

BOARD OF DIRECTORS  
 DENNIS ALLION  
 CHAIR  
  
 IAN OGLESBY  
 VICE CHAIR  
  
 GARY BALES  
 SUE MC CLOUD  
 DAVID PENDERGRASS  
 LEO LASKA  
 LIBBY DOWNEY  
 JANE PARKER  
 BRUCE DELGADO



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.  
 December 19, 2014

Boardroom  
 MRWMD Offices  
 14201 Del Monte Blvd., Marina CA

**MEMBERS PRESENT:** Ian Oglesby (Vice Chair), City of Seaside Councilmember  
 Gary Bales, City of Pacific Grove  
 Sue McCloud, City of Carmel-by-the-Sea  
 David Pendergrass, City of Sand City Mayor  
 Leo Laska, Pebble Beach Community Services District Board President  
 Libby Downey, City of Monterey Councilmember  
 Jane Parker, (Unincorporated) Monterey County Supervisor, District 4  
 Bruce Delgado, City of Marina Mayor

**MEMBERS ABSENT:** Dennis Allion (Chair), City of Del Rey Oaks Councilmember

**STAFF PRESENT:** William Merry, General Manager  
 Tim Flanagan, Assistant General Manager  
 Rob Wellington, Legal Counsel  
 Chuck Rees, Finance Manager  
 Daylene Alliman, Human Resources Manager  
 Jeff Lindenthal, Director of Community Programs  
 Rebecca Aguilar, Administrative Support Supervisor  
 Kimberle Herring, Public Education Coordinator  
 Leticia Yanez, Site Support Assistant

**OTHERS PRESENT:** Carrie Theis, City of Carmel  
 Ted Terrasas, City of Monterey  
 Charlie Cordova, GreenWaste Recovery  
 Emily Hansen, GreenWaste Recovery  
 Jim Moresco, GreenWaste Recovery  
 Ric Encarnacion, Monterey County Environmental Health Bureau  
 Mike Niccum, Pebble Beach Community Services District  
 Doug Kenyon, Republic Services of Salinas  
 Rose Gill, Salinas Valley Solid Waste Authority

### ROLL CALL AND ESTABLISHMENT OF QUORUM

With notice duly given and presence of a quorum established, the December 19, 2014 Regular Meeting of the Monterey Regional Waste Management District Board of Directors was called to order by Vice Chair Oglesby at 9:30 a.m.

### PUBLIC COMMUNICATIONS

There were no comments from the public.

### CONSENT AGENDA

Comments were provided by the Board regarding the Continuity Succession Plan. Director Parker noted a clerical error on Page 1 of the November 21, 2014 Regular Board meeting minutes.

*Following a motion by Director McCloud, and seconded by Director Delgado, the Board unanimously approved the Consent Agenda, to Include Revision to Item 1.*

- 1) Approve Minutes of November 21, 2014 Regular Board Meeting
- 2) Approve Report of Disbursements, and Board and Employee Reimbursements
- 3) Approve Continuity Succession Plan for Position of General Manager
- 4) Approve Revision to Organizational Chart and Hiring of Principal Engineer Within a Salary Range 2.5% Above Senior Engineer
- 5) Schedule A Public Hearing on January 16, 2015 to Receive Public Comments on Proposed Board Action to Adopt Negative Declaration for Construction and Installation of Landfill Gas Flare
- 6) Adopt Resolution (2014-15) of Appreciation for Director Sue McCloud

### PRESENTATION

#### 7) Resolution of Appreciation for Director Sue McCloud

Vice Chair Oglesby presented Director McCloud with Resolution 2014-15 in appreciation of her service on the District Board since May 1998. She was commended for her efforts and assistance in developing a model Environmentally Acceptable Food Packaging Ordinance prohibiting polystyrene foam food packaging which was subsequently adopted by a majority of cities in Monterey County and the County of Monterey. She was also recognized for personally collecting household batteries dropped off at Carmel City Hall and bringing the batteries to the District's Household Hazardous Waste Facility. Board members expressed their appreciation to Director McCloud for her input and guidance on the Board.

Director McCloud thanked District staff for their outstanding efforts in the various programs of the District and redefining the 3Rs. She expressed appreciation for having the opportunity to serve on the Board.

OTHER ITEMS FOR BOARD CONSIDERATION, DISCUSSION AND ACTION

8) **Accept Report from Finance Committee Chair on Meeting of December 3, 2014**

The Board reviewed a summary from the Finance Committee Chair of the December 3, 2014 meeting. Discussion at the meeting was held on the capital projects, bond process and schedule, and staff recruitments. A special Board meeting has been scheduled to expedite award of the truck parking and maintenance facility. Director Laska commented that there was some concern from the Finance Committee regarding the bond financing schedule.

Board discussion followed regarding the general manager recruitment process and the status of the amendment to the Monterey Regional Waste Management Regional Joint Powers Agreement (JPA). General Manager stated that at the special board meeting, the Board would conduct interviews of recruitment firms. The Board provided input on the process for the interviews. General Manager also stated that the JPA amendment was anticipated to be approved by all member agencies by the end of January. Director Delgado provided comments to the capital project schedule and inquired how the proposed schedule affected the ability of GreenWaste Recovery (GWR) to implement the agreements. Assistant General Manager stated that staff is working with GWR to try to coordinate the transition to the best extent possible. Staff and GWR are exploring alternative fueling options as it is anticipated that the fueling station will not be ready by the commencement of the first agreement on April 1, 2015.

*It was moved by Director McCloud, seconded by Director Downey, and Unanimously Carried To: Accept Report from Finance Committee Chair on Meeting of December 3, 2014.*

9) **Adopt Resolution 2014-16 Authorizing General Manager to Execute Fifteen Year Agreement, Subject to Final Review by Legal Counsel, with Trillium CNG of Salt Lake City, Utah, to Supply and Install a Compressed Natural Gas (CNG) Fueling Station, on a Design, Build, Own, Operate and Transfer Basis (Item May Be Adjourned to Closed Session)**

Legal Counsel stated that the item should have read that the item was titled "...(Item may be adjourned to..." and should have read "may be continued to following the closed session". He stated that due to receipt of recent correspondence, it would be appropriate to delay action on this item in order to discuss in closed session.

*It was moved by Director McCloud, seconded by Director Bales, and Unanimously Carried To: Continue This Item Following Closed Session.*

STAFF REPORTS

10) **Review Finance, Operating and Recycling Reports**

The Board reviewed the financial statements for October 2014. Operating Income continues to remain above budget and prior year due to increased revenues and reduced expenses. Tipping Fees Revenues for the month of November 2014 were estimated at \$1,415,000 which is at budget level. The Operating Report for November 2014 was also reviewed by the Board.

**11) Final 2015 Board Meeting and Other Events Calendar**

The Final 2015 Board Meeting and Other Events Calendar was provided to the Board. Vice Chair Oglesby provided suggestions for future updates on the Calendar.

**OTHER CORRESPONDENCE**

**12) Letter from Assemblyman Mark Stone RE: Congratulations on Anaerobic Digester Project Award**

The Board received a copy of a letter from Assemblyman Stone congratulating the District for receiving the Innovative Program Award from the California Special Districts Association for the Anaerobic Digester (AD) Project.

**GENERAL MANAGER COMMUNICATIONS**

General Manager provided the Board with an oral update on the status of the Countywide Integrated Waste Management Study. Staff has met R3 Consultants representatives who have requested additional information from the District and the Salinas Valley Solid Waste Authority. The final Report is anticipated to be completed by the end of January.

General Manager reminded the Board that the Annual Employee Award Luncheon would be held following the meeting and invited the Board to attend.

**BOARD COMMUNICATIONS**

**15) Attendance at "Must Have Communication Protocols for District Board & Staff" Webinar**

The Board received a copy of PowerPoint presentation provided at the December 9, 2014 webinar attended by Director Bales. His participation provides incentive credits from the Special District Risk Management Authority, which provides insurance premium discounts. Staff will provide other webinar and workshop opportunities that provide incentive credits for Board consideration.

Director Parker stated that she and Director Downey had drafted a Board protocol for the election of Board officers and requested staff agendaize the item.

**CLOSED SESSION**

The Board went into closed session at 10:28 a.m. regarding the following:

- 1) Conference with Property Negotiators:
  - Property: Landfill Site/Property
  - District Negotiators: William Merry, Tim Flanagan
  - Negotiating Parties: Trillium CNG, Green Waste Recovery
- 2) Conference with Property Negotiators:
  - Property: Methane Gas in Monterey Peninsula Landfill
  - District Negotiators: William Merry and Tim Flanagan
  - Negotiating Parties: Pacific Gas & Electric, 3 Phases, Marin Clean Energy
  - Terms: All Terms and Conditions

**RETURN TO OPEN SESSION WITH ANY REQUIRED ANNOUNCEMENTS FROM CLOSED SESSION**

The Board came back into open session at 11:37 a.m. and Legal Counsel announced that in closed session the Board had discussed the matters listed on the agenda and no action had been taken. He advised the Board that relative to Agenda Item 9, it would be appropriate to take action at this time.

In regard to Item 9, the Board reviewed a Resolution and memorandum from Assistant General Manager Tim Flanagan and District consultant Dave Edwards (DEI). As stated in the memorandum, staff had formed a technical review panel, which included District staff, to assist in the effort of selecting a firm.

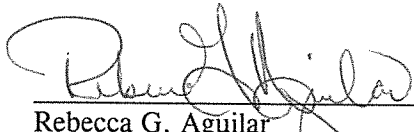
Board discussion followed regarding suggested agreement language with GWR with regard to the fueling station.

**It was moved by Director Downey, seconded by Director McCloud, and Unanimously Carried To: Adopt Resolution 2014-16 Authorizing General Manager to Execute Fifteen Year Agreement, Subject to Final Review by Legal Counsel, with Trillium CNG of Salt Lake City, Utah, to Supply and Install a Compressed Natural Gas (CNG) Fueling Station, on a Design, Build, Own, Operate and Transfer Basis**

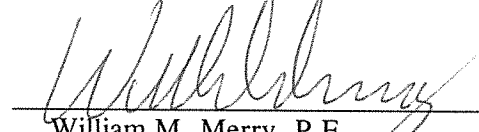
**ADJOURNMENT**

There being no further business to come before the Board at this time, the December 19, 2014 Regular Meeting of the Monterey Regional Waste Management District Board of Directors was adjourned to the Special Board Meeting to be held on January 7, 2015 by Vice Chair Oglesby at 11:50 a.m.

**RECORDED BY:**

  
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Rebecca G. Aguilar  
Administrative Support Supervisor/  
Recording Secretary

**AUTHENTICATED BY:**

  
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William M. Merry, P.E.  
General Manager/Secretary