



Memorandum

MONTEREY REGIONAL WASTE MANAGEMENT DISTRICT

DATE: June 11, 2010
TO: Board of Directors
FROM: General Manager
SUBJECT: Agenda Information for the June 18, 2010 Board Meeting

CALL TO ORDER AT 9:30 AM

PLEDGE OF ALLEGIANCE

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. *Please limit comments to a maximum of three (3) minutes.* 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 May 21, 2010 Regular Board Meeting**
- 2) **Approve Report of Disbursements**
- 3) **Approve Amendments to Memorandums of Understanding with the Hourly Represented Unit, Management Unit and Operating Engineers Units**

Please refer to enclosed memo from Administrative Services Manager, Rich Norton.

- 4) **Approve Cost of Living Adjustment and Health Insurance Premium Increases for Unrepresented Employees**

Please refer to the enclosed memo from Rich Norton.

5) Adopt Resolution of Appreciation (2010-03) for Big Sur International Marathon for Commendable Diversion Efforts

The BSIM Board, staff and volunteers are to be commended for their leadership efforts in reducing litter, minimizing waste and “going green” (see enclosed information taken from the BSIM website). This effort is important locally and for events of this type across the country, and the Resolution is well deserved.

PRESENTATION

6) Presentation by Karen Ferlito on Big Sur International Marathon Diversion Efforts

Karen Ferlito will attend the meeting to provide a summary of the very successful recycling and waste minimization efforts undertaken with this year’s Big Sur International Marathon event.

PUBLIC HEARING

In considering Items 7 and 8, please refer to the enclosed Notice of Public Hearing, and to the Fact Sheet outlining the need and justification for a proposed \$5 per ton landfill tipping fee increase, effective January 1, 2011. The matter has been brought before the Board and supported with adoption of the Preliminary Budget in June. A legal notice was placed in the *Monterey Herald* as required and notices of the public hearing have been sent to City Managers, to members of the District’s Strategic Planning Advisory Task Force, and to all of the District customers, notifying them of the intended rate increase. The \$38 per ton rate to process food scraps in the composting operation is a new rate on the District rate sheet.

7) Consider Establishing \$38 Per Ton Tipping Fee for Food Scraps, Previously Charged at the Solid Waste Rate of \$46.25 Per Ton, Effective July 1, 2010

- 8) Consider the Following Changes to Tipping Fees Effective January 1, 2011:**
- a) \$5 Increase to Solid Waste Tipping Fee from \$46.25 to \$51.25 per Ton; and
 - b) \$3 Increase to Greenwaste Tipping Fee from \$22.50 to \$25.50 per Ton

OTHER ITEMS FOR BOARD CONSIDERATION, DISCUSSION AND ACTION

9) Accept Report from Finance Committee Chair on Meeting of May 25, 2010

Please refer to the enclosed memo from Chair Laska summarizing the meeting of the Finance Committee held on May 25, 2010. The Committee directed staff to prepare an event schedule

and feasibility cost estimate to supply renewable power for the proposed Regional Water Project, for discussion at the next meeting of the Finance Committee on July 21, 2010.

Recommendation: Accept Report from Finance Committee Chair on Meeting of May 25, 2010.

10) Adopt Resolution 2010-04 Approving Final Budget for Fiscal Year 2010/11

Please refer to the enclosed resolution and memo from Finance Manager Chuck Rees, along with the Final Budget for FY 2010/11. Chuck has noted the minor adjustments, from the preliminary budget presented and adopted in May, in his memo.

There is an increase of \$5.00 per ton to the landfill tipping fee included with this budget, which would raise it from \$46.25 per ton to \$51.25 per ton, effective January 1, 2011. The budget also includes a continued hiring freeze for non essential positions, which has been in effect for the last three years, along with deferred capital spending and deferred maintenance spending for non essential items.

Recommendation: Adopt Resolution 2010-04 Approving Final Budget for Fiscal Year 2010/11.

11) Authorize Issuance of Request for Proposals for Compensation Study

Please refer to the enclosed memo from Administrative Services Manager Rich Norton. Upon Board authorization, the RFP will be issued, and Proposals accepted and reviewed, with a recommendation anticipated for Board consideration at the August meeting.

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

12) Adopt Resolution 2010-05 Authorizing Materials Recovery Facility Tipping Floor Concrete Resurfacing Services, Covering 17,685 Square Feet, Without Competitive Bidding, to Kalman Floors of Evergreen, CO, at a Cost of \$322,100

Please refer to the enclosed memo from Materials Recovery Facility Manager (MRF) Harry Hunzie. The original concrete tipping floor was installed in 1996 by Kalman Floors. They were selected through a competitive process at the time, when the MRF was built. The existing concrete floor life was expected to last 8 to 10, but it has significantly exceeded that life, now being 14 years old. The extended floor life results from a couple of things. First, the Kalman Floor was, and still is, a good product. Secondly, the MRF Manager and his staff can take credit for careful use of the floor during operations and careful observation of the worn area over the last few years as its life was stretched out. After careful consideration by staff,

Kalman Floors is recommended to replace worn areas of the MRF concrete tipping floor, without competitive bidding, and including paying prevailing wages for the work.

Recommendation: Adopt Resolution 2010-05 Authorizing Materials Recovery Facility Tipping Floor Concrete Resurfacing Services, Covering 17,685 Square Feet, Without Competitive Bidding to Kalman Floors of Evergreen, CO, at a Cost of \$322,100.

13) Approve Long-Term Agreement with City of Capitola to Accept Waste for Disposal at Rate of \$28.48 per Ton

Please refer to the enclosed memo from Tim. The terms and conditions of this Agreement are similar to those of former regional waste acceptance agreements.

Recommendation: Approve Long-Term Agreement with City of Capitola to Accept Waste for Disposal at Rate of \$28.48 Per Ton.

STAFF REPORTS

14) Review Finance, Operating and Recycling Reports

The financial statements for May 2010 have been completed and are enclosed. The Operating Income for May is \$68,324 and \$781,575 year-to-date. The year-to-date total Operating Expenses of \$15,358,977 are below budget by \$61,195. The year-to-date Operating Revenues are \$16,140,552, above last year by \$778,714 and above budget by \$62,219. Refuse Accepted (excluding Regional Waste) for May increased by 1,385 tons or 8.6%, from last year and by 741 tons or 4.4% from last month. The total refuse for the last 12 months was 195,333 tons, down 7,775 tons or 3.8%, from the 12 month period ended May 2009.

The Operating Report for May 30, 2010 is enclosed. The Total Solid Waste Accepted into the site (excluding Regional Waste) during May 2010 was 26,840 tons, an increase of 4,048 tons (or 17.8%) from May 2009. The variances resulted from increased waste from Franchise Haulers (625 tons – 5.3%), Cash customers (444 tons – 7.7%) and Commercial and Industrial haulers (2,979 tons – 55.9%). Regional Waste increased by 343 tons due primarily to the new contract for regional waste from Scotts Valley.

15) Report on Strategic Planning Advisory Task Force Meeting of June 2, 2010

Please refer to the enclosed minutes of the June 2nd meeting. The Task Force was asked to participate in completing a matrix of existing and desirable service options from the franchise hauler. A summary of the comments will be provided at the next meeting. In the afternoon

portion of the meeting, a Focus Group heard presentations from five different regional service providers on where and how to focus programs and services in the region in the future. The next meeting of the Task Force is scheduled for August 12th.

16) Report on Supplying Renewable Power to Proposed Regional Water Project (RWP)

Please refer to the enclosed memo from Information Systems Manager Don Prescott. In his memo, Don outlines staff efforts in several areas of the project to supply renewable power to the proposed RWP. I will be meeting with Curtis Weeks and Jim Heitzman during the week of June 14th to discuss the project.

OTHER CORRESPONDENCE

17) Letter to Assemblymember Julia Brownley RE: Support of AB 1998: Solid Waste: Single-Use Carryout Bags

Please refer to the enclosed letter sent under signature of Vice Chair of the Board and Chair of the District Litter Abatement Task Force. The letter was prepared on short notice in order to be delivered in a timely manner. A similar letter of support was sent by Monterey County on June 8th.

GENERAL MANAGER COMMUNICATIONS

- **US Open Golf Tournament.** Staff is working very closely with Waste Management, Inc. and with the Pebble Beach Company to promote recycling and waste minimization at the event. We are looking forward to a very successful US Open, including efforts at maximizing recycling and minimizing waste from the event.
- **Open House at MRWMD Facilities.** The District staff will sponsor an open house on Saturday, June 12th from 10 a.m. to 2 p.m., for the community, including families with children. An open house flyer has been circulated to the member agencies, and announcements have been placed in the local newspapers.
- **Lead Based Paint on Construction Demolition (C&D)-New Rules.** The U.S. Environmental Protection Agency is enforcing rules passed in 2008, requiring training for contractors involved with construction on buildings built prior to 1978. The provisions apply if you:
 - Reside in a home built before 1978.
 - Own or operate a child care facility, including preschools and kindergarten classrooms, built before 1978, or have a child less than six years of age who attends a child care facility built before 1978.

The training includes:

- Basic facts about lead and your health.
- How to choose a contractor, if you are a property owner.
- What tenants and parents/guardians of a child in a child care facility or school should consider.
- How to prepare for the renovation or repair job.
- What to look for during the job and after the job is done.
- Where to get more information about lead.

The rule does not change disposal status here at the Monterey Peninsula Landfill. It still allows disposal of painted pieces of wood in solid waste landfills. California does not allow lead paint chips since these are hazardous. Lead paint on complete wood or other surfaces is typically still allowed for solid waste disposal. Additional information is available at the USEPA website: <http://www.epa.gov/lead/pubs/renovation.htm> or at the District website: www.mrwmd.org.

- **Presentation On Alternative Energy in the Monterey Peninsula Region: Challenges and Opportunities.** On June 10th I participated on a panel along with Alana Knaster, Deputy Director of the Resource Management Agency of Monterey County and two others (see enclosed announcement), to discuss challenges and opportunities in the region for development of new renewable power sources. It was a meeting of the local chapters of the Association of Environmental Professionals (AEP) and the American Planning Association (APA).
- **California Special Districts Association (CSDA) Training for Board Members.** On Thursday, July 29th, from 9 a.m. to 4 p.m., CSDA is presenting a training session on “The Board’s Role in Human Resources”. The training will be presented in the District Boardroom. Director Downey plans to attend, but attendance by two Board members will help reduce District insurance premiums. The course syllabus states the participants will learn:
 - To develop guidelines for assessing the performance of the general manager.
 - To determine a protocol for approving personnel policies.
 - To create a process for approving job descriptions and organizational structure.
 - The confidentiality and legal liabilities of a district board member.Please consider attending, and let Becky know if you are able to do so.

BOARD COMMUNICATIONS

ELECTION OF OFFICERS FOR FISCAL YEAR 2010/2011

The one year term of Chair and Vice Chair of the District Board ends with the June meeting. Chair Laska was elected in January 2007 and Vice Chair McCloud was elected in January 2005, with each being reelected every year in June since then. Nominations for the positions of Chair and Vice Chair may be made on the day of the June meeting. There are no procedures outlined in the governing legislation of the District related to election of officers, nor has the District Board adopted formal

procedures for such elections. There is no limitation to the number of one-year terms an officer may serve. Board members interested in serving in either of these positions may contact Chair Laska or me for further information.

Elections for the Monterey Regional Waste Management Authority will be held in July in conjunction with the annual meeting of the Authority. Traditionally, the Authority officers have been the same as for the District.

CLOSED SESSION

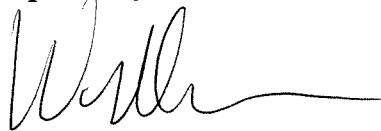
Please refer to your enclosed Confidential Packet.

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 Property Negotiators
 - Property: Landfill Site Space/Capacity
 - District Negotiators: William Merry and Tim Flanagan
 - Negotiating parties: GreenWaste Recovery/Zanker Road Landfill
 - Terms: All Terms and Conditions

NEXT MEETING DATE: JULY 16, 2010

Respectfully submitted,



William M. Merry