July 18, 2011 and added a provision for the County to terminate the agreement with six months written notice if the County determined the area was needed for landfilling of refuse or to implement final closure on the composting area of the landfill.
- March 16, 2011 – the Eighth Amendment extended the termination date of the agreement to November 15, 2012 and included provisions for extending the agreement two additional one year increments.

II. DISCUSSION

The SCWMA’s contractor, Sonoma Compost Company (SCC), is currently conducting their composting operation at the Central Disposal Site. The composting operation site is on top of landfilled garbage, on intermediate cover. At some future date (projected to be in approximately 30 months, or Spring 2014), the composting operation will interfere with the County’s ability to utilize additional landfill airspace, or if additional landfilling does not occur there, that area will need to be capped and undergo closure. This situation is a major obstacle to indefinite composting at the current location.

The SCWMA has been involved in an effort to relocate the compost site for the past four years. Preferred and alternative sites have been chosen for environmental studies, which are currently underway. The existing agreement with Sonoma Compost expires November 2012, with acceptance of material ending July 2012. However, SCWMA can exercise an option to extend the contract for a year. This same option is available for a second year extension.

At its October 2011 meeting the SCWMA Board directed staff to formulate a “Request for Qualifications” (RFQ) to be used to seek potential contractors to operate the compost operation and affiliated activities as an alternative to exercising the available one-year contract extension with SCC. It is felt that engaging in the RFQ process to seek a potential new contract would provide SCWMA with new perspectives in charting the future of the agency compost program. Potentially the RFQ process will bring proposals that include methods to bridge the gap between ending operations at the current site, and starting operations at a new facility.

A draft RFQ has been developed and is presented for the Board’s review and comment.

III. FUNDING IMPACT

Unknown until the full RFQ process is complete.

IV. RECOMMENDED ACTION / ALTERNATIVES TO RECOMMENDATION

Staff is requesting Board review and commentary on the attached draft RFQ. Upon incorporating any desired changes, SCWMA would issue the RFQ in its final form and engage in the RFQ process.

V. ATTACHMENTS

Draft “Request for Qualifications”

Approved by: _____
Henry J. Mikus, Executive Director, SCWMA



REQUEST FOR QUALIFICATIONS

REQUEST FOR QUALIFICATIONS FOR COMPOSTING SERVICES FOR THE SONOMA COUNTY WASTE MANAGEMENT AGENCY

Responses due 3:00 p.m. on December 19, 2011

Submit proposal to:
Patrick Carter, Waste Management Specialist
Sonoma County Waste Management Agency
2300 County Center Drive, Suite B100
Santa Rosa, CA 95403

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1. BACKGROUND

1.1 Definitions

This section contains definitions that are used throughout this RFQ.

AB 341: Recent California legislation that will require MCR. Under AB 341 it is contemplated MCR will become effective July 1, 2012. AB 341 includes businesses, multifamily complexes, and public entities such as schools in its scope.

AGENCY: The Sonoma County Waste Management Agency, a joint powers authority composed of the County of Sonoma and the nine incorporated jurisdictions within Sonoma County: Cloverdale, Cotati, Healdsburg, Petaluma, Rohnert Park, Santa Rosa, Sebastopol, Sonoma, and Windsor.

County: The County of Sonoma, one of the Agency members, and also the owner of the Central Disposal Site where the Agency operates its Central Compost Site as a tenant.

CalRecycle: The California Department of Resources Recycling and Recovery, which administers the regulations related to compost facilities and all other solid waste disposal activities.

CDFA: The California Department of Food and Agriculture, which is responsible for the California Organic Registration program.

Central Compost Site: The AGENCY facility, located on the Central Disposal Site at 550 Meham Road, Petaluma, CA 94952. The facility operates under California permit number 49-AA-0260.

Central Disposal Site: The Central Disposal Site is the location of the County's Central Landfill and other appropriate solid waste disposal and processing operations.

Compost: Compost is the soil amendment product that results from aerobic composting.

Composting: Composting, nature's own way of recycling, is the controlled decomposition of organic material such as leaves, twigs, grass clippings, and food scraps.

Food waste: Surplus food materials, as defined by Title 14, Division 7, Section 17852 (a) (20) of the California Code of Regulations.

Hauler: Franchised garbage companies operating in Sonoma County, namely North Bay Corporation/Redwood Empire Disposal and Sonoma Garbage Collectors.

LEA: Local Enforcement Agency, in this instance the County of Sonoma Department of Health Services. The LEA issues, reviews, and enforces the appropriate permits related to Agency composting operations.

MCR: Mandatory Commercial Recycling, a concept where commercial entities such as businesses and multi-family housing establishments, and public agencies would be required by law to divert waste they generate, from typical disposal collection to recycling collection.

MSW: Municipal Solid Waste, which is a general term for all garbage.

Mulch: Non-composted yard or wood waste materials such as shredded or chipped wood or bark.

OMRI: Organic Materials Review Institute, a national organization that provides organic certifiers, growers, manufacturers, and suppliers an independent review of products intended for use in certified organic production, handling, and processing. Acceptable products are "OMRI Listed". OMRI testing and certification is utilized on products generated by the Agency compost operations.

Organic matter: Material that comes from organisms that were once alive, or derived from or produced through the biological activity of a living thing.

Products: Materials resulting from processes such as composting, sorting, or chipping, performed as operations at the Central Compost Site.

Respondent: Any entity intending to respond to this RFQ.

Vegetative food waste: Plant-based food waste that does not include meat or dairy products.

Wood waste: Solid waste consisting of wood pieces or particles which are generated from the manufacturing or production of wood products, harvesting, process, or storage of raw wood materials, or construction and demolition activities. Typically these materials are used for chipping for mulch or compost and can include untreated milled or dimensional lumber, pallets, firewood, fallen trees and other similar sized branches and tree limbs.

Yard or green waste: Organic waste materials generated from the maintenance or alteration of public, commercial, or residential landscapes including, but not limited to, yard clippings, leaves, tree trimmings, pruning, brush, and weeds. Yard waste feedstock for the Agency composting operation can include vegetative food waste.

1.2 History

The Agency was formed in 1992 with the “Agreement Between The Cities Of Sonoma County And Sonoma County For A Joint Powers Agency To Deal With Waste Management Issues (Wood Waste, Yard Waste, Household Hazardous Waste, and Public Education)”. Impetus for this action was the California Integrated Waste Management Act of 1989 (AB 939); thus the AGENCY agreement “requires Participants to divert recyclable materials from the waste stream.” The Agency agreement specifies that the “Agency will deal with... wood waste and yard waste that would otherwise go to the Central Landfill.” Thus, in 1993, initial composting operations began and have been an ongoing, successful activity since. The agreement also has minimum tonnage requirements of feedstock materials for member jurisdictions to contribute to the compost operation.

The AGENCY’s original agreement was for 25 years. Thus, unless renewed or extended the AGENCY agreement will sunset in 2017.

1.3 Current Operations

The County and cities, via franchised haulers, collect and deliver MSW and other separate materials, including yard waste and wood waste, to numerous transfer stations located throughout the County, and directly to the Central Disposal Site. Accumulated yard waste and wood waste materials are then delivered to the AGENCY’s Central Compost Site for sorting and processing.

The AGENCY employs a contractor to operate the Compost Facility; currently this is Sonoma Compost Company (SCC). The AGENCY is the permit holder of record for the facility. The current amount of the materials handled per year is approximately 100,000 tons which is near the permit maximum. The facility footprint is approximately 27 acres. The site occupies an area formerly used to landfill MSW; the trash below is only covered with intermediate cover. However, the composting area is composed of a 12-inch thick concrete pad. The County has indicated that there is still useful volume for additional fill of MSW in the facility area, which will require a facility relocation at the appropriate time. It must also be noted that the current permit only allows composting of vegetative food waste mixed with the yard waste as meat and dairy products are excluded. Also there are specific limits on the tonnage of vegetative food waste that is allowed relative to the amount of yard and wood waste.

Currently, a variety of material types are accepted, sorted, and processed. Incoming materials are either set aside for sale as firewood or as used (but still serviceable) lumber, chipped for use as mulch, or processed in several grades of compost. The compost products are registered by the CDFA and OMRI to their Organic standards. The community regards the AGENCY facility and its products as a very valuable operation and resource.

1.4 Future Considerations

In recognition of the finite time frame for operating at the current facility location, several years ago the AGENCY began the lengthy process of identifying and establishing a new viable and

long-term location. A comprehensive study of potential sites was performed, and a limited number of sites were selected for further analysis. The AGENCY commissioned the drafting of an Environmental Impact Report (EIR), a process that is nearly complete. The EIR examines several properties away from the Central Disposal Site, plus one area on the Central Disposal Site of about 25 acres that is not planned for any other landfill related activities.

The AGENCY also developed a Waste Characterization Study recently, which identified the total county-wide waste stream of organic materials (including what is currently handled by the AGENCY facility) as approximately 200,000 tons per year. A high percentage of this identified amount of material that is above the current facility flow was believed to be food waste, primarily from the commercial sector.

Concurrently, all county jurisdictions, via the Sonoma County/City Solid Waste Advisory Group (SWAG) convened by the Board of Supervisors, are studying the future plans and goals for the entire solid waste system. Increased waste diversion strategies, and their implementation, are a key facet of this effort. This ties directly to the large amount of organic materials identified by the Waste Characterization Study as still being landfilled rather than processed.

2. INTENT

The AGENCY is seeking information about contractors that are capable of providing composting services either as a solely private enterprise operating on private property under privately held operating permits, as a possible private/public partnership, or as a contractor operating the AGENCY facility and composting program, including the current slate of related activities. As a starting point, the AGENCY is soliciting via this RFQ information about interested parties in order to conduct an evaluative process for potentially entering into a new agreement for a contract operator or a private enterprise with which the AGENCY could negotiate a contract for green waste diversion. The unique circumstances for the near term future of the program, particularly the transition from the current location to a new program home, coupled with the desire to dramatically increase the volume and type of materials processed, provides the impetus for consideration of alternative diversion options of compostable/green material, including a new agreement.

3. GENERAL INFORMATION

3.1 Questions

All questions pertaining to this RFQ should be directed to:

Patrick Carter, Waste Management Specialist
Sonoma County Waste Management Agency
2300 County Center Drive, Suite B100
Santa Rosa, CA 95403
fax: 707/565-3701 e-mail: patrick.carter@sonoma-county.org

Questions must be submitted no later than 3:00 p.m. on **December 2, 2011**; no response will be made to questions submitted after this date. An addendum to this RFQ will be prepared in response to any questions received. The RESPONDENT is solely responsible for providing their email address or fax number by **December 2, 2011** to the contact above so that the addendum can be circulated as soon as available. The AGENCY cannot assure that every entity receiving a RFQ will receive the addenda.

3.2 AGENCY Contact for Information

All requests for additional information regarding this RFQ should be directed to the

AGENCY's Waste Management Specialist, noted above. Do *not* directly contact other AGENCY staff, members of the Board of Directors, Sonoma Compost Company, or the Sonoma County Transportation and Public works Department. Individuals or organizations that do so may be disqualified from further consideration. AGENCY will recognize only those responses to inquiries issued in writing by AGENCY in Addendum form as binding modifications to this RFQ.

3.3 Confidentiality

AGENCY has made a determination in accordance with Section 6255 of the Government Code that all Proposals submitted in response to this RFQ shall not be made public by AGENCY until such time as AGENCY is considering award of a contract for the services. In addition, AGENCY has made a determination in accordance with Section 6255 of the Government Code that all Respondent proprietary financial information which is specifically identified by the Respondent as "confidential" shall not be made public by AGENCY and shall be returned to each Respondent, unless otherwise required by law. In the event a Respondent wishes to claim other portions of its proposal exempt from disclosure under the Public Records Act, it is incumbent upon Respondent to clearly identify those portions with the word "confidential" printed on the lower right-hand corner of the page, along with a written justification as to why such information should be exempt from disclosure. Blanket designations of "confidential" shall not be effective. However, AGENCY will make a decision based upon applicable laws. AGENCY shall notify Respondent of any requests for disclosure under the Public Records Act. If the Respondent wishes to prevent the disclosure of such material, the Respondent shall bear the sole burden of seeking review in a court of competent jurisdiction. In addition, Respondent shall defend and indemnify AGENCY from any claims and/or litigation relating to a claim of confidentiality.

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

4. INSTRUCTIONS TO RESPONDENTS AND PROCEDURES FOR SUBMITTAL

4.1 Submittal Rules

Submittals must be presented in accordance with the information requested in Section 5, Proposal Requirements. Other relevant information that the Respondent feels is appropriate may be included. The following rules shall apply:

4.1.1 All submittals shall be submitted in writing and be in accordance with the requirements of this Request for Qualifications. No facsimile or emailed proposals will be accepted.

4.1.2 Three (3) copies of the submittals shall be delivered to the AGENCY no later than **3:00 p.m.** on the time clock located at 2300 County Center Drive, Suite B100, Santa Rosa, California, on **December 19, 2011**. The package of submittals must be clearly labeled on the outside with the name and the address of the firm making the submittal with the words: "Qualifications for Composting Services" in the address. One of the copies of the submittal shall be unbound to allow for ease of copying. Submittals must be addressed and delivered to the AGENCY contact found in Section 2.1 above.

4.1.3 Respondents shall label one of the copies "Original", which shall govern in the event of any inconsistency among copies of the submittals. This original copy shall be bound.

4.1.4 Each submittal shall be printed on 8 1/2" by 11" paper, double sided where appropriate, or if larger paper is required, it must be folded to 8 1/2" by 11". Paper should be at least 30% post-consumer recycled content.

4.1.5 Each submittal shall include all information required by this RFQ and any subsequent addenda.

4.1.6 Submittals received after the required submittal date will be rejected and will be returned unopened. The AGENCY will not, in any manner, be liable or responsible for any late delivery of submittals.

4.2 Evaluation Process

The AGENCY shall evaluate each submittal. All determinations with regard to the evaluation of submittals will be at the sole discretion of the AGENCY. Each submittal shall first be evaluated for completeness and for compliance with the requirements of this RFQ. The AGENCY will then evaluate the qualifications, experience, and capabilities of each Respondent with regards to the Respondents' ability to provide composting and related services to the AGENCY and its citizens.

After submittals have been examined and evaluated, several Respondents may be invited to interviews, to both discuss the submittals in greater detail, and to begin specific discussions about the services Respondents are prepared to provide. Respondents should be prepared to answer questions and discuss specifics on the following subjects during the course of their interview:

1. Specific services to be provided, including types of feedstock, amounts/volumes anticipated to be managed, and products to be produced.
2. Processes to be employed to provide these services.
3. Approximate cost structure for services, including fees to be assessed and/or revenue sharing.
4. Location of services, particularly if the current location is intended to be utilized for initial or long term operations or, if the Respondent proposes to utilize an alternate site/location that is fully permitted and capable of processing the compostable/green material anticipated to be generated by the Agency.
5. Any plan for interim services to manage the transition from the current operating site to a new location.
6. Scope of work offered by the Respondent to develop a new composting site.
7. Respondent's plans and ability to develop a completely privatized site. This would include a time-line.
8. Proposed duration for any agreement.
9. Planned markets for products to be produced.
10. Facility footprint required.
11. Insurance limitation for operations and environmental degradation.

If the interviews result in any project descriptions that are of interest to the AGENCY, the AGENCY will begin negotiations with the Respondents whose qualifications, and plans as discussed in the interview, give the best value to the AGENCY. Negotiations would be to establish a contractual agreement for composting program services. The AGENCY, at its discretion, may negotiate with multiple Respondents. The AGENCY may also elect to end the process at any time.

4.3 Rights of the AGENCY

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

1. Enter into negotiations which may lead to an award of an agreement for services

described in this RFQ.

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

Respondents are notified that the costs of preparing and submitting submittals and the risks associated therewith shall be borne solely by the Respondent. No compensation will be provided to Respondents for work performed or costs incurred during the preparation, submittal or evaluation of submittals.

5 SUBMITTAL REQUIREMENTS

A submittal shall be complete and concise and should be prepared in substantial conformance with the format and order described below to assist in the review process. *A Respondent that omits or inadequately addresses any of the topics below may be excluded from a future Request for Qualifications or Request for Proposals process.*

5.1 Required Information:

1. Contact information for respondent, including name of company or entity, contact person(s), address, telephone numbers, email addresses.
2. History of the company/entity.
3. List of activities, contracts, and projects previously engaged in and currently underway related to composting, chipping for mulch, and processing of organic materials. For each of the items listed here, include the following:
 - 3.1 Location for the items described.
 - 3.2 References such as customers or regulatory/oversight officials for each of the activities described. List specific individuals' names and contact information to include telephone numbers and emails.

- 3.3 Length of time engaged in each of the activities.
- 3.4 Applicable permit number(s) or similar pertinent references, including permit issuing authority.
- 3.5 Regulatory history of the activities, including any permit revocations, fines, violations, areas of concern, or similar inspection or enforcement actions.
- 3.6 Volumes and types of materials handled, both as feedstock and as product produced.
- 3.7 Specific processes utilized.
- 3.8 Environmental monitoring activities, safeguards, and infrastructure in place and functioning. Describe any sampling or testing regimen employed.
- 3.9 List any properties currently owned or leased by the company/entity that are permitted for composting activity not currently being used.
4. Certifications and honors held or earned by the company and its employees.
5. Resumes for key personnel of the contractor. This would include key employees of prospective partners and sub-contractors.
6. Prospective subcontractors or partners, with details as required in (3) above.
7. Extant capacity available at currently operating facilities, including location. Provide details of types of feedstock and products, and any pertinent limitations or special conditions. Include permit information.

5.2 Insurance

The Respondent should demonstrate the ability to submit proof of the required insurance coverages, as defined by 5.2.1 – 5.2.4 below, in the form of Certificates of Insurance clearly evidencing all required insurance and endorsements. In the event of any potential future agreement with the AGENCY, a successful Respondent shall procure and maintain for the duration of the potential Agreement, insurance against claims for injuries to persons or damages to property which may arise from or in connection with the performance of the work hereunder by the successful Respondent, its agents, representatives, employees or subcontractors.

5.2.1 Workers' Compensation

Workers' Compensation Insurance to cover its employees, with statutory limits as required by the Labor Code of the State of California. Each such policy shall be endorsed with the following specific language:

- (a) This policy shall not be canceled or materially changed without first giving thirty (30) days prior written notice to the Sonoma County Waste Management Agency and the County of Sonoma, by registered mail.

5.2.2 Commercial/Comprehensive General Liability

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

- (a) The Sonoma County Waste Management Agency, the County of Sonoma, their members, officers and employees, are named as additional insured for all liability arising out of the operations by or on behalf of the named insured in the performance of this Agreement.
- (b) The inclusion of more than one insured shall not operate to impair the rights of one insured against another insured, and the coverage afforded shall apply as though separate policies had been issued to each insured, but the inclusion of more than one insured shall not operate to increase the limits of the company's liability.

- (c) The insurance provided herein is primary coverage to the Sonoma County Waste Management Agency and the County with respect to any insurance or self-insurance programs maintained by the Agency.
- (d) This policy shall not be canceled or materially changed without first giving thirty (30) days prior written notice to the Sonoma County Waste Management Agency and the County of Sonoma, by registered mail.

5.2.3 Automobile

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

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

5.2.4 Environmental Materials Liability

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

- (a) The Sonoma County Waste Management Agency, the County of Sonoma, their members, officers and employees, are named as additional insured for all liability arising out of the operations by or on behalf of the named insured in the performance of this Agreement.
- (b) The inclusion of more than one insured shall not operate to impair the rights of one insured against another insured, and the coverage afforded shall apply as though separate policies had been issued to each insured, but the inclusion of more than one insured shall not operate to increase the limits of the company's liability.
- (c) The insurance provided herein is primary coverage to the Sonoma County Waste Management Agency and the County with respect to any insurance or self-insurance programs maintained by the AGENCY.

- (d) This policy shall not be canceled or materially changed without first giving thirty (30) days prior written notice to the Sonoma County Waste Management Agency and the County of Sonoma, by registered mail.

5.2.5 Documentation

The following documentation shall be submitted to the AGENCY:

- (a) On or before the Effective Date, Contractor shall provide satisfactory proof that it will be able to obtain all of the insurance, including, endorsements, required hereunder by the Start Date.
- (b) Properly executed Certificates of Insurance clearly evidencing all coverage, limits, and endorsements required above. Said Certificates shall be submitted ninety (90) days prior to the Start Date.
- (c) Signed copies of the specified endorsements for each policy. Said endorsement copies shall be submitted with the Certificates of Insurance required under Section 12.1.5(b) above.
- (d) Upon AGENCY’s or County’s written request, certified copies of insurance policies. Said policy copies shall be submitted within thirty (30) days of such request.

5.2.6 Policy Obligations

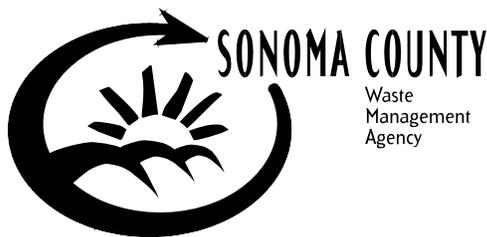
Contractor’s indemnity and other obligations shall not be limited by the foregoing insurance requirements.

5.3 Indemnification.

Contractor agrees to accept all responsibility for loss or damage to any person or entity, including but not limited to AGENCY, and to defend, indemnify, hold harmless, reimburse and release AGENCY, its officers, agents, and employees, from and against any and all actions, claims, damages, disabilities, liabilities and expense including, but not limited to, attorneys’ fees and the cost of litigation incurred in the defense of claims as to which this indemnity applies or incurred in an action by AGENCY to enforce the indemnity provisions herein, whether arising from personal injury, property damage or economic loss of any type, that may be asserted by any person or entity arising out of or in connection with the performance of Contractor hereunder, but, to the extent required by law, excluding liability due to the sole negligence or willful misconduct of AGENCY. If there is a possible obligation to indemnify, Contractor’s duty to defend with legal counsel acceptable to AGENCY, exists regardless of whether it is ultimately determined that there is not a duty to indemnify. This indemnification obligation is not limited in any way by any limitation on the amount or type of damages or compensation payable to or for Contractor or its agents.

6 SCHEDULE

<u>Date</u>	<u>Action</u>	<u>Responsible Party</u>
November 17, 2011	Distribution of RFQ	AGENCY
December 2, 2011	Submit Addenda Distribution Information	RESPONDENT
December 2, 2011	Submit Written Questions	RESPONDENT
December 19, 2011	Submittals Due (3:00 p.m.)	RESPONDENT



Agenda Item #: 9
Cost Center: Organics
Staff Contact: Carter
Agenda Date: 11/16/2011

ITEM: Compost Relocation Update and Timeline

I. BACKGROUND

At the August 15, 2007 SCWMA Board meeting, the Board entered into an agreement with a team of consultants led by Environmental Science Associates (ESA) to assist the SCWMA in the selection, conceptual design, and preparation of CEQA documents for a new compost site in Sonoma County. Staff and the contractor have provided project updates at each subsequent Board meeting.

Project Milestones:

June 18, 2008 – the SCWMA Board selected one preferred site (Site 5a) and two alternative sites (Sites 13 and 14) to be studied further in an Environmental Impact Report (EIR).

March 18, 2009 – First Amendment, the term of the agreement with ESA was extended to December 31, 2009 and an alternative composting technology, aerated static pile, was added to the EIR.

May 20, 2009 – Second Amendment, Site 40 was added to the EIR to be studied at an equal level of detail as Site 5a.

December 2, 2009 – Third Amendment, the term of the agreement was extended to June 30, 2010.

February 17, 2010 – Fourth Amendment, Central Disposal Site was added to the EIR to be studied at an equal level as Sites 5a and 40. The term of the agreement was extended to October 31, 2010.

August 18, 2010 – Fifth Amendment, additional funds were appropriated to complete a Water Supply Assessment for Site 40. The term of the agreement was extended to March 16, 2011.

March 16, 2011 – Sixth Amendment, the term of the agreement was extended to November 16, 2011.

October 19, 2011 – Seventh Amendment, the term of the agreement was extended to August 31, 2012 and \$45,000 was added to the budget to complete existing tasks.

II. DISCUSSION

The Draft EIR or the compost operation relocation project is expected to be ready for release by the end of November 2011. The public comment period must be a minimum of 45 days, though the SCWMA has discretion to extend this period. Staff recommends an approach which allows for the release of the Draft EIR after it has been fully vetted by staff and ensuring the comment period is sufficient in duration to include the January 18, 2012 SCWMA meeting.

Staff has included the project timeline to this transmittal. The actions of the Board that would be requested for each milestone are summarized below:

Milestone:	Board Action Envisioned:	Earliest Estimated Date:
Release Draft EIR	No Board Action. 45 Day Comment Period Begins with the Release of Draft EIR. Staff Receives Comments from Interested Parties and Forwards All Comments to Consultant	12/5/2011
Hearing on Draft EIR	Open Public Hearing, Receive Comments, Close Public Hearing	1/18/2012
Prepare Final EIR	No Board Action. Consultant Must Respond to All Comments Received During the Comment Period in Final EIR	3/16/2012
Hearing on Final EIR	Open Public Hearing, Receive Comments, Close Public Hearing, Certify Final EIR. Unanimous Vote Not Required for Approval of Final EIR	4/18/2012
Consider Project Approval / Site Selection	Select Site, Begin Negotiations for Use of Site (Purchase or Lease), or Choose Not to Proceed with Project. Unanimous Vote Required if Costs Exceed \$50,000	4/18/2012

One aspect of note is the decision to certify the Final EIR and the decision to proceed with the project are separate and need not take place concurrently. As discussed at the October 19, 2011 SCWMA meeting, EIRs do not have a shelf-life. However, increased time between certification of an EIR and the decision to proceed with the project results in an increased risk that the environmental circumstances of the project may change or new regulations may be in effect.

Additionally, if the previous item involving a Request for Qualifications regarding composting operators is approved, a parallel process may be engaged. This may change operations at the current site or involve another site altogether, affecting the land acquisition/lease process should the Final EIR be certified. At this point, staff does not have any recommendations other than to observe the result of the RFQ cognizant of the effect it may have on the ongoing EIR process.

If the project as described in the EIR is approved, a second set of milestones would begin. Those are summarized in the table below:

Milestone:	Board Action Envisioned:	Earliest Estimated Date:
RFP for New Developer/Operator	Enter into an Agreement with a Composting Operator (scope of services depends on site selected)	5/16/2012
Purchase/Lease Land	Execute an Agreement to Purchase or Lease Land for the Composting Operation	6/20/2012
Permitting on New Site	Authorize Executive Director to Obtain All Necessary Permits to Operate the Composting Facility on the New Site, Delegate Executive Director Signature Authority to Execute Permit Documents	4/18/2012-4/2013
Site Construction	Issue Notice to Proceed for Facility Construction, Respond to Unforeseen Issues During Construction Phase	4/2013-1/2014
Composting Begins at New Site	Receive Final Construction Documents, Authorize Operator to Begin Receiving Material at New Site	1/2014

III. FUNDING IMPACT

There are no funding impacts resulting from this transmittal.

IV. RECOMMENDED ACTION / ALTERNATIVES TO RECOMMENDATION

This transmittal is informational; no actions are requested at this time.

Approved by: _____
Henry J. Mikus, Executive Director, SCWMA



Agenda Item #: 10
Cost Center: HHW
Staff Contact: Steinman
Agenda Date: 11/16/2011

ITEM: Clean Harbors Contract Amendment

I. BACKGROUND

The County of Sonoma Board of Supervisors and Sonoma County Waste Management Agency (SCWMA) have had an Agreement with Clean Harbors Environmental Services, Inc., (Clean Harbors) to operate the Household Hazardous Waste Facility (HHWF) and accompanying mobile collection programs. The Agreement between Sonoma County Waste Management Agency, County of Sonoma, and Clean Harbors Environmental Services, Inc. for Operations of Household Hazardous Waste Programs (Agreement) was approved June 11, 2002.

Amendments to this Agreement have been approved as follows:

- | | |
|--------------------|---|
| June 11, 2002 | The First Amendment changed the hours of operation, staffing obligations and program operation fee to monthly invoice. |
| January 3, 2006 | The Second Amendment addressed natural disaster field response contract conditions. |
| August 15, 2006 | The Third Amendment introduced latex paint reuse, modified staffing requirements, modified the door-to-door service fees, increased the program operation fee and payment terms. |
| August 16, 2006 | The Fourth Amendment identified changes in key personnel assigned to the HHWF. |
| August 21, 2007 | The Fifth Amendment included a change in the key personnel, implemented cost changes, and extended the term of Agreement to January 6, 2009 with a one year option to extend the term. |
| September 17, 2008 | The Sixth Amendment extended the term of Agreement to January 6, 2010 with the same terms and conditions. |
| March 18, 2009 | The Seventh Amendment extended the term of the Agreement an additional two years, until January 6, 2011, with no changes to the terms and conditions. |
| May 19, 2010 | The Eighth Amendment extended the term of the Agreement until January 6, 2013, without any changes to the current terms and conditions, <u>and included the option of three, one-year extensions.</u> |

Prior to each one year optional extension period, Clean Harbors has requested a rate increase based on the Consumer Price Index (CPI) and the ability to request fuel cost recovery if the national average cost of diesel rises above \$3.50 per gallon. The requested rate increases would be mutually agreed upon between SCWMA and Clean Harbors at the time of the proposed extension.

II. DISCUSSION

The purpose of this staff report is to provide information for the Board's consideration and direction with the Contract for Operations of Household Hazardous Waste Programs.

This contract is not up for the first optional extension until January 6, 2013, however, SCWMA staff wanted to bring this item forth in the event that the Board preferred to go out to bid. SCWMA staff received a letter from Clean Harbors, dated November 4, 2011, offering SCWMA a one year extension to the existing agreement. This extension would exercise one of the three (Agency approved) extension years beginning January 7th, 2013.

Clean Harbors would also like to offer an additional extension year From January 7th, 2016 through February 11th, 2017 to coincide with the expiration of the JPA, and the possibility of using the same terms and conditions as the optional 2015 extension.

For the 2013 extension, Clean Harbors is requesting that a CPI increase be implemented to the monthly labor component only, which will be based on the United States Department of Labor statistics from November 2011 through November 2012. The most current CPI increase is at 3.8%.The SCWMA currently pays Clean Harbors \$33,973.30 monthly for labor costs. The increase Clean Harbors is proposing to the labor component is estimated at \$1,290.99 per month (based on a 3.8 % increase).The 3.8% increase per month works out to a \$15,491.88 annual increase. This is a net total program increase of about 1.5%.

SCWMA staff is aware of only one other vendor, besides Clean Harbors, who consistently bids on HHW Contracts within Northern California. Staff has not been approached by this vendor in recent years for the purpose of interest in SCWMA's HHW Contract.

SCWMA staff has been very satisfied with the work of this Contractor. As part of the labor component of this contract, Clean Harbors provides a dedicated staff that SCWMA staff has been satisfied with. Clean Harbors staff at the HHW Facility is responsible for the successful paint bulking reuse program.

In regard to AB 1343, the paint recycling bill which was signed into law in 2010, SCWMA staff is working with Clean Harbors and Paintcare, a nonprofit stewardship organization working on behalf of the paint producers, on coordination between the new paint program and the SCWMA's existing HHW collection program. AB 1343 requires paint manufacturers to develop and implement a program to collect, transport, and process postconsumer paint to reduce the costs and environmental impacts of the disposal of postconsumer paint in California. Paintcare representatives have stated that our current reuse program will fit in well with their program plan. The SCWMA will most likely be paid from a recycling fee for the majority of the paint coming through the facility. The implementation date for this program is in the summer of 2012. A change of contractor will disrupt any program implemented in 2012.

If the Board decides to go out to bid on this contract, there will be a great deal of staff time involved in regard to a RFP process.

III. FUNDING IMPACT

Currently Clean Harbors is paid approximately \$438,000 dollars a year as an operating fee and disposal fees are currently about \$600,000 annually. The approximate yearly total is \$1,038,000.

The budgeted amount for this Contractor in FY 11/12 is \$1,157,000.

As a result of extending the Agreement with Clean Harbors Environmental Services for an additional year, a CPI increase would be implemented to the monthly labor component only which will be based on the United States Department of Labor statistics from November 2011 through November 2012. It is estimated that the increase to the Clean Harbors Contract would be \$15,491.82 for FY13/14. The approximate yearly contract total of \$1,038,000+ \$15,491.82 (annual labor increase) = \$1,053,491.80. Should the budget amount remain the same from the current fiscal year to the next, this increase will still keep the contract under the budgeted amount for this contractor.

IV. RECOMMENDED ACTION / ALTERNATIVES TO RECOMMENDATION

Adopt Resolution to approve the Ninth Amendment to Agreement with Clean Harbors, extending the term of Agreement until January 6, 2014 without any changes to the current terms and conditions, and authorize the Chair to execute the Ninth Amendment to Agreement on behalf of SCWMA.

The alternatives to the recommended action are:

Direct staff to develop a Request for Proposals (RFP) and come back to the Board for direction to issue the RFP.

As the value of the Contract extension exceeds \$50,000, a unanimous vote is required for approval.

V. ATTACHMENTS

Ninth Amendment to HHW Operations Agreement with Clean Harbors Environmental Services
Resolution approving the Ninth Amendment
Letter from Clean Harbors Environmental Services
Exhibit A-1, Agreement Mobilization Cost Sheet

Approved by: _____
Henry J. Mikus, Executive Director, SCWMA

NINTH AMENDMENT TO AGREEMENT BETWEEN SONOMA COUNTY WASTE MANAGEMENT AGENCY, COUNTY OF SONOMA, AND CLEAN HARBORS ENVIRONMENTAL SERVICES, INC. FOR OPERATIONS OF HOUSEHOLD HAZARDOUS WASTE PROGRAMS

This Ninth Amendment ("Amendment") to the Agreement for Operations of Household Hazardous Waste Programs ("Agreement"), dated as of _____, 2011, is by and between the Sonoma County Waste Management Agency ("Agency"), a joint powers authority, the County of Sonoma, a political subdivision of the State of California ("County"), and Clean Harbors Environmental Services, Inc. ("Contractor"). All capitalized terms used herein shall, unless otherwise defined, have the meaning ascribed to those terms in the existing Agreement.

RECITALS

WHEREAS, the parties entered into that certain Agreement for operation of household hazardous waste programs dated as of June 11, 2002 (hereinafter referred to as the "Agreement"), in order to provide for the safe and lawful management of household hazardous wastes; and,

WHEREAS, the parties desire to amend the Agreement to extend the term of the Agreement for an additional one (1) year, until January 6, 2014, with the option of two, one-year extensions; and,

WHEREAS, the parties desire to amend the Agreement to reflect the cost changes set forth in the attached Exhibit "A-1"; and,

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties hereto agree as follows:

AGREEMENT

1. Section 3 Term of Agreement is hereby amended to read as follows:

3.1 Term. The term of this Agreement shall commence on the Effective Date and terminate on January 6, 2014.

3.2 Option to Extend the Term. Agency and Contractor, upon mutual written agreement, shall have the option of two, one-year extensions to this Agreement.

2. Exhibit A1 is hereby deleted and replaced in its entirety to read as attached Exhibit A1.

2. Other than as stated above, the Agreement shall remain in full force and effect.

AGENCY AND CONTRACTOR HAVE CAREFULLY READ AND REVIEWED THIS AMENDMENT AND EACH TERM AND PROVISION CONTAINED HEREIN AND, BY EXECUTION OF THIS AMENDMENT, SHOW THEIR INFORMED AND VOLUNTARY CONSENT THERETO.

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

CONTRACTOR: CLEAN HARBORS ENVIRONMENTAL SERVICES, Inc.

By: _____

Name: _____

Title: _____

AGENCY: SONOMA COUNTY WASTE MANAGEMENT AGENCY

By: _____

Mike Kirn, Agency Chair

APPROVED AS TO SUBSTANCE FOR AGENCY:

By: _____

Henry J. Mikus, Executive Director

COUNTY: COUNTY OF SONOMA

By: _____

Board of Supervisors

APPROVED AS TO FORM FOR AGENCY:

By: _____

Janet Coleson, Agency Counsel

ATTEST:

By: _____

Clerk of the Board

APPROVED AS TO FORM FOR COUNTY:

By: _____

County Counsel

Date: _____

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

By: _____

Department Head

RESOLUTION NO.:

DATED:

RESOLUTION OF THE SONOMA COUNTY WASTE MANAGEMENT AGENCY
APPROVING THE NINTH AMENDMENT TO THE AGREEMENT BETWEEN
SONOMA COUNTY WASTE MANAGEMENT AGENCY,
COUNTY OF SONOMA AND CLEAN HARBORS ENVIRONMENTAL SERVICES, INC.
FOR OPERATIONS OF HOUSEHOLD HAZARDOUS WASTE PROGRAMS

WHEREAS, the parties entered into that certain Agreement for operation of household hazardous waste programs dated as of June 11, 2002 (hereinafter referred to as the "Agreement"), in order to provide for the safe and lawful management of household hazardous wastes; and,

WHEREAS, the parties desire to amend the Agreement to extend the term of the Agreement for an additional one (1) year, until January 6, 2014, with the option of two, one-year extensions; and,

WHEREAS, the parties desire to amend the Agreement to reflect the cost changes set forth in the attached Exhibit "A-1"; and,

NOW, THEREFORE, BE IT RESOLVED that the Agency hereby approves the terms of the Ninth Amendment to the Agreement between the Agency and Clean Harbors Environmental Services, Inc. and authorizes the Chairperson to execute the Agreement on behalf of the Agency.

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



Clean Harbors Environmental Services, Inc.
1030 Commercial Street
Suite 107
San Jose, CA 95070
408.451.5000
www.cleanharbors.com

Date: November 4, 2011

To: Lisa Steinman

RE: Contract Extension

Ms. Steinman:

With the current two year contract term ending January 6th, 2013, Clean Harbors Environmental Services (CHES) would like to offer a one year extension to the existing agreement. This extension would exercise one of the three (Agency approved) extension years beginning January 7th, 2013.

At this time CHES would also like to offer an additional extension year From January 7th, 2016 through February 11th, 2017 to coincide with the expiration of the JPA, and the possibility of using the same terms and conditions as the optional 2015 extension.

With the past extensions CHES was able to keep the rates as they have remained since 2005 while the CPI has increased 17%. For the 2013 extension CHES respectfully requests that a CPI increase be implemented to the monthly labor component only which will be based on the United States Department of Labor statistics from November 2011 through November 2012
<http://data.bls.gov/PDQ/servlet/SurveyOutputServlet>

In the letter dated March 26th, 2010 CHES stated that we may ask for fuel recovery if the national average cost of diesel rose above \$3.50 per gallon. On October 31st, 2011 the national average was \$3.89 however in working with the Agency and understanding your budgetary needs CHES does not feel that recovery on fuel is needed at this time, but may ask for the opportunity to discuss recovery with a future extension.

Thank you for allowing Clean Harbors the opportunity to provide this proposal to you. If you have any questions please contact Curt Lock at 408-592-2585 or lock.curt@cleanharbors.com.

[Redacted signature block]

Mark Mooney,
Vice President of Sales Western Region

Exhibit A-1

Mobilization Cost Sheet

Personnel

	Hours per week	Hours per year	Cost per hour	Annual Cost
Contract Manager	4	208	50	\$10,400.00
Project Manager	40	2080	44	\$91,520.00
Chemist	40	2080	32	\$66,560.00
Technician 1	40	2080	24	\$49,920.00
Technician 2	40	2080	24	\$49,920.00
Technician 3	40	2080	24	\$49,920.00
Technician 4	40	2080	24	\$49,920.00
Admin Support	40	2080	19	\$39,520.00
Annual Labor Costs				\$407,680.00

Beginning on January 7, 2013, a CPI increase shall be implemented to the monthly labor component only, which will be based on the United States Department of Labor statistics from November 2011 through November 2012.

Equipment

Capital equipment charges are based on amortizing the total costs over a five year contract term.

Annual Equipment Cost	\$12,840
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Materials/Supplies/Administration

Annual Materials/Supplies/Administration	\$17,760
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Bonds*

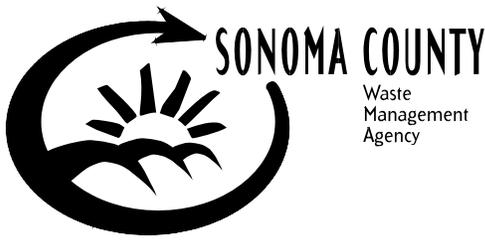
\$500,000 Performance Bond	\$15,000
\$100,000 Payment Bond	

Annual Operating Costs

	Annual Cost	Monthly Cost
Personnel	\$407,680	\$33,973
Equipment	\$12,840	\$1,070
Materials	\$17,760	\$1,480
Bonds	\$15,000	\$1,250
Total Costs	\$453,280	\$37,773

Load Check Cost Sheet

\$380 per site
 Disposal based on Exhibit A - 3



Agenda Item #: 11
Cost Center: HHW
Staff Contact: Steinman
Agenda Date: 11/16/2011

ITEM: Oil Grant Planned Expenditures

I. BACKGROUND

The Department of Resources Recycling and Recovery (CalRecycle), formerly the California Integrated Waste Management Board, has been administering a program to provide opportunities for the recycling of used oil. As part of this program, CalRecycle issued annual block grants to help local governments establish or enhance permanent, sustainable used oil recycling programs. The Sonoma County Waste Management Agency (SCWMA) has applied annually for the block grant and has been awarded funding through each grant cycle.

The members of the SCWMA Board have authorized the SCWMA, (in Resolution No. 2005-009), to submit applications and manage any Used Oil Block Grants, through Fiscal Year 2010/2011.

CalRecycle has streamlined the Used Block Grant program and has replaced this program with the Used Oil Payment Program (OPP). Cycle 15 was the last cycle of the Used Oil Block Grants program. The OPP allows participants flexibility in development and management of their local used oil programs while minimizing their administrative burden.

The members of the SCWMA Board have authorized the SCWMA, (in Resolution No. 2010-011), to submit a regional application for the Used Oil Payment Program (OPP) that will remain in effect until rescinded.

In May 2003, the SCWMA entered into an agreement with C² Alternative Services (C²) to Audit Oil Recycling Centers and Coordinate Oil Recycling Publicity and Programs. C² assists SCWMA staff in accomplishing the goals of the Used Oil Recycling Program, and is paid through the Used Oil Block Grants and the OPP funds. Their agreement extends through June 30, 2012 with annual extensions upon mutual agreement. C² is paid \$62,825, which is included in the approved budget each year.

II. DISCUSSION

The payments through the OPP are similar to what has been awarded with the previous Used Oil Block Grants. The last two Used Oil Block Grant Cycles awarded to the SCWMA were in the amount of \$136,178 (Cycle 14) and \$102,105 (Cycle 15). These are three year cycles.

All Cycle 14 funds were spent in FY 10/11. The SCWMA has been awarded the following funds available for expenditures in FY11/12:

UBG15	\$ 102,105	Term is July 1, 2009 through June 30, 2012 (3 year term)
	<u>- \$ 46,573</u>	(Amount spent in FY 10/11)
	\$ 55,532	Remaining amount in UBG15

OPP1A	\$ 17,107	Term is July 1, 2010 through June 30, 2012 (2 year term)
OPP1	<u>\$ 148,973</u>	Term is July 1, 2010 through June 30, 2012 (2 year term)
	\$ 166,080	

The total funds available for expenditures in the current FY = \$221,612 (remainder of UBG 15, OPP1 and OPP1A).

The 15th cycle block grant and the OPP Cycle 1A and 1 overlap; meaning all funds need to be expended by June 30, 2012. CalRecycle requires UBG15 funds to be used first and then OPP Cycle funds. Due to this overlap, the SCWMA has more than double the usual funds to spend in the current fiscal year.

SCWMA staff has been working on plans for the best use of these funds. Due to the fact that SCWMA staff time is dedicated to other projects, it makes most sense to utilize the Used Oil Contractor, C², to take on additional projects. This would mean that an amendment, authorizing additional funding, would need approval by the SCWMA Board. SCWMA staff has met with C² and has outlined a list of projects for C² to potentially include in their Scope of Work this fiscal year. One additional component is the addition of increased Spanish outreach in order to meet the needs of the Hispanic community. C²'s proposed budget for additional services is \$74,730.00 and is attached to this staff report.

In the case that C²'s proposed budget for additional services is approved, \$146,882 would still be available for program expenses during the current fiscal year. Annual program expenses include C²'s contract for \$62,825, education and outreach expenses, and reimbursement for oil and filter pick-ups from the following locations:

- Central Disposal Site
- Annapolis Transfer Station
- Guerneville Transfer Station
- Healdsburg Transfer Station
- Sonoma Transfer Station
- Town of Windsor Corporation Yard (public drop-off site)
- City of Petaluma Corporation Yard (public drop-off site)

SCWMA was reimbursed \$17,015.18 through the oil grant for expenses incurred in FY 10/11 (not including the C² contract expenses). It is estimated that if a similar amount is spent in this current fiscal year, then \$67,041 would still be available even if C²'s proposed budget for additional services is approved.

SCWMA Staff has been working with local radio stations to promote oil and filter recycling and would like to use some of the additional funding to continue with this effort. There is also an opportunity to advertise used oil and filter recycling on the back of the Sonoma County buses. The rates are \$175 per bus, per month and the ads can be purchased for a 1 month or multi-month period. There is a limit of 15 ads per advertiser. Production is the responsibility of the advertiser with typical costs being \$100 per ad.

SCWMA staff approached the Russian River Watershed Association (RRWA) Working Group to find out if the member cities had any projects which could be funded through the additional funds available for expenditure this fiscal year. The Working Group came up with the following suggestions:

Printing costs for more SCWMA Car Care Brochures (RRWA members will distribute the brochures to their communities).

Purchase several hundred of the storm drain labels, currently being used in Sonoma County. (RRWA members will distribute the brochures to their communities).

Purchase items to create oil change kits to be used as free giveaways to the public. (Purchase, assembly, and distribution are included in C²'s proposed budget for additional services. The RRWA member agencies will support getting the kits distributed).

Due to the additional oil funds available this fiscal year, staff is requesting that the SCWMA Board delegate signing authority for oil program related expenses (outside of the C² contract) to the SCWMA Executive Director. This amount is estimated to be \$67,041. This action would allow staff to expand radio advertising (English/Spanish), print additional Car Care Brochures, purchase storm drain labels, and take advantage of any additional advertising and outreach opportunities which may become available. The additional funds available are due to the overlapping of the last grant cycle with the new OPP funding. All recommended actions resulting from this staff report are for FY 11/12 only.

III. FUNDING IMPACT

All UBG 15 and OPP 1A and OPP1 funds have been included in the current FY 11/12 budget for expenditure. No additional funding would be required as a result of the recommendations included in this staff report.

The OPP is set-up so that funds may be paid out before expenses are incurred. The OPP funds have been received by the SCWMA. At this time, payment recipients do not have to track and report interest earned under this program, although SCWMA staff is prepared to verify any earned interest should this requirement change.

The UBG program is set up so that all expenditures must be incurred prior to reimbursement from CalRecycle. CalRecycle requires UBG15 funds to be expended prior to using OPP Cycle funds.

The amended Agreement with C² will continue to be funded with California Used Oil Block Grant funds and Oil Payment Program funds. Through the existing contract, C² is to be paid \$62,825 in FY 11/12. Approval of the additional budget to the C² contract, of \$74,730.00 for additional services, would pay C² \$137,555 for FY11/12 only.

Staff time for oil and filter related projects is allowed and is reimbursable through both the Used Oil Block Grant funds and Oil Payment Program.

IV. RECOMMENDED ACTION / ALTERNATIVES TO RECOMMENDATION

1. Adopt Resolution to approve the Sixth Amendment to the Agreement with C² Alternative Services to Audit Oil Recycling Centers and Coordinate Oil Recycling Publicity and Programs for the purpose of increasing funding to this contract through

June 30, 2012 and to authorize the Chair to execute the Sixth Amendment to the Agreement on behalf of the SCWMA.

2. Delegate the signing authority to the SCWMA Executive Director for FY 11/12 oil program related expenses (outside of the C² contract), which is estimated to total \$67,041.

V. ATTACHMENTS

Exhibit B- Payment Terms Schedule

Exhibit C- C² Alternative Services Scope and Budget table for Used Oil Additional Outreach Services

Sixth Amendment to Agreement with C² Alternative Services to Audit Oil Recycling Centers and Coordinate Oil Recycling Publicity and Programs

Resolution for Sixth Amendment, C² Alternative Services

Approved by: _____
Henry J. Mikus, Executive Director, SCWMA

**Exhibit B
Payment Terms Schedule**

Agency shall pay Consultant the following amounts upon completion and acceptance of stated tasks and receipt of deliverables that coincide with said tasks set forth in Exhibit A to the Agreement. Agency shall withhold ten percent (10%) retainer on all payments. Retainer shall be released upon satisfactory completion of the services set forth in Exhibit A at the end of each fiscal year.

Payments shall be made to Consultant by Agency within thirty (30) days after receipt of an invoice and upon the approval by Agency's contract manager that tasks and submittals are acceptable.

All payment requests shall be directed to:

Lisa Steinman
Sonoma County Waste Management Agency
2300 County Center Dr., Rm. 100B
Santa Rosa, CA 95403

All tasks shall be billed as percent complete of lump-sum budgets as detailed in the budget table below. Time shall be billed by C2: Alternative Services principals Connie Cloak & Chris Carrieri at \$85 per hour and by Director of Media and Bilingual Outreach Hugo Mata at \$75 per hour. Staff time for tasks such as event outreach and clerical tasks shall be billed at \$35 per hour.

Material costs for large items such as printing, advertising, display materials, etc. will be incurred only with prior approval and within the budget limits. Material costs including collection of filters from used oil collection centers will be passed through without markup.

Expenses include mileage and other travel expenses as allowed by CIWMB grant requirements, fax at \$1 per page, copies at \$0.10 per page, color copies at \$1 per page, phone, postage, and incidentals at cost.

BUDGET TABLE	
Task	
I. Site Visits to Centers	\$5,250.00
II. Gather Center Data	\$4,500.00
III. Liaison	\$2,375.00
IV. Targeted Outreach Campaign (s)	\$37,900.00
V. Serve as Primary Contact for Centers	\$6,500.00
VI. Workshops & Meetings	\$2,375.00
VII. Reporting & Administration	\$3,925.00
Total	\$62,825.00

Exhibit C

**SCOPE and BUDGET TABLE
Used Oil Additional Outreach Services**

TASKS	Time \$ Total	Materials	Expenses	Total Cost
I. Social Media				
A. Comcast- ads, web-based ads, etc. English & Spanish	\$810.00	\$3,500.00		\$4,310.00
B. Facebook ads- direct users to Eco-Desk site, RidersRecycle site.	\$340.00	\$1,750.00		\$2,090.00
C. Google ads as above	\$340.00	\$1,750.00		\$2,090.00
D. Other electronic & social media including Spanish language.	\$1,540.00	\$1,500.00	\$50.00	\$3,090.00
task total	\$3,030.00	\$8,500.00	\$50.00	\$11,580.00
II. Expanded event and person-to-person outreach				
A. Assemble 'kits" inc filter container, oil container, funnel etc.	\$1,740.00	\$22,500.00	\$150.00	\$24,390.00
B. Swap meets, flea markets: provide 'kits" and information.	\$3,760.00		\$150.00	\$3,910.00
C. Person-person outreach at DMV and/or other targeted venues. Obtain permission through the highway patrol. Offer kits and information and conduct survey.	\$4,460.00		\$350.00	\$4,810.00
D. Person-person outreach at grocery store parking lots and/or other public locations. 26 weekend days. Offer kits and information and conduct survey.	\$11,880.00		\$350.00	\$12,230.00
E. Assist RRWA member agencies to distribute kits	\$2,360.00		\$150.00	\$2,510.00
task total	\$24,200.00	\$22,500.00	\$1,150.00	\$47,850.00
III. Filter exchange events				
A. Contact CCCs particularly O'Reilly, Autozone, Pep Boys. Obtain permission, develop logistics such as personalised coupons, schedule, meet with store staff.	\$3,400.00		\$150.00	\$3,550.00
B. Advertise: flyers, person-person per above tasks, print media, radio (Spanish & English)	\$1,600.00	\$3,000.00	\$70.00	\$4,670.00
C. Conduct approx 10 events, pay for filters	\$3,080.00	\$4,000.00		\$7,080.00
task total	\$8,080.00	\$7,000.00	\$220.00	\$15,300.00
TOTAL ALL TASKS:	\$35,310.00	\$38,000.00	\$1,420.00	\$74,730.00

SIXTH AMENDMENT TO AGREEMENT WITH C² ALTERNATIVE SERVICES
TO AUDIT OIL RECYCLING CENTERS AND COORDINATE OIL RECYCLING
PUBLICITY AND PROGRAMS

This Sixth Amendment ("Amendment"), dated as of _____, 2011, is by and between the Sonoma County Waste Management Agency ("Agency"), a joint powers agency and C² Alternative Services ("Contractor"). All capitalized terms used herein shall, unless otherwise defined, have the meaning ascribed to those terms in the existing agreement.

RECITALS

WHEREAS, Agency and Contractor entered into that certain Agreement to audit oil recycling centers and coordinate oil recycling publicity and programs dated as of May 21, 2003 ("Agreement"); and

WHEREAS, the Agreement allows for annual extensions upon mutual agreement; and

WHEREAS, on May 17, 2006, Agency and Contractor extended the Agreement to expire on June 30, 2007; and

WHEREAS, on May 16, 2007, Agency and Contractor extended the Agreement to expire on June 30, 2008; and

WHEREAS, on June 18, 2008, Agency and Contractor extended the Agreement to expire on June 30, 2009; and

WHEREAS, on April 15, 2009, Agency and Contractor extended the Agreement with a Fourth Amendment to expire on June 30, 2010; and

WHEREAS, on April 21, 2010, Agency and Contractor extended the Agreement with a Fifth Amendment to expire on June 30, 2012; and

WHEREAS, Agency needs additional oil recycling education and outreach services during Fiscal Year 11-12; and

WHEREAS, it is in the interest of the Agency to add an additional Scope of Work to said Agreement.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereto agree as follows:

AGREEMENT

1. Section 2. Exhibit B, Payment Terms, is hereby replaced in its entirety with a New Exhibit B, Payment Terms.

2. Section 1. Exhibit C, Scope and Budget is included, for FY 2011-12.

AGENCY AND CONTRACTOR HAVE CAREFULLY READ AND REVIEWED THIS AMENDMENT AND EACH TERM AND PROVISION CONTAINED HEREIN AND, BY EXECUTION OF THIS AMENDMENT, SHOW THEIR INFORMED AND VOLUNTARY CONSENT THERETO.

IN WITNESS WHEREOF, the parties hereto have executed this Amendment the day and year first above written.

"Agency": Sonoma County Waste Management Agency

By: _____
Mike Kirn, Chair

"Contractor": C² Alternative Services

By: _____
Connie Cloak, Owner

APPROVED AS TO FORM FOR AGENCY:

Agency Counsel

APPROVED AS TO SUBSTANCE FOR AGENCY:

Henry J. Mikus, Executive Director

RESOLUTION NO.:

DATED: November, 16, 2011

RESOLUTION OF THE SONOMA COUNTY WASTE MANAGEMENT AGENCY (“AGENCY”) APPROVING THE SIXTH AMENDMENT WITH C² ALTERNATIVE SERVICES (“CONTRACTOR”) TO AUDIT OIL RECYCLING CENTERS AND COORDINATE OIL RECYCLING PUBLICITY AND PROGRAMS

WHEREAS, Agency and Contractor entered into that certain Agreement to audit oil recycling centers and coordinate oil recycling publicity and programs dated as of May 21, 2003 (“Agreement”); and

WHEREAS, the Agreement allows for annual extensions upon mutual agreement; and

WHEREAS, on May 17, 2006, Agency and Contractor extended the Agreement with a First Amendment to expire on June 30, 2007; and

WHEREAS, on May 16, 2007, Agency and Contractor extended the Agreement with a Second Amendment to expire on June 30, 2008; and

WHEREAS, on June 18, 2008, Agency and Contractor extended the Agreement with a Third Amendment to expire on June 30, 2009; and

WHEREAS, on April 15, 2009, Agency and Contractor extended the Agreement with a Fourth Amendment to expire on June 30, 2010; and

WHEREAS, on April 21, 2010, Agency and Contractor extended the Agreement with a Fifth Amendment to expire on June 30, 2012; and

WHEREAS, Agency needs additional oil recycling education and outreach services during Fiscal Year 11-12; and

WHEREAS, it is in the interest of the Agency to add an additional Scope of Work to said Agreement.

NOW, THEREFORE, BE IT RESOLVED that the Agency hereby approves the terms of the Sixth Amendment to the Agreement (“Agreement”) and authorizes the Executive Director to execute the Agreement on behalf of the Agency.

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



Agenda Item #: 13
Cost Center: All
Staff Contact: Carter
Agenda Date: 11/16/2011

ITEM: Updated Resolution for CalRecycle Grants

I. BACKGROUND

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

At the February 20, 2008 SCWMA meeting, the Board passed Resolution 2008-11 which authorized the Executive Director to submit grant application to and execute grant agreements with the California Integrated Waste Management Board for a period of five years. In January 2010, the California Integrated Waste Management Board ceased to exist and its functions were transferred to the California Department of Resources Recycling and Recovery (CalRecycle).

II. DISCUSSION

Though staff believes Resolution 2008-11 is still technically valid, staff also believes the additional clarity of approving a new resolution with the correct name for the grantor is warranted. Further, the new resolution extends the authorization date five years from the current SCWMA meeting date, allowing for grant submissions until November 16, 2016.

III. FUNDING IMPACT

There is no funding impact for this agenda item.

IV. RECOMMENDED ACTION / ALTERNATIVES TO RECOMMENDATION

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

V. ATTACHMENTS

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

Approved by: _____
Henry J. Mikus, Executive Director, SCWMA

RESOLUTION NO.:

DATED: November 16, 2011

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

WHEREAS, Public Resources Code sections 40000 et seq. authorize the California Department of Resources Recycling and Recovery (CalRecycle) to administer various Grant Programs in furtherance of the State of California's (State) efforts to reduce, recycle and reuse solid waste generated in the State thereby preserving landfill capacity and protecting public health and safety and the environment; and

WHEREAS, in furtherance of this authority, CalRecycle is required to establish procedures governing the application, awarding, and management of the grants; and

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

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

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

BE IT FURTHER RESOLVED that this authorization is effective for **November 16, 2011 through November 16, 2016**; time period not to exceed five (5) years;

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

MEMBERS:

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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