



SONOMA COUNTY/CITY SOLID WASTE ADVISORY GROUP

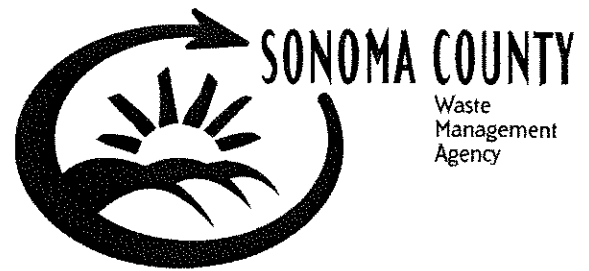
Agenda Item #: 9

Agenda Date: January, 26, 2012

ITEM: Informational Presentation on Solid Waste Management Agency Joint Powers Agreement

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

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http://supervisors.sonoma-county.org/boards_and_commissions.aspx



January 10, 2012

To: Sonoma County Solid Waste Advisory Group

From: Henry J. Mikus, Executive Director

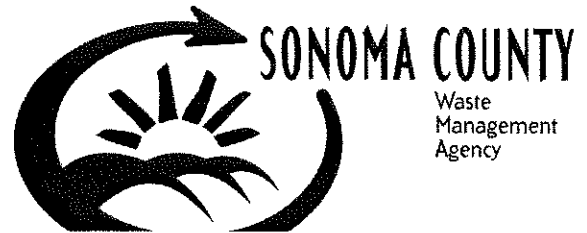
Subject: Sonoma County Waste Management Agency Board Membership

Background: In 1992, prompted by California legislation via AB939, the Sonoma County Waste Management Agency (SCWMA, or the Agency) was formed as a Joint Powers Agency comprised of the Cities of Sonoma County plus the County "...to deal with waste management issues such as wood waste, yard waste, household hazardous waste, and public education."

Membership: The original Joint Powers Agreement, specifically Section 4, sets forth Agency membership as follows: "The Joint Powers Agency created by this Agreement shall have one member from Sonoma County and one member from each City that joins the Agency (each of whom shall be an elected Councilmember, County Supervisor or appointee)." Further in Section 4 the Agreement states, "An appointee shall be an employee of the city or county making the appointment."

The Board: The agency governing Board has ten (10) members, one each from the nine (9) cities/town plus one from the County. This Board has been a mix of elected officials and staff from the member jurisdictions. As currently constituted, nine (9) members are staff, and one (1) member is an elected Councilmember. Each member jurisdiction chooses its own Board member as it sees fit. Typically most member jurisdictions also choose an alternate representative to serve on the Board whenever their primary Board member cannot. Whenever any member jurisdiction needs to select a new Agency Board representative or an alternate, this is done via an appointment letter from the member jurisdiction.

History: Attached is a chart showing the Agency Board's composition over the most recent ten years of the Agency's existence; it is organized by member jurisdiction and shows the Board member's name together with status as either elected official or appointee/staff. There are some open areas due to incomplete data. Still, the history that is known does provide a reasonable picture of how the Board's membership has been constituted over time.



January 10, 2012

To: Sonoma County Solid Waste Advisory Group

From: Henry J. Mikus, Executive Director

Subject: Sonoma County Waste Management Agency Joint Powers Agreement:
Term of Agreement and Renewal Mechanism

Background: In April, 1992, prompted by AB939, California's Integrated Waste Management Act of 1989, the Sonoma County Waste Management Agency (SCWMA, or the Agency) was formed as a Joint Powers Agency (JPA) comprised of the Cities of Sonoma County plus the County. The current list of member jurisdictions is made up of ten (10) local governments, comprised of the nine (9) cities and town plus the County of Sonoma.

Authority: Statutory basis for Joint Powers Authorities is found in California Government Code Sections 6500-6536 plus a few cases (some quite old). The statutory scheme gives public agencies the authority to enter into agreements to jointly exercise common powers; thus a JPA may exercise the powers common to its members. The Agency does not have any power or authority greater than that of its members. Since the Agency is made up of cities (both general law and charter) and a county, the Agency may do what its member jurisdictions can do such as enter into contracts, sue and be sued, and adopt ordinances covering the Agency's subject matter jurisdiction.

Term: A "Joint Powers Agreement" was formulated and adopted to set forth "...terms and provisions..." for the Agency to operate under. Section 20 states that "The term of this Agreement shall be for twenty-five (25) years." This section also states that "This Agreement may be extended from year to year thereafter by mutual agreement of the Participants." Thus, the agency Agreement would otherwise cease in April of 2017 without some sort of renewal in place. It would be possible, and perhaps more beneficial, to renew or extend the Agreement for some longer period of time beyond an annual extension. Alternatively, a new Agreement could be adopted by the member jurisdictions' governing bodies in order to address outdated provisions in the existing Agreement.

Renewal: The original JPA was established by resolutions adopted by each of its member jurisdictions. Thus, renewal of the Agreement to extend beyond 2017 would

logically follow from a similar series of resolutions adopted by its member jurisdictions. However, not all the current member jurisdictions would have to be party to any new Agreement, making it possible for the Agency to continue to operate with less member jurisdictions. In fact, Section 20 of the current Agreement addresses the possibility of any City withdrawing its membership by requiring a ninety (90) day notice and allowing for a penalty to be assessed for such withdrawal.

Benefits: The benefits to the member jurisdictions of forming a JPA include reduced liability, a pooling of resources, a separate funding mechanism, a means of achieving regional goals and obtaining consistency throughout the region without having to have all individual member governing bodies approve the same document, and a savings of staff time and money for the individual member jurisdictions.

SCWMA Most Recent 10 Years' History of Board Members

= Elected Official

= City/Town Staff

= County Staff

City of Cloverdale

City of Cotati

Year	Board Member	Alternate	Alternate	Board Member	Alternate	Alternate
2002						
2003	<input checked="" type="checkbox"/> Jennifer Murray	<input checked="" type="checkbox"/> Michael Nixon		<input checked="" type="checkbox"/> Dale Shaddox		
2004	<input checked="" type="checkbox"/> Jennifer Murray	<input checked="" type="checkbox"/> Gail Pardini-Plass		<input checked="" type="checkbox"/> Dennis Dorch	<input checked="" type="checkbox"/> Marsha Sue Lustig	
2005	<input checked="" type="checkbox"/> Steve Holsinger	<input checked="" type="checkbox"/> Gus Wolter		<input checked="" type="checkbox"/> Terry Stubbings	<input checked="" type="checkbox"/> Marsha Sue Lustig	
2006	<input checked="" type="checkbox"/> Steve Holsinger	<input checked="" type="checkbox"/> Gus Wolter		<input checked="" type="checkbox"/> Terry Stubbings	<input checked="" type="checkbox"/> Marsha Sue Lustig	
2007	Vacant	<input checked="" type="checkbox"/> Gus Wolter		<input checked="" type="checkbox"/> Dianne Thompson	<input checked="" type="checkbox"/> Marsha Sue Lustig	
2008	<input checked="" type="checkbox"/> Gus Wolter	<input checked="" type="checkbox"/> Carol Russell		Vacant	<input checked="" type="checkbox"/> Marsha Sue Lustig	<input checked="" type="checkbox"/> Dianne Thompson
2009	<input checked="" type="checkbox"/> Gus Wolter	<input checked="" type="checkbox"/> Carol Russell		<input checked="" type="checkbox"/> Damien O'Bid	<input checked="" type="checkbox"/> Marsha Sue Lustig	<input checked="" type="checkbox"/> Dianne Thompson
2010	<input checked="" type="checkbox"/> Nina Regor	<input checked="" type="checkbox"/> Joe Palla		<input checked="" type="checkbox"/> Marsha Sue Lustig	<input checked="" type="checkbox"/> Damien O'Bid	<input checked="" type="checkbox"/> Dianne Thompson
2011	<input checked="" type="checkbox"/> Nina Regor	<input checked="" type="checkbox"/> Joe Palla	<input checked="" type="checkbox"/> Bob Cox	<input checked="" type="checkbox"/> Marsha Sue Lustig	<input checked="" type="checkbox"/> Damien O'Bid	<input checked="" type="checkbox"/> Dianne Thompson
2012						

City of Healdsburg

City of Petaluma

Year	Board Member	Alternate	Alternate	Board Member	1st Alternate	2nd Alt.
2002	<input checked="" type="checkbox"/> Barbara Jason-White	<input checked="" type="checkbox"/> George Hicks				
2003	<input checked="" type="checkbox"/> Barbara Jason-White	<input checked="" type="checkbox"/> George Hicks				
2004	<input checked="" type="checkbox"/> Barbara Jason-White	<input checked="" type="checkbox"/> George Hicks				
2005	<input checked="" type="checkbox"/> Barbara Jason-White	<input checked="" type="checkbox"/> George Hicks		<input checked="" type="checkbox"/> Jim Ryan	<input checked="" type="checkbox"/> Vince Marengo	
2006	<input checked="" type="checkbox"/> Barbara Jason-White	<input checked="" type="checkbox"/> George Hicks		<input checked="" type="checkbox"/> Vince Marengo	<input checked="" type="checkbox"/> Jim Ryan	
2007	<input checked="" type="checkbox"/> Marjie Pettus	<input checked="" type="checkbox"/> Mike Kirn		<input checked="" type="checkbox"/> Vince Marengo	<input checked="" type="checkbox"/> Kevin Hornick	
2008	<input checked="" type="checkbox"/> Marjie Pettus	<input checked="" type="checkbox"/> Mike Kirn		<input checked="" type="checkbox"/> Vince Marengo	<input checked="" type="checkbox"/> Kevin Hornick	
2009	<input checked="" type="checkbox"/> Mike Kirn	<input checked="" type="checkbox"/> Randy Collins		<input checked="" type="checkbox"/> Vince Marengo	<input checked="" type="checkbox"/> Kevin Hornick	
2010	<input checked="" type="checkbox"/> Mike Kirn	<input checked="" type="checkbox"/> Randy Collins		<input checked="" type="checkbox"/> Vince Marengo	<input checked="" type="checkbox"/> Susan Lackie	
2011	<input checked="" type="checkbox"/> Mike Kirn	Vacant		<input checked="" type="checkbox"/> John Brown	Vacant	
2012						

City of Rohnert Park

City of Santa Rosa

Year	Board Member	Alternate	Alternate	Board Member	Alternate	Alternate
2002						
2003	<input checked="" type="checkbox"/> Jake Mackenzie	<input checked="" type="checkbox"/> Amie Spradlin	<input checked="" type="checkbox"/> Eydie Tacata	<input checked="" type="checkbox"/> Dell Tredinnick	<input checked="" type="checkbox"/> Greg Scoles	<input checked="" type="checkbox"/> Marc Richardson
2004	<input checked="" type="checkbox"/> Jake Mackenzie	<input checked="" type="checkbox"/> Steve Donley	<input checked="" type="checkbox"/> Darrin Jenkins	<input checked="" type="checkbox"/> Dell Tredinnick	<input checked="" type="checkbox"/> Ed Buonaccorsi	
2005	<input checked="" type="checkbox"/> Tim Smith	<input checked="" type="checkbox"/> Steve Donley		<input checked="" type="checkbox"/> Dell Tredinnick	<input checked="" type="checkbox"/> Greg Scoles	
2006	<input checked="" type="checkbox"/> Tim Smith	<input checked="" type="checkbox"/> Steve Donley	<input checked="" type="checkbox"/> Linda Huntley	<input checked="" type="checkbox"/> Dell Tredinnick	<input checked="" type="checkbox"/> Greg Scoles	
2007	<input checked="" type="checkbox"/> Tim Smith	<input checked="" type="checkbox"/> Steve Donley		<input checked="" type="checkbox"/> Dell Tredinnick	<input checked="" type="checkbox"/> Greg Scoles	
2008	<input checked="" type="checkbox"/> Tim Smith	<input checked="" type="checkbox"/> Linda Babonis		<input checked="" type="checkbox"/> Dell Tredinnick	<input checked="" type="checkbox"/> Greg Scoles	<input checked="" type="checkbox"/> Elise Howard
2009	<input checked="" type="checkbox"/> Dan Schwarz	<input checked="" type="checkbox"/> Sandy Lipitz	<input checked="" type="checkbox"/> Linda Babonis	<input checked="" type="checkbox"/> Dell Tredinnick	<input checked="" type="checkbox"/> Greg Scoles	<input checked="" type="checkbox"/> Elise Howard
2010	<input checked="" type="checkbox"/> Linda Babonis	<input checked="" type="checkbox"/> Sandy Lipitz		<input checked="" type="checkbox"/> Dell Tredinnick	<input checked="" type="checkbox"/> Greg Scoles	<input checked="" type="checkbox"/> Elise Howard
2011	<input checked="" type="checkbox"/> Linda Babonis	<input checked="" type="checkbox"/> Sandy Lipitz		<input checked="" type="checkbox"/> Dell Tredinnick	<input checked="" type="checkbox"/> Elise Howard	
2012						

City of Sebastopol

City of Sonoma

Year	Board Member	Alternate	Alternate	Board Member	Alternate	Alternate
2002				<input checked="" type="checkbox"/> Dick Ashford	<input checked="" type="checkbox"/> Mike Fuson	
2003				<input checked="" type="checkbox"/> Doug McKesson	<input checked="" type="checkbox"/> Mike Fuson	
2004				<input checked="" type="checkbox"/> Doug McKesson	<input checked="" type="checkbox"/> Mike Fuson	
2005	<input checked="" type="checkbox"/> Sue Kelly	<input checked="" type="checkbox"/> Dave Brennan		<input checked="" type="checkbox"/> Doug McKesson	<input checked="" type="checkbox"/> Mike Fuson	
2006	<input checked="" type="checkbox"/> Sue Kelly	<input checked="" type="checkbox"/> Dave Brennan		<input checked="" type="checkbox"/> Doug McKesson	<input checked="" type="checkbox"/> Mike Fuson	
2007	<input checked="" type="checkbox"/> Dave Brennan	<input checked="" type="checkbox"/> Sue Kelly		<input checked="" type="checkbox"/> Stephen Barbose	<input checked="" type="checkbox"/> Mike Fuson	
2008	<input checked="" type="checkbox"/> Dave Brennan	<input checked="" type="checkbox"/> Sue Kelly		<input checked="" type="checkbox"/> Stephen Barbose	<input checked="" type="checkbox"/> Linda Kelly	
2009	<input checked="" type="checkbox"/> Jack Griffin	<input checked="" type="checkbox"/> Sue Kelly		<input checked="" type="checkbox"/> Stephen Barbose	<input checked="" type="checkbox"/> Linda Kelly	<input checked="" type="checkbox"/> Milenka Bates
2010	<input checked="" type="checkbox"/> Jack Griffin	<input checked="" type="checkbox"/> Sue Kelly		<input checked="" type="checkbox"/> Stephen Barbose	<input checked="" type="checkbox"/> Linda Kelly	<input checked="" type="checkbox"/> Milenka Bates
2011	<input checked="" type="checkbox"/> Jack Griffin	<input checked="" type="checkbox"/> Sue Kelly		<input checked="" type="checkbox"/> Stephen Barbose	<input checked="" type="checkbox"/> Linda Kelly	<input checked="" type="checkbox"/> Milenka Bates
2012				<input checked="" type="checkbox"/> Stephen Barbose	<input checked="" type="checkbox"/> Linda Kelly	<input checked="" type="checkbox"/> Milenka Bates

County of Sonoma

Town of Windsor

Year	Board Member	Alternate	Alternate	Board Member	Alternate	Alternate
2002				<input checked="" type="checkbox"/> Lynn Morehouse/ <input checked="" type="checkbox"/> Sam Salmon	<input checked="" type="checkbox"/> Matt Mullan	
2003				<input checked="" type="checkbox"/> Matt Mullan	<input checked="" type="checkbox"/> Debora Fudge	
2004				<input checked="" type="checkbox"/> Matt Mullan	<input checked="" type="checkbox"/> Sam Salmon	
2005	<input checked="" type="checkbox"/> Dave Knight	<input checked="" type="checkbox"/> Susan Klassen		<input checked="" type="checkbox"/> Matt Mullan	<input checked="" type="checkbox"/> Lynn Morehouse	
2006	<input checked="" type="checkbox"/> Dave Knight	<input checked="" type="checkbox"/> Susan Klassen		<input checked="" type="checkbox"/> Matt Mullan	<input checked="" type="checkbox"/> Christa Johnson	
2007	<input checked="" type="checkbox"/> Phil Demery	<input checked="" type="checkbox"/> Susan Klassen		<input checked="" type="checkbox"/> Christa Johnson	<input checked="" type="checkbox"/> Matt Mullan	
2008	<input checked="" type="checkbox"/> Phil Demery	<input checked="" type="checkbox"/> Susan Klassen	<input checked="" type="checkbox"/> Tom O'Kane	<input checked="" type="checkbox"/> Christa Johnson	<input checked="" type="checkbox"/> Matt Mullan	<input checked="" type="checkbox"/> Robin Goble
2009	<input checked="" type="checkbox"/> Phil Demery	<input checked="" type="checkbox"/> Susan Klassen	<input checked="" type="checkbox"/> Tom O'Kane	<input checked="" type="checkbox"/> Christa Johnson	<input checked="" type="checkbox"/> Matt Mullan	<input checked="" type="checkbox"/> Robin Goble
2010	<input checked="" type="checkbox"/> Phil Demery	<input checked="" type="checkbox"/> Susan Klassen	<input checked="" type="checkbox"/> Tom O'Kane	<input checked="" type="checkbox"/> Christa Johnson	<input checked="" type="checkbox"/> Matt Mullan	<input checked="" type="checkbox"/> Robin Goble
2011	<input checked="" type="checkbox"/> Susan Klassen	<input checked="" type="checkbox"/> Phil Demery	<input checked="" type="checkbox"/> Tom O'Kane	<input checked="" type="checkbox"/> Christa Johnson	<input checked="" type="checkbox"/> Matt Mullan	<input checked="" type="checkbox"/> Robin Goble
2012				<input checked="" type="checkbox"/> Matt Mullan		