

MINUTES

**DEL NORTE SOLID WASTE
MANAGEMENT AUTHORITY
CITY OF CRESCENT CITY
COUNTY OF DEL NORTE
STATE OF CALIFORNIA**

Regular Session, Wednesday, December 11, 2013, 3:15 PM

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
Treasurer/Controller Richard Taylor
Katherine Brewer, Refuse Site Attendant

ABSENT: None

ALSO PRESENT: Karen Phillips, PS Business Services
Jay Sarina, CAO Del Norte County
Gene Palazzo, City Manager of Crescent City
Wes White, Hambro/WSG
Wes Nunn, Chair of the Del Norte Solid Waste Task Force

3:15 PM CALL MEETING TO ORDER

Chairman Enea called the meeting to order in regular session at 3:17 p.m.

3:15 PM PUBLIC COMMENTS.

The following person(s) addressed the Authority: Richard Miles spoke regarding the letter submitted by Del Norte Solid Waste Task Force Chair Wes Nunn. He would like to see any action tabled until a quorum of the Task Force is available to conduct a meeting and vote on the recommendations. He also noted his concern regarding the "free" dumpsters available to the County and the City and waiver of the cost of dumping by the Authority. Someone is paying for that dumping fee, that service is not entirely "free". He hopes that the Authority will evaluate future projects when asked to allocate the dumpsters. Craig Strong, resident of the county, spoke regarding the proposals to assess the Authority and

his feeling that the work was slanted towards dissolution of the Authority. He has confidence that any of the agencies presenting proposals have the appropriate skills to execute the work. He feels that there should have been more thought put into the budget before the proposals were let. Elizabeth Henry, resident, spoke regarding the future of the joint powers authority. She noted the work being done under difficult circumstances and past issues. She hopes for positive action from the Authority.

7.4 Discussion and possible action regarding Authority staffing needs and opportunities.

This item was addressed at the start of the meeting. Acting Director Ward introduced new part-time, temporary, employee Katherine Brewer, who will be employed as a Refuse Site Attendant.

1. REPORT FROM DEL NORTE SOLID WASTE TASK FORCE

Note: Solid Waste Task Force Meeting of 18 November 2013 did not have a quorum present, and so no official meeting was held.

1.1 Letter from Wes Nunn regarding Del Norte Solid Waste Task Force recommendations pertaining to Authority Ordinances, and related sections of City and County codes. - *200101*

Wes Nunn was present at the meeting and commented that the Task Force members are eager to complete this and work on other issues. They will meet again in January. He was under the impression that the recommendations were supposed to be on the agenda for action. Chairman Enea noted this item was not agendaized for action as the report was not available at the time of agenda review. Mr. Nunn stated that Ray Martell has asked to be appointed as a liaison to work between the Task Force and staff. Mr. Ward explained that this request followed from concerns Mr. Ward expressed regarding Mr. Martell's e-mailed comments attached to this letter which included several misunderstandings about the roles, functions and activities of the Authority, and that Mr. Ward intends on trying to better educate Task Force members regarding the work of the Authority. Commissioners asked that specific recommendations be made by a quorum of the Task Force at a regular meeting. This matter, with recommendations, will be placed on the next agenda for action. Elizabeth Henry stated that the email attached to the letter from Dave Mason was very unprofessional. (It was pointed out to Ms. Henry that her concerns were associated with the email from Ray Martell.) Richard Miles, member of the Task Force, noted his concern regarding moving forward and action being taken without a vote from a quorum of Task Force members, and that the Task Force Bylaws do not describe the procedures for an e-mail voting process. Mr. Nunn noted that the recommendations were specific, but were submitted without the preamble that the Task Force voted on in January of 2013. Commissioner Sullivan stated he would like the specific recommendations stripped down and be included in the next agenda for action.

2. CONSENT AGENDA

- 2.1 Approve minutes, Special Session, Wednesday November 13, 2013

END CONSENT AGENDA

On a motion by Commissioner Gitlin, seconded by Commissioner Wilson, and unanimously carried, the Del Norte Solid Waste Management Authority approved and adopted the minutes of the November 13, 2013 meeting as presented.

3. DIRECTOR'S & TREASURER'S REPORTS

Agenda items 3.1 through 3.5 are provided for information only

- 3.1 Acting Director's Report - 231501
- 3.2 Treasurer/Controller Report for October 2013
- 3.3 Claims approved by Treasurer & Director for November 2013

- 3.4 Monthly Cash and Charge Reports for November 2013
- 3.5 Earned Revenue Comparisons between FY12/13 and FY13/14

END DIRECTOR'S & TREASURER'S REPORTS

The above-listed reports were presented in the agenda packet. Mr. Ward reported on several matters included in the reports, including Page 1 of item 3.5 being replaced with an updated (corrected October number) version during the meeting. The Authority offices have been reconfigured and safety has been improved. A brief discussion was held regarding installing local artist's murals using possible grant funds to discourage graffiti on buildings and around the community. Commissioner Wilson provided a matrix to help clarify monthly cash flow. Commissioner Gitlin noted that 4 tons of trash was removed from Broad and Union Streets; he thanked the Acting Director for the Authority's assistance. No action was taken.

DISCUSSION/ACTION ITEMS

4. LANDFILL POST CLOSURE

- 4.1 Discussion and possible action regarding the 'Corrective Action Financial Assurance Cost Estimate for Water Release' from EBA Engineering, dated 27 November 2013. - *120110, 060901*

Acting Director Ward reported on the release dated November 27th. Staff noted that this was an informational item. No action was taken.

- 4.2 Discussion and possible action regarding road improvements to enable access for a drill rig to drill two investigative wells at the Crescent City Landfill.

Acting Director Ward reported on the road improvements to the landfill and noted that this was an informational item only. No action was requested. Commissioner Sullivan asked that future items requiring no action be listed as such on the agenda. A fine road has been constructed at the landfill by the County and the wells will be drilled soon. The permits have been obtained for the wells.

6. TRANSFER STATION - No Items

7. GENERAL SOLID WASTE AUTHORITY MATTERS

7.1 Discussion and possible action regarding proposals received for Assessment of the Del Norte Solid Waste Management Authority. - 130101

Acting Director Ward reported on the agreement (7.2), necessary budget transfer (7.3) items necessary to approve a proposal and contract with one of the three proposals submitted. The low-cost proposal was submitted by R3 Consulting Group at \$39,960. Staff did not make a specific recommendation of one proposal over the others, as this process had been driven by the questions posed by the Authority Board of Commissioners.

Commissioners expressed their interest in several issues including: strategies to save on rates and provide quality services, not letting this drag on and on, deleting two tasks (cash control/finances and analysis of the Gasquet and Klamath Transfer stations), from the scope to save money, possibly extending the response period for the Request for Proposals (RFP) until the January meeting, and possibly re-issuing the RFP. Staff said that the analysis of the small volume transfer stations could be completed by staff and analysis of cash controls was already being done by the Authority Treasurer, County Auditor, and Smith & Newell. Elizabeth Henry, resident, reminded the Authority that she stood in front of them and asked them if staff could not complete some of this (RFP) work prior to it being advertised. She said she did not understand what the Authority board is doing by now discussing taking the RFP apart. She felt that Task 8 asks about alternatives to the joint powers authority and that the budget should have been looked at before the RFP went out. She does not feel that the proposals are out of line. Patricia Black, member of the Solid Waste Task Force, thanked the Authority for their willingness to work through this issue and noted that she would like to have an outside opinion, have the Authority make a decision, and move on. She was impressed with comments in some of the proposals regarding the quality of the Authority's work. Mr. Strong, resident, shared his opinion that if the joint powers authority did not exist, there would not be the expertise in either the City or the County to take over the Authority duties. He feels that the Authority work is a public service and an appropriate government function. Mike Tompkins, resident, asked that if the report comes back and recommended leaving the current Authority in place would that happen? Andy Larson, county resident, expressed his opinion that a private company could perform the work better and less expensively than the joint powers authority. Kathryn Murray, resident, encouraged the Authority to approve one of the proposals before it today and not re-let the RFP. Commissioner Gitlin noted that he had been approached by a private company that claimed they would be able to perform the work less expensively and more efficiently, with lower tipping fees. Tasks 1 and 5 from the RFP (Tasks 3 and 7 in the R3 proposal) were discussed as possibly being deleted from the scope of services. Commissioner Wilson did not feel that there were a lot of choices in the proposals, one did not answer the questions appropriately, and she noted that no

work gets done during the month of December, now would be the time to get more information.

On a motion by Commissioner Holley, seconded by Commissioner Gitlin, and carried on a three-fifths polled vote, with Commissioners Wilson and Enea voting “no”, the Del Norte Solid Waste Management Authority accepted the proposal from R3 Consulting Group for \$33,460, removing Tasks 3 (Cash Control Procedures) and 7 (Small Volume Transfer Stations) from the scope, and authorized the Acting Director, Authority Chair, City Manager Eugene Palazzo and County Administrative Officer Jay Sarina to negotiate the agreement, with a start date to reflect the date of negotiation approval.

7.2 Discussion and possible action regarding approval of a ‘Consulting Services Agreement for an Assessment of the Del Norte Solid Waste Management Authority’ for an amount not to exceed \$62,284, or a lesser amount depending on the proposal selected, and authorize the Chair to sign the agreement.

See above Item 7.1.

7.3 Discussion and possible action regarding approval of a budget transfer from Salaries to Professional Services in an amount sufficient to cover the cost of the Consulting Services Agreement for Assessment of the Del Norte Solid Waste Management Authority.

Acting Director Ward described that a budget transfer would be required to pay for the above agreement.

On a motion by Commissioner Gitlin, seconded by Commissioner Holley, and carried on a four-fifths polled vote, with Commissioner Wilson voting “no”, the Del Norte Solid Waste Management Authority approved the budget transfer not to exceed \$33,460.

7.5 Discussion and possible action regarding letter of 25 November 2013 from Spencer Fine of the California Department of Resources Recycling and Recovery (CalRecycle) regarding successful review of Authority’s 2012 Electronic Annual Report. - 180501

Acting Director Ward reported that the 2012 Electronic Annual Report has been accepted by CalRecycle.

5. COLLECTIONS FRANCHISE

5.1 Discussion regarding the formation, responsibilities and history of the Del Norte Solid Waste Management Authority with respect to defining and monitoring the service standards for collections of

discards in Del Norte County, and the ability to grant franchises for waste hauling and/or collection and processing of mixed recyclable materials. - 061802

This item was discussed at the end of the agenda. Acting Director Ward reported on the collection franchises for waste hauling for collection and processing of mixed recyclable materials. Commissioner Gitlin asked that staff report at the next meeting about the use of the 20 dumpsters in 2013 so that the Authority could find a way to best use them in 2014.

ADJOURNMENT

There being no further business to come before the Authority, Chairman Enea adjourned the meeting at 4:52 p.m., until the next regularly scheduled meeting on January 08, 2014.

Richard Enea, Chair
Del Norte Solid Waste Management Authority

Date / /

ATTEST:

Richard Holley, Clerk of the Board

Date / /