

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

9:30 a.m., Friday
February 17, 2006

Boardroom
Monterey Peninsula Landfill
Marina, CA

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

MEMBERS ABSENT: Leo Laska

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

OTHERS PRESENT: Angela Brantley, City of Monterey
Bjorn Lundegard, City of Seaside
John Ramirez, Monterey County Health Department
Stephen Johnson, Salinas Valley Solid Waste Authority

ROLL CALL AND ESTABLISHMENT OF QUORUM

Notice having been duly given and the presence of a quorum established, the February 17, 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 January 20, 2006 Regular Board Meeting
- 2) Approve Report of Disbursements
- 3) Authorize Purchase of Seven New Roll-Off and Recycle Boxes from Bay-Con, Inc., for \$20,056.82
- 4) Authorize Contract with Vision Recycling for Grinding of Oversized Wood and Green Waste for \$18,500

ITEMS FOR BOARD CONSIDERATION, DISCUSSION, AND ACTION**5) Receive Staff Report and Provide Direction on Monterey County Water Resources Agency Salinas River Diversion Facility (Rubber Dam) Project**

The Board reviewed a memorandum from Senior Engineer Rick Shedden regarding the Monterey County Water Resources Agency (MCWRA) Salinas River Diversion Facility (Rubber Dam) Project. General Manager stated that although the staff report was for information only, the MCWRA would be asking the Board in the near future to either sell or lease a portion of the District property, approximately five acres, to site the rubber dam. The MCWRA is proceeding to have the property appraised. General Manager requested direction from the Board regarding retaining an appraiser for the purpose of obtaining a second opinion on the value of the property, once the appraisal is received from the MCWRA.

Board discussion followed regarding leasing versus selling the property. Legal Counsel advised the Board to conduct their own appraisal and stated that one of the disadvantages of leasing the property would be the retained liability compared to selling the property outright. Senior Engineer pointed out, on a map, the piece of property the MCWRA was interested in and stated the property in question would never be used for landfilling since it was outside of the permitted area for landfilling. This would be a consideration when deciding to sell or lease the property.

It was moved by Vice Chair McCloud, seconded, and Unanimously Carried To: Authorize Staff to Solicit Proposals to Appraise Parcel of District Property and Come Back to Board at a Future Board Meeting.

6) Receive Staff Report Regarding Salinas Valley Solid Waste Authority Request for Information

The Board reviewed a memorandum from Assistant General Manager Tim Flanagan and a January 26, 2006 letter from the Salinas Valley Solid Waste Authority (SVSWA). General Manager stated that the SVSWA was inquiring whether the District would be interested in providing assistance to the SVSWA by recycling and/or

disposing of some or all of the SVSWA's waste stream. Additionally, they were inquiring whether the District would be interested in processing self haul or commercial loads of waste, or in maintaining the SVSWA's closed landfills. General Manager stated that some of the inquiries related to disposal of waste were framed within the District's Guiding Principles.

Stephen Johnson, General Manager for the SVSWA, addressed the Board and commented that the inquiries were part of the arduous process of deciding how to manage the wastestream in the future for the Salinas and South County areas. The SVSWA is going through the siting process to locate a new landfill in South Monterey County and has redefined their long term goals to include 75% recycling diversion of material going to SVSWA landfills, 50 years of waste handling capacity instead of 70 years of remaining landfill capacity, implementation of waste-to-energy conversion technologies, and transporting waste to another landfill site outside of SVSWA jurisdictional boundaries. In order to quantify all of it, they were requesting information from the District related to acceptance of waste for disposal, as well as other waste management services the District may be interested in providing.

General Manager recommended that this issue be discussed in closed session since it was dealing with the sale of real property, excess landfill capacity. The Board concurred and the matter was adjourned to closed session for further discussion.

7) Receive Staff Report on Classification and Compensation Study for SEIU Employees

The Board reviewed a memorandum from Administrative Services Manager Rich Norton detailing the methodology that would be used by the consultant, Koff & Associates, on the classification and compensation study for SEIU employees.

No Action Taken.

8) Receive Staff Report and Provide Direction on Litter Abatement Program

The Board reviewed a memorandum from Public Education Assistant Cheryl Hall, summarizing a meeting held on February 9th, and other recent litter efforts. General Manager stated that there might be State Department of Conservation funds that the District could apply for, to fund a local Conservation Corps crew to clean up litter and to assist in local large event recycling efforts to collect cans and bottles and other recyclable materials. Another idea would be to allocate a portion of revenue from acceptance of regional waste to the litter control efforts.

Chair Albert stated that a meeting would be held on February 23, 2006 at 2:00 p.m. in Supervisor Potter's office with representatives from CalTrans, the County, the California Highway Patrol (CHP), Transportation Agency of Monterey County (TAMC), the City of Monterey, and other interested parties regarding litter. He commented that part of the discussions held thus far indicated that a significant amount of the litter originates from vehicles going towards a landfill and he felt that the District had a responsibility in leading a more dedicated Peninsula effort toward litter abatement and control. He stated that he thought the District should partner with CalTrans to provide additional funding for litter clean up.

Vice Chair McCloud stated that having a Conservation Corps on a long term basis was ideal, but also felt that using State funding was not the best idea since using it could potentially diminish funding for larger projects. She also felt the District should take the leadership role in coordinating the litter clean up and abatement effort within the Districts service area.

Board discussion followed regarding the use of a Conservation Corps and labor from the County jail, and CHP feedback with regard to citations for littering and the need to publicize that effort. Chair Albert stated that although public education was absolutely necessary, at some point, the actual litter needed to be picked up consistently, regardless of who picked it up, and the District needed to take a leadership role in the effort. Doing so would also be good public relations. Director Gray stated the use of a Conservation Corps was good, but they were in high demand and their availability would be limited. He was interested in State funding to develop other programs as well.

Director Bales expressed appreciation to Chair Albert, Vice Chair McCloud, and Director Smith for agreeing to be a part of the District's Litter Abatement Task Force. He concurred that the District needed to be active participants in this issue to find a solution.

General Manager acknowledged John Ramirez, Monterey County Health Department, along with Steve Johnson, SVSWA, and their staffs, for all of their efforts working together to find a solution to this problem. The "Clean County Day", a countywide litter cleanup effort, is scheduled for Saturday, April 22, 2006. Each jurisdiction within the County should appoint a lead person to assist their citizen volunteers in cleaning up litter.

John Ramirez addressed the Board and stated that they were looking forward to the Clean County Day because they were combining the efforts of the County's 3R (Reduce, Reuse, Recycle) Committee to advocate not only anti-litter, but also recycling. He recently enlisted the Monterey County Health Department's Gold Seal for restaurants program for assistance with the highway litter problem by placing anti-litter flyers in restaurants. He also stated that on March 15, 2006, the Monterey County Illegal Dumping and Litter Abatement Task Force would have Ken Stuart from the California Integrated Waste Management Board attend their meeting to address illegal dumping and littering statewide. Monterey County is among the first that Mr. Stuart will visit.

It was moved by Director Bales, seconded, and Unanimously Carried To: Authorize Discussions with Ecology Action to Pursue State Department of Conservation Grant for Litter Abatement and Continue Efforts with Regard to the Litter Issue and to Commit Additional District Resources and Funding for Litter Clean up.

9) Receive Staff Report and Provide Direction on Universal Waste Management

The Board reviewed a memorandum from Last Chance Mercantile/HHW Manager Glen Evett along with several newspaper articles discussing the February 9, 2006 deadline banning an expanded list of Universal Waste from being disposed in California landfills. General Manager stated that local television news stations had been to the site several times in preparing reports regarding the ban. He stated that although the District had anticipated the ban, the list of materials had not been finalized by the Department of Toxic Substances Control until three weeks prior to the ban. The District has accepted many of the Universal Waste materials into the District's Household Hazardous Waste (HHW) program for several years, such as batteries and fluorescent tubes. He acknowledged the efforts of the Last Chance Mercantile/HHW Manager in tracking and handling the materials. General Manager also stated that staff would be assessing any financial impacts or changes in operations as a result of this ban and will report to the Board in the future.

Board discussion followed regarding the disposal of household batteries, concern with the short notice of the ban by the State, and the inconvenience to their jurisdiction's residents since the District was the only location on the Peninsula that currently would accept and manage the batteries and other Universal Waste. Vice Chair McCloud suggested that information be sent to residents perhaps via their garbage bill, informing them of the

change and what to do with the batteries. She also stated that the batteries should be accepted at the source vendor. Last Chance Mercantile/HHW Manager stated that he would contact the garbage companies and several local major retail outlets to determine their plans for accepting such material.

General Manager stated that residents should not place Universal Wastes in the trash. Director Smith suggested that each city designate a drop off point for batteries. General Manager stated that Universal Wastes are regulated wastes. As such, the District and the jurisdictions needed to consider management, transportation, and disposition procedures carefully. Assistant General Manager Tim Flanagan stated that the franchised haulers were not permitted to transport hazardous or regulated waste in large quantities and that the idea of residents returning the material to the source vendor was one that should be considered. Director Russell stated that it was up to the District to take the lead on this issue to see what else could be done to collect the batteries as well as other electronic devices. Director Gray stated that the public also needed to be educated on the disposal of universal waste.

It was moved by Director Jordan, seconded, and Unanimously Carried To: Have Staff Research Viable Options for Convenient Disposal of Universal Waste and Report Back to the Board.

STAFF REPORTS

10) Financial, Operating, and Recycling Reports and Mid-Year Budget Review

The Board reviewed the financial statements for December and January. General Manager reported that January had been a very good month financially due to increased solid waste tonnages accepted which resulted in increased revenues. Total solid waste accepted for January was 29,710 tons, up from 28,414 tons a year ago.

The Board also reviewed a memorandum from Finance/Information Systems Manager reporting on the Mid-Year Budget status. The District is having a stronger financial year than expected, with revenues above projections and expenditures less than projections.

OTHER CORRESPONDENCE

11) Letter from Community Hospital of the Monterey Peninsula to Cheryl Hall RE: Sponsoring Blood Drive

The Board received a letter from the Community Hospital of the Monterey Peninsula thanking Cheryl Hall for coordinating the blood drive on February 4, 2006 as well as thanking District employees who donated blood.

12) Letter from American Academy of Environmental Engineers to William Merry RE: Judging of 2006 Excellence Awards

The Board received a letter from American Academy of Environmental Engineers to William Merry. General Manager reported he had agreed to accept AAEE's request to participate in the judging nationwide entries for the 2006 Excellence in Environmental Engineering Awards in Washington, D.C. on February 20, 2006.

GENERAL MANAGERS COMMUNICATIONS

General Manager reported that the Waste Discharge Requirements for the Monterey Peninsula Landfill had been approved by the Central Coast Regional Water Quality Control Board at their regular monthly meeting on Friday, February 10, 2006, in Salinas. He thanked Senior Engineer for his hard work and dedicated and persistent efforts in working to bring all of the operating permits current.

General Manager also reported that the Soledad Power Plant was officially closed and would more than likely not reopen due to increased expenses to operate the aging facility.

CLOSED SESSION

The Board went into closed session at 10:45 a.m. regarding the following:

- 1) 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
- 2) Conference with Legal Counsel - Anticipated Litigation
 - a. Significant Exposure to Litigation Pursuant to Subdivision (b) of Section 54965.9: 1 case
- 3) Public Employee Discipline
- 4) 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 11:35 a.m. Legal Counsel stated that the Board had received information with regard to the agenda items. With regard to Item 1, direction was given to District negotiators. With regard to Items 2, 3, and 4, no action was taken by the Board. No other action was taken.

ADJOURNMENT

There being no further business to come before the Board at this time, the February 17, 2006 Regular Meeting of the Monterey Regional Waste Management District Board of Directors was adjourned to March 17, 2006 by Chair Albert at 11:36 a.m.

RECORDED BY:

AUTHENTICATED BY:

Rebecca G. Aguilar
Administrative Support Supervisor/
Recording Secretary

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