

BOARD OF DIRECTORS
DENNIS ALLION
CHAIR

LEO LASKA
VICE CHAIR

GARY BALES
SUE MCCLOUD
DAVID PENDERGRASS
LIBBY DOWNEY
JANE PARKER
IAN OGLESBY
BRUCE DELGADO



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

TIMOTHY S. FLANAGAN
ASST. GENERAL MANAGER

RICHARD SHEDDEN, P.E.
SENIOR ENGINEER

ROBERT WELLINGTON
COUNSEL

MONTEREY REGIONAL WASTE MANAGEMENT DISTRICT

Home of the Best Chance Merewoods

MONTEREY REGIONAL WASTE MANAGEMENT DISTRICT REGULAR MEETING MINUTES

Friday, 9:19 a.m. Immediately Following the MRWM Authority Meeting
July 19, 2013

Boardroom
MRWMD Offices
14201 Del Monte Blvd., Marina CA

MEMBERS PRESENT: Dennis Allion (Chair), City of Del Rey Oaks Councilmember
Leo Laska (Vice Chair), Pebble Beach Community Services District Boardmember
Sue McCloud, City of Carmel-by-the-Sea
Bruce Delgado, City of Marina Mayor
Libby Downey, City of Monterey Vice Mayor
Jane Parker, (Unincorporated) Monterey County Supervisor, District 4
Gary Bales, City of Pacific Grove
David Pendergrass, City of Sand City Mayor

MEMBERS ABSENT: Ian Oglesby, City of Seaside Councilmember

STAFF PRESENT: Tim Flanagan, Assistant General Manager
Rob Wellington, Legal Counsel
Rick Shedden, Senior Engineer
Daylene Alliman, Human Resources Manager
Chuck Rees, Finance Manager
Jeff Lindenthal, Public Education and Recycling Manager
Kimberle Herring, Public Education Coordinator
Rebecca Aguilar, Administrative Support Supervisor
Ida Gonzales, Administrative Support Specialist

OTHERS PRESENT: Ted Terrasas, City of Monterey
Caleb Miller, GeoLogic Associates
Charlie Cordova, Green Waste Recovery
Emily Hanson, Green Waste Recovery
Keith Day, Keith Day Trucking
Teresa Rios, Monterey County Environmental Health
Rose Gill, Salinas Valley Solid Waste Authority
Angie Mendoni, Waste Management

ROLL CALL AND ESTABLISHMENT OF QUORUM

With notice duly given and presence of a quorum established, the July 19, 2013 Regular Meeting of the Monterey Regional Waste Management District Board of Directors was called to order by Chair Allion at 9:19 a.m.

MODULE 5 RIBBON CUTTING

The Board convened to the Module 5 site for the ribbon cutting and to witness the first load of waste being placed in the newly developed fully lined module.

RECONVENE IN BOARDROOM

The Board reconvened in the Board room at 9:50 a.m.

PUBLIC COMMUNICATIONS

There were no comments from the public.

CONSENT AGENDA

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

- 1) Approve Minutes of June 21, 2013 Regular Board Meeting
- 2) Approve Report of Disbursements
- 3) Adopt Resolution 2013-14 Establishing District Investment Policy Guidelines for Fiscal Year 2013/14
- 4) Award Contract to Falcon Air Bird Abatement, of Turlock, CA for Bird Abatement Services at an Annual Cost Not to Exceed \$150,000

PRESENTATIONS

- 5) Presentation on Module 5 Landfill Liner Construction

The Board reviewed a memorandum and other information summarizing the project from Senior Engineer Rick Shedden. The landfill liner project was completed in June 2013. The 23-acre, \$3.6 million composite liner was constructed by Raminha Construction of Atascadero, CA, with assistance in the design and construction by GeoLogic Associates (GLA) of Grass Valley, CA. RMC Geoscience/Cal Engineering and Geology of Petaluma, CA provided construction quality assurance services. The new Module 5 will have a waste capacity of approximately 5,000,000 tons or a service life of approximately 15 years.

Director Parker seated at 10:10 a.m.

Caleb Miller, GLA, provided the Board with exhibits depicting the various construction layers associated with the new module as regulated by the state in order to protect the environment from leakage and other potential hazards. The Board was also provided with a slideshow showing various phases of construction.

Chair Allion stated that it was tremendously important for the public to learn how funds are being spent to protect the public and the environment, and inquired how staff planned on educating the public on these details. Public Education and Recycling Manager Jeff Lindenthal stated that as the project was developing, photos were being placed on the District's Facebook page. Director McCloud suggested writing an open letter for the public opinion page in the *Herald*.

OTHER ITEMS FOR BOARD CONSIDERATION, DISCUSSION AND ACTION

6) **Accept Report from Finance Committee Chair on Meeting of June 26, 2013**

The Board reviewed the Report from Finance Committee Chair Laska. The meeting purpose was to review matters related to the Landfill Gas Project Power Sales, the Proposal from the City Managers' Group to participate in a County-Wide Solid Waste Study and the amendment to the Jefferson Farm share cropping lease.

It was moved by Director McCloud, seconded, and *Unanimously Carried To: Accept Report from Finance Committee Chair on Meeting of June 26, 2013.*

7) **Authorize Chair to Cast Ballot to Elect a Representative to California Special Districts Association Board of Directors in Region 3**

The Board reviewed information from the California Special Districts Association (CSDA) regarding elections to the CSDA Board of Directors for Region 3. The Board also reviewed information from one of the three candidates, incumbent Sherry Sterrett from Pleasant Hill Recreation & Park District.

The Board suggested that in the future staff provide candidate information as soon as it is received in order to allow the Board more time for review and requested that General Manager research candidates in order to provide the Board additional background information.

It was moved by Vice Chair Laska, seconded, and *Unanimously Carried To: Authorize Chair to Cast Ballot Voting for Incumbent Sherry Sterrett as Representative to California Special Districts Association Board of Directors in Region 3.*

8) **Adopt Resolution 2013-15 for the Election of Directors to the Special District Risk Management Authority Board of Directors**

The Board reviewed information from Special District Risk Management Authority (SDRMA) regarding elections to the SDRMA Board of Directors. The Board also reviewed background information for the seven candidates seeking the four seats open on the SDRMA Board.

It was moved by Vice Chair Laska, seconded, and *Unanimously Carried To: Adopt Resolution 2013-15 Voting for Incumbents Muril Clift, Jean Bracy, David Aranda, and for Tim Unruh to the Special District Risk Management Authority Board of Directors.*

STAFF REPORTS

9) Review Financial, Operating and Recycling Reports

The financial statements for June 2013 were not provided to the Board due to the year-end close and audit procedures. Finance Manager reported that the auditors from Bianchi, Kasavan & Pope began work on the Annual Audit and they had completed their interim fieldwork and procedures. Staff anticipates bringing the completed audit for Board review at the October or November Board meeting.

The Tipping Fees Revenues for the month of June 2013 are estimated at \$1,400,000 which is \$110,000 above budget. The full year Tipping Fees Revenues are projected to be \$660,000 (4.3%) above budget. Refuse Accepted (excluding Regional and Contract Waste) for June decreased by 284 tons from last year and decreased by 1,707 tons from last month. The total refuse for the last 12 months was 183,071 tons, down 284 tons from the 12 month period ended June 2012. The Board also reviewed the Operating Report for June 2013.

Director Allion expressed appreciation with the District's conservative approach in estimating revenues. Director Bales inquired on notification to the waste haulers with regard to the approved rate increase effective January 1, 2014. Director McCloud inquired if there had been any complaints regarding the approved new hours to which staff responded that there had been none to date.

10) Status Report on Request for Proposals (RFP) for Solid Waste, Recycling, and Organics Collection Services

The Board reviewed a memorandum from Public Education and Recycling Manager Jeff Lindenthal on the ongoing effort to solicit proposals for the Peninsula hauling contracts. The memorandum outlined key dates and clarifications in the RFP process. Assistant General Manager stated that staff has provided tours to several interested parties. Public Education and Recycling Manager Jeff Lindenthal stated that the due date for the proposal had been extended at the request of several proposers. HF&H had created a special website to provide RFP information and updates which can be found at www.hfh-consultants.com/MRWMD.

Board discussion followed regarding the clarifications to date.

11) Report on July 16, 2013 Meeting of Monterey County Special Districts Association

The Board reviewed the agenda for the July 16th Special Districts Association (SDA) meeting, and the draft minutes of the April 16th meeting. Director Allion attended the meeting along with Human Resources Manager Daylene Alliman. Human Resources Manager verbally reported on the meeting.

12) Report on Solid Waste Legislation and Regulatory Matters

The Board reviewed a coalition letter submitted on July 12, 2013 to Mary Nichols, Chair of the California Air Resources Board and to Carol Mortensen, Director of CalRecycle, commenting on the Waste Management Sector Plan for the 2013 Scoping Plan Update. The District was a signatory on the coalition letter which presented a more realistic view from the industry standpoint on matters such as the AB 341, 75% Goal, Landfill Methane Emissions rates and creating fuels and energy from solid waste. The General Manager also reported on AB 323 (Chesbro) – Organics/ADC in his manager's report, which the SWANA Legislative Task Force (SWANA) has an oppose position on this bill as this would affect the use of MRF fines as alternative daily cover.

The Board was also provided with a 2013 White Paper prepared by the SWANA LTF entitled: 75% Diversion and Beyond – The State's Role in Development of New Solid Waste Management Infrastructure and Diversion Programs in California.

OTHER CORRESPONDENCE

13) Letter from Salinas Valley Solid Waste Authority to Monterey County RE: Monterey County's Intent to Withdraw

The Board reviewed a letter from the Salinas Valley Solid Waste Authority to Monterey County, in response to Monterey County's June 28, 2013 letter of intent to withdraw conditions.

14) Letter from Monterey Bay Area Managers Group RE: Appreciation for Willingness to Participate in Discussions for Possible Solid Waste Collection Services Request for Proposals and Consultant Selection Process

The Board reviewed a letter from the Monterey Bay Area City Managers Group, dated July 1, 2013, expressing appreciation to the District Board for discussion held at the District's June 21, 2013 Board meeting and for authorizing the General Manager to participate in continued discussions regarding the proposed solid waste services request for proposals and consultant selection process.

15) Letter to Monterey Regional Water Pollution Control Agency RE: Comments to Notice of Preparation for Monterey Peninsula Groundwater Replenishment Project Environmental Impact Report.

The Board reviewed a letter to the Monterey Regional Water Pollution Control Agency (MRWPCA) commenting on their Notice of Preparation with regard to their Replenishment Project Environmental Impact Report.

GENERAL MANAGER COMMUNICATIONS

General Manager reported in his manager's report that the California Special Districts Association (CSDA) Annual Conference would be held in Monterey, September 16-19, 2013 and interested attendees would be touring the District's facilities on Monday, September 16th. Board members interested in attending the conference should advise staff as attendance at the conference also counts for insurance premium discounts.

Also in his manager's report, General Manager reported that staff is considering cancelling the August 16, 2013 Board meeting. If the meeting is to be cancelled, a notice will be sent out.

BOARD COMMUNICATIONS

16) Review List of Committee Appointments

The Board reviewed a current list Board Committee Appointments. Chair Allion requested that Board members advise of any interest to serve on the committees. Going forward, he would be the Chair of the Finance Committee and Vice Chair Laska would continue to serve as Chair of the Personnel Committee. Discussion was held regarding the pros and cons of separate committee for finance and personnel.

Director Bales reported that a presentation will be given to the City of Pacific Grove City Council regarding a no cost to participants Community Choice Aggregation (CCA) feasibility study. Director McCloud requested that staff provide background information about the CCA that can be used as a means of getting the issue placed on a future agenda for member agencies. The City of Seaside and the County of Monterey have already agreed to participate in the study.

Director Pendergrass advised that he would not be attending the September Board meeting due to a conflict in attending the League of California Cities annual meeting.

Chair Allion requested that staff review the feasibility and practicality of producing the Board packets electronically and use of electronic devices for board meetings as other agencies are using.

CLOSED SESSION

The Board went into closed session at 11:30 a.m. regarding the following:

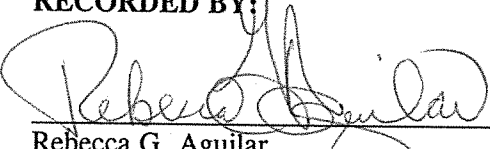
- 1) Conference with Property Negotiators:
 - Property: Landfill Site Space/Capacity
 - District Negotiators: William Merry and Tim Flanagan
 - Negotiating Party: County of Monterey/Morgan Hill-Gilroy
 - Terms: All Terms and Conditions

The Board came back into open session at 11:41 a.m., and Legal Counsel announced that in closed session, the Board had received information and discussion was held; no action was taken.

ADJOURNMENT

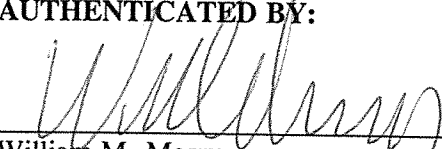
There being no further business to come before the Board at this time, the July 19, 2013 Regular Meeting of the Monterey Regional Waste Management District Board of Directors was adjourned to August 16, 2013 by Chair Allion 11:42 a.m.

RECORDED BY:



Rebecca G. Aguilar
Administrative Support Supervisor/
Recording Secretary

AUTHENTICATED BY:



William M. Merry
General Manager/Secretary