



COUNTY OF SONOMA

575 ADMINISTRATION
DRIVE, ROOM 102A
SANTA ROSA, CA 95403

SUMMARY REPORT

Agenda Date: 7/11/2023

To: Board of Supervisors

Department or Agency Name(s): Sonoma County Public Infrastructure

Staff Name and Phone Number: Johannes J. Hoevertsz, 707-565-2550

Vote Requirement: 4/5th

Supervisorial District(s): Countywide

Title:

City of Santa Rosa Solid Waste Advisory Group Contingency Liability Fund

Recommended Action:

Adopt a resolution authorizing a budget adjustment to the FY 2023-24 Sonoma County Public Infrastructure Adopted Budget to fulfill the City of Santa Rosa's request and disburse \$1,450,000 from the Santa Rosa Contingent Liability Fund. (4/5 vote required)

Executive Summary:

The Department of Sonoma County Public Infrastructure (SPI) is requesting that the Board approve a Resolution amending the Santa Rosa Contingent Liability budget for Fiscal Year 2023-24 to release \$1,450,000 as requested by the City of Santa Rosa. Funds will be utilized for City community clean-up and waste reduction activities.

Discussion:

Background

In December 2009, Sonoma County's Board of Supervisors initiated a collaborative process called the County City Solid Waste Advisory Group (SWAG), which involved public stakeholders, Sonoma County cities, and the County, to create a long-term solid waste and recycling strategy. Three agreements were created to achieve SWAG's objectives:

1. The Master Operations Agreement (MOA) to ensure the continued operation of County Facilities, such as the landfill and transfer stations.
2. Waste Commitment Agreements between Republic Services and each City to direct municipal solid waste to County Facilities.
3. The Landfill Settlement Agreement (LSA) to resolve unfunded landfill liabilities associated with the County's solid waste system.

After the Board approved the MOA in April 2013, Republic Services and the "Committed Cities" negotiated the proposed waste delivery agreements. The Committed Cities and the County also negotiated the LSA, which settled any potential liability for disposal of solid waste to the Central Landfill and assigned responsibility to the County for a term of 30-years for the post-closure obligations at the Former Urban Landfills. As part of the

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LSA, the County released and indemnified the Committed Cities for any potential liability associated with the former Rural Landfills and assumed all costs of post-closure maintenance for those sites.

The Committed Cities requested, and the County and Republic Services agreed, to collect a "Committed Cities Contingent Liability Fee" on Committed City waste as part of the Gate Fees. The County administers the funds, which are allocated to each Committed City based on solid waste tonnage delivered from its jurisdiction.

Request to disburse funds

On February 16, 2023, the City of Santa Rosa requested a disbursement of excess City Contingent Liability Funds in the amount of \$1.45 million to support the City's community clean-up and waste reduction activities (Attachment A). The City aims to reduce blight and improve debris and waste cleanup operations through re-establishing a landscape maintenance program.

The LSA states that any disbursement of funds from the Committed Cities Contingent Liability Fund requires approval of the Committed Cities in accordance with the terms and condition of the Committed Cities Contingent Fund Agreement, to which the County is not a party. Accordingly, County staff requested that the City of Santa Rosa take actions necessary to secure the approval of the requested disbursement by the Committed Cities, as contemplated by the governing agreements. On April 20, 2023, the cities of Cloverdale, Cotati, Healdsburg, Rohnert Park, Santa Rosa, Sebastopol, and Windsor convened a meeting in accordance with the Committed Cities Contingent Fund Agreement whereby the cities approved the request by the City of Santa Rosa for the withdrawal of the \$1,450,000 from the fund. That approval was memorialized in an April 20, 2023 letter to the County Administrator (Attachment B). Of note, the cities also communicated through the April 20, 2023 letter to the County that future requests for disbursements will only be supported by the Committed Cities if the requested funds amount to no more than 50% of the fund balance for the requesting city as of February 2023.

Recommendation

Staff recommends that the Board approve the Resolution amending the Santa Rosa Contingent Liability fund to release \$1,450,000 as requested by the City of Santa Rosa.

Strategic Plan:

N/A

Racial Equity:

Was this item identified as an opportunity to apply the Racial Equity Toolkit?

No

Prior Board Actions:

03/03/15: Board authorized the Chair to execute the Landfill Settlement Agreement between the County and the Cities;

04/23/13: Board authorized the Chair to execute the Master Operations Agreement

FISCAL SUMMARY

Expenditures	FY 23-24 Adopted	FY24-25 Projected	FY 25-26 Projected
Budgeted Expenses			
Additional Appropriation Requested	\$1,450,000		
Total Expenditures	\$1,450,000		
Funding Sources			
General Fund/WA GF			
State/Federal			
Fees/Other			
Use of Fund Balance	\$1,450,000		
Contingencies			
Total Sources	\$1,450,000		

Narrative Explanation of Fiscal Impacts:

To facilitate this recommended action, budget appropriations of \$1,450,000 are being requested from available Santa Rosa Contingent Liability Funds. For Fiscal Year 2023-24, no appropriations were budgeted in the Santa Rosa Contingent Liability Fund (Fund #41134) as requests for fund withdrawals are infrequent. The City of Santa Rosa made a request to withdraw \$1,450,000 from fund balance to support their community clean-up and waste reduction initiatives after the Department submitted the FY 2023-24 Recommended Budget therefore, no budget appropriations were requested at that time.

As of May 2023, fund balance for the Santa Rosa Contingent Liability Fund was \$5,500,034.

Narrative Explanation of Staffing Impacts (If Required):

None.

Attachments:

- Attachment A - Request Letter
- Attachment B - Approval Letter by Cities
- Attachment C - Resolution

Related Items "On File" with the Clerk of the Board:

Landfill Settlement Agreement