

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

9:30 a.m., Friday
August 18, 2006

Boardroom
Monterey Peninsula Landfill
Marina, CA

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

MEMBERS ABSENT: Jerry Smith

STAFF PRESENT: William Merry, General Manager
Timothy Flanagan, Assistant General Manager
Rob Wellington, Legal Counsel
Richard Norton, Administrative Services Manager
Charles Rees, Finance Manager
Richard Pettitt, Site Manager
Glen Evett, LCM/HHW Manager
Jeff Lindenthal, Public Education & Recycling Manager
Gary Metzler, Safety Manager
Don Prescott, Information Systems Manager
Rebecca Aguilar, Administrative Support Supervisor
Julia Partida, Administrative Support Specialist II
Amber Watson, Administrative Support Specialist I
Genaro Jarrieta, Laborer/SEIU Shop Steward
Steve Montgomery, Industrial Electrician/ OE3 Operations Shop Steward
Clyde Walkup, Materials Recovery Facility Supervisor/OE3 Operations Shop Steward

OTHERS PRESENT: Angela Brantley, City of Monterey
Bjorn Lundegard, City of Seaside
Lewis Leader

ROLL CALL AND ESTABLISHMENT OF QUORUM

Notice having been duly given and the presence of a quorum established, the August 18, 2006, 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 Pendergrass, and seconded, the Board approved the following actions:

- 1) **Approve Minutes of July 21, 2006 Regular Board Meeting**
- 2) **Approve Report of Disbursements**
- 3) **Authorize Call for Bids for Items in Capital Outlay Budget Including Covered Area at Last Chance Mercantile, Landfill Gas Collection and Recovery Equipment, Roll-Off Boxes, Woodline Electric Grinder, Site Paving Work and Replacement Pickup Trucks**
- 4) **Adopt Resolution 2006-06 Amending Designated Positions on the Conflict of Interest Code**

ITEMS FOR BOARD CONSIDERATION, DISCUSSION AND ACTION

- 5) **Authorize Waiving of Handling Fees Related to Management of Fluorescent Tubes**

The Board reviewed a memorandum from Last Chance Mercantile (LCM)/Household Hazardous Waste (HHW) Manager Glen Evett recommending that the Board waive the \$25 per customer handling fee currently charged to businesses to dispose of fluorescent tubes. The handling fee, which has been in place for seven years at the District to cover costs in processing conditionally exempt small quantity generator customers, will continue for other hazardous waste.

Board discussion followed regarding the disposal of universal waste, regulatory limitations, and the amount of fluorescent tubes received at the District's HHW facility since the banning of their disposal in the landfill. Vice Chair McCloud suggested that a press release be sent out regarding the waiver of fees.

It was moved by Director Bales, seconded, and Unanimously Carried To: Waive Handling Fees Related to Management of Fluorescent Tubes.

- 6) **Authorize Elimination of Fees for Disposal of Cathode Ray Tubes (CRTs)**

The Board reviewed a memorandum from LCM/HHW Manager Glen Evett recommending eliminating the fee of \$10 per unit (or \$20 for units over 21 inches), effective September 1, 2006, charged by the District when customers drop off CRTs (televisions and monitors). The fee is no longer necessary to cover handling and processing costs since the State has begun to adequately provide reimbursements to collectors, such as the District, to cover such costs. Vice Chair McCloud suggested that a press release be sent out regarding the elimination of fees.

It was moved by Director Jordan, seconded, and Unanimously Carried To: Eliminate Fees for Disposal of Cathode Ray Tubes (CRTs) Effective September 1, 2006.

7) Consider Draft Construction and Demolition (C&D) Model Ordinance and Authorize Distribution

The Board reviewed a memorandum from Assistant General Manager Tim Flanagan and a draft Final Construction and Demolition (C&D) Model Ordinance. General Manager stated that the county-wide C&D sub-committee has completed its work on the proposed model ordinance for the community. The District is ready to forward it to the District member agencies for their consideration. He acknowledged Angela Brantley from the City of Monterey, and Alan Styles from the Salinas Valley Solid Waste Authority (SVSWA), as well as others involved, for their input. He stated that District staff, if requested, could appear before city councils to support the C&D ordinance.

Director Gray inquired if developers and construction companies would oppose the ordinance. Angela Brantley addressed the Board and stated they probably would since not everyone was in agreement with the ordinance, but most were willing to try it for a year as a pilot. Director Bales asked if provisions in the ordinance were mandated or just a way to increase diversion. General Manager stated that the ordinance was not mandated, but the State wanted to see programs like this in order for cities to increase diversion numbers.

Board discussion followed regarding tracking of retail diversion within their cities and perhaps tailoring the ordinance to include that diversion. Assistant General Manager stated this was a C&D ordinance. Chair Albert commented that should be a separate issue that District staff could review. Director Jordan commented that Seaside's intention was to use the ordinance as a tool to train newer staff and that it would be modified prior to adoption. It was a good way to get developers to take recycling a step further in order to get diversion credit.

Information Systems Manager Don Prescott reviewed with the Board how adjustment factors affect the diversion numbers and how curbside recycling is incorporated into those numbers. General Manager stated that maybe it was time to redo the base year numbers if they had changed. Assistant General Manager stated that staff could look at different scenarios to try and consolidate some of the diversion that currently was not being reported.

It was moved by Director Gray, seconded, and Unanimously Carried To: Approve Draft Final Construction and Demolition (C&D) Model Ordinance and Authorize Distribution to Monterey Peninsula Jurisdictions.

8) Authorize Issuance of Request for Proposals for Professional Services for Development and Production of Television and Radio Media Campaign

The Board reviewed a memorandum from Public Education and Recycling Manager Jeff Lindenthal regarding the issuance of a Request for Proposals to media production firms to create new radio and television advertisements for the Tri-County Central Coast Recycling Media Coalition (CCRMC). The District is currently the administering agency for the CCRMC.

Director Jordan commented that he had recently seen several television ads from Santa Cruz County. General Manager stated that individual jurisdictions, such as Santa Cruz County, are able to produce their own ads as well as with the CCRMC.

It was moved by Director Jordan, seconded, and Unanimously Carried To: Authorize Issuance of Request for Proposals for Professional Services for Development and Production of Television and Radio Media Campaign.

9) Status Report on Litter Abatement and Cleanup Efforts

The Board reviewed a memorandum from Public Education and Recycling Manager Jeff Lindenthal regarding litter abatement and cleanup efforts. The Litter Media event held on Thursday, July 27th, had been very well attended. The Board also reviewed newspaper articles covering the event.

Board members expressed that the litter on the highway was looking better. Vice Chair McCloud commented the feedback had been positive, and now it is important to sustain the efforts. Director Russell stated that Laguna Seca events created huge amounts of litter along highways 218 and 68 and that the City of Del Rey Oaks has taken the lead on cleanup in that area. General Manager stated the garbage companies were educating their drivers. The District had received positive feedback on the stepped-up efforts on tarping and covering of loads. Vice Chair requested that as part of public outreach, it is important to get feedback to the garbage companies. General Manager stated he would send a letter acknowledging their efforts.

The next Ad Hoc Litter Committee meeting is scheduled for August 23, at 2:00 p.m. in Supervisor Potter's office.

10) Formation of Inter-Agency Board Committee with Monterey Regional Water Pollution Control Agency (Agency)

The Board reviewed a memorandum from General Manager regarding the formation of an inter-agency committee between the District and the Monterey Regional Water Pollution Control Agency (MRWPCA). General Manager stated the District and the MRWPCA have several mutual areas of interest with two of the more important issues being the management of biosolids and biogas. He stated that he and the MRWPCA General Manager Keith Israel had recently discussed forming such a committee of two Board members each.

Board discussion followed regarding appointing boardmembers who were on both the District and the MRWPCA boards. Chair Albert solicited volunteers and stated he would appoint the Committee members at a future Board meeting.

STAFF REPORTS

11) Operating, Recycling and Financial Reports

The Board reviewed the financial reports for the month of June. June was a good month financially, due to steady municipal solid waste deliveries to the site. Director Bales requested that at a future meeting, staff provide a financial report to include tonnages into site and associated revenue; and a brief review of expenditures and capital outlay.

The Board also reviewed operating and recycling reports for July. Total solid waste accepted into the site was 30,075 tons, 12% below July of last year, primarily resulting from reduction in tonnage from the former Fort Ord construction and demolition projects.

12) Status Report on Safety Program

The Board reviewed a report from Safety Manager Gary Metzler detailing employee injuries and incidents over the past five years. It was anticipated that a more fully developed annual report would be provided in subsequent years which would provide more detailed analysis of historical data and future trends. Vice Chair McCloud

expressed appreciation to staff for preparing the report. General Manager commented that the District's workers compensation experience modifier had been reduced from 174% in fiscal year 2003-04 to 103% in fiscal year 2006-07. He thanked all District employees for continuing to work safely.

OTHER CORRESPONDENCE

13) Letter from SWANA's Applied Research Foundation Re: Summary of Research Topics and Appreciation of District Support

The Board reviewed a letter from the Solid Waste Association of North America (SWANA) Applied Research Foundation summarizing the research topics the Foundation would be working on over the next year. The District, along with a number of other solid waste organizations, make an annual contribution based on tonnage landfilled to support the Foundation's work.

CLOSED SESSION

The Board went into closed session at 10:27 a.m. regarding the following:

- 1) Conference with Property Negotiators
Property: Sale or Lease Land for Construction of Rubber Dam and Appurtenances
District Negotiators: William Merry, Tim Flanagan, and Rick Shedden
Negotiating Parties: Monterey County Water Resources Agency
Terms: All Terms and Conditions
- 2) Conference with Property Negotiators
Property: Landfill Site Space/Capacity
District Negotiators: William Merry, Tim Flanagan, and Rick Shedden
Negotiating Parties: Santa Clara County, Santa Cruz County, Salinas Valley Solid Waste Authority
Terms: All Terms and Conditions
- 3) Conference with Legal Counsel - Anticipated Litigation
 - a. Significant Exposure to Litigation Pursuant to Subdivision (b) of Section 54965.9: 1 case
- 4) Conference with Labor Negotiators
District Negotiators: William Merry and Richard Norton
Employee Organizations: Service Employees International Union
- 5) Conference with Legal Counsel - Existing Litigation
 - a. Don Prescott v. Monterey Regional Waste Management a District, et al.
Monterey County Superior Court Case No. M75658

The Board returned into open session at 11:25 a.m. Legal Counsel reported that the Board had received information on all items listed and instructions were given. No action was taken by the Board.

ADJOURNMENT

There being no further business to come before the Board at this time, the August 18, 2006 Regular Meeting of the Monterey Regional Waste Management District Board of Directors was adjourned to September 15, 2006 by Chair Albert at 11:26 a.m.

RECORDED BY:

AUTHENTICATED BY:

Rebecca G. Aguilar
Administrative Support Supervisor/
Recording Secretary

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