

MINUTES

**DEL NORTE SOLID WASTE MANAGEMENT AUTHORITY
CITY OF CRESCENT CITY
COUNTY OF DEL NORTE
STATE OF CALIFORNIA
Special Session, Wednesday, October 23, 2013, 3:00 P.M.**

PRESENT: Commissioner Rich Enea, Chair
Commissioner Roger Gitlin
Commissioner Rick Holley
Commissioner Mike Sullivan
Commissioner Mary Wilson
Legal Counsel Martha Rice
Acting Director/Program Manager Tedd Ward

ABSENT: Treasurer/Controller Richard Taylor

ALSO PRESENT: Jordan Kekry
Bill Lonsdale
Kathryn Murray, City Councilwoman
Eugene Palazzo, City Manager
Karen Phillips, PS Business Services
Jay Sarina, CAO Del Norte County
Don Scanlon, Consultant
Tommy Sparrow, Recology
Joel Wallen, Hambro/WSG

3:00 PM CALL MEETING TO ORDER

Chairman Enea called the meeting to order in special session at 3:00 P.M.

3:00 PM PUBLIC COMMENTS:

The following person(s) addressed the Authority: Acting Director Ward reported that as of November 1, 2013 no comingled payments for CRV's will be processed, items need to be separated to get money back. There is also a limit on how many bottles and cans may be recycled at one time (up to 50 can be recycled at one time). Jordan Kekry of Julindra Recycling stated that the CRV funds have been pledged to other agencies over the years and there is a limited balance, which is the reason for the 50 item limit that has been in effect for some

time. Commissioner Rick Holley noted that Senator Padilla is asking for support to ban the use of plastic grocery bag and would like to see a local ordinance implemented. Mr. Holley asked that the letter be forwarded to the Authority staff.

1. CONSENT AGENDA

- 1.1 Approve minutes, Regular Session, Wednesday 09 October 2013.

- 1.2 Approve Budget Transfer Request in the amount of \$5,000.00 to enable payment of claim to Donald Scanlon for professional services.

- 1.3 Approve payment of claim in the amount of \$5,000.00 to Donald Scanlon for Professional Services provided in May and June of 2013.

- 1.4 Approve requests for two dumpsters with waived disposal charges to assist with a community cleanup along Elk Creek, organized by the City of Crescent City.

END CONSENT AGENDA

There were no public comments regarding the consent agenda. Commissioner Gitlin asked to have items 1.2 and 1.3 pulled for separate action.

On a motion by Commissioner Gitlin, seconded by Commissioner Wilson, and unanimously carried, the Del Norte Solid Waste Management Authority approved and adopted the consent agenda, consisting of items 1.1 and 1.4, as listed above.

Commissioner Gitlin thanked Mr. Scanlon for his work and apologized that it had taken so long to get the payment in the mail. Noting that staff is working to correct this problem.

On a motion by Commissioner Sullivan, seconded by Commissioner Holley, and unanimously carried on a polled vote, the Del Norte Solid Waste Authority approved and adopted items 1.2 and 1.3 of the consent agenda as presented.

2. DIRECTOR'S & TREASURER'S REPORTS – No Agenda Items

DISCUSSION/ACTION ITEMS

3. LANDFILL POSTCLOSURE – No Agenda Items

4. COLLECTIONS FRANCHISE – No Agenda Items

5. TRANSFER STATION – No Agenda Items

6. GENERAL SOLID WASTE AUTHORITY MATTERS

- 6.1 Discussion and possible action regarding the release and distribution of a request for proposals (RFP) for an independent consultant to conduct an assessment of the Del Norte Solid Waste Management Authority operations and management structure. - 130101

Discussion was held regarding the RFP for an independent consultant. Elizabeth Henry, county resident, noted that there is still a piece missing in the RFP, which is public input regarding the consultant selection. She feels that this would be appreciated by the public and gives the consultants necessary information. City resident Kathryn Murray stated that the scope of services needs to include evaluation of the accounts payable or something similar. She also noted that the total compensation was not included. Commissioners noted that this is to let the consultant make a bid and not tell them what the Authority had to spend. Commissioner Sullivan acknowledged Mr. Lonsdale's letter dated October 22, 2013, which is included in the agenda packet for information and as part of the record.

Commissioner Sullivan noted that the recommendations were good public input and he asked that the RFP include the following requested alternatives/questions be addressed: a) alternatives regarding dissolution and transfer of functions to County and/or City staffs; b) dissolution and replacement by private enterprise(s); or c) dissolution and replacement by a smaller, contractor-supported JPA structure similar to the Local Transportation Commission, Redwood Coast Transit Authority, or the Border Coast Regional Airport Authority; d) Cash Controls and Procedures – if the Authority is dissolved or downsized, where should subsequent cash management and accounting be done? Is alternative staffing and expertise sufficient to take over functions now performed by Authority staff; e) Day to Day Operations – should the Authority be dissolved does sufficient staffing and/or expertise exist at the County or City level to assume landfill, transfer station, and collection oversight-related functions? If not, what additions to their staffing would be required; f) Organizational Structure – does sufficient staffing and expertise exist at the County and/or City level to assume policy development, regulatory compliance/reporting, rate setting, and enforcement, should the Authority be dissolved? Would separate City and County regulations, reporting, rate-setting and enforcement be required; g) Director Position – if the Authority were to be dissolved, where should the Director's functions be carried out?

The proposed alternative structure, if not the JPA, it would be a good idea to have some suggestions or alternatives that are cost-effective. Commissioner Wilson noted that the next steps would be a great addition to the RFP to give

alternatives. It was suggested that a “efficient and cost effective alternative” to service, if the JPA is not the best method of providing services” be included in the RFP questions. There are no known repercussions if the JPA is not the right entity to provide this service and the consultant needs to take a look at this if possible to give an assessment of what would need to happen if the JPA were to be dissolved. Staff noted that this is like a strategic planning process and Mr. Ward feels that the Authority should ask if the JPA is the best option and what the consultant likes or doesn’t like about the current set-up and then ask more in depth questions later. Counsel Martha Rice noted that the proposals will be received before the interviews and there needs to be wording in the RFP to allow for pricing. Commissioners also requested that staff add “financially effective and regulatory effectiveness to page 3 - Project Overview. Commissioner Wilson would like to make sure that the most cost effective solution is being found for the public while meeting mandatory and regulatory goals that “assess efficiency and cost effectiveness” of the goals. In the Background Documents, page 14-15, under Finances, she would like to add “5 years worth of financial audits/records” shall available for the consultant to review for a broader picture. Under Rates, Item 3.a - Regional Rate Comparison. Ms. Wilson would like to have a broader view of rates. She also noted that the review of other department heads salaries does not have purpose in her opinion. Commissioners noted that the salaries were what were available and were meant to give an idea of comparison based on job duties. She would like the consultant to find the salaries the comparable position salaries. The Cost Assessment recommendations that were done by the task force should be added in to the assessments, according to Ms. Wilson, she does not feel that item 5 and 6 of G need to be included at all. With regard to the plans attached to the RFP, she does not feel that the Del Norte Zero Waste Plan (2000) need to be attached as the clearly states, on page 2, that it is a conceptual plan. Ms. Wilson was worried that the plan was not in effect and conceptual only; she does not want the consultant thinking that it is in place as working policy, or strictly followed. When asked about the forensic investigation from Don Scanlon being in the RFP, Chairman Enea stated that it was being treated as a criminal investigation, and it should be given out later when the investigation is over. Commissioner Gitlin asked if this is micromanagement; seems like there is too much in the RFP. He would like a compromise and add to the RFP that the items are being included for review and analyzing before the consultant makes recommendations. Chairman Enea noted that all of the documents are public record and would be available on CD for review by the persons submitting a response to the RFP.

It was agreed, by consensus that a) the financial reports should be included for the last 5 years; b) the regional rate comparison will remain; c) Item #8, Director’s Salary will be removed; d) Page 15, Task Force report of 9/25/12, will be included; e) Prior Assessments, Item #5 and #6 will be taken out; f) Special Finance Ad Hoc Committee Reports of 2009 and 2011 – remove 2009, and leave 2011 in; g) Zero Waste, Item #2 Plans will be eliminated from RFP.

Commissioner Holley noted there was a suggestion that the public would be involved in some phase of this process. Discussion was held regarding the interviewing and hiring process. The public input process could occur during the agenda process at the open meeting where interviews will be held. Counsel Martha Rice added that on page 13, Exhibit A, could be filled in to give a timeline that would state the final report is due within 60 days, and the preliminary report within 45 days. If consultant then wants to change they can provide an explanation to the commission for approval. Commissioner Holley thanked folks for providing comments in this process.

Elizabeth Henry asked if there would be a public meeting to speak on this issue. She still thinks that the consultant should meet with the public in a special meeting at the beginning of the process. She noted that taking too much information out of the RFP would not be good. The consultant could be asked about their suggestions with the public input in this process

On a motion by Commissioner Sullivan, seconded by Commissioner Wilson, and unanimously carried on a polled vote, the Del Norte Solid Waste Management Authority approved and adopted the RFP with the above noted changes/additions.

- 6.2 Discussion and possible action regarding working with the Del Norte County Personnel, Auditing, and Health & Human Services Departments to obtain additional temporary employee(s) for the Authority to assist with fiscal and personnel management.

Discussion was held regarding obtaining additional temporary personnel to assist with the fiscal and personnel management duties of the Authority. This item is informational at this time; staff will be bringing something back after the RFP consultant is hired and the report received. There are some gaps in services at this time. Commissioner Gitlin offered the assistance of the County staff to help Mr. Ward in getting assistance.

Commissioner Gitlin asked about the inventory of the dumpsters. Mr. Ward said he would report on this issue at the next regular Authority meeting.

ADJOURN:

There being no further business to come before the Authority, Chairman Enea adjourned the meeting at 4:00 p.m. until the next regularly scheduled meeting on November 13, 2013 at 3:15 P.M.

Richard Enea, Chair
Del Norte Solid Waste Management Authority

Date / /

ATTEST:

Richard Holley, Clerk of the Board

Date / /