

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

10:00 a.m., Friday
December 16, 2005

Boardroom
Monterey Peninsula Landfill
Marina, CA

MEMBERS PRESENT: Dan Albert, Chair
Sue McCloud, Vice Chair
Gary Bales
David Pendergrass
Leo Laska
Joseph Russell
Don Jordan

MEMBERS ABSENT: Ken Gray
Jerry Smith

STAFF PRESENT: William Merry, General Manager
Timothy Flanagan, Assistant General Manager
Rob Wellington, Legal Counsel
Richard Norton, Administrative Services Manager
Don Prescott, Finance/Information Systems Manager
Charles Rees, Accounting Manager
Heidi Feldman, Public Education Coordinator
Richard Petitt, Assistant Site Superintendent
Gary Metzler, Safety Manager
Glen Evett, Last Chance Mercantile/Hazardous Materials Manager
Rebecca Aguilar, Administrative Support Supervisor
Julia Partida, Administrative Support Specialist II
Gracie Arreola, Site Support Specialist/OE3 Support Shop Steward
Clyde Walkup, MRF Supervisor/OE3 Operations Shop Steward
Suzan Fine, Recycling Attendant/SEIU President
Cheryl Hall, Public Education Assistant
Harry Hunzie, MRF Manager

OTHERS PRESENT: Angela Brantley, City of Monterey
Bjorn Lundegard, City of Seaside
Maria Ferdin, Monterey County Environmental Health Department
John Ramirez, Monterey County Environmental Health Department

ROLL CALL AND ESTABLISHMENT OF QUORUM

Notice having been duly given and the presence of a quorum established, the December 16, 2005, Regular Meeting of the Monterey Regional Waste Management District Board of Directors was called to order by Chair Albert at 10 a.m.

PUBLIC COMMENTS

Clyde Walkup, District MRF Supervisor, addressed the Board and stated that he was the new Operating Engineers, Local 3 Operations Unit shop steward. He thanked the Board for their continued support in providing District employees with the tools and equipment to do their jobs well. He also wished the Board a happy and safe holiday season.

CONSENT AGENDA

Vice Chair McCloud inquired whether the individual purchases in agenda item 3, would come back to the Board for individual approval to which General Manager responded that they would. General Manager noted that on agenda item 4, all twelve Board meetings for 2006 are scheduled for the regular meeting time of the third Friday of the month. All meetings will begin at 9:30 am, with the exception of the December meeting which is scheduled to begin at 10:00 am.

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

- 1) Approve Minutes of November 18, 2005 Regular Board Meeting.**
- 2) Approve Report of Disbursements.**
- 3) Authorize Purchase of Certain Equipment Included in Capital Outlay Budget.**
- 4) Approve Board Meeting Calendar for 2006.**

ITEMS FOR BOARD CONSIDERATION, DISCUSSION, AND ACTION

5) Conduct Public Hearing as Required for Five Year Facilities Permit Review for Sunland Gardens Composting Operation Located on District Property

The Board reviewed a memorandum from Senior Engineer Rick Shedden regarding Sun-Land Garden Products request that the District hold a public hearing required by the Monterey County Environmental Health Department for their Five-Year Composting Facilities Permit Review. General Manager stated that Sun-Land rents approximately 60 acres from the District for their composting operations.

Chair Albert opened the public hearing at 10:06 a.m. and hearing no comments, closed the public hearing at 10:07 a.m.

General Manager commented this concluded the public hearing requirement for Sun-Land to proceed with their environmental review process to obtain their permit.

Maria Ferdin, Monterey County Environmental Health Department, stated that she was replacing Roger Van Horn, who was now involved in the land use department of the County. She would be handling the permit review for Sun-Land.

No Action Was Taken By the Board.

6) Schedule Public Hearing for January 20th Board Meeting to Receive Public Comments on Proposed Board Action to Adopt a Supplemental Negative Declaration related to Acceptance of Regional Waste from Santa Cruz County

The Board reviewed a memorandum from Assistant General Manager Tim Flanagan. General Manager stated that a public hearing was required and staff is requesting to schedule it for the January 20, 2006 Board meeting. He stated that work was for the required environmental review and District staff anticipated bringing a draft agreement for acceptance of regional waste from Santa Cruz County to the Board at the January meeting.

It was moved by Vice Chair McCloud, seconded, and Unanimously Carried To: Schedule Public Hearing for the January 20, 2006 Board Meeting to Receive Public Comments on Proposed Board Action to Adopt a Supplemental Negative Declaration related to Acceptance of Regional Waste from Santa Cruz County.

7) Approve Proposal from Paul Davis Architects for Expansion and Improvements to Scale Kiosk

The Board reviewed a memorandum from Senior Engineer Rick Shedden regarding a proposal from Paul Davis Partnership (PDP) to provide architectural services related to the expansion and improvements to the scale kiosk. The expansion is necessitated by increased customer traffic at the scales and the need for a larger work area for the weighmasters. General Manager stated that PDP had designed and overseen construction of the scale kiosk as well as other District facilities and as such, PDP was well qualified to provide continued architectural services.

Board discussion followed regarding the look of the facility once it was expanded, work stations, and staircase placement. General Manager stated that it was anticipated that the final design, specifications, and bidding documents would be brought to the Board for review and approval at a future meeting.

It was moved by Director Bales, seconded, and Unanimously Carried To: Approve Proposal from Paul Davis Architects for Expansion and Improvements to Scale Kiosk in an Amount Not to Exceed \$12,000.

8) Authorize District to Serve as Administrator of Central Coast Recycling Media Coalition and Authorize Expenditure of Funds for 12-Month Marketing Campaign

The Board reviewed a memorandum from Accounting Manager Chuck Rees and Public Education Coordinator Heide Feldman asking the Board to authorize the District to serve as administrator of the Central Coast Recycling Media Coalition (CCRMC) for two fiscal years ending June 30, 2007 and authorize the expenditure of CCRMC funds, for a 12-month television and internet marketing campaign in the amount of \$37,200.

Accounting Manager stated the District has participated since 2000 in a coordinated, tri-county public outreach program on the Central Coast. It was now the District's turn to act as administrator to manage the program's funding as part of the District's Memorandum of Understanding. In accordance with District accounting and approval processes it is the intent of the District to come to the Board to request expenditure authorizations of CCRMC funds. The CCRMC funds will be kept separated from District funds.

Board discussion followed regarding the use of the Department of Conservation (DOC) funds, and contributions from member agencies, as well as others. Vice Chair McCloud inquired how the effectiveness of the CCRMC was measured. Public Education Coordinator responded, that although it was hard to measure the impact of public education, the CCRMC was proposing to determine how to make a visual assessment. The CCRMC has been successful in producing a library of public service announcements.

General Manager thanked District Accounting Manager, Public Education Coordinator, and Finance/Information Systems Manager for all of their continued efforts with the CCRMC.

It was moved by Vice Chair McCloud, seconded, and Unanimously Carried To: Authorize District to Serve as Administrator of Central Coast Recycling Media Coalition and Authorize Expenditure of \$37,200 in CCRMC Funds for 12-Month Marketing Campaign.

STAFF REPORTS

9) Recycling and Operating Reports

The Board reviewed recycling and operating reports for November.

The Board also reviewed the AB939 Recycling Rates for the third quarter. General Manager stated the diversion rates for the cities of Carmel-by-the-Sea, Marina, Seaside, and unincorporated Monterey County (In-District) had declined. The decline is attributed to increased construction activity and related increased waste activity in those communities. He encouraged cities to continue to keep track of diverted tonnages, originating from large, discrete construction/demolition projects, such as those occurring on former Fort Ord, and record that information in reports to be sent to the CIWMB, Monterey County and the District. He stated that District staff is available to assist with preparation of those reports.

Board discussion followed regarding the different aspects of the District tracking process and how member agencies can work with the construction and demolition companies. General Manager stated that each jurisdiction should consider adopting the proposed construction and demolition (C&D) model ordinance that was brought to the Board at the November meeting, in some form that is responsive to the needs of each city. More discussion followed regarding other programs that can be implemented to help to increase the diversion rates, including increasing District staffing in order to divert more waste once it reaches the site and the materials recovery facility (MRF). As a final note, General Manager stated that just as the member agencies locally may disagree on the best methods to increase diversion rates, other local governments across the state and the California Integrated Waste Management Board (CIWMB) are having the same difficulties. There is continued interest in the state legislature to increase the mandatory diversion requirement from 50% to some higher level such as 70% or 75% by some future date.

10) Status Report on Litter Abatement

General Manager provided an update on the County Illegal Dumping and Litter Abatement Task Force meetings held on November 23rd and December 14th. A meeting of the District Ad Hoc Litter Task Force, chaired by Vice Chair McCloud, will be held on December 19th in Supervisor Potters' office. The meeting will also be attended by Chair Albert and Director Smith, as well as Caltrans, the California Highway Patrol, the County, the Transportation Agency of Monterey County and the City of Monterey.

11) Report on County General Plan Consideration of Buffer Zone Around Landfills

General Manager reported that the Assistant General Manager Tim Flanagan had attended the December 12th Study Session of the Board of Supervisions related to the proposal in the new Monterey County General Plan for a buffer zone around active and closed landfills in the county. Such a buffer zone would restrict or prohibit residential development within the buffer zone. Assistant General Manager stated that the District is on record from discussions occurring five years ago related to the City of Marina General Plan and proposed development on the Armstrong Ranch property adjacent to the District's landfill. At that time the District Board, supported the need for a 1000-foot buffer zone around the District's Monterey Peninsula Landfill. Director Bales clarified that due to the voters support in the City of Marina of Measure E at that time, which prohibited development of the Armstrong Ranch property, a landfill buffer zone was not established by the City of Marina in its General Plan.

OTHER CORRESPONDENCE

12) Letter from California Special Districts Association (CSDA) to General Manager RE: District Membership in CSDA and List of Major CSDA Accomplishments During 2005

The Board reviewed a letter from the California Special Districts Association which outlined the major accomplishments for the CSDA for 2005.

13) Letter from General Manager to Environmental Health Director RE: Acknowledgement of Good Job by Roger Van Horn

The Board reviewed a letter from the General Manager to Allen Stroh, Environmental Health Director regarding the very good work performed by Roger Van Horn over the last two years.

14) Thank You from Monterey County Agricultural Education, Inc. to Heidi Feldman and Cheryl Hall RE: Participating in the 2005 Farm Day Experience

The Board reviewed a letter of thanks from the Monterey County Agricultural Education, Inc., to Heidi Feldman and Cheryl Hall for participating in the 2005 Farm Day Experience.

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 and Richard Norton

Employee Organizations: Management Unit; Operating Engineers Support Personnel Unit;
Operating Engineers Operations Unit; Service Employees International Unit

2) Conference with Property Negotiators

Property: Landfill Site Space/Capacity

District Negotiators: William Merry and Tim Flanagan

Negotiating parties: Santa Clara County, Santa Cruz County, Salinas Valley Solid Waste Authority

Terms: All Terms and Conditions

- 3) **Pending Litigation**
 - a. **Don Prescott v. Monterey Regional Waste Management District, et al.
Monterey County Superior Court Case No. M75658**

- 4) **Personnel Matter**
 - a. **Public Employee Performance Evaluation: General Manager**

The Board returned into open session at 11:26 a.m. Legal Counsel stated that the Board had received information with regard to the agenda items. With regard to Item 1 and 2, instructions were given to the negotiators. With regard to Item 3, instruction was given to Legal Counsel. Legal Counsel also stated that the Board had concluded the evaluation of the General Manager (Item 4). No other action was taken.

ADJOURNMENT

There being no further business to come before the Board at this time, the December 21, 2005 Regular Meeting of the Monterey Regional Waste Management District Board of Directors was adjourned to January 20, 2006 by Chair Albert at 11:27 a.m.

RECORDED BY:

Rebecca G. Aguilar
Administrative Support Supervisor/
Recording Secretary

AUTHENTICATED BY:

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