

BOARD OF DIRECTORS

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DISTRICT ENGINEER

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ASST. GENERAL MANAGER

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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

9:30 a.m., Friday
March 16, 2007

Boardroom
Monterey Peninsula Landfill
Marina, CA

MEMBERS PRESENT: Leo Laska, Chair
Sue McCloud, Vice Chair
Gary Bales
Ken Gray
Joseph Russell
Libby Downey

MEMBERS ABSENT: David Pendergrass
Jerry Smith
Don Jordan

STAFF PRESENT: William Merry, General Manager
Timothy Flanagan, Assistant General Manager
Rob Wellington, Legal Counsel
Richard Norton, Administrative Services Manager
Charles Rees, Finance Manager
Don Prescott, Information Systems Manager
Harry Hunzie, Materials Recovery Facility Manager
Richard Petitt, Site Manager
Ron Mooneyham, Equipment Maintenance Manager
Rebecca Aguilar, Administrative Support Supervisor
Kimberly Herring, Public Education Assistant
Amber Watson, Administrative Support Specialist I
Suzan Fine, Recycling Attendant/SEIU President

OTHERS PRESENT: Angela Brantley, City of Monterey
Leslie Milton, City of Monterey
Bjorn Lundegard, City of Seaside
Patrick Mathews, County of Santa Cruz
John Ramirez, Monterey County Environmental Health Department
Michelle Leonard, SCS Engineers
Candace Ingram, The Ingram Group
Lewis Leader

ROLL CALL AND ESTABLISHMENT OF QUORUM

Notice having been duly given and the presence of a quorum established, the March 16, 2007, 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

Suzan Fine addressed the Board and expressed that at the February meeting, many employees had stated they were proud to work for the District. She also was proud to work for the District and enjoyed educating the public about the District programs.

CONSENT AGENDA

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

- 1) **Approve Minutes of February 16, 2007 Regular Board Meeting**
- 2) **Approve Report of Disbursements**
- 3) **Ratify Purchase of Backup Generator**
- 4) **Adopt Resolution 2007-02 to Renew Department of Conservation Certification Number for On-Site Recycling**

ITEMS FOR BOARD CONSIDERATION, DISCUSSION AND ACTION

- 5) **Receive Presentation from SCS Engineers on District and Community Recycling Programs**

General Manager stated that at the February Board meeting, SCS Engineers had provided the Board with information on conversion technologies and Michelle Leonard would provide a brief presentation at this meeting as background information for the April 18th Strategic Planning Session (SPS).

Michelle Leonard addressed the Board and stated that her intention at the meeting was to give a brief overview about what the State and other cities and counties were doing as alternatives to disposal and the types of facilities that were currently operating, planned or proposed. She said the State has taken a measured approach to any findings on alternative technologies. One issue under debate is how to attribute the recycling credits from any alternative technology. She briefly mentioned that LA County had narrowed their alternative technology study findings to five, which they intended to implement as demonstration facilities. LA City had also conducted a study and issued a request for proposals in order to develop a partnership to design, build, and operate one or more alternative technologies. Both the City and the County are looking for the vendor to finance the projects. Ms. Leonard stated that the Salinas Valley Solid Waste Authority had selected an autoclave pilot plant and were committed to a two year testing program at which time they would conclude if the program would continue. Santa Cruz had also conducted short and long range planning studies resulting in a zero waste goal, 75% diversion by 2010, and a landfill ban on certain recyclable material. Ms. Leonard also presented a comparison of technologies with relative technical and economic feasibility for Board consideration. She stated that most counties and cities have taken a "wait and see" attitude to determine what type of conversion technologies to pursue.

Board discussion followed regarding the various technologies presented. Chair Laska expressed that it seemed that even after several years of research, entities have taken a "wait and see" or incremental approach. He stated that he hoped the District would decide in the near future which way to proceed.

No Action Taken.

6) Approve Waste Disposal Agreement with Santa Cruz County to Accept Waste for Disposal at Rate of \$27 Per Ton (May be Adjourned to Closed Session)

General Manager stated that at the February meeting the Board had considered this matter, and directed staff to provide further information at the March meeting. The Board reviewed a memorandum from Assistant General Manager Tim Flanagan addressing questions and concerns raised at the February meeting, and the proposed Agreement. The Board also reviewed a Questions and Answers background information sheet related to acceptance of regional waste first provided in the September 2005 Board packet. General Manager stated the Agreement has been revised to incorporate the changes requested, and the Exhibits were now included with the Agreement.

Director Gray asked whether any consideration had been given to not allowing trucks to haul waste between the hours of 7-9 a.m. Assistant General Manager responded that the only time identified as "busy" in a traffic study had been 4-5 p.m. Vice Chair McCloud commented that Patrick Mathews with Santa Cruz County (SCC), had indicated at the February meeting that SCC would avoid the early morning hours. Assistant General Manager commented that staff had worked closely with Mr. Mathews and, if approved, the agreement would be forwarded to SCC Board of Supervisors for their approval.

Patrick Mathews addressed the Board and again thanked them for considering the agreement with SCC. He stated he anticipated consideration by the Board of Supervisors at their April meeting and did not anticipate any problem with the Board of Supervisors approval process. Legal Counsels for the District and SCC have reviewed the agreement.

Board discussion followed regarding public awareness. General Manager responded that after the Board had adopted the Guiding Principles for Acceptance of Regional Waste, he had made presentations to the member jurisdictions at their council meetings to inform them that revenues from the acceptance of the regional waste would be used for operating costs, rate stabilization, and recycling programs. Legal Counsel stated that the Questions and Answers sheet could be made available to the public as decided at a previous Board meeting.

Angela Brantley, City of Monterey, asked about the reduced rate of \$27 per ton, when everyone else was paying the current \$43 per ton rate. General Manager clarified that the SCC garbage would go directly to the landfill and that Santa Cruz County would not benefit from other District programs such as the household hazardous and materials recovery facilities services which are provided with the higher tipping fee. The wastes would already be screened for hazardous and recyclable material.

It was moved by Vice Chair McCloud, seconded, and Unanimously Carried To: Approve Waste Disposal Agreement with Santa Cruz County to Accept Waste for Disposal at Rate of \$27 Per Ton.

7) Provide Direction on Strategic Planning Session

The Board reviewed an announcement for the Board Strategic Planning Session (SPS) planned for April 18th from 8:30 a.m. to 2:00 p.m. at the Embassy Suites. General Manager stated that Candace Ingram contacted all Board members and staff by phone to gather their opinions and views for the session. Boardmembers received binders with information in order to prepare for the SPS.

Director Gray stated he hoped greenhouse gas would be discussed at the SPS. Candace Ingram commented that a number of components had been received during her discussions with the Board and staff. The Board would receive a summary of that information and the proposed agenda prior to the SPS. General Manager informed the Board that any additional information would also be mailed out prior to the SPS.

No Action Taken.

8) Authorize Analysis for Establishing Department of Conservation (DOC) Recycling Buy-Back Center On-Site

The Board reviewed a memorandum from Public Education and Recycling Manager Jeff Lindenthal requesting authorization to conduct an analysis of the feasibility to locate a recycling buy-back center at the District site.

Vice Chair McCloud asked if there really was a need, since there were other local centers available. General Manager stated staff had considered this issue before and with the request from the DOC, staff believed it might be reasonable to locate a buy back center on site. Results from the analysis would be considered during the upcoming budget process.

Board discussion followed regarding issues surrounding buy back centers such as merchant responsibilities, processing of material, and social acceptance.

It was moved by Director Russell, seconded, and Unanimously Carried To: Authorize Analysis for Establish Department of Conservation (DOC) Recycling Buy-Back Center On-Site.

9) Reclassify Position of Power Systems Technician to Assistant Power Systems Supervisor With an Increase Salary Range of \$4,652/month to \$5,937/month

The Board reviewed a memorandum from Administrative Services Manager Rich Norton requesting the Board approve the reclassification of the Power Systems Technician to an Assistant Power Systems Supervisor with an increased salary range of \$4,652 to \$5,937. Staff recommended adjustments to the duties, responsibilities, and compensation in order to provide better backup for the Power Systems Supervisor for the LFG project.

It was moved by Director Downey, seconded, and Unanimously Carried To: Reclassify Position of Power Systems Technician to Assistant Power Systems Supervisor at an Increased Salary Range of \$4,652/month to \$5,937/month.

10) Appoint Ad Hoc Personnel/Finance Committee

Chair Laska stated that a new member needed to be appointed to the Ad Hoc Personnel/Finance Committee, to fill the position previously held by former Board Chair Albert. He recommended Director Pendergrass to the serve on the committee, along with Directors Bales and Gray, who had previously served. He would serve as chair on the four-person committee.

The Committee is scheduled to meet with staff from 9 a.m. to noon on Thursday, April 26th at the Pebble Beach Community Services District Administration Building to discuss the Preliminary Budget for Fiscal Year 2007/2008.

It was moved by Vice Chair McCloud, seconded, and Unanimously Carried To: Approve Chair recommendation to Appoint David Pendergrass to the Ad Hoc Personnel/Finance Committee.

STAFF REPORTS**11) Financial, Operating, and Recycling Reports**

The Board reviewed the financial statement for the month of January. Total Operating Revenues for the month were \$1,282,700. For the month, total Operating Expenses were at \$1,345,695 and Net Operating Income was a minus \$62,994.

The Board reviewed the combined Operating Reports for January and February. The Total Solid Waste Accepted into the site during February decreased 12% from January to 24,629 tons, and was down 7%, from February last year.

The Board also reviewed the AB939 Recycling Rates, as of March 1, 2007. Board discussion followed regarding the formula used by the State and how waste diversion was reported to them.

Director Gray mentioned that as part of a recent rate increase approval with the franchise hauler, 50% of Marina residents would be receiving yardwaste recycling services.

12) Public Education, Recycling, and Litter Report

The Board reviewed a memorandum from Public Education and Recycling Manager. Staff planned to partner with Ecology Action to write a continuation grant to the Department of Conservation for additional Special Event Recycling activity in the community. The Board reviewed the Ecology Action Scope of Work.

The Board also reviewed a news article about banning plastic grocery bags in San Francisco. Plastic grocery bags are a very common piece of litter there, and on the Monterey Peninsula.

OTHER CORRESPONDENCE**13) Letter From Monterey County Department of Health RE: Liquid Waste Spill Incident of November 18, 2006**

The Board reviewed a letter from the Monterey County Health Department regarding a liquid waste spill at the site on November 18, 2006. General Manager stated this item would be discussed further during closed session.

GENERAL MANAGER COMMUNICATIONS

General Manager reported that on March 8th, District staff had met with staff from the Monterey Regional Water Pollution Control Agency to discuss the potential to jointly develop a biogas to energy plant. There were mutual interests and potential benefits in establishing such a joint plant. He stated that more information would be provided at a future Board meeting.

General Manager informed the Board that SWANA's 30th Annual Landfill Gas Symposium in Monterey had been very successful with a 650 participants. The District had assisted with the organization of the Symposium and Assistant General Manager, Tim Flanagan, and Power Systems Supervisor, Mario Van Cleave, made a presentation titled "A Day/Week/Month/Year in the Life of Your Typical Landfill Gas Project" outlining the challenges of operating the LFG project. A copy of the paper was provided to the Board. A tour had been provided to 90 attendees with many favorable comments received. He thanked all staff for their assistance in making the tour a success.

BOARD COMMUNICATIONS

Vice Chair McCloud noted Director Bales' 38 years of experience on the District Board. She suggested someone conduct an interview with Gary to get some insightful history on the District. General Manager responded that Lewis Leader and Jeff Lindenthal would be conducting such an interview.

Director Downey commented that thus far, the information she has received from the District has been good and that the highway was looking good in regards to litter. She further commented she was involved with the Monterey Bay National Marine Sanctuary.

CLOSED SESSION

The Board went into closed session at 11:34 a.m. regarding the following:

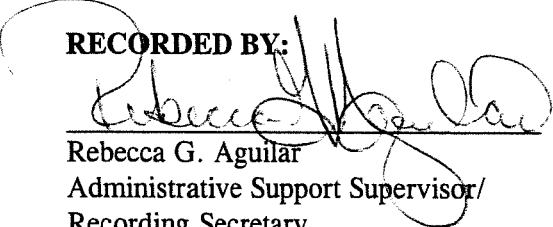
- 1) Conference with Property Negotiators
 - Property: Landfill Site Space/Capacity
 - District Negotiators: William Merry, Tim Flanagan, and Rick Shedden
 - Negotiating Parties: Santa Clara County, Santa Cruz County,
Salinas Valley Solid Waste Authority
 - Terms: All Terms and Conditions
- 2) Conference with Legal Counsel - Anticipated Litigation
 - a) Significant Exposure to Litigation Pursuant to Subdivision (b) of Section 54965.9: 1 case
- 3) Conference with Labor Negotiators
 - District Negotiators: William Merry and Richard Norton
 - Employee Organizations: Service Employees International Union

The Board came back into open session at 12:24 p.m. Legal Counsel Wellington announced the Board did not discuss Item 1. With regard to Items 2 and 3, the Board had received information and no action was taken.

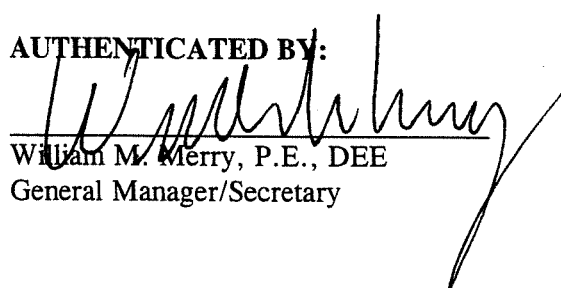
ADJOURNMENT

There being no further business to come before the Board at this time, the March 16, 2007 Regular Meeting of the Monterey Regional Waste Management District Board of Directors was adjourned to April 20, 2007 by Chair Laska at 12:25 p.m.

RECORDED BY:


Rebecca G. Aguilar
Administrative Support Supervisor/
Recording Secretary

AUTHENTICATED BY:


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