



**MINUTES**

SOUTH BAYSIDE WASTE MANAGEMENT AUTHORITY  
 MEETING OF THE BOARD OF DIRECTORS  
 February 26, 2015 – 2:00 p.m.  
 San Carlos Library Conference Room A/B

**1. Roll Call**

Agency	Present	Absent	Agency	Present	Absent
Atherton	X		Menlo Park		X
Belmont	X		Redwood City	X	
Burlingame	X		San Carlos	X	
East Palo Alto	X		San Mateo	X	
Foster City	X		County of San Mateo		X
Hillsborough	x		West Bay Sanitary District	X	

Alternate Member John Root represented Burlingame.

**2. Adjourn to Closed Session** – Pursuant to Government Code Section 54957.6 CONFERENCE WITH LABOR NEGOTIATOR, Executive Director Regarding Unrepresented employees-(all employees)

The Regular Session was called to order at 2:29 PM

**3. Report from Closed Session**  
**THE REGULAR PORTION OF THE MEETING IS ANTICIPATED TO START AT 2:15 PM**

No Report

**4. Public Comment**

Persons wishing to address the Board on matters NOT on the posted agenda may do so.

Each speaker is limited to two minutes. If there are more than five individuals wishing to speak during public comment, the Chairman will draw five speaker cards from those submitted to speak during this time. The balance of the Public Comment speakers will be called upon at the end of the Board Meeting.

If the item you are speaking on is not listed on the agenda, please be advised that the Board may briefly respond to statements made or questions posed as allowed under The Brown Act (Government Code Section 54954.2). The Board's general policy is to refer items to staff for attention, or have a matter placed on a future Board agenda for a more comprehensive action or report and formal public discussion and input at that time.

None

**5. Executive Director's Report**

Executive Director McCarthy gave an update on the port challenges. He noted that the ILWU still needs to vote, but a tentative agreement had been reached, and the port operations are back up and running. He noted that operations are still backed up, so it will be another month or two of delays in getting commodities to market. He also noted that the one-time costs associated with the port delays have not been fully tallied, and that a final cost would be forthcoming. He gave an update that the Board approved Consent to Assignment has been delayed and is now scheduled to close on March 4<sup>th</sup>. He also welcomed new Board Member Rick Bonilla from San Mateo. He commented that Assembly Member

Gordon has been selected to chair a special committee on waste reduction and recycling so he will be reaching out to the Assembly Member to offer any assistance.

Member Dehn commented that her Board of Directors asked that when the analysis is done on what the final costs are due to the port slow down, could the value of the commodities stored also be included.

Executive Director McCarthy noted he would include that in the final tally.

**6. Approval of Consent Calendar:**

Consent Calendar item(s) are considered to be routine and will be enacted by one motion. There will be no separate discussion on these items unless members of the Board, staff or public request specific items be removed for separate action. *Items removed from the Consent Calendar will be moved to the end of the agenda for separate discussion.*

- A. Adopt the January 22, 2015 BOD Meeting Minutes
- B. Approval of Quarterly Investment Report as of 12/31/14
- C. Resolution Approving Updates to Employee Handbook

Member Aguirre made a motion to approve the consent calendar.

Member Stone seconded the motion

Voice Vote: All in Favor; Member Bonilla abstained from 6A

Agency	Yes	No	Abstain	Absent	Agency	Yes	No	Abstain	Absent
Atherton	X				Menlo Park				X
Belmont	X				Redwood City	X			
Burlingame	X				San Carlos	X			
East Palo Alto	X				San Mateo	X		X(6A)	
Foster City	X				County of San Mateo				X
Hillsborough	X				West Bay Sanitary Dist.	X			

**7. Administration and Finance:**

- A. TAC and Board Committee Structure (*Discussion item*)

Chair Widmer gave a brief history of how the TAC was formed.

Executive Director McCarthy commented that there is not a clear sense of the role of the TAC, but that senior level or department head senior staff from the member agencies have always been involved at the JPA. He gave background information on the JPA decisions the Member Agency staff has been involved with historically, and what the TAC has discussed since the governance change. He also noted that in large part the current TAC hasn't been on the TAC for very long, and that the technical expertise lies with the JPA staff. He suggested a monthly conference call to go over the items in the board packet to make sure the TAC members stay informed.

Chair Widmer added that standing meetings of the TAC have meant doubling work for the JPA staff, doing the work of the packet two weeks earlier and more or less doing everything twice. He noted that a few Board members commented that they would like their TAC member to review the budget, and that the TAC members are still getting the packets at the same time as their Board Members, and suggested they meet with their TAC member during that time to discuss the packet, and could contact the JPA staff with any concerns.

Member Olbert noted that he has pushed for regular TAC meetings, and that he thinks more items should go through the TAC. He commented that he still wants Member Agency staff involved at more than just a briefing level, so that they can provide technical expertise on items he may not even know about, and he would like to use the technical resources available as effectively as possible.

Member Abrica suggested that annually the Board identify big issues and assign them to the TAC.

Chair Widmer summarized that annually the Agency Staff and Board have a one day session to discuss issues that are coming up, and then decide on key things and which body would handle those.

Executive Director McCarthy commented that effectively that is what has been happening. He noted that the Long Range Plan is a big project, and there was a briefing session with the TAC, but that he struggles with how engaged the TAC members should be with day to day items versus big long range items. He noted that any big decisions are going through the TAC already, so those judgments are already being made, but with day to day items like budget and rates, the Board members know as much as the TAC members in those areas.

Member Stone noted that he thought the TAC could be useful, but wanted to be sensitive to City staff as well as JPA staff time. He commented that he thought a Monday conference call was not a practical turnaround time to then have a TAC member meet with their Board member, but was receptive to the idea of a conference call.

Member Benton commented that he was on the Blue Ribbon committee which led to the formation of the Elected Board. He noted that the TAC was thought of at the end of the Blue Ribbon Committee discussions in order to not lose all the institutional knowledge. At that time Larry Patterson brought up that a lot of the JPA's heavy work been done so there may not be a lot for the TAC to do, but that it was a good idea at least during the transition. He noted that he only connects with his TAC member during rate setting, so he didn't see a need for her to be on a monthly call or meeting. He noted that he'd like to see the TAC remain, because from time to time there are items to charge the TAC with, but trying to keep them up to date monthly is too much duplication.

Member Aguirre remarked that she would like to find a way to make the TAC a more productive group that is a benefit to the Board and the constituents that are served. She added that it's awkward to have TAC members sitting at Board meetings when they are not part of the decision.

Member Bronitsky commented that he liked the idea of the conference call, he noted that he does connect with his TAC member when the Board packets come out, and she wanted to keep the monthly meeting scheduled, but not held if they are not needed. He also liked the idea of an annual meeting to predetermine items to be vetted by the TAC, but doesn't want to have his staff or the JPA staff in a repetitive meeting.

Member Bonilla commented that an annual meeting was a good idea, and asked TAC members to speak on their opinions.

Member Olbert noted that Member Bronitsky's point about keeping the meeting on the calendar and cancelling when they're not needed is what happened last year, but preserves the opportunity to keep people informed, but doesn't waste time if the meeting isn't needed. He also asked if there was an established protocol of requiring TAC members to attend Board meetings.

Executive Director McCarthy answered that there wasn't a protocol, and it's up to individual Member Agencies who attends, but as a matter of practice that's what has been happening.

Vice Chair Dehn remarked that she valued TAC input but didn't want redundancy. She wanted her TAC member to be able to write a staff report when any JPA issues were going to council.

Member Root commented that he would like to hear from the TAC, because their time is so valuable, and they may not need to come to Board meetings, and a conference call which takes less time may be a good idea.

Joe La Mariana, alternate member of the TAC from the County of San Mateo, commented that the TAC members offer the professional perspective day in and day out and provide ongoing continuity. He noted

that a lot of issues for the TAC tend to be cyclical, and they are very invested in the rate process. He also added that he likes dates on the calendar, and if it was decided that a conference call was the best option, he requested those be two weeks out.

Jay Walter, TAC member from San Carlos, noted that there needed to be a good relationship with the Member Agency Staff and the JPA Staff, and that having face to face discussions helps to build those relationships, so he was against the conference call. He also noted that the JPA has a repeatable pattern, and we can be aware that it will probably be a few times a year that the TAC will meet. He also noted that if something on trash or recycling is on the City Council agenda he wanted to be at the Board meetings so he would be aware of the debate that goes on at the Board level.

Chair Widmer asked the TAC and Board members to come up with a list of items that they thought the TAC should regularly review and send an email to the Executive Director with those specific items.

Roxanne Murray, TAC Member from San Mateo, commented that she has been very fortunate to have open communication with her Board member. She also noted that she likes attending the Board meetings to get an agency wide perspective. She remarked that she likes the scheduled meetings the way they are and then cancelling them if not needed.

George Rodericks, TAC Vice Chair from Atherton, remarked that the Board needs to know what it's looking for from the TAC. He commented that if the Board is looking for a staff liaison to give advice as to what the issues are locally, then there is no need for a regular TAC meeting, but if the Board is looking for value from discussion at the staff level on issues that the Board feels are important, then the TAC should meet regularly.

Chair Widmer reminded TAC and Board members to identify any key items that you know about now.

Member Olbert commented that regular TAC meetings could be useful for the JPA to know what issues residents and business are coming to the Cities with, and to help build the relationship.

Executive Director McCarthy commented that the TAC will continue with the same approach and that the goal of this discussion was to get a broad based discussion on the topic. He noted that he was still struggling with the idea of the TAC being strictly information sharing like other JPAs in the area, or should they be acting like a committee of the Board and giving feedback on policy issues, budget and other big items, but at this time there is no change.

#### B. Review of Employee Compensation Policy (*Discussion item*)

Chair Widmer noted that as part of the Executive Director's goal process two different policies were to be reviewed each year, and this is the review of the Employee Compensation Policy.

Executive Director McCarthy noted that the policy covers Board approval of salary ranges, performance appraisal process, and the granting of merit increases. He noted that the policy works well, and there are no suggested changes.

#### C. Appointment of Board Members to Adhoc Subcommittee to Interview Finance Manager Candidates

Chair Widmer stated that Staff Moran indicated his intent to retire, and that volunteers are need to serve on a Board subcommittee to interview candidates. He also noted that there has been some discussion on whether to appoint Board members or to have the Audit/Finance Subcommittee interview candidates.

Member Benton noted that he is on the finance committee and is happy to be on the interview team.

Member Olbert shared that he thought it was a good idea to have the Finance Committee on the interview subcommittee.

Chair Widmer noted that it would be Member Widmer, Member Benton, and Member Brownrigg conducting Board interviews, and asked if a TAC finance director should be on the committee as well.

Member Benton pointed out that both Hillsborough and Burlingame are already serving on the interview committee and those two Agencies are the only ones whose TAC members are finance people.

Member Benton noted he would talk to his TAC member Jan Cook about serving on the interview committee as well.

**8. Collection and Recycling Program Support and Compliance:**

No items this month

Member Abrica now absent 3:30PM

**9. Shoreway Operations and Contract Management:**

A. Resolution Approving New Capital Request by SBR for One Transfer Trailer for Hauling Organic Materials (*Approval item*)

Staff Gans summarized the staff report noting that with the recent renewal and new organics contracts the tonnage was shifted between the contractors and now 15,000 tons need to travel a greater distance which leads to additional staff time as well as equipment. This request will fill the equipment gap, and will raise the organics tipping fee from \$66.07 to \$66.69 per ton.

Executive Director McCarthy noted that this a fairly straight forward item, but because it wasn't included in the compensation application it required separate Board approval.

Member Olbert wondered if it was being purchased for cash or being financed.

Executive Director McCarthy answered that SBR is financing it, but the JPA is compensating them for it, and at the end of the contract the JPA would have the option to own the asset.

Member Olbert questioned why it wouldn't get purchased outright.

Executive Director McCarthy answered that it's a past policy decision, noting that SBR owns all of their own equipment. The JPA owns the processing equipment, but the trucks are owned by the contractors.

Member Benton asked if they need for this equipment because volume is up or because it needs to go farther away than it used to, and why the change.

Staff Gans answered that it's a distance issue, there are an additional 48 miles that 15,000 tons have to go. He also explained that the compost processing contracts expired, and when this Board voted to renew the contracts the proportion of tonnage was changed because it was a better value for the JPA.

Member Benton questioned if the contracts were a better value, then why was there still a net increase.

Executive Director McCarthy answered that the analysis shared when the composting contracts were reviewed looked at transportation and tipping fee costs, and the best total value was to go to a mix, and this cost was anticipated in that analysis and is still the best total value.

Chair Widmer clarified that the numbers that were presented at the time of the contracts included the amortization of this vehicle.

Staff Gans answered yes.

Member Bronitsky made a motion to approve Resolution 2015-05

Member Olbert seconded the motion

Voice Vote: All in favor

Agency	Yes	No	Abstain	Absent	Agency	Yes	No	Abstain	Absent
Atherton	X				Menlo Park				X
Belmont	X				Redwood City	X			
Burlingame	X				San Carlos	X			
East Palo Alto				X	San Mateo	X			
Foster City	X				County of San Mateo				X
Hillsborough	X				West Bay Sanitary Dist.	X			

10. **Informational Items Only (no action required)**
  - A. Update on Implementation of Commercial Recycling Hauler Reporting System Ordinance
  - B. 2015 Finance and Rate Setting Calendar
  - C. Check Register for January 2015
  - D. Potential Future Board Agenda Items
11. **Board Member Comments**
12. **Adjourn 3:39PM**