

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

9:30 A.M., Friday
February 20, 2004

Boardroom
Monterey Peninsula Landfill
Marina, CA

MEMBERS PRESENT: Dan Albert, Chair
Gary Bales
William Gianelli
Ken Gray
Edith Johnsen
Tom Mancini
David Pendergrass

MEMBERS ABSENT: Jack Barlich, Vice Chair
Sue McCloud

STAFF PRESENT: J. David Myers, General Manager
William Merry, District Engineer/Assistant General Manager
Robert Wellington, Legal Counsel
Rick Shedden, Senior Engineer
Richard Norton, Administrative Services Manager
Don Prescott, Finance/Information Systems Manager
Heidi Feldman Public Education Coordinator
Jim Griffith, Site Superintendent
Richard Petitt, Assistant Site Superintendent
Harry Hunzie, Materials Facility Manager
Rebecca Aguilar, Administrative Support Supervisor
Julia Partida, Administrative Support Specialist
Cheryl Hall, Public Education Assistant
Rodney Barber, Assistant Mechanic/Operating Engineers Shop Steward
Suzan Fine, Recycling Attendant/SEIU Shop Steward

OTHERS PRESENT: Angela Brantley, City of Monterey
Roger Van Horn, Monterey County Department of Environmental Health

ROLL CALL AND ESTABLISHMENT OF QUORUM

Notice having been duly given and the presence of a quorum established, the February 20, 2004, Regular Meeting of the Monterey Regional Waste Management District Board of Directors was called to order by Chair Albert at 9:30 a.m.

CONSENT AGENDA

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

- 1) **Approve Minutes of January 16, 2004 Regular Meeting**
- 2) **Approve Warrants #42178 - #42372**

ITEMS FOR BOARD CONSIDERATION, DISCUSSION AND ACTION

3) Approve Murray & Associates Schedule for General Manager Selection Process

The Board reviewed the professional services agreement with Bob Murray & Associates (BM & A), a schedule with key dates for the selection process of the next General Manager, and a schedule for Board member interviews with Regan Williams, the BM & A representative. General Manager stated that according to the schedule, advertising would begin in April, recruitment would end in May, interviewing would take place in June and August, with a selection made in September or October, so that the selected candidate could begin employment November 1, 2004.

The Board discussed how many candidates would be interviewed by the full Board and decided that input would be given to Mr. Williams depending on the number of qualified applicants.

It was moved by Director Mancini, seconded, and *Unanimously Carried To: Approve Murray & Associates Schedule for General Manager Selection Process.*

4) Approve Process for Appeal of Disciplinary Action

The Board reviewed the Procedures for Appeal of Disciplinary Action to the MRWMD Board of Directors. General Manager stated that at the January meeting, Legal Counsel had presented the proposed procedures, but the Board had not taken any action because the Service Employees International Union (SEIU) did not have an opportunity to review the proposed policy prior to submittal to the Board. He stated that staff had met with all of the bargaining units. Except for an increase in the number of pages that could be submitted by the person appealing the disciplinary action from 7 to 20, there had been no opposition.

It was moved by Director Johnsen, seconded, and *Unanimously Carried To: Approve Procedures for Appeal of Disciplinary Action to the MRWMD Board of Directors.*

5) Authorize Purchase of New Truck Scale from Quality Scale, Inc. of Livermore

The Board reviewed a memorandum from District Engineer regarding the purchase of a new truck scale. General Manager stated that as authorized by the Board at the November 2003 meeting, staff had requested

bids for the purchase of a fourth scale, which was needed to improve the flow of traffic and to help preserve the original "A" scale for use by District vehicles or when one of the other scales was down for repairs.

General Manager stated that staff had received five bids with a low bid of \$30,496 from Quality Scale, Inc. of Livermore. The bid included a 24-month warranty and service on all of the District's four scales. General Manager stated that as part of the scale installation, staff would be soliciting bids for paving around the scale and the Last Chance Mercantile.

Board discussion followed regarding the life expectancy of a scale and whether the new scale would work with existing and future scale software. General Manager stated that "A" scale had originally been installed in 1966 and that the new scale would begin operating with the new scale software.

It was moved by Director Johnsen, seconded, and *Unanimously Carried To: Authorize Purchase of New Truck Scale from Quality Scale, Inc. of Livermore at a Cost of \$30,496.*

6) Authorize Shaw EMCON/OWT to Proceed with Conceptual Engineering Design of Landfill Gas System Improvements

The Board reviewed a memorandum from District Engineer regarding improvements related to the landfill gas (LFG) collection system. The Board also reviewed historical information on the LFG project. General Manager stated that many improvements were needed over the next few years. Staff had solicited proposals for design and construction of the LFG improvements and spent a considerable amount of time reviewing proposals and interviewing prospective firms. Staff was requesting that the Board authorize Shaw EMCON/OWT (EMCON) to provide conceptual engineering design work for the modifications to the LFG collection system and schedule a public hearing to consider award of a final engineering design and construction contract to EMCON.

General Manager stated that the need for some of the modifications would depend on whether the sliver fill concept, recommended by Vector Engineering when they updated the Landfill Master Plan, was approved by the Regional Water Quality Control Board. If the sliver fill was approved, the main gas pipes would need to be relocated. He stated that the most urgent issue was dealing with the landfill gas migration detected last year at the property line behind the power generation building.

General Manager stated that US Energy, the company that owns the gas rights, owed the District approximately \$75,000. Staff was working with Legal Counsel to demand payment. He also stated that there were billing errors with the Independent System Operator and/or PG&E.

Director Laska questioned why the conceptual design and the design and construction were being handled separately. District Engineer responded that Legal Counsel had considered the matter of taking proposals from professional engineering firms to design/build this work, as opposed to first designing the work, preparing plans and specifications, and then bidding the work. Legal Counsel said that because this is an energy project, it was acceptable to request design/build proposals as provided in the California Government Code, but a public hearing would need to be held prior to entering into a construction contract. He stated that because of time constraints, staff had wanted to proceed with conceptual engineering design at this time.

It was moved by Director Laska, seconded, and *Unanimously Carried To: Authorize Shaw EMCON/OWT to Proceed with Conceptual Engineering Design of Landfill Gas System Improvements in the Amount of \$22,200.*

7) Schedule Public Hearing on March 19, 2004 to Consider Approval of Contract with Shaw EMCON/OWT to Complete Design and Construct Landfill Gas System Improvements

It was moved by Director Johnsen, seconded, and *Unanimously Carried To: Schedule Public Hearing on March 19, 2004 to Consider Approval of Contract with Shaw EMCON/OWT to Complete Design and Construct Landfill Gas System Improvements.*

8) Consider Request by Monterey County Public Works Department to Waive Disposal Fees for Illegally Dumped Refuse

The Board reviewed a letter from Lew Bauman, Monterey County Public Works (MCPWD) Director, and Vic Lewis, MCPWD Road Maintenance Superintendent asking the District and the Salinas Valley Solid Waste Authority to temporarily waive fees for disposal of illegally dumped materials removed from County rights-of-way.

General Manager stated that the Board had adopted a policy many years ago of not waiving disposal fees for anyone for any reason. He stated that although the request did not involve a significant amount of money (during a six month period the County had paid \$1,040 to dispose of illegally dumped materials), it could set a very serious precedent. He stated that the District was always receiving requests from non profit groups and others to have fees waived or reduced.

Board discussion followed regarding free disposal and not deviating from the current policy. Director Johnsen stated that picking up the illegally dumped refuse had been a pilot project in order to clean up the roadways, and the request by the MCPWD had been made in spirit of cooperation for their efforts. Director Gray suggested making a one time donation to the MCPWD.

It was moved by Director Gray, seconded, and *Unanimously Carried To: Make a One Time Payment of \$1,000, in the Spirit of Cooperation, to the Monterey County Public Works Department in Support of its Efforts to Clean Up the Roadways.*

9) Consider Replacement of Accounting Assistant II Position With a Management Position

General Manager reported that an Accounting Assistant II had resigned and staff believed that rather than fill the position, it would be better to create a new position of Accounting Manager. He stated that the new position would provide backup support to the Finance/Information Systems Manager, which has been recommended by the auditors for the last two years.

The Board reviewed a job description, salary scale, and proposed organizational chart. The new position, at a salary range of \$4,840 to \$6,177 per month, would report directly to the Finance/Information Systems Manager and would be responsible for supervising accounting and scale operations at the District.

It was moved by Director Pendergrass, seconded, and *Unanimously Carried To: Authorize Replacement of Accounting Assistant II with a New Position of Accounting Manager at a Salary Range of \$4,840 to \$6,177 Per Month.*

STAFF REPORTS

10) Mid Year Budget Review and Review of Monthly Financial and Operating Reports

The Board reviewed a memorandum from Finance/Information Systems Manager regarding the budget at mid year. General Manager stated that the District would still finish the year with a net loss of \$165,000 and a reduction in cash of \$873,000, but it was an improvement from the original budget estimates of a \$510,000 net loss and a reduction in cash of \$1,413,000.

The Board also reviewed the operating reports showing that diversion rates in the MRF had remained stable, although overall diversion rates had declined slightly.

11) Report on Annual AB939 Reports to State Waste Board and Review Recycling Reports by Jurisdiction

The Board reviewed the year end report on recycling rates by jurisdictions. General Manager reported that County taxable sales had dropped by 5% in 2002 and, as a result, diversion rates had been reduced slightly. He also reported that staff had submitted the annual AB939 reports to the California Integrated Waste Management Board at the end of January on behalf of member jurisdictions.

Board discussion followed regarding demolition projects and the 5% tax decrease. It was recommended that cities with significant demolition activities work with contractors to keep track of the diversion since the numbers provided by the District only reflected disposal and diversion activities at the District site.

12) Status Report on Composting Programs

The Board received copies of a PowerPoint presentation on District composting activities that were presented by Richard Pettit, Assistant Site Superintendent, at the US Composting Council Annual Conference and William Merry, District Engineer/Assistant General Manager at the SWANA Annual Recycling Conference.

General Manager advised the Board that the market for composting greenwaste materials had been poor and the District had lowered the price of the mulch sold to the composters from \$4 per ton to \$1 per ton. District staff is still looking at the potential for producing a marketable biosolids compost using material from the MRWPCA treatment plant blended with ground up greenwaste.

13) Status of Web Site Improvements

General Manager reported that, as requested at the January meeting, the Board meeting agendas and past Board meeting minutes were now on the District website. He stated that the last annual report and information such as the rate increase fact sheet would be included, as well as updates to the fee schedule and Board member names and terms of office.

Director Gray thanked staff for a timely response to his request.

14) Strategic Planning Session Update

General Manager stated that the strategic planning session with Marilyn Snider was scheduled on Thursday, April 22nd from 8:30 a.m. to 1 p.m. at the Embassy Suites in Seaside. A continental breakfast will be served at 8 a.m.

OTHER CORRESPONDENCE

15) Letter from County Food Bank Thanking District Employees for Donations

The Board reviewed a letter from the Monterey County Food Bank thanking District employees, who with the help of fellow employees, Cheryl and Dave Hall, had done another good job this year donating food to those in need during the holiday season.

16) Letter from Ocean State Children's Choir Thanking District and Tom Mancini for Donation

The Board reviewed a letter from Ocean State Children's Choir in New Jersey thanking the District for a \$125 donation. Director Mancini requested that the donation be substituted for his five year service award and sent in memory of his recently departed father, Erasimo Mancini.

ADJOURNMENT

There being no further business to come before the Board at this time, the February 20, 2004 Regular Meeting of the Monterey Regional Waste Management District Board of Directors was adjourned to March 19, 2004 by Chair Albert at 10:30 a.m.

RECORDED BY:

Rebecca G. Aguilar
Administrative Support Supervisor/
Recording Secretary

AUTHENTICATED BY:

J. David Myers
General Manager