



# Memorandum

## MONTEREY REGIONAL WASTE MANAGEMENT DISTRICT

**DATE:** January 9, 2009  
**TO:** Board of Directors  
**FROM:** General Manager  
**SUBJECT:** Agenda Information for the January 16, 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 December 19, 2008 Regular Board Meeting
- 2) Approve Report of Disbursements

### PRESENTATIONS

- 3) Five-Year Award to Chair Leo Laska

On behalf of the Board and staff I would like to express our appreciation and congratulations to Chair Laska for his five years of service to the District. His guidance and leadership over the period, especially as Chair since January 2007 have been of great value to the District.



**6) Receive Mid Year Review of Employee Injuries and Property Loss Incidents**

Please refer to the enclosed memo from Safety Manager Jack Cook. Staff continues to hold safety as a top priority in operations. The enclosed report shows a significant reduction in the number of injuries and lost work days for the sixth-month period, July-December 2008, when compared to July-December 2007. There has also been significant reduction in the workers compensation claim costs for the period. Safety Manager Jack Cook is doing a very good job in working with staff to effectively deliver training and safety messages to all employees. These efforts are effectively reducing employee injuries and holding down related expenses to the District.

*Recommendation: Receive Mid Year Review of Employee Injuries and Property Loss Incidents.*

**7) Receive Minutes from the December 3, 2008 District Strategic Planning Advisory Task Force Meeting**

Please refer to the enclosed minutes, and attendees list, from the December 3, 2008 District Strategic Planning Advisory Task Force meeting. The minutes are provided for your information. Staff will make a brief presentation on the topic at the Board meeting. Further discussion and action stemming from the meetings and discussions of Advisory Task Force will be to revise the Guiding Principals of the District, continue meetings of the Subcommittee of the Task Force, and to hold a Board/management staff workshop in April 2009.

*Recommendation: Receive Minutes from the December 3, 2008 District Strategic Planning Advisory Task Force Meeting.*

**8) Authorize General Manager to Solicit Proposal from The Ingram Group to Facilitate Board Strategic Planning Workshop in April 2009**

We are planning to hold a Strategic Planning Workshop of the Board and management staff on Wednesday, April 29, 2009, from 8:30 a.m. to 2:00 p.m. Such a workshop was held two years ago, facilitated by Candace Ingram. Ms. Ingram submitted a proposal at that time, along with two other firms, and was selected for the work. Since that time, she facilitated a management workshop in early 2008 and facilitated the two workshops of the MRWMD Strategic Planning Advisory Task Force in late 2008. We have been pleased with her work over this period, and would like to move forward to retain her services for the Board/staff workshop. Does the date of Wednesday, April 29<sup>th</sup> work for everyone?

*Recommendation: Authorize General Manager to Solicit Proposal From The Ingram Group to Facilitate Board Strategic Planning Workshop in April 2009.*

9) **Adopt Resolution 2009-01 Designating the District's Representative to The Special Districts Association of Monterey County**

On May 16, 2003, the Board adopted the enclosed Resolution 2003-05 authorizing membership in the Special Districts Association of Monterey County and Designating District Representatives. That resolution specifically named Director Jim Perrine as the District's representative. The only substantial change with the proposed Resolution 2009-01 is to not specifically name the designee, but rather to allow the designee be "the Board Chair or designee."

*Recommendation: Adopt Resolution 2009-01 Designating the District's Representative to The Special Districts Association of Monterey County.*

10) **Appoint New Representative to The Special Districts Association of Monterey County**

Enclosed for your information is the Agenda for the January 20<sup>th</sup> meeting of the Monterey County Special Districts Association, along with the minutes from their meeting of October 21<sup>st</sup>. Director Jordan attended the October 21<sup>st</sup> meeting; I was absent due to being away at SWANA's annual symposium. Director Jordan's term on the Board came to an end in December, but the City of Seaside has not yet announced his replacement, although we may know who it is by the time the Board meets.

The Board needs to appoint a new representative to the Monterey County Special Districts Association. Director Jordan served as the District's representative for the past four years and was very diligent in his attendance at the meetings. Before him, Director Tom Mancini (Seaside) served as the representative for over a year and Director Perrine (Marina) before him. The Association holds a quarterly dinner meeting, on the third Tuesday, starting at 6 p.m. The meetings are held at the Shoreline Occupational Services Conference Center, just inside the former Fort Ord's 12<sup>th</sup> Street exit.

The next meeting will be on January 20<sup>th</sup>. Other meetings for 2009 would be April 21<sup>st</sup>, July 21<sup>st</sup>, and October 20<sup>th</sup>. I also attend the meetings. Any of the Board members are eligible to serve as the representative. If anyone has any questions or is interested in serving in this position, please call Chair Laska or me prior to the meeting.

*Recommendation: Appoint New Representative to Special Districts Association of Monterey County.*

**STAFF REPORTS**

**11) Operating and Recycling Reports**

The Operating Report for December 31, 2008 is enclosed. The Total Solid Waste Accepted into the site (excluding regional waste from Santa Cruz County and Watsonville) during December 2008 was 26,514 tons, an increase of 2,730 tons (or 11.5%) from December 2007. The December variances resulted from decreased refuse from Franchise Haulers (2,207 tons, or a minus 15.4%), offset by increases in Commercial and Industrial haulers (1,791 tons or a positive 35.5%) and Cash customers (3,143 tons or a positive 71.7%). It would appear that tonnages delivered during December 2007 were unusually low due to wet weather. The tonnage from Santa Cruz County was 1,262 in December 2008 (down 244 tons from November 2008). The City of Watsonville delivered 1,052 tons during the month of December 2008 (up 169 tons from November 2008).

**12) Report on Public Education, Recycling and Litter**

Please refer to the enclosed memo from Public Education and Recycling Manager Jeff Lindenthal.

**13) Report on 2008 District Accomplishments**

Enclosed, for your information, is a memo from Jeff along with a summary of District Accomplishments during 2008. The list was originally developed for discussion with all staff members. However we have found it to be a useful reminder of the accomplishments made during the year. We hope you too find it to be useful in reflecting over 2008.

**14) Report on Kirby Canyon Landfill Illegal Waste Hauling**

Enclosed for your information are two recent newspaper articles related to an alleged illegal scheme to dispose of waste at the Kirby Canyon Landfill in San Jose. The first article appeared in the December 25<sup>th</sup> edition of *The Herald*, naming Carmel resident James Lucero as a "waste broker accused of bribery". On the same day, the *San Jose Mercury News* carried a similar story wherein "waste broker accused of paying off workers at S.J. dump, pocketing fees." You may recall that over the last three years staff raised concerns before the Board over the fact that waste was traveling out of the District's waste shed to other regional landfills. Staff concerns were of such a level that the enclosed letter was written on the matter and sent to the City of San Jose on

September 13, 2007 and reviewed by the Board at their October 2007 meeting. The concerns expressed in the District's letter regarding lack of waste tracking, and diversion and collection of state and local fees, appear to have been borne out according to the news articles. Despite repeated attempts the District received no reply from the City of San Jose.

### **OTHER CORRESPONDENCE**

#### **15) Letter Dated December 17, 2008 From California Air Resources Board RE: Reporting of Green House Gas Emissions**

This letter from the CARB provides notification to a number of "facility operators" around the state regarding their new reporting requirements for greenhouse gas (GHG) emissions, beginning with registration by January 8, 2009. District staff has already registered and has begun work to comply with this costly, unfunded state mandate.

### **GENERAL MANAGER COMMUNICATIONS**

- **Proposed SB 44 Would Abolish California Integrated Waste Management Board (CIWMB)**. On January 7<sup>th</sup> Senator Denham introduced a bill which would abolish the six-member CIWMB. The California Integrated Waste Management Act of 1989, administered by the CIWMB, is required to reduce, recycle, and reuse solid waste generated in the state to the maximum extent feasible in an efficient cost-effective manner to conserve water, energy, and other natural resources. This bill would abolish the CIWMB and transfer its duties, responsibilities, powers, jurisdiction, liabilities, and functions to the Department of Conservation. It is unlikely this bill would be able to make it past the Democrats and to the Governor's desk. However, the Governor has also proposed to abolish the CIWMB as part of his proposed budget reductions. From our view, the CIWMB has accomplished a lot of good over the years.
- **CIWMB Member John Laird Tour of District Facilities**. John Laird spent two hours touring the District's facilities on January 6<sup>th</sup> at my invitation. Staff found Mr. Laird to be well informed on many recycling and waste management related matters. He was impressed with the District's pragmatic and cost effective programs and facilities. He has a particular interest in the concept of extended producer responsibility in an effort to reduce packaging, waste and unfunded mandates on local government. Additionally, ten staff members of the CIWMB toured District operations on January 8<sup>th</sup>, taking advantage of the opportunity for training by viewing the various programs operating on-site.

- **Ad Hoc Personnel Committee.** The next meeting of the ad hoc Personnel Committee has been set for 2 p.m., Wednesday, January 28<sup>th</sup> at the offices of the Pebble Beach Community Services District. The current members of the Committee are Chair Laska, Director Pendergrass, and Director Russell. Chair Laska would like to name a fourth member to the Committee at the Board meeting. If you are interested in serving, or have questions, please call Chair Laska or me.
- **Work Scope from Liebert Cassidy Whitmore.** The work scope from Donna Williamson, of Liebert Cassidy Whitmore, reviewed by the Board at the December meeting, has been revised to focus on “assistance with labor relations, as needed and as necessary”, and is included in your packet for your information, as you requested. District Counsel Wellington and I provided comments to Ms. Williamson for the revisions.
- **Closure of Crazy Horse Landfill.** The *Herald* carried a story (enclosed) in the January 9<sup>th</sup> edition on the closure of the Crazy Horse Landfill. The landfill will be closing on February 28<sup>th</sup>. One of the disposal options for North County and the closest and least expensive in most cases is to use the Monterey Peninsula Landfill.

## **BOARD COMMUNICATIONS**

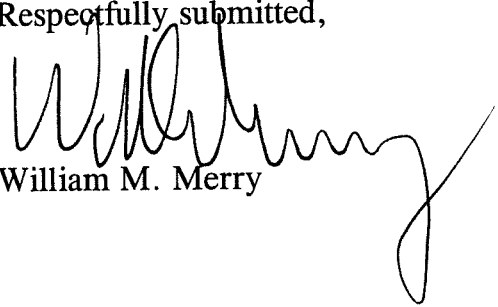
### **CLOSED SESSION**

Enclosed is a confidential packet for the closed session.

- 1) Personnel Matter
  - a. Public Employee Performance Evaluation: General Manager

**NEXT MEETING DATE: FEBRUARY 20, 2009**

Respectfully submitted,

  
William M. Merry