

BOARD OF DIRECTORS

- LEO LASKA
CHAIR
- SUE McCLOUD
VICE CHAIR
- GARY BALES
DAVID PENDERGRASS
LIBBY DOWNEY
JANE PARKER
IAN OGLESBY
BRUCE DELGADO
KRISTIN CLARK



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

TIMOTHY S. FLANAGAN
ASST. GENERAL MANAGER

RICHARD SHEDDEN, P.E.
SENIOR ENGINEER

RICHARD NORTON
ADMIN. SERVICES MGR.

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.
March 19, 2010

Boardroom
Monterey Peninsula Landfill
Marina, CA

MEMBERS PRESENT Leo Laska (Chair), Pebble Beach Community Services District Boardmember
 Sue McCloud (Vice Chair), City of Carmel-by-the-Sea Mayor
 Gary Bales, City of Pacific Grove
 David Pendergrass, City of Sand City Mayor
 Libby Downey, City of Monterey Councilmember (Via Teleconference)
 Ian Oglesby, City of Seaside Councilmember

MEMBERS ABSENT: Jane Parker, (Unincorporated) Monterey County Supervisor, District 4
 Bruce Delgado, City of Marina Mayor
 Kristin Clark, City of Del Rey Oaks Vice Mayor

STAFF PRESENT: Tim Flanagan, Assistant General Manager
 Rob Wellington, Legal Counsel
 Rick Shedden, Senior Engineer
 Richard Norton, Administrative Services Manager
 Ron Mooneyham, Equipment Maintenance Manager
 Chuck Rees, Finance Manager
 Harry Hunzie, Materials Recovery Facility Manager
 Jeff Lindenthal, Public Education and Recycling Manager
 Rebecca Aguilar, Administrative Support Supervisor
 Amber Watson, Administrative Support Specialist
 Kimberle Herring, Public Education Coordinator
 Clyde Walkup, MRF Operations Supervisor/OE3 Operations Shop Steward

OTHERS PRESENT: Angela Brantley, City of Monterey
 Sydney Moe, City of Seaside
 Gabriela Carbajal, Monterey County Environmental Health Department
 Tom Buell, Monterey Regional Water Pollution Control Agency
 Mike Niccum, Pebble Beach Community Services District
 Jose Gamboa, Salinas Valley Solid Waste Authority
 Kristi Markey, Supervisor Parker's Office
 Felipe Melchor, Waste Management, Inc.
 Jay Ramos, Waste Management, Inc.
 Lewis Leader

ROLL CALL AND ESTABLISHMENT OF QUORUM

With notice duly given and the presence of a quorum established, the March 19, 2010, Regular Meeting of the Monterey Regional Waste Management District Board of Directors was called to order by Chair Laska at 9:30 a.m. Chair Laska stated Director Libby Downey was attending the meeting via teleconference, from the location of 317 Glenville Road, Union, South Carolina.

PUBLIC COMMUNICATIONS

Gaby Carbajal, Monterey County Environmental Health Recycling Services, addressed the Board and stated that on behalf of the Monterey County Illegal Dumping and Litter Abatement Task Force, she was coordinating the Monterey County Clean Up Day on April 17, 2010 from 8 a.m. to 12 p.m. in conjunction with the 40th Anniversary of Earth Day. She expressed appreciation to the District and its staff for their assistance in this valuable community program. She provided the Board with information on the event.

Jay Ramos, Waste Management, Inc. (WMI), addressed the Board to provide information on their Castroville Materials Recovery Facility (MRF) improvements and invited the Board to their Earth Day celebration on April 24th, which will include tours of the MRF.

Felipe Melchor, WMI, addressed the Board to provide information on WMI's Lamp Tracker and Battery Tracker mail service program and provided samples to the Board. Additional materials can be purchased at www.Thinkgreen.com. He also commented on the Multi-family Recycling Grant efforts and food scrap recycling tonnages collected at the recent AT&T tournament. Director Bales recommended to Mr. Melchor that information about the two programs be included in the next quarterly brochure provided to their customers.

CONSENT AGENDA

Following a motion by Director Pendergrass, and seconded, the Board approved the following actions:

- 1) Approve Minutes of February 19, 2010 Regular Board Meeting**
- 2) Approve Report of Disbursements**
- 3) Approve Purchase and Installation of Two Mechanical Door Openers and One Perforated Roll Up Door for Landfill Gas Building from Overhead Door Company of Salinas, CA, in the Amount of \$14,240**

GENERAL MANAGERS COMMUNICATION

Chair Laska stated that an item under the General Managers Communication included a presentation, which staff recommended be presented at this time.

Staff made a presentation to the Board on the recent efforts to reduce or eliminate the seagull population at the landfill face and from around the site through the use of falconry. The falconer uses various techniques in conjunction with use of the falcons.

OTHER ITEMS FOR BOARD CONSIDERATION, DISCUSSION AND ACTION**4) Accept Report from Finance Committee Chair on Meeting of February 25, 2010**

The Board reviewed a memorandum from Chair Laska summarizing the meeting of the Finance Committee held on February 25th. Chair Laska stated discussions at the meeting revolved around the preparation of the budget for fiscal year 2010/11, the purchasing policy, and plans for upgrades to the District's MRF.

It was moved by Vice Chair McCloud, seconded, and Unanimously Carried To: Accept Report from Finance Committee Chair on Meeting of February 25, 2010.

5) Pending Final Review by District Legal Counsel, Authorize General Manager to Execute a 10-Year Agreement with Pacific Gas & Electric for the Sale of Renewable Energy

The Board reviewed a memorandum from Information Systems Manager Don Prescott regarding a 10-year agreement with Pacific Gas & Electric for the sale of renewable energy. Staff anticipates the need to sign an agreement prior to the April Board meeting and requested that the Board authorize the General Manager to sign the agreement after District Legal Counsel has reviewed the agreement.

Vice Chair McCloud asked that Legal Counsel ensure the agreement contained language with enough flexibility to allow delivery of power to a future water project.

It was moved by Vice Chair McCloud, seconded, and Unanimously Carried To: Authorize General Manager to Execute a 10-Year Agreement with Pacific Gas & Electric for the Sale of Renewable Energy, Pending Final Review by District Legal Counsel.

6) Approve Revised District Purchasing Policy to Include Increasing General Manager's Authority for Purchases from \$10,000 to \$30,000, and Addition of Code of Ethics Section

The Board reviewed a memorandum from Administrative Services Manager Rich Norton regarding revisions to the current purchasing policy. As stated in the memorandum, the last time the procurement limit was increased was in 1991 and after polling other public agencies, found that the General Manager's procurement limit, without prior authorization from the Board, was below other public agencies. The Finance Committee has reviewed the revisions and concurred with staff to increase the limit from \$10,000 to \$30,000. Board discussion followed regarding language in the policy, and the Board recommended language changes to clarify the policy.

It was moved by Vice Chair McCloud, seconded, and Unanimously Carried To: Approve Revised Purchasing Policy with Regard to Increasing General Manager's Authority for Purchases Limit to \$30,000, and Direct Staff to Make Language Changes as Recommended and Bring Back to the Board at the April Meeting.

7) Award Contract to HF&H Consultants, LLC, of Walnut Creek, CA, at a Cost of \$58,255 for Near- and Long-Term Alternative Financing Strategy

The Board reviewed a memorandum from Public Education and Recycling Manager Jeff Lindenthal. Assistant General Manager stated that at the January 2010 meeting, the Board authorized staff to issue a Request for Proposals (RFP) to engage the services of a consultant to assist staff in identifying funding mechanisms, with an associated revenue stream as Phase I, and a comprehensive review and analysis of

existing franchise agreements as Phase II, if the Board determined it was necessary following review of Phase I work. Proposals were received by five firms and the two top rated firms were interviewed by a review committee consisting of District staff, Hans Uslar from the City of Monterey, and Mike Niccum from the Pebble Beach Community Services District. The review committee unanimously recommended the selection of HF&H for the Phase I work at a price of \$58,255.

Public Education and Recycling Manager stated that HF&H had offered a reduction in price if both the Phase I work was combined with Phase II work, and initiated at the same time. Staff had originally recommended proceeding with the entire work project at the January 2010 meeting.

Board discussion followed regarding the pros and cons of proceeding with the work conjunctively, along with timelines, costs, and need. The Board also discussed the workscope of Phase I and the ability to eliminate or reduce some of the work in an effort to reduce costs. Chair Laska stated, in response to Mr. Melchor's comment regarding hauler involvement, that the franchise haulers would be invited to participate in certain discussions, at the appropriate time.

Legal Counsel stated that as stated on the agenda, the Board could approve Phase I work at this meeting and direct staff to place Phase II on the April Board meeting agenda for Board consideration and approval.

It was moved by Director Pendergrass, seconded, and Approved by Chair Laska, Directors Bales, Downey, and Pendergrass; Opposed by Vice Chair McCloud and Director Oglesby to: Award Contract to HF&H Consultants, LLC, of Walnut Creek, CA, at a Cost of \$58,255 for Phase I, Near- and Long-Term Alternative Financing Strategy, Direct Staff to Contact HF&H to Consider Possible Reductions in Cost, and Place Phase II, Consolidated Franchise Collection Strategy on April Meeting Agenda for Board Consideration and Approval.

STAFF REPORTS

8) Finance, Operating and Recycling Reports

The Board reviewed the financial statements for February 2010. The year-to-date for Operating Income, Operating Expenses, and Operating Revenues is \$341,686, \$11,194,182, and \$11,535,868, respectively. Refuse Accepted (excluding Regional Waste) for February increased by 74 tons. The total refuse accepted for the last 12 months was 193,445 tons.

The Board reviewed the Operating Report for February 2010. The Total Solid Waste Accepted into the site (excluding Regional Waste) during February 2010 was 20,296 tons. Regional Waste increased by 660 tons due primarily to the new contract with Scotts Valley.

9) Report on Public Education, Recycling and Litter

Thee Board reviewed a memorandum from Public Education and Recycling Manager providing information on the Multi-Family Recycling Grant, food packaging starter kits for restaurants in Seaside, food scrap recycling at the AT&T golf tournament, and the newly enacted legislature, AB X8 7, which restores funding for the beverage container recycling program.

10) Report on SWANA Legislative Task Force and Legislative Update

The Board received a memorandum from the General Manager reporting on the annual meeting of the Solid Waste Association of North America Legislative Task Force (LTF) in Sacramento on March 4th. The Board also received a White Paper on diversion entitled *Achieving Greater Waste Diversion in California: Fundamental Strategies and Essential Tools*, which was developed by the LTF, on why additional diversion may be desirable in some communities and how it may be achieved. A letter sent to the Governor's Office supporting AB X8 7 was also reviewed by the Board, and as stated in Item 9, the bill was signed by the Governor on March 8th.

11) Report on Revision of Mission Statement and Development of Vision Statement and Core Values Statement


The Board reviewed a memorandum from Administrative Services Manager summarizing recent efforts by staff to develop a draft Vision Statement and a Core Values Statement and revisions to the Mission Statement.

Discussion was held on the need to establish an ad hoc Committee of the Board to meet with staff to finalize the statements and it was agreed that the appointment of a committee should be postponed until after the HF&H consulting work was completed to best determine District long term vision, values, and mission.

ADJOURNMENT

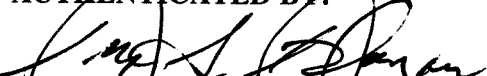
There being no further business to come before the Board at this time, the March 19, 2010 Regular Meeting of the Monterey Regional Waste Management District Board of Directors was adjourned to April 16, 2010 by Chair Laska at 11:18 a.m.

RECORDED BY:



Rebecca G. Aguilar
Administrative Support Supervisor/
Recording Secretary

AUTHENTICATED BY:



Timothy S. Flanagan
Assistant General Manager