

BOARD OF DIRECTORS

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SUE McCLOUD
VICE CHAIR

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BRUCE DELGADO
DENNIS ALLION



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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, 9:00 a.m.
September 16, 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
Bruce Delgado, City of Marina Mayor

MEMBERS ABSENT: Ian Oglesby, City of Seaside Councilmember
Dennis Allion, City of Del Rey Oaks Councilmember

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

OTHERS PRESENT: Charlie Cordova, Green Waste Recovery
Bob Hilton, HF&H Consultants
Teresa Rios, Monterey County Environmental Health Bureau
Brad Hagemann, Monterey Regional Water Pollution Control Agency
Mike Niccum, Pebble Beach Community Services District
Patrick Mathews, Salinas Valley Solid Waste Authority
Joe Cadelago, Waste Management
Felipe Melchor, Waste Management
Lewis Leader

ROLL CALL AND ESTABLISHMENT OF QUORUM

With notice duly given and presence of a quorum established, the September 16, 2011 Regular Meeting of the Monterey Regional Waste Management District Board of Directors was called to order by Chair Laska at 9:00 a.m.

CLOSED SESSION

The Board went into closed session at 9:02 a.m. regarding the following:

- 1) 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
- 2) Conference with Labor Negotiators:
District Negotiators: William Merry, Richard Norton and Tim Flanagan
Employee Organizations: Operating Engineers and Management Employees

ADJOURN FROM CLOSED SESSION

The Board came back into open session at 9:22 a.m. Legal Counsel announced that the Board received information on both agenda items. With regard to Item 2, instructions were given to the negotiators. No other action was taken.

PUBLIC COMMUNICATIONS

There were no public communications.

CONSENT AGENDA

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

- 1) Approve Minutes of August 19, 2011 Regular Board Meeting
- 2) Approve Report of Disbursements
- 3) Authorize General Manager to Purchase Used Pick Up Truck for Site Manager at a Cost Not to Exceed \$30,000

OTHER ITEMS FOR BOARD CONSIDERATION, DISCUSSION AND ACTION

- 4) Accept Report from Finance Committee Chair on Meeting of September 14, 2011

The Board reviewed a memorandum from Chair Laska summarizing the September 14, 2011 Finance Committee meeting. The Finance Committee discussed past year tonnages and revenue from GreenWaste Recovery (GWR). Staff reported the auditors completed their field review and will present the audit to the Finance Committee at a meeting in October for presentation to the full Board at their November meeting. Staff presented information

regarding the process and timeframe to create a Community Choice Aggregation (CCA) for the purpose of selling renewable power. Discussion was also held regarding the possibility of selling all of the District's five megawatts of renewable power to the Northern California Power Agency (NCPA) under a 10-year agreement.

It was moved by Director Bales, seconded, and Unanimously Carried To: Accept Report from Finance Committee Chair on Meeting of September 14, 2011.

5) Authorize General Manager to Pursue Selling Power through Community Choice Aggregation (CCA)

The Board received a report from Information Systems Manager Don Prescott regarding the sale of renewable power through a CCA, its benefits, and its challenges for creation. He reported that staff had recently learned of an opportunity to sell all of the District's renewable power to the NCPA, a joint powers authority that offers a price slightly less than the price in the 10-year agreement the District planned to sign with PG&E. Staff recommended, and the Finance Committee concurred, pursuing the opportunity to sell power to the NCPA.

Board discussion followed regarding the membership make up of the NCPA. Vice Chair McCloud suggested that staff discuss a CCA with member agency city managers at an upcoming meeting. Director Downey applauded staff efforts for pursuing agreements that were in the best interest of the District and the community.

It was moved by Director Parker, seconded, and Unanimously Carried To: Authorize General Manager to Pursue Selling Renewable Power to the Northern California Power Agency (NCPA) as a First Priority and Continue to Explore Selling Through a Community Choice Aggregation (CCA) Separately and as a Second Priority.

6) Accept Report from Personnel Committee Chair on Meeting of September 14, 2011

The Board reviewed a memorandum from Chair Laska summarizing the September 14, 2011 Personnel Committee meeting. General Manager stated that with regard to the replacement of the Administrative Services Manager, who will be retiring later this year, he and Monterey Regional Water Pollution Control Agency General Manager, Keith Israel, are in agreement to share resource of each agency toward a mutual benefit. He recommended, and the Personnel Committee concurred, that the Administrative Services Manager position be an at-will position.

It was moved by Director Bales, seconded, and Unanimously Carried To: Accept Report from Personnel Committee Chair on Meeting of September 14, 2011.

7) Approve Memorandum of Understanding (MOU) with Operating Engineers Union (OE3) Laborers and Sales Clerk Unit

The Board reviewed the Memorandum of Understanding (MOU) with the Operating Engineers Union (OE3) Laborers and Sales Clerks unit, as discussed with the Board in closed session at their August meeting. This is the first contract for this unit negotiated on their behalf by OE3. The MOU is cost neutral over the three year period, addresses labor market equity issues highlighted in a compensation study conducted by the District, and contains legacy cost savings to the District in the longer term and substantial employee concessions in several areas including health care costs and retirement benefits.

Board discussion followed regarding the options for District employees to elect not to join the union and corresponding administrative fees.

It was moved by Vice Chair McCloud, seconded, and Unanimously Carried To: Approve MOU with OE3 Laborers and Sales Clerk Unit.

8) Approve MOU with OE3 Operations Unit

The Board reviewed the MOU with the OE3 Operations unit, as discussed with the Board in closed session at the August meeting. The MOU is cost neutral over the three year period, addresses labor market equity issues highlighted in a compensation study conducted by the District, and contains legacy cost savings to the District in the longer term and substantial employee concessions in several areas including health care costs and retirement benefits.

Administrative Services Manager stated that language referencing Service Employees International Union had been inadvertently left in and therefore needed to be removed.

It was moved by Vice Chair McCloud, seconded, and *Unanimously Carried To: Approve MOU with OE3 Operations Unit, as Corrected.*

9) Approve MOU with OE3 Support Personnel Unit

The Board reviewed the MOU with the OE3 Support Personnel unit, as discussed with the Board in closed session at the August meeting. The MOU is cost neutral over the three year period, addresses labor market equity issues highlighted in a compensation study conducted by the District, and contains legacy cost savings to the District in the longer term and substantial employee concessions in several areas including health care costs and retirement benefits.

Administrative Services Manager stated that there was a change to cost of living adjustment effective July 1, 2013, which the Board had been made aware of during closed session.

It was moved by Vice Chair McCloud, seconded, and *Unanimously Carried To: Approve MOU with OE3 Support Personnel Unit, as Amended.*

10) Approve Revisions to Personnel Policies

The Board reviewed sections of the Personnel Policies that were being revised due to negotiations with all three of the OE3 units.

It was moved by Director Bales, seconded, and *Unanimously Carried To: Approve Revisions to Personnel Policies.*

STAFF REPORTS

11) Review Finance, Operating, and Recycling Reports

The Board reviewed the financial statements and operating reports for July 2011.

12) Report on SWANA 2011 Wastecon Technical Conference and Tradeshow

The Board received a memorandum from Director Bales on his attendance at technical sessions of the Solid Waste Association of North America (SWANA) 2011 Wastecon Technical Conference and Tradeshow held in Nashville, Tennessee, August 23-25, 2011. General Manager expressed appreciation to Director Bales for attending the conference.

Chair Bales reported that one of the sessions dealt with development of model franchise agreements in California based on performance, public-private partnerships, and best practices. Vice Chair McCloud suggested contacting the cities of Napa and Berkeley to obtain more information regarding their franchise agreements as mentioned in Director Bales' memorandum.

General Manager noted that there is considerable interest nationally in waste conversion technologies (WCT) and as such, there are many more new vendors, suppliers or developers of WCT. He stated that there were many unanswered questions with the technology along with large capital costs and associated project risk. Many of the WCTs are best left to the bigger cities to experiment with and to implement.

13) Status Report on Upcoming October 1st 60th Anniversary

The Board reviewed a memorandum from Public Education and Recycling Manager Jeff Lindenthal regarding plans for the celebration of the District's 60th Anniversary on Saturday, October 1, 2011. The event is open to the public, scheduled from 10 a.m. to 2 p.m. and will include remarks from dignitaries, tours, children's activities, and lunch.

OTHER CORRESPONDENCE

There was no correspondence.

GENERAL MANAGER COMMUNICATIONS

General Manager expressed appreciation to the Board for accommodating the earlier Board meeting start time in order to hold the meeting of member agency city managers.

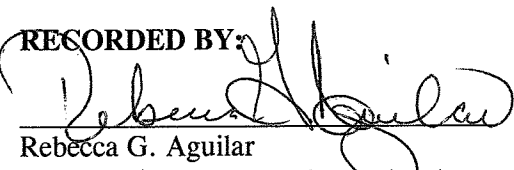
BOARD COMMUNICATIONS

There were no Board communications.

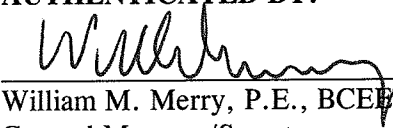
ADJOURNMENT

There being no further business to come before the Board at this time, the September 16, 2011 Regular Meeting of the Monterey Regional Waste Management District Board of Directors was adjourned to October 21, 2011 by Chair Laska at 9:59 a.m.

RECORDED BY:


Rebecca G. Aguilar
Administrative Support Supervisor/
Recording Secretary

AUTHENTICATED BY:


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