

Meeting of the Board of Directors

July 20, 2016 Special Meeting at 8:00 a.m. Regular Meeting at 8:30 a.m. (or immediately after Closed Session)

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

Meeting Agenda and Documents

SONOMA COUNTY WASTE MANAGEMENT AGENCY

Meeting of the Board of Directors

July 20, 2016 Special Meeting at 8:00 a.m. Regular Meeting at 8:30 a.m. (or immediately after Closed Session)

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Note: This packet is 44 pages total



SONOMA COUNTY WASTE MANAGEMENT AGENCY

Special Meeting of the Board of Directors

July 20, 2016

Special Meeting begins 8:00 a.m.

Regular Meeting begins 8:30 a.m. (or immediately after Closed Session)

Estimated Ending Time 11:30 a.m.

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

> Teleconference location: Susan Harvey, City of Cotati 5970 Riverview Road Mackay, ID 83251

<u>Agenda</u>

<u>Item</u>

<u>Action</u>

- 1. Call to Order Special Meeting
- 2. <u>**Closed Session:</u>** CONFERENCE WITH LEGAL COUNSEL PUBLIC EMPLOYEE PERFORMANCE EVALUATION Title: Executive Director</u>
- 3. Adjourn Closed Session
- 4. Agenda Approval

5.	Public Comments (items not on the agenda)	
<u>Cons</u>	e <u>ent</u> (w/attachments) 6.1 Minutes of June 15, 2016 Regular Meeting	Discussion/Action
<u>Regu</u>	<u>ılar Calendar</u>	
7.	Facilitated Discussion and Possible Action on the SCWMA Discussion/Action [Carter](Attachments)	All Funds
8.	Attachments/Correspondence: 8.1 Outreach Calendar July-August 2016	
9.	Boardmember Comments	
10.	Staff Comments	

11. Next SCWMA meeting: August 17, 2016

12. 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 <u>www.recyclenow.org</u>



Date: June 15, 2016

To: SCWMA Board Members

From: Patrick Carter, SCWMA Executive Director

Executive Summary Report for the SCWMA Board Meeting of June 15, 2016

Item 4, Consent Items: Item 4.1 Minutes of the May 18, 2016 Special Meeting and Item 4.2 – Approval of the Tenth Amendment to the Agreement with the City of Petaluma were approved.

Item 5, Republic Services Annual Report of Landfill-Related Activities: Pete Pouwels of Republic Services presented information to the Board regarding Republic Services' first year of operation of the County's waste system since the Master Operating Agreement went into effect. No action was taken.

Item 6, Approval of E-Waste Collection Events Agreement: The Board received information regarding the three proposals received in response to an RFP to provide E-Waste Collections Services. The Board of Directors selected North Bay Conservation Corps for the agreement award.

Item 7, Approval of an MOU for a Regional C&D Facility Assessment RFP: The Board approved of the MOU to develop a regional RFP to develop a Construction and Demolition Debris (C&D) facility certification process. The RFP will seek to ease the burden and redundancy of multiple certifications/audits currently performed on C&D facilities by taking a regional approach to certification of those facilities. The Board also directed staff to reach out to C&D facilities which may be affected by the protocol that would be developed through this process.

Item 8, Attachments/Correspondence: The attachments/correspondence included the June-July 2016 Outreach Calendar, Letter of Opposition for state legislation related to HHW collection, and a Letter of Support for state legislation related to recycling of CRT glass.

Board Comments: The City of Rohnert Park representative announced that City staff intended to bring an item to the Council, before the Agency's July 20 meeting, regarding the City's support for a one year extension of the Agency.



То:	Sonoma County Waste Management Agency Board Members
From:	Patrick Carter, Executive Director
Subject:	July 20, 2016 Board Meeting Agenda Notes

Please note: there is a Closed Session discussion scheduled prior to the regular meeting which is to begin at 8:00 AM.

Consent Calendar

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

6.1 Minutes of the June 15, 2016 Meeting: regular acceptance.

Regular Calendar

- 7. Facilitated Discussion and Possible Action on the SCWMA: R3 Consulting Group's updated analysis of the SCWMA as well as Agency Counsel's outline of a potential future JPA agreement are included for the Board's inspection and feedback. Staff recommends the Board accept the recommendations contained in the R3 Consulting Group report, 2) provide feedback on the recommendations from R3 Consulting Group and the approach in Agency Counsel's JPA agreement outline, and 3) direct Agency Counsel to discuss the outline with City Attorneys and County Counsel, and 4) direct staff to return with a draft JPA agreement at the October 19, 2016 SCWMA meeting.
- 8. <u>Attachments/Correspondence</u>: The Outreach Events Calendar for July and August 2016 is included. No action is required on this item.



Minutes of June 15, 2016 Special Meeting

The Sonoma County Waste Management Agency met on June 15, 2016, at the City of Cotati, Cotati Room, 216 East School Street, Cotati, California.

Present:

City of Cloverdale	Bob Cox	City of Santa Rosa	Absent
City of Cotati	Susan Harvey	City of Sebastopol	Henry Mikus
City of Healdsburg	Brent Salmi	City of Sonoma	Madolyn Agrimonti
City of Petaluma	Dan St. John	County of Sonoma	Susan Klassen
City of Rohnert Park	Don Schwartz	Town of Windsor	Deb Fudge
Staff Present:			
Agency Counsel	Ethan Walsh	Staff	Lisa Steinman
Executive Director	Patrick Carter		Felicia Smith
			Bonnie Steele

1. **Call to Order Regular Meeting**

The meeting was called to order at 8:30 a.m.

2. Agenda Approval

The agenda for the meeting of June 15, 2016 was approved by Henry Mikus, City of Sebastopol, and seconded by Brent Salmi, City of Healdsburg.

Vote Count:			
Cloverdale	Aye	Santa Rosa	Absent
Cotati	Aye	Sebastopol	Aye
Healdsburg	Aye	City of Sonoma	Ауе
Petaluma	Aye	County of Sonoma	Ауе
Rohnert Park	Ауе	Windsor	Ауе

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

3. Public Comments (items not on the agenda)

Michael Simitus with Waste Busters in Sebastopol, mentioned that he has had difficulty composting in Sonoma County because they don't accept compostable plastics.

Allan Tose, Site 40 representative, explained the rationale of why Site 40 would be a good site to host a new compost facility.

Consent (w/attachments)

4.1 Minutes of June 15, 2016 Special Meeting

4.2 Approval of the Tenth Amendment to the Agreement with the City of Petaluma

June 15, 2016 – SCWMA Meeting Minutes

Susan Harvey, City of Cotati, made a motion to approve the Consent Calendar. Bob Cox, City of Cloverdale, seconded the motion. Chair Schwartz indicated he would abstain from Item 4.1.

Item 4.1 Vote Count:

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

AYES -8- NOES -0- ABSENT -1- ABSTAIN -1-

Motion passed.

Item 4.2 Vote Count:

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

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

Motion passed.

Regular Calendar

5. Republic Services Annual Report of Landfill-Related Activities

Patrick Carter, Executive Director, introduced Pete Pouwels of Republic Services, who gave a presentation on the landfill and transfer station activities. From April 1, 2015 through March 2016, nearly 17,000 tons were diverted from landfill disposal. The diversion goal under the MOA, once the MRF gets built, is 67,000 tons a year. The MRF is expected to be operating by April 1, 2017.

Mr. Pouwels discussed the potential for increased food waste diversion, changes in tipping fee rates, meetings with landfill neighbors, landfill gas production, and customer satisfaction.

Mr. Cox asked about the difficulties over the past year. Mr. Pouwels responded that when they did the transition from the County's computer system to their own system, the customers had to wait anywhere from 45 minutes to an hour while reports were done manually.

Pam Davis, solid waste consultant, asked about decreases to service levels for used oil disposal and whether the issues raised in the performance audit for the Ratto Group affected this operation. Mr. Pouwels stated that the Sonoma Transfer Station does not accept used oil and customers are being redirected to the Central Disposal Site. He did not believe the Ratto Group audit was affecting this operation.

Dan St. John, City of Petaluma, Susan Klassen, County of Sonoma, and Deb Fudge, Town of Windsor asked questions of Mr. Pouwels and Agency Staff regarding tipping fee surcharges, requirements for food waste diversion, and complaints about trespassing at the Guerneville Transfer Station.

6. Approval of E-Waste Collection Events Agreement

Lisa Steinman, Agency Staff, discussed the current agreement with Goodwill Industries of the Redwood Empire to hold e-waste collection events, which will expire on June 17, 2016. On April 20, 2016, the Agency Board approved issuance of an RFP for electronic waste collection event services, which was released on April 26, 2016. Proposals were received from Conservation Corps North Bay, Goodwill Industries of the Redwood Empire, and a partnership of United Cerebral Palsy of the North Bay and Gone For Good Recycling. The proposals were reviewed and evaluated by the Agency Executive Director, Agency Staff and a contract procurement manager from the County's General Services Department. The final rankings were based upon the average scoring of the proposals from the three reviewers. Conservation Corps North Bay was the highest rated proposer with a score of 87.7 points. Staff recommends awarding Conservation Corps North Bay, the highest ranking proposer, the contract for e-waste collection event services from June 18, 2016 through February 11, 2017, with up to three annual extensions upon mutual agreement.

Public Comments

Eli Goodsell, Director of Regenerative Programs for Conservation Corps North Bay, described his organization's mission and operations and expressed his enthusiasm to perform the work.

Henry Mikus, City of Sebastopol, made a motion to accept the staff recommendation for this item. Ms. Harvey seconded the motion.

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

Vote Count:

AYES -9- NOES -0- ABSENT -1- ABSTAIN -0-Motion passed.

7. Approval of an MOU for a Regional C&D Facility Assessment RFP

Mr. Carter described the intent of the C&D facility certification program that would eventually be developed through this item was to streamline some of the redundant and costly auditing/certification of C&D facilities while ensuring sufficient information was produced to

demonstrate CalGreen compliance. The MOU that was developed does not involve any costs to the Agency at this time.

Mr. Carter noted that waste characterization studies continue to show that a large portion of landfill material is construction and demolition debris, and staff believes that a consistent, regional certification is the first step in reducing that waste. Staff recommends approving this MOU.

Mr. St. John asked Mr. Carter if he had been talking to the C&D haulers and what their proposed participation might be. Mr. Carter did not believe the haulers would be negatively impacted.

Chair Schwartz questioned whether there was anything happening at the state level on this subject. Mr. Carter is unaware of anything at the state level to address this issue. Chair Schwartz asked when Mr. Carter anticipated having this process completed. Mr. Carter replied that the RFP process would end in late summer and selecting a contractor in late summer or early fall. He further believes they will have the protocol ready for approval in the fall and they would be looking at implementation in late fall 2016.

Public Comments

Ken Wells, Sustainability Consultant, encouraged the Board to support the staff recommendation. Certification of C&D facilities was something he had recommended the Board take on for years and was excited to see progress.

Curtis Michelini, Global Materials Recovery Services, questioned who would bear the cost of audits and what those costs are estimated to be. Mr. Carter replied that the individual facilities would pay for the cost of the services and the intent was to have a more affordable process than was proposed in other counties.

Dustin Abbott, Pacific Sanitation, stated that Marin does their own certification and described his experience with Marin County and customers that request receipts to certify CalGreen compliance.

Madolyn Agrimonti, City of Sonoma, expressed concern about duplication of audits. Mr. Carter recommended the MOU be approved to get the work started and he would work with his partners to avoid duplicative auditing.

Mr. St. John made a motion to accept the staff recommendation for this item. Mr. Cox seconded the motion.

Vote Count:

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

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

Motion passed.

8. <u>Attachments/Correspondence:</u>

Mr. Carter mentioned that he attended the compost workshop in Windsor and the contractor, UCCE, was doing a good job in presenting the materials.

9. Boardmember Comments

Mr. Mikus, Chair Schwartz, Mr. St. John, Ms. Harvey and staff discussed their expectations for the July 2016 SCWMA meeting, the need for a one year extension, and an outline for a potential JPA agreement.

10. Staff Comments:

None

11. Next SCWMA meeting:

July 20, 2016

12. Adjourn

The meeting was adjourned at 10:00 a.m.

Submitted by Bonnie Steele



Agenda Item #:7Cost Center:AllStaff Contact:CarterAgenda Date:7/20/2016Approved byX

ITEM: Facilitated Discussion and Possible Action on the SCWMA

I. RECOMMENDED ACTION / ALTERNATIVES TO RECOMMENDATION

Staff recommends the Board 1) accept the recommendations contained in the R3 Consulting Group report, 2) provide feedback on the recommendations from R3 Consulting Group and the approach in Agency Counsel's JPA agreement outline, and 3) direct Agency Counsel to discuss the outline with City Attorneys and County Counsel, and 4) direct staff to return with a draft JPA agreement at the October 19, 2016 SCWMA meeting.

II. BACKGROUND

The Board of Directors has discussed the future of Agency programs during many Agency meetings over the past several years. As of July 12, 2016, all SCWMA member jurisdictions have passed a resolution extending the existing JPA agreement by one year to February 2018. At the May 18, 2016 SCWMA meeting, the Board entered into an agreement with R3 Consulting Group (R3) to update a 2014 analysis they authored regarding the SCWMA, provide guidance on next steps, and facilitate a discussion on the future of SCWMA programs with the SCWMA Board of Directors.

III. DISCUSSION

R3 has updated their previous analysis of the SCWMA and submitted their report to staff for inclusion in this packet (attached to this item). In that report, R3 made the following recommendations:

- 1. Extend the JPA Agreement by a minimum of one year to allow time to gather and analyze information and conduct procurement processes for compost facility capacity and out-haul of organic waste;
- 2. Make decisions regarding the future of the compost program:
 - Clarify and affirm the various contractual relationships involved in the compost program, which are varied, complicated, and inclusive of the SCWMA, the Member Agencies, the County, Republic Services, the Ratto Group, and the franchised haulers;
 - Conduct a procurement process for compost processing facility capacity beyond February 2017, covering composting of all SCWMA organic waste; and
 - Conduct a procurement process for out-haul services from transfer stations to selected compost facilities.
- 3. Make decisions about future provision of SCWMA services (other than the compost program, which is addressed above); and

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4. Make decisions about SCWMA future organization and structure, including membership and voting requirements and Member Agency withdrawal, resulting in a restated JPA Agreement with a new term.

Item 1 above is already complete, with the Rohnert Park City Council having passed the resolution to extend the SCWMA at its July 12, 2016 meeting. R3 will be facilitating a discussion related to Items 2 and 3 at this meeting.

Agency Council has prepared an outline of a potential new JPA agreement (attached to this item) to also address Items 3 and 4. Agency Counsel has taken the approach of examining the member agencies' expressed preferences, attempting to eliminate administrative inefficiencies of the existing JPA agreement, and describing how a new agreement would contain the flexibility to address the member agencies' preferences and provide administrative efficiency.

The proposed outline for the JPA would allow the SCWMA to retain authority for developing and implementing green and wood waste disposal solutions, but would not specify locations, technologies, number of facilities, or require all members to participate; those issues would be addressed in separate agreements between the appropriate parties. Household hazardous waste would be addressed in the JPA in a manner similar to the green and wood waste described above, but education and planning are envisioned to be handled much like they are in the current JPA agreement. If member agencies prefer regional, consistent ordinances on specific waste-related issues, Agency Counsel has proposed a model ordinance method for uniform, countywide programs which would be functionally equivalent to the regional method that was implemented on carryout bags.

IV. FUNDING IMPACT

Invoices from R3 for services provided by this project through June 30, 2016 totaled \$6,515.

V. ATTACHMENTS

R3 Consulting Group Report: SCWMA Alternatives and Next Steps Outline of Proposed New JPA Terms Summary of Matrix Responses



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627 S. Highland Avenue, Suite 300, Los Angeles, CA 90036 Tel: 323-559-7470

То:	Patrick Carter, Executive Director, Sonoma County Waste Management Agency
From:	Richard Tagore-Erwin, Garth Schultz, Rosemarie Radford, R3 Consulting Group, Inc.
Date:	July 12, 2016

Executive Summary

Subject:

The Sonoma County Waste Management Agency (SCWMA) is a Joint Powers Authority (JPA) comprised of 10 Member Agencies. The current JPA Agreement (JPA Agreement) expires in February 2017. If the JPA Agreement is not extended or renewed, the following would likely occur:

Sonoma County Waste Management Agency Alternatives and Next Steps

- Costs associated with Household Hazardous Waste (HHW) disposal would increase, as a results of making alternative arrangements for continuing HHW programs for each Member Agency;
- Member Agencies would pay tens of thousands of dollars in up-front cost to gather information for State required solid waste reporting and planning, as well as thousands annually for reporting to the State;
- Member Agencies would be required to maintain levels of outreach equivalent to those currently
 provided by SCWMA, which could be achieved by increasing outreach and education efforts on
 the part of the Member Agencies, or their franchised haulers; and
- Member Agencies would need to arrange for the transfer, transport and composting of organic waste, which is complicated and potentially risky matter that could result in increased cost due to eliminated economies of scale.

If SCWMA stays intact, a number of core issues regarding its services and structure will need to be resolved. Foremost among these is the SCWMA compost program. This program is provided for via contracts for compost facility processing capacity and contracts for out-haul of organic waste from County-owned transfer stations to the composting facilities. These contracts are currently set to expire at the same time as the JPA Agreement, in 2017. After that date, unless current contracts are extended or new contracts secured, SCWMA and its Member Agencies will not have guarantees for diversion of their organic waste via composting.

This report proposes a prioritized series of key next steps that will allow SCWMA to address each core issue cost-effectively, therefore maximizing the best interests of its Member Agencies and rate-payers. These key next steps are summarized below, are listed in order of descending priority, and are further detailed in the final pages of this report:

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- 1. Extend the JPA Agreement by a minimum of one year to allow time to gather and analyze information and conduct procurement processes for compost facility capacity and out-haul of organic waste;
- 2. Make decisions regarding the future of the compost program:
 - Clarify and affirm the various contractual relationships involved in the compost program, which are varied, complicated, and inclusive of the SCWMA, the Member Agencies, the County, Republic Services, the Ratto Group, and the franchised haulers;
 - Conduct a procurement process for compost processing facility capacity beyond February 2017, covering composting of all SCWMA organic waste; and
 - Conduct a procurement process for out-haul services from transfer stations to selected compost facilities.
- 3. Make decisions about future provision of SCWMA services (other than the compost program, which is addressed above); and
- 4. Make decisions about SCWMA future organization and structure, including membership and voting requirements and Member Agency withdrawal, resulting in a restated JPA Agreement with a new term.

Background

Introduction

SCWMA was formed in 1992 in response to the Integrated Waste Management Act of 1989 (AB 939). SCWMA is comprised of 10 local governments (Member Agencies) which are subject to the terms of the JPA Agreement.

The term of the current JPA Agreement expires in February 2017, after which the JPA Agreement could be extended or a new JPA agreement might be signed. If the SCWMA Board and the Member Agencies do not take action to extend the JPA Agreement or execute a new JPA agreement prior to February 2017, the SCWMA would become defunct and would be dissolved.

If the JPA Agreement expires in February 2017 without extension or replacement (or if any individual Member Agencies decide not to continue with SCWMA) the services currently performed by SCWMA – and the costs of performing those services – will become the responsibility the Member Agencies, individually. These services include:

- The HHW Program;
- Planning and State Reporting;
- Education and Outreach Program; and
- Organic Waste Composting Program.

In anticipation of the upcoming expiration of the current JPA Agreement, the Member Agencies are in the position of considering:

• Whether or not to extend or replace the JPA Agreement;

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- What the implications of not extending or replacing the JPA Agreement are, including:
 - o Current SCWMA responsibilities that would fall to the Member Agencies; and
 - The estimated costs of fulfilling those responsibilities.
- The implications of changes in Member Agency participation, including;
 - o Current SCWMA responsibilities that would fall to withdrawing Member Agencies;
 - The estimated costs to the withdrawing Members Agencies to fulfill those responsibilities; and
 - Changes in responsibilities, cost, and cost-effectiveness of the SCWMA upon withdrawal of one or more Member Agencies.
- What the terms of an extended or new agreement should be, including:
 - o How the SCWMA and the Board should be staffed and organized;
 - Voting requirements and seating of Board members;
 - o Terms of withdrawal for Member Agencies after a new agreement is signed; and
 - Overall term length of the extended or new agreement.

This report provides context with which Member Agencies can evaluate options moving forward.

Committed Cities Tonnage

All Member Agencies except Petaluma (collectively "Committed Cities," including Cloverdale, Cotati, Healdsburg, Rohnert Park, Santa Rosa, Sebastopol, Sonoma, and Windsor) have committed their franchised waste (except for source-separated organic waste) to the Central Landfill under the Master Operations Agreement. Such commitments of franchised waste are often referred to as "flow control". The Central Landfill is operated by Republic Services through the 25-year term of the Master Operations Agreement, which lasts until 2038.

The Central Disposal Site and Former Landfills Settlement Agreement (Settlement Agreement) is intended to settle potential liabilities that Committed Cities might have for disposal of their solid waste at County landfills. Per the terms of the Settlement Agreement between Committed Cities and the County, Committed Cities were released from liability for the Central Landfill and closed County landfills in exchange for the payments for solid waste material disposed in-County as described below. The terms of the specific agreements differ depending upon Member Agency, with some agreements specifically excluding compostable organic waste from flow control commitments.

Member Agencies individually establish the methodology to recover disposal fees through customer rates with their franchised hauler. The disposal fees for Committed Cities tonnage are:

- County Concession Payment (\$9.25/ton in 2015, and reduced to \$8.19/ton in 2016, not accounting for Consumer Price Index increases) which is paid to the County as a pass-through from the landfill gate fee. The payment goes into a fund to cover County administrative costs for managing the landfill/transfers station system, as well as closed landfill "mitigation."
- Committed Cities Contingent Liability Fee on Committed City Waste (\$5.00/ton in 2015, assuming no change in 2016, not accounting for Consumer Price Index increases) which is paid to

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the County as a pass-through from the gate fee. The fee held by the County is to be used to cover contingent liabilities and associated costs for County landfills.

- SCWMA Program Fee (\$4.85/ton in 2016) which is paid to the County as a pass-through from the landfill gate fee. The County in turn pays the SCWMA this fee for SCWMA-operated programs.
- Other Governmental Fees (\$3.00/ton in 2015, assuming no change in 2016, not accounting for Consumer Price Index increases) which is paid to the County as a pass-through from the gate fee. These fees are comprised of the State Board of Equalization fee, the Sonoma Local Enforcement Agency fee, Regional Water Board fees, and Bay Area Air Quality Air District fee.
- Landfill Operating Fee (\$104.35/ton in 2015, assumed no change in 2016, not accounting for Consumer Price Index increases) which is paid to Republic under the Master Operations Agreement from the gate fee, and funds the operations of the Central Landfill. This fee may vary according to the material disposed and the individual agreements between Republic and Member Agencies. The fee used in this report is the initial gate rate approved by the County for Committed City Waste.

These disposal fees are represented in Figure 1, below.



Figure 1: 2016 Committed Cities Disposal Fees

In the case of Petaluma, the City's solid waste is disposed at the Redwood Landfill in Marin County through its franchised hauler. The City did not agree to the Settlement Agreement, and the County fees do not apply to Petaluma's waste disposal. The SCWMA Program fee still applies, and is paid directly to the SCWMA by the City.

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Current SCWMA Services

Household Hazardous Waste (HHW) Program

The SCWMA operates a Toxics Collection Facility at the Central Disposal Site through a contract with Clean Harbors Environmental Services, and conducts weekly Community Toxic Collection Events and monthly Community E-Waste Collection Events. Additionally, SCWMA partners with two used oil collection locations and offers a "Toxic Rover" on-call pickup program. Member Agency residents and businesses dispose of HHW materials through these services at no additional cost (the costs are covered via monthly customer rates), with the exception of the Toxic Rover service that has a fee of \$50 per pickup (free for seniors over 80 and housebound residents). In FY 2014-15, over 23,000 residents/businesses participated in SCWMA's HHW programs by using the Toxics Collection Facility and related programs.

Participation in the SCWMA HHW program varies among Member Agencies, with Member Agencies that are more distant from the Toxics Collection Facility demonstrating lower overall participation in the program. Funding for this program is provided by the per-ton fee on garbage and recycling: as a result, Member Agencies that are located closer to the Toxics Collection Facility receive greater value from the HHW program, because their residents use it at higher frequency. Coverdale, Windsor, and unincorporated Sonoma County demonstrated the lowest participation rates in 2013.

State Reporting and Solid Waste Planning

SCWMA currently completes all required planning and reporting documents for submission to the California Department of Resources Recycling and Recovery (CalRecycle) on behalf of all of the Member Agencies. This includes:

- Electronic Annual Reports (EAR) to CalRecycle;
- HHW Program Reports (HHW Annual Report and E-Waste Annual Report); and
- Maintaining and updating the SCWMA Source Reduction and Recycling Element (SRRE), Household Hazardous Waste Element (HHWE), Nondisposal Facility Element (NDFE) and Regional Agency Integrated Waste Management Plan.

These efforts are performed by SCWMA on behalf of the Member Agencies as a centralized AB 939 reporting and planning entity. Reports and planning documents produced via SCWMA's efforts are representative of the SCWMA as a whole, and include efforts undertaken by each of the Member Agencies and (if applicable) their franchised solid waste haulers.

Education and Outreach

Education and outreach programs provided by SCWMA include:

- Organizing and coordinating County-wide education efforts;
- Publishing an annual "Recycling Guide";
- Maintaining SCWMA's website at <u>www.recyclenow.org</u>;
- Answering questions via the "Eco-desk" telephone and email address;

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- Attending and staffing booths at local events such as fairs, symposiums, farmers' markets and conferences;
- Home composting education by UC Cooperative Extension;
- Used motor oil and filter recycling education;
- Spanish language outreach (all Agency education programs have English and Spanish language components); and
- Mandatory Commercial Recycling Outreach program required by State laws AB 341 and AB 1826, including a database listing the commercial entities in Sonoma County subject to State recycling requirements and the identification and evaluation of diversion for Sonoma County organic waste generators.

These outreach and education services are in addition to the outreach and education services provided Member Agencies and/or their franchised haulers, if applicable. The level of outreach and education provided by Member Agencies and their franchised haulers can vary significantly. Additionally, the quality of outreach and education services provided by franchised haulers will depend upon the specificity of the franchise agreement regarding requirements for outreach and education, and performance standards for those services. Franchise agreement contract management on the part of the Member Agencies is also an important element that can dictate the quality of services offered by franchised haulers, notwithstanding requirements in their respective franchise agreements.

Organics Transfer, Transport and Compost Processing Services

All Member Agencies except the City of Petaluma are currently participating in the SCWMA composting program, under which residential and commercial organic wastes (including green waste and residential food waste) are made into compost soil amendment products. Prior to October 2015, the SCWMA composting program was operated at the Central Composting Site, which received and processed all SCWMA organic wastes, and subsequently provided a percentage of finished compost products to SCWMA Member Agencies at no additional cost.

Short Term Organics Processing Agreements

The Central Composting Site (which was at the same location as the Republic-operated Central Landfill) was closed as part of the settlement of a Clean Water Act lawsuit in October 2015. In response to that closure, SCWMA negotiated organics waste processing contracts with several compost facilities¹ to receive and process SCWMA organic waste on a short-term basis, consistent with the February 2017 expiration of the JPA Agreement. SCWMA cannot not legally engage in contracts beyond the expiration of the current JPA Agreement, which limits its ability to engage in more cost-effective longer-duration contract terms and pricing arrangements. If longer-term contracts are put in place, they may result in lower per-ton tipping fees.

As the contracts expire at the end of the JPA Agreement's term, new contracts will need to be procured, either by Member Agencies or by SCWMA (as described in the "Implications of Not Extending or Replacing the JPA Agreement" section on page 16). The tonnage fees may change at that time (approximately 7 months from this writing). Additionally, the contract with the City of Napa Compost Facility can be

¹ Napa Compost Facility, Redwood Landfill, and Cold Creek Compost.

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terminated upon 30 days' notice (the other agreements do not have the same 30-day cancellation clauses). If this occurs, approximately 9,500 tons of organic waste currently being transported to that facility will need to be delivered to another facility. This may be result in increased cost if the facilities within reasonable distance of the transfer stations do not have sufficient capacity to accept and compost that additional tonnage.

Flow of Organic Waste

Member Agencies which previously had their organic waste delivered directly to the Central Composting Site (including Cotati, Rohnert Park, Santa Rosa, Sebastopol, and parts of Sonoma County) continue to have their franchised haulers deliver organic waste to the Central Composting Site (now referred to as the Central Transfer Station). The Member Agencies which previously had their organic waste delivered to the Annapolis, Guerneville, Healdsburg, or Sonoma Transfer Stations (including Cloverdale, Healdsburg, Sonoma City, Windsor, and the remaining portions of Sonoma County) continue to deliver their organic waste to the same locations. For all of the above, delivered organic waste are transferred to the SCWMA contracted hauler (Ratto Group), which transports those materials to the approved compost facilities. The City of Petaluma direct-hauls organic waste to Redwood Landfill.

Table 1 and Figure 2 below and on the following page detail the current locations and flow of SCWMA organic waste through transfer stations and to compost processing facilities. In Table 1, the Member Agencies are listed, followed by the transfer station that each Member Agency utilizes, and the organics facility that the compost is transported to. Figure 2 displays the locations of these compost facilities and transfer stations with transfer stations color coded blue, and compost facilities color coded red.

Table 1: SCWMA Organics Transfer Station and Compost Processing Facilities							
Member Agency	Member Agency Transfer Station Used Destination Compost Facility						
Cotati, Rohnert Park, Santa Rosa, Sebastopol, parts of Sonoma County	Central Transfer Station	Redwood Landfill (Green and Wood Waste)					
Cloverdale, Healdsburg, Windsor, parts of Sonoma County	Healdsburg Transfer Station	Cold Creek Compost (Green and Wood Waste)					
Sonoma City, parts of Sonoma County	Sonoma Transfer Station	Jepson Prairie Organics Compost Facility (Green Waste) and City of Napa Composting Facility (Green and Wood Waste)					
Parts of Sonoma County	Guerneville Transfer Station	Redwood Landfill (Green and Wood Waste)					
Parts of Sonoma County	Annapolis Transfer Station	Redwood Landfill (Green and Wood Waste)					
Petaluma	Direct-haul	Redwood Landfill (Green and Wood Waste)					

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Figure 2: Map of Current SCWMA Organic Waste Transfer and Compost Processing Facility Locations

* Central Transfer Station is on the same site as the former Central Compost Site.

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Composting Program Fees

Fees to Member Agencies

Fees applicable to the SCWMA composting program are described below. Member Agencies do not directly pay these fees; instead, the fees are passed on to the rate-payers through the tipping fee charged at the transfer stations. The tipping fee is set by SCWMA and does not differ depending upon which transfer station is used. The fees for the Composting program include:

 County Fees (inclusive of the County Concession Payment and Committed Cities Contingent Liability Fee on Committed City Waste described in the prior section) are applied at \$13.19 per ton (in 2016).

It is important to note that the terms of the waste delivery agreement for each Member Agency can differ. In the case of Rohnert Park, for example, source-separated green and wood waste material is explicitly exempt from the flow-control agreements and therefore potentially exempt from County fees, if not routed through a County facility.

- **SCWMA Fees** are applied at the rate of \$4.85 per ton.
- **Tipping Fees** applied at a SCWMA-set rate of \$58/ton.

These fees are projected to be collected on an estimated 78,000 tons in 2016.

Cost to SCWMA

While the tipping fee paid for each transfer station does not differ, the costs to SCWMA do differ depending upon which transfer station is used, and to which destination facility SWCMA organic waste are directed.

The tipping of \$58/ton noted above represents the approximate "blended" cost for SCWMA to pay for the transport and tipping of material to destination compost facilities, although the actual costs differ depending on the amount of tonnage delivered to the various facilities. The costs to SCWMA are as follows:

- Transport Fees are applied based on distance traveled, per the terms of the transportation contract with the Ratto Group. Rates listed below are based on transportation from the nearest County transfer station:
 - Redwood Landfill \$7.42/ton;
 - Cold Creek Compost \$22.16/ton;
 - City of Napa \$13.70/ton;
 - Jepson Prairie Organics \$26.47/ton;
- **Composting fees** are based on contracted facility rates:²
 - Redwood Landfill \$44.50/ton;
 - Cold Creek Compost \$32.00/ton;
 - City of Napa \$44.00/ton; and

² Tonnage fees are based on the contracts between SCWMA and each of the facilities.

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• Jepson Prairie Organics \$42.00/ton.

Total projected tonnage in 2016 is as follows:³

- Redwood Landfill approximately 44,000 tons total (excluding Petaluma);
- Cold Creek Compost approximately 18,000 tons total;
- City of Napa approximately 9,500 tons total; and
- Jepson Prairie Organics approximately 6,500 tons total.

The per-ton costs to SCWMA of composting organic waste by facility are displayed in Figure 3, below.⁴





Over the fiscal year, these costs per ton can be applied to total tonnage to represent the total costs to SCWMA of compost processing.

In Figure 4, on the following page, the per-ton rates listed above have been multiplied by the projected tonnage for FY 2016-2017. Figure 4 also extrapolates the total projected costs to Member Agency rate-payers. The cost to rate-payers is higher than SCWMA's costs because they include SCWMA fees and County fees.

Figure 4 also displays the costs of compost processing prior to the closure of the Central Compost Facility, using 2016 tonnage for comparison purposes. This cost is not meant to represent "actual" costs of

³ Tonnage figures are for Fiscal Year 2016/2017 based on the SCWMA Budget.

⁴ This figure excludes Petaluma, whose franchise hauler direct-hauls organic waste (as well as garbage) to Redwood Landfill.

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compost processing in that period, and it does not include any applicable governmental fees (SCWMA fees were not applied to organic waste prior to the closure of the Central Compost Site). This cost estimate utilizes the \$34.10/ton compost processing cost, and applies the \$11.28/ton transportation cost to 41% of the tons (the proportion of tons routed through the transfer facilities in 2014).

This comparison demonstrates the relative magnitude of the increase in compost processing costs borne by SCWMA, and passed down to rate-payers, between 2014 and 2016. These increases in cost are due to higher tipping fees for alternative compost facilities, higher transport costs associated with moving organic waste out-of-County, and the change in fees associated with the Settlement Agreement.



Figure 4: Compost Processing Costs

Key Considerations Regarding Expiration of the JPA Agreement

Terms of Extending or Replacing the JPA Agreement

There are many considerations relating to extending or replacing the JPA Agreement, including but not limited to:

- What services the SCWMA should provide to participating Member Agencies;
- Whether all Member Agencies must participate in all SCWMA programs;
- What the voting requirements and membership of Board members should be;

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- How the SCWMA should be staffed;
- What implications the withdrawal of Member Agencies would have after a new JPA agreement is signed; and
- Overall term length of the extended or new JPA Agreement.

The SCWMA is not alone in considering these issues, and in Northern California there are a variety of approaches and models for how JPAs similar to the SCWMA are organized and structured. This section provides a comparison of other JPAs in the region, detailing their main programmatic areas in relation to SCWMA's.

Northern California JPAs and Programmatic Overlap with SCWMA

Table 2, below and on the following page, offers a summary of Northern California JPAs with details provided in comparison to SCWMA's main program areas. All JPAs in this table have "one vote per member," except West Contra Costa, which gives no votes to the Contra Costa County member, and three to the City of Richmond.

	Table 2: JPA Summaries						
JPA Name / Member Agencies	Unanimous Vote Required	Planning and Reporting	Public Education / Outreach	HHW Program Management	Offers Grants	Facility Ownership and Operation	Management of Franchise Agreements
Sonoma County Waste Management Agency 10 member agencies One board member per jurisdiction, an elected official or appointee	Program expansions Capital expenditures above \$50K Annual budgets	AB 939 Reporting Solid waste planning	Yes	Contract for HHW	No	Past facility ownership Composting and organics program management	No
Del Norte Solid Waste Management Authority 2 member agencies 2 Board of Supervisors 2 City Council 1 Public member	Authorize audits	AB 939 reporting Solid waste planning	Yes	Contract for operation of HHW program	No	Owns one large and two rural transfer stations; operated by contractors Facility administration	Rate setting and approval
Humboldt Waste Management Authority <i>6 member agencies</i> One board member per jurisdiction, elected officials only	None	No	Yes	Yes	No	Operate 1 landfill, 2 transfer stations, 1 HHW program, and 1 composting program	Rate setting and approval Enter into disposal agreements

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			Table 2: JPA Summar	ies			
JPA Name / Member Agencies	Unanimous Vote Required	Planning and Reporting	Public Education / Outreach	HHW Program Management	Offers Grants	Facility Ownership and Operation	Management of Franchise Agreements
South Bayside Waste Management Authority 12 member agencies One board member per jurisdiction, elected officials only	None	No	Yes	Yes	No	Owns a transfer station and MRF	Rate setting and approval Negotiates franchise agreements for member agencies
Central Contra Costa Solid Waste Authority 6 member agencies 2 per jurisdiction, elected officials only	None	AB 939 Reporting	Yes	No	No	No	Administers franchise agreements for member agencies Rate setting
Marin County Hazardous and Solid Waste Management Joint Powers Authority 11 member agencies One board member per jurisdiction, all City or Town Managers or equivalent	None	AB 939 Reporting Solid waste planning	Yes	Yes	Yes	HHW facility management, contract for operation Contract for composting /organics program operation	and approval
Alameda County Waste Management Authority 17 member agencies One board member per jurisdiction, elected officials only	None	No	Yes Market development Technical assistance	No	Yes	No	No
West Contra Costa Integrated Waste Management Authority 7 member agencies One board member per jurisdiction, elected officials only	None	AB 939 Reporting	Yes	Yes	Yes	No	Post- collection agreement management

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SCWMA Board Membership

The SCWMA Board includes one appointed or elected official for each Member Agency, with one vote each. Most JPAs in Northern California specify that the Board contain only elected officials, with two JPAs (South Bayside Waste Management Authority and Central Contra Costa Solid Waste Authority) recently changing to Boards comprised only of elected officials.

Some JPAs employ alternative Board membership requirements, such as the Marin County Hazardous and Solid Waste Management JPA, whose Board is comprised exclusively of City or Town Managers (or their equivalents). SCWMA is distinct in Northern California for having a Board comprised both of elected officials and Member Agency staff.

SCWMA Voting Requirements

Per the JPA Agreement, a majority vote is required for all actions except those listed below, which require a unanimous vote:

- 1. Major program expansions for anything beyond yard and wood waste, household hazardous waste, and public education.
- 2. Capital expenditures greater than \$50,000.
- 3. Adoption of annual budgets.

Of the seven JPAs surveyed other than SCWMA (listed in Table 2, above), only Del Norte Solid Waste Management Authority (DNSWMA) requires a unanimous vote for any items. For DNSWMA, the unanimous vote is only required to approve annual audits.

Terms of Withdrawal

Withdrawal clauses for other Northern California JPAs surveyed, by and large, depend upon whether these JPAs have entered into flow-control agreements related to facilities. For example, the West Contra Costa Integrated Waste Management Authority (RecycleMore) required withdrawing Member Agencies to pay their part for the recycling facility otherwise funded by tipping fees, while the facility was still being paid off (it is now fully funded). JPAs without such facilities require adequate notice and intent to withdraw.

JPA Highlight: RecycleMore

Of the JPAs in the region, RecycleMore has most recently grappled with the same kinds of considerations that SCWMA is now facing. RecycleMore was established as a JPA in 1993 with the intention to provide funding for an Integrated Resource Recovery Facility (IRRF). RecycleMore's programmatic service areas include:

- Education and outreach to residents, businesses, schools, and member agencies;
- Development and implementation of policies and programs to increase diversion, primarily with businesses, multi-family dwellings and schools;
- Implementation of HHW programs, including a central drop-off facility, several satellite collection facilities, and a mobile collection program for seniors and the disabled; and
- Management of the Post-Collection Agreement with Republic Services providing transfer, transport and diversion/disposal services for garbage, organics, recycling and C&D for all member agencies.

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Ongoing Strategic Planning

The "IRRF Agreement," which committed member agency waste via flow control and facilitated funding of the bond debt payments for the IRRF, expired on December 31, 2013. In 2012, in anticipation of the expiration of that agreement, RecycleMore began an ongoing strategic planning process which has included consideration of:

- Potential changes to withdrawal requirements, potentially making withdrawal from the JPA easier and subject either to a simple majority or a member agencies discretion (the specific direction on this topic is not known at this time);
- Voting rules and membership; and
- Potential re-affirmation of commitment to membership status by member agencies for some minimal duration to ensure ongoing consistency of RecycleMore funding and service areas.

This process is expected to culminate in a complete revision and restatement of the JPA agreement sometime in late 2016 or early 2017, nearly five years since the strategic planning process began.

Member Agency Withdrawal

Unlike SCWMA, RecycleMore's JPA agreement has no expiration date, with ongoing membership of member agencies being the *default in perpetuity* until such time as a member agency moves to withdraw its membership from the JPA.

As such, all member agencies remain as members unless they specifically request withdrawal. Per the current (original) RecycleMore JPA agreement, withdrawal is subject to the approval of the majority of Board members representing a majority of the member agencies, but not including the withdrawing agency. These voting requirements are more stringent than are required for most other RecycleMore Board actions, which require a simple majority of Board votes. Additionally, the JPA agreement currently requires that the withdrawing agency pay the cost of administering any required revisions to the JPA's SRRE, HHWE, NDFE and other CalRecycle reporting requirements (in addition to establishing new versions of those documents for the now stand-alone member agency).

Board Voting Rules and Membership

The RecycleMore Board currently has seven voting members: three for the City of Richmond, which is the largest member agency, and one for each for the cities of El Cerrito, San Pablo, Pinole and Hercules. Board seats are filled by publicly elected city council members designated by each member agency's city council. Contra Costa County is a non-voting member (but recipient of RecycleMore services) that has been seeking a voting status on the RecycleMore Board for some time. The Board has recently been considering the topic of voting rules and number of Board members per Member Agency.

Implications of Not Extending or Replacing the JPA Agreement and Changes in Member Agency Participation

The main costs and benefits to SCWMA Member Agencies were previously estimated by R3 in our 2014 Report to the SCWMA titled "Evaluation of Current Activities and Service Delivery Options." That report detailed the then-current costs of services provided to the Member Agencies, and estimated what the costs to each Member Agency would be if that Member Agency were to withdraw from SCWMA and independently provide those services. These costs and benefits have not significantly changed, except in

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the case of the composting program, which is discussed separately in the following pages. Table 3 below provides an estimate of the costs for these three program areas that would be borne by each Member Agency if SCWMA were no longer to provide those services.

2014 Annual	Estimates for Independe	Table 3: ently Providing fo	or SCWMA Services, k	by Member Agency
Member Agency	Program Area	SCWMA Cost	Individually Provided	Additional Cost of No SCWMA
	HHW	\$14,650	\$26,520	\$11,870
Cloverdale	Planning & Reporting	\$2,810	\$5,000-\$15,000	\$2,190 - \$12,190
	Education & Outreach	\$12,817	Unknown	Unknown
	HHW	\$53,494	\$96,840	\$43,345
Cotati	Planning & Reporting	\$2,810	\$5,000-\$15,000	\$2,190 - \$12,190
	Education & Outreach	\$3,825	Unknown	Unknown
	HHW	\$30,028	\$54,360	\$24,331
Healdsburg	Planning & Reporting	\$2,810	\$5,000-\$15,000	\$2,190 - \$12,190
	Education & Outreach	\$14,135	Unknown	Unknown
	HHW	\$359,084	\$650,040	\$290,955
Petaluma	Planning & Reporting	\$2,810	\$5,000-\$15,000	\$2,190 - \$12,190
	Education & Outreach	\$37,877	Unknown	Unknown
	HHW	\$132,908	\$240,600	\$107,691
Rohnert Park	Planning & Reporting	\$ 2,810	\$5,000-\$15,000	\$2,190 - \$12,190
	Education & Outreach	\$29,710	Unknown	Unknown
	HHW	\$513,204	\$929,040	\$415,835
Santa Rosa	Planning & Reporting	\$ 2,810	\$5,000-\$15,000	\$2,190 - \$12,190
	Education & Outreach	\$152,021	Unknown	Unknown
	HHW	\$58,466	\$105,840	\$47,373
Sebastopol	Planning & Reporting	\$ 2,810	\$5,000-\$15,000	\$2,190 - \$12,190
-	Education & Outreach	\$29,188	Unknown	Unknown
	HHW	\$189,717	\$343,440	\$153,722
Sonoma	Planning & Reporting	\$ 2,810	\$5,000-\$15,000	\$2,190 - \$12,190
	Education & Outreach	\$22,939	Unknown	Unknown
	HHW	\$189,717	\$343,440	\$153,722
Sonoma County	Planning & Reporting	\$ 2,810	\$5,000-\$15,000	\$2,190 - \$12,190
-	Education & Outreach	\$22,939	Unknown	Unknown
	HHW	\$49,848	\$90,240	\$40,391
Windsor	Planning & Reporting	\$ 2,810	\$5,000-\$15,000	\$2,190 - \$12,190
	Education & Outreach	\$13,439	Unknown	Unknown
	HHW	\$1,593,038	\$2,883,840	\$1,290,793
Total County	Planning & Reporting	\$28,100	\$50,000-\$150,000	\$21,900-\$121,90
Wide	Education & Outreach	\$337,593	Unknown	Unknown

Our findings indicate that, for HHW, planning and reporting, and outreach and education service areas alone, the cost per Member Agency would be significantly greater if each Member Agency were to independently provide and pay for those services.

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The cost estimates and options associated with each of these programs are discussed in the following pages.

Household Hazardous Waste (HHW) Program

Alternatives means of providing HHW programs for Member Agencies include:

- The franchised hauler for each Member Agency, or another contractor, could provide HHW services as part of the franchise agreement or another agreement.
- Member Agencies could contract with an existing HHW program such as Novato Sanitary District or Marin County JPA. Novato Sanitary District program manager did not express interest in working with the City of Petaluma when asked in 2015. Marin County JPA agreement does not allow for additional contracts outside of the JPA.
- Member Agencies could establish and operate their own facilities, or create partnerships outside of SCWMA to establish and operate a separate facility. Costs for such a facility would need to be explored on a case-by-case basis.
- Member Agencies could contract with an HHW service provider (e.g., Stericycle, Clean Harbors, Curbside Inc.) to provide on-call or periodic collection events.⁵ This option will not maintain current levels of service, and is likely to be significantly more costly to Member Agencies.
- SCWMA could establish a satellite collection facility in the northern area of the County. This would allow the Member Agencies with lower participation to receive more value for the HHW collection services, but could require a significant capital investment and additional revenue to offset additional ongoing disposal costs.

In Table 3, "SCWMA Cost" for HHW is estimated using the actual HHW program costs allocated to each Member Agency for FY 2012-2013. "Independent Cost" for HHW is calculated based on program participants in 2013 and a per-participant estimated cost of \$120.

CalRecycle Reporting and Solid Waste Planning

- According to CalRecycle, if any Member Agency were to withdraw from SCWMA, the current regional SCWMA SRRE, HHWE and NDFE would no longer apply to any withdrawing Agency. Each withdrawing Agency would have to develop and submit a new SRRE, HHWE and NDFE to CalRecycle for approval. Additionally, SCWMA may also need to submit a revised SRRE, HHWE and NDFE to CalRecycle for approval. The costs for developing and submitting these documents are estimated to range from \$35,000 \$135,000 per Member Agency, depending on Member Agency size and how each Member Agency chooses to fulfill the obligations currently provided by SCWMA.
- Additionally, each withdrawing Member Agency would need to complete and submit plans for compliance with Mandatory Commercial Recycling (AB 341) and Mandatory Commercial Organics Recycling (AB 1826), which is currently done on behalf of the Member Agencies by SCWMA. The

⁵ Stericycle (based in San Jose) reported that there would be a base charge of \$450 per pickup plus disposal and that their service is geared toward commercial generators. Planning level budget information for on-call and periodic collection events was not received from Clean Harbors and Curbside Inc.

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estimated cost per Member Agency to complete and document these plans is approximately \$5,000.

- Furthermore, each withdrawing Member Agency might need to re-do its Base Year Study which is the measure of compliance with AB 939 / SB 1016 requiring achievement of the State mandate of 50% diversion. This is an important consideration, as it is possible that, depending on timing and other conditions, redoing the Base Year Study could result in a "higher bar" for achieving compliance with the 50% diversion requirement, creating the possibility of future non-compliance for certain member agencies. The estimated costs of redoing the Base Year Study per Member Agency are \$20,000 - \$40,000, depending upon Member Agency size.
- Finally, if SCWMA were to dissolve, each Member Agency would be required to fulfill all of the above reporting and planning functions individually, at a higher cost. Additionally, each Member Agency would be required to submit its own Electronic Annual Report (EAR) to CalRecycle, at a cost of approximately \$5,000 - \$15,000, depending on Member Agency size and program complexity.
- In total, one-time costs of SCWMA dissolution or Member Agency withdrawal amount to approximately \$60,000 - \$180,000 per Member Agency. Ongoing costs of Reporting and Planning per Member Agency would total approximately \$5,000 - \$15,000, annually.

In Table 3, "SCWMA Cost" for Planning and Reporting is allocated equally between each Member Agency. "Independent Cost" for Planning and Reporting is the estimated cost to submit the EAR every year.

Outreach and Education

Although many Member Agency franchise agreements already provide for education and outreach services, SCWMA provides regional consistency in education and outreach efforts. If SCWMA were to no longer provide outreach and education services, Member Agencies would be required by State law to demonstrate the maintenance of outreach and education efforts.

In Table 3, "SCWMA Value" for Outreach and Education is allocated according based on proportion of total Recycling Guide, Eco-Desk, web, and events services in each Member Agency. The cost of replacing these programs would need to be assessed on an individual basis, and might be lower for Santa Rosa and Petaluma, as current staffing levels are higher for those Member Agencies, and may be able to absorb these functions.

Organics Transfer, Transport and Compost Processing Services

There are several options for the SCWMA composting program moving forward. The main potential options identified by R3 are detailed below.

It should be noted that costs for these options are dependent on a variety of factors that are currently unresolved, and as such a cost comparison between the various options cannot be estimated at this time. Estimates could start to be established once Member Agencies have made specific decisions regarding extension or replacement of the JPA Agreement, which Member Agencies wish to continue to participate in the SCWMA composting program, and once SCWMA has eliminated the least desirable options of those listed below.

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Option 1: SCWMA No Longer Provides Organics Composting Services

If SCWMA no longer provided organics composting services, Member Agencies would be entirely responsible for arranging for compost processing service for their franchised organic waste. The County is not currently responsible, and all organic waste has so far been directed at the discretion of SCWMA.

Franchise agreements with haulers do not currently accommodate organics transfer, transport and processing services, so they would need to be amended in order to provide these services. Overall Member Agency costs for organic waste composting might go up or down, depending upon the terms of the negotiated contracts. Additionally, Member Agencies will be in the position of requiring contracts for limited capacity for composting organic waste, potentially simultaneously and on short notice. Alternatives available to Member Agencies would include the following two options.

Direct-haul

Direct-haul organic waste to composting facilities using route trucks. Costs could be lower if a longer-term agreements with guaranteed flow was established with compost facilities. This option would likely involve changing routing or adding new routes, which may significantly increase rates and greenhouse gas emissions related to transport. The costs to each Member Agency for direct-haul would need to be determined based on contractual tipping fees and franchised hauler data regarding routes and additional vehicles.

With the short time horizon available to Member Agencies for arranging and securing alternative compost programs, it may be challenging to secure appropriate and cost-effective arrangements for directly hauling organic waste to facilities, especially since Member Agencies will effectively only have one or two facility choices, each with limited organics waste composting capacity.

Figure 5 on the next page details options for compost facility options in the SCWMA area.

Use of existing Sonoma County transfer system

If SCWMA no longer arranged for organic waste transport, Member Agencies could negotiate contracts with compost facilities and transfer stations, and transportation could be arranged with a third party. Alternatively, gate fees might be negotiated directly with the transfer stations, who would then arrange the transfer of the material without Member Agency involvement. Longer-term agreements could secure better rates, but this option would depend upon willingness on the part of transfer stations to accept organic waste tonnage.

The current transfer stations are owned by the County, operated by Republic Services, who subcontracts that responsibility to the Ratto Group. Therefore, it is likely that the County would need to be involved in any future contracts that involve transfer stations, and it is not clear at this time whether and how Republic and/or the Ratto Group would be involved in such negotiations.

Figure 5, next page, is a map of the transfer stations and compost processing facilities in the SCWMA area, with transfer stations color coded blue and compost facilities color coded red.

The options of compost facilities available to Member Agencies will likely not change, which means that tipping fees and transport costs will remain high. Again, with the short time horizon available to Member Agencies for arranging and securing alternative compost programs, it may be challenging to secure appropriate and cost-effective arrangements for organic waste composting.

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Figure 5: Map of Available Organic Waste Transfer and Compost Processing Facility Locations

- * Central Transfer Station is on the same site as the former Central Compost Site.
- ** This site is not currently being used by SCWMA, and may not be available in the future, as it may be up for sale.
- *** This site is not currently being used by SCWMA, and is included for reference purposes only.

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The transport agreement currently in place with Ratto Group covers the use of the two facilities not currently in use. While this specific agreement would no longer apply in the absence of SCWMA, we can use the transport costs associated with these facilities to approximate the transport costs to the facilities not currently in use. These transport costs are directly related to the distance to travel for each of these facilities, and are a reasonable basis of comparison:

- West Contra Costa County Sanitary Landfill Organic Material Processing, transport from Sonoma Transfer Station at \$13.70/ton, and transport from the Central Transfer Station at \$14.28/ton; and
- Northern Recycling Compost Zamora, transport from Sonoma Transfer Station at \$30.38/ton and transport from the Central Transfer Station at \$36.82/ton.

These can be compared with the costs per ton of the current transfer stations and compost facilities:

- Redwood Landfill, transport from Annapolis and Guerneville Transfer Stations at \$14.60/ton, and Central Transfer Station at \$7.42/ton;
- Cold Creek Compost, transport from Healdsburg Transfer Station at \$22.16/ton (cost not available for Central Transfer Station);
- City of Napa, transport from Sonoma Transfer Station at \$13.70/ton, and from Central Transfer Station at \$19.30/ton; and
- Jepson Prairie Organics, transport from Sonoma Transfer Station at \$26.47/ton, and from Central Transfer Station at \$25.12/ton.

Option 2: SCWMA Secures Contract for Organics Composting Services In-County

SCWMA-Owned Compost Facility

SCWMA may establish a compost facility and contract the operations of the facility. Financing for the new facility would be passed through to rate payers, and the risks related to facility ownership would be borne by SCWMA and the Member Agencies. These risks may involve:

- Legislative risk, as the operating requirements for a facility might change if new environmental legislation is passed;
- Unforeseen environmental impacts that might change the operating costs of the facility;
- Changes in the market for the finished product that might impact the overall facility financing;
- Changes in the incoming tonnage that might result in lower revenue to cover fixed costs;
- Changes in gate fees over the long term, as a SCWMA-owned facility would pass down any increases in cost to rate-payers, whereas a privately owned facility would be "locked in" to the contractual cost; and
- Liability for facility failure, as a privately owned facility would shut down if it failed, while a facility owned by SCWMA would be contractually obligated to continue operating until paid off.

Contractor-Owned Compost Facility

SCWMA could seek to secure a contract with an organics processing provider to provide organic waste composting services within the County. In exchange for flow commitments and the profits associated with a set per-ton rate for composting organic waste, the contractor would assume the risks associated with

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the facility (listed above). In both scenarios, if the facility were to shut down, organic waste will need to be sent elsewhere.

The cost per ton for composting organic waste would likely be lower if more Member Agencies choose to participate. The overall cost of organics composting services to Member Agencies could go down as a result of having longer term agreements for services, as well as the elimination of costs for transfer and transport of organic waste to more distant composting facilities.

Some Member Agencies will likely continue to use current transfer stations, and costs associated with the County landfill settlement would therefore continue be applied to those cities. For Member Agencies choosing to self-haul to a new facility, franchised hauler routes may change, which could affect collection costs.

Option 3: SCWMA Secures Long-Term Contracts for Out-Hauling to Organics Processing Facilities

If the JPA Agreement were to be extended or renewed, SCWMA could continue to provide for organics composting as it currently is doing, but with longer term agreements. Member Agencies would use the same transfer stations currently utilized, and organic waste would be hauled out to composting facilities. A competitive RFP process for transportation of organic waste from transfer stations, and longer term agreements with compost facilities, could also result in lower costs.

Summary of Organics Composting Options

	Table 4: Summary of Composting Facility Issues						
	Member Agencies direct-haul	Member Agencies use transfer system	SCWMA-owned facility	Contractor- owned facility	SCWMA- facilitated out- hauling		
Routing changes necessary?	Yes	Not necessary	If direct haul is more cost- effective, depending upon facility locations	If direct haul is more cost- effective, depending upon facility locations	If direct haul is more cost- effective, depending upon facility locations		
Greenhouse gas emissions change?	Higher due to long travel times	Same	May increase or decrease due to travel time, depending on location	May increase or decrease due to travel time, depending on location	Same		
Flow control agreements necessary?	Not necessary	Not necessary	Yes	Yes	Yes		
"Put-or-Pay" included in contracts?	No	No	Maybe	Maybe	Maybe		

These program options described above are summarized in Table 4.

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	S		ble 4: posting Facility Issue	S	
	Member Agencies direct-haul	Member Agencies use transfer system	SCWMA-owned facility	Contractor- owned facility	SCWMA- facilitated out- hauling
Financing method?	Not necessary	Not necessary	Financed through bonds or contractor	Through flow control; financed by contractor	Not necessary
Who contracts with compost facility(ies)?	Member Agency	Member Agency	SCWMA	SCWMA	SCWMA
Who contracts for use of transfer station?	N/A	Member Agency	SCWMA	SCWMA	SCWMA
Who contracts for transport of materials?	N/A	Member Agency	SCWMA	SCWMA	SCWMA
Member Agencies have facility failure liability?	No	No	Yes	No	No
Member Agencies have compost site liability?	No	No	Yes	No	No
Is there long-term cost control?	Yes, through contracted rates	Yes, through contracted rates	No; facility failure may pass down costs	Yes, through contracted rates	Yes, through contracted rates
Will customer rates change?	Yes	Yes	Yes	Yes	Yes
County fees apply to organic waste?	Maybe	Yes	Maybe	Maybe	May not apply to direct-haul tons

Key Next Steps

As noted throughout this report, SCWMA is facing a number of core issues regarding its services, structure, and future that should be resolved if SCWMA is going to remain as an ongoing resource for its Member Agencies. Resolving these issues will take time, and certain issues – most notably the future of the compost program – will have real and immediate financial impacts for SCWMA, its Member Agencies, and rate-payers if care is not taken in their resolution.

This section outlines key next steps, in order of priority, which SCWMA may wish to take to ensure the timely and effective resolution of these issues.

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1 Extend the JPA Agreement

The February 2017 expiration of the JPA Agreement may not facilitate cost-effective contracts for organic waste composting services, and therefore may not be in the best interests of the Member Agencies and rate-payers. Current contracts for composting services are short-term and tied to the expiration of the JPA Agreement; it is likely that longer-term agreements would result in more favorable terms for pricing and capacity. Extending the JPA Agreement for a minimum of one year would provide the minimum additional time needed to obtain actionable cost and facility data to better inform future composting program needs. A longer-term extension of the JPA Agreement could allow for longer-term organic waste composting contracts, with more cost-effective terms and protections.

2 Make Decisions about the Compost Program

The compost program is the most complicated of the core issues that SCWMA currently faces, with the most capacity for risk, and the most uncertainty with respect to cost impacts to rate-payers. This step involves clarifying and affirming the relationships of the various agreements between all parties involved in the composting program, and conducting procurement processes for both compost processing facility capacity as well as out-haul services from the County transfer stations to the selected compost facilities.

2a Clarify and Affirm Contractual Relationships

As noted in this report, there are a significant number of contractual relationships pertaining to the compost program that involve SCWMA, the Member Agencies, the County, Republic Services, the Ratto Group, and the compost processing facilities. Due to the number and complexity of these contractual relationships, there remains significant uncertainty for a variety of questions, including but not limited to:

- Whether (and which) Member Agencies can have their franchised haulers direct haul their organic waste to compost processing facilities;
- Whether SCWMA could arrange for new contract(s) to out-haul organic waste from the County transfer stations; and
- Whether and how individual Member Agencies could arrange for the transfer, out-haul, and processing of organic waste.

These questions should be investigated and resolved prior to SCWMA making decisions about the future of its compost program.

2b Conduct Procurement Process for Compost Processing Facility Capacity

In order to evaluate and make decisions regarding continued provision of its composting program, SCWMA should conduct a competitive procurement process for organic waste processing capacity at one or more composting facilities. This procurement process would be the first step towards securing more favorable pricing and other terms for the processing of SCWMA organic waste, and could result in one or more contracts for those services. There are several questions that would need to be answered before or during that procurement process, potentially including but not limited to:

- Whether composting capacity would be for in-County or out-of-County facilities, or both;
- Whether the resultant agreement(s) would allow for Member Agencies to direct haul organic waste to the composting facilities, and under what terms;

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- Whether the resultant agreement(s) would allow for Member Agency franchised haulers to use existing transfer stations, and under what terms; and
- Whether the SCWMA would seek to have compost facilities also provide for transportation/outhaul of organic materials from transfer stations to the compost facilities.

Upon conclusion of the procurement process, SCWMA would likely be in the position to decide whether to continue providing an organic waste composting program (in which case SCWMA would likely contract with one or more of the respondents) or *not to continue* with the program. If SCWMA were decide not to continue with the program, responsibility for compost facility capacity would fall to the Member Agencies.

2c Conduct Procurement Process for Out-Haul Services to Selected Compost Facilities

In addition to conducting a procurement process for compost facility capacity, SCWMA could also seek to arrange for out-hauling services from County transfer stations on behalf of the Member Agencies. Conducted in tandem with 2b, above, this procurement process could provide new options for out-haul of SCWMA organic waste. Upon conclusion of out-haul procurement process, SCWMA would likely be in the position to decide whether to provide out-haul services for organic waste on behalf of the Member Agencies, if SCWMA continues to provide for compost facility capacity. If SCWMA were to decide not to provide out-haul services for organic waste, responsibility for the transfer, transport, and composting of organic waste would fall to the Member Agencies, similar to 2b, above.

3 Make Decisions about SCWMA Services

Once SCWMA has had made specific decisions about the future of the compost program as noted above, it would be in a better position to make specific decisions about whether or not to continue providing other SCWMA services, including the HHW program, reporting and planning, and outreach and education services. Ultimately, whether or not SCWMA continues to provide for these services is largely a question of cost, and not necessarily of means. These services can be performed by the Member Agencies or some other centralized entity, with relatively known costs, whereas the compost program has a high level of uncertainty on both the costs of the program and the best means of providing it.

4 Make Decisions about SCWMA Organization and Structure

Finally, once SCWMA has made decisions regarding each of the above, it would be in a position to resolve core issues related to its organization and structure. Key questions for this topic area are highlighted in this report, and include membership and voting requirements, and Member Agency withdrawal. Once SCWMA has resolved these key issues, it would be in a position to consider a restatement of the JPA Agreement that would address each of these issues, define the core services provided by SCWMA on behalf of its Member Agencies and rate-payers, and define a revised term of the JPA Agreement.

BEST BEST & KRIEGER ATTORNEYS AT LAW

Memorandum

To:	Sonoma County Waste Management Agency Board of Directors
From:	Ethan Walsh
	Agency Counsel
Date:	July 14, 2016
Re:	Outline of Potential Terms for Joint Exercise of Powers Agreement

Outline of Proposed Terms for New Joint Powers Agreement

Following is an outline of potential terms for a new extended Joint Exercise of Powers Agreement for the Sonoma County Waste Management Agency (the "Agency"). This outline reflects my preferred solutions for a number of the policy issues that have arisen during the discussion of a new Joint Powers Agency. However, the terms are predominantly policy issues should first be considered by the Agency Board, and that will be decided by the Councils and Board for the member agencies. The outline is intended to generate discussion amongst the Board members, with the goal of obtaining direction from the Agency Board on the terms to include in a new Joint Exercise of Powers Agreement.

After receiving direction from the Agency Board, if the Board directs Agency staff to work on drafting a new Agreement, I will schedule a meeting with the City Attorneys and County Counsel to discuss the terms of the new Joint Exercise of Powers Agreement in concept, and then begin drafting a new document for consideration by the Board. The final document will ultimately have to be considered by the Board and Council of each member agency. I plan on engaging with the attorneys for the member jurisdictions throughout the drafting process.

Proposed Terms for New Joint Exercise of Powers Agreement

I. Core Programs. Agency would continue to have the authority to provide its member agencies with four core programs: (1) Composting of green and wood waste; (2) recycling of household hazardous waste (HHW); (3) solid waste education and assistance; (4) mandated planning and reporting related to waste diversion.

A. <u>Composting of Green and Wood Waste</u>: The Agency would have the authority to develop and implement composting solutions for its member agencies, and would have the authority to develop and/or operate a composting facility. However, the agreement would not specify that the Agency must provide composting to the member agencies directly, nor would it specify how composting would be provided. This is intended to provide both the Agency and the member jurisdictions the flexibility to consider a range of composting solutions, both in the immediate term and over the full term of the new Agreement. This may result in a single composting facility that serves all jurisdictions, multiple composting solutions that collectively serve the members, or could allow



members to seek their own composting solution. The ultimate composting solution(s) would be subject to separate, more specific, agreements that would implement those solutions.

B. <u>Household Hazardous Waste</u>: The Agency would continue to be responsible for providing HHW recycling to all its member agencies, but the Agreement would not specify where the HHW recycling facility would be located. This is intended to provide the Agency with flexibility over its term to decide where best to locate its HHW recycling operations.

C. <u>Education</u>: The Agency would continue to be responsible for providing education regarding waste diversion and recycling, and undertaking related activities for all its member agencies.

D. <u>Planning and Reporting</u>: The Agency would continue to be responsible for conducting mandated planning and reporting related to waste diversion for all its member agencies.

The Agency would have the authority to undertake additional activities and develop additional programs, in furtherance of the four core programs described above. Member jurisdictions would have the ability to opt out of these core programs if desired, provided that this opt out would not affect the jurisdiction's financial obligations to the Agency.

II. Term. Upon approval of the Agreement, the Agency would commence a new 25 year term.

III. Voting. Super-majority vote (7 of 10 members) would be required for the following:

- A. Annual Budget approval
- B. Budget amendments of \$250,000 or more
- C. Incurring debt of \$250,000 or more
- D. Purchase of real property

IV. Board Composition. Board composition would remain as is, with each jurisdiction having the ability to appoint an elected official or an employee.

V. Adoption of Regulations/Ordinances. The current Agreement provides that "the Participants may agree, in writing, to additional duties, responsibilities, and programs, including any program adopted by ordinance. Each Participant executing this Agreement may elect to



participate in any or all of the Agency's non-core programs, including any single use carryout bag ordinance." (Joint Exercise of Powers Agreement, Section 2 (as set forth in the 2nd Amendment)). This language is intended to give the Agency the authority to adopt ordinances that apply in the jurisdictions of all the member agencies, but requires the member agencies to agree in writing to participate in such program.

This provision is important to several jurisdictions in that it is seen as a uniform way to implement ordinances related to waste diversion, and provides cities some insulation from potential legal challenge to the ordinances. However, some of the city attorneys for the member agencies, have raised concerns that the adoption of these ordinances constitutes an improper delegation of the jurisdictions' legislative authority.

The Agency could likely achieve its same goals by preparing model ordinances that would be adopted by the individual jurisdictions. If the Agency wanted to provide some legal insulation to the member agencies against challenges to the implementation of the ordinances, the Agency could enter into agreements with the individual jurisdictions for the Agency to implement the ordinance, and potentially indemnify the jurisdictions against legal challenge (if desired). This approach would likely address the concerns raised by the city attorneys regarding delegation of legislative authority, while still providing individual jurisdictions the protection that comes with the Agency taking primary responsibility for implementation of the ordinances.

VI. Additional Core Programs/Amendment to the Joint Exercise of Powers Agreement.

A. Additional core programs could only be added by amendment to the Joint Exercise of Powers Agreement.

B. The Joint Exercise of Powers Agreement could only be amended by approval of all member agencies.

Summary of Matrix Responses

Note: * next to an entry indicates show stopper or must have.

Cloverdale	Cotati	Healdsburg	Petaluma	Rohnert Park
Yes*	Yes	Yes*	No*	No
Santa Rosa	Sebastopol	Sonoma	County	Windsor
Yes	Yes	Yes	Yes	Yes

1. Regional program for composting? Yes = 8, No = 2

2. Regional program for HHW? Yes = 9, No = 1

Cloverdale	Cotati	Healdsburg	Petaluma	Rohnert Park
Yes	Yes	Yes*	Yes	No
Santa Rosa	Sebastopol	Sonoma	County	Windsor
Yes	Yes	Yes	Yes	Yes

3. Regional program for Education? Yes = 10

Cloverdale	Cotati	Healdsburg	Petaluma	Rohnert Park
Yes	Yes	Yes	Yes	Yes
Santa Rosa	Sebastopol	Sonoma	County	Windsor
Yes	Yes	Yes	Yes	Yes

4. Regional program for Planning and Reporting? Yes = 10

Cloverdale	Cotati	Healdsburg	Petaluma	Rohnert Park
Yes*	Yes*	Yes*	Yes	Yes
Santa Rosa	Sebastopol	Sonoma	County	Windsor
Yes	Yes	Yes	Yes	Yes

5. What entity performs composting operations? Need more information = 3, Agency = 3, County = 1, Republic = 1, Individual jurisdiction decision = 2

Cloverdale	Cotati	Healdsburg	Petaluma	Rohnert Park
Agency*	Agency	County*	Individual	Individual
			jurisdiction	jurisdiction
			decision	decision
Santa Rosa	Sebastopol	Sonoma	County	Windsor
Need more	Need more	Agency	Republic	Need more
information	information			information

6. What entity performs HHW? Agency = 5, County = 3, need more information = 1, Republic = 1

Cloverdale	Cotati	Healdsburg	Petaluma	Rohnert Park
Agency	Agency	County	County	County
Santa Rosa	Sebastopol	Sonoma	County	Windsor
Need more	Agency	Agency	Republic	Agency
information				

7. What entity performs Education? Agency = 6, County = 2, need more information = 1, RCPA = 1

Cloverdale	Cotati	Healdsburg	Petaluma	Rohnert Park
Agency	Agency*	County	County	Agency
Santa Rosa	Sebastopol	Sonoma	County	Windsor
Need more	Agency	Agency	RCPA	Agency
information				

8. What entity performs Planning and Reporting? Agency = 6, County = 2, need more information = 1, RCPA = 1

Cloverdale	Cotati	Healdsburg	Petaluma	Rohnert Park
Agency*	Agency*	County	County	Agency
Santa Rosa	Sebastopol	Sonoma	County	Windsor
Need more information	Agency	Agency	RCPA	Agency

9. If there is a preference to renew the Agency, what would its term be? No fixed term = 3, 20 years =

Cloverdale	Cotati	Healdsburg	Petaluma	Rohnert Park
No fixed term*	No fixed term	Need more	20 year minimum	25 years, with
		information		review at 10 years
Santa Rosa	Sebastopol	Sonoma	County	Windsor
Need more	25 years	25 years	Match RCPA term	2/4 members
information				indicated no fixed
				term

1, 25 years = 3, need more information = 2, RCPA term = 1.

10. Ability to opt out of regional programs? Yes, as long as core programs are defined and the regional program is made whole by those opting out = 8, no opt out of core programs = 1, Prefer not = 1

Cloverdale	Cotati	Healdsburg	Petaluma	Rohnert Park
Yes	Yes	Yes	Yes*	Yes
Santa Rosa	Sebastopol	Sonoma	County	Windsor
Yes	Not from core	Yes	Prefer not, but	Yes
	programs		willing to consider	
			if there are not	
			financial impacts	
			to those remaining	

11. Unanimous vote required on budget approval, capital expenditure > \$50,000, and major program expansion? No = 5, Yes = 1, Yes for major program expansions only = 3, Match RCPA structure (majority) = 1

Cloverdale	Cotati	Healdsburg	Petaluma	Rohnert Park
No*	No*	Yes, program	Yes	Yes, program
		expansions*		expansions only
Santa Rosa	Sebastopol	Sonoma	County	Windsor
Yes, program	No	No	Match RCPA	No
expansions only			structure, majority	

12. Supermajority vote on purchase of real property? Yes = 6, No, must be unanimous = 4

Cloverdale	Cotati	Healdsburg	Petaluma	Rohnert Park
Yes*	Yes	No, unanimous*	No, unanimous	Yes
Santa Rosa	Sebastopol	Sonoma	County	Windsor
No, unanimous	Yes	Yes	No, unanimous	Yes

13. Supermajority vote to incur debt > \$250,000? Yes = 8, No, must be unanimous = 2, Match RCPA structure (majority) = 1

Cloverdale	Cotati	Healdsburg	Petaluma	Rohnert Park
Yes*	Yes	No, unanimous*	No, unanimous*	Yes
Santa Rosa	Sebastopol	Sonoma	County	Windsor
Yes, unless related	Yes	Yes	Match RCPA	Yes
to a unanimous			structure, majority	
vote issue				

14. Supermajority vote to adopt annual budget? Yes = 7, No = 2, Match RCPA (2/3 vote) = 1

Cloverdale	Cotati	Healdsburg	Petaluma	Rohnert Park
Yes*	Yes	Yes	No, unanimous*	No, majority vote
Santa Rosa	Sebastopol	Sonoma	County	Windsor
Yes, unless related	Yes	Yes	Match RCPA	Yes
to a unanimous			structure, 2/3 vote	
vote issue				

15. Supermajority vote to adopt additional core programs? Yes = 5, No, jurisdictional or unanimous vote required = 4, RCPA structure (majority) = 1

Cloverdale	Cotati	Healdsburg	Petaluma	Rohnert Park
Yes*	Yes	No, unanimous	No, unanimous	No, jurisdictional
		vote*	vote*	vote*
Santa Rosa	Sebastopol	Sonoma	County	Windsor
No, unanimous	Yes	Yes	Match RCPA	Yes
vote			structure, majority	

16. Supermajority vote for expenditures greater than \$250,000? Yes = 7, No, unanimous vote = 1, RCPA structure (majority) = 1

Cloverdale	Cotati	Healdsburg	Petaluma	Rohnert Park
Yes*	Yes	Yes	No, unanimous,	Yes
			but supermajority	
			could be for less	
			than \$50,000*	
Santa Rosa	Sebastopol	Sonoma	County	Windsor
Yes, unless debt	Yes	Yes	Match RCPA	Yes
from unanimous			structure, majority	
vote item				

17. Supermajority vote for amendments of new JPA agreement? No, unanimous or jurisdictional vote = 6, Yes = 4

Cloverdale	Cotati	Healdsburg	Petaluma	Rohnert Park
Yes*	Yes	No, unanimous	No, unanimous	No, jurisdictional
		vote*	vote*	vote*
Santa Rosa	Sebastopol	Sonoma	County	Windsor
No, unanimous	No, jurisdictional	Yes	No	Yes
vote	vote			

18. What comprises a supermajority? 7/10 vote = 4, 8/10 vote = 3, 3/4 = 1, Other = 1, 2/3 for budget only = 1

Cloverdale	Cotati	Healdsburg	Petaluma	Rohnert Park
7/10	7/10	8/10	Other	3/4
Santa Rosa	Sebastopol	Sonoma	County	Windsor
7/10	7/10	8/10	2/3 for budget	8/10
			only	

19. Would you prefer a Board with staff and elected officials? Membership decided by each jurisdiction= 7, elected official only = 3

Cloverdale	Cotati	Healdsburg	Petaluma	Rohnert Park
Elected*	Elected	Member choice*	Member choice*	Member choice*
Santa Rosa	Sebastopol	Sonoma	County	Windsor
Member choice	Member choice	Member choice	Elected	Member choice

	20. Would vou	prefer tiered governance?	Yes = 4. No = 4. need r	more information = 2
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Cloverdale	Cotati	Healdsburg	Petaluma	Rohnert Park
Yes*	Yes	Need more	No*	No
		information		
Santa Rosa	Sebastopol	Sonoma	County	Windsor
Need more	Yes	Yes	No	No
information				



ITEM: Outreach Calendar July – Aug 2016

July 2016 Outreach Events

Day	Time	Event
5	4 PM – 8 PM	Community Toxics Collection – Cloverdale
9	10 AM – 2 PM	Kids Days – Cotati
9	11 AM – 1 PM	Master Gardener Composting & Vermicomposting Workshop, City of Santa Rosa Water Department
12	4 PM – 8 PM	Community Toxics Collection – Santa Rosa, NE
16	9 AM – 11:30 AM	Master Gardener Composting & Vermicomposting Workshop - Sonoma Garden Park, Sonoma
17	10 AM – 6 PM	La Guelaguetza Sonoma County at the Wells Fargo Center– Santa Rosa
19	4 PM – 8 PM	Community Toxics Collection – Sonoma
22-29	11 AM – 10 PM	Sonoma County Fair – Santa Rosa
25	9 AM - 11:00AM Composting & Vermicomposting Workshop - Graton Labor Center, Graton (SPA ONLY)	
26	4 PM – 8 PM	Community Toxics Collection –Rohnert Park

August 2016 Outreach Events

Day	Time	Event
1-7	11 AM – 10 PM	Sonoma County Fair – Santa Rosa
2	4 PM – 8 PM	Community Toxics Collection – Windsor
9	4 PM – 8 PM	Community Toxics Collection – Sebastopol
16	4 PM – 8 PM	Community Toxics Collection – Forestville
18	6 PM - 8 PM	Master Gardener Composting & Vermicomposting Workshop - Petaluma Seed Bank, Petaluma
20	10 AM – 12:30 PM	Master Gardener Composting & Vermicomposting Workshop – Permaculture Skills Center, Sebastopol
20	10 AM – 2 PM	Back to School Health Fair– Sonoma
23	4 PM – 8 PM	Community Toxics Collection – Glen Ellen
24	3 PM – 5 PM	Master Gardener Composting & Vermicomposting Workshop – La Luz, Boyes Hot Springs (SPANISH ONLY)
30	4 PM – 8 PM	Community Toxics Collection – Cotati