

SONOMA COUNTY WASTE MANAGEMENT AGENCY

July 18, 2012
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. Public Comments (items not on the agenda) | |
| <u>Consent</u> (w/attachments) | Discussion/Action |
| 4.1 Minutes of June 20, 2012 (pg. 3) | |
| 4.2 Spud Point Oil Collection Project (pg. 11) | |
| 4.3 Ninth Amendment to Agreement with ESA (pg. 15) | |
|
<u>Regular Calendar</u> | |
| 5. Final Report on Mandatory Commercial Recycling Project [Carter] (Pg. 20) | Discussion/Action
Education |
| 6. Multi-Family Recycling Education Project Grant Cycle 2 [Carter] (pg. 24) | Discussion/Action
Education |
| 7. Pilot Project Styrofoam Collection at Ewaste Events [Chilcott](Attachment) (Pg. 26) | Discussion/Action
Education |
| 8. <u>Attachments/Correspondence:</u> | |
| 8.1 Director's Agenda Notes (pg. 36) | |
| 8.2 Reports by Staff and Others: | |
| 8.2.a July, August and September 2012 Outreach Events (pg. 38) | |
| 8.2.b Final Report on Extra Oil Grant Expenditures (pg. 40) | |
| 8.2.c 2012 Local Agency Biennial Notice (pg. 47) | |

9. On file w/Clerk: for copy call 565-3579

Resolutions approved in June 2012

2012-009 Resolution of the SCWMA Authorizing the Purchase of Recycling Containers from R&B Wholesale Distributors, Inc.

2012-010 Resolution of the SCWMA Authorizing an Agreement with C² Alternative Services to Audit Oil Recycling Centers and Coordinate Oil Recycling Publicity

2012-011 Resolution of the SCWMA Approving C² Alternative Services to Conduct Spanish Language Outreach Services

10. Boardmember Comments

11. Staff Comments

12. Next SCWMA meeting: September 19, 2012

13. Adjourn

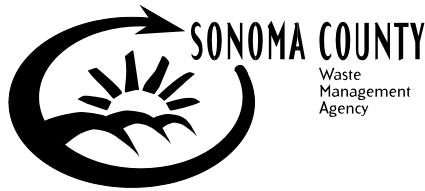
Consent Calendar: These matters include routine financial and administrative actions and are usually approved by a single majority vote. Any Boardmember may remove an item from the consent calendar.

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



Agenda Item # 4.1

Minutes of June 20, 2012

The Sonoma County Waste Management Agency (SCWMA) met on June 20, 2012, at the City of Santa Rosa Council Chambers, 100 Santa Rosa Avenue, Santa Rosa, California

Present:

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

Nina Regor, Chair
Susan Harvey
Mike Kirn
Dan St. John
John McArthur
Jennifer Phillips
Sue Kelly
Steve Barbose
Susan Klassen
Matt Mullan

Staff Present:

Counsel
Staff

Janet Coleson
Patrick Carter
Karina Chilcott
Henry Mikus
Lisa Steinman
Debra Dowdell

Clerk

1. Call to Order Special Meeting

The meeting was called to order at 9:00 a.m.

2. Agenda Approval

Susan Harvey, City of Cotati, moved to approve the agenda. Susan Klassen, County of Sonoma, seconded. Agenda approved.

3. Public Comments (items not on the agenda)

None.

Consent (w/attachments)

- 4.1 Minutes of May 16, 2012
- 4.2 MCR Container Expenditure
- 4.3 Eighth Amendment to Petaluma HHW Services Agreement

Chair Regor noted an error on Item 4.1 Minutes of May 16, 2012 on page 4, Item 6 the representative from City of Santa Rosa should be Jennifer Phillips instead of Dell Tredinnick.

Matt Mullan, Town of Windsor, moved to approve the consent calendar with the amended May minutes. Susan Harvey, City of Cotati, seconded. City of Sonoma and City of Sebastopol abstained. Consent calendar approved as amended.

Regular Calendar

5. Compost Operations Contract

Henry Mikus, Executive Director, gave a brief history on the steps that have been taken toward initiating a new Compost Operations Contract. He recapped on last month's Board meeting recommendation to use Sonoma Compost Company (SCC) for a contract through February 2017, concurrent with the end date for the SCWMA. The alternative would be to go forward with a one year extension of the current contract, which is a three party contract between SCC, County of Sonoma and the SCWMA. The preference would be to have two separate two party contracts; one with whoever the chosen contractor for operations and a separate contract between the SCWMA and the County for use of the land. Staff recommendation is approval of the two party agreement with SCC as presented.

Board Discussion

Before beginning the composting agreement discussion, Chair Regor asked if there was any jurisdiction not prepared or did not have the authority to vote on this unanimous vote item today. Susan Klassen, County of Sonoma, was not authorized to vote on the item. Ms. Regor asked Ms. Klassen if there was any insight she would like to add. Ms. Klassen replied that the County is supportive of SCC and that they have no issue with the selection as contractor. She did not get authorization to vote today primarily because the other two-party agreement for the lease has not been completely reviewed by County staff. There is a scheduled break for the Board of Supervisors until August. The County is concerned about having a lease with the same timetable as the proposed contract without having a timeline related to the relocation of the compost facility including an incentive to move forward. She added an extension of the contract was an option.

Chair Regor commented that if there was a contract extension it should be short term due to the significant cost.

Dan St. John, City of Petaluma, stated that if the contract was extended there would be about a \$30,000 loss each month. Mr. Mikus confirmed that observation.

Matt Mullan, Town of Windsor, stated his frustration with regards to getting an agreement approved with a company that has been providing good service for a decade, which proposes to save money and provide additional services. Now in the eleventh hour, the County has reservations.

Susan Harvey, City of Cotati, said the scope of services doesn't mention food waste. Mr. Mikus explained that the permit that the SCWMA holds for that facility does not allow full food waste. This means vegetative food waste can be accepted, but meat and dairy cannot. The long term plan has been to put a facility in place that would be able to take full food waste. SCC offered to do a pilot program to take a limited amount of full food waste to accommodate some of the flow of material in advance of developing a new facility. Sonoma Vermiculture, who could take about 30,000 tons of food waste a year, is also being considered. Ms. Harvey stated she's very supportive of the contract and noted she has been pleased with SCC.

Mike Kirn, City of Healdsburg, noted that SCC needs a six month lead time in the event that the contract is not extended. Any agreement extension granted needs to take that into consideration; a four month extension becomes a ten month extension. Mr. Mikus added if there was no extension approved, then SCC would stop excepting waste on July 15, 2012 and cease their operation and vacate the site by November 15, 2012.

Matt Mullan, Town of Windsor, feels the County should call a special meeting with the Board of Supervisors to resolve this issue and avoid the possible shutdown of SCC, one of the most popular programs in the County.

Susan Harvey, City of Cotati, asked if SCC shut down would the waste then go into the landfill. Mr. Mikus responded yes. Ms. Harvey felt that would be a crime.

Chair Regor noted if a one year extension were done it would constitute a loss of approximately \$366,000 in revenue. Ms. Regor asked if there were mechanisms in place to be able to end a one year contract early in the event that an agreement was negotiated earlier. Janet Coleson, Agency Counsel, responded there are termination provisions in the existing agreement. Ms. Regor asked if the SCWMA has ever been beyond its deadline when it approved the extended agreement for SCC. Ms. Coleson replied not to her knowledge. Mr. Mikus added he had checked the records and they have not.

Jennifer Phillips, City of Santa Rosa, asked if the SCWMA enters into the contract and should there be an incident at the facility during the time the County hasn't signed the agreement, would the cities be liable and the County would not. Janet Coleson, Agency Counsel, replied the agreement would not truly be in effect. It would be a good faith acceptance of materials on the part of SCC and they would be liable.

Susan Klassen, County of Sonoma, advised that the third party agreement doesn't expire until November 15, 2012 so there should be is no concern for liability. Ms. Coleson affirmed that was the case.

Public Comment

Pam Davis, Sonoma Compost Company, acknowledged that this long process validates SCC's efficiency and effective pricing structure. They've been operating on a series of short term agreements for some time now which makes it challenging for them to conduct their business. They're looking forward to having a sufficient term to amortize some needed improvements. Included in their short term proposal is an opportunity to get some aerated static pile experience to do full food scrap composting to make them more competitive going forward to the new facility. Should SCC get into an extended short term agreement they would welcome the opportunity to roll that into a longer term.

Board Comments

Dan St. John, City of Petaluma, asked if SCC would be willing to stand by their pricing while working out this issue with the County. Ms. Davis answered the pricing was based on a longer period of time with amortization so the pricing would have to be done under the existing terms.

Janet Coleson, Agency Counsel, advised after reviewing the termination conditions there's an allowance for two one-year extensions. If a one-year extension was desired it could be done, if a shorter time frame is desired it could only be done with agreement from all parties.

Susan Klassen, County of Sonoma, clarified that the reason the Compost Facility is different from the Household Hazardous Waste (HHW) Facility is because the County has no alternative use for the property under the HHW building at this time or in the foreseeable future. The issue with the current three party agreement is the size and location of the Compost Facility the County is obligated to provide. The County wants an agreement in place that addresses location and duration of their stay in the current location. There's no intent by the County to stop the accepting of material and processing operations at the Compost Facility. Ms. Klassen stated it was her belief that the additional revenue received by evoking the new agreement was not anticipated in the budget. Mr. Mikus confirmed. Ms. Klassen

recommended a six month extension to the current contract with SCC. Chair Regor asked if Ms. Klassen had the authority to do that. Ms. Klassen replied yes.

Steve Barbose, City of Sonoma, stated that regardless of whether there was money to pay for the extension it was still \$360,000 a year or \$30,000 a month that is going to be lost because the County isn't prepared to move forward. He's extremely frustrated and fully supportive of a long term agreement with SCC.

Susan Harvey, City of Cotati, shared her frustration over losing that kind of money during these difficult budget times.

Matt Mullan, Town of Windsor, moved to approve a multi-year agreement with SCC. Dan St. John, City of Petaluma, seconded. Sonoma County opposed the motion which failed because a unanimous vote was required.

Dan St. John, City of Petaluma, moved to extend the contract with SCC for 4 months. Susan Harvey, City of Cotati, seconded. Janet Coleson, Agency Counsel asked if SCC would accept the extension changes. Pam Davis, SCC, responded yes. Ms. Coleson asked if an agreement was reached with the County for a two-party agreement before the four month extension was up if SCC would allow termination of the 4 month three-party agreement. Ms. Davis replied that would be acceptable.

Janet Coleson, Agency Counsel, clarified the new expiration dates of a four month extension. The operating term would expire November 15, 2012 and the post operating term would expire March 15, 2013.

Dan St. John, City of Petaluma, amended the motion to extend the existing three-party agreement four months, changing Section 1, Definitions, Section 3.1, Term and Section 16.1, Normal Expiration and also add in language to terminate the extension prior to the dates stated, that language will be found in Section 3.2. Susan Harvey, City of Cotati, seconded. Motion approved with a unanimous vote.

6. Oil Program Contract

Lisa Steinman informed the Board that the SCWMA received one response to the Request for Proposals (RFP) for the Oil Program Services contract. The RFP was from the current contractor, C² Alternative Services. C² Alternative Services met all the requirements of the RFP. The SCWMA has a long history with the C² Alternative Services and is satisfied with their services. SCWMA staff recommends the Board award a contract to audit oil recycling centers and coordinate oil recycling publicity and programs through February 11, 2017 to C² Alternative Services.

Board Discussion

Susan Harvey, City of Cotati, noted that the Oil Payment Program (OPP) funds are expected annually but that there's no guarantee. Ms. Steinman added that was correct. Ms. Harvey asked if the funding for the agreement would come out of the SCWMA budget if the OPP grant was not awarded. Ms. Steinman replied there is language in the agreement that only allows spending of funds allocated through the OPP funds.

Public Comment

None.

Board Comment

Susan Klassen, County of Sonoma, asked if the language in the contract is good enough to terminate the contract should the SCWMA not receive the OPP funds. Janet Coleson, Agency Counsel, answered that Section 4.1 allows termination without cause.

Susan Harvey, City of Cotati, moved to approve the recommendation awarding the contract to C² Alternative Services. Mike Kirn, City of Healdsburg, seconded. Motion carried with a unanimous vote.

7. Spanish Language Outreach Contract

Karina Chilcott reported that in response to the Spanish Language Outreach RFP one proposal was received, which was from the current contractor, C² Alternative Services. SCWMA staff recommends the Board award a two year contract not to exceed \$48,000 for Spanish Outreach Services to C² Alternative Services.

Board Discussion

None.

Public Comment

None.

Board Comment

Sue Kelly, City of Sebastopol, moved to approve the two year contract for Spanish Language Outreach to C² Alternative Services. John McArthur, City of Rohnert Park seconded. Dan St. John City of Petaluma absent. Motion carried.

8. Joint Powers Agreement Expiration

Henry Mikus, Executive Director, reported that a draft Joint Powers Agreement (JPA) was developed per the Board's request. He noted that there are some options on the unanimous vote; (1) eliminating the unanimous vote and replacing it with the super majority requiring eight of ten members, (2) increasing the dollar amount that initiates the unanimous vote and (3) eliminating the unanimous vote requirement and making a majority vote sufficient. Other areas of concern include the renewal term. Staff and Agency Counsel think the "sunset" clause is self defeating. Staff recommends an open end agreement that can be terminated at any time by Board vote.

Janet Coleson, Agency Counsel, stated she completely revamped the JPA agreement. She incorporated language from other JPA agreements she's been collecting over the years. The agreement is the first step towards creating a new JPA agreement.

Board Discussion

Matt Mullan, Town of Windsor, said he doesn't see any value in having a unanimous vote requirement and he's in support of eliminating it and substituting a new voting structure.

Susan Harvey, City of Cotati, had concerns about no mention of food waste in the agreement. Ms. Coleson replied that there's flexibility in the agreement to allow for it, but it wasn't called out specifically.

Mike Kirn, City of Healdsburg, stated the current agreement provides too much specificity and believes some flexibility should be used. The current single use bag ordinance does not specifically state the SCWMA would have the authority to adopt ordinances, but that might be a point of clarification to include. Ms. Coleson stated in most agreements she has not found that to be included, but she could do so.

Susan Harvey, City of Cotati, was concerned about the broadness of the Purpose section and the specifics in the Recital section. Ms. Coleson explained that the recitals are not actually a legal part of the agreement.

Dan St. John, City of Petaluma asked if a non-employee could be appointed to the Board. Ms. Coleson answered that the agreement doesn't currently provide for that, so she didn't change that language.

Chair Regor asked for clarification on Pg. 5, Section D, under Withdrawal of Membership. Ms. Coleson explained that the withdrawing member would be responsible for costs incurred by the SCWMA through the end of the fiscal year. Chair Regor suggested making that item clearer in the agreement. Chair Regor noted that Pg. 7, under Powers and Functions doesn't list the power and authority to raise revenues. Ms. Coleson said it would be covered by the clause including, but not limited to. Ms. Regor noted there are three main issues that need feedback from their jurisdictions; (1) the unanimous vote, (2) Board membership and (3) the open ended term. Ms. Regor asked if there were any other major policy issues they should bring to their respective councils/boards. Mr. Mikus answered one might be the division of funds. Currently organic material generated funds are required to be kept in that program and other programs are funded from the tip fee surcharge. This was a specificity of the existing agreement and it has simply been removed.

Jennifer Phillips, City of Santa Rosa, asked if there should be clarification on the SCWMA's authority to pass an ordinance. Chair Regor replied that is a good policy issue to flag and discuss with their councils/boards.

Public Comment

Ann Hancock, Climate Protection Campaign, believes the expiration of the JPA should be extended indefinitely, the unanimous vote should be removed and Board representation should require elected officials.

Ken Wells, Guiding Sustainability, noted that the County originally instituted and insisted on the unanimous vote requirement and didn't want the SCWMA taking over the landfill, which created a lot of revenue. He suggested the Solid Waste Advisory Group's (SWAG) approach to voting as an option; requiring a majority of the members and a majority of the population. He believes there's no need for an expiration date of the SCWMA and suggested membership flexibility remain with the jurisdictions.

Steve Barbose, City of Sonoma, recapped that neither the County of Sonoma or the City of Santa Rosa would have veto power alone, but the two together would. Mr. Wells replied that was correct.

Board Comment

Chair Regor asked if dates were scheduled for all City Council updates. Mr. Mikus replied no dates have been set for this particular issue. The only dates that have been set are for the bag ban ordinance. Ms. Regor asked if it was possible to combine both topics. After much discussion, it was decided to keep the two issues separate beginning with the single use bag ordinance and then moving ahead with the JPA agreement. The Board recommended the SCWMA bring back a revised draft based on legal and preliminary feedback received. The Board requested the revised version be brought back with policy issues flagged.

9. Carryout Bags Ordinance Report

Patrick Carter reported that a "White Paper" had been developed as the Board requested. It outlines the options of a regional SCWMA ordinance and a model ordinance for individual cities. A summary of costs and risks was included. The SCWMA prefers a countywide ordinance because grocers have expressed the desire for consistency. Mr. Carter detailed the schedule for upcoming presentations to the cities. A copy of the presentation was provided.

Board Discussion

Dan St. John, City of Petaluma, requested the PowerPoint presentation be available to share with his City Council.

Susan Harvey, City of Cotati, asked that the SCWMA address information on what other cities have done in their presentation. Mr. Carter advised he would add a slide with those details.

Steve Barbose, City of Sonoma, suggested a history of environmental challenges with respect to smaller cities be added to the presentation.

Public Comment

None.

Board Comment

None.

10. Attachments/Correspondence

Chair Regor called attention to the Director's Agenda Notes, Reports by Staff and Others; June, July and August 2012 Outreach Events, Update Reports on the MCR Project and Extra Oil Grant Expenditures and Styrofoam Collection at SCWMA monthly E-waste Events.

11. On File with Clerk

Chair Regor noted resolution approved in May 2012 authorizing an Agreement with ECS Refining for Electronic Waste Transportation and Recycling Services.

12. Boardmember Comments

Chair Regor asked if it's been confirmed that the Board is meeting in July, but not August. Mr. Mikus answered that an informal poll was taken and there was consensus to meet in July and cancel the August meeting.

13. Staff Comments

Henry Mikus, Executive Director, brought attention to Item 10.2.d under Attachments and Correspondence. There may be an opportunity to do something with styrofoam collection. Karina Chilcott will report back to the Board on this next month.

Lisa Steinman announced she will be applying for the OPP 3 funds. The Board approved a 2010 resolution authorizing SCWMA staff to submit that application. Letters of authorization will be sent out to each jurisdiction for signature. They will need to be returned before the August 1, 2012 deadline.

Patrick Carter revealed that the Beverage Container Gant checks have been cut and some cities have already forwarded them to the SCWMA. Invoices will be sent out for the grant amount. Next month there will be an item to discuss the use of those funds for next year. This year the SCWMA worked on the Mandatory Commercial Recycling (MCR) efforts with impressive results.

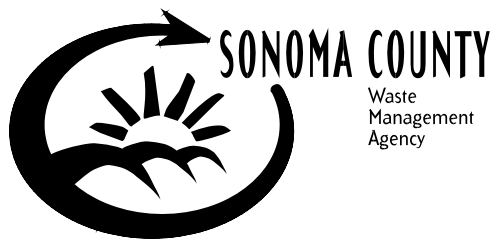
14. Next SCWMA Meeting – July 18, 2012

15. Adjournment

Meeting adjourned at 11:02a.m.

Respectfully submitted,
Debra Dowdell

DRAFT



Agenda Item #:4.2
Cost Center: HHW
Staff Contact: Steinman
Agenda Date: 7/18/2012

ITEM: Spud Point Oil Collection Project

I. BACKGROUND

The Sonoma County Waste Management SCWMA (SCWMA) advertises used oil and filter recycling opportunities in Sonoma County and provides assistance and auditing for public used oil and filter collection centers. Currently there are fifty four (54) collection centers throughout Sonoma County. There are currently only three oil collection center locations in West Sonoma County.

West Sonoma County has always been a challenging part of the County to serve with oil collection sites, as it has fewer automotive businesses than the more densely populated areas of the County. Over the years we have lost collection centers when locations in Guerneville and Forestville went out of business, and a longtime Sebastopol location recently moved to Santa Rosa. Most notably, Mason's Marina, which is almost immediately adjacent to Spud Point in Bodega Bay, was the only collection center on the coast and had stopped taking oil from the public.

II. DISCUSSION

The County of Sonoma Regional Parks Department manages the Spud Point Marina and, as of April 2012, now manages Mason's Marina. The SCWMA has a bilge pad program in place at Spud Point Marina in Bodega Bay, providing new bilge pads and collecting used ones from the boating public for recycling. One of the SCWMA's other bilge pad program locations, Lake Sonoma Marina, is also a used oil and filter collection center, with facilities (tank, shelter and collection costs) also funded by the SCWMA with used oil grant funds.

As a public facility, Spud Point is a natural location for residents in the area to use for disposing of oil and filters. In the past Spud Point Marina has experienced illegal dumping by the public, which is particularly problematic at this coastal location.

Unlike Mason's Marina, Spud Point offers a free waste pump out station for boaters but is not a public oil and filter collection center. SCWMA staff and the SCWMA's Oil Contractor, C² Alternative Services, have been in conversation with Spud Point Marina staff about making Spud Point Marina a public used oil and filter collection center. The SCWMA would then be able to advertise the site to the public in the Sonoma County Recycling Guide and on the SCWMA's website at www.recyclenow.org.

For this to happen, improvements would need to be made at the Spud Point Marina site. The current oil tank is too small and does not have sufficient containment. It sits on a dock and is exposed to the elements, creating the potential for spills into the bay and poses a danger to water quality. A proper collection center would need to be in a covered or preferably in an enclosed area.

In collaboration, SCWMA staff, C², and the Spud Point Marina staff have come up with a plan and a cost estimate for developing a safe collection center (see attached). The estimated cost for this project is \$12,675. This cost includes a shipping container to enclose the entire area, a proper used oil holding tank with containment, and all supplies and labor costs to create a working public oil and filter collection center. All onsite labor will be completed by the County of Sonoma Regional Parks Department staff. This site would service both boaters and any automotive or motorcycle do it yourself (DIYer) oil changers. Filters would also be accepted from the public at this site.

The marina is open seven days a week. There will be an assistant on hand to assist the public everyday from 6am to 8pm. Since the area will be enclosed and locked at all other hours, no waste can be left at the tank while unattended and the tank will be protected from contamination.

Since the oil collection site is used by both recreational and commercial boaters, the SCWMA would not be responsible for oil collection costs. These costs will continue to be paid for by the Sonoma County Regional Parks Department. Oil funds the SCWMA receives from the Department of Resources Recycling and Recovery (CalRecycle) cannot be used to reimburse costs associated with commercial businesses waste.

In short, a well-signed and maintained facility will provide service to an underserved part of the County, be a valuable amenity to boaters and residents in the area, and help to protect against hazards of illegal dumping.

III. FUNDING IMPACT

All expenses related to the development of Spud Point Marina, as a public used oil and filter collection center, would be funded with Oil Payment Program (OPP) funds from CalRecycle. The SCWMA was awarded \$154,350 through OPP2. All funds shall be available for expenditure until June 30, 2013. It is expected that the SCWMA will continue to receive OPP funds annually.

From these funds, \$65,000 is the annual contract amount paid to C² Alternative Services through their Contract to Audit Oil Recycling Centers and Coordinate Oil Recycling Publicity and Programs. An additional \$18,886 is paid to C² Alternative Services for outreach to Spanish speaking residents about used oil and filter disposal through the Spanish Language Outreach Contract. The total amount paid to C² Alternative Services annually through OPP funds is \$83,886. The remaining funds are used for annual oil program expenses including education and outreach expenses and reimbursement for oil and filter pick-ups from non-commercial public drop-off sites.

The project to develop Spud Point Marina as a public oil and filter collection site falls under the guidelines of eligible expenses through the Oil Payment Program. The SCWMA has been awarded more than adequate funding to cover this expense. The estimated cost for this project is \$12,675. Since this is an estimate, staff is asking for a 20% contingency (\$2,535) to be added in case expenses exceed the estimate. The total amount, including contingency, is \$15,210.

This project involves lots of component parts and vendors, all of which are under the Executive Director's signing authority limit. Since the aggregate amount is approximately \$12,675, SCWMA staff felt it best and safest to inform the SCWMA Board about this project.

IV. RECOMMENDED ACTION / ALTERNATIVES TO RECOMMENDATION

SCWMA staff recommends delegating the signing authority to the SCWMA Executive Director for expenses related to development of Spud Point Marina as a public used oil and filter collection site, not to exceed \$15,210.

V. ATTACHMENTS

Spud Point Marina Oil Collection Center Estimate

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

Spud Point Marina

Proposed Oil Collection Site Materials and Labor Needs

Used 20' Shipping Container+ tax and delivery: \$2,686.00 actual cost

8-drum poly deck for oil filters and bilge absorbent drums: \$ 539 actual cost

Used oil holding tank with secondary containment: \$3350 actual cost

Marine environment paint for the inside and outside of the shipping container: \$500 actual cost

Signs for the site: \$500 estimated

New windows and a door to be installed in the shipping container: \$800 estimated

Roof Vent and/or wall vents: \$150 estimated

Loading ramp for wheeling heavy drums in and out of the shipping container: \$600 estimated

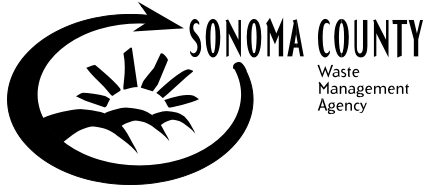
Lighting for the shipping container: \$400 estimated

Locks for the doors of the shipping container: \$50 estimated

Electrical Supplies for the shipping container (wiring, light switches, plugs, etc): \$600 estimated

Labor for converting sea container to workable space, painting, electrical wiring and fixture installation: \$2,500 estimated

Total: \$12,675



Agenda Item #: 4.3
Cost Center: Organics
Staff Contact: Carter
Agenda Date: 7/18/2012

ITEM: Ninth Amendment to Agreement with ESA

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 additional funds were added to complete the Draft EIR.

January 18, 2012 – the SCWMA held a public hearing to receive comments on the Draft EIR.

March 21, 2012 – Eighth Amendment, additional funds added to recirculate the Draft EIR portions related to the Central Disposal Site.

II. DISCUSSION

ESA is working to provide a recirculated Draft EIR which would allow for up to 200,000 tons of compost capacity at the Central Disposal Site. The Draft is expected to be available in time for a public hearing to coincide with the September 19, 2012 SCWMA Board meeting.

The current agreement expires on August 31, 2012 so an extension of the term is necessary to complete the project. Staff proposes a new termination date of April 30, 2013. The time period should be sufficient to complete the EIR process.

III. FUNDING IMPACT

No additional funds are requested.

IV. RECOMMENDED ACTION / ALTERNATIVES TO RECOMMENDATION

Staff recommends approval of the Ninth Amendment to the Agreement with ESA for Consulting Services.

V. ATTACHMENTS

Ninth Amendment to the Agreement with ESA

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

NINTH AMENDMENT TO
AGREEMENT BETWEEN SONOMA COUNTY WASTE MANAGEMENT AGENCY
AND ENVIRONMENTAL SCIENCE ASSOCIATES
FOR CONSULTING SERVICES WITH REGARD TO THE COMPOST RELOCATION
PROJECT

This Ninth Amendment ("Amendment") to the Agreement for Consulting Services ("Agreement"), dated as of July 18, 2012, is by and between the Sonoma County Waste Management Agency ("Agency"), a joint powers agency, and Environmental Science Associates, a California Corporation, ("Consultant"). All capitalized terms used herein shall, unless otherwise defined, have the meaning ascribed to those terms in the existing Agreement.

RECITALS

WHEREAS, Consultant represents to Agency that it is a duly qualified firm experienced in compost site selection, conceptual design, and preparation of CEQA documents and related services;

WHEREAS, Agency and Consultant amended this agreement as of March 18, 2009 ("First Amendment"); and

WHEREAS, Agency and Consultant amended this agreement as of May 20, 2009 ("Second Amendment"); and

WHEREAS, Agency and Consultant amended this agreement as of December 2, 2009 ("Third Amendment"); and

WHEREAS, Agency and Consultant amended this agreement as of February 17, 2010 ("Fourth Amendment"); and

WHEREAS, Agency and Consultant amended this agreement as of August 18, 2010 ("Fifth Amendment"); and

WHEREAS, Agency and Consultant amended this agreement as of March 16, 2011 ("Sixth Amendment"); and

WHEREAS, Agency and Consultant amended this agreement as of October 19, 2011 ("Seventh Amendment"); and

WHEREAS, Agency and Consultant amended this agreement as of March 21, 2012 ("Eighth Amendment"); and

WHEREAS, Agency is satisfied with services provided by Consultant and would like to continue receiving said services from Consultant; and

WHEREAS, the parties desire to amend the Agreement to extend the term of Agreement until April 30, 2013;

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

A G R E E M E N T

Section 3, Term of Agreement is hereby deleted and replaced in its entirety to read as follows:

3. Term of Agreement. The term of this Agreement shall be from Effective Date to April 30, 2013, unless terminated earlier in accordance with the provisions of Article 4 below.

AGENCY AND CONSULTANT 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.

AGENCY:

SONOMA COUNTY WASTE MANAGEMENT
AGENCY

By:

Nina Regor, Chair

CONSULTANT:

ENVIRONMENTAL SCIENCE ASSOCIATES

By:

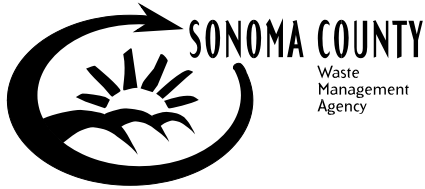
Title:

APPROVED AS TO FORM FOR AGENCY:

Janet Coleson, Agency Counsel

APPROVED AS TO SUBSTANCE FOR AGENCY:

Henry J. Mikus, Executive Director



Agenda Item #: 5
Cost Center: Education
Staff Contact: Mikus/Carter
Agenda Date: 7/18/2012

Item: Final Report on Mandatory Commercial Recycling Project

I. BACKGROUND

Mandatory Commercial Recycling (MCR) was contemplated originally as a part of The California Air Resources Board (ARB) Scoping Plan for the California Global Warming Solutions Act of 2006 (AB 32, Núñez, Chapter 488, Statutes of 2006). However, California Assembly Bill 341, passed in late 2011, superseded this initial effort, and placed the MCR program under CalRecycle. MCR regulations were planned to be in effect by July, 2012, and apply to commercial entities (including businesses, non-profits, strip malls, government offices & schools) that generate 4 or more cubic yards of trash per week and multifamily residential complexes with 5 units or more.

Utilizing grant funding, the SCWMA has started an MCR outreach educational program that is targeting the groups affected by these regulations to help them achieve compliance with as little difficulty as possible, and prior to the compulsory start date. As single-stream recycling is defined in all the jurisdiction franchise agreements, the SCWMA's outreach effort targets single-stream recycling where cardboard, paper, bottles and cans are mixed together. The program also is documenting MCR activities, both extant and new, to comply with state reporting requirements.

SCWMA staff has provided interim updates to the Board on the progress of the project from when it was functionally staffed (January 2012) through the effective date of MCR (July 1, 2012).

II. DISCUSSION

The MCR project had three major goals – to educate Sonoma County businesses, multifamily complexes, and governmental organizations about the mandatory commercial recycling requirement from the state in advance of its implementation, demonstrate compliance to the state of the SCWMA's fulfillment of its role in the requirement, and to offer assistance in the form of information, resources, and equipment, as budget allowed.

Initially staff was directed to issue an RFP to hire a consultant team to accomplish these goals for the SCWMA, but as the responses were received and analyzed, staff proposed and the Board accepted an alternative implementation. Under this alternative, staff would supervise a temporary staff of four and direct their effort to accomplish the goals of the project.

The temporary staff was hired through Manpower and consisted of Melissa Bushway, Carmen Guiffre, Samantha Scott, and Annie Sherman. They were tasked with developing a database of all entities affected by the MCR requirements, developing an outreach plan to reach all member jurisdictions, and implementing the project in advance of the requirement implementation date of July 1, 2012.

MCR staff contacted each jurisdiction to obtain business license information and/or Chamber of Commerce membership lists, contacted the County Health Department to get a list of all businesses inspected by that department, and performed a large amount of internet research to make the database as complete and accurate as possible. While the goal was to compile a database of only the affected businesses, this proved a more difficult task than anticipated as some cities include home businesses in their business license permitting process and others do not. As a result, many responses were received by entities not subject to the state requirement, but staff believes this is an

additional success of the project, as MCR staff was able to share information about the SCWMA and the importance of waste reduction many more individuals that was anticipated at the project onset.

SCWMA staff decided to use the Business Reply Mail service through the United States Postal Service for the initial outreach to all the entities listed in the database. Staff expected a response rate of less than 10%, but the response was much greater than staff had anticipated (17.1%) of postcards sent. Possible explanations include the simplicity of the postcard, the ease of response, and that many of the businesses already were in compliance and were proud of that fact.

Category	Proposed	Actual
Site Visits	750	1,056
Follow-up Visits	250	6
Budget	\$100,000	\$96,000 est.
Population of Businesses	10,000	13,968
Response Rate	<10%	17.1%

MCR staff prioritized the postcards in terms of (1) those to which the requirement applied and were not currently recycling, (2) those who the requirement applied and were recycling but wanted assistance, (3) those who were not subject to the requirement but wanted assistance, and (4) those who were not subject to the requirement and were already recycling. Where possible, staff visited businesses in regions (e.g. Santa Rosa, Petaluma and surrounding areas, Sonoma and surrounding areas, North County, and West County), and endeavored to provide outreach to all member jurisdictions.

Site City	Site Visits	Completed
Bodega	2	4
Bodega Bay	17	24
Boyes Hot Springs	4	9
Camp Meeker	0	1
Cazadero	0	3
Cloverdale	32	133
Cotati	23	138
Duncans Mills	2	4
El Verano	2	4
Forestville	4	15
Freestone	0	1
Fulton	1	3
Geyserville	1	9
Glen Ellen	3	14
Graton	0	2
Guerneville	8	39
Healdsburg	107	354
Jenner	0	3
Kenwood	5	15
Monte Rio	0	9
Occidental	0	3
Penngrove	0	12
Petaluma	203	1161
Rohnert Park	62	232
Santa Rosa	315	1373
Sebastopol	71	85
Sonoma	129	503

Unknown	0	2
Valley Ford	0	2
Vineburg	0	1
Windsor	65	238
Totals	1,056	4,396

Staff prepared flyers targeted toward single-stream recycling in both English and Spanish, distributed Recycling Guides in both English and Spanish, and, as it became apparent that many multifamily complexes had room for improvement in recycling participation, specialized flyers for apartment managers to distribute to their tenants. Staff determined quantities for blue desk-side or larger common area recycling containers to distribute after totals were known. This purchase was envisioned in the original budget of this project and was authorized at the June 20, 2012 SCWMA meeting. Staff intends to begin distribution before the July 18, 2012 SCWMA meeting.

Resources	Requested	Distributed
Small Recycling Poster	4,674	4,674
Large Recycling Poster	446	446
Apartment Flier	2,193	2,193
English Recycle Guide	2,663	2,663
Spanish Recycle Guide	1,425	1,425
Small Recycle Bin	1,513	0
Large Recycle Bin	353	0

Conclusions

By and large, most businesses and government agencies which were visited or had contact were already recycling (96%), but many requested additional information and resources to improve existing programs (7,313 posters, 4,088 guides, and 1,866 internal recycling bins). 46 establishments visited were subject to the requirement and did not already have an active recycling program. Of the establishments that did not have recycling programs, the majority of these were budget motels and apartment complexes.

Staff considers this project to be a great success in that we exceeded our original goal of site visits, can clearly demonstrate to CalRecycle the fulfillment of our obligations under AB 341, and are in the process of providing further assistance to Sonoma County establishments in the form of educational resources and recycling bins to initiate and enhance recycling programs in those establishments.

Staff recognizes that only a portion of the entire Sonoma County business, multifamily, and government establishments were contacted in this limited time period and that additional work can be done in the future to concentrate on the sectors that needed extra help (e.g. budget motels and apartments) and attempt to reach those that did not respond in this project.

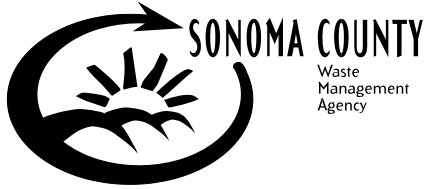
III. FUNDING IMPACT

\$100,000 was allocated for this project as a subset of the CalRecycle City/County Payment program. To date, \$76,847.03 has been expended for this project and \$19,141.15 is expected in accounts payable for the project, bringing the total project cost to approximately \$96,000.

IV. RECOMMENDED ACTION / ALTERNATIVES TO RECOMMENDATION

This item is informational; no action is recommended.

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



Agenda Item #: 6
Cost Center: Education
Staff Contact: Mikus/Carter
Agenda Date: 7/18/2012

Item: Multi-Family Recycling Education Project Grant Cycle 2

I. BACKGROUND

Utilizing City/County Payment Program beverage container grant funding, during FY 11-12 the Agency conducted a Mandatory Commercial Recycling (MCR) education outreach program to commercial businesses and multifamily residences. This program was prompted by what were then California's upcoming mandatory commercial recycling regulation requirements. Promulgated via AB 341 in October 2011, MCR was made obligatory effective July 1, 2012.

The Agency disseminated information about MCR and the relevant recycling programs extant within our region via a combination of distributing written information and visiting organizations covered under the MCR regulations. Agency staff provided oversight and support, with temporary contract personnel utilized for the actual contacts and other daily activities. This methodology proved very effective as the program was accomplished within the projected budget, with the number of visits exceeding our target. As part of the project, a fairly comprehensive database listing the firms, organizations, groups, or entities subject to the MCR regulations was developed.

The initial program budget was to use \$100,000 of the total \$135,882 grant funds available. It is anticipated similar grant funds of approximately \$137,000 will be available for FY12-13.

II. DISCUSSION

During the initial MCR program, several sectors of the MCR target community were identified as worthy of further outreach educational work. For example, during the initial MCR program contacts, only property owners and managers of multi-family residential complexes were contacted. However, it became clear the real opportunity to effect positive change would be through direct contact with residents. Similarly, work with the developed database indicated that within the general grouping of hotels, motels, and similar lodging establishments, those establishments that provided more affordable accommodations are a sub-group where a large opportunity to increase recycling exists. Finally, because the opportunity for permanent behavior change is highest among young people of student age, additional outreach education efforts aimed at our school population would be effective.

Staff has developed a plan for utilizing FY 12-13 grant funds to support a second MCR education outreach program based on the successful model utilized in our initial MCR program. Staff would provide oversight and support for two temporary contract employees, who would have as their main focus sessions directly with multi-family residential complex residents. Additional efforts would also be made to meet with the sub-group of affordable hotels/motels, and with schools. It is anticipated one of the two contract employees would be bilingual in Spanish.

The MCR database identified 395 multi-family complexes in county; 154 of these received visits by our employees to meet with their management. Similarly, the database identified 165 schools of which 2 were visited. We still have to develop concise numbers of "affordable hotels".

The project concept sets goals of 150 visits with multi-family complexes' residents, 25 visits at schools, and 25 visits with the hotel group. Agency staff would provide oversight and support to two temporary contract employees who would do the informational visits. The project budget includes provision for supplies, printing, travel mileage, and other miscellaneous expenses. The total cost is estimated at \$87,736. Project duration is expected to be approximately 9 months.

The balance of the \$137,000 grant amount would be available for container purchases for programs other than MCR, as has been typical for this fund source previously. However, purchase of containers for facilities starting or expanding recycling programs resulting from MCR outreach would also be made as the unexpended grant balance allowed.

Contract Labor	Agency Staff	Total labor	Supplies & Misc.	Total Cost
\$56,160	\$23,600	\$79,760	\$7,976	\$87,736

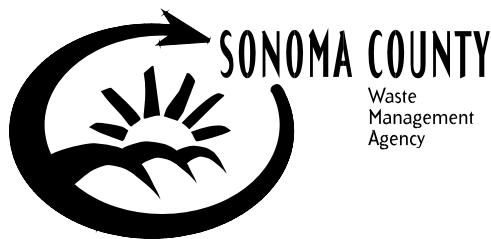
III. FUNDING IMPACT

Funding of the \$87,736 estimated cost would be from the annual City/County Payment Program beverage container grant funding; grant total is approximately \$137,000.

IV. RECOMMENDED ACTION / ALTERNATIVES TO RECOMMENDATION

Direct staff to invoice the cities for the city/county payment program grant amounts, approve the project, and direct staff to proceed with the project.

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



Agenda Item #:7
Cost Center: Education
Staff Contact: Chilcott
Agenda Date: 7/18/2012

ITEM: Pilot project Polystyrene (PS) aka Styrofoam™ Collection at Ewaste Events

I. BACKGROUND

Definition: Styrofoam is a trademark of The Dow Chemical Company for closed-cell extruded Polystyrene foam. Polystyrene (PS) is labeled with the chasing arrow symbol #6.

According to the Department of Resources Recycling and Recovery (CalRecycle), of the 66 million tons of solid waste generated by Californians each year, approximately one-third is packaging. Styrofoam, defined in the 2007 Sonoma County Waste Characterization Study as "Remainder/Composite (R/C) Plastic" includes PS#6 foam drinking cups, produce trays, foam meat and pastry trays, foam packing blocks, packing peanuts, foam plates and bowls. The R/C Plastics category is 1.52% or 5,693.9 tons of the waste stream. Currently, no opportunities exist in Sonoma County for collection of PS items, food service and non-food service. A number of opportunities, listed in the Agency's Recycling Guide and on www.recyclenow.org, exist for recycling packing peanuts at mail centers.

At the May 16, 2012 Agency Board meeting, the two-year agreement to conduct monthly Ewaste collection was awarded to Goodwill Industries of the Redwood Empire (GIRE). A strength in the GIRE proposal was the convenience to the public as GIRE accepts household items, in addition to Ewaste at their events. Agency staff noted that one of the unsuccessful proposals, On-Site Electronics Recyclers working with Dart, offered collection of PS at Ewaste events. Dart, primarily a manufacturer of food service PS products, operates drop-off recycling locations for PS in California and nationally (for a map, see <http://www.dart.biz/recycle>), school foam lunch tray recycling, community clean up event partnerships, processes foam collected through curbside recycling programs and has an ongoing Ewaste event partnership with On-Site. A key focus for Dart has been to work with municipalities, haulers, and MRFs to foster more curbside recycling programs.

According to CalRecycle staff, Dart, with production plants in Lodi and Corona, CA, is the only vendor providing recycling services for food service and non-food service PS in conjunction with Ewaste events. In 2010, the company received the Waste Reduction Award Program (WRAP) award from CalRecycle. Dart sells its recycled polystyrene to manufacturers who reprocess it into products such as foam packaging and peanuts, egg cartons, building insulation, video cassettes, toys, and office desk products. The PS foam Dart recycles at the Corona plant is used by Timbron International Inc. in Stockton, CA, to make interior moldings, and by Nepco Industrial Co. Ltd. to make high-end picture frames at its plant in Chino, CA. See <http://www.dart.biz/recycle> for more information.

At the June, 2012 Agency Board meeting, Agency staff presented information providing a history and potential advantages and disadvantages of collecting PS at ewaste collection events.

Potential advantages of collecting PS at Ewaste collection events:

- Public convenience collecting a material not currently recycled in Sonoma County, thereby reducing landfilled waste.
- Fulfilling the public's request. Public inquires about where to drop-off formed PS are common from residents and businesses.
- Potentially more participants at Agency-sponsored Ewaste events. With a proliferation of Ewaste events being conducted in Sonoma County by various organizations, collection of a unique material aids with event advertising.

Potential disadvantages of collecting PS at Ewaste collection events:

- According to CalRecycle, Dart is in a push to demonstrate that PS foam can be recycled in order to head off legislation banning foamed food service ware.

With the idea that contributing to Dart's success could undermine the Agency's support for extended producer responsibility efforts and future local ban efforts, Agency staff's transmittal *Styrofoam collection at Agency Ewaste events* from the June 2012 Board meeting was shared with Heidi Sanborn, the Executive Director of the California Product Stewardship Council. Ms. Sanborn's opinion in an email on July 2, was to side with establishing a recycling and collection program "not because it's a sustainable solution, but it does recover some materials in the short term." PS, Ms. Sanborn feels, will likely be banned at a future date because it negatively affects water quality.

To date, some 36 cities and three communities in California have banned takeout food-service containers made of PS. For a list of locations, see http://www.cawrecycles.org/issues/plastic_campaign/polystyrene/local Locally, the County of Sonoma through an ordinance adopted in 1989 banned the use of polystyrene foam food packaging on County premises. See Title 19, Section 19.6-1 of municipal code <http://library.municode.com/index.aspx?clientId=16331&stateId=5&stateName=California> There are no California laws that ban the use of PS packaging. In 2009, AB 1358 Polystyrene Food Packaging Ban bill died with the close of the legislative session.

- Additional effort for GIRE staff to handle the material and Agency staff to manage a new agreement.

II. DISCUSSION

On July 3, GIRE, Agency staff, and Dart met to discuss the logistics of collecting PS at ewaste events as a pilot project. Except for staff time, collection of PS by Dart would be at no cost to the Agency or GIRE. In addition, Dart would contribute to advertising ewaste events where PS is collected in the amount of \$250, or a quarter of the Agency's advertising budget of \$1,000 per event. Agency staff feels that graphics, better than words, demonstrate the kind of PS materials accepted. Tentatively scheduled ewaste events where utility bill inserts are available include:

Date	City	Location of ewaste event
Sept. 15 & 16, 2012	Cotati	Cotati Park & Ride
Oct. 20 & 21, 2012	Windsor	Windsor Wal-Mart

Nov. 17 & 18, 2012	Sonoma	Sonoma Whole Foods
Apr. 27 & 28, 2013	Healdsburg	GIRE retail store Healdsburg
May 18 & 19, 2013	Santa Rosa	Coddington Whole Foods

The partnership among all three groups would get piloted in September and October. Success would lead to making the collection of PS a regular offering at select ewaste events.

As Dart is a manufacturer of food service PS containers, it is necessary to collect food service materials along with nonfood service items. The criteria for acceptable PS foam material follows:

- Food service and nonfood service PS.
- Materials labeled "PS #6."
- Rinse or wipe clean foodservice containers.
- No straws or lids.
- No foam packaging peanuts.

From experience collecting PS in conjunction with Ewaste events, Dart feels confident that the food service and nonfood service PS can get collected commingled as it tends to be very clean. As the public must transport the PS in their own vehicles, they are less inclined to transport soiled material.

Regarding logistics, on the event day special blue bag provided by Dart at no cost, would line a Gaylord box provided by GIRE. Gaylords are commonly used by GIRE to contain donations at ewaste events. When a bag fills up, the liner is replaced. Filled bags get placed in the airspace on the top of regular donations in the GIRE truck. In the event of inclement weather where the PS gets damp, the material would still be accepted as Dart can dry the material before recycling.

After the ewaste event, GIRE would transport the bagged PS to its GIRE facility at 651 Yolanda Ave., Santa Rosa CA 95404. From there GIRE and Dart would arrange for truck transport with Dart picking up at its own expense. Pick up would ideally occur the Monday after the Ewaste event, but no later than 7 days after an ewaste collection event. Dart states that delivery trucks regularly pass through Sonoma County. In addition, formed PS collected through GIRE's regular donations, say if someone donates a computer still packaged in the box, could also be diverted to Dart instead of going to disposal thereby saving disposal costs for GIRE.

Post pickup, Dart would provide documentation on how much PS (by weight) was collected at each collection event, how much material was landfilled (if any) and how much was recycled and where/how it was recycled.

While GIRE does not require an agreement with Dart, the Agency does require an agreement, including insurance requirements. Dart is currently reviewing the insurance requirements in the attached draft agreement. The collection of PS would also need to get incorporated in GIRE's Ewaste Collection Agreement with the Agency through the "Extra or Changed Work" clause. As this project meets the definition of a minor agreement change, it can be executed by the Agency's Executive Director in a form approved by Agency Counsel.

I. FUNDING IMPACT

This is a two-year Short Form Contracting agreement until July 1, 2014, with annual extensions based on mutual agreement. This timeframe corresponds with GIRE's agreement for monthly ewaste collection events from June 17, 2012 to June 17, 2014. Besides Agency staff time which is incorporated in the Work Plan, Task 3.2 Ewaste Collection at Disposal Sites, there is no expense to the Agency. A small amount of revenue from DART, \$250 per event, would contribute towards advertising.

II. RECOMMENDED ACTION / ALTERNATIVES TO RECOMMENDATION

Agency staff recommends awarding a two-year short form contracting agreement with Dart Care LLC and authorizing the Agency's Executive Director to sign the agreement.

III. ATTACHMENTS

Dart CARE LLC Short Form Contracting Agreement

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

SHORT FORM CONTRACTING AGREEMENT

I. CONTRACTOR INFORMATION

Contractor: Dart CARE LLC

Address: 1400 E. Victor Rd.
Lodi, California
95240-

Telephone: (209) 333-8088x502
Fax: (909) 793-2739

II. AGENCY INFORMATION

Agency: Sonoma County Waste Management Agency

Address: 2300 County Center Dr., Ste. B 100
Santa Rosa, California
95403

Telephone: (707) 565-3668
Fax: (707) 565-3701

Project: Polystyrene Foam Collection Site and Pick-Up Agreement

Completion Date: July 1, 2014

Agency reserves the right to extend this Agreement for one (1) year periods provided that extensions are agreeable to both parties (Agency and Contractor)

III. SCOPE OF WORK

Contractor shall provide collection and recycling services of polystyrene foam (food service and non-food service items) collected in conjunction with designated ewaste collection events conducted by Goodwill Industries of the Redwood Empire (GIRE).

The Contractor shall perform the following collection and recycling services:

- Contractor shall provide a primary contact person for all questions and logistics.
- Contractor shall provide plastic collection bags at no cost to Agency for use in collection of comingled polystyrene foam material at designated ewaste collection events conducted by GIRE.
- Acceptable, commingled, material includes the following:
 - Food service and nonfood service polystyrene foam.
 - Materials labeled "PS #6."
 - Rinse or wipe clean foodservice containers.
 - No straws or lids.
 - No foam packaging peanuts.
 - Although dry material is preferred, damp material will be accepted.
- Contractor shall provide pick up and haul away at its own expense, bagged, comingled polystyrene foam materials which have been collected at designated ewaste collection events and stored at the GIRE facility at 651 Yolanda Ave., Santa Rosa CA 95404
- Contractor shall not pick up and haul away anything other than bagged polystyrene foam materials.
- Contractor shall pick-up bagged polystyrene the day after an ewaste collection event if possible, but in no event shall pick up be later than 7 days after an ewaste collection event. Pick-up times shall be coordinated by GIRE and Contractor.
- Post-pick up, Contractor shall provide documentation on how much polystyrene (by weight) was collected at each collection event, how much material was landfilled (if any) and how much was recycled and where/how it was recycled.
- Upon mutual agreement, Contractor shall pay a quarter of the cost of advertising ewaste collection events using utility bill inserts and a quarter of the cost of running newspaper ads. Agency shall review all artwork with Contractor prior to printing.

The Agency, using the services of GIRE, will provide the following services in furtherance of this Agreement:

- Collection of food service and non foodservice polystyrene foam comingled in plastic bags provided by Dart at designated ewaste collection events (as determined by GIRE and the Agency).
- An attendant on duty at the ewaste collection events who will make all reasonable efforts to ensure that only polystyrene foam meeting the above listed criteria is collected.
- Transportation of comingled polystyrene collected at the events to GIRE's facility at 651 Yolanda Ave., Santa Rosa CA 95404.
- Coordination of all advertising for the ewaste collection events, which may include utility bill inserts, newspaper ads, postings on the Agency's website www.recyclenow.org, and online advertising.

IV. PAYMENT FOR SERVICES

- Contractor shall pay Agency a quarter of the cost of advertising ewaste collection events.
- Contractor shall pay Agency within thirty (30) days of the date Agency sends an advertising invoice to Contractor.

V. INDEPENDENT CONTRACTOR

Contractor is an independent contractor, working under his/her own supervision and direction and is not a representative of Agency.

VI. CONFIDENTIALITY AND OWNERSHIP

The Agency retains the exclusive right of ownership to the work, products, inventions and confidential information produced for the Agency by the Contractor, and the Contractor shall not disclose any information, whether developed by the Contractor or given to the Contractor by the Agency.

VII. TERMINATION

Agency may terminate this Agreement by written notice at any time at Agency's sole discretion.

VIII. INSURANCE.

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

6.1 Workers' Compensation Insurance. Workers' compensation insurance with statutory limits as required by the Labor Code of the State of California.

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

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

6.3 Automobile Insurance. Automobile liability insurance covering bodily injury and property damage in an amount no less than One Million Dollars (\$1,000,000) combined single limit for each occurrence. Said insurance

shall include coverage for owned, hired, and non-owned vehicles. Said policy shall be endorsed with the following language:

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

VIII. INDEMNIFICATION:

Contractor agrees to accept 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, including Contractor, to the extent arising out of the negligent acts or omissions or willful misconduct in the performance by Contractor hereunder, whether or not there is concurrent negligence on the part of the Agency, but, to the extent required by law, excluding liability due to the sole or active negligence or due to the willful misconduct of the Agency. If there is a possible obligation to indemnify, Contractor's duty to defend exists regardless of whether it is ultimately determined that there is a duty to indemnify. Agency shall have the right to select its own legal counsel at the expense of Contractor, subject to Contractor's approval, which approval shall not be unreasonably withheld. 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 under workers' compensation acts, disability benefit acts, or other employee benefit acts.

IX. CHANGES TO THE AGREEMENT

Changes to this Agreement must be approved by the Agency's Executive Director.

X. CONTRACTOR'S STANDARD OF CARE

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

XI. COMPLIANCE WITH LAWS

Contractor shall comply with all applicable federal, state, and local laws, rules and regulations.

XII. APPLICABLE LAW AND FORUM

This Agreement shall be construed and interpreted according to California law and any action to enforce the terms of this Agreement or for the breach thereof shall be brought and tried in the County of Sonoma.

Dart CARE, LLC
CONTRACTOR

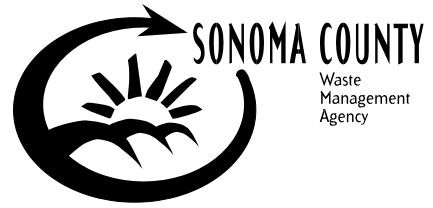
Date

Reviewed as to content:

Henry Mikus, SCWMA Executive Director

Reviewed as to form:

Janet Coleson, Agency Counsel



To: Sonoma County Waste Management Agency Board Members

From: Henry Mikus, Executive Director

Subject: July 18, 2012 Agenda Notes

Consent Calendar

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

- 4.1 Minutes of the June 20, 2012 Board meeting: regular approval.
- 4.2 Spud Point Oil Collection Project: Utilizing oil grant funds we would like to redo the oil collection infrastructure at Spud Point Marina. This project involves lots of component parts and vendors, all of which are under my signing authority limit. Since the aggregate amount is around \$12,000 I thought it best & safest to let you/the Board know. The plan is for the lion's share of the labor to be done by the Parks folks. It is a very worthwhile project as what currently exists there is pretty inadequate.
- 4.3 ESA Agreement: The agreement between the Agency and ESA, the consultant doing our compost site EIR, is set to expire, so extension is needed. No additional fund expenditures beyond the current contract amount are contemplated; this will just allow them to keep working. Next up for September's meeting is the recirculated draft EIR public hearing.

Regular Calendar

- 5. Final Report on the Mandatory Commercial Recycling Project: The Mandatory Commercial Recycling (MCR) education outreach project is complete. This work was done utilizing grant funds to inform the commercial sector of the new mandatory requirement for recycling, and to provide assistance to those groups that wished to start programs or enhance existing efforts. This agenda item is a final report on project accomplishments and finances.

6. Multi-Family Recycling Education Grant Cycle 2: The original MCR project identified areas where additional outreach work would likely be very effective, chiefly multi-family complex residents, but also affordable hotels, and schools. Grant funds are available for the new fiscal year that would allow us to do additional work to target these groups and their specific needs, by building on the success of the initial MCR project. A basic plan, goals for visits, and a budget are presented for Board approval for a second MCR project. The cost estimate would be to use approximately \$90,000 of the \$137,000 grant available.
7. Pilot Project Styrofoam Collection at Ewaste Events: Last month's agenda packet included, under "Attachments & Correspondence", an initial report on Styrofoam recycling and the possible way we could make this available within our area. Our more defined plan with specific parameters is presented for Board approval. A Styrofoam manufacturer and user, Dart, has a proposed program it has used successfully elsewhere, to collect Styrofoam as part of our monthly E-Waste collection events. This would be at no cost to SCWMA, and our E-Waste partner, Goodwill Industries, is willing to work cooperatively. The plan is to do several events beginning in September as a trial run before we commit to a longer term project.
8. Attachments/Correspondence: There are three items this month presented under "Reports by Staff and Others"
 - 8.2.a Outreach Events Calendar: This is our regular, updated listing of Outreach Events listing events planned for July, August, and September 2012.
 - 8.2.b Final Report on Extra Oil Grant Expenditures: A final accounting is presented for the extra oil grant funds that had to be spent by the end of FY 11-12.
 - 8.2.c 2012 Local Agency Biennial Notice: The Political Reform Act requires every local government agency to review its conflict-of-interest code biennially. The last review was August 18, 2010, there have been no modifications since, and the report is due this year. The Agency adopted a conflict-of-interest code June 17, 1992 using Resolution No. 92-007. The code has been reviewed every two years since that time. The report is presented for informational purposes.

Other Topics:

Summer Meeting Schedule: Please note the Board decided to cancel the August meeting to give a summer break. The next scheduled SCWMA Board meeting is to be September 19, 2012.

July 2012 Outreach Events

<u>Day</u>	<u>Time</u>	<u>Event</u>
3	4 - 8 PM	Community Toxics Collection, Kenwood
10	4 - 8 PM	Community Toxics Collection, Windsor
11	5 – 8:30 PM	Wednesday Downtown Market, Santa Rosa
14	All Day	Laguna Fest Sebastopol, Compost Demonstration
17	4 - 8 PM	Community Toxics Collection, Santa Rosa SE
21	8 AM - 4 PM	Electronics Waste Collection Event, Oakmont Central Facility parking lot
24	4 - 8 PM	Community Toxics Collection, Larkfield
24	10:30 AM – 12:00 N	Sonoma Compost tour with Michael Allen
26	All Day	Organic Vineyard Conference St. Helena, Staffed Booth
27-31	11 AM – 10 PM	Sonoma County Fair, Santa Rosa, includes lawn conversion display
29-31	All day	US Biochar Conference, Rohnert Park, Sonoma Compost Tour
31	4 - 8 PM	Community Toxics Collection, Oakmont

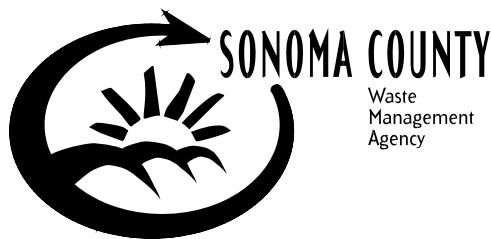
August 2012 Outreach Events

<u>Day</u>	<u>Time</u>	<u>Event</u>
1-12	11 AM – 10 PM	Sonoma County Fair, Santa Rosa, includes lawn conversion display
1	All day	US Biochar Conference, Rohnert Park, Sonoma Compost Tour
4,5	8 AM - 4 PM	Electronics Waste Collection Event, Petaluma, Goodwill retail store
7	4 - 8 PM	Community Toxics Collection, Rohnert Park
14	4 - 8 PM	Community Toxics Collection, Sebastopol
18,19	8 AM - 4 PM	Electronics Waste Collection Event, Santa Rosa, Goodwill retail store
21	4 - 8 PM	Community Toxics Collection, Guerneville
28	4 - 8 PM	Community Toxics Collection, Santa Rosa NE

September 2012 Outreach Events

<u>Day</u>	<u>Time</u>	<u>Event</u>
4	4 - 8 PM	Community Toxics Collection, Healdsburg
8	2pm-8pm	19th Annual Cloverdale Car and Motorcycle Show, Cloverdale
11	4 - 8 PM	Community Toxics Collection, Santa Rosa NW
11-13	All day	Compost Booth, Heirloom Festival, Santa Rosa

15	1pm-6pm	Mexican Independence Celebration, Wells Fargo Center, Santa Rosa
18	4 - 8 PM	Community Toxics Collection, Sonoma
25	4 - 8 PM	Community Toxics Collection, Santa Rosa SE



Agenda Item #:8.2.b
Cost Center: HHW
Staff Contact: Steinman
Agenda Date: 7/18/2012

ITEM: Final Report on Extra Oil Grant Expenditures

I. BACKGROUND

At the January 18, 2012 SCWMA Board meeting, the Board approved delegating the signing authority to the SCWMA Executive Director for FY 11-12 oil program related expenses in the amount of \$67,041. All funding for oil related expenses will be provided through the Department of Resources Recycling and Recovery's (CalRecycle) Used Oil Block Grant, Cycle 15 and Oil Payment Program (OPP).

II. DISCUSSION

Staff is providing this final report to the Board members.

Staff purchased 2,900 storm drain labels, currently being used in Sonoma County, for County-wide distribution. Labels will be distributed to member jurisdictions through the Russian River Watershed Association (RRWA) Working Group. SCWMA staff will contact non-RRWA members directly for distribution. The cost to the SCWMA for labels and adhesive was \$9,972.88.

The Environmental Discovery Center (EDC), located at Spring Lake Regional Park in Santa Rosa, provides environmental education to thousands of Sonoma County children each year. A children's Discovery Journal is used as part of the education program at the EDC. This is a booklet of information and activities that are given to each child that visits the EDC, and is also used in various other outreach venues such as at the Sonoma County Fair and for classroom presentations. The last version of the journal included some storm water material. SCWMA staff and the SCWMA's Oil Contractor, C² Alternative Services, updated a few pages in the journal by adding more information about storm water, including oil and filter recycling. Artwork was added to educate children about activities that help prevent water pollution.

Since the OPP guidelines allow us to pay up to ½ the cost of printing materials, that include an oil and filter recycling message, the cost of printing was divided between the SCWMA and the Sonoma County Regional Parks Department. The entire cost to print 20,000 Discovery Journals was \$7,584.85. The SCWMA paid \$3,792.43 towards the cost of this printing.

Attached is a list of how many students received the Discovery Journals from the last pressing. SCWMA staff was enthusiastic about this project because of the wide reach the journal has throughout Sonoma County.

This is the final report for this item. \$1,121.80 was remaining after all the expenditures reported to the Board. The remaining funds were used towards the annual program expense of paying for oil and filter collection costs from non-commercial public drop-off sites.

III. ATTACHMENTS

Oil Program Related Expenses

EDC School Information

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

FY 11/12 Oil Program Related Expenses

Executive Director Signing Authority \$67,041

February Meeting Report

Bilge Absorbent Pillow Racks for Spud Point Marina	\$822.95
Car Care Brochures	\$1,939.18
Weekly English Radio Oil Program Advertising Spots	\$6,656
Weekly Spanish Radio Oil Program Advertising Spots	\$9,500
Sonoma County Transit Bus Ads for Oil Program	\$10,645.39
Bilge Absorbent Oily Waste Cans for Spud Point Marina	\$235.34
Comcast Online Oil & Filter Campaign	\$14,998.25
Printing of Used Motor Oil & Filter Handouts	\$1,366.06
Standalone Used Oil and Filter Display for Events	\$259.57
Used Oil Filter Recycling Containers	\$4,069.92
Bilge Absorbent Pillows for Spud Point Marina	\$1,152.23
Oil Program Ad in the Bohemian's Annual Green Issue	\$509
Storm Drain Labels	\$9,972.88
EDC Discovery Journal	\$3,792.43
Used Oil and Filter Disposal Invoices	\$1,121.80

Total = \$67,041

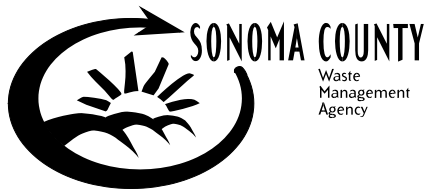
School Name	Location	Student Numbers	Given Journals	Program(s)
Windsor Creek	Windsor	252	Yes	Habitat and Home
Alexander Valley	Healdsburg	35	Yes	Habitat and Home
Riebli	Santa Rosa	70	Yes	Habitat and Home
Proctor Terrace	Santa Rosa	60	Yes	Habitat and Home
Penngrove	Penngrove	66	Yes	Habitat and Home
Harmony	Occidental	5	Yes	Habitat and Home
Kenwood	Kenwood	33	Yes	Habitat and Home
San Miguel	Santa Rosa	53	Yes	Habitat and Home
Oak Grove	Sebastopol	74	Yes	Habitat and Home
Cali Calmecac	Windsor	140	Yes	Habitat and Home
Sassarini	Sonoma	180	Yes	Habitat and Home
Burbank	Santa Rosa	40	Yes	Habitat and Home
Foothills	St. Helena	8	Yes	Habitat and Home
Biella	Santa Rosa	75	Yes	Habitat and Home
St. Rose	Santa Rosa	39	Yes	Habitat and Home
St. Eugene's	Santa Rosa	38	Yes	Habitat and Home
Corona Creek	Petaluma	60	Yes	Habitat and Home
Monte Vista	Rohnert Park	100	Yes	Habitat and Home
RL Stevens	Santa Rosa	98	Yes	Habitat and Home
Hidden Valley	Santa Rosa	134	Yes	Habitat and Home
Presentation	Sonoma	17	Yes	Habitat and Home
Helen Lehman	Santa Rosa	88	Yes	Habitat and Home
Bellevue	Santa Rosa	147	Yes	Habitat and Home
Kawana	Santa Rosa	133	Yes	Habitat and Home
Old Adobe	Petaluma	56	Yes	Habitat and Home
SR Charter for Art	Santa Rosa	63	Yes	Habitat and Home
RV Christian	Santa Rosa	6	Yes	Habitat and Home
Meadow View	Santa Rosa	103	Yes	Habitat and Home
Evergreen	Rohnert Park	78	Yes	Habitat and Home
Shepperd	Santa Rosa	134	Yes	Habitat and Home
Madrone	Santa Rosa	61	Yes	Habitat and Home
Taylor Mountain	Santa Rosa	60	Yes	Habitat and Home
Two Rock	Petaluma	18	Yes	Habitat and Home
St. Luke's	Santa Rosa	20	Yes	Habitat and Home
Steele Lane	Santa Rosa	21	Yes	Habitat and Home
Mattie Washburn	Windsor	240	Yes	Habitat and Home
La Tercera	Petaluma	70	Yes	Habitat and Home
Roseland	Santa Rosa	100	Yes	Habitat and Home
Gravenstein	Sebastopol	68	Yes	Habitat and Home
forestville	Forestville	33	Yes	Habitat and Home
Village Charter	Santa Rosa	36	Yes	Down the Drain
Binkley	Santa Rosa	58	Yes	Down the Drain
Roseland	Santa Rosa	125	Yes	Down the Drain
Sonoma Charter	Sonoma	25	Yes	Down the Drain

Sassarini	Sonoma	60	Yes	Down the Drain
Meadow View	Santa Rosa	125	Yes	Down the Drain
Dunham	Petaluma	54	Yes	Down the Drain
Biella	Santa Rosa	83	Yes	Down the Drain
Valley Vista	Petaluma	70	Yes	Down the Drain
Lincoln	Santa Rosa	180	Yes	Down the Drain
Redwood Christian	Sebastopol	7	Yes	Down the Drain
Mark West	Santa Rosa	69	Yes	Down the Drain
Monte Rio	Monte Rio	17	Yes	Down the Drain
Wade Thomas	Cotati	60	Yes	Down the Drain
W. Rohnert	Rohnert Park	85	Yes	Down the Drain
Taylor Mountain	Santa Rosa	88	Yes	Down the Drain
Evergreen	Rohnert Park	90	Yes	Down the Drain
Oak Grove	Sebastopol	82	Yes	Down the Drain
Brookhill	Santa Rosa	66	Yes	Down the Drain
Alexander Valley	Healdsburg	19	Yes	Down the Drain
Bellevue	Santa Rosa	85	Yes	Down the Drain
Steele Lane	Santa Rosa	21	Yes	Down the Drain
Village	Santa Rosa	60	Yes	Down the Drain
Flowery	Sonoma	60	Yes	Down the Drain
Hillcrest	Sebastopol	26	Yes	Down the Drain
Miwok Valley	Petaluma	48	Yes	Down the Drain
Frank Zeek	Ukiah	90	Yes	Down the Drain
Austin Creek	Santa Rosa	46	Yes	Down the Drain
Jefferson	Cloverdale	120	Yes	Down the Drain
Kawana	Santa Rosa	60	Yes	Down the Drain
Yulupa	Santa Rosa	147	Yes	Down the Drain
Whited	Santa Rosa	60	Yes	Down the Drain
Wright Charter	Santa Rosa	102	Yes	Science To Go
Olivet	Santa Rosa	48	No	Science To Go
Bellevue	Santa Rosa	137	No	Science To Go
Kawana	Santa Rosa	131	No	Science To Go
SR Charter for Arts	Santa Rosa	40	No	Science To Go
Sonoma Charter	Sonoma	40	Yes	Science To Go
Grant	Petaluma	134	No	Science To Go
Sassarini	Sonoma	240	No	Science To Go
Union	Petaluma	6	Yes	Science To Go
Wilson	Petaluma	25	No	Science To Go
Bellevue	Santa Rosa	135	Yes	Science To Go
Cinnabar	Petaluma	25	No	Science To Go
Prestwood	Sonoma	25	No	Science To Go
Union	Petaluma	8	No	Science To Go
RL Stevens	Santa Rosa	90	Yes	Science To Go
Helen Lehman	Santa Rosa	88	Yes	Science To Go
Doyle Park	Santa Rosa	32	No	Science To Go
Miwok Valley	Petaluma	48	No	Science To Go

John Reed	Rohnert Park	26	No	Science To Go
Meadow View	Santa Rosa	100	Yes	Science To Go
Kid Street	Santa Rosa	18	No	Science To Go
Lincoln	Santa Rosa	60	No	Science To Go
Cali Calmecac	Windsor	140	No	Science To Go
Steele Lane	Santa Rosa	21	No	Science To Go
Wright Charter	Santa Rosa	48	No	Science To Go
Bodega Bay	Bodega Bay	25	Yes	Science To Go
Biella	Santa Rosa	32	No	Science To Go
Valley Vista	Petaluma	75	Yes	Science To Go
Liberty	Petaluma	25	No	Science To Go
John Reed	Rohnert Park	57	Yes	Science To Go
La Tercera	Petaluma	75	Yes	Science To Go
Alexander Valley	Healdsburg	17	Yes	Science To Go
Corona Creek	Petaluma	78	Yes	Science To Go
Strawberry	Santa Rosa	29	No	Science To Go
M. Hahn	Rohnert Park	66	Yes	Science To Go
Bodega Bay	Bodega Bay	25	No	Science To Go
Lu Sutton	Novato	125	No	Science To Go
Taylor Mountain	Santa Rosa	88	No	Science To Go
Union	Petaluma	8	Yes	Rocking and Recycling
SR Charter	Santa Rosa	39	Yes	Rocking and Recycling
Biella	Santa Rosa	64	Yes	Rocking and Recycling
Lu Sutton	Novato	125	Yes	Rocking and Recycling
Sonoma Charter	Sonoma	26	Yes	Rocking and Recycling
Proctor Terrace	Santa Rosa	45	Yes	Rocking and Recycling
Horicon	Annapolis	10	Yes	Rocking and Recycling
Brooks	Windsor	209	Yes	Rocking and Recycling
La Tercera	Petaluma	60	Yes	Rocking and Recycling
Parkside	Sebastopol	28	Yes	Weather or Not
Binkley	Santa Rosa	61	Yes	Rocking and Recycling
St. John's	Healdsburg	22	Yes	Rocking and Recycling
Grant	Petaluma	173	Yes	Weather or Not
Liberty	Petaluma	30	Yes	Rocking and Recycling
SR Charter	Santa Rosa	16	Yes	Rocking and Recycling
Roseland	Santa Rosa	125	Yes	Weather or Not
Monte Vista	Rohnert Park	83	Yes	Rocking and Recycling
Kawana	Santa Rosa	60	Yes	Rocking and Recycling
Valley Vista	Petaluma	65	Yes	Weather or Not
Apple Blossom	Sebastopol	51	Yes	Rocking and Recycling
Monte Vista	Rohnert Park	88	Yes	Weather or Not
Wright	Santa Rosa	54	Yes	Rocking and Recycling
Helen Lehman	Santa Rosa	64	Yes	Rocking and Recycling
Forestville	Forestville	20	Yes	Rocking and Recycling
Pleasant Hill	Sebastopol	15	Yes	Rocking and Recycling
Matanzas	Santa Rosa	90	Yes	Rocking and Recycling

Kawana	Santa Rosa	60	Yes	Weather or Not
Kid Street	Santa Rosa	18	Yes	Rocking and Recycling
Lu Sutton	Novato	125	No	Weather or Not
Sunridge	Sebastopol	21	Yes	Rocking and Recycling
Binkley	Santa Rosa	46	Yes	Weather or Not
Thomas Paige	Cotati	50	Yes	Rocking and Recycling
La Tercera	Petaluma	87	Yes	Rocks and Weather
Montgomery	Cazadero	10	Yes	Weather or Not
Hillcrest	Sebastopol	20	Yes	Weather or Not
Strawberry	Santa Rosa	148	Yes	Rocking and Recycling
Monte Vista	Rohnert Park	83	No	Weather or Not
Oak Grove	Sebastopol	90	Yes	Weather or Not
Alexander Valley	Healdsburg	30	Yes	Rocking and Recycling
Jefferson	Cloverdale	93	Yes	Rocking and Recycling
Madrone	Santa Rosa	60	Yes	Weather or Not
Sonoma Charter	Sonoma	26	No	Weather or Not
Schaeffer	Santa Rosa	60	Yes	Weather or Not
Geyserville	Geyserville	42	Yes	Rocks and Weather
Corona Creek	Petaluma	68	Yes	Rocking and Recycling
Brooks	Windsor	64	Yes	Weather or Not

Totals:
Habitat and Home 3078
Down the Drain 2222
Science to Go 2484
Outreach 2832



Agenda Item #: 8.2.c
Cost Center: All
Staff Contact: Dowdell
Agenda Date: 7/18/2012

ITEM: 2012 Biennial Review of Conflict of Interest Code

I. BACKGROUND

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

The last review was August 18, 2010 and there have been no modifications since.

II. DISCUSSION

There have been no changes to the number or type of positions and the designations have remained the same. No positions have been deleted and no titles have been changed.

The deadline for completing the biennial review and submitting it to the County Clerk is October 1, 2012.

III. FUNDING IMPACT

There is no direct funding impact to the Agency.

IV. RECOMMENDED ACTION / ALTERNATIVES TO RECOMMENDATION

Staff recommends approving the review process and authorizing the Executive Director's signature on the notice stating there is no amendment required.

V. ATTACHMENTS

Copy of the Amended Conflict-of-Interest Code
Copy of the 2012 Local Agency Biennial Notice

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

2012 Local Agency Biennial Notice

Name of Agency: Sonoma County Waste Management Agency

Mailing Address: 2300 County Center Dr., Rm. 100B, Santa Rosa, CA 95403

Contact Person: Debra Dowdell Office Phone No: (707) 565-3579

E-mail: Debra.Dowdell@sonoma-county.org Fax No: (707) 565-3701

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

This agency has reviewed its conflict-of-interest code and has determined that *(Check one box)*:

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

(Mark all that apply.)

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

☒ **No amendment is required.**

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

Verification

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

Signature of Chief Executive Officer

Date

Complete this notice regardless of how recently your code was approved or amended.
Please return this notice no later than **October 1, 2012**, or the date specified by your agency, if earlier, to:

(PLACE RETURN ADDRESS OF CODE REVIEWING BODY HERE)

PLEASE DO NOT RETURN THIS FORM TO THE FPPC.

RESOLUTION NO. 92-007

Dated: June 17, 1992

RESOLUTION OF THE SONOMA COUNTY WASTE MANAGEMENT AGENCY
("AGENCY") AMENDING RESOLUTION NO. 92-003 CONCERNING THE
ADOPTION OF A CONFLICT OF INTEREST CODE

WHEREAS, the Agency adopted a conflict of interest code pursuant to Resolution No. 92-003 dated April 15, 1992; and

WHEREAS, Appendix A listing the designated employees needs to be revised to reflect that public officials specified in Government Code section 87200 are required to file statements of economic interest;

NOW, THEREFORE, BE IT RESOLVED THAT the Appendix A currently attached to Resolution No. 92-003 shall be replaced with the Appendix A attached hereto.

MEMBERS:

<u>Aye</u>	<u>Aye</u>	<u>Aye</u>	<u>Aye</u>	
Sonoma	County	Cloverdale	Cotati	
<u>Absent</u>	<u>Absent</u>	<u>Absent</u>	<u>Aye</u>	<u>Aye</u>
Santa Rosa	Sebastopol	Petaluma	Healdsburg	Rohnert Park

AYES 6 NOES -0- ABSTAIN -0- ABSENT 3

SO ORDERED.

I HEREBY CERTIFY that the foregoing Resolution was duly adopted at a regular meeting of the Agency held on the 17th day of June, 1992, of which meeting all Members were duly notified, and at which meeting a quorum was present at all times and acting.

By 

APPENDIX A

Designated Employees	Disclosure Categories
Members (including alternates)	1, 2 and 3
Executive Director	1, 2 and 3
Agency Counsel	1, 2 and 3
Consultants*	1, 2 and 3

*Consultants shall be included in the list of designated employee and shall disclose pursuant to the broadest disclosure category in the code subject to the following limitation:

The Executive Director may determine in writing that a particular consultant, although a “designated position,” is hired to perform a range of duties that is limited in scope and thus is not required to fully comply with the disclosure requirements described in this section. Such written determination shall include a description of the consultant’s duties and, based upon that description, a statement of the extent of disclosure requirements. The Director’s determination is a public record and shall be retained for public inspection in the same manner and location as this conflict of interest code.

APPENDIX B

Disclosure Categories

Disclosure

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