



Memorandum

MONTEREY REGIONAL WASTE MANAGEMENT DISTRICT

DATE: April 10, 2009
TO: Board of Directors
FROM: General Manager
SUBJECT: Agenda Information for the April 17, 2009 Board Meeting

CALL TO ORDER AT 9:30 A.M.

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 March 20, 2009 Regular Board Meeting
- 2) Approve Report of Disbursements

PRESENTATIONS

- 3) Adopt Resolution (2009-06) of Appreciation for Pacific Grove Representative Director Gary Bales for 40 Years of Service

Congratulations to Director Gary Bales who joined the District Board of Directors 40 years ago, representing the City of Pacific Grove. At the time, it was the Monterey Peninsula Garbage and Refuse Disposal District. This is a remarkable term of service, and his contributions have been numerous and valuable. We would like to take some time at the meeting to mark this

memorable occasion. On behalf of the Board and staff, I would like to express my appreciation to Gary for his good and faithful service and his many, many contributions to the District over the past 40 years.

Recommendation: Adopt Resolution (2009-06) of Appreciation for Pacific Grove Representative Director Gary Bales for 40 Years of Service.

OTHER ITEMS FOR BOARD CONSIDERATION, DISCUSSION AND ACTION

4) Accept Report from Finance Committee Chair on Meeting of March 24, 2009

Please refer to the enclosed memo from Chair Laska summarizing the discussion and recommendations from the meeting of the Finance Committee held on March 24th.

Recommendation: Accept Report from Finance Committee Chair on Meeting of March 24, 2009.

5) Accept Report from Ad Hoc Personnel Committee Chair on Meeting of April 6, 2009

Please refer to the enclosed memo from Chair Laska summarizing the discussion and recommendations from the meeting of the ad hoc Personnel Committee held on April 6th.

Recommendation: Accept Report from Ad Hoc Personnel Committee Chair on Meeting of April 6, 2009.

6) Review LAFCO's Proposed Fiscal Year 2009/10 Budget and Work Plan

Please refer to the enclosed information from LAFCO outlining their Fiscal Year 2009/10 Budget and Work Program and Notice of Public Hearing on April 20th. The District is a significant contributor to the LAFCO Budget; this year's contribution of \$36,574, is 15.37% of the Special District's contribution, and second only to the contribution of the Salinas Valley Memorial Hospital. The District's contribution is more than any of the cities except Salinas and Monterey. The contributions of each of the Special Districts have been set by State Law under an agreed upon formula. The contribution of the District to LAFCO's budget last year was \$40,614.

LAFCO staff has been successful in reducing expenses in the last two years. At the direction of the Board, a letter was sent to LAFCO in 2007 expressing concerns on the steep increase in the LAFCO budget and again in 2008 on the amount of the COLA increase and expenses related to use of outside consultants. The LAFCO Budget and Workplan reflected those comments. The

enclosed Workplan contemplated by LAFCO will affect the District soon, with the update of the Municipal Service Reviews (Work Program, Item 2 – Special Studies). As many of you know, the District’s Sphere of Influence extends across all of North Monterey County and extends to the south side of the City of Salinas. This fact was included in the most recent Municipal Services Review completed by the District five years ago, and which will need to be updated within the next year or two, according to the LAFCO Workplan schedule.

Recommendation: No Action Required

7) Authorize Short Term Power Sales Agreement Effective May 1, 2009

Please refer to the enclosed memo from Information Systems Manager Don Prescott. As Don explains in his memo, we have been unable to execute an interim agreement with PG&E as the Board authorized the General Manager to do at the January meeting. Therefore, staff is requesting authorization to allow the General Manager to sign an agreement to allow the District to sell renewable power for an interim period. The process to secure an interim agreement to sell this power has been very fluid for a number of reasons, mainly related to matters at the California Public Utilities Commission (CPUC). We would like to sign an interim agreement as soon as possible, while retaining a reasonable amount of operating and power delivery flexibility, while achieving the maximum price over the interim period.

Recommendation: Authorize General Manager to Sign Short Term Power Sales Agreement Effective May 1, 2009.

STAFF REPORTS

8) Financial, Operating, and Recycling Reports

The financial statements for March 2009 have been completed and are enclosed. The Operating Income (Loss) for March is \$85,655 and \$709,159 year-to-date. The year-to-date total Operating Expenses are below budget by 3.74% at \$12,123,078. The year-to-date Operating Revenues are \$12,832,238, below last year and budget by \$455,547 and \$814,012 (4.47%), respectively. Refuse Accepted (excluding Regional Waste) for March decreased by 1,958 tons or 10.6% from last year and increased by 2,545 tons from last month or 18.2%. The total refuse for the last 12 months was 210,421 tons, down 21,307 tons or 9.2% from the 12 month period ended March 2008.

The Operating Report for March 31, 2009 is enclosed. The Total Solid Waste Accepted into the site (excluding regional waste from Santa Cruz County and Watsonville) during March 2009 was 24,761 tons, a decrease of 150 tons (or 0.6%) from March 2008. The variances resulted

from decreased waste from Franchise Haulers (1,707 tons – 12.7%) and Cash customers (546 tons – 9.3%) offset by the increase waste from Commercial and Industrial haulers (2,103 tons – 38.0%). Santa Cruz County did not deliver any refuse during March 2009 down 1,625 tons from last year. The City of Watsonville delivered 1,141 tons during the month of March 2009 (up 180 tons [18.7%] from February 2009).

9) Report on Public Education, Recycling and Litter

Please refer to the enclosed memo from Public Education and Recycling Manager Jeff Lindenthal. The District and the entire community is looking forward to Clean Monterey County Day on April 18th and to Earth Day activities on April 22nd as well as the weekends on both sides of April 22nd. As Jeff discusses in his memo, the District will be active in these community events.

10) Report on State Recycling and Solid Waste Management Legislation

The Legislative Task Force (LTF) of SWANA met during the Western Regional Symposium (WRS), April 7th to 9th. We heard many very good presentations, including the following:

- John Skinner, Executive Director of SWANA, and former Solid Waste Chief at the US EPA, stated:
 - He has never seen such rapid, comprehensive change in Washington as over the last few months, and solid waste is at the heart of much of it.
 - The US EPA will likely regulate green house gases (GHG) as pollutants under the Clean Air Act, resulting in a profound impact on business and industry in this country.
- California Integrated Waste Management Board (CIWMB) member Rosalie Mule encourages local government officials to contact CIWMB members directly to voice their concerns related to proposed new regulations and their fiscal impacts on local government.
- Economist Steven Levy predicts the economy will begin to recover in 9 to 14 months, but it will be a slow recovery and prices, such as for housing, will not return to 2006 levels for a long time. Local government, in particular, need to re-evaluate their revenue models as a result of reduced sales and property taxes; and further, need to contact their state representatives to let them know that while the state is overhauling their revenue model, the same needs to be done for the revenue model for cities and counties. I would add, that his comments add credence to the District's recent efforts to review its revenue model as tonnages decline.
- Extended Producer Responsibility (EPR). The LTF sponsored a session on EPR. Heide Sanborn, Executive Director of the California Product Stewardship Council (CPSC) was present to make a presentation and to answer questions.
- Plastic Bags. One of the sessions at the WRS focused on use of plastic (grocery, etc) bags. Jeff was on a panel discussion with a representative from the American Plastics Council.

OTHER CORRESPONDENCE

11) Letter to California Air Resources Board RE: Comments Regarding Draft Proposed Regulation Order – Surface Emissions of Methane from Municipal Solid Waste Landfills

The District provided comments on California Air Resources Board (CARB) proposed regulations pertaining to surface emissions from landfills.

12) Letter to Carmel Area Wastewater District RE: Sludge Management

Staff sent a letter to Carmel Area Wastewater District (CAWD) encouraging them to send the biosolids from their wastewater treatment plant to the District and to work with the District for a long term solution for management of biosolids.

13) Notice from Special District Risk Management Authority RE: Nominations for Board of Directors

I have enclosed correspondence from the Special District Risk Management Authority (SDRMA) regarding upcoming nominations for their Board of Directors. Three seats are up for election and the nomination filing deadline is June 10, 2009.

If one of the Directors would like to be nominated to serve on the SDRMA board, the candidate must be nominated by a resolution of the District Board. Staff would bring this forward for consideration at the May meeting if desired. Please contact Becky or me if you have questions or comments.

GENERAL MANAGER COMMUNICATIONS

- **Board Workshop**. Staff is preparing for the Wednesday, April 29th Board workshop to be held from 8:30 a.m. to 2:00 p.m. at the Marina Public Library. A packet of information will be delivered to you for your review a week prior to the meeting. We are very much looking forward to seeing you all there.
- **Stimulus Funds**. Staff has been researching opportunities to apply for Stimulus funding, but a clearly eligible project, with a viable funding source has not been identified to date. We will continue our efforts in this matter.
- **Finance Committee Meeting**. The meeting is scheduled for Monday, April 20th, 9:30 to 11:30 a.m., at the Pebble Beach Community Services District administrative offices.

- Earth Day, April 22nd and Clean Monterey County Day, April 18th. Please spread the word about these worthwhile community events.
- Anonymous Complaint. Staff has received an anonymous letter that was placed in one of our employee suggestion boxes located on-site. The letter is critical of action taken by the Board at the March meeting related to equity adjustments for six positions as well as the hiring process to fill the newly created position of MRF Operations Supervisor. On a related note, there have been two postings, of a similar tone, on the website, Craig's List, under the "rants and raves" section, which I brought to the attention of the ad hoc Personnel Committee in their recent meeting. If there are any questions, please let me know.

BOARD COMMUNICATIONS

CLOSED SESSION

Enclosed is a confidential packet for the closed session.

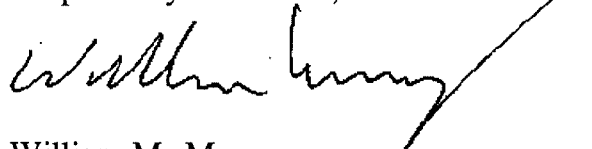
1) Conference with Labor Negotiators:

District Negotiators: William Merry, Richard Norton and Tim Flanagan

Employee Organizations: Operating Engineers, Service Employees International Union,
Management Employees

NEXT MEETING DATE: MAY 15, 2009

Respectfully submitted,



William M. Merry