

**BOARD OF DIRECTORS**  
**CARRIE THEIS**  
 Chair  
**JASON CAMPBELL**  
 Vice Chair  
**GARY BALES**  
**LEO LASKA**  
**JANE PARKER**  
**BRUCE DELGADO**  
**DENNIS ALLION**  
**JERRY BLACKWELDER**  
**DAN ALBERT**



**TIMOTHY S. FLANAGAN**  
 General Manager  
**GUY PETRABORG, P.E., G.E.**  
 Director of Engineering & Compliance  
**JEFF LINDENTHAL**  
 Director of Communications & Sustainability  
**PETER SKINNER**  
 Director of Finance & Administration  
**TIM BROWNELL**  
 Director of Operations  
**ROBERT WELLINGTON**  
 Legal 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 15, 2019

MRWMD Boardroom  
 14201 Del Monte Blvd., Monterey County, CA

**MEMBERS PRESENT:** Carrie Theis (Chair), City of Carmel-by-the-Sea Councilmember  
 Jason Campbell (Vice Chair), City of Seaside Councilmember  
 Gary Bales, City of Pacific Grove  
 Leo Laska, Pebble Beach Community Services District  
 Jane Parker, (Unincorporated) Monterey County Board of Supervisors Chair (District 4)  
 Bruce Delgado, City of Marina Mayor (seated at 9:35 a.m.)  
 Dennis Allion, City of Del Rey Oaks  
 Jerry Blackwelder, City of Sand City Vice Mayor

**MEMBERS ABSENT:** Dan Albert, City of Monterey Councilmember

**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  
 Tim Brownell, Director of Operations  
 Berta Torres, Human Resources Manager  
 David Ramirez, Senior Engineer  
 Garth Gregson, Accounting Manager  
 Ron Mooneyham, Equipment Maintenance Manager  
 Becky Aguilar, Executive Assistant/Clerk of the Board  
 Angela Goebel, Public Education and Outreach Specialist  
 Ida Gonzales, Administrative Support Assistant II  
 Tina Reid, Accounting Technician  
 Rosemary Perez, Accounting Assistant II  
 Lynette Mooneyham, Accounting Assistant II

**OTHERS PRESENT:** Charlie Cordova, GreenWaste Recovery  
 Mike Niccum, Pebble Beach Community Services District  
 Cesar Zuniga, Salinas Valley Solid Waste Authority  
 Nathan Edelman, Vavrinek, Trine, Day & Co., LLP

**ROLL CALL AND ESTABLISHMENT OF QUORUM**

Notice duly given and presence of a quorum established, the February 15, 2019 Regular Meeting of the Monterey Regional Waste Management District Board of Directors was called to order by Chair Theis at 9:30 a.m.

**PUBLIC COMMUNICATIONS**

There were no public communications.

**CONSENT AGENDA**

*Director Campbell requested that Item 7 be pulled for further discussion. Following a motion by Director Parker, seconded by Director Blackwelder, the Board approved the Consent Agenda Items 1-6, and 8-12.*

- 1) Approve Minutes of January 18, 2019 Regular Board Meeting
- 2) Approve Report of Disbursements, and Board and Employee Reimbursements
- 3) Receive Report on January 30, 2019 Finance Committee Meeting
- 4) Receive Report on January 30, 2019 Personnel Committee Meeting
- 5) Approve Contract with Golder Associates, Inc. for the Field Investigation, Design, and Construction Documents of Module 7 Landfill Base Liner System in the Amount of \$124,098
- 6) Approve Contract with Golder Associates, Inc. for Landfill Master Plan Update in the Amount of \$149,125
- 8) Approve Contract with Mathews Mechanical for Materials Recovery Facility Maintenance Access Improvement in the Amount of \$75,947
- 9) Declare Surplus Property and Authorize Disposition of District Equipment
- 10) Approve Purchase of Five (5) 40-Yard Roll-Off Boxes from Wastequip Inc. of Taft, CA for a Total Cost of \$48,770.69, Including Sales Tax and Freight
- 11) Accept California Public Employees Retirement System Public Agency Review and Approve Amendments to
  - a) 2012-2018 Salary Schedules to Comply with the Public Employees' Retirement Law (PERL)
  - b) July 2011 and October 2014 Memoranda of Understanding with Bargaining Units (Longevity Pay Clause) to Comply with PERL
- 12) Adopt Resolution 2019-02 in Support of a Statewide Commission on Recycling Markets

Director Delgado seated at 9:35 a.m.

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

- 7) Approve a PG&E Easement Deed for Electrical Supply to RAMCO Enterprise (For Adjacent Parcel)

Director Campbell stated that he had a concern regarding the easement since both Seaside and Marina received water from Marina. He asked that the Board table this item until more information could be obtained from staff regarding potential water risks. General Manager stated these were existing wells and that the requested

easement would be above ground easement to allow for power to be brought to the RAMCO property for their wells along the District's property. He stated that it was a minor encroachment. Director Parker inquired about the PG&E payment and Director Delgado asked what RAMCO's options would be if the District did not grant the easement. Director of Engineering & Compliance stated that payment would be obtained from RAMCO and not from PG&E. He also stated that RAMCO could obtain an easement from other entities, such as Monterey County, across Del Monte Boulevard.

***It was moved by Vice Chair Campbell, seconded by Director Bales To: Table Consideration of Approval of PG&E Easement Deed for Electrical Supply to RAMCO Enterprise (For Adjacent Parcel) Until the March 22, 2019 Board Meeting to Allow Staff to Explore Any Potential Risk Factors and Report Back to the Board.***

### **RECOGNITION**

#### **13) Recognition of Accounting Technician Tina Reid for 30 Years of Service to the District**

General Manager stated that Tina has been a key person in her 30 years at the District. She was typically one of the first people in the office and served as a back-up for many positions. She was a wealth of information and the District "historian. On behalf of the Board, Chair Theis expressed appreciation for her 30 years of service.

#### **14) 10 Year Recognition to Director Bruce Delgado**

Chair Theis stated that Director Delgado is was a great environmental steward for the District and he always brought his own re-usable tableware. General Manager expressed appreciation to Director Delgado for his 10 years of service to the District including serving as chair. He is a passionate advocate for the environment demonstrated by his leadership in coordinating numerous clean-up events. On behalf of the Board, Chair Theis thanked Director Delgado for his 10 years of outstanding service on the Board.

#### **15) 15 Year Recognition to Director Leo Laska**

Chair Theis commented that the District Board had great continuity and on behalf of the Board expressed appreciation to Director Laska for his 15 years of service to the community through the District. His financial expertise serving on the Finance Committee provided the District with sound input. General Manager stated that he had taken over as District chair during a transformative time and under his leadership lead District staff in identifying cost-containment measures, finding other alternative revenues sources, and developing key strategic partnerships with other community and industry partners.

### **PRESENTATIONS**

#### **16) Small Planet News: American Public Works Association (APWA) Award**

Senior Engineer David Ramirez provided the Board with a presentation of the District's Materials Recovery Facility (MRF) and its recognition as APWA's Project of the Year for the Monterey Region. The award criteria that it had to have a public benefit, positive completion time frame, innovation, public outreach, good safety record, and it had to have environmental considerations. He stated that the next step would be at the national level. The Board thanked Senior Engineer for submitting the District's MRF for the award. It was a great way for others to see the exciting things the District was doing.

**OTHER ITEMS FOR BOARD CONSIDERATION, DISCUSSION AND ACTION (CONTINUED)**

**17) Accept Annual Audit for Fiscal Year 2017/18**

Accounting Manager Garth Gregson introduced Nathan Edelman of Vavrinek, Trine, Day & Co., LLP (VTD). Mr. Edelman reported that VTD had expressed a “clean” opinion, with no findings or recommendations over internal controls, and no audit adjustments. He commended staff for their ability to answer questions and provide information as it was staff’s responsibility to maintain the accounting records. He reviewed the statement of net position with the Board and pointed out the unrestricted net position which was negative \$8.9 million and attributed to pension liability and other post-employment benefits (OPEB). These were long-term liabilities which would be paid over many years and from a budgeting perspective was not cause for alarm.

Director Delgado inquired about the unrestricted deficit and the significant increase from 2017. Mr. Edelman responded this was due to changing accounting principles and different calculations now being used. Director Allion requested that staff provide additional information regarding pension liabilities to the Finance Committee at their next meeting. Director Bales asked if there should be any concern about the audit and Mr. Edelman responded that not from an accounting perspective and they had no additional recommendations. Director Allion commented that the information contained in the audit assisted the Board in making sound financial decisions. Chair Theis expressed appreciation to staff for their thoroughness for following accounting policies and principles. She agreed that looking at pension liabilities would be good since 52% of the District’s expenses were personnel related. General Manager stated that the clean audit was a testimony to the good work conducted by the accounting staff. Director Delgado also thanked accounting staff for their efforts in providing information and materials during the Board retreat and as requested throughout the year.

**It was moved by Director Allion, seconded by Director Laska To: *Accept Annual Audit for Fiscal Year 2017/18.***

**STAFF REPORTS**

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

The Finance and Operating and Recycling reports for January 2019 were reviewed by the Board. Accounting Manager also provided a financial review.

Director Allion requested that staff provide additional information to the Finance Committee regarding the “other revenue” shortfall such as with the Last Chance Mercantile and compressed natural gas. Director Delgado expressed concern regarding the lifespan of each module related to contract waste and the cause effect. Director of Engineering & Compliance responded that each module was different sized and therefore different lifespans. Board discussion continued regarding increased tonnage and how it impacted module development. General Manager stated that information would be provided to the Finance Committee at a future meeting.

Director of Operations expressed appreciation to staff during the recent storms with winds up to 50 miles per hour. It had been decided to stop operating the MRF and redirect MRF staff to mitigate the materials that were blowing. They were taken out of their normal routine and they had stepped up to the request. The Board expressed appreciation and Director of Operations stated he would relay the Board’s comments at the planned appreciation lunch.

**19) Report on Public Education Outreach**

Director of Communication and Sustainability Jeff Lindenthal reported that District staff launched two new workshops. Recycling 101 was offered on February 2<sup>nd</sup> and offers a history of recycling and recent turmoil in recycling markets, a tour of the MRF, and information on what is being recycled, where it is shipped, and what it becomes. Zero Waste Home will be offered on March 2<sup>nd</sup> and will provide information on reducing waste and highlighting the reduction of plastics.

Board discussion followed regarding the ability to share the workshops or presentations through social media and direction was given to staff.

**20) Report on January 15, 2019 Meeting of Special Districts Association of Monterey County**

General Manager provided the Board with a written summary of the meeting.

**OTHER CORRESPONDENCE**

**21) Letter from Special District Risk Management Authority RE: Notification of Nominations for Board of Directors 2019 Election**

The Board reviewed a letter from the Special District Risk Management Authority (SDRMA) regarding upcoming nominations for their Board of Directors. The Board was advised that if they wanted to be nominated to serve on the SDRMA board, to let staff know since the nomination must be done by resolution of the District Board. The nomination filing deadline is May 1, 2019.

**22) Email from Solid Waste Association of North America (SWANA) Executive Director RE: SWANA Update**

The Board received an email from SWANA Executive Director David Biderman regarding key items in the solid waste industry.

**GENERAL MANAGER COMMUNICATIONS**

General Manager stated that District staff met with staff from the Salinas Valley Solid Waste Authority, County of Monterey, and City of Salinas on January 31<sup>st</sup> regarding the development of joint scopes of services for cost-effective processing and distribution of solid waste management services in the County in an attempt to try to develop collaborative approaches to managing organics, recyclables, C/D material and MSW for processing.

**BOARD COMMUNICATIONS**

**23) Accept Chair Recommendation for Committee Appointments**

Chair Theis stated that she had selected Directors Blackwelder and Albert to serve on the Personnel Committee. Following comments from General Manager regarding the Proposed AdHoc Joint District/M1W Committee, and Directors Allion, Blackwelder, and Parker indicating they were willing to serve on it, Chair Theis recommended their appointment.

**It was moved by Director Bales, seconded by Director Allion To: Accept Chair Recommendations for Committee Appointments.**

Director Allion communicated that Director of Engineering and Compliance Guy Petraborg, and Human Resources Manager Berta Torres were selected to participate in Leadership Monterey County, which was a good opportunity to share knowledge and gain experience.

**CLOSED SESSION**

The Board met in closed session at 10:55 a.m. on the following matters:

1. Conference with Legal Counsel - Anticipated Litigation  
Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Section 54956.9: (One Case)
2. Conference with Property Negotiators:  
Property: Landfill Site Space/Capacity  
District Negotiators: Tim Flanagan & Guy Petraborg  
Negotiating Parties: Salinas Valley Solid Waste Authority, City of Salinas, and County of Monterey  
Terms: All Terms and Conditions
3. Conference with Labor Negotiators:  
District Negotiators: Tim Flanagan, Peter Skinner, and Berta Torres  
Employee Organizations: Operating Engineers and Management Employees

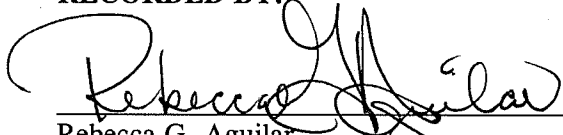
**RETURN TO OPEN SESSION WITH ANY REQUIRED ANNOUNCEMENTS FROM CLOSED SESSION**

The Board came back into open session at 12:18 p.m. Legal Counsel announced that in closed session discussion was held on the items listed on the agenda; no reportable action was taken.


**ADJOURNMENT**

There being no further business to come before the Board at this time, the February 15, 2019 Regular Meeting of the Monterey Regional Waste Management District Board of Directors was adjourned by Chair Theis at 12:19 p.m.

**RECORDED BY:**

  
\_\_\_\_\_  
Rebecca G. Aguilar  
Executive Assistant/Clerk of the Board

**AUTHENTICATED BY:**

  
\_\_\_\_\_  
Timothy S. Flanagan  
General Manager/Secretary