

DEL NORTE SOLID WASTE MANAGEMENT AUTHORITY
23 April 2013
Del Norte County Board of Supervisors Chambers

PRESENT: Commissioner Rich Enea, Chair
Commissioner Rick Holley
Commissioner Mike Sullivan
Commissioner Roger Gitlin

Legal Counsel Martha Rice
Director Kevin Hendrick
Program Manager and Clerk Tedd Ward
Treasurer/Controller Richard Taylor

ABSENT: None

ALSO PRESENT: Tom Sparrow, Recology Del Norte
Wes White, Hambro/WSG
Jordan Kekry, Julindra Reyccling
Eugene Palazzo, Crescent City Manager
Brian McNalley, Del Norte County Environmental Health
Wes Nunn, Del Norte Solid Waste Task Force

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

PUBLIC COMMENTS:

The Chair called for public comments at 3:31 P.M. The following people addressed the Board: Richard Miles regarding the selection of the Public Commissioner. The Chair closed public comment at 3:33 P.M.

AUTHORITY COMMISSIONERS, PUBLIC MEMBER 012104

Chair Enea discussed the process that will be used to select the public member. In this order, each of the candidates addressed the Board: Ray Martell, Ralph Dickie, David Alvarez, Mary Wilson, Kevin Fallon, Warren Rehwaldt, and Sally Roy. The Clerk tallied the scores by Commissioners and reported that the top scores, in order, went to: a tie for first place between Martell and Wilson, followed by Fallon, Rehwaldt, Roy, Dickie and Alvarez. The Chair called for public

comment. Director Hendrick addressed the Board regarding voting protocol. Discussion followed.

Commissioner Holley made a motion, seconded by Commissioner Sullivan, to nominate Ray Martell as the Public Member. Commissioner Gitlin nominated Mary Wilson, seconded by Commissioner Sullivan. With Commissioner Holley voting 'No' and all other voting 'Yes,' Mary Wilson was approved to be the Public member of the Del Norte Solid Waste Management Authority, to be considered for ratification by the City Council and the Del Norte County Board of Supervisors.

(The appointment of Mary Wilson as the Public member of the Authority Board was ratified by the Crescent City Council on 06 May 2013, and by the Del Norte County Board of Supervisors on 14 May 2013.)

REPORT FROM THE SOLID WASTE TASK FORCE 200101

Wes Nunn addressed the Board on this item.

CONSENT AGENDA

Minutes, Regular Session, Tuesday March 26, 2013

Approve payment of invoice from EBA Engineering, \$8195.75

On a motion by Commissioner Giltin, seconded by Commissioner Holley, by a polled vote the consent agenda was approved unanimously.

END OF CONSENT AGENDA

DIRECTOR'S REPORT

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

Treasurer/Controller Report for March 2013
Claims approved by Director for March 2013
Monthly Cash and Charge Reports for March 2013
Earned Revenue Comparisons between FY11/12 and FY12/13

END DIRECTORS REPORT

DISCUSSION / ACTION ITEMS:

LANDFILL POSTCLOSURE INSURANCE 091401

Director Hendrick addressed the Board. Commissioner Sullivan said that David Nelson of Trindell Insurance may have information about the extent of current landfill insurance coverage.

COLLECTIONS FRANCHISE 180510 061801 TRANSFER STATION OPERATIONS CHANGE ORDER 080104 031502

Program Manager Ward discussed Change Order 3 to the contract with Recology Del Norte authorizing the annual CPI adjustment of the collection rates as provided for in the collections franchise. Discussion followed. Program Manager Ward addressed the Board regarding possible approval of Change Order 16 to the contract with Hambro/WSG authorizing the annual CPI adjustment of the transfer station rates as provided for in the transfer station operations agreement.

On a motion by Commissioner Sullivan, seconded by Commissioner Gitlin, Franchise Change Order 3 and Transfer Station Operations Change Order 16, were approved by an unanimous vote.

TRANSFER STATION OPERATIONS – CERTIFIED WEIGHTS 070106 080104

Director Hendrick and Program Manager Ward addressed the Board regarding the potential to provide certified weight services at the transfer station to assist local residents and businesses to comply with the requirements of the California DMV. Discussion followed.

On a motion by Commissioner Gitlin, seconded by Commissioner Holley, the Board unanimously voted to direct staff to:

Draft a Rate Ordinance for providing certified public scale services at the Del Norte County Transfer Station, and introduce this Rate Ordinance for review by the Authority Board at the next regular Authority meeting.

TRANSFER STATION OPERATIONS 080104

Wes White, President of Hambro/WSG addressed the Board. White reported that Snoozie Shavings, Resource Recovery Solutions, and four other companies have effectively shut down. EcoNutrients continues, and will hopefully be sold soon to a private company. White reported that Hambro/WSG continues to perform to the terms of the Transfer Station Operations agreement.

SOLID WASTE AUTHORITY BUDGET 022102

Director Hendrick addressed the Board regarding the status of the Fiscal Year 2012/ 2013 Budget and process for preparing FY2013/2014 Budget. Discussion followed.

Brian McNalley, Tom Sparrow, Jordan Kekry left meeting at 4:55 PM.

SOLID WASTE AUTHORITY PERSONNEL 160504

Director Hendrick addressed the Board regarding the Memorandum of Understanding for Services Between the County of Del Norte and the Del Norte Solid Waste Management Authority and MOU between the Del Norte Solid Waste Management Authority and Authority employees. Discussion followed.

Eugene Palazzo left meeting at 5:05 PM

SOLID WASTE AUTHORITY PERSONNEL, DIRECTOR 160504 & 101501

Director Hendrick addressed the Board regarding the appointment of labor negotiator(s) to meet with the Director regarding contract negotiations. Commissioner Gitlin suggested that the Chair make such appointments. Chair Enea appointed Commissioners Holly and Gitlin, and they will report back on this personnel matter in a future closed session of the Authority Board. Discussion followed.

SOLID WASTE AUTHORITY PERSONNEL 160504

Director Hendrick addressed the Board regarding permanently reducing allocated staffing from 9 to 8. Discussion followed. On a motion by Commissioner Sullivan, seconded by Gitlin, and approved on a unanimous polled vote, the Board permanently reduced allocated (refuse site) attendant staffing from 9 to 8.

GENERAL SOLID WASTE AUTHORITY MATTERS - 101503

Director Hendrick addressed the Board regarding the possibility of hiring a consultant to complete an independent assessment of the performance of the Del Norte Solid Waste Management Authority and complete an analysis of possible improvements or alternatives, such as the City or County withdrawing from the JPA or privatization. Discussion followed. Commissioner Sullivan suggested that the next agenda include an item for which "...staff prepare a

request for proposals for release for the privatization of solid waste, if possible with the sale of the transfer station included in that...with no lapse in service.” Director Hendrick said he was unclear on this direction, and was not clear on the issues to be addressed by such an RFP. Commissioner Gitlin expressed an interest in the effects of “...privatization of the process.”

Commissioner Sullivan also asked legal counsel what the process would be for one or both entities to pull out of the Del Norte Solid Waste Management Authority Joint Powers Authority. Counsel Rice said that as her firm also serves as legal counsel to the City of Crescent City, she could not provide advice on the results of distribution of assets and liabilities, though perhaps an outside counsel could be hired to do that. In the event of a dissolution of the JPA, however, the respective City and County legal counsels may have differing opinions. Commissioner Holley said that he was interested in an outside consultant review all potential improvements, possibly including privatization. Director Hendrick said he would include these items on the next agenda so the Board may provide more specific direction on these issues.

The Chair called for public comment, and Bill Longsdale addressed the Board to suggest that a potential reform of the JPA be considered, such as how the Local Transportation Commission is operated with a single Director, and all services contracted out.

RATES, COLLECTION FRANCHISE 061801 & TRANSFER STATION OPERATIONS 031502

Program Manager Ward addressed the Board regarding possible adoption of Resolution 2013-01 enacting the CPI increases as required in contract with Hambro and Recology. On a motion by Commissioner Sullivan, seconded by Commissioner Gitlin, Resolution 2013-01 was adopted by a unanimous polled vote.

CLOSED SESSION will be held for discussion and possible action regarding:

- 1) THREAT TO PUBLIC SERVICES OR FACILITIES (Gov Code 54957(a)
) Consultation with Legal Counsel;
- 2) CONFERENCE WITH LABOR NEGOTIATOR (Gov Code Section 54957.6) Agency Representative: Kevin Hendrick; Employee Organization: Mid-Management (Ward Valdez);
- 3) CONFERENCE WITH LABOR NEGOTIATOR (Gov Code Section 54957.6) Agency Representative: TBD; Employee Organization: Management (Hendrick)

The Del Norte Solid Waste Management Authority adjourned at the hour of 6:30 P.M., to reconvene in Regular Session, on May 28, 2013, at the hour of 3:30 P.M., at the Board of Supervisors Chambers, Flynn Center, 981 "H" Street, Crescent City, California.

_____ Date / /
Rich Enea, Chair
Del Norte Solid Waste Management Authority

ATTEST:

_____ Date / /
Tedd Ward, Clerk and Program Manager
Del Norte Solid Waste Management Authority