

DEL NORTE SOLID WASTE MANAGEMENT AUTHORITY

MINUTES
May 22, 2012
3:30 p.m.

Del Norte County Board of Supervisors Chambers

PRESENT: Chair Gerry Hemmingsen
Vice Chair Rich Enea
Commissioner Martha McClure
Commissioner Michael Sullivan
Commissioner Leslie McNamer
Commissioner Kelly Schellong
Commissioner Kathryn Murray
Commissioner Donna Westfall
Commissioner Richard Holley
Legal Counsel Martha Rice
Treasurer/Controller Richard Taylor
Director Kevin Hendrick
Program Manager Tedd Ward
Clerk Rose Reppond

ABSENT: Commissioner David Finigan
Mary Wilson, Del Norte Solid Waste Task Force Chair

ALSO PRESENT: Del Norte County Executive Officer Jay Sarina
Crescent City Manager Eugene Palazzo
Recology Del Norte Manager Tom Sparrow
Hambro/WSG Operations Manager Joel Wallen
Auditor Controller Clinton Schaad
County Counsel Gretchen Stuhr
SEIU legal counsel Lathe Gill

The meeting was called to order by Chair Hemmingsen at the hour of 3:30 P.M.,
with all parties present as heretofore designated.

PUBLIC COMMENTS:

The Chair called for Public Comments.

The following people addressed the Board:

Richard Miles discussed the process for making appointments to the Del Norte Solid Waste Task Force.

Paul Dillard made a comment regarding the content of the Ad Hoc Committee report.

Bill Longsdale gave compliments regarding the services provided by Recology Del Norte and at the Del Norte County Transfer Station.

Lathe Gill, attorney for Service Employees Industrial Union local 1021, expressed the concerns of and opposition by the union to suggestions of privatization at the prior Authority Board meeting.

Victoria Dickie, expressed her concerns regarding the process the City will use to appoint members to the Del Norte Solid Waste Task Force.

CONSENT AGENDA

Minutes Regular Session, Wednesday April, 2012

On a motion by Commissioner Schellong and seconded by Commissioner Murray and unanimously carried on a polled vote the items on the consent agenda were approved.

<i>END OF CONSENT AGENDA</i>

DIRECTORS REPORT

Director Hendrick discussed the following topics within the Director's report:

Claims approved by the Director for April, 2012

Commissioner Westfall requested a copy of the invoice from Authority legal counsel Bob Black.

Monthly Cash and Charge Report for April, 2012

Revenue Comparison between FY 10/11 and 11/12

Treasurer/Controller Report for April, 2012

PCI Compliance Card Report related to credit/debit cards

The following people made public comments on items within the Director's report:
Richard Miles.

END DIRECTORS REPORT

DISCUSSION / ACTION ITEMS

LANDFILL POST CLOSURE- 120110

Program Manager Tedd Ward discussed the status of the Crescent City Landfill regarding Landfill Maintenance and Erosion repair. Approximately twice a year, the Authority Program Manager orders materials and rents necessary equipment as needed to repair the surface grades, drainage structures, and access roads at the Crescent City Landfill. Discussion followed. The following people made public comments on this item: Andrew Larson and Richard Miles. No action taken.

4:04 PM Mary Wilson entered meeting.

4:05 PM Sherrick Cron entered the meeting.

COLLECTIONS FRANCHISE - 180510

FRANCHISE COLLECTION CHANGE ORDER 02, FRANCHISE AGREEMENT FOR SOLID WASTE AND RECYCLEABLES COLLECTION SERVICES FOR CRESCENT CITY AND DEL NORTE COUNTY, CALIFORNIA

Program Manager Ward discussed the Franchise Collection Change Order 02, as well as the related actions of Transfer Station Operations Change Order 15 and Authority Resolution 2012-02. Discussion followed. The following people made public comments on this item: Richard Miles, Andrew Larson, and David Mason, President of SEIU local 1021.

On a motion by Commissioner Holley and seconded by Commissioner Murray, with Commissioner Westfall voting NO and all other Commissioners present voting AYE the Franchise Collection Change Order 02 was approved.

Auditor Controller Clinton Schaad left the meeting 4:26 PM

Noting that the Chair of the Del Norte Solid Waste Task Force had arrived, the Chair called for the report from that advisory body.

Del Norte Solid Waste Task Force - 200101

Mary Wilson gave a verbal summary of the May 10th, 2012, Public Workshop to discuss and receive public input on the Statewide Commercial Recycling Mandate and compliance options for property managers and owners of rental properties under the Authority's Solid Waste and Recycling Responsibility Ordinance 2008-01. This meeting was advertised the week prior both in the *Del Norte Triplicate* and on local radio stations, and was held at the Del Norte Healthcare District Conference Room, 550 East Washington Blvd. on May 10th, starting at 5:30 P.M. Chair Wilson reported that the meeting had been productive, and that some landlords had expressed concerns that under the current ordinance, they could be held criminally liable for their tenant's behavior, and that would be something the DNSWTF would consider recommending be changed.

The following people also addressed the Board regarding this item:

Richard Miles and Victoria Dickie.

TRANSFER STATION OPERATIONS - 080104

CHANGE ORDER 15 – AGREEMENT FOR OPERATION OF A TRANSFER STATION, RECOVERY, TRANSPORTATION AND DISPOSAL OF WASTE FROM THE DEL NORTE COUNTY TRANSFER STATION, DEL NORTE COUNTY, CA

Director Hendrick discussed the Change Order #15 – AGREEMENT FOR OPERATION OF A TRANSFER STATION, RECOVERY, TRANSPORTATION AND DISPOSAL OF

WASTE FROM THE DEL NORTE COUNTY TRANSFER STATION, DEL NORTE COUNTY, CA between Hambro / Waste Solutions Group and Del Norte Solid Waste Management Authority, on Fee Adjustments based on CPI and 3% CAP and Elimination of Harbor Dredge starting on July 1st, 2012.

On a motion by Commissioner McNamer and seconded by Commissioner McClure with Commissioner Westfall voting No and all other Commissioners present voting AYE, Transfer Station Operations Change Order 15 was Approved.

TRANSFER STATION: BUDGET - 22102

Director Hendrick discussed the draft Budget for Fiscal Year 2012/2013 and requested comments and direction from the board.

On a motion by Commissioner Sullivan and seconded by Commissioner Schellong and unanimously carried on a polled vote the Board gave the following direction to staff:

- 1) Transmit the proposed budget to the Del Norte County Board of Supervisors and the Crescent City Council as required by the JPA and return with any written comments that are adopted by these boards.
- 2) Schedule a Public Hearing and provide public notice for the final adoption of the Budget at 3:45 on Tuesday, June 26.

GENERAL SOLID WASTE AUTHORITY MATTERS: JOINT POWERS AGREEMENT – 101503

Director Hendrick discussed the First Amended Joint Powers Agreement, that the draft revised Joint Powers Agreement incorporated all prior amendments into a single document, and proposed additional changes included: a) changes to the location of the Authority office, b) an updated the Purpose to include and address all current Authority responsibilities, c) to provide for an alternate public member, d) clarified the timelines for

approval of the Authority annual budget, and e) addressed how the Authority adopts Ordinances.

The following members of the public addressed the Board on this item: Bill Longsdale and Paul Dillard. Discussion followed.

By consensus, the Board provided the following additional direction to staff in preparing the revised JPA to be presented at the next Authority meeting:

1. The term of the Public Member will be one year, to be approved by a majority vote of both the Crescent City Council and the Del Norte County Board of Supervisors,
2. That no Commissioner will be compensated for time spent attending meetings or performing their duties, and that
3. All Authority Ordinances, including Rate Ordinances, do not go into effect until approved by majority votes of both the Crescent City Council and the Del Norte County Board of Supervisors,

RESOLUTION 2012-02 A RESOLUTION OF THE GOVERNING BOARD OF THE DEL NORTE SOLID WASTE MANAGEMENT AUTHORITY ADJUSTING DISPOSAL RATES FOR THE DEL NORTE COUNTY TRANSFER STATION AND THE FRANCHISE COLLECTION RATES.

Director Hendrick discussed the following Resolution 2012-02. A RESOLUTION OF THE GOVERNING BOARD OF THE DEL NORTE SOLID WASTE MANAGEMENT AUTHORITY ADJUSTING DISPOSAL RATES FOR THE DEL NORTE COUNTY TRANSFER STATION AND THE FRANCHISE COLLECTION RATES.

Pertaining to the fees and charges for the collection and disposal of solid waste in Del Norte County.

Chair Opened for Public Comment – No Public Comment.

On a motion by Commissioner McClure and seconded by Commissioner McNamer, with Commissioner Westfall voting NO and all other Commissioners present voting AYE, on a polled vote the board approved **RESOLUTION 2012-02 A RESOLUTION OF THE GOVERNING BOARD OF THE DEL NORTE SOLID WASTE MANAGEMENT AUTHORITY ADJUSTING DISPOSAL RATES FOR THE DEL NORTE COUNTY TRANSFER STATION AND THE FRANCHISE COLLECTION RATES.**

At 6:00 PM, the Authority Board temporarily adjourned and reconvened as the Abandoned Vehicle Abatement Service Authority.

7.1 ABANDONED VEHICLE ABATEMENT SERVICE AUTHORITY –

Director Hendrick discussed the Contract for Northcrest Auto Center January 01, 2003 – December 31, 2009 and the term of the Agreement with American Towing for removal of abandoned vehicles. County Code Enforcement Officer David Mason addressed the Board. Discussion followed.

On a motion by Commissioner Schellong and seconded by Commissioner Sullivan and unanimously carried on a voice vote, Authority staff was directed to negotiate an extension of the current agreement with American Towing for an additional five years such that the total term of the towing agreement be seven years, and to return to the Board at a subsequent meeting with negotiated contract language so this change may be ratified.

At 6:20 P.M., the Abandoned Vehicle Abatement Service Authority adjourned and the Del Norte Solid Waste Management Authority reconvened.

CLOSED SESSION - Conference with Legal Counsel – Anticipated Litigation – Initiation of Litigation pursuant to subdivision © of Section 54956.9 (1 case)

The Chair opened this item for public comments. No Public Comments.

6:32 Board returned from closed session – No Final action to report.

The Del Norte Solid Waste Management Authority adjourned at the hour of 6:35 P.M., to reconvene in Regular Session, on June 26, 2012, at the hour of 3:30 P.M., at the Board of Supervisors Chambers, Flynn Center, 981 "H" Street, Crescent City, California.

_____ Date / /
Gerry Hemmingsen, Chair
Del Norte Solid Waste Management Authority

ATTEST:

_____ Date / /
Rosemarie Reppond Clerk
Del Norte Solid Waste Management Authority