



# Memorandum

## MONTEREY REGIONAL WASTE MANAGEMENT DISTRICT

DATE: June 17, 2022  
 TO: Board of Directors  
 FROM: Rob Wellington, Legal Counsel  
 SUBJECT: Background Information Regarding District's Standing Committees

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**RECOMMENDATION:** Information Only / Provided Direction to Staff

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### **BACKGROUND**

Relative to a question that has been raised recently about the District's two standing committees - when and how were they formed - please see the attached Memorandum that was prepared, "Background Regarding District's Standing Committees."

### **DISCUSSION**

The Memorandum, with its attached list and compilation of a dozen District documents (agendas, minutes and such), was provided to the Personnel Committee for its June 1<sup>st</sup> meeting, and was reviewed and discussed at some length by the Committee. These materials are now being provided to the full Board, for your information.

### **FINANCIAL IMPACT**

None

### **CONCLUSION**

None

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May 27, 2022

**MEMO RE: BACKGROUND REGARDING DISTRICT'S STANDING COMMITTEES**

**From:** Rob Wellington, District Legal Counsel

General Manager Melchor has requested that I provide this memo and attached information about the background and history of the District's two standing Committees, the Personnel and Finance Committees. As you are probably aware, questions have been recently raised about how and when were these committees formed, and were they established pursuant to a "charter."

The board of directors of a local district may generally act only by an ordinance, a resolution or a motion. A board may appoint one or more advisory committees to advise the board of directors about such matters as the district's finances, policies, programs, operations and the like.

As I advised in an email back in late February, to the best of my knowledge there are no "charters" as such for the Personnel and Finance Committees, but rather these standing committees were established by Board action some time ago at the specific request of the General Manager or staff, to give the GM and management an additional opportunity to provide further and advance information to groups of board members, and to discuss matters and get initial feedback, and if appropriate recommendations, from them prior to the matter going before the full Board.

The inquiry was a good one, however, and bore further looking into, so I asked Ida Gonzales, Executive Director & Board Clerk, if she could look through District records to locate any Board actions that initially set up the standing committees and the process for same. Ida did a great job and has located a number of documents which outline the development and establishment of the two present standing committees over the years. Those documents are listed and are attached to this memo.

I also inquired about this matter with David Myers and William Merry, who were in turn the general managers of the District back in the 1980s, 1990s and up until Tim Flanagan became the GM in 2015. They both recalled that there was nothing specific in the state code governing Garbage and Refuse Disposal Districts with regard to subcommittees, and that it would have been board action, recorded in the minutes, that established any committees,

which would have been ad hoc, not permanent (standing) committees. It appears from the documents that have been located that the use of our two present standing committees, with regularly scheduled and noticed monthly meetings, began to occur regularly about the time that Tim became the District's General Manager.

This review of the history and background and use of the District's standing committees is certainly appropriate, and bears some further looking into and discussion by the Board. Let me know if you have any further questions about this matter.

- R.R.W.

**LIST OF DISTRICT (MRWMD) DOCUMENTS RELATING TO ITS STANDING COMMITTEES**

(Attached – As gathered by Executive Assistant/Board Clerk Ida Gonzales)

1. Agenda Information document for April 19, 1996 Board meeting  
(Note staff request to appoint single committee “to work on budget and personnel issues”)
2. Minutes of April 19, 1996 meeting
3. Notice & Agenda of April 21, 2000 Board meeting  
(to appoint single Ad Hoc Finance (Budget and Personnel) Committee)
4. Agenda Information for April 21, 2000 meeting
5. Minutes of April 21, 2000 Board meeting
6. Draft Memo – re Officers and Committees – dated January 30, 2015  
(“Chair will maintain a list of committees.” (plural))
7. Agenda Information for February 20, 2015 Board meeting
8. Minutes of February 20, 2015 meeting
9. Policy for (Officers and) Appointments to *Standing* Board Committees (as approved by Board on February 20, 2015)
10. Minutes of Board meeting of January 20, 2017  
(Revisions to Policy for Appointments to Board Committees.”)
11. Agenda Information for the meeting of February 17, 2017
12. District Committee Appointments form, dated February 2017  
(With listing of both a Finance and a Personnel Committee.)

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MEMORANDUM  
MONTEREY REGIONAL  
WASTE MANAGEMENT DISTRICT

*Home of Jonathan Livingston Scajell*

DATE: **April 12, 1996**  
TO: **Board of Directors**  
FROM: **General Manager**  
SUBJECT: **Agenda Information for the April 19, 1996 Regular Meeting**

**D. PRESENTATION OF 15 YEAR SERVICE AWARD TO  
ELSE WICKHAM**

Else was not able to attend the last meeting, so we will make the presentation at this meeting.

**E. CONSENT AGENDA**

**E3. APPROVE RESCHEDULING OF MAY 17, 1996 BOARD MEETING  
TO MAY 24, 1996**

As I mentioned last month, I have a conflict on the 17<sup>th</sup>, our normal meeting day. We have scheduled a LGTAC meeting in conjunction with the SWANA Western Regional Symposium in Lake Tahoe that week and the meeting will carry over to the morning of the 17<sup>th</sup>. So, if it is okay with all of you, I would like to schedule the May regular Board meeting on May 24<sup>th</sup>, the following Friday.

***Recommendation: Reschedule May Meeting to May 24, 1996.***

**E4. AUTHORIZE PREPARATION OF TWO-YEAR ANNUAL REPORT**

I apologize that we have not been able to complete the annual report for fiscal year 1994-95, and now that we are approaching the end of fiscal year 1995-96, I feel that it would be better to combine the two years, as we did last time, into a single report, which we will try very hard to complete prior to our big open house this fall. At a future meeting we would like to discuss plans for changing the annual report format, so that the report itself is easier to prepare and does not include all of the background information on the District. We would, instead, prepare a nice informational piece that would include pictures, the history of the District and its programs. That publication could be updated when needed without consideration for the timing of an annual report.

known engine manufacturer, has developed a new natural gas or landfill gas powered engine that they believe is the state of the art. Unfortunately, there are none running on natural gas in the United States. This is similar to the Jenbacher engine, however, Jenbacher has the same engine running on landfill gas in the United States. To further complicate matters, Caterpillar and Waukesha have submitted new proposals with reduced costs and increased warranties and other considerations to try and keep us from buying one of the European engines.

There is great incentive for Jenbacher and Deutz to put an engine on-line in the United States and the West Coast. There is great incentive to all the manufacturers to have their engine installed at this site, since it will be on the landfill gas tour at next year's conference which we will be hosting in Monterey. As I have told some people, our long-term participation in SWANA's Landfill Gas Division will be paid-off, many times over, with this engine purchase coinciding with the conference in Monterey.

The problem is, as it was before, that the comparisons among these four engines is one of "apples, oranges, pears, and kumquats." We had hoped to make a decision last Friday, but needed additional information which was not supplied until the last couple of days, and we are still not ready to make a recommendation. Hopefully, by next week's meeting we will have a final recommendation to the Board. It may very well still be the Jenbacher, but Deutz has made us an offer that is hard to refuse, which includes the free use of an engine for a full year before we make payment. Caterpillar has dropped its price by \$75,000 and Waukesha has extended their warranty to three years. This truly, has been one of the most difficult decision-making processes that Mike Coulias, William Merry, and I have ever gone through.

*Recommendation: None at this time.*

**F4. APPOINT BOARD COMMITTEE TO WORK ON BUDGET AND PERSONNEL ISSUES**

Richard Norton and the rest of the management team are currently trying to put together a draft budget for the coming fiscal year. At the same time, as you know, a new salary classification plan is being prepared by R & G Consulting Services. We would like to schedule a Board Committee meeting during the first week of May to review the draft budget and the classification study prior to submission to the Board on May 24<sup>th</sup>. We will also need the Committee's help in between Board meetings when

we get into salary negotiations in the coming weeks. As you know, we will be at the end of a two-year agreement with the Operating Engineers and the Management Employees at the end of June.

**Recommendation:** Appoint a Board Committee to Work on Budget and Personnel Issues.

## **G. GENERAL MANAGER'S REPORT**

### **G1. RECYCLING PROGRAM**

Robin will give you an update on our recycling and other diversion programs, including a "Bin-O-Rama" sale day for composting bins. Carmel Marina and Monterey Disposal will begin picking up our recycling bins on the 16<sup>th</sup>. Hopefully, that process will go smoothly.

### **G2. HOUSEHOLD HAZARDOUS WASTE COLLECTION EVENT AT ROBERT'S LAKE IN SEASIDE ON MAY 4, 1996**

We have received official permission from the City of Seaside and from the City of Monterey, whose street will be used during the collection event. Philip Environmental, the hazardous materials firm selected to conduct the event, will be responsible for setting-up the temporary facility in the parking lot adjacent to Robert's Lake, and transportation of materials for recycling and ultimate disposal. Some District and County staff will be involved, including Robin, who will be handling the promotion and advertising of the one-day State grant funded event, and Neil Jones, who will be in charge of the District's part of the operation. As you know, we will be scheduling another event in the Pacific Grove area this fall, and a third event in the Carmel area next year.

### **G3. SAND CITY DUMP RECONFIGURATION PROJECT**

As you can see from the enclosed letter from Marge Rouch, of the California Integrated Waste Management Board (CIWMB), the dump reconfiguration project is successfully underway and is expected to be completed by May 15<sup>th</sup>. They are, therefore, asking for our \$250,000 payment, which we will send at the beginning of May. For your information I have enclosed copies of the last three weekly progress reports that the State has prepared. With the exception of one sample that had a high lead content, the

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**BOARD OF DIRECTORS**

GARY BALES  
CHAIRMAN  
DAN ALBERT  
ELSE WICKHAM  
RONDA LEWIS  
BARBARA LIVINGSTON  
GERT FOREMAN  
JACK BARLICH  
HOWARD GUSTAFSON  
WILLIAM GIANELLI

**MONTEREY REGIONAL  
WASTE MANAGEMENT DISTRICT**

*Home of Jonathan Livingston Seagull*

DAVID MYERS  
GENERAL MANAGER  
WILLIAM MERRY  
DISTRICT ENGINEER  
RICHARD SHEDDEN  
SENIOR ENGINEER  
RICHARD NORTON  
ADMIN. SERVICES MGR.  
ROBERT WELLINGTON  
COUNSEL

**MONTEREY REGIONAL WASTE MANAGEMENT DISTRICT  
REGULAR MEETING MINUTES**

9:30 A.M., Friday  
April 19, 1996

Boardroom  
Marina Landfill  
Marina, CA

**MEMBERS PRESENT:** Gary Bales, Chairman  
Jack Barlich  
Gert Foreman  
William Gianelli  
Howard Gustafson  
Ronda Lewis  
Barbara Livingston

**MEMBERS ABSENT:** Dan Albert, Vice-Chairman  
Else Wickham

**STAFF PRESENT:** J. David Myers, General Manager  
Rob Wellington, Legal Counsel  
William Merry, District Engineer  
Richard Shedden, Senior Engineer  
Richard Norton, Administrative Services Manager  
Robin Salsburg, Recycling Coordinator  
Susan Avery, Administrative Assistant

**OTHERS PRESENT:** Angela Brantley, City of Monterey  
Larry Colburn, Monterey Regional Water Pollution Control Agency  
Larry Hawkins, Seaside/Monterey County Planning Commission

Notice having been duly given and the presence of a quorum established, the April 19, 1996 Regular Meeting of the Board of Monterey Regional Waste Management District paused for a moment of silence in memory of the lives lost and support of the families devastated by the Oklahoma City federal building bombing one year ago today. The meeting was called to order by Chairman Bales at 9:32 a.m.



12) **APPOINT BOARD COMMITTEE TO WORK ON BUDGET AND PERSONNEL ISSUES**

General Manager explained to the Board the need for a Committee to review the draft budget, classification study, and negotiation issues with the Union and Management employee units.

It was moved by Director Barlich and *Unanimously Carried To: Appoint Chairman Bales, Vice-Chairman Albert, and Directors Livingston and Gustafson to the Board Budget/Personnel Committee.*

GENERAL MANAGER'S REPORT

13) **RECYCLING PROGRAM AND  
HOUSEHOLD HAZARDOUS WASTE COLLECTION EVENT  
AT ROBERTS LAKE IN SEASIDE ON MAY 4, 1996**

Recycling Coordinator reported to the Board on the upcoming events: Earth Day at CSUMB on Saturday, April 20<sup>th</sup> from 10:00 a.m. to 5:00 p.m.; Bin-O-Rama event, promoting backyard composting, at the Del Monte Shopping Center June 6<sup>th</sup>, a booth at Pacific Grove's Good Ole Days celebration to promote recycling; and the Barnyard Garden Fair in Carmel on April 27<sup>th</sup> to promote home composting. She also reported on the progress with the hazardous waste collection event in Seaside and stated that two more events are scheduled for October in Pacific Grove and next May in Carmel.

The Board commended the Recycling Coordinator for her outstanding work.

14) **SAND CITY DUMP RECONFIGURATION PROJECT**

General Manager reviewed with the Board the Sand City Dump Reconfiguration Project Weekly Update report and stated that the project should be completed sometime in May.

15) **LOCAL GOVERNMENT TECHNICAL ADVISORY COMMITTEE TO CIWMB**

General Manager reported to the Board that he is still waiting to find out whether or not he will be reappointed to the Local Government Technical Advisory Committee (LGTAAC). He also reported that the California Integrated Waste Management Board (CIWMB) will be considering whether or not services should be provided to areas that transport their waste out-of-State, resulting in loss of tonnage fee revenue to the CIWMB.

Board discussion followed on this issue. It requested that the General Manager provide a list of pros and cons and schedule this issue as an action agenda item in order to take an official Board position on behalf of the District.

16) **MATERIALS RECOVERY FACILITY (MRF) COMPLETION/OPERATION**

General Manager reviewed with the Board several documents, which contain detailed information on the MRF operation plan and related articles; discussed the program for the District's Open House; and reported on Carmel Marina Corporation's Open House on April 15<sup>th</sup>.

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BOARD OF DIRECTORS  
GARY BALES  
CHAIRMAN  
DAN ALBERT  
ACK BARLICH  
WILLIAM GIANELLI  
JAMES VOCELKA  
SUE MCCLOUD  
DAVE POTTER  
TOM MANCINI  
DAVID PENDERGRASS

# MONTEREY REGIONAL WASTE MANAGEMENT DISTRICT

*Home of Jonathan Livingston Seagull*

DAVID MYERS  
GENERAL MANAGER  
WILLIAM MERRY  
DISTRICT ENGINEER  
RICHARD SHEDDEN  
SENIOR ENGINEER  
RICHARD NORTON  
ADMIN. SERVICES MGR.  
ROBERT WELLINGTON  
COUNSEL

## REGULAR MEETING NOTICE & AGENDA

Friday  
April 21, 2000

Board Room  
MRWMD Offices  
14201 Del Monte Blvd.  
Marina, CA

CALL TO ORDER AT 9:30 A.M.

ROLL CALL AND ESTABLISHMENT OF QUORUM

RECOGNIZE GENERAL MANAGER FOR RECEIVING  
SWANA LANDFILL GAS DISTINGUISHED SERVICE AWARD

### PUBLIC COMMUNICATIONS:

Anyone wishing to address the Board on matters not appearing on the Agenda may do so now. The public may comment on any other matter listed on the agenda at the time the matter is being considered by the Board.

CONSENT AGENDA: These matters include routine financial and administrative actions, which are usually approved by a single majority vote. Individual items may be removed from Consent for discussion and action.

1. Approve Minutes of March 17, 2000 Regular Meeting.
2. Approve Warrants #32550 - #33717.

### OTHER ITEMS FOR BOARD CONSIDERATION AND ACTION

3. Review Employee Safety Committee Meeting Minutes.
4. Appoint Board Ad Hoc Finance (Budget and Personnel) Committee.

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MEMORANDUM  
MONTEREY REGIONAL  
WASTE MANAGEMENT DISTRICT

*Home of Jonathan Livingston Seagull*

DATE: April 14, 2000  
TO: Board of Directors  
FROM: General Manager  
SUBJECT: **Agenda Information for the April 21, 2000 Regular Meeting**

**RECOGNIZE GENERAL MANAGER FOR RECEIVING SWANA  
LANDFILL GAS DISTINGUISHED SERVICE AWARD**

Even though I missed last year's landfill gas conference and was going to miss this year's conference due to my bad hip, the landfill gas division decided to give me their annual distinguished service award anyway. It is quite an honor, since they do not present the award every year and generally to no more than one person. It is also a great honor to the District to be recognized by this international group that appreciates our involvement and contribution to the landfill gas industry over the years.

**OTHER ITEMS FOR BOARD CONSIDERATION AND ACTION**

**3. Review Employee Safety Committee Meeting Minutes**

There is nothing unusual to report, except that our safety program must be working. As you can see in the enclosed letter from the Special District's Workers Compensation Authority, our experience modification percentage has been decreased for the coming year from 140% to 114%. This is down from 173% last year. It may be only coincidental to the implementation of our safety awards program and on site "ticket" program, but I would rather believe that the new program had a positive effect on our accident rate. When people are constantly seeing jackets and hats with "Safety First" on them it can't help but make them more safety conscious.

**4. **Appoint Board Ad Hoc Finance (Budget and Personnel) Committee****

**It is that time of the year again when we need to schedule some committee meetings** to discuss the preliminary budget and to work with Rich and I when and if we get into negotiations with the hourly employees. Fortunately, we have two years remaining on the MOUs with the Operating Engineers and the Management employees. If any of you

are particularly interested in serving on this committee this year you might want to contact Chairman Bales or me prior to the Board meeting. We would like to schedule the first meeting early in the week of May 8<sup>th</sup>.

## STAFF REPORTS

### **5. Status Report on Hourly Employee Union Activities**

We have enclosed the March 20, 2000 letter from the Service Employees International Union (SEIU) which essentially is their formal request for recognition as the "exclusively recognized employee organization for all job classifications of MRWMD's approximately 50 hourly non represented, non management, non confidential employees." Also enclosed is my letter dated March 24, 2000 asking for clarification regarding the classifications that SEIU hopes to represent. My letter also states that I have appointed Richard Norton, the District's Administrative Services Manager, as the District's Employee Relations Officer as provided in the recently adopted Employer-Employee Resolution. In response to my letter we received another letter, also enclosed, dated March 29, 2000 stating that SEIU wishes to represent all hourly employees, and questioning my comments about the Operating Engineers Union (OE3) appearing on an election ballot.

On April 7<sup>th</sup>, Rich and I met with Bobby Merritt, Field Representative, and Will Hurst, Executive Director of the SEIU Local 817, which represents employees in Monterey and San Benito Counties. We had a good meeting, which started with Mr. Hurst giving us some background on the SEIU. It is the largest union in California and represents more public sector employees in the Western United States than any other union. As you know, they represent County of Monterey employees and the Marina Coast Water District among others. At the meeting we agreed that if they were selected, they would only represent our laborers and sales clerks. Our two deputy weighmasters would more appropriately be aligned with OE3 and our part time receptionist and assistant public education person would become part of the management and confidential employees unit. We also agreed that a formal review of their signature cards would not be necessary. They provided us with sufficient evidence of the existence of at least 37 signatures of hourly employees interested in representation by SEIU. According to the Employer-Employee Resolution, they only need to submit 30%, or 15 or more signatures.

With that issue resolved, Rich established April 7<sup>th</sup> as the date to begin the 30 day period in which OE3 and others could ask the hourly employees to sign new signature cards indicating an interest in their respective organizations for representation. We will be

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RICHARD NORTON  
ADMIN. SERVICES MGR.  
ROBERT WELLINGTON  
COUNSEL

**MONTEREY REGIONAL WASTE MANAGEMENT DISTRICT  
REGULAR MEETING MINUTES**

9:30 A.M., Friday  
April 21, 2000

Boardroom  
Marina Landfill  
Marina, CA

**MEMBERS PRESENT:**

Gary Bales, Chairman  
Dan Albert, Vice-Chairman  
Jack Barlich  
William Gianelli  
Tom Mancini  
David Pendergrass  
James Vocelka

**MEMBERS ABSENT:**

Sue McCloud  
Dave Potter

**STAFF PRESENT:**

J. David Myers, General Manager  
William Merry, District Engineer/Assistant General Manager  
Rob Wellington, Legal Counsel  
Richard Norton, Administrative Services Manager  
Heidi Feldman, Public Education Coordinator  
Don Prescott, Information Systems/Accounting Manager  
Rebecca Aguilar, Administrative/Recording Secretary  
Gracie Arreola, Clerk Typist  
Jose Hernandez, Laborer  
Carlito Espiritu, Sr., Laborer

**OTHERS PRESENT:**

Angela Brantley, City of Monterey  
Don Betts, City of Seaside  
Joe Cochran, Monterey County Public Works  
Bobby Merritt, Service Employees International Union  
Richard Leggett, Waste Management, Inc.  
Rene Eyerly, Waste Management, Inc.

4) **APPOINT BOARD AD HOC FINANCE (BUDGET AND PERSONNEL) COMMITTEE**

Chairman Bales stated that it was time to appoint a committee to work with staff on the preliminary budget and personnel issues. He appointed Vice Chairman Albert, Director Barlich, and Director Vocelka, who stated that they would like to serve on the committee. General Manager stated that he would like the committee to meet prior to the May Board meeting if possible the week of the 8<sup>th</sup> and he would contact board members to set up a time.

**STAFF REPORTS**

5) **STATUS REPORT ON HOURLY EMPLOYEE UNION ACTIVITIES**

The Board reviewed correspondence between the District and the Service Employees International Union (SEIU) regarding representation of hourly employees. General Manager stated that he had appointed Richard Norton, Administrative Services Manager, as the District's Employee Relations Officer as provided in the Employer-Employee Resolution adopted by the Board at the March meeting. SEIU has provided the District with sufficient evidence that at least 30% of the hourly employees are interested in representation. Staff met with SEIU at which time it was determined that only the laborers and sales clerks would be represented if SEIU were selected. The deputy weighmasters, part time receptionist, and public education assistant would not be represented by SEIU, as they would be more appropriately aligned with existing bargaining units.

General Manager stated that April 7<sup>th</sup> was established as the beginning of the 30-day period in which Operating Engineers Union, which currently represents regular employees, or other unions could ask hourly employees to sign new signature cards indicating an interest in having their respective unions represent them. These unions would also need 30% of hourly employee signatures, but employees are allowed to sign more than one interest card. The District has contacted the State Mediation and Conciliation Service to schedule an election following the 30-day period. District staff will keep the Board advised of this issue as it progresses.

6) **REPORT ON CITY OF SALINAS ACTION RE: WASTE MANAGEMENT INC. GARBAGE COLLECTION CONTRACT**

The Board reviewed several articles in which the City of Salinas decided not to extend Waste Management Inc. (WMI) contract that expires in mid 2001. General Manager commented that the City would be meeting with Allied-Browning Ferris Industries (BFI) to try to negotiate a new contract. There are several issues that need to be resolved. One of those issues is the operation of the Salinas Transfer Station. The Salinas Valley Solid Waste Authority is interested in acquiring the transfer station since it would be a lengthy process to get permits for a new transfer station.

General Manager stated that this change could affect WMI's operations in Monterey County by eliminating the economies of scale of the Salinas contract, but would also allow them more time to focus on the Monterey Peninsula contracts and recycling programs.

Monterey Regional Waste Management District

**Officers**

The District officers shall consist of a Chair and Vice Chair and will be elected from the Board to serve one year. It is the Board's intention that officers may be re-elected to a maximum of three years, unless a compelling reason makes an extension desirable.

It is the policy of the Board that the officers rotate among the members of the Board, with the Vice Chair succeeding as Chair.

In October, an ad hoc nominating committee shall be created, with 2 members, recommended by the Chair and ratified by the full Board. Members of the nominating committee shall not be eligible to serve as officers.

Election of officers will occur at the December meeting; terms will begin in January.

**Committees**

The Chair will maintain a list of committees, will invite Board members to participate on a minimum of one, and may appoint if necessary. The Chair of the Board shall be a member of all board committees. While it is up to the committee members, it is the preference of the Board to share the chairship responsibility – and not have the board Chair also serve as committee chair.

January 30, 2015

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# Memorandum

## MONTEREY REGIONAL WASTE MANAGEMENT DISTRICT

**DATE:** February 13, 2015  
**TO:** Board of Directors  
**FROM:** Assistant General Manager  
**SUBJECT:** Agenda Information for the February 20, 2015 Board Meeting

### CALL TO ORDER AT 9:30 A.M.

### ROLL CALL AND ESTABLISHMENT OF QUORUM

### PLEDGE OF ALLEGIANCE

### PUBLIC COMMUNICATIONS

Anyone wishing to address the Board on matters *not* appearing on the Agenda may do so now. *Please limit comments to a maximum of three (3) minutes.* The public may comment on any other matter listed on the agenda at the time the matter is being considered by the Board.

### CONSENT AGENDA

These matters include routine financial and administrative actions, which are usually approved by single majority vote. Individual items may be removed from Consent for discussion and action.

- 1) **Approve Minutes of January 16, 2015 Regular Board Meeting**
- 2) **Approve Report of Disbursements, and Board and Employee Reimbursements**
- 3) **Adopt Resolution 2015-02 "Supporting Students for Zero Waste Week" 2015**

### PRESENTATION

- 4) **Presentation of Resolution 2015-02 to Carmel High School Students on Behalf of Students for Zero Waste Week, hosted by the Offices of National Marine Sanctuary**

Please refer to memo from the Director of Community Programs Jeff Lindenthal under Agenda Item 15. Carmel High School students will attend the meeting to receive the Resolution.



**OTHER ITEMS FOR BOARD CONSIDERATION, DISCUSSION AND ACTION**

**5) Accept Report from Finance Committee Chair on Meeting of February 4, 2015**

Please refer to the enclosed summary of the meeting from the Chair of the Finance Committee. Discussion was held on the Midyear budget, operations and capital projects, and the Bond financing process.

Most of the projects are moving along at, or close to, the projected schedules, however, District staff does have concern about start-up delays from the truck yard contractor, Lewis C. Nelson and Sons (LCN). Staff, the District's project manager Roger Miller, and District counsel have addressed their concerns with this delay, both verbally and in writing to the contractor.

*Recommendation: Accept Report from Finance Committee Chair on Meeting of February 4, 2015.*

**6) Accept Financial Reports and Mid-Year Budget Review**

The financial statements for the month of December are included; however, January is not yet available. The following table shows the monthly and year-to-date Operating Results for December compared to budget and prior year.

Operating Results					
	December 2014	December 2014	Inc (Dec)	December 2013	Inc (Dec)
Month	Actual	Budget	%	Actual	%
Operating Revenues	1,707,060	1,758,333	(2.9%)	1,688,625	1.1%
Operating Expenses	1,622,980	1,618,667	0.3%	1,775,829	(8.6%)
Operating Income	84,080	139,667	(39.8%)	(87,204)	(196.4%)
Year to Date	Actual	Budget	%	Actual	%
Operating Revenues	11,129,845	10,550,000	5.5%	11,082,253	0.4%
Operating Expenses	9,252,966	9,712,000	(4.7%)	9,476,569	(2.4%)
Operating Income	1,876,879	838,000	124.0%	1,605,684	16.9%

The Year to Date Operating Income continues to remain above budget and prior year due to increased revenues and reduced expenses. Tipping Fees Revenues for the month January 2015 are estimated at \$1,465,000 which is \$40,000 above budget and \$93,000 above last year.

the end of January and an Accounting Technician recently announced she will retire at the end of February. Staff will be evaluating how to best fill these positions.

The Personnel Committee also discussed the employee roundtable meetings undertaken by myself and William. Berta Torres facilitated the meetings. Staff will continue to address the issues identified and update the Board as these meetings progress.

***Recommendation: Accept Report from Personnel Committee Chair on Meeting of February 4, 2015.***

**12) Consider Process for Nomination of Board Officers and Committee Appointments**

Please refer to the enclosed draft policy prepared by Directors Parker and Downey for Board consideration and discussion. **Directors Bales, Pendergrass, and Downey returned the committee interest survey and indicated that they each wanted to continue on the committees they now serve on.** No other comments were received from the Board.

***Recommendation: Consider Process for Nomination of Board Officers and Committee Appointments.***

**13) Review District Strategic Action Plan and Provide Comments to Staff**

Last month I presented to the Board the staff efforts on updating the Strategic Action Plan and the associated actions and metrics to track the Strategic Plan as outlined in direction from the Board in March of 2014. This item was requested to be brought back for additional comments this month. The next scheduled update would be August or September of 2015.

***Recommendation: Review District Strategic Action Plan and Provide Comments to Staff.***

**STAFF REPORTS**

**14) Review Operating and Recycling Reports**

The January 2015 Operating Report is enclosed. The following table shows the changes in tonnages from the prior year and prior month and year-to-date tonnages to prior year.

**BOARD OF DIRECTORS**

DENNIS ALLION  
CHAIR

IAN OGLESBY  
VICE CHAIR

GARY BALES  
DAVID PENDERGRASS  
LEO LASKA  
LIBBY DOWNEY  
JANE PARKER  
BRUCE DELGADO  
CARRIE THEIS



**1**  
WILLIAM MERRY, P.E., BCEE  
GENERAL MANAGER/  
DISTRICT ENGINEER

TIMOTHY S. FLANAGAN  
ASST. GENERAL MANAGER

RICHARD SHEDDEN, P.E.  
SENIOR ENGINEER

ROBERT WELLINGTON  
COUNSEL

# MONTEREY REGIONAL WASTE MANAGEMENT DISTRICT

*Home of the Last Chance Mercantile*

## MONTEREY REGIONAL WASTE MANAGEMENT DISTRICT REGULAR MEETING MINUTES

Friday, 9:30 a.m.  
February 20, 2015

Boardroom  
MRWMD Offices  
14201 Del Monte Blvd., Marina CA

**MEMBERS PRESENT:** Dennis Allion (Chair), City of Del Rey Oaks Councilmember  
Gary Bales, City of Pacific Grove  
Ian Oglesby (Vice Chair), City of Seaside Mayor Pro Tem  
David Pendergrass, City of Sand City Mayor  
Leo Laska, Pebble Beach Community Services District Board Boardmember  
Libby Downey, City of Monterey Councilmember  
Jane Parker, (Unincorporated) Monterey County Supervisor, District 4  
Carrie Theis, City of Carmel-by-the-Sea Councilmember

**MEMBERS ABSENT:** Bruce Delgado, City of Marina Mayor

**STAFF PRESENT:** William Merry, General Manager  
Tim Flanagan, Assistant General Manager  
Rob Wellington, Legal Counsel  
Chuck Rees, Finance Manager  
Clyde Walkup, Assistant Materials Recovery Facilities Manager  
Berta Torres, Interim Human Resources Manager  
Jeff Lindenthal, Director of Community Programs  
Rick Shedden, Senior Engineer  
Richard Pettitt, Site Manager  
Glen Evett, Last Chance Mercantile & Hazardous Materials Manager  
Rebecca Aguilar, Administrative Support Supervisor  
Kimberle Herring, Public Education Coordinator  
Leticia Yanez, Site Support Assistant

**OTHERS PRESENT:** Haven Parker, Carmel High School  
Eliza Perkins, Carmel High School  
Gina Sakoda, Carmel High School  
Ted Terrasas, City of Monterey  
Charlie Cordova, GreenWaste Recovery  
Emily Hansen, GreenWaste Recovery  
Jim Moresco, GreenWaste Recovery  
Gabriela Carbajal, Monterey County Environmental Health Bureau  
Naomi Pollack, National Marine Sanctuary  
Alyssa Nally, National Marine Sanctuary  
Kirstie Wilde

12) **Consider Process for Nomination of Board Officers and Committee Appointments**

The Board reviewed a draft policy, prepared by Directors Parker and Downey, on the process for electing Board officers (Chair and Vice Chair), and the appointments to Board Committees.

Discussion followed regarding the current process, the need for a formalized process, and language modifications to allow for more flexibility on the rotation of officers. Chair Allion commented that Director Theis had expressed interest in serving on the Personnel Committee and appointed her to replace Director Laska who would be resigning.

It was moved by Director Downey, seconded by Director Parker, and **Unanimously Carried To: Consider Process for Nomination of Board Officers and Committee Appointments, as Modified.**

13) **Review District Strategic Action Plan and Provide Comments to Staff**

Following a request at the January Board meeting, the Board reviewed the Strategic Action Plan and the associated actions and metrics to track the Strategic Plan.

Director Bales requested staff to consider revisiting the concept of zero waste. He also stated that under the category of innovation, wording be included to depict the District continuing as a leader in the industry, and under finances, wording such as continuing to keep the District on a sound financial basis.

Board discussion followed regarding Director Bales' comments, which were noteworthy. Staff was commended on their efforts and was provided with direction on future reporting. Staff was also directed to provide the strategic plan to the General Manager recruitment firm.

*No Action Taken.*

**STAFF REPORTS**

14) **Review Operating and Recycling Reports**

The Board reviewed the operating and recycling reports for January 2015.

15) **Report on Public Education and Recycling**

The Board reviewed a memorandum from Director of Community Programs reporting on Zero Waste Week and the new reusable shopping bags made with recycled agricultural plastic. The shopping bags will be distributed to member agencies to help with education and outreach for the plastic bag ban.

Gabriela Carbajal, Monterey County Environmental Health Bureau, addressed the Board to provide information on the status of the countywide plastic bag ban.

16) **Report on January 15, 2015 Technical Advisory Committee TAC Meeting**

The Board received a summary on the meeting. Director Downey inquired about the recruitment of some of the Waste Management, Inc. (WMI) route drivers as she understood all drivers would be recruited. Emily Hansen, GWR, addressed the Board and responded that WMI, would be retaining some of their drivers.

Draft

*Monterey Regional Waste Management District*

Policy for Election of Board Officers and Appointment to Board Committees

Officers

The District officers shall consist of a Chair and Vice Chair and will be elected from the Board to serve one year. It is the Board's intention that officers may be re-elected to a maximum of three years, unless a compelling reason makes an extension desirable.

It is the policy of the Board that, to the extent possible, the officers rotate among the members of the Board, with the Vice Chair usually succeeding as Chair.

In October, an ad hoc nominating committee shall be created, with 2 members, recommended by the Chair and ratified by the full Board. Members of the nominating committee shall not be eligible to serve as officers.

Election of officers will occur at the December meeting; terms will begin in January.

Committees

The Chair will maintain a list of standing committees, will invite Board members to participate on a minimum of one, and may appoint if necessary. The committees will consist of three (3) Board members and The Chair of the Board shall serve as ~~be an~~ ex-officio member of all Board committees. While it is up to the committee members, it is the preference of the Board to share the chairship responsibility— and not have the Board Chair ~~also~~ serve as committee chair.

As approved by the Board on February 20, 2015

10

BOARD OF DIRECTORS  
BRUCE DELGADO  
CHAIR  
  
CARRIE THEIS  
VICE CHAIR  
  
GARY BALES  
DAVID PENDERGRASS  
LEO LASKA  
LIBBY DOWNEY  
JANE PARKER  
DENNIS ALLION  
JASON CAMPBELL



TIMOTHY S. FLANAGAN  
GENERAL MANAGER  
  
GUY PETRABORG, P.E., G.E.  
DISTRICT ENGINEER  
  
ROBERT WELLINGTON  
COUNSEL

# MONTEREY REGIONAL WASTE MANAGEMENT DISTRICT

*Home of the Last Chance Mercantile*

## MONTEREY REGIONAL WASTE MANAGEMENT DISTRICT REGULAR MEETING MINUTES

Friday, 9:30 a.m.  
January 20, 2017

Boardroom  
MRWMD Offices  
14201 Del Monte Blvd., Marina CA

**MEMBERS PRESENT:** Dennis Allion, (Chair), City of Del Rey Oaks Councilmember  
Gary Bales, City of Pacific Grove  
David Pendergrass, City of Sand City Mayor  
Jane Parker, (Unincorporated) Monterey County Board of Supervisors Chair (District 4)  
Bruce Delgado, City of Marina Mayor  
Carrie Theis, City of Carmel-by-the-Sea Mayor Pro Tem  
Jason Campbell, City of Seaside Councilmember

**MEMBERS ABSENT:** Leo Laska, Pebble Beach Community Services District  
Director Libby Downey, City of Monterey

**STAFF PRESENT:** Tim Flanagan, General Manager  
Rob Wellington, Legal Counsel  
Guy Petraborg, Director of Engineering & Compliance/District Engineer  
Jeff Lindenthal, Director of Communications & Sustainability  
Peter Skinner, Director of Finance & Administration  
Berta Torres, Human Resources Manager  
Chuck Rees, Finance Manager  
Clyde Walkup, Materials Recovery Manager  
David Ramirez, Senior Engineer  
Glen Evett, Last Chance Mercantile/Hazardous Materials Manager  
Kacey Christie, Safety & Risk Manager  
Ron Mooneyham, Equipment Maintenance Manager  
Becky Aguilar, Executive Assistant/Clerk of the Board  
Kimberle Herring, Public Education & Outreach Coordinator  
Angela Goebel, Public Education & Outreach Specialist  
Sonia Martinez, HR Coordinator  
Regina Santa Cruz, Operations Support Specialist  
Christina Harris, Sales Clerk II  
Leo Martinez, Senior MRF Operator  
Holly Yanez, Recycling Attendant  
Israel Hernandez, MRF Operator II  
George Sayre, Assistant Mechanic

**OTHERS PRESENT:** Rob Durham, Monterey County Environmental Health  
Maria Ferdin, Monterey County Environmental Health  
Doug Kenyon, Republic Services of Salinas  
Christina Urquidez, Republic Services of Salinas  
Brian Kennedy, Salinas Valley Solid Waste Authority  
Tim Brownell

### INTRODUCTION OF NEW BOARDMEMBER JASON CAMPBELL

Chair Allion welcomed new Board member Jason Campbell, new representative for the City of Seaside. Director Campbell stated that he looked forward to being on the District Board having been a customer of the District for years as a landscaping contractor.

### ROLL CALL AND ESTABLISHMENT OF QUORUM

With notice duly given and presence of a quorum established, the January 20, 2017 Regular Meeting of the Monterey Regional Waste Management District Board of Directors was called to order by Chair Allion at 9:30 a.m.

### PUBLIC COMMUNICATIONS

There were no public communications.

### CONSENT AGENDA

General Manager stated that there was a minor correction on the December minutes (addition of a last name).

*Following a motion by Director Delgado, seconded by Director Bales, with Director Campbell abstaining from Item 1, the Board approved the Consent Agenda.*

- 1) Approve Minutes of November 18, 2016 Regular Board Meeting (*as corrected*)
- 2) Approve Minutes of December 16, 2016 Regular Board Meeting
- 3) Approve Report of Disbursements, and Board and Employee Reimbursements
- 4) Approve Revisions to Policy for Election of Board Officers and Appointment to Board Committees
- 5) Adopt Resolution of Appreciation (2017-01) for Outgoing Seaside Representative Ian Oglesby

### PRESENTATIONS

#### 6) Presentation of Resolution to Ian Oglesby

Since Ian Oglesby was not present at the meeting, Chair Allion requested staff relay appreciation for his efforts and best wishes to Ian on behalf of the Board.



(11)

# Memorandum

## MONTEREY REGIONAL WASTE MANAGEMENT DISTRICT

**DATE:** February 10, 2017  
**TO:** Board of Directors  
**FROM:** General Manager  
**SUBJECT:** Agenda Information for the February 17, 2017 Board Meeting

**NOTICE:** A meeting of the Monterey Regional Waste Management *Authority* will be held at 9:30 a.m. prior to the Monterey Regional Waste Management *District* meeting. Please note you will need to elect new Authority Officers. At the January 2017 meeting of the *District*, Director Delgado was elected as the new Chair, and Director Theis was elected as the new Vice Chair.

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### MONTEREY REGIONAL WASTE MANAGEMENT AUTHORITY

#### CALL TO ORDER AT 9:30 A.M.

#### ROLL CALL AND ESTABLISHMENT OF QUORUM

#### PLEDGE OF ALLEGIANCE

#### PUBLIC COMMUNICATIONS

Anyone wishing to address the Board on matters *not* appearing on the *Authority* Agenda may do so now. *Please limit comments to a maximum of three (3) minutes.* The public may comment on any other matter listed on the agenda at the time the matter is being considered by the Board.

#### ELECTION OF OFFICERS FOR CALENDAR YEAR 2017

Historically, the Authority Board has elected the same officers as the District Board. That is not absolutely necessary, but makes things less complicated.

*Recommendation: Elect Authority Chair and Vice Chair for Calendar Year 2017.*

#### CONSENT AGENDA

- 1) Approve July 22, 2016 Meeting Minutes



15) **Report on January 25, 2017 Litter Abatement Task Force Meeting**

Enclosed are the minutes of the January 25<sup>th</sup> meeting.

**OTHER CORRESPONDENCE**

**GENERAL MANAGER COMMUNICATIONS**

- **Site Conditions - Storm Related Damage to Slopes and Landfill Gas Collection System.** The series of storms over the past several weeks have created several operational problems on the landfill site and especially on our slopes. A few of the areas on our slopes have had slope failures and slides. One major slide encompassed an area above one of our main LFG gas “headers” which collects and distributes the collected landfill gas. This header being damaged has caused us to shut down that portion of the LFG collection field which can potentially create a compliance issue. Emergency repairs will have to be undertaken. The preliminary cost estimate from staff is that these repairs may cost between \$250,000-350,000. The area of the slide has impacted approximately a dozen or so wells. There is a possibility, albeit small, that these repairs may be eligible for cost recovery from the State under the declared state of emergency. Staff will undertake the necessary emergency repairs and brief the Finance committee at its next meeting.
- **65<sup>th</sup> Anniversary Event – GreenWaste Recovery as Co-Sponsor.** The District is pleased to announce that GreenWaste Recovery will co-sponsor our 65<sup>th</sup> Anniversary Event and Truck Yard Open House, March 18<sup>th</sup>, 2017. We will be coordinating our activities with GWR and utilizing the new truck yard property as the major focus of the event planning. The event will run from 10 a.m. to 2 p.m. and a short presentation ceremony is scheduled to commence at 11 a.m. followed by a lunch and other activities for families and kids. Tours of the landfill, truck yard, AD facility, and other site locations will also take place.
- **CSDA Legislator of the Year Event on March 3, 2017.** The California Special Districts Association (CSDA) is honoring Assemblyman Mark Stone as the Legislator of the Year for 2017. CSDA has requested the District’s assistance in co-hosting this event at our facility. The event is scheduled from 8:30 a.m. to 10:00 a.m. Light refreshments will be served. The event will be held rain or shine and is tentatively scheduled to held near the new GWR CNG fueling and parking facility.

**BOARD COMMUNICATIONS**

**16) Board Committee and Other District-Related Appointments**

**Please refer to the enclosed information from Chair Delgado regarding committee appointments.**

**DISTRICT COMMITTEE APPOINTMENTS**

by Chair Delgado

Board Members	Finance	Personnel	Special District's Association	Litter Abatement Task Force
Allion	X			
Bales	X			
Campbell			X	
Delgado (ex-Officio)				
Downey		X		X
Laska	X			
Parker				
Pendergrass		X		
Director Theis		X		