

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

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

Boardroom
Monterey Peninsula Landfill
Marina, CA

MEMBERS PRESENT: Dan Albert, Chair
Sue McCloud, Vice Chair
Gary Bales
Ken Gray
Leo Laska
Joseph Russell
Jerry Smith

MEMBERS ABSENT: David Pendergrass
Don Jordan

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, Assistant Site Superintendent
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
Cheryl Hall, Public Education Assistant
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
Mari Segura, Santa Cruz County

ROLL CALL AND ESTABLISHMENT OF QUORUM

Notice having been duly given and the presence of a quorum established, the March 17, 2006, Regular Meeting of the Monterey Regional Waste Management District Board of Directors was called to order by Chair Albert at 9:15 a.m.

CLOSED SESSION

The Board went into closed session at 9:17 a.m. regarding the following:

1. Personnel Matter
Public Employee Discipline

The Board returned into open session at 9:38 a.m. Legal Counsel stated that the Board had received information with regard to the agenda item. He stated that a decision had been recorded and would be provided to all parties by the General Manager. No other action was taken.

CONSENT AGENDA

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

- 1) **Approve Minutes of February 17, 2006 Regular Board Meeting**
- 2) **Approve Report of Disbursements**

ITEMS FOR BOARD CONSIDERATION, DISCUSSION, AND ACTION

- 3) **Authorize Waiver of Fees to Member Agencies for Disposal of Household Batteries and Approve Participation in CSAA April 12-22 Automobile Battery Round-Up**

The Board reviewed a memorandum from Last Chance Mercantile/Household Hazardous Waste (HHW) Manager Glen Evett as well as several articles regarding Universal Waste. General Manager stated that the District had received a letter from the City of Monterey requesting the District to waive the fee for household batteries that the City proposed to collect from residents. Staff recommended that the Board grant a waiver of fees to all member agencies for disposal of household batteries. Member agencies would be responsible for establishing drop off locations for household batteries and transporting the batteries to the District's permanent HHW facility.

General Manager also stated that the District had received a request from the California State Automobile Association (CSAA) to be one of several county-wide locations to accept automobile batteries under a state-wide battery collection effort, and staff recommended participating in that effort. The District would accept the automobile batteries during the collection period and local non-profit groups would receive \$2 per battery under a state-wide battery collection effort.

Director Russell inquired whether acceptance of televisions and monitors would be included in the collection since he believed that disposal of those items were also a problem. Last Chance Mercantile/HHW Manager

responded that the District would apply to become a certified collector and be reimbursed by the State for those items by mid-year. Director Russell responded that it was still cumbersome for residents to have to bring them out to the District site and that they should be collected in each city. Director Laska asked whether fluorescent light bulbs would be part of the collection program in each city.

Angela Brantley, City of Monterey, addressed the Board and stated that collection of fluorescent bulbs was a safety concern since they tended to break. She also stated that the City planned on placing educational material on universal waste at their collection sites.

General Manager stated that staff will continue to evaluate what programs other communities around the State will be implementing. He also stated that some communities were having their hauler collect batteries during garbage collection. The local franchised haulers are reluctant to carry out such battery collection at this time.

It was moved by Director Bales, seconded, and Unanimously Carried To: Authorize Waiver of Fees to Member Agencies for Disposal of Household Batteries and Approve Participation in CSAA April 12-22 Automobile Battery Round-Up.

4) Update Regarding Acceptance of Regional Waste for Disposal

General Manager reported that staff continued to work with Legal Counsel to prepare a Draft Agreement to accept regional waste from the Santa Cruz County (SCC) Ben Lomand transfer station. He also reported that staff had met with Salinas Valley Solid Waste Authority (SVSWA) General Manager Steve Johnson on February 24th to discuss the items contained in their January 26, 2006 letter related to acceptance by the District of regional waste for disposal, recycling, and otherwise managing portions of the SVSWA's waste stream.

General Manager recommended that this issue be discussed by the Board in closed session as duly noted on the agenda since it related to the sale of District property/landfill space.

No Action Necessary

5) Authorize Contract with Piini Realty Regarding Appraisal of District Property

The Board reviewed a proposal from John Piini of Piini Realty of Salinas to assist the District in determining the value of property proposed for construction of the Monterey County Water Resource Agency's (MCWRA) rubber dam and appurtenances. General Manager stated the Piini firm has a solid list of references and had been highly recommended. He stated that if the Board approved this item, Mr. Piini would begin work when the MCWRA had prepared their appraisal report.

It was moved by Director Smith, seconded, and Unanimously Carried To: Authorize Contract with Piini Realty on a Time and Materials Basis to Appraise District Property.

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

The Board reviewed a memorandum from Public Education Assistant Cheryl Hall summarizing the February 23rd meeting of the District's Ad Hoc Litter Committee. General Manager stated that several meetings had been held on the issue of litter. At the February 23rd meeting, attendees were tasked with action items to bring to the next meeting which was scheduled for April 5th at 2 p.m. in Supervisor Potter's office. The committee also requested that Steve Price of CalTrans attend the next meeting to present CalTrans' schedule for local

litter clean-up and to commit to continue their stepped-up litter clean-up efforts on a long term basis. In return, the District would commit additional long term resources to clean-up litter along the highways leading to the Peninsula.

General Manager stated that District staff had met with representatives of Ecology Action who were very interested in pursuing a state grant from the Department of Conservation (DOC) for the purpose of providing resources to assist with local reduction in litter along Peninsula Highways and to increase recycling at large events. It also was suggested that CSUMB students may be available to participate in litter clean up to gain community service hours.

Vice Chair McCloud stated that litter continued to be a problem and she hoped CalTrans would have a representative at the next meeting who could make an authoritative decision. However, she didn't believe the District's action should be contingent on CalTrans, and felt the District needed to initiate action towards improving the litter situation and set an example for others to follow. If student efforts were appropriate they could be part of the public education program. She suggested to General Manager that this issue be part of the Board workshop being planned on conversion technology and waste diversion.

Director Bales inquired about the \$300,000 CalTrans annual cost for cleaning the highway median area, and if District staff was aware of CalTrans' calculation method. He suggested that staff explore having a two-person crew devoted entirely to litter pick up with cost estimates. Director Gray suggested that staff be directed to propose a program that would be most effective, such as hiring someone to direct jail inmates to pick up litter. Director Smith commented that staff should explore using inmate labor, considering coordination and costs to provide a crew on a regular basis, stating the annual cost would be approximately \$90,000 if two District employees directed such a crew. General Manager concurred that adding two employees, along with other litter efforts would be in the range of \$80,000 to \$100,000 per year. Chair Albert commented that the litter needed to be picked up on a weekly basis and not left to availability of work force, such as inmate labor or an Ecology Action grant application.

Board discussion followed regarding litter clean up in the median. General Manager commented there were strict CalTrans safety requirements when allowing workers to clean up the median. Vice Chair McCloud suggested that additional information be provided by staff at the April 5th meeting.

General Manager stated Ken Stuart from the California Integrated Waste Management Board (CIWMB) attended the March 15, 2006 Monterey County Illegal Dumping and Litter Abatement Task Force meeting. Mr. Stuart has been hired by the CIWMB to address illegal dumping and littering state-wide. John Ramirez, from the Monterey County Health Department will be part of the state-wide task force on illegal dumping. At the meeting General Manager strongly urged Mr. Stuart to consider litter as part of the task force responsibility. General Manager stated that Mr. Stuart commended the County's Litter Task Force for its efforts in bringing about a solution to illegal dumping and litter abatement.

It was moved by Director Bales, seconded, and Unanimously Carried To: Direct Staff to Explore Litter Program Options With Cost Estimates and Make a Recommendation to the Board at the April Meeting.

STAFF REPORTS**7) Financial, Operating, and Recycling Reports**

The Board reviewed the financial statement for the month of February. General Manager reported that February had been a good month financially, due to steady municipal solid waste deliveries to the site.

The Board also reviewed the Operating Report. It was a good month in terms of tonnage brought to the site. The total solid waste accepted in February was 26,569 tons, down from 27,411 tons a year ago. Director Bales inquired on the decrease in diversion. Finance/Information Systems Manager replied the decrease was due to the seasonal decrease in sludge coming from the Monterey Regional Water Pollution Control Agency as well as the demolition material that was not recyclable from the Marina Heights project.

General Manager reported the District had been reimbursed \$184,291.30 from Marina Community Partners, LLC to cover the costs related to the Application for a Disposal Variance for lead contaminated wood debris originating from the former Fort Ord. Director Russell inquired whether the District would take advantage of a disposal variance in the future. General Manager stated the District is able to accept lead contaminated waste if the contamination level is below the State permitted contamination levels for hazardous waste and with concurrence of the Regional Waste Quality Control Board. Staff will discuss the matter further with the Regional Water Board staff.

General Manager also reported that staff had met with the Marina City Manager and two senior staff members to discuss the Joint Powers Agreement which stipulated that waste from the projects on the former Fort Ord were to be delivered to District facilities. Vice Chair McCloud inquired whether a system had been developed so that District staff is notified when projects are approved to ensure that acceptable waste is brought to the District site. General Manager stated that he believed City of Marina staff was unaware that such wastes were going elsewhere for disposal and would follow up with their developers. He stated that staff intended to report to the Board at a future meeting with regard to annual diversion reports to the State which would include information on how much local waste has been sent to other waste management facilities.

OTHER CORRESPONDENCE**8) Letter from SWANA Applied Research Foundation RE: Landfill Airspace Utilization: Measurement and Management Report**

The Board reviewed a letter from the SWANA Applied Research Foundation notifying the District that the study on "Landfill Airspace Utilization: Measurement and Management" had been completed. General Manager stated that the complete report was available. The District's landfill was referenced in the report, and the report would be useful to the industry throughout the country. General Manager also stated that the idea for the study had come from Senior Engineer Rick Shedden. The study cleared up some misperceptions about the measurement and utilization of "landfill airspace".

9) Email from Naval Postgraduate School RE: Thank You for Tour of District Facilities

The Board reviewed an email from the Naval Postgraduate School thanking Cheryl Hall for a tour she gave on February 22nd to 15 students from 11 different countries.

GENERAL MANAGERS COMMUNICATIONS

General Manager reported on Conversion Technologies. He stated that as the District considered future recycling and diversion programs, staff and the Board should become more knowledgeable about which technologies would have a practical application at the District, and suggested a future workshop on emerging technologies.

CLOSED SESSION

The Board went into closed session at 10:30 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) Conference with Legal Counsel - Existing Litigation
a. Don Prescott v. Monterey Regional Waste Management District, et al.
Monterey County Superior Court Case No. M75658

The Board returned into open session at 11:20 a.m. Legal Counsel stated that with regard to Item 1, the Board directed General Manager to send a response letter to the SVSWA. With regard to Items 2 and 3, the Board received information only. No other action taken.

ADJOURNMENT

There being no further business to come before the Board at this time, the March 17, 2006 Regular Meeting of the Monterey Regional Waste Management District Board of Directors was adjourned to April 21, 2006 by Chair Albert at 11:21 a.m.

RECORDED BY:

AUTHENTICATED BY:

Rebecca G. Aguilar
Administrative Support Supervisor/
Recording Secretary

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