



Memorandum

MONTEREY REGIONAL WASTE MANAGEMENT DISTRICT

DATE: November 8, 2007
TO: Board of Directors
FROM: General Manager
SUBJECT: Agenda Information for the November 16, 2007 Board Meeting

CALL TO ORDER AT 9:30 AM

ROLL CALL AND ESTABLISHMENT OF QUORUM

PLEDGE OF ALLEGIANCE

PUBLIC COMMUNICATIONS

Anyone wishing to address the Board on matters not appearing on the Agenda may do so now. The public may comment on any other matter listed on the agenda at the time the matter is being considered by the Board.

CONSENT AGENDA

These matters include routine financial and administrative actions, which are usually approved by a single majority vote. Individual items may be removed from Consent for discussion and action.

- 1) **Approve Minutes of October 19, 2007 Regular Board Meeting**
- 2) **Approve Report of Disbursements**
- 3) **Award Contract to R.E. Murrill/Cover-all of Sherman Oaks, CA to Supply and Install Fabric Covered Structure at the Last Chance Mercantile Yard**

Please refer to the enclosed memo from Last Chance Mercantile Manager Glen Evett. The addition of more roof area to keep items from getting wet will be welcome. The California Integrated Waste Management Board has provided a grant of up to \$28,000 to enhance the effectiveness of this nationally recognized, award winning program.

Recommendation: Award Contract to R.E. Murrill/Cover-all of Sherman Oaks, CA to Supply and Install Fabric Covered Structure at the Last Chance Mercantile Yard.

ITEMS FOR BOARD CONSIDERATION, DISCUSSION AND ACTION

4) Presentation on Landfill Gas (LFG) Facility Operations and Introduction of Personnel

Mario Van Cleave, Power Systems Supervisor, in charge of the Landfill Gas to Energy Facility, will make a presentation on the project. As you recall, the District received the Gold Excellence Award for Landfill Gas Utilization from the Solid Waste Association of North America at their annual Symposium in October. We are honored to have received this award, in recognition of 25 years of hard work and successful operation by one of the first landfill gas to energy projects in the United States. A copy of the *Monterey County Herald* coverage of this award is enclosed.

Recommendation: No Action Required

5) Authorize Issuance of Request for Proposals for Compensation Study for Management Employees

This item was tabled at the September and October meetings and staff was directed to gather additional information.

Please refer to the enclosed memo from Administrative Services Manager Rich Norton, which is an updated version of his previous memo. As Rich explains in his memo, the Compensation Study is required under the Memorandum of Understanding signed with the management group in 2005.

Since this matter may be considered a matter of negotiation with the management bargaining group, it may be adjourned to closed session for discussion.

Recommendation: Authorize Issuance of Request for Proposals for Compensation Study for Management Employees.

6) Consider Adoption of Punitive Measures for Non-Compliance with District's Hazardous Materials Policy and Upgraded Waste Screening Program

Please refer to the enclosed memo from Assistant General Manager Tim Flanagan. This item resulted from action taken at the October meeting in adopting the Upgraded Waste Screening program. Legal Counsel favors adopting a policy by resolution in the matter.

On November 1st, Jeff and I appeared before a meeting of the Monterey Bay Unified Air Pollution Control District (MBUAPCD) Technical Advisory Committee (TAC) to request

removal of their Rule 424 exemption which exempts single family residences from requirement to inspect for and abate asbestos containing material during demolition. Our presentation is outlined in the enclosed memo. A quorum was not present for the TAC meeting, so while staff presented the item to the TAC, it will be heard again when the TAC meets next on February 8th, 2008.

Recommendation: Accept Staff Report

7) Adopt Recommendations of Ad Hoc Finance Committee

Please refer to the enclosed memo from Chair Laska, summarizing the October 25th meeting of the Ad Hoc Finance Committee. The memo contains a set of recommendations related to finances, revenues and expenses. The first recommendation in the memo, under Finances, is to immediately increase several miscellaneous fees on the MRWMD Waste Disposal Fee Schedule, which is included in the next agenda item.

A fee increase for biosolids was proposed by staff to the Committee. The current fee charged by the District to accept biosolids is \$22 per ton on average. Staff proposed to the Ad Hoc Finance Committee that the fee be raised to \$35 per ton to cover the District's cost to handle the material, effective July 1, 2008. A meeting is scheduled between senior management staff of the Monterey Regional Water Pollution Control Agency and the Carmel Area Wastewater District to discuss future plans for management of biosolids and associated proposed fee increases to handle biosolids. The Committee postponed further discussion on the matter, pending the upcoming meetings between staff and a follow-on meeting involving mutual Board members of the District and the MRWPCA.

On October 31st I appeared before the FORA Administrative Committee as a follow-up to the District's October 12th letter request to do so. In the presentation, as stated in the enclosed memo handed out at the meeting, the matter of waste traveling outside of the waste shed was outlined and a request was made that member agencies work together to uphold the provisions of the Monterey Regional Waste Management *Authority* related to waste flow and for support of the District's infrastructure for waste management. District representatives will appear before the full FORA Board on Nov 9th on the matter. As a result of the October 31st meeting, the City of Marina volunteered to take the lead to organize a community meeting on the matter, involving FORA member agencies, developers and other interested members of the community. The meeting is planned for early December.

Recommendation: Adopt Recommendations of Ad Hoc Finance Committee

8) Schedule a Public Hearing for December 21, 2007 to Consider and Approve Miscellaneous Tipping Fee Increases Effective January 1, 2008

Please refer to the enclosed memo from Information Systems Manager Don Prescott. Implementation of the recommended fee increases will more closely align these fees with those of the Salinas Valley Solid Waste Authority, meaning waste will flow more evenly to either facility in consideration of fees charged, and will bring in approximately \$500,000 in additional revenue annually to the District.

Recommendation: Schedule a Public Hearing for December 21, 2007 to Consider and Approve Miscellaneous Tipping Fee Increases Effective January 1, 2008.

9) Approve Draft Annual Report for Fiscal Year 2006/2007

Please refer to the enclosed Draft Annual Report for Fiscal Year 2006-2007, prepared by Public Education and Recycling Manager Jeff Lindenthal and Public Education Coordinator Kimberle Herring, with assistance from additional staff. The format has changed somewhat from those of past years, in an effort to have a more concise annual report.

Recommendation: Approve Draft Annual Report for Fiscal Year 2006/2007.

10) Approve Revisions to District Guiding Principles for Acceptance of Regional Waste

Please refer to the enclosed memo from Assistant General Manager Tim Flanagan regarding acceptance of regional waste for disposal from the City of Watsonville and its impact on the District's Guiding Principles for Acceptance of Regional Waste. The revision to the Guiding Principles would be to include delivery from packer-style collection vehicles, in addition to large semi-tractor trailer transfer vehicles.

Recommendation: Approve Revisions to District Guiding Principles for Acceptance of Regional Waste.

11) Approve Agreement with City of Watsonville to Accept Waste for Disposal

Please refer to the enclosed memo from Assistant General Manager Tim Flanagan, and the discussion with the Item above.

Recommendation: Approve Agreement with City of Watsonville to Accept Waste for Disposal.

12) Authorize Letter of Intent to Pursue Regional Discussions with Santa Cruz County and the Salinas Valley Solid Waste Authority related to Management of the Organic Portion of the Waste Stream

Please refer to the enclosed memo from Assistant General Manager Tim Flanagan, and the Letter of Intent from the Salinas Valley Solid Waste Authority. In a recent meeting between staff from the County of Santa Cruz, the SVSWA and the District, it was agreed that management of the organic fraction of the waste stream in each of the individual jurisdictions has become more challenging for a number of reasons. Initial discussions indicate combining the organic portions of the waste stream, such as green waste and food waste, in a composting operation in a central location, to produce a high quality, consistent compost material would be in everyone's best interest. Each entity would need to bring a commitment to the Agreement to return the finished compost back to their city/community for use in public and private landscaping programs.

Recommendation: Authorize Letter of Intent.

13) Review Financial Reports and Quarterly Review of 2007/2008 Fiscal Year Budget

Please refer to the enclosed memo from Finance Manager Chuck Rees summarizing the first quarter finances through September 2007.

Recommendation: No Action Required.

14) Receive Safety Committee Minutes of October 18, 2007

Please refer to the enclosed Safety Committee Minutes of the October 18, 2007 meeting.

Recommendation: Receive Safety Committee Minutes of October 18, 2007.

STAFF REPORTS

15) Operating and Recycling Reports

The Operating Report for October 2007 is enclosed. The Total Solid Waste Accepted into the site (excluding regional waste from Santa Cruz County) during October 2007 was 29,260 tons, an increase of 1,741 tons from September and down 3,176 tons, or (9.8%) from October of last year. These variances result primarily from changes in tonnage from the Commercial and Industrial customers. The tonnage from Santa Cruz County was 1,721 in October, 1,621 in September, 1,892 in August, 1,680 in July and 1,874 in June.

The financial statements for September and October 2007 are enclosed. Operating Income is \$107,000 and \$271,000 for the months and \$507,000 and \$778,000 year to date, respectively. The year-to-date total Operating Expenses are below budget levels at \$3,931,000 and \$5,291,000, respectively. Year-to-date Operating Revenues are below budget levels at \$4,438,000, and \$6,070,000, respectively.

OTHER CORRESPONDENCE

16) Letter from the Department of Conservation (DOC) RE: Beverage Container Recycling and Litter Reduction Grant Award

The October 19th letter from the DOC is a notice that the District's grant proposal has been selected for funding based on technical merit, and further details will follow.

17) Letter from Director Bales to Pacific Grove City Manager RE: MRWMD Rate Increases

Director Bales has sent a comprehensive letter to the Pacific Grove City Manager in response to an inquiry from the City Manager related to the District's tipping fee increases adopted nearly three years ago, in early 2005.

18) Letter to FORA Administrative Committee RE: MRWMD Joint Powers Agreement

19) Letter to Salinas Valley Solid Waste Authority RE: Proposed Meeting

GENERAL MANAGER COMMUNICATIONS

- Bird Article from Monterey County Weekly. The Monterey County Weekly ran a nice article, which is enclosed, about the seagull population at the landfill and various means to control them.
- News Articles. Enclosed, for your information are two articles, one on "Garbage Processing Plans" at the Sun Street transfer station in Salinas, and the other on "Tests Planned at the old Laguna Landfill Site".
- Employee Awards Luncheon. The District will hold an employee awards and recognition luncheon, following the December 21st Board meeting. The luncheon will begin at 11:30. All Board members are invited to attend the luncheon and in the past several have done so, which employees very much appreciate. Please let Becky or me know if you are able to attend.

BOARD COMMUNICATIONS

Enclosed is a memo from Directors Bales and Jordan summarizing their attendance at SWANA's WasteCon, October 2007 in Reno.

CLOSED SESSION

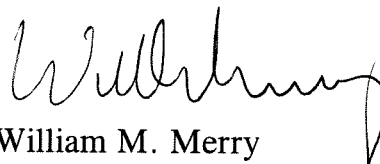
A confidential packet is enclosed.

As permitted by Government Code Section 54956 et seq., the Board may adjourn to a Closed or Executive Session to consider specific matters dealing with pending or prospective litigation, real property negotiations, certain personnel matters, or to confer with District's Meyers-Milias-Brown representative.

- 1) Conference with Labor Negotiators:
District Negotiators: William Merry, Richard Norton and Tim Flanagan
Employee Organizations: Operating Engineers, Service Employees International Union,
Management Employees
- 2) Conference with Legal Counsel - Existing Litigation
 - a) Don Prescott v. Monterey Regional Waste Management District, et al.
Monterey County Superior Court Case No. M75658
- 3) Personnel Matter
 - a. Public Employee Performance Evaluation: General Manager

NEXT MEETING DATE: DECEMBER 21, 2007

Respectfully submitted,


William M. Merry