

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

9:30 a.m., Friday  
June 16, 2006

Boardroom  
Monterey Peninsula Landfill  
Marina, CA

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

**MEMBERS ABSENT:** Gary Bales

**STAFF PRESENT:** William Merry, General Manager  
Timothy Flanagan, Assistant General Manager  
Rob Wellington, Legal Counsel  
Richard Shedden, Senior Engineer  
Richard Norton, Administrative Services Manager  
Jeff Lindenthal, Public Education & Recycling Manager  
Don Prescott, Finance/Information Systems Manager  
Charles Rees, Accounting Manager  
Gary Metzler, Safety Manager  
Richard Petitt, Site Manager  
Harry Hunzie, Materials Recovery Facility Manager  
Jack Cook, Assistant Materials Recovery Facility Manager  
Glen Evett, Last Chance Mercantile/Hazardous Materials Manager  
Rebecca Aguilar, Administrative Support Supervisor  
Clyde Walkup, Materials Recovery Facility Supervisor/OE3 Operations Shop  
Steward  
Suzan Fine, Recycling Attendant/SEIU President

**OTHERS PRESENT:** Angela Brantley, City of Monterey  
Bjorn Lundegard, City of Seaside  
Jerry Wombacher, Seaside Fire Department

**ROLL CALL AND ESTABLISHMENT OF QUORUM**

Notice having been duly given and the presence of a quorum established, the June 16, 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.

**PUBLIC COMMUNICATIONS**

*Note: The following comments were presented during Public Communication, but were listed on the agenda under General Correspondence and allowed at this time by Chair Albert and Legal Counsel.*

Jerry Wombacher, Seaside Fire Department, addressed the Board and stated that he was representing the Monterey County fire chiefs on the Monterey Peninsula and it had come to their attention that the Board of Directors had approved the acceptance of batteries at local fire departments and no fire chiefs had been involved in the decision. He requested that the Board table this item until staff had conferred with the fire chiefs to make the program successful.

Don Prescott, District Finance/Information Systems Manager, addressed the Board regarding the memorandum from him and Accounting Manager. He stated that despite his request at the June meeting to provide management staff time to respond, the Board had voted to approve the reorganization. He again presented various reasons why the reorganization was unfair and requested that the Board reconsider their decision.

Legal Counsel reviewed the Board's action taken at the May meeting. He stated that the General Manager had sent a memorandum to the Finance/Information Systems Manager and Accounting Manager commending them for their work at the District, as well as communicating that he did not necessarily agree with their comments in their memorandum. General Manager had notified the management staff that he would be available in order for them to bring forward any meet and confer issues of the bargaining group. Legal Counsel stated that the issues brought forward were not meet and confer issues and no further action was necessary by the Board.

**CONSENT AGENDA**

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

- 1) **Approve Minutes of May 19, 2006 Regular Board Meeting**
- 2) **Approve Report of Disbursements**

**ITEMS FOR BOARD CONSIDERATION, DISCUSSION AND ACTION**

**3) Adopt Resolution 2006-03 Approving Final Budget for Fiscal Year 2006/2007**

The Board reviewed the final budget for fiscal year 2006/2007. General Manager stated that there was a significant increase from the preliminary budget in the capital outlay budget of \$200,000 due to the failure of the Brown Bulb Ranch well, that is used for dust control and to supply water to the composters on site. This issue would be discussed later in the meeting.

Director Gray commented that the budget had been thoroughly discussed with the Board Finance Committee at the May 19<sup>th</sup> Board meeting.

**It was moved by Director Gray, seconded, and *Unanimously Carried To: Adopt Resolution 2006-03 Approving Final Budget for Fiscal Year 2006/2007.***

**4) Approve Amendments to MOU's with Bargaining Groups to Incorporate Cost of Living Adjustments, and Provide Same Adjustment to Non-Represented Employees**

The Board reviewed a memorandum from the General Manager requesting approval of a 3.2% cost of living adjustment, which is included in the employee Memoranda of Understanding (MOU). General Manager also requested approval for the same 3.2% adjustment to non represented employees.

**It was moved by Director Smith, seconded, and *Unanimously Carried To: Approve Amendments to MOU's with Bargaining Groups to Incorporate Cost of Living Adjustments, and Provide Same Adjustment to Non-Represented Employees.***

**5) Authorize Workscope from Paxton Ad Hoc for Assistance in Maintenance of District Administrative Records and Files**

The Board reviewed a memorandum from Administrative Support Supervisor requesting authorization of a workscope with Laura Paxton of Paxton Adhoc to continue providing assistance with the District files over the next year, for a fee not-to-exceed \$24,000, and in the implementation of a digital scanning and archiving system. General Manager stated that Laura Paxton has extensive knowledge in this type of work.

Director Laska commented that Ms. Paxton has done similar work at the Pebble Beach Community Services District (PBCSD) and has also done a great job.

Director Russell inquired what would happen to the paper files. General Manager responded that Ms. Paxton has purged duplication of files and will archive any pertinent files. She would initially begin digitally archiving present documents, and the only past documents proposed would be Board meeting agendas, minutes, manager's reports, and resolutions. Chair Albert inquired how long this effort would take. Administrative Support Supervisor responded that it was anticipated that the actual filing would be minimal over the next year, with more focus placed on the scanning and archiving, which would be ongoing.

**It was moved by Director Laska, seconded, and *Unanimously Carried To: Authorize Workscope from Paxton Ad Hoc for Assistance in Maintenance of District Administrative Records and Files.***

**6) Adopt Resolution 2006-04 Authorizing Grant Application to CIWMB for Reuse Assistance Grant**

The Board reviewed a memorandum from Public Education & Recycling Manager requesting authorization to apply for a reuse assistance grant from the California Integrated Waste Management Board. General Manager stated that if the \$30,000 grant application is successful, funds would be used to improve product storage and display areas at the District's Last Chance Mercantile.

Public Education & Recycling Manager stated that during the grant process, it was discovered that the District did not have a recycled content policy. Vice Chair McCloud inquired whether this would prohibit the District from applying for the grant. He responded that he did not believe that it did, but it would be beneficial for the Board to adopt such a policy in the future. He intended to bring this issue back to the Board in the near future.

**It was moved by Director Smith, seconded, and Unanimously Carried To: Adopt Resolution 2006-04 Authorizing Grant Application to CIWMB for Reuse Assistance Grant.**

**7) Status Report on Litter Abatement and School Education Program**

The Board reviewed a memorandum from Public Education & Recycling Manager regarding the litter abatement and school education program.

Vice Chair McCloud commented that staff is preparing for a major media event on July 27<sup>th</sup>, at 10 a.m. at the Window on the Bay in Monterey, to highlight the local litter issues and to raise public awareness on the impacts of litter, as well as showcase the various entities that have assisted to move this effort forward.

Lewis Leader addressed the Board and stated that the intent of the media event was to bring the community together and raise their awareness. There would be an exhibit detailing the amount of litter that is picked up on a weekly basis. He would be meeting with the media in advance to ensure proper coverage of the event. Chair Albert requested that Board members also promote the media event within their cities. General Manager stated that a large banner had been placed in front of the scale kiosk that reads "Don't Trash California". CalTrans had agreed to provide the City of Monterey with additional banners to be placed on street light standards. Mr. Leader also stated that it would be very helpful for cities to prepare resolutions for the event.

General Manager commended the California Highway Patrol for stepping up their efforts to enforce tarping of loads. They have been issuing more citations for untarped loads and are on site several times a week. He also acknowledged scale staff for their efforts educating the public and enforcing tarping policies.

**8) Declare Surplus and Authorize Sale of Caterpillar 3516 LE Engine**

The Board reviewed a memorandum from Assistant General Manager requesting authorization to declare surplus and sell the Caterpillar 3516 LE Engine/Generator. It was used in the landfill gas to electrical energy facility. The engine/generator will be sold to the highest bidder.

**It was moved by Director Jordan, seconded, and Unanimously Carried To: Declare Surplus and Authorize Sale of Caterpillar 3516 LE Engine.**

**9) Approve Plan to Refurbish or Replace Brown Bulb Well Water Supply**

The Board reviewed a memorandum from Assistant General Manager regarding the plans to either refurbish or replace the Brown Bulb Well. General Manager stated that a few years ago, the well had been repaired at a cost of \$70,000. It is anticipated that the cost to replace the well is approximately \$200,000. He stated that staff has implemented various temporary solutions, but would now try more

permanent options in order to determine the most cost effective solution. Assistant General Manager stated that staff had been in discussion with other agencies to see what the most viable solution may be.

Board discussion followed regarding viable options and restrictions.

**It was moved by Director Laska, seconded, and *Unanimously Carried To: Approve the 1) Refurbishment and/or re-drilling of the Brown Bulb Well; 2) Proceeding with the identification of other potential sources of potable and fire suppression water sources; 3) Re-evaluation and negotiation accordingly, to lease agreements with on-site composters and soil amendment manufacturers to reflect anticipated increased costs for water supply and delivery; 4) Funding for an initial study on a “not-to-exceed” basis of \$20,000.***

### STAFF REPORTS

#### **10) Operating and Recycling Reports**

The Board reviewed the operating and recycling reports for May 2006. Tonnage into the site was substantially above last month and higher than a year ago. General Manager commented that Randazzo had provided detailed information for recycling on their projects which was helpful in getting higher recycling percentages for Seaside.

### OTHER CORRESPONDENCE

#### **11) Memorandum from Finance/Information Systems Manager and Accounting Manager RE: Response to Change in Organization Structure**

The Board reviewed a memorandum from the Finance/Information Systems Manager and Accounting Manager regarding the change in organizational structure. *(Please see Public Communication.)*

#### **12) Letter to Cities RE: Collection of Household Batteries**

The Board reviewed a letter that was sent to member cities outlining guidelines for collecting household batteries if the cities planned to install collection sites within their city. *(Please see Public Communication.)* Director Jordan directed staff to inquire on how action could be accepted by State regulations.

### GENERAL MANAGER COMMUNICATIONS

General Manager reported that the District picnic was held on Sunday, May 21<sup>st</sup> at Toro Park. He acknowledged donations by Pape' and John Deere and their contributions this year to the employee picnic. A total of 120 people attended and although it had rained the entire time, everyone enjoyed the day.

**BOARD COMMUNICATIONS**

Director Laska introduced new PBCSD General Manager Craig Anthony, who replaced retiring general manager Dick Andrews.

**ELECTION OF OFFICERS FOR FISCAL YEAR 2006-2007**

***It was moved by Director Gray, seconded and Unanimously Carried To: Re-elect Dan Albert as Chair and Sue McCloud as Vice Chair of the Monterey Regional Waste Management District Board for Fiscal Year 2006-2007.***

**CLOSED SESSION**

The Board went into closed session at 10:40 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 a District, et al.  
Monterey County Superior Court Case No. M75658

The Board returned into open session at 11:02 a.m. Legal Counsel reported that the Board had not taken up Item 1. With regard to Items 2 and 3, the Board had received information. No action was taken by the Board.

**ADJOURNMENT**

There being no further business to come before the Board at this time, the June 16, 2006 Regular Meeting of the Monterey Regional Waste Management District Board of Directors was adjourned to July 21, 2006 by Chair Albert at 11:03 a.m.

**RECORDED BY:**

**AUTHENTICATED BY:**

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Rebecca G. Aguilar  
Administrative Support Supervisor/  
Recording Secretary

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