



Memorandum

MONTEREY REGIONAL WASTE MANAGEMENT DISTRICT

DATE: November 13, 2009
TO: Board of Directors
FROM: General Manager
SUBJECT: Agenda Information for the November 20, 2009 Board Meeting

CALL TO ORDER AT 9:30 AM

ROLL CALL AND ESTABLISHMENT OF QUORUM

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 16, 2009 Regular Board Meeting**
- 2) **Approve Report of Disbursements**
- 3) **Approve Purchase of New Volvo VHD64B Truck with McLellan Water Tank System from Central Valley Truck Center of Fresno, in the Amount of \$188,739.29**

Please refer to enclosed memo from Equipment Maintenance Manager Ron Mooneyham.

- 4) **Approve Purchase of New Caterpillar Model 324DL Excavator from Quinn Company of Salinas, in the Amount of \$224,112.50**

Please refer to enclosed memo from Equipment Maintenance Manager Ron Mooneyham.

5) Approve Transmittal of Electronic Mail Ballots for Elections of Independent Special District Representatives to the Local Agency Formation Commission (LAFCO) of Monterey County

Please refer to the enclosed letter from LAFCO Executive Officer Kate McKenna, along with the voting form. LAFCO is requesting the Board allow the use of an electronic ballot for LAFCO elections. With concurrence by the Board, the use of an electronic ballot will allow for faster delivery of ballots, at a lower cost, thus saving money for LAFCO and the member districts. No action is required if the Board wants to simply continue use of a paper ballot.

OTHER ITEMS FOR BOARD CONSIDERATION, DISCUSSION AND ACTION

6) Accept Report from Finance Committee Chair on Meeting of October 26, 2009

Please refer to enclosed memo from Chair Laska on the meeting of the Finance Committee held on October 26th. The Committee received a report from Finance Manager Chuck Rees and from Mike Nolan, lead auditor for Hayashi and Wayland (H&W), reporting on the Annual Audit for the year ending June 30, 2009. Mr. Nolan reported that the District received a “very clean” audit. The Committee also received staff reports on operations and finances of the District for the first quarter. The Annual Audit will be presented and discussed in the next agenda item.

Recommendation: Accept Report from Finance Committee Chair on Meeting of October 26, 2009.

7) Presentation of Annual Audit for Fiscal Year 2008/09

Please refer to the enclosed memo from Finance Manager Chuck Rees and the Financial Statements and Independent Auditors Report for the year ended June 30, 2009. Chuck and Mr. Nolan will make a presentation at the meeting to review the Annual Audit Report for FY 2008/09 and to answer any questions from the Board.

Recommendation: Accept Annual Audit for Fiscal Year 2008/09.

8) Accept Report from ad hoc Personnel Committee Chair on Meeting of November 6, 2009

Please refer to enclosed memo from Chair Laska on the meeting of the ad hoc Personnel Committee held on November 6th. The Committee received staff reports on matters related to staffing and personnel. The Committee also reviewed performance goals of the General Manager for 2009 and provided comments on his proposed performance goals for 2010.

Recommendation: Accept Report from ad hoc Personnel Committee Chair on Meeting of November 6, 2009.

- 9) **Authorize General Manager to Issue a Request for Proposals for Bird Abatement Services and to Retain a Licensed Falconer Under a Pilot Program Lasting Through June 30, 2010, at a Cost Not-To-Exceed \$80,000. (Item May be Continued Until After Closed Session).**

Please refer to the enclosed memo from Senior Engineer Rick Shedden, along with a summary from the Survey of Gull Usage at Marina Landfill prepared by Mr. Roberson in 1997. The full Survey report may be viewed from the link provided to you separately. While the Survey was prepared over ten years ago, the gull's habits are much the same now as they were then. The proposed pilot program for bird abatement is aimed primarily at the large population of sea gulls which arrive at the landfill face daily, stay for a few hours and then fly to the Salinas River mouth. The gulls have been a nuisance at the landfill site over all the years and abatement efforts used have not been as effective as we would like. State regulations governing landfills call for "bird control" measures, which the District has employed over the years, to the satisfaction of the regulations. However use of falconry, as employed locally in the vineyards, is a natural and much more effective means for controlling the gull population, according to those who have used them.

Time is of the essence to initiate the pilot program while surrounding agricultural fields are not being harvested. During the pilot program, staff will record its effectiveness in controlling the population of gulls, as well as related effects from use of the falcons, when considering continued use with the FY 2010/11 Budget.

Recommendation: Authorize General Manager to Issue a Request for Proposals for Bird Abatement Services and to Retain a Licensed Falconer Under a Pilot Program Lasting Through June 30, 2010, at a Cost Not-To-Exceed \$80,000 (Item May be Continued Until After Closed Session).

- 10) **Receive Report from Carollo Engineers on Biosolids Handling Evaluation**

Please refer to the enclosed memo from Assistant General Manager Tim Flanagan, along with the "Recommendation" section from the Carollo Report. The full report may be viewed from the link provided separately to you. As Tim discusses in his memo, the current practice at the District in managing biosolids is to either compost it to create an organic vegetative material for use as landfill cover or to landfill the biosolids at the acceptance rate of \$30 per ton. The Carollo Report considered other management options such as composting for resale off-site or belt drying and incineration to recover heat value from the biosolids; all of which are expensive, at an estimated cost per wet ton of \$79 to \$331.

There is a looming significant issue in landfilling the 20,000 tons per year of biosolids generated by the MRWPCA plant, in that the County receives all of the AB 939 diversion credit. That diversion credit amounts to 9% of the County's diversion, and loss of it may mean the County

would fall below 50%. By some estimates, the diversion value accruing to the County amounts to \$100 per ton. Staff is continuing discussions with MRWPCA and County staff to determine the most viable future management options, and will be preparing information for a future report to the Board.

Recommendation: Receive Report from Carollo Engineers on Biosolids Handling Evaluation.

STAFF REPORTS

11) Financial, Operating, and Recycling Reports

The audited financial statements for June 2009 are enclosed (please also refer to the memo from Finance Manager under Item 7). The financial statements for September and October 2009 have been completed and are enclosed. The Operating Income for October is \$98,555.02 and \$671,331.94 year-to-date. The year-to-date total Operating Expenses are below budget by 0.99% at \$5,440,191.23. The year-to-date Operating Revenues are \$6,111,523.17, above last year by \$15,514.42, and 1.51% above budget. The tonnage for the month of October increased by 5.1% from last month resulting in tipping fee revenues being 0.33% above budget.

The Operating Report for October 2009 is enclosed. The Total Solid Waste Accepted into the site (excluding regional waste from Santa Cruz County and Watsonville) during October 2009 was 25,291 tons, an increase of 1,460 tons (or 6.1%) from September 2009 and a decrease of 1,296 tons (or 4.9%) from October 2008. The variances from September 2009 resulted from increased waste from Franchise Haulers (703 tons – 5.8%), Commercial and Industrial haulers (390 tons – 6.9%) and Cash customers (367 tons – 6.2%). The tonnage from Santa Cruz County and the city of Watsonville was 1,192 in October 2009 (down 163 tons from September 2009).

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 Regional Waste

Please refer to the enclosed summary on a meeting held on July 20th between three Board members from the District and three from the Salinas Valley Solid Waste Authority (SVSWA). While there was to be a follow-up meeting held within 60 days, that meeting was delayed pending work by the SVSWA to complete long term financial analysis efforts related to their operational costs and plans for new facilities.

14) Report on October 20, 2009 Meeting of Special Districts Association of Monterey County

Enclosed, for your information, is a summary by Director Parker on the October 20th meeting of the Special Districts Association of Monterey County (SDAMC).

OTHER CORRESPONDENCE

GENERAL MANAGER COMMUNICATIONS

- **Presentation to Pacific Grove Council.** On November 4th, at the invitation of the new Mayor, Carmelita Garcia, Director Bales, and I made a presentation to the Pacific Grove City Council. The presentation covered the various operations of the District, highlighting recycling successes at the District on behalf of the city and other member agencies of the District, renewable energy production, and future program plans and challenges.
- **Greenhouse Gas Controls.** You may wish to read a paper released in November titled “New Directions for Greenhouse Gas Controls, Renewable Energy and Solid Waste Management in North America” ([http://swana.org/Portals/Officers/Skinner ISWA 2009 Paper.pdf](http://swana.org/Portals/Officers/Skinner_ISWA_2009_Paper.pdf)). The paper suggests that GHG control measures will be rapidly accelerating in the US, there will be a focus on conservation (reduce, reuse, recycle, compost), renewable energy, and improved solid waste management practices (reduce, reuse, recycle, compost). Our presentation to the Pacific Grove City Council stressed the importance of reducing consumption; and reuse, as with the Last Chance Mercantile operation.
- The District’s Litter Abatement Task Force (LATF) will meet at 2 p.m. on November 18th at the offices of Supervisor Potter at the Monterey Courthouse. The LATF is headed by Vice Chair McCloud, and is also attended by Director Downey and staff.
- The District’s Strategic Planning Advisory Task Force will meet on December 2nd at 9:30 a.m. in the District Board room. District consultant Hilton, Farnkopf & Hobson, LLC (HF&H) will make a presentation to the Task Force titled: “Greater Regional Waste Management System Cooperation?” A presentation on this topic was requested by the Task Force in September. Briefly stated, HF&H will present the pros and cons of a consolidated franchise process, which is available for consideration for the District member agencies in 2013/14. I strongly urge that you have a representative from your city/agency attend this important meeting. An agenda item is planned for the December Board meeting to hear the presentation from HF&H.
- Following the December Board meeting, there will be an employees’ awards luncheon. Please check your calendar and plan to join us if you are able.
- We wish a Happy Thanksgiving to you and your family. Please travel safely and enjoy this special time of year.

BOARD COMMUNICATIONS

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 Legal Counsel – Anticipated Litigation; Significant Exposure to Litigation (one case)
- 2) Personnel Matter
 - a. Public Employee Performance Evaluation: General Manager

NEXT MEETING DATE: DECEMBER 18, 2009

Respectfully submitted,

William M. Merry