

**MONTEREY REGIONAL WASTE MANAGEMENT DISTRICT  
REGULAR MEETING MINUTES**

9:37 A.M., Friday  
January 17, 2003

Boardroom  
Marina Landfill  
Marina, CA

**MEMBERS PRESENT:** Dan Albert, Chair  
Gary Bales  
William Gianelli  
Edith Johnsen  
Tom Mancini  
Sue McCloud  
David Pendergrass

**MEMBERS ABSENT:** Jack Barlich, Vice Chair  
Jim Perrine

**STAFF PRESENT:** William Merry, District Engineer/Assistant General Manager  
Rob Wellington, Legal Counsel  
Rick Shedden, Senior Engineer  
Richard Norton, Administrative Services Manager  
Don Prescott, Finance/Information Systems Manager  
Rebecca Aguilar, Administrative Support Supervisor  
Cheryl Hall, Public Education Assistant  
Rodney Barber, Assistant Mechanic/OE3 Shop Steward

**OTHERS PRESENT:** Bjorn Lundegard, City of Seaside

**ROLL CALL AND ESTABLISHMENT OF QUORUM**

Notice having been duly given and the presence of a quorum established, the January 17, 2003, Regular Meeting of the Monterey Regional Waste Management District Board of Directors was called to order by Chair Albert at 9:37 a.m.

AMENDED

CONSENT AGENDA

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

- 1) Approve Minutes of December 20, 2002 Regular Meeting.
- 2) Approve Warrants #39482 - #39691.
- 3) Strategic Plan Update.

ITEMS FOR BOARD CONSIDERATION, DISCUSSION AND ACTION

- 4) **Adopt Resolution 2003-01 Approving the Form of and Authorizing the Execution and Delivery of Second Amended Joint Powers Agreement, and Directing the Termination of the Special Districts Workers Compensation Authority**

The Board reviewed a letter from William Miller, President of the Special Districts Workers Compensation Authority (SDWCA) Board of Directors, and David Aranda, President of the Special Districts Risk Management Authority (SDRMA) Board of Directors, regarding the consolidation of their boards of directors and administration. As stated in the letter, SDRMA and SDWCA have decided to combine their operations for the cost savings, increased efficiency, improved service, and greater SDWCA organizational stability. As a member of SDWCA, the District must adopt this resolution terminating SDWCA, and then adopt the resolution in Item 5 approving the consolidation of SDWCA and SDRMA.

It was moved by Director Pendergrass, seconded, and *Unanimously Carried To: Adopt Resolution 2003-01 Approving the Form of and Authorizing the Execution and Delivery of Second Amended Joint Powers Agreement, and Directing the Termination of the Special Districts Workers Compensation Authority.*

- 5) **Adopt Resolution 2003-02 Approving the Form of and Authorizing the Execution and Delivery of a Fifth Amended and Restated Joint Powers Agreement (Re: SDRMA/SDWCA)**

It was moved by Director McCloud, seconded, and *Unanimously Carried To: Adopt Resolution 2003-02 Approving the Form of and Authorizing the Execution and Delivery of a Fifth Amended and Restated Joint Powers Agreement.*

- 6) **Approve MRWMD Annual Report for Fiscal Year 2001-2002**

The Board reviewed the Annual Report for fiscal year 2001-2002. Assistant General Manager reported that the annual report preparation had been delayed pending the final adjustment factors for recycling diversion rates from the California Integrated Waste Management Board. He stated that next year the District would not wait for these adjustment factors in order to distribute the annual report to member agencies and other interested parties.

Assistant General Manager pointed out the increase in diversion rates over the last several years. The District and member agencies will need to continue to work together in order to maintain the recycling rates. He also noted that the District on-site diversion rate for fiscal year 2001-2002 was 38%. District staff will be exploring options to increase on-site diversion, which will include extending MRF operating hours. Assistant General Manager also noted that revenue from the Last Chance Mercantile has continued to increase over the last 10 years and the number of customers at the District's Permanent Household Hazardous Waste Facility increased from 1,736 in fiscal year 1991-1992 to 9,014 in fiscal 2001-2002.

Director Pendergrass asked why the cities have all reached 50% recycling yet the on-site diversion was only 38%. Assistant General Manager responded that each city had different recycling programs, which coupled with the District on-site diversion, enabled the cities to reach 50%.

It was moved by Director Mancini, seconded, and *Unanimously Carried To: Approve MRWMD Annual Report for Fiscal Year 2001-2002.*

**7) Approve New Contract with First National Bank for Deposit of Moneys**

The Board reviewed correspondence regarding a new contract with First National Bank (FNB). FNB has been the District's bank for many years and the new contract would update account data and agreements.

It was moved by Director Mancini, seconded, and *Unanimously Carried To: Approve New Contract with First National Bank for Deposit of Moneys.*

**STAFF REPORTS**

**8) Status of Boardmember Appointments**

Board member Edith Johnsen reported that the District should receive correspondence that she had been reappointed at the January 14<sup>th</sup> Board of Supervisors meeting. Director Bales' reappointment by the City of Pacific Grove will be considered in February.

**9) Status Report on Fort Ord Special Waste Variance**

The Board reviewed a letter from Edwin Lowry, Director of the State Department of Toxic Substance Control (DTSC) to Michael Houlemard, Executive Officer of FORA notifying him that DTSC staff would give high priority to the special waste variance application review. The Board also reviewed a letter sent to Assistant General Manager from Karl Palmer, Chief of the State Regulatory Programs Branch of the Hazardous Waste Management Program of DTSC. Assistant General Manager stated that as mentioned in the letter, the District's request of special waste classification for the lead painted material would be addressed first, since that classification approval was needed first in order to further consider the disposal and transportation variance request.

Assistant General Manager stated that in conversations with DTSC staff, they had indicated that the variance cost would not exceed \$100,000. He reminded the Board that the cost had originally been estimated at \$200,000. He commented that a draft reimbursement agreement from the DTSC is anticipated within a week and that staff and Legal Counsel would be reviewing it. The agreement would be presented to the Board in February and upon approval, the District would deposit \$25,000 into a DTSC draw-down account to start the process, including the CEQA process for the variance. The District has a verbal agreement with FORA to reimburse half of the cost of the variance application if it is unsuccessful, but a written agreement is still needed. Staff will be meeting with FORA to discuss such an agreement further.

Board discussion followed regarding the cost control since the DTSC was acting as lead agency. Assistant General Manager responded that cost control was of concern, but District staff and the District's environmental consultant, EMC were optimistic maintaining a sharp focus on the process, attending appropriate meetings and responding quickly to issues would help to control the cost as the project unfolds.

**10) Recycling, Operating, and Financial Reports**

The Board reviewed the recycling and operating reports for December. The December financial reports were not available, but will be presented to the Board in February as part of the six-month financial review.

The District had a good month in December. Overall diversion for 2002 was 37% with sludge and 31% without sludge. In February, District staff will propose MRF modifications that would potentially increase overall diversion without increasing labor costs. Assistant General Manager commented that as stated before, the District will conduct a pilot project in the MRF to increase onsite diversion. Additionally, member agencies could increase diversion within their jurisdictions by implementing single stream recycling, if they have not already done so.

**OTHER CORRESPONDENCE**

**11) Letter from California Regional Water Quality Control Board Re: Module 4 Liner Repair**

The Board reviewed a letter from the California Regional Water Quality Board notifying the District that repairs to the Module 4 liner had been approved and requesting that operator training be improved to prevent future liner damage.

**CLOSED SESSION**

The Board met in closed session at 10:05 a.m. to discuss the following matter:

- 1.) Personnel Matter (Public Employee Appointment: General Manager)

The Board came out of closed session at 10:34 a.m. Legal Counsel announced that 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 January 17, 2003, Regular Meeting of the Monterey Regional Waste Management District Board of Directors was adjourned to February 21, 2003 by Chair Albert at 10:34 a.m.

**RECORDED BY:**

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Rebecca G. Aguilar  
Administrative Support Supervisor/  
Recording Secretary

**AUTHENTICATED BY:**

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William M. Merry, P.E., DEE  
District Engineer/  
Assistant General Manager