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 LEO LASKA
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 SUE McCLOUD
 VICE CHAIR
 GARY BALES
 DAVID PENDERGRASS
 LIBBY DOWNEY
 JANE PARKER
 IAN OGLESBY
 BRUCE DELGADO
 DENNIS ALLION



WILLIAM MERRY, P.E., DEE
 GENERAL MANAGER/
 DISTRICT ENGINEER
 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.
 April 15, 2011

Boardroom
 Monterey Peninsula Landfill
 Marina, CA

MEMBERS PRESENT: Leo Laska (Chair), Pebble Beach Community Services District Vice Chair
 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
 Jane Parker, (Unincorporated) Monterey County Supervisor, District 4
 Bruce Delgado, City of Marina Mayor
 Dennis Allion, City of Del Rey Oaks Councilmember

MEMBERS ABSENT: Ian Oglesby, City of Seaside Councilmember

STAFF PRESENT: William Merry, P.E., General Manager
 Tim Flanagan, Assistant General Manager
 Rob Wellington, Legal Counsel
 Richard Shedden, P.E., Senior Engineer
 Richard Norton, Administrative Service Manager
 Chuck Rees, Finance Manager
 Don Prescott, Information Technology Manager
 Jeff Lindenthal, Public Education & Recycling Manager
 Glen Evett, Last Chance Mercantile/Hazardous Materials Manager
 Jack Cook, Safety Manager
 Richard Petitt, Site Manager
 Ron Mooneyham, Equipment Maintenance Manager
 Rebecca Aguilar, Administrative Support Supervisor
 Kimberle Herring, Public Education Coordinator
 Amber Watson, Administrative Support Specialist II
 Clyde Walkup, MRF Operations Supervisor/OE3 Operations Shop Steward

OTHERS PRESENT: Joe Cadelago, Carmel Marina Corporation/Waste Management, Inc.
 Michael LaRussa, Carmel Marina Corporation/Waste Management, Inc.
 Jill Richardson, Carmel Marina Corporation/Waste Management, Inc.
 Kristin Skromme, Carmel Marina Corporation/Waste Management, Inc.
 Katy Gaty-Delia, Ecology Action

OTHERS PRESENT: Carey Odden, Ecology Action
(Continued) Chelsea Phillips, Ecology Action
Peter Whitford, Ecology Action
Charlie Cordova, GreenWaste Recovery
Ted Terrasas, Monterey County Environmental Health Bureau
Mary Ann Leffel, Monterey Peninsula Airport District
Tom Buell, Monterey Regional Water Pollution Control Agency
Suha Kilic, Pebble Beach Community Services District
Rose Gil, Salinas Valley Solid Waste Authority
Lewis Leader

ROLL CALL AND ESTABLISHMENT OF QUORUM

With notice duly given and the presence of a quorum established, the April 15, 2011 Regular Meeting of the Monterey Regional Waste Management District Board of Directors was called to order by Chair Laska at 9:30 a.m.

PUBLIC COMMUNICATIONS

Michael LaRussa, Carmel Marina Corp/Waste Management, Inc. (CMC/WMI), addressed the Board to introduce new Recycling Coordinators for WMI. Jill Richardson will oversee the incorporated areas of Monterey County that receives service by WMI, and Kristin Skromme will oversee the unincorporated Monterey County area. He also introduced Joe Cadelago, WMI's new Government and Community Relations Representative. He invited everyone to attend WMI's Earth Day event on April 23rd, which would be held at the CMC facilities in Castroville.

CONSENT AGENDA

Following a motion by Vice Chair McCloud, and seconded, the Board approved the following actions:

- 1) **Approve Minutes of March 18, 2011 Regular Board Meeting**
- 2) **Approve Report of Disbursements**
- 3) **Approve Purchase of New Peterbilt Model 337 Truck Chassis with a McLellan Utility Body from Coast Counties Truck & Equipment of Salinas, CA, for a Total Price of \$172,797.31**
- 4) **Adopt Resolution of Appreciation (2011-03) for Retiring Maintenance Worker John Stevens**

PRESENTATIONS

- 5) **Presentation by Ecology Action on Multi-Family Recycling Effort**

The Board reviewed a memorandum from Public Education and Recycling Manager Jeff Lindenthal, which provided an overview of local efforts to promote recycling in multi-family locations. Kimberle Herring, District Public Education Coordinator, addressed the Board and stated that in 2007, Ecology Action of Santa Cruz was awarded two state grants from CalRecycle, which have been utilized to provide outreach and infrastructure support to increase recycling at multifamily facilities in Monterey, San Benito, and Santa Cruz Counties. She introduced Ms. Carey Odden, Program Manager for Ecology Action, which has been instrumental in implementing and coordinating efforts with the local haulers, and cities and county staff.

Ms. Odden provided a presentation to the Board. She stated that overall the two grants combined had totaled \$4,202,070 and targeted 270 facilities and 10,000 apartment units for recycling implementation or enhancement, with participating facilities receiving a baseline waste assessment to determine recycling and trash service level needs. Within the District service area, a total of 24 apartment facilities with 810 units have been fully implemented with recycling. In addition to apartment complexes, extensive changes were implemented at California State University - Monterey Bay (CSUMB) such as increasing recycling infrastructure as well as providing in-room recycling bins and training to students living on campus. CSUMB also received zero waste station recycling bins and signage for use on campus during special events.

Board discussion followed regarding participant selection and commitment requirements, and sustaining the effort once the grant funding is depleted.

OTHER ITEMS FOR BOARD CONSIDERATION, DISCUSSION AND ACTION

6) **Accept Report From Finance Committee Chair on Meeting of April 6, 2011.**

The Board reviewed a memorandum from Chair Laska summarizing the April 6, 2011 Finance Committee meeting in which discussion was held regarding the preliminary budget for fiscal year 2011/12, financing of capital improvements, and extension of the audit contract with Hayashi & Wayland Accounting and Consulting (H&W) for an additional year.

It was moved by Director Bales, seconded, and Unanimously Carried To: Accept Report From Finance Committee Chair on Meeting of April 6, 2011.

7) **Authorize One-Year Extension to Contract with Hayashi & Wayland Accounting and Consulting (H&W), LLP of Salinas, CA, to Conduct Annual Audit for Fiscal Year 2010/11**

The Board reviewed a memorandum from Finance Manager Chuck Rees requesting extension of the three-year audit contract with H&W for an additional year. General Manager stated that during the past three years, H&W has completed the audit within timeframes and budgets. Their staff is knowledgeable and experienced, and they are familiar with District business and staff.

It was moved by Director Pendergrass, seconded, and Unanimously Carried To: Authorize One-Year Extension to Contract with Hayashi & Wayland Accounting and Consulting (H&W), LLP of Salinas, CA, to Conduct Annual Audit for Fiscal Year 2010/11.

8) **Authorize Chair to Cast Vote for Special District Alternate Member on the Local Agency Formation Commission of Monterey County**

The Board reviewed information from the Local Agency Formation Commission of Monterey County (LAFCO) regarding the election of one Independent Special District *Alternate* Member to serve the remainder of the four-year term vacated by Thomas Moore, which expires in May 2012. The Board reviewed nomination forms and candidate statements for Paul Ingram, Carmel Valley Recreation & Park District; Mary Ann Leffel, Monterey Peninsula Airport District; and Stephen Snodgrass, Pajaro/Sunny Mesa Community Services District.

Mary Ann Leffel addressed the Board and stated that she had been approached by the Southern Monterey County cities to run for the position due to her experience on County-wide issues through her involvement with the Monterey County Business Council and expressed appreciation to the Board for their consideration. Board discussion followed regarding the candidates.

It was moved by Director Pendergrass, seconded, and Unanimously Carried To: Authorize Chair to Cast Vote for Mary Ann Leffel for Special District Alternate Member on the Local Agency Formation Commission of Monterey County.

STAFF REPORTS

9) Review Finance, Operating, and Recycling Reports

Due to the early date of the Board meeting, the finance, operating and recycling reports were not provided to the Board, although staff provided preliminary information. Tipping Fee Revenue for March is projected to be \$1,225,000 above budgeted levels, due primarily to the new regional waste contract with GreenWaste Recovery. The full year Tipping Fee Revenues are projected to be \$800,000 above budget.

Staff also reported the Finance Committee had reviewed the first draft of the FY 2011/12 budget and provided direction. The Preliminary Budget will be reviewed at the next meeting of the Finance Committee on May 4th, and then presented to the full Board at their May 20th meeting.

10) Report on AB 939/SB 1016 Recycling Rates for 2010

The Board reviewed a memorandum from Public Education and Recycling Manager Jeff Lindenthal regarding AB 939/SB 1016 recycling rates for 2010. Although the State has not yet released final tonnage figures for 2010, District staff prepared an estimate to show the current SB 1016 per capita data and the former AB 939 recycling rate for member jurisdictions. Once 2010 data is finalized, staff will prepare an updated diversion report by jurisdiction including a graph depicting the trend line for each jurisdiction.

Board discussion followed regarding the calculation method the State will use for jurisdictions, such as Sand City, that have a higher number of commercial businesses. Public Education and Recycling Manager responded the State prefers to look at population, but if there were extenuating circumstance such as with Sand City, the State will look at employment rates.

11) Status of District's Strategic Planning Workplan

The Board reviewed an update to the District's Strategic Planning Workplan. At the request of the Board, staff also provided a correlation between the current Workplan and the short and long term action items included in the HF&H report. General Manager stated that the Workplan will be updated following the April 21st Board Strategic Planning Workshop.

Director Parker expressed appreciation for the correlation report and Vice Chair McCloud requested it be made available for the Workshop. Director Bales commented that there is a real concern amongst member jurisdictions regarding the HF&H action items relative to a model franchise agreement and the District's facilities plan. He stated that in a recent meeting with District General Manager and Pacific Grove city staff,

it was suggested that a meeting be held with the city managers to discuss these two items. He also commented on the current Workplan in reference to the State's consideration of raising the recycling diversion requirement to 75% and how that could affect District operations and cost-cutting measures. General Manager commented that it has been challenging to meet a 50% diversion level in the materials recovery facility (MRF) with current staffing levels and that the District's MRF operation achieves a significant portion of the member agency diversion.

12) Report on April 7, 2011 SWANA Legislative Task (LTF) Force Meeting

General Manager reported on the SWANA LTF telecon held on April 7th. Bills of particular interest are:

- AB 34 (Williams) Solid waste: compost market program. This Recology (Norcal Solid Waste) sponsored bill is focused on odors originating from compost operations. If passed, the bill could have implications for other solid waste (and other) operations which may produce odors.
- AB 341 (Chesbro) Solid waste: diversion. This bill calls for a 75% diversion goal by 2020. The LTF has an OPPOSED position on the bill because it places an unfunded mandate on local communities, especially with the weak economy. The bill also does not allow diversion resulting from certain conversion technology processes such as waste to energy.
- State Water Board Proposed Industrial Stormwater Permits. Concern is being expressed from around the state on the burdensome requirements and costs being proposed.

General Manager also provided the Board with a letter sent by the LTF to Governor Brown, outlining desirable qualities the next CalRecycle Director should possess. The Governor's time has been consumed this year so far with the budget, but he is expected to make this and other appointments soon.

OTHER CORRESPONDENCE

13) Letter to Senator Joe Simitian RE: Support of SB 515 (Corbett) Battery Stewardship Act

The Board received a copy of a District letter sent to Senator Simitian, Chair of the Senate Environmental Quality Committee, in support of SB 515, which would require battery manufacturers to manage household batteries at the end of their useful life.

14) Letter to State Water Resources Control Board RE: Proposed General Industrial Permit for Storm Water Discharges: National Pollutant Discharge Elimination System (NPDES)

The Board received a copy of a District letter sent to the State Water Resources Board expressing concerns related to the proposed General Industrial Permit for Storm Water Discharges, which could increase costs to the District. General Manager reported that staff will be meeting with the Regional Waste Quality Board to discuss this matter further.

GENERAL MANAGER COMMUNICATIONS

General Manager state that the April 21, 2011 District Board Strategic Planning Workshop will begin at 8:30 a.m. The Board was provided with binders providing additional information on topics that will be discussed at the Workshop.

He also reported that a meeting of the District's Strategic Planning Advisory Task Force (SPATF) was held on Wednesday, April 13th, and the main topic for discussion was the Model Franchise Agreement. He stated that staff is working on the Facilities Plan, which will be the topic for discussion at the next meeting of the SPATF, scheduled for August 17, 2011. He stated that a meeting is planned for late September or October with Board members, city managers, SPATF members, and staff, to discuss the model franchise agreement and the District Facilities Plan.

BOARD COMMUNICATIONS

15) Report by Director Bales on Special District Risk Management Authority (SDRMA) Safety Education Day 2011

The Board reviewed a summary from Director Bales who, along with Director Delgado and Administrative Services Manager Rich Norton, attended the SDRMA Safety Education Day on Thursday, March 31st in Sacramento. General Manager expressed appreciation to Directors Bales, Downey and Delgado for their participation in California Special Districts Association (CSDA) training, which provides the District with savings in workers compensation and property/liability insurance premiums.

CLOSED SESSION

The Board went into closed session at 10:40 a.m. regarding the following:

1) Conference with Property Negotiators:

Property: Methane Gas in District Landfill
District Negotiators: William Merry, Tim Flanagan and Don Prescott
Negotiating Party: Marina Coast Water District
Terms: All Terms and Conditions

2) Conference with Labor Negotiators:

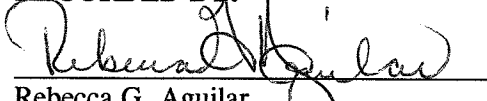
District Negotiators: William Merry, Richard Norton and Tim Flanagan
Employee Organizations: Operating Engineers, and Management Employees

The Board came back into open session at 11:30 a.m. Legal Counsel announced that with regard to each item listed on the closed session agenda, the Board received information and no other action was taken.

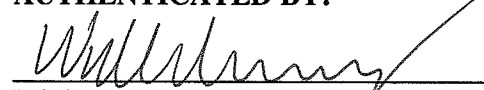
ADJOURNMENT

There being no further business to come before the Board at this time, the April 15, 2011 Regular Meeting of the Monterey Regional Waste Management District Board of Directors was adjourned to May 20, 2011 by Chair Laska at 11:31 a.m.

RECORDED BY:


Rebecca G. Aguilar
Administrative Support Supervisor/
Recording Secretary

AUTHENTICATED BY:


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