

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

Friday, 9:30 a.m.
October 21, 2011

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
Jane Parker, (Unincorporated) Monterey County Supervisor, District 4
Ian Oglesby, City of Seaside Councilmember
Bruce Delgado, City of Marina Mayor
Dennis Allion, City of Del Rey Oaks Councilmember

MEMBERS ABSENT: None

STAFF PRESENT: William Merry, General Manager
Tim Flanagan, Assistant General Manager
Rob Wellington, Legal Counsel
Richard Norton, Administrative Service Manager
Don Prescott, Information Technology Manager
Harry Hunzie, Material Recovery Facility/LFG Manager
Chuck Rees, Finance Manager
Jeff Lindenthal, Public Education and Recycling Manager
Glen Evett, Last Chance Mercantile/Hazardous Materials Manager
Richard Pettitt, Site Manager
Ron Mooneyham, Equipment Maintenance Manager
Rebecca Aguilar, Administrative Support Supervisor
Kimberle Herring, Public Education Coordinator
Sonia Haro, Administrative Support Specialist

OTHERS PRESENT: Angela Brantley, City of Monterey
Teresa Rios, County of Monterey
Aziz Al-Feel, California State University – Monterey Bay
Tony Bell, California State University – Monterey Bay
Elias Chaikin, California State University – Monterey Bay
Susan Morse, California State University – Monterey Bay
Charlie Cordova, Green Waste Recovery
Paula Riso, Marina Coast Water District

OTHERS PRESENT: Tom Buell, Monterey Regional Water Pollution Control Agency
(Continued) Mike Niccum, Pebble Beach Community Services District
Joe Cadelago, Waste Management
Michael LaRussa, Waste Management
Lewis Leader, Leader Consultants

ROLL CALL AND ESTABLISHMENT OF QUORUM

With notice duly given and presence of a quorum established, the October 21, 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

Susan Morse Instructor at California State University – Monterey Bay, addressed the Board to introduce a few of her students who are currently taking her “Participation in Community Economic Development” class. Most of the students have business majors. She stated that she brings students every semester and thanked Public Education Coordinator, Kimberle Herring, for all of her efforts.

CONSENT AGENDA

Vice Chair McCloud requested that Agenda Item 3 be tabled until after discussion of Agenda Item 7. Director Downey requested that on Agenda Item 1, Page 4, the word “substantial” be removed from the first paragraph.

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

- 1) **Approve Minutes of September 16, 2011 Regular Board Meeting, as Amended.**
- 2) **Approve Report of Disbursements.**
- 4) **Authorize Issuance of Request for Proposals for Purchase of New Wheel Loader.**
- 5) **Authorize Purchase of New Pickup Truck from Cypress Coast Ford of Seaside, CA at a Cost of \$30,012.34.**

OTHER ITEMS FOR BOARD CONSIDERATION, DISCUSSION AND ACTION

- 6) **Adopt Resolution 2011-09 Authorizing Participation in Monterey Bay Regional Climate Action Compact**

The Board reviewed a memorandum from Assistant General Manager Tim Flanagan regarding participation in the Monterey Bay Regional Climate Action Compact (MBRCAC). The MBRCAC was originally formed in 2007 and is a network of government agencies, educational institutions, private businesses, and non-profit and non-governmental organizations from the Monterey Bay Region, committed to working collaboratively to address the causes and effects of global climate change through local initiatives that focus on economic vitality and which reduce environmental impacts for the region. The District’s participation will assist to meet the voluntary and regulatory greenhouse gas emission reduction targets, energy efficiency goals, and new CEQA requirements set by state laws enacted by California Legislature.

Board discussion followed regarding the MBRCAC staffing, monetary contributions, annual progress report content, and overlapping entity duties and responsibilities with other existing agencies. Assistant General Manager stated that there are no fees to participate at this time, although a nominal fee may be necessary in the future. Director Parker stated that the MBRCAC is very mindful of time and money. She attended a meeting and it was interesting to note the various projects that MBRCAC is interested in pursuing such as alternative and sustainable energy solutions. She stated that District staff can participate in projects of interest only.

Director Delgado questioned about having another layer of government doing something that an existing agency, such as the Association of Monterey Bay Area Governments (AMBAG) is already doing. Director Parker stated that she had asked the same question at the meeting and the answer was that AMBAG has enough unfunded mandates that they are dealing with. MBRCAC is meeting on a voluntary basis and discussing topics that AMBAG may not be able to move forward. The MBRCAC is open to having AMBAG participate.

Discussion continued regarding AMBAG and its responsibilities and viability. The Board requested that staff provide more information regarding the MBRCAC list of projects, and the recently completed report from AMBAG's interim General Manager, Les White, responding to questions of AMBAG's viability.

It was moved by Director Parker, seconded, and Unanimously Carried To: Adopt Resolution 2011-09 Authorizing Participation in Monterey Bay Regional Climate Action Compact, Provide Additional Information at the November 18, 2011 Meeting, and Provide Status Updates Every Six Months to Consider Continued Participation.

STAFF REPORTS

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

The Board reviewed the financial statements for September 2011. Operating Income for September is \$122,656.03 and \$1,121,805.76 year-to-date. The year-to-date total Operating Expenses are below budget by 0.68% at \$4,564,401.30. The year-to-date Operating Revenues are \$5,686,207.06, above last year by \$1,003,779.04 and 2.65% above budget. Accepted tonnage for the month of September decreased by 20.2% (in District down 17.2% and Contract and Regional Waste down 24.6%) from last month.

Director Delgado inquired about the "below budget" expenses, and the "above budget" revenues of 2.65%. Finance Manager responded that the first quarter in the fiscal year is typically the best because it is during the summer when many people are doing more projects because of the weather. Less tonnage is brought in during the second quarter for the same reason so revenues decrease. Vice Chair McCloud stated that her request to delay Agenda Item 3 until after discussion of this item was she had the same question as Director Delgado. If the revenue was above budget at the beginning of the fiscal year, then perhaps an increase to the tip fee would seem unnecessary.

The Board reviewed the Operating Report for September 2011. The Total Solid Waste Accepted into the site (excluding Contract and Regional Waste during September 2011 was 22,602 tons, a decrease of 4,704 tons from August 2011 and a decrease of 1,732 tons from September 2010. The tonnage from Contract and Regional Waste was Santa Cruz County – none, cities of Watsonville – 98.71, Capitola – 612.31, Scotts Valley – 610.26 and GreenWaste Recovery (GWR) – refuse 9,922.86 and alternative daily cover 2,799.87 tons.

Director Bales stated that staff and the Finance Committee have held discussion regarding the Santa Cruz County contract and the viability of keeping a contract open when no waste is being brought to the District. General Manager stated that staff will be discussing these regional contracts with the contract parties soon, although the additional revenue from GWR has allowed more time to consider what is in the best interest of the District and the community.

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

3) Schedule a Public Hearing for November 18, 2011 to Consider a 2.4% Cost of Living Increase to the Solid Waste (Basic Rate) Landfill Tipping Fee, from \$47.00 per Ton to \$48.25 per Ton, Effective January 1, 2012.

Following discussion of Agenda Item 7, staff requested that the Board approve the scheduling of a public hearing to consider a 2.4% cost of living increase to the Solid Waste Landfill tipping fee effective January 1, 2012. The increase of \$1.25 per ton would raise the fee from \$47.00 to \$48.25 per ton. A COLA adjustment of \$0.50 will also be made to the Greenwaste tipping fee from \$23.00 to \$23.50 per ton.

Director Oglesby requested that staff provide the Board with additional information as to the necessity of the cost of living increase to the landfill tipping fee. General Manager responding that a fact sheet will be provided at the November Board meeting.

It was moved by Vice Chair McCloud, seconded, and Unanimously Carried To: Schedule a Public Hearing for November 18, 2011 to Consider a 2.4% Cost of Living Increase to the Solid Waste (Basic Rate) Landfill Tipping Fee, from \$47.00 Per Ton to \$48.25 Per Ton, Effective January 1, 2012.

STAFF REPORTS (CONTINUED)

8) Report on Public Education, Recycling and Litter

The Board reviewed a memorandum from Public Education and Recycling Manager Jeff Lindenthal regarding Coastal Cleanup Day held on September 17th. Monterey City Council would be considering a plastic bag ban on November 1, 2011. He also reported on the recently approved AB 341 increasing the statewide goal of 50% diversion to 75% by the year 2020.

Vice Chair stated that the City of Carmel will also be considering a plastic bag ban in the near future. Director Delgado expressed appreciation to Public Education and Recycling Manager for attending the Marina City Council meeting when consideration of the polystyrene ban was taking place. He stated that there was some concern expressed regarding using compostable materials in place of polystyrene.

Director Bales inquired whether there was a plan to get member agencies to the AB 341 75% diversion goal. General Manager stated that the District has undertaken measures, such as model franchise agreements, and improvements to the District's materials facility plan to be able to process commercial and multifamily waste. Director Delgado expressed that at a recent meeting, Assemblyman Bill Monning had stated that of all of the legislation passed, he viewed AB341 as one of the most important related to the environment. Director Delgado expressed appreciation to Assistant General Manager who had attended that meeting and represented the District well with his input related to solid waste.

9) Report on October 1, 2011 60th Anniversary Event

The Board reviewed a memorandum from Public Education and Recycling Manager regarding the District's 60th Anniversary event, which had been attended by 350 local residents who participated in the demonstrations, exhibitions, tours, and lunch. Assistant General Manager provided the Board with a slideshow presentation of the event and expressed appreciation to all employees for their efforts in making the site look its best for the event. He thanked participating partners and sponsors who had contributed by having informational booths and/or with financial contributions. General Manager expressed appreciation to the Board members who had attended, in particular to Vice Chair McCloud for her remarks during the ceremonies.

Board discussion followed regarding ongoing employee participation in District tours and its benefits. Chair Laska stated that staff efforts, along with those of Lewis Leader, to publicize the event were commendable.

10) Legislative Report

General Manager provided the Board with an update on legislation. He stated that the California Water Resources Control Board is developing regulations with regard to composting which could impact District operations, and increase costs.

11) Report on October 18, 2011 Monterey County Special District Association Meeting

The Board reviewed the agenda for the October 18th meeting of the Special Districts Association of Monterey County, along with the minutes from the July 19th meeting. General Manager attended the meeting and stated he would provide a summary at the November Board meeting.

OTHER CORRESPONDENCE

There was no correspondence.

GENERAL MANAGER COMMUNICATIONS

General Manager reported on the meeting with Peninsula City Managers held on September 16th, following the Board meeting. The purpose of the meeting was to provide a brief overview on the subject of the local solid waste infrastructure, including collection, processing and disposal of waste; and focused on the needs of the member agencies within the District. The majority of the meeting was taken up by discussion and receiving of comments and concerns from the group. The meeting was very well attended, with all member agencies represented. There was no opposition to the plans outlined by District staff, and there seemed to be support and concurrence with the direction the effort is headed. General Manager also reported that the next District Strategic Planning Advisory Task Force meeting is scheduled for Thursday, November 17th at 9:30 a.m., in the District's administrative offices. District staff is completing work on the revised Draft Model Franchise Agreement and the Draft Facilities Plan. Both are scheduled for presentation to the Board in early 2012.

General Manager stated that the District received its Five-Year Solid Waste Facilities Permit from Monterey County and CalRecycle. This permit, which has to be renewed every five years, is one of the most significant of all of the District's operating permits and he expressed appreciation to all involved in completing the permitting process.

General Manager also reported that the Monterey County Integrated Waste Management Task Force (MCIWMTF) will hold its 2011 meeting on Wednesday, November 9th, at 1:30 p.m. at the District's administrative offices.

BOARD COMMUNICATIONS

CLOSED SESSION

The Board went into closed session at 10:55 a.m. regarding the following:

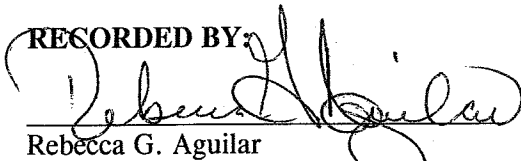
- 1) Conference with Labor Negotiators:
District Negotiators: William Merry, Richard Norton and Tim Flanagan
Employee Organizations: Management Employees
- 2) Conference with Property Negotiators:
Property: Landfill Site Space/Capacity
District Negotiators: William Merry and Tim Flanagan
Negotiating Party: County of Monterey
Terms: All Terms and Conditions
- 3) Conference with Property Negotiators:
Property: Methane Gas in District Landfill
District Negotiators: William Merry, Tim Flanagan and Don Prescott
Negotiating Party: Northern California Power Agency and 3 Phases Renewable
Terms: All Terms and Conditions

The Board came back into open session at 12:07 p.m. Legal Counsel announced that with regard to closed session agenda Item 1, the Board received information and provided direction to the negotiators. With regard to closed session agenda Items 2 and 3, the Board received information. No other action was taken.

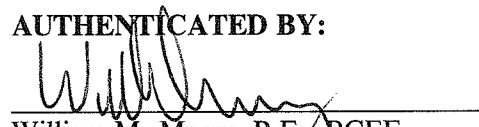
ADJOURNMENT

There being no further business to come before the Board at this time, the October 21, 2011 Regular Meeting of the Monterey Regional Waste Management District Board of Directors was adjourned to November 18, 2011 by Chair Laska at 12:08 a.m.

RECORDED BY:


Rebecca G. Aguilar
Administrative Support Supervisor/
Recording Secretary

AUTHENTICATED BY:


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